# CONGRESSIONAL RECORD:

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## THE PROCEEDINGS AND DEBATES

OF THE

## FIFTIETH CONGRESS, FIRST SESSION

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## VOLUME XIX.

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WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1888.

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VOLUME XIX, PART 1.

# CONGRESSIONAL RECORD,

## FIFTIETH CONGRESS, FIRST SESSION.

# CONGRESSIONAL RECORD.

## PROCEEDINGS AND DEBATES OF THE FIFTIETH CONGRESS.

## FIRST SESSION.

### SENATE.

MONDAY, *December* 5, 1887.

The first Monday of December being the day prescribed by the Constitution of the United States for the annual meeting of Congress, the first session of the Fiftieth Congress commenced this day.

The Senators assembled in the Senate Chamber in the Capitol at Washington city.

The PRESIDENT *pro tempore* (Mr. JOHN J. INGALLS, a Senator from the State of Kansas) took the chair and called the Senate to order at 12 o'clock noon.

PRAYER.

Rev. J. G. BUTLER, D. D., Chaplain to the Senate, offered the following prayer:

Breathe into us, Oh Lord, our God, the spirit of prayer as we bow reverently at the throne of heavenly grace. We adore Thee, our maker, our preserver, our redeemer, and bless Thee for the kind providence that in life and health brings us again together in these responsible relations.

Oh Lord, our God, our eyes are toward Thee as we lift our hearts for guidance, for grace, for strength, that these, Thy servants, may meet the honorable and trying responsibilities of this day and all the duties that gather around them in Thy fear, in Thy love, with wisdom and strength that come down from God. In their persons, in their families, very abundantly bless them. So fill them with Thy spirit that amid the trying and worrying cares of life they may gain control over their own hearts and think and speak and act in the immediate presence of God.

Bless, we pray Thee, our Government in all its departments. Remember the President in great mercy, and the members of his Cabinet. Pour Thy spirit richly upon all who bear rule in this land and upon all who are under authority.

Thy grace, Oh God of our fathers, follows us from year to year. We pray Thee save us from all the evils that threaten us, and help us so to walk in Thy commandments and ordinances, in the fear and love of God, that this land, so abundantly blessed of Heaven, may lead the nations of the world in their onward march toward that kingdom which shall never be moved.

We commend to Thee the interests of all the people, and entreat Thee, Oh God, to deliver us from violence and lawlessness, from ignorance and intemperance, and from everything that imperils the life, and the peace, and the well-being of the nation. Bless us among the nations of the world.

We entreat Thee, Oh God, that Thy kingdom may be established, and that the spirit of truth, of justice, of love, of mercy may control the hearts of all rulers and all people, and that very soon the time shall come when the kingdoms of this world shall be as one family, acknowledging God and Him whose right it is to reign.

We ask these mercies, with forgiveness and grace, in the name of Him who hath taught us, when we pray, to say: Our Father who art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done in earth, as it is in heaven. Give us this day our daily bread. And forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory, forever. Amen.

CREDENTIALS.

The PRESIDENT *pro tempore*. This being the day designated by the Constitution of the United States for the annual meeting of Congress, the Senate, pursuant thereto, is now in session, and will come to order.

The Chair will lay before the Senate the certificates of election, certificates of appointment, and other papers relative to the seats of Senators, received since the adjournment of the Senate in March.

The Chief Clerk will report the certificate of the executive of the State of Florida of the appointment of Jesse J. Finley as a Senator from that State to fill a vacancy.

The credentials, dated February 28, 1887, appointing Jesse J. Finley to fill until the next meeting of the Legislature of Florida the vacancy occasioned by the expiration of the term of C. W. Jones, were read and ordered to lie on the table.

The PRESIDENT *pro tempore* presented a second certificate from the executive of the State of Florida of the appointment by him of Mr. Finley a Senator from that State until the next meeting of the Legislature thereof, dated March 4, 1887; which was read and ordered to lie on the table.

The PRESIDENT *pro tempore* presented the credentials of Rufus Blodgett, chosen by the Legislature of New Jersey a Senator from that State for the term beginning March 4, 1887; which were read.

The PRESIDENT *pro tempore* presented the credentials of Samuel Pasco, chosen by the Legislature of Florida a Senator from that State for the term beginning March 4, 1887; which were read.

The PRESIDENT *pro tempore* presented the credentials of William E. Chandler, chosen by the Legislature of New Hampshire a Senator from that State to fill the vacancy occasioned by the death of Austin F. Pike in the term ending March 3, 1889; which were read.

SENATOR FROM WEST VIRGINIA.

The PRESIDENT *pro tempore* presented the certificate of the appointment by the governor of West Virginia of Daniel B. Lucas as Senator from that State, to hold "until the next meeting of the Legislature of said State having authority to fill" the vacancy occasioned by the expiration of the term of Johnson N. Camden on March 3, 1887; which was read.

The PRESIDENT *pro tempore*. The certificate of the election of Charles J. Faulkner as a Senator from the State of West Virginia will now be read.

The credentials of Charles James Faulkner, chosen by the Legislature of West Virginia a Senator from that State for the term beginning March 4, 1887, were read, as follows:

*State of West Virginia, to wit:*

I, E. W. Wilson, governor of the State of West Virginia, do hereby certify that section 18, article 6, of the constitution of said State, provides as follows:

"SEC. 18. The Legislature shall assemble at the seat of government biennially, and not oftener, unless convened by the governor. The first session of the Legislature after the adoption of the constitution shall commence on the third Tuesday of November, 1872; and the regular biennial session of the Legislature shall commence on the second Wednesday of January, 1875, and every two years thereafter, on the same day."

That in pursuance of said constitutional provision, the Legislature of said State convened at Charleston, the seat of government thereof, in regular biennial session, on the second Wednesday in January, 1887, and adjourned *sine die* on the 25th day of February, said year, without having chosen a Senator from said State in the Senate of the United States, for the term beginning on the 4th day of March, A. D. 1887.

That on the 5th day of March, 1887, as governor aforesaid, I appointed Daniel B. Lucas, to fill the vacancy thus happening, and caused a credential under my hand and the great seal of the State to be delivered to him in the following words and figures, to wit:

"*State of West Virginia, to wit:*

"The term of J. N. Camden, who was, according to the Constitution of the United States, a Senator from the State of West Virginia, for the term ending on the 3d day of March, A. D. 1887, having expired, and the Legislature of said State having adjourned its regular biennial session on the 25th day of February, A. D. 1887, without having chosen a Senator from said State in the Senate of the United States, for the term beginning on the 4th day of March, A. D. 1887, and a vacancy having thus happened: Now, therefore,

"I, E. W. Wilson, governor of the State of West Virginia, do, by virtue of said Constitution, appoint Daniel B. Lucas, of the county of Jefferson, a Senator from this State in the Senate of the United States, until the next meeting of the Legislature of said State having authority to fill said vacancy.

"Given under my hand and the great seal of the State, this the 5th day of March, A. D. 1887.

"[G. S.] E. W. WILSON.

"By the governor:

"HENRY S. WALKER,

"*Secretary of State.*"

That by virtue of the power vested in me as governor aforesaid by section 7, article 7, of the constitution of said State, I convened the Legislature thereof by proclamation, in the following words and figures, to wit:

PROCLAMATION.

STATE OF WEST VIRGINIA, EXECUTIVE DEPARTMENT,
*Charleston, March* 5, 1887.

I, E. W. Wilson, governor of the State of West Virginia, under and by virtue of section 7 of article 7 of the constitution of said State, which provides that—

"The governor may on extraordinary occasions convene at his own instance the Legislature, but when so convened it shall enter upon no business except that stated in the proclamation by which it was called together."

Do issue this, my proclamation, to convene the Legislature of said State at the seat of government, at Charleston, on the third Wednesday in April, A. D. 1887, to consider and act upon the following subjects of legislative business, to wit:

1. To make appropriations of public money to pay general charges upon the treasury.

2. To make appropriations of public money to pay members of the Legislature, and for salaries of the officers of the government, in pursuance of the forty-second section of the sixth article of the constitution.

3. To protect the public treasury against unnecessary expenditures by—

(1) Regulating the costs, charges, and proceedings in criminal cases before justices of the peace and circuit courts.

(2) Providing for and limiting the allowances for the maintenance of lunatics in jail.

4. To carry into effect section 9 of article 11 of the constitution, which provides that—

"Railroads heretofore constructed, or that may hereafter be constructed in this State, are hereby declared public highways, and shall be free to all persons for the transportation of their persons and property thereon, under such regulations as shall be prescribed by law; and the Legislature shall, from time to time, pass laws, applicable to all railroad corporations in the State, establishing reasonable maximum rates of charges for the transportation of passengers and freights, and providing for the correction of abuses, the prevention of unjust discriminations between through and local or way freights and passenger tariffs, and for the protection of the just rights of the public, and shall enforce such laws by adequate penalties."

And to provide for securing such relief to the people of this State as may be had from the act, recently passed by Congress, entitled "An act to regulate commerce."

5. To prohibit railroad companies from carrying or conveying public officers over their roads free of charge, or at a less charge than the usual rate for other persons, and to abolish absolutely the free-pass system.

6. To prohibit railroad companies from carrying or conveying delegates to political conventions over their roads free of charge, or at a less charge than is made for all other such delegates to such conventions; and to define what shall constitute a political convention.

7. To prohibit the use of money and all other improper, fraudulent, and corrupt means to secure nominations, by political parties, or election to public office.

8. To provide for the acceptance and confirmation of the reports of the joint boundary commission on the boundary lines between West Virginia and Pennsylvania.

9. To provide for establishing the boundary line between West Virginia and Maryland.

10. To provide for establishing the boundary line between West Virginia and Virginia.

11. For the senate to act upon executive nominations for office.

In testimony whereof I have hereunto set my hand and caused to be affixed the great seal of the State, at Charleston, this 5th day of March, in the year of our Lord 1887, and of the State the twenty-fourth.

[SEAL.] E. W. WILSON.

By the governor:
HENRY S. WALKER,
*Secretary of State.*

That in pursuance of said proclamation, the Legislature of said State assembled in the capitol building at Charleston aforesaid, on the third Wednesday in April, A. D. 1887, and that, amongst other things, on the 3d day of May, 1887, the following proceedings were taken in the senate, as appears by the journal thereof, to wit:

Mr. Sommerville moved that the senate proceed openly, by a *viva voce* vote of each member present, to name a person for Senator in the Congress of the United States, from this State, to fill the vacancy which exists in the representation of this State in the Senate of the United States, caused by the expiration of the term of Johnson N. Camden and the failure of the Legislature to elect his successor.

Mr. Morris raised the point of order that it was not then in order to take such a vote.

The president decided the point of order not well taken.

On agreeing to the motion made by Mr. Sommerville, Mr. Scott demanded the ayes and noes, and the demand being sustained, they were ordered, and taken as follows:

The ayes were: Messrs. Price (president), Arnold, Bond, Brown, Carr, Gettinger, Gwinn, Maxwell, Minear, Morris, Morrison, McCreery, McCallister, Oxley, Price (of Marshall), Sommerville, Sweeney, Switzer, Unger, and Van Pelt—20.

The noes were: Messrs. Dawson, Flournoy, Furbee, and Scott.

Messrs. Snyder and Woodyard not voting. So the motion was agreed to.

Thereupon the president announced that the senate would proceed openly, by a *viva voce* vote of each member present, to name a person for Senator in the Congress of the United States from this State, to fill the vacancy which exists in the representation of this State in the Senate of the United States, caused by the expiration of the term of Johnson N. Camden, and the failure of the Legislature to elect his successor, to which vacancy the governor temporarily appointed Daniel B. Lucas in the recess of the Legislature, prior to the commencement of the present session thereof.

Whereupon the senate, in pursuance of the provisions of the act of Congress of the United States entitled "An act to regulate the times and manner of holding elections for Senators in Congress," approved July 25, 1866, proceeded to take such vote.

Upon a call of the roll by the clerk, Messrs. Brown, Gettinger, Gwinn, McCreery, McCallister, Oxley, Sommerville, Sweeney, Unger, and Van Pelt voted for Johnson N. Camden. Messrs. Arnold, Bond, Dawson, Furbee, Maxwell, Minear, Morris, Morrison, and Scott voted for W. H. H. Flick. Mr. Carr voted for A. R. Barbee. Mr. Flournoy voted for John J. Davis. Mr. Price (of Marshall) voted for A. F. Haymond. Mr. Price (president) voted for John Brannon. Messrs. Snyder, Switzer, and Woodyard not voting. Whole number of votes cast, 23, of which Mr. Camden received 10, Mr. Flick received 9, Mr. Barbee received 1, Mr. Davis received 1, Mr. Haymond received 1, Mr. Brannon received 1; no person having received the votes of a majority of all the members of the senate present.

The senate then resumed its regular order of business; and on the same day the following proceedings were taken in the house of delegates, as appears by the journal thereof, to wit:

The hour of 12 o'clock meridian having arrived, Mr. Woods moved that the house now proceed to vote, *viva voce*, for a United States Senator, as required by the Constitution of the United States, and in pursuance of the act of Congress approved July 25, 1866; which motion was agreed to.

Whereupon the house, in pursuance of the act of Congress of the United States entitled "An act to regulate the times and manner of holding elections for Senators in Congress," approved July 25, 1866, proceeded openly, by a *viva voce* vote of each member present, to name one person for Senator in Congress from this State, to fill the vacancy which exists in the representation of this State in the Senate of the United States caused by the expiration of the term of Johnson N. Camden, and the failure of the Legislature to select his successor, to which vacancy the governor temporarily appointed Daniel B. Lucas in the recess of the Legislature prior to the commencement of the present session thereof.

For that position Mr. Toler nominated A. R. Barbee, of the county of Mason; Mr. Chipley nominated A. F. Haymond, of the county of Marion; Mr. McClung nominated John W. Harris, of the county of Greenbrier; Mr. Hagans nominated W. H. H. Flick, of the county of Berkeley; Mr. Ragland nominated Johnson N. Camden, of the county of Wood; Mr. Beckwith nominated D. B. Lucas, of the county of Jefferson.

There being no other nominations, the Speaker directed that the roll be called.

On the roll being called, Messrs. Rowan (speaker), Brown, Byrne, Chancellor, Cochran, Jacob, Cochran, P. B., Crockett, Crow, Davisson, Ferguson, Garden, Gleason, Gorrell, Hager, Hamilton, Harding, Hiner, Keliar, Kidd, Peck, Ragland, Reynolds, Riffe, Roseberry, Shaw, Spencer, Whittaker, Woods, and Yeager voted for Johnson N. Camden. Messrs. Bowers, Cook, Depue, Duval, Gandee, Hagans, Haymond, Hensley, Hoke, Holmes, Jones, Kincaid, Largent, McCombs, McKinney, McWhorter, Middleton, Ropp, Sinclair, Smith, Thayer, Woodyard, and Young voted for W. H. H. Flick. Messrs. Gates, Oakes, Sturm, Taylor, and Toler voted for A. R. Barbee. Messrs. McClung and Sydenstricker voted for John W. Harris. Messrs. Chambers, Chipley, and Kinsey voted for A. F. Haymond. Messrs. Beckwith and Chew voted for D. B. Lucas. Mr. Pugh voted for John Brannon. All the members elected to the house being present and voting. Whole number of votes cast, 65; of which Mr. Camden received 29, Mr. Flick received 23, Mr. Barbee received 5, Mr. Haymond received 3, Mr. Harris received 2, Mr. Lucas received 2, Mr. Brannon received 1; from which vote it appears that no one person received the votes of a majority of all the members elected to the house.

That on the 4th day of May, 1887, the following proceedings were taken by the two houses in joint assembly, as appears by the journal of the house, to wit:

This being the day fixed by an act of Congress passed July 25, 1866, entitled "An act to regulate the times and manner of holding elections for Senators in Congress," for the two houses of the Legislature to convene in joint assembly, at 12 o'clock meridian the presence within the hall of the house of the senate in a body, preceded by their sergeant-at-arms, president, and clerk, was announced by the sergeant-at-arms of the house. Whereupon the president of the senate addressed the speaker of the house as follows:

"Mr. Speaker, the senate has assembled in the hall of the house of delegates for the purpose of carrying into effect the act of Congress providing for the election of United States Senators."

The speaker of the house then invited the president of the senate to take the chair and act as presiding officer of the joint assembly. Thereupon the president of the senate took the chair as presiding officer and called the joint assembly to order. The presiding officer then directed the clerk of the senate to call the roll of the senate and the clerk of the house of delegates to call the roll of the house. The rolls of the senate and house were called by their respective clerks, and the presence in joint assembly of all the members elected to the house and a majority of all the members elected to the senate was announced by the presiding officer. On motion of Mr. Hamilton the rules of the senate, so far as applicable, were adopted for the government of the joint assembly. The journals of the two houses of the Legislature of yesterday were then read by their respective clerks. Whereupon the presiding officer announced the following as the result of the vote on yesterday in each house for United States Senator:

In the senate, Johnson N. Camden received 10 votes; W. H. H. Flick received 9 votes; A. R. Barbee received 1 vote; John Brannon received 1 vote; J. J. Davis received 1 vote; A. F. Haymond received 1 vote. Whole number of votes cast, 23; number of senators not voting, 3.

In the house of delegates, Johnson N. Camden received 29 votes; W. H. H. Flick received 23 votes; A. R. Barbee received 5 votes; A. F. Haymond received 3 votes; John W. Harris received 2 votes; D. B. Lucas received 2 votes; John Brannon received 1 vote. Whole number of votes cast, 65; all the members elected to the house having voted.

Thereupon, the presiding officer announced that as no one person voted for had received a majority of all the votes cast by each house of the Legislature, voting separately in their respective houses, there was no election.

The presiding officer then announced that the joint assembly would proceed to choose, by a *viva voce* vote of each member present, a person for Senator in Congress from this State, to fill the vacancy which exists in the representation of this State in the Senate of the United States, caused by the expiration of the term of Johnson N. Camden, and the failure of the Legislature to select his successor, to which vacancy the governor temporarily appointed Daniel B. Lucas, in the recess of the Legislature, prior to the commencement of the present session thereof.

* * * * * * *

Whereupon the presiding officer announced that as no person voted for had received a majority of all the votes cast by both branches of the Legislature, voting in joint assembly, there was no election. Mr. Hamilton, a delegate, moved that the joint assembly do now dissolve. On that motion Mr. Hiner demanded the ayes and noes, which demand was not sustained. The motion to dissolve was then put and decided in the affirmative. Whereupon the presiding officer declared the joint assembly dissolved. The senate then retired to their chamber and the speaker resumed the chair.

That on the 5th day of May, 1887, the following proceedings were taken by the two houses in joint assembly, as appears by a certified transcript of the journal of the house, by the clerk and keeper of the rolls thereof, to wit:

The presence of the senate within the hall of the house of delegates, preceded by their sergeant-at-arms, president, and clerk, at the hour of 12 o'clock meridian, the hour required by the act of Congress, passed July 25, 1866, for the members of the two houses of the Legislature to convene in joint assembly for the purpose of electing a Senator in Congress, was announced by the sergeant-at-arms of the house of delegates. Whereupon the president of the senate addressed the speaker of the house of delegates as follows:

"Mr. Speaker, the senate has assembled in the hall of the house of delegates for the purpose of carrying into effect the act of Congress providing for the election of United States Senators."

The speaker of the house then invited the president of the senate to take the chair and act as presiding officer of the joint assembly. Thereupon the president of the senate took the chair as presiding officer, and called the joint assembly to order. The presiding officer then directed the clerk of the senate to call the roll of the senate and the clerk of the house of delegates to call the roll of the house. The rolls of the senate and house were called by their respective clerks, and the presence in joint assembly of all the members elected to the house and a majority of all the members elected to the senate was announced by the presiding officer.

On motion of Mr. Ragland, a delegate, the rules adopted for the government of the joint assembly were suspended, and the reading of that part of the journals of the senate and house of delegates of yesterday touching the proceedings of the joint assembly was dispensed with.

The said two journals were then approved.

The presiding officer then announced that the joint assembly would proceed to choose, by a *viva voce* vote of each member present, a person for Senator in Congress from this State, to fill the vacancy which exists in the representation of this State in the Senate of the United States, caused by the expiration of the term of Johnson N. Camden and the failure of the Legislature to elect his successor, to which vacancy the governor temporarily appointed Daniel B. Lucas in the recess of the Legislature prior to the commencement of the present session thereof.

For that position, Mr. Ragland, a delegate, nominated J. B. Sommerville, of the county of Brooke. Mr. Gettinger, a member of the senate, nominated Charles J. Faulkner, of the county of Berkeley. Mr. Gorrell, a delegate, nominated Jacob B. Jackson, of the county of Wood. Mr. Rowan (speaker), nominated Frank Hereford, of the county of Monroe. Mr. Price (of Marshall), a member of the senate, nominated R. S. Brown, of the county of Jackson. Mr. McCreery, a member of the senate, nominated John J. Jackson, of the county of Wood. Mr. Hagans, a delegate, nominated W. H. H. Flick, of the county of Berkeley. Mr. Toler, a delegate, nominated A. R. Barbee, of the county of Mason. Mr. Shaw, a delegate, nominated William T. Ice, of the county of Barbour. Mr. Sweeney, a member of the senate, nominated J. M. Jackson, of the county of Wood.

Upon a call of the roll of the senate by its clerk, Messrs. Price (president), Brown, Flournoy, Gettinger, Gwinn, McCreery, McCallister, Oxley, Price (of Marshall), Sommerville, Sweeney, Switzer, Unger, and Van Pelt, voted for C. J. Faulkner. Messrs. Arnold, Bond, Dawson, Furbee, Maxwell, Minear, Morris, Morrison, and Woodyard voted for W. H. H. Flick. Mr. Carr voted for A. R. Barbee. Mr. Scott voted for N. E. Whittaker; Mr. Snyder not voting. Number of senators present and voting 25. Charles J. Faulkner received 14 votes; W. H. H. Flick received 9 votes; A. R. Barbee received 1 vote; N. E. Whittaker received 1 vote.

Upon a call of the roll of the house of delegates by their clerk, Messrs. Rowan (speaker), Beckwith, Brown, Byrne, Chambers, Chancellor, Chew, Chipley, Cochrane, Jacob, Cochrane, P. B., Crockett, Crow, Davisson, Ferguson, Garden, Gorrell, Hager, Hamilton, Harding, Hiner, Keller, Kidd, Kinsey, McClung, Peck, Pugh, Ragland, Reynolds, Rifle, Roseberry, Shaw, Spencer, Sydenstricker, and Yeager voted for Charles J. Faulkner.

Messrs. Bowers, Cook, Duval, Gandee, Hagans, Haymond, Hensley, Hoke, Holmes, Jones, Kincaid, Largent, McCombs, McKinney, McWhorter, Middleton, Ropp, Sinclair, Smith, Thayer, Woodyard, and Young voted for W. H. H. Flick.

Messrs. Gates, Oakes, Sturm, Taylor, and Toler voted for A. R. Barbee.

Mr. Whittaker voted for Johnson N. Camden; Mr. Depue voted for R. S. Brown; Mr. Gleason voted for N. E. Whittaker. Absent and not voting, Mr. Woods. Number of delegates present and voting, 64.

Charles J. Faulkner received 34 votes; W. H. H. Flick received 22 votes; A. R. Barbee received 5 votes; Johnson N. Camden received 1 vote; R. S. Brown received 1 vote; N. E. Whittaker received 1 vote.

Whole number of votes cast in joint assembly, 89; necessary to a choice, 45; of which Charles J. Faulkner received 48; W. H. H. Flick received 31; A. R. Barbee received 6; Johnson N. Camden received 1; N. E. Whittaker received 2; R. S. Brown received 1.

The said Charles J. Faulkner having received a majority of all the votes of the joint assembly, a majority of all the members elected to both houses being present and voting; whereupon the presiding officer announced that Charles J. Faulkner, having received a majority of all the votes cast by both branches of the Legislature voting in joint assembly, is duly elected Senator in Congress from this State, to fill the vacancy which exists in the representation of this State in the Senate of the United States caused by the expiration of the term of Johnson N. Camden, and the failure of the Legislature to elect his successor, to which vacancy the governor temporarily appointed Daniel B. Lucas in the recess of the Legislature prior to the commencement of the present session thereof.

STATE OF WEST VIRGINIA,
CLERK'S OFFICE, HOUSE OF DELEGATES,
*Charleston, W. Va., May 25, 1887.*

I, J. B. Peyton, clerk of the house of delegates, and as such keeper of the rolls, do hereby certify that the foregoing is a true and correct transcript from the records in my office of the whole proceedings of the two houses of the Legislature, in joint assembly, voting for a United States Senator, on the 5th day of May, 1887; from which it appears that Charles J. Faulkner received a majority of all the votes cast, a majority of all the members elected to each house being present and voting.

Done at the city of Charleston, the capital of the State, this the 25th day of May, A. D. 1887.

Attest:

J. B. PEYTON,
*Clerk of the House of Delegates and Keeper of the Rolls.*

Given under my hand and the great seal of the State this the 2d day of June, A. D. 1887.

[SEAL.]

E. W. WILSON.

By the governor:
HENRY S. WALKER,
*Secretary of State.*

**The PRESIDENT *pro tempore*. The Chair lays before the Senate the protest of Hon. Daniel B. Lucas against the administration of the oath of office to Charles James Faulkner, claiming to have been elected a Senator from the State of West Virginia, which will be read.**

**The Chief Clerk proceeded to read the protest, but before concluding was interrupted by—**

**Mr. HOAR. Mr. President, I would suggest that as that remonstrance is in the nature of a petition, the statement of its purport, which has been made from the Chair, is all that is required; and it will be unnecessary to detain the Senate by reading it in full. I suggest, however, as it has been partly read, that the whole of it be printed in the RECORD.**

The PRESIDENT *pro tempore*. If there be no objection that course will be taken, and the protest will be laid on the table and be printed in full in the RECORD.

The paper is as follows:

WASHINGTON, *December 5, 1887.*

A PROTEST.

*To the Senate and Senators of the United States:*

As the duly appointed Senator of the State of West Virginia, appointed to fill a vacancy which happened by the expiration of the term of Johnson N. Camden on the 4th of March, 1887, during the recess of the Legislature, and also as a citizen and voter of said State, I respectfully protest against the swearing in and seating of Charles James Faulkner as a Senator of said State, upon the following grounds:

I. The executive of said State has not certified the election of said Charles James Faulkner, under the seal of the State, to the President of the Senate of the United States, as required by section 18 of the act of Congress approved July 25, 1866.

II. For reasons set out in the brief of Daniel B. Lucas, a copy of which accompanies this protest.

III. Because the said Charles James Faulkner was at the time and date of his alleged election, to wit, on the 5th of May, 1887, a judge of the thirteenth judicial circuit of the State of West Virginia, and therefore ineligible to the office of Senator, as will fully appear by an examination of the constitution of said State, and particularly of Article VIII, section 16, thereof, as follows:

"16. All judges shall be commissioned by the governor. The salary of a judge of the supreme court of appeals shall be $2,200 per annum, and that of a judge of the circuit court shall be $1,800 per annum; and each shall receive the same mileage as members of the Legislature: *Provided*, That Ohio County may pay an additional sum per annum to the judges of the circuit court thereof; but such allowance shall not be increased or diminished during the term of office of the judges to whom it may have been made. No judge during his term of office shall practice the profession of law or hold any other office, appointment, or public trust under this or any other government, and the acceptance thereof shall vacate his judicial office. Nor shall he, during his continuance therein, be eligible to any political office."

In connection herewith the protestant begs leave to file the following documents: A. Brief of Daniel B. Lucas. B. Copy of the resignation of said Charles James Faulkner as judge of the thirteenth judicial circuit of West Virginia, and the reception and acceptance of the same by the governor on the 6th day of May, 1887, certified under the great seal of said State.

The protestant begs leave to call attention to the fact that the decision in this case will establish a precedent, in confirmation of which statement he begs leave to append the synopsis of the only contest bearing any analogy, as follows:

Thirty-fourth Congress, first session. Lyman Trumbull, Senator from Illinois from March 4, 1855, to March 3, 1873.

June 7, 1852, Mr. Trumbull was elected a judge of the supreme court of Illinois for a term of nine years, and was duly commissioned June 24. May 19, 1853, he resigned this office, to take effect July 4, 1853. February 8, 1855, he was elected to the Senate of the United States for the term beginning March 4, 1855. The constitution of Illinois provided that the judges of the supreme court should not be eligible to any office of public trust or profit in the United States during the term for which they were elected, nor for one year thereafter, and that all votes for them for any elective office, given by the General Assembly, should be void. When Mr. Trumbull's credentials were presented in the Senate a protest of members of the Legislature was presented, protesting against the legality of the election on the ground that it was void by virtue of the provision of the constitution referred to. The subject was referred to the Committee on the Judiciary, who reported that there was such a division of opinion as to render it proper to refer the subject to the Senate, and asked to be excused; which report was accepted by the Senate. A resolution declaring Mr. Trumbull entitled to his seat was then introduced and passed the Senate by a vote of 35 yeas and 8 nays. The arguments show that the Senators voting in favor of the legality of the election did so from different grounds; some proceeding upon the ground that this case did not come within the meaning of the clause of the State constitution referred to, because Mr. Trumbull had resigned the office of judge more than a year before his election to the Senate, and others proceeding upon the ground that a State can not superadd qualifications of a Senator to those required by the United States Constitution. (*Taft's Senate Election Cases*, page 148.)

All of which is respectfully submitted.

DAN. B. LUCAS.

B.

STATE OF WEST VIRGINIA, EXECUTIVE DEPARTMENT, *May 6, 1887.*

The governor received the following communication from Charles James Faulkner:

MARTINSBURGH, *May 5, 1887.*

To Governor E. W. WILSON:

The Legislature of West Virginia having elected me United States Senator from this State to fill the term commencing 4th of March, 1887, I hereby tender my resignation as judge of the thirteenth judicial circuit, to take effect at once. This prompt action is rendered necessary by the fact that the Jefferson spring term commences the 17th of May, and I am anxious that you should have every opportunity to consult those interested before naming my successor.

Very truly, yours,

CHAS. J. FAULKNER.

The resignation tendered in the foregoing communication is hereby accepted.

E. W. WILSON.

By the governor:
HENRY S. WALKER,
*Secretary of State.*

STATE OF WEST VIRGINIA, *Office of Secretary of State:*

I, Henry S. Walker, secretary of state of the State of West Virginia, do hereby certify that the foregoing and annexed writing is a true and correct copy of the resignation of Charles James Faulkner as judge of the thirteenth judicial circuit, and the acceptance of the same by the governor, as appear from the executive journal in my said office.

Given under my hand and the great seal of the said State, at the city of Charleston, this 4th day of August, 1887.

[SEAL.]

HENRY S. WALKER,
*Secretary of State.*

SWEARING IN OF SENATORS.

The PRESIDENT *pro tempore*. As the Secretary calls the roll of newly-chosen Senators, they will advance to the Chair to receive the official oath required by the Constitution, as prescribed by the law.

The Chief Clerk read the names of—

Nelson W. Aldrich, of the State of Rhode Island.

William B. Bate, of the State of Tennessee.

Rufus Blodgett, of the State of New Jersey.

William E. Chandler, of the State of New Hampshire.

As their names were called the respective Senators-elect came forward, and the oath prescribed by law was administered to them.

The Chief Clerk called the names of—

Francis M. Cockrell, of the State of Missouri.

John W. Daniel, of the State of Virginia.

Cushman K. Davis, of the State of Minnesota.

Henry L. Dawes, of the State of Massachusetts.

As their names were called the respective Senators-elect came forward, and the oath prescribed by law was administered to them.

The Chief Clerk called the names of—

George F. Edmunds, of the State of Vermont.

Charles James Faulkner, of the State of West Virginia.

James Z. George, of the State of Mississippi.

Arthur P. Gorman, of the State of Maryland.

Mr. HOAR. Mr. President, I desire to object, for the time being, to the administration of the oath to Mr. Faulkner, of West Virginia.

Perhaps I may interrupt the order of the Senate so far as to say that I understand that whatever question arises concerning the title of that gentleman to a seat arises upon the credentials themselves, the whole proceeding of the Legislature and the history of the case being there disclosed and fully recited. It seems proper, therefore, that the matter should be considered by a committee before the oath is administered; and I suppose I may, in accordance with the usages of the Senate, so far presume that I shall myself be a member of the Committee on Privileges and Elections hereafter as to be able to give an assurance that the question shall be dealt with at the earliest possible moment, so that the gentleman entitled to the seat will be able to enter upon the discharge of his duties as Senator very soon.

Mr. KENNA. Mr. President, the course suggested by the Senator from Massachusetts seems eminently appropriate, and I trust that that action may be taken without the formality of a vote. I think the Senate will agree to it without division.

The PRESIDENT *pro tempore*. Objection being made in one case, the oath of office will be administered to those Senators whose names have been called on whose credentials there is no question.

Messrs. Edmunds, George, and Gorman advanced to the desk of the President *pro tempore*, and the oath prescribed by law was administered to them.

Mr. VEST. Mr. President, I presume that without any action on the part of the Senate Mr. Faulkner will be entitled to the privileges of the floor until the contest is determined. I understand that to be the precedent.

The PRESIDENT *pro tempore*. The Chair so understands the rule.

The Chief Clerk called the names of—

George Gray, of the State of Delaware.

Eugene Hale, of the State of Maine.

Joseph R. Hawley, of the State of Connecticut.

George Hearst, of the State of California.

As their names were called the respective Senators-elect came forward, and the oath prescribed by law was administered to them.

The Chief Clerk called the names of—

Frank Hiscock, of the State of New York.

Algernon S. Paddock, of the State of Nebraska.

Samuel Pasco, of the State of Florida.

Matthew S. Quay, of the State of Pennsylvania.

As their names were called the respective Senators-elect came forward, and the oath prescribed by law was administered to them.

The Chief Clerk called the names of—

John H. Reagan, of the State of Texas.

Philetus Sawyer, of the State of Wisconsin.

John Sherman, of the State of Ohio.

William M. Stewart, of the State of Nevada.

Francis B. Stockbridge, of the State of Michigan.

David Turpie, of the State of Indiana.

As their names were called the respective Senators-elect came forward, and the oath prescribed by law was administered to them.

SENATORS PRESENT.

The Senators-elect having been sworn and taken their seats in the Senate, the following Senators were present:

From the State of—

*Alabama*—John T. Morgan and James L. Pugh.

*Arkansas*—James H. Berry and James K. Jones.

*California*—George Hearst and Leland Stanford.

*Colorado*—Thomas M. Bowen and Henry M. Teller.

*Connecticut*—Joseph R. Hawley and Orville H. Platt.

*Delaware*—George Gray and Eli Saulsbury.

*Florida*—Wilkinson Call and Samuel Pasco.

*Georgia*—Joseph E. Brown and Alfred H. Colquitt.

*Illinois*—Shelby M. Cullom and Charles B. Farwell.

*Indiana*—David Turpie and Daniel W. Voorhees.

*Iowa*—William B. Allison and James F. Wilson.

*Kansas*—John J. Ingalls and Preston B. Plumb.

*Kentucky*—James B. Beck and Joseph C. S. Blackburn.

*Louisiana*—James B. Eustis and Randall L. Gibson.

*Maine*—William P. Frye and Eugene Hale.

*Maryland*—Arthur P. Gorman and Ephraim K. Wilson.

*Massachusetts*—Henry L. Dawes and George F. Hoar.

*Michigan*—Thomas W. Palmer and Francis B. Stockbridge.

*Minnesota*—Cushman K. Davis and Dwight M. Sabin.

*Mississippi*—James Z. George and E. C. Walthall.

*Missouri*—Francis M. Cockrell and George G. Vest.

*Nebraska*—Charles F. Manderson and Algernon S. Paddock.

*Nevada*—William M. Stewart.

*New Hampshire*—Henry W. Blair and William E. Chandler.

*New Jersey*—Rufus Blodgett and John R. McPherson.

*New York*—William M. Evarts and Frank Hiscock.

*North Carolina*—Matt W. Ransom and Zebulon B. Vance.

*Ohio*—Henry B. Payne and John Sherman.

*Oregon*—Joseph N. Dolph and John H. Mitchell.

*Pennsylvania*—James Donald Cameron and Matthew S. Quay.

*Rhode Island*—Nelson W. Aldrich and Jonathan Chace.

*South Carolina*—M. C. Butler.

*Tennessee*—Isham G. Harris and William B. Bate.

*Texas*—Richard Coke and John H. Reagan.

*Vermont*—George F. Edmunds and Justin S. Morrill.

*Virginia*—John W. Daniel and Harrison H. Riddleberger.

*West Virginia*—John E. Kenna.

*Wisconsin*—Philetus Sawyer and John C. Spooner.

SENATOR FROM INDIANA.

Mr. HOAR. I present the memorial of F. Winter and another, a committee of members of the General Assembly of Indiana, in regard to the seat of Hon. Mr. Turpie, of Indiana. I move that the memorial and also all papers now on the files of the Senate relating to the same case be referred to the Committee on Privileges and Elections when appointed.

The motion was agreed to.

NOTIFICATION TO THE HOUSE.

Mr. ALLISON submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled, and that the Senate is ready to proceed to business.

HOUR OF MEETING.

Mr. CAMERON submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the hour of the daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

NOTIFICATION TO THE PRESIDENT.

Mr. MORRILL submitted the following; which was considered by unanimous consent, and agreed to:

*Resolved*, That a committee consisting of two members be appointed, to join such committee as may be appointed by the House of Representatives, to wait upon the President of the United States and inform him that a quorum of each House is assembled, and that Congress is ready to receive any communication he may be pleased to make.

By unanimous consent, the President *pro tempore* was authorized to appoint the committee on the part of the Senate; and Messrs. MORRILL and MORGAN were appointed.

PETITION.

Mr. HARRIS. I present the petition of Thomas L. Mitchell and N. J. Gibson, of Tennessee, praying for a constitutional amendment prohibiting the manufacture, sale, importation, exportation, or transportation of alcoholic drinks in the United States. I move that the petition lie upon the table, to be referred to the Committee on the Judiciary when appointed.

The motion was agreed to.

Mr. HOAR. I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock p. m.) the Senate adjourned until to-morrow, Tuesday, December 6, 1887, at 12 o'clock m.

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## HOUSE OF REPRESENTATIVES.

### MONDAY, *December* 5, 1887.

This day, in compliance with the prescription of the Constitution, the members-elect of the House of Representatives of the Fiftieth Congress assembled in their Hall, and, at 12 o'clock m., were called to order by the Clerk of the last House, Mr. John B. Clark.

The CLERK. Gentlemen, the hour having arrived for the meeting of the Fiftieth Congress, the Clerk of the Forty-ninth Congress, as required by law, will call the roll of the Representatives-elect who have filed with the Clerk their certificates of election.

The roll was called, showing the presence of the following Members and Delegates:

ALABAMA.

James T. Jones.
Hilary A. Herbert.
William C. Oates.
Alexander C. Davidson.
James E. Cobb.
John H. Bankhead.
William H. Forney.
Joseph Wheeler.

ARKANSAS.

C. R. Breckinridge.
Thomas C. McRae.
John H. Rogers.
Samuel W. Peel.

CALIFORNIA.

T. L. Thompson.
Marion Biggs.
Joseph McKenna.
W. W. Morrow.
Charles N. Felton.
William Vandever.

COLORADO.

George G. Symes.

CONNECTICUT.

Robert J. Vance.
Carlos French.
Charles A. Russell.
Miles T. Granger.

DELAWARE.

John B. Penington.

FLORIDA.

Robert H. M. Davidson.
Charles Dougherty.

GEORGIA.

Thomas M. Norwood.
Henry G. Turner.
Charles F. Crisp.
Thomas W. Grimes.
John D. Stewart.
James H. Blount.
Judson C. Clements.
Henry H. Carlton.
Allen D. Candler.
George T. Barnes.

ILLINOIS.

Ransom W. Dunham.
Frank Lawler.
William E. Mason.
George E. Adams.
A. J. Hopkins.
Robert R. Hitt.
Thomas J. Henderson.
Ralph Plumb.
Lewis E. Payson.
Philip S. Post.
William H. Gest.
George A. Anderson.
William M. Springer.
Jonathan H. Rowell.
Joseph G. Cannon.
Silas Z. Landes.
Edward Lane.
Jehu Baker.
Richard W. Townshend.
John R. Thomas.

INDIANA.

Alvin P. Hovey.
John H. O'Neall.
Jonas G. Howard.
William S. Holman.
Courtland C. Matson.
Thomas M. Browne.
William D. Bynum.
James T. Johnston.
Joseph B. Cheadle.
William D. Owen.
George W. Steele.
James B. White.
Benjamin F. Shively.

IOWA.

John H. Gear.
Walter I. Hayes.
David B. Henderson.
William E. Fuller.
Daniel Kerr.
J. B. Weaver.
Edwin H. Conger.
A. R. Anderson.
Joseph Lyman.
Adoniram J. Holmes.
Isaac S. Struble.

KANSAS.

E. N. Morrill.
E. H. Funston.
Bishop W. Perkins.
Thomas Ryan.
John A. Anderson.
Erastus J. Turner.
Samuel R. Peters.

KENTUCKY.

William J. Stone.
Polk Laffoon.
W. Godfrey Hunter.
A. B. Montgomery.
Asher G. Caruth.
John G. Carlisle.
William C. P. Breckinridge.
James B. McCreary.
George M. Thomas.
W. P. Taulbee.
H. F. Finley.

LOUISIANA.

Theodore S. Wilkinson.
Matthew D. Lagan.
Edward J. Gay.
Newton C. Blanchard.
Churubusco Newton.
S. M. Robertson.

MAINE.

Thomas B. Reed.
Nelson Dingley, jr.
Seth L. Milliken.
Charles A. Boutelle.

MARYLAND.

Charles H. Gibson.
Frank T. Shaw.
Harry Welles Rusk.
Isidor Rayner.
Barnes Compton.
Louis E. McComas.

MASSACHUSETTS.

Robert T. Davis.
John D. Long.
Leopold Morse.
Patrick A. Collins.
Edward D. Hayden.
Henry Cabot Lodge.
William Cogswell.
Charles H. Allen.
Edward Burnett.
John E. Russell.
William Whiting.
Francis W. Rockwell.

MICHIGAN.

J. Logan Chipman.
Edward P. Allen.
James O'Donnell.
Julius C. Burrows.
Melbourne H. Ford.
Mark S. Brewer.
Justin R. Whiting.
Timothy E. Tarsney.
Byron M. Cutcheon.
Spencer O. Fisher.
Seth C. Moffatt.

MINNESOTA.

Thomas Wilson.
John Lind.
John L. Macdonald.
Edmund Rice.
Knute Nelson.

MISSISSIPPI.

John M. Allen.
J. B. Morgan.
T. C. Catchings.
F. G. Barry.
C. L. Anderson.
Thomas R. Stockdale.
Charles E. Hooker.

MISSOURI.

William H. Hatch.
Charles H. Mansur.
Alexander M. Dockery.
James N. Burnes.
William Warner.
John T. Heard.
John E. Hutton.
John J. O'Neill.
John M. Glover.
Martin L. Clardy.
Richard P. Bland.
William J. Stone.
William H. Wade.
James P. Walker.

NEBRASKA.

John A. McShane.
James Laird.
George W. E. Dorsey.

NEVADA.

William Woodburn.

NEW HAMPSHIRE.

L. F. McKinney.
Jacob H. Gallinger.

NEW JERSEY.

George Hires.
James Buchanan.
John Kean, jr.
James N. Pidcock.
William Walter Phelps.
Herman Lehlbach.
William McAdoo.

NEW YORK.

Felix Campbell.
Stephen V. White.
Archibald M. Bliss.
Amos J. Cummings.
Lloyd S. Bryce.
Timothy J. Campbell.
Samuel S. Cox.
Francis B. Spinola.
Truman A. Merriman.
William Bourke Cockran.
Ashbel P. Fitch.
William G. Stahlnecker.
Henry Bacon.
John H. Ketcham.
Stephen T. Hopkins.
Edward W. Greenman.
Charles Tracey.
George West.
John H. Moffitt.
Abraham X. Parker.
James S. Sherman.
David Wilbur.
James J. Belden.
Milton De Lano.
Newton W. Nutting.
Thomas S. Flood.
Ira Davenport.
Charles S. Baker.
John G. Sawyer.
John M. Farquhar.
John B. Weber.
William G. Laidlaw.

NORTH CAROLINA.

Louis C. Latham.
F. M. Simmons.
C. W. McClammy.
John Nichols.
John M. Brower.
Alfred Rowland.
John S. Henderson.
William H. H. Cowles.
Thomas D. Johnston.

OHIO.

Benjamin Butterworth.
Charles E. Brown.
E. S. Williams.
S. S. Yoder.
George E. Seney.
M. M. Boothman.
James E. Campbell.
Robert P. Kennedy.
William C. Cooper.
Jacob Romeis.
Albert C. Thompson.
Joseph H. Outhwaite.
Charles P. Wickham.
Charles H. Grosvenor.
Beriah Wilkins.
Joseph D. Taylor.
William McKinley, jr.
Ezra B. Taylor.
George W. Crouse.
Martin A. Foran.

OREGON.

Binger Hermann.

PENNSYLVANIA.

Edwin S. Osborne.
Henry H. Bingham.
Charles O'Neill.
Samuel J. Randall.
William D. Kelley.
Alfred C. Harmer.
Smedley Darlington.
Robert M. Yardley.
Daniel Ermentrout.
John A. Hiestand.
William H. Sowden.
Charles R. Buckalew.
John Lynch.
Charles N. Brumm.
Franklin Bound.
Frank C. Bunnell.
Henry C. McCormick.
Edward Scull.
Louis E. Atkinson.
Levi Maish.
John Patton.
Welty McCullogh.
John Dalzell.
Thomas M. Bayne.
Oscar L. Jackson.
James T. Maffett.
Norman Hall.
William L. Scott.

RHODE ISLAND.

Henry J. Spooner.
Warren O. Arnold.

SOUTH CAROLINA.

Samuel Dibble.
George D. Tillman.
William H. Perry.
John J. Hemphill.
George W. Dargan.
William Elliott.

TENNESSEE.

Roderick R. Butler.
L. C. Houk.
John R. Neal.
James D. Richardson.
Joseph E. Washington.
Washington C. Whitthorne.
Benjamin A. Enloe.
P. T. Glass.
James Phelan.

TEXAS.

Charles Stewart.
William H. Martin.
C. B. Kilgore.
D. B. Culberson.
Silas Hare.
Joseph Abbott.
W. H. Crain.
L. W. Moore.
R. Q. Mills.
J. D. Sayers.
S. W. T. Lanham.

VERMONT.

John W. Stewart.
William W. Grout.

VIRGINIA.

| | |
|---|---|
| T. H. B. Browne. | Samuel I. Hopkins. |
| George E. Bowden. | Charles T. O'Ferrall. |
| George D. Wise. | W. H. F. Lee. |
| W. E. Gaines. | H. Bowen. |
| John R. Brown. | Jacob Yost. |

WEST VIRGINIA.

| | |
|---|---|
| Nathan Goff, jr. | Charles P. Snyder. |
| William L. Wilson. | Charles E. Hogg. |

WISCONSIN.

| | |
|---|---|
| Lucien B. Caswell. | Thomas R. Hudd. |
| Richard Guenther. | Charles B. Clark. |
| Robert M. La Follette. | Ormsby B. Thomas. |
| Henry Smith. | Isaac Stephenson. |

The following is the list of Delegates from the Territories:

| | |
|---|---|
| ARIZONA. | NEW MEXICO. |
| Marcus A. Smith. | Antonio Joseph. |
| DAKOTA. | UTAH. |
| Oscar S. Gifford. | John T. Caine. |
| IDAHO. | WASHINGTON. |
| Fred. T. Dubois. | Charles S. Voorhees. |
| MONTANA. | WYOMING. |
| Joseph K. Toole. | Joseph M. Carey. |

The CLERK. For the information of the members of the House, the Clerk has made a tabulated statement showing the changes in the list of members since the election of the Fiftieth Congress, which he requests to have printed in the record of the proceedings of this day.

There was no objection.

The tabulated list is as follows:

*List of changes since the election of the Fiftieth House of Representatives.*

| District. | Name. | Date of vacancy. | Successor. |
|---|---|---|---|
| Eighth Wisconsin. | William T. Price*..... | Dec. 6, 1886 | Nils P. Haugen. |
| Second Texas. | John H. Reagan†..... | Mar. 4, 1887 | William H. Martin. |
| Twenty-fifth New York. | Frank Hiscock†..... | Mar. 4, 1887 | James J. Belden. |
| Sixth Louisiana. | Edward W. Robertson* | Aug. 2, 1887 | Samuel M. Robertson. |
| Nineteenth New York. | Nicholas T. Kane*..... | Sept. 14, 1887 | Charles Tracey. |

*Died. †Resigned.

ELECTION OF SPEAKER.

The CLERK. The roll-call shows that 317 members have appeared and answered to their names; more than a quorum being present.

The next business before the House is the election of a Speaker to preside over the deliberations of the Fiftieth Congress, for which office nominations are now in order.

Mr. COX. Mr. Clerk, I have the honor to place in nomination for the Speakership of the Fiftieth Congress the name of JOHN G. CARLISLE, a Representative-elect from the State of Kentucky. [Applause on the Democratic side.]

Mr. CANNON. Mr. Clerk, I nominate for the office of Speaker of the House of Representatives of the Fiftieth Congress THOMAS B. REED, a Representative-elect from the State of Maine. [Applause on the Republican side.]

The CLERK. If there be no further nominations, the Clerk will request Mr. RANDALL, of Pennsylvania, Mr. MILLS, of Texas, Mr. MCKINLEY, of Ohio, and Mr. LONG, of Massachusetts, to act as tellers; and the rules of the House providing that the vote shall be *viva voce*, the Clerk will proceed to call the roll.

The roll was called with the following result:

For JOHN G. CARLISLE, of Kentucky, 163; for THOMAS B. REED, of Maine, 147; for CHARLES N. BRUMM, of Pennsylvania, 2; not voting, 13.

FOR CARLISLE—163.

| | | | |
|---|---|---|---|
| Abbott, | Campbell, J. E. | Dibble, | Heard, |
| Allen, J. M. | Campbell, T. J. | Dockery, | Hemphill, |
| Anderson, A. R. | Candler, | Dougherty, | Henderson, J. S. |
| Anderson, C. L. | Carleton, | Elliott, | Herbert, |
| Anderson, G. A. | Caruth, | Enloe, | Hogg, |
| Bacon, | Catchings, | Ermentrout, | Holman, |
| Bankhead, | Chipman, | Fisher, | Hooker, |
| Barnes, | Clardy, | Foran, | Howard, |
| Barry, | Clements, | Ford, | Hudd, |
| Biggs, | Cobb, | Forney, | Hutton, |
| Blanchard, | Cockran, | French, | Johnston, T. D. |
| Bland, | Collins, | Gay, | Jones, |
| Bliss, | Compton, | Gibson, | Kilgore, |
| Blount, | Cowles, | Glass, | Laffoon, |
| Breckinridge, C. R. | Cox, | Glover, | Lagan, |
| Breckinridge, W. C. P. | Crain, | Granger, | Landes, |
| Bryce, | Crisp, | Greenman, | Lane, |
| Buckalew, | Culberson, | Grimes, | Lanham, |
| Burnes, | Cummings, | Hall, | Latham, |
| Burnett, | Dargan, | Hare, | Lawler, |
| Bynum, | Davidson, A. C. | Hatch, | Lee, |
| Campbell, Felix | Davidson, R. H. M. | Hayes, | Lynch, |
| Macdonald, | Norwood, | Rusk, | Thompson, T. L. |
| Maish, | Oates, | Sayers, | Tillman, |
| Mansur, | O'Ferrall, | Scott, | Tracey, |
| Martin, | O'Neall, J. H. | Seney, | Townshend, |
| Matson, | O'Neill, J. J. | Shaw, | Turner, H. G. |
| McAdoo, | Outhwaite, | Shively, | Vance, |
| McClammy, | Peel, | Simmons, | Walker, |
| McCreary, | Pennington, | Snyder, | Washington, |
| McKinney, | Perry, | Sowden, | Weaver, |
| McRae, | Phelan, | Spinola, | Wheeler, |
| McShane, | Pidcock, | Springer, | Whiting, J. R. |
| Merriman, | Randall, | Stahlnecker, | Whitthorne, |
| Mills, | Rayner, | Stewart, C. | Wilkins, |
| Montgomery, | Rice, | Stewart, J. D. | Wilkinson, |
| Moore, | Richardson, | Stockdale, | Wilson, T. |
| Morgan, | Robertson, | Stone, W. J., Mo. | Wilson, W. L. |
| Morse, | Rogers, | Stone, W. J., Ky. | Wise, |
| Neal, | Rowland, | Tarsney, | Yoder. |
| Newton, | Russell, J. E. | Taulbee, | |

FOR REED—147.

| | | | |
|---|---|---|---|
| Adams, | Davenport, | Kean, | Plumb, |
| Allen, C. H. | Davis, | Kelley, | Post, |
| Allen, E. P. | Delano, | Kennedy, | Rockwell, |
| Anderson, J. A. | Dingley, | Kerr, | Romeis, |
| Arnold, | Dorsey, | Ketcham, | Rowell, |
| Atkinson, | Dunham, | La Follette, | Russell, C. A. |
| Baker, C. S. | Farquhar, | Laidlaw, | Sawyer, |
| Baker, J. | Felton, | Laird, | Scull, |
| Bayne, | Finley, | Lehlbach, | Sherman, |
| Belden, | Fitch, | Lind, | Spooner, |
| Bingham, | Flood, | Lodge, | Steele, |
| Boothman, | Fuller, | Long, | Stephenson, |
| Bound, | Funston, | Lyman, | Stewart, J. W. |
| Boutelle, | Gaines, | Maffett, | Struble, |
| Bowden, | Gallinger, | Mason, | Symes, |
| Bowen, | Gear, | McComas, | Taylor, E. B. |
| Brewer, | Gest, | McCormick, | Taylor, J. D. |
| Brower, | Goff, | McCullogh, | Thomas, G. M. |
| Browne, T. H. B. | Grosvenor, | McKenna, | Thomas, J. R. |
| Brown, C. E. | Grout, | McKinley, | Thomas, O. B. |
| Brown, J. R. | Guenther, | Milliken, | Thompson, A. C. |
| Buchanan, | Harmer, | Moffatt, S. C. | Turner, E. J. |
| Bunnell, | Hayden, | Moffitt, J. H. | Vandever, |
| Burrows, | Henderson, D. B. | Morrill, | Wade, |
| Butler, | Henderson, T. J. | Morrow, | Warner, |
| Butterworth, | Hermann, | Nelson, | Weber, |
| Cannon, | Hiestand, | Nutting, | West, |
| Caswell, | Hires, | O'Donnell, | White, J. B. |
| Cheadle, | Hitt, | O'Neill, C. | Whiting, W. |
| Clark, | Holmes, | Osborne, | Wickham, |
| Cogswell, | Hopkins, A. J. | Owen, | Wilber, |
| Conger, | Hopkins, S. T. | Parker, | Williams, |
| Cooper, | Houk, | Patton, | Woodburn, |
| Crouse, | Hovey, | Payson, | Yardley, |
| Cutcheon, | Hunter, | Perkins, | Yost. |
| Dalzell, | Jackson, | Peters, | |
| Darlington, | Johnston, J. T. | Phelps, | |

FOR BRUMM—2.

Nichols, Smith.

NOT VOTING—13.

| | | | |
|---|---|---|---|
| Belmont, | Cothran, | Hopkins, S. L. | Pugsley, |
| Browne, T. M. | Dunn, | Mahoney, | Reed, |
| Brumm, | Haugen, | McMillin, | White, S. V. |
| Carlisle, | | | |

After the roll-call,

Mr. BROWNE, of Indiana, said: I did not respond to my name when called because I am paired with the gentleman from Tennessee, Mr. MCMILLIN, who is detained at home by sickness. Were he here I would vote for Mr. THOMAS B. REED.

Mr. WHITE, of New York. I did not vote because I am paired with my colleague, Mr. MAHONEY, who has been called home by a sudden bereavement. If I had voted I should have voted for Mr. THOMAS B. REED.

The following pairs were announced from the Clerk's desk:

Mr. COTHRAN with Mr. PUGSLEY, on the organization of the House.

Mr. DUNN with Mr. RYAN, on the organization of the House.

Mr. RICHARDSON. My colleague, Mr. MCMILLIN, is detained at home by illness. He is paired with the gentleman from Indiana, Mr. BROWNE. If he had been here he would have voted for Mr. CARLISLE.

Mr. RANDALL. Mr. Clerk, the tellers appointed to canvass the vote for Speaker have directed me to report that they agree in their tally, with this result: Whole number of votes cast, 312; of this number Mr. JOHN G. CARLISLE, a Representative-elect from the State of Kentucky, has received 163 votes; Mr. THOMAS B. REED, a Representative-elect from the State of Maine, has received 147; and Mr. CHARLES N. BRUMM, a Representative-elect from the State of Pennsylvania, has received 2.

The CLERK. The House has heard the report of the tellers, showing a total vote cast of 312, of which Mr. JOHN G. CARLISLE, a member-elect from the State of Kentucky, received 163 votes for the office of Speaker of this House; Mr. THOMAS B. REED, a member-elect from the State of Maine, 147 votes; and Mr. CHARLES N. BRUMM, a member-elect from the State of Pennsylvania, 2 votes. The Clerk, therefore, declares that JOHN G. CARLISLE, a Representative-elect from the State of Kentucky, is duly elected Speaker of the House of Representatives of the Fiftieth Congress. [Applause.] Mr. COX, of New York, and Mr. REED, of Maine, will please escort the Speaker-elect to the chair.

Mr. COX and Mr. REED conducted Mr. CARLISLE to the chair.

Mr. KELLEY, having served longest continuously as a member of the House, administered to the Speaker-elect the oath prescribed.

The SPEAKER then addressed the House as follows:

Gentlemen of the House of Representatives, in assuming for the third time the duties of the laborious and responsible office to which you have just chosen me, I desire to tender my grateful thanks for the distinguished honor conferred, and to assure you that it will be my constant endeavor to justify the confidence you have reposed in me by a fair and impartial administration of the law governing your proceedings.

No length of service in this trying position can ever enable the incumbent to begin the labors of a new term without an oppressive feeling of embarrassment and apprehension. In fact, experience in this place increases rather than diminishes the sense of personal and official responsibility; and I can say without affectation that upon no previous occasion have I undertaken the discharge of my duties here with less confidence in my capacity to discharge them well or with a stronger feeling of dependence upon the support of others. None of us can hope to satisfy the just expectations of our respective constituents or to discharge the full measure of our responsibilities to the public at large unless we enter upon the important and difficult work before us with a determination to cultivate a spirit of forbearance and conciliation, and to assist each other at all times in the maintenance of order and decorum in our proceedings.

In his attempts to promote the prompt and regular transaction of the public business the presiding officer in a body like this is almost entirely dependent upon the co-operation of gentlemen upon the floor; and it is a very great encouragement to me to know from the experience of the past that he can always rely upon your active support when he is right, and upon your kind indulgence even when he is wrong. I shall doubtless have frequent occasion to invoke your indulgence, but I trust that you will never have just cause to complain that it has been abused.

Gentlemen, there has scarcely ever been a time in our history when the continued prosperity of the country depended so largely upon legislation in Congress as now, for the reason that the dangers which at this time threaten the commercial and industrial interests of the people are the direct results of laws which Congress alone can modify or repeal. Neither the executive department of the General Government nor the local authorities of the several States can deal effectively with the situation which now confronts us. Whatever is done must be done here; and if nothing is done the responsibility must rest here.

It must be evident to every one who has taken even a partial view of public affairs that the time has now come when a revision of our revenue laws and a reduction of taxation are absolutely necessary in order to prevent a large and dangerous accumulation of money in the Treasury. Whether this ought or ought not to have been done heretofore is a question which it would be useless now to discuss. It is sufficient for us to know that the financial condition of the Government and the private business of the people alike demand the prompt consideration of these subjects and a speedy enactment of some substantial measure of relief.

Unfortunately, gentlemen, we are menaced by dangers from opposite directions. While a policy of non-action must inevitably, sooner or later, result in serious injury to the country, we can not be unmindful of the fact that hasty and inconsiderate legislation upon subjects more or less affecting great financial and industrial interests might produce, temporarily at least, disturbances and embarrassments which a wise and prudent course would entirely avoid. Investments made and labor employed in the numerous and valuable industries which have grown up under our present system of taxation ought not to be rudely disturbed by sudden and radical changes in the policy to which they have adjusted themselves, but the just demands of an overtaxed people and the obvious requirements of the financial situation can not be entirely ignored without seriously imperiling much greater and more widely extended interests than any that could possibly be injuriously affected by a moderate and reasonable reduction of duties.

No part of our people are more immediately and vitally interested in the continuance of financial prosperity than those who labor for wages; for upon them and their families must always fall the first and most disastrous consequences of a monetary crisis; and they, too, are always the last to realize the benefit resulting from a return to prosperous times. Their wages are the first to fall when a crisis comes, and the last to rise when it passes away. Our effort should be to afford the necessary relief to all without injury to the interests of any; and it seems to me that course of legislation should be pursued which will guaranty the laboring people of the country against the paralyzing effects of a general and prolonged financial depression, and at the same time not interfere with their steady employment, or deprive them of any part of the just rewards of their toil. If this can be done—and I believe it can, if our deliberations are conducted with the wisdom and patriotism which the gravity of the situation demands—this Congress will have cause to congratulate itself upon an achievement which promises peace and prosperity to the country for many years to come.

Gentlemen, I know that these remarks may be considered somewhat out of the usual course, and perhaps not altogether pertinent to the occasion; but I believe you will excuse them because they relate to subjects which, as we assemble here to-day, are uppermost in the minds of all the people. Upon the correct solution of the questions which these subjects necessarily involve may depend not only the fate of political parties, but, what is far more important, the permanent welfare of the greatest and most intelligent constituency in the world.

Gentlemen, I thank you again most profoundly and sincerely for the conspicuous and honorable place to which you have assigned me, and without attempting to detain you longer, we will proceed to complete the organization of the House. [Loud applause.]

### SWEARING IN OF MEMBERS.

The SPEAKER proceeded to administer to the Members in attendance the oath of office. The Members and Delegates elect presented themselves as their names were called by States and Territories, and took the oath prescribed by section 1757 of the Revised Statutes.

### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCOOK, its Secretary, was communicated to the House, as follows:

IN THE SENATE OF THE UNITED STATES, *December* 5, 1887.

*Resolved*, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled, and that the Senate is ready to proceed to business.

*Resolved*, That a committee, consisting of two members, be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled, and that Congress is ready to receive any communication he may be pleased to make.

The President *pro tempore* appointed Mr. MORRILL and Mr. MORGAN as the said committee under the foregoing resolution of the Senate.

### ELECTION OF CLERK, SERGEANT-AT-ARMS, ETC.

The SPEAKER. The next business in order is the election of the Clerk of the House.

Mr. COX. Mr. Speaker, in order to complete the organization of the House, I propose the following resolution:

*Resolved*, That John B. Clark, jr., of the State of Missouri, be, and is hereby, elected Clerk of the House of Representatives of the Fiftieth Congress;

That John P. Leedom, of the State of Ohio, be, and is hereby, elected Sergeant-at-Arms of the House of Representatives of the Fiftieth Congress;

That Lycurgus Dalton, of the State of Indiana, be, and is hereby, elected Postmaster of the House of Representatives of the Fiftieth Congress;

That A. B. Hurt, of the State of Mississippi, be, and is hereby, elected Doorkeeper of the House of Representatives of the Fiftieth Congress; and

That Rev. W. H. Milburn, of the State of Illinois, be, and is hereby, elected Chaplain of the House of Representatives of the Fiftieth Congress.

Mr. CANNON. To the resolution offered by the gentleman from New York [Mr. COX] I offer the following amendment:

For Clerk, strike out "John B. Clark, jr., of the State of Missouri," and insert in lieu thereof, "Edward McPherson, of the State of Pennsylvania."

For Sergeant-at-Arms, strike out "John P. Leedom, of the State of Ohio," and insert "Daniel Sheperd, of the State of Illinois."

For Doorkeeper, strike out "A. B. Hurt, of the State of Mississippi," and insert "W. T. Fitch, of the State of Ohio."

For Postmaster, strike out "Lycurgus Dalton, of the State of Indiana," and insert "Charles H. Grey, of the Territory of Dakota."

For Chaplain, strike out "Rev. W. H. Milburn, of the State of Illinois," and insert "Rev. F. W. Thomas, of the State of Indiana."

Mr. BRUMM. I offer an amendment to the amendment, as follows:

*Resolved*, That all the names except that of Rev. William H. Milburn be stricken out, and that, in lieu thereof, the following be inserted:

For Clerk, Robert Shilling, of Wisconsin.
For Sergeant-at-Arms, E. W. Curray, of the State of Iowa.
For Doorkeeper, Thomas C. Oakly, of the State of North Carolina.
For Postmaster, James A. Campbell, of the State of Pennsylvania.
For Chaplain, Rev. W. H. Milburn, of the State of Illinois.

The question was taken on the amendment offered by Mr. BRUMM, and it was declared lost.

Mr. BRUMM. I ask for a division.

The House divided; and the amendment was rejected, only 3 members voting in the affirmative.

The SPEAKER. The question now is on the amendment offered by the gentleman from Illinois [Mr. CANNON]. Does the gentleman from New York [Mr. COX] ask for separate votes upon the several propositions embraced in the amendment?

Mr. COX. I do not.

The SPEAKER. The question then is on agreeing to the amendment proposed by the gentleman from Illinois [Mr. CANNON] as a substitute for the resolution offered by the gentleman from New York [Mr. COX].

The substitute was rejected.

The SPEAKER. The question now is upon the resolution offered by the gentleman from New York [Mr. COX].

The question was taken; and the resolution was agreed to.

The officers just elected presented themselves and took the prescribed oath of office.

### NOTIFICATION TO THE SENATE.

Mr. SPRINGER submitted the following resolution; which was read, considered, and adopted:

*Resolved*, That a message be sent to the Senate informing that body that a quorum of the House of Representatives has assembled; that JOHN G. CARLISLE, a Representative from the State of Kentucky, has been elected Speaker; that John B. Clark, a citizen of the State of Missouri, has been elected Clerk; and that the House of Representatives is ready to proceed to business.

NOTIFICATION TO THE PRESIDENT.

Mr. COX submitted the following resolution; which was read, considered, and adopted:

*Resolved*, That a committee of three be appointed by the Speaker on the part of the House of Representatives, to join the committee appointed on the part of the Senate, to wait on the President of the United States and notify him that a quorum of the two Houses has assembled, and that Congress is ready to receive any communication he may be pleased to make.

The SPEAKER. The Chair appoints as the committee on the part of the House, under the resolution just adopted, the gentleman from New York, Mr. COX, the gentleman from Pennsylvania, Mr. RANDALL, and the gentleman from Illinois, Mr. CANNON.

HOUR OF DAILY MEETING.

Mr. MILLS submitted the following resolution; which was read, considered, and adopted:

*Resolved*, That until otherwise ordered the daily hour of meeting of the House of Representatives shall be 12 o'clock m.

Mr. MILLS moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

DRAWING FOR SEATS.

Mr. SPRINGER submitted the following resolution; which was read, considered, and adopted:

*Resolved*, That the House do now proceed to draw seats for Members and Delegates for the present Congress, in pursuance of Rule XXXII of the last House; and that when the names of absent members are called seats be selected for them by their colleagues.

Mr. SPRINGER moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. SPRINGER. I ask that the rule referred to in the resolution just adopted be now read.

The SPEAKER. The Clerk will read the rule, so that gentlemen may be able to conform their conduct to it.

The Clerk read as follows:

RULE XXXII.

DRAWING OF SEATS.

1. At the commencement of each Congress, immediately after the Members and Delegates are sworn in, the Clerk shall place in a box, prepared for that purpose, a number of small balls of marble or other material equal to the number of Members and Delegates, which balls shall be consecutively numbered and thoroughly intermingled, and at such hour as shall be fixed by the House for that purpose, by the hands of a page, draw said balls one by one from the box and announce the number as it is drawn, upon which announcement the Member or Delegate whose name on a numbered alphabetical list shall correspond with the number on the ball shall advance and choose his seat for the term for which he is elected.

2. Before said drawing shall commence, each seat shall be vacated and so remain until selected under this rule, and any seat having been selected shall be deemed forfeited if left unoccupied before the call of the roll is finished; and whenever the seats of Members and Delegates shall have been drawn, no proposition for a second drawing shall be in order during that Congress.

Mr. MILLS. Mr. Speaker, I suggest that when the Clerk shall call the name of any gentleman, time be allowed for him to choose his seat before the Clerk proceeds further.

The SPEAKER. The Chair will see that the suggestion of the gentleman from Texas is followed.

Mr. BRECKINRIDGE, of Kentucky. I ask unanimous consent that the honorable gentleman from Pennsylvania [Mr. KELLEY] be allowed to select his seat without awaiting the formality of a drawing.

The SPEAKER. Is there objection to the proposition of the gentleman from Kentucky [Mr. BRECKINRIDGE]? The Chair hears none.

Mr. KELLEY (having selected the seat occupied by him during previous Congresses). Permit me to thank the gentleman from Kentucky and the House for the action just taken, and to say that I hope, during the Fiftieth Congress, to be found at the old-established stand. [Laughter and applause.]

Mr. DINGLEY. I ask unanimous consent that the honorable gentleman from New York [Mr. COX] may be permitted to select his seat prior to the drawing.

The SPEAKER. If there be no objection, the request of the gentleman from Maine [Mr. DINGLEY] will be agreed to. The Chair hears none.

Mr. COX having selected his seat,

The drawing for seats was then proceeded with, commencing at 2 o'clock p. m. and concluding at fifteen minutes after 3, the name of Mr. DAVIS, of Massachusetts, being the first drawn and that of Mr. HOUK, of Tennessee, the last.

Mr. COX. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 3 o'clock and 16 minutes p. m.) the House adjourned.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. GROSVENOR: Petition of citizens of Harrisonville, Shade, and Chase, Ohio, relating to increased pay of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. RANDALL: Petition of John F. Ballier, colonel Ninety-eighth Regiment Pennsylvania Volunteers, and brevet brigadier-general, for an increase of pension—to the Committee on Invalid Pensions.

Also, petition of Philippe Ray, late non-commissioned officer of Company B, First New Jersey Cavalry, for a pension—to the Committee on Invalid Pensions.

By Mr. RICHARDSON: Petition of John C. Saunders, administrator, and of Murradora Warren, administratrix, of Richard F. Warren, deceased, asking that their claims be referred to the Court of Claims—to the Committee on War Claims.

By Mr. WHEELER: A bill appropriating $1,000,000 for the continuation of public works on rivers and harbors—to the Committee on Rivers and Harbors.

Also, a bill to appropriate money to improve the Tennessee River—to the Committee on Rivers and Harbors.

Also, a bill to provide for the opening of the Muscle Shoals Canal—to the Committee on Rivers and Harbors.

Also, petition of James Ballard, of Madison County; of James L. Newborne, administrator, of Jackson County; and of E. M. Sams, of Morgan County, Alabama, praying that their war claims be referred to the Court of Claims—to the Committee on War Claims.

Also, petition of George W. Douglas and others, and of James McPeters and others, of Alabama, regarding increase of pay to fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

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## SENATE.

### TUESDAY, *December* 6, 1887.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

ORDER OF PROCEEDING.

The PRESIDENT *pro tempore*. Is it the pleasure of the Senate to proceed to the transaction of morning business before the appointment of committees?

Mr. HARRIS. I suppose it is best to proceed with the presentation of memorials and the introduction of bills, to be referred when the committees are appointed.

Mr. HOAR. I think the custom of the Senate for a great many years was not to proceed with the transaction of any business, except what was peremptory in its nature, until after hearing from the Executive. That was considered a proper mark of deference to the Executive. I hope that the Senate will continue that custom, unless there be some good reason to the contrary.

Mr. SHERMAN and others. Let us take a recess.

Mr. HOAR. I will move that the Senate take a recess. I repeat for the Senator from Tennessee that I understand the ancient custom of the Senate was not to enter upon any ordinary business until after hearing the communication from the Executive at the beginning of the session. It was considered a mark of respect due from the legislative department of the Government to the Executive, and I hope the Senate will adhere to that custom.

Mr. HARRIS. I very cheerfully yield to the suggestion of the Senator from Massachusetts, Mr. President.

Mr. HOAR. I move that the Senate take a recess for half an hour.

The PRESIDENT *pro tempore*. The Senator from Massachusetts moves that the Senate take a recess for thirty minutes.

The motion was agreed to; and at the expiration of the recess (at 12 o'clock and 40 minutes p. m.) the Senate reassembled.

MESSAGE FROM THE HOUSE.

Mr. CLARK, the Clerk of the House of Representatives, appeared below the bar of the Senate and delivered the following message:

Mr. President, I am directed by the House of Representatives to inform the Senate that a quorum of the House of Representatives has assembled, that JOHN G. CARLISLE, a Representative from the State of Kentucky, has been elected Speaker, and that JOHN B. CLARK, jr., a citizen of the State of Missouri, has been chosen Clerk; and that the House of Representatives is ready to proceed to business.

It has also resolved that a committee of three be appointed by the Speaker on the part of the House of Representatives, to join the committee appointed on the part of the Senate, to wait on the President of the United States, and inform him that a quorum of the two Houses has assembled and that Congress is ready to receive any communication that he may be pleased to make, and that Mr. COX, of New York, Mr. RANDALL, of Pennsylvania, and Mr. CANNON, of Illinois, have been appointed members of that committee on the part of the House.

RECESS.

Mr. HARRIS. Mr. President, I move that the Senate take a recess for fifteen minutes.

The motion was agreed to; and at the expiration of the recess (at 12 o'clock and 56 minutes p. m.) the Senate reassembled.

NOTIFICATION TO THE PRESIDENT.

Mr. MORRILL and Mr. MORGAN, the committee appointed in conjunction with a similar committee of the House of Representatives to wait upon the President of the United States, appeared below the bar, and—

Mr. MORRILL said: Mr. President, the joint committee appointed to wait upon the President of the United States and inform him that the Senate and the House of Representatives had organized and were ready to receive any communication that he had to make, respectfully report that the President informed us that he would make a communication immediately in writing.

PRESIDENT'S ANNUAL MESSAGE.

At 12 o'clock and 57 minutes p. m., Mr. O. L. PRUDEN, one of the secretaries of the President of the United States, appeared below the bar, and said:

Mr. President, I am directed by the President of the United States to deliver to the Senate sundry messages in writing.

The messages were received from the secretary and handed to the President *pro tempore*.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the annual message of the President of the United States, which the Secretary will read.

The Secretary of the Senate (Mr. ANSON G. MCCOOK) read the message, as follows:

*To the Congress of the United States:*

You are confronted at the threshold of your legislative duties, with a condition of the national finances which imperatively demands immediate and careful consideration.

The amount of money annually exacted, through the operation of present laws, from the industries and necessities of the people, largely exceeds the sum necessary to meet the expenses of the Government.

When we consider that the theory of our institutions guarantees to every citizen the full enjoyment of all the fruits of his industry and enterprise, with only such deduction as may be his share towards the careful and economical maintenance of the Government which protects him, it is plain that the exaction of more than this is indefensible extortion, and a culpable betrayal of American fairness and justice. This wrong inflicted upon those who bear the burden of national taxation, like other wrongs, multiplies a brood of evil consequences. The public treasury, which should only exist as a conduit conveying the people's tribute to its legitimate objects of expenditure, becomes a hoarding-place for money needlessly withdrawn from trade and the people's use, thus crippling our national energies, suspending our country's development, preventing investment in productive enterprise, threatening financial disturbance, and inviting schemes of public plunder.

This condition of our Treasury is not altogether new; and it has more than once of late been submitted to the people's representatives in the Congress, who alone can apply a remedy. And yet the situation still continues, with aggravated incidents, more than ever presaging financial convulsion and wide-spread disaster.

It will not do to neglect this situation because its dangers are not now palpably imminent and apparent. They exist none the less certainly, and await the unforeseen and unexpected occasion when suddenly they will be precipitated upon us.

On the 30th day of June, 1885, the excess of revenues over public expenditures after complying with the annual requirement of the sinking-fund act, was $17,859,735.84; during the year ended June 30, 1886, such excess amounted to $49,405,545.20; and during the year ended June 30, 1887, it reached the sum of $55,567,849.54.

The annual contributions to the sinking fund during the three years above specified, amounting in the aggregate to $138,058,320.94, and deducted from the surplus as stated, were made by calling in for that purpose outstanding three per cent. bonds of the Government. During the six months prior to June 30, 1887, the surplus revenue had grown so large by repeated accumulations, and it was feared the withdrawal of this great sum of money needed by the people, would so affect the business of the country, that the sum of $79,864,100 of such surplus was applied to the payment of the principal and interest of the three per cent. bonds still outstanding, and which were then payable at the option of the Government. The precarious condition of financial affairs among the people still needing relief, immediately after the 30th day of June, 1887, the remainder of the three per cent. bonds then outstanding, amounting with principal and interest to the sum of $18,877,500, were called in and applied to the sinking-fund contribution for the current fiscal year. Notwithstanding these operations of the Treasury Department representations of distress in business circles not only continued but increased, and absolute peril seemed at hand. In these circumstances the contribution to the sinking fund for the current fiscal year was at once completed by the expenditure of $27,684,283.55 in the purchase of Government bonds not yet due bearing four and four and a half per cent. interest, the premium paid thereon averaging about twenty-four per cent. for the former and eight per cent. for the latter. In addition to this the interest accruing during the current year upon the outstanding bonded indebtedness of the Government was to some extent anticipated, and banks selected as depositories of public money were permitted to somewhat increase their deposits.

While the expedients thus employed, to release to the people the money lying idle in the Treasury, served to avert immediate danger, our surplus revenues have continued to accumulate, the excess for the present year amounting on the 1st day of December to $55,258,701.19, and estimated to reach the sum of $113,000,000 on the 30th of June next, at which date it is expected that this sum, added to prior accumulations, will swell the surplus in the Treasury to $140,000,000.

There seems to be no assurance that, with such a withdrawal from use of the people's circulating medium, our business community may not in the near future be subjected to the same distress which was quite lately produced from the same cause. And while the functions of our National Treasury should be few and simple, and while its best condition would be reached, I believe, by its entire disconnection with private business interests, yet when, by a perversion of its purposes, it idly holds money uselessly subtracted from the channels of trade, there seems to be reason for the claim that some legitimate means should be devised by the Government to restore in an emergency, without waste or extravagance, such money to its place among the people.

If such an emergency arises there now exists no clear and undoubted executive power of relief. Heretofore the redemption of three per cent. bonds, which were payable at the option of the Government, has afforded a means for the disbursement of the excess of our revenues; but these bonds have all been retired, and there are no bonds outstanding the payment of which we have the right to insist upon. The contribution to the sinking fund which furnishes the occasion for expenditur in the purchase of bonds has been already made for the current year, so that there is no outlet in that direction.

In the present state of legislation the only pretense of any existing executive power to restore, at this time, any part of our surplus revenues to the people by its expenditure, consists in the supposition that the Secretary of the Treasury may enter the market and purchase the bonds of the Government not yet due, at a rate of premium to be agreed upon. The only provision of law from which such a power could be derived is found in an appropriation bill passed a number of years ago; and it is subject to the suspicion that it was intended as temporary and limited in its application, instead of conferring a continuing discretion and authority. No condition ought to exist which would justify the grant of power to a single official, upon his judgment of its necessity, to withhold from or release to the business of the people, in an unusual manner, money held in the Treasury, and thus affect, at his will, the financial situation of the country; and if it is deemed wise to in lodge the Secretary of the Treasury the authority in the present juncture to purchase bonds, it should be plainly vested, and provided as far as possible, with such checks and limitations as will define this official's right and discretion, and at the same time relieve him from undue responsibility.

In considering the question of purchasing bonds as a means of restoring to circulation the surplus money accumulating in the Treasury, it should be borne in mind that premiums must of course be paid upon such purchase, that there may be a large part of these bonds held as investments which can not be purchased at any price, and that combinations among holders who are willing to sell, may unreasonably enhance the cost of such bonds to the Government.

It has been suggested that the present bonded debt might be refunded at a less rate of interest, and the difference between the old and new security paid in cash, thus finding use for the surplus in the Treasury. The success of this plan, it is apparent, must depend upon the volition of the holders of the present bonds; and it is not entirely certain that the inducement which must be offered them would result in more financial benefit to the Government than the purchase of bonds, while the latter proposition would reduce the principal of the debt by actual payment, instead of extending it.

The proposition to deposit the money held by the Government in banks throughout the country, for use by the people, is, it seems to me, exceedingly objectionable in principle, as establishing too close a relationship between the operations of the Government Treasury and the business of the country, and too extensive a commingling of their money, thus fostering an unnatural reliance in private business upon public funds. If this scheme should be adopted it should only be done as a temporary expedient to meet an urgent necessity. Legislative and executive effort should generally be in the opposite direction and should have a tendency to divorce, as much and as fast as can safely be done, the Treasury Department from private enterprise.

Of course it is not expected that unnecessary and extravagant appropriations will be made for the purpose of avoiding the accumulation of an excess of revenue. Such expenditure, beside the demoralization of all just conceptions of public duty which it entails, stimulates a habit of reckless improvidence not in the least consistent with the mission of our people or the high and beneficent purposes of our Government.

I have deemed it my duty to thus bring to the knowledge of my countrymen, as well as to the attention of their representatives charged with the responsibility of legislative relief, the gravity of our financial situation. The failure of the Congress heretofore to provide against the dangers which it was quite evident the very nature of the difficulty

must necessarily produce, caused a condition of financial distress and apprehension since your last adjournment, which taxed to the utmost all the authority and expedients within executive control; and these appear now to be exhausted. If disaster results from the continued inaction of Congress, the responsibility must rest where it belongs.

Though the situation thus far considered is fraught with danger which should be fully realized, and though it presents features of wrong to the people as well as peril to the country, it is but a result growing out of a perfectly palpable and apparent cause, constantly reproducing the same alarming circumstances—a congested national Treasury and a depleted monetary condition in the business of the country. It need hardly be stated that while the present situation demands a remedy, we can only be saved from a like predicament in the future by the removal of its cause.

Our scheme of taxation, by means of which this needless surplus is taken from the people and put into the public treasury, consists of a tariff or duty levied upon importations from abroad, and internal-revenue taxes levied upon the consumption of tobacco and spirituous and malt liquors. It must be conceded that none of the things subjected to internal-revenue taxation are, strictly speaking, necessaries; there appears to be no just complaint of this taxation by the consumers of these articles, and there seems to be nothing so well able to bear the burden without hardship to any portion of the people.

But our present tariff laws, the vicious, inequitable, and illogical source of unnecessary taxation, ought to be at once revised and amended. These laws, as their primary and plain effect, raise the price to consumers of all articles imported and subject to duty, by precisely the sum paid for such duties. Thus the amount of the duty measures the tax paid by those who purchase for use these imported articles. Many of these things, however, are raised or manufactured in our own country, and the duties now levied upon foreign goods and products are called protection to these home manufactures, because they render it possible for those of our people who are manufacturers to make these taxed articles and sell them for a price equal to that demanded for the imported goods that have paid customs duty. So it happens that while comparatively a few use the imported articles, millions of our people, who never used and never saw any of the foreign products, purchase and use things of the same kind made in this country, and pay therefor nearly or quite the same enhanced price which the duty adds to the imported articles. Those who buy imports pay the duty charged thereon into the public Treasury, but the great majority of our citizens, who buy domestic articles of the same class, pay a sum at least approximately equal to this duty to the home manufacturer. This reference to the operation of our tariff laws is not made by way of instruction, but in order that we may be constantly reminded of the manner in which they impose a burden upon those who consume domestic products as well as those who consume imported articles, and thus create a tax upon all our people.

It is not proposed to entirely relieve the country of this taxation. It must be extensively continued as the source of the Government's income; and in a readjustment of our tariff the interests of American labor engaged in manufacture should be carefully considered, as well as the preservation of our manufacturers. It may be called protection, or by any other name, but relief from the hardships and dangers of our present tariff laws, should be devised with especial precaution against imperiling the existence of our manufacturing interests. But this existence should not mean a condition which, without regard to the public welfare or a national exigency, must always insure the realization of immense profits instead of moderately profitable returns. As the volume and diversity of our national activities increase, new recruits are added to those who desire a continuation of the advantages which they conceive the present system of tariff taxation directly affords them. So stubbornly have all efforts to reform the present condition been resisted by those of our fellow-citizens thus engaged, that they can hardly complain of the suspicion, entertained to a certain extent, that there exists an organized combination all along the line to maintain their advantage.

We are in the midst of centennial celebrations, and with becoming pride we rejoice in American skill and ingenuity, in American energy and enterprise, and in the wonderful natural advantages and resources developed by a century's national growth. Yet when an attempt is made to justify a scheme which permits a tax to be laid upon every consumer in the land for the benefit of our manufacturers, quite beyond a reasonable demand for governmental regard, it suits the purposes of advocacy to call our manufactures infant industries, still needing the highest and greatest degree of favor and fostering care that can be wrung from Federal legislation.

It is also said that the increase in the price of domestic manufactures resulting from the present tariff is necessary in order that higher wages may be paid to our workingmen employed in manufactories, than are paid for what is called the pauper labor of Europe. All will acknowledge the force of an argument which involves the welfare and liberal compensation of our laboring people. Our labor is honorable in the eyes of every American citizen; and as it lies at the foundation of our development and progress, it is entitled, without affectation or hypocrisy, to the utmost regard. The standard of our laborers' life should not be measured by that of any other country less favored, and they are entitled to their full share of all our advantages.

By the last census it is made to appear that of the 17,392,099 of our population engaged in all kinds of industries, 7,670,493 are employed in agriculture, 4,074,238 in professional and personal service, (2,934,876 of whom are domestic servants and laborers,) while 1,810,256 are employed in trade and transportation, and 3,837,112 are classed as employed in manufacturing and mining.

For present purposes, however, the last number given should be considerably reduced. Without attempting to enumerate all, it will be conceded that there should be deducted from those which it includes 375,143 carpenters and joiners, 285,401 milliners, dressmakers, and seamstresses, 172,726 blacksmiths, 133,756 tailors and tailoresses, 102,473 masons, 76,241 butchers, 41,309 bakers, 22,083 plasterers, and 4,891 engaged in manufacturing agricultural implements, amounting in the aggregate to 1,214,023, leaving 2,623,089 persons employed in such manufacturing industries as are claimed to be benefited by a high tariff.

To these the appeal is made to save their employment and maintain their wages by resisting a change. There should be no disposition to answer such suggestions by the allegation that they are in a minority among those who labor, and therefore should forego an advantage, in the interest of low prices for the majority; their compensation, as it may be affected by the operation of tariff laws, should at all times be scrupulously kept in view; and yet with slight reflection they will not overlook the fact that they are consumers with the rest; that they, too, have their own wants and those of their families to supply from their earnings, and that the price of the necessaries of life, as well as the amount of their wages, will regulate the measure of their welfare and comfort.

But the reduction of taxation demanded should be so measured as not to necessitate or justify either the loss of employment by the working man nor the lessening of his wages; and the profits still remaining to the manufacturer, after a necessary readjustment, should furnish no excuse for the sacrifice of the interests of his employés either in their opportunity to work or in the diminution of their compensation. Nor can the worker in manufactures fail to understand that while a high tariff is claimed to be necessary to allow the payment of remunerative wages, it certainly results in a very large increase in the price of nearly all sorts of manufactures, which, in almost countless forms, he needs for the use of himself and his family. He receives at the desk of his employer his wages, and perhaps before he reaches his home is obliged, in a purchase for family use of an article which embraces his own labor, to return in the payment of the increase in price which the tariff permits, the hard-earned compensation of many days of toil.

The farmer and the agriculturist who manufacture nothing, but who pay the increased price which the tariff imposes, upon every agricultural implement, upon all he wears and upon all he uses and owns, except the increase of his flocks and herds and such things as his husbandry produces from the soil, is invited to aid in maintaining the present situation; and he is told that a high duty on imported wool is necessary for the benefit of those who have sheep to shear, in order that the price of their wool may be increased. They of course are not reminded that the farmer who has no sheep is by this scheme obliged, in his purchases of clothing and woolen goods, to pay a tribute to his fellow farmer as well as to the manufacturer and merchant; nor is any mention made of the fact that the sheep-owners themselves and their households must wear clothing and use other articles manufactured from the wool they sell at tariff prices, and thus as consumers must return their share of this increased price to the tradesman.

I think it may be fairly assumed that a large proportion of the sheep owned by the farmers throughout the country are found in small flocks numbering from twenty-five to fifty. The duty on the grade of imported wool which these sheep yield, is 10 cents each pound if of the value of 30 cents or less, and 12 cents if of the value of more than 30 cents. If the liberal estimate of six pounds be allowed for each fleece, the duty thereon would be 60 or 72 cents, and this may be taken as the utmost enhancement of its price to the farmer by reason of this duty. Eighteen dollars would thus represent the increased price of the wool from twenty-five sheep and $36 that from the wool of fifty sheep; and at present values this addition would amount to about one-third of its price. If upon its sale the farmer receives this or a less tariff profit, the wool leaves his hands charged with precisely that sum, which in all its changes will adhere to it, until it reaches the consumer. When manufactured into cloth and other goods and material for use, its cost is not only increased to the extent of the farmer's tariff profit, but a further sum has been added for the benefit of the manufacturer under the operation of other tariff laws. In the mean time the day arrives when the farmer finds it necessary to purchase woolen goods and material to clothe himself and family for the winter. When he faces the tradesman for that purpose he discovers that he is obliged not only to return in the way of increased prices, his tariff profit on the wool he sold, and which then perhaps lies before him in manufactured form, but that he must add a considerable sum thereto to meet a further increase in cost caused by a tariff duty on the manufacture. Thus in the end he is aroused to the fact that he has paid upon a moderate pur-

chase, as a result of the tariff scheme, which, when he sold his wool seemed so profitable, an increase in price more than sufficient to sweep away all the tariff profit he received upon the wool he produced and sold.

When the number of farmers engaged in wool-raising is compared with all the farmers in the country, and the small proportion they bear to our population is considered; when it is made apparent that, in the case of a large part of those who own sheep, the benefit of the present tariff on wool is illusory; and, above all, when it must be conceded that the increase of the cost of living caused by such tariff, becomes a burden upon those with moderate means and the poor, the employed and unemployed, the sick and well, and the young and old, and that it constitutes a tax which, with relentless grasp, is fastened upon the clothing of every man, woman, and child in the land, reasons are suggested why the removal or reduction of this duty should be included in a revision of our tariff laws.

In speaking of the increased cost to the consumer of our home manufactures, resulting from a duty laid upon imported articles of the same description, the fact is not overlooked that competition among our domestic producers sometimes has the effect of keeping the price of their products below the highest limit allowed by such duty. But it is notorious that this competition is too often strangled by combinations quite prevalent at this time, and frequently called trusts, which have for their object the regulation of the supply and price of commodities made and sold by members of the combination. The people can hardly hope for any consideration in the operation of these selfish schemes.

If, however, in the absence of such combination, a healthy and free competition reduces the price of any particular dutiable article of home production, below the limit which it might otherwise reach under our tariff laws, and if, with such reduced price, its manufacture continues to thrive, it is entirely evident that one thing has been discovered which should be carefully scrutinized in an effort to reduce taxation.

The necessity of combination to maintain the price of any commodity to the tariff point, furnishes proof that some one is willing to accept lower prices for such commodity, and that such prices are remunerative; and lower prices produced by competition prove the same thing. Thus where either of these conditions exists a case would seem to be presented for an easy reduction of taxation.

The considerations which have been presented touching our tariff laws are intended only to enforce an earnest recommendation that the surplus revenues of the Government be prevented by the reduction of our customs duties, and, at the same time, to emphasize a suggestion that in accomplishing this purpose, we may discharge a double duty to our people by granting to them a measure of relief from tariff taxation in quarters where it is most needed and from sources where it can be most fairly and justly accorded.

Nor can the presentation made of such considerations be, with any degree of fairness, regarded as evidence of unfriendliness toward our manufacturing interests, or of any lack of appreciation of their value and importance.

These interests constitute a leading and most substantial element of our national greatness and furnish the proud proof of our country's progress. But if in the emergency that presses upon us our manufacturers are asked to surrender something for the public good and to avert disaster, their patriotism, as well as a grateful recognition of advantages already afforded, should lead them to willing co-operation. No demand is made that they shall forego all the benefits of governmental regard; but they can not fail to be admonished of their duty, as well as their enlightened self-interest and safety, when they are reminded of the fact that financial panic and collapse, to which the present condition tends, afford no greater shelter or protection to our manufactures than to our other important enterprises. Opportunity for safe, careful, and deliberate reform is now offered; and none of us should be unmindful of a time when an abused and irritated people, heedless of those who have resisted timely and reasonable relief, may insist upon a radical and sweeping rectification of their wrongs.

The difficulty attending a wise and fair revision of our tariff laws is not underestimated. It will require on the part of the Congress great labor and care, and especially a broad and national contemplation of the subject, and a patriotic disregard of such local and selfish claims as are unreasonable and reckless of the welfare of the entire country.

Under our present laws more than four thousand articles are subject to duty. Many of these do not in any way compete with our own manufactures, and many are hardly worth attention as subjects of revenue. A considerable reduction can be made in the aggregate, by adding them to the free list. The taxation of luxuries presents no features of hardship; but the necessaries of life used and consumed by all the people, the duty upon which adds to the cost of living in every home, should be greatly cheapened.

The radical reduction of the duties imposed on raw material used in manufactures, or its free importation, is of course an important factor in any effort to reduce the price of these necessaries; it would not only relieve them from the increased cost caused by the tariff on such material, but the manufactured product being thus cheapened, that part of the tariff now laid upon such product, as a compensation to our manufacturers for the present price of raw material, could be accordingly modified. Such reduction, or free importation, would serve beside to largely reduce the revenue. It is not apparent how such a change can have any injurious effect upon our manufacturers. On the contrary, it would appear to give them a better chance in foreign markets with the manufacturers of other countries, who cheapen their wares by free material. Thus our people might have the opportunity of extending their sales beyond the limits of home consumption—saving them from the depression, interruption in business, and loss caused by a glutted domestic market, and affording their employés more certain and steady labor, with its resulting quiet and contentment.

The question thus imperatively presented for solution should be approached in a spirit higher than partisanship and considered in the light of that regard for patriotic duty which should characterize the action of those intrusted with the weal of a confiding people. But the obligation to declared party policy and principle is not wanting to urge prompt and effective action. Both of the great political parties now represented in the Government have, by repeated and authoritative declarations, condemned the condition of our laws which permit the collection from the people of unnecessary revenue, and have, in the most solemn manner, promised its correction; and neither as citizens or partisans are our countrymen in a mood to condone the deliberate violation of these pledges.

Our progress toward a wise conclusion will not be improved by dwelling upon the theories of protection and free trade. This savors too much of bandying epithets. It is a *condition* which confronts us—not a theory. Relief from this condition may involve a slight reduction of the advantages which we award our home productions, but the entire withdrawal of such advantages should not be contemplated. The question of free trade is absolutely irrelevant; and the persistent claim made in certain quarters, that all efforts to relieve the people from unjust and unnecessary taxation are schemes of so-called free-traders, is mischievous and far removed from any consideration for the public good.

The simple and plain duty which we owe the people is to reduce taxation to the necessary expenses of an economical operation of the Government, and to restore to the business of the country the money which we hold in the Treasury through the perversion of governmental powers. These things can and should be done with safety to all our industries, without danger to the opportunity for remunerative labor which our workingmen need, and with benefit to them and all our people, by cheapening their means of subsistence and increasing the measure of their comforts.

The Constitution provides that the President "shall, from time to time, give to the Congress information of the state of the Union." It has been the custom of the Executive, in compliance with this provision, to annually exhibit to the Congress, at the opening of its session, the general condition of the country, and to detail, with some particularity, the operations of the different Executive Departments. It would be especially agreeable to follow this course at the present time, and to call attention to the valuable accomplishments of these Departments during the last fiscal year. But I am so much impressed with the paramount importance of the subject to which this communication has thus far been devoted, that I shall forego the addition of any other topic, and only urge upon your immediate consideration the "state of the Union" as shown in the present consideration of our Treasury and our general fiscal situation, upon which every element of our safety and prosperity depends.

The reports of the heads of Departments, which will be submitted, contain full and explicit information touching the transaction of the business intrusted to them, and such recommendations relating to legislation in the public interests as they deem advisable. I ask for these reports and recommendations the deliberate examination and action of the legislative branch of the Government.

There are other subjects not embraced in the departmental reports demanding legislative consideration and which I should be glad to submit. Some of them, however, have been earnestly presented in previous messages, and as to them, I beg leave to repeat prior recommendations.

As the law makes no provision for any report from the Department of State, a brief history of the transactions of that important Department, together with other matters which it may hereafter be deemed essential to commend to the attention of the Congress, may furnish the occasion for a future communication.

GROVER CLEVELAND.

WASHINGTON, *December* 6, 1887.

The PRESIDENT *pro tempore*. The message will be printed with the accompanying documents, and laid upon the table, unless otherwise ordered.

Mr. HOAR. I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 27 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 7, 1887, at 12 o'clock m.

## HOUSE OF REPRESENTATIVES.

TUESDAY, *December* 6, 1887.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

ADDITIONAL MEMBER SWORN IN.

Mr. COTHRAN, of South Carolina, having appeared, was duly qualified according to law.

APPOINTMENT OF CERTAIN COMMITTEES.

Mr. MILLS submitted the following resolution; which was read, considered, and adopted:

*Resolved*, That the Speaker appoint a Committee on Rules, on Accounts, on Enrolled Bills, and on Mileage; each to consist of the same number of members as is provided for by the rules of the Forty-ninth Congress; and that the rules of the Forty-ninth Congress be referred to the Committee on Rules, when appointed.

Mr. MILLS moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REPORT OF COMMITTEE TO WAIT UPON THE PRESIDENT.

Mr. COX. Mr. Speaker, the committee appointed on the part of the House, to join a like committee of the Senate, to inform the President that the House of Representatives was organized for the discharge of its duties, called upon the President, and were informed by him that he would be ready to make a communication to this House in writing on our assembling to-day.

AMENDMENTS TO THE RULES.

Mr. DINGLEY. Mr. Speaker, I desire to present certain privileged resolutions relating to amendments of the rules, for reference to the committee when appointed.

The SPEAKER. The amendments will be read.

The Clerk read as follows:

*Resolved*, That the rules of the House of Representatives be amended as follows:

First. By adding at the end of paragraph 4 of Rule XIII the following: "*Provided*, That pending a motion that the House go into Committee of the Whole on the state of the Union to consider bills, or any class of bills, on the Calendar, a motion shall be in order to designate a particular bill to be considered."

Second. By inserting after the words "for one hour," in paragraph 5 of Rule XXIV, the following: "unless this call shall be dispensed with by a majority vote."

Third. By adding at the end of paragraph 6 of Rule XXIV the following: "and pending a motion that the House go into Committee of the Whole House on the state of the Union, or proceed to the House Calendar to consider unfinished business, it shall be in order to move to designate the particular bill to be considered."

Fourth. By inserting after the words "general appropriation bills," in the first division of paragraph 7 of Rule XXIV, the following:

"Second. House bills on its Calendar returned from the Senate."

Fifth. By striking out the second division of paragraph 7 of Rule XXIV, and inserting instead the following:

"Second. To proceed first to the consideration of House bills on the House Calendar returned from the Senate, and then to the consideration of other business on the House Calendar. And pending a motion that the House proceed to the House Calendar to consider any class of business, it shall be in order to move to designate the particular bill to be considered."

*Resolved*, That Rule X be amended by inserting after the words "Commission on Rivers and Harbors" the following:

"On Navigation and Fisheries, to consist of thirteen members."

Also, amend Rule XI by inserting after item 8 the following:

"To the merchant marine, seamen, and fisheries—to the Committee on Navigation and Fisheries."

The proposed amendments were referred to the Committee on Rules.

Mr. ANDERSON, of Kansas, submitted the following; which was read and referred to the Committee on Rules:

Add to Rule XXXIV:

"*Provided*, That ex-members of the House of Representatives shall not be admitted on more than three days during the same term of Congress."

Mr. STONE, of Missouri, submitted the following; which was read and referred to the Committee on Rules:

Amend section 49 of Rule XI by adding after the word "settlers," in the eleventh line, the following:

"Which bills shall be entitled to precedence of consideration on the House Calendar, not to interfere with appropriation bills or bills raising revenue."

Mr. ATKINSON submitted the following; which was read and referred to the Committee on Rules:

Amend Rule XXIV, paragraph 7, so that it shall read as follows:

"Unfinished business, if any, having been disposed of, motions shall be in order as follows:

"First. That the House resolve itself into Committee of the Whole House on the state of the Union, to consider, first, general pension bills, bills raising revenue, and general appropriation bills, and then other business on the Calendar."

Mr. COX submitted the following resolution; which was read and referred to the Committee on Rules:

*Resolved*, That Rule X be amended so as to add thereto the following:

"A Committee on the Eleventh Census, to be constituted in accordance with the provisions of the resolution pertaining to the Tenth Census."

Mr. JOHNSTON, of North Carolina, submitted the following resolution; which was referred to the Committee on Rules:

*Resolved*, That the rules be amended as follows:

At the end of Rule XIX add:

"And when any motion or proposition to amend the revenue laws is under consideration, any amendment thereto, or substitute therefor, whether the same relates to internal or customs revenue, shall be in order, subject to the provisions of this rule."

ORDER OF BUSINESS.

Mr. RANDALL. I move that the House take a recess until twenty minutes to 1, to which hour I am informed the Senate has taken a recess. It is expected that by that time we shall have the President's message.

The SPEAKER. The Chair is advised that the Senate has taken a recess until twenty minutes to 1.

The motion of Mr. RANDALL was agreed to; and accordingly (at 12 o'clock and 18 minutes p. m.) the House took a recess until 12.40 p. m.

The recess having expired, the House reassembled at 12.40 p. m.

AMENDMENT TO RULE XXXIV.

Mr. RICHARDSON submitted the following proposed amendment to Rule XXXIV; which was read, and referred to the Committee on Rules when appointed:

Strike out, in Rule XXXIV., the words "ex-members of the House of Representatives who are not interested in any claim or directly in any bill pending before Congress," and insert the following words:

'Ex-members of the House of Representatives who are not interested personally, nor as attorneys or agents, in any claim or bill pending before Congress."

ORDER OF BUSINESS.

Mr. COX. I move that the House take a recess until ten minutes after 1.

The motion was agreed to; and (at 12.47 p. m.) the House took a recess until 1.10 p. m.

The recess having expired, the House reassembled at 1.10 p. m.

PRESIDENT'S ANNUAL MESSAGE.

A message, in writing, from the President of the United States, was communicated to the House by Mr. PRUDEN, one of his secretaries.

The SPEAKER laid the President's message before the House, and it was read by the Clerk.

[See the message in the Senate proceedings.]

The reading of the message was followed by applause.

Mr. MILLS. I move that the message of the President and the accompanying documents be referred to the Committee of the Whole House on the state of the Union, and be printed.

The motion was agreed to.

ADJOURNMENT OVER.

Mr. MILLS. I move that when the House adjourns to-day it be to meet on Thursday next.

The motion was agreed to.

Mr. MILLS. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 1 o'clock and 50 minutes p. m.) the House adjourned until Thursday.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BROWER: Petition of citizens of Rockingham County, North Carolina, for increase of compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. CHIPMAN: Petition of Mrs. Mary Command, widow of Thomas Command, late private of Company B, Third Regiment New York Cavalry, for a pension—to the Committee on Invalid Pensions.

By Mr. ERMENTROUT: Petition of Mrs. Anna Gibson Yates, for increase of pension to $50 per month—to the Committee on Invalid Pensions.

Also, memorial and petition of Major Michael P. Small, praying for relief from embezzled subsistence funds—to the Committee on Military Affairs.

By Mr. GIFFORD: Joint resolution and memorial of the Legislative Assembly of Dakota Territory, for the division of the Bismarck land district in said Territory—to the Committee on the Public Lands.

Also, petition of citizens of Lake County, Dakota Territory, against any reduction of the tax on oleomargarine or butterine—to the Committee on Agriculture.

By Mr. GUENTHER: Petition of E. W. Chapin, grand chief templar, of Waukesha, Wis., praying in the name of 1,300 Good Templars for the appointment of an impartial national commission to inquire and report upon the alcoholic liquor traffic, etc.—to the Committee on the Judiciary.

By Mr. LONG: Petition of the New England Conference of the Methodist Episcopal Church, for free entrance into the United States of Chinese preachers of the gospel—to the Committee on Foreign Affairs.

Also, petition of Kate Garnett Wells and 15 other women, for a law increasing age of legal protection for girls—to the Committee on the Judiciary.

Also, petition of the Grand Temple of Honor of Massachusetts for prohibition of the manufacture and sale of intoxicating liquors as a beverage—to the Committee on the Judiciary.

By Mr. McKINLEY: Petition of citizens of Leavittsville, Ohio, in favor of increased pay of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. MORGAN: Petition of citizens of Lenox, and of J. N. Bell and others, for increase of pay to fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

Also, petition of Wiley E. Blount, and of Mary A. Whitaker, widow of Eli Whitaker, of Mississippi, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. RICHARDSON: Petition of G. L. Rogers and 53 others, citizens of Tennessee, for increased compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. SENEY: Petition of J. T. Maloy and 24 others, of Bascom, Seneca County, Ohio, for increased compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. STEELE: Petition of N. J. Sutton and 50 others, asking for increased compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Grand Army of the Republic of Bunker Hill, Ind., asking for the increase of pensions to soldiers of the war of 1812, and especially of the pension of Joseph Finemore, a soldier of said war—to the Committee on Pensions.

Also, petition of R. S. Thomas Post, No. 241, Grand Army of the Republic, of Mount Etna, Ind., for the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WHEELER: Petition of Nancy Phillips, widow of William Phillips; of James A. Patterson; of James McPeters; of James L. Wellborn, administrator of Elias Wellborn; of Cynthia Womble; and of John Bates, administrator of Elisha Jordan, deceased, praying that war claims be referred to the Court of Claims—to the Committee on War Claims.

Also, petition of J. A. Hill and others, for an increase of compensation to fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. YOST: Nine petitions of citizens of the State of Virginia, for an increase of compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

## SENATE.

### WEDNESDAY, *December* 7, 1887.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

FINANCE REPORT.

The PRESIDENT *pro tempore* laid before the Senate the annual report of the Secretary of the Treasury on the state of the finances for the year 1887; which was ordered to lie on the table and be printed.

REPORT OF ATTORNEY-GENERAL.

The PRESIDENT *pro tempore* laid before the Senate a letter from the Attorney-General, transmitting his annual report for the year 1887; which was ordered to lie on the table and be printed.

REPORTS OF SECRETARY OF SENATE.

The PRESIDENT *pro tempore* laid before the Senate the report of the Secretary of the Senate, communicating, in obedience to law, a statement of the receipts and expenditures of the Senate from July 1, 1886, to June 30, 1887; which was ordered to lie on the table and be printed.

The PRESIDENT *pro tempore* laid before the Senate a report from the Secretary of the Senate, communicating, in obedience to law, a full and complete statement of all property in his possession belonging to the United States December 5, 1887; which was ordered to lie on the table and be printed.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a letter of the Acting Secretary of the Interior, transmitting, in pursuance of the eighth section of the act of July 22, 1854, for Congressional action, the supplementary report of the United States surveyor-general of New Mexico on the private land claim known as the town of Cieneguilla, No. 62; which was ordered to lie on the table and be printed.

He also laid before the Senate a letter of the Acting Secretary of the Interior, transmitting, in pursuance of the eighth section of the act of July 22, 1854, for Congressional action, the supplementary report of the United States surveyor-general of New Mexico on the private land claim in that Territory known as the Luis de Armenta grant, No. 68; which was ordered to lie on the table and be printed.

He also laid before the Senate a letter of the Secretary of the Interior, recommending an appropriation to complete the publication of the reports of the Tenth Census; which was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in pursuance of the eighth section of the act of July 22, 1854, for Congressional action, the supplementary report of the United States surveyor-general of New Mexico on the private land claim in that Territory known as the Cañada de los Apaches, No. 50; which was ordered to lie on the table and be printed.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a letter from the Secretary of the Interior, transmitting certain papers in response to a Senate resolution of February 11, 1887, concerning the history of Indian operations on the plains, furnished by Col. Henry B. Carrington to the special commission which met at Fort McPherson, Nebr., in the spring of 1867. The papers in this case are very voluminous, and the Chair will, unless otherwise ordered, allow them to lie on the table without being printed until some committee has had time to inspect them.

Mr. BUTLER. I move that the letter of the Secretary of the Interior, with the accompanying papers, lie on the table, to be referred to the Committee on Printing when appointed.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a letter of the Treasurer of the United States, transmitting fair and accurate copies of accounts rendered to and settled with the First Comptroller according to the provisions of law. The Chair would call the attention of the Senate to the fact that these accounts are contained in five large volumes that now lie at the right of the desk, and the Chair will await the decision of the Senate as to what disposition shall be made of them before an order to print them shall be entered.

Mr. MANDERSON. I move that the accompanying documents be referred to the Committee on Printing, when appointed, without printing. I think that has been the usual course; and that committee, when organized, will consider the advisability of having them printed.

The motion was agreed to.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of March 3, 1887, certain information relative to night inspectors at New York employed in certain years; which was read.

Mr. COCKRELL. Are there any accompanying papers with that communication?

The PRESIDENT *pro tempore*. There are none on the table.

Mr. COCKRELL. I move that the communication be printed and laid on the table for the present.

The PRESIDENT *pro tempore*. It will be so ordered if there be no objection.

Mr. COCKRELL. I believe the communication is in response to a resolution which I submitted at the last session of the Senate.

The PRESIDENT *pro tempore*. The Chair so understands.

Mr. COCKRELL. It lies on the table for the present.

COURT OF CLAIMS REPORTS.

The PRESIDENT *pro tempore* laid before the Senate the report of the chief clerk of the Court of Claims, transmitting, in pursuance of section 1057 of the Revised Statutes, a statement of the judgments rendered by that court during the year ending November 30, 1887, etc.; which, on motion of Mr. HARRIS, was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the clerk of the Court of Claims, transmitting a report of claims heard, determined, and disposed of under an act of Congress entitled "An act to provide for the ascertainment of the claims of American citizens for spoliations committed by the French prior to the 1st day of July, 1801," approved January 20, 1885; which, on motion of Mr. BUTLER, was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the clerk of the Court of Claims, transmitting the findings of fact and conclusions of law rendered by that court in certain cases for the year ending December 5, 1887; which was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Court of Claims, transmitting the findings of fact and conclusions of law in certain French spoliation claims; which was ordered to lie on the table and be printed.

TERRITORIAL LAWS.

The PRESIDENT *pro tempore* laid before the Senate a copy of the laws of Dakota Territory, transmitted to the Senate in accordance with section 1844 of the Revised Statutes of the United States; which was ordered to lie on the table.

He also laid before the Senate the revised statutes of Arizona Territory, transmitted in accordance with section 1844 of the Revised Statutes of the United States; which were ordered to lie on the table.

ORDER OF PROCEEDING.

Mr. CULLOM. The Senate has no committees yet organized, and as I understand the custom, it has been that when bills and other papers are introduced they lie upon the table until the committees are appointed, which I think would be the creation of unnecessary work. So I move that the Senate do now adjourn.

Mr. FARWELL. Before that motion is put I desire to introduce a bill.

Mr. CULLOM. There are no committees yet.

Mr. FARWELL. The bill can be referred when committees are appointed.

The PRESIDENT *pro tempore*. Does the Senator from Illinois insist on his motion to adjourn?

Mr. PLUMB. I ask the Senator from Illinois to withdraw it until I can offer a resolution.

Mr. CULLOM. I will withdraw it for that purpose. I make the motion for the reason that I understand it has been the custom of the Senate not to receive bills to be referred to committees when appointed; and as they are not yet appointed I think it would be unnecessary to introduce bills to be laid upon the table to be taken up again and referred.

Mr. BUTLER. I think there is great wisdom in the observation of the Senator from Illinois, but if the door is opened to the introduction of bills I shall insist that there shall be no restriction put upon that right. I hope, therefore, the motion of the Senator from Illinois will prevail.

The PRESIDENT *pro tempore*. The Chair will remind Senators that the motion to adjourn is debatable only by unanimous consent.

Mr. CULLOM. I believe I shall insist on my motion.

Mr. PLUMB. I wish to offer a resolution, and I hope the Senator will withhold the motion for that purpose.

Mr. CULLOM. I withdraw the motion for that purpose, as the resolution is not designed to go to a committee.

SUGAR MANUFACTURE PATENTS.

Mr. PLUMB submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Commissioner of Agriculture be directed to inform the Senate whether any person in the employ of his Department in making experiments in the manufacture of sugar from sorghum with money appropriated by Congress has applied for or obtained a patent, or patents, on any process connected with such manufacture, growing out of said experiments.

Mr. CULLOM. I move that the Senate do now adjourn.

The motion was agreed to; and (at 12 o'clock and 19 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 8, 1887, at 12 o'clock m.

## SENATE.

### THURSDAY, *December* 8, 1887.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting, in pursuance of the eighth section of the act of July 22, 1854, for Congressional action, supplementary reports of the United States surveyor-general of New Mexico on the private land claims in that Territory known as the town of San Antonio del Rio Colorado tract, No. 76; the grant to Ignacio Chaves *et al.*, No. 96; Arroyo de San Lorenzo tract, No. 79; the Nuestra Señora del Pilar tract, No. 99; and the San Clemente tract, No. 67; which was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in pursuance of the eighth section of the act of July 22, 1854, for Congressional action, the supplementary report of the United States surveyor-general of New Mexico on the private land claim in that Territory known as the Alameda tract, No. 91; which was ordered to lie on the table and be printed.

ADJOURNMENT TO MONDAY.

Mr. FARWELL. I move that the Senate do now adjourn until next Monday.

The motion was agreed to; and (at 12 o'clock and 7 minutes p. m.) the Senate adjourned until Monday, December 12, 1887, at 12 o'clock m.

## HOUSE OF REPRESENTATIVES.

### THURSDAY, *December* 8, 1887.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of Tuesday's proceedings was read and approved.

MEMBERS SWORN IN.

Mr. BELMONT, a Representative-elect from the State of New York, and Mr. WOODBURN, a Representative-elect from the State of Nevada, appeared and took the oath prescribed by law.

REPORT OF SECRETARY OF TREASURY.

The SPEAKER laid before the House the annual report of the Secretary of the Treasury on the state of the finances for the year 1887; which was ordered to be printed, and to lie on the table for the present.

REPORT OF ATTORNEY-GENERAL.

The SPEAKER also laid before the House the annual report of the Attorney-General of the United States; which was ordered to be printed, and to lie on the table for the present.

CONTESTS FOR SEATS IN FIFTIETH CONGRESS.

The SPEAKER also laid before the House a letter from the Clerk of the House of Representatives, in reference to contests for seats in the House of Representatives of the Fiftieth Congress; which was ordered to be printed, and laid on the table.

REPORTS BY PUBLIC OFFICERS.

The SPEAKER also laid before the House a letter from the Clerk of the House of Representatives, transmitting list of reports to be made to Congress by public officers; which was ordered to be printed, and laid on the table.

PUBLIC PROPERTY IN POSSESSION OF THE CLERK.

The SPEAKER also laid before the House a letter from the Clerk of the House of Representatives, transmitting an inventory of property belonging to the United States in his possession on December 5, 1887; which was referred to the Committee on Accounts, when appointed, and ordered to be printed.

BOOKS, ETC., IN FOLDING-ROOM.

The SPEAKER also laid before the House a letter from the Doorkeeper of the House of Representatives, submitting an inventory of books and public documents now in the folding-room of the House of Representatives; which was laid on the table, and ordered to be printed.

EXPENDITURES BY CLERK.

The SPEAKER also laid before the House a letter from the Clerk of the House of Representatives, transmitting report of expenditures from July 1, 1886, to June 30, 1887; which was referred to the Committee on Accounts, when appointed, and ordered to be printed.

COMMITTEE ON MILEAGE.

The SPEAKER also announced the appointment of the Committee on Mileage, as follows: Mr. ROGERS of Arkansas, Mr. HOWARD of Indiana, Mr. BURNETT of Massachusetts, Mr. FELTON of California, and Mr. BELDEN of New York.

AMENDMENTS OF RULES.

Mr. McCREARY submitted the following proposed amendment to the rules; which was read, and referred to the Committee on Rules, when appointed:

*Resolved*, That paragraph 3 of Rule XXI of the House of Representatives be amended by adding thereto the following: "And all general appropriation bills shall be reported to the House within sixty days after the appointment of the standing committees at the first session, and within forty days after the commencement of the second session of the House of Representatives."

Mr. BELMONT submitted the following proposed amendment to the rules; which was read, and referred to the Committee on Rules, when appointed:

*Resolved*, That Rule XXIII of the House of Representatives be amended as follows:

In section 4, line 3, after the words "general appropriation bills," insert as follows: "Bills for the reorganization of or retrenchment of expenditure in any branch of the legislative, executive, or judicial departments of the Government;" so the entire section, as amended, shall read as follows:

"4. In Committees of the Whole House business on their calendars shall be taken up in regular order, except bills for raising revenue, general appropriation bills, bills for the reorganization of or retrenchment of expenditure in any branch of the legislative, executive, or judicial departments of the Government, and bills for the improvement of rivers and harbors, which shall have precedence; and when objection is made to passing over any bill or proposition, the committee shall thereupon rise and report such objection to the House, which shall decide, without debate, whether such bill or proposition shall be considered or laid aside for the present; whereupon the committee shall resume its sittings without further order of the House."

Mr. HUDD offered the following resolution; which was read, and referred to the Committee on Rules:

*Resolved*, That the rules of the House of Representatives be amended as follows: Section 1 of Rule VIII, "OF THE MEMBERS," shall be amended so as to read as follows:

"1. Every member shall be present within the Hall of the House during the sessions, unless excused or necessarily prevented, and must vote on all questions put and on each roll-call, unless excused before the motion is put or the roll-call commenced. A member present and refusing to vote, unless excused on a motion made and determined without debate, as above, shall be deemed guilty of a contempt of the House, and liable to immediate expulsion as a member contemptuously failing to vote.

"When any motion is put or roll called, when any member shall demand that the vote be given, any member having a direct personal or pecuniary interest in the event of the question or motion may be excused from voting by the Speaker on request of the member so interested."

Mr. GALLINGER offered the following; which was read, and referred to the Committee on Rules:

Amend Rule X by adding in its appropriate place the following:

"On Public Health, to consist of thirteen members."

CONDUCTORS FOR HOUSE ELEVATOR.

Mr. PEEL offered the following; which was read, and referred to the Committee on Accounts:

*Resolved*, That the Speaker of the House of Representatives be, and he is hereby, authorized to appoint and employ two conductors for the new House elevator, at a salary of $1,100 per annum each, to be paid out of the contingent fund of the House.

AMENDMENT OF THE RULES.

Mr. OATES offered the following; which was read, and referred to the Committee on Rules:

*Resolved*, That Rule XXXIV of the House of Representatives be so amended as to allow the Interstate Commissioners the privileges of the floor.

Mr. SPRINGER offered the following; which was read, and referred to the Committee on Rules:

*Resolved*, That paragraph 2 of Rule XXIII be amended so as to read as follows:

"The Committee of the Whole House shall consist of at least one hundred members, which number shall constitute a quorum to do business. Whenever a Committee of the Whole House finds itself without a quorum, the Chairman shall cause the roll to be called, and thereupon the committee shall rise and the Chairman shall report the names of the absentees to the House, which shall be entered upon the Journal; but if on such call a quorum shall appear, the committee shall thereupon resume its sitting without further order of the House."

*Resolved further*, That paragraph 6 of Rule XXIII be amended by adding thereto the following:

"After any bill for raising revenue or any general appropriation bill has been considered in the Committee of the Whole House on the state of the Union under the five-minutes debate for —— legislative days, it shall be in order to move in the House to discharge the Committee of the Whole House from the further consideration of such bill."

*Resolved*, That paragraph 4 of Rule XXI be amended so as to read as follows:

"All private bills and bills for improvement of rivers and harbors, and for the establishment or change of post-routes, shall be delivered to the Clerk, as in the case of petitions and memorials, for reference to appropriate committees.

"When private bills are reported from committees with favorable recommendation they shall be read a first and second time, printed, and referred to the Committee of the Whole House on the Private Calendar."

*Resolved*, That Rule XXVI be amended by adding thereto the following:

"3. The fourth Monday of each month after the call of States and Territories until the adjournment of that day shall, when claimed by the Committee on the Territories, be devoted exclusively to the consideration of such business as may be presented by said committee; any unfinished business at the close of the day shall be in order thereafter on any day until disposed of."

Mr. SPRINGER also offered the following; which was ordered to be printed in the RECORD, and referred to the Committee on Rules:

*Resolved*, That paragraph 1 of Rule X of the Rules of the House of Representatives of the Forty-ninth Congress be amended so as to read as follows:

RULE X.

OF COMMITTEES.

1. Unless otherwise specially ordered by the House, the Speaker shall appoint, at the commencement of each Congress, the following standing committees, namely:

On Elections, to consist of fifteen members.
On Ways and Means, to consist of fifteen members.
On Appropriations, to consist of fifteen members.
On the Judiciary, to consist of fifteen members.
On Banking and Currency, to consist of thirteen members.
On Coinage, Weights, and Measures, to consist of thirteen members.
On Commerce, to consist of fifteen members.
On Rivers and Harbors, to consist of fifteen members.
On Agriculture, to consist of fifteen members.
On Foreign Affairs, to consist of thirteen members.
On Military Affairs, to consist of thirteen members.
On Naval Affairs, to consist of thirteen members.
On the Post-Office and Post-Roads, to consist of fifteen members.
On the Public Lands, to consist of thirteen members.
On Indian Affairs, to consist of thirteen members.
On the Territories, to consist of thirteen members.
On Railroads, to consist of thirteen members.
On Mines and Mining, to consist of thirteen members.
On Public Buildings and Grounds, to consist of thirteen members.
On Education, to consist of thirteen members.
On Labor, to consist of thirteen members.
On Patents, to consist of thirteen members.
On Pensions, to consist of thirteen members.
On Invalid Pensions, to consist of fifteen members.
On Claims, to consist of fifteen members.
On War Claims, to consist of thirteen members.
On Private Land Claims, to consist of thirteen members.
On the District of Columbia, to consist of thirteen members.
On Public Expenditures, to consist of fifteen members.
On Rules, to consist of five members.
On Accounts, to consist of nine members.
Also the following joint standing committees, namely:
On the Library, to consist of three members.
On Printing, to consist of three members.
On Enrolled Bills, to consist of seven members.

*Resolved*, That paragraphs 1 to 48, inclusive, of Rule XI be amended so as to read as follows:

RULE XI.

POWERS AND DUTIES OF COMMITTEES.

All proposed legislation shall be referred to the committees named in the preceding rule, as follows, namely: Subjects relating—

1. to the election of members: to the Committee on Elections;
2. to the revenue and the bonded debt of the United States: to the Committee on Ways and Means;
3. to appropriation of the revenue for the support of the Government, as herein provided, namely: for legislative, executive, and judicial expenses; for sundry civil expenses; for fortifications; for the District of Columbia; for pensions; and for all deficiencies: to the Committee on Appropriations;
4. to judicial proceedings, civil and criminal law, and the revision of the laws: to the Committee on the Judiciary;
5. to banking and currency: to the Committee on Banking and Currency;
6. to coinage, weights, and measures: to the Committee on Coinage, Weights, and Measures;
7. to commerce, life-saving service, and light-houses, other than appropriations for life-saving service and light-houses: to the Committee on Commerce;
8. to the improvement of rivers and harbors, and to the construction and improvement of canals: to the Committee on Rivers and Harbors;
9. to agriculture and forestry: to the Committee on Agriculture, who shall receive the estimates and report the appropriations for the Agricultural Department;
10. to the relations of the United States with foreign nations, including appropriations therefor: to the Committee on Foreign Affairs;
11. to the military establishment, the militia, and the public defense, including the appropriations for its support, and for that of the Military Academy: to the Committee on Military Affairs;
12. to the naval establishment, including the appropriations for its support: to the Committee on Naval Affairs;
13. to the post-office and post-roads, including appropriations for their support: to the Committee on the Post-Office and Post-Roads;
14. to the lands of the United States: to the Committee on the Public Lands;
15. to the relations of the United States with the Indians and the Indian tribes, including appropriations therefor: to the Committee on Indian Affairs;
16. to Territorial legislation, the revision thereof, and affecting Territories or the admission of States; to the Committee on the Territories;
17. to railways: to the Committee on Railroads;
18. to the mining interests: to the Committee on Mines and Mining;
19. to the public buildings and occupied or improved grounds of the United States, other than appropriations therefor: to the Committee on Public Buildings and Grounds;
20. to education: to the Committee on Education;
21. to and affecting labor: to the Committee on Labor;
22. to patents, copyrights, trade-marks, and manufactures: to the Committee on Patents;
23. to general laws relating to pensions: to the Committee on Pensions;
24. to private pension acts: to the Committee on Invalid Pensions;
25. to private and domestic claims and demands, other than war claims, against the United States: to the Committee on Claims;
26. to claims arising from any war in which the United States has been engaged: to the Committee on War Claims;
27. to private claims to lands: to the Committee on Private Land Claims;
28. to the District of Columbia, other than appropriations therefor: to the Committee for the District of Columbia;
29. The examination of the accounts and expenditures of the several Departments of the Government and the manner of keeping the same; the economy, justness and correctness of such expenditures; their conformity with appropriation laws; the proper application of public moneys; the security of the Government against unjust and extravagant demands; retrenchment; the enforcement of the payment of moneys due to the United States; the economy and accountability of public officers; the abolishment of useless offices; the reduction or increase of the pay of officers, shall all be subjects within the jurisdiction of the Committee on Public Expenditures;
30. All proposed action touching the rules and joint rules shall be referred to the Committee on Rules;
31. Touching the expenditure of the contingent fund of the House, the auditing and settling of all accounts which may be charged therein by order of the House, and the ascertainment of the travel of members of the House (which shall be reported to the Sergeant-at-Arms): to the Committee on Accounts;
32. Touching the Library of Congress, statuary, and pictures: to the Joint Committee on the Library;
33. All proposed legislation or orders touching printing shall be referred to the Joint Committee on Printing on the part of the House;
34. The enrollment of engrossed bills: to the Joint Committee on Enrolled Bills.

ORDER OF BUSINESS.

Mr. MILLS. Mr. Speaker, I move that when the House adjourns to-day it adjourn to meet on Monday next.

The motion was agreed to.

Mr. MILLS. I now move that the House adjourn.

The motion was agreed to; and accordingly the House (at 12 o'clock and 15 minutes p. m.) adjourned until Monday, December 12.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. J. A. ANDERSON: Petition of G. M. Stratton and others, for a bounty of $8.33⅓ per month to all soldiers of the late war below the rank of commissioned officers—to the Committee on Invalid Pensions.

Also, petition of Homer Adkins and others, citizens of Cloud County, Kansas, for extension of the patent law—to the Committee on Patents.

By Mr. BAYNE: Papers relating to the claim of John Howard Payne—to the Committee on Claims.

By Mr. BINGHAM: Three petitions of citizens of the thirteenth district of Pennsylvania, against the admission of Utah as a State with polygamy—to the Committee on the Territories.

By Mr. BOUND: Petition and remonstrance of 27 citizens of Milton, and of 73 citizens of Sunbury, Pa., against the admission of Utah as a State—to the Committee on the Territories.

By Mr. C. R. BRECKINRIDGE: Petition of Alexander Davis, of Arkansas, asking for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. BUTLER: Papers relating to the claim of John Ryle, of Washington County, Tennessee—to the Committee on War Claims.

By Mr. CHIPMAN: Papers in the case of Mary McGrath, for relief—to the Committee on Invalid Pensions.

Also, petition of Anna Norton, and of Catherine Carroll, for pensions—to the Committee on Invalid Pensions.

Also, papers in the case of James Cooney, for relief—to the Committee on Military Affairs.

By Mr. DOCKERY: Petition of citizens of Worth County, Missouri, asking that the pension of William H. Andrews be increased—to the Committee on Invalid Pensions.

By Mr. ERMENTROUT: Memorial of George S. McFarlane, for retention of part of the tax on cigars—to the Committee on Ways and Means.

By Mr. FISHER: Petition of Hon. Enos Goodrich and 220 others, citizens of Tuscola County, Michigan, asking for a pension for Nathaniel M. Berry—to the Committee on Invalid Pensions.

By Mr. GALLINGER: Petition of F. W. Flanders, grand worthy patriarch, and H. F. Smart, grand secretary of the Sons of Temperance of New Hampshire, for an amendment to the Constitution prohibiting the manufacture, sale, importation, exportation, and transportation of alcoholic liquors as a beverage—to the Committee on the Judiciary.

By Mr. GREENMAN: Papers relating to the claim of Peter A. Allendorf—to the Committee on War Claims.

By Mr. T. J. HENDERSON: Papers in the cases of Dennis Pride;

of John Fuller; of E. R. Swain; of the heirs of Levi Hill; and of C. S. Finch—to the Committee on War Claims.

By Mr. HOVEY: Papers in the case of Thomas J. Taylor, for relief—to the Committee on War Claims.

By Mr. JACKSON: Petition and memorial of the Synod of the Reformed Presbyterian Church of America, requesting an amendment to the interstate-commerce law to restrain traffic and travel on the Lord's day—to the Committee on the Judiciary.

By Mr. KERR: Petition of E. W. Bunger and 6 others, of Cedar Rapids, Iowa, for increase of pay—to the Committee on the Post-Office and Post-Roads.

By Mr. NEAL: Papers relating to the claim of James McGee, of Bradley County, Tennessee—to the Committee on War Claims.

By Mr. RANDALL: Petition of Francis Kilburn, to be restored to the pension-roll—to the Committee on Invalid Pensions.

By Mr. W. J. STONE, of Kentucky: Papers relating to the claims of H. M. Carson; of John R. Martin; of A. Gates Lee; of John M. Higgins; of Henry Halleck; of A. J. Drennan, administrator of E. D. Drennan; of Joel H. Curd; and of B. H. Stovall—to the Committee on War Claims.

Also, papers in the case of James H. Rhymes; of E. L. Smith; and of James L. Henderson—to the Committee on Military Affairs.

Also, papers in the cases of John F. Hopkins; of Charles S. Bradley; of Martha A. Lewis; of Hester V. Blackburn; of Belle M. Baker; of Mrs. C. C. Carmer; of Rachael Lankford; and of Nathaniel Reuster—to the Committee on Invalid Pensions.

Also, papers in the case of Henry Glass—to the Committee on Naval Affairs.

Also, paper in the case of William Futrell, for a pension—to the Committee on Pensions.

Also, papers in the case of Douglas Dale; and of H. C. Wilkey—to the Committee on Claims.

By Mr. TRACEY: Papers in the case of Thomas S. Ellison—to the Committee on Claims.

By Mr. WASHINGTON: Papers in the case of W. A. and Adelicea Cheatham, for relief—to the Committee on Claims.

By Mr. J. R. WHITING: Petition of E. C. Babcock, J. T. Waterman, and 136 others, asking for a pension for Russel L. Doane—to the Committee on Invalid Pensions.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. J. A. ANDERSON: Of Henry Brown and others, citizens of Poplar Hill, Kans.

By Mr. BARRY: Of H. C. Furgeson and others; of J. W. Holland and others; of R. H. Rush and others; of M. J. Todd and others; of W. H. Ellis and others; and of S. N. Berryhill and others, of Mississippi.

By Mr. BOOTHMAN: Of J. H. Bixlen and 67 others, citizens of Scott, Van Wert County, Ohio.

By Mr. BOUND: Of citizens of Linglestown, Dauphin County, Pennsylvania.

By Mr. C. R. BRECKINRIDGE: Of citizens of Pinchback Mills, Ark.

By Mr. CROUSE: Of John M. Lehr and others, citizens of Wayne County, Ohio.

By Mr. DOCKERY: Of 10 citizens of Prospect Hill; of 56 citizens of Alanthus Grove; and of citizens of Ellington, Mo.

By Mr. GALLINGER: Of Hiram D. Flanders and 52 others, of Colebrook; of E. E. Merrill and 32 others, of Alexandria; and of Y. E. Hall and 40 others, of Landoff, N. H.

By Mr. McCLAMMY: Of Hiram Vickers and others, citizens of Dawson's Landing, N. C.

By Mr. McCREARY: Of Jefferson Baker and others, citizens of Kentucky.

By Mr. MORGAN: Of E. D. Slayden and others, citizens of Slayden's Landing, Miss.

By Mr. RICHARDSON: Of J. H. Tripp and 50 others, of Tennessee.

By Mr. TILLMAN: Of sundry citizens of Barnwell County, South Carolina.

By Mr. WICKHAM: Of citizens of Lorain and Richland Counties, Ohio.

By Mr. WILKINS: Of A. A. Gruver and others, citizens of Holmes County, Ohio.

By Mr. YOST: Of citizens of Jump; of Schuyler; of Mint Springs; of Millborn Springs; of Stapleton Mills; of Centenary; of Salt Creek; and of State River Mills, Va.

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## SENATE.

### MONDAY, *December* 12, 1887.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

WADE HAMPTON, a Senator from the State of South Carolina, appeared in his seat to-day.

The Journal of the proceedings of Thursday last was read and approved.

### SENATE COMMITTEES.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a communication——

Mr. HOAR. Before the Chair presents the executive communications on his table, perhaps it will be more convenient for me to offer the two resolutions I have in my possession.

The PRESIDENT *pro tempore*. The Chair will receive them if there be no objection.

Mr. HOAR. I offer the resolution which I send to the desk, and ask for its present consideration.

The Chief Clerk read the resolution, as follows:

*Resolved*, That the following constitute the Standing Committees of the Senate of the United States for the Fiftieth Congress:

*On Agriculture and Forestry*—Messrs. Palmer (chairman), Blair, Plumb, Sabin, Paddock, George, Gibson, Jones of Arkansas, Bate.

*On Appropriations*—Messrs. Allison (chairman), Dawes, Plumb, Hale, Farwell, Beck, Cockrell, Call, Gorman.

*To Audit and Control the Contingent Expenses of the Senate*—Messrs. Jones of Nevada (chairman), Paddock, Vance.

*On the Census*—Messrs. Hale (chairman), Morrill, Wilson of Iowa, Stockbridge, Davis, Berry, Blackburn, Blodgett, Turpie.

*On Civil Service and Retrenchment*—Messrs. Chace (chairman), Dawes, Manderson, Stanford, Stewart, Voorhees, Walthall, Wilson of Maryland, Berry.

*On Claims*—Messrs. Spooner (chairman), Hoar, Mitchell, Stewart, Quay, Jones of Arkansas, Wilson of Maryland, Pasco.

*On Coast Defenses*—Messrs. Dolph (chairman), Cameron, Hawley, Hiscock, McPherson, Hampton, Reagan.

*On Commerce*—Messrs. Frye (chairman), Jones of Nevada, Dolph, Cameron, Sawyer, Cullom, Palmer, Ransom, Coke, Vest, Gorman, Kenna, Gibson.

*On the District of Columbia*—Messrs. Ingalls (chairman), Spooner, Chace, Riddleberger, Farwell, Harris, Vance, Daniel.

*On Education and Labor*—Messrs. Blair (chairman), Bowen, Palmer, Sawyer, Wilson of Iowa, George, Call, Pugh, Payne.

*On Engrossed Bills*—Messrs. Saulsbury (chairman), Call, Allison.

*On Enrolled Bills*—Messrs. Bowen (chairman), Sabin, Colquitt.

*On Epidemic Diseases*—Messrs. Harris (chairman), Hampton, Eustis, Berry, Hale, Chandler, Stockbridge.

*To Examine the Several Branches of the Civil Service*—Messrs. Quay (chairman), Aldrich, Allison, Hampton, Gray.

*On the Expenditures of Public Money*—Messrs. Farwell (chairman), Plumb, Platt, Sherman, Frye, Beck, Kenna, Gibson.

*On Finance*—Messrs. Morrill (chairman), Sherman, Jones of Nevada, Allison, Aldrich, Hiscock, Voorhees, Beck, McPherson, Harris, Vance.

*On Fisheries*—Messrs. Stockbridge (chairman), Dawes, Stanford, Hampton, Blodgett.

*On Foreign Relations*—Messrs. Sherman (chairman), Edmunds, Frye, Evarts, Dolph, Morgan, Brown, Saulsbury, Payne.

*On the Improvement of the Mississippi River*—Messrs. Paddock (chairman), Chandler, Farwell, Hawley, Eustis, Walthall, Bate.

*On Indian Affairs*—Messrs. Dawes (chairman), Bowen, Sabin, Platt, Stockbridge, Morgan, Jones of Arkansas, Hearst, Daniel.

*On Interstate Commerce*—Messrs. Cullom (chairman), Platt, Blair, Wilson of Iowa, Hiscock, Harris, Gorman, Eustis, Reagan.

*On the Judiciary*—Messrs. Edmunds (chairman), Ingalls, Hoar, Wilson of Iowa, Evarts, Pugh, Coke, Vest, George.

*On the Library*—Messrs. Evarts (chairman), Hoar, Voorhees.

*On Manufactures*—Messrs. Riddleberger (chairman), Sabin, Quay, Colquitt, Blodgett.

*On Military Affairs*—Messrs. Hawley (chairman), Cameron, Manderson, Stewart, Davis, Cockrell, Hampton, Walthall, Bate.

*On Mines and Mining*—Messrs. Stewart (chairman), Jones of Nevada, Mitchell, Teller, Bate, Turpie.

*On Naval Affairs*—Messrs. Cameron (chairman), Hale, Riddleberger, Stanford, Chandler, McPherson, Butler, Blackburn, Gray.

*On Patents*—Messrs. Teller (chairman), Chace, Platt, Hiscock, Jones of Arkansas, Gray, Kenna.

*On Pensions*—Messrs. Davis (chairman), Blair, Sawyer, Paddock, Quay, Wilson of Maryland, Turpie, Blodgett.

*On Post-Offices and Post-Roads*—Messrs. Sawyer (chairman), Chace, Bowen, Mitchell, Quay, Saulsbury, Colquitt, Wilson of Maryland, Reagan.

*On Printing*—Messrs. Manderson (chairman), Hawley, Gorman.

*On Private Land Claims*—Messrs. Ransom (chairman), Colquitt, Pasco, Edmunds, Stewart.

*On Privileges and Elections*—Messrs. Hoar (chairman), Frye, Teller, Evarts, Spooner, Saulsbury, Vance, Pugh, Eustis.

*On Public Buildings and Grounds*—Messrs. Stanford (chairman), Morrill, Spooner, Quay, Vest, Daniel, Pasco.

*On Public Lands*—Messrs. Plumb (chairman), Blair, Dolph, Teller, Paddock, Morgan, Cockrell, Walthall, Berry.

*On Railroads*—Messrs. Sabin (chairman), Sawyer, Hawley, Mitchell, Chandler, Stockbridge, Brown, Kenna, George, Blackburn.

*On the Revision of the Laws of the United States*—Messrs. Wilson of Iowa (chairman), Stanford, Teller, Wilson of Maryland, Daniel.

*On Revolutionary Claims*—Messrs. Coke (chairman), Pugh, Hearst, Chace, Morrill.

*On Rules*—Messrs. Aldrich (chairman), Sherman, Ingalls, Harris, Blackburn.

*On Territories*—Messrs. Platt (chairman), Cullom, Manderson, Stewart, Davis, Butler, Payne, Gray, Turpie.

*On Transportation Routes to the Seaboard*—Messrs. Mitchell (chairman), Palmer, Cullom, Dawes, Aldrich, Gibson, Vest, Call, Butler.

The PRESIDENT *pro tempore*. The Senator from Massachusetts moves the adoption of the resolution just read.

The resolution was considered by unanimous consent, and agreed to.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the following constitute the Select Committees of the Senate of the United States for the Fiftieth Congress:

*To Investigate Condition of the Potomac River Front of Washington*—Messrs. McPherson (chairman), Ransom, Hearst, Manderson, Riddleberger, Spooner.

*To Inquire into all Claims of Citizens of the United States against the Government of Nicaragua*—Messrs. Morgan (chairman), Wilson of Maryland, Hearst, Hoar, Cameron.

*On Woman Suffrage*—Messrs. Cockrell (chairman), Brown, Pasco, Blair, Palmer, Chace, Bowen.

*On Additional Accommodations for the Library of Congress*—Messrs. Voorhees (chairman), Butler, Gibson, Morrill, Chandler.

*On the Centennial of the Constitution and the Discovery of America*—Messrs. Hiscock (chairman), Sherman, Hoar, Hawley, Voorhees, Eustis, Colquitt.
*On Indian Traders*—Messrs. Chandler (chairman), Platt, Cullom, Coke, Blackburn.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate communications from the Secretary of the Interior, transmitting, in accordance with the eighth section of the act of July 22, 1854, for Congressional action, supplementary reports of the United States surveyor-general for New Mexico respecting the private land claims in that Territory known and designated as follows:

Francisco de Anaya Almozan, for the Cieneguille tract No. 115;
José R. Zamora *et al.*, for the Vallecito de Lovato tract, No. 108;
Ojo de la Cabra tract, No. 106;
Santa Teresa tract, No. 111;
Luis Jaramillo claim, No. 103;
Sierra Mosca tract, No. 75;
Cañon de Chama tract, No. 75;
San Joaquin del Nacimiento, No. 66;
Antonio de Salagar, No. 132;
Sebastian de Vargos, No. 137;
Bartolome Baca, No. 126.

The communications were referred to the Committee on Private Land Claims, and ordered to be printed.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of War, transmitting, in compliance with section 1665 of the Revised Statutes of the United States, a statement exhibiting the expenditures at the Springfield Armory, and of the arms, components of arms, and appendages fabricated, altered, and repaired at that armory during the fiscal year ending June 30, 1887; which was referred to the Committee on Military Affairs, and ordered to be printed.

LOUISA M'DOUGALL AND OTHERS.

The PRESIDENT *pro tempore* laid before the Senate a letter of the assistant clerk of the Court of Claims, transmitting the findings of fact filed by the court May 9, 1887, in the cause of Louisa S. McDougall, George P. McDougall, and Frank W. McDougall, heirs, etc., of George McDougall, deceased, *vs.* The United States; which was referred to the Committee on Claims.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of the council and house of representatives of the Territory of Montana, in favor of the passage of an act of Congress increasing the number of members of the legislative assembly of Montana; which was referred to the Committee on Territories.

He also presented a petition of the council and house of representatives of the Territory of Montana, in favor of the construction of a brick wall around the penitentiary of that Territory; which was referred to the Committee on Territories.

He also presented a petition of the council and house of representatives of the Territory of Montana, in favor of an amendment of the alien land law; which was referred to the Committee on Public Lands.

He also presented resolutions adopted by the Philadelphia Conference of Baptist Ministers, relative to the importation of rum and other ardent spirits into the Congo State; which were referred to the Committee on Foreign Relations.

He also presented a petition of 118 citizens of Clay Centre, Kans., praying that an act be passed granting to all who served in the late war below the rank of commissioned officers in the Army or Navy, who have been honorably discharged, bounty at the rate of $8\frac{1}{3}$ per month, deducting therefrom all bounty heretofore paid by the United States to men in the Army and all prize-money paid to men in the Navy; which was referred to the Committee on Pensions.

Mr. SHERMAN presented the petition of C. O. Tannehill and other citizens of Texas, praying for the establishment of a court in the neutral strip on the borders of Texas; which was referred to the Committee on the Judiciary.

He also presented the petition of E. S. Miller, of Washington, D. C., praying for a redress of certain grievances; which was referred to the Committee on the Judiciary.

Mr. SHERMAN. I present the petition of a large number of citizens of Washington, D. C., praying for certain alterations in the law in regard to gas, so as to provide cheaper and better gas in the District of Columbia. I move the reference of the petition to the Committee on the District of Columbia.

The motion was agreed to.

Mr. HARRIS presented a petition of A. P. Rawlings and 65 other citizens of Tennessee, and a petition of J. F. Burquer and 34 other citizens of Tennessee, praying that additional compensation be allowed to fourth-class postmasters; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of C. B. Knowles, of Davidson County, Tennessee, praying to be granted an extension of a patent on an automatic car-coupler; which was referred to the Committee on Patents.

Mr. MORRILL presented a petition of citizens of East Cambridge, Vt., and a petition of citizens of Thetford, Vt., praying that an increase of compensation be allowed to fourth-class postmasters; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. SPOONER presented the memorial of Alexander McNeir and other citizens of Wisconsin, remonstrating against the admission of Utah as a State so long as the local civil power of the Territory remains in the hands of the Mormon priesthood; which was referred to the Committee on Territories.

Mr. DOLPH presented a petition of the Columbia (Oregon) Waterways Convention, praying that increased appropriations be made for the improvement of the Columbia River, and a petition of the same convention concerning the improvement of the mouth of the Columbia River; which were referred to the Committee on Commerce.

Mr. CULLOM presented the petition of John Moore, of Paris, Ill., praying that he be allowed an increase of pension; which was referred to the Committee on Pensions.

He also presented a petition of soldiers and citizens of Virginia, Ill., praying for the removal of the limitation as to arrearages of pension; which was referred to the Committee on Pensions.

Mr. GORMAN presented the petition of Sarah R. Blucher, widow of John Van B. Blucher, late of the United States Navy, praying to be allowed an increase of pension; which was referred to the Committee on Pensions.

Mr. VANCE presented a petition of citizens of North Carolina, praying that additional compensation be granted to fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. WILSON, of Iowa, presented a petition of officers of the Woman's Christian Temperance Union of Iowa, praying that Congress, by an appropriate joint resolution, adopt and propose to the several States an amendment to the Constitution of the United States to prohibit henceforth the manufacture, importation, transportation, and sale of all alcoholic liquors as a beverage in the United States, and in every place subject to their jurisdiction; which was referred to the Committee on Education and Labor.

He also presented the petition of Mrs. Jane E. Hamill, of Washington, D. C., praying that she be allowed compensation for services rendered the Government by her son, S. R. Hamill, deceased; which was referred to the Committee on Claims.

Mr. REAGAN presented 5 petitions of citizens of Texas, praying that increased compensation be allowed to fourth-class postmasters; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. BUTLER presented the petition of William McGill and others, citizens of South Carolina, and the petition of W. M. Stone and others, citizens of South Carolina, praying that increased compensation be allowed to fourth-class postmasters; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. MORGAN presented the petition of B. F. Ellis and others, citizens of Alabama, praying that increased compensation be allowed to fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. PALMER presented resolutions adopted by the Knights of Labor of Saginaw, Mich., remonstrating against a reduction of the national revenue and demanding the prompt payment of the bonded indebtedness, and pensions for all honorably discharged Union soldiers; which were referred to the Committee on Pensions.

He also presented the petition of W. A. Schock, and 63 others, citizens of Parkville, Mich., praying for certain amendments to the patent laws; which was referred to the Committee on Patents.

Mr. HOAR presented a petition of the faculty of the College of Liberal Arts, connected with the Boston University, and a petition of the faculty of the School of Theology in the same university, praying that certain classes of foreign books may be placed on the free list; which were referred to the Committee on Finance.

Mr. HOAR. I present the petition of Rev. Dr. Stephen L. Baldwin and others, a committee of the New England Conference of the Methodist Church, praying for a modification of the Chinese restriction act so as to allow entrance into the United States of Chinese preachers of the gospel, and families of Chinamen already residents of the United States. I desire to say that it seems to me some of our people are in peculiar need of Chinese preachers of the gospel, judging from some of our recent legislation. I move that the petition be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. HOAR presented the petition of George Park, of Worcester, Mass., praying for a pension for services rendered by his son, the late William C. Park, of Company H, Fifty-seventh Regiment Massachusetts Volunteers; which was referred to the Committee on Pensions.

He also presented the petition of W. G. Klee and others, a committee of the Convention of California Fruit Growers, praying that an appropriation be made for the extermination of scale insects; which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of Henry J. Patrick, president, and Willis D. Leland, secretary, in behalf of ministers of the Congregational churches of Boston and vicinity, praying for a treaty of arbitration with Great Britain; which was referred to the Committee on Foreign Relations.

He also presented the petition of Eliza M. Scanolin, of Grafton, Mass.,

praying to be allowed a pension; which was referred to the Committee on Pensions.

He also presented the petition of Oscar S. Collins, of Worcester, Mass., praying to be allowed a pension; which was referred to the Committee on Pensions.

He also presented the petition of Mary Gammell, of Worcester County, Massachusetts, praying to be allowed a widow's pension; which was referred to the Committee on Pensions.

Mr. HOAR. I present the petition of Harriet H. Robinson, administratrix, praying for the repayment to her of certain sums illegally assessed upon and collected of her late husband as an income tax, he being the secretary of the house of representatives of Massachusetts, and the income tax being upon that income. I move that the petition be referred to the Committee on Claims.

The motion was agreed to.

Mr. CAMERON presented 5 memorials of citizens of the Twentieth Congressional district of Pennsylvania; 7 memorials of citizens of the Ninth Congressional district of Pennsylvania; and 19 memorials of citizens of Pennsylvania, remonstrating against the admission of Utah as a State with polygamy; which were referred to the Committee on Territories.

He also presented the petition of the Pittsburgh and Southern Coal Company, of Pittsburgh, Pa., praying that the appropriations for the Signal Service be brought up to their full standard of efficiency; which was referred to the Committee on Appropriations.

He also presented the petition of the Columbia Waterways Association, of Astoria, Oregon, in favor of further appropriations for the improvement of The Dalles, and for more adequate appropriations for the purpose of keeping an open river between Portland and the sea; which was referred to the Committee on Commerce.

He also presented a petition signed by the president and secretary of the Methodist Episcopal Preachers' Meeting of Philadelphia, praying for additional legislation on the subject of Mormonism; which was referred to the Committee on the Judiciary.

He also presented the petition of John F. Ballier, late colonel Ninety-eighth Regiment Pennsylvania Volunteers, and brevet brigadier-general, praying to be allowed an increase of pension; which was referred to the Committee on Pensions.

He also presented the petition of Philippe Ray, of Philadelphia, Pa., praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. QUAY presented 6 memorials of citizens of Pennsylvania, remonstrating against the admission of Utah as a State, unless restrictions against Mormonism are imposed; which were referred to the Committee on Territories.

Mr. FARWELL presented the petition of Cordelia R. Jones, widow of Theodore Jones, late a private in Company G, Twenty-eighth Illinois Infantry, praying for a pension; which was referred to the Committee on Pensions.

He also presented the petition of Ernest Hodder, late acting master's mate, United States Navy, Chicago, Ill., praying that his claim of $195.05, allowed by the Fourth Auditor, but rejected by the Second Comptroller, be referred to the United States Court of Claims for reasons stated in the petition; which was referred to the Committee on Claims.

Mr. EDMUNDS presented the petition of John Anketell, of New York City, praying for an amendment to the Constitution of the United States so as to enable Congress to pass uniform laws on the subject of marriage and divorce; which was referred to the Committee on the Judiciary.

He also presented the petition of F. J. Hawley and 20 others, navigators of Lake Champlain and citizens of Grand Isle, Vt., praying that an appropriation be made for the improvement of that lake at the harbor called Adams' Landing; which was referred to the Committee on Commerce.

He also presented the petition of Harlow G. Hyde, of Essex, Vt., praying to be allowed a pension for services rendered by his son, George B. Hyde, deceased, of Company C, Second Regiment Wisconsin Volunteers; which was referred to the Committee on Pensions.

He also presented the petition of Louisa Provost, widow of Peter Provost, late of Company B, Seventeenth Regiment Vermont Volunteers, praying that she be allowed a pension; which was referred to the Committee on Pensions.

Mr. FRYE presented a petition of citizens of Aroostook County, Maine, praying that increased compensation be allowed to fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. MITCHELL presented the petition of the Fourteenth Legislative Assembly of Oregon, favoring an appropriation to pay certain claims due and unpaid, growing out of the Indian war of 1855–'56; which was referred to the Committee on Military Affairs.

Mr. PLUMB presented the petition of the Kansas State Temperance Union, praying for the adoption of a prohibition amendment to the Constitution of the United States; which was referred to the Committee on Education and Labor.

Mr. RIDDLEBERGER presented the petition of Hon. John F. Lewis, an ex-Senator from Virginia, praying to be allowed compensation from the commencement of his term as a Senator from the State of Virginia to the date of payment; which was referred to the Committee on Privileges and Elections.

Mr. BLAIR presented a petition of the Grand Lodge of Good Templars of the State of New Hampshire, and a petition of the National Temperance Society, praying for the submission, by an appropriate joint resolution, to the several States of a proposition for an amendment to the Constitution of the United States for the prohibition of the manufacture, importation, exportation, transportation, and sale of all alcoholic liquors as a beverage in the United States; which were referred to the Committee on Education and Labor.

He also presented a petition of citizens of New Hampshire, praying for the appointment of a national commission to investigate and report upon the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

Mr. DANIEL presented petitions of citizens of Cave Spring, County Line Cross Roads, Body Camp, Trinity, and Trenton Mills, in the State of Virginia, praying that increased compensation be allowed fourth-class postmasters; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of S. J. Conduff, administrator of S. G. Conduff, deceased, late a citizen of Virginia, praying for the reference of his claim to the Court of Claims, under the act of March 3, 1883; which was referred to the Committee on Claims.

## BILLS INTRODUCED.

Mr. DAWES introduced a bill (S. 1) to divide a portion of the reservation of the Sioux Nation of Indians, in Dakota, into separate reservations, and to secure the relinquishment of the Indian title to the remainder; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2) for the relief of the Mission Indians in the State of California; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 3) for the relief of the owners and crews of the American whaling-vessels Midas, Progress, Lagoda, Daniel Webster, and Europa; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4) for the relief of Nathaniel McKay and the executors of Donald McKay; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5) granting a pension to Mrs. Margaret Gallagher; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 6) granting a pension to Mrs. Emeline P. Trask; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 7) granting a pension to Mrs. Frances Cody; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BECK introduced a bill (S. 8) to provide for the retirement of United States legal-tender and national-bank notes of small denominations, and the issue of coin certificates, and for other purposes; which was read twice by its title, and referred to the Committee on Finance.

Mr. BECK. I should like very much, if I could be allowed to do so, to have the bill which I have just introduced printed in the RECORD, so that criticism may be made upon it between now and the next meeting of the Senate.

The PRESIDENT *pro tempore*. The Senator from Kentucky asks that the bill introduced by him be printed at length in the RECORD. Is there objection?

Mr. BECK. I desire to call some attention to it in advance.

Mr. EDMUNDS and others. No objection.

The PRESIDENT *pro tempore*. The Chair hears no objection to the request, and it is granted.

The bill is as follows:

*Be it enacted, etc.*, That hereafter no United States note shall be issued of a denomination less than ten dollars nor more than five hundred dollars; and the denominations higher than fifty dollars shall not exceed in value one-fourth of the value of the total amount outstanding at any time; and not more than one-fourth in value of the amount of circulation issued to national banks outstanding at any time shall be of a less denomination than ten dollars; and no national-bank note hereafter issued shall be of a higher denomination than one hundred dollars. The Secretary of the Treasury is directed to make the changes in the denominations of the legal-tender notes and national-bank notes needed to comply with the provisions of this act whenever said notes are received at the Treasury for any purpose.

SEC. 2. That in all issues of certificates hereafter, coin certificates shall be substituted for silver certificates and gold certificates wherever either is authorized to be issued under existing laws; and all gold and silver certificates now outstanding shall be retired when they are received for any purpose at the Treasury or any subtreasury of the United States, and coin certificates of the denominations hereby provided for, issued in their stead, and the Secretary of the Treasury is hereby authorized and required to issue coin certificates in such denominations not exceeding twenty dollars, as he sees fit, on all the surplus gold and silver coin and gold bullion held at any time by the United States in excess of one hundred million dollars of gold coin, and pay out the same in discharge of all the obligations of the United States, except such as have been heretofore made payable expressly in gold and silver coin.

SEC. 3. That any person or persons may deposit gold or silver coin of the United States in the sum of ten dollars or any multiple thereof, with the Treasurer of the United States, or with any assistant treasurer, at any United States

subtreasury, and demand coin certificates of like amount therefor. It shall be the duty of the Treasurer of the United States upon the receipt of said money or of any original certificate of deposit issued by the United States assistant treasurer at any United States subtreasury, stating that there has been deposited therein, by any person or corporation, gold coin or standard silver dollars of the United States in the sum of ten dollars or any multiple thereof, to order payment of a like amount in coin certificates, at the counter of any United States depository designated by the depositor, in such denominations as he may request in writing of not less than one dollar or not more than five hundred dollars, subject to the limitations hereinafter provided, which shall be redeemable in gold or silver coin at the option of the United States; and all the certificates hereby authorized, when received at the Treasury in any form or for any purpose, shall be reissued or new certificates of the same denomination substituted for such as are returned because of being mutilated or defaced, as now provided by law in regard to the notes of the United States. No coin certificates shall be issued of a denomination greater than five hundred dollars, and at least two-thirds in value of such certificates outstanding at any time shall be of denominations not exceeding fifty dollars.

SEC. 4. It shall be the duty of the Secretary of the Treasury to cause a sufficient number of coin certificates of the various denominations hereby authorized to be prepared and distributed among the United States depositories, to enable them to comply with the provisions of this act; and the sum of $50,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to enable him to prepare and distribute said certificates.

SEC. 5. This act shall take effect ninety days after its passage, except as to the $50,000 appropriated in section 4, and as to that appropriation, it shall take effect on the passage of this act, and said sum shall be immediately available.

Mr. BECK introduced a bill (S. 9) for the relief of Harry I. Todd, late keeper of the Kentucky penitentiary; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Finance.

He also introduced a bill (S. 10) to facilitate the business of the Treasury Department; which was read twice by its title.

Mr. BECK. This bill has been sent to me by the Treasury Department. I think it should go to the Committee on Appropriations, and I move that it be referred, with the accompanying papers, to that committee.

The motion was agreed to.

Mr. BECK also introduced a bill (S. 11) for the relief of Warren Mitchell; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. DOLPH introduced a bill (S. 12) to provide for the formation and admission into the Union of the State of Washington, and for other purposes; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 13) restoring to the United States certain of the lands granted to the Northern Pacific Railroad Company to aid in the construction of a railroad from Lake Superior to Puget Sound, and to restore the same to settlement, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 14) to repeal all laws providing for the pre-emption of the public lands, the laws allowing entries for timber culture, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 15) providing, in certain cases, for the forfeiture of wagon-road grants in the State of Oregon; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 16) to set apart from the public domain in the State of Oregon, as a public park for the benefit of the people of the United States, townships 27, 28, 29, 30, and 31, in ranges 5 and 6, east of the Willamette meridian, in the State of Oregon; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 17) for the relief of Thomas Guinean; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 18) for the relief of John Fitzhugh, of Oregon; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 19) to encourage the manufacture of steel for modern Army ordnance, armor, and other Army purposes, and to provide heavy ordnance adapted to modern army warfare, and for other purposes; which was read twice by its title, and referred to the Committee on Coast Defenses.

He also introduced a bill (S. 20) to provide for the construction of a public building at Portland, Oregon; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 21) to provide for the construction of a public building at Salem, Oregon; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 22) to establish an assay office at Portland, in the State of Oregon; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 23) to authorize Dallas City to construct a bridge across the Columbia River, in the State of Oregon and Territory of Washington; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 24) to extend the limits of the port of Portland as a port of entry; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 25) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, 1880; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 26) providing for the operation of a canal between Lakes Union and Washington and Puget Sound, in Washington Territory, and granting the right to impose and collect tolls, and for other purposes; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 27) to prevent the obstruction of navigable waters, and to protect public works against trespass or injury; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 28) to create a port of delivery at Port Angeles, in the district of Puget Sound, Washington Territory; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 29) to authorize the Secretary of War to credit the State of Oregon with the sum of $12,398.55 for ordnance and ordnance stores to be issued to the Territory of Washington on account of said State, in payment for ordnance and ordnance stores borrowed by said State of said Territory during the Nez Percé Indian war of 1877 and 1878, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 30) making an appropriation to pay the expenses of a military expedition for the exploration of the Territory of Alaska; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 31) to place the name of Robert Williams upon the retired-list of enlisted men; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 32) for the relief of Louisa A. Ingram; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 33) for the relief of Thomas J. Miller, of Washington Territory; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 34) to extend the time for filing certain claims for compensation for horses and other property lost in the military service of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 35) to authorize the promotion of certain assistant surgeons of the Army after twenty years' service; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 36) to amend chapter 893 of the laws of the Forty-ninth Congress; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 37) authorizing the Secretary of the Interior to make sale of certain lands of the Umatilla Indian reservation in Oregon, to William S. Byers and others, and to issue patent therefor; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 38) granting to the Washington and Idaho Railroad Company the right of way through the Coeur d'Alene Indian reservation; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 39) to grant an increase of pension to Frederick Beno; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 40) granting an increase of pension to Margaret E. Pierce; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 41) granting a pension to Mrs. Octave Pavy; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 42) granting a pension to Lizzie Wright Owen; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 43) granting a pension to Polly H. Smith; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 44) for the relief of James S. Clark & Co.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 45) for the relief of Col. James C. Duane; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 46) for the relief of the First National Bank of Portland, Oregon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 47) for the relief of William Gallick; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 48) for the relief of Mrs. Sarah E. Willard; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 49) for the relief of Mrs. Kate Hatton;

which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 50) for the relief of Francis M. Vanderpool; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 51) for the relief of H. B. Oatman; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 52) for the relief of Michael Riley; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 53) for the relief of P. C. Davis; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 54) for the relief of R. G. Combs and others; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 55) to pay the citizens of Oregon for supplies audited by Philo Callender, commissioner; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 56) for the relief of Tunis Swick; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 57) for the relief of Avery D. Babcock and wife, of Oregon; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 58) in relation to Indian depredations; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 59) for the relief of George E. W. Sharretts; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 60) for the relief of Darius H. Smyth; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 61) for the relief of Margaret D. Smyth; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 62) to provide for fortifications and other seacoast defenses; which was read twice by its title.

Mr. DOLPH. I desire to have that bill lie on the table until after the morning call is concluded, when I hope to make a brief explanation of it.

The bill was ordered to lie on the table.

Mr. DOLPH introduced a bill (S. 63) for payment of balance unpaid on Oregon and Washington Territory Indian war claims for suppression of Indian hostilities in 1855 and 1856, as found due by commission appointed by Secretary of War, consisting of General Rufus Ingalls, Capt. A. J. Smith, and Hon. L. F. Grover, pursuant to act of Congress, and disallowed by the Third Auditor of the Treasury, as per his report of February 7, 1860; which was read twice by its title.

Mr. DOLPH. I ask that that bill lie on the table, and at some day in the near future, when it may be the pleasure of the Senate to hear me, I propose to submit some remarks upon it.

The bill was ordered to lie on the table.

Mr. HARRIS introduced a bill (S. 64) to authorize the juries of the United States circuit and district courts to be used interchangeably, and to provide for drawing talesmen; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 65) for the relief of Robert W. Waters; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 66) giving a military record to Thomas Miller; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 67) to perfect the military record of John C. Green, of Tennessee; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 68) for the relief of James H. Smith, late postmaster at Memphis, Tenn.; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 69) for the relief of the personal representatives of Frank Williams, late postmaster at Paris, Tenn.; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 70) to provide for warehousing fruit brandy; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 71) for the relief of Rear-Admiral Carter; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also (by request) introduced a bill (S. 72) to provide for preliminary surveys and location of the Potomac and Chesapeake Free Ship-Canal; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 73) for the relief of E. B. Crozier, executrix of the last will of Dr. C. W. Crozier, of Tennessee; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 74) to increase the pension of Thomas Chapman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 75) granting a pension to Francis W. Strickland; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 76) for the relief of Payne, James & Co., of Nashville, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 77) for the relief of Lucinda McGuire; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 78) for the relief of the Roman Catholic Church of St. Peter and St. Paul, at Chattanooga, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 79) for the relief of the estate of Daniel Lake, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 80) for the relief of Mrs. Eliza A. Brownlow; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 81) for the relief of H. B. Wilson, administrator of the estate of William Tinder, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 82) for the relief of the legal representatives of Henry S. French; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 83) for the relief of T. M. English, administrator of the estate of Richard Fitzpatrick, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 84) for the relief of the personal representatives of Adelicia Cheatham, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 85) for the relief of Mrs. Julia Elliott, widow of Newell D. Elliott, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 86) for the relief of Pearson C. Montgomery, of Memphis, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 87) for the relief of the estate of Thomas Jones, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 88) for the relief of J. W. Newman, administrator of Jacob Newman, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 89) for the relief of Jesse J. Busby; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 90) for the relief of William Clift; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 91) for the relief of the heirs of Joseph B. Freeman, William H. Long, and David Watford; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 92) for the relief of the legal representatives of Richard F. Wasson, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 93) for the relief of T. L. Owens, administrator *de bonis non* with the will annexed of the estate of T. G. Owens, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 94) for the relief of Perez Dickinson, surviving partner of the late firm of Cowan & Dickinson; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 95) for the relief of William Garrett, of Nashville, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 96) for the relief D. W. and Minna H. Glassie and Joseph C. Nash; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 97) for the relief of I. L. Cain and others; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 98) for the relief of Joseph R. Anderson; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 99) for the relief of John L. Rhea, executor of Samuel Rhea, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 100) for the relief of Samuel Tate; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 101) for the relief of the estate of Oswell P. Newby; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 102) for the relief of Lucinda McGuire; which was read twice by its title, and referred to the Committee on Claims.

Mr. BOWEN introduced a bill (S. 103) providing for the free coin-

age of silver; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 104) authorizing the removal of the Southern Ute Indians from the State of Colorado to the Uintah Valley Reservation, in the Territory of Utah; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 105) for the erection of a public building at Pueblo, Colo.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 106) to establish two additional land-offices in the State of Colorado; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 107) providing for a new basis for the circulation of national banks, and for other purposes; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 108) to provide for the settlement of a certain claim of the "Old Settler" or "Western Cherokee" Indians, under the treaties of 1828 and 1834; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 109) for the relief of Thomas H. Norton and James McLean; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 110) for the relief of Horace A. W. Tabor; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 111) for the relief of William M. Keightley; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 112) for the relief of George Baggs; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 113) for the relief of J. T. and C. T. Hulett; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CAMERON introduced a bill (S. 114) to authorize certain foreign-built steamships in the service of the International Navigation Company to be registered as vessels of the United States; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 115) to promote the foreign trade of the United States, and encourage the increase of the American merchant marine; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 116) to incorporate the American Trust Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 117) to extend to letter-carriers the advantages secured to other employés of the United States by section 3738 of the Revised Statutes, relating to the hours of labor; which was read twice by its title, and referred to the Committee on Education and Labor.

He also introduced a bill (S. 118) for the relief of Francis J. Conlan; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 119) for the relief of Edward H. Leib; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 120) for the relief of John W. Gummo; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 121) granting a pension to Tobias Baney; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 122) granting a pension to Samuel Lane; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 123) granting a pension to Mrs. Virginia Grier; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 124) granting a pension to Henry F. Kaiser; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 125) granting an increase of pension to William Bittinger; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 126) for the relief of Abram G. Hoyt; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 127) referring the claim of Madeira and Cabada to the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 128) for the relief of sailors and marines in the United States naval homes; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 129) for the erection of a public building at Chester, Pa.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 130) to remove the charge of desertion from the record of Christopher Germer; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 131) for the relief of Jabez Burchard; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. EUSTIS introduced a bill (S. 132) for the erection of a public building at New Orleans, La.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 133) for the erection of a public building at Monroe, La.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 134) to extend the limits of the port of New Orleans; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 135) to enable the Secretary of the Interior to carry out and perform the treaty obligations of the United States with the Pottawatomie tribe of Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 136) to enable the Secretary of the Interior to pay certain creditors of the Pottawatomie Indians out of the funds of said Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 137) for the relief of the heirs of the late Joseph R. Shannon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 138) to provide for a joint celebration at the national capital, in 1889, by the sixteen American Republics in honor of the centennial of the Constitution of the parent Republic, the United States; which was read twice by its title, and referred to the Select Committee on the Centennial of the Constitution and the Discovery of America.

Mr. MORRILL introduced a bill (S. 139) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 140) for the erection of a bronze statue of Spencer F. Baird, late Secretary of the Smithsonian Institution; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 141) to regulate immigration, and for other purposes; which was read twice by its title.

Mr. MORRILL. I ask to have the bill printed and laid upon the table, and if it will suit the convenience of the Senate, I shall submit some remarks in explanation of it on Wednesday next after the morning hour.

The bill was ordered to lie on the table.

Mr. COKE introduced a bill (S. 142) to disapprove chapter 49 of the acts of the Legislative Assembly of the Territory of New Mexico, entitled "An act to prevent the introduction of diseased cattle into the Territory of New Mexico," approved March 19, 1884; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 143) to provide for the issuing and recording of certain commissions in the Department of Justice; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 144) to annul certain titles to land acquired by judicial proceedings in the courts of the United States in Texas, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 145) for the relief of Edward Braden and Job W. Angus; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 146) for the relief of the heirs and legal representatives of Matthew Allison, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 147) for the relief of S. D. Barclay, G. D. Adams, and William H. Kimbrew; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 148) for the relief of A. B. Norton; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 149) for the relief of D. W. Hatch; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 150) for the relief of Santiago de Leon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 151) for the relief of Mrs. Susan M. Roach; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 152) for the relief of William Beddo and others; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 153) for the relief of Overton Love and

the administratrix of the estate of Wyatt Gilschrist; which was read twice by its title, and referred to the Committee on Claims.

Mr. SPOONER introduced a bill (S. 154) for the erection of a public building at Milwaukee, Wis.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 155) relating to the manufacture and sale of gas in the city of Washington, in the District of Columbia, and amendatory of an act entitled "An act regulating gas works," approved June 23, 1874; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 156) to amend an act entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto," approved March 2, 1887; which was read twice by its title, and referred to the Committee on Appropriations.

He also introduced a bill (S. 157) for the relief of Newton S. Murphy; which was read twice by its title, and referred to the Committee on Claims.

Mr. BUTLER introduced a bill (S. 158) authorizing the Secretary of War to transfer to the trustees of the Porter Academy certain property in the city of Charleston, S. C.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 159) for a public building at Greenville, S. C.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 160) authorizing the Secretary of War to have an iron bridge constructed from the Naval Observatory grounds across the Potomac River to the Arlington estate; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 161) for the relief of Mrs. Louisa H. Hasell; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 162) for the relief of Lacon R. Tillman; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. ALDRICH introduced a bill (S. 163) to authorize the Secretary of the Treasury to apply the surplus money in the Treasury to the purchase of United States bonds, or to prepayment of interest on the public debt; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 164) for the erection of a public building in the city of Pawtucket, R. I.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 165) for the erection of a public building at Woonsocket, R. I.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 166) to provide for ascertaining and settling a certain private land claim in the Territory of Arizona; which was read twice by its title, and referred to the Committee on Private Land Claims.

He also introduced a bill (S. 167) granting a pension to Ann E. Tew; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 168) granting a pension to Mary E. Crimmins, widow of Patrick Crimmins; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 169) granting an increase of pension to Abby S. Slocum; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 170) granting a pension to Mary A. Mykins; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 171) granting a pension to Jennie H. Cogill; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 172) granting a pension to Abbie M. Hay; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 173) granting a pension to Henry B. Very; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 174) granting a pension to Mary Martin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 175) granting a pension to Eleanor S. Lawson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 176) granting a pension to William M. Houghton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 177) granting a pension to Asa Wilson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 178) for the relief of William B. Groff, of Newport, R. I.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 179) to amend chapter 18 of the Revised Statutes of the United States, relating to the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 180) for the relief of Washington L. Parvin and Henry A. Greene; which was read twice by its title, and, with accompanying paper, referred to the Committee on Military Affairs.

Mr. MANDERSON introduced a bill (S. 181) granting pensions to ex-soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to dependent relatives of deceased soldiers and sailors; which was read twice by its title.

Mr. MANDERSON. I introduce this bill by the unanimous request of the pension committee of the Grand Army of the Republic. It embodies the views of that great and patriotic organization as expressed in their late national assembly. It was my purpose to move that the bill lie upon the table, so that I might at the convenience of the Senate submit some remarks in regard to the subject-matter; but I deem it best to refer it direct to the Committee on Pensions, in order that I may hasten action upon it, and will hereafter, when it shall come back from that committee, submit what remarks I may see fit to make. I move that the bill be referred to the Committee on Pensions.

The motion was agreed to.

Mr. MANDERSON introduced a bill (S. 182) to provide for the purchase of a site and the erection of a public building thereon at Omaha, Nebr.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 183) requiring notice of deficiency in accounts of principals to be given to sureties upon bonds of United States officials, and fixing a limitation of time within which suits shall be brought against said sureties upon said bonds; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 184) requiring transcripts of judgments obtained in United States courts to be filed with county officers having charge of judgment records, in certain cases; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 185) to provide for the admission of the State of Dakota into the Union, and for the organization of the Territory of Lincoln; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Territories.

He also introduced a bill (S. 186) to amend section 1225 of the Revised Statutes, concerning details of Army officers to educational institutions, etc.; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 187) for the relief of John Little and Hobart Williams; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

He also (by request) introduced a bill (S. 188) for the relief of A. G. Shaw; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 189) granting a pension to Mrs. Juliet G. Howe; which was read twice by its title, and, with accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 190) for the relief of W. H. Tibbits; which was read twice by its title, and, with accompanying papers, referred to the Committee on Public Lands.

He also introduced a bill (S. 191) making additional appropriations for the printing of portraits to accompany the eulogies upon the late John A. Logan in the Congress of the United States; which was read twice by its title, and referred to the Committee on Printing.

He also introduced a bill (S. 192) to provide that judges of the United States circuit and district courts shall reduce their instructions to juries to writing in all States wherein by the laws thereof State judges are required so to do; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. STOCKBRIDGE introduced a bill (S. 193) for the relief of John H. Sayers, of Michigan; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GIBSON introduced a bill (S. 194) to increase the endowment of the Louisiana State University and Agricultural College; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 195) to establish a navy-yard and depot of supplies on the Mississippi River at Algiers, or at some point between Algiers and Port Eads; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 196) to cancel certain reservations of lands on account of live-oak, in the southwestern land-district of the State of Louisiana; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 197) to provide for the erection of a public building in the city of New Orleans, La.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 198) for the relief of the Citizens' Na-

tional Bank of New Orleans, La.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 199) for a public building at Monroe, La.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 200) to extend the limits of the port of New Orleans; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 201) for the erection of a public building at Opelousas, La.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 202) to repeal section 1218 of the Revised Statutes; which was read twice by its title.

The PRESIDENT *pro tempore*. The Senator from Louisiana, as the Chair understands, desires to have this bill referred to the Committee on the Judiciary. It will be so referred.

Mr. EDMUNDS. The bill which the Chair has just referred to the Committee on the Judiciary, to amend section 1218 of the Revised Statutes, I see on looking at it is one that hitherto has gone to the Committee on Military Affairs. I suggest that it be referred to that committee.

The PRESIDENT *pro tempore*. The bill was referred at the suggestion of the Senator introducing it. The Chair had not examined it.

Mr. GIBSON. I am perfectly willing that the reference should be changed. The bill relates to a military subject.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Military Affairs.

Mr. GIBSON introduced a bill (S. 203) for the relief of Caroline L. Maury; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 204) for the relief of the heirs of Maurice Grivot; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 205) for the relief of the State National Bank of Louisiana; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 206) for the relief of Mrs. Joseph Kittredge; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 207) for the relief of Mrs. Mary Shannon, widow and administratrix of Joseph R. Shannon, deceased, and to provide for the payment of the loss of the steam-boat A. W. Quarrier; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 208) for the relief of Mrs. Eliza E. Hebert, widow of Jules J. Hebert, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 209) making an appropriation to re-establish the light-house at the southwest pass of Vermillion Bay, Louisiana; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 210) to provide for the construction of a public building at the city of Morgan City (port of Brashear), State of Louisiana; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 211) for the relief of Georgine Campbell; which was read twice by its title, and referred to the Committee on Claims.

Mr. VANCE introduced a bill (S. 212) for the relief of P. H. Winston, jr.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 213) for the relief of Henry D. Coley; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 214) to amend the act approved January 16, 1883, known as the civil-service act; which was read twice by its title, and referred to the Committee on Civil Service and Retrenchment.

Mr. STEWART introduced a bill (S. 215) amendatory of the act for the benefit of the States of Texas, Colorado, Oregon, Nebraska, California, Kansas, and Nevada, and the Territories of Washington and Idaho, and Nevada when a Territory; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 216) to encourage irrigation by segregating lands upon which water can be obtained for that purpose from the surrounding lands, and reserving places for reservoirs and rights of way for ditches and canals for the purposes of irrigation; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. CALL introduced a bill (S. 217) to change the limit of appropriation for the public building at Jacksonville, Fla.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 218) to change the limit of appropriation for the public building at Key West, Fla.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 219) to improve the entrance and channels of Pensacola Harbor, Florida, including both the outer and inner bars; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 220) to repeal the act of Congress relating to land grants made by Congress, approved March 3, 1887; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 221) for continuing work on the bar of the St. John's River, Florida; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 222) for the improvement of the St. John's River, Florida; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 223) providing for the opening of a passage through San Carlos Bay and the improvement of the Caloosahatchie River, Florida; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 224) for the relief of Herman Ruge; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 225) for the relief of Jane Latham Donelly, only surviving daughter and heir of Amos Latham, a soldier of the Revolutionary war; which was read twice by its title, and referred to the Committee on Revolutionary Claims.

He also introduced a bill (S. 226) securing the right of a party complainant in the United States courts to file a supplemental bill in equity causes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 227) for the relief of Cyprian T. Jenkins; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 228) donating certain lots to the city of St. Augustine, Fla., for public schools, parks, and a public library; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 229) for the relief of the heirs and distributees of the estate of Silvia Wilford, of Duval County, Florida; which was read twice by its title, and referred to the Committee on Revolutionary Claims.

He also introduced a bill (S. 230) for the retirement of judges of the district or circuit courts of the United States on account of disability; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 231) to provide that where any railroad property is taken into the possession of any United States court, and such railroad shall not have been completed, the net earnings of said railroad shall be applied to the completion of the same; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 232) for the forfeiture of the land granted to the State of Florida for the construction of certain lines of railroad in that State; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 233) granting land-warrants to soldiers and sailors in the United States service in the Seminole Indian war of 1856, their widows and orphans; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 234) granting a pension to Julia A. Ross; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 235) for the relief of persons whose property has been confiscated under the act of Congress entitled "An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes," approved July 17, 1862; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 236) to amend section 4400 of the Revised Statutes, so that vessels under 5 tons burden, and used for private purposes and not carrying passengers for hire, shall not be subject to license; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 237) for the improvement of the Suwanee River, Florida; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 238) for continuing the work on the channel between Cumberland and Amelia Islands, Florida, and the entrance to Fernandina, Fla., and St. Mary's, Ga.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 239) confirming titles to certain lands in Columbia County, in the State of Florida; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 240) to disqualify justices of the Supreme Court from sitting in the trial of causes which have been previously heard before them in their circuits or otherwise; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 241) for the improvement of certain

channels, rivers, and harbors in the State of Florida; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 242) to reimburse the depositors of the Freedman's Savings and Trust Company for losses incurred by the failure of said company; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 243) to establish a bureau of the fine arts; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 244) for the relief of James Filor, William Curry, and William Pinckney; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 245) to investigate the issue of fraudulent land-warrants, and to protect soldiers and sailors of the United States from loss therefrom; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 246) for continuing work on improvement of the harbor at Tampa, Fla.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 247) for the donation of the public land known as the Fort Brooke military reservation, in Florida, to the town of Tampa, in Florida; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 248) granting bounty land to Laura Prine; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 249) to prevent the sale of adulterated food in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 250) for the repair of Fort Marion, at St. Augustine, Fla., and the inclosure of the grounds attached to said fort; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 251) authorizing the Secretary of the Treasury to overrule and reverse the decisions of all inferior officers of the Treasury Department in respect to all matters of account; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 252) for extension of pension to Mrs. Ann Leddy; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 253) to regulate the subletting of contracts for carrying the United States mails; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 254) to amend article 103 of the Rules and Articles of War; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 255) amending section 4414 of the Revised Statutes, fixing the compensation of inspectors of hulls and boilers in the several districts of the United States; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 256) for a survey and estimate for a railroad from the mainland to Key West, Fla., and for a canal connecting the same with the St. John's River, for military and naval purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CULLOM introduced a bill (S. 257) granting a pension to Mary S. Logan; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 258) for the relief of Maj. Daniel N. Bash, paymaster, United States Army; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 259) granting the title of the United States in certain lands to the county of Randolph and State of Illinois, on certain conditions; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 260) to reimburse the several States for interest paid on war loans, and for other purposes; which was read twice by its title, and referred to the Committee on Claims.

Mr. HALE introduced a bill (S. 261) to amend the law concerning the Commissioner of Fish and Fisheries; which was read twice by its title, and referred to the Committee on Fisheries.

He also introduced a bill (S. 262) to increase the efficiency of the Medical Corps of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 263) providing for bounties to certain American-built vessels; which was read twice by its title.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Commerce.

Mr. HALE. Let it first go to the Committee on Naval Affairs, as it is a subject belonging to both committees.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Naval Affairs, if there be no objection.

Mr. HALE introduced a bill (S. 264) to prohibit the letting of Government work to contractors employing convict labor; which was read twice by its title, and referred to the Committee on Education and Labor.

He also introduced a bill (S. 265) authorizing the President to appoint a commission of experts, skilled in the investigation, production, and use of metallic substances and other structural materials, to execute tests and experiments on iron, steel, and other materials used in the construction of bridges, buildings, and mechanical structures, and deduct useful rules therefrom; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 266) to require the testing of chains and anchors, and for the better securing of life and property on shipboard; which was read twice by its title, and referred to the Committee on Commerce.

Mr. BERRY introduced a bill (S. 267) to regulate charges for transportation of freight and passengers upon the Missouri, Kansas and Texas Railroad, in the Indian Territory; which was read twice by its title.

Mr. BERRY. I ask that the bill be referred to the Committee on Indian Affairs.

Mr. CULLOM. I am inclined to think that it ought to go to the Committee on Interstate Commerce. There is now a standing committee relating to that subject.

Mr. BERRY. I thought the bill ought to go to the Committee on Indian Affairs. However, the question of reference is a matter wholly immaterial to me.

Mr. CULLOM. I hope it will go to the Committee on Interstate Commerce.

Mr. HARRIS. Clearly it should be referred to the Committee on Interstate Commerce.

Mr. BERRY. Very well.

The PRESIDENT *pro tempore*. The bill will be so referred.

Mr. BERRY introduced a bill (S. 268) to regulate charges for the transportation of freight and passengers on the St. Louis and San Francisco Railroad through the Indian Territory; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 269) to grant to the Fort Smith and El Paso Railway Company a right of way through the Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. VEST introduced a bill (S. 270) to establish a United States court in the Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 271) fixing compensation of United States marshals and deputies, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 272) fixing the compensation of United States district attorneys, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 273) to regulate the removal of causes by Federal corporations; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 274) authorizing the construction of a bridge across the Missouri River at some accessible point in the county of St. Charles, in the State of Missouri, below the city of St. Charles; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 275) to authorize the construction of bridges across the Missouri River between its mouth and the mouth of the Dakota or James River, and across the Mississippi River between the port of St. Paul, in the State of Minnesota, and the port of Natchez, in the State of Mississippi, and across the Illinois River between its mouth and La Salle, in the State of Illinois, and to prescribe the character, location, and dimensions of the same; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 276) to authorize the construction of a bridge over the Missouri River at or near the city of Lexington, Mo.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 277) for the relief of Martin E. Smith; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 278) for the relief of E. B. McPherson, jr.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 279) making an appropriation for the purchase of ground and the erection thereon in the city of Washington of a building to be used as a hall of records; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 280) donating to the city of St. Louis, Mo., a certain strip of land for street purposes; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 281) making an appropriation for the extension and enlargement of the United States custom-house at Kansas City, Mo.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 282) to amend section 3734 of the Re-

vised Statutes, and to provide for the erection of public buildings by contract with the lowest bidders; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 283) to amend sections 2474 and 2475 of the Revised Statutes of the United States, setting apart a certain tract of land lying near the headwaters of the Yellowstone River as a public park; which was read twice by its title, and referred to the Committee on Territories.

Mr. PLUMB introduced a bill (S. 284) for the relief of Thomas A. Osborn; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 285) to prevent the issue of passes to official persons, and for other purposes; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 286) granting an increase of pension to Stephen R. Smith; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WILSON, of Iowa, introduced a bill (S. 287) to quiet title of settlers on the Des Moines River lands, in the State of Iowa, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 288) for the erection of a public building at Sioux City, Iowa; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 289) for the erection of a public building at Fort Dodge, Iowa; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 290) to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Mississippi River at or near Burlington, Iowa; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 291) to amend the second and fourth sections of "An act to regulate commerce," approved February 4, 1887; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 292) to promote peace among nations, for the creation of a tribunal for international arbitration, and for other purposes; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 293) granting a pension to Mrs. Arabella Coddington; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 294) granting a pension to Mrs. Elizabeth M. Newman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 295) for the relief of Jane E. Hamill; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. PADDOCK introduced a bill (S. 296) to authorize the governor of the Territory of Utah to appoint certain public officers; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 297) to constitute the governor and secretary of the Territory of Utah and members of the Utah Commission a board to reapportion Salt Lake City into aldermanic and councilmanic districts; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 298) for the erection of buildings for the exclusive use of post-offices of the first and second class; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 299) for the relief of James Pace; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 300) granting a pension to Miss Juliet G. Howe; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BLACKBURN introduced a bill (S. 301) providing for the purchase of the portrait of General George H. Thomas, painted by General S. W. Price; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 302) for the relief of the estate of C. M. Briggs, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 303) granting a pension to Mattie Graziani, of Covington, Ky.; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 304) to correct the military record of John Hinsmann; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 305) correcting the military record of Dennis Gunn, of Maysville, Ky., late private in Company I, Seventh Regiment Veteran Reserve Corps, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 306) granting a pension to John H. Foster, of Newport, Ky.; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 307) for the relief of Margaret Kennedy; which was read twice by its title, and referred to the Committee on Claims.

Mr. PAYNE introduced a bill (S. 308) for the relief of Faran & McLean; which was read twice by its title, and, with the papers on file relating to the case, referred to the Committee on Claims.

He also (by request) introduced a bill (S. 309) for the relief of R. G. Huston & Co.; which was read twice by its title, and referred to the Committee on Claims.

Mr. BROWN introduced a bill (S. 310) to provide for the settlement of accounts with certain railway companies; which was read twice by its title, and referred to the Committee on Railroads.

He also introduced a bill (S. 311) for the erection of a public building at Columbus, Ga.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. JONES, of Arkansas, introduced a bill (S. 312) for the relief of the estate of William Moss, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 313) for the relief of R. R. Tinsley; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 314) for the relief of Henry M. Rector; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 315) for the relief of M. W. Locke, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 316) for the relief of Edward Fitzgerald; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 317) for the relief of William A. Benens; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 318) for the relief of Silas F. Feild, one of the sureties on the bond of John G. Halliburton, deceased, late marshal of the United States in and for the eastern district of Arkansas; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 319) for the relief of Lizzie E. McCord, administratrix of Moses S. McCord, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 320) for the relief of John D. Adams; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 321) for the relief of Zeb Ward, of Little Rock, Ark.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 322) to authorize the Southwest Arkansas and Indian Territory Railroad to build a bridge across the Ouachita River in Arkansas; which was read twice by its title, and referred to the Committee on Commerce.

He also (by request) introduced a bill (S. 323) for the relief of the estate of Isaac W. Talkington, deceased; which was read twice by its title, and referred to the Committee on Public Lands.

He also (by request) introduced a bill (S. 324) for the relief of purchasers and other grantees of the United States of certain swamp and overflowed lands, and to reimburse and indemnify certain States; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 325) granting to the Billings, Clark's Fork and Cooke City Railroad Company the right of way through the Crow Indian reservation; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. SABIN introduced a bill (S. 326) for the relief of Clement A. Lounsberry; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 327) for the erection of a public building at Stillwater, Minn.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 328) granting increase of pension to Samuel Bunnell; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SHERMAN introduced a bill (S. 329) granting a pension to William M. Walker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 330) granting a pension to Manon Vangordon; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 331) granting a pension to John Kalbfleisch; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 332) granting a pension to Harrison Wagner; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 333) granting a pension to Reuben Brownmiller; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 334) granting an increase of pension to Charles F. Allgower; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 335) granting an increase of pension to C. R. Thomas; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 336) granting a pension to Isaac N. Osborn; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 337) granting a pension to Mary E. Johnston; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 338) granting a pension to Samuel Brooks; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 339) granting a pension to Eliza Douglass; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 340) granting a pension to Joseph F. Bean; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 341) granting pensions to William Knight, Jacob Parrott, William Reddick, and John Wholam; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 342) granting a pension to Joseph Brochert; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 343) for the encouragement of closer commercial relationship and in the interest of and the perpetuation of peace between the United States and the Republics of Mexico and Central and South America, and the Empire of Brazil; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Foreign Relations.

He also introduced a bill (S. 344) to relieve the Treasurer of the United States from the amount now charged to him and deposited with the several States, and for other purposes; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 345) for the relief of Wilson W. Brown; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 346) for the relief of Henry Mooers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Patents.

He also introduced a bill (S. 347) to provide for the erection of a public building in the city of Youngstown, Ohio; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 348) for a public building for a marine hospital at Gallipolis, Ohio; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 349) for the erection of a public building at Akron, Ohio; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 350) providing for the erection of a public building at Portsmouth, Ohio; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 351) to provide for the erection of a public building in the city of Zanesville, Ohio; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 352) for the relief of Bessie S. Gilmore; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 353) for the relief of William T. Crump; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 354) to provide for the survey of certain historic grounds, locations, and military works; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 355) for the relief of John E. Fenimore; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 356) to obtain prison statistics; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 357) to provide a prison and reformatory for persons convicted of violations of the law of the United States; which was read twice by its title, and, with accompanying papers, referred to the Committee on the Judiciary.

Mr. SAWYER introduced a bill (S. 358) to authorize the sale of timber on certain lands reserved for the use of the Menomonee tribe of Indians in the State of Wisconsin; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 359) for the relief of Gabriel Wick; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 360) relating to ownership of real estate in the Territories by corporations; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 361) to authorize the Duluth, Superior and Wisconsin Railway Company to construct and maintain a bridge across the St. Louis River; which was read twice by its title, and referred to the Committee on Commerce.

Mr. REAGAN introduced a bill (S. 362) to amend the first section of the "Act to regulate commerce," approved February 4, 1887; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 363) to amend the fourth section of the "Act to regulate commerce," approved February 4, 1887; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 364) for the relief of W. B. Morrow; which was read twice by its title, and referred to the Committee on Claims.

Mr. FARWELL introduced a bill (S. 365) to perpetuate the national banking system; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 366) to reduce internal-revenue taxation and certain import duties, and amendatory of an act entitled "An act to reduce internal-revenue taxation, and for other purposes," approved March 3, 1883, and amendatory of section 2502 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 367) repealing an act of August 2, 1886, entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, and importation and exportation of oleomargarine," and also to prevent the adulteration of food products; which was read twice by its title.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Agriculture and Forestry.

Mr. FARWELL. I think it ought to be referred to the Committee on Finance.

Mr. EDMUNDS. No; it ought to go to the Committee on Agriculture and Forestry, from which the original act came.

Mr. FARWELL. I think it should go to the Committee on Finance.

The PRESIDENT *pro tempore*. The Chair would hold, in the absence of instruction, that the bill should be referred to the committee which reported the original measure. It is in the power of the Senate to dispose of the bill as it sees fit.

Mr. HARRIS. I move the reference of the bill to the Committee on Finance.

Mr. EDMUNDS. On that motion I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDENT *pro tempore*. The Senator from Tennessee moves that the bill be referred to the Committee on Finance; on which the yeas and nays have been ordered.

Mr. HOAR. Is the motion amendable by substituting the Committee on Agriculture and Forestry?

Mr. EDMUNDS. No, it is not, I think.

The PRESIDENT *pro tempore*. The Chair thinks that a motion to refer is only amendable by adding instructions.

Mr. EDMUNDS. When this matter was up originally on the question of oleomargarine, I was in favor of referring the original measure to the Committee on Finance, of which my honored colleague [Mr. MORRILL] is the chairman, but the Senate thought it ought to be referred to the Committee on Agriculture and Forestry, and it was so referred on discussion, and by a yea-and-nay vote of the Senate, if I rightly recollect. Now it is proposed to reverse that legislation. I think it due to the dignity of the Senate and the public interests of the country that the same committee which reported the original measure should reconsider on this bill its action, and report one way or the other as to whether the act ought to be repealed.

I hope, therefore, the Senate will not agree to refer the bill to the Committee on Finance, but will send it to the committee which originated the measure proposed to be repealed, in order that they may reexamine the question.

Mr. FARWELL. The bill contains another subject in addition to the one referred to by the Senator from Vermont. The principal object of the bill is to prevent the adulteration of food. I propose by the bill that every manufacturer of anything that is to be eaten shall label it so as to show what it contains, and I provide in the bill a penalty for not doing so.

Mr. HARRIS. I should like to ask the Senator from Illinois if the bill does not propose to repeal a tax?

Mr. FARWELL. Certainly; it proposes to repeal the tax on oleomargarine.

Mr. HARRIS. That is what I understood to be the purport of the bill.

Mr. FARWELL. That is one of the subjects contained in the bill.

Mr. HARRIS. And therefore I move its reference to the tax committee.

Mr. FARWELL. That is the committee to which I myself asked that it be referred.

Mr. PALMER. As the Senator from Vermont has stated, this question was thoroughly discussed when the matter came up in the last Congress. It seems to me that it would be a waste of time to send the bill to the Committee on Finance, and that it should go where the subject went last year. No matter whether it involves the question of a tax on the adulteration of food, they are cognate subjects in the bill, and it should go to the Committee on Agriculture and Forestry.

Mr. EDMUNDS. The statement of my distinguished friend from Illinois [Mr. FARWELL], that the bill contains also another subject, requiring the labeling and identification of all articles of food, or some articles of food, is an additional argument in favor of its being referred to the Committee on Agriculture and Forestry, who have had in charge the questions of the adulteration of food. That part of the bill certainly has no place in the Committee on Finance, which has to do with the revenues of the country.

Mr. MORRILL. Last year, when the original bill was before the Senate, on the question of reference, I voted to have it sent to the Committee on Finance, but I was very largely outvoted. It seems to me that the propriety of the reference now to the same committee which considered the original measure is supported by the fact that all the papers in relation to the matter were before that committee. I hope, therefore, the bill will not be sent to the Committee on Finance.

Mr. FARWELL. If my distinguished friend from Tennessee [Mr. HARRIS] has no objection, and will withdraw his motion, I shall move that the bill be referred to the Committee on Agriculture and Forestry. I have no objection to that reference.

Mr. HARRIS. Both the arguments submitted by the two Senators from Vermont proceed upon the idea that in the last Congress the Senate committed a mistake against the judgment of those two Senators. Exactly why we should persevere in that mistake, I can not very well see. Exactly why we should follow a precedent simply because it is a precedent, and a wrong one, does not quite recommend itself to my judgment. But inasmuch as the Senator who introduces the bill expresses a preference that it shall go to the Committee on Agriculture and Forestry, and inasmuch as the chairman of the Committee on Finance asks that it go there, if the Senate will permit me to do so, the yeas and nays having been ordered, I will withdraw the motion, as I do not desire to force the bill upon a committee the chairman of which expresses a preference not to consider it.

The PRESIDENT *pro tempore*. The yeas and nays having been ordered, the motion can be withdrawn only by unanimous consent. Is there objection? The Chair hears none. The motion is withdrawn, and the bill is referred to the Committee on Agriculture and Forestry.

Mr. FARWELL introduced a bill (S. 368) to regulate silver coinage, and amendatory of an act of February 28, 1878, entitled "An act to authorize the coinage of the standard silver dollar, and to restore its legal-tender character;" which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 369) to regulate immigration; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 370) for the relief of Charles H. Adams; which was read twice by its title, and referred to the Committee on Claims.

Mr. BLAIR introduced a bill (S. 371) to aid in the establishment and temporary support of common schools; which was read twice by its title, and referred to the Committee on Education and Labor.

He also introduced a bill (S. 372) to provide for a commission on the subject of the alcoholic liquor traffic; which was read twice by its title, and referred to the Committee on Education and Labor.

He also introduced a bill (S. 373) for the relief of women enrolled as army nurses, etc.; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 374) to give the right of trial by jury to claimants of pensions, under the laws of the United States, whose applications have been rejected by the Secretary of the Interior on appeal from the decision of the Commissioner of Pensions; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 375) to restrict the use and sale of opium in the District of Columbia and the Territories of the United States; which was read twice by its title, and referred to the Committee on Education and Labor.

He also introduced a bill (S. 376) to extend to letter-carriers the advantages secured to other employés of the United States by section 3738 of the Revised Statutes, relating to the hours of labor; which was read twice by its title.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Post-Offices and Post-Roads, if there be no objection.

Mr. BLAIR. That bill was at the last Congress referred to the Committee on Education and Labor, and passed the Senate on the report of that committee.

The PRESIDENT *pro tempore*. That reference will be made if there be no objection. The bill goes to the Committee on Education and Labor.

Mr. BLAIR introduced a bill (S. 377) granting a pension to Mary J. Nottage; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 378) to provide for the relief of claimants of pension under the general laws for time prior to the passage of special acts in their favor; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 379) to allow soldiers and sailors in the United States service who have lost both arms an increased pension; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 380) to increase the rate of pension for deafness and loss of sight; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 381) for the relief of Col. Jesse H. Strickland; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 382) to relieve certain appointed or enlisted men of the Navy and Marine Corps from the charge of desertion; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 383) to limit ownership of lands now belonging to the public domain; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 384) to provide for the erection of a public building in the city of Dover, in the State of New Hampshire; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 385) to provide for the erection of a public building in the city of Nashua, in the State of New Hampshire; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 386) for the relief of William Trefethen, of Portsmouth, N. H.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 387) for the relief of Willis N. Arnold; which was read twice by its title, and referred to the Committee on Claims.

Mr. PALMER introduced a bill (S. 388) for the relief of L. P. Townsend, Louis L. Lovell, W. C. Page, Alonzo Sessions, Hampton Rich, Harvey Harter, Benjamin Harter, and Peter Hackett; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also (by request) introduced a bill (S. 389) for the relief of Thomas W. Lord; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 390) for the relief of Ida M. Howell; which was read twice by its title, and referred to the Committee on Pensions.

Mr. EVARTS introduced a bill (S. 391) to regulate the salaries and expenses of the circuit judges of the second judicial circuit; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 392) to regulate the salaries of the judges of the district courts of the United States within the State of New York; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. EVARTS. I propose to accompany these bills, with the consent of the Chair, with a memorial relating to the subject, and ask that it be referred to the Judiciary Committee, and as it is from the Bar Association of the City of New York, that it be printed in the RECORD.

The PRESIDENT *pro tempore*. The memorial will be received and referred, with the bills, to the Committee on the Judiciary. The Senator from New York asks that it be printed at length in the RECORD.

Mr. EDMUNDS. I hope the Senator will withdraw that request. The printing of these things in the RECORD makes it immensely voluminous, and is a great expense. I doubt if it does any good to the public to do it. I do not object; I only appeal to the Senator to withdraw the request.

Mr. EVARTS. Certainly at this stage of the session the RECORD is not overloaded, and, therefore, perhaps it might find space for this memorial, which is the presentation of a large body in the State of New York. I hope my friend from Vermont will not object.

Mr. EDMUNDS. I only appeal to the sense of the Senator as to the propriety of his suggestion. I make no objection.

The PRESIDENT *pro tempore*. Is there objection to the printing of the memorial at length in the RECORD? The Chair hears none.

Mr. HARRIS. What is the memorial?

The PRESIDENT *pro tempore*. The caption of the memorial will be read.

The CHIEF CLERK. A "Memorial to Congress of the committee of the Association of the Bar of the City of New York in relation to the salaries of judges of Federal courts in the State of New York, and resolutions of that body upon the same subject."

The PRESIDENT *pro tempore*. The Senator from New York asks that the memorial be printed at length in the RECORD, to which there is no objection.

The memorial is as follows:

*To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:*

The undersigned respectfully represent to your honorable body that on the 18th day of January, 1887, pursuant to a special call, a numerously attended meeting of the Association of the Bar of the City of New York was held for the purpose of taking into consideration the inadequacy of salaries paid to the judges of the Federal courts in the State of New York, at which meeting the annexed resolutions were passed, and in accordance therewith the undersigned have been appointed a committee to present the same to Congress.

And your memorialists further respectfully represent that there are, and, for many years past have been, special and cogent grounds for an increase of the compensation of those judges, and that at the last session of Congress your memorialists made an earnest effort to secure that result, but, although favorable entertainment of the proposal was accorded by the respective Judiciary Committees of the two Houses, the session was so far advanced that it became impracticable to carry the measure through all the forms of legislation before the final adjournment.

The considerations then urged still exist, and were then stated, and are now repeated, as principally three in number, namely:

First. The vastly greater amount of labor and service which is required of the judges.

Second. The greatly increased cost of living in the State, particularly in the city of New York and its vicinity, in which much of their time is necessarily passed.

Third. The scale of professional compensation in that State and city.

I.

Under the first of these heads it is scarcely necessary to suggest that the city of New York is not only the financial center of the country, but also the principal center of foreign and domestic commerce. The great railway companies and other corporate bodies of the nation have their main or branch offices there. The great bulk of the financial transactions of the whole country are there carried on. The maritime commerce of the nation with all other parts of the world finds its center at that place, and it is the great port of entry for foreign ships. Its own enormous population is constantly swelled by large numbers of people from other States of the Union and from foreign countries, drawn thither by the necessities of business, and who spend much of their time there.

These circumstances necessarily give rise to a great number and variety of Federal questions, and also furnish the grounds, conveniences, and facilities for invoking the Federal jurisdiction to a far greater extent than in any other State of the Union. It has been recently estimated—and your memorialists have no reason to doubt the moderation of the estimate—that over 40 per cent. of the entire litigation in the Federal courts of original jurisdiction in the whole country is brought before the courts of the United States in the cities of New York and Brooklyn.

II.

Under the second of the above heads, your memorialists believe that the fact of the increased cost of living in the city of New York is known to all, but perhaps all are not aware of the magnitude of the excess. An ordinary dwelling-house, suitable for a family of moderate habits and tastes, commands an average rental of at least $2,000 per annum, while the more desirable abodes, such as are occupied by lawyers of distinction in their profession, can not be obtained for sums less than $4,000 per annum.

These great rental values of necessity occasion corresponding additions to the cost of almost all other articles of necessary consumption in a family.

These facts are true, with some slight qualifications, of the cities and suburbs surrounding New York, and diffuse their influence throughout the whole State.

III.

In the third place, partly in consequence of the circumstances already alluded to, the scale of professional compensation is much higher in the city of New York than it is in other parts of the Union, especially in the more remote and rural districts. The professional incomes of lawyers, who possess the abilities and learning which fit them to discharge the duties of a Federal judge in that State, range from $10,000 to $40,000, and even above that amount, per annum. And yet it is believed that it is not easier with such incomes to gain a competency than it is with much smaller ones in other parts of the country.

It should be remembered that all the judges of the United States district courts within the State are almost constantly engaged in the discharge of their judicial duties in the city of New York, and this force is necessarily, from time to time, recruited by calling in the aid of the district judges of Vermont and Connecticut. No question can be made concerning the importance of these judicial labors, and of the learning, ability, and incessant toil required of the judges, nor that a suitable compensation should be paid to those who are called upon to discharge such important functions. And there can be no doubt that the salaries at present paid are totally inadequate for the decent support of a reputable lawyer, and the insufficiency is disparaging to the dignity, and, consequently, to the usefulness of the Federal tribunals. Nor do these salaries furnish, as they should, any sufficient guaranty for the filling of these important stations with the requisite learning, integrity, and ability.

Your memorialists call attention to the fact that it was but a few years since that a most competent and highly esteemed judge of a district court in this State was obliged to resign his office in consequence of the insufficiency of his salary, and it was principally in consequence of a happy accident that a competent successor was found able and willing to accept the office.

Your memorialists think it entirely reasonable to say that when occasion arises for filling a vacancy in any of the offices alluded to, the salary should be such that numbers of competent lawyers should be found who would feel that they could accept such offices without making an absolute sacrifice of the prospect of obtaining a reward for their services adequate to a comfortable maintenance.

As it is, upon the occasion of any vacancy, the Government is limited in its selection of a competent successor to those whose pecuniary condition renders the amount of salary a matter of comparative indifference, and the honorable ambition of those to whom judicial station is attractive, and who are best fitted to discharge its duties, is discouraged and repelled. Your memorialists are not in favor of any scale of compensation which would render these offices objects of desire and competition on account of the salaries alone, but they believe that they should be fixed at such sums as will make it easily possible to secure the learning, abilities, and character which are the necessary qualifications for such responsible and important places.

Under the present scale of compensation, the district judges receive salaries of but $4,000 per annum, which is less than the salary paid to the district judge of the northern district of California, who receives $5,000 per annum, and less than many salaries paid in the city of New York to clerks, book-keepers, cashiers, and salesmen in large mercantile and financial houses. The salaries of the circuit judges are but $6,000 per annum, out of which they are compelled to pay all their traveling and other expenses in going from place to place in the three States of their circuit, and, when necessary, they are obliged to incur, at their private expense, the further cost of stenographic clerical assistance. So that it may be said that their net incomes are less than those of some of the district judges, inasmuch as the latter who reside out of New York City receive a per diem allowance for expenses, and, in one case, extra compensation for services. These salaries are very much inferior to those paid to the judges of the courts of the State. The judges in the supreme court in the city of New York receive $17,500 per annum. The judges of the superior court of the city and of the court of common pleas of the county of New York each receives $15,000 per annum; the surrogate of the county of New York receives $12,000 per annum; police magistrates of the city receive $8,000, and judges of the districts (exercising civil jurisdiction corresponding to that of justices of the peace) receive $6,000 per annum.

The comparatively large salaries thus allowed to judges of the supreme and superior courts and the court of common pleas are indeed made up in part by sums paid by the city of New York in addition to the salaries allowed by the law of the State, but at the time your memorialists appealed to your honorable bodies at the last session the State paid to the chief judge of its court of appeals sitting permanently at Albany a salary of $9,500, and to the associate judges $9,000, and to those of the supreme court outside of the city of New York salaries of $6,000, with allowances to each of the latter for traveling and other expenses of $1,200 per annum. And recently the Legislature of the State has increased the salaries of the chief judge of the court of appeals to $10,500, and those of the associate judges of the same court to $10,000, with an allowance to each for traveling and other expenses of $2,000 per annum additional.

Since your memorialists last had the honor of addressing Congress in this behalf provision has been made for the appointment of an additional Federal circuit judge, and in order to fill it a lawyer of high standing has been induced to vacate the position of counsel to the corporation of the city of New York, with a salary of $12,000 per annum, upon the assurance of his friends, and the reasonable expectation, that the bar would use its energies to the utmost to induce Congress to provide for him a suitable maintenance in common with the other Federal judges.

Your memorialists think it would be entirely within the limits of moderation to pay to the circuit judges, respectively, salaries equal to those allowed by the general law of the State to the judges of the court of appeals prior to their recent increase, namely, the sum of $9,000 per annum, and to the district judges of the northern and eastern districts of New York salaries equal to those allowed by the State to the judges of the supreme court outside of New York City, namely, $6,000 per annum each, and to the judge of the district court of the southern district, in view of the cost of living in the city of New York, a salary of $7,000 per annum, and your memorialists pray that your honorable body may take appropriate action in the premises.

Dated New York, December 10, 1887.

E. ELLERY ANDERSON, *Chairman*,
JAMES C. CARTER,
CHARLES C. BEAMAN,
EDWARD K. JONES,
C. A. SEWARD,
WHEELER H. PECKHAM,
C. A. HAND,
*Committee.*

At a special meeting of the Association of the Bar of the City of New York held at No. 7 West Twenty-ninth street, January 13, 1887, Mr. Ellery E. Anderson presented the following resolutions:

"*Resolved by the Association of the Bar of the City of New York*, That in the opinion of this association the salaries now paid to the Federal judges within this State are entirely inadequate and bear no relation to the character and importance of the services rendered by them.

"*Resolved*, That the salaries paid to the judges of the courts of the United States within the State of New York are not only out of proportion to the salaries paid to the judges of the superior courts of record of the State for services of the same character and importance, but are insufficient to meet the cost of living and the suitable maintenance of their families; and that the disparity between the salaries paid to the judges of the State courts and those paid to the judges of the Federal courts tends to impair the dignity, independence, and usefulness of the latter, and makes it difficult to obtain men possessing the qualifications required for the discharge of the duties of these high offices.

"*Resolved*, That the greatly increased volume of business performed by the judges of the Federal courts within this State, as well as the responsibility forced upon them by the magnitude and complexity of the questions constantly brought before them for adjudication, demand that a reasonable discrimination in their favor should be made by Congress with respect to any legislation that may be proposed and adopted for the suitable and adequate compensation of Federal judges.

"*Resolved*, That it is the sense of this association that the judge* of the circuit court of the United States for the second circuit should be provided with and receive a salary of at least $9,000 per annum, with an additional allowance for traveling and other expenses of at least $2,000 per annum, and that the judge of the district court of the United States for the southern district of New York should be provided with and receive a salary of at least $7,000 per annum, and that the judges of the district courts of the United States for the northern and eastern districts of New York should each be provided with and receive salaries of at least $6,000 per annum.

"*Resolved*, That a committee of five members of this association be appointed by the president, with power to fill vacancies, and, in their discretion, to add to their number, not to exceed seven in all, to present these resolutions to Congress, and to advocate before that body and the proper committees thereof the correction of the evils herein referred to and to promote the reform hereby sought."

Which were unanimously adopted.

Extract from the minutes.

Attest:

S. B. BROWNELL,
*Recording Secretary.*

[Seal of the Association of the Bar of the City of New York.]

Mr. EVARTS introduced a bill (S. 393) for the relief of Mrs. Frances Anne Pyne Ricketts; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 394) for the relief of the Continental Fire Insurance Company, the Eagle Fire Insurance Company, the City Fire Insurance Company, and the Commercial Mutual Insurance Company, all of New York City; the Western National Bank, the Merchants' National Bank, and the Maryland Fire Insurance Company, of Baltimore, Md.; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 395) for the relief of Hyland C. Kirk and others, assignees of Addison C. Fletcher; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 396) for the relief of Sarah E. E. Perine, widow and administratrix of William Perine, deceased; which was read twice by its title, and referred to the Committee on Claims.

*At the time these resolutions were passed there was but one circuit judge.

He also introduced a bill (S. 397) for the relief of George K. Otis; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 398) for the relief of Henry Erben, a captain in the Navy of the United States; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 399) for the relief of Henry Herman; which was read twice by its title, and referred to the Committee on Claims.

Mr. TURPIE. By request of my colleague [Mr. VOORHEES], who is absent, I introduce a bill.

The bill (S. 400) to provide for the formation and admission into the Union of the States of Washington, Dakota, Montana, and New Mexico, and for other purposes, was read twice by its title, and referred to the Committee on Territories.

Mr. TURPIE introduced a bill (S. 401) for the relief of Col. Daniel McClure; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 402) for the relief of George F. Roberts, administrator of the estate of William B. Thayer, deceased, surviving partner of Thayer Bros., and others; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. HEARST introduced a bill (S. 403) for the relief of L. M. Pearlman; which was read twice by its title, and referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 404) for the relief of Margaret L. Murray; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 405) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law; which was read twice by its title, and referred to the Committee on Claims.

Mr. BLAIR subsequently said: The bill introduced by the Senator from Massachusetts [Mr. HOAR] providing compensation to laborers employed in the naval department for work in excess of eight hours, the statutory period, has been twice considered by the Committee on Education and Labor with a favorable report in both Congresses. If there be no objection, I ask that that bill may be withdrawn from the Committee on Claims and referred to the Committee on Education and Labor.

The PRESIDENT *pro tempore*. The bill will be reported by its title.

Mr. EDMUNDS. We all understand what the bill is.

The PRESIDENT *pro tempore*. The order of reference then will be changed, if there be no objection, and the bill will be referred to the Committee on Education and Labor.

Mr. HOAR introduced a bill (S. 406) making an appropriation for the erection of a monument to the negro soldiers and sailors who gave their lives for the preservation of the Government; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 407) fixing the salaries of the several judges of the United States district courts at $5,000 per annum, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 408) to amend and define an act approved March 3, 1887, entitled "An act to restrict the ownership of real estate in the Territories to American citizens," etc.; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 409) for the relief of the First National Bank of Newton, Mass.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 410) for the relief of George F. Rider; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 411) for the relief of I. W. Ambler; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 412) for the relief of I. W. Ambler; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 413) granting an increase of pension to Oscar S. Collins; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 414) for the relief of Lyman F. Hodge; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 415) granting an increase of pension to Martin L. Stover; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 416) for the relief of Mrs. Harriet H. Robinson; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 417) concerning Federal elections; which was read twice by its title, and referred to the Committee on Privileges and Elections.

Mr. STANFORD introduced a bill (S. 418) granting to the State of California 5 per cent. of the net proceeds of the cash sales of public lands in said State; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 419) to enable the State of California to take lands in lieu of the sixteenth and thirty-sixth sections found to be mineral lands; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 420) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 421) to encourage co-operation and to provide for the formation of associations in the District of Columbia for the purpose of conducting any lawful business and dividing the profits among the members thereof; which was read twice by its title.

Mr. STANFORD. I ask that the bill be referred to the Committee on the Judiciary.

Mr. RIDDLEBERGER. "Any lawful business." We do not know what that means, nor what is in the bill. It seems to me the bill ought to go to the Committee on the District of Columbia.

Several SENATORS. To the Committee on the Judiciary.

Mr. RIDDLEBERGER. I do not know but that it ought to go to the Committee on the Judiciary or the Committee on Foreign Relations; but the title would certainly appear to be sufficient to justify the President of this body in sending the bill to the Committee on the District of Columbia, unless there was a request made to send it somewhere else. I do not know what "lawful business" means. What is lawful here ought certainly to be considered by the District Committee. If the Judiciary Committee is to exercise judicial authority in the District of Columbia, then there is no reason for having a District Committee, for the Commissioners can do everything here under the acts of Congress now, and the only thing that a District Committee is for is to pass on that legislation which is to come up from this time on. What has been done is done. I should like to know something about what the bill imports.

The PRESIDENT *pro tempore*. The Senator can have the bill read at length, if he desires.

Mr. RIDDLEBERGER. I prefer to have it read, so that the title may be understood.

The PRESIDENT *pro tempore*. The bill will be read at length.

Mr. STANFORD. I have no objection to the bill going to the Committee on the District of Columbia. Last year, however, it went to the Committee on the Judiciary.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on the District of Columbia.

Mr. STANFORD introduced a bill (S. 422) to amend sections 2165, 2167, and 2170 of the Revised Statutes of the United States, relating to the naturalization of aliens; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. TELLER introduced a bill (S. 423) to enable the State of Colorado to select indemnity school-lands; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 424) relating to lands in Colorado lately occupied by the Uncompahgre and White River Ute Indians; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 425) to grant the right of way through the public lands for irrigation purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 426) granting to the city of Colorado Springs, in the State of Colorado, certain lands therein described for water reservoirs; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 427) granting the right of way to the Yankton and Missouri Valley Railway Company through the Yankton Indian reservation, in Dakota; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Indian Affairs.

He also introduced a bill (S. 428) to authorize the Court of Claims to hear, determine, and render final judgment upon the claim of the "Old Settler" or "Western Cherokee" Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CHANDLER introduced a bill (S. 429) making regulations prescribing the times, places, and manner of holding elections for Representatives in the Congress of the United States within certain States; which was read twice by its title, and referred to the Committee on Privileges and Elections.

Mr. STEWART introduced a bill (S. 430) to provide for the issuance of coin certificates to circulate as money; which was read twice by its title.

Mr. STEWART. I ask unanimous consent to have the bill printed at length in the RECORD.

By unanimous consent, the bill was ordered to be printed in the RECORD, as follows:

*Be it enacted, etc.*, That any person may deposit at any mint or assay office of the United States both gold and silver bullion, in quantities not less than 5 ounces of gold or 80 ounces of silver, and demand and receive therefor coin certificates representing $1 for 25.8 grains of gold, and $1 for 412½ grains of silver:

*Provided*, The gold and silver bullion so deposited shall contain, by weight, in 1,000 parts, 900 parts pure metal. And the Secretary of the Treasury shall prepare proper certificates and furnish the same to the various mints and assay offices of the United States, to be exchanged for gold and silver bullion as herein provided.

SEC. 2. The certificates issued under this act shall be in such denominations as the Secretary of the Treasury may prescribe: *Provided*, That no certificates shall be issued of a less denomination than $2, nor of a greater denomination than $1,000. Such certificates shall be redeemable at the Treasury of the United States, or any of the subtreasuries thereof, under regulations prescribed by the Secretary of the Treasury, in either gold or silver bullion, at the option of the United States.

SEC. 3. The bullion received under this act shall be melted into bars under such regulations as the Secretary of the Treasury may prescribe: *Provided*, That at least 75 per cent. thereof shall be melted into bars of not less than 3,000 ounces weight, and be deposited in the Treasury, or any subtreasury, mint, or assay office of the United States, in such manner as the Secretary of the Treasury may direct.

SEC. 4. The coin certificates issued under the provisions of this act shall be a legal tender at their nominal value for all dues, public and private, except where otherwise expressly stipulated in contracts heretofore made, and when received by the United States, except for the purpose of redemption, shall be reissued.

SEC. 5. No gold or silver certificates shall hereafter be issued, and when any of either the gold or silver certificates now outstanding shall be received by the United States, except for the purpose of being redeemed, they shall be canceled and coin certificates issued in lieu thereof.

SEC. 6. No gold shall hereafter be coined, except what may be necessary in payment of the obligations of the United States expressly made payable in coin; and no more silver shall be coined than is necessary to use in payment of obligations of the United States expressly made payable in coin, and for actual circulation among the people. The Secretary of the Treasury shall have power to regulate the amount of coinage authorized by this section.

SEC. 7. No seigniorage, or charge of any kind, shall be imposed for assaying or refining at the mints and assay offices of the United States bullion deposited under the provisions of this act.

SEC. 8. The provisions of the act of February 28, 1878, entitled "An act to authorize the coinage of the standard silver dollar, and to restore its legal-tender character," requiring the purchase of not less than two, nor more than four million dollars' worth of silver per month, and all acts, or parts of acts, in conflict with this act are hereby repealed.

Mr. STEWART. I desire to have the bill lie on the table for the present, and I propose to make some explanatory remarks in regard to it on Thursday next, before it is referred.

The PRESIDENT *pro tempore*. The bill will lie on the table.

Mr. MANDERSON introduced a bill (S. 431) granting a pension to Emma S. Free, widow of Thomas S. Free, late a major in the United States Army; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 432) for the relief of Joel B. Morton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 433) granting an increase of pension to General S. W. Price; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 434) granting a pension to Mrs. Hettie K. Painter; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MORGAN introduced a bill (S. 435) to further provide for the disposal of the public lands in the State of Alabama; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 436) to provide for opening the shoals and rapids in the Coosa River so far as to form a continuous channel for steam navigation from Wetumpka, Ala., to Rome, Ga.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 437) for the relief of Claude H. Mastin, surviving partner of the firm of Le Vert & Mastin, of Mobile, Ala.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 438) granting a pension to Letitia Tyler Semple; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 439) for the relief of the Mobile Marine Dock Company; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 440) for the relief of Samuel Noble; which was read twice by its title, and referred to the Committee on Claims.

Mr. FRYE introduced a bill (S. 441) to amend the Revised Statutes relating to the District of Columbia, for the protection of girls, and for the punishment of the crime of rape; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 442) to extend the time for filing claims in the Court of Claims under the provisions of an act entitled "An act to provide for the ascertainment of claims of American citizens for spoliations committed by the French prior to July 31, 1801;" which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

He also introduced a bill (S. 443) for the encouragement of the American merchant marine, and to promote postal and commercial relations with foreign countries; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 444) to promote the building of American iron and steel steamers; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 445) to provide for ocean mail service between the United States and foreign ports; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 446) for the relief of the merchant marine of the United States engaged in the foreign trade; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 447) to amend the laws relating to inspection of steam vessels; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 448) relating to pilotage; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 449) for the erection of a monument to the memory of Maj. Gen. Henry Knox, at Thomaston, Me.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the Library.

He also introduced a bill (S. 450) for the relief of Thomas S. Hopkins, late of Company C, Sixteenth Maine Volunteers; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 451) granting a pension to Hannah C. DeWitt; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 452) for the relief of Lincoln W. Tibbetts, of Portland, Me.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 453) to provide for the erection of a public building at the town of Holton, Me.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. COCKRELL introduced a bill (S. 454) to provide for the preparation of a Federal code of procedure; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 455) for the relief of Andrew J. Lindsay; which was read twice by its title.

Mr. COCKRELL. I ask that the bill with the accompanying petition may be referred to the Committee on the Judiciary. It is for the purpose of relieving disabilities, and with the petition are letters from the accounting officers of the Treasury showing that the accounts have all been adjusted.

The PRESIDENT *pro tempore*. The petition will be received and referred with the bill to the Committee on the Judiciary, if there be no objection.

Mr. COCKRELL introduced a bill (S. 456) relinquishing the right of the United States to an island therein named; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 457) for the relief of Electa Brace; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 458) for the relief of the legal representatives of David Walter Jones; which was read twice by its title.

Mr. COCKRELL. With that bill I desire to present letters from the Secretary of the Treasury, the First Comptroller, and the Commissioner of the General Land Office, showing that the amount specified in the bill is due to the legal representatives of the deceased.

The PRESIDENT *pro tempore*. The papers will be received, if there be no objection, and referred, with the bill, to the Committee on Public Lands.

Mr. COCKRELL introduced a bill (S. 459) in relation to the binding of certain public documents; which was read twice by its title, and referred to the Committee on Printing.

He also introduced a bill (S. 460) to facilitate the negotiation of bills of lading and other commercial instruments, and to punish fraud therein; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 461) for the relief of Lindsay Murdoch; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 462) for the relief of Cogswell & Co.; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 463) for the relief of Jacob D. Felthousen and the heirs of William H. Akins, deceased; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 464) to authorize the Secretary of the Interior to settle the claims of the legal representatives of S. W. Marston, late United States Indian agent at Union Agency, Indian Territory, for services and expenses; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 465) granting a pension to William Sackman, sr.; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 466) granting a pension to William R. Blevins; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 467) granting a pension to Hoy Cooper; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 468) granting a pension to Broadus G.

Roberts; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 469) for the relief of Patrick H. Estes, a veteran invalid soldier of the Mexican war; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 470) granting a pension to Amanda F. Deck; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 471) granting a pension to Richard W. Isbell; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 472) granting a pension to Eliza Summers; which was read twice by its title.

Mr. COCKRELL. I ask to accompany that bill with the affidavit of Lieut. Robert Taylor and others, establishing the claim.

The PRESIDENT *pro tempore*. The affidavit will be received, if there be no objection, and referred, with the bill, to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 473) to authorize the Secretary of the Treasury to cause to be examined certain vouchers filed, or to be filed, by the State of Missouri, or her agent or agents, for sums claimed to be due from the Government of the United States on account of payments made by said State since April 22, 1862, to the officers and enlisted men of her militia forces for military services rendered to the United States in the suppression of the rebellion, as evidenced by the proper pay-rolls heretofore filed with, examined, and accepted by the Government of the United States, and to report to Congress; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 474) for the relief of the heirs of colored soldiers who served in the war of the rebellion; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 475) for the relief of the estate of Thomas L. Price, deceased; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 476) to regulate the pay of the officers of the Army and Navy who refuse or neglect to provide for the support of their families; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 477) for the relief of Wetmore & Brother, of St. Louis, Mo.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 478) for the relief of Piromis H. Bell, administrator of Marcus A. Bell, deceased, and others; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 479) for the relief of Durant H. L. Bell; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 480) for the relief of James Bridger or his legal representatives; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 481) for the relief of James Price; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 482) for the relief of Edward S. Armstrong; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 483) for the relief of E. R. Shipley; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 484) for the relief of Charles P. Chouteau; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 485) for the relief of Charles P. Chouteau, survivor of Chouteau, Harrison & Valle; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 486) for the relief of the Baptist Female College, of Lexington, Mo.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 487) for the relief of Napoleon B. Giddings; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 488) for the relief of Samuel A. Lowe; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 489) for the relief of John Finn; which was read twice by its title.

Mr. COCKRELL. I desire to accompany that bill by a copy of the decision of the Supreme Court of the United States in the case of John Finn, appellant, against the United States, and a brief by the attorneys of the claimants.

The PRESIDENT *pro tempore*. The papers will be received and referred with the bill, if there be no objection, to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 490) for the relief of St. Charles College, Missouri; which was read twice by its title.

Mr. COCKRELL. I desire to present with the bill, to accompany it to the Committee on Claims, the charter of St. Charles College, an account against the United States, and sundry affidavits of Judge Krekel and others, establishing the claim against the United States.

The PRESIDENT *pro tempore*. The papers will be received and referred with the bill, if there be no objection, to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 491) for the relief of the legal representatives of Adam Ruebeling, deceased; which was read twice by its title.

Mr. COCKRELL. I desire to accompany that bill by a petition of the widow of Adam Ruebeling, praying for relief.

The PRESIDENT *pro tempore*. The petition will be received and referred, with the bill, if there be no objection, to the Committee on Claims.

Mr. PLATT introduced a bill (S. 492) to prevent frauds on American manufacturers; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 493) to amend chapter 18 of the Revised Statutes of the United States relating to the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 494) changing the name of the Real Estate Title Insurance Company of the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 495) for the relief of Albert H. Emery; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 496) for the relief of Arthur L. Fish; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 497) for the relief of the legal representatives of Egbert Thompson, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 498) for the relief of Frank Della Terre and Susan F. Della Terre, heirs of Peter Della Terre, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 499) for the relief of William H. Crook; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 500) for the relief of Mrs. Sarah Elizabeth Holroyd, widow and administratrix of the estate of John Holroyd, deceased; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 501) for the relief of W. H. Ward; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 502) for the relief of Mary F. Potts; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 503) for the relief of Maj. William M. Maynadier, a paymaster in the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 504) for the relief of Basil Moreland; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. HAWLEY introduced a bill (S. 505) to reimburse prisoners of war, who were in the military and naval service of the United States during the war of the rebellion; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 506) to remove the charge of desertion from the Army recorded against Thomas Conroy, deceased; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 507) to remove the charge of desertion from the Army against Thomas Morrison; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HAMPTON introduced a bill (S. 508) to empower Robert Adger and others to bring suit in the Court of Claims for rent alleged to be due them; which was read twice by its title, and referred to the Committee on Claims.

Mr. QUAY introduced a bill (S. 509) authorizing an increase in pensions in certain cases; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 510) to grant arrears of pensions in certain cases; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 511) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861; which was read twice by its title, and referred to the Committee on Finance.

Mr. DANIEL introduced a bill (S. 512) granting the right of way and other privileges to the Southern Street Railway and Improvement Company; which was read twice by its title, and referred to the Committee on Railroads.

He also introduced a bill (S. 513) for the relief of James Albert Bonsack; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 514) for the relief of Dr. A. Sydney Tebbs; which was read twice by its title and referred to the Committee on the Judiciary.

He also introduced a bill (S. 515) for the relief of the trustees of the Protestant Episcopal Theological Seminary and High School, in Virginia; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 516) for the relief of Isaac Davenport and other citizens of Virginia; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 517) for the relief of J. Henry Rives; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 518) for the relief of the legal personal representatives of Henry H. Sibley, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. DANIEL. With that bill I ask leave to present a memorial to be included with it.

The PRESIDENT *pro tempore*. The accompanying memorial will be referred, with the bill, to the Committee on Claims, if there be no objection.

Mr. RIDDLEBERGER introduced a bill (S. 519) to provide for preliminary surveys and location of the Potomac and Chesapeake Free Ship-Canal; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 520) for the relief of Berwood Hunter; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 521) granting right of way and other privileges to the Hampton and Old Point Railroad Company; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BECK introduced a bill (S. 522) for the relief of T. J. Pitzer; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 523) for the relief of John F. Rogers; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 524) for the relief of James E. Hall, of Clark County, Kentucky; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 525) for the relief of Samuel A. B. Woodford; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 526) referring to the Court of Claims the claims of General T. T. Garrard and others; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 527) for the relief of William Millican; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 528) for the relief of Weissinger & Bate, Edward Holbrook, and others; which was read twice by its title, and referred to the Committee on Finance.

Mr. PUGH introduced a bill (S. 529) regulating the proceedings in Congress upon private claims; which was read twice by its title, and, with accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 530) fixing the salaries of the Commissioner of Education and the Commissioner of Labor at $5,000 each per annum; which was read twice by its title, and referred to the Committee on Education and Labor.

Mr. HARRIS introduced a bill (S. 531) for the relief of the heirs of Myra Clark Gaines; which was read twice by its title, and referred to the Committee on Private Land Claims.

Mr. COCKRELL introduced a bill (S. 532) to repeal sections 1, 2, 3, 4, 5, 6, 7, and 9 of the act of Congress, approved June 10, 1880, entitled "An act to amend the statutes in relation to the immediate transportation of dutiable goods, and for other purposes;" which was read twice by its title, and referred to the Committee on Commerce.

Mr. EDMUNDS introduced a bill (S. 533) to provide for paying the widow of the late Spencer F. Baird for the services rendered by him as Commissioner of Fish and Fisheries; which was read twice by its title.

Mr. EDMUNDS. This is not a claimant's bill, but is a bill to provide for paying the widow of the late Professor Baird for about sixteen years of gratuitous service that he performed as Commissioner of Fish and Fisheries. I move that the bill be referred to the Committee on Appropriations, who have been familiar with the subject and made appropriations for it, and I hope that they will report upon it very early indeed, as I believe it myself to be a very meritorious and just bill.

The PRESIDENT *pro tempore*. That reference will be made, if there be no objection.

Mr. EDMUNDS introduced a bill (S. 534) to provide for the establishment of a postal telegraphic system; which was read the first time by its title.

Mr. EDMUNDS. I ask that that bill may be read the second time, and, for the time being, lie upon the table.

The bill was read the second time by its title, and ordered to lie on the table.

Mr. EDMUNDS introduced a bill (S. 535) providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes; which was read twice by its title.

Mr. EDMUNDS. That bill passed the Senate at a former session on a report from the Committee on Foreign Relations, and I move that it be referred to that committee.

The motion was agreed to.

Mr. EDMUNDS introduced a bill (S. 536) to provide for ascertaining and settling private land claims in certain States and Territories; which was read twice by its title, and referred to the Committee on Private Land Claims.

He also introduced a bill (S. 537) to provide for the confinement of inebriates in the Government Hospital for the Insane; which was read twice by its title.

Mr. EDMUNDS. I move that the bill be referred to the Committee on the District of Columbia, and I beg that the chairman of that committee will ask the committee to take it into immediate consideration, for it is a very urgent matter, as I think.

The motion to refer was agreed to.

Mr. EDMUNDS. I also introduce a bill on the same subject, establishing a separate institution that will go into effect as soon as may be.

The bill (S. 538) to establish a hospital and reformatory for inebriates in the District of Columbia was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. EDMUNDS introduced a bill (S. 539) amending section 3749 of the Revised Statutes of the United States; which was read twice by its title.

Mr. EDMUNDS. I think that is a bill which was reported from the Committee on the Judiciary, and I believe passed by the Senate, at a former Congress.

Mr. HOAR. I should like to call the attention of the Senator from Vermont, as he is a good example for the whole Senate, to the propriety of amending the title of that bill so as to import what it relates to. The public get no knowledge of the meaning of a measure by merely referring to a section of the Revised Statutes by its number.

Mr. EDMUNDS. I think the Senator from Massachusetts is quite right, and I am obliged to him for making the suggestion. I will modify the title so as to add the words "relating to the disposition of property of the United States."

The bill (S. 539) amending section 3749 of the Revised Statutes of the United States, relating to the disposition of property of the United States, was referred to the Committee on the Judiciary.

Mr. EDMUNDS introduced a bill (S. 540) to establish a forest reservation on the headwaters of the Missouri River and the headwaters of Clark's Fork of the Columbia River; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 541) to limit and regulate the fees and compensation of commissioners of circuit courts of the United States, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 542) to establish a uniform system for the practice of attorneys at law before the committees of Congress and the Executive Departments, and for other purposes; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the Judiciary.

He also introduced a bill (S. 543) authenticating the official seals used by the Government Departments, and by the several Bureaus, officers, and offices thereof, and by the United States courts in the District of Columbia; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 544) to authorize the construction of a highway bridge across that part of the waters of Lake Champlain which separates the Islands of North Hero and South Hero, in the county of Grand Isle, in the State of Vermont; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 545) appropriating $25,000 in aid of a Volunteer Disabled Soldiers' Home in the State of Vermont; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 546) to facilitate the administration of the laws in the Territory of Alaska; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 547) for the relief of George W. Bolton, alias Charles Andrews; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. EDMUNDS. I introduce also a bill by request, without committing myself at this time to the propriety of it, although I am in favor of doing something, if it can properly be done, in the direction of the bill.

The bill (S. 548) amending the pension laws granting pensions to widows and minor children was read twice by its title, and referred to the Committee on Pensions.

Mr. EDMUNDS introduced a bill (S. 549) granting a pension to Hannah R. Langdon; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 550) granting a pension to William C. Wait; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 551) granting a pension to Newcomb Parker; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 552) for the relief of George W. Saulpaw; which was read twice by its title, and referred to the Committee on Claims.

Mr. PALMER introduced a bill (S. 553) to regulate immigration; which was read twice by its title.

Mr. PALMER. I ask that the bill lie on the table, to the end that at some future time I may call it up for the purpose of making a few remarks on the subject-matter of it.

The PRESIDENT *pro tempore*. That order will be made.

Mr. CHACE introduced a bill (S. 554) to amend title 60, chapter 3, of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Patents.

Mr. MITCHELL introduced a bill (S. 555) to establish an additional land district in the State of Oregon; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 556) providing for the resurvey of certain public lands in the State of Oregon; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 557) to protect certain purchasers of lands from the Northern Pacific Railroad Company; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 558) for the relief of certain settlers upon the school lands of Washington Territory; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 559) making an appropriation for the establishment of a life-saving station and providing for a life-saving crew at Yaquina Bay, in the State of Oregon; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 560) to authorize the Columbia River Bridge Company to construct and maintain a bridge across the Columbia River between the State of Oregon and the Territory of Washington and to establish it as a post-road; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 561) providing an appropriation for the continuance of improvements at the mouth of the Columbia River; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 562) providing an additional appropriation for the purpose of continuing work on the canal and locks at the Cascades of the Columbia; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 563) providing an appropriation for the speedy completion of the improvements at the entrance to Yaquina Bay, Oregon; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 564) providing an appropriation for the improvement of the Umpqua River, Oregon, between Elkton and the mouth of said river; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 565) providing an appropriation for continuing the improvements at the entrance to Coos Bay, Oregon; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 566) making an appropriation for a final survey and estimates for, and the commencement of the construction of a boat-railway around the obstructions to navigation at The Dalles and Celilo Falls, in the Columbia River; which was read twice by its title, and referred to the Committee on Transportation Routes to the Seaboard.

He also introduced a bill (S. 567) for the erection of a public building at Yaquina City, Oregon; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 568) for the erection of a public building in the city of Salem, Oregon; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 569) making an appropriation for the resurvey, relocation, shortening, and improvement of the military wagon-road between Rogue River Valley and Fort Klamath, Oregon; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 570) for the relief of P. B. Sinnott, late Indian agent at Grand Ronde Agency, State of Oregon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 571) granting an increase of pension to Herman Baumhager; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MITCHELL. I ask leave now to introduce two bills which I desire to have referred to the Committee on Finance. They are of a character that can not originate in the Senate, but I shall embrace the earliest opportunity to offer them as amendments to some proper revenue bill.

The bill (S. 572) to amend section 3020 of the Revised Statutes, referring to drawback duty on manufactured tin, was read twice by its title, and referred to the Committee on Finance.

The bill (S. 573) to amend section 3019 of the Revised Statutes, relating to drawback on duties on imported material when manufactured and exported, was read twice by its title, and referred to the Committee on Finance.

Mr. VEST introduced a bill (S. 574) to increase the pension of Mrs. Apolline A. Blair; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 575) granting a pension to Mary O'Day; which was read twice by its title, and referred to the Committee on Pensions.

Mr. EVARTS introduced a bill (S. 576) for the relief of Semon Bache & Co.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 577) for the relief of the American Grocer Association of the city of New York; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. MITCHELL introduced a bill (S. 578) to prohibit objectionable foreign immigration, encourage desirable immigration, defend American institutions, and protect American labor; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 579) to provide for the retirement of Brig. Gen. Rufus Ingalls (retired) as a major-general of the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 580) to amend an act entitled "An act to restrict the ownership of real estate in the Territories to American citizens, and so forth," approved March 3, 1887; which was read twice by its title.

Mr. MITCHELL. I ask that the bill lie on the table at present. At an early day I shall call it up for the purpose of submitting some remarks upon it.

The PRESIDENT *pro tempore*. The bill will lie upon the table.

Mr. MITCHELL introduced a bill (S. 581) to reimburse settlers and purchasers on even-numbered sections of public lands within the limits of Congressional grants in cases of forfeiture of odd-numbered sections; which was read twice by its title.

Mr. MITCHELL. I ask that the bill may lie upon the table for the present. I shall endeavor to call it up at an early day and submit some remarks in favor of it.

The PRESIDENT *pro tempore*. The bill will lie upon the table.

Mr. MITCHELL introduced a bill (S. 582) abrogating all treaties heretofore made and now operative between the United States Government and the Chinese Empire, in so far as they, or any of them, provide for, recognize, or permit the coming of Chinese to the United States, and in so far as they, or any of them, inhibit the United States from absolutely prohibiting the coming of Chinese to the United States; and repealing all acts of Congress in so far as they, or any of them, recognize or permit the coming of Chinese to the United States; and absolutely prohibiting the coming of Chinese to the United States, excepting only diplomatic, consular, and other officers, and prohibiting the landing of any Chinese therein, excepting only such diplomatic and other officers; which was read twice by its title, and ordered to lie on the table.

Mr. EDMUNDS introduced a joint resolution (S. R. 1) authorizing the Secretary of the Interior to rent additional rooms for the use of the Bureau of Labor in collecting the statistics of and relating to marriage and divorce, for the fiscal year ending June 30, 1888; which was read twice by its title.

Mr. EDMUNDS. I am advised that the First Comptroller of the Treasury, or some official at that end of the capital, has doubt as to whether the appropriation that was made at a former session for these objects will cover the payment of the rent of the rooms the officials have been obliged to hire; and I am advised by a gentleman in another place familiar with the matter that it is very desirable that this joint resolution shall pass as soon as may be; but as I am not willing to pass any joint resolution appropriating money (except in some very extreme cases) without a reference, I move that this be referred to the Committee on Appropriations, and I hope that they will consider it early.

The PRESIDENT *pro tempore*. The joint resolution will be referred to the Committee on Appropriations.

Mr. DOLPH introduced a joint resolution (S. R. 2) proposing an amendment to the Constitution of the United States empowering Congress to legislate upon the subjects of marriage and divorce, and prohibiting bigamy and polygamy; which was read twice by its title.

Mr. DOLPH. I ask that the joint resolution may lie on the table for the present, with a view of submitting some remarks upon it before it is referred.

The PRESIDENT *pro tempore*. The joint resolution will lie upon the table.

Mr. CULLOM introduced a joint resolution (S. R. 3) for the amendment of the Constitution of the United States in regard to bigamy and polygamy; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. ALDRICH introduced a joint resolution (S. R. 4) providing for the disposition of undistributed copies of the Rebellion Records and other public documents; which was read twice by its title, and referred to the Committee on Printing.

Mr. PUGH introduced a joint resolution (S. R. 5) in relation to the claim of John B. Read against the United States for the alleged use of projectiles for rifled ordnance claimed as the invention of said Read, and by him alleged to have been used pursuant to a contract or arrangement made between him and the War Department in 1856, for which no compensation has been made; also in relation to the claim of William E. Woodbridge based upon the plea of alleged priority in this line of invention; which was read twice by its title.

Mr. PUGH. I move that the resolution be referred to the Committee on Claims.

Mr. HOAR. I should like to inquire whether that joint resolution would not more properly go to the Committee on Patents. That class of questions has been, I think, almost always since I have been in the Senate dealt with by the Committee on Patents.

Mr. PUGH. The same measure was reported by the Committee on Military Affairs at the last Congress, and it has passed both Houses.

Mr. HOAR. My objection is to sending it to the Committee on Claims. It seems to me that the claim of an inventor to compensation for the use of his invention by the Government involves a kind of inquiry with which the Committee on Patents are familiar, and I know it has been very largely the practice of the Senate to send such bills to that committee. Indeed, I think this claim was before that committee when I was a member of it. If there be no objection, therefore, I suggest that it go to the Committee on Patents, and not to the Committee on Claims.

The PRESIDENT *pro tempore*. Is there objection to the reference of the joint resolution to the Committee on Patents?

Mr. PUGH. I have no objection, except that the claim has been in the other House and in the Senate before the Military Committee, and bills in favor of it have been reported in two Congresses. They have investigated and understand all the facts and merits of the case, and have made two reports in favor of the passage of the bill.

Mr. HOAR. I do not object to the Military Committee, but the Chair proposes to send it to the Committee on Claims. My objection is to sending it to the Committee on Claims, but I have no objection to its going to the Committee on Military Affairs, if the Senator prefers that reference.

Mr. PLATT. This bill, or a bill relating to this matter, at a former session, was referred to the Committee on Patents. The Committee on Patents did not report it favorably. At the next session it was referred to the Committee on Military Affairs, which did report it favorably, and now it is proposed to refer it to the Committee on Claims. That is the history of the bill.

Mr. EDMUNDS. I think it would be fair to refer this bill to the Committee on Patents, where it really ought to go, as it is a patent matter with which that committee is more familiar than any other committee can be. That is the proper reference, and I move that the joint resolution be referred to the Committee on Patents.

The PRESIDENT *pro tempore*. The Senator from Vermont moves that the joint resolution be referred to the Committee on Patents.

Mr. PUGH. The claim is founded on a contract with the Government for the use of this projectile constructed under the patent of John B. Read. It is a claim founded on a patent, the Government having contracted for the use of the projectile patented to this claimant. That is the only reason I had for asking the reference I did. The Military Committee have examined it; they are familiar with it; they have reported upon it twice, and a bill has passed both Houses, and the President would have signed it if it had ever reached him. I have no objection to the reference the Senator proposes.

Mr. EDMUNDS. As the Senator says he has no objection, I will not take the time of the Senate.

The PRESIDENT *pro tempore*. The Chair understands the Senator from Alabama to consent to the reference of the joint resolution to the Committee on Patents.

Mr. PUGH. I have really no preference myself.

The PRESIDENT *pro tempore*. The joint resolution will then be referred to the Committee on Patents.

Mr. PUGH introduced a joint resolution (S. R. 6) for the removal of all disability imposed by the fourteenth amendment to the Constitution of the United States upon Abram C. Myers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

He also introduced a joint resolution (S. R. 7) for the relief of Caroline M. Seton and Mary Jeannette Sibbald, heirs at law of Charles F. Sibbald, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. MITCHELL introduced a joint resolution (S. R. 8) providing for the appointment of a commission to select a site for a naval station on the Pacific coast; which was read twice by its title.

Mr. MITCHELL. I ask that that joint resolution lie on the table for the present.

The PRESIDENT *pro tempore*. That order will be made, if there be no objection.

Mr. MANDERSON introduced a joint resolution (S. R. 9) to authorize the printing of the recent special report of the Chief of the Bureau of Statistics, Treasury Department, upon wool and the manufactures of wool; which was read twice by its title, and referred to the Committee on Printing.

Mr. BLAIR introduced a joint resolution (S. R. 10) relating to the inclosure of certain points of especial interest on the battle-field of Gettysburgh; which was read twice by its title, and, with accompanying papers, referred to the Committee on Military Affairs.

He also introduced a joint resolution (S. R. 11) proposing an amendment to the Constitution of the United States extending the right of suffrage to women; which was read twice by its title, and referred to the Committee on Woman Suffrage.

He also introduced a joint resolution (S. R. 12) proposing an amendment to the Constitution of the United States in relation to the manufacture, importation, exportation, transportation, and sale of alcoholic liquors; which was read twice by its title, and referred to the Committee on Education and Labor.

### WITHDRAWAL OF PAPERS FROM FILES.

Mr. BECK submitted the following resolution; which was read:

*Resolved*, That the Committee on Rules be directed to inquire into the advisability of requiring the papers on file in the office of the Secretary of the Senate at the expiration of the session of Congress to be taken from the files and referred to the committees to which the bills or petitions may be referred, without requiring a special order in each case.

Mr. BECK. If it takes two hours and a half to introduce bills, as has been the case to-day, it will take as long to have orders passed to withdraw the papers pertaining to them, and I hope the Committee on Rules will devise some way whereby that can be avoided.

Mr. EDMUNDS. I agree to that, only I think the rule is a very good one which forbids the trying over and over again of cases that are reported adversely. That the rule now forbids. So if the Committee on Rules is to consider the matter, to which I have no objection—for I do not object to the resolution—there is one part of the rule that is very wholesome. It is rather a common habit with us all if a bill is reported adversely at one session of Congress and the report is accepted, so that a decision is reached, for the representative of that constituent, naturally enough, to introduce another bill at the next session and try another committee on it, and go all over it again. This rule of the Senate was intended to try to make an end of something where it happened to be decided in favor of the United States; but I should be glad to have the committee examine the matter and see what can be done.

Mr. BECK. The Senator knows we have to get a special order of withdrawal in each case now, involving a great deal of labor. There is no objection to the reference, I understand.

Mr. EDMUNDS. None whatever.

Mr. HARRIS. A rule can be formulated so as to guard the point suggested by the Senator from Vermont and at the same time accomplish the object of the Senator from Kentucky.

Mr. EDMUNDS. Very likely; I do not object to the resolution at all.

The resolution was considered by unanimous consent, and agreed to.

### REDUCTION OF POSTAGE RATES.

Mr. BECK submitted the following resolution; which was read:

*Resolved*, That the Committee on Post-Offices and Post-Roads be, and it is hereby, directed to inquire into the advisability of reducing the rate of postage to 1 cent on all mail matter now known as first-class which does not exceed 1 ounce in weight, and a proportionate reduction on all excess of 1 ounce, and report to the Senate by bill or otherwise as soon as practicable.

Mr. BECK. I ask that the resolution lie on the table. I may introduce a bill to the same effect presently.

The PRESIDENT *pro tempore*. The resolution will lie on the table.

### GOVERNMENT POSTAL TELEGRAPH.

Mr. BUTLER submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That a select committee of five Senators, to be appointed by the President of the Senate, be directed to inquire into the advisability and practicability of establishing and maintaining a Government postal telegraph, with power to report by bill or otherwise.

### CONDITION OF THE CIVIL SERVICE.

Mr. HALE submitted the following resolution; which was read:

Whereas sections 11 and 14 of "An act to regulate and improve the civil service of the United States," approved January 16, 1883, provide as follows:

"SEC. 11. That no Senator, or Representative, or Territorial Delegate of the Congress, or Senator, Representative, or Delegate elect, or any officer or employé of either of said Houses, and no executive, judicial, military, or naval officer of the United States, and no clerk or employé of any Department, branch, or bureau of the executive, judicial, or military or naval service of the United States, shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution, for any political purpose whatever, from any officer, clerk, or employé of the United States, or any Department, branch, or bureau thereof, or from any person receiving any salary or compensation from moneys derived from the Treasury of the United States.

"SEC. 14. That no officer, clerk, or other person in the service of the United States shall, directly or indirectly, give or hand over to any other officer, clerk, or person in the service of the United States, or to any Senator or Member of the House of Representatives or Territorial Delegate, any money or other valuable thing on account of or to be applied to the promotion of any political object whatever."

And whereas the spirit of said act has been interpreted, by the President and by the Commissioners of the Civil Service Commission charged with its execution, as forbidding all officers of the General Government from offensively participating in political conventions and elections, the President in his order addressed to the heads of the Departments in the service of the General Government, dated July 14, 1886, setting forth his reasons for the same as follows:

EXECUTIVE MANSION, *Washington, July* 14, 1886.

*To the Heads of the Departments in the service of the General Government:*

I deem this a proper time to especially warn all subordinates in the several Departments, and all office-holders under the General Government, against the use of their official positions in attempts to control political movements in their localities. Office-holders are the agents of the people—not their masters. Not only is their time and labor due to the Government, but they should scrupulously avoid in their political action, as well as in the discharge of their official duty, offending by a display of obtrusive partisanship their neighbors who have relations with them as public officials. They should also constantly remember that their party friends, from whom they have received preferment, have not invested them with the power of arbitrarily managing their political affairs. They have no right, as office-holders, to dictate the political action of their party associates or to throttle freedom of action within party lines by methods and practices which pervert every useful and justifiable purpose of party organization.

The influence of Federal office-holders should not be felt in the manipulation of political primary meetings and nominating conventions. The use by these officials of their positions to compass their selection as delegates to political conventions is indecent and unfair, and proper regard for the proprieties and requirements of official place will also prevent their assuming the active conduct of political campaigns. Individual interest and activity in political affairs are by no means condemned. Office-holders are neither disfranchised nor forbidden the exercise of political privileges, but their privileges are not enlarged, nor is their duty to party increased to pernicious activity by office holding. A just discrimination in this regard between the things a citizen may properly do and the purposes for which a public office should not be used is easy in the light of a correct appreciation of the relation between the people and those intrusted with official place and a consideration of the necessity under our form of government of political action free from official coercion. You are requested to communicate the substance of these views to those for whose guidance they are intended.

GROVER CLEVELAND.

And Commisioner Oberly, in his letter to the Illinois Democratic Association, dated September 29, 1887, interpreting the statute as follows:

"Now, does it not follow that officers, clerks, and other persons in the service of the United States who are organized for political purposes, and who, by initiation fees, dues, and contributions defray the expenses of this organization, are violating sections 11 and 14 of the civil service act? They are giving—they are handing over—to officers, clerks, or other persons in the service of the United States, and these persons, acting as officers of the association, as the representatives of the associated officers, clerks, and other persons in the service of the United States, are receiving money for political purposes, money to be applied to the promotion of political objects."

And whereas it is alleged that, notwithstanding the provisions of said act, and notwithstanding the interpretation placed upon the same by the authorities as above quoted, numerous Federal officers, appointed by the present administration, have unduly and offensively exhibited a pernicious activity both in nominating conventions and the elections following: Therefore,

*Resolved*, That a select committee, to consist of seven Senators, be, and the same is hereby, constituted and appointed, whose duty it shall be to examine fully into the present condition of the civil service in all branches of the Government, to ascertain whether the appointments in said service have been based upon merit and qualification, or have been distributed as partisan favors; and further, to fully examine and report as to the offensive participation of officers and employés of the General Government in political conventions and elections.

Said committee is hereby authorized to employ a clerk and stenographer, and shall have power to administer oaths, send for persons and papers; to sit in Washington or such other places as may be necessary, and to conduct its investigations through subcommittees, the expenses of the same to be paid from the contingent fund of the Senate, and a full report of its proceedings shall be made to the Senate at as early a day as is practicable.

Mr. HALE. Let the resolution lie on the table for the present.

The PRESIDENT *pro tempore*. The resolution will lie on the table.

Mr. BUTLER. Will it not be printed?

The PRESIDENT *pro tempore*. It will be printed.

Mr. HALE. Having been read, it will be printed, of course.

PRINTING OF PRESIDENT'S MESSAGE, ETC.

Mr. MANDERSON submitted the following resolution; which was referred to the Committee on Printing:

*Resolved*, That there be printed, in pamphlet form, for the use of the Senate, 1,000 copies of the annual message of the President, and the reports proper of the heads of the Departments, Comptroller of the Currency, Director of the Mint, and Treasurer of the United States, without the appendices.

MRS. VIRGINIA POORE.

Mr. MANDERSON submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay, out of the miscellaneous items of the contingent fund of the Senate, to Mrs. Virginia Poore, widow of Maj. Ben: Perley Poore, deceased, late clerk to the Senate Committee on Printing, an amount equal to six months' salary as clerk aforesaid; said sum to be considered as including funeral expenses and all other allowances.

PRINTING OF PAPERS.

Mr. MANDERSON. I introduced a bill this morning for the erection of a public building at Omaha, with some accompanying papers. I request that the papers, which are quite voluminous, may be printed for the use of the Committee on Public Buildings and Grounds—the usual number. I ask that the order to print may be made.

The PRESIDENT *pro tempore*. That order will be made if there be no objection.

GOODLOE'S INTERNAL-REVENUE COMPILATION.

Mr. VANCE submitted the following concurrent resolution; which was read:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed at the Government Printing Office 3,000 copies of the compilation of the internal-revenue laws of the United States, with a history of the legislation in regard thereto from the organization of the Government to the present time, by D. R. Goodloe, of which 750 copies shall be for the use of the Senate, 1,500 copies for the use of the House, and 750 copies for the use of the Treasury Department.

Mr. VANCE. I submit the manuscript to which the resolution refers, and ask its reference with the resolution to the Committee on Printing.

The PRESIDENT *pro tempore*. The resolution with the accompanying paper will be referred to the Committee on Printing.

PAPERS WITHDRAWN AND REFERRED.

Mr. HARRIS. I desire to have the following orders made:

*Ordered*, That the petition and accompanying papers in the case of the Catholic Church at Chattanooga, Tenn., be taken from the files of the Senate and referred to the Committee on Claims.

*Ordered*——

Mr. EDMUNDS. Let all the orders be adopted, subject to the rule.

Mr. HARRIS. There are quite a number of orders of the same character. They need not be read. They are taken subject to the rule, of course.

The PRESIDENT *pro tempore*. The Chair will direct that the orders be entered, and that the requests be granted, subject to the rule.

Mr. EDMUNDS. I wish to suggest in the same connection that in all cases of bills which have been presented to-day, where there have been former reports not adverse, the papers be ordered to be referred to the appropriate committees by a general order.

Mr. COCKRELL. I think that is a good suggestion.

Mr. EDMUNDS. I ask unanimous consent that that be done.

The PRESIDENT *pro tempore*. The Senator from Vermont asks unanimous consent that in all cases of bills introduced to-day the papers on file, no adverse report having been made, shall be forwarded to the respective committees. Is there objection? The Chair hears none.

Mr. HARRIS. Then these orders of mine need not be entered. Let them go under the general rule.

The PRESIDENT *pro tempore*. The orders of the Senator from Tennessee are included in the general order just made.

Mr. EVARTS. I hand in an order to take papers from the files which perhaps are not included under the general provision.

The order was read, as follows:

*Ordered*, That the petition and accompanying papers in the claim of G. Colden Tracy, of the State of New York, be taken from the files of the Senate and referred to the Committee on Claims.

Mr. EDMUNDS. Will the Senator please explain what the state of that case is? Why does it not come within the order unanimously adopted?

Mr. EVARTS. The only knowledge I have is this order handed me. I did not present the petition.

Mr. EDMUNDS. Then let the order be granted subject to the rule.

Mr. EVARTS. Certainly.

The PRESIDENT *pro tempore*. The order will be granted subject to the rule.

EXEMPTIONS FROM DUTY.

Mr. PLATT submitted the following resolution; which, with the accompanying paper, was referred to the Committee on Finance:

*Resolved*, That the Committee on Finance is hereby instructed to inquire into the propriety and expediency of exempting from duty, to a limited extent, articles which may be contained in the personal baggage of any passenger arriving at any port of entry: *Provided*, That the articles so exempted are not intended for sale, and that all other dutiable articles contained in such baggage shall have been duly declared by such passenger.

OPEN EXECUTIVE SESSIONS.

Mr. PLATT. As I am required by the rules to do, I give notice that on to-morrow I shall introduce a resolution in amendment of clauses 2, 3, and 4 of Rule XXXVI, clause 3 of Rule XXXVII, clause 2 of Rule XXXVIII, for the purpose of providing that hereafter the Senate shall consider and act upon treaties and executive nominations in open session, except when it shall be otherwise ordered.

PACIFIC COAST STEAMSHIP COMPANY.

Mr. FRYE submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Treasury be directed to transmit to the Senate copies of all letters or other communications in his Department relating to the recent bonding of the Pacific Coast Steamship Company, together with copies of all other papers touching said transaction.

JUDGMENTS OF FEDERAL COURTS.

Mr. GEORGE submitted the following resolution; which was referred to the Committee on the Judiciary:

*Resolved*, That the Committee on the Judiciary be instructed to inquire into the expediency of amending the laws of the United States in relation to liens of judgments rendered in the courts of the United States so as to regulate such liens, as near as may be, by the laws of the several States in which said judgments may be rendered.

RAILROAD RECEIVERS.

Mr. CALL submitted the following resolution; which was read:

*Resolved*, That the Committee on the Judiciary be instructed to report, by bill or otherwise, such legislation as may be necessary to prevent the courts of the United States, in managing railroads through receivers, from depriving lawful creditors of their liens on said railroad and corporate properties by the sale of the properties under receivers' certificates issued under the order of said courts, whereby the title to great railroad properties and vast bodies of the public land of the people of the United States, having a power of taxation over the people, is vested in favorites and combinations of persons selected and approved by the receiver and his confederates.

Mr. CALL. I ask that the resolution be placed on the Calendar, in order that I may call it up hereafter.

The PRESIDENT *pro tempore*. That order will be made, if there be no objection.

SENATOR FROM WEST VIRGINIA.

Mr. HOAR. I move that the credentials of Mr. Faulkner as a Senator from the State of West Virginia, the memorial of Mr. Lucas, and all other papers on the files of the Senate relating to the title to the seat from the State of West Virginia, be taken from the table and referred to the Committee on Privileges and Elections.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. EDMUNDS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After fifteen minutes spent in executive session the doors were reopened, and (at 3 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 13, 1887, at 12 m.

## NOMINATIONS.

*Executive nominations received by the Senate the 12th day of December* 1887.

ASSOCIATE JUSTICE OF THE SUPREME COURT.

Lucius Q. C. Lamar, of Mississippi, to be associate justice of the Supreme Court of the United States, in place of William B. Woods, deceased.

ASSISTANT SECRETARY OF STATE.

George L. Rives, of New York, to be Assistant Secretary of State, *vice* James D. Porter, resigned.

POSTMASTER-GENERAL.

Don M. Dickinson, of Michigan, to be Postmaster-General in place of William F. Vilas, who has been nominated to be Secretary of the Interior.

SECRETARY OF THE INTERIOR.

William F. Vilas, of Wisconsin, to be Secretary of the Interior, in place of Lucius Q. C. Lamar, who has been nominated to be associate justice of the Supreme Court of the United States.

SECRETARY OF THE TREASURY.

Charles S. Fairchild, of New York, to be Secretary of the Treasury, to succeed Daniel Manning, whose resignation has been accepted.

ASSISTANT SECRETARY OF THE TREASURY.

Isaac H. Maynard, of New York, to be Assistant Secretary of the Treasury, to succeed Charles S. Fairchild, who has been nominated to be Secretary of the Treasury.

TREASURER OF THE UNITED STATES.

James W. Hyatt, of Connecticut, to be Treasurer of the United States, to succeed Conrad N. Jordan, whose resignation has been accepted.

SECOND COMPTROLLER OF THE TREASURY.

Sigourney Butler, of Massachusetts, to be Second Comptroller of the Treasury, to succeed Isaac H. Maynard, who has been nominated to be Assistant Secretary of the Treasury.

MINISTER TO ARGENTINE REPUBLIC.

Bayless W. Hanna, of Crawfordsville, Ind., formerly minister resident and consul-general to the Argentine Republic, to be envoy extraordinary and minister plenipotentiary of the United States to that place.

MINISTER TO AUSTRIA-HUNGARY.

Alexander R. Lawton, of Savannah, Ga., to be envoy extraordinary and minister plenipotentiary of the United States to Austria-Hungary, to fill a vacancy.

MINISTER TO TURKEY.

Oscar S. Straus, of New York City, N. Y., to be envoy extraordinary and minister plenipotentiary of the United States to Turkey, *vice* Samuel S. Cox, resigned.

MINISTER TO BOLIVIA.

S. S. Carlisle, of New Orleans, La., to be minister resident and consul-general of the United States to Bolivia, *vice* William A. Seay, resigned.

SECRETARIES OF LEGATION, ETC.

John G. Walker, of Texas, to be secretary of the legation and consul-general of the United States at Bogota, *vice* V. O. King, resigned.

James R. Hosmer, of New York City, N. Y., to be secretary of legation in Central American States and consul-general of the United States at Guatemala, *vice* D. Lynch Pringle, transferred to the consulate-general at Constantinople.

Samuel T. Williams, of Maryland, to be secretary of the legation of the United States to Brazil, *vice* Charles B. Trail, resigned.

Charles Chaillé Long, of New York City, N. Y., to be secretary of the legation of the United States to Corea.

COMMISSIONER OF FISH AND FISHERIES.

G. Brown Goode, to be Commissioner of Fish and Fisheries, *vice* Spencer F. Baird, deceased.

ASSISTANT REGISTER OF THE TREASURY.

Legh W. Reid, of Virginia, to be Assistant Register of the Treasury, to succeed Roswell A. Fish, whose resignation has been accepted.

COLLECTORS OF INTERNAL REVENUE.

James F. Benedict, of Colorado, to be collector of internal revenue for the district of Colorado, in place of James S. Wolfe, removed.

Whitfield Walker, of Florida, to be collector of internal revenue for the district of Florida, in place of Samuel C. Thompson, removed.

Leonard A. Geigerich, of New York, to be collector of internal revenue for the third district of New York, in place of Morris Friedsam, removed.

Kerr Craige, of North Carolina, to be collector of internal revenue for the fifth district of North Carolina.

CONSULS-GENERAL.

Harold Marsh Sewall, of Bath, Me., consul-general of the United States at Apia.

Jared Lawrence Rathbone, of San Francisco, Cal., to be consul-general of the United States at Paris, *vice* George Walker, resigned.

Charles H. Way, of Savannah, Ga., to be consul-general of the United States at St. Petersburg, *vice* Pierce M. B. Young, resigned.

D. Lynch Pringle, of South Carolina, formerly secretary of legation in Central American States and consul-general at Guatemala, to be consul-general of the United States at Constantinople, *vice* G. H. Heap, deceased.

CONSULS.

R. W. Loughery, of Marshall, Tex., to be consul of the United States at Acapulco, *vice* John A. Sutter, jr., recalled.

L. Austin Spalding, of Lockport, N. Y., to be consul of the United States at Aix-la-Chapelle, *vice* Henry F. Merritt, transferred to Chemnitz.

Frank D. Hill, of Goodhue County, Minnesota, to be consul of the United States at Asuncion, *vice* Rule Letcher, recalled.

William O. Patton, of Murphy, N. C., to be consul of the United States at Bahia, *vice* John B. Weaver, recalled.

Lewis Gebhard Reed, of Brooklyn, N. Y., to be consul of the United States at Barbadoes, *vice* Robert Y. Holley, suspended.

Henry Vincent Lamantia, of New Orleans, La., to be consul of the United States at Catania, *vice* Albert Woodcock, recalled.

Henry F. Merritt, of Chicago, Ill., formerly consul at Aix-la-Chapelle, to be consul of the United States at Chemnitz, *vice* George C. Tanner, transferred to Pictou, Nova Scotia.

Victor Vifquain, of Nebraska, formerly consul at Barranquilla, to be consul of the United States at Colon (Aspinwall), *vice* Robert K. Wright, jr., resigned.

James C. Quiggle, of Clinton County, Pennsylvania, to be consul of the United States at Port Stanley and St. Thomas, Ontario, *vice* Allen Francis, deceased.

N. J. George, of Tennessee, to be consul of the United States at Charlottetown, Prince Edward Island, *vice* Henry M. Keim, resigned.

Henry A. Ehninger, of New York City, to be consul of the United States at Cienfuegos, *vice* William P. Pierce, suspended.

Alexander R. Webb, of St. Louis, Mo., to be consul of the United States at Manila, *vice* Julius G. Voigt, resigned.

Edward J. Hill, of Duplin County, North Carolina, to be consul of the United States at Montevideo, *vice* Preston L. Bridgers, resigned.

Henry C. Borstel, of Rockland, Me., to be consul of the United States at Pernambuco, *vice* Henry L. Atherton, resigned.

George C. Tanner, of Spartanburgh, S. C., formerly consul at Chemnitz, to be consul of the United States at Pictou, Nova Scotia, *vice* Edmund Johnson, transferred to the consulate at Kehl.

D. M. White, of Peterborough, N. H., to be consul of the United States at Sherbrooke, *vice* Gustavus Lucke, resigned.

Edward C. Weilep, of Galena, Kans., to be consul of the United States at Sonneberg, *vice* Oscar Bischoff, resigned.

Richard W. Dunlap, of Tennessee, to be consul of the United States at Stratford, Ontario.

Henry F. Downing, of New York City, N. Y., to be consul of the United States at St. Paul de Loando, to fill a vacancy.

Edward P. Crane, of Schooley's Mountain, N. J., to be consul of the United States at Stuttgart, *vice* Charles P. Kimball, resigned.

John O. Bridges, of Massena, N. Y., to be consul of the United States at Brockville, Ontario.

James B. Chess, of Indiana, to be consul of the United States at Durango.

Almar F. Dickson, of Thorndike, Mass., to be consul of the United States at Gaspé Basin, *vice* George H. Holt, resigned.

SPECIAL EXAMINER OF DRUGS, ETC.

Robert I. Bowie, of California, to be special examiner of drugs, medicines, and chemicals in the district of San Francisco, in the State of California, to succeed Auguste Alers, deceased.

COLLECTORS OF CUSTOMS, ETC.

Charles C. Hubbard, of Connecticut, to be collector of customs for the district of Hartford, in the State of Connecticut. New office.

William M. Stark, of Connecticut, to be collector of customs for the district of New London, in the State of Connecticut, to succeed Benjamin R. Tate, whose resignation has been accepted.

Nathan Cleaves, of Maine, to be surveyor of customs for the port of Portland, in the State of Maine, to succeed Bion Bradbury, deceased.

Stephen S. Mitchell, of Maine, to be collector of customs for the district of Saco, in the State of Maine, in place of George Parcher, removed.

Van Buren Chase, of Massachusetts, to be collector of customs for the district of Barnstable, in the State of Massachusetts, in place of Franklin B. Goss, removed.

Michael P. Curran, of Massachusetts, to be assistant appraiser of merchandise in the district of Boston and Charlestown, in the State of Massachusetts, to succeed Henry P. Kitfield, appointed general appraiser of merchandise under a temporary commission.

Henry P. Kitfield, of Massachusetts, to be general appraiser of merchandise for the port of Boston, in the State of Massachusetts, to succeed Henry S. Briggs, whose resignation has been accepted.

John Madigan, of New York, to be collector of customs for the district of Dunkirk, in the State of New York, in place of Albert H. Abell, removed.

John W. Martin, of New York, to be collector of customs for the district of Genesee, in the State of New York, in place of Charles E. Morris, removed.

Fred. Klimper, of Ohio, to be appraiser of merchandise for the port of Cincinnati, in the State of Ohio, to succeed Nathaniel Newburg, deceased.

William H. McLyman, of Ohio, to be collector of customs for the district of Miami, in the State of Ohio, to succeed Joseph B. Battelle, whose term of office has expired by limitation.

Hyman Abraham, of Oregon, to be collector of customs for the district of Willamette, in the State of Oregon, in place of Ferdinand N. Shurtleff, removed.

Peter F. Cogbill, of Virginia, to be collector of customs for the district of Petersburgh, in the State of Virginia, in place of James D. Bowie, removed.

P. Stephen Hunter, of Virginia, to be collector of customs for the district of Tappahannock, in the State of Virginia, to succeed Robert M. T. Hunter, whose resignation has been accepted.

SUPERVISING INSPECTORS OF STEAM-VESSELS.

Marshall Parks, of Virginia, to be supervising inspector of steam-vessels for the third district, in place of John Meushaw, suspended, the Senate having declined to advise and consent to the appointment of James Curran, who was heretofore nominated to said office.

Henry S. Lubbock, of California, to be supervising inspector of steam-vessels for the first district, in place of Charles C. Bemis, suspended.

REVENUE SERVICE.

Capt. Leander M. Keene, of Maine, appointed under a temporary commission during the recess of the Senate to be a captain in the revenue service of the United States, to succeed Capt. Joseph Irish, deceased.

Capt. Frederick M. Munger, of Maine, appointed under a temporary commission during the recess of the Senate, to be a captain in the revenue service of the United States, to succeed Capt. Gilbert Knapp, deceased.

Capt. Jefferson A. Slamm, of Massachusetts, appointed under a temporary commission during the recess of the Senate, to be a captain in the revenue service of the United States, to succeed Capt. Samuel S. Warner, deceased.

Capt. Dorr F. Tozier, of Maine, appointed under a temporary commission during the recess of the Senate, to be a captain in the revenue service of the United States, to succeed Capt. Thomas B. Mullett, deceased.

Second Lieut. Percy W. Thompson, of Maryland, appointed under a temporary commission during the recess of the Senate, to be a second lieutenant in the revenue service of the United States in the place of Second Lieut. Owen S. Willey, promoted.

First Lieut. Owen S. Willey, of the District of Columbia, appointed under a temporary commission during a recess of the Senate, to be a first lieutenant in the revenue service of the United States, in the place of First Lieut. Frederick M. Munger, promoted.

First Lieut. George E. McConnell, of the District of Columbia, appointed under a temporary commission during the recess of the Senate, to be first lieutenant in the revenue service of the United States, in place of First Lieut. Dorr F. Tozier, promoted.

Chief Engineer Horace Hassell, of New York, appointed under a temporary commission during the recess of the Senate, to be a chief engineer in the revenue service of the United States, to fill an original vacancy.

Charles W. Munroe, of Massachusetts, appointed under a temporary commission during the recess of the Senate, to be a first assistant engineer in the revenue service of the United States, in the place of First Assistant Engineer Horace Hassell, promoted.

First Assistant Engineer William H. Warren, of New Hampshire, appointed under a temporary commission, during the recess of the Senate, to be a first assistant engineer in the revenue service of the United States, to fill an original vacancy.

Second Assistant Engineer Dennis F. Bowen, of New York, appointed under a temporary commission during the recess of the Senate, to be a second assistant engineer in the revenue service of the United States, to fill a vacancy.

Second Assistant Engineer Orrick N. Turner, of the District of Columbia, appointed under a temporary commission during the recess of the Senate, to be a second assistant engineer in the revenue service of the United States, in the place of Second Assistant Engineer Charles W. Munroe, promoted.

POSTMASTERS.

Louisa T. Long, to be postmaster at Greenville, in the county of Butler and State of Alabama, in the place of Benjamin L. Long, deceased.

William S. Morrow, to be postmaster at Nashville, in the county of Washington and State of Illinois, in the place of Mrs. Sarah Pearson, whose commission expires December 20, 1887.

Louis E. Humrichouse, to be postmaster at Dighton, in the county of Lane and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

William W. Threlkeld, to be postmaster at Scott, in the county of Scott and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

William W. Fish, to be postmaster at Athol, in the county of Worcester and State of Massachusetts, in the place of Lucien Lord, whose commission expires December 30, 1887.

James W. White, to be postmaster at Kosciusko, in the county of Attala and State of Mississippi, in the place of Rasselas Boyd, whose commission expires December 20, 1887.

Hugh C. Armstrong, to be postmaster at Neosho, county of Newton and State of Missouri, in the place of Newton J. Price, deceased.

Herbert Baltenberg, to be postmaster at Hay Springs, in the county of Sheridan and State of Nebraska, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Frank Pay, to be postmaster at Benklemen, in the county of Dundy and State of Nebraska, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Frank A. Campbell, to be postmaster at Woonsocket, in the county of Providence and State of Rhode Island, in the place of George S. Read, whose commission expires December 20, 1887.

Clarence L. Clark, to be postmaster at Janesville, in the county of Rock and State of Wisconsin, in the place of Hamilton Richardson, whose commission expires December 20, 1887.

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## HOUSE OF REPRESENTATIVES.

### MONDAY, *December* 12, 1887.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Thursday last was read and approved.

REPRESENTATIVE-ELECT SWORN IN.

Mr. MCKINLEY. I rise to a question of privilege. Mr. JACOB J. PUGSLEY, a Representative-elect from the Twelfth district of the State of Ohio, who was detained from the organization of the House by reason of illness, is now present, and desires to take the oath of office.

Mr. PUGSLEY presented himself, and was duly qualified by taking the prescribed oath.

CONTINGENT EXPENSES OF STATE DEPARTMENT.

The SPEAKER laid before the House a letter from the Secretary of State, transmitting statements of expenditures from the contingent funds of that Department, and of disbursements by its disbursing officers for the fiscal year ended June 30, 1887; which was laid on the table, and ordered to be printed.

CONTINGENT EXPENSES OF TREASURY DEPARTMENT.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a report of the contingent expenses of that Department for the fiscal year ended June 30, 1887; which was laid on the table, and ordered to be printed.

REFUNDS OF CUSTOMS DUTIES.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a statement of refunds of customs duties for the fiscal year ended June 30, 1887; which was laid on the table, and ordered to be printed.

OBSTRUCTIONS TO NAVIGATION OF RIVERS AND HARBORS.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports from officers in charge of river and harbor districts, respecting interferences with navigation by bridges, causeways, and other structures; which was laid on the table, and ordered to be printed.

CONTINGENT EXPENSES OF WAR DEPARTMENT.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a report of contingent expenses of that Department for the fiscal year ended June 30, 1887; which was laid on the table, and ordered to be printed.

CONTINGENT EXPENSES, ETC., OF POST-OFFICE DEPARTMENT.

The SPEAKER also laid before the House a letter from the Postmaster-General, transmitting a statement of disbursements from the contingent fund of his Department; the names of employés, their compensation and time employed; contracts and proposals for carrying the mails; post-roads established within the year; allowances to and charges against contractors; the finances of that Department and curtailments of expenses; contracts for supplies and services for the Post-Office Department, a report of postal business and agencies in foreign countries; which was laid on the table, and ordered to be printed.

ANNUAL REPORT OF ATTORNEY-GENERAL.

The SPEAKER also laid before the House a letter from the Attorney-General, transmitting his annual report for the year 1887; which was laid on the table, and ordered to be printed.

PRIVATE LAND CLAIMS.

The SPEAKER also laid before the House letters from the Acting Secretary of the Interior, transmitting supplementary reports of the surveyor-general of New Mexico on the following cases; which were severally laid on the table:

Grant to José R. Zamora for the Vallacito de Larato tract, New Mexico, No. 108;

Private land claim known as the grant to Francis de Anaya Almazan for the Cieneguilla tract, No. 115;

Private land claim—the Santa Teresa tract, No. 111;

Private land claim—the Sierra Mosca, tract, No. 75;

Private land claim—the Cañon de Chama tract, No. 71;

Private land claim—the Ojo de la Cabra tract, No. 106;

Private land claim—the San Joaquin del Nacimiento tract, No. 66;

Private land claim—the Luis Jaramillo claim, No. 103;

Private land claim No. 62—the town of Cieneguilla;

Private land claim No. 67—the San Clemente tract, New Mexico;

Private land claim No. 91—the Alameda tract, New Mexico;

Private land claim No. 79—the Arroyo de San Lorenzo tract, New Mexico;

Private land claim No. 99—the Nuestra Seoñra del Pilar tract, New Mexico;

Private land claim No. 76—the town of San Antonio del Rio Colorado tract, New Mexico;

Private land claim No. 96—the grant to Ignacio Chaves *et al.* tract, New Mexico;

Private land claim No. 50—the Cañada de los Apaches tract, New Mexico; and

Private land claim No. 68—the Luis de Armenta grant, New Mexico.

COMPLETION OF REPORTS OF TENTH CENSUS.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, in reference to an additional appropriation required to complete the publication of reports of the Tenth Census; which was laid on the table, and ordered to be printed.

ACCOUNTS SETTLED BY FIRST COMPTROLLER.

The SPEAKER also laid before the House a letter from the Treasurer of the United States, transmitting copies of the accounts rendered to and settled by the First Comptroller for the fiscal year ended June 30, 1887; which was laid on the table, and ordered to be printed.

REPORT OF COMPTROLLER OF THE CURRENCY.

The SPEAKER also laid before the House the annual report of the Comptroller of the Currency to the first session of the Fiftieth Congress; which was laid on the table, and ordered to be printed.

FRENCH SPOLIATION CLAIMS.

The SPEAKER also laid before the House a report of the clerk of the Court of Claims, of claims disposed of by the Court of Claims since December 6, 1886, together with the findings of fact and conclusions of law thereon, with an additional opinion of the court rendered November 7, 1887; which was laid on the table, and ordered to be printed.

REPORTS FROM COURT OF CLAIMS.

The SPEAKER also laid before the House a letter from the clerk of the Court of Claims, transmitting to Congress, in pursuance of section 1057 of the Revised Statutes of the United States, a statement of all judgments rendered by said court for the year ending November 30, 1887, the amounts thereof, the parties in whose favor rendered, and a brief synopsis of the nature of the claims upon which said judgments were rendered; which was entered upon the Journal to be disposed of hereafter.

PROPOSED TERRITORY OF CIMARRON.

Mr. SPRINGER. Mr. Speaker, I desire to present to the House of Representatives the petition of Owen G. Chase, who claims to be elected a delegate from the territory of Cimarron. The petition will explain itself, and since it is not very long I ask that it be read for the information of the House.

There being no objection, the petition was read, as follows:

*To the House of Representatives of the United States:*

The undersigned, a citizen of the United States, and a resident of Cimarron territory, commonly called "The Public Land Strip," respectfully begs leave to submit to the House of Representatives that there are now at least 10,000 American citizens who are bona fide settlers in the said territory; that they are without the protection of local or general laws; that they have been compelled by the necessities of their situation to establish, and they have established and are maintaining, a provisional government, by and for the people, in form truly republican, for their common protection, safety, and welfare. The justification for the establishment of this government over a part of the public domain of the United States must rest upon the necessities of a great community of American citizens otherwise without public law, the well-recognized obligation of self-protection and defense, and the inalienable right of local self-government.

The Public Land Strip was acquired from Texas in 1850. It is bounded on the east by the Cherokee Outlet, on the south by the Panhandle of Texas, on the west by the Territory of New Mexico, and on the north by Colorado and Kansas.

It contains 5,761 square miles, or 3,687,684 acres of excellent agricultural lands. It is well watered with deep running streams of soft, fresh water. It contains exhaustless quarries of building stone, marble, chalk, and bituminous coal.

It is a natural fruit garden, where grapes, plums, and other fruits grow wild and of very superior quality. The people are law-loving and law-abiding, and will never consent to harbor thieves and desperadoes.

In November, 1886, a petition was circulated and numerously signed by leading citizens, appointing a public meeting to convene at Beaver, November 29, 1886. This meeting was attended by a large proportion of the people, and a code of by-laws was adopted, and resolutions unanimously indorsed appointing an election to be held February 22, 1887, to elect nine councilmen (three from each meridian district), who should meet in Beaver March 4, 1887, to act as a territorial council and adopt such measures as, in their judgment, might seem best; and to organize some form of government.

At the appointed time seven of the nine councilmen assembled, canvassed all the election returns, and it appearing that two councilmen had been elected who were ineligible, their places were filled by the selection of the two receiving the next highest number of votes.

The council then organized by electing O. G. Chase president, and Merrett Magann as secretary. The usual oath having been taken, resolutions were at once adopted dividing the territory into three senatorial districts by meridian lines, and seven delegate districts by township lines; and another election ordered to come off November 8, 1887, for the election of nine senatorial councilmen and fourteen delegate councilmen from their respective districts.

The first council passed laws or acts regulating the rights of matrimony, chattel mortgages, mechanics' liens, etc., all of which have been duly respected and enforced so far as made known.

Such publication of the laws and acts of the territorial legislature was made as the best facilities of the territory allowed.

Public schools have been established, churches organized, and every possible effort made by the people, in their primary capacity, to prepare for a legal Territorial government.

At the election held to elect a representative in Congress your petitioner received a majority of all the votes cast, and the representatives to the senatorial and legislative council were again elected. Returns of the second election, as will be seen by the printed documents herewith submitted, were made to the secretary of the first council, with a view of being canvassed by the incoming council.

From the returns made in regular form, all on printed blanks, it appears that the second election was conducted regularly, and twenty-three good representative men were elected—nine senators and fourteen delegates.

The new council convened at Beaver December 5, 1887, and is therefore in session at this time. From time to time the undersigned will be glad to lay before Congress its legislative actions for information.

The proceedings leading up to the final establishment of this provisional government were peaceful and orderly; were participated in by, practically, all the people, and at every step were marked by the sanction of a voluntary oath to support the Constitution of the United States. They are in perfect accord and harmony with the principles of Territorial government uniformly sanctioned by Congress, and are the patriotic and conscientious work of a law-abiding people, devoted to the institutions of their country.

The formal record of their proceedings and of the laws enacted by the provisional council has been duly kept and published, and will be submitted hereafter.

In direct pursuance of the will of the people of the territory, the undersigned was duly chosen as a delegate to the Fiftieth Congress, and he herewith presents the certificate of his election, attested by the adopted seal of said territory and the signature of the territorial secretary.

Respectfully and humbly appealing for such recognition as the House of Representatives may be graciously inclined to give to a large body of respectable, patriotic, and law-abiding citizens of the United States struggling for order, liberty, and law, the undersigned submits, in their behalf and in their name, his hope that he may be permitted in the House of Representatives to voice their interests and desires.

Very respectfully,

OWEN G. CHASE.

WASHINGTON, D. C., *December* 12, 1887.

Mr. SPRINGER. I submit a resolution for present consideration.

The Clerk read as follows:

*Resolved*, That the petition and certificate of election of Owen G. Chase, claiming to be elected a delegate from the territory of Cimarron, be referred to the Committee on the Territories, when appointed; and that pending the consideration of the organization of a Territorial government for said territory, Mr. Chase be entitled to the privileges of the floor of the House, the same as is now accorded to contesting members.

Mr. MILLS. I hope the latter part of that resolution will not be accepted by the House. Let the whole question be referred to the Committee on the Territories.

Mr. SPRINGER. I wish to yield the floor to the gentleman from Kansas [Mr. PETERS], who represents a district immediately adjoining the strip of land from which it is proposed to organize this territory.

Mr. DUNHAM. I rise to a parliamentary question.

The SPEAKER. The gentleman will state it.

Mr. DUNHAM. Is that resolution in order at this time?

The SPEAKER. It is.

Mr. DUNHAM. Under what rule of the House?

The SPEAKER. Under the general parliamentary law of the country, which permits the introduction of a proposition whenever a gentleman is recognized for that purpose. It is for the House, of course, to say what it will do with the proposition. It may refer it to a committee, lay it upon the table, or refuse to pass upon it in any shape.

Mr. DUNHAM. We have no rules of the House now.

The SPEAKER. The question is determined by the general rules of parliamentary practice.

Mr. SPRINGER. I yield to the gentleman from Kansas.

Mr. PETERS. Mr. Speaker, the tract of land to which reference is made in that petition is what is commonly called "No Man's Land," and lies immediately south of the district I have the honor to represent upon this floor. It is a body of land which offers many inducements to settlement, being quite fertile, and has already a considerable population settled upon it.

As stated in the memorial which has been read here, the resident population of that region—numbering about 10,000 persons—held an informal election for the purpose of selecting a delegate to come here to Congress and represent the interests of the settlers upon that strip. They are desirous of forming a Territorial government, if possible, or at all events of having some legislation which will give them the protection and benefits of the law of the land. At present there is no legal machinery of any kind by which they can acquire title to the lands upon which they have settled. There is no law to protect them in the property they may take with them into the territory; there is no law that protects them or their persons or property from violence while in the territory; there is no law in that section by which they can collect any debt or obligation which may be contracted, and there is no law by which the people of Kansas, or of New Mexico, or of Arkansas can collect any obligation that may be contracted with a settler upon this No Man's Land. There is the utmost need of some legislation touching this land, for it is virtually outside of the pale of the law, and outside of the United States in that respect, although geographically within its limits.

This man who presents the memorial here has been selected by a majority of the voters of this strip as a delegate to represent them and their interests on the floor of this House. He desires permission to come upon the floor of the House for the purpose of seeing members who wish to ask questions in reference to this land, so that they may be able to do this without being called out into the lobby.

He is an old gentleman of most excellent character, and I can assure the members of this House that he will not in any manner bore them with the business before them, but will be here ready to answer any question that members may desire to propound.

I hope the resolution will be adopted giving him the same privileges upon the floor of this House that are now accorded to contesting Delegates.

Any question that gentlemen may desire to ask in reference to this land I will take much pleasure in answering if the House will indulge me for a few moments.

Mr. COX. I desire to ask if this resolution can be divided. There are two matters in it to be discussed and passed upon.

The SPEAKER. The resolution, the Chair thinks, is divisible.

Mr. SPRINGER. I have no objection to the division of the resolution. I desired the gentleman from Kansas, whose district lies nearest to this territory, to state the case. Has the gentleman from Kansas concluded his remarks?

Mr. STEWART, of Vermont. I wish to ask the gentleman from Kansas, what is the extent of this territory?

Mr. PETERS. It is 130 miles long by about 50 miles wide.

Mr. WEAVER. Five times as large as the State of Rhode Island.

Mr. DUNHAM. How does it compare with the State of Iowa?

Mr. SPRINGER. The first part of this resolution simply refers the petition to the Committee on Territories. The second proposition allows the gentleman claiming to be the delegate from that Territory the privilege of the floor, the same as is accorded to gentlemen contesting seats in this House. The gentleman from New York desires the proposition to be divided; to that I have no objection whatever. Hence the first motion submitted to the House will be on referring the petition to the Committee on Territories. The second will be a vote whether, pending the consideration of the resolution, the House will allow the gentleman to come upon the floor, the same as a contesting member.

Mr. BLOUNT. I desire to ask the gentleman from Illinois whether this is an organized Territory.

Mr. SPRINGER. It is.

Mr. BLOUNT. By what authority?

Mr. SPRINGER. By the authority which always adheres to any people that find themselves without a government.

Mr. BLOUNT. Has it been recognized as a Territorial government?

Mr. SPRINGER. It has not. Neither was California recognized until it formed a provisional government and asked to be admitted into the Union. The people there, 10,000 in number, have formed a provisional government, have elected a senate and house of delegates and a delegate to Congress; but they are under no law. They ask that their territory be organized into a Territorial government; that our land laws be extended over them, and that they may acquire titles to the places they have occupied.

There is nothing in this resolution which recognizes their right to a Territorial government. It is simply the question of the reference of a petition. This gentleman represents a large portion of our citizens who come here asking to be recognized, and my proposition is that the petition be referred to the Committee on Territories. I yield for a few moments to the gentleman from New York [Mr. COX].

Mr. COX. I think we are commencing at the wrong end of this business. We do not want two kinds of Territories with two kinds of representation from Territories. I do not think a contest as to a Territory *in futuro* should be called up for reference in this House or otherwise. The gentleman from Illinois has cited the case of California as a precedent. I know the facts connected with that, and they gave rise to infinite trouble. I shall make a motion at the proper time to lay the second branch of the proposition on the table. I will make that motion now if it be in order; to lay on the table the second branch of the proposition, while allowing the first part of it to be referred to the Committee on Territories, or the Committee on Elections, or whatever committee has jurisdiction in the matter.

Mr. SPRINGER. I think the motion to lay on the table is not now in order. I yield five minutes to the gentleman from Georgia [Mr. BLOUNT].

Mr. BLOUNT. I do not desire to occupy five minutes. The resolution provides for the disposition of two topics. It has been uniformly the case, so far as I know, before such matters are acted upon by the House, for the House to determine as to the disposition of its work under the rules. Under the rules of the House there would be no difficulty on the part of the Speaker in disposing of this matter. It seems to me we are going forward too rapidly, and that until the rules are adopted and the work assigned to the different committees, we should not take up this particular case. It does not become the House to do business in that way, and I trust the motion of the gentleman from New York [Mr. COX] will prevail.

Mr. SPRINGER. I now yield to the gentleman from Colorado [Mr. SYMES].

Mr. SYMES. I desire to say a few words merely for the information of the House on this subject, as I had occasion to investigate it in the last Congress on the Territorial Committee.

This is a strip of land 130 miles long and 30 miles wide. It lies about two-thirds south of Kansas and one-third south of Colorado. This is the only strip of land within the boundaries of the United States of America over which the Government has extended no jurisdiction, executive, judicial, or legislative, or land office, by any act of Congress. It was acquired by the United States from the State of Texas about the time that Texas was admitted into the Union.

Some law undoubtedly ought to be passed and ought to have been passed heretofore extending some kind of authority over that strip of land.

Mr. COOPER. Did we not in the last Congress pass a law extending the jurisdiction of the United States district court of Kansas over this strip?

A MEMBER. That law was not signed by the President.

Mr. SYMES. Such a law was passed, but it was not signed by the Executive. Hence I am correct in my statement that no law extending any character of Federal jurisdiction has ever been enacted applicable to this strip of land.

Mr. PETERS. I will state that the bill extending the jurisdiction of the United States district court over this No Man's Land and attaching it to the Garden City land office for land purposes passed the House and the Senate and reached the President two days before the adjournment of Congress, and was not signed by him.

Mr. SYMES. I said that bill had not become a law.

I do think, sir, Federal jurisdiction ought to be extended over this piece of land. Up to two or three years ago it was nothing but a cattle range. Now the eastern portion of it is being settled up by farmers and ranchmen. They ought to have land-office rights; they ought to have the protection of the Federal Government. I desire merely to say this much to the House in order that they may vote intelligently upon the

pending proposition, and I can see no objection to the admission to the privileges of this floor of a representative of these people in the way of a delegate, for the purpose of acting, we may say, as a sort of "lobby" member to look after their interests. That question, however, I do not desire to discuss, as other gentlemen have it in charge.

Mr. CUTCHEON. I will ask the gentleman from Colorado [Mr. SYMES] whether those settlers are on those lands by any authority of law; whether, as matter of fact, they are not simply squatters and trespassers there, without any title whatever?

Mr. WEAVER. They are not trespassers.

Mr. PETERS. They are not trespassers; they are squatters.

Mr. SYMES. Mr. Speaker, by a prescriptive law as old as this country, they are not trespassers; by the decisions of the courts they are not trespassers. You may denominate them squatters if you see fit, but that is not an odious term as I understand it. However, they certainly have as much right there as any settlers that ever settled in the Western country, and ought to be protected by the Federal Government.

Mr. CUTCHEON. But it is admitted that they have no title.

Mr. SYMES. Certainly they have no fee-simple title, because, as I have said, no law has ever been enacted which gives any land office authority to accept pre-emption or homestead filings or entries.

Mr. MILLS. Mr. Speaker, I am in favor of admitting every community when it is sufficiently large to organize a government and send its representatives here. I am in favor of admitting every community into the family of States when it is sufficiently large and populous. But that is a question which this House must determine for itself beforehand, and we should not adopt a resolution admitting to this floor any delegate to represent these people until a committee of the House has examined the preliminary question and passed upon it and submitted its report to the House.

The gentleman from Illinois [Mr. SPRINGER] cites as a precedent the case of California, but, as every gentleman here remembers, California had a large population. But there is another question to which I will call the attention of my friend from Illinois [Mr. SPRINGER]. During the Forty-seventh Congress I was a member of the Committee on Territories, then presided over by my friend from Michigan [Mr. BURROWS]. A gentleman came to this House from the Territory of Alaska, and claimed to have been elected as a Delegate to Congress from that Territory, having at the time perhaps three or four hundred wild Indians behind him as his constituents. He was not admitted to this House, but the question of his admission was referred to the Committee on Territories for investigation and report to the House. Now, sir, in this case, as in the case of Alaska, the question is a question of fact; it is a question which this House must investigate and determine for itself, whether the people asking the admission of this representation are sufficiently numerous to be entitled to a Territorial organization, and to have a representative on this floor. If it proves, after investigation by the Committee on Territories, that their claim is well founded, I shall certainly be willing to vote to accord them representation on this floor; but, as I have said, the question must first be passed upon by a committee of this House before we can properly act upon it.

Mr. SPRINGER. I yield now to the gentleman from New York [Mr. BAKER], who was a member of the Committee on Territories in the last Congress.

Mr. BAKER, of New York. Mr. Speaker, I see no objection to the passage of this resolution, and it seems to me eminently proper that it should be acted upon favorably by the House. The territory in question is a portion of the land which it was proposed to incorporate into the Indian Territory, for which purpose a bill was introduced in the last Congress. This strip, as has been stated by the gentleman from Colorado [Mr. SYMES], is about 130 miles long and 30 or 40 wide. The title to the lands is involved in certain treaties made many years ago between the United States and the civilized tribes of Indians now dwelling in the Oklahoma territory, the Cherokee lands, so called. Of course, in the consideration of creating a Territory there, these Indian titles must be taken into account and disposed of. It is fair to presume that the gentleman who has been sent here by these people is here for the purpose of promoting their interest, and encouraging proper legislation for the protection of that territory and its people. There are, I understand, about 10,000 people there now, squatters, without any right or authority of law; but I understand also that they have exercised a protective influence over the lands and have prevented, to some extent at least, unlawful depredations.

The memorial which has been presented proposes certain legislation, and it is contemplated to introduce a bill for the purpose of carrying that legislation into effect. What shall be found advisable in the premises is for the Committee on Territories to recommend, and it is for this House to act upon that recommendation; but pending such action I think it is proper that this gentleman should be admitted to the floor in order that he may be interviewed by members, and may have an opportunity to communicate intelligence in regard to the territory and the wants of the people.

Mr. STEELE. Is not this the same country from which Payne and his followers were driven by the Government officers?

Mr. PETERS. Oh, no. That was Oklahoma.

Mr. BAKER, of New York. I do not understand that this is the same territory. In the last Congress I opposed the creation of the Territory of Oklahoma, and I stand upon the same ground to-day; but it seems to me proper that some legislation should be enacted extending over this region the authority of the laws of the United States.

Mr. JACKSON. Mr. Speaker——

The SPEAKER. The gentleman from Illinois [Mr. SPRINGER] is entitled to the floor.

Mr. SPRINGER. With what object does the gentleman rise?

Mr. JACKSON. To submit a few remarks upon this question.

Mr. SPRINGER. I yield to the gentleman from Pennsylvania [Mr. JACKSON].

Mr. JACKSON. Mr. Speaker, I think that the question is not now before the House whether there should be law extended over this strip of territory and whether the people residing on it should have relief. The proposition to refer this resolution to the Committee on Territories leaves that an open question, and we perhaps all agree that some legislation concerning this strip of land is most urgently needed.

But I apprehend that there is danger in the House committing itself to the proposition contained in the concluding portion of the resolution, and I am opposed to its passage. To admit a gentleman to the floor of the House purporting to be a delegate, and to give him the rights and privileges of Delegates from regularly organized Territories, seems in some sense at least to recognize this as a Territorial division of the country duly constituted as such. No one, I presume, would seriously advocate that such a small strip of land as this should have a separate Territorial organization and government. It does not need it now, and the most sanguine can not fix the time when we could contemplate its admission into the Union as a State. It never will be entitled to admission as a State, and no one expects it to be.

I would be glad to see legislation that would open these lands to legal settlement and do justice to all.

But it is suggested by the gentleman from Kansas that we should admit the gentleman who purports to be a delegate to a seat on this floor, that he may act as lobbyist in behalf of the people he comes here to represent. There is no need of this, and I dislike even the name of lobbyist when associated with legislation, although I know very well that the gentleman has no reference to any improper action in his suggestion. We all regard it as improper to admit here on this floor an ex-member, who is otherwise entitled to the privilege, when he comes in the character of a lobbyist. But whilst I consider it very objectionable that men coming here in such capacity should be recognized in any way by Congress, I do not wish to be understood as reflecting in the least on the gentleman named in the resolution. I have no doubt he would conduct himself honorably. My objection is to the reason given for his admission. Further, I do not wish that there shall hereafter come before us a question whether this gentleman is entitled to mileage and pay as a delegate, representing, under authority of law, a properly organized Territory, which may be the result if we permit him to occupy the very peculiar position he would have under the concluding portion of this resolution.

I thank the gentleman from Illinois [Mr. SPRINGER] for his courtesy in yielding to me, and further, if he will permit me, I will move to amend his proposition by striking out all after the words providing for a reference of the subject to the Committee on the Territories. The effect of my motion would be to strike out that portion of the resolution which proposes to admit this gentleman to the floor.

Mr. SPRINGER. Mr. Speaker, I think I can make a motion to which everybody will agree. There is no disposition whatever to ask or obtain a hasty judgment upon this matter. This is simply the petition of a citizen of the United States who claims to speak in behalf of 10,000 of our citizens who have settled on a portion of our public domain, and who desire that Congress shall pass such laws as shall give them a government. That is all there is in this proposition; and in order that members may have opportunity to study this question and learn all the facts, I move to refer the resolution to the Committee on the Territories, when appointed, on which motion I move the previous question.

Mr. COX. I move that the petition and accompanying resolution be laid on the table.

The question being taken on the motion of Mr. COX, it was agreed to; there being—ayes 157, noes 53.

So the petition and resolution were laid on the table.

### AMENDMENT OF RULES.

Mr. ADAMS, of Illinois, submitted the following resolution; which was ordered to be referred to the Committee on Rules, when appointed:

*Resolved*, That Rule XV of the Forty-ninth Congress be amended by adding at the end thereof the following:

"Members who voluntarily appear shall, unless the House shall otherwise direct, be immediately admitted to the Hall of the House, and their names reported to the Clerk."

### REPRESENTATIVE-ELECT SWORN IN.

The SPEAKER. The Chair is advised that a member-elect from the State of New York who has not yet taken the oath of office is present. If so, he will please come forward to be qualified.

Mr. PETER P. MAHONEY, Representative-elect from the Fourth dis-

trict of New York, presented himself, and was duly qualified by taking the prescribed oath.

CENTENNIAL OF THE CONSTITUTION, ETC.

Mr. HOOKER submitted the following resolution; which was ordered to be referred to the Committee on Rules, when appointed:

*Resolved*, That a committee of seven members of the House be appointed, to be known as the Select Committee on the Centennial of the Constitution and the Discovery of America, to consider the expediency of celebrating, in 1889, the one hundredth anniversary of the inauguration of the Constitution of the United States, and in 1892 the four hundredth anniversary of the discovery of America by Christopher Columbus.

HARBOR OF ST. JOSEPH, MICH.

Mr. BURROWS. I ask unanimous consent for the consideration of the resolution which I send to the desk. It is simply a resolution of inquiry.

The Clerk read as follows:

*Resolved*, That the Secretary of War be, and he is hereby, directed to cause an examination to be made of that part of the harbor of St. Joseph, Mich., known as the canal or water channel leading to Benton Harbor, with a view of ascertaining what further improvement of the same is necessary to meet the demands of commerce, and that he furnish to this House, as early as possible, an estimate of the cost of the same.

Mr. RANDALL. The clause in regard to an estimate had better be omitted.

Mr. BLOUNT. I object to the adoption of this resolution without reference to a committee.

The SPEAKER. The Chair thinks that the resolution is before the House for consideration, in the absence of any rule at this time providing otherwise, and that the only way to dispose of the resolution is to act on it or refer it.

Mr. BURROWS. It is simply a resolution of inquiry, and seeks merely to obtain a report in relation to work which has been done during the recess.

The SPEAKER. What motion does the gentleman from Georgia [Mr. BLOUNT] make?

Mr. BLOUNT. I move that the resolution be referred to the Committee on Rivers and Harbors, when appointed.

Mr. BURROWS. I do not yield for that purpose.

The SPEAKER. The Chair thought the gentleman from Michigan [Mr. BURROWS] had yielded the floor.

Mr. BURROWS. I had not.

The SPEAKER. The gentleman will proceed, after which the Chair will recognize the gentleman from Georgia [Mr. BLOUNT].

Mr. BURROWS. I desire to state that this is nothing but a resolution of inquiry, and I do not care to debate it. I demand the previous question on the adoption of the resolution.

The SPEAKER. Pending that the gentleman from Georgia proposes to refer. The gentleman from Michigan demands the previous question on the adoption of the resolution.

Mr. BLOUNT. I hope it will be voted down.

The question was put to the House, and the Chair declared the "noes" seemed to have it.

Mr. BURROWS. I demand a division.

The House divided; and there were—ayes 105, noes 103.

So the previous question was ordered.

The SPEAKER. The practice of the House heretofore decided by the Chair will prevail in ordinary legislative proceedings, and the gentleman's motion to refer to the committee is in order, notwithstanding the previous question has been ordered.

Mr. BLOUNT. I make that motion, then.

Mr. RANDALL. The vote taken was on ordering the main question simply. The question now is on the adoption of the resolution.

The SPEAKER. The question is on the motion of the gentleman from Georgia [Mr. BLOUNT] to refer to the Committee on Rivers and Harbors, when appointed.

The motion was agreed to.

COMMITTEE ON INDIAN DEPREDATION CLAIMS.

Mr. LANHAM introduced the following resolution; which was referred to the Committee on Rules, when appointed:

*Resolved*, That Rules X and XI be so amended as to provide for the appointment of a standing committee on Indian depredation claims, to consist of thirteen members; and that all proposed legislation relating to claims of citizens of the United States on account of property destroyed or stolen by Indians, including appropriations therefor, shall be referred to the committee on Indian depredation claims.

COMMITTEE ON PRINTING.

Mr. HOGG submitted the following; which was referred to the Committee on Rules, when appointed:

*Resolved*, That Rule X be, and the same is hereby, amended, so that line 20, on page 241, of the Constitution, Manual, and Digest, will read as follows: "On Printing, to consist of five members."

EPIDEMIC DISEASES, ADMISSIONS TO THE FLOOR, AND SHIP-BUILDING AND SHIP-OWNING.

Mr. PHELAN submitted the following resolution; which was referred to the Committee on Rules, when appointed:

*Be it resolved by the House of Representatives*, First, that Rule X of the Rules of the House of Representatives be amended by inserting, after the words "on Enrolled Bills, to consist of seven members," the words "on Epidemic Diseases, to consist of nine members; on Admission to the Floor, to consist of five members; on American Ship-building and Ship-owning Interests, to consist of thirteen members."

Second, that Rule XI of the Rules of the House of Representatives be amended by inserting, after section 48, the following sections: "49. All matters relating to quarantine and epidemic diseases, to the Committee on Epidemic Diseases. 50. Touching the use of the floor and halls of the House of Representatives, to the Committee on Admission to the Floor. 51. All matters affecting the merchant marine and the ship-building interests of the country, to the Committee on American Ship-building and Ship-owning Interests."

Third, that section 49 of Rule XI of the Rules of the House of Representatives be changed to section 52, and that section 50 be changed to 53.

TIME ALLOWED FOR DEBATE.

Mr. O'NEILL, of Missouri, submitted the following amendment to the rules; which was referred to the Committee on Rules, when appointed:

No member shall have the privilege of disposing of the time allowed for debate, but when he has ceased speaking the Speaker shall designate the member entitled to the floor.

PUBLIC BUILDINGS AND APPROPRIATIONS THEREFOR.

Mr. DIBBLE submitted the following resolution; which was referred to the Committee on Rules, when appointed:

*Resolved*, That among the rules of the House it shall be provided in the rule relating to the "powers and duties of committees," that there shall be referred all proposed legislation relating to the public buildings and occupied or improved grounds of the United States, including appropriations therefor, to the Committee on Public Buildings and Grounds.

DISTRIBUTION OF INDEX OF PROCEEDINGS.

Mr. WHEELER introduced the following resolution; which was referred to the Committee on Printing, when appointed:

*Resolved*, That it shall be the duty of the Public Printer on the first day of each month, or so soon thereafter as practicable, to furnish the President of the United States, the heads of the several Departments, and each Senator and Representative, with a consolidated alphabetical index of the proceedings of this Congress for all preceding months as shown by the CONGRESSIONAL RECORD.

OLEOMARGARINE.

Mr. LAWLER submitted the following resolution; which he moved be referred to the Committee on Ways and Means when appointed, and ordered to be printed in the RECORD:

*Resolved*, That the Secretary of the Treasury be, and is hereby, requested to inform the House of Representatives whether the amount realized from the internal-revenue tax of 2 cents per pound on oleomargarine is needed for the present or future revenues of the Government, and whether the abrogation of this tax would beneficially diminish the Treasury surplus; also, whether it appears affirmatively from official information that the imposition of the oleomargarine tax operates to prevent the consumer from using a food product deleterious to public health, and whether the dairy interests of the country are protected by such tax mutually with the people, to the end that the supply of good and healthy butter is increasing in quantity and diminished in price; also, whether the tax on oleomargarine is not a duty levied upon a home food product, commonly known as butter, whereby the consumer is made to pay the additional duty of the internal tax so levied; this in contravention of the views of the President as expressed in his recent annual message, wherein he states as follows:

"This reference to the operation of our tariff laws is not made by way of instruction, but in order that we may be constantly reminded of the manner in which they impose a burden upon those who consume domestic products as well as those who consume imported articles, and thus create a tax upon all our people."

"Nor can the worker in manufactures fail to understand that while a high tariff is claimed to be necessary to allow the payment of remunerative wages, it certainly results in a very large increase in the price of nearly all sorts of manufactures, which, in almost countless forms, he needs for the use of himself and his family. He receives at the desk of his employer his wages, and perhaps before he reaches his home is obliged, in a purchase for family use of an article which embraces his own labor, to return in the payment of the increase in price which the tariff permits, the hard-earned compensation of many days of toil."

Mr. MILLS. I object.

Mr. LAWLER. I wish to say, Mr. Speaker, I only propose the reference of the resolution to the committee when appointed.

The SPEAKER. If there be no objection the resolution will be referred to the Committee on Ways and Means when appointed.

Mr. PARKER. Mr. Speaker——

Mr. MILLS. I want to appeal to this House not to commence the introduction of bills and joint resolutions at this time. If it is begun it will take two days at least, and we all appreciate the fact that our time is more precious just now in enabling the Speaker to organize the committees of the House. We ought to dispose of that question before beginning to introduce bills.

Mr. HENDERSON, of Iowa. Let me introduce a joint resolution for reference.

Mr. O'NEILL, of Missouri. As I understand it, these are only for reference to the committees when they are appointed.

Mr. MILLS. I know that; but we are not ready yet to receive bills and resolutions for reference. They will only be piled up on the Clerk's desk, and lead to a great deal of confusion, which had better be avoided.

Mr. PARKER. Mr. Speaker, I rose to make a motion in reference to the resolution just read.

The SPEAKER. The Chair did not understand that the gentleman rose for that purpose, but thought when he addressed the Chair it was for the purpose of objecting to discussion. The Chair will of course hear the gentleman's motion.

Mr. PARKER. I wish to move, inasmuch as this resolution involves a question about which we have heard a great deal before, that it be referred to the Committee on Agriculture, when appointed.

The SPEAKER. The Chair thinks the gentleman is in time to make

that motion, having risen for that purpose before the question was taken.

Mr. MILLS. I think it ought not to be referred to that committee. If referred at all it should go to the Committee on Ways and Means. [Cries of "Question!"]

The SPEAKER. This motion is not debatable.

Mr. MILLS. Then I move to lay the resolution upon the table.

Mr. RANDALL. Let it go on the table for the present.

The question being taken, the resolution was laid on the table.

CATTLE AND DAIRY FARMING.

Mr. HENDERSON, of Iowa, by unanimous consent introduced a joint resolution (H. Res. 1) to provide for printing Executive Document No. 51, first session Forty-ninth Congress; which was read a first and second time, referred to the Committee on Printing, when appointed, and ordered to be printed.

AMENDMENT TO THE RULES.

Mr. TARSNEY. I wish to submit a resolution for amending the rules.

The Clerk read as follows:

Amend Rule II by adding the following:

"Clause 2. The Chief Clerk and Journal Clerk shall also, after the organization of the House, be elected by a *viva voce* vote; and the manner of the execution of their duties shall be vested in the Clerk and Speaker, respectively."

The resolution was referred to the Committee on Rules.

COMMITTEE ON ELECTIONS.

Mr. CRISP having taken the chair as Speaker *pro tempore*—

Mr. CARLISLE (the Speaker). Mr. Speaker, it is well known that there is a contest pending which makes it improper for me, as presiding officer of the House, to appoint, in the usual manner, the Committee on Elections. I have left the chair, therefore, for the purpose of asking the House to excuse me from the performance of that duty, and to take such proceedings in reference to the matter as its judgment may dictate.

I have no suggestion whatever to make except to say that the formation of the other committees of the House will be facilitated by having this subject disposed of at the earliest date that will suit the convenience of the members.

Mr. HOLMAN. Mr. Speaker, I submit for immediate consideration by the House the resolution I send to the desk.

The Clerk read as follows:

*Resolved*, That at 1 o'clock p. m. to-morrow the House will proceed to elect, by resolution or otherwise, fifteen members, who shall constitute the Committee on Elections for the present Congress.

Mr. HOLMAN. A single word in reference to this resolution. I think it can be assumed as a fact to be taken for granted by members on both sides of the House, that in the proportions which have been common heretofore of the two parties represented on the committees of the House, the respective sides of the House will designate the gentlemen who will compose the committee under the resolution just read. The early hour of 1 o'clock to-morrow is mentioned, inasmuch as it is quite manifest that the business of the House and the action of the Speaker in forming the other committees will be facilitated by the formation of this committee at the earliest convenient hour.

Unless some gentleman desires to be heard, I shall ask the previous question.

Mr. TURNER, of Georgia. Before the gentleman takes his seat, I would like to inquire whether he proposes to take the sense of the House at this time on the resolution he has just offered?

Mr. HOLMAN. That is the proposition.

Mr. TURNER, of Georgia. I ask the gentleman, then, not to demand the previous question until a substitute can be offered.

Mr. HOLMAN. Very well. I will withdraw the demand for that purpose, if a substitute is prepared, or is in process of preparation.

Mr. TURNER, of Georgia. The Clerk can take the substitute down as I shall presently state it. The question comes up somewhat by surprise to me, and I have not prepared the form of resolution I think should be adopted.

I accord my full admiration to the course the Speaker of the House has just pursued; but I can not, for one, acquiesce in the idea that he should abdicate the usual functions of the Speaker in selecting the Committee on Elections. I believe that the Speaker of the House is better informed about its membership than any one else, and is, therefore, the proper person to be responsible for the character of its committees. I am, myself, therefore, in the face of his declination, opposed to any such abdication of his power, and protest against it.

I believe the embarrassment which he has suggested arises in his mind because of a single contest which involves his own title to a seat on this floor; and I think, as every one will think, that it is right and proper that he should be disembarrassed of any responsibility for the appointment of a tribunal which is first to consider the question of his own election. But that, I think, is far enough for the Speaker and for the House to go, though he has generously proposed to turn over the entire matter to the House.

I propose, as a substitute for the resolution of the gentleman from Indiana, that the House shall confer the responsibility again on the Speaker for the appointment of the Committee on Elections which has to try all the other contests pending before the House, and that as to the trial and determination of his own contest and making the report in his own case there shall be a special committee of fifteen, to be selected by the House, which will relieve him of the responsibility of appointing a committee that shall determine his own case. I ask the Clerk to take down what I shall dictate as a substitute:

*Resolved*, That there shall be selected by the House of Representatives a select committee of fifteen members, to whom shall be referred the election contest of Thoebe *vs.* Carlisle.

The other part of the resolution suits me—that this shall be done to-morrow at 1 o'clock.

Mr. HOLMAN. I do not accept the substitute offered by the gentleman from Georgia for the original resolution. I think that the Speaker of the House is correct in insisting that his case shall stand upon the same footing as all the other contests before the House and shall be considered by the same committee. I think that the action of the Speaker is eminently proper. I think he has pursued the course which both sides of the House expected from him. He has asked the House to name this committee, and I do not think he would consent, if the subject was submitted to him, that a different tribunal should be organized to decide in the first instance the case in which his seat in the House is involved from that which shall decide in the first instance all the other cases of contest that are pending before the House.

Unless some gentleman desires to be heard, I propose now to call the previous question on the two propositions.

Mr. MILLS. Will the gentleman from Indiana yield to me for a moment?

Mr. HOLMAN. I yield to the gentleman from Texas.

Mr. MILLS. When the question was first presented to me this morning by my friend from Indiana, I suggested to him precisely the motion which has been made by the gentleman from Georgia [Mr. TURNER]. I thought that was the proper solution of the question. But on conferring with the Speaker I found he preferred the course indicated by the gentleman from Indiana. It is a question of delicacy; and I appeal to my friends on this side of the House to let the Speaker determine for himself this question, which affects him personally more than others, and to support, therefore, the resolution proposed by the gentleman from Indiana.

The SPEAKER *pro tempore* (Mr. CRISP). The question is first on the substitute for the resolution of the gentleman from Indiana [Mr. HOLMAN] offered by the gentleman from Georgia [Mr. TURNER]. The resolution and substitute will be read.

The resolution was read, as follows:

*Resolved*, That at 1 o'clock p. m. to-morrow the House will proceed to elect, by resolution or otherwise, fifteen members, who shall constitute the Committee on Elections for the present Congress.

The substitute proposed by Mr. TURNER, of Georgia, was read, as follows:

*Resolved*, That there shall be selected by the House of Representatives a select committee of fifteen members, to whom shall be referred the election contest of Thoebe *vs.* Carlisle.

Mr. TURNER, of Georgia. It has been suggested that the same time be inserted in the substitute for the selection of this committee as is stated in the original resolution.

The SPEAKER *pro tempore*. That modification will be made. The question is now on the adoption of the substitute.

Mr. OATES. I would like to inquire of the gentleman from Indiana if the method of election which his resolution contemplates is similar to that adopted by the Senate in selecting its committees.

Mr. HOLMAN. It would be in effect the same. It is taken for granted that each side of the House will select the members it desires to serve on the committee.

Mr. COX. I suggest to the gentleman from Indiana that he should also state there will be a caucus of the Democratic party this evening at half past 7 o'clock for that purpose.

The question being taken on agreeing to the substitute, the Speaker *pro tempore* stated that in the opinion of the Chair the "noes" had it.

Mr. TURNER, of Georgia. I call for a division.

The House divided; and there were—ayes 38, noes 183.

So the substitute was not agreed to.

The resolution offered by Mr. HOLMAN was unanimously agreed to.

Mr. HOLMAN moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. MILLS. As the resolution just adopted makes it necessary for us to hold a session to-morrow, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 1 o'clock and 20 minutes p. m.) the House adjourned.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. S. BAKER: Petition of Josiah D. Decker, of North Hamlin

Board of Trade, Hon. James L. Angle and 200 others, citizens of Monroe County, New York, for the establishment and improvement of a harbor at the mouth of Sandy Creek, on the south shore of Lake Ontario—to the Committee on Rivers and Harbors.

By Mr. BOUND: Petition and remonstrance of 55 citizens of Watsontown, Pa., against the admission of Utah as a State—to the Committee on the Judiciary.

By Mr. BUCHANAN: Memorial of the State Board of Agriculture of New Jersey, urging relief from restrictions placed upon the importation of pork by foreign countries—to the Committee on Foreign Affairs.

Also, memorial of the same, urging further action to prevent pleuropneumonia, cholera, and other diseases—to the Committee on Agriculture.

Also, memorial of same, asking that the Commissioner of Agriculture be made a Cabinet officer—to the Committee on the Judiciary.

Also, petition of Robert Linnickson, of Trenton, N. J., for relief—to the Committee on the Public Lands.

By Mr. BUNNELL: Petition of 200 citizens of Susquehanna County, Pennsylvania, against the admission of Utah as a State with polygamy—to the Committee on the Judiciary.

By Mr. CANNON: Papers in the case of Sylvanus Sanford, for relief—to the Committee on War Claims.

By Mr. CARUTH: Petition of Henry Medley, for relief—to the Committee on Invalid Pensions.

Also, petition of William Spieth, for a pension—to the Committee on Invalid Pensions.

Also, petition and papers of Mrs. Maria Hulse, for relief—to the Committee on Invalid Pensions.

By Mr. COX: Petition of Herman Koplin, late United States Navy, for relief—to the Committee on Invalid Pensions.

By Mr. DUNHAM: Petition of H. Regensburg & Son, and 60 others, citizens of Chicago, Ill., requesting a reduction in dealers' license fees, and removal of other narrow restrictions in the oleomargarine law—to the Committee on Ways and Means.

By Mr. ERMENTROUT: Petition of A. R. Durham and others, of Pennsylvania, against the admission of Utah with polygamy—to the Committee on the Judiciary.

By Mr. T. J. HENDERSON: Petition of J. Griswold, of Lee County, Illinois, for reimbursement of $125 in United States Treasury notes destroyed by fire—to the Committee on Claims.

Also, petition of Mrs. Julia A. Robinson, widow of Alfred, for relief—to the Committee on War Claims.

By Mr. HIESTAND: Seven petitions of citizens of the Ninth district of Pennsylvania, against the admission of Utah as a State while the inhabitants practice polygamy—to the Committee on the Judiciary.

By Mr. LAGAN: Petition of Octave Hymel, of St. John Parish, Louisiana, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. MAISH: Five petitions of citizens of the Twentieth district of Pennsylvania, against the admission of Utah as a State with polygamy,—to the Committee on the Judiciary.

By Mr. McCORMICK: Nine petitions of citizens of the Sixteenth district of Pennsylvania, against the admission of Utah as a State with polygamy—to the Committee on the Judiciary.

By Mr. MILLIKEN: Petition of R. E. Stone and others, asking that a pension be allowed to Charlotte Broad—to the Committee on Invalid Pensions.

By Mr. MORROW: Petition of wholesale and retail druggists, manufacturers of perfumery, pharmaceutical and chemical preparations in the city of San Francisco, recommending the repeal of the internal-revenue tax on distilled spirits—to the Committee on Ways and Means.

Also, resolutions of the Wool Association of California, protesting against the repeal or reduction of the tariff on wool—to the Committee on Ways and Means.

Also, petition of brewers and wine merchants of San Francisco, for the allowance of drawbacks on the re-exportation of imported bottles, corks, and metallic bottle capping by bottlers of domestic beer, wine, and brandy—to the Committee on Ways and Means.

Also, petition of Fruit Growers' Convention of California, asking for an appropriation to defray the expenses of an entomologist to visit Australia for the purpose of investigating the scale insects, etc.—to the Committee on Agriculture.

Also, resolutions of the same, to carry into effect the agricultural-experiment stations act—to the Committee on Agriculture.

Also, resolutions of the same, for the passage of a bill protecting the forest lands of the United States—to the Committee on Agriculture.

Also, petition of the Chamber of Commerce of San Francisco, for seacoast defenses—to the Committee on Appropriations.

Also, resolutions of the same, recommending an appropriation for the purpose of laying a cable from San Francisco to South Farallone Island—to the Committee on Military Affairs.

Also, resolutions of the same, recommending an appropriation for the repairs of the United States war ship Hartford—to the Committee on Naval Affairs.

Also, resolutions of the same, recommending treaty alliances with the authorities in possession of the various islands in the Pacific Ocean for the purpose of securing the commercial privileges which the position of our country entitles it to—to the Committee on Foreign Affairs.

Also, resolutions of the Methodist Episcopal Conference of California, for a council and high court of international arbitration—to the Committee on Foreign Affairs.

By Mr. NEAL: Papers in the claim of William Clift; of Luther M. Blackmann; of Rev. H. V. Brown; of Thomas B. McElwee, and of James W. Roulston—to the Committee on War Claims.

By Mr. NELSON: Petition of the Board of Trade of Minneapolis, Minn., in favor of a national telegraph system—to the Committee on the Post-Office and Post-Roads.

Also, petition of the same, favoring legislation for the reduction of the surplus in the Treasury—to the Committee on Ways and Means.

By Mr. PENINGTON: Memorial of Charles Gallagher, asking reimbursement for the loss of his schooner Nimrod and cargo—to the Committee on War Claims.

By Mr. REED: Petition of the National Temperance Society, officially signed by Rev. Dr. Theo. Cuyler, president, and J. N. Stearns, corresponding secretary, asking for a commission of inquiry concerning the alcoholic liquor traffic—to the Committee on Alcoholic Liquor Traffic.

Also, papers relating to the claims of Everard Flynn for a pension—to the Committee on Invalid Pensions.

By Mr. SAWYER: Petition asking an appropriation to each State and seven Territories for the purpose of drilling wells, etc.—to the Committee on Appropriations.

By Mr. SOWDEN: Petition of A. C. Graham and others; of David Williams and others; of Rev. D. Harbison and others; of John Thomas and others; of W. E. Dosten and others; of Rev. D. M. James and others; of J. F. Green and others; of G. H. Nute and others; of H. G. Tombler and others; of W. G. Stewart and others; of Ed. J. Fox and others, and of G. V. Wallace and others, of Pennsylvania, against the admission of Utah as a State with polygamy—to the Committee on the Judiciary.

By Mr. STONE, of Missouri: Petition of Joseph B. McClintock; of James S. Frizzell; and of John Q. Ward, executor of Marcus L. Broadwell, for relief—to the Committee on War Claims.

By Mr. TOOLE: Petition of the Board of Trade of Helena, Mont., for amendment of alien land law exempting miners from its operation—to the Committee on the Judiciary.

By Mr. TOWNSHEND: Petition of 61 citizens of Franklin County, Illinois, praying that Jesse Cleveland, a soldier in the Black Hawk war, be placed on the pension-roll—to the Committee on Pensions.

By Mr. WHEELER: Petition of Mary A. Allen, widow of N. G. Allen; of Stephen J. Matthews; of Lewis T. Martin; of Mary Jane Fulkes, late widow of Arthur Forbes; of George W. Kenward; and of William R. Hanserd, of Alabama, asking that their claims be referred to the Court of Claims—to the Committee on War Claims.

By Mr. WHITTHORNE: Petition of Harriet Day; of J. C. Burgess; of Mrs. Annette Carter; of Thomas J. Whitaker; of Joseph M. Sowell; of members of the Cumberland Presbyterian Church, at Calhoun, Tenn.; and of Walter Aken, of Tennessee, for relief—to the Committee on War Claims.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. C. L. ANDERSON: Of citizens of Lauderdale County; of Neshoba County; of Clark County; of J. M. Johnson and others; and of W. J. Clark and others, of Mississippi.

By Mr. BARRY: Of M. D. Watson and others, citizens of Mississippi.

By Mr. BOOTHMAN: Of William B. Spram and 86 others, of Van Wert County; of R. J. Babcock and 60 others, of Fulton County; and of J. M. Brown and 46 others, of Wood County, Ohio.

By Mr. BOUND: Of citizens of Paxton, Dauphin County, Pennsylvania.

By Mr. BOWEN: Twenty-one petitions of citizens of the several counties of the Ninth district of Virginia.

By Mr. BROWER: Four petitions of citizens of Caswell County, North Carolina.

By Mr. J. R. BROWN: Fifteen petitions from the several counties composing the Fifth district of Virginia.

By Mr. BUNNELL: Of citizens of Bradford County and of Wyoming County, Pennsylvania.

By Mr. CLARDY: Of C. J. Moore and 34 others, citizens of Missouri.

By Mr. COWLES: Of citizens of Weaversford and of Apple Grove, Ashe County; of State Road, Surry County; of Ellendale, Alexander County; and of Perkinsville, Burke County, North Carolina.

By Mr. CROUSE: Of W. H. Dickerhoof and others, of Summit County, Ohio.

By Mr. DARLINGTON: Of William Cunningham and others; and of Charles H. White and others, of Chester County, Pennsylvania.

By Mr. R. H. M. DAVIDSON: Of C. C. Todd and 21 others, of Hernando; of W. G. Lang and others, of Calvinia; and of J. B. Epperson and others, of Williston, Fla.

By Mr. DOCKERY: Of 28 citizens of Claytonville, Mo.

By Mr. ENLOE: Of F. T. Bray and 50 others, citizens of Decatur County, Tennessee.

By Mr. GROUT: Of J. Knapp and 45 others, of Dummerston; of Albert Buxton and others, of Slab Hollow; and of S. W. Peabody and 37 others, of Simonsville, Vt.

By Mr. HOGG: Of J. M. Jackson and 68 other citizens; and of Valentine McDowell and 37 others, citizens of West Virginia.

By Mr. HOWARD: Of citizens of Kossuth, Washington County, Indiana.

By Mr. JACKSON: Of citizens of Barrisville, Pa.

By Mr. McCLAMMY: Of M. L. Moore and others, and of W. J. Lee and others, of North Carolina.

By Mr. MILLIKEN: Of F. E. Hallowell and others; of C. G. Dodge and others; of A. R. Crane and others; of J. S. Martin and others; of C. M. Plummer and others; of Allen Harriman and others; of C. A. Merrill and others; of G. F. Moore and others; of J. D. Lawson and others; and of Asa Carter and others, of Maine.

By Mr. MORGAN: Of J. R. Smith and others, of Orizaba, and of S. C. Darden and others, of Darden, Miss.

By Mr. NICHOLS: Of J. S. Wernn and others, of Mount Vernon Springs, and of J. A. Edwards and others, of Red Oak, N. C.

By Mr. OATES: Petition of C. A. Trawick and 21 others, of Russell County, and of Brantley H. Segraves and 81 others, citizens of Coffee County, Alabama.

By Mr. REED: Of A. H. Davis and others, of Newfield, Me.

By Mr. RICHARDSON: Of J. M. Graham and 21 others, citizens of Franklin County, and of J. B. McFerrin and 69 others, citizens of Lincoln County, Tennessee.

By Mr. ROWLAND: Of citizens of Query's, Mecklenburgh County, and of citizens of Alma, Robeson County, North Carolina.

By Mr. STEWART, of Texas: Of citizens of Cedar Bayou; of Winfree; of A. R. Hansen and others, and of W. F. Simmons and others, of Texas.

By Mr. STONE, of Kentucky: Five petitions of citizens of Kentucky.

By Mr. STONE, of Missouri: Of N. G. Ulmer and other citizens of Jasper County, Missouri.

By Mr. A. C. THOMPSON: Of citizens of Lawrence County, of Gallia County, of Adams County, and of Scioto County, Ohio.

By Mr. TILLMAN: Of citizens of Daniel, of Franklin, of Ehrhardt, of Varnville, of Modoc, of Plum Branch, and of Morgana, S. C.

By Mr. TOWNSHEND: Of J. W. Sterritt and other citizens of Saline Mines, Ill.

By Mr. WALKER: Of citizens of South Fork; of Homeland; and of Siloam Springs, Mo.

By Mr. WHEELER: Of James Hilton and others, citizens of Alabama.

By Mr. WHITTHORNE: Of William King and 68 others, of Nolensville; of D. G. Harrison and 18 others, of Lawrence County; of W. L. Bell and 10 others, of Wayne County; of H. J. Blake and 48 others; and of J. M. Harder and 22 others, of Lewis County, Tennessee.

By Mr. WISE: Of citizens of Henrico County; of Hanover County; of Goochland County; of King William County; and of New Kent County, Virginia.

By Mr. YOST: Of citizens of Stover's Shop; of Moffatt's Creek; of Well Water; of Galt's Mill; of Laurel Hill; of Gidsville; and of Snowden, Va.

By Mr. YODER: Of 69 citizens of Montra, Shelby County; of West Newton, Allen County; of Glenwood; and of Buckland, Auglaize County, Ohio.

By Mr. YARDLEY: Of citizens of Montgomery County, Pennsylvania.

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## SENATE.

### TUESDAY, *December* 13, 1887.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

#### THE JOURNAL.

The Journal of yesterday's proceedings was read.

Mr. PUGH. I desire to make a correction in the Journal. I see that I am reported as having moved to the Committee on Claims the reference of a joint resolution that I introduced in relation to the claim of John B. Read against the United States, for the alleged use of projectiles for rifled ordnance, claimed as the invention of said Read, and by him alleged to have been used pursuant to a contract or arrangement made between him and the War Department in 1856, for which no compensation has been made; also, in relation to the claim of William E. Woodbridge, based upon the plea of alleged priority in this line of invention. I disclaim having made any such motion. The remarks made by the Senator from Massachusetts [Mr. HOAR] in favor of its reference to the Committee on Patents I did not hear. There was so much confusion in the Chamber that what he said was not understood by me.

The Senator from Connecticut [Mr. PLATT] stated that the joint resolution, or one like it, had been before the Committee on Patents, and he moved that this joint resolution be referred to the committee that originally had charge of it and originally reported on it. That is a mistake. The first report made on the bill was by the Military Committee, through its then chairman, Mr. Howe, and it was a favorable report. The joint resolution, in as many as three Congresses, has been referred to the Committee on Military Affairs, and considered and reported upon favorably by that committee.

The language of the joint resolution was corrected by Senator Logan while he was chairman of the Military Committee, and it was framed so as to enlarge the range of the investigation by the board of Army officers that the measure authorized the Secretary of War to appoint.

The joint resolution simply authorizes the Secretary of War to appoint a board of Army officers from the ordnance and artillery service to investigate all the facts in regard to this claim and report them to Congress. There is no recognition of any claim in the joint resolution, and there is no appropriation asked. It simply authorizes an investigation by the Army officers of all the facts, to be reported to Congress, and then Congress will consider whether it is proper to make any appropriation to meet the claim.

I desire to move a change of the reference from the Committee on Patents to the Committee on Military Affairs, which has made, I think, as many as three favorable reports upon the subject. The present chairman of the Military Committee, the Senator from Connecticut [Mr. HAWLEY], is familiar with this measure; several members who were on that committee heretofore and are on the committee now are familiar with it; and I think it would be a reflection upon that committee to deprive it of jurisdiction now and refer the measure to a new committee.

I hope that the change of reference will be made from the Committee on Patents to the Committee on Military Affairs.

The PRESIDENT *pro tempore*. The Chair will take this occasion to say that the question now pending is whether the Journal shall stand approved. The Senator from Alabama complains of a debate that appears in the RECORD. The Chair does not understand him to make any suggestion about the amendment of the Journal.

Mr. PUGH. The amendment I desire to make is a correction of the statement that I moved that the bill be referred to the Committee on Claims. I made no such motion.

The PRESIDENT *pro tempore*. No such motion appears on the Journal.

Mr. PUGH. The remarks that I made show on their face that the committee that I desired to consider the claim was the Committee on Military Affairs, as I stated that that committee always had had charge of it and had made several reports.

The PRESIDENT *pro tempore*. If there be no objection, and no motion to correct, the Journal will stand approved as read.

Mr. PUGH. I have moved a correction of the Journal in that respect.

The PRESIDENT *pro tempore*. The Chief Clerk will read the Journal as it stands with regard to the joint resolution to which the Senator from Alabama alludes.

Mr. PUGH. What I thought was in the Journal I find in the RECORD. I thought it was copied from the Journal.

The PRESIDENT *pro tempore*. Does the Senator from Alabama make any motion in regard to the Journal?

Mr. PUGH. I do not make any motion if the statement is not made in the Journal that I moved the reference of the bill to the Committee on Claims.

The PRESIDENT *pro tempore*. The Chief Clerk will read the entry which appears in the Journal.

The Chief Clerk read as follows:

By Mr. PUGH: A joint resolution (S. R. 5) in relation to the claim of John B. Read against the United States for the alleged use of projectiles for rifled ordnance claimed as the invention of said Read, and by him alleged to have been used pursuant to a contract or arrangement made between him and the War Department in 1856, for which no compensation has been made; also in relation to the claim of William E. Woodbridge based upon the plea of alleged priority in this line of invention—to the Committee on Patents.

Mr. PUGH. As there is no statement in the Journal that I made a motion to refer the joint resolution to the Committee on Claims, there is nothing left for me to do but to move that the reference be changed from the Committee on Patents to the Committee on Military Affairs, if that motion is now in order.

The PRESIDENT *pro tempore*. If there be no objection, the Journal, as read, will stand approved.

#### CHANGE OF REFERENCE.

Mr. HOAR. I rise merely to make a suggestion, so that the matter may not take the time of the Senate again. I suppose there will be no objection to changing the reference by unanimous consent now, to the Committee on Military Affairs.

The PRESIDENT *pro tempore*. The Chair would hold that by unanimous consent the reference may be so changed, the Committee on Patents discharged, and the joint resolution referred to the Committee on Military Affairs. Is there objection? The Chair hears none; and it is so ordered.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Commissioner of Agriculture, transmitting, in response to a resolution of the 7th instant, certain information in regard to a patent for the process connected with experiments in the manufacture of sugar from sorghum, conducted under the auspices of the Government; which, on motion of Mr. PLUMB, was ordered to lie on the table and be printed.

COAST AND GEODETIC SURVEY REPORT.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting the annual report of the Superintendent of the Coast and Geodetic Survey for the fiscal year ending June 30, 1887; which was ordered to lie on the table and be printed.

GEORGE E. PAYNE.

The PRESIDENT *pro tempore* laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the opinion of the court dismissing, for want of jurisdiction, the case of George E. Payne, filed March 14, 1887; which was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented resolutions of the Department of Montana, Grand Army of the Republic, condemning the Presidential veto of the dependent pension bill; which were referred to the Committee on Pensions.

Mr. FRYE presented a petition of citizens of St David, Aroostook County, Maine, praying that increased compensation be allowed fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the New York Committee for the Prevention by State Regulation of Vice, praying for the better legal protection of young girls in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the National Temperance Society, officially signed, praying for a commission of inquiry concerning the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

Mr. PASCO presented the petition of Thomas Marshall and 18 other citizens of St. John's County, Florida, and the petition of J. H. Harrell and 35 other citizens of the State of Florida, praying additional compensation for fourth-class postmasters; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. BUTLER presented a resolution of the Cotton Exchange of Charleston, S. C., in relation to the greater security of life and property at sea; which was referred to the Committee on Commerce.

Mr. HALE presented the petition of M. J. Richardson and others, and the petition of C. L. Tracy and others, citizens of the State of Maine, praying for an increase of the compensation of fourth-class postmasters; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. DAVIS presented the petition of William Fletcher, captain United States Army, praying that an act may be passed to authorize the President to place him on the retired-list with the grade of major, for over forty years' active service; which was referred to the Committee on Military Affairs.

Mr. QUAY presented a petition of the Synod of the Reformed Presbyterian Church of North America, praying that an amendment be made to the interstate-commerce law to restrain traffic and travel on the Lord's day; which was referred to the Committee on Interstate Commerce.

Mr. PLUMB presented a petition of the Emigration Society of Concord, Gadsden County, Florida, composed of colored people, praying that Congress take steps in aid of their proposed emigration to Liberia; which was referred to the Committee on Commerce.

Mr. WILSON, of Iowa. I present the petition of A. H. Hamilton and 172 others, citizens of Iowa, praying for an amendment of the internal-revenue law so as to prohibit persons who may pay special taxes to the United States as manufacturers or wholesale or retail dealers of spirituous, malt, or vinous liquors from conducting such business in any State, or municipal corporation, or other place, in violation of the laws or regulations of the same, or either of them, and to require all persons who may apply for the payment of the special taxes aforesaid to present with such application the certificate of the proper State or local authority, showing that the person so applying has complied with the State or local laws in respect to such manufacture and sale of said liquors, and providing proper penalties for any and all violation of such laws as may be enacted to effect the purpose of the petition.

As the petition relates to an amendment of the revenue laws, I move that it be referred to the Committee on Finance.

The motion was agreed to.

Mr. BLAIR presented the petition of Hon. T. D. Kanause and other officers of the Grand Lodge of Good Templars of Dakota, praying for a commission of inquiry regarding the manufacture and use of alcoholic liquors and their relation to crime; which was referred to the Committee on Education and Labor.

He also presented the petition of the Saranac Woman's Christian Temperance Union, praying for the passage of the educational bill; which was referred to the Committee on Education and Labor.

Mr. CALL presented the petition of J. W. Platt, James Gaskins, W. L. Mobley, B. L. Ray, W. W. Williamson, and J. W. Wells, members of the board of trustees of the church and cemetery in the county of Pasco, in the State of Florida, praying for permission to enter certain public lands of the United States which have been used for church and cemetery purposes; which was referred to the Committee on Public Lands.

Mr. MITCHELL presented the petition of Thomas Redmond, late a teamster in the Quartermaster's Department, United States Army, praying to be allowed a pension; which was referred to the Committee on Pensions.

He also presented the petition of George A. Barnes, late surety on the bond of Joseph Cushman, receiver of public moneys at Olympia, Wash., praying for a refund of money wrongfully covered into the Treasury of the United States; which was referred to the Committee on Claims.

Mr. MITCHELL. I present certain papers, memorials, resolutions, etc., urging the passage of a bill introduced yesterday by my colleague [Mr. DOLPH], being the bill (S. 39) to grant an increase of pension to Frederick Beno. I desire to call the attention of the Committee on Pensions especially to this case. The affidavit of the physician, which is very brief, states the case, and is as follows:

STATE OF OREGON,
*County of Multnomah, ss:*

On this 11th day of November, 1887, personally appeared before me W. W. Royal, a practicing physician, residing in East Portland, county and State aforesaid, who, being duly sworn, deposes and says: That he has this day carefully examined Frederick Beno, an applicant for increase of pension, and found him a complete and total wreck, both physically and mentally; that he is unable to stand on his feet, can not dress or undress himself, and is almost helpless.

W. W. ROYAL, M. D.

Subscribed and sworn to the day and year first above written.

W. F. CREITZ,
*Notary Public in and for the State of Oregon.*

This soldier is drawing a pension now of $72 a month, which is all the Department can allow. I visited him while home. From his manner it is apparent that he is suffering continuous excruciating pain. I suppose there is not a more meritorious case in the United States of America. A bill for his relief passed the Senate at the last session. I urge the Committee on Pensions to make an early and favorable report. I move that the papers be referred to the Committee on Pensions.

Mr. CULLOM. If it is the purpose of the Senator to put the bill on its passage, and it is a bill to increase the pensions of those who are entirely dependent, requiring another person to attend upon them, there ought to be a general bill embracing all that class of persons, a part of whom are now getting $72 a month and the other portion $50. They are all equally dependent, and there ought to be a general bill passed giving to that class of persons $72 a month.

The PRESIDING OFFICER (Mr. PLATT in the chair). The Chair will inform the Senator from Illinois that this is merely a memorial, the reference of which is asked to the Committee on Pensions.

Mr. CULLOM. I thought it was a bill.

Mr. MITCHELL. I agree to all that the Senator from Illinois has said. My only purpose was to bring the attention of the Committee on Pensions to this very meritorious case, and to express the hope that there would be an early report upon it.

The PRESIDING OFFICER. The papers will be referred to the Committee on Pensions.

Mr. SHERMAN presented the petition of General Lewis Gove Brown, late of the One hundred and seventeenth United States Volunteer Infantry, praying to be allowed a pension at the rate of $100 a month; which was referred to the Committee on Pensions.

Mr. HOAR presented a petition of the Massachusetts Branch of the Church Temperance Society, praying for the passage of a law to authorize the Bureau of Statistics to investigate and report the facts concerning the cost of intemperance to the whole country and the relation of intemperance to crime; which was referred to the Committee on Education and Labor.

Mr. RIDDLEBERGER presented a petition of citizens of Virginia, praying for the passage of the so-called Colquitt bill to regulate liquor licenses in the District of Columbia; which was referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES.

Mr. MORRILL. I am directed by the Committee on Finance, to whom was referred the bill (S. 139) to credit and pay to the several States and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861, to report it favorably without amendment.

I will say that this is the bill unanimously reported by the Committee on Finance which last year passed on a yea-and-nay vote with only one in the negative. I shall call it up at an early day; and if Senators desire further information on the subject they will find it in Executive Document No. 158 of the Forty-ninth Congress, first session.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

PRINTING FOR FINANCE COMMITTEE.

Mr. MORRILL. I am directed by the Committee on Finance to report a resolution, and I ask for its present consideration.

The resolution was considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the Committee on Finance have authority to order necessary printing in connection with their examination of subjects relating to the revenue or the collection thereof.

BILLS INTRODUCED.

Mr. INGALLS (Mr. PLATT in the chair) introduced a bill (S. 583) to remove the limitation in the payment of arrears of pension; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 584) granting arrears in certain cases to those pensioned by special acts of Congress; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 585) for the relief of William Mackey; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 586) for the relief of Asher W. Foster; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 587) for the relief of Christian Frederichsen; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 588) to authorize the commissioners of the District of Columbia to condemn land on Rock Creek for the purposes of a park, to be called Rock Creek Park; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also (by request) introduced a bill (S. 589) to amend section 685 of the Revised Statutes relating to the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also (by request) introduced a bill (S. 590) to incorporate the Washington Electric Central Railroad Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also (by request) introduced a bill (S. 591) to amend an act entitled "An act to incorporate the Washington and Georgetown Railroad Company," approved May 17, 1862, and acts amendatory thereto; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 592) for the relief of Isaac O. Savage; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 593) for the relief of S. D. Houston; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 594) for the relief of Alexander J. Mueller; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 595) to authorize the payment of extra compensation to Robert J. Mitchell, recently a clerk in the Treasury Department; which was read twice by its title, and, with the accompan; ing papers, referred to the Committee on Claims.

He also introduced a bill (S. 596) granting a pension to William M. Hendrix; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SHERMAN introduced a bill (S. 597) to relieve George K. Smith from the charge of desertion; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 598) for the preservation of the woods and forests of the national domain adjacent to the sources of the navigable rivers and their affluents in the United States; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. McPHERSON introduced a bill (S. 599) in regard to a monumental column to commemorate the battle of Trenton, and appropriating $30,000; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 600) authorizing the Secretary of the Treasury to make final adjustment of claims of certain foreign steamship companies arising from the illegal exaction of tonnage dues; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 601) for the extension and repair of the public building at Newark, N. J.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 602) for the relief of James Millinger; which was read twice by its title, and referred to the Committee on Claims.

Mr. GORMAN introduced a bill (S. 603) for the relief of Thomas P. Morgan, jr.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 604) for the relief of the heirs and legal representatives of Gerard Wood, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 605) for the relief of John N. Trook, administrator of William Hughes, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 606) to incorporate the Washington Safe Deposit and Trust Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 607) for the relief of Juliet C. Palmer, widow and administratrix of James C. Palmer, late Surgeon-General United States Navy; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 608) for the relief of Robert Morrison and Laura E. Maddox, executor and executrix of Joseph H. Maddox, deceased, and others; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 609) for the relief of Frank Della Terre and Susan F. Della Terre, heirs of Peter Della Terre, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 610) directing the Secretary of the Treasury to examine and settle the accounts of certain States and the city of Baltimore growing out of moneys expended by said States and the city of Baltimore for military purposes during the war of 1812; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 611) to provide for paying certain advances made to the United States by the States of Maryland and Virginia; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 612) for the relief of Alfred B. Mullett; which was read twice by its title, and referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 613) to amend an act entitled "An act to regulate commerce," approved February 4, 1887; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. CULLOM. I desire to state, in connection with that bill, that it is a bill amending several of the sections of the present law on that subject, and that I should like to have the amendments and the sections that are proposed to be amended printed in italics, so that the Senate may see just what the amendments proposed are in connection with the law as it stands.

The PRESIDENT *pro tempore*. The bill will be printed as the Senator desires, if there be no objection.

Mr. CULLOM introduced a bill (S. 614) to provide for the establishment and operation of the United States postal telegraph; which was read twice by its title.

Mr. CULLOM. I desire that bill to lie on the table for the time being.

The PRESIDENT *pro tempore*. That order will be made, no objection being interposed.

Mr. CULLOM introduced a bill (S. 615) to equalize the rates of pensions in certain cases; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM. I ask leave to state to the Committee on Pensions that that bill contains one or two propositions which have been before the Senate and reported favorably several times, I think. I regard the bill as very important to the persons mentioned in it, and I should like to call the attention of the committee to it, so that they may act early enough to get the bill through the Senate and House of Representatives at this session, if possible.

The PRESIDENT *pro tempore*. The bill has been referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 616) to so amend sections 4693 and 4695 of the Revised Statutes of the United States as to extend the right of pensions to steam-boat men and others acting under orders from United States officers; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 617) to remove the charge of desertion from the record of Richard H. Keith; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 618) granting a pension to Washington T. Otey; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 619) granting an increase of pension to Leopold Mayer; which was read twice by its title, and referred to the Committee on Pensions.

Mr. JONES, of Arkansas (by request), introduced a bill (S. 620) to divide the Great Sioux Reservation in Dakota and Nebraska, and to secure to the Indians the title in fee-simple to lands in severalty, and to open a portion to actual settlement, and to provide for the better education and civilization of the Sioux Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. FRYE (by request) introduced a bill (S. 621) for the reorganization of the Bureau of Statistics, Treasury Department; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 622) to amend section 2805 of the Re-

vised Statutes of the United States so as to allow oaths to be administered by notaries public; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 623) to promote the political progress and commercial prosperity of the American nations; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 624) for the relief of the sureties of Freeman H. Morse, late consul-general at London, England; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PLUMB introduced a bill (S. 625) granting a pension to George W. Schell; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 626) granting an increase of pension to Andrew Franklin, alias McKee; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 627) for the relief of Thomas H. Gehagen; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 628) for the relief of Mary Jane Thompson, executrix of Jeter L. Thompson, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 629) to grant the right of way through the Indian Territory to the Kansas City, Fort Scott and Gulf Railroad Company, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also (by request) introduced a bill (S. 630) for the relief of Edwin De Leon; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also (by request) introduced a bill (S. 631) for the relief of Edwin De Leon; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. GRAY introduced a bill (S. 632) to establish a court of appeals, to provide additional circuit judges, and to make certain changes in the jurisdiction of the Supreme Court of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 633) to amend article 3 of chapter 354 of the United States Statutes at Large, passed at the second session of the Forty-eighth Congress; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HARRIS introduced a bill (S. 634) authorizing the construction of a bridge across the Tennessee River at Chattanooga, Tenn.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 635) for the relief of Mrs. E. G. C. Abbott; which was read twice by its title, and referred to the Committee on Claims.

Mr. REAGAN introduced a bill (S. 636) to limit the powers of circuit and district courts and judges of the United States in the matter of receiverships; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 637) to provide for a conference of the American nations on a common standard silver coin, and for other purposes; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 638) to amend the Revised Statutes of the United States so as to allow the purchase and registry of foreign-built ships by citizens of the United States; which was read twice by its title, and referred to the Committee on Commerce.

Mr. BERRY introduced a bill (S. 639) to punish robbery and horse-stealing in the Indian Territory; which was read twice by its title.

Mr. BERRY. I ask that the bill be referred to the Committee on the Judiciary.

The PRESIDENT *pro tempore*. That reference will be made if there be no objection.

Mr. DAWES. I ask the Senator from Arkansas to allow the bill to be referred to the Committee on Indian Affairs. They have had that matter under consideration.

Mr. BERRY. I will state that the bill was referred to the Committee on the Judiciary at the last Congress, and reported favorably by the Committee on the Judiciary, and the Senator from Missouri [Mr. VEST] reported it from that committee. This is a copy of the bill that was then referred to, and reported by, that committee. It properly belongs to the Committee on the Judiciary. It is a bill to punish horse-stealing and robbery in the Indian Territory, and I think the reference I have suggested is correct.

The PRESIDENT *pro tempore*. Does the Senator from Massachusetts make any motion?

Mr. DAWES. It seems to me that the bill ought to go to the Committee on Indian Affairs, but if the Committee on the Judiciary have taken charge of it heretofore, through the remissness of the Committee on Indian Affairs, I do not care to intervene.

The PRESIDENT *pro tempore*. The reference previously announced will stand.

Mr. BERRY introduced a bill (S. 640) conferring jurisdiction, in certain civil cases arising in the Indian Territory, on the United States courts for the western district of Arkansas, northern district of Texas, and the district of Kansas; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 641) to appropriate $25,000 to construct a road from the city of Fayetteville, Ark., to the national cemetery adjacent to said city; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. WALTHALL introduced a bill (S. 642) to authorize the removal of the quarantine station from Ship Island, Mississippi; which was read twice by its title.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Commerce, if there be no objection.

Mr. WALTHALL. The bill just read, in relation to Ship Island, was before the Senate at the last session, and referred to the Committee on Epidemic Diseases, after some little discussion, and I would prefer that reference now.

Mr. EDMUNDS. Let the title of the bill be read.

The CHIEF CLERK. "A bill (S. 642) to authorize the removal of the quarantine station from Ship Island, Mississippi."

The PRESIDENT *pro tempore*. If there be no objection, the bill will be referred to the Committee on Epidemic Diseases.

Mr. WALTHALL introduced a bill (S. 643) to construct a road to the national cemetery at Corinth, Miss.; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 644) for the relief of William J. Poitevent; which was read twice by its title, and referred to the Committee on Claims.

Mr. ALLISON introduced a bill (S. 645) granting a pension to Mrs. Margaret B. Todd; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 646) granting a pension to Robert Gray; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 647) for the relief of W. A. Lemaster; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 648) for the relief of C. M. Wittig; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 649) to remove the charge of desertion from the military record of Andrew J. Gardner; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DAWES (by request) introduced a bill (S. 650) to protect the manufacture and sale of pure lard; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 651) for the relief of Michael H. Collins; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 652) for the relief of Marcia M. Thompson, administratrix of the estate of Abel Thompson, deceased; which was read twice by its title, and referred to the Committee on Patents.

Mr. CAMERON introduced a bill (S. 653) defining the positions and salaries of assistant astronomers at the United States Naval Observatory, and for other purposes; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 654) granting a pension to Caroline Motz; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 655) granting an increase of pension to Mary Von Kusserow; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 656) granting an increase of pension to James Jackson Purman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HAWLEY introduced a bill (S. 657) to amend the act entitled "An act more effectually to provide for the organization of the militia of the District of Columbia," passed the 3d day of March, 1803; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PADDOCK introduced a bill (S. 658) for the erection of a public building at the city of Beatrice, Nebr.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. STOCKBRIDGE introduced a bill (S. 659) for the relief of Thomas Chambers; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. STANFORD introduced a bill (S. 660) for the relief of Charles Murphy; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 661) for the relief of Charles Murphy; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 662) for the relief of J. R. Dunkelberger; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 663) for the relief of Brig. Gen. George P. Ihrie, late colonel and additional aid-de-camp of United States Vol-

unteers; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 664) for the relief of William R. Wheaton and Charles H. Chamberlain, of California; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 665) to establish a quarantine station at the port of San Francisco; which was read twice by its title, and referred to the Committee on Commerce.

Mr. DAVIS introduced a bill (S. 666) for the relief of William Fletcher; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 667) authorizing the construction of a bridge across the Red River of the North; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 668) granting a pension to Frederica Eichler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MANDERSON introduced a bill (S. 669) to extend the provisions of the act entitled "An act to provide compensation for the services of George Morell in adjusting titles to land in Michigan;" which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 670) to increase the efficiency of the infantry branch of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 671) to provide for the sale of the site of Fort Omaha, Nebr., the sale or removal of the improvements thereof, and for a new site and the construction of suitable buildings thereon; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SPOONER introduced a bill (S. 672) granting a pension to Emma L. Chase; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PAYNE introduced a bill (S. 673) for the relief of Edward C. Garlick; which was read twice by its title, and referred to the Committee on Claims.

Mr. EVARTS introduced a bill (S. 674) for the relief of Felix Marcinkowski; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. WILSON, of Iowa, introduced a bill (S. 675) concerning post-offices of the third class; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 676) to authorize the Postmaster-General to lease premises for the use of post-offices of the first, second, and third classes; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 677) to provide for the distribution of the Statutes of the United States and the CONGRESSIONAL RECORD to designated incorporated bodies, institutions, and associations within the several States and Territories; which was read twice by its title.

Mr. WILSON, of Iowa. I ask that the bill be referred to the Committee on the Library.

The PRESIDENT *pro tempore*. That reference will be made, if there be no objection.

Mr. HOAR. I desire to call the attention of the Senator from Iowa to the fact that a similar bill for the distribution of public documents was referred to the Committee on the Library at the last session—I do not mean similar in language to this bill, but it related to the general subject—and the Library Committee took jurisdiction of it under the order of the Senate and made a report. When the report came in, it was claimed by the Committee on Printing that that subject properly belonged to them, and the Senate seemed to think so. At any rate, the bill was referred again to the Committee on Printing. I do not think the Library Committee would care to go through that experience again. If the Senate desire the Library Committee to take jurisdiction of that subject, I have no doubt they will do it, but I should be very unwilling to go through the labor that we did last year to devise a system and then have the Senate refer it to another committee.

Mr. WILSON, of Iowa. I am not disposed to ask that the bill shall go to a committee whose unwillingness to consider it is announced on the floor of the Senate. I therefore have no objection to a change of reference from the Committee on the Library to the Committee on Printing.

Mr. HOAR. The Senator from Iowa misunderstood me. I did not express any unwillingness to take it, but I said that the Senate last year thought it belonged to the Committee on Printing.

Mr. WILSON, of Iowa. I understood the Senator to say that he would not care about going through the same experience, as he might meet with the same result.

Mr. MANDERSON. So far as the Committee on Printing is concerned, it is not seeking for labor; it has sufficient. But this subject-matter has been under consideration by that committee even during the recess of Congress, and they have progressed fairly with the investigation and towards a report on the subject-matter.

Mr. WILSON, of Iowa. I have no objection to that reference.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Printing.

Mr. WILSON, of Iowa, introduced a bill (S. 678) providing for the establishment of a bureau of public documents; which was read twice by its title, and referred to the Committee on Printing.

He also introduced a bill (S. 679) granting a pension to Henry Stafford; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 680) for the relief of Azor A. Smith; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 681) granting an increase of pension to Mrs. General Ward B. Burnett; which was read twice by its title, and referred to the Committee on Pensions.

The PRESIDENT *pro tempore*. The hour of 1 o'clock having arrived, is it the pleasure of the Senate to proceed with morning business past the hour fixed in the rule?

Mr. SHERMAN. I move that the time be extended to 2 o'clock.

Mr. HARRIS. I ask that it may be extended.

The PRESIDENT *pro tempore*. By unanimous consent that order can be made. There being no objection, morning business will be received.

Mr. TELLER introduced a bill (S. 682) authorizing the President to appoint and retire Alfred Pleasonton, a major of cavalry in the Army of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 683) for the relief of the heirs of John S. Fillmore, deceased; which was read twice by its title, and referred to the Committee on Private Land Claims.

He also introduced a bill (S. 684) for the relief of Marian F. Haynie; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 685) for the relief of Royal M. Hubbard; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 686) for the relief of B. F. Rockefellow; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 687) to authorize the Secretary of the Treasury to convey to Anson Rudd, of the State of Colorado, certain real estate in the county of Fremont, in said State; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 688) for the relief of the Mexican National Construction Company of Colorado; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 689) to fix the price of public lands within the limits of the forfeited Texas Pacific Railroad land grant; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. CHACE introduced a bill (S. 690) to amend an act entitled "An act to incorporate the National Safe Deposit Company of Washington, in the District of Columbia," approved January 22, 1867; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. MITCHELL introduced a bill (S. 691) for the relief of Henry Bellion; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 692) granting an increase of pension to Enoch G. Adams; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 693) granting a pension to William Weist; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 694) for the relief of George H. Washington; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 695) for the relief of R. C. Martin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 696) granting an increase of pension to Enoch G. Adams; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 697) granting a pension to Elmore Y. Chase, of Salem, Oregon; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 698) granting a pension to John Walters, alias Jacob Kuntz; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 699) granting an increase of pension to Herman Baumhager; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 700) granting a pension to Samuel T. Ulm, of Union, Oregon; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 701) granting an increase of pension to Jacob W. Hasler; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 702) granting a pension to Henry Pulsky;

which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 703) granting a pension to M. T. Lindsey, of Oregon; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 704) granting a pension to Thomas Redmond, late private Company K, Fourth Regiment United States Infantry; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 705) to establish additional life-saving stations; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 706) making an appropriation for the purchase of a site and the construction of a light-house on the headlands near Newport, at Yaquina Bay, Oregon; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 707) providing for the purchase of a site and the construction of a wharf in Astoria, Oregon, for the use of the Light-House Department; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 708) providing an appropriation for continuing the improvement at the mouth of the Coquille River, Oregon; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 709) for the relief of Eli C. Officer; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 710) for the relief of William Armstrong, of Springfield, Oregon; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 711) for the relief of Henry H. Wheeler, of Crook County, Oregon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 712) to indemnify Abial Morrison for property destroyed by hostile Indians in Washington Territory in the years 1855 and 1856; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 713) for the relief of William C. McKay, of Pendleton, Oregon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 714) for the relief of E. J. Northcut & Brothers for losses sustained by Indian depredations in Southern Oregon in 1855; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 715) for the relief of Samuel B. Flowers and A. T. Fitzhugh, of Oregon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 716) for the relief of Green Arnold, of the State of Oregon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 717) for the relief of Arthur Saltmarsh; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 718) for the relief of George A. Barnes; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 719) for the relief of John Meldrum; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 720) for the relief of H. W. Shipley; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 721) for the relief of the legal representatives of Ben Holladay, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 722) for the relief of William B. Campbell, of Oregon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 723) to pay the heirs of George W. Harris and his wife, Mary A. Harris, and their daughter, Sophia Lore, deceased, and others, for the depredations of the Rogue River Indians in 1853, 1855, and 1856; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 724) to reimburse Peter French for depredations committed by Bannock and Piute Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 725) for the relief of S. M. Hamilton, of Oregon; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 726) for the relief of Chauncey M. Lockwood or his legal representatives; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. DOLPH introduced a bill (S. 727) to provide for the payment to Henry Shepard of the amount allowed to him by the Commissioner of Indian Affairs; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 728) for the relief of William J. Martin, of Oregon; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. COCKRELL (by request) introduced a bill (S. 729) for the relief of J. A. Henry and others; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 730) for the relief of Davidson Dickson and others; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 731) for the relief of George H. Plant; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 732) to determine and settle final balances of accounts due to and from the United States Government, and for other purposes; which was read twice by its title, and referred to the Committee on Finance.

Mr. BLAIR introduced a bill (S. 733) granting a pension to Abbie S. Hutchinson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 734) granting a pension to James Hale; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CALL introduced a bill (S. 735) making an appropriation for the erection of a light-house on Dog Island, Florida; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PLUMB introduced a bill (S. 736) to provide for the erection of public buildings for post-office and other purposes; which was read twice by its title.

Mr. PLUMB. I ask that the bill may lie upon the table for the present.

The PRESIDENT *pro tempore*. That order will be made if there be no objection.

Mr. HOAR introduced a joint resolution (S. R. 13) proposing an amendment to the Constitution of the United States; which was read twice by its title.

Mr. HOAR. Mr. President, I think it proper to say that this is a joint resolution which was introduced by yourself [Mr. INGALLS] at the last session, and which, with some amendments, passed the Senate in a new draught at that session without any objection, I think.

It provides for the extension of the term of the present Congress until the last Tuesday in April, 1889, a little more than a month beyond the present termination. I think it is quite doubtful whether it will be possible, as it is now drawn, to submit such a resolution to the various States and have the action of the State Legislatures upon it in time to take effect. It is probable that the committee, if they should approve the object, will be obliged to make it take effect at a later day.

I have not made any correction in the draught of the resolution, thinking it would be better to submit that matter to the committee, to get the information in regard to the time of assembling of the State Legislatures, but I make this statement in order that the public may understand that the objection to the resolution as it now stands did not escape my notice.

The joint resolution was referred to the Committee on Privileges and Elections.

### GOVERNMENT POSTAL TELEGRAPH.

Mr. SAWYER. I move to reconsider the vote by which the Senate yesterday adopted a resolution, on motion of the Senator from South Carolina [Mr. BUTLER], to raise a special committee to inquire into the advisability and practicability of establishing and maintaining a Government postal telegraph. After the reconsideration I shall ask to have the resolution referred to the Committee on Post-Offices and Post-Roads. That committee has had the subject under consideration during the last two Congresses, has spent a great deal of time in considering it, and reported a bill in the Forty-eighth Congress, and also one in the Forty-ninth Congress, and I think the subject ought to be referred to the committee that has given so much time to it and acted upon it. I move, therefore, that the vote by which the resolution was passed be reconsidered.

The PRESIDENT *pro tempore*. The resolution adopted by the Senate yesterday will be read.

The Chief Clerk read the resolution, as follows:

*Resolved*, That a select committee of five Senators, to be appointed by the President of the Senate, be directed to inquire into the advisability and practicability of establishing and maintaining a Government postal telegraph, with power to report by bill or otherwise.

The PRESIDENT *pro tempore*. The Senator from Wisconsin moves that the vote by which the Senate agreed to this resolution yesterday be now reconsidered.

Mr. COCKRELL. I ask that that lie over until to-morrow.

The PRESIDENT *pro tempore*. It lies over under the rule.

### TINGLE'S REPORT ON ALASKAN SEAL ISLANDS.

Mr. FRYE submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Treasury be, and hereby is, directed to furnish the Senate with a copy of Special Agent G. R. Tingle's report, dated July 31, 1887, upon the conduct of affairs on the Seal Islands of Alaska.

SENATOR FROM WEST VIRGINIA.

Mr. HOAR. I move that the Committee on Privileges and Elections, while considering the pending cases now referred to them in reference to titles to seats in the Senate, have authority to employ a stenographer.

The PRESIDENT *pro tempore*. The Senator from Massachusetts moves that the Committee on Privileges and Elections be empowered to employ a stenographer.

The motion was agreed to.

Mr. HOAR subsequently said: I understand that under the rules the motion which I just now made, for leave to the Committee on Privileges and Elections to employ a stenographer, should be referred to the Committee on Contingent Expenses of the Senate before being finally adopted.

The PRESIDENT *pro tempore*. By unanimous consent the action of the Senate will then be reconsidered, and the resolution referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

OPEN EXECUTIVE SESSIONS.

Mr. PLATT. Pursuant to the notice which I gave yesterday, I offer a resolution, and ask that it be referred to the Committee on Rules.

The resolution was read, and referred to the Committee on Rules, as follows:

*Resolved*, That paragraphs 2, 3, and 4 of Rule XXXVI, paragraph 3 of Rule XXXVII, and paragraph 2 of Rule XXXVIII be so amended that hereafter the Senate shall consider and act upon treaties and executive nominations in open session, except in cases when it shall be otherwise ordered.

BUSINESS OF EXECUTIVE DEPARTMENTS.

Mr. COCKRELL. Mr. President, at the close of the last Congress the Senate ordered the appointment of a select committee to inquire into the methods of business in the various Executive Departments and the alleged causes of delay in its transaction. That committee has been performing the duties assigned it, and not being able to submit the report at this time, in behalf of the committee I ask that it may be continued with leave to report at any time prior to the 25th of December.

The PRESIDENT *pro tempore*. Is there objection to the request of the Senator from Missouri? The Chair hears none, and it is so ordered.

THE SWENSON PATENT.

Mr. PLUMB submitted the following resolution; which was read:

*Resolved*, That the Attorney-General be requested to investigate the issuance of letters patent, numbered 371523, to Magnus Swenson, of date October 11, 1887, and if in his judgment the same is invalid upon any ground, that he commence suit promptly to have the same canceled, or the use of the same by said Swenson, or any one claiming under him, perpetually enjoined.

Mr. PLUMB. I propose simply to offer the resolution at this time. I shall call it up to-morrow.

The PRESIDENT *pro tempore*. The resolution lies over under the rule.

FORT CANBY RESERVATION.

Mr. MITCHELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of War be, and he is hereby, directed, if not incompatible with the public service, to report to the Senate at his earliest practicable convenience what action, if any, has been taken by the Department relative to the removal of troops from and the abandonment of Fort Canby, at the mouth of Columbia River, in Washington Territory, and that such report be accompanied with copies of any and all reports and recommendations of military officers and others, if any, recommending such removal and abandonment.

Mr. MITCHELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of War be, and he is hereby, directed, if not incompatible with the public service, to report to the Senate the size, character, and condition of the present military reservation near the mouth of the Columbia River, in Washington Territory, on which is located Fort Canby, and when and in what manner such military reservation was created, the nature, extent, and value of the present improvements on such reservation; such report to be accompanied by such recommendation as the Secretary of War may deem proper in reference to the future occupation or disposition of such reservation.

WITHDRAWAL OF PAPERS.

On motion of Mr. MITCHELL, it was

*Ordered*, That John C. Miles have leave to withdraw from the files of the Senate the papers in his case.

On motion of Mr. GORMAN, it was

*Ordered*, That the papers in the case of Frank Della Terre and Susan F. Della Terre, heirs of Peter Della Terre, deceased, be withdrawn from the files of the Senate and referred to the Committee on Claims, there being no adverse report.

COAST DEFENSES.

Mr. DOLPH. Yesterday I introduced a bill to provide for fortifications and other defenses, and asked that it be laid upon the table in order that I might call it up after the expiration of the morning hour and make a brief explanation of it. The business of the morning hour was so great yesterday that I did not call up the bill then, and I ask now to call it up for the purpose of making a brief explanation and having it referred to the Committee on Coast Defenses.

The PRESIDENT *pro tempore*. The Senator from Oregon moves that the Senate now proceed to the consideration of a bill the title of which will be stated.

The CHIEF CLERK. "A bill (S. 62) to provide for fortifications and other seacoast defenses."

Mr. DOLPH. I ask that the bill may be considered read as part of my remarks, and appear in the RECORD in full, as it is an important measure.

The PRESIDENT *pro tempore*. The Chair will state that, under the general order to print, the bill has been forwarded to the Government Printing Office, and is not now accessible in the files.

Mr. DOLPH. I will make the explanation, then, without the presence of the bill.

Mr. President, it is not my purpose to do more than explain the provisions of the bill which I have presented. Every one knows that our more than 4,000 miles of seacoast, with important harbors and great commercial cities, are defenseless, and that thousands of millions of destructible property and our important and extensive coastwise commerce are exposed to destruction in case of a foreign war. This condition of things is not creditable to Congress, nor to a great, wealthy, and powerful nation with 60,000,000 of inhabitants. I do not think there are many members of the Senate, or of the other House of Congress, who would be willing to say that this defenseless condition of our coast and of our commerce ought to continue.

We are prepared to enter upon the work of coast defenses. We have before us the results of the costly experiments of other nations, and the reports of boards which have been appointed under the authority of law, and have investigated the subjects connected with coast defense, and have reported, and their reports have been approved by the officers of the Government whose duty it is to make recommendations to Congress for its action.

We have within our own borders an abundance of material for guns, armor, and ships of modern type. Our citizens are not lacking in skill or enterprise or in information; the officers of our Army and Navy will compare favorably with the officers of the armies and navies of other countries.

What more is required? Action by Congress. The people of this country are patiently waiting for Congress to apply some of the idle millions in the Treasury to provide for coast defenses. The board on fortifications and other defenses, appointed by the President under the provisions of the act of March 3, 1885, have recommended the immediate fortification of twenty-seven ports. There are other ports at which fortifications are needed, but I presume no one will dispute that the fortification of the twenty-seven ports named is not only necessary but is urgent.

Our experience in the matter of works for the improvement of rivers and harbors has demonstrated that it is impossible to carry on economically and successfully great public works by appropriations which are made from year to year. The changes in the political character of one or both branches of Congress, the differences of opinion upon these subjects, and above all the apparent political necessity for cutting down expenditures, render such appropriations uncertain and always unsatisfactory. I think every one will agree that if we are to enter upon this work at all it would be the part of wisdom to appropriate in one bill the amount necessary for the fortifications undertaken, providing for its expenditure from year to year, as has been recommended by the board on fortifications and other defenses.

The bill offered by me proceeds upon this principle. It is proposed to appropriate the sum of $126,000,000, in round numbers, to be available as recommended by the board, $21,500,000 the first year and $9,000,000 annually for eleven years thereafter until the whole amount is expended.

Mr. PLATT. Why so little in the subsequent years?

Mr. DOLPH. Because that is the recommendation of the board, I suppose for the reason that during the first year it will be necessary to provide plants for furnishing the material for guns and for armor, and ship-yards and gun-factories, and other things which when once provided will be sufficient for the entire work.

It is proposed that this money shall be expended under the direction of the President of the United States, but under the supervision of the Secretary of War and the Secretary of the Navy and by the advice of boards, advisory boards, one to be appointed from the officers of the Army and one to be appointed from the officers of the Navy, and to be removable by the President at pleasure.

It is also provided in the bill that the work shall be, so far as possible, done by contract; in the construction of the floating batteries and torpedo-boats the provisions of laws governing the construction of additional vessels for the Navy are adopted.

The contracts for the fortifications and the other works which are to be carried on under the supervision of the Secretary of War are to be let under the provisions of the laws and regulations in existence at the time for the government of the War Department.

I do not, as I said, propose at this time to discuss the measure. I simply desired to make a word of explanation. I do not claim for the bill that it is the best one which can be made on the subject, but the proposition to appropriate the entire amount required in one bill, and make the appropriation available annually from year to year until the work is completed, I commend to the attention of Congress. If we pass the bill, we settle the question of fortifications at once, satisfy the

country, and the work will proceed on the general plan recommended by the board on fortifications and other defenses until Congress shall change the plan. I am satisfied that this is the only course by which we can secure a speedy construction of necessary works for the fortification of our seacoast upon any general and suitable plan.

I move that the bill be referred to the Committee on Coast Defenses.

The motion was agreed to.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Secretary will report the first bill or resolution on the Calendar.

Mr. PLATT. I move that the Senate do now adjourn.

The motion was agreed to; and (at 1 o'clock and 28 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 14, 1887, at 12 o'clock m.

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## HOUSE OF REPRESENTATIVES.

### TUESDAY, *December* 13, 1887.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

COAST AND GEODETIC SURVEY.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting the annual report of the Superintendent of the United States Coast and Geodetic Survey; which was laid on the table, and ordered to be printed.

MARINE HOSPITAL, NEW YORK.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury concerning the need of a marine hospital at the port of New York, in accordance with a clause in the sundry civil appropriation act of March 3, 1887; which was laid on the table, and ordered to be printed.

EXPENDITURES, SPRINGFIELD ARMORY.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a statement of expenditures at the Springfield Armory, and of arms, their components and appendages, fabricated, altered, or repaired, for the fiscal year ending June 30, 1887; which was laid on the table, and ordered to be printed.

TESTS OF IRON AND STEEL.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a report from the Chief of Ordnance of "tests of iron and steel and other materials for industrial purposes" at Watertown arsenal, for the fiscal year ending June 30, 1887; which was laid on the table, and ordered to be printed.

WAR DEPARTMENT CONTRACTS.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting statements of contracts by the War Department and its bureaus for the fiscal year ending June 30, 1887; which was laid on the table, and ordered to be printed.

SUPPLIES FOR THE ARMY.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting reports from the Quartermaster-General of purchases of supplies for the Army for the fiscal year ending June 30, 1887; which was laid on the table, and ordered to be printed.

ACCOUNTS OF DISBURSING OFFICERS, WAR DEPARTMENT.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting reports of inspection of money accounts of disbursing officers, to accompany the annual report of the Inspector-General; which was laid on the table, and ordered to be printed.

ANTONIO DE SALAGAR.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Interior, transmitting a supplementary report of the surveyor-general of New Mexico on private land claim, the Antonio de Salagar grant, No. 132; which was laid on the table.

SEBASTIAN DE VARGOS.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Interior, transmitting a supplementary report of the surveyor-general of New Mexico on private land claim, the Sebastian de Vargos, No. 137; which was laid on the table.

BARTOLOME BACA.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Interior, transmitting a report from the surveyor-general of New Mexico on private land claim, the Bartolome Baca, No. 126; which was laid on the table.

PROPAGATION OF FOOD-FISHES.

The SPEAKER also laid before the House a letter from the Commissioner of Fish and Fisheries, transmitting a statement of expenditures for "propagation of food-fishes" for the fiscal year ending June 30, 1887; which was laid on the table, and ordered to be printed.

ILLUSTRATIONS, GOVERNMENT PRINTING OFFICE.

The SPEAKER also laid before the House a letter from the Public Printer, in response to a resolution of the House of Representatives, Forty-ninth Congress, calling for information relative to expenditures for lithographic and other processes for production of illustrations for the Government Printing Office; which was laid on the table, and ordered to be printed.

HENRIETTA C. DAVIE.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact by the court in the case of Henrietta C. Davie against the United States; which was laid on the table.

HEDGES VS. THE UNITED STATES.

The SPEAKER also laid before the House a letter from the clerk of the Court of Claims, transmitting a copy of the findings of fact by the court in the case of Daniel T. Hedges and Edward D. Spalding, executors, *vs.* The United States; which was laid on the table.

DARLING VS. THE UNITED STATES.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact by the court in the case of Flora Adams Darling *vs.* The United States; which was laid on the table.

SWAIN VS. THE UNITED STATES.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact by the court in the case of Charles F. Swain *vs.* The United States; which was laid on the table.

DUNBAR VS. THE UNITED STATES.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the opinion of the court dismissing, for want of jurisdiction, the case of Robert W. Dunbar *vs.* The United States; which was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. SPINOLA, for forty days, on account of sickness.

To Mr. ALLEN, of Mississippi, from day to day, on account of sickness.

To Mr. O'NEALL, of Indiana, until after the holidays.

ORDER OF BUSINESS.

Mr. MILLS. Mr. Speaker, I move that the House take a recess until 1 o'clock p. m.

The motion was agreed to; and accordingly (at 12 o'clock and 10 minutes p. m.) the House took a recess.

The recess having expired, the House resumed its session.

LEAVE OF ABSENCE.

Mr. GRANGER, by unanimous consent, obtained leave of absence till after the holiday recess.

COMMITTEE ON ELECTIONS.

The SPEAKER. The gentleman from Texas [Mr. MILLS] will please take the chair.

Mr. MILLS having taken the chair—

Mr. CANNON said: I offer the resolution which I send to the desk.

The Clerk read as follows:

*Resolved*, That the following-named members shall constitute the Committee on Elections for the present Congress, namely: CHARLES F. CRISP, of Georgia, chairman; CHARLES T. O'FERRALL, of Virginia; JOSEPH H. OUTHWAITE, of Ohio; F. G. BARRY, of Mississippi; LEVI MAISH, of Pennsylvania; JOHN T. HEARD, of Missouri; THOMAS D. JOHNSTON, of North Carolina; JOHN H. O'NEALL, of Indiana; L. W. MOORE, of Texas; JONATHAN H. ROWELL, of Illinois; L. C. HOUK, of Tennessee; WILLIAM C. COOPER, of Ohio; JOSEPH LYMAN, of Iowa; JAMES T. JOHNSTON, of Indiana; and HENRY C. LODGE of Massachusetts.

Mr. CANNON. Before moving the adoption of this resolution, I will state that the first nine of the members named have been agreed upon by the majority or Democratic side of the House, and the last six were selected by the minority or Republican side. Thus the proportion, politically, is nine to six, which has been the proportion in the committee as organized heretofore. I now ask a vote on the adoption of the resolution.

The resolution was adopted.

Mr. CANNON moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER (having resumed the chair). If there be no objection, the papers in all contested-election cases will be referred to the Committee on Elections just appointed by the House.

There was no objection, and it was ordered accordingly.

LEAVE OF ABSENCE.

Mr. DAVIDSON, of Alabama, by unanimous consent, obtained leave of absence till the 10th of January next, on account of important business.

ADJOURNMENT UNTIL FRIDAY.

Mr. MILLS. I move that when the House adjourns to-day, it adjourn to meet on Friday next.

The motion was agreed to.

Mr. MILLS. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 1 o'clock and 5 minutes p. m.) the House adjourned till Friday next.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BOUND: Petition of citizens of Milton, Pa., asking for a law requiring all goods produced wholly or in part by convict labor to be plainly marked "convict labor"—to the Committee on Labor.

Also, petition and remonstrance of 131 citizens of Milton, Pa., against the admission of Utah as a State—to the Committee on the Judiciary.

By Mr. BOWDEN: Petition of Samuel Marsh, of Norfolk, Va., for relief—to the Committee on War Claims.

Also, petition of William Mann, for a pension—to the Committee on Invalid Pensions.

By Mr. DINGLEY: Petition of the Friends of Temperance Union of New York, officially signed, asking for a commission of inquiry concerning the alcoholic liquor traffic—to the Select Committee on Alcoholic Liquor Traffic.

By Mr. GEAR: Petition of A. C. Brown and others who were prisoners at Andersonville, asking to be placed on the pension-roll—to the Committee on Invalid Pensions.

By Mr. GIFFORD: Petition of citizens and property-owners of Mandan, Dak., for an appropriation for the protection of the banks of the Missouri River at said city from overflows and ice—to the Committee on Rivers and Harbors.

Also, petition of Hon. T. D. Kanouse and other officers of the Grand Lodge of Good Templars of Dakota, for a commission of inquiry regarding the manufacture and use of alcoholic liquors, etc.—to the Select Committee on Alcoholic Liquor Traffic.

By Mr. GLASS: Petition of F. M. McGee; of T. K. Ardibell, and of John House, of Tennessee, for relief—to the Committee on War Claims.

By Mr. LEE: Papers in the case of the heirs of Tilghman Weaver, of Alfred H. Weaver, and of Elizabeth Weaver, of Fauquier County, Virginia—to the Committee on War Claims.

Also, petition of John P. Wright, of Lynchburgh, Va., for relief—to the Committee on Claims.

By Mr. LYMAN: Petition for the relief of a million of ex-prisoners of war—to the Committee on Invalid Pensions.

By Mr. MORRILL: Petition of J. C. McCardy and 67 others, of St. Mary's, Kans., for equalization of bounties—to the Committee on Invalid Pensions.

By Mr. NEAL: Petition of John R. Hickman, of Hamilton County, Tennessee, for reference of his case to the Court of Claims—to the Committee on War Claims.

Also, petition of William S. Green, for a pension—to the Committee on Invalid Pensions.

Also, papers in the claim of Thomas B. McElwee—to the Committee on Claims.

By Mr. NELSON: Petition of Horace Austin and others, of St. Paul, Minn., for the passage of the bill for the relief of the Minnesota Mounted Rangers—to the Committee on Pensions.

By Mr. PATTON: Ten petitions and remonstrances from citizens of the Fourteenth, Sixteenth, Twentieth, and Twenty-fifth districts of Pennsylvania, against the admission of Utah as a State—to the Committee on the Judiciary.

By Mr. PENINGTON: Petition of John Williams, of Lewes, Del., for relief—to the Committee on Military Affairs.

By Mr. RANDALL: Petition of Capt. George A. Q. Miller, purchasing agent of the Navy Department during the late war, for a pension—to the Committee on Invalid Pensions.

Also, resolutions of the National Butter, Cheese, and Egg Association, against the repeal of the tax on oleomargarine—to the Committee on Ways and Means.

By Mr. STAHLNECKER: Petition of the president of Cornell University, Ithaca, N. Y., requesting enlargement of agricultural-experiment stations—to the Committee on Agriculture.

By Mr. TRACEY: Petition of Robert Johnston, of New York, for relief from political disabilities—to the Committee on the Judiciary.

By Mr. VANDEVER: Petition for allowance of drawbacks on the re-exportation of imported bottles, corks, and metallic bottle capping by bottlers of domestic beer, wine, and brandy—to the Committee on Ways and Means.

Also, memorial of citizens of San Diego, Cal., praying for the removal of sand-bar at the entrance to San Diego Bay—to the Committee on Rivers and Harbors.

Also, memorial of the same, for increased post-office and custom-house facilities—to the Committee on Ways and Means.

By Mr. WHEELER: Petition of Clark M. Thompkins; of Frederick E. Ashford, administrator of Bollins Byrd; of William R. Williams; of Duncan Stewart, and of Reuben Copeland, of Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WHITTHORNE: Petition of Lucius Hough, of Tennessee, for relief—to the Committee on War Claims.

By Mr. WILLIAMS: Petition of Samuel F. Campbell, for increase of pension by special act—to the Committee on Invalid Pensions.

Also, petition of Aurelia Cohen, administratrix of Philip Cohen, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. W. L. WILSON: Petition of C. M. Shaffer, of Berkeley County, West Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. G. A. ANDERSON: Of Charles A. Linkins and others, of Scott County; of citizens of Hull, Pike County, and of citizens of Golden Eagle, Pike County, Illinois.

By Mr. BARNES: Of A. J. Wimberly and others, and of W. S. McCarthy and others, of Georgia.

By Mr. BARRY: Of A. G. Barton and others, of Reagan, Miss.

By Mr. BOWDEN: Of John E. Phillips and others, of Windsor, Isle of Wight County; of J. F. Whitney and others, of Nansemond County; of D. H. Kindred and others, of Southampton County; of J. F. Faircloth and others, of Northampton County; of J. G. Wilson and others, of Surry County, and of J. W. Rowell and others, of Surry County, Virginia.

By Mr. BROWER: Of citizens of Guilford County; of Forsythe County, and of Stokes County, North Carolina.

By Mr. J. R. BROWN: Ten petitions of sundry citizens of the several counties composing the Fifth district of Virginia.

By Mr. BUNNELL: Of citizens of Marshview and of Ghent, Bradford County, Pennsylvania.

By Mr. COWLES: Of citizens of Polycarp, Alexander County, North Carolina.

By Mr. DINGLEY: Of E. P. Gamage and others; of George Keen and others; of Moses Woodbury and others; of A. A. Thompson and others, and of A. G. Hawes and others, of Maine.

By Mr. DOCKERY: Of citizens of Winslow, Mo.

By Mr. ENLOE: Of A. L. Nored and 51 others, of India, Henry County, Tennessee.

By Mr. GRANT: Of H. D. Chamberlin and 16 others, of Jay, Vt.

By Mr. HITT: Of D. M. Fahrney and 54 others, of Pine Creek, Ogle County, Illinois.

By Mr. S. I. HOPKINS: Of B. H. Anthony and others, of Campbell County; of W. R. Grayham and others, of Bedford County; of B. W. Reid and others, of Botetourt County; of S. H. Cromer and others, of Montgomery County; of G. G. Kasey and others, of Roanoke County, and of B. F. Holt and others, of Halifax County, Virginia.

By Mr. HOWARD: Of 25 citizens of Lawler, Washington County, Indiana.

By Mr. JACKSON: Of citizens of Wesco, Pa.

By Mr. McCLAMMY: Of citizens of Bladen County, and of citizens of Duplin County, North Carolina.

By Mr. McCULLOGH: Of citizens of Lycippas, Westmoreland County; of Mill Run, Fayette County; of McClellantown, Fayette County, and of Bristoria, Greene County, Pennsylvania.

By Mr. MILLIKEN: Of John W. Somer and others, of Mount Desert, and of James Sterling and others, of Maine.

By Mr. NICHOLS: Of citizens of Neuse and of Pernell, Wake County; and of Harper's Cross Roads, Chatham County, North Carolina.

By Mr. ROWLAND: Of citizens of Rock Fish; of Pennington, and of Copal Grove, N. C.

By Mr. C. A. RUSSELL: Of H. H. Uplin and others, of West Ashford; of Aaron Lucas and others, of Poquetanuck; of D. Greenlit and others, of Hampton; of J. H. Cole and others, of North Windham; of Jesse S. Turner and others, of Chaplin; of Isaac D. Chappell and 75 others, of South Lyme, and of C. U. Osgood and others, of Preston, Conn.

By Mr. SENEY: Of J. T. Lentzy and 62 others, citizens of Putnam County, Ohio.

By Mr. SIMMONS: Of W. L. Riggs and others, of Halifax County, and of W. J. Hardison and others, of Thurman, N. C.

By Mr. SOWDEN: Of W. H. Brodt and others, of Northampton County, Pennsylvania.

By Mr. TAULBEE: Of 78 citizens of Joe; of 24 citizens of John, and 54 citizens of Pikeville, Ky.

By Mr. TILLMAN: Of citizens of Hibler; of Martins, and of Greenland, S. C.

By Mr. WHEELER: Of T. J. Stone and 45 others, and of A. J. Stinson and 54 others, of Alabama.

By Mr. WHITTHORNE: Of P. F. Montgomery and 50 others, citizens of Clinton, Tenn.

By Mr. YOST: Of citizens of Roaring River; of Churchville; of Enonville; of Edville; of Spanish Oak; of Rock Fish Depot, and of Chestnut, Va.

## SENATE.

### WEDNESDAY, *December* 14, 1887.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented the petition of Joseph W. Parish, praying to be allowed interest from January 1, 1864, on all sums due him for certain supplies furnished the Government; which was referred to the Committee on Claims.

Mr. EVARTS presented the petition of the National Temperance Society, officially signed, praying that, by international treaty or otherwise, some provision be made to prevent the traffic in intoxicating liquors with the native races of the western Pacific islands; which was referred to the Committee on Foreign Relations.

He also presented the petition of George W. Peavey, of Brooklyn, N. Y., praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. GRAY presented the petition of Edward Bradley, of Georgetown, Del., praying to be allowed bounty alleged to be due him for his services in the late war; which was referred to the Committee on Pensions.

SENATOR FROM WEST VIRGINIA.

Mr. HOAR. I am directed by the Committee on Privileges and Elections, to whom were referred the credentials of Mr. Charles J. Faulkner, claiming a seat in the Senate from the State of West Virginia, and the remonstrance of Mr. Daniel B. Lucas against the admission of Mr. Faulkner, and the credentials of the appointment of Mr. Lucas, also claiming a seat in the Senate from that State, to report two resolutions and to submit a written report.

The report of the committee is unanimous. The questions which are raised in the case are very simple ones and easily comprehended. One of them has been long ago determined by the Senate, and I suppose all Senators have had occasion to reflect upon the other. It seems to me, in order that the Senator entitled to the seat may enter upon his duties at once, that there will be no objection to having the report disposed of at the present time.

I ask that the report be read; it is very brief, and if after reading it any Senator desires that it should go over, so that he may see it in print, that can then be done. Otherwise I shall ask that the resolutions be acted upon at once.

The PRESIDENT *pro tempore*. The Senator from Massachusetts, from the Committee on Privileges and Elections, submits a report, which will be read if there be no objection. The Chair hears none. The report of the committee will be read.

The Chief Clerk read the report, as follows:

The Committee on Privileges and Elections, to whom were referred the credentials of Charles J. Faulkner, who claims a seat in the Senate from the State of West Virginia, and the protest of Daniel B. Lucas against the allowance of said claim, and the credentials of Daniel B. Lucas, who also claims the same seat, have considered the same, and respectfully report:

The Constitution of the United States, Article I, section 3, provides:

"The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years;" * * * "if vacancies happen, by resignation or otherwise, during the recess of the Legislature of any State, the executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies."

"SEC. 4. The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators."

The Revised Statutes of the United States, Title II, section 14, provide:

"The Legislature of each State which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress."

Section 15 prescribes the manner of such election. Section 16 is as follows:

"Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy in the manner prescribed in the preceding section for the election of a Senator for a full term."

The Constitution further provides (Article I, section 5)—

"Each House shall be the judge of the elections, returns and qualifications of its own members."

Of course the opinion of any other tribunal can have no weight as an authority in determining any question as to the validity of the election of a Senator. But it may be proper to note that the constitutional authority of Congress to prescribe the time and manner of electing Senators, although it may not exhaust the whole subject, but still leaves in force the regulations of a State in regard to the same subject not in conflict with its own, is expressly affirmed by the Supreme Court of the United States in *ex parte* Siebold, 100 U. S., 371.

The constitution of West Virginia provides that—

"The Legislature shall assemble at the seat of government, biennially, and not oftener, unless convened by the governor. The first session of the Legislature, after the adoption of the constitution, shall commence on the third Tuesday of November, 1872; and the regular biennial session of the Legislature shall commence on the second Wednesday of January, 1875, and every two years thereafter on the same day."—*Article 6, section 8.*

Article 7, section 7, is as follows:

"The governor may, on extraordinary occasions, convene, at his own instance, the Legislature; but when so convened it shall enter upon no business except that stated in the proclamation by which it was called together."

The term of Mr. Camden as a Senator from West Virginia expired on the 4th day of March, 1887. The regular biennial session of the Legislature began on the second Wednesday of January in pursuance of the provision of the constitution cited.

At that session the Legislature proceeded to ballot for a successor to Mr. Camden, but no person obtained a majority of the ballots, and it adjourned without making a choice. Thereafter, on the 5th day of March, the governor appointed Mr. Lucas in the recess of the Legislature and issued to him a certificate declaring his appointment as Senator in the Senate of the United States "until the next meeting of the Legislature, having authority to fill such vacancy." Mr. Lucas accepted the appointment.

On the same 5th day of March the governor issued the following proclamation:

"PROCLAMATION.

"STATE OF WEST VIRGINIA, EXECUTIVE DEPARTMENT,
"*Charleston, March* 5, 1887.

"I, E. W. Wilson, governor of the State of West Virginia, under and by virtue of section 7 of article 7 of the constitution of said State, which provides that—

"'The governor may, on extraordinary occasions, convene, at his own instance, the Legislature; but when so convened it shall enter upon no business except that stated in the proclamation by which it was called together'—

"Do issue this my proclamation to convene the Legislature of said State, at the seat of government, at Charleston, on the third Wednesday in April, A. D. 1887, to consider and act upon the following subjects of legislative business, to wit:

"1. To make appropriations of public money to pay general charges upon the treasury.

"2. To make appropriations of public money to pay members of the Legislature, and for salaries of the officers of the government, in pursuance of the forty-second section of the sixth article of the constitution.

"3. To protect the public treasury against unnecessary expenditures by—

"(1) Regulating the costs, charges, and proceedings in criminal cases before justices of the peace and circuit courts.

"(2) Providing for and limiting the allowances for the maintenance of lunatics in jail.

"4. To carry into effect section 9 of article 11 of the constitution, which provides that—

"'Railroads heretofore constructed, or that may hereafter be constructed, in this State, are hereby declared public highways, and shall be free to all persons for the transportation of their persons and property thereon, under such regulations as shall be prescribed by law; and the Legislature shall, from time to time, pass laws, applicable to all railroad corporations in the State, establishing reasonable maximum rates of charges for the transportation of passengers and freights, and providing for the correction of abuses, the prevention of unjust discriminations between through and local or way freights and passenger tariffs, and for the protection of the just rights of the public, and shall enforce such laws by adequate penalties.'

"And to provide for securing such relief to the people of this State as may be had from the act recently passed by Congress entitled 'An act to regulate commerce.'

"5. To prohibit railroad companies from carrying or conveying public officers over their roads free of charge, or at a less charge than the usual rate for other persons, and to abolish, absolutely, the free-pass system.

"6. To prohibit railroad companies from carrying or conveying delegates to political conventions over their roads free of charge, or at a less charge than is made for all other such delegates to such conventions, and to define what shall constitute a political convention.

"7. To prohibit the use of money and all other improper, fraudulent, and corrupt means to secure nominations, by political parties, or election to public office.

"8. To provide for the acceptance and confirmation of the reports of the joint boundary commission on the boundary lines between West Virginia and Pennsylvania."

The Legislature met in special session pursuant to said call, and duly elected Mr. Faulkner to fill the existing vacancy in the Senate of the United States, if it had authority so to do.

The Constitution of the United States is the supreme authority, and all provisions of the constitution or statutes of any State are void and of no effect unless they can be so construed as not to conflict with its provisions.

The Constitution of the United States expressly provides that the vacancy which happens during the recess of the Legislature of any State shall be filled by the Legislature at its next meeting. The statute of the United States merely prescribes the time and manner in which, at such meeting, the constitutional mandate shall be obeyed. The only question, therefore, which can possibly arise is whether the body which sat in pursuance of the call of the governor was a legislature in the constitutional sense.

It is claimed by Mr. Lucas that as this body was not permitted to enter upon any legislative business, except such as related to the eight matters set forth in the call, it was not a legislature, but was a body deriving its power from the will of the executive, and so was exerting a certain executive or quasi-executive function, something like that which is exercised by the Senate in giving its assent to the nominations of public officers.

But it seems to us that this view can not be supported. In the first place, the body is expressly declared by the constitution of West Virginia itself to be a legislature. In the next place, the function which it exercises in making enactments upon the eight great subjects mentioned in the call of the governor is clearly a legislative function. Among them, under articles 1 and 2, is the making appropriations of public money; under article 3, the regulating of procedure in criminal cases; under articles 5, 6, and 7, would exist the power to declare certain high crimes and misdemeanors; and under article 8, to give the assent of the State to the establishment and confirmation of its boundary lines.

It is difficult to conceive of any definition of the word "legislature" which would not include a body capable of passing and actually passing such enactments as these. They can be binding on the people of the Commonwealth only as legislation. They would be subject to be construed and enforced by the courts of that State only in their character as laws.

But it seems to the committee that the construction of the State constitution of West Virginia, upon which the above argument is based, is one which will not bear examination. When that constitution provided that the Legislature so convened on extraordinary occasions "should enter upon no business except that stated in the proclamation by which it was called together," the people must be presumed to have had in mind business to be transacted under authority of the State constitution, and not to have intended to prohibit the performance of duties imposed upon it by the supreme authority of the Constitution of the United States.

If the argument be sound that a legislative body which is prohibited from entering upon certain classes of business, or which is confined to certain classes of business, clearly legislative in their character, is no legislature in the constitutional sense, its logic would require us to declare that the Legislature of every State whose bill of rights excludes it from large domains of legislation is no legislative body. If, under the same provision of the Constitution of the United States, the act of Congress had fixed a day for holding elections for Representatives to Congress, and the State constitution or laws should prohibit the assembling of the people for such elections on the day so fixed, it would, we suppose, be held clear that the act of the State would be void and the authority of the act of Congress would prevail.

We can not see any difference between such prohibition of a State constitution applicable to the constitutional electors of Senators, who are members of the State

Legislature, and the constitutional electors of Representatives, who are a body of electors authorized to vote for members of the most numerous branch of the State Legislature.

We are therefore clearly of opinion that the election of Mr. Faulkner at the special session of the Legislature of West Virginia was valid.

It is insisted that Mr. Faulkner was ineligible to the office of Senator by reason of the provision of the constitution of West Virginia:

"No judge during his term of office shall practice the profession of law or hold any other office, appointment, or public trust, under this or any other government, and the acceptance thereof shall vacate his judicial office. Nor shall he, during his continuance, be eligible to any political office."—*Article 8, section 16.*

But we are of opinion that no State can prescribe any qualification to the office of United States Senator in addition to those declared in the Constitution of the United States. See the debates on the case of Mr. Trumbull, Taft's Election Cases, page 148.

This provision, according to the settled rule of construction, must be so construed as to attribute to it a meaning not inconsistent with the constitution of West Virginia. This can well and properly be done by holding it to mean "eligible to office under the constitution of West Virginia."

We therefore find that Mr. Faulkner has been constitutionally elected to the seat in the Senate made vacant by the expiration of the term of Mr. Camden, and that he is entitled to take the oath.

We report the following resolutions:

*Resolved*, That Daniel B. Lucas is not entitled to a seat in the Senate from the State of West Virginia.

*Resolved*, That Charles J. Faulkner has been duly elected Senator from the State of West Virginia for the term of six years, commencing on the 4th day of March, 1887, and that he is entitled to a seat in the Senate as such Senator.

The PRESIDENT *pro tempore*. Will the Senate proceed to the consideration of the resolutions reported by the committee? The Chair hears no objection, and the first resolution will be read.

The Chief Clerk read as follows:

*Resolved*, That Daniel B. Lucas is not entitled to a seat in the Senate from the State of West Virginia.

The PRESIDENT *pro tempore*. Is the Senate ready for the question on agreeing to the resolution?

The resolution was considered by unanimous consent, and agreed to.

The PRESIDENT *pro tempore*. The second resolution will be read.

The Chief Clerk read as follows:

*Resolved*, That Charles J. Faulkner has been duly elected Senator from the State of West Virginia for the term of six years, commencing on the 4th day of March, 1887, and that he is entitled to a seat in the Senate as such Senator.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of this resolution? The Chair hears none. Is the Senate ready for the question upon agreeing to the resolution?

Mr. PLATT. Mr. President, I should like to ask the committee just what it intends by that resolution. Whether it intends to say that Mr. Faulkner was a Senator during the time which elapsed after the expiration of Mr. Camden's term and before the special session of the Legislature. Did his term commence on the 4th day of March, 1887, or did it commence at the time of his election?

Mr. HOAR. As I understand, it is the uniform rule of the Senate from the beginning as to a Senator—and, indeed, it is the rule in the other House as well, where, within a period since my public service here began, the elections in two or three States for the House of Representatives took place after the 4th of March—that the title to the seat, as far as it can have any retroactive effect, dates back to the beginning of the constitutional term, and the Senator holds his place and draws his salary from that time.

The PRESIDENT *pro tempore*. Is the Senate ready for the question upon agreeing to the resolution?

Mr. HOAR. If I may be pardoned, before the Chair puts the question, having had the suggestion made to me by the Senator from Iowa [Mr. ALLISON], I desire to state that that was the action of the Senate very recently in the case of General Logan.

The PRESIDENT *pro tempore*. The question is on the adoption of the resolution.

The resolution was agreed to.

The PRESIDENT *pro tempore*. If the Senator-elect is in the Chamber, he will please advance and receive the oath of office.

Mr. FAULKNER, escorted by Mr. KENNA, advanced to the desk of the President *pro tempore*, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

Mr. HOAR. I desire to make a motion in connection with the same subject. I move that Mr. FAULKNER be added to the Committee on Claims, the Committee on the District of Columbia, the Committee on Mines and Mining, and the Committee on Pensions.

The PRESIDENT *pro tempore*. The resolution offered by the Senator from Massachusetts will be read.

The Chief Clerk read as follows:

*Resolved*, That Mr. FAULKNER be added to the Committees on Claims, on the District of Columbia, on Mines and Mining, and on Pensions.

Mr. PLATT. I may as well say a word upon this resolution as at any other time. I wish to state that I do not assent to what appears to be the doctrine of the resolution which has just been adopted giving Mr. FAULKNER his seat, namely, that his term commenced at the expiration of the term of the former Senator, Mr. Camden. I think it was a vacancy to which he was elected.

The report of the committee proceeds upon the theory that the Constitution of the United States made it the duty of the special session of the Legislature of West Virginia to fill a vacancy, when that vacancy, if it were the original vacancy, had already been filled, as I hold, by the appointment of a Senator by the governor. It seems to me that whatever the practice may have been, the law is so that the Senator is elected to fill the unexpired term.

I did not wish to make any objection to the passage of the resolution, but I desired while the matter was before the Senate to state my views upon the subject.

The PRESIDENT *pro tempore*. Is the Senate ready for the question upon agreeing to the resolution submitted by the Senator from Massachusetts?

The resolution was agreed to.

### COMMITTEE ON PRIVILEGES AND ELECTIONS.

Mr. PADDOCK, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, reported it without amendment, and it was considered by unanimous consent, and agreed to:

*Resolved*, That the Committee on Privileges and Elections, while considering pending cases in reference to seats in the Senate, be empowered to employ a stenographer.

### AMENDMENT OF THE RULES.

Mr. HARRIS. The Committee on Rules, which was directed some days since to inquire into the propriety of amending Rule XXXI of the Senate, direct me to report an amendment to that rule. I ask the Secretary to read Rule XXXI.

The PRESIDENT *pro tempore*. If there be no objection, the Secretary will read Rule XXXI.

The Chief Clerk read as follows:

RULE XXXI.

Whenever a committee of the Senate, to whom any claim has been referred, reports adversely, and the report is agreed to, it shall not be in order to move to take the papers from the files for the purpose of referring them at a subsequent session, unless the claimant shall present a petition therefor, stating that new evidence has been discovered since the report, and setting forth the substance of such new evidence.

Mr. HARRIS. The committee directs me to report an amendment to the rule, which I ask may be read.

The Chief Clerk read as follows:

Add to the rule the following:

"But when there has been no adverse report, it shall be the duty of the Secretary to transmit all such papers to the committee in which such claims are pending."

Mr. HARRIS. I ask the unanimous consent of the Senate to consider at this time the amendment.

The PRESIDENT *pro tempore*. The Senator from Tennessee asks unanimous consent that the proposed amendment to the rules reported by the Committee on Rules may now be considered. Is there objection?

Mr. COCKRELL. I have no objection; but I suggest that after the word "report," the words "agreed to" be inserted, so as to read:

But when there has been no adverse report agreed to, it shall be the duty of the Secretary, etc.

Mr. HARRIS. I suggest to the Senator from Missouri that upon consideration he would not be willing himself to adopt the amendment he proposes, because when an adverse report has been made, and at the request of any Senator it goes upon the Calendar, that adverse report is rarely ever reached and rarely ever agreed to by the Senate. Where there has been an adverse report, the committee deemed it proper that the papers should not be again referred to a committee without application. I can not agree to the amendment suggested by the Senator from Missouri.

Mr. COCKRELL. I think it is essential. It has been the universal rule of the Senate that unless the adverse report is agreed to, it is not conclusive, and does not prevent the case from being referred to a committee again. There are divers instances where adverse reports have been made, and at the very next Congress a favorable report been made, and the bill passed. It is not right to preclude the reference of papers where simply an adverse report has been made and no action has been had by the Senate upon that report.

Mr. HOAR. I sympathize with the desire of the Committee on Rules to accomplish this change, and am aware of the inconvenience caused the Senate by the present practice; but I desire to submit to the consideration of the Senator from Tennessee, whether the rule as now proposed to be adopted is not a very serious intrenchment upon the constitutional right of petition.

When the Senate has acted and rendered a judgment upon a petition or claim by accepting an adverse report, as the original rule contemplates, of course it can not be claimed, the Senate being the same body, that every citizen has a right to require us to inquire over and over again into his case. But where a majority only of a committee of the body have expressed an adverse opinion which leads to the adverse report, and the Senate has taken no action upon it, it does seem to me that it is limiting the constitutional right of petition to say that a citizen shall not have the right to bring that case to the attention of the Senate again. Of course, to deny him the right to present his case with its papers is a denial, substantially, of a right to a new petition. It is a denial of the right to have that petition considered upon its facts by the Senate.

Mr. HARRIS. Will the Senator allow me to suggest to him at this point that the amendment proposed denies nothing to a petitioner or to any one else? It imposes a duty upon the Secretary of the Senate, under certain circumstances, to transmit certain papers on file in his office to a committee so as to save the Senator from Massachusetts and other Senators the trouble of asking the Senate for a special order of reference.

Mr. HOAR. Of course I listened to the proposed amendment only as it was once read. Does not the proposed change in the rule extend the prohibition of bringing forward papers from the case where there has been an adverse report accepted by the Senate to the case where there has been an adverse report not accepted?

Mr. HARRIS. The amendment simply makes it the duty of the Secretary of the Senate, where a Senator has introduced a bill for the relief of any claimant, without any special order of the Senate, to transmit all papers on file in his office relating to it to the committee where the claim is pending, and it leaves Rule XXXI precisely as it stood before, except the imposition of that duty upon the Secretary of the Senate.

Mr. HOAR. Let the amendment be read again.

The PRESIDENT *pro tempore*. The amendment will be again read.

The Chief Clerk read as follows:

Add to the rule the following:

"But when there has been no adverse report, it shall be the duty of the Secretary to transmit all such papers to the committee in which such claims are pending."

Mr. HOAR. The Senator is entirely right. I see that the rule as proposed is not liable to my criticism.

The PRESIDENT *pro tempore*. Will the Senate agree to the amendment to Rule XXXI proposed by the Committee on Rules?

The amendment was agreed to.

BILLS INTRODUCED.

Mr. SHERMAN introduced a bill (S. 737) granting a pension to Berry Day; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 738) granting a pension to the guardian of Enos J. Searles, of Clermont County, Ohio; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 739) granting a pension to Johnanna Loewinger; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 740) granting a pension to Eleanor I. Armstrong; which was read twice by its title, and referred to the Committee on Pensions.

Mr. RIDDLEBERGER introduced a bill (S. 741) for the relief of William Tabb; which was read twice by its title, and referred to the Committee on Claims.

Mr. BUTLER (by request) introduced a bill (S. 742) to make the Lake Borgne outlet, to improve the low-water navigation of the Mississippi River from New Orleans, La., to Cairo, Ill., and incidentally to reclaim and protect the valley lands of the Mississippi River and tributaries from overflow without levees; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Improvement of the Mississippi River.

He also (by request) introduced a bill (S. 743) directing the Secretary of the Treasury to examine and settle the accounts of certain States and the city of Baltimore growing out of moneys expended by said States and city of Baltimore for military purposes during the war of 1812; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 744) relating to the pay and retirement of the mates in the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. REAGAN introduced a bill (S. 745) to regulate immigration; which was read twice by its title.

Mr. REAGAN. I ask that the bill be referred to the Committee on Commerce.

Mr. FRYE. Have not such bills been referred to the Committee on Foreign Relations?

The PRESIDENT *pro tempore*. The Chair is unable to answer the Senator from Maine.

Mr. FRYE. My impression is that nearly all of them have been so referred.

Mr. EDMUNDS. Yes, the former bills were referred to the Committee on Foreign Relations. There was a little discussion about it, and that was thought to be on the whole the more appropriate committee.

Mr. REAGAN. If other bills of like character have been referred to that committee, I have no objection to the reference suggested.

The PRESIDENT *pro tempore*. The reference, then, will be to the Committee on Foreign Relations.

Mr. PASCO introduced a bill (S. 746) to authorize the Secretary of the Treasury to settle and pay the claim of the State of Florida on account of expenditures made in suppressing Indian hostilities, and for other purposes; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 747) granting aid in the construction of a railroad from the town of Titusville, Brevard County, Florida, to the Bight of Canaveral, with a branch to Banana River, in said State; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. HARRIS (by request) introduced a bill (S. 748) to incorporate the Washington Suburban Railway Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also (by request) introduced a bill (S. 749) granting a pension to Louise Paul; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 750) for the relief of Pearson C. Montgomery, of Memphis, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 751) for the relief of the estate of J. J. Pulliam, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. MORGAN introduced a bill (S. 752) to grant a pension to Mrs. Elvira L. Johnson, widow of Commodore Philip E. Johnson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 753) granting a pension to James Whaley; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 754) for the relief of William Wolfe, of Shelbina, Shelby County, Missouri; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 755) for the relief of captains, pilots, engineers, and mates of steam-vessels; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PLUMB introduced a bill (S. 756) granting a pension to Argent Cansdell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 757) granting an increase of pension to Francis M. Higgason; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 758) for the relief of purchasers and other grantees of the United States of certain swamp and overflowed lands, and to reimburse and indemnify certain States; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. CHANDLER introduced a bill (S. 759) to confer jurisdiction on the Court of Claims to examine and determine certain claims for damage done upon the high seas by the Confederate cruiser Boston; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. DAVIS introduced a bill (S. 760) granting a pension to Stephen C. Lobdill; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 761) to amend section 11 of an act entitled "An act to enable the people of Colorado to form a State constitution and State government for the admission of the said State into the Union on equal footing with the original States;" which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 762) granting an increase of pension to Lieut. Col. Henry E. Thompson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 763) to promote the efficiency of the General Land Office; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 764) to provide for the coinage of half-dollars, quarter-dollars, and dimes; which was read twice by its title, and referred to the Committee on Finance.

Mr. CULLOM introduced a bill (S. 765) granting an increase of pension to Edward Durant; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 766) granting an increase of pension to John Moore; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 767) granting a pension to Robert H. Sturgess; which was read twice its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 768) for the relief of Orin R. McDaniel; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 769) for the relief of William Gardner; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 770) for the relief of L. S. Ensel; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 771) for the relief of John F. Cadwallader; which was read twice by its title, and referred to the Committee on Claims.

Mr. HAMPTON (by request) introduced a bill (S. 772) to purchase and publish, in a book for the use of and improvement of the military service of the United States, the written manuscript by Professor O. R.

Gleason on the Great Art of Training and Educating Horses; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. COLQUITT introduced a bill (S. 773) for the relief of James E. Walter; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. KENNA introduced a bill (S. 774) for the relief of William B. Lynch; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 775) to regulate the compensation of the chief justice and judges of the Court of Claims and of the justices of the supreme court of the District of Columbia; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 776) granting a pension to Louise Paul; which was read twice by its title, and referred to the Committee on Pensions.

Mr. EVARTS introduced a bill (S. 777) to authorize the President to appoint (with the advice and consent of the Senate) John Rigney, a sergeant in the Army, to be a second lieutenant; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 778) to extend the term of the patent granted to Walter Youmans on the 12th day of November, 1872, for fifteen years; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 779) for the relief of the New York, Lake Erie and Western Railroad Company; which was read twice by its title and referred to the Committee on Post-Offices and Post-Roads.

Mr. CAMERON introduced a bill (S. 780) granting a pension to Sarah Vantine; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 781) granting a pension to John Fagan; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 782) granting a pension to Mary A. Row; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. GEORGE introduced a bill (S. 783) to correct the enrollment of an act approved March 3, 1887, entitled "An act to amend sections 1, 2, 3, and 10 of an act to determine the jurisdiction of the circuit courts of the United States, and to regulate the removal of causes from the State courts, and for other purposes, approved March 3, 1875;" which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 784) to enlarge the powers and duties of the Department of Agriculture; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 785) to provide for an addition to the United States building at Jackson, Miss.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 786) to provide a building for the use of the United States courts, post-office, custom-house, and internal-revenue office at Vicksburg, Miss.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. GEORGE introduced a bill (S. 787) to protect innocent purchasers of patented articles, and for other purposes; which was read twice by its title.

Mr. GEORGE. I ask that the bill be referred to the Committee on the Judiciary.

Mr. PLATT. I do not know from the title of the bill just what it refers to, but I assume that it refers to a subject which has been very many times before the Committee on Patents; and according to the rule which has been adopted here, that a bill should be referred to the committee which has once had consideration of the subject, I think it should go to the Committee on Patents.

The PRESIDENT *pro tempore*. Does the Senator from Connecticut make a motion for reference to the Committee on Patents?

Mr. PLATT. I move that the bill be referred to the Committee on Patents.

Mr. GEORGE. I prefer that it should go to the Committee on the Judiciary, for a specific reason.

Mr. PLATT. Let the bill be read at length.

The Chief Clerk read the bill, as follows:

A bill to protect innocent purchasers of patented articles, and for other purposes.

*Be it enacted, etc.*, That it shall be a valid defense to any action for an infringement of any patent, or any suit or proceeding to enjoin any person from the use of a patented article, that the defendant therein, or his assignor, purchased the patented article for use or consumption, and not for sale or exchange, in good faith and in the usual course of trade, without notice that the same was covered by a patent, or without notice that the seller had no right to sell such article; and in all such cases notice received after such purchase shall not have the effect to impair in any way the right of such purchaser as absolute owner.

SEC. 2. That all patents for any discovery or invention hereafter granted by the United States shall be subject to purchase by Congress, for the use of the people of the United States, at such reasonable valuation, and on such terms, and in such mode as may be provided for by law; and all such patents shall be considered and treated in law as issued subject to that condition.

The PRESIDENT *pro tempore*. The Senator from Connecticut moves that the bill be referred to the Committee on Patents.

Mr. GEORGE. The most important part of the bill relates to the application of the law in regard to innocent purchasers, and I thought that the proper committee to refer it to would be the Judiciary Committee. I prefer that course to having it referred to the Committee on Patents.

Mr. PLATT. I have no feeling about the matter; I am not chairman of the Committee on Patents now; but when the title of the bill was read it struck me that it was on the same subject which has been for many sessions before the Committee on Patents, and upon which the Committee on Patents has reported from time to time. The Judiciary Committee has a very wide range of matters before it, and it seems to me that this is a subject which should be entirely within the cognizance of the Committee on Patents. So I insist on my motion.

The question being put, there were on a division—ayes 19, noes 20.

Mr. PLATT. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. GEORGE. Before the yeas and nays are taken I believe I shall make an explanation.

This is a very important bill, one in which the people of this country are very much interested. The law as it now stands operates in many cases a very great hardship upon the persons who go into open market and buy in good faith a patented article, thereby subjecting themselves without any notice on their part to suits for large damages. As the Senator from Connecticut has stated to the Senate, that question has been before the Committee on Patents on two or three occasions, I believe, and that committee has not seen proper to grant relief—the relief which I and which a good many members of this body think the people of the United States are entitled to—and as the bill refers to the application of an important principle of law, having reference to the rights of innocent purchasers without notice, a purely judicial proceeding, as my friend from Tennessee [Mr. HARRIS] suggests, I thought it was proper under all these circumstances that it should go to a new committee.

Mr. PLATT. I do not suppose the Senate paid very much attention to this matter when the bill was read before, and I ask that it be read again.

The PRESIDENT *pro tempore*. The bill will be again read.

The Chief Clerk read the bill.

Mr. PLATT. Now, Mr. President——

The PRESIDENT *pro tempore*. The hour of 1 o'clock having arrived, is it the pleasure of the Senate to proceed further with morning business?

Mr. HARRIS. I ask that the Senate proceed with the morning business until it is concluded.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

Mr. PLATT. I will say a word in reply to the suggestions of the Senator from Mississippi.

What I contend for is the proper disposition of matters brought before the Senate. This is a matter which, if any measure comes within the jurisdiction and cognizance of the Patent Committee, comes naturally before that committee. If the desire and disposition of the Senate is to take away from the consideration of the Patent Committee a bill upon the ground that the Patent Committee will not deal with it as the member who introduces it thinks it ought to be dealt with, then we may as well have that principle established generally, and it will reach a great many cases.

As it seems to me, the Patent Committee has been in no way open to the charge of dereliction in dealing with this subject. The bill has never been before that committee, I think, but what it has received consideration and report. I do not mean this particular bill, but I mean bills embracing the same subject; and those bills so reported, if my memory serves me, have in more than one instance received the approval of the Senate. Now, why a bill bringing the same subject again before the consideration of the Senate should be taken from the committee which has heretofore had the consideration of it, as it was supposed properly, and be given to another committee, I can not see, unless it be for the reason given by the Senator from Mississippi, that the Patent Committee have not reported upon the bill as he thinks they ought to have reported. If that principle is to be adopted in regard to the reference of measures before the Senate, as I said before, it will upset a good deal of the procedure of the Senate, and will reach a great deal further than is thought at the present time.

Mr. GEORGE. Mr. President, the Senator from Connecticut misapprehends me when he states that the sole reason I had for changing the reference of the bill from the Committee on Patents to the Judiciary Committee was that the Committee on Patents had not considered the bill in the light in which I thought it ought to have done.

I regard the bill as being of a kind which may properly be referred either to the Judiciary Committee or to the Committee on Patents. It proposes a change of the general law upon a very important point. It proposes the application and extension of a very important principle of law, applicable to nearly all departments of business, to the business of patents, and I thought for that reason it might properly go before the committee which had charge of the general jurisprudence of this country.

The first section of the bill has sole reference to the extension of a most salutary principle of the common law, recognized in a vast major-

ity of the transactions of human life, to a peculiar class of cases, and I thought for that reason it was very appropriate to refer it to that committee which has jurisdiction over the general jurisprudence of the country. But I must confess that as an additional and subsidiary reason, believing, as I have stated, that the reference to the Judiciary Committee was appropriate, it was proper to consider that the Committee on Patents on this very important question had come to a conclusion which I thought was very adverse to the rights of the great mass of the American people. As far as I can learn, there has been more wrong and injury done under the patent laws by suits against men who go into open market, into the stores and warehouses of the country, and buy in good faith articles which they suppose the seller has a right to sell, and then are afterwards brought up before a court, fifty or one hundred or two hundred miles from their homes, to account for it; and as the Patent Committee had not seen proper to extend to such cases this very salutary principle of the common law, the protection of innocent purchasers, I thought it was proper and right that another committee should consider that question also; and for that reason, and in addition to the reason which I gave first, that the Judiciary Committee was a very appropriate tribunal to determine it, I insist, in behalf of the rights of many persons in this country who have been injured by the present law, that this bill shall go to the other committee.

Mr. TELLER. Mr. President, the Senator seems to admit that his real reason for sending this bill to the Judiciary Committee is that the Patent Committee did not report such a bill as he thought they ought to have reported. It is not claimed that the committee did not report a bill of this general character. Having reported such a bill, it was for the Senate to say, by amendment or otherwise, whether it was in accordance with the judgment of the Senate. In this case there is an amendment proposed to the patent laws. Would the Senator, or would anybody, say, if it was an attempt to revise the patent laws, that the Judiciary Committee was the appropriate committee to receive the bill? And because it is a partial revision or because it presents a question of law, as every bill must, is there any greater reason for referring it to that committee?

If we propose to proceed in the Senate in an orderly manner by sending bills to appropriate committees, organized for the purpose of dealing with some particular class of cases, we shall send bills to the committees which are organized to consider the subjects to which they relate; but if, on the other hand, it is proposed, every time a Senator thinks he can get a bill out of one committee more favorable to his views than out of some other committee, to refer it to the committee which he thinks will favor it, then there will be no system of order in the Senate, and we shall spend our time, as we have done frequently, in controversies as to what committee shall receive this bill, that, or the other.

The uniform practice of the Senate has been for many years to parcel the business out to committees, and then send all bills pertaining to a particular subject to the committee appointed to take charge of such measures; and the Senator from Mississippi has given no reason why that rule should be changed or departed from.

Mr. CHACE. I was not present when this question was first raised, but I confess that it strikes me that the Senate is rapidly drifting into a state of disorganization in so far as the question of the reference of subjects to the different committees is concerned. This is the second time so early in the session that an attempt has been made to set aside the good order of the Senate in that regard.

I apprehend if there is any propriety in the organization of our committees, and the selection of the membership of the committees with reference to their fitness for the duties pertaining thereto, that it is no argument that the question has in a former Congress been referred to the Committee on Patents, and that they have seen fit, in their wisdom, to report a bill not comporting with the ideas of the Senator from Mississippi. By parity of reasoning you might take any question with regard to the land laws and refer it to the Committee on the Judiciary, and so in regard to the Post-Office. In short, why should not the Judiciary Committee, being in particular a committee appointed to consider legal questions, engross all the business of the Senate? It seems to me that the force of the argument of the Senator from Mississippi is instantly dissipated upon a review of it.

Mr. HOAR. Mr. President, I was a member of the Committee on Patents for a good many years, and while I was upon that committee this question came up before it, and, although there were some members of the committee who had special interests as representing constituencies where there were many inventors, they took pains to ascertain the sense of Senators who represented constituencies who had made complaint of some of the impositions which had been practiced upon the agricultural communities of the West by the vendors of patents, and in every instance they agreed upon a measure, and reported one to the Senate, which was satisfactory to such Senators as the late Senator from Minnesota, Mr. Windom, who, everybody knows, was the champion of the attack on the existing patent system, and other gentlemen from all sections of the country, and I think in one or two instances those bills received the assent of the Senate. In others they did not get taken up.

It seems to me it would be a violation of all the proprieties of the Senate, after appointing a committee on the subject of patents, to refer a proposed general law providing for dealing with patents to another committee. The establishment of such a precedent would be more injurious to the dignity and authority of the Judiciary Committee in the end than to any other committee in the body.

The PRESIDENT *pro tempore*. The yeas and nays have been ordered.

Mr. EDMUNDS. Mr. President, it seems to me clear from the nature of this bill, which involves really the whole consideration of patents, although it is about suits for their infringement, that it fairly belongs to the Committee on Patents. If they ought not to consider this subject of the relation of a patentee to his customers—for that is what it comes to—or to the people who are using his invention, or who he claims are using it, I really do not know what the Committee on Patents can have to do, because they do not grant patents. They sometimes, as an act of special grace, recommend that patents be extended; but, in the main, the important part of the business of the Patent Committee, that sees all sides of this question, is to consider the relations between the patentee and persons who are alleged to be using his invention.

So it seems to me that my friend from Mississippi had better let the matter go to the committee which, to my mind, is obviously the appropriate committee.

Mr. GEORGE. I desire only to make one more remark in relation to this matter, and that is that my information is that very great wrong has grown up under the law as it exists. I have been endeavoring to get this matter considered for several sessions of the Senate, and the wrong still continues. I admit that the Committee on Patents might appropriately have jurisdiction of this matter, and I also admit and contend that the Committee on the Judiciary have jurisdiction. There are many cases where it is a matter of indifference to what particular committee a bill shall be referred.

This bill, as I before remarked, endeavors to extend a most salutary principle of the common law to a class of cases to which it has not heretofore been extended. It is the extension of this salutary principle which I insist is necessary and proper and an essential defense to a large number of the people of the United States, who innocently go into stores, into warehouses, and pay their money in good faith for an article which they suppose the seller has a right to sell, and the next day, or the next week, or the next month, they find themselves visited by a United States marshal with a writ or a summons to a court at a distant point, where, even if they are successful, the cost of the suit on their part will be larger than the value of the article which they purchased.

I believe, from the former history of this question before the Senate, that no relief can be had to these people unless the direction which I ask this bill to take shall be taken, and I hope, therefore, that it will be referred to the Judiciary Committee.

Mr. GRAY. Mr. President, I entirely sympathize with the object of the bill introduced by the Senator from Mississippi; I entirely agree with him that the abuse at which it is directed, and which it is intended to remedy, has become intolerable; but upon the question of the appropriateness of the reference in this body to the Committee on the Judiciary, I entirely differ with him. If I understand at all the functions of the Judiciary Committee—and I am free to say that I do not know that I do understand them fully, for it is a very august committee—that committee has jurisdiction of all subjects which require inquiry into the state of the law, and it is their duty to inform this body, after they have investigated a juridical subject, as to what the law is, in their opinion.

Now, sir, it seems to me that if this bill can appropriately be referred to the Judiciary Committee, by reason of the very superficial relations it has to a question of law, then almost any bill that is here introduced might be so referred.

The doctrine of innocent purchaser as applied by our courts and the presence or absence of notice is not an abstruse doctrine about which the Senate wants information; it is a doctrine well settled in the jurisprudence of the country; but in regard to its application by statute law to this subject-matter of patents, it is merely a question of policy, which the Committee on Patents, it seems to me, is specially fitted to consider, because it concerns the whole scope of the patent law; and it can not be satisfactorily considered by a committee that is not charged with the duty of considering the patent law in all its bearings as well as with reference to the particular matter referred to by the Senator from Mississippi. Nor do I think that it is any function of the Committee on the Judiciary to have or to exercise a supervisory power over the other committees of the Senate, and when, in the opinion of a member of that committee, other committees who appropriately have in their jurisdiction subjects-matter for consideration fail to do what that member considers its full duty, that it should be taken from the committee having it in charge and referred to the Judiciary Committee. I do not know what action was had by the Committee on Patents on this subject.

As I said before, I entirely sympathize with the object the Senator from Mississippi has in view; but I do consider that orderly proceeding in this body and avoidance of confusion in our business demand that this bill shall be referred to the Committee on Patents, to which it properly belongs.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Connecticut [Mr. PLATT] to refer the bill to the Committee on Patents, on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. GIBSON (when his name was called). I am paired with the Senator from Nevada [Mr. JONES].

The roll-call was concluded.

Mr. FRYE (after having voted in the affirmative). I am paired on all political questions with the Senator from Maryland [Mr. GORMAN]. I did not understand this to be a political question, and therefore I voted.

Mr. BECK. I have voted, though paired with the Senator's colleague [Mr. HALE].

Mr. FRYE. Is this a political question? ["No!" "No!"] If the Senator from Kentucky desires to vote——

Mr. BECK. I have voted. That is the reason I suggested my pair with the Senator's colleague.

Mr. FRYE. I do not regard this as a political question, and therefore will allow my vote to stand.

Mr. CULLOM. I announce the pair of the Senator from Indiana [Mr. VOORHEES] with the Senator from New York [Mr. HISCOCK]. I do not know how either Senator would vote on this motion if present.

Mr. GIBSON. If this is not regarded as a political question, I will cast my vote in the negative.

The result was announced—yeas 40, nays 25; as follows:

YEAS—40.

| | | | |
|---|---|---|---|
| Aldrich, | Dolph, | McPherson, | Quay, |
| Allison, | Edmunds, | Manderson, | Riddleberger, |
| Blair, | Evarts, | Mitchell, | Saulsbury, |
| Bowen, | Farwell, | Morgan, | Sawyer, |
| Cameron, | Frye, | Morrill, | Sherman, |
| Chace, | Gray, | Paddock, | Spooner, |
| Chandler, | Hawley, | Palmer, | Stanford, |
| Cullom, | Hoar, | Platt, | Stockbridge, |
| Davis, | Ingalls, | Plumb, | Teller, |
| Dawes, | Kenna, | Pugh, | Wilson of Iowa. |

NAYS—25.

| | | | |
|---|---|---|---|
| Bate, | Call, | Gibson, | Ransom, |
| Beck, | Cockrell, | Hampton, | Reagan, |
| Berry, | Coke, | Harris, | Vance, |
| Blackburn, | Eustis, | Hearst, | Vest, |
| Blodgett, | Faulkner, | Pasco, | Walthall, |
| Brown, | George, | Payne, | Wilson of Md. |
| Butler, | | | |

ABSENT—11.

| | | | |
|---|---|---|---|
| Colquitt, | Hale, | Jones of Nevada, | Turpie, |
| Daniel, | Hiscock, | Sabin, | Voorhees. |
| Gorman, | Jones of Arkansas, | Stewart, | |

So the bill was referred to the Committee on Patents.

Mr. GEORGE introduced a bill (S. 788) to provide for holding terms of the United States courts at Mississippi City; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 789) for the relief of the Protestant Orphan Asylum of Natchez, in the State of Mississippi; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 790) to annex a certain strip of land therein named to the Territory of New Mexico; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 791) referring the petition and papers in the case of George T. Swan, administrator of the estate of George T. Swan, deceased, in so far as the same relates to cotton seized, to the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 792) to prevent contraction in the currency, and to increase the circulation of silver and silver certificates; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 793) for the relief of the executors of Levin R. Marshall, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 794) to give to Henry K. Cady an honorable discharge from military service dating as from November 18, 1865; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. DOLPH introduced a joint resolution (S. R. 14) to provide for the preparation and printing of an illustrated catalogue of the Army Medical Museum; which was read twice by its title, and referred to the Committee on Printing.

REFUND OF DIRECT TAX.

Mr. BERRY. I ask leave to submit an amendment intended to be proposed by me to the bill (S. 139) to credit and pay to the several States and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861, which was reported yesterday from the Finance Committee by the Senator from Vermont [Mr. MORRILL], and is now on the Calendar. I ask that the amendment lie on the table, and be printed.

The PRESIDENT *pro tempore*. The amendment will be received, lie on the table, and be printed, if no objection be interposed.

INDIAN TRADERSHIPS.

Mr. CHANDLER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Select Committee on Indian Traders be, and hereby is, authorized and directed to continue the investigation directed to be made under Senate resolution of June 3, 1886, with all the authority and powers granted to the original committee by said resolution of June 3, 1886, including the taking of testimony and the employment of a stenographer.

PAPERS WITHDRAWN AND REFERRED.

Mr. HARRIS. The case not falling within the amended rule, I ask for the following order:

*Ordered*, That the petition and papers of John T. Robeson, late United States consul at Beirut, for refund of money paid by him for clerk-hire, be withdrawn from the files of the Senate and referred to the Committee on Appropriations, there having been no adverse report thereon.

The PRESIDENT *pro tempore*. In the absence of objection, the order will be agreed to.

Mr. WILSON, of Iowa, submitted the following order:

*Ordered*, That the papers in the case of L. W. Huston be withdrawn from the files of the Senate and referred to the Committee on Post-Offices and Post-Roads, there having been no adverse report thereon.

Mr. WILSON, of Iowa. This order does not come within the provisions of the amended rule.

The PRESIDENT *pro tempore*. The order will be considered as agreed to, if no objection be interposed.

THE SWENSON PATENT.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the resolution submitted yesterday by the Senator from Kansas [Mr. PLUMB], which comes over under the rules.

The Chief Clerk read the resolution, as follows:

*Resolved*, That the Attorney-General be requested to investigate the issuance of letters patent, numbered 371528, to Magnus Swenson, of date October 11, 1887, and if in his judgment the same is invalid upon any ground, that he commence suit promptly to have the same canceled, or the use of the same by said Swenson or any one claiming under him perpetually enjoined.

Mr. PLUMB. The Senator from Vermont [Mr. MORRILL] desires to address the Senate, and I will not ask the Senate to take up that resolution now, but let it lie over until to-morrow.

The PRESIDENT *pro tempore*. The resolution will lie over until to-morrow.

FOREIGN IMMIGRATION.

Mr. MORRILL. I ask to have the bill in relation to foreign immigration, introduced by me, laid before the Senate, and the title of it read.

The PRESIDENT *pro tempore*. The Senator from Vermont moves that the Senate proceed to the consideration of a bill the title of which will be stated.

The CHIEF CLERK. "A bill (S. 141) to regulate immigration, and for other purposes."

The motion was agreed to.

Mr. MORRILL. Mr. President, the simple change in the laws regulating immigration, as proposed in the bill introduced by me, is to have the examinations in regard to the character of foreign immigrants first made by the consuls of the United States at the place of their departure, at their own homes, where they are known, instead of being made, as they are now, at our ports by State commissioners, who must be wholly destitute of power to ascertain any antecedent facts in relation to the personal history of any one of a ship-load of immigrants. Those who honestly pass this consular examination will receive a consular certificate, for which a fee of 50 cents is to be paid, instead of the same amount, as a duty, heretofore collected from the vessels in which the immigrants have been brought. This will be more convenient for all parties concerned, and also likely to deter from making any attempt at evasion those whom we seek to exclude. The cost of transportation to immigrants who comply with the law will not be increased, and any doubt about their reception upon their arrival here will be greatly diminished, if not wholly removed. All other changes proposed are intended to regulate but not to prohibit or embargo immigration, and are only the logical requirements made necessary to carry the change referred to into practical effect.

There has been a sentimental idea abroad that we have offered a political refuge to the persecuted and oppressed of every clime, regardless of their moral character; but the American idea really never offered a refuge to convicts or to irreconcilable enemies to law and order, nor to the occupants of the Old World's insane asylums and poor-houses. Our laws only left the doors open to persons of "good moral character." There is no lack of constitutional power to interpose whatever barriers we choose in order either to regulate or even to interdict immigration. Section IX of the Constitution reads as follows:

The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by Congress prior to the year one thousand eight hundred and eight.

It follows that after the date mentioned the power of Congress became unlimited, and we may at least turn the turbid stream through a consular filter to intercept and exclude very unwholesome if not dangerous foreign interlopers, and relieve our people from the compulsory support of those whom every State would exclude but for the lack of constitutional power.

The fact that over 5,000,000 of immigrants, by no means of uniform

quality, came into our country within the last dozen years, or more than one-tenth part of the population by our latest census, shows that the question is of grave magnitude and worthy of the attention of Congress. It should, however, be understood that the great American principle of the free admission of immigrants is not to be abandoned; but that principle has always borne upon its face the condition that the immigrants must be of good moral character and able to support themselves. Otherwise they have had no title to our recognition as immigrants. We have never pretended to offer support to universal pauperdom, or an asylum to all afflicted with incurable defects, nor to offer our freedom to the promiscuous outcasts and criminals of all foreign nations. None of these have ever been invited, and they are to be excluded because they have no proper claim upon us of comity, affection, or charity, and because they bring general discredit upon the reputation of all immigrants as much as upon our own native citizens.

The time has arrived, as it seems to me, when it is more necessary to look after what the future character of the American people shall be than to the growth and vastness of its numbers, or to its territorial grandeur. Our forefathers, only three million strong—less than the present number in several States—and with less than a fourth part of our present territory, won a creditable name among nations by martial achievements, by elevated statesmanship, and by stern devotion to moral and religious principles, which a later generation can ill afford to lose, though it may leap ahead on "a canter" beyond even a growth of sixty millions. It is not enough that our country is numerically strong, and has abounding wealth. It is not enough that its industrial activities are conspicuous, nor that its brawn and bravery are undisputed even by its foes. Other great and historic nations also have waxed and waned. For many centuries more than half of mankind has remained irrevocably moored to Gothic barbarism, and European races only have made any noteworthy progress. A great nation can only maintain its claims as such by the greatness of its people, by brain power and intellectual development, and by work that confers honor upon our common humanity.

The paramount question must be asked whether or not there is visible cause for alarm, lest among the miscellaneous multitude of foreign immigrants annually landed on our shores, trained to widely different institutions, with a Babel confusion of tongues, including paupers, lunatics, idiots, and criminals, there may not be introduced many vicious and inconvertible elements, more dangerous to the individuality and deep-seated stamina of the American people and more worthy of rigid quarantine than even the most leprous diseases. I refer to those whose inherent deficiencies and iniquities are thoroughbred, and who are as incapable of evolution, whether in this generation or the next, as is the leopard to change his spots.

The greater portion of foreign additions to our population appears to find its most congenial home in our largest towns and cities. Many of this class may be young, moral, and industrious—diamonds in the rough—destined to become valuable by the friction of American training and education; and many, drawn from the dregs of foreign society, perhaps have only just outrun the constable, and prefer debauchery to sobriety, idleness to labor, and crime to poverty. Meantime the general administration of our municipal governments, with some scandals of corruption and some examples of prodigal indebtedness recklessly imposed upon future generations, if not dark clouds upon popular institutions, are certainly not calculated to make us vain of this part of our home-rule. The splendor of cities, unfortunately, seems seldom without a wretched back-ground of squalor. Municipal governments have to be constructed, of course, from such materials as the locality offers. Like the church in Pownal, as stated by General Nye, if it was divinely intended to have a church there, then Providence must accept of such members as Pownal had to offer.

Political parties too often strive to have a working majority in the control of cities, and, rather than to fail of this, some have been willing to accept of infragrant and unhealthy auxiliaries only because every head is counted, careless whether to adorn or besmirch the American character. Thus the mayor of the "Athens of America" was recently led to preside at a reception in honor of the champion slugger of the prize-ring. If not the will of the mayor, certainly his political necessities consented, and the "ring" may be expected not to forget the mayor at the polls.

Many of our citizens of foreign birth are notable men, eminent in all the higher walks of life, and being mostly of the same stock of the original Anglo-Saxon race, have become thoroughly Americanized, but more than a moiety of immigrants are contented with the most inferior and wretched abodes found in cities, and will not accept of health and prosperous homes elsewhere. Seventy per cent. of the population of Boston, it has been computed, are foreign by birth or parentage, 80 per cent. of New York, and 91 per cent. of Chicago. This extraordinary percentage, it is more than probable, may be aggravated by future immigration.

It must be remembered that all portions of cities which are in the poorest sanitary condition are usually the most crowded and the most prolific. Here the constant infusion in such large measure of the lower type, physical and moral, of divers foreign peoples, often ill-fed and illiterate, can not fail to degrade to some extent city-bred population, and, should any great war occur, the inferior physique of the recruits rejected would be displayed in excessive proportions. Without any interference with the majority of immigrants, whose good character is undisputed, we may at least check the re-enforcement of that beggar-my-neighbor class in all cities which is of evil repute and the most expensive to support.

The Celtic, Anglo-Saxon, Scandinavian, and German immigrants, coming here in remarkable force, have been easily digested and assimilated, and with advantage to the energy and elasticity of the American race, but hitherto they have made greater changes in their own character than in that of the New World. Doubtless every ship-load of immigrants received, while never failing to add to our bulk, has a tendency to elevate or to sink the national character. When they come with health and vigor, both moral and physical, willing and prepared to support themselves and the institutions of a free government, they strengthen and enrich the national character. But even a few dead flies in the ointment, according to Scripture, give it the stinking savor, and involuntary immigrants, and such as leave their native land as paupers, criminals, lunatics, or idiots, whether many or few in number, poison and impoverish the life-blood of our people, and none of these classes ought here to find an asylum, or to find even the luxury of American jails and prisons. All such as these must be tabooed and excluded in order to rescue the reputation of the major and better class of immigrants, as well as to protect our own good name and the general welfare.

It is to be feared that the influx of these discredited classes is now too great for the absorbing power and reformatory forces with which they are here brought in contact; and whether this influx drops to the bottom or rises to the top, it largely settles or floats together in many of our cities as a threatening and incongruous mass. The title of an American citizen is far too precious to allow of its seizure by all newcomers without any inquiry as to their antecedents or previous history—an inquiry that might leave them without title as citizens "in good and regular standing" anywhere. In foreign lands the annual supply of these unwelcome burdens seems to be inexhaustible, and it is not wonderful that state or local facilities are there often tendered for their riddance and removal to our country; but whatever resisting power we possess should be promptly brought into action, so far at least as to winnow and exclude the chaff from the wheat, so far as to prevent the ingress of the pariahs among mankind, or of those who, if not wearing the mark of Cain, have been rejected and spewed out from their native lands, and are therefore unworthy of American citizenship, or to commingle and compound their blood with that of the American people.

The independence of the United States was only just pronounced when all Europe seemed ready to accept the theory of Count de Buffon and the Abbé Raynal that on the American continent there was a tendency of nature to belittle her productions, or a physical degeneration of all animal life, including that of the human race, which was assumed to be inferior, smaller, and weaker than that on the European continent. This groundless calumny was rebuked by Hamilton, and was also thoroughly refuted, cut up, root and branch, by the philosophic pen of Mr. Jefferson in his famous "Notes on Virginia," although it may be still an article of faith not wholly obsolete among American dudes and foreign cockneys. Hamilton referred to the arrogant pretensions of the Europeans in the following words:

> It belongs to us to vindicate the honor of the human race and to teach that assuming brother moderation. Union will enable us to do it. Disunion will add another victim to its triumphs. Let Americans disdain to be the instruments of European greatness.

The adherents of the old régime in Europe regard our prosperity as their reproach, if not an outrage, and would not now very painfully regret evidences of physical or intellectual inferiority and decadence among the American people. Such a decline and fall there is to-day scarcely an empire or monarchy whose rulers, quivering as they look at their own political and sanitary condition, would not promptly aid by prepaid transportation to our shores of all their idlers and deadweights, whether felons or lunatics, whether paupers or rickety idiots, as their free contribution to the solution of the great problem of man's self-government. Their own colonies, after a prolonged surfeit of such gifts, no longer accept the equality and fraternity of penal and pauper immigrants, and we should not hesitate to profit by their example.

By the Tenth Census, of 1880, it appears that our total foreign-born population, including their children, was 14,995,996, or 5,000,000 more than the total population of Great Britain when she waged war against our Declaration of Independence. The number of immigrants received since the last census has been 4,344,500, which, without including children born since 1880, makes a total foreign population of 19,340,496, or nearly one-third of our present population. This discloses the enormous attractive force our country exerts upon the inhabitants of Europe, many of whom now only wait for money to pay their passage to America. Our republican institutions, higher wages, land homesteads, universal education, cheaper food, and more generous habits of living will long exercise a magnetic and potential influence over discontented foreigners. The expellent agencies abroad also are by no means slender, and easily aid in the contribution of an immigrant army of more than a half million for our annual invasion. Population there is increasing, but less

rapidly than taxation, which in Great Britain from 1870 to 1880 increased 20 per cent., in France 36 per cent., in Norway 50 per cent., and in Germany 57 per cent. The long years of relentless servitude over all Europe of their young men in standing armies have no reduction or abridgment, and the multiform reasons for foreign expatriation do not appear to be diminishing. We can not afford to be wholly unmindful of the character of this annual invasion if the future character of Americans is worth preservation.

Our contention is peaceful, but with more powerful numbers than even those of the northern horde by whom the mighty fabric of the Roman Empire was overthrown.

Undoubtedly considerable capital has been brought into our country by foreign immigrants, but there is an annual drain also of large amounts sent back by those who are prosperous. From 1848 to 1885, as far as ascertained, $150,951,780 were remitted by settlers in the United States and British North America to their friends in Great Britain.

Let me now ask attention for a moment to the laws requiring amendment.

The "act to regulate immigration," approved August 2, 1882, superseding the former head-tax upon alien passengers by the State of New York, imposes a duty of 50 cents for each passenger not a citizen of the United States, by sail or steam vessel, from a foreign port to any port of the United States. The Secretary of the Treasury is charged with the execution of the act, and is authorized to enter into contracts with State commissioners or officers designated by the governor of any State to take charge of the local affairs of immigration, under regulations prescribed by the said Secretary, and these commissioners are authorized to go on board of any ship or vessel upon its arrival and make an examination; and if they find any convict, lunatic, idiot, or any person unable to take care of himself or herself without becoming a public charge, such persons shall not be permitted to land; and all convicts, except those convicted of political offenses, are to be sent back to the nations from whence they come, and the expense of the return is to be borne by the owners of the vessels in which they come.

The New York head-tax laws upon alien passengers, though rightly and vigorously intended, were found to be unconstitutional; and in the matter of determining who among all the immigrants shall be excluded and returned to the country from whence they come our present laws appear to be lame, possibly of no account whatever, as the decision of the question is left to the collector of the port upon the facts reported to him by the State commissioners; and our courts appear recently to have declared that his decision can not stand or be received on habeas corpus. This sufficiently indicates that our existing laws, which the courts say are inartificially drawn, must be amended. The United States authority manifestly should control the whole subject, as otherwise the several States will be without remedy against very formidable and unnatural burdens.

The law of 1882 applies only to immigrants arriving on sail or steam vessels, and therefore does not apply to or exclude any part of those who may arrive from contiguous foreign countries by land transportation. Yet a considerable part of the British-aided immigrants landed in the Dominion of Canada, fly away as quick as young partridges hatched in the nest of a disconsolate hen, and wake up the next morning in the United States. In 1881 there were 69,025, and 80,692 in 1882, and 72,274 in 1883, and 62,724 in 1884, or 284,713 foreign immigrants in four years who came through the Canadian Dominion. However difficult any remedial measures may be practically, yet some safeguards should be provided to prevent those who have been properly excluded from entrance at the front door from meeting with no restraint or impediment in being smuggled through unlimited back doors. A shorter voyage, cheaper fares, and British occasional aid of from two to three pounds sterling per head, is a very great temptation for immigrant passengers to accept of northern routes open for 4,000 miles into our country, and yet against this peculiar contraband there is not a sentinel or guard throughout our whole northern frontier.

Some of our railroad companies, eager for traffic or for the sale of lands, have employed agents to distribute glowing circulars to stir up and evoke immigration, setting forth the enravishing attractions of their lines of travel in many languages, perhaps more than simple truth would have warranted, and whenever their roads reach our boundaries, if they are to receive the profits of the immigrant business, they should not escape the same scrutiny to which sail and steam vessels arriving at our ports may be subjected.

On my way here I visited Castle Garden, at New York, where a vessel had just landed 600 immigrants from Antwerp. It was an instructive view to look over the crazy-quilt panorama presented, and very suggestive of doubt about our transcendent power to transform them all into good and valuable American citizens. For the most part they were undersized, and their countenances and general make-up betokened the work of nature's apprentices. They were doubtless not a fair sample of the common people of Europe. One Swiss girl, however, apparently thirteen or fourteen years old, with a young babe in her arms, possibly her mother's, blushing with the "cheek of innocence," as if ashamed of her company, would anywhere have been pronounced a model of youthful beauty. One noticeably weak old man, manifestly incapable of labor, was accompanied by two poorly-clad and ruddy-faced daughters. The latter might possibly be able to support themselves, but the old father obviously would not. They excited much sympathy as they were waiting to find out whether all were to be permitted to remain or all to be sent back, or to submit to a separation of the family. There must be many pitiful puzzles like this which reach the hearts of even immigrant commissioners, who doubtless do he best they can, but the numbers are too large and the day too short for any careful scrutiny, and the motley procession passes the review with machine-like rapidity.

Our existing laws against the cooly trade, as well as the laws by which Chinese laborers are excluded from entrance into our country, are doubtless sufficient; and heavy penalties by our laws are also imposed upon those who bring foreigners here under contract to perform labor. The violation of these laws is repugnant to the general sentiment of our people; and, therefore, they are supposed to be easily enforcible; but practically there are some difficulties in the way; and in Italy, if not elsewhere, the contract law is evaded by agents of their banking-houses, who advance the cost of transportation under a contract guarantying wages to the laborers for the next six months, from which the amount advanced is to be refunded. The foreign agents, not being amenable to our laws, such laborers as arrive under a foreign-made contract can not be ascertained if they make no disclosures themselves, and our consuls at the place nearest to their residence or place of departure should be authorized to unravel the facts. From clergymen and from civil magistrates trustworthy information can readily be obtained. This would undoubtedly, for the most part, prevent at the outset their embarkation. The contract law must, however, be amended so that contracting immigrants shall be as clearly subjected to some legal penalty, as well as their aiders and abettors. This is needful in order to justify our sending them back.

Our laws were intended to cover all cases where immigrants might be expected to become a charge upon the public for their support, but practically only the slightest hinderances have been presented against the incoming of paupers, convicts, idiots, and lunatics. The *prima facie* evidence offered here in these cases must always be lame and inconclusive, and that is the only evidence now tendered. The slight and hurried examination of ship-loads of steerage passengers, as they run the gauntlet at Castle Garden about as fast as their names can be recorded by the officers of the State commissioners, under the delegated authority of the United States, who must be without any love for the service, will always be superficial and to the last degree untrustworthy. The passenger may have been provided by his parish or by neighbors—aching to be rid of him, and regardless of any ship-going migratory cholera—with funds for temporary support, or with other nominal but worthless evidences of independence, but sufficient to pass the ordeal of the commissioners, and the fraud then may go undetected. The foreign state-aided or locally-assisted mendicant may have been elbowed out, or caressed with the gift of a passage-ticket all the way to Chicago or Omaha, and how is the fact to be discovered? "The voice is Jacob's voice, but the hands are the hands of Esau."

The number of immigrants arriving at New York in 1883 was nearly 500,000, and of these only 1,330 were sent back to the places from whence they came, namely, 53 insane, 6 blind, 4 deaf and dumb, 16 idiots, 25 cripples, 649 incapacitated through illness, 55 incapacitated through old age, and 462 unable to maintain themselves.

A much larger number, beyond doubt, might have been returned for like reasons, but among them all it does not appear that any one was sent back for having been a convict. Convicts are bold, often enterprising, and the actual numbers arriving may have been only less than of chronic paupers. The number of immigrants admitted as paupers to Ward's Island in the course of ten years, or from 1877 to 1886, was 35,447, and the number admitted in nine months, or from January 1, 1887, to October 1, was 2,302. The figures given are of course limited to the port of New York. These are oppressive burdens, away from their proper place, which the ethics of modern civilization do not permit one nation to inflict upon any other nation, and it would be rank pusillanimity for us to tamely submit to the imposition.

The destination of some immigrants, with whose support we appear to be frequently charged, has often nominally been to other countries. A large number of patients, also, have been admitted into the immigrant hospital at Ward's Island, on account of disease when landed—in 1886 the number was 1,573. From some localities these patients so far exceed the ordinary proportion to the immigrants from the same country as to excite a suspicion that their relatives, if not willing to bury them alive, after the manner of some savages, were at least willing to trust their aged and diseased kith and kin to the rigors of an Atlantic voyage and to the constrained charity of a far distant people.

The telegraphic report of the proceedings of the British House of Commons, September 1, 1887, contained the following instructive item: Mr. Balfour, replying to Mr. Healy's question as to what steps had been taken in view of America's objection to receive pauper immigrants, said that "the Government would allow no more money for the transportation of such persons during the remainder of the year." This is a negative pregnant, showing what has been done. He does not say that any parish or any neighbors may not furnish money for such transporta-

tion, but only that the Government will not. Mr. Balfour is a leading member of the cabinet in the house, who, therefore, must have taken the usual ministerial oath that he "will advise the Queen according to the best of his cunning and discretion," and this minister graciously announces that for the remainder of the year the British Government will allow no more money to send their paupers to America. This discloses that what they have been doing is not just now "discreet;" and also what, at the end of the year, it may be "cunning" to do again, unless the fishery commissioners implore Mr. Balfour to refrain from strewing briars in their path while cunning diplomacy here is going on. The paupers of Great Britain number very nearly a round million outside of the "uncounted vagrants and casual poor," who far exceed in numbers her so-called paupers. Hence we find a reason for some lack of fastidiousness on her part about what appears to us as sinister-handed methods of diminishing their number.

All know how difficult it frequently is to determine the fact of insanity. On some subjects the party may appear entirely sane—have lucid intervals—while upon others actually insane. A lunatic, according to Blackstone, "is indeed properly one that hath lucid intervals, sometimes enjoying his senses and sometimes not, and that frequently depending upon the change of the moon." Though we may stick a little at his dependence upon the moon, Blackstone may be relied upon as to the "lucid intervals." Even the most skillful experts often greatly differ in their testimony concerning those charged with insanity. It has happened that a person conducting a lunatic to an asylum has had the tables cleverly turned upon him by the quick action of the wide-awake lunatic, and found himself, instead of the other fellow, thrust into the asylum.

Professor Seymour, of Harvard College, while visiting near Hartford, Conn., in August last, starting hurriedly bare-headed to meet a friend at the railroad station, was apprehended by an officer who mistook the bare-headed, fast-going professor for an escaped lunatic of the Hartford Asylum, and he was only released upon the guaranty of his identity and sanity by the friend he went to meet. The learned professor must more than ever have found consolation in the poetry of Dryden—

> Great wits are sure to madness near allied,
> And thin partitions do their bounds divide.

If errors thus occur as to the sane, equal or greater errors are not less likely to occur as to the insane. The abuse to be avoided in the case of lunatic immigrants may be of inferior magnitude, but even the existence of such an abuse, were it not of constant occurrence, would seem incredible, and the instrumentalities of avoidance have too often been found to be wholly inadequate.

It has been stated by the superintendent of the New York Insane Asylum that nearly 75 per cent. of the inmates are foreign born. In nine months of 1887 there were 117 of such immigrants admitted for support at the New York State Emigrant Asylum, and the whole number of immigrant lunatics so admitted in ten years, from 1877 to 1886, inclusive, was no less than fourteen hundred.

Often a peculiar congenital malformation, or shapeless head, discloses the fact of idiocy, and the idiots of the Alps, or cretins with goiter on the throat, may be easily recognized. Surely, however, there are some fools and half-witted noodles concerning whom no such proof may be visible. What shall be the test? It will not be known, if the old question is asked, whether they invented gunpowder or not, or that, like Squcers, they ever set their boys "to hoe turnips in midwinter," nor that they ever applied Macassar oil to restore bald spots on a hair-covered trunk, or that they ever "shod a goose." Some of the witless brood may possibly keep their mouths closed, guiltless of "a tale told signifying nothing," and they can not always be swiftly detected by the instinct of even the wisest State commissioners. Of the whole idiotic class, however, with their proverbial fecundity, we want none, and much less want their spawn. They should all be subject to the ban of our consuls. A fool is never without his appropriate and ascertainable reputation in his own country.

In the case of convicts our present law is even more faltering and uncertain. The party may be verily guilty, but, if unconvicted, it does not count, and the law does not apply. It can hardly be expected that men on the rogue's march, hunted out or in dread of being hunted out of their own country for crimes will come here, and, at the instant of landing, turn state's evidence and confess themselves convicts—an act which would be likely to send them directly back to the frigid justice of the land from which they had but just escaped. The culprit may have come under a false name, or with stolen funds, or come, so far as appearances go, as a well-to-do gentleman, and as

> The mildest-mannered man
> That ever scuttled ship or cut a throat,

and a cabin-passage ticket is supposed to cover all his sins. The thief who has eaten a stolen horse, according to the proverb, does not put the tail in his mouth. Obviously the detection of convicts or criminals, from their physiognomy or their wardrobe by State commissioners, when altogether limited to such tests, must be perfunctory and unsatisfactory. But convicts are known at home, where the taint adheres forever.

From a report of the Howard Society of London, it appears that "74 per cent. of the Irish discharged convicts have found their way to the United States."

The English rulers are supposed to hate Irishmen, and whether this report can be fully accepted or not, it is unquestionably true that there are very few Irishmen so good and loyal, saying nothing about convicts, that Englishmen would not gladly speed them on their way to America. More of the English than of the Irish, however, appear to be traveling in the same direction.

Of 680 discharged convicts who applied to the Prison Association of New York for aid during the year ending June 30, 1883, it is stated that only 144 reported native parentage against 536 who reported foreign parentage. The strain upon cities is obviously upon our weakest point. Our late Mr. Sumner never said a wiser thing than this: "Nations have decayed, but it has never been with the imbecility of age."

Austria has long been in the practice of expelling her criminals, and not long since banished three of them to America. Their return will not be likely to be urged under any treaty. Even the authorities of Denmark, for whom our sympathy touching her territorial spoliation is not yet cold, have only just had a noted forger transported on his promise to "take up his abode in America," and Mr. Reimenschneider will come here not doubting that "the world is mine oyster."

I have a letter just received from a very distinguished gentleman, for some time an official resident abroad, containing the following statement:

> I had sad occasion to know how the privileges of American citizenship are abused; and this is even better known to foreigners than ourselves. Constantly in the light German drama, as exhibited on the stage, the scoundrel of the piece is represented as finishing his career in America, and there is too strong a tendency to regard our country as a cesspool for the vilest products of European life.

It may be that American rogues sometimes flee to foreign lands for their country's good, or to escape convict labor, and that in a court of equity foreign nations might have something against us by way of offset; but nevertheless, judging from the recent rather large increase of convicts in our own country, with some noticeable diminution abroad, and from the preponderance of foreign criminals in our courts and prisons, we must be by far the greater sufferers. The expense of the police in our cities from this source has been immensely increased. It is evident by their skill and deviltry here exhibited that too many immigrants have passed through the Old World high schools of crime and depravity, and, like Milton's Satan, they have heard of the New World and hoped there to "reign secure."

Our consul-general in Germany writes of "sons and other relatives of highly respectable families, who, in spite of all their talents and attainments, had to leave here. They were sent," he says, "by their families to America and other countries for the reason that their morals had become a scandal."

These families might give their prodigals a certificate of character, but it would have to be worded like that of the Irishman about his parish priest, who was often found tipsy: "Oh, he's a respectable man, barring his character!" Young men, from seventeen to twenty-six years of age, in Germany, liable to military service, who want to emigrate go to Antwerp or Rotterdam to embark, to escape from being seized and held back by German officers at Bremen, where they are often arrested. Of course they do not arrest paupers nor cripples.

Colonies no longer go forth in fraternal groups, cemented by a like faith, but each immigrant, so to say, goes on his own hook, or is sent away for reasons most appreciated at the place of departure. The unprofitable and the unwanted, equally with thrifty Israelites, are almost kicked out of all parts of Europe. Certainly it is quite in order for us to guard against this wholesale and flagrant imposition.

If our laws would fail to exclude the prohibited persons, it has been suggested to me that one of our rocky Aleutian islands would have surpassing merits as a penal colony, to which these offenders might be transported.

Under our existing laws no alien can be lawfully naturalized by our courts who is destitute of "good moral character." How are those who have become "a scandal" in a foreign land and a terror to their own families, to be discovered, unless the facts can be investigated and probed by our consuls where their character is notorious?

Aliens arriving in our country, if the substance of the bill proposed shall be accepted, to whom the required consular certificates as to character have been refused, must logically be refused American citizenship, and also refused permission to declare their intention to become citizens. If, from their own defects of character, or from incurable infirmity, they could not have been lawfully brought within the United States, it would be the acme of stupidity to bestow the highest privileges upon those who have jockeyed and evaded our laws by somehow and somewhere making a clandestine landing.

The "act to restrict the ownership of real estate," approved March 3, 1887, makes it unlawful for any person or persons, not citizens, or who have not lawfully declared their intention to become citizens, or for any corporation not created by the United States, or by some State or Territory, to acquire, hold, or own real estate in the United States.

It will be readily seen that the first part of this law is a flimsy restraint and of no account whatever. The declaration of intention to

become a citizen, whether in good faith or not when made, at once invests an alien with all the privileges to acquire, hold, or to own real estate, and an alien may thus live and die the legal owner of real estate, or may become a real estate trafficker, and snap his fingers at the restriction, as there is no provision by which, if the declaration of intention should not be regularly followed by actual citizenship, the title shall be invalidated.

As to the pre-emption of the public lands, or the ownership of real estate, or the offer of free homesteads, it would seem eminently just and prudent to restrict these high privileges and bounties to our own household or to absolute citizenship. To throw them into the lap of all who merely declare an intention to become citizens would be subject to many future contingencies and evasions. If it were otherwise, the limited extent of desirable public lands no longer admits of further general and wholesale prodigality, nor justifies the temptation of aliens with gifts of our last acres; and we should also bear in mind that we now have every new year, of those born in our own country, nearly a million of young men who will reach their majority, to whom it will be far more for the public weal to offer free homesteads than to aliens or strangers. Provident husbandry demands that our posterity, young America, shall not be wholly deprived of its birthright.

The measure introduced by me was intended more effectually to regulate immigration by a scheme so moderate as to meet general acceptance. Of course it will be referred, together with all other bills on the same subject, to the Committee on the Judiciary, and be subjected to a learned and careful revision. If the committee shall find time to look at the defects of our present laws as well as to their defective administration, it will be the only assurance asked for that they will at an early day report some measure to checkmate the gross imposition of foreign nations to which, for some years, we have been so largely subjected.

Floods of immigrants, like breakers of the ocean, are daily thrown upon our shores, over five million, as I have already stated, within the last dozen years, and over forty thousand Italians within the last ten months; and the tidal wave which confounds the homogeneity of the people to-day is no sooner absorbed than another rushes and tumbles in to-morrow. We hold a tempting part of the world, and to those who come with clean records, seeking to escape from the iron heels of foreign aristocracies or from the strangulation of a superabundant population, we leave our doors wide open; but shall we not refuse hospitality to all classes of alien irreclaimable maniacs, mendicants, and miscreants? And may we not refuse to become a universal almsgiver on compulsion? Our countrymen must not be coerced to support the weak, vile, and hungry outcasts from hospitals, prisons, and poor-houses, landed here not only to stay themselves, but to transmit hereditary taints to the third and fourth generation.

Americans are to be known as Americans, hopeful of positive and ideal characteristics, physical and mental, not second-rate anywhere, but a coherent and famous brood of men. Holding the primacy on the North American continent, with a population likely to exceed that of all Europe before the end of the next century, the historic, active, and intellectual life of the people should correspond to the magnitude of the great field they now and will hereafter occupy.

The form of our republican government is peerless, and its citizens do not court the partnership of cripples, nor of those "to dishonor bred."

Comparatively young as nation-makers, but never found dull nor inapt in the science of government, we should be ambitious to reach and hold onto its highest perfection, keeping step to the march of modern civilization, with full faith in our everlastingness, and find true happiness in preserving our "people unspotted from the world," as well as in responding to every call of duty which maintains or advances Americans on the front line of human progress.

Mr. President, I move that the bill be referred to the Committee on the Judiciary.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on the Judiciary, if there be no objection.

Mr. EDMUNDS. The other bills on the same subject have been referred, and I thought rightly referred, to the Committee on Foreign Relations, and it would be a pity to split up this business between different committees. I hope my colleague will allow the bill to go to the Committee on Foreign Relations.

Mr. MORRILL. The question of what particular committee shall consider the bill is immaterial to me, but I consulted with the chairman of the Committee on Foreign Relations, and he preferred that it should go to the Committee on the Judiciary, as it involves some other questions besides mere immigration.

Mr. EDMUNDS. That is true; but the questions of legal administration which it involves are merely incidental to the main question, which is purely a question of foreign relations.

Mr. MORRILL. I am not tenacious about a reference to the Committee on the Judiciary.

Mr. EDMUNDS. We have a great many treaties with other countries which may be brought into very delicate relation with a sweeping requirement in regard to the investigation that is proposed.

Mr. MORRILL. As the other bills have been referred to the Committee on Foreign Relations, I make no objection to the reference suggested by my colleague.

Mr. EDMUNDS. I think it best that the bill should go there.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Foreign Relations.

EXECUTIVE SESSION.

Mr. EDMUNDS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 2 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 15, 1887, at 12 o'clock m.

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## NOMINATIONS.

*Executive nominations received by the Senate the 14th day of December, 1887.*

POSTMASTERS.

Mary L. Clay, to be postmaster at Huntsville, in the county of Madison and State of Alabama, in the place of John S. Reed, removed.

Maurice B. Throckmorton, to be postmaster at Birmingham, in the county of Jefferson and State of Alabama, in the place of Henry J. Winn, resigned.

Charles E. Bramble, to be postmaster at Texarkana, in the county of Miller and State of Arkansas, in the place of Walter W. Shaw, removed.

Edgar H. Looney, to be postmaster at Bentonville, in the county of Benton and State of Arkansas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

John C. McCauley, to be postmaster at Searcy, in the county of White and State of Arkansas, the appointment of a posmaster for the said office having, by law, become vested in the President from and after July 1, 1887.

Ambrose Beatty, to be postmaster at New Britain, in the county of Hartford and State of Connecticut, in the place of Julius H. Pease, removed.

George D. Bissell, to be postmaster at Naugatuck, in the county of New Haven and State of Connecticut, in the place of Alonzo J. Wood, resigned.

Henry P. Markham, to be postmaster at East Hampton, in the county of Middlesex and State of Connecticut, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

John H. Swartwout, to be postmaster at Stamford, in the county of Fairfield and State of Connecticut, in the place of Louis S. Begent, removed.

Giles G. Wickwire, to be postmaster at Colchester, in the county of New London and State of Connecticut, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

William N. Conoley, to be postmaster at Tampa, in the county of Hillsborough and State of Florida, in the place of Henry R. Benjamin, resigned.

Henry Gaillard, to be postmaster at St. Augustine, in the county of St. John's and State of Florida, in the place of Merian R. Cooper, resigned.

John J. Harris, to be postmaster at Sanford, in the county of Orange and State of Florida, in the place of Lyman Phelps, whose commission expired February 26, 1887.

James De Laney, to be postmaster at Orlando, in the county of Orange and State of Florida, in the place of Edward W. Speir, removed.

David C. Lee, to be postmaster at Kissimmee, in the county of Orange and State of Florida, the appointment of a postmaster for the said office having, by law, become vested in the President from and after April 1, 1887.

John C. Luning, to be postmaster at Leesburgh, in the county of Sumter and State of Florida, the appointment of a postmaster for the said office having, by law, become vested in the President from and after April 1, 1886.

Horace A. Tanner, to be postmaster at De Land, in the county of Volusia and State of Florida, in the place of Basil B. Bennett, removed.

Ellis Hunter, to be postmaster at Brunswick, in the county of Glynn and State of Georgia, in the place of James T. Blain, resigned; Joseph St. C. Wiggins, who was appointed April 11, 1887, having declined the office.

Cyrus J. Carle, to be postmaster at Clinton, in the county of De Witt and State of Illinois, in the place of Richard Butler, removed.

Allison M. Cavan, to be postmaster at El Paso, in the county of Woodford and State of Illinois, in the place of M. H. Cassell, removed.

James B. Charters, to be postmaster at Dixon, in the county of Lee and State of Illinois, in the place of Mary A. Camp, resigned.

James T. Doherty, to be postmaster at St. Charles, in the county of Kane and State of Illinois, the appointment of a postmaster for the

said office having, by law, become vested in the President from and after October 1, 1887.

Will J. Furlong, to be postmaster at Rochelle, in the county of Ogle and State of Illinois, in the place of Henry H. Glenn, removed.

Joel H. Johnson, to be postmaster at Woodstock, in the county of McHenry and State of Illinois, in the place of Gardner S. Southworth, whose commission expired March 2, 1887.

James Keagy, to be postmaster at Cambridge, in the county of Henry and State of Illinois, in the place of James E. Ayers, removed.

Marcellus Keene, to be postmaster at Atlanta, in the county of Logan and State of Illinois, in the place of Richard T. Gill, deceased; William T. Kirk, who was appointed March 7, 1887, having died before taking possession of the office.

Walter Kirkpatrick, to be postmaster at Virden, in the county of Macoupin and State of Illinois, in the place of George W. Cox, resigned.

Thomas J. Mathews, to be postmaster at Grayville, in the county of White and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President from and after April 1, 1887.

Samuel A. Murdock, to be postmaster at Havana, in the county of Mason and State of Illinois, in the place of Oliver C. Easton, whose commission expired February 15, 1887; John H. Havighorst, who was confirmed February 22, 1887, having declined the appointment.

John McNamee, to be postmaster at Bement, in the county of Piatt and State of Illinois, in the place of Francis A. Jones, removed.

Harry W. Roberts, to be postmaster at Chester, in the county of Randolph and State of Illinois, in the place of Hugh B. Nisbet, removed.

Agnes Ross, to be postmaster at Ravenswood, in the county of Cook and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1886.

James L. Scott, to be postmaster at Mattoon, in the county of Coles and State of Illinois, in the place of John Cunningham, resigned.

Levinus L. Stark, to be postmaster at Wheaton, in the county of Du Page and State of Illinois, in the place of Warren L. Wheaton, removed.

James M. Thomas, sr., to be postmaster at Wyoming, in the county of Stark and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Samuel P. Tufts, to be postmaster at Centralia, in the county of Marion and State of Illinois, in the place of Samuel G. Kell, removed.

William F. White, to be postmaster at Barry, in the county of Pike and State of Illinois, in the place of George W. Chrysup, whose commission expired December 12, 1886.

George W. Ingerman, to be postmaster at Noblesville, in the county of Hamilton and State of Indiana, in the place of Francis M. Householder, resigned.

John F. Krost, to be postmaster at Hammond, in the county of Lake and State of Indiana, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

James A. Lewis, to be postmaster at Martinsville, in the county of Morgan and State of Indiana, in the place of Edwin W. Callis, resigned.

Thomas M. Ochiltree, to be postmaster at Rushville, in the county of Rush and State of Indiana, in the place of Sarah Hackleman, deceased.

George Procaskey, to be postmaster at Rockport, in the county of Spencer and State of Indiana, in the place of Luman S. Gilkey, whose commission expired February 19, 1887.

George Stockman, to be postmaster at Bourbon, in the county of Marshall and State of Indiana, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

William H. Wilson, to be postmaster at Wabash, in the county of Wabash and State of Indiana, in the place of Thomas J. Semans, deceased.

Lodah T. Alexander, to be postmaster at Monticello, in the county of Jones and State of Iowa, in the place of Perry O. Babcock, removed.

William T. Bailey, to be postmaster at Marshalltown, in the county of Marshall and State of Iowa, in the place of Elliot Shurtz, removed.

Clarence P. Buckey, to be postmaster at Spencer, in the county of Clay and State of Iowa, in the place of Julius H. Hale, removed.

Richard Burke, to be postmaster at What Cheer, in the county of Keokuk and State of Iowa, in the place of Byron S. Brainard, whose commission expired January 16, 1887.

James P. Carleton, to be postmaster at Iowa Falls, in the county of Hardin and State of Iowa, in the place of Thomas B. Knapp, removed.

Robert M. Carpenter, to be postmaster at Audubon, in the county of Audubon and State of Iowa, in the place of Elkanah S. Foster, removed.

S. Larkin Fairlamb, to be postmaster at Rock Rapids, in the county of Lyon and State of Iowa, in the place of Francis E. Barber, removed.

Sena Gibley, to be postmaster at Malvern, in the county of Mills and State of Iowa, in the place of Richard L. Gidley, deceased.

John H. Howell, to be postmaster at Eagle Grove, in the county of Wright and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President from and after April 1, 1887.

Hull Hoagland, to be postmaster at Emmetsburgh, in the county of Palo Alto and State of Iowa, in the place of Wellington J. Brown, resigned.

Amos H. Kisner, to be postmaster at Mason City, in the county of Cerro Gordo and State of Iowa, in the place of Henry Keerl, resigned.

Thomas C. Medary, to be postmaster at Waukon, in the county of Alamakee and State of Iowa, in the place of David W. Reed, removed.

Newton S. Noble, to be postmaster at Anamosa, in the county of Jones and State of Iowa, in the place of William B. Fish, removed.

William P. Ross, to be postmaster at Wilton Junction, in the county of Muscatine, and State of Iowa, in the place of John M. Rider, removed.

Nicholas C. Stanton, to be postmaster at West Liberty, in the county of Muscatine and State of Iowa, in the place of Jonathan Maxson, removed.

John H. Stubenrauch, to be postmaster at Pella, in the county of Marion and State of Iowa, in the place of Auke H. Vierson, removed.

William C. Swigart, to be postmaster at Maquoketa, in the county of Jackson and State of Iowa, in the place of F. W. Crane, whose commission expired February 7, 1887.

George Underhill, to be postmaster at Onawa, in the county of Monona and State of Iowa, in the place of Charles G. Perkins, removed.

John F. Baker, to be postmaster at Ellsworth, in the county of Ellsworth and State of Kansas, in the place of George Huycke, removed.

Frank S. Blades, to be postmaster at Sterling, in the county of Rice and State of Kansas, in the place of Charles H. Brown, resigned.

John W. Brown, to be postmaster at Ness City, in the county of Ness and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Archibald G. Buchanan, to be postmaster at Abilene, in the county of Dickinson and State of Kansas, in the place of William S. Hodge, removed.

Charles F. Buchhalter, to be postmaster at Armourdale, in the county of Wyandotte and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

John E. Chapman, to be postmaster at La Cygne, in the county of Linn and State of Kansas, in the place of John P. Kenea, resigned.

George W. Farrelly, to be postmaster at Chanute, in the county of Neosho and State of Kansas, in the place of John B. Beatty, resigned.

James N. Fike, to be postmaster at Colby, in the county of Thomas and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

David S. Gardiner, to be postmaster at Downs, in the county of Osborne and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after April 1, 1887.

Frederick Hoover, to be postmaster at Holton, in the county of Jackson and State of Kansas, in the place of Moses M. Beck, removed.

Isaac E. Johnson, to be postmaster at Syracuse, in the county of Hamilton and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

John B. Kessler, to be postmaster at Ottawa, in the county of Franklin and State of Kansas, in the place of John E. Bliss, removed.

John M. Landis, to be postmaster at Oswego, in the county of Labette and State of Kansas, in the place of Littleton S. Crum, removed.

Joseph L. Mattingly, to be postmaster at Sedan, in the county of Chautauqua and State of Kansas, in the place of David J. Moore, removed.

Alfred M. McPherson, to be postmaster at Galena, in the county of Cherokee and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1886.

Cornelius S. Mace, to be postmaster at St. John, in the county of Stafford and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after April 1, 1887.

John Meehan, to be postmaster at St. Mary's, in the county of Pottawatomie and State of Kansas, in the place of J. B. P. Demarais, removed.

Patrick J. Morgan, to be postmaster at Solomon City, in the county of Dickinson and State of Kansas, in the place of Dan W. Wilson, removed.

Robert A. A. Pilcher, to be postmaster at Olathe, in the county of Johnson and State of Kansas, in the place of Sylvester R. Burch, resigned.

Anna E. Ratcliffe, to be postmaster at Cimarron, in the county of Gray and State of Kansas, in the place of William W. Dill, removed.

Leonidas T. Reese, to be postmaster at Smith Centre, in the county

of Smith and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

George S. Selvidge, to be postmaster at Meade Centre, in the county of Meade and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Seneca B. Sproule, to be postmaster at Greensburgh, in the county of Kiowa and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

William F. Troughton, to be postmaster at Seneca, in the county of Nemaha and State of Kansas, in the place of Justice H. Williams, removed.

Daniel K. Weis, to be postmaster at Ashland, in the county of Boyd and State of Kentucky, in the place of Robert W. Lampton, whose commission expired February 19, 1887.

William H. Wilkerson, to be postmaster at Mount Sterling, in the county of Montgomery and State of Kentucky, in the place of Mrs. J. A. Wyatt, whose commission expired March 1, 1887.

Josiah B. Willis, to be postmaster at Richmond, in the county of Madison and State of Kentucky, in the place of John Taylor, whose commission expired February 27, 1887.

Susan K. Burch, to be postmaster at Georgetown, in the county of Scott and State of Kentucky, in the place of Milton Burch, deceased.

Julius E. Geier, to be postmaster at Carrollton, in the county of Carroll and State of Kentucky, the appointment of a postmaster for the said office having, by law, become vested in the President from and after April 1, 1887.

William S. McChesney, to be postmaster at Lexington, in the county of Fayette and State of Kentucky, in the place of H. K. Milward, removed.

Henry C. Metcalfe, to be postmaster at Carlisle, in the county of Nicholas and State of Kentucky, in the place of William H. Fritts, resigned; John M. Campbell, who was appointed May 19, 1887, having declined the office.

George W. Nott, to be postmaster at New Orleans, in the parish of Orleans and State of Louisiana, in the place of Samuel H. Buck, resigned.

George B. Shepherd, to be postmaster at Franklin, in the parish of St. Mary's and State of Louisiana, in the place of James Todd, deceased.

John F. Arnold, to be postmaster at Foxcroft, in the county of Piscataquis and State of Maine, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

William R. G. Estes, to be postmaster at Skowhegan, in the county of Somerset and State of Maine, in the place of C. Davis Miller, removed.

Daniel W. Pratt, to be postmaster at Farmington, in the county of Franklin and State of Maine, in the place of Edward I. Merrill, removed.

William B. Woodard, to be postmaster at Brunswick, in the county of Cumberland and State of Maine, in the place of Charles E. Townsend, removed.

Albert H. W. Carpenter, to be postmaster at New Bedford, in the county of Bristol and State of Massachusetts, in the place of Thomas Coggeshall, removed.

George L. W. Dike, to be postmaster at Stoneham, in the county of Middlesex and State of Massachusetts, in the place of Charles E. Horne, whose commission expired February 5, 1887.

Sylvester A. Donoghue, to be postmaster at Georgetown, in the county of Essex and State of Massachusetts, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Lawrence W. Dower, to be postmaster at Easthampton, in the county of Hampshire and State of Massachusetts, in the place of Jeremiah H. Bardwell, whose commission expired February 5, 1887.

Henry S. Farnum, to be postmaster at Uxbridge, in the county of Worcester and State of Massachusetts, the appointment of a postmaster for the said office having, by law, become vested in the President from and after April 1, 1887.

James M. Freeman, to be postmaster at Franklin, in the county of Norfolk and State of Massachusetts, in the place of Oliver H. Ingalls, resigned.

Thomas F. Gorman, to be postmaster at Whitinsville, in the county of Worcester and State of Massachusetts, in the place of Orrin Wade, deceased.

Thomas J. Jackman, to be postmaster at Peabody, in the county of Essex and State of Massachusetts, in the place of Winsor M. Ward, removed.

William J. Johnson, to be postmaster at Manchester, in the county of Essex and State of Massachusetts, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

John J. Love, to be postmaster at Webster, in the county of Worcester and State of Massachusetts, in the place of Charles E. Brown, removed.

John M. Winslow, to be postmaster at Nantucket, in the county of Nantucket and State of Massachusetts, in the place of Josiah F. Murphy, whose commission expired February 5, 1887.

William J. Burrow, to be postmaster at Plymouth, in the county of Wayne and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

James A. Canavan, to be postmaster at St. Joseph, in the county of Berrien and State of Michigan, in the place of Leonard J. Merchant, removed.

Oscar H. Dean, to be postmaster at Pentwater, in the county of Oceana and State of Michigan, in the place of Charles F. Lewis, resigned.

James Dempsey, sr., to be postmaster at Manistee, in the county of Manistee and State of Michigan, in the place of John A. Thompson, whose commission expired March 1, 1887.

Russell B. Emmons, to be postmaster at Oscoda, in the county of Iosco and State of Michigan, in the place of Henry C. King, removed.

Andrew M. R. Fitzsimmons, to be postmaster at Reading, in the county of Hillsdale and State of Michigan, in the place of Henry F. Doty, removed.

James H. Gee, to be postmaster at Norway, in the county of Menominee and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Alonzo Gilbert, to be postmaster at Stanton, in the county of Montcalm and State of Michigan, in the place of Patrick H. McGarry, resigned.

Edward D Home, to be postmaster at Bessemer, in the county of Gogebic and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President from and after April 1, 1887.

Maria S. Howlett, to be postmaster at Jonesville, in the county of Hillsdale and State of Michigan, in the place of Jane S. Sinclair, removed.

Lord W. Hinman, to be postmaster at Lapeer, in the county of Lapeer and State of Michigan, in the place of John Abbott, whose commission expired February 27, 1887.

Charles L. Hecox, to be postmaster at Greenville, in the county of Montcalm and State of Michigan, in the place of William W. Slawson, resigned.

Peter McKellar, to be postmaster at Paw Paw, in the county of Van Buren and State of Michigan, in the place of Robert O. Beebe, removed.

Henry D. Pessell, to be postmaster at Quincy, in the county of Branch and State of Michigan, in the place of Milan M. Brown, removed.

William Springer, to be postmaster at Port Huron, in the county of St. Clair and State of Michigan, in the place of Edgar White, whose commission expired March 3, 1887.

Charles J. Strang, to be postmaster at Charlevoix, in the county of Charlevoix and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Derwin Ely, to be postmaster at Alma, in the county of Gratiot and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

James B. Thorn, to be postmaster at Hudson, in the county of Lenawee and State of Michigan, in the place of William T. B. Schermerhorn, deceased.

John H. Dorsey, to be postmaster at Glencoe, in the county of McLeod and State of Minnesota, in the place of Virgil M. Hall, deceased.

Christian Johnson, to be postmaster at Austin, in the county of Mower and State of Minnesota, in the place of Henry O. Basford, removed.

Otto Kaupp, to be postmaster at Blue Earth City, in the county of Faribault and State of Minnesota, in the place of John H. Sprout, removed.

John McCarthy, to be postmaster at Stillwater, in the county of Washington and State of Minnesota, in the place of E. G. Butts, whose commission expired March 3, 1887.

Nels M. Mossberg, to be postmaster at Wilmar, in the county of Kandiyohi and State of Minnesota, in the place of Ole Selvig, resigned.

Frank E. Newell, to be postmaster at Morris, in the county of Stevens and State of Minnesota, in the place of Martin L. Torpey, resigned.

Fred. Puhler, to be postmaster at Ada, in the county of Norman and State of Minnesota, in the place of Peter Ramstad, removed.

Dor K. Stacy, to be postmaster at Albert Lea, in the county of Freeborn and State of Minnesota, in the place of Hans O. Hankness, removed.

Godfrey Vivian, to be postmaster at Alexandria, in the county of Douglas and State of Minnesota, in the place of Sophus N. Miller, whose commission expired February 5, 1887.

Lee H. Way, to be postmaster at Luverne, in the county of Rock and State of Minnesota, in the place of Charles O. Hawes, resigned.

George W. Bynum, to be postmaster at Corinth, in the county of Alcorn and State of Mississippi, in the place of James C. Reed, deceased.

Lemuel S. Dillard, to be postmaster at Oxford, in the county of La Fayette and State of Mississippi, in the place of Miss Lee H. Rundle, removed.

William J. Rousseau, to be postmaster at Starkville, in the county of Oktibbeha and State of Mississippi, in the place of Maria T. Sullivan, whose commission expired January 29, 1887.

Eben R. Wortham, to be postmaster at Greenville, in the county of Washington and State of Mississippi, in the place of William Yerger, resigned.

Lowry W. Hawkins, to be postmaster at Canton, in the county of Lewis and State of Missouri, in the place of Lewis W. England, whose commissiom expired March 1, 1887.

Henry W. Hough, to be postmaster at Kirkwood, in the county of St. Louis and State of Missouri, the appointment of a postmaster for the said office having, by law, become vested in the President from and after April 1, 1887.

John B. Jewell, to be postmaster at Carrollton, in the county of Carroll and State of Missouri, in the place of Marshall R. Gittings, resigned.

William T. Marsh, to be postmaster at Rich Hill, in the county of Bates and State of Missouri, in the place of Lee Beall, resigned.

James M. Nickell, to be postmaster at Hannibal, in the county of Marion and State of Missouri, in the place of Wilbur F. Chamberlain, removed.

Henry H. Saling, to be postmaster at Memphis, in the county of Scotland and State of Missouri, in the place of John P. Craig, removed.

John D. Wood, to be postmaster at California, in the county of Moniteau and State of Missouri, in the place of Samuel E. Hoge, resigned.

William E. Woodson, to be postmaster at Marshall, in the county of Saline and State of Missouri, in the place of Archibald G. Lackey, resigned.

Joseph I. Prescott, to be postmaster at Meredith Village, in the county of Belknap and State of New Hampshire, the appointment of a postmaster for the said office having, by law, become vested in the President from and after April 1, 1887.

True E. Prescott, to be postmaster at Lake Village, in the county of Belknap and State of New Hampshire, in place of E. H. Blaisdell, removed.

Frank E. Randall, to be postmaster at Pittsfield, in the county of Merrimack and State of New Hampshire, in the place of Everett Jenkins, resigned.

Edgar F. Dell, to be postmaster at Woodbury, in the county of Gloucester and State of New Jersey, in the place of Charles P. Abbott, resigned.

Norman R. Burghardt, to be postmaster at South Orange, in the county of Essex and State of New Jersey, in the place of Lewis P. Taylor, whose commission expired December 20, 1886; Moses P. Smith, who was confirmed January 10, 1887, having declined the appointment.

James W. Errickson, to be postmaster at Freehold, in the county of Monmouth and State of New Jersey, in the place of Martin L. Farrington, whose commission expired March 3, 1887.

George B. Givens, to be postmaster at Belvidere, in the county of Warren and State of New Jersey, in the place of Austin B. Kelsey, removed.

John Johnson, to be postmaster at Paterson, in the county of Passaic and State of New Jersey, in the place of John L. Conklin, whose commission expired December 20, 1886.

John Kennell, to be postmaster at Passaic, in the county of Passaic and State of New Jersey, in the place of William A. Willard, removed.

Samuel A. Laning, to be postmaster at Bridgeton, in the county of Cumberland and State of New Jersey, in the place of John Trenchard, whose commission expired March 3, 1887.

Cyrus F. Osgood, to be postmaster at Hammonton, in the county of Atlantic and State of New Jersey, in the place of Annie Elvins, removed.

William H. Price, to be postmaster at New Brunswick, in the county of Middlesex and State of New Jersey, in the place of Robert Carson, removed.

Victor C. Roberts, to be postmaster at Moorestown, in the county of Burlington and State of New Jersey, in the place of Thomas M. Pancoast, resigned.

Alfred R. Toland, to be postmaster at Asbury Park, in the county of Monmouth and State of New Jersey, in the place of Patterson G. Snedeker, whose commission expired December 13, 1886.

Mortermore Allison, to be postmaster at Canisteo, in the county of Steuben and State of New York, in the place of Miner Samons, deceased.

Samuel O. Arnold, to be postmaster at Katonah, in the county of Westchester and State of New York, in the place of Lewis H. Miller, resigned.

George D. Babcock, to be postmaster at Mexico, in the county of Oswego and State of New York, in the place of George P. Johnson, whose commission expired February 5, 1887.

Willard M. Baird, to be postmaster at Ogdensburgh, in the county of St. Lawrence and State of New York, in the place of Roswell G. Pettibone, removed.

Frank G. Bolles, to be postmaster at Unadilla, in the county of Otsego and State of New York, in the place of Henry Van Deusen, whose commission expired March 3, 1887.

Samuel J. Brown, to be postmaster at Havana, in the county of Schuyler and State of New York, in the place of Myron H. Weaver, whose commission expired March 2, 1887.

William R. Brown, to be postmaster at Newburgh, in the county of Orange and State of New York, in the place of Joseph M. Dickey, whose commission expired March 2, 1887.

Frederick O. Cable, to be postmaster at Owego, in the county of Tioga and State of New York, in the place of Daniel M. Pitcher, whose commission expired March 2, 1887.

Henry Davie, to be postmaster at Delhi, in the county of Delaware and State of New York, in the place of Horatio N. Buckley, whose commission expired March 3, 1887.

Terrence M. Davis, to be postmaster at Alfred Centre, in the county of Allegany and State of New York, in the place of Maxson J. Green, removed.

James S. Davenport, to be postmaster at Richfield Springs, in the county of Otsego and State of New York, in the place of Eugene A. Hinds, whose commission expired March 2, 1887.

Edward G. Dean, to be postmaster at Deposit, in the county of Broome and State of New York, in the place of Everett B. Adams, whose commission expired January 16, 1887.

Charles J. DeLand, to be postmaster at Fairport, in the county of Monroe and State of New York, in the place of Mortimer R. Wilcox, whose commission expired February 26, 1887.

John C. Fairchild, to be postmaster at Mamaroneck, in the county of Westchester and State of New York, in the place of William A. Boyd, whose commission expired December 20, 1886.

Charles M. Felton, to be postmaster at Waterville, in the county of Oneida and State of New York, in the place of John L. Bissell, whose commission expired February 26, 1887.

Augustus M. Field, to be postmaster at West Chester, in the county of Westchester and State of New York, in the place of Daniel J. McGrory, removed.

Valentine Fleckenstein, to be postmaster at Rochester, in the county of Monroe and State of New York, in the place of Daniel T. Hunt, whose commission expired March 3, 1887.

John T. Gallup, to be postmaster at Greenport, in the county of Suffolk and State of New York, in the place of David Wiggins, removed.

Sophie J. Gaydon, to be postmaster at Port Jefferson, in the county of Suffolk and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Seward F. Gould, to be postmaster at Avon, in the county of Livingston and State of New York, in the place of Elias H. Davis, whose commission expired February 26, 1887.

Thomas D. Jones, to be postmaster at Attica, in the county of Wyoming and State of New York, in the place of Andrew J. Lorish, whose commission expired February 26, 1887.

Samuel T. Kilpatrick, to be postmaster at Irvington, in the county of Westchester and State of New York, in the place of Charles H. Browne, removed.

John H. Larkin, to be postmaster at Cohoes, in the county of Albany and State of New York, in the place of James H. Masten, removed.

Albert J. Lovelee, to be postmaster at Adams, in the county of Jefferson and State of New York, in the place of William H. Gilman, resigned.

Andrew J. Moore, to be postmaster at Goshen, in the county of Orange and State of New York, in the place of Charles T. Jackson, removed.

Frank McKeon, to be postmaster at Dobbs Ferry, in the county of Westchester and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1886.

James A. McKenna, to be postmaster at Long Island City, in the county of Queens and State of New York, in the place of William Bridge, removed.

William P. McCarty, to be postmaster at Allegany, in the county of Cattaraugus and State of New York, in the place of William Spraker, whose commission expired February 26, 1887.

S. Wright McCollum, to be postmaster at Lockport, in the county of Niagara and State of New York, in the place of John A. Hubbard, removed.

Burr O. Newton, to be postmaster at Bolivar, in the county of Allegany and State of New York, in the place of James S. Hoyt, removed.

Thomas O'Connor, to be postmaster at Wellsville, in the county of Allegany and State of New York, in the place of William W. Nichols, deceased.

Nathaniel H. Odell, to be postmaster at Tarrytown, in the county of Westchester and State of New York, in the place of Jacob Odell, resigned.

Harrison Peck, to be postmaster at Nunda, in the county of Living-

ston and State of New York, in the place of Chauncey K. Sanders, whose commission expired March 2, 1887.

Wright E. Perry, to be postmaster at Cold Spring, in the county of Putnam and State of New York, in the place of Frederick R. Amerman, whose commission expired February 26, 1887.

William J. Phillips, to be postmaster at Wolcott, in the county of Wayne and State of New York, in the place of Stephen E. Bullock, whose commission expired March 2, 1887.

Benjamin Rhodes, to be postmaster at Niagara Falls, in the county of Niagara and State of New York, in the place of Franklin Spalding, whose commission expired February 26, 1887.

William K. Roy, to be postmaster at Wappinger's Falls, in the county of Dutchess and State of New York, in the place of Edward M. Goring, removed.

Marvin Sackett, to be postmaster at New Lebanon, in the county of Columbia and State of New York, in the place of Fanny L. Bacon, whose commission expired October 14, 1885.

John B. Sackett, to be postmaster at Buffalo, in the county of Erie and State of New York, in the place of John M. Bedford, whose commission expired March 2, 1887.

Daniel A. Sackrider, to be postmaster at Randolph, in the county of Cattaraugus and State of New York, in the place of Mrs. Josephine C. Owen, whose commission expired March 3, 1887.

George G. Schwinger, to be postmaster at Tonawanda, in the county of Erie and State of New York, in the place of Herbert L. Joyce, removed.

Andrew A. Slawson, to be postmaster at Waverly, in the county of Tioga and State of New York, in the place of Charles C. Brocks, removed.

E. Lewis Snow, to be postmaster at Le Roy, in the county of Genesee and State of New York, in the place of Hiram W. Hascall, whose commission expired February 26, 1887.

Charles R. Street, to be postmaster at Huntington, in the county of Suffolk and State of New York, in the place of George M. Tileston, removed.

Benjamin M. Tasker, to be postmaster at Fort Edward, in the county of Washington and State of New York, in the place of James H. Harris, whose commission expired January 16, 1887.

L. Lockwood Thayer, to be postmaster at Warsaw, in the county of Wyoming and State of New York, in the place of Charles J. Gardner, resigned.

Perry S. Wicks, to be postmaster at Bay Shore, in the county of Suffolk and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

James S. Cooper, to be postmaster at Mount Gilead, in the county of Morrow and State of Ohio, in the place of Abner Ustick, removed.

George Daniel, to be postmaster at Sandusky, in the county of Erie and State of Ohio, in the place of Charles M. Keyes, removed.

Gustav Dangeleisen, to be postmaster at Bellevue, in the county of Huron and State of Ohio, in the place of Albert B. Smith, whose commission expired February 27, 1887.

James W. Deer, to be postmaster at Washington Court-House, in the county of Fayette and State of Ohio, in the place of Thomas D. McElwain, resigned.

Francis M. Hagan, to be postmaster at Springfield, in the county of Clarke and State of Ohio, in the place of James Johnson, sr., removed.

Charles E. Kinder, to be postmaster at Miamisburgh, in the county of Montgomery and State of Ohio, in the place of Henry Boltin, whose commission expired February 19, 1887.

Stephen Potter, to be postmaster at Delaware, in the county of Delaware and State of Ohio, in the place of David A. Stark, deceased.

John G. Vandevoort, to be postmaster at Wellston, in the county of Jackson and State of Ohio, in the place of Miner R. Potter, deceased.

John McAdams, to be postmaster at Mount Pleasant, in the county of Westmoreland and State of Pennsylvania, in the place of John D. McCaleb, resigned.

Alvin Arnold, to be postmaster at White Haven, in the county of Luzerne and State of Pennsylvania, in the place of Richard Heimbach, whose commission expired January 2, 1887.

Mary E. P. Bogert, to be postmaster at Wilkes Barre, in the county of Luzerne and State of Pennsylvania, in the place of Joseph K. Bogert, deceased.

George W. Dickey, to be postmaster at Houtzdale, in the county of Clearfield and State of Pennsylvania, in the place of Theodore Van Dusen, resigned.

Daniel M. Donehoo, to be postmaster at Beaver, in the county of Beaver and State of Pennsylvania, in the place of Mary E. Imbrie, resigned.

Cyrus A. Eaton, to be postmaster at Mifflinburgh, in the county of Union and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1886.

John Goetz, to be postmaster at Greencastle, in the county of Franklin and State of Pennsylvania, in place of Henry E. Prather, resigned.

William D. Himmebreich, to be postmaster at Lewisburgh, in the county of Union and State of Pennsylvania, in the place of Alfred S. Sheller, whose commission expired April 26, 1886.

Lucy M. Horton, to be postmaster at North East, in the county of Erie and State of Pennsylvania, in the place of Isaac Horton, deceased.

Horace E. Jenkins, to be postmaster at Lansdale, in the county of Montgomery and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President from and after April 1, 1887.

Willis W. Kitch, to be postmaster at Sharpsville, in the county of Mercer and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Joshua S. Leiby, to be postmaster at Newport, in the county of Perry and State of Pennsylvania, in the place of John P. Clark, whose commission expired December 12, 1886.

Grove G. Messenger, to be postmaster at Ridgway, in the county of Elk and State of Pennsylvania, in the place of James H. Hagerty, removed.

Benjamin F. Meyers, to be postmaster at Harrisburg, in the county of Dauphin and State of Pennsylvania, in the place of M. W. McAlarney, whose commission expired December 12, 1886.

David M. Morrow, to be postmaster at Grove City, in the county of Mercer and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Fannie W. Nixon, to be postmaster at Indiana, in the county of Indiana and State of Pennsylvania, in the place of Alexander T. Moorhead, whose commission expired March 2, 1887.

Henry O'Brien, to be postmaster at Conshohocken, in the county of Montgomery and State of Pennsylvania, in the place of C. H. Brooke, removed.

George Perritte, to be postmaster at Cannonsburgh, in the county of Washington and State of Pennsylvania, in the place of Jane Martin, deceased.

Charles H. Pott, to be postmaster at Jersey Shore, in the county of Lycoming and State of Pennsylvania, in the place of John E. Potter, resigned.

Charles Schmitt, to be postmaster at Homestead, in the county of Allegheny and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

John C. Seltzer, to be postmaster at Shenandoah, in the county of Schuylkill and State of Pennsylvania, in the place of Samuel P. Kindt, resigned.

Joseph C. Wilson, to be postmaster at Edinborough, in the county of Erie and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President from and after April 1, 1887.

James W. Wilson, to be postmaster at Easton, in the county of Northampton and State of Pennsylvania, in the place of James K. Dawes, removed.

John F. Galvin, to be postmaster at East Greenwich, in the county of Kent and State of Rhode Island, in the place of Thomas J. Tilley, removed.

Frank E. Fitzsimmons, to be postmaster at Lonsdale, in the county of Providence and State of Rhode Island, in the place of George Sherman, whose commission expired February 7, 1887.

Charles H. George, to be postmaster at Providence, in the county of Providence and State of Rhode Island, in the place of Henry W. Gardner, removed.

Susan C. Lewis, to be postmaster at Olneyville, in the county of Providence and State of Rhode Island, in the place of Walter S. Brownell, whose commission expired March 2, 1887.

Isaac R. Wilkinson, to be postmaster at Pawtucket, in the county of Providence and State of Rhode Island, in the place of Edwin A. Perrin, whose commission expired February 5, 1887.

Albert H. Mowry, to be postmaster at Charleston, in the county of Charleston and State of South Carolina, in the place of Benjamin F. Huger, deceased.

William R. Rhea, to be postmaster at Johnson City, in the county of Washington and State of Tennessee, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

James E. Surguine, to be postmaster at Cleveland, in the county of Bradley and State of Tennessee, in the place of Mary H. Edwards, deceased.

Edmund J. Wood, to be postmaster at McMinnville, in the county of Warren and State of Tennessee, in the place of Richard Kennedy, removed.

James P. Gilmer, to be postmaster at Honey Grove, in the county of Fannin and State of Texas, in the place of Thomas D. Bloys, removed.

Ira H. Harrison, to be postmaster at Sulphur Springs, in the county of Hopkins and State of Texas, in the place of William A. Wortham, resigned.

William S. Robson, to be postmaster at La Grange, in the county of Fayette and State of Texas, in the place of Arthur Meerscheidt, deceased.

Charlotte A. Whitaker, to be postmaster at Texarkana, in the county of Bowie and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Nathan P. Bowman, to be postmaster at St. Johnsbury, in the county of Caledonia and State of Vermont, in the place of Charles P. Carpenter, removed.

Ira Goddard, to be postmaster at Ludlow, in the county of Windsor and State of Vermont, in the place of Albert H. Lockwood, resigned.

Herbert W. Martin, to be postmaster at Bennington, in the county of Bennington and State of Vermont, in the place of Thomas A. Hutchins, removed.

Joseph L. Deaton, to be postmaster at Pocahontas, in the county of Tazewell and State of Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

John S. Grayson, to be postmaster at Luray, in the county of Page and State of Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President from and after April 1, 1887.

William F. Fisher, to be postmaster at Liberty, in the county of Bedford and State of Virginia, in the place of William H. Mosby, whose commission expired March 2, 1887.

William A. Fiske, to be postmaster at Portsmouth, in the county of Norfolk and State of Virginia, in the place of Ambrose H. Lindsay, removed.

Henry A. Jordan, to be postmaster at Manchester, in the county of Chesterfield and State of Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Connally T. Litchfield, to be postmaster at Abingdon, in the county of Washington and State of Virginia, in the place of Jackson M. Rose, whose commission expired March 2, 1887.

Samuel B. McKinney, to be postmaster at Farmville, in the county of Prince Edward and State of Virginia, in the place of Frank P. Price, removed.

Frank D. Hoy, to be postmaster at Point Pleasant, in the county of Mason and State of West Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President from and after April 1, 1887.

Andrew J. Nuzum, to be postmaster at Grafton, in the county of Taylor and State of West Virginia, in the place of C. F. W. Kunst, whose commission expired February 12, 1887.

George W. Levis, to be postmaster at Black River Falls, in the county of Jackson and State of Wisconsin, in the place of John Parsons, whose commission expired December 20, 1886.

James P. McGill, to be postmaster at Beaver Dam, in the county of Dodge and State of Wisconsin, in the place of Robert V. Bogert, deceased.

James McGinn, to be postmaster at Neenah, in the county of Winnebago and State of Wisconsin, in the place of Willard Jones, whose commission expired December 12, 1886.

Daniel A. Mahoney, to be postmaster at Kenosha, in the county of Kenosha and State of Wisconsin, in the place of Otis G. King, deceased.

Levi F. Martin, to be postmaster at Chippewa Falls, in the county of Chippewa and State of Wisconsin, in the place of William W. Crandall, whose commission expired January 29, 1887.

John Meehan, to be postmaster at Darlington, in the county of La Fayette and State of Wisconsin, in the place of Oscar F. Blakeley, deceased.

Gustav Meyer, to be postmaster at Boscobel, in the county of Grant and State of Wisconsin, in the place of John Pepper, removed.

Adam Milbrath, to be postmaster at New London, in the county of Waupaca and State of Wisconsin, in the place of Melvin B. Patchin, whose commission expired January 29, 1887.

Francis R. Reuschlein, to be postmaster at Burlington, in the county of Racine and State of Wisconsin, in the place of Charles W. Wood, whose commission expired February 12, 1887.

Albert C. Robinson, to be postmaster at Green Bay, in the county of Brown and State of Wisconsin, in the place of Willard C. Bailey, removed.

William M. Underhill, to be postmaster at Oconto, in the county of Oconto and State of Wisconsin, in the place of Francis C. Sharp, removed.

Edward Whaley, to be postmaster at Prairie du Chien, in the county of Crawford and State of Wisconsin, in the place of Edward Whaley, whose commission expired January 29, 1887.

Alexander D. Ross, to be postmaster at Litchfield, in the county of Meeker and State of Minnesota, in the place of James H. Morris, resigned.

## SENATE.

### THURSDAY, *December* 15, 1887.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

#### EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting, in pursuance of the requirements of the eighth section of the act of July 22, 1854, supplemental reports from the surveyor-general of New Mexico on the following private lands in that Territory:

Las Truchas tract, No. 128;

The town of Abiquiu, No. 140;

The pueblos of Santo Domingo and San Felipe, No. 142; and

The Domingo Valdez, No. 141.

The PRESIDENT *pro tempore*. The communication will be referred to the Committee on Private Land Claims, and printed.

Mr. EDMUNDS. The letter of transmittal ought to be printed, but I see the papers are voluminous. The communication should be referred, without printing the accompanying documents, as it may be that the printing will be unnecessary. These are private land claims, apparently, and I move the reference without printing.

The motion was agreed to.

#### MARBLE BUST OF GIUSEPPE GARIBALDI.

The PRESIDENT *pro tempore* laid before the Senate the following communication; which was read, and referred to the Committee on the Library:

*To the President of the Senate of the United States:*

SIR: The Italians, residents of the city of Washington and citizens of the United States, admirers of the great and noble actors in the problem of human happiness, and particularly of Giuseppe Garibaldi, the lover and defender of universal liberty, the fearless soldier, and the unblemished patriot, united in council, resolved to commemorate his great and noble deeds by adding his to the monuments of the many brave and unselfish patriots who in the cycle of American history so greatly contributed to the creation and preservation of this great Republic.

Therefore, the Italians of this capital, loyal American citizens, offer to the United States, through their representatives in Congress assembled, a marble bust of Giuseppe Garibaldi, a fine specimen of Italian art, and beg that it be accepted as a link in the chain of sympathy that all free men feel for the champions of liberty and popular government.

In behalf of the Society for a Monument to Garibaldi:

TULLIO DE SUZZARA-VERDI, *President.*

WASHINGTON, D. C., 815 FOURTEENTH STREET, NORTHWEST,
*December* 14, 1887.

#### PETITIONS AND MEMORIALS.

Mr. McPHERSON presented the petition of John W. Cummins, of New Egypt, Ocean County, New Jersey, praying to be allowed an increase of pension; which was referred to the Committee on Pensions.

He also presented the petition of John McGrath, of New Egypt, Ocean County, New Jersey, praying to be allowed an increase of pension; which was referred to the Committee on Pensions.

Mr. HOAR presented the petition of James Murphy, late a private of Company K, Third Regiment United States Infantry, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. HOAR. I present the petition of John Arthur Lynch, a citizen of the United States, praying for the survey of a line for a railroad from the northwestern boundary of the United States through British Columbia to Alaska. The petition is indorsed "to be referred to the Committee on Foreign Relations." I am not quite sure what is the proper reference.

The PRESIDENT *pro tempore*. The Chair will order that reference if the Senator so desires.

Mr. HOAR. I believe a like petition was referred last year to the Committee on Foreign Relations.

The PRESIDENT *pro tempore*. The petition will be referred to the Committee on Foreign Relations.

Mr. HARRIS presented a petition of the Memphis Cotton Exchange and a petition of the Memphis Merchants' Exchange, praying that an appropriation be made for the support of the Signal Service; which were referred to the Committee on Pensions.

Mr. CULLOM presented a petition of 99 ex-soldiers and citizens of Centralia, Ill., praying that John Prendergast may be restored to the pension-roll; which was referred to the Committee on Pensions.

Mr. PADDOCK presented the petition of the Seventh Semi-Annual Convention of Fruit Growers of the State of California, praying that a sufficient sum be appropriated to defray the expenses of a qualified entomologist to proceed at once to Australia, the country from which the scale insects have come, to investigate the subject with a view to the importation of the enemies of those insects; which was referred to the Committee on Agriculture and Forestry.

Mr. WILSON, of Maryland, presented the petition of John J. Coughlin, of Washington, D. C., praying to be allowed certain moneys alleged to be due him by the Government for arranging, cataloguing, and classifying bound volumes of newspapers in the Library of Congress; which was referred to the Committee on Claims.

Mr. BLAIR presented a petition of the Woman's Christian Temper-

ance Union, praying for the passage of the educational bill; which was referred to the Committee on Education and Labor.

Mr. COCKRELL. I present a petition which is addressed to me, but evidently intended for Congress, praying for an increase of the salaries of fourth-class postmasters. It seems to be a stereotyped petition of the printed sort. I do not know from what particular county in the State of Missouri it comes; it is not indicated in the petition.

The PRESIDENT *pro tempore*. If there be no objection, the petition will be received and referred to the Committee on Post-Offices and Post-Roads.

Mr. PALMER presented the petition of L. V. Crosby and 39 other citizens of Gratiot County, Michigan, praying for an amendment to the patent laws; which was referred to the Committee on Patents.

Mr. CAMERON presented 32 memorials of citizens of Pennsylvania, remonstrating against the admission of Utah with polygamy; which were referred to the Committee on Territories.

He also presented the petition of Sarah E. Lawton, of Washington, D. C., praying for an allowance on account of services of her late husband, Edwin M. Lawton, as disbursing clerk of the War Department; which was referred to the Committee on Claims.

Mr. QUAY presented a memorial of citizens of Pennsylvania, remonstrating against the admission of Utah as a State without the imposition of restrictions against polygamy; which was referred to the Committee on Territories.

Mr. BUTLER presented a petition of citizens of South Carolina, praying that the compensation of fourth-class postmasters may be increased; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of Lacon R. Tillman, late postmaster at Edgefield Court-House, S. C., praying to be allowed a certain sum claimed to be due him; which was referred to the Committee on Post-Offices and Post-Roads.

### IDA M. WELTON.

Mr. EDMUNDS. I ask, as the request is in the nature of a petition, that the petition and papers of Miss Ida M. Welton, praying to be allowed a pension, which were before the Senate at the last session, but not finally acted on, be referred to the Committee on Pensions. I am not sure but that this would come within the general order, but as there was no report at all, I am not certain that it would, and therefore I ask unanimous consent that the papers may be sent to that committee.

The PRESIDENT *pro tempore*. That order will be made, subject to the rule.

### REPORTS OF COMMITTEES.

Mr. DOLPH, from the Committee on Commerce, to whom were referred the following bills, reported them severally without amendment:

A bill (S. 28) to create a port of delivery at Port Angeles, in the district of Puget Sound, Washington Territory;

A bill (S. 25) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, 1880; and

A bill (S. 24) to extend the limits of the port of Portland as a port of entry.

### MRS. VIRGINIA POORE.

Mr. PADDOCK. By instruction of the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred a resolution to pay the widow of the late Ben: Perley Poore the amount of six months' salary as clerk to the Committee on Printing, I report it back with a written report recommending the passage of the resolution. I ask that the rules may be suspended and the resolution immediately considered.

Mr. EDMUNDS. I ask that the report be read.

The PRESIDENT *pro tempore*. The report will be read.

The Secretary read as follows:

Mr. PADDOCK, from the Committee to Audit and Control the Contingent Expenses of the Senate, submitted the following report, to accompany resolution to pay the widow of the late Ben: Perley Poore six months' salary:

The committee reports the above resolution favorably, and with the recommendation that it do pass. The precedents for the action proposed are both numerous and long established, and cover a period of many years in both Houses of Congress.

The most recent in the Senate are the cases of George M. Weston, second session Forty-ninth Congress, page 1893 CONGRESSIONAL RECORD; Frank M. Smith, second session Forty-ninth Congress, page 2234 CONGRESSIONAL RECORD; Israel Kimball, first session Forty-ninth Congress, page 1191 CONGRESSIONAL RECORD; S. V. Noyes, first session Forty-ninth Congress, page 3633 CONGRESSIONAL RECORD; and F. W. Steigelman first session Forty-ninth Congress, page 96 CONGRESSIONAL RECORD.

The PRESIDENT *pro tempore*. The resolution will now be read.

The Secretary read the resolution, as follows:

*Resolved*, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay, out of the miscellaneous items of the contingent fund of the Senate, to Mrs. Virginia Poore, widow of Maj. Ben: Perley Poore, deceased, late clerk to the Senate Committee on Printing, an amount equal to six months' salary as clerk aforesaid; said sum to be considered as including funeral expenses and all other allowances.

The PRESIDENT *pro tempore*. The Senator from Nebraska asks that the resolution may be now considered. Is there objection?

Mr. BLAIR. I do not wish to object to the consideration of the resolution, but I should like to inquire what is the amount of salary which will be carried by it to the widow of Major Poore.

Mr. MANDERSON. It will be one-half of the annual compensation that Major Poore had as committee clerk.

Mr. BLAIR. How much is that?

Mr. MANDERSON. The annual compensation is $2,200 a year. It will be the sum of $1,100.

Mr. BLAIR. It will be recollected that quite a controversy occurred during the last session in regard to the amount to be paid in case of the death of employés of the Senate, and I was then informed that there was an iron rule adopted that in no case should a larger sum be paid than $1,000. That was the amount given in a case in which I was interested at the time.

I do not wish to make any objection to the resolution, but I call attention to this circumstance, that it may not be a precedent.

Mr. MANDERSON. I know of no such rule as that. I think it is six months' salary. The only rule or custom which has been adopted by the Committee to Audit and Control the Contingent Expenses of the Senate has been that this amount should be paid in lieu of funeral and all other expenses. This resolution is carefully drawn in that form.

Mr. BLAIR. The matter was stated to me in this way on the floor of the Senate at that time. The resolution in that case had been referred to the Committee on Contingent Expenses; they had acted, and their report was to the effect that they had adopted as an inflexible rule the sum of $1,000 in such cases. I do not wish to oppose the resolution. I merely call attention to the circumstance.

The PRESIDENT *pro tempore*. Is the Senate ready for the question on agreeing to the resolution?

The resolution was agreed to.

### BILLS INTRODUCED.

Mr. WILSON, of Iowa, introduced a bill (S. 795) for the relief of the volunteers of the Fourth Regiment of Iowa Infantry; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McPHERSON introduced a bill (S. 796) for the relief of Bvt. Col. Thomas P. O'Reilly; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HARRIS (by request) introduced a bill (S. 797) referring the claim or claims of Eugene F. Arnold, administrator of William H. Arnold, to the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

Mr. CALL introduced a bill (S. 798) to require the claims of the subjects of Spain and the citizens of the United States arising under the treaty of 1819 to be submitted to some foreign government, and that the President of the United States be authorized, with the consent of the King of Spain, to select such umpire; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 799) to prohibit the judges and courts of the United States from authorizing the borrowing of money by receivers on the security of railroad or other corporate property beyond the amount of its annual net income; also from appointing receivers of railroads without satisfactory evidence of the condition of said company by an examination of its books and the persons in charge of its receipts and expenditures; which was read twice by its title.

Mr. CALL. I ask that the bill be referred to the Committee on Railroads.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Railroads, if there be no objection.

Mr. EDMUNDS. It should go to the Committee on the Judiciary. It is purely a judicial bill, and one of the highest importance.

Mr. CALL. I move that the bill be referred to the Committee on Interstate Commerce.

Mr. CULLOM. What is the title of the bill?

The PRESIDENT *pro tempore*. The bill will be again read.

The Secretary read the bill by its title.

The PRESIDENT *pro tempore*. The Senator from Vermont moves that the bill be referred to the Committee on the Judiciary.

Mr. CALL. Mr. President, I hope that motion will not prevail. I do not think the Committee on the Judiciary are very favorably inclined to the passage of bills restricting the powers of United States courts in reference to corporations. I do not think that a majority of the committee sympathize with the people in their opposition to the accumulation of these great railroad properties in the ownership of a small number of persons, through the manipulation of courts and receivers, to the detriment of the rights of lawful creditors, and in violation of the rights of contract and the obligations of the charters of such corporations.

This bill is imperatively required by the necessities of the people. The condition of the laws under the decisions of the courts upon the subject was before the Committee on the Judiciary of the last Congress, and received little or no consideration.

If there can be any reason given why such a bill should not pass, I have never heard it. I do not believe there can be a plausible reason given why such a bill should not receive favorable consideration and prompt passage.

The evils connected with this subject to the people of the different States, and the injuries to creditors having lawful claims on the part of

corporations obligated by their charters and their contract with the States to construct railroads have been caused by the unauthorized and unlawful proceedings of the United States circuit and district courts. These proceedings have sometimes been the cover for the commission of the greatest wrongs. The cases are numerous, have been the subject of public discussion and comment for years, yet we have had no action from the Committee on the Judiciary. That committee, which has been specially charged with the protection of the people against the use of the courts by these wrongful combinations, has been silent. For years this condition of things has existed, and this special subject has been before the Judiciary Committee as constituted at the present time, and with all its learning, and the great reputation of its members, nothing has been done. While, therefore, I think there is but little hope of awakening the attention of the Senate to this subject at this time, I desire to express my opinion, and if possible to have the report and to have the bill considered by some committee not already committed to an adverse report of the bill. I shall take occasion at an early day to address the Senate on this subject and to present the record of a cause in the United States courts which will, I think, excite some surprise, comment, and thought by Senators.

Mr. CULLOM. I inquire of the Senator from Florida if he did not make a motion to refer the bill?

Mr. CALL. I did. I moved to refer the bill to the Committee on Interstate Commerce.

Mr. CULLOM. Then that is the first motion before the Senate, I suppose.

The PRESIDENT *pro tempore*. The Chair did not understand the Senator from Florida to so move.

Mr. EDMUNDS. I think it rather obvious that if this is anything it is a question for the Judiciary Committee; but as the Senator from Florida, who has this subject-matter particularly at heart, is very desirous that it shall not go to the Committee on the Judiciary, which I am very much afraid is not extremely inclined to meddle with the exercise of the discretion of courts, I will withdraw my motion and leave it to the Senate to do, without any action of mine, whatever it likes.

The PRESIDENT *pro tempore*. The Chair understands the Senator from Florida to move that the bill be referred to the Committee on Interstate Commerce.

Mr. CALL. I make that motion.

The PRESIDENT *pro tempore*. That order will be made, if there be no objection.

Mr. SAWYER introduced a bill (S. 800) for the relief of Stewart & Co.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 801) for the relief of Basil Champagne; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 802) granting an increase of pension to Sarah A. Wilcox, now Roberts; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 803) granting a pension to Delia U. Peck; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 804) granting a pension to James Canto; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 805) granting a pension to Melvina Greenwood; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 806) granting a pension to William Healy; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 807) granting a pension to Julia Nolan; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 808) granting a pension to Julius C. Monson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 809) granting a pension to Betsey Mannsfield; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 810) granting a pension to Mrs. A. L. Collins, guardian; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 811) granting a pension to Lydia D. Holtz; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 812) for the relief of William J. Sangston; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 813) granting a pension to Charles Wilkinson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 814) granting a pension restoration and an increase of pension to Philip Fay; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 815) granting a pension to Mrs. Angerone P. Cole; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 816) granting a pension to Anastasia Walter; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 817) granting a pension to Peter Stusse; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 818) granting a pension to John Morgan; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 819) granting a pension to Christopher Wisemiller; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 820) granting a pension to David A. Servis; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 821) granting a pension to John Virtessy; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 822) granting a pension to Sarah Errickson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 823) granting an increase of pension to Frank Fischer; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 824) granting a pension to John Geibel; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 825) granting a pension to Cornelius Wessels; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 826) granting a pension to Edmond Gatlin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 827) granting restoration of pension to Thomas Mosher; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 828) granting a pension to Thomas G. Thomas; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 829) granting a pension to Howard E. O'Connor; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 830) granting a pension to David Williams; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 831) granting a pension to Harry L. Johnson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COKE introduced a bill (S. 832) to provide an additional mode of taking depositions of witnesses in causes pending in the courts of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 833) for the relief of William Franklin Grounds; which was read twice by its title, and referred to the Committee on Claims.

Mr. PALMER (by request) introduced a bill (S. 834) for the relief of John H. Russell; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 835) for the relief of Elisha Griswold, late of Company F, Third Michigan Cavalry; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 836) to amend "An act to provide for the purchase of a site and the erection of a public building thereon at Detroit, Mich.," approved March 2, 1885; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. GEORGE introduced a bill (S. 837) to protect employés and servants engaged in foreign and interstate commerce, and employés and servants in the District of Columbia and the Territories of the United States; which was read twice by its title, and referred to the Committee on Education and Labor.

Mr. HOAR introduced a bill (S. 838) granting a pension to Mary Sullivan; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 839) for the relief of Daniel B. Washburn; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 840) to extend the general land and mining laws of the United States over the Territory of Alaska; which was read twice by its title, and referred to the Committee on Territories.

Mr. PLUMB. I suggest whether the bill should not go to the Committee on Public Lands.

Mr. HOAR. I have no knowledge of the subject whatever. The bill was sent to me by a gentleman of this District, asking me to in-

troduce it, and the suggestion of the committee to which it should be referred was noted on the bill. I have no choice myself.

Mr. PLATT. There has already been some law of Congress passed with reference to the mineral laws of the United States, I believe, in Alaska.

Mr. PLUMB. There was a law of that kind passed, but the Senator can readily see that, as the question as to the land laws will be under consideration and will undoubtedly lead to some discussion during the present session, the question of the extension of those laws as they are, or as they may be, to the Territory of Alaska, belongs more to the jurisdiction of the Committee on Public Lands than any other committee, I think.

Mr. PLATT. I have no choice about it. There have been other bills introduced looking to some provisions whereby parties doing business in Alaska could get title to land, but not going to the extent of extending the land laws over the Territory of Alaska. Some of those bills have been referred to the Committee on Territories. I have no choice whatever about the matter. I would as soon the Public Lands Committee should have such bills as the Committee on Territories.

The PRESIDENT *pro tempore*. Is there objection to a change of the reference of the bill to the Committee on Public Lands?

Mr. VEST. We extended the mining laws over Alaska on the report of the Committee on Public Lands. The bill was introduced by the Senator from Nevada [Mr. JONES]. As I understand the present bill (which I am very glad has been introduced, because it is a very great want, and I myself prepared a bill to that end), it is proposed to extend the general land laws, and it ought to go to the Committee on Public Lands. That is the appropriate committee, because if that subject-matter does not go before them there is nothing to go before them at all.

Mr. PLATT. I made no objection to the reference suggested.

The PRESIDENT *pro tempore*. The Chair hears no objection to the reference of the bill to the Committee on Public Lands.

Mr. HOAR introduced a bill (S. 841) to facilitate the settlement and develop the resources of the Territory of Alaska, and to open an overland commercial route between the United States, Asiatic Russia, and Japan; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. TURPIE introduced a bill (S. 842) granting a pension to Julia A. Rhoads; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CALL introduced a bill (S. 843) granting to G. W. Hendry, his heirs or assigns, parts of sections 15 and 22, township 31 south, range 25, in the district of public lands at Gainesville, in the State of Florida; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 844) for the relief of the heirs of John S. Sammes; which was read twice by its title, and referred to the Committee on Claims.

Mr. BECK introduced a bill (S. 845) to grant a pension to the widow of John A. Turley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 846) for the allowance of certain awards made by a board of claims; which was read twice by its title, and referred to the Committee on Claims.

Mr. GIBSON introduced a bill (S. 847) for the relief of the heirs of Mrs. Anna Holmes Bernard, of the parish of East Baton Rouge, Louisiana; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 848) for the relief of the Union National Bank of Louisiana; which was read twice by its title, and referred to the Committee on Claims.

Mr. CAMERON introduced a bill (S. 849) granting a pension to Morgan Gordon; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 850) granting certain lands to the Territory of Wyoming for public purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 851) for the relief of Henry C. De Ahna; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT introduced a bill (S. 852) for the relief of William C. Dodge; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 853) for the relief of the United States Regulation Fire-Arms Company; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Patents.

Mr. PLUMB introduced a bill (S. 854) granting a pension to Sarah E. Branson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 855) to amend and correct the act approved February 22, 1887, granting a pension to James H. Young; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 856) to provide for the holding of the district court of the United States at Salina, Kans.; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 857) to provide for the holding of the district court of the United States at Concordia, Kans.; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 858) to forfeit lands granted to the State of Michigan to aid in the construction of a railroad from Marquette to Ontonagon, in said State; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. ALLISON introduced a bill (S. 859) granting an increase of pension to James H. Thomas; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 860) granting a pension to Stephen Singleton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 861) for the relief of Russell Smith; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 862) granting a pension to David Peterson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 863) granting a pension to Samuel J. Murphy, of Marengo, Iowa; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BLACKBURN introduced a bill (S. 864) to pension Mrs. Theodora M. Piatt; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WILSON, of Maryland (by request), introduced a bill (S. 865) for the relief of the heirs and legal representatives of Capt. Lambert Wickes, United States Navy; which was read twice by its title, and referred to the Committee on Revolutionary Claims.

Mr. SPOONER introduced a bill (S. 866) granting a pension to Bridget Conroy; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BLAIR introduced a bill (S. 867) granting a pension to Miss Margaret Stafford Worth; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HALE introduced a bill (S. 868) for the relief of Paymaster James E. Tolfree, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 869) for the relief of the sufferers by the wreck of the United States steamer Tallapoosa; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 870) to provide for the retirement of a certain class of officers in the United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 871) to amend section 993 of the Revised Statutes of the United States for the District of Columbia so as to make the 12th day of February a holiday within said District; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. COCKRELL introduced a bill (S. 872) for the relief of Mary J. Bealmear; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. COKE introduced a bill (S. 873) to limit the jurisdiction of the circuit and district courts of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. BUTLER introduced a bill (S. 874) to provide for licensing railway conductors on certain railways within the United States; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. CALL introduced a joint resolution (S. R. 15) authorizing the several Executive Departments of the Government to loan to the Florida Sub-Tropical Exposition certain articles for exhibit, and for other purposes; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a joint resolution (S. R. 16) making an appropriation for the payment of the expenses of the United States circuit and district courts for the northern district of Florida; which was read twice by its title, and referred to the Committee on Appropriations.

Mr. PLUMB introduced a joint resolution (S. R. 17) to print additional copies of the United States map of the edition of 1886, prepared by the Commissioner of Public Lands; which was read twice by its title, and referred to the Committee on Printing.

Mr. BUTLER introduced a joint resolution (S. R. 18) authorizing the Public Printer to bind certain unbound copies of the Congressional Globe and deliver the same to the Secretary of the Interior for distribution; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Printing.

### LAKE CHAMPLAIN NAVIGATION.

Mr. EDMUNDS submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of War be, and he hereby is, directed to report to the Senate any information in his possession concerning the necessity or utility of improving the navigation of Lake Champlain at Adams Landing, Grand Isle County, Vermont, and the estimated expense thereof.

CHIPPEWA INDIAN SCHOOLS.

Mr. MORGAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Interior is directed to send to the Senate copies of all letters and dispatches or reports sent by any person connected with the Bureau of Indian Affairs, or to any such person, and on file in said Department, relating to the business intrusted to Miss Charlotte M. Clark, as a special agent to inspect the Indian schools in the Chippewa agency at White Earth, Minn., or at any other settlement of Chippewa Indians.

JAMES M. COOMBS.

Mr. PLUMB submitted the following resolution; which was read, and, with the accompanying paper, referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Secretary of the Senate be, and is hereby, authorized and directed to pay to James M. Coombs, out of the contingent fund of the Senate, the sum of $2,500, to enable him to pay for medical and other expenses incurred, and which may hereafter be incurred, on account of injuries received by the falling of an elevator while an employé of the Senate folding-room on or about July 20, 1886; said amount to be in full for all damages on account of said injuries.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. HOAR, it was

*Ordered*, That the petition of Bridget Adams, now on file in the office of the Secretary of the Senate, be withdrawn from the files and referred to the Committee on Pensions.

On motion of Mr. MANDERSON, it was

*Ordered*, That the petition, affidavits, and accompanying papers in the claim of George S. Fisher (S. 147 and 1834, Forty-ninth Congress, first session) be taken from the files of the Senate and returned to the petitioner.

THE SWENSON PATENT.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a resolution coming over from a former day, which will be read.

The Secretary read the resolution submitted by Mr. PLUMB on the 13th instant, as follows:

*Resolved*, That the Attorney-General be requested to investigate the issuance of letters patent numbered 371528 to Magnus Swenson, of date October 11, 1887, and if in his judgment the same is invalid upon any ground, that he commence suit promptly to have the same canceled or the use of the same by said Swenson or any one claiming under him perpetually enjoined.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

Mr. PLUMB. Mr. President, the subject-matter of this resolution, and the issuance of a patent to Mr. Swenson is of very great importance to the people of this country, because if Mr. Swenson's claim is substantiated it may prove that he has a very important control over the manufacture of sugar from sorghum, the value of which has been demonstrated by experiments made by the Government, and the opportunity for the obtaining of this patent having been presented to Mr. Swenson by reason of his employment by the Government. I should be very glad, therefore, to have the resolution passed, in order that the Attorney-General may be admonished to do whatever he may find legally within his power in the direction of setting aside the patent at an early day.

I do not care to enter now upon any general discussion of this question, because probably that may come up later; but I wish to say that the resolution does not in any way imply censure upon the Commissioner of Agriculture, nor is there anything in the entire transaction which, in my judgment, would warrant any imputation of neglect of duty upon his part. He has been very zealous and active in all the matters that refer to the development of the sugar industry, and I feel that it is due to him to say that his zeal has been not only conspicuous, but has been intelligently directed. For the purpose of setting him right, if anything of that kind shall be necessary, I ask that a letter, which he addressed to me during the last month, may be read.

The PRESIDENT *pro tempore*. The letter will be read.

The Secretary read as follows:

U. S. DEPARTMENT OF AGRICULTURE, COMMISSIONER'S OFFICE,
*Washington, D. C., November* 11, 1887.

MY DEAR SENATOR: Your favor of recent date, referring to the claims of Messrs. Swenson and Parkinson to certain alleged valuable discoveries made by Professor Swenson in the manufacture of sugar from sorghum-cane, has been received, and is one among a vast number of letters whose writers have already filed their protests against such action.

The basis of these claims, as I am informed, is a patent issued to Mr. Swenson, dated October 11, 1877, and numbered 371528, a copy of which I inclose. The claim of the patentee is "for the prevention of the invertive action of the organic acids in the cane chips upon the sugar during the process of extraction, by adding to the diffusion-vat carbonates of the alkaline earths." Unfortunately, I was not informed of Mr. Swenson's application for a patent until October 20, when I immediately requested the Patent Office to suspend its action until I could be heard. The Commissioner of Patents then informed me that the patent had been issued ten days prior to my letter, and that nothing could be done by his office.

It is unnecessary to rehearse to you all that Congress has done toward aiding experiments in the manufacture of sugar from sorghum, for your own energetic efforts in its behalf make the facts well known to you; but there are certain facts relative to this alleged discovery which I will briefly state. You are aware that an appropriation of $94,000 was made for "continuing and concluding experiments in the manufacture of sugar, by the diffusion and saturation processes, from sorghum and sugar cane." Experiments under this appropriation were carried on in part at Fort Scott, Kans. By virtue of this authority I appointed, on July 19, 1886, Mr. Swenson an agent of this Department "to superintend, under the direction of the chemist, the experiments in the manufacture of sugar from sorghum at Fort Scott." The result of the work at Fort Scott for the season of 1886 is contained in Bulletin No. 14, a copy of which I inclose you. On page 28 you will notice that certain experiments were made to correct the acidity in the battery, which caused an inversion of a portion of the sucrose into glucose. Among the experiments enumerated was one with the "addition of freshly precipitated carbonate of lime to the extraction bottle." The analyses showed that the acidity was diminished by two-thirds and the inversion of the sucrose largely prevented by the treatment. The report continued: "If a few pounds of such a carbonate could be evenly distributed in the chips, it appears reasonable to suppose that this inversion would not take place." As is customary with all professional men, Professor Wiley gave credit to Professor Swenson for suggesting this experiment. I dwell upon this because it may have an important bearing upon the case. The letter which transmitted this report to me was dated December 21, while Professor Swenson did not make application for his patent until December 29, or eight days later. On this latter date Professor Swenson did file an application for a patent for this suggestion and its results, forgetting that it had been made by him while in Government service, and being a part of the duties for which he was employed and paid, and that the experiments were conducted at the Government's expense for the benefit of the people at large.

I am satisfied, however, after due investigation, that Mr. Swenson's patent is invalid, and that he can not appropriate to his own personal use the results of experiments conducted by this Department while he was in the employ of the Department as an agent to superintend those experiments. Mr. Swenson was merely an employé of the Government, engaged to carry on experiments for the perfecting of a process that had been conceived, devised, and was then in the process of execution by this Department, and any suggestions made by him in the course of his employment were a part of the duties for which he was engaged and paid, and such suggestions belonged to his employer. I refer you to the case of the Agawam Wool Company *vs.* Jordan, 7 Wallace, 583, for the law as to the relation of employer and employé touching suggestions made by an employé in course of experimentation; also, to the dictum of Justice Field in case of the United States *vs.* Burns, 12 Wallace, 253, that discoveries of an officer of the Government made in experiments carried on by the Government belong to the Government.

I am further satisfied that Mr. Swenson's improvements are neither new nor novel by way of correcting the acidity in the saccharine solution, and for this reason the patent is likewise invalid. This process has been known for many years, and used by those engaged in the manufacture of sugar in the various stages of the work. In 1874 one James Duncan was granted a patent in England for the use of carbonate of lime in neutralizing free acids in saccharine evolutions, and in various scientific publications references may be found of the use of the carbonates of the alkaline earths for this purpose. I am having prepared a list of patents issued in England, France, and Germany for the use of these carbonates for this purpose, and also citations from various scientific works showing that this method has been well known to scientists for many years. This list I will furnish you as soon as completed. I have had an examination made of the citations made by the Patent Office, and am surprised to find that not a single citation of a foreign patent was made in this case, nor was any publication cited against this extraordinary claim.

I am determined that the people of this country shall not be deprived of the free use of all the results obtained and processes employed in experiments carried on by this Department under the direction of Congress, and I shall call the attention of the Attorney-General to the facts in this case, and request him to take such legal proceedings as will secure, if possible, the cancellation of this patent.

I have not hesitated to express this determination in a large number of cases within the past few weeks. * * *

I thank you for your letter. It will give me great pleasure, and place me under renewed obligations to you to have such advice and assistance as it may be your pleasure to render in this contest to protect the rights of the public.

Very respectfully, your obedient servant,

NORMAN J. COLMAN,
*Commissioner of Agriculture.*

Hon. P. B. PLUMB,
*Emporia, Kans.*

Mr. PLUMB. Mr. President, since the assembling of Congress, in response to a resolution adopted by the Senate on my motion, the Commissioner has repeated somewhat more amply the statement of facts in the case; but it does not change the situation at all. In addition to that, the Commissioner, as suggested in the letter, has requested the Attorney-General to bring suit to set aside the patent. What action the Attorney-General may take on that request I do not know; and it may be that he has not regarded the request as in any way authoritative. It certainly would not be improper for the Senate, under the circumstances named, to make such a request, and it would be a valuable expression on this subject which I ask to have the Senate make.

Mr. EDMUNDS. Mr. President, there are two difficulties, I think, with this resolution. In the first place, I think that it is, if not the first time, among the first times when the Senate of the United States has called upon an officer of the executive department, by request, to do anything affirmatively in regard to any part of the public business. We have in some cases requested the Secretary of the Interior, I remember, to suspend some action, which was partly in his discretion, pending action by Congress by law, as suspending the issuing of a patent or whatever it might be. That is one thing; but here we request the Attorney-General to examine a question of law which is committed to him by the statutes, acting under the direction of the President of the United States, and then we request him, if in his opinion there is any chance for success, to institute suit in the courts of the United States to set aside this patent.

On the second branch of it we are met with a difficulty which has appeared in the courts to be quite formidable. I confess that for myself I should have no difficulty about it. I believe that the Attorney-General, acting under the authority of the President, who is bound to see that the laws are faithfully executed, may, without any specific authority from Congress, bring a suit in any proper court of the United States to assert the rights of the United States in the way of canceling a patent which has been improperly issued, and that has been held in respect of lands; but it has been stoutly contested within a year or two, and with some apparent success in the courts, that in respect of a patent for an invention, the Attorney-General, or the President of the United States either, has no authority without a statute giving him

that authority to bring a suit to set aside such patent; and if Mr. Attorney-General were to act upon this suggestion or without it to bring suit, in the present state of the law, in the circuit court of Kansas, or in the District of Columbia, or wherever was the proper place, to set aside this patent, the first question would be one of jurisdiction, and it would be stoutly insisted on the other side, as it has been in some other patent-right cases, that the United States had no authority to institute any such suit, and hang it up nobody knows how long there.

So then the thing to be accomplished on the case, as it is stated by the Senator from Kansas, is to pass a joint resolution, which will have the force of law, requiring the Attorney-General to investigate this business, and bring suit under the authority of that statute to set aside this patent, and then the person who has obtained the patent will have to meet the case on the merits; and not keep the thing dancing in the courts on a mere question whether the United States, without an act of Congress, had a right to move at all.

I hope for both these reasons that the Senator will allow this resolution to go to the Committee on Patents, or Agriculture, or anywhere, in order that a report may be made which shall be effective.

Mr. PLUMB. If the resolution should go to any committee it ought to go to the Committee on the Judiciary, because, according to the opinion of the Senator from Vermont, the whole question in his mind probably turns on the power of the Attorney-General to commence this suit in the present state of the law.

Mr. EDMUNDS. There is no question in my mind; I think he has the power; but unhappily some judges and a great many lawyers think the other way.

Mr. PLUMB. I am not speaking of the Senator's opinion, but of his statement of the doubts which have arisen. That being so, the Judiciary Committee is the proper committee for considering the subject; but it seems to me that that matter can wait until after some action is commenced. We are approaching the season when, if anything is to be done during the next twelve months in regard to the manufacture of sugar by reason of the new processes developed by the expenditure of public money, steps will have to be taken, and I think it is important to have this proceeding instituted early. I think the Government ought to assert its interest at an early period on this very important question, and then if the Committee on the Judiciary, of its own motion or prompted by instruction of the Senate, shall see fit to report a general bill or joint resolution on the subject which should finally affirmatively give the authority and which might be used in the proceedings which the Attorney-General might meanwhile institute, that would also be a very good thing. In the mean time the Attorney-General, in the investigation which he is asked to make by this resolution, will investigate not merely the question of the patent, but he will investigate also this other question of jurisdiction, and if he is satisfied that the courts would have jurisdiction on his motion to entertain the proceeding, then, I think, it would be very proper that he should institute it. He is the law officer of the Government, and until the courts have declared otherwise his opinion is practically binding.

Mr. BUTLER. May I ask that the resolution may be read again?

The PRESIDENT *pro tempore*. The resolution will be read.

Mr. BUTLER. Does it give power to the Attorney-General to institute suit?

Mr. PLUMB. This does not confer any power on him which he does not already have. It simply requests him to make investigation, and if in his judgment suit can be maintained, to commence it.

The Secretary read the resolution.

Mr. SAULSBURY. The pending resolution, I believe, is prompted by information that Professor Swenson has obtained a patent for a certain process based upon information which he had obtained while in the employ of the Government in connection with experiments made by the Government. It seems to me that the resolution drawn by the Senator from Kansas does not fully meet the case. It rests in the discretion or in the judgment of the Attorney-General as to whether that fact is a cause for invalidating the patent. I propose to reach that point by an amendment in line 4, after the word "ground," adding the following:

Or was procured by reason of information obtained from experiments made by the Government.

The Attorney-General might find that the fact was that the patent was procured by reason of information which was obtained while the patentee was in the service of the Government in connection with experiments made by the Government; and it might be the judgment of the Attorney-General that that would invalidate the patent. Consequently if we wish to reach the whole matter it is necessary to amend the resolution, so that if he finds that the patent was procured by means of information obtained while in the service of the Government, he should then institute suit.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Delaware will be read.

The SECRETARY. In line 4, after the word "ground," add "or was procured by reason of information obtained from experiments made by the Government;" so as to read:

*Resolved*, That the Attorney-General be requested to investigate the issuance of letters patent, numbered 371528, to Magnus Swenson, of date October 11, 1887, and if in his judgment the same is invalid upon any ground, or was procured by reason of information obtained from experiments made by the Government' etc.

Mr. PLUMB. While I do not think that adds to the scope of the resolution, I have no objection to its being added.

Mr. RIDDLEBERGER. I have objection to the passage of that resolution in either form. We have executive, legislative, and judicial powers in this Government, and the resolution offered by the Senator from Kansas says in effect and in terms that the Attorney-General shall be instructed to perpetuate an injunction. If I understood the resolution, that is what it says. If we are a legislative branch, we have no right to instruct the Attorney-General, who belongs to the judicial or the executive, to perpetuate an injunction. I would not vote for this resolution if I knew that the Senator's premises were right.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Delaware [Mr. SAULSBURY].

Mr. CALL. Mr. President, I think there is a great deal of doubt whether the resolution ought to pass. I should be very willing to vote for a general law authorizing the Attorney-General to bring suits in all cases where there is reasonable cause to believe a patent invalid; but to declare that he shall bring suit to invalidate this patent because the inventor discovered the invention while in the service of the United States, or on the broader ground contained in the amendment, on account that it was in the course of experiments made by the United States, seems to me utterly illogical. Neither fact affords any ground whatever for declaring the patent invalid. Shall we limit the human mind in discoveries to facts which have not been elicited by Government investigation? Why is not an invention as meritorious, why are not the operations of the intellect in discovering some great mechanical principle of benefit to mankind because the facts on which the intellect operated were discovered in the course of experiments made by the Government and at its expense? The invention is of as much service, and has as much right, and is as commendable, and ought to be as much encouraged if he discovers some great benefaction from facts elicited by the Government as from any other source. The Government has no claim on his thought, on the operations of his intellect, and I think the ground of this resolution therefore is entirely erroneous.

Mr. EDMUNDS. I think it my duty to move that this resolution be referred to the Committee on Patents. There is great danger in a precedent of this kind of one House of Congress undertaking to induce executive action by its affirmative action; and the difficulties in respect of getting at the very thing I have suggested are, although not in my own mind, in the minds of a great many people who are wiser than I, very formidable.

I remember even in a case in which the United States had a direct pecuniary interest in one of the Western States connected with some of the Pacific railroad mortgages, action was brought in the circuit court of the United States—I am not sure but in Kansas; certainly, I think, in Kansas, or Nebraska, or Colorado—where it was necessary for the protection of the interests of the United States as a second mortgagee, that the United States should appear and defend their interest, and the Attorney-General, acting properly, as I think, directed the district attorney there to appear for the United States to defend the interests of the Government. The question was immediately raised on the other side, by the first mortgagees or whoever they were, that he had no business to be there, because there was no statute which authorized the Attorney-General or the district attorney to appear there in a suit to which the United States was not a party on the record; and as the United States was not a party on the record, and could not be in the circuit court as the law then stood, the Government was entirely silenced; it could not go forward nor stay out, so far as protecting its interests were concerned.

I only mention that to show the doubts which exist in the minds of eminent judges as to the authority of the executive department, acting through the Attorney-General, to institute proceedings or defenses in courts where the United States is not a direct party, besides the other case that I have referred to of bringing suits to set aside patents for inventions.

In this state of things, sympathizing entirely with what the Senator from Kansas wishes to accomplish, I feel bound, as a matter of propriety, to move that the resolution be referred to the Committee on Patents.

The PRESIDENT *pro tempore*. The Senator from Vermont moves that the resolution, with the amendment, be committed to the Committee on Patents.

Mr. HOAR. I understand that the question whether the Attorney-General of the United States can, without due lawful authority, institute a proceeding of this kind is pending in the courts, it having been lately held by one of the circuit courts, the circuit judge having sitting with him a very learned and eminent district judge and an especially able judge in regard to that class of questions, that no such authority exists. I know nothing about this particular patent or this particular grievance. It seems to me, however, that before the Senate commits itself absolutely to a legal proposition of this kind against the opinion of at least one circuit judge, it would be well to have the question examined.

Mr. PLUMB. I would sooner have the opinion of the Senator from Vermont on the question of law than the opinion of any circuit judge of the United States. But, admitting that the doubt exists, which the Senator from Vermont says does exist, and also the doubt which is raised by the statement of the Senator from Massachusetts, how shall we resolve that doubt? I think in a case of this kind we ought clearly to resolve it in favor of doing something for the people who are interested in this invention, and not resolve it in favor of the merely technical right (if it exists at all) of the patentee. Suppose, after all we have done, it turns out by the decision of the Supreme Court of the United States that the Attorney-General had this authority, we should then appear as having been in the attitude of resolving the doubt in favor of the patentee, and by that action having prejudiced the public interests. So far as I am concerned, I am perfectly willing, when a case arises where there is an even balance, which is the utmost that can be said in this case, to decide it in favor of that which appears to be for the public interest, and take the chances. Nothing can result except a bill of costs at all events.

If Swenson has a valid patent, he has it upon a mere technicality. Properly speaking, morally speaking, he has no right to a patent. He was in the employ of the General Government; every step of the experiment which resulted in the development of this process was taken by reason of the expenditure of the public money, and except for the expenditure of public money this process could not have been developed, at least at the time that it was.

Under all the circumstances of the case, it seems to me that we can very well afford to ask the Attorney-General to commence a suit to settle these very important issues that arise by reason of the issuance of the patent, and I do not think we can afford to hesitate for a moment.

Mr. GRAY. Before the Senator takes his seat I should like to ask whether the best way to resolve that doubt on such a grave question as to the authority of the Attorney-General under the laws of the United States at this time would not be to introduce a bill conferring that authority upon him?

Mr. PLUMB. That would do; but we all know that by reason of the fact that the House of Representatives will not be ready for business until after the holidays, and that under the natural and necessary operation of their rules a bill of that kind may be indefinitely postponed, may be never reached at all, and therefore we shall come to that season of the year when this process is to be used, if at all, without anything having been done. I propose, as far as I am concerned at least, to do that which we can do by the shortest cut, and which, even if of doubtful legality, is morally right and in the interest of the public.

Mr. BUTLER. I shall vote for the resolution of the Senator from Kansas, although in doing so I confess I am voting somewhat in the dark; but I give notice now, if he will pardon me, and ask to have read a resolution which I shall offer immediately on the disposition of this resolution.

The PRESIDENT *pro tempore*. If there be no objection the resolution proposed by the Senator from South Carolina will be read for information.

The Secretary read as follows:

*Resolved*, That the Committee on the Judiciary be, and they are hereby, directed to inquire and report to the Senate whether in the present state of the law the Government has the power or the Attorney-General of the United States the authority to institute judicial proceeding to vacate a patent for an invention on any ground whatever, and that they may report by bill or otherwise; and that said committee have leave to report any special matter.

Mr. BUTLER. I do not offer that as a substitute for the resolution of the Senator from Kansas, but I simply give notice that after his resolution is disposed of I will offer it for consideration.

Mr. TELLER. I would suggest to the Senator from Kansas to amend his resolution by inserting, after the word "ground," the words "if in his judgment the suit can be maintained." Then the Attorney-General will be simply directed to investigate the whole question, and if he thinks the suit can be maintained he will bring it, and if he does not he will not. It seems to me there ought not to be any very serious question as to whether the Government can maintain a suit to set aside a patent, though it has been decided, as I know it has been in some courts, that it can not be done.

Mr. PLUMB. I have no objection to the amendment, although I think it is clearly involved in the present form of the resolution.

Mr. TELLER. I think what is committed to the judgment of the Attorney-General is the simple question whether the patent is invalid. I desire to submit to him further whether the suit can be maintained without further legislation.

Mr. PLUMB. The question before the Attorney-General as to whether the patent is valid will undoubtedly involve the determination of the question as to whether the court will so declare. That is the only practical view of the case. If it is invalid, the court will so decide; and of course if not, it will not be invalidated. I have no objection to the amendment, however.

Mr. TELLER. The Attorney-General might believe it was invalid, and yet he might believe that he had no standing in such a suit. I do not desire to offer any amendment which can be considered as hostile to the resolution, because I am in harmony with it; but if an amendment is not objectionable, I will move to amend by adding, after the word "ground," these words:

If in his judgment a suit can be maintained in the name of the United States.

The PRESIDENT *pro tempore*. The motion to commit being pending, the resolution is not open to amendment until that is disposed of, except by unanimous consent.

Mr. TELLER. I will withdraw the amendment, then.

Mr. EDMUNDS. It may be regarded as accepted.

Mr. RIDDLEBERGER. I ask whether the resolution is the same as the one I have on my table. I do not understand it as some do. The resolution as read in the beginning is not the same as I see it presented here. There is no provision here about directing the Attorney-General to perpetuate an injunction. I should like to have the resolution read again.

The PRESIDENT *pro tempore*. The Secretary will report the original resolution.

The Secretary read the original resolution.

The PRESIDENT *pro tempore*. The amendment offered by the Senator from Delaware [Mr. SAULSBURY] is pending, and also the amendment to the amendment offered by the Senator from Colorado [Mr. TELLER].

Mr. PLUMB. I accepted the amendment offered by the Senator from Delaware.

The PRESIDENT *pro tempore*. The amendment offered by the Senator from Delaware has been accepted. The resolution will be reported as amended.

The Secretary read the resolution as amended.

The PRESIDENT *pro tempore*. The Chair understands the Senator from Kansas also to accept the amendment offered by the Senator from Colorado.

Mr. TELLER. It will be, then, to insert, after the word "ground," in line 4 of the resolution, the words "and if in his judgment a suit can be maintained in the name of the United States."

The PRESIDENT *pro tempore*. The resolution will be read as amended by the amendment offered by the Senator from Colorado.

The SECRETARY. After the word "Government" in the first amendment it is proposed to insert:

And if in his judgment a suit can be maintained in the name of the United States.

Mr. TELLER. After the word "ground," in the fourth line of the resolution, I propose to insert those words.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Delaware has already been inserted after the word "ground."

Mr. TELLER. Then let it come in immediately after the Senator's amendment.

The PRESIDENT *pro tempore*. The resolution will be read as amended.

The Secretary read as follows:

*Resolved*, That the Attorney-General be requested to investigate the issuance of letters patent No. 371528 to Magnus Swenson, of date October 11, 1887, and if in his judgment the same is invalid upon any ground or was procured by reason of information obtained from experiments made by the Government, and if in his judgment a suit can be maintained in the name of the United States, that he commence suit promptly, etc.

The PRESIDENT *pro tempore*. The question now is on the motion to commit the resolution.

Mr. CALL. I think we are about to commit the Senate to a very untenable doctrine and a very injurious one, namely, that a discovery made by an inventor upon facts elicited in Government experiments shall not be the subject of a patent. What reason can be given for such a proposition as that? Does a man contract for anything but the special services that he shall render? Does he agree that his own discoveries, the results of his intellectual processes in the future as in the present, shall belong to the Government because he is an agent of it, because he is an employé of the Government? He agrees to give it his time and attention, not his discovery of the laws of nature, of great facts and propositions which being turned into practical form and use shall be of advantage to men; and why shall we waste time in discussing a proposition of this kind, that because a man is employed by the Government to give his services in some well-known and ascertained process or line of action or employment the undiscovered processes which the genius of man discovers from facts elicited in this course of experiments shall also belong to the Government?

There is no such contract as that. There is no reason in public policy why that should be true. If it be a new discovery or invention, then Congress is authorized to secure to him the right of exclusive use or ownership for a limited time. How far that should go is a matter of public policy as to what limitation should be placed upon it. Perhaps some. Possibly when an invention becomes of great general use there should be a limit placed upon the price; but the Constitution expressly gives to Congress power only to secure to authors and inventors, and to none others, the right to their discoveries. Is the Government the inventor or the author because an employé of the Government discovers a new fact, a new mechanical principle, a new thought, an invention? There is no logic in that; there is no foundation for that; there is no

reason in public policy for it in my opinion. It is limiting that great inventive success, that great talent which has produced so much benefit to the country. Where it is used for the purposes of monopoly to an unreasonable extent it ought to be limited; but we should not place principles of limitation which are erroneous and unsound upon it and make them the law of the country.

This resolution declares, so far as the Senate has power to do so, that a man in the employment of the Government who makes a new discovery of some law of nature, of some process heretofore unknown, shall not have the advantage of it simply because he is in the employ of the Government, and that all his intellectual faculties belong to it outside of the special purpose for which he is employed. I shall vote against it. A poor man's talent is all that he has, and the Government does not need to take that away from him.

Mr. GEORGE. Will the Senator allow me to ask him a question?

Mr. CALL. Certainly.

Mr. GEORGE. Suppose this discovery is made in the process of experiments carried on by an employé of the Government with the Government's money, then what?

Mr. CALL. It does not make the slightest difference. The Government does not buy the man's brain for anything but the special purpose for which it employs him, namely, for his use of the already ascertained laws of mechanical operation which may be used. It does not contract with him that whatever new discoveries may be made in the vast field of nature shall be compensated for by his employment to use those already known and discovered. There is no such contract, and there ought to be none. If a man discovers some great and new principle, some great benefaction to mankind, shall it be said because it was done with the Government's money that that was contemplated in the contract? Certainly the proposition denies itself; the proposition that when a man contracts with the Government to render a specific service he also contracts for all new discoveries in the unknown realm of nature which may be made by him.

The Government is a poor paymaster at the best, and invention will not be promoted by denying the inventors all benefit from their inventions. On the contrary, the power of monopoly, the power of money, will be promoted by the principle of securing the sale of a man's genius before he has made an invention.

Mr. HAWLEY. It seems to me the essential question in this case is this: A proposition is presented that the Senate has a right to direct an executive officer to take certain action. I should like to know where the Senate can find that power. The resolution does not say that if he judges he has the right to begin a suit he is requested to begin one, or that the Senate advises him to begin one; but it says, under certain conditions, resolved that he commence a suit promptly. I have yet to learn that either branch of Congress has a right to give positive instructions of that description to that officer. I do not see how I can vote for the resolution. I sympathize with the general purpose of it, but I shall vote for the reference. I am willing to vote for a joint resolution or bill which shall confer on the Attorney-General any power thought to be wise in such cases, but I can not vote that the Senate shall order an executive officer in such a case.

Mr. BECK. I shall vote for the proposition of the Senator from Kansas as a preliminary matter, at least, so that we can get the opinion of the Attorney-General in regard to this question. We shall at least ascertain what it is necessary for us to do, and I shall do it because, from very long experience and observation here, I have found that whenever we constituted a board, whether it was to examine into guns, or ships, or anything that the Government wanted, or even to a canceling-stamp for the Post-Office Department, and when we furnished them the money and all the facilities for making the investigation, and without our money and without the facilities furnished by us they would have had no idea of the suggested matters in the nature of improvements that they afterwards patent; and thus we are constantly handicapped by men who have obtained all the information that enabled them to take out their patents through the means and instrumentalities that we have furnished and through the money we have put into their hands for the purpose of doing it. If there is any way of breaking that up, I want to break it up.

If I were to go over the history of the last twenty or thirty years of inventions that have been claimed by men who have been the trusted officers of the Government to make improvements for the use of the Government, in guns and in the machinery that we have needed, it would be found that a very large majority of the patents have been taken out by men who were in our employ and who obtained the information to take them out by the means furnished by the Government and the information elicited under the investigations made with the money of the Government. It can do no harm for us at least to get the opinion of the Attorney-General as to what our rights now are, so that we may guard against these abuses by law, if need be, in the future.

Mr. EDMUNDS. That is the very trouble about it, as I think that we are transcending the limits of our proper jurisdiction as one branch of the legislative body known as Congress in even requesting the Attorney-General, or the head of any other Department, to make any affirmative investigation or to do any affirmative thing whatever except to send information. It has happened in the history of this country more than once when the House of Representatives—I think the Senate never did it—has called upon the Attorney-General for his opinion regarding some matter, that he has reported to them that, with the greatest possible respect to their wishes, they were acting out of their place in asking him for his opinion; that the department of the executive is entirely separate from one branch of the legislative department as well as both, and while he would be glad to oblige them he had no authority, without unsettling the proper balances of the Government, to comply with their request.

Now, to be sure, this is in a slightly different form. It asks him to investigate and form an opinion, and having investigated and written it out, instead of sending it to us he is to act upon it in bringing a suit. If he had gone that far and had an opinion on file there, then we should have a right to ask him what it was; and so if we wanted his opinion we could get it by two steps, first, asking him to investigate and make up an opinion, and that having been done, offer a resolution to have him send it in.

My objection to it is the fundamental one that it is improper for either House to do this affirmative thing in this way; and to illustrate it, suppose the House of Representatives should be of opinion that Mr. Swenson was the most meritorious inventor that had ever existed, that he had been a great public benefactor, and that he ought not to be disturbed, and accordingly they should pass a resolution this afternoon, having heard that we had passed this one, requesting the Attorney-General to take no steps about it at all. It would be absurd; but the House of Representatives has the same right to request him that we have. It is more than a private request, as we understand; it is the request of an organized legislative body; and they have the same right to request him not to do a thing (much greater in fact) than we have to request him to do something. That is what I object to in respect to the nature of this resolution, and it is one that I think Senators ought to take into mind, because it is the first step in unsettling what has been the course of the Government, and will lead in the end, being a precedent, to a great deal of evil in asking the heads of Departments to investigate and requesting them in one way or the other to do this, that, or the other thing as one House may deem proper. It is an invasion or the rights and privileges of the other branch of Congress as well as an impertinence to the executive branch, as I think.

Mr. HARRIS. If it was made a concurrent resolution, would it remedy the evil, in the Senator's opinion?

Mr. EDMUNDS. It would as it respects the relations of the two Houses of Congress, but not as it respects the executive branch.

Mr. PLUMB. I am entirely willing to wait until we hear from the House of Representatives on that subject, without taking it for granted that they will be insulted by this action on our part.

Mr. TELLER. Mr. President, it seems to me that there is an undue sensitiveness this morning on this question. I recollect in the history of the Executive Departments of this Government when the Senate did not hesitate to pass resolutions of this character and some of a more extended character than this. I recollect that even committees of this body have seen fit to request from time to time various heads of Departments that they should or should not proceed. That undoubtedly was an interference not justified; but it has grown up to be quite a common practice in the Senate. I will admit that I think it somewhat questionable myself whether it ought to be done or not, but this is not the first instance of it by any means. It has been done for a great many years by resolution and otherwise. It is true that several Attorneys-General have declared that such a resolution was simply advisory to them, and that they were in a position to disregard it if they saw fit. When Mr. Hoar was Attorney-General he declared that it had no weight, except the weight that any other advice would have, and I believe that has been pretty generally the view of the Departments.

I recollect one instance where this body asked that there should be no action taken in the case of a private land grant, but the patent was issued as it properly ought to have been, for it was apparent to the executive department that there had been no attention whatever paid to the subject here; that the resolution had passed through this body without the slightest attention from any one. I recollect another case where a distinguished soldier was drawing two pensions, and this Senate, or rather a committee of the Senate, requested the Secretary of the Interior to withhold one of the pensions to which he was entitled, but the Secretary of the Interior proceeded, as he rightfully ought, to pay the pension to the soldier. I recollect that a few days later the Senate passed a resolution condemnatory of the action of the Secretary of the Interior, and I know that there was but one single man in the Senate who knew what that resolution was. Nobody else paid any attention to it whatever.

I do not suppose the Attorney-General will proceed in this case unless it comports with his judgment to do so. He is not bound by any request we make. It is simply the same thing to him as if the united body of this Senate as individuals should request of him to proceed.

I have no objection to the resolution if the facts are as I understand them in this case, and if the law is, as it seems to me it ought to be, that the man who, while engaged in studying a single question for the Government under its pay, discovers something greatly advantageous to the people of the United States while so employed, ought not to be

allowed (although it is possible the law may permit it now) to obtain a patent for that discovery. He ought not, in equity and right, to be allowed a patent, and thus take the discovery away from the people and make it useful only to himself; and I am quite willing (although I am in favor on all occasions of keeping the executive and legislative departments as free as possible from friction and interference) to say in this case to the Attorney-General at least, "If in your judgment the facts are as we understand them, and the law is as we have indicated and believe it to be, then you bring this suit."

The PRESIDENT *pro tempore*. The question is on the motion to commit the resolution.

Mr. CALL. Mr. President, there is no question whatever in my mind that the Senator from Vermont is entirely right. We do not require much argument to know that it takes the two Houses of Congress and the approval of the President to make a law, and that any action of the Executive Departments recognizing the action of either House is merely a matter of courtesy on their part. So I think that objection to this resolution is well founded, although I suppose by the common practice of the Government as it has prevailed for years, the Attorney-General would give polite consideration to any request made by this body, but it could not have the force and effect of law. It could not be compulsory, but would be only a proper respect to the chief department of the Government, or rather to the Senate as one of the two Houses, charged by the Constitution with duties legislative and executive of supreme importance, and, to a certain extent, with the supervision of the executive department.

But the Senator from Kentucky said—and I rose to make this answer to what he said—that he had known for many years men in the employ of the Government using the Government's money in its experiments and then obtaining a patent for some new invention that had been discovered in the course of their employment. If any such patent has ever been issued, it has been by the fraud of the Interior Department or their ignorance. The law has always been to the contrary. The law has always been that a discovery once used anywhere is a dedication to the public. The invention must be new and unused and not put in service, or a patent can not be obtained for it.

Now suppose the man who made this discovery, let it be an important one, should say to himself, "If I make this known it belongs to the Government," what incentive is there to him to apply his inventive talent in that direction? What advantage to the Government and the people of a law of nature remaining undiscovered, or a mechanical process that might be of great use being unknown? If it is known and used it can not be patented. Why give a bribe or an encouragement or an inducement to an inventor not to make his discoveries known, but to keep them in his bosom?

That is the public policy which lies at the bottom of this question, and I insist that there is not and can not be a law, and it never was intended that there should be a law, that should say to an inventor, "You must confine your discoveries of the new processes of nature, heretofore undiscovered, to facts which have not been elicited by Government action or in the course of Government investigations." What matters it to the public where the facts came from which have led the human intellect into a new path of thought and a new path of discovery? The patent laws are founded upon the idea that the new invention of undiscovered processes, the new idea, is of benefit to mankind, and the Constitution says Congress has power to encourage it by giving an exclusive right to the discoverer, and to him only, to the inventor, not to the Government, which can not either discover or invent, but can only use the ideas or inventions of its citizens.

Mr. BECK. One word, Mr. President, and only one word. What I say is that when a man is placed in a position by the Government to make an investigation, to ascertain what improvements can be made, whether in a machine or in a gun or in a ship, or in any part of any of them, and the Government furnishes him with all the information it can obtain in this country and from all the other nations of the earth, pays for the models, pays for all that is now known, and pays him, if you please, three, five, or ten thousand dollars for his services to aid it in obtaining something better, then after having given him all the models and all the information, and furnished the money that enabled him to do it, he does, out of the materials thus furnished by the Government and while in the pay of the Government, accomplish what the Government employed him to accomplish, to get something better, he shall not have the right to appropriate the thing thus obtained through these instrumentalities and through these means, when he is the servant of the people and drawing wages from them, and take out a patent and claim the exclusive use of the article patented for seventeen years, and deprive the people of the United States, whose money he has received, whose service he has accepted, and through whose instrumentalities he has been enabled to produce this result. An act of that sort is a fraud upon his employers and in contravention of public policy.

Mr. CALL. I have only a word to say in reply to the Senator from Kentucky, and that is, that the case he states is not the case presented by this resolution. There might be a very proper case made on the ideas of the Senator from Kentucky, that would except from the operation of the patent laws such a case as he mentions, where a man is employed to use his brains for new discoveries and new processes; but that is not the case presented in this resolution.

This resolution proposes to instruct the Attorney-General to bring a suit because this man has made these discoveries while employed by the Government, and is therefore affirming a general principle by this body, to which I object. I might not object to a case where a man says, "I will sell myself to the Government to discover undiscovered processes in mechanics or in the practical arts of any kind."

Congress, by the Constitution, has power "to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right" "to their discoveries"—not to the Government, not to their employers, not to the men who have bought their brains in advance, but to them. The public policy of promoting the progress of the useful arts sustains this construction of the language.

Mr. SHERMAN. Mr. President, there are two propositions made to the Senate now conflicting somewhat with each other, both of which I should like to vote for. It seems to me a proper thing to pass the resolution. It ought to be acted upon because it is a matter of haste, and I think the proper motion to be made, then, is for the reference of this whole subject-matter to the Judiciary Committee. I think——

The PRESIDENT *pro tempore*. The pending motion is to refer to the Committee on Patents.

Mr. SHERMAN. Let the question go to either committee. It ought to be considered. But let the resolution as it stands be first passed.

This invention, made by an employé of the Government with the aid of large expenditures of the Government, is said to be one of the most valuable and important inventions made of late years, especially in regard to an industry that at this time excites more interest among the people of the United States than any other industry, that is, the question how to utilize the sugar in the beet and in the cane—sorghum in the various forms. If this patent is allowed to stand in the way of the active experiments that are being made in that important process, it will prevent the planting of beets; it will prevent the growth of sorghum; it will prevent further inquiry into the best means of making sugar from the various agricultural products which have been proposed; it will stop the experiments made by the Government of the United States; and it is therefore not a slight thing. It is a matter of vital importance.

I think we have the right, as the Senate of the United States, to direct the attention of the Attorney-General to this matter; to inquire in the first place whether he has the power to test the validity of this patent without a law of Congress; and in the second place to give us such information upon the subject as will enable us to prepare a bill that will enable the Government of the United States in honor to withdraw its patent in case it has been illegally or fraudulently obtained.

Mr. RIDDLEBERGER. Will the Senator allow me to state to him what my understanding of this resolution is? If it was requesting the Attorney-General to give us information I would not object to it; but we are requesting him to proceed as an executive officer. If we were asking him to give us information then I could see no objection to it.

Mr. SHERMAN. We ask the Attorney-General to ascertain for himself, to satisfy his judgment upon two points, and then we say if he does find that this patent was invalid, that it was issued without authority of law, or that an agent of the Government under these circumstances could not take out a patent for this process, then he shall commence a suit. It seems to me that is plainly within the usual, ordinary limits of the power of either House of Congress—not that it is mandatory upon him, because the Senate has no right to order the Attorney-General what to do, but it may direct him to inquire in regard to the state of the law upon various propositions, and if he finds the law so and so, if the patent was illegal, was obtained by a person who had no right to a patent, then a direction of the Senate that he should commence a suit to invalidate that patent is perfectly proper. Such a request would be proper, even if it came from a citizen of the United States, much less from the Senate of the United States. Therefore, I desire to see this resolution passed promptly, and I think the sooner the better, to-day rather than to-morrow, and then, if any Senator desires, as we all do, that these other questions be referred to the Committee on Patents for inquiry and report, that may be done.

The PRESIDENT *pro tempore*. The question is on the motion to commit the resolution to the Committee on Patents.

The motion was not agreed to.

The PRESIDENT *pro tempore*. The question recurs on the adoption of the resolution.

Mr. HOAR. It seems to me that the resolution as it is drawn is a little ambiguous in one phrase. The resolution says that the Attorney-General be requested to investigate, and if he finds a certain matter, that he shall institute suit. Whether it is meant by that to have the request apply to that, or whether it is meant that the resolution should be a peremptory order to bring suit if he finds the fact so, is the point. I would suggest that the Attorney-General be requested to investigate and to bring suit. I suppose the Senator intended the word "request" to apply to the whole resolution.

Mr. PLUMB. I think it does, without any question whatever.

Mr. HOAR. The substitution of the word "to," for the word "that"

in the latter clause would bring it within the idea suggested by the Senator from Colorado [Mr. TELLER], and remove the ambiguity. Governed by the word "resolved," it is a peremptory order, and governed by the word "requested" it would be a request.

Mr. CULLOM. There have been two or three amendments made, and I should like to hear the resolution read as amended.

The PRESIDENT *pro tempore*. The resolution will be read as it stands amended.

The Secretary read as follows:

*Resolved*, That the Attorney-General be requested to investigate the issuance of letters patent No. 371528 to Magnus Swenson, of date October 11, 1887, and if in his judgment the same is invalid upon any ground, or was procured by reason of information obtained from experiments made by the Government, and if in his judgment a suit can be maintained in the name of the United States, that he commence suit promptly to have the same canceled or the use of the same by said Swenson or any one claiming under him perpetually enjoined.

Mr. PLUMB. On the suggestion of the Senator from Massachusetts, I move to strike out the words "that he," prior to the word "commence," and insert the word "to;" and after the word "commence" to insert "such;" so as to read:

and if in his judgment a suit can be maintained in the name of the United States, to commence such suit promptly to have the same canceled, etc.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The question is on the adoption of the resolution as amended.

The resolution as amended was agreed to.

Mr. BUTLER. Now I ask that the resolution of which I gave notice be read. I offer it for consideration.

The PRESIDENT *pro tempore*. The resolution will be read.

The Secretary read as follows:

*Resolved*, That the Committee on the Judiciary be, and they are hereby, directed to inquire and report to the Senate whether in the present state of the law the Government has the power or the Attorney-General of the United States the authority to institute judicial proceedings to vacate a patent for an invention on any ground whatever, and that they may report by bill or otherwise; and that said committee have leave to report any special matter.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of this resolution? The Chair hears none. The question is on agreeing to the resolution.

The resolution was agreed to.

## ADJOURNMENT TO MONDAY.

On motion of Mr. HARRIS, it was

*Ordered*, That when the Senate adjourn to-day it be to meet on Monday next.

## GOVERNMENT POSTAL TELEGRAPH.

Mr. SAWYER. I should like to call up the motion I made the day before yesterday to reconsider the vote by which the Senate agreed to the resolution submitted by the Senator from South Carolina [Mr. BUTLER], on the 12th instant, for the raising of a select committee on the postal telegraph.

Mr. STEWART. I ask the Senator from Wisconsin to give way to allow me to call up a bill for the purpose of making a few remarks.

Mr. SAWYER. I do not like to interfere with my friend, but I would prefer that the motion to reconsider should be acted on if the Senate is willing to come to a vote upon it. I do not want to spend a minute's time on it. If, however, there is to be any discussion upon it, I do not wish to interfere with the right of the Senator from Nevada to make a speech.

Mr. BUTLER. It is very likely there will be discussion on it.

The PRESIDENT *pro tempore*. Does the Senator from Wisconsin yield to the Senator from Nevada?

Mr. SAWYER. Yes, I will yield; but I give notice that I shall call up the motion to reconsider early on Monday morning.

## COIN CERTIFICATES.

Mr. STEWART. I move to take up Senate bill 430.

The PRESIDENT *pro tempore*. The Senator from Nevada moves that the Senate proceed to the consideration of a bill the title of which will be stated.

The SECRETARY. A bill (S. 430) to provide for the issuance of coin certificates to circulate as money.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. STEWART. I should like to have the bill read through, as it is short.

The PRESIDENT *pro tempore*. If there be no objection, the bill will be read at length.

The Secretary read the bill, as follows:

*Be it enacted, etc.*, That any person may deposit at any mint or assay office of the United States both gold and silver bullion, in quantities not less than 5 ounces of gold or 80 ounces of silver, and demand and receive therefor coin certificates representing $1 for 25.8 grains of gold, and $1 for 412½ grains of silver: *Provided*, The gold and silver bullion so deposited shall contain, by weight, in 1,000 parts, 900 parts pure metal. And the Secretary of the Treasury shall prepare proper certificates and furnish the same to the various mints and assay offices of the United States, to be exchanged for gold and silver bullion as herein provided.

SEC. 2. The certificates issued under this act shall be in such denominations as the Secretary of the Treasury may prescribe: *Provided*, That no certificates shall be issued of a less denomination than $2, nor of a greater denomination than $1,000. Such certificates shall be redeemable at the Treasury of the United States, or any of the subtreasuries thereof, under regulations prescribed by the Secretary of the Treasury, in either gold or silver bullion, at the option of the United States.

SEC. 3. The bullion received under this act shall be melted into bars under such regulations as the Secretary of the Treasury may prescribe: *Provided*, That at least 75 per cent. thereof shall be melted into bars of not less than 8,000 ounces weight, and be deposited in the Treasury, or any subtreasury, mint, or assay office of the United States, in such manner as the Secretary of the Treasury may direct.

SEC. 4. The coin certificates issued under the provisions of this act shall be a legal tender at their nominal value for all dues, public and private, except where otherwise expressly stipulated in contracts heretofore made, and when received by the United States, except for the purpose of redemption, shall be reissued.

SEC. 5. No gold or silver certificates shall hereafter be issued, and when any of either the gold or silver certificates now outstanding shall be received by the United States, except for the purpose of being redeemed, they shall be canceled and coin certificates issued in lieu thereof.

SEC. 6. No gold shall hereafter be coined, except what may be necessary in payment of the obligations of the United States expressly made payable in coin; and no more silver shall be coined than is necessary to use in payment of obligations of the United States expressly made payable in coin, and for actual circulation among the people. The Secretary of the Treasury shall have power to regulate the amount of coinage authorized by this section.

SEC. 7. No seigniorage, or charge of any kind, shall be imposed for assaying or refining at the mints and assay offices of the United States bullion deposited under the provisions of this act.

SEC. 8. The provisions of the act of February 28, 1878, entitled "An act to authorize the coinage of the standard silver dollar, and to restore its legal-tender character," requiring the purchase of not less than two, nor more than four, million dollars' worth of silver per month, and all acts, or parts of acts, in conflict with this act are hereby repealed.

### OBJECTS OF THE BILL.

Mr. STEWART. Mr. President, the bill under consideration is a proposition to place the finances of the United States on a metallic basis, and to treat both of the royal metals—silver and gold—as money metals, and to allow any person to deposit at any mint or assay office in the United States gold or silver bullion and receive coin certificates therefor at the rate of $1 for 25.8 grains of standard gold and $1 for 412½ grains of standard silver. These certificates are to circulate as money and be a legal tender for all debts and liabilities, except such as have heretofore been contracted payable in coin, and are to be redeemable at the Treasury, or any subtreasury of the United States, in either gold or silver bullion, at the option of the United States. This option will at all times enable the Secretary of the Treasury to pay out the cheaper bullion, if there shall be any difference in value, and thus prevent a rapid withdrawal of bullion from the country at times when the balance of trade is against the United States. This power in the Secretary would, it is believed, be a conservative force, and tend to check the shipment of bullion from the country. The Bank of England accomplishes the same end by an increase of the rate of interest. After the passage of this bill no more gold is to be coined than is necessary to meet existing obligations payable in coin, and no more silver is to be coined than is necessary to meet such obligations and supply small coin for change. Coining money, except for small change, is expensive, wasteful, and occasions immense loss of the precious metals without any corresponding advantage in return. It is provided in the bill for melting the bullion received under its provisions into large bars, which will render storage inexpensive and be an absolute safeguard against theft. It is believed that the United States now has an opportunity to acquire a large amount of gold and silver as a basis for a circulating medium, which will make her credit irreproachable both in peace and war.

### MONEY.

There is no question more important or less understood than money. If people would rely more on their own observations and pay less attention to refined theories the question of money would be better understood. Every one knows that when money is plenty prices go up and times are good, and that when money is scarce prices go down and times are hard. It is pretty generally understood that if the volume of money increases too rapidly prices are unduly inflated and a reaction must follow, and it is also equally as well understood that if the volume of money is decreased to any considerable extent bankruptcy and ruin must necessarily follow.

It would seem from this universal experience that the quantity of money in circulation is the principal thing to regulate. For example: If the money in the United States were doubled the price of property would be enhanced in a similar proportion; if one-half the money were destroyed the price of property would depreciate about one-half. The increase and decrease of the volume of money have a similar effect upon the obligations of contracts. When the greenback currency in the United States was at a discount of about 50 per cent. a debt could be paid with one-half the amount of property that was required to liquidate it before the inflation of the currency. The contraction of the currency since the war has doubled the obligations of contracts made during the period of inflation. This is illustrated by the fact that although we have paid about one-half of the national debt, that which remains will require more bales of cotton, more bushels of wheat, and more days of labor to pay it than it would have done to pay the whole at the time it was contracted. It is the manifest duty of the Government to furnish the people with honest money. No money will constitute a just measure of the obligations of contracts unless the volume of that money bears substantially the same ratio to the population. In other words, honest money must be the same in amount per capita at all times.

MONEY IN ANCIENT TIMES AND ITS FLUCTUATIONS.

We are informed by Mr. Jacob, who, without disparagement of others, has published the most accurate history now in existence of the production and consumption of the precious metals from the earliest period of which any record exists down to the year 1832, that at the commencement of the Christian era there was $1,800,000,000 in circulation in the Roman Empire, which was practically the civilized world. From that time until the discovery of gold and silver in Mexico and South America very little gold or silver was mined, and the quantity of money in circulation decreased at the rate of more than one hundred millions each century. The amount of both metals in Europe when the first gold and silver were brought from the New World certainly did not exceed one hundred and fifty millions. I do not pretend to say that this contraction of the currency was the sole cause that produced the Dark Ages, but I do say it was a sufficient cause to destroy any civilization. Nothing is so depressing to every industry as contraction. The term "contraction" signifies more ruin and misery for a people than any other expression known in any language. While it lasts the obligations of contracts continually increase, debts and mortgages grow heavier, and labor grows cheaper. Fifteen hundred years of continued contraction reduced the Roman people (the proudest and freest of ancient times) to barbarism and slavery. The discovery of gold and silver in the New World revived the civilization of the Old; wages advanced, property advanced in price, serfs and bondmen became free, the light of science commenced to dawn, and art and the spirit of invention were revived.

MODERN CIVILIZATION.

Modern civilization would have been impossible but for the constant stream of gold and silver which the mines of a New World furnished. The increase from the first discovery until the Spanish-American revolutions was steady and very nearly kept pace with the increasing population. About the commencement of the present century mining in Mexico and South America was greatly retarded by revolution and war in those countries. During the first half of the present century the product of the mines did not more than supply the loss and wear of the coin in circulation and the gold and silver consumed in the arts. The consequence was hard times. The amount of gold and silver coin in Europe and America in the year 1850 was from eighteen hundred to two thousand millions, and varied but little from the amount in circulation in the Roman Empire at the commencement of the Christian era, although the population was more than twice as great as that of the dominion of ancient Rome.

THE NEW DISCOVERIES IN CALIFORNIA AND AUSTRALIA.

Since 1850 the product from the mines of the world has reached the enormous sum of about $3,000,000,000. This has produced its natural effect. The discovery of gold in California and Australia inaugurated a new era in the history of civilization. The advance in wealth and prosperity between 1850 and 1876, notwithstanding many destructive wars, was phenomenal. Since 1876 that prosperity has been checked, not from the exhaustion of the mines, but from the attempt to destroy one of the precious metals for the purpose of enhancing the value of bonds. In the natural order of things, after allowing for loss, abrasion, and use in the arts, there ought to have been added to the supply of the circulating medium in Europe and America over two thousand millions from the products of the mines since 1850, making a grand aggregate of about four thousand millions of gold and silver circulating as money in Europe and America.

DEMONETIZATION OF GOLD.

In 1854, when the gold mines of Australia and California were most productive, the bondholders of Europe became alarmed. Chevalier, of France, declared that the unlimited quantity of gold already discovered would destroy all fixed incomes, and amount to repudiation. England and France both sent commissioners to Australia and California to ascertain the facts. The commissioners reported that there was a limit to the amount of gold that might be expected from the placer mines then opened. This quieted apprehension in England, but France, by a monetary commission, continued to investigate the subject until 1869, when that commission reported that the quantity of the precious metals was increasing so rapidly that it was necessary to demonetize one of them. Germany and Austria in 1857 ceased to coin gold.

WHAT DEMONETIZATION MEANS.

It may be well to state here what is meant by demonetization of gold or silver. These metals have been regarded as money metals for more than two thousand years, and they have had fixed values at the mints of the civilized world; that is to say, the nations of the world have received a given weight of gold or a given weight of silver for a fixed amount of coin. Both these metals have been interchangeable for coin at some fixed ratio between the two from time immemorial. When either of these metals is excluded from the mint it is demonetized.

Austria and Germany excluded gold from their mints in 1857, as before stated, and thereby demonetized gold. Other nations discussed the question of the demonetization of gold, and probably would have followed the example of Germany and Austria if the gold mines had continued as productive as when first discovered and no silver mines had been found, because the bondholder has a fond attachment for that particular precious metal which for the time being is scarcer and more difficult to obtain than the other. He would make a debt contracted to be paid in copper payable in diamonds of the same weight if he could accomplish it, and his power in the monetary world has always been nearly, if not quite, irresistible.

DEMONETIZATION OF SILVER.

After the war between Germany and France, and after the Comstock mines had been so developed that the production of silver was likely for a time to exceed that of gold, Germany changed her tactics and excluded silver from her mints, with the avowed object of enhancing the value of bonds. In 1873 the silver dollar was omitted from the list of coins of the United States. I will not stop to discuss the history of that legislation. If anybody knew at the time that the silver dollar was omitted from the list of coins, certainly nobody knew the effect of such omission. Nearly every member of Congress of the two Houses appeared to be ignorant of where, when, or how silver was demonetized. The country never understood that one-half of the world's money was to be destroyed. No such question was discussed among the people. The President of the United States did not know that he had signed a bill demonetizing silver for nearly two years after he had signed the mint bill, and on the day he signed the specie resumption act he sent a special message to Congress wherein he advocated the erection of one or more mints at Chicago, St. Louis, or Omaha, for the purpose of coining enough silver to meet the requirements of the resumption act. The reason why it was not generally understood that silver was demonetized in the United States for several years after the passage of the act was because some of the mints of the civilized world continued to receive silver and treat it as a money metal, but before the expiration of the year 1875 all the mints of Europe and the United States were closed against silver, and that metal fell within the following year about 15 per cent.

PARTIAL REMONETIZATION OF SILVER.

Then followed the act of February, 1878, under which the Government has purchased two million dollars' worth of silver per month and melted it into coin. This made a market for silver to the extent of twenty-four millions a year, but it did not remonetize it. The Government purchased it at the lowest market price; in fact, purchased it according to the English quotations.

UNFRIENDLY ATTITUDE OF THE EXECUTIVE DEPARTMENT.

The last Administration left silver at a discount of about 15 per cent. The depressing effect of the unfriendly attitude of the present Administration, which has followed the policy of several of its predecessors, has been most damaging to silver. The re-enforcement of the Republican Administration by the Democratic against the use of that metal as money has caused a further decline of about 15 per cent., until the market price of silver as compared with gold is at more than 25 per cent. discount.

WHO IS BENEFITED BY THE WAR ON SILVER?

The question naturally arises, Who is benefited by this war on silver? The question is easily answered—the original promoters of the scheme openly avowed the purpose—it was to enhance the value of bonds. In round numbers the national indebtedness of all the nations of the world is twenty-six thousand millions; the national debts of Europe and America are twenty-five thousand millions. It is estimated that other obligations which are regarded as securities, including corporate debts both public and private, and mortgage securities, are about three times as great as the national debts—say seventy-five thousand millions. These added to the national debts give a grand total of one hundred thousand millions. If, when these debts were contracted there were four thousand millions of metal currency in circulation in Europe and America, and that after such contracts were made the amount of money in circulation was reduced to two thousand millions, it is manifest that such indebtedness would be doubled. In other words, it would take twice as many days of toil, twice as many bushels of wheat, and twice as many bales of cotton to pay these debts as it would before the reduction. The absolute demonetization of silver would certainly work that reduction, and that is why silver has been excluded from the mints of Europe and the United States.

THE BONDHOLDERS OF THE UNITED STATES.

The bondholders of the United States have always operated in conjunction with the bondholders of Europe. The injustice of their present demand that silver shall be demonetized is aggravated by the fact that they have been most liberally treated by the United States. They bought bonds when the country was in peril at a great discount—say, 50 per cent. less than their par value in gold. The bonds originally issued were payable in lawful money called greenbacks, interest payable in coin. With these same greenbacks the United States paid its soldiers and those who furnished supplies and munitions of war. After peace was restored, Congress, in March, 1869, passed an act declaring that these bonds were payable in coin. Men with any sense of justice would have been satisfied to be paid in coin when the contract could have been discharged with greenbacks, without asking for the destruction of one-half of the world's money. On July 14, 1870, the act under which the entire debt of the United States was funded was passed. That act provided that the bonds issued thereunder shall be payable in

coin of the then standard value—that is, of the standard value of July 14, 1870. The standard value of the coins then in existence was regulated by law; 25.8 grains of standard gold, or 412½ grains of standard silver constituted a dollar. The silver necessary to make a silver dollar was at a premium of 3 per cent. at that time, the American ratio being 16 to 1, and the ratio of the balance of the world was regulated by the French mint, which fixed it at 15½ to 1. This premium prevailed until long after the passage of the act of 1873 demonetizing silver.

After the passage of the act omitting the silver dollar from the list of coins the bondholders contended that their bonds were payable in gold alone. To meet this pretense both Houses of Congress, in January, 1878, by a vote of nearly three-fourths in each House, declared that the bonds of the United States, according to the contract between the bondholders and the Government, were payable in either gold or silver coin. Notwithstanding this, the Treasury Department has at all times assumed that the bonds were payable in gold alone, and constantly complained that silver coin was accumulating in the vaults of the Treasury and that the people were refusing to take it. If silver is really cheaper than gold it is the duty of the Secretary to pay the bonds in that metal; in other words, it is his duty to save for the United States all he legally can. He has no right to donate the people's money. The bondholders have no reason to complain. They obtained their bonds with money at a discount of 50 per cent. The partiality of the Treasury Department in paying them in gold alone has raised the bonds to a premium of from 25 to 30 per cent. in gold, which, added to the discount, gives them a profit on the money invested, in addition to interest, of at least 75 cents on the dollar.

EFFECT ON FARM PRODUCTS.

While the bondholder has grown rich by this war on silver, how has the farmer fared? Wheat, for example, is cheaper to-day than it has been for one hundred years. The farmer of the United States is forced to sell his wheat on a gold basis. He is suffering the full force of the demonetization of silver and the destruction of one-half of the world's money. The gold coin in circulation to-day does not exceed the gold and silver coin in circulation forty years ago, while the population in Europe and America has about doubled in that time. This is not all. The fact that silver is over 25 per cent. discount in the United States is developing the productive industries of India, where silver remains at par with gold. The speculator buys silver in America at a discount of 25 per cent. and exchanges it in India for wheat and cotton at par. He has 25 per cent. advantage in the London market over the importer of wheat from America, who buys for gold. In 1879, before cheap silver had stimulated the production of wheat in India, the United States shipped to Europe over 150,000,000 bushels of wheat and sold it for over $190,000,000. In the same year India exported only 4,000,000 bushels. In 1886 the United States shipped less than 58,000,000 bushels of wheat to Europe and only received for it a little over $50,000,000, while in the same year India's shipment rose from 4,000,000 in 1879 to 39,000,000 bushels in 1886. There has been no overproduction of wheat to reduce the price. There has been no increase in the last ten years except in India; on the contrary, there has been a decline in quantity throughout Europe and America.

In June, 1886, an animated discussion occurred in London at the Colonial Chamber of Commerce. Upon the subject of the low price of silver and its effect upon the prosperity of India, Sir Robert N. Fowler, M. P., a London banker and ex-lord mayor, said that "the effect of the depreciation of silver must finally be the ruin of the wheat and cotton industries of America, and be the development of India as the chief wheat and cotton exporter of the world." Notwithstanding these plain facts and the universal depression of the farming business of the United States, caused by the low price of products growing out of the demonetization of silver, the bondholders still insist upon their demands.

CAN THE UNITED STATES ALONE REMONETIZE SILVER?

We are told that if we change our policy and receive silver as a money metal we will be ruined, and that we can not do it alone and must have the co-operation of nations. This is not true for several reasons. Pass the bill I have introduced requiring the Secretary of the Treasury to receive all the silver and gold bullion that is offered, pay for it in certificates according to the standard value fixed by our law, that is, at the ratio between the two metals of 16 to 1, and the value of silver as compared with gold will instantly be established throughout the world at 16 to 1. For no person in Europe, Asia, Africa, or America will sell his silver for a less price, exchange deducted, than he can get for it in the United States. France, in 1785, passed a free-coinage act, by which she received all the gold and silver bullion presented, paid for it at the ratio between the two metals of 15½ to 1, and maintained that ratio throughout the world for nearly one hundred years, until she finally joined the conspiracy to demonetize silver about the year 1875. England in 1816 demonetized silver in England but maintained it as a legal tender in India. This had no effect upon the price of silver, for no one would sell it for less than he could obtain in France. The attempts of the various Governments between 1854 and 1860 to demonetize gold had no effect upon the value of gold because the French mint was open to receive it at a fixed ratio. The action of Germany in 1871 and 1873, the demonetization of silver in the United States in 1873, and the sale by Germany of all her silver on hand, did not depress the silver dollar of the United States below par until France repudiated silver and all the mints of Europe were closed against that metal.

WILL THE COUNTRY BE FLOODED WITH SILVER?

The only argument against the proposition to remonetize silver is the allegation that we would be flooded with that metal. I ask from whence the flood can come? There is no considerable amount of silver bullion in either Europe or America—probably not five millions. It is shipped to Asia as fast as produced; no one dare hold it, fearing some adverse action of the Government whereby it will be further depreciated. But we are told that Europe will demonetize her silver and sell it to us. There is in all Europe less than one thousand millions of silver coin. I omit the debased token money, amounting to near four hundred millions, which would be of no value in our market. This one thousand millions circulates in the countries where it was coined as a full legal tender on a par with gold at the ratio of 15½ to 1. To procure it the speculator must pay an ounce of gold for 15½ ounces of this money silver. If he were to import it and present it at our mint (our ratio being 16 to 1), he would be required to add one-half ounce of silver to the 15½ ounces he imported before he could get his ounce of gold in return. This would be a loss of over 3 per cent., besides exchange.

AMOUNT OF SILVER WANTED.

We can not look to Europe for the supply of silver we need. What harm could it do to have gold and silver bullion, dollar for dollar, as security for the paper now outstanding? About two hundred and seventy-two millions of national-bank notes, including gold notes, remain. Of these one hundred and two millions are in the Treasury, leaving less than one hundred and seventy millions in circulation. These will soon be retired without further legislation, by the payment of the bonds upon which the national-bank notes are issued. We also have three hundred and forty-six millions of United States notes, commonly called greenbacks, which, if changed into coin certificates, by the deposit of the coin, would be equally available as money. The Comptroller of the Currency informs us that there has been a decrease in the circulating medium since 1883 of over one hundred and forty-six millions. At least one hundred and fifty millions ought to be added to that amount to correspond to the increase of population, to keep our circulating medium substantially the same per capita. These several sums show that it would require nearly nine hundred millions of bullion to place our currency on a metallic basis and relieve the country of its depressed condition, resulting from contraction. In addition to this it would require an annual supply of gold and silver equal to the production of this country to keep pace with the growing population of the United States. If it were possible to obtain bullion enough to dispense with the use of all paper currency, not secured by gold and silver in the vaults of the Treasury, we would certainly have a sound currency and be on a metallic basis. This can never be done with gold alone. The ruin that will be produced by contracting our metallic currency one-half, and thereby destroying the debtor class, will not end our troubles. The supply of gold is, and will be, insufficient. There is no prospect of any increase in the volume of gold coin from any production to be anticipated, and if silver is demonetized, so that the mining of that metal is stopped, one-third of the product of gold will be cut off, for at least one-third of all the gold that is produced comes from the silver mines, and is in combination with silver. If the present supply can be kept good it is all that can be expected. The prospects for silver mining are better than for gold. It is a more stable industry, and with the enhanced price of silver, resulting from treating that metal as a money metal, will so stimulate that industry that we may anticipate an increased production, and by the use of both metals a stationary amount of money in circulation per capita can probably be maintained.

PAPER MONEY.

I do not deny the proposition that if the Government could be trusted to devise and adhere to a plan whereby paper money could be kept in circulation and the volume of it at all times bear the same ratio to population, that is, the same per capita, it would be as good and perhaps better than gold and silver; but schemes for that purpose heretofore adopted have generally been failures. Our present system is most defective. We find our paper currency decreasing in volume every year. No one has yet devised a scheme whereby that volume could be regulated according to population. We have seen the civilization of ancient Rome fade and decay under the baneful influence of fifteen hundred years of contraction. This may be urged as an argument against the use of metallic money; but it is answered by the history of modern times. A new civilization has been born and developed under the inspiring influence of the production of gold and silver. The growth and development of that civilization has been continuous since the year 1500 until now. This growth and development was somewhat checked by the Spanish-American wars, which between 1800 and 1850 nearly cut off the supply of precious metals. Since the year 1850 the development of the resources of nature by the hand of man surpasses comprehension. The intelligence, skill, and invention of the present age seem the result of magic. The increase of the wealth and power of nations since the discovery of gold in Australia and California is without a parallel. Neither wars nor famines have materially checked the

vitalizing influence of the bounteous stream of gold and silver which has come from the mines. The only financial embarrassment worth naming in the last forty years has resulted from the war on silver. The attempt, which has almost been consummated, to destroy one-half of the world's money has produced its legitimate results in the low prices of all farm products, cheap labor, and hard times.

Why should the selfish desires of those who would destroy silver as money be heeded? Why should not both silver and gold be treated as money metals? Why should the immemorial usage of exchanging each at the mint for money be disregarded? Why should this generation be denied the blessings that flow from abundance of silver and gold? Have not the skill and energy of the generation now passing away made it possible to produce these metals in such quantities as to furnish the world with a reasonable supply as a basis of circulation? It seems cruel and unjust for the sake of a favored few to harass and depress the masses, to force an unnatural contraction while the means of a steady supply of money is at hand. The passage of the bill now under consideration will certainly place the United States upon a higher financial plane and with a safer basis for circulation than any other nation in the world. Now is the time to obtain silver by taking advantage of the situation. It may be possible to secure such a supply as we really need; at all events we can avoid that terrible gulf of contraction which is yawning before the financial world by the threatened destruction of silver as money. The passage of this bill would emancipate the United States from the European monetary systems and give her the advantage of being the clearing house of the world for both gold and silver, advance the price of labor, wheat, cotton, and exports of all kinds, and secure permanent and lasting prosperity.

The PRESIDING OFFICER (Mr. WILSON, of Iowa, in the chair). What action does the Senator from Nevada desire to have taken on the bill?

Mr. STEWART. Let it be referred to the Committee on Finance.

The PRESIDING OFFICER. If there be no objection, the bill will be so referred.

EXECUTIVE SESSION.

Mr. SPOONER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 2 o'clock and 57 minutes p. m.) the Senate adjourned until Monday, December 19, 1887, at 12 o'clock m.

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## NOMINATIONS.

*Executive nominations received by the Senate the 15th day of December*, 1887.

POSTMASTERS.

Bart Burke, to be postmaster at Santa Cruz, in the county of Santa Cruz and State of California, in the place of William F. Cooper, whose commission expired February 12, 1887.

Napoleon B. Byrne, to be postmaster at Berkeley, in the county of Alameda and State of California, in the place of Sidney S. Merrill, whose commission expired February 12, 1887.

Jasper N. Davies, to be postmaster at Arcata, in the county of Humboldt and State of California, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Elisha De Witt, to be postmaster at Yreka, in the county of Siskiyou and State of California, in the place of Alonzo E. Raynes, whose commission expired January 29, 1887.

Wyatt C. Durno, to be postmaster at Truckee, in the county of Nevada and State of California, in the place of Daniel B. Towner, removed.

James S. Gardiner, to be postmaster at Anaheim, in the county of Los Angeles and State of California, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Mary C. Hughes, to be postmaster at Fresno City, in the county of Fresno and State of California, in the place of Wesley E. Hughes, deceased.

John T. Knox, to be postmaster at San Bernardino, in the county of San Bernardino and State of California, in the place of William R. Porter, resigned.

Thomas Leonard, to be postmaster at Sonora, in the county of Tuolumne and State of California, the appointment of a postmaster for the said office having, by law, become vested in the President from and after July 1, 1887.

Willis U. Masters, to be postmaster at Pasadena, in the county of Los Angeles and State of California, in the place of B. T. Smith, resigned; F. H. Oxner, who was appointed March 25, 1887, having died before taking possession of the office.

John McGonigle, to be postmaster at San Buenaventura, in the county of Ventura and State of California, in the place of Mrs. Jennie Goodwin, resigned.

Allen D. Norman, to be postmaster at San Diego, in the county of San Diego and State of California, in the place of Gustave W. Jorres, resigned.

Edward A. Preuss, to be postmaster at Los Angeles, in the county of Los Angeles and State of California, in the place of John W. Green, removed.

Edward O. Rollins, to be postmaster at Oroville, in the county of Butte and State of California, in the place of John J. Smith, resigned.

Granville Spurgeon, to be postmaster at Santa Ana, in the county of Los Angeles and State of California, in the place of Robert F. Chilton, resigned.

Hiram H. Thomas, to be postmaster at Colusa, in the county of Colusa and State of California, in the place of Bennett A. Pryor, removed.

Isaac N. Thompson, to be postmaster at Santa Clara, in the county of Santa Clara and State of California, in the place of James M. Billings, whose commission expired February 19, 1887.

Edward Weisbaum, to be postmaster at Hanford, in the county of Tulare and State of California, in the place of Elijah J. Plummer, whose commission expired December 20, 1886.

William Armor, to be postmaster at Golden, in the county of Jefferson and State of Colorado, in the place of John A. Hoagland, removed.

William L. Beckfield, to be postmaster at Loveland, in the county of Larimer and State of Colorado, in the place of John W. Seaman, resigned.

Valentine Butsch, to be postmaster at Boulder, in the county of Boulder and State of Colorado, in the place of Alexander F. Safely, resigned.

John H. Fox, to be postmaster at Trinidad, in the county of Las Animas and State of Colorado, in the place of Herbert Stark, removed.

Joseph W. Greene, to be postmaster at Manitou Springs, in the county of El Paso and State of Colorado, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Rudolph H. Johns, to be postmaster at Greeley, in the county of Weld and State of Colorado, in the place of Charles A. White, removed.

James H. Kerwin, to be postmaster at Glenwood Springs, in the county of Garfield and State of Colorado, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Joel F. Love, to be postmaster at Colorado Springs, in the county of El Paso and State of Colorado, in the place of Eliphalet I. Price, removed.

John B. Bertrand, jr., to be postmaster at Canton, in the county of Lincoln and Territory of Dakota, in the place of John W. Hewitt, resigned.

John H. Firey, to be postmaster at Aberdeen, in the county of Brown and Territory of Dakota, in the place of Charles A. Fisher, removed.

Daniel Flynn, to be postmaster at Mandan, in the county of Morton and Territory of Dakota, in the place of Joseph Hager, resigned.

Ezra W. Foucht, to be postmaster at Redfield, in the county of Spink and Territory of Dakota, in the place of Henry G. Rising, removed.

Alexander Green, to be postmaster at Miller, in the county of Hand and Territory of Dakota, in the place of William H. Kephart, removed.

Charles W. Hastings, to be postmaster at Brookings, in the county of Brookings and Territory of Dakota, in the place of George W. Hopp, removed.

William G. Judd, to be postmaster at Fargo, in the county of Cass and Territory of Dakota, in the place of Noah N. Tyner, whose commission expired March 1, 1887.

Ambrose W. Mullen, to be postmaster at De Smet, in the county of Kingsbury and Territory of Dakota, in the place of John H. Carroll, resigned.

Benjamin F. Ochsner, to be postmaster at Kimball, in the county of Brulé and Territory of Dakota, in the place of David G. Grippen, removed.

Halvor C. Rasmussen, to be postmaster at Devil's Lake, in the county of Ramsey and Territory of Dakota, in the place of Henry C. Hansborough, removed.

J. Howard Taylor, to be postmaster at Columbia, in the county of Brown and Territory of Dakota, in the place of Frederick B. Smith, resigned.

Fred Dutton, to be postmaster at Murray, in the county of Shoshone and Territory of Idaho, in the place of William W. Hart, resigned.

J. Guy Hammer, to be postmaster at Hailey, in the county of Alturas and Territory of Idaho, in the place of Henry Bews, resigned.

Joseph J. McBride, to be postmaster at Livingston, in the county of Gallatin and Territory of Montana, in the place of Fred. W. Wright, resigned.

William I. Boulware, to be postmaster at Valentine, in the county of Cherry and State of Nebraska, in the place of Homer R. Bisbee, resigned.

William H. Cooksey, to be postmaster at Geneva, in the county of Fillmore and State of Nebraska, the appointment of a postmaster for the said office having, by law, become vested in the President from and after July 1, 1886.

Charles B. Durland, to be postmaster at Norfolk, in the county of Madison and State of Nebraska, in the place of William H. Widaman, removed.

Charles C. Ellis, to be postmaster at Sterling, in the county of Johnson and State of Nebraska, in the place of Charles C. Wilson, removed.

James E. Galbraith, to be postmaster at Albion, in the county of Boone and State of Nebraska, in the place of Hiram Rice, resigned.

Constantine V. Gallagher, to be postmaster at Omaha, in the county of Douglas and State of Nebraska, in the place of Charles K. Coutant, removed.

Jacob Galley, to be postmaster at Nelson, in the county of Nuckolls and State of Nebraska, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Ira A. Hanning, to be postmaster at Cambridge, in the county of Furnas and State of Nebraska, the appointment of a postmaster for the said office having, by law, become vested in the President from and after April 1, 1887.

Charles J. Harrison, to be postmaster at Wahoo, in the county of Saunders and State of Nebraska, in the place of Joseph N. Davis, removed.

William J. Keller, to be postmaster at Sutton, in the county of Clay and State of Nebraska, in the place of Wilbur F. Stone, removed.

Donald Maccuaig, to be postmaster at Nebraska City, in the county of Otoe and State of Nebraska, in the place of Thomas Morton, deceased.

Lafayette Myers, to be postmaster at Grand Island, in the county of Hall and State of Nebraska, in the place of Charles L. Howell, removed.

Carrie Patton, to be postmaster at Ogallala, in the county of Keith and State of Nebraska, the appointment of a postmaster for the said office having, by law, become vested in the President from and after April 1, 1887.

Lawrence A. Ryan, to be postmaster at Falls City, in the county of Richardson and State of Nebraska, in the place of William R. Crook, whose commission expired March 1, 1887.

Oliver H. Scott, to be postmaster at Hebron, in the county of Thayer and State of Nebraska, in the place of John M. Fitchpatrick, removed.

Mary O'Sullivan, to be postmaster at West Point, in the county of Cuming and State of Nebraska, in the place of Robert F. Kloke, resigned.

Cyrus M. Walworth, to be postmaster at Loup City, in the county of Sherman and State of Nebraska, the appointment of a postmaster for the said office having, by law, become vested in the President from and after April 1, 1887.

Alexander C. McCafferty, to be postmaster at Austin, in the county of Lander and State of Nevada, in the place of W. F. Dyer, deceased.

Cilicia E. Milligan, to be postmaster at East Las Vegas, in the county of San Miguel and Territory of New Mexico, the appointment of a postmaster for the said office having, by law, become vested in the President from and after April 1, 1887.

Franklin T. Dick, to be postmaster at La Grande, in the county of Union and State of Oregon, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Edward J. Farlow, to be postmaster at Ashland, in the county of Jackson and State of Oregon, in the place of A. P. Hammond, removed.

Caleb R. Barratt, to be postmaster at Salt Lake City, in the county of Salt Lake and Territory of Utah, in the place of William C. Browe, deceased.

George W. Larue, to be postmaster at Colfax, in the county of Whitman and Territory of Washington, in the place of James Benton, resigned.

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## HOUSE OF REPRESENTATIVES.

### FRIDAY, *December* 16, 1887.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Tuesday last was read and approved.

#### HOLIDAY ADJOURNMENT OF CONGRESS.

Mr. HATCH. I rise to a question of privilege.

The SPEAKER. The gentleman will state it.

Mr. HATCH. It is a proposition affecting the order of proceedings of the House. I offer the resolution which I send to the desk.

The Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That when the two Houses adjourn on Monday, December 19, 1887, they stand adjourned until Thursday, January 5, 1888.

Mr. HATCH. Mr. Speaker, there being no committee to which this resolution can be referred, I ask its present consideration, and upon it demand the previous question.

Mr. REED. Mr. Speaker——

Mr. HATCH. I yield to the gentleman from Maine [Mr. REED] for five minutes, if he desires to make any remarks.

Mr. REED. Before the gentleman yields to me for any remarks, I should like to ask him what is his reason for this course of action. I hope he will explain to the House why he takes this course—why he makes this motion.

Mr. HATCH. Mr. Speaker, in reply to the gentleman from Maine, it may be necessary merely to state that this is the resolution which it is usual and customary to offer in the House just before the Christmas holidays—certainly at the first session of every Congress.

But I will state frankly to the gentleman, that we have been here in session since the first Monday of December, and it is well known to every member of the House and is evidenced by the CONGRESSIONAL RECORD that we have accomplished nothing. We are waiting for the Speaker to announce the committees of this House; and I am satisfied from my personal knowledge, from what I have seen myself of the extent to which his time is being taken up by members of the House and others who are interested in committee appointments, that it is utterly impossible for the Speaker to properly appoint these committees until after the two Houses shall have taken their holiday recess.

I make this motion in the interest of the transaction of the public business in this House, as well as for the convenience and comfort of the Speaker himself. The Speaker has had two weeks of the session to make the acquaintance of the many new members who have been returned to the House, and has learned their wishes, and also the wishes of the older members in regard to the organization of the various committees of the House. Now, if the Speaker, after this acquaintance with the new members, can have a few days to himself there will be no trouble about the organization of the committees. But as long as his time is taken up by the meeting of the House day after day, and adjournment over from day to day, nothing else being accomplished, and no possibility of accomplishing anything, it is utterly impossible for the Speaker to prepare the committees with that care which the importance of the subject demands.

That, Mr. Speaker, is my reason for asking the Senate to concur with the House in this adjournment; and the gentleman from Maine [Mr. REED] and the House will bear in mind that the first day of the new year falls on Sunday, and of course Monday will be observed as the holiday. The resolution, if adopted, will give members who reside at a distance from the capital Tuesday and Wednesday to return to Washington and be here in time for the opening of the session on the day fixed. That is the reason why I name Thursday, the 5th, instead of an earlier date.

Mr. REED. Mr. Speaker, I think the peculiar condition of the business affairs of this country renders the action which has been taken, or rather the non-action which has been suffered by the Democratic side of this House, matter for legitimate comment both here and before the country. I think that, taking it all in all, it is without a precedent under the circumstances.

Many changes are proposed in the rules of the House—we have adopted none—and yet it is proposed here to adjourn until after the holidays and commence where it has been the custom heretofore to begin at the opening of the session.

If there were no public matters of deep interest before the country awaiting legislation, such a course might awaken only a passing comment. But to-day we are pressed upon by a serious public duty, which is the reduction of a surplus which is coming into the Treasury in a manner calculated, under the management of the Treasury Department, to become a serious embarrassment to the business affairs of the country.

We are all agreed, at least upon this side of the House, that the surplus should be reduced, and we stand ready now, before the holidays, to make one reduction in which the other side of the House are agreed, and that is in relation to the tobacco tax; and I hope that an opportunity will be given us before we separate, by the powers that be and are to be, to vote thereon and show to the country some disposition proper and suitable in this matter.

If the other side of the House find it somewhat difficult to range themselves alongside of the recent message which has been sent them we can all well understand it, and we can all give them the assurance of our respectful sympathy [laughter on the Republican side], because it was a summons from, I hope to some of the Democracy, a very great way off, and it requires that they should traverse a very great distance before they can get alongside of their pioneer brother at the other end of the avenue. [Laughter.] If time is wanted for that purpose I hope the gentleman from Missouri will frankly say so. If there is a proposition—if gentlemen on the other side of the House have grave doubts how they shall comply with the suggestions of the message; if after they have made up their minds, in the interest of moderation and reform, that the more advanced of them will be contented with the destruction of a few of our industries, and they need time to select those which they see fit to destroy, that would be ground, of course, for his motion; and I hope the gentleman from Missouri, with the frankness which always characterizes him, will tell us if that is the reason underlying his resolution.

[Here the hammer fell.]

Mr. HATCH. Mr. Speaker, I had hoped that it would be possible to introduce a resolution of adjournment in this House and yield to the gentleman from Maine without his improving the opportunity——

Mr. REED (interrupting). I think I have improved it.

Mr. HATCH. To make a political harangue.

I do not think he has improved it. It is the same old speech that we have been listening to here for the last ten years.

Mr. REED. And the same old enemy. [Laughter.]

Mr. HATCH. If the gentleman from Maine had not had the opportunity time and again during both sessions of the Forty-ninth Congress to vote for the consideration of a tariff bill, and always voted against it, there might be some strength and sincerity in the position he is occupying to-day. [Applause on the Democratic side.]

But, Mr. Speaker, time and again this side of the House, by an overwhelming majority, has offered to the other side an opportunity to reduce taxation, and the surplus in the Treasury, and the gentleman from Maine by his voice and vote has always stood, as the leader of that side of the House, in opposition to the consideration of the subject. [Applause on the Democratic side.] The Democratic side of the House will give the gentleman from Maine an opportunity early enough—an opportunity in this session—to ventilate his views upon the tariff question and vote a reduction of the surplus in the Treasury. If he wants the opportunity they will give it to him soon enough, he may depend upon it.

Mr. REED. Why not now?

Mr. HATCH. The gentleman knows well enough why not now.

Mr. REED. That is very true.

Mr. HATCH. The gentleman knows that is all clap-trap talk. He knows that until the Committee on Ways and Means is organized and has had time to originate and bring into the House a bill for consideration, there can be no fair examination of the question or consideration of it in the House. It is to give the Speaker an opportunity to form the committees of the House, and in the interest of the public business of the country, that I offer the resolution.

I yield now five minutes to the gentleman from New York [Mr. COX].

Mr. COX. My friend from Maine [Mr. REED] seems to have been suddenly converted. [Laughter.] I do not think there has been such a sudden conversion from the time of the Apostle Paul, when he was changed from Saul to Paul.

I do not know why the gentleman from Maine should urge upon the Speaker an immature making up of these committees. We have no rules of the House to-day. We have no committees formed for the consideration of the tobacco tax or any other matter connected with the reduction of the surplus. Why can not we, on a matter of so much consequence, give the Speaker the opportunity which other Speakers have had under similar circumstances? We know the Treasury has a plethora; we know this plethora tends to destroy business; we know that it tends to paralyze the very channels of business itself; we know that it hurts the farmers and the artisans of the country. We all know there should be relief.

It comes with an ill grace from the gentleman from Maine, the leader on that side of the House, to make these sinister, ironical, sarcastic objections against the message of the President. I can recall the time very well when the most eminent men on that side of the House, before our surplus had piled up so high as it is now, insisted on the reduction of the tariff on various articles to prevent the surplus. Among the rest was the gentleman's own old leader, the gallant man from Maine with the white plume; among them also his own Senators, Mr. FRYE and Mr. HALE, urged the reduction of the tax on salt and other matters, and almost everything else, unless it might be on lumber.

What I should like to see would be every man in this House regarding this question as outside of politics. It is a business question. It is so regarded by eminent men, now in the Senate, who sat on that side of the chamber when General Schenck's bill came in, revising the tariff in a way to reduce the revenue $40,000,000. The question was then regarded as a matter higher than party. It is a business matter in every sense of the word. We have now on this floor members from Republican States, like Minnesota and others, who are demanding a reduction of the surplus. But that can not be done by picking out one article. It must be done by the adoption of a general and wise system. It must be wise in order to be stable and permanent.

I hope when we come to the consideration of a tariff bill all parties will unite in endeavoring to deal with this matter according to the best interests of the whole people, and not with a view to the aggrandizement of one man or one set of men, or one party, who may have designs for 1888. [Applause.]

[Here the hammer fell.]

Mr. MILLS. I ask my friend from Missouri to permit me to offer a substitute.

Mr. HATCH. I yield to the gentleman from Texas for that purpose.

Mr. MILLS. I offer as a substitute for the pending resolution what I send to the desk.

The Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That when the two Houses adjourn on Thursday, December 22, 1887, they stand adjourned until Wednesday, January 4, 1888.

Mr. MILLS. I desire merely to state that that is an exact copy of the resolution adopted two years ago for an adjournment on the 22d of December until the 4th of January. I ask my friend from Missouri to accept that amendment.

Mr. HATCH. I do not think the amendment would give the relief to the Speaker that I propose by the resolution I have offered. But in deference to the gentleman who suggests the amendment I am willing to admit it, and I demand the previous question on the resolution and amendment.

The question being taken on ordering the previous question, the Speaker stated that the noes seemed to have it.

Mr. HATCH. I call for a division.

The House divided; and there were—ayes, 133; noes, 95.

So the previous question was ordered; and under the operation thereof the amendment of Mr. MILLS was agreed to.

The resolution as amended was agreed to.

Mr. HATCH moved to reconsider the vote by which the resolution was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

### ORDER OF BUSINESS.

Mr. TOWNSHEND and Mr. SPRINGER rose.

The SPEAKER. In compliance with the practice of the House, the Chair desires to lay before the House various executive communications.

### FIRES ON RAILROAD CARS, ETC.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting report and letters, plans, etc., received under resolution of the House of January 21, 1887, inviting suggestions to prevent loss of life and property by fire on railroad cars and steam-boats; which was ordered to be printed, and laid on the table.

### CLAIMS ALLOWED.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting schedules of certain claims allowed by the accounting officers which were reported to the Forty-ninth Congress, second session, but not provided for; which was ordered to be printed, and laid on the table.

### BOUNDARY BETWEEN THE INDIAN TERRITORY AND TEXAS.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting, with inclosures, a report of the commissioners appointed in pursuance of the act of January 31, 1885, to run the line between a portion of the Indian Territory and the State of Texas; which was laid on the table, and ordered to be printed.

### SUSPENDED ENTRIES.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Interior, transmitting an abstract of suspended entries acted on by the board of equitable adjudication for the year ending June 30, 1887; which was laid on the table, and ordered to be printed.

### ABIQUIU LAND CLAIM.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Interior, transmitting, with a letter from the Commissioner of the General Land Office, a report of the surveyor-general for New Mexico on private land claim, the town of Abiquiu, No. 140; which was laid on the table.

### LAS TRUCHAS TRACT.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Interior, transmitting, with a letter from the Commissioner of the General Land Office, a report of the surveyor-general for New Mexico on private land claim, the Las Truchas tract, No. 128; which was laid on the table.

### PUEBLOS OF SANTO DOMINGO AND SAN FELIPE.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Interior, transmitting, with a letter from the Commissioner of the General Land Office, a supplementary report of the surveyor-general for New Mexico on private land claim, the pueblos of Santo Domingo and San Felipe, No. 142; which was laid on the table.

### DOMINGO VALDEZ.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Interior, transmitting, with a letter from the Commissioner of the General Land Office, a report of the surveyor-general for New Mexico on private land claim, the Domingo Valdez, No. 141; which was laid on the table.

### KING VS. THE UNITED STATES.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact by the court in the case of John H. King *vs.* The United States; which was laid on the table.

### FREEDMAN'S SAVINGS AND TRUST COMPANY.

The SPEAKER also laid before the House a letter from the commissioner of the Freedman's Savings and Trust Company, transmitting his annual report; which was laid on the table, and ordered to be printed.

### INDEX OF SOUTHERN CLAIMS.

The SPEAKER also laid before the House a letter from the Clerk of the House of Representatives, in regard to the index of Southern claims

and claims referred to the Court of Claims under the Bowman act; which was laid on the table, and ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. FUNSTON, until after the holiday recess, on account of important business.

To Mr. FINLEY, until after the holiday recess.

To Mr. J. R. BROWN, for six days from Friday, the 16th instant.

To Mr. FLOOD, until after the holiday recess, on account of sickness in his family.

To Mr. BOWEN, for six days, commencing Friday, the 16th instant.

To Mr. ROWLAND, for ten days from and after to-day, on account of sickness.

To Mr. HAYES, until January 10, 1888, on account of important business.

To Mr. MCSHANE, until after the holiday recess.

To Mr. DOCKERY, for ten days.

ORDER OF BUSINESS.

Mr. TOWNSHEND offered the following resolution:

*Resolved*, That on Monday next, immediately after the reading of the Journal and its approval, the Speaker shall call all the States and Territories in alphabetical order for bills and resolutions for printing and reference without debate; on which call joint and concurrent resolutions and memorials of State and Territorial Legislatures may be presented and appropriately referred, and on this call only resolutions of inquiry directed to the heads of Executive Departments shall be in order for reference to appropriate committees.

Mr. HATCH. I move to lay the resolution on the table.

Mr. TOWNSHEND. I have not yielded the floor.

Mr. HATCH. That motion is in order.

Mr. TOWNSHEND. I have not yielded the floor for any purpose.

Mr. HATCH. Well, I will make the motion as soon as I can get an opportunity.

Mr. TOWNSHEND. Mr. Speaker, I have offered this resolution in the interest of the dispatch of the public business. It is well known that when all the bills are introduced on one day, as will be the case when we meet in January next, unless we have a bill day before that time, it will take several weeks for the Public Printer to print the bills which will be then introduced. On the other hand, if this resolution is adopted now, and bills are introduced before the recess, the Public Printer will have an opportunity during the recess to have the bills printed and ready for us when we resume our session. There is another reason for this resolution: During the recess the clerks will have full opportunity to distribute the bills properly among various committees. If we delay the introduction of bills until after the holidays, considerable confusion will result and several days will be lost.

I have nothing further to say, and will demand the previous question on my motion.

Mr. SPRINGER rose.

Mr. TOWNSHEND. I withdraw the demand for the previous question and yield five minutes to my colleague [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, I would have no objection to this resolution if it were amended (and I hope my colleague will yield for the purpose of allowing such an amendment to be offered) so as to allow only the introduction of public bills on next Monday, in order that they may be printed and be ready for distribution among members on the reassembling of Congress after the holidays.

It is well known to every gentleman who was a member of the last House of Representatives that at a corresponding period of that Congress it required three full days to call through the States for the introduction of bills. Now, after this week there will remain but three days before the holiday adjournment will begin, and it seems to me those three days should be devoted to the consideration of the report of the Committee on Rules; for I assume that the committee will be announced to-day, and will by next Monday be ready to make report to the House. It is possible that when we determine upon our rules there may be some change in the committees of the House; and hence on next Monday we may not know what will be the appropriate reference for some bills, as we can not at that time know how the committees will ultimately stand.

Therefore I ask my colleague to allow an amendment, to insert in his resolution, after the word "bills," the words "of a public nature;" so that if we enter upon this business the States may be called through in one day, and the public bills may go to the Printer and be ready for consideration. We are not in a very great hurry to dispose of private bills which were pending at the adjournment of the last Congress. It is well known to you, Mr. Speaker, that when Congress adjourned last March more than ten thousand private bills were left undisposed of in the committees of this House. The printing of those bills cost the people more than $150,000. It is now proposed to open the flood-gates, to turn in again all those bills and have them reprinted.

At the proper time I wish to move an amendment to the rules, so that private bills, like bills for the establishment of post-roads and the improvement of rivers and harbors, shall be handed to the Clerk through the petition-box, and referred by him to the proper committees; and that bills which may be reported back from committees with a favorable recommendation shall be printed and placed on the Private Calendar for consideration. A vast majority of the private bills which may be introduced now have already been printed and can be found in the document-room; so that it is a useless expenditure of the people's money to print them again before they have received any favorable action. I hope, therefore, that if this resolution is to be adopted—and I think it premature—the amendment which I have suggested, limiting its application to public bills, may be agreed to.

Mr. TOWNSHEND. I have no objection to taking the sense of the House on the amendment which my colleague [Mr. SPRINGER] wishes to offer. In the mean time I yield five minutes to the gentleman from Texas [Mr. MILLS].

Mr. MILLS. Mr. Speaker, I have two objections to the proposition of my friend from Illinois [Mr. TOWNSHEND]. In the first place, it would lead to confusion in regard to the reference of bills. Here are 325 members of the House, besides the Delegates from the Territories, each one, perhaps, loaded down with a number of bills. It will take us probably all of Monday and Tuesday, and perhaps Wednesday, to get through with the introduction of these bills. If introduced they will be piled up in the Clerk's room, for they can not be sent to any committees, as there will be no committees to which to send them. The result will be, as it was before when we engaged in this proceeding, that members will be hunting around for a week or two after they come back to find out where their bills have gone. It will facilitate business for members to keep these bill in their pockets or in their desks until the committees are appointed; and then the bills, immediately upon their introduction, can be distributed to the proper committees.

That is one objection to the proposition; I will state the other. Since we met we have been adjourning over from time to time in order to give the Speaker an opportunity to complete the organization of the House by the appointment of the committees. For this purpose he needs all the time he can get between now and the holidays. If we adopt this resolution we keep him in the House for three days, and thus deprive him of three days which might be devoted to furthering the organization of the House by arranging the committees. I hope the resolution will not be adopted; and, at the request of some gentlemen around me, I am constrained to move to lay it on the table.

Mr. TOWNSHEND. I have not yielded the floor for that purpose.

Mr. MILLS. I withdraw the motion.

The SPEAKER. The Chair understood the gentleman from Illinois to demand the previous question.

Mr. TOWNSHEND. I did.

Mr. BROWNE, of Indiana. Will not the gentleman from Illinois allow this side of the House to be heard for a few moments?

Mr. TOWNSHEND. I am about to yield five minutes to my colleague [Mr. ADAMS], who desires to offer an amendment.

Mr. ADAMS. Mr. Speaker, by permission of my colleague, I propose a substitute for his resolution; and, after it has been read, I desire to speak upon it for five minutes.

The Clerk read as follows:

*Resolved*, That the House shall proceed on Monday next to a consideration of the rules of the Forty-ninth Congress and necessary amendments thereto, as the rules of the Fiftieth Congress.

Mr. ADAMS. Mr. Speaker, this substitute may have been too hastily drawn; but all will see its purpose. The proposition of my colleague [Mr. TOWNSHEND] is intended, as he says, to expedite the business of this House. The first business of the House is to have some rules under which it can act. It is true that the Committee on Rules is not yet appointed, and we have no official information as to when that appointment will be made. We all know that the function of a Committee on Rules, primarily, is simply to propose rules to be discussed and adopted by the House. A far more important proceeding than the appointment of the Committee on Rules is the discussion and adoption of a body of rules by the House itself. Now if we consume three days in the introduction of bills we come back here after the holidays with no rules under which we can act. But I think we can profitably spend a few days of this week, whether the Committee on Rules has been appointed or not, in discussing the rules. I am sure the public business will be further advanced in that way than by the introduction of a vast number of bills, which the members of this House can better keep in their desks, or pockets, for a few days longer.

It has been proposed that certain bills should not be printed. I do not know what the rule will be in that regard; but if the rules should be that private bills should not be printed, then it is important bills should not be introduced at all, public or private, until that question has been discussed and disposed of. The purpose of my substitute I think is sufficiently clear.

Mr. TOWNSHEND. I have not yielded for the purpose of having a vote on the substitute, and I wish to say that substitute is not germane to the resolution I have offered, and is therefore not in order. I yield two minutes to the gentleman from Indiana.

Mr. BROWNE, of Indiana. Mr. Speaker, in the interest of the orderly business of the House, I am opposed to the introduction of bills, either public or private, or resolutions, for any purpose, except those which have reference to the organization of the House, until after the committees have been appointed. Suggestion has been made that a rule

should be adopted, or at least will be proposed, that hereafter private bills shall go to the petition-box and not put upon the Calendar until after they have been reported back to the body of the House. I hope such a rule may be adopted, but in the absence of it, as a matter of course, if we proceed to a call of the States for the introduction of bills, these private bills will be introduced as others are. Now, in the orderly proceeding of the House the committees should be appointed before these bills are introduced. If, under the rules, bills are simply introduced in order that they may be referred to appropriate committees, we may understand—we may possibly know in advance the jurisdiction of each; but certainly in order that there may be no confusion let the committees first be appointed, and bills and resolutions can be introduced afterwards. That ought to be the course we should adopt. There is no necessity for the introduction of bills now. They can not be considered. A few of them that may be printed can be printed and returned very soon after they are introduced. But if we begin the introduction of bills some day next week, the States will be called, beginning, I think, in alphabetical order, and a few of the States will be called, and their Representatives allowed to bring in their measures, while the members of the States which appear later on upon the roll-call will have no opportunity at all, as an adjournment may shut off their chance until another call is ordered some time after the reassembling of Congress.

Mr. TOWNSHEND rose.

The SPEAKER. The gentleman demands the previous question.

Mr. TOWNSHEND. I will yield for five minutes to the gentleman from Pennsylvania.

Mr. RANDALL. Mr. Speaker, I think I am allowed to express the opinion that the Committee on Rules will be announced on Monday next. Immediately thereafter that Committee on Rules should meet and make a recommendation to the House in relation to the manner of introducing bills. We have determined to-day we will not adjourn until the 22d instant. We therefore have Tuesday, Wednesday, and Thursday of next week when this question will, in all probability, be determined as to the manner of the introduction of bills, which will give us those days in which to introduce bills, if the House shall so desire. It is not well, in my judgment, to anticipate the wish of the House in that particular until the Committee on Rules has been appointed and had an opportunity to meet and make some sort of recommendation on the subject. I therefore suggest to the gentleman from Illinois that he allow his resolution to lie over until the time I have indicated. I think in the main the gentlemen of the House will be with him, but I also think the resolution should be allowed to wait until the action to which I have referred has been taken.

Mr. TOWNSHEND. Personally I am indifferent as to whether the resolution is adopted or not. I have introduced it because of an expression on the part of a number of members that they desired a bill day before the holidays.

I am, however, impressed with the good sense of the proposition of the gentleman from Pennsylvania, and am willing that the resolution may go over until Monday, leaving the question to be then determined.

The SPEAKER. Without objection the resolution will go over.

There being no objection, it was so ordered.

### DECEMBER PAY, CAPITOL EMPLOYÉS.

Mr. SPRINGER introduced the following joint resolution:

*Be it resolved, etc.*, That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby, authorized and instructed to pay the officers and employés of the Senate and House of Representatives their respective salaries for the month of December, 1887, on the 22d day of said month.

Mr. SPRINGER. Mr. Speaker, this is the usual resolution that we pass to pay the employés for the month of December before the holiday recess. If there be no objection to its present consideration, I ask the previous question upon the adoption of the joint resolution.

The previous question was ordered; and under the operation thereof the joint resolution (H. Res. 2) was read a first and second time, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. SPRINGER moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

### ADJOURNMENT OVER.

Mr. MILLS. Mr. Speaker, I move that when the House adjourn to-day it be to meet on Monday next.

The motion was agreed to.

### DEATH OF HON. EDWARD W. ROBERTSON.

Mr. BLANCHARD. Mr. Speaker, the sad duty devolves upon me of making to this House the announcement of the death of my late colleague, Hon. Edward W. Robertson, late a member-elect to this House from the State of Louisiana, who died in August last, and to present to the House resolutions of respect to his memory.

I ask that the resolutions be read, and beg leave to state that I will call them up later, at the proper time, for further consideration, and for the expression, by members of the House, of the esteem in which the memory of the deceased is held.

The resolutions were read, as follows:

*Resolved*, That the House has heard with profound sorrow of the death of Hon. Edward W. Robertson, late a member of this House from the State of Louisiana.

*Resolved*, That a copy of these resolutions be transmitted by the Clerk of this House to the family of the deceased.

*Resolved*, That the Clerk be directed to communicate a copy of these proceedings to the Senate.

Mr. BLANCHARD. As a further mark of respect to the memory of the deceased, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 12 o'clock and 45 minutes p. m.) the House adjourned until Monday.

### PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BARNES (by request): Petition for the relief of Edward E. Stone, commander United States Navy—to the Committee on Naval Affairs.

By Mr. T. H. B. BROWNE: Papers in the case of Perry A. Leatherbury, for relief—to the Committee on Claims.

By Mr. BRYCE: Petition of John Doyle, late private Company K, Fourth Regiment Maine Volunteers, for a special-act pension—to the Committee on Invalid Pensions.

By Mr. FELIX CAMPBELL: Papers in the case of James A. Whalen, for relief—to the Committee on War Claims.

By Mr. ENLOE: Petition of Mary J. Brown, executrix of Jesse E. Brown, of Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. ERMENTROUT: Memorial of the Butchers' National Protective Association of Chicago, for branding of counterfeit lard, and imposition of tax thereon—to the Committee on Ways and Means.

Also, memorial of George Foll and others, of Berks County, Pennsylvania, for the abolition of internal-revenue tax on cigars—to the Committee on Ways and Means.

Also, memorial in favor of authorizing the President to confer commissions by brevet in certain cases—to the Committee on Military Affairs.

Also, petition of John Wunch and others, asking for an increase of pension for George W. Wertz—to the Committee on Invalid Pensions.

By Mr. FORD: Petition of Hiram R. Ellis, for a pension as first lieutenant—to the Committee on Invalid Pensions.

By Mr. GIFFORD: Petition of Maria R. Klindt and others, asking that she be granted a pension as widow of Klaus Klindt, a soldier of the late war—to the Committee on Invalid Pensions.

By Mr. GLASS: Petition of W. H. Fletcher, of Gibson County, Tennessee, for relief—to the Committee on War Claims.

Also, petition of heirs of E. L. Trigg, of Gibson County; of S. L. Carpenter, of Fayette County; of Glovina A. Lusk, of Weakley County; of Nancy C. Nelson, of Shelby County, and of W. H. Toler, administrator of Susan B. Edwards, of Lake County, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. HOLMAN: Papers in the case of George F. Roberts, administrator of William B. Thayer, deceased, for relief—to the Committee on Claims.

By Mr. LAGAN: Papers relating to the claim of Catherine M. Pritchard—to the Committee on War Claims.

By Mr. LEE: Papers in the case of John A. Fairfax, for relief—to the Committee on War Claims.

By Mr. McRAE: Papers in the claim of Jacob Lavender, Nevada County, Arkansas—to the Committee on War Claims.

By Mr. MORGAN: Petition of James B. Morgan, to have expenses of election contest repaid him—to the Committee on Elections.

By Mr. MORSE: Papers in the case of Mrs. G. Mackie and the heirs of William A. Hyde, deceased, for relief—to the Committee on Claims.

Also, papers in the case of Fanny B. Randolph and Dora L. Stark, for relief—to the Committee on War Claims.

Also, papers in the case of Alexander Judice, of Louisiana, for relief—to the Committee on Private Land Claims.

By Mr. NELSON: Petition of citizens of Herman, Grant County, Minnesota, for increase of mail facilities—to the Committee on the Post-Office and Post-Roads.

By Mr. OUTHWAITE: Petition of Samuel Davis and 32 others, citizens of Hocking County, Ohio, for the passage of a bill granting a pension to Mrs. Mary M. Sweet—to the Committee on Invalid Pensions.

By Mr. PATTON: Petition and remonstrance of 97 citizens of the Twentieth district of Pennsylvania, against the admission of Utah as a State—to the Committee on the Territories.

Also, petition of John Gilbert, late of Company G, One hundred and forty-eighth Regiment Pennsylvania Volunteers, for a pension—to the Committee on Invalid Pensions.

By Mr. PERKINS: Petition of James Truitt and 69 others, of Chanute, Neosho County, Kansas, asking for legislation providing for the reissue of fractional currency as a supplement to silver, and especially for use in the mails—to the Committee on Banking and Currency.

By Mr. PHELAN: Petition of the Merchants' and Cotton Exchanges

of Memphis, Tenn., for an appropriation to cover deficiencies in the Signal Service—to the Committee on Military Affairs.

Also, petition of the Memphis and Charleston Railroad, through their attorney, W. H. Selden, for reference of their claim to the Court of Claims—to the Committee on War Claims.

Also, petitions of Amos Woodruff, of J. and J. Steele, of William A. Bickford, of W. R. Harrell, administrator of Richard M. Anthony, and of Girard Stiles, of Shelby County; of John D. Sale, administrator of John E. Vanpelt, and of Annie Lawrence, of Fayette County; of Mary E. Wette, and of James G. Phelan, of Memphis, and of William H. Avett, of Tipton County, Tennessee, asking that their several claims be referred to the Court of Claims—to the Committee on War Claims.

By Mr. RANDALL: Report of the Philadelphia Preachers' Meeting of the Methodist Episcopal Church, on the subject of Mormonism—to the Committee on the Judiciary.

By Mr. REED: Papers in the case of the Grand Trunk Railway Company of Canada, for relief—to the Committee on Claims.

By Mr. RICHARDSON: Petitions of James B. Dardis, of Thomas F. Moseley, and of executor of Louisa J. Hill, deceased, of Franklin County; and of James C. Rowlett, of administrator of Luckett Davis, deceased, of son and heir of Sarah H. Morton, deceased, and of estate of James H. Green, deceased, of Rutherford County, Tennessee, for reference of their several claims to the Court of Claims—to the Committee on War Claims.

By Mr. ROBERTSON: Petition of Benjamin R. Keaton, and of T. P. Farnea, heir of Cleopatra Farnea, deceased, of Washington Parish; of J. A. Oabre, of Pointe Coupée Parish; of Ursin Jacob, of St. John Baptist Parish; of the heirs of Edmund H. Martin, deceased, of St. Landry Parish; of John East, of East Feliciana Parish, and of heirs of Dorville J. Landry, deceased, of Baton Rouge, La., for reference of their several claims to the Court of Claims—to the Committee on War Claims.

By Mr. ROGERS: Petition of W. J. Blackburn, for pay as a Representative in the Fortieth Congress from Louisiana—to the Committee on Elections.

By Mr. RUSSELL: Petition for a clause in all contracts requiring contractors on Government work to pay their laborers at least once in two weeks, and a guaranty for faithful compliance of same—to the Committee on Labor.

By Mr. SCULL: Petition against needless Sunday work in Government service and interstate commerce—to the Committee on the Post-Office and Post-Roads.

Also, remonstrance of citizens of the Seventeenth district of Pennsylvania, against the admission of Utah with polygamy—to the Committee on the Territories.

By Mr. SMITH: Memorial of A. E. Redstone, in contest for seat from the Fifth Congressional district of California—to the Committee on Elections.

By Mr. STAHLNECKER: Petition for the prevention of lard adulteration—to the Committee on Agriculture.

By Mr. G. M. THOMAS: Papers in the claim of James Cox, of Smyth County, Virginia—to the Committee on War Claims.

By Mr. WHEELER: Petition of Jesse T. Smoot, for relief and reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. WILLIAMS: Petition of Caspar Serbel, for a pension—to the Committee on Invalid Pensions.

Also, petition of John Walker, formerly private Company I, Seventy-ninth New York Volunteers, for relief—to the Committee on Military Affairs.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. BARRY: Of J. T. Trusty and others, citizens of Pine Valley; of R. T. Good and others, of Big Spring; of J. E. Morris and others, and of J. D. Staple and others, of Mississippi.

By Mr. BOUND: Of citizens of Killinger, Dauphin County; of Gowen City, Northumberland County, and of W. T. Forsyth and others, of the Fourteenth district of Pennsylvania.

By Mr. BOUTELLE: Of A. B. Smart and others; of L. J. Thomas and others; of John Mullen and others; of J. A. Haurcam and others; of Frank Hart and others; of George Southard and others; of B. H. Smith and others; of J. M. Gilmore and others; of W. A. Tozier and others; of John R. Weed and others; of O. L. Stevens and others; of O. H. Berry and others, and of H. P. Colson and others, of the State of Maine.

By Mr. BOWDEN: Of A. Goddin and others, of Diascund, James City County, and of J. W. Urquhart and others, of Enterprise, Southampton County, Virginia.

By Mr. BROWER: Of citizens of Semora, Caswell County, and of Busick, Guilford County, North Carolina.

By Mr. T. H. B. BROWNE: Of J. M. Stubles and others, of Gloucester County; of Thomas N. Welch and others, of Caroline County; of S. Warner and others, of Accomac County; of William H. Hudgins and others, of Matthews County; of William M. Brown and others, of Northumberland County; of T. S. Shady and others, of Northampton County, and of R. J. Washington and others, of Westmoreland County, Virginia.

By Mr. BUNNELL: Of citizens of Vawter, of Floss, of Birney, and of Windham Summit, Bradford County; of Lake Cary, of Lathrop, of Royal, and of Black Walnut, Wyoming County; and of Arlington, of Sherman, and of Island Pond, Wayne County, Pennsylvania.

By Mr. CARLETON: Of J. H. McWhorten, V. D. Gresham and others, citizens of Greshamville, Ga.

By Mr. COWLES: Of citizens of Moravian Falls, Wilkes County, North Carolina.

By Mr. CRISP: Of C. L. Holmes and others, of Laurens County, and of T. F. Williams and others, of Montgomery County, Georgia.

By Mr. CROUSE: Of W. P. Vandom and others, of Wayne County, Ohio.

By Mr. DALZELL: Of citizens of Dravorsburgh, and of Shoustown, Allegheny County, Pennsylvania.

By Mr. DINGLEY: Of J. R. Hunnewell and others, and of Horatio Lewis and 70 others, of the State of Maine.

By Mr. ENLOE: Of H. H. Swink and 62 others, of Medon, Madison County, Tennessee.

By Mr. GROUT: Of F. Farrington and 16 others, and of D. S. Jones and 31 others, of South Walden, Vt.

By Mr. HALL: Of citizens of Callery, Butler County; of Perrine, Mercer County; of Little Cooley, of Glyndon, and of Gresham, Crawford County, Pennsylvania.

By Mr. HERBERT: Of John E. Cook and others, of Monticello; of W. R. Barnes and others, of Green Bay; of J. W. Joinner and others, of Bowles; of J. B. Thomas and others, of Landford; of G. T. Watson and others, of Bermuda; of J. T. Bass and others, of Norwood; of Charles Hall and others, of Baldwin County; of J. S. Miller and others, of Covington County; of C. H. Carpenter and others, of Baldwin County, and of J. R. Jordan and others, of Alabama.

By Mr. HOWARD: Of 25 citizens of Frenchtown, Ind.

By Mr. JACKSON: Of citizens of Hazel Dell, Lawrence County, Pennsylvania.

By Mr. LATHAM: Of W. W. Jones and others, of Mesic, and of John Hardison, of Grantsborough, Pamlico County; of B. S. Riddick and others, of Nicanor, Perquimans County; of C. D. Puckett and others, of Bay, Tyrrell County; of H. B. Ansell and others, of Currituck Court-House; of H. H. Bowen and others, of Monticello, Washington County, and of G. L. James and others, citizens of the First district, North Carolina.

By Mr. LEE: Of citizens of Stone City, of Garfield, of Springman, and of Dranesville, Fairfax County; of Waylandsburgh, of Hudson's Mill, of Ryland, and of Homeland, Culpeper County; of Granite Spring, Orange County; of Daysville, Loudoun County; of Gum Spring, Louisa County; of Leeland, and of Snellings, Stafford County; of Buckhall, Prince William County; of Harris, Louisa County; of Golddale, Orange County; and of Lincolnia, of Langley, and of Vale, Fairfax County, Virginia.

By Mr. McCLAMMY: Of citizens of Cedar, and of Downingsville, Bladen County; and of Freeman, Columbus County, North Carolina.

By Mr. McCULLOGH: Of citizens of Dearth, Fayette County, Pennsylvania.

By Mr. McKINLEY: Of citizens of New Garden and of Mosk, Columbiana County; and of Norristown, Carroll County, Ohio.

By Mr. MAISH: Of 69 citizens of Winterstown; of 37 citizens of Slab; of 34 citizens of Mulberry, and of 76 citizens of Middle Spring, Pa.

By Mr. MILLIKEN: Of C. W. Lord and others, of East Thorndike, Waldo County, Maine.

By Mr. NEAL: Of citizens of Warren County; of White County, and of Hamilton County, Tennessee.

By Mr. NICHOLS: Of citizens of Wake County; of Franklin County; of Alamance County, and of Chatham County, North Carolina.

By Mr. OUTHWAITE: Of J. H. Kline and 62 others, of J. N. Marshall and 53 others, of T. K. Lanning and 39 others, of Allison Collison and 40 others, of Hocking County; of Zeni Glick and 41 others, of James Wilson and 60 others, of David Brobst and 68 others, of Fairfield County; and of Jackson Baker and 59 others, of Pickaway County, Ohio.

By Mr. PATTON: Of 22 citizens of Menno; of 69 citizens of Marion, and of 40 citizens of Rasselas, Pa.

By Mr. RICHARDSON: Of E. M. Spence and 37 others, of Rutherford County; of A. M. Fillman and 67 others, of Marshall County; of B. F. Whitworth and 25 others, of Franklin County; and of J. C. Kellers and 30 others, of Kellers, Tenn.

By Mr. ROBERTSON: Of citizens of Livingston Parish and of Plaisance, La.

By Mr. ROWLAND: Of citizens of Armour, Columbus County, and of Tulin, Cabarrus County, North Carolina.

By Mr. SCULL: Of citizens of Blair County, of Somerset County, and of Bedford County, Pennsylvania.

Also of citizens of Cambria County and of Blair County, Pennsylvania.

By Mr. TILLMAN: Of J. F. Sweat and 57 others of Robbins; of numerous citizens of Ridgeland and of Colston, and of 69 citizens of Falfa, S. C.

By Mr. WHEELER: Of J. H. Wood and 44 others, and of W. J. Tuqua and 26 others, of Rodgersville, Ala.

By Mr. WICKHAM: Of T. Bricher and others, of Ganges, Richland County, Ohio.

By Mr. WILLIAMS: Of 31 citizens of West Charleston, Miami County, Ohio.

By Mr. WISE: Of citizens of Boulevard; of Sharon Hill; of Dover Mines; of Negrofoot; of Atlee's Station, and of Coal Hill, Va.

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## SENATE.

### MONDAY, *December* 19, 1887.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of the proceedings of Thursday last was read and approved.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 13th instant, Special Agent G. R. Tingle's report upon the conduct of affairs on the Seal Islands of Alaska; which, with the accompanying paper, was, on motion of Mr. FRYE, referred to the Committee on Foreign Relations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 12th instant, all letters and other communications relating to the recent bonding of the Pacific Coast Steam-ship Company; which, on motion of Mr. FRYE, was, with the accompanying papers, referred to the Committee on Commerce, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of War, inviting the attention of Congress to the opinion of the Attorney-General in relation to the non-availability of a certain appropriation made by the act of March 3, 1887, for marking the positions occupied by the commands of the regular Army engaged in the battle of Gettysburgh; which was, on motion of Mr. ALLISON, referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in pursuance of the act of July 16, 1870, a supplementary report of the United States surveyor-general of Arizona on the private land claim in that Territory known as Tres Alamo land grant, No. 17; which, with the accompanying papers, was referred to the Committee on Private Land Claims, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of March 2, 1887, certain information ascertained by an investigation of the claim of John R. Reynolds; which, on motion of Mr. BLAIR, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate communications from the Acting Secretary of the Interior, transmitting, in compliance with the eighth section of the act of July 22, 1854, for Congressional action supplementary reports of the United States surveyor-general of New Mexico on the following private land claims:

The Plaza Colorado tract, No. 149;
The José Antonio Lucero grant, No. 147;
The Cañon de Carnue, No. 150;
The Plaza Blanca, No. 148;
The Town of Atrisco;
Las Huertas, reported No. 144;
The town of El Rito, No. 151;
Ocaté, No. 143; and
The Guadalupita tract, No. 152.

The PRESIDENT *pro tempore*. The communication will be referred to the Committee on Private Land Claims and printed, with the accompanying papers, if there be no objection.

Mr. SHERMAN. With respect to that large bundle of documents on a private land claim, it seems to me the question of printing them ought to be referred to the Committee on Printing before the order is made to print.

The PRESIDENT *pro tempore*. That reference will be made, if there be no objection.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore*. The Chair presents a petition of the constitutional convention of the Territory of Utah, praying for admission into the Union as a State. This petition is accompanied with engrossed copies of the constitution of the proposed State as adopted by that body, and if there be no objection it will be received and referred to the Committee on Territories.

Mr. CALL. I have received a note requesting me to ask that the petition of the constitutional convention of Utah, which has just been presented to the Senate, may be printed in the RECORD. I hope there will be no objection to it.

The PRESIDENT *pro tempore*. The Senator from Florida asks that the petition of the constitutional convention of Utah Territory presented this morning by the Chair may be printed in the RECORD. Is there objection?

Mr. CULLOM. I inquire if it is a very long document.

Mr. SHERMAN. It ought not to be printed, any way.

Mr. CULLOM. I think not, too.

Mr. PADDOCK. I object.

The PRESIDENT *pro tempore*. Being objected to, the question must be decided by the Senate.

Mr. CALL. I hope the Senator making the objection will withdraw it. What is proposed is nothing but a mere courtesy, and implies nothing either way on the main question. I received a polite note from gentlemen who are interested in this matter, making this request of me, and I have submitted it to the Senate.

Mr. CULLOM. Do I understand that the paper comes from the Legislature of the Territory of Utah?

The PRESIDENT *pro tempore*. It comes from the constitutional convention of Utah Territory.

Mr. CULLOM. If it is not a very long document I have no great objection to its being printed.

Mr. PADDOCK. I do not understand that it comes from the Legislature of the Territory of Utah at all.

The PRESIDENT *pro tempore*. The Chair will state that when the reading of a paper is objected to the question must be decided without debate. The Chair understands the Senator from Florida to move that the paper be printed in the RECORD, which will be equivalent to its reading.

Mr. ALLISON. What is the paper?

The PRESIDENT *pro tempore*. It is a resolution of the constitutional convention of the Territory of Utah, transmitting to the Congress of the United States an engrossed copy of a proposed State constitution.

Mr. HARRIS. It certainly has been the custom to read resolutions of legislative bodies.

The PRESIDENT *pro tempore*. This paper does not come from a legislative body.

Mr. CALL. No, it is from a constitutional convention.

Mr. BUTLER. The difficulty can be very easily obviated. The Senator from Florida has the right to read the paper himself. It is a mere question of convenience for him. If he does not read it I will, and put it in as part of my remarks. These people have a perfect right to be heard.

Mr. PADDOCK. This is not the result of any enabling act passed by Congress.

The PRESIDENT *pro tempore*. The Chair would observe that this debate is out of order, the question being whether further memorials or petitions are to be presented to the Senate.

Mr. CALL. I ask that the memorial be read, if there be no objection.

The PRESIDENT *pro tempore*. The Chair can only entertain the motion at this time by unanimous consent. Is there objection?

Mr. PADDOCK. I object.

Mr. CALL. Then I shall be obliged to move that the petition be printed in the RECORD.

The PRESIDENT *pro tempore*. The Chair will ask the Senator to postpone his motion until resolutions are in order.

Mr. CALL. Very well.

The PRESIDENT *pro tempore* presented the petition of Morris Krauskopf, of Brooklyn, N. Y., praying for the establishment of the United States Press, and for special legislation to protect the liberty of the press; which was referred to the Committee on Education and Labor.

He also presented the memorial of Rev. P. H. Dickman, of Kamrar, Iowa, protesting against the admission of Utah as a State; which was referred to the Committee on Territories.

He also presented a memorial of the Board of County Commissioners of Valencia County, New Mexico, relative to the settlement of land titles in the Territory of New Mexico; which was referred to the Committee on Public Lands.

He also presented the memorial of Joseph Sutter, of New York, protesting against the methods of administration of the patent laws of the United States; which was referred to the Committee on Patents.

Mr. HOAR presented the petition of Appollos Hale, administrator, praying for the reference of his claim to the Court of Claims; which was referred to the Committee on Claims.

He also presented the petition of Rev. W. T. Sleeper and others, praying that Utah may not become a State so long as polygamy is allowed within its borders; which was referred to the Committee on Territories.

He also presented a petition of John M. Roberts and other citizens of Louisiana, praying that a pension be granted to John H. West; which was referred to the Committee on Pensions.

Mr. BUTLER presented the petition of Rosanna Wyse and other citizens of South Carolina, praying that increased compensation be allowed fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. FRYE presented the petition of John Haley and others, citizens of Maine, praying for an increase in the compensation of fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. MCPHERSON presented the petition of Hugh Costello, of Com-

pany D, Thirty-ninth Regiment, New Jersey Volunteers, praying to be allowed a pension; which was referred to the Committee on Pensions.

He also presented the petition of Margaret Callanan, widow of Eugene Callanan, late private Company F, Second Regiment New Jersey Volunteers, praying for the passage of a special act of Congress granting her a supplemental pension from March 18, 1864, to July 6, 1886; which was referred to the Committee on Pensions.

Mr. SPOONER presented the petition of Frederick L. Englin, T. F. Monty, and others, citizens of Wisconsin, praying that trespasses by the purchasers of certain lands from railway companies in Wisconsin be permanently prevented; which was referred to the Committee on Public Lands.

Mr. MANDERSON presented the petition of Andrew J. Konkle, late major First Ohio State Artillery, praying to be allowed an increase of pension; which was referred to the Committee on Pensions.

Mr. HALE presented the petition of Henry Abbey and other American authors, praying for the enactment of an international copyright law; which was referred to the Committee on Foreign Relations.

Mr. HALE subsequently said: I am informed that the petition which I sent to the desk relating to international copyright covers a subject which has been considered by the Committee on Patents, and which committee, I believe, has heretofore made a report upon it. I ask that the reference be changed from the Committee on Foreign Relations to the Committee on Patents.

The PRESIDENT *pro tempore*. The petition will be referred to the Committee on Patents, if no objection be interposed.

Mr. REAGAN presented the petition of Charles W. Bryant and 60 other citizens of White Oak, Tex.; the petition of J. N. Clark and 24 other citizens of Double Horn, Tex.; and the petition of Daniel M. Payne and 41 other citizens of Hardin Stores, Tex., praying for an increase of compensation for fourth-class postmasters; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. PASCO presented the petition of Henry Parish and 25 other citizens of Florida, praying for an increase of compensation of fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. EUSTIS presented the petition of the Louisiana Sugar Planters' Association, praying for a supplementary appropriation to complete sugar experiments; which was referred to the Committee on Appropriations.

He also presented the petition of the Louisiana Agricultural Society, praying that an appropriation be made for experimental stations under the Hatch bill; which was referred to the Committee on Appropriations.

Mr. CAMERON presented a memorial of citizens of Pennsylvania, remonstrating against the admission of Utah as a State without the imposition of restrictions against polygamy; which was referred to the Committee on Territories.

He also presented the petition of Nathaniel R. Harris, of Philadelphia, Pa., praying for a correction of the records of the War Department as to his alleged military service; which was referred to the Committee on Military Affairs.

Mr. WILSON, of Iowa. I present the petition of Henry D. Fuller, late private of Company F, Twenty-eighth Iowa Volunteers, praying Congress to grant him a pension of $100 per month for the loss of the sight of the right eye, left arm at the shoulder-joint, left foot, and total permanent disability of the right leg. I move that the petition be referred to the Committee on Pensions.

The motion was agreed to.

Mr. RIDDLEBERGER presented sundry petitions of citizens of the District of Columbia, praying for the passage of a bill for the regulation of the license law for selling liquors in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. RIDDLEBERGER. I present a preamble and resolutions adopted by the Union Veteran Lodge, No. 540, and the Emory Upton Lodge, No. 607, Independent Order of Good Templars, in reference to the injurious effects of intemperance. I think this paper emanates from the District of Columbia, and I move its reference to the Committee on the District of Columbia.

The motion was agreed to.

Mr. BLAIR presented resolutions adopted by the Women's Christian Temperance Union of Centre Sandwich, N. H.; resolutions adopted by the Sandwich Christian Temperance Union of Sandwich, N. H.; and resolutions adopted by the Women's Christian Temperance Union of Monroe County, New York, favoring the passage of the educational bill; which were referred to the Committee on Education and Labor.

Mr. MORGAN presented the petition of John A. Singley and other citizens of Dominick, Ala., praying for an increase in the compensation of fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. BROWN presented the petition of Edward E. Stone, a commander in the United States Navy, praying for certain relief; which was referred to the Committee on Naval Affairs.

Mr. ALLISON presented the petition of the Old Dominion Steamship Company, U. P. Stanford; Mallory's Steam-ship Line, Charles H. Mallory, Charles B. Shaw, and 132 other citizens and capitalists of New York City, praying that the Fiftieth Congress authorize the Secretary of War to contract with Charles Stoughton and his associates for the entire work of improving the Harlem River, New York, for a sum not exceeding $1,350,000, the work to be completed July 4, 1890; which was referred to the Committee on Commerce.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a joint resolution (H. Res. 2) authorizing and directing the payment of the salaries of the officers and employés of Congress for the month of December, 1887; in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution providing that when the two Houses adjourn on Thursday, December 22, 1887, they stand adjourned until Wednesday, January 4, 1888, in which it requested the concurrence of the Senate.

## REPORTS OF COMMITTEES.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 447) to amend the laws relating to inspection of steam-vessels, reported it without amendment.

Mr. TELLER, from the Committee on Public Lands, to whom was referred the bill (S. 106) to establish two additional land offices in the State of Colorado, reported it with an amendment.

Mr. DOLPH, from the Committee on Public Lands, to whom was referred the bill (S. 15) providing in certain cases for the forfeiture of wagon-road grants in the State of Oregon, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 418) granting to the State of California 5 per cent. of the net proceeds of the cash sales of public lands in said State, reported it without amendment.

Mr. STOCKBRIDGE, from the Committee on Fisheries, to whom was referred the bill (S. 261) to amend the law concerning the Commissioner of Fish and Fisheries, reported it without amendment.

Mr. PUGH. I am instructed by the Committee on the Judiciary to report with amendments the joint resolution (S. R. 6) for the removal of all disabilities imposed by the fourteenth amendment to the Constitution of the United States upon Abram C. Myers. I ask for its present consideration.

The PRESIDENT *pro tempore*. The Senator from Alabama asks that the Senate proceed to the consideration of the joint resolution reported by him. Is there objection?

Mr. SHERMAN. I have no objection to the passage of the joint resolution, but I think it had better take its proper place unless there is some special reason for action upon it at this time. Bills and joint resolutions when reported ought to take their places on the Calendar. This matter can be called up to-morrow.

Mr. PUGH. A similar joint resolution passed the Senate and was sent to the House of Representatives ten years ago, and died on the Calendar on account of the expiration of Congress on the 4th of March, 1877. The applicant is over seventy-seven years of age. For these reasons I hope the Senate will make this an exception and that the Senator from Ohio will allow the joint resolution to be passed.

Mr. SHERMAN. I have not the slightest objection to the joint resolution, but if the Senator will call it up to-morrow morning and comply with the rule it will save us probably from setting a bad example. Bills when reported from committees should take their place on the Calendar, and I think the rule ought not to be departed from unless some strong and special reason is given.

The PRESIDENT *pro tempore*. Objection being made, the joint resolution will be placed on the Calendar.

Mr. BLAIR. I am directed by the Committee on Education and Labor to report back favorably and unanimously the bill (S. 371) to aid in the establishment and temporary support of common schools, accompanied by a written report. I give notice that I shall call the bill up soon for consideration.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. BLAIR. I am directed unanimously by the Committee on Public Lands, to whom was referred the bill (S. 419) to enable the State of California to take lands in lieu of the sixteenth and thirty-sixth sections found to be mineral lands, to report it without amendment.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. PLUMB, from the Committee on Public Lands, to whom was referred the bill (S. 190) for the relief of W. H. Tibbits, reported it without amendment.

## BILLS INTRODUCED.

Mr. HOAR introduced a bill (S. 875) granting a pension to Patrick Breene; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 876) granting a pension to Catharine Simmonds; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 877) referring the claim of Appollos Hale, administrator, to the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 878) for the relief of the estate of Thomas Niles, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. FRYE introduced a bill (S. 879) for the relief of the administratrix of the estate of George W. Lawrence; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 880) for the collection of more accurate statistics of exports, immigration, and emigration; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HALE introduced a bill (S. 881) to regulate the pay of ensigns of the United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 882) for the relief of Pay-Clerk Charles Blake, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 883) for the relief of Evelyn H. Pratt; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 884) granting a pension to Mary Morford; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 885) to increase the pension of Adrian G. Dodge; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 886) granting a pension to Sarah F. Jones; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 887) granting a pension to Robert Foss; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 888) granting a pension to Mercy A. Cutts; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 889) granting a pension to Mary O. Hall; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MORRILL introduced a bill (S. 890) to authorize the settlement and adjustment of certain claims and demands between the United States and the State of Vermont; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. McPHERSON introduced a bill (S. 891) granting a pension to Hugh Costello; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 892) to increase the efficiency of the Medical Corps of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 893) to provide for ascertaining and settling private land claims in the Territories of New Mexico and Arizona and the State of Colorado; which was read twice by its title, and referred to the Committee on Private Land Claims.

Mr. STEWART introduced a bill (S. 894) to establish a United States land court, to define its jurisdiction and duties, and to provide for the settlement of private land claims in the Territories of Arizona and New Mexico and the State of Colorado; which was read twice by its title, and referred to the Committee on Private Land Claims.

Mr. SAWYER introduced a bill (S. 895) for the relief of Mrs. Betsey Winterbottom; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 896) for the relief of Mrs. Louise Silvers; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 897) for the relief of Rev. Corydon Millard; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 898) for the relief of Frank Oredsnick; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 899) for the relief of Mary M. Briggs; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 900) for the relief of Mrs. Alice Croarkin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 901) for the relief of Sophia W. Wright; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BLAIR introduced a bill (S. 902) for the relief of Warren Hall; which was read twice by its title.

Mr. BLAIR. I introduce the bill by request. I know nothing in regard to it. I move that it be referred to the Committee on Claims.

The motion was agreed to.

Mr. BLAIR introduced a bill (S. 903) for the relief of Laban Heath & Co., of Boston, Mass.; which was read twice by its title, and referred to the Committee on Claims.

Mr. CALL introduced a bill (S. 904) concerning the Pay Department of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SAULSBURY (by request) introduced a bill (S. 905) to incorporate the District of Columbia Suburban Railway Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 906) supplementary to the acts relating to naturalization, prescribing the mode for persons of foreign birth to become citizens; which was read twice by its title, and referred to the Committee on Privileges and Elections.

Mr. VANCE introduced a bill (S. 907) to provide for the erection of a public building at Charlotte, N. C.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. CULLOM introduced a bill (S. 908) to annex a portion of the Territory of Montana to Idaho Territory; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 909) to remove the charge of desertion from the record of Capt. Cyrus A. Bradshaw, deceased; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 910) granting a pension to George Faulk; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 911) to increase the pension of Alonzo B. Chatfield; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SHERMAN introduced a bill (S. 912) granting bounty to Calvin C. Cooley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 913) to grant arrears of pensions in certain cases; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 914) to grant increase of pension to Joseph P. Owen; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 915) granting a pension to Susan Edson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 916) granting a pension to Jacob Smith; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 917) for the relief of Enoch Jacobs; which was read twice by its title, and referred to the Committee on Claims.

Mr. REAGAN (by request) introduced a bill (S. 918) for the relief of Eli Ayres, of Kaufman County, Texas; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. RANSOM introduced a bill (S. 919) to provide for the erection of a public building at Asheville, N. C.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. BECK introduced a bill (S. 920) for the relief of the estate of Abraham H. Herr, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 921) for the relief of John H. Weeks; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 922) for the relief of Anthony L. Woodson; which was read twice by its title, and referred to the Committee on Claims.

Mr. ALLISON introduced a bill (S. 923) for the erection of a public building at Davenport, Iowa; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 924) to reimburse the several States for interest on money expended by them on account of raising troops employed in aiding the United States in suppressing the late rebellion; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT introduced a bill (S. 925) vesting the Court of Claims of the United States with jurisdiction to determine the rights of William E. Woodbridge to certain letters patent for a metallic sabot, and to render judgment in payment for the use of the same by the Government during the war of 1861; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Patents.

He also introduced a bill (S. 926) to remove the charge of desertion from the military record of Peter Buckley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 927) to prohibit the manufacture and sale of spirituous and intoxicating liquors in the District of Columbia; which was read twice by its title.

Mr. PLATT. I wish to say one word with regard to this bill. I do not think it is complete and perfect in its details, but it will suffice to bring to the consideration of the Committee on the District of Columbia the principle and purpose embraced in the bill, and I ask the early consideration of it by that committee.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on the District of Columbia.

Mr. DAWES introduced a bill (S. 928) in relation to marriage be-

tween white men and Indian women; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. HEARST introduced a bill (S. 929) for the relief of Louis Jacobson; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. VEST (by request) introduced a bill (S. 930) to grant a pension to Oscar F. Carpenter, of Eleventh Independent Battery of Ohio Light Artillery; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. RIDDLEBERGER introduced a bill (S. 931) to incorporate the Washington Cable Electric Railway of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 932) to authorize the construction of a graveled road to the Richmond National Cemetery, near Richmond, Va.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. GORMAN introduced a bill (S. 933) for the relief of the Chesapeake Bank of Baltimore, Md.; which was read twice by its title, and referred to the Committee on Finance.

Mr. MANDERSON introduced a bill (S. 934) to divide the State of Nebraska into two judicial districts; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 935) to provide for holding terms of the United States district and circuit courts in the State of Nebraska; which was read twice by its title, and referred to the Committee on the Judiciary.

He also (by request) introduced a bill (S. 936) for pensioning prisoners of war who were confined in Confederate military prisons during the war of the rebellion; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 937) for the relief of David L. Brainard and others; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 938) for the relief of First Lieut. James Regan, United States Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 939) for the relief of Robert H. Montgomery; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 940) for the relief of Louisa H. Canby; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. SAWYER (by request) introduced a bill (S. 941) for the relief of Henry C. De Ahna; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 942) for the relief of George F. Brott; which was read twice by its title, and referred to the Committee on Claims.

Mr. DOLPH introduced a bill (S. 943) for the relief of William H. Moore, surviving partner of the firm of William H. Moore & Co., and of Mrs. Mariosita C. Rea, widow and administratrix of Bradford Dailey, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. HAWLEY introduced a bill (S. 944) increasing the pension of Mrs. Elizabeth G. Scott; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PALMER introduced a bill (S. 945) to extirpate contagious pleuro-pneumonia, foot-and-mouth disease, and rinderpest among cattle, and to facilitate the exportation of cattle and the products of livestock, and for other purposes; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. PALMER. In connection with this bill I make a motion that a thousand extra copies of it be printed. The interest is widespread, and will probably be continuous.

The PRESIDENT *pro tempore*. The Senator from Michigan moves that 1,000 extra copies of the bill be printed. That motion will, under the rules, be referred to the Committee on Printing.

Mr. PALMER introduced a bill (S. 946) for the relief of Eunice Tripler, widow of Charles S. Tripler, late a surgeon in the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 947) to declare forfeited certain lands granted to the State of Michigan to aid in the construction of a railroad from Ontonagon to the Wisconsin State line, etc.; which was read twice by its title, and referred to the Committee on Public Lands.

He also (by request) introduced a bill (S. 948) for the relief of the representatives of James and William Crooks, of Canada; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also (by request) introduced a bill (S. 949) to increase the pension of Mrs. Harriet Clifford; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 950) for the relief of Rosetta Mack; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 951) for the relief of Elvira E. Baxter; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 952) for the relief of A. W. Hager; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 953) to authorize the Secretary of the Treasury and the proper accounting officers to restate, settle, and pay to the owners of private dies the balance of commissions due them; which was read twice by its title, and referred to the Committee on Claims.

Mr. SPOONER (by request) introduced a bill (S. 954) for the relief of the heirs, legal representatives, or legatees of James W. Schaumburg; which was read twice by its title, and referred to the Committee on Claims.

Mr. ALDRICH introduced a bill (S. 955) to amend the record of the Eleventh Regiment Rhode Island Volunteers, in regard to the services of Capt. Amos C. Weeden; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. BOWEN introduced a bill (S. 956) for the erection of a public building at Boulder, Colo.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 957) to establish a public park at Pagosa Springs, in the State of Colorado; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 958) granting a pension to George D. Winship; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 959) for the relief of Nicholas White; which was read twice by its title, and referred to the Committee on Claims.

Mr. STOCKBRIDGE (by request) introduced a bill (S. 960) for the relief of William S. McKnight and James W. Richardson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. CHANDLER introduced a bill (S. 961) for the presentation of badges to the officers and men of the Greely relief expedition; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. TELLER introduced a bill (S. 962) to extirpate contagious pleuro-pneumonia, foot-and-mouth disease, and rinderpest among cattle, and to facilitate the exportation of cattle and the products of livestock, and for other purposes; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 963) for the relief of Mrs. Julia A. Humphries; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. GEORGE introduced a bill (S. 964) to regulate the liens of judgments of the United States district and circuit courts; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PALMER introduced a bill (S. 965) to provide for the erection of a public building at Bay City, Mich.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. WILSON, of Iowa, introduced a bill (S. 966) relating to the administration of the existing pension laws, with respect to those persons who have lost an arm and leg in the military or naval service; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 967) for the relief of Edward T. Latta; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 968) for the relief of Leslie Bassett; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. BLACKBURN introduced a bill (S. 969) for the relief of Mrs. Louisa Jackman and the legal representatives of Mrs. Martha Vaughn; which was read twice by its title, and referred to the Committee on Claims.

Mr. MITCHELL introduced a bill (S. 970) to amend an act entitled "An act providing for allotment of lands in severalty to the Indians residing upon the Umatilla reservation in the State of Oregon, and granting patents therefor, and for other purposes," approved March 3, 1885; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. GEORGE introduced a bill (S. 971) for the relief of the heirs of John H. Newman, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 972) for the relief of the legal representatives of William D. Wilson, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLUMB introduced a bill (S. 973) to authorize the Omaha, Hays City and Southwestern Railway Company to build its road across the Fort Hays military reservation; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. CALL introduced a bill (S. 974) to remove the charge of desertion from the record of Lorenzo Noodt, late of Company K, Forty-

eighth Regiment New York Volunteers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PLUMB introduced a bill (S. 975) for the relief of H. A. Myers; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 976) for the relief of Oscar Thompson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. HOAR introduced a joint resolution (S. R. 19) relating to the celebration of the centennial of the inauguration of the Constitution of the United States; which was read twice by its title, and referred to the Select Committee on the Centennial of the Constitution and the Discovery of America.

He also introduced a joint resolution (S. R. 20) providing for the printing of additional copies of public documents; which was read twice by its title, and referred to the Committee on Printing.

MARRIAGE AND DIVORCE.

Mr. DOLPH. I desire to give notice that on Wednesday next, after the morning business is concluded, if it be the pleasure of the Senate to hear me, I shall call up Senate joint resolution No. 2, offered by me, proposing an amendment to the Constitution of the United States, empowering Congress to legislate on the subject of marriage and divorce, and prohibiting bigamy and polygamy, for the purpose of submitting some remarks upon it and having the joint resolution referred to the appropriate committee.

POWELL'S REPORT ON ALASKA.

Mr. HOAR submitted the following resolution; which was referred to the Committee on Printing:

*Resolved*, That the report of Major Powell to the Secretary of the Interior in relation to Senate bill No. 1907, Forty-ninth Congress, "to facilitate the settlement and develop the resources of the Territory of Alaska, and to open an overland commercial route between the United States, Asiatic Russia, and Japan," be printed for the use of the Senate.

COMPENSATION OF ELECTION SUPERVISORS.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Attorney-General be directed to transmit to the Senate copies of all correspondence on file in his Department between himself and Hon. Robert T. Davis, in relation to the compensation of supervisors of elections.

ADDITIONAL CLERK IN SECRETARY'S OFFICE.

Mr. FRYE submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Secretary of the Senate be authorized to employ an additional clerk, who shall be paid, out of the contingent fund of the Senate, such compensation as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate.

SESSION CLERKS OF SENATE COMMITTEES.

Mr. CULLOM submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Secretary of the Senate be, and he is hereby, directed to pay the session clerks of the Senate committees to cover the time from the beginning of the present session to the date of their appointment.

ADMISSION OF UTAH.

Mr. CALL. I offer the following resolution:

*Resolved*, That the petition and accompanying papers of the citizens of the United States in the Territory of Utah, claiming to represent the wishes and requests to Congress of 200,000 American citizens, be printed in the RECORD.

Mr. President, I do not wish to make any remarks upon this subject, but I only intended to say that I can not conceive of any reason why 200,000 American citizens should not be heard through the RECORD as to what they want, whatever it may be. That is all I have to say.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution offered by the Senator from Florida?

Mr. PADDOCK. I interposed an objection to printing the petition in the RECORD because——

The PRESIDENT *pro tempore*. An objection being interposed by the Senator from Nebraska, the resolution lies over under the rule.

Mr. PADDOCK. Because I am distrustful——

The PRESIDENT *pro tempore*. The Senator from Nebraska will pause. The resolution is objected to, and goes over under the rule.

Mr. PADDOCK. I wish simply to say that if the Senator from Florida is willing to let the resolution lie upon the table for consideration to-morrow, I may then withdraw all objection to the printing of the petition in the RECORD.

Mr. CALL. I will agree to that course.

Mr. PADDOCK. I desire to state as a reason for the objection I did interpose that I am distrustful of anything that comes from the Mormon Church, from which this document emanates. Therefore I always require a little time for examination, investigation, and reflection as to such matters before I determine my duty in respect of them.

Mr. CALL. I will agree to let the resolution lie on the table, though I can see no reason why 200,000 American citizens, whether they be trustful or distrustful, should not be heard. The question of the character of these citizens of the United States does not properly come up now and here. These people have asked to be heard, and they have a right to be heard and defended in all their rights as citizens. That is exactly what is the matter.

Mr. PADDOCK. It is a question as to the American citizenship of the people from whom the petition comes.

The PRESIDENT *pro tempore*. The resolution will lie on the table under the rule.

REVISION OF REVENUE LAWS.

Mr. PUGH. I offer a resolution and ask for its present consideration, with a view to submitting some remarks to the Senate upon the subject.

The resolution was read, as follows:

*Resolved*, 1, That the most important and pressing duty of the present session of Congress is to revise and so amend existing internal-tax and tariff laws as to reduce the annual revenues to be collected therefrom to the necessary wants of the Federal Government, and no more than it needs to pay its matured debts and discharge its obligations under the laws of Congress, without crippling or deranging any American industries or business interests connected with the subject of tariff taxation, or interfering with the just rights of American working people, intended to be secured to them by the incidental effects of revenue duties, to share in the joint product of the labor and capital employed in American mining and manufacturing industries to the full measure of the difference in the cost of their labor and the labor of those engaged in similar industries in Europe.

*Resolved*, 2, That the Senate will concur in no joint resolution for the final adjournment of the present session of Congress until after the passage of such remedial laws as are specified in the foregoing resolution.

The PRESIDENT *pro tempore*. The Senator from Alabama moves that the Senate now proceed to consideration of this resolution. Is there objection?

Mr. HARRIS. It can only be done by unanimous consent.

Mr. HALE. What is the resolution?

The PRESIDENT *pro tempore*. It will be again read.

Mr. TELLER. Has it been printed?

Mr. PUGH. I ask the consideration of the resolution at this time to enable me to address the Senate upon the subject. I do not desire any action at this time upon it.

The PRESIDENT *pro tempore*. The resolution will be again read.

Mr. SHERMAN. Will the Senator from Alabama consent to let it lie on the table for a while, as there is other morning business to come in ahead of it?

Mr. PUGH. I have no objection to that course.

The PRESIDENT *pro tempore*. The resolution goes over for the present.

GOVERNMENT POSTAL TELEGRAPH.

Mr. SAWYER. I wish to call up the motion that I made the other day to reconsider the resolution appointing a special committee on the Government postal-telegraph system.

The PRESIDENT *pro tempore*. The Senator from Wisconsin moves that the Senate now proceed to the consideration of the motion submitted by him on a former day to reconsider the vote of the Senate by which the resolution was adopted, which will be read.

The Chief Clerk read the resolution submitted by Mr. BUTLER December 12, and agreed to, as follows:

*Resolved*, That a select committee of five Senators, to be appointed by the President of the Senate, be directed to inquire into the advisability and practicability of establishing and maintaining a Government postal telegraph, with power to report by bill or otherwise.

The PRESIDENT *pro tempore*. The Senator from Wisconsin moves to reconsider the vote by which the resolution was agreed to by the Senate.

Mr. SAWYER. If the motion to reconsider is carried, I shall then ask to have the resolution referred to the Committee on Post-Offices and Post-Roads.

Mr. BUTLER. May I inquire of the Senator from Wisconsin his object in moving a reconsideration?

Mr. SAWYER. The object is to refer the resolution to the Committee on Post-Offices and Post-Roads. I will repeat to my friend what I said the other day, that the resolution proposes to take this business from the Committee on Post-Offices and Post-Roads. In the Forty-eighth Congress that committee had power to send for persons and papers, and spent four months in considering this very subject, and they reported a bill to the Forty-eighth Congress. They likewise reported one to the Forty-ninth Congress. We did not report a bill that some gentlemen wanted; but because a committee does not report just such a bill as the member introducing it wishes, it seems to me that to take the subject away from the committee would be treading on very dangerous ground.

Mr. BUTLER. I have nothing to do with that question. I have simply asked for this select committee, and unless the Senator can give some better reason than that already stated why this subject should go to the Committee on Post-Offices and Post-Roads, I must submit to his candor——

Mr. SAWYER. I asked to have it go there.

Mr. BUTLER. I say, unless some better reason can be suggested than that which the Senator has just stated——

Mr. SAWYER. It is immaterial to me what you do with it.

Mr. BUTLER. The Senator has just stated that the Committee on Post-Offices and Post-Roads have had jurisdiction of this subject for four

years. It seems to me that this body might very properly plead the statute of limitations upon that committee, and ask that the subject be referred to a special committee.

Mr. SAWYER. We reported a bill every time. The committee is not to blame, but the Senate is to blame if final action was not taken.

Mr. BUTLER. I am not blaming anybody. I am simply throwing out, by way of suggestion, the remark that it seems to me the Senate might properly plead the statute of limitations upon the Post-Office Committee and get some other body, whether a select committee or some other committee, I am not prepared to say, to investigate and report upon this subject in such a way that the Senate can act upon it.

I care very little about this matter one way or the other, and I think it due to myself to state that the resolution was suggested to me by another. I am delighted to know that the Committee on Post-Offices and Post-Roads have evinced such a wonderful zeal on this subject; and unless my friend, for whom I have great respect, on account of his ability and character and amiability, can assign some better reason than the one he has already given, I submit that this question should go to a select committee.

Mr. SAWYER. I can not see any reason why it should be taken from the Committee on Post-Offices and Post-Roads. I think they are competent to deal with it, and they will report a bill back in some form.

Mr. BUTLER. I have such great regard for my friend that I feel myself constrained to consent that so far as I am concerned the vote may be reconsidered.

Mr. SAULSBURY. Mr. President, I was not present last week when the motion which it is now proposed to reconsider was made, or I certainly should have opposed the adoption of any such resolution. I have no objection to constituting a select committee to consider any question which does not from its nature and character belong to some of the standing committees of this body. If this were a new question and had never been before the Senate heretofore I should not oppose the resolution, but there is not a member of this body who does not know that naturally, from its character and nature, the subject should go to the Committee on Post-Offices and Post-Roads, unless——

Mr. BUTLER. Will the Senator be kind enough to explain why?

Mr. SAULSBURY. Because it is a provision for the fast transmission of the mails.

Mr. BUTLER. Not of the mails, Mr. President.

Mr. SAULSBURY. Not of the present mails, but of communications between people of one section and another.

Now, sir, this is not a new question; it has been here before; and until the present session no member of this body ever thought of constituting or raising a special committee for the purpose of taking cognizance of the subject of postal telegraphy. The question has been here for six years. It has been considered, as the Senator from Wisconsin says, by the Post-Office Committee. If that committee had been incapable of dealing with the subject, or if it had been remiss in its attention to the subject, then it might be proper in the judgment of the Senate to take it away from that committee. But I trust the Senator from South Carolina will not impute any such infirmity to the Committee on Post-Offices and Post-Roads as to render it incapable of dealing with this subject.

We have considered the question for six years, and I say, as a member of the committee, that no subject which has ever been before that committee has received as much consideration as this very question of postal telegraphy. The committee made investigation, and a bill was introduced some six years ago. I do not know that there was any report made upon that bill; but two years afterwards there was a lengthy report, and a bill was reported to the Senate after thorough investigation of the subject. Senator Hill, of Colorado, was then chairman of the committee. The bill was placed upon the Calendar. Subsequently a bill was introduced by the Senator from Vermont [Mr. EDMUNDS]. We had the benefit of an able argument in favor of that bill by the Senator from Vermont. We considered it carefully, and reported another bill. So, the Committee on Post-Offices and Post-Roads has not been remiss in its attention to the business assigned to it by the Senate.

I say that it would be a vote of a want of confidence either in the ability or the willingness of that committee in dealing with this question for the Senate to take the subject away from it. I hope that no injustice will be done to that committee, or to any other standing committee of this body, but I should regard it as an act of great injustice, unjustifiable in every aspect of the case, unwarranted by anything connected with the treatment of the question by the Committee on Post-Offices and Post-Roads. As a member of that committee I can not stand by and willingly see it divested of the jurisdiction and control of a subject which from its very nature and character belongs to that committee.

Mr. BUTLER. I had not the slightest idea of exciting all this criticism from my distinguished friend from Delaware. I can assure him nothing was further from my purpose than to reflect in the remotest degree upon that young, vigorous, and active committee of this body; and now that two distinguished gentlemen who have very pronounced ideas upon the subject of prohibition, and who are fresh from the fields of a contest upon that subject, have been added to the Committee on Post-Offices and Post-Roads, I have no doubt we shall have very prompt action.

I desire to say that nothing was further from my intention than to reflect in the remotest degree upon my distinguished friend from Delaware or any of his colleagues on that committee, and I now, for the second time, withdraw all opposition to a reconsideration of the vote by which the resolution was passed, and trust that it will go with all the bills now introduced, or which may hereafter be introduced, and all resolutions, petitions, memorials, and arguments, to the Committee on Post-Offices and Post-Roads.

The PRESIDENT *pro tempore*. If there be no objection, the motion to reconsider will be considered as agreed to, and the resolution will be referred to the Committee on Post-Offices and Post-Roads.

The Chair hears no objection, and it is so ordered.

### RAILROAD LAND GRANTS.

Mr. CALL submitted the following resolution; which was read:

Whereas the Congress of the United States passed an act entitled "An act to provide for the adjustment of land grants made by Congress to aid in the construction of railroads and for the forfeiture of unearned lands, and for other purposes," approved March 3, 1887, and the Attorney-General has construed the said act to give right and power to any railroad company to make claim to any and all public lands of the United States within the primary or indemnity limits of any grant, and to sell the same and by such sale to give a title to the purchaser, whether Congress has authorized or forbidden the same by any previous act, and without regard to the rights and claims of actual settlers; and

Whereas the Secretary of the Interior has authorized by an executive order all railroad grants to be adjusted on this basis (under this opinion of the Attorney-General); and

Whereas the application of this principle as law, namely, that a false claim of title to land with notice in the laws that the claim of title is without foundation will make a title in the purchaser, is contrary to reason and all reasonable principles of construction that have prevailed heretofore in all systems of law; and

Whereas under this opinion and the order of the Secretary of the Interior the vast land grants heretofore made to corporations may be increased to twice the quantity given in the granting acts, by making a fraudulent claim of title and selling the same: Therefore, it is

*Resolved by the Senate*, That the Committee on Public Lands be instructed to report without delay a bill repealing said act; and further, it is the sense of the Senate that no greater quantity of the public lands, and no other land than that given in the original acts granting the same, shall be approved to any railroad company, or corporation, or State; and that all acts of the Interior Department donating the public domain to individuals, or corporations, or States, without the authority of an act of Congress, are void and should be so declared by act of Congress; and the Committee on the Judiciary are hereby instructed to bring in a bill to this effect, with the further provision that patents from the United States to tracts of land not exceeding 160 acres to one person shall be granted from the United States to all actual settlers on the public lands of the United States within the primary or indemnity limits of any railroad grant who have improved and are actually cultivating these lands; also, to the purchasers of town sites to the extent of 640 acres, where they have bought the lands on which they are living from the railroad company or alleged grantee, with the further provision that nothing in the act shall be construed as a confirmation of the right or title of the railroad company to any of the lands to which patents shall issue under this act.

Mr. CALL. I ask that the resolution be printed, and that it lie on the table for the present.

The PRESIDENT *pro tempore*. The resolution will be printed and lie over, if no objection be interposed.

### MRS. NANCY GARDEN.

Mr. DOLPH submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay out of the miscellaneous items of the contingent fund of the Senate to Mrs. Nancy Garden, sister of James Brown, deceased, late a messenger of the Senate, the sum of $720, being an amount equal to six months' salary as messenger aforesaid; and said sum to be considered as including funeral expenses and all other allowances.

### HOUSE BILL REFERRED.

The joint resolution (H. Res. 2) authorizing and directing the payment of the salaries of the officers and employés of Congress for the month of December, 1887, was read twice by its title, and referred to the Committee on Appropriations.

### HOLIDAY RECESS.

The PRESIDENT *pro tempore* laid before the Senate the following resolution from the House of Representatives; which was read, and referred to the Committee on Appropriations:

*Resolved by the House of Representatives (the Senate concurring)*, That when the two Houses adjourn on Thursday, December 22, 1887, they stand adjourned until Wednesday, January 4, 1888.

### PRESIDENT'S ANNUAL MESSAGE.

Mr. SHERMAN. I move to proceed to the consideration of the President's message, simply for the purpose of entering a motion to refer it.

The PRESIDENT *pro tempore*. The Senator from Ohio moves that the Senate now proceed to the consideration of the annual message of the President of the United States, which lies on the table.

The motion was agreed to.

Mr. SHERMAN. I move that that message, with the accompanying documents, be referred to the Committee on Finance. I desire that the question be not taken to-day, but give notice that at as early a day as may be convenient after the holidays I shall address the Senate on the subject.

The PRESIDENT *pro tempore*. The Senator from Ohio moves that

the message, with the accompanying documents, be referred to the Committee on Finance.

The motion will lie over.

Mr. COCKRELL. In connection with the motion of the Senator from Ohio, I inquire whether any order for the printing of the message has been made?

The PRESIDENT *pro tempore*. An order to print has been made.

Mr. SHERMAN. This is simply the ordinary motion to refer, and on that motion after the holidays I propose to make some remarks. The Senator from Alabama [Mr. PUGH] has a resolution pending on the same subject, on which he desires to speak, and wishes to proceed to-day, I understand.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a joint resolution (H. Res. 3) giving one month's pay to certain employés of the House of Representatives; in which it requested the concurrence of the Senate.

REGENT OF SMITHSONIAN INSTITUTION.

The PRESIDENT *pro tempore*. The Chair appoints Hon. RANDALL LEE GIBSON, a Senator from the State of Louisiana, to serve upon the Board of Regents of the Smithsonian Institution, under the provisions of the Revised Statutes relating to that Institution, in the place of Samuel Bell Maxey, of Texas, whose term of office has expired.

REVISION OF THE REVENUE LAWS.

Mr. PUGH. I desire now to call up the resolutions I submitted.

The PRESIDENT *pro tempore*. The resolutions submitted by the Senator from Alabama to-day will be regarded as before the Senate, if no objection be interposed.

Mr. PUGH. Mr. President, the most distinguished writers on political economy, and statesmen of the greatest ability and experience, and merchants, manufacturers, and business men of all countries, have devoted much time to the study, comprehension, explanation, and practical application of the principles and policies that underlie, and should govern, the far-reaching question of tariff taxation and international trade relations, and the effect of such principles and policies upon industrial pursuits of every kind, and after all such trials and experience the question still confronts us, and all other enlightened countries, with as many complications as ever heretofore confounded politicians, and troubled parties, and challenged the ability and experience of lawmakers.

In the United States a century of trial and experience finds us where we were at the beginning, divided in opinion and unable to agree how Congress shall exercise the power granted in the Constitution, "to lay and collect taxes, duties, imposts, and excises."

I make these preliminary statements of admitted truths to ask the question, if it is not about time for all of us to conclude that the problem of tariff taxation and revenue legislation is incapable of permanent solution and settlement, for the reason that the subject in its nature changes like the laws of production and the conditions and relations of peoples and countries engaged in trade and commerce among themselves, which had always been governed by local as well as general interests? Every government must have the power to levy and collect taxes, but there is no reason or justification for such power, except the necessity for revenue to pay the legitimate and proper expenses of the government. If the real character of any power of the Congress of the United States could be defined and limited by plain words it is the power of taxation. The power to lay the tax, duty, impost, and excise is inseparably connected with the power to collect. Congress has no power to levy a tax that is not to be collected. A duty levied to prevent collection is destructive of the power of taxation, and necessarily unconstitutional. A necessary element or quality of a duty on imposts is, that it shall produce revenue to be collected. The Supreme Court of the United States has so decided, and no other definition of the character and extent of the power of taxation has ever been made by any court. But the source of all the division and contention is the scope and objects and effects of the duty to be observed and considered by Congress when the power to levy duties on imports is exercised.

The duty, in amount and application, is certainly under the control of Congress. What imports Congress will select to be taxed and what imports shall go on the free-list, and how much each shall be taxed, must be conceded to be within the discretionary power of Congress. There are over four thousand articles now imported that are taxed, and several hundred articles imported are now on the free-list. Why has Congress always discriminated between articles imported so as to make some free and some taxable? Why has Congress always discriminated between the articles imported that have been selected for taxation, so as to make some articles produce more and some less revenue? In all this discrimination did not Congress look to other objects to be effected by the duty than the raising of revenue? But this question of the power of Congress to levy and collect duties on imports for revenue only, or for revenue primarily with the intentional and desirable incident of incidental protection to manufacturing industries in the United States, is too well settled to require discussion. The National Democratic party, as an organized party, has always claimed and demanded that the power of Congress to raise revenue should be exercised for the public objects described in the constitutional grant itself, which are "to pay the debts and provide for the common defense and general welfare of the United States." While employing all the forces and obligations of its organization to confine the taxing power of Congress within the revenue limit, that party has endeavored, by just discrimination and fair adjustment of the duties in amount and application, to distribute, as equally as practicable, the burdens of necessary taxation among those best able to carry and justly chargeable with the burden, and, at the same time, by the same discrimination and application and adjustment of revenue duties, within the sacred constitutional boundary, secure, as an intentional and desirable incident, as much relief, aid, or benefit from the incidental effects of the revenue duty, so intended, as will protect American miners and manufacturers to the full extent of the difference in the cost of labor in the United States and foreign countries—this being the full measure of protection claimed by the manufacturers themselves, and much more than they have shared with their laborers, for whose sole benefit the protection was asked of Congress.

The question of the power of Congress to foster and encourage manufacturing industries in the United States was fully discussed in the First Congress, of which many framers of the Constitution were members. The first division of parties on the question of fostering, encouraging, and protecting American manufacturers against foreign competition was not on the wisdom or necessity for such power to exist, or the wisdom or necessity that it should be exercised for such purpose, but the contest resolved itself into what it was then, and has been ever since, and is to-day, and that is, to what extent has Congress the power to afford encouragement and protection to American manufacturing industries against the competition of older and like industries in Europe? The Democratic, then called the Republican, party contended that the only power Congress had to afford such protection and encouragement to American manufacturing was in the just and reasonable exercise of the power of taxation for revenue by wise discrimination and adjustment in the tariff schedule. The Federal party, now the Republican party, contended that the power of Congress to afford such protection was derived from the power to "regulate commerce with foreign nations." The line was then plainly drawn between the two national parties, as conclusively shown by their debates, as to whether protection to our manufactures was an incident of tariff laws enacted for revenue, or whether such protection was the principal or primary object and effect of a law to "regulate commerce with foreign nations." The materiality of the difference between the two parties as to the source and character of the power of Congress to protect American manufacturers is found in the fact that if protection is a result secured by the exercise of the power of taxation, as I have stated, then such protection must follow as an incident of the tariff laws enacted principally to raise revenue; whereas if the power to protect is a power to "regulate commerce," it follows necessarily that the law to regulate can prohibit importations, and thereby secure to American manufacturers an absolute and exclusive monopoly of the American market. This contention between the two national parties was protracted through many years, and was characterized by the most extraordinary ability, until 1830, when the Democratic doctrine was defined and crystallized in the second annual message of Andrew Jackson to Congress in these words:

> The power to impose duties on imports originally belonged to the several States. The right to adjust those duties with a view to the encouragement of domestic branches of industry is so completely identical with that power that it is difficult to suppose the existence of the one without the other. The States have delegated their whole authority over imports to the General Government, without limitation or restriction, saving the very inconsiderable reservation relating to their inspection laws. This authority having thus entirely passed from the States, the right to exercise it for the purpose of protection does not exist in them; and consequently, if it be not possessed by the General Government, it must be extinct. Our political system would thus present the anomaly of a people stripped of the right to foster their own industry and to counteract the most selfish and destructive policy which might be adopted by foreign nations. This surely can not be the case; this indispensable power, thus surrendered by the States, must be within the scope of the authority expressly delegated to Congress. In this conclusion I am confirmed as well by the opinions of Presidents Washington, Jefferson, Madison, and Monroe, who have each repeatedly recommended the exercise of this right under the Constitution, as by the uniform practice of Congress, the continued acquiescence of the States, and the general understanding of the people.

The same declaration, in substance, was made of Democratic doctrine by President Polk in his inaugural address, in the following language:

> I have heretofore declared to my fellow-citizens that in my judgment it is the duty of the Government to extend, as far as may be practicable to do so, by its revenue laws and all other means within its power, fair and just protection to all the great interests of the whole Union, embracing agriculture, manufactures, the mechanic arts, commerce, and navigation. I have also declared my opinion to be in favor of a tariff for revenue, and that in adjusting the details of such a tariff I have sanctioned such moderate discriminating duties as would produce the amount of revenue needed and at the same time afford reasonable incidental protection to our home industry, and that I was opposed to a tariff for protection merely, and not for revenue.

In the Presidential campaign of 1840 protection was advocated for the first time on the distinctive ground that American labor should be protected from the competition of less highly paid foreign labor. The pauper-labor argument appeared full fledged in the tariff debates of 1842,

and since then it has remained the chief consideration impressed on the popular mind in connection with the tariff.

We come now to the last authoritative declaration of Democratic principles and policy on the subject of external and internal taxation. The Democratic platform of 1884 was the production of the most conservative, patient, and patriotic consideration. It shows upon its face the most deliberate purpose to avoid extremes. The manifest intention was not to commit the party to the opinions or purposes of any faction in its organization. Protection regardless of revenue and free trade regardless of protection, were the Scylla and the Charybdis to be avoided. The patriotic effort of the convention was to define, as clearly as it could be done by human language, the boundaries of a common ground upon which all who call themselves Democrats could meet and work together in harmony. What is that common ground? I quote the words of the platform:

1. All taxation shall be limited to the requirements of economical government.

2. From the foundation of this Government taxes collected at the custom-house have been the chief source of Federal revenue. Such they must continue to be.

3. Sufficient revenue to pay all the expenses of the Federal Government, economically administered, including pensions, interest and principal of the public debt, can be got under our present system of taxation from custom-house taxes on fewer imported articles, bearing heaviest on articles of luxury and bearing lightest on articles of necessity.

4. Unnecessary taxation is unjust taxation.

5. The Democracy pledges itself to reduce taxation to the lowest limit consistent with due regard to the preservation of the faith of the nation to its creditors and pensioners.

In carrying out these public pledges, and in discharging these public duties in relation to tariff legislation in the shape of amendatory and original laws, how was the taxing power of Congress to be exercised? The platform answers:

Knowing full well that legislation affecting the operations of the people should be cautious and conservative in method, not in advance of public opinion, but responsive to its demands, the Democratic party is pledged to revive the tariff in a spirit of fairness to all interests. But in making reduction in taxes, it is not proposed to injure any domestic industries, but rather to promote their healthy growth.

6. Many industries have come to rely upon legislation for successful continuance, so that any change of law must be at every step regardful of the labor and capital thus involved. The necessary reduction in taxation can and must be effected without depriving American labor of the ability to compete successfully with foreign labor, and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country.

7. Subject to the preceding limitations we demand that Federal taxation shall be exclusively for public purposes, and shall not exceed the needs of the Government economically administered.

Can truths be made plainer by human language than those stated by me in the commencement of my remarks, that the principles and policy of the Democratic party as defined by President Jackson in 1830, and President Polk in 1845, and by the National Democratic Convention of 1884, are essentially and identically the same, namely:

That it has claimed and demanded that the taxing power of Congress should be exercised to raise revenue for the public objects described in the Constitution in immediate connection with the taxing power, that it has employed all its forces and obligations to confine the taxing power within the revenue limit, and inside of that constitutional boundary has endeavored to so adjust and now proposes to so adjust the duties in amount and in their application to the imports selected for taxation as to distribute, as equally as practicable, the burdens of taxation among those best able to carry them, and at the same time by just discrimination and adjustment, within the sacred boundary, to secure, as an intentional and desirable incident, all the protection needed by American workingmen against the competition of cheaper foreign labor.

How can any reasonable and honest man be deceived or misled as to what is the doctrine of the Democratic party, and what are its duties and obligations publicly assumed in the face of the American people? Who is reckless enough to say that it is truthful, honest, and fair to make the charge that the Democratic party has ever favored or given any support to free trade, except to the extent of the free-list in all tariff laws?

How can trade be free in any article or commodity upon which any duty is levied? If every duty levied on imports was imposed for "revenue only," who can deny that such a duty would be more or less protective of every article manufactured in this country upon which the duty was levied? There can be no free trade in any article except those on the free-list, and the only test of whether a man or a party is for free trade is what articles they wish placed on the free-list. As to the articles put upon the free-list by the vote, support, or influence of representatives, individuals, or parties, they are to that extent for free trade. The existing tariff law expressly authorizes free trade in many hundred articles enumerated in the free-list, amounting in value to the value of nearly half our imports.

Then, again, we hear Democrats calling each other in derision "free-traders," "tariff reformers," and "protectionists."

Most of the confusion, crimination, and recrimination in the discussion of the question of tariff taxation is caused by utter ignorance, or willful misrepresentation to deceive or mislead the people. It surprises me to hear any Democrat admit that he stands on the Democratic platform of 1884, on which Mr. Cleveland was elected, and at the same time deny that he is a protectionist, or deny that he is in favor of a tariff law enacted primarily to raise necessary revenue, and so adjusted in the amount of the duty and in the selection of the article imported upon which the duty is levied, as to afford, as an intentional and desirable incident, all the protection that our manufacturers really need against foreign competition.

To illustrate the plain meaning of the Democratic platform—

1. Say the Government needs $220,000,000 to be collected from duties on imports.

2. The list of imported articles from which the $220,000,000 must be raised is to be agreed upon by both Houses of Congress.

3. Each article in the taxable list of imports should be made to produce no more than its share of the $220,000,000 of revenue.

These three propositions are plain and simple and sound. Then where is all the difficulty in the way of an agreement by every member of the Democratic party who desires harmony as a public good? On the first proposition, as to the amount of revenue to be raised from duties on imports, Democrats differ. Some Democrats insist that all the revenue the Government requires shall be raised exclusively from duties on importations. They insist upon repealing all excise duties or internal-revenue duties on liquors and tobacco, and collecting all revenue from importations.

On this proposition I have quoted the language of the Democratic platform, namely:

From the foundation of this Government taxes collected at the custom-house have been the chief source of Federal revenue. Such they must continue to be. Sufficient revenue to pay all the expenses of the Federal Government, economically administered, including pensions, interest, and principal of the public debt, can be got under our present system of taxation from custom-house taxes on fewer imported articles, bearing heaviest on articles of luxury and bearing lightest on articles of necessity.

It is manifest from the above recitals that it can be made no test of Democracy or of fidelity to Democratic organization whether you are for or against repealing the internal-revenue laws in whole or in part. With both national parties it seems to be a question about which States and Congressional districts differ, as they do on all economic questions affecting special local or general interest.

The national Democratic party in its last convention solemnly resolved that

From the foundation of this Government taxes collected at the custom-house have been the chief source of Federal revenue, and must so continue to be.

This language is an unmistakable admission that some portion, but not the chief part, of Federal revenue may be raised by internal-revenue duties.

Then follows in language equally clear another declaration, and that is—

That every dollar of revenue needed by the Federal Government for any and all purposes may be raised under our present system of taxation from custom-house taxes without any internal-revenue duties.

Then the simple question is, has the time arrived when the Government shall raise all the revenue it needs from taxes to be collected at custom-houses, or shall a portion of its revenue be collected by a tax on liquors and tobacco, or on whisky alone?

The tax on whisky and tobacco is levied exclusively for revenue. There is no protection, incidental or otherwise, from internal-revenue duties. It must be admitted that internal-revenue duties are extraordinary taxation, resorted to only to meet emergencies arising in Government. Direct taxation has never been attempted or sanctioned as a permanent part of our Federal revenue system. It is nothing but a simple business calculation, a purely economic question, whether we shall, in whole or in part, abandon at once all internal taxes and look alone to duties on imports as a source of Federal revenue.

It must be conceded that every dollar derived from internal taxes is now and will continue for some time to be needed to pay pensions and the interest on the public debt, both of which are obligations of the Government growing out of our late war. It can not be denied that existing duties on whisky and tobacco were levied to meet and discharge war obligations of the Government. Will Congress wipe out all internal-revenue duties and meet and discharge obligations growing out of the war from revenue raised alone by a tariff upon imports? Who asks that this shall be done, and why? Upon the question of repealing the duty on whisky I never had clearer or stronger convictions. In itself the tax is perfectly just and wholly unobjectionable, except that it is a direct tax, and there is nothing that is produced, owned, and consumed that can supply the Government with $90,000,000 of revenue with more propriety or less injury to any human being than whisky. I have never heard any valid reason, and I do not believe there is any valid reason, except that it is a direct tax and objectionable in the mode of collection, why whisky drinkers should be relieved from the payment of $90,000,000 of revenue for their voluntary luxury and that amount extorted from compulsory consumption of the necessaries of life by tariff taxation. I know of no better use that whisky can be made to serve than to carry $90,000,000 of necessary revenue to pay the pensions of soldiers and interest on the war debt, instead of drawing that amount from meritorious and harmless consumption of imported articles.

Who insists that the luxury of whisky drinking shall be made cheaper by being relieved from any of the burdens of Federal taxation? Is it

the whisky drinkers or the whisky makers, or who is it that publicly declare there shall be no revision of the present tariff on imports until all internal-revenue duties are repealed? It is not the whisky drinkers or the whisky makers who compose the free-whisky advocates. This cry for free whisky, or no reduction of the present surplus revenue, comes loudest and fiercest from manufacturers and their representatives. Why is it that the most defiant and uncompromising advocates of free whisky are the manufacturers of protected articles? Is it on account of their opposition to direct taxation, or is it rather for the reason that, if the duties on whisky and tobacco are repealed, it will at once wipe out $120,000,000 of revenue and leave the Government to look alone to custom-house duties to raise all the revenue it needs? When the free-whisky advocates get the Government in the condition of being compelled to rely upon duties on imports then they are ready to revise the present tariff. Why are the manufacturers and their representatives, then, willing to revise the present tariff? Is it to stop the income of the surplus revenue? Not so. The surplus has been stopped by the repeal of the whisky and tobacco tax, and the Government finds itself short of the necessary amount to meet its obligations, and unable to raise the money it must have from custom-house taxation as now provided for without a change of duties on importations. Manufacturers and their representatives know that if $120,000,000 of revenue can be cut off by repealing the tax on whisky and tobacco, the present tariff must be revised and protective duties increased to enable the Government to supply its necessary wants. Some advocate of free whisky is doubtless ready to suggest that the necessary revenue may be raised by reducing the duties and thereby increasing importations. Would any advocate of free whisky favor a reduction of duties to increase importations?

Is it not remarkable that many who favor a repeal of the whisky tax at the same time advocate and vote for an increase of pensions to the amount of one hundred or more millions per annum? And some of these are Democratic members of Congress, who voted such an increase of pensions over President Cleveland's veto. Their proposition is to repeal the tax on whisky from which the Government derives about $90,000,000 of revenue, and at the same time increase the pension burden $100,000,000, more or less. Take away $90,000,000 of whisky revenue and add $100,000,000 of pension debt of the Government. Where is the additional revenue to come from if you strike down $120,000,000 of whisky and tobacco revenue? Can we increase duties on protected articles without decreasing importation? What articles are now imported that need protection upon which the duty can be raised to produce more revenue? Is any advocate of the repeal of the whisky tax in earnest when he says he favors an increase of importations to supply the American demand, and thereby raise the revenue that must be supplied to take the place of so much of the $120,000,000 of internal revenue that the Government will need if you repeal the whisky and tobacco tax? All I ask is that we shall deal frankly and honestly with each other, and settle this question fairly. It is natural that manufacturers should take care of their own interests. I would vote for no duty on any article manufactured in the United States that would cripple any home industry or impair the ability of home competition with foreign labor and capital. Then let us meet on that common ground found in the Democratic platform. Repeal the tax on tobacco, which I will agree to as a general compromise for the sole reason that it is an agricultural product, and let the tax on whisky stand for future consideration.

On the second and third propositions in relation to the list of imported articles from which the other necessary revenue should be raised, and as to the share of the aggregate amount of revenue each imported article should be made to produce, my views will be given in the general line of the balance of my remarks. In this connection I desire to direct attention to the inquiry:

How stands the Republican party to-day on the power of Congress to protect American industries against cheaper foreign labor and capital, and as to how it should hereafter be exercised? I venture the statement that since 1830 to the present time no political party as an organization opposed to the national Democratic party has claimed or attempted to exercise the power of Congress to protect American manufactures against foreign competition, as a power to "regulate commerce with foreign nations." I venture to declare that the Republican party of to-day, as a party organization, derives the power to protect from the power to tax imports, and not from the power to prohibit importations, as a regulation of foreign commerce. I challenge any representative man of the Republican party to declare that his party claims the power to protect or has exercised such power except as a power to levy duties upon imports. If I am correct in this statement, then I make the charge that the Republican party has persistently transcended the limits of the taxing power and grossly abused the intent and purpose of its delegation to Congress by the States by levying duties upon imports that were never intended to raise any revenue, but were imposed for the express purpose of preventing the importation of the articles so taxed, and thereby to secure to the American manufacturer, without any check upon his greed from foreign competition, an absolute control of the home market, so that he could and did dictate the price of his own fabrics to the American consumer, which is the very essence of monopoly. Mr. Calhoun characterized such use of the revenue power of the Government, as every honest man should characterize it, as "a violation of the Constitution by perversion, the most dangerous of all, because the most insidious and difficult to counteract."

Then, the important and difficult question arises, how shall this far-reaching taxing power of Congress be exercised? The answer to this question produces all our discussions, divisions, and troubles. We may agree on a definition of the power of Congress to levy tariff duties. Party platforms may be framed in language comprehensive enough in its meaning to secure harmony of opinion and co-operation in action on election day, but when the time comes, as it has now and here, to give practical expression and enforcement to these opinions and pledges, and to carry into execution the honest meaning of our platform by the revision and passage of tariff laws, then the conflict comes. What shall be the rate of duty, and how shall it be applied? Shall the duties on imports stand as they are? Our party platforms have answered these questions, as I have shown, in glittering and attractive generalities. The difficulties attending a wise, just, and honest settlement of these questions grow out of the fact that tariff laws in their operation and effect reach the pocket of every citizen and voter in the United States. And the pocket nerve connects the representative with the constituent and carries into Congress all the struggles and rivalries growing out of the varied industrial pursuits in the thirty-eight States and three hundred and twenty-five districts represented in Congress.

Human nature can never be raised high enough to give us the same views and respect for the rights and interests of other people that we have for our own, and if the light of truth and justice and equality under the laws of a common government is in reach of all of us who are charged with the obligations and duties of citizenship and representation and law-making, there are unfortunately too many who decline to be controlled in their action by any amount of such illumination. When Congress exercises the revenue power of taxation, many important considerations are involved, and a patriotic and statesmanlike discharge of the high duty of framing tariff laws require severy representative to understand the subject-matter of taxation, and how the interests and industries of American citizens are to be affected by tariff legislation in which they are interested. This tariff legislation opens a wide field for thoughtful, honest investigation and statesmanship; a field full of intricate and confounding complications, growing out of varied and conflicting interests and pursuits under the management of all sorts of opinion and judgment. The United States present, as we all know, more and greater advantages of soil and climate for agricultural pursuits, which employ three-fifths of our population, than any other country in the world. These States also contain more and better-located raw material than any other country for mining and manufacturing, in which one-fifth of our people are engaged. It must therefore be conceded that the three great producing classes—agriculturists, miners, and manufacturers—are furnished by nature with unlimited and inexhaustible raw material, and with all the means and agencies to insure constant supply of such raw material and employment of labor, common and skilled, and reasonable certainty of success of all industrial pursuits.

The fourth grand division of our population and of their industries is commercial, made up of the carriers and traders in everything the other three industries produce. Each of these industries is largely dependent upon the others for support and maintenance, and those who engage in them are meritorious and useful citizens. They all meet together in the market-places of the world, and engage in the never-ending struggle with each other for gain in their several pursuits. The farmer comes to market with his grain, meat, fruits, vegetables, fowls, eggs, milk, butter, cheese, sugar, sirup, cotton, wool, tobacco, hay, cattle, hogs, sheep, mules, and horses. The miner comes with all the varieties of minerals, ores, metals, and earth. And the manufacturer comes with all his products from cotton, wool, minerals, ores, metals, earth, wood, stone, marble, chemicals, and the many other materials and forms of manufacture. And here comes the common carrier with the means of transportation to the market-places.

When these classes meet on common ground they form into two other classes, buyers and sellers, and change again from buyers to sellers. These buyers and sellers are producers and consumers, or a mixture of both. The sole aim and governing motive of the individuals of each class who meet in the market-place is the promotion in the highest degree of self-interest. The market price decides everything, and the first and only inquiry of all classes is, how are market prices to be established and regulated? The struggle is to make and regulate prices, and those who engage in it are buyers and sellers. Sellers pull up, and buyers pull down. Bulls throw up, and bears tear down. Poor human nature is too weak and selfish to allow prices to be established and regulated by natural, just, and equal laws, without resorting to the questionable methods and practices in trade and commerce. Were it not for our selfishness and greed the first inquiry in determining the price of anything offered for sale in the market would be, what is the reasonable cost of the articles to those who offer them for sale?

When the cost to the producer, manufacturer, or seller is ascertained, the next question to decide is as to the profits. If the individual will

of sellers or buyers were the only law to regulate prices, the former would demand the highest, and the latter would pay none but the lowest, prices. There is but one law that compels submission of our greed and selfishness, when all moral considerations fail, and that is the law of necessity. Nothing but our necessities can be relied upon to enforce obedience to the laws of supply and demand. If there is but little of anything to sell that is in demand, and that supply is necessary to satisfy our wants, the consumer suffers in the price exacted. If there is more produced than is necessary for our use, the producer and seller suffer. So that, at last, the most reliable protection all classes have against the exactions of each other is found in the unavoidable changes constantly occurring in their relations to each other as buyers and sellers. These changes from buyer to seller and from seller to buyer in the market-places and in the trade and commerce of the world constitute the great adjuster and equalizer of profits and losses.

The question of the effect of the duty on the price can not be answered correctly without looking to the articles selected for impost duties. If the articles taxed are manufactured in this country, as many of them are now, in sufficient quantity and quality to supply the American market, it is evident that home competition, if left free to act upon home manufacturers, will prevent the importer or home manufacturer from adding the duty to the price they ask in the American market. If the production of manufactured articles by American manufacturers is not equal in quantity and quality to the demand here, it is equally clear that the consumer must have his wants supplied by the importer or the American manufacturer of such articles at a price which includes the duty. It follows that when production at home is not equal to consumption at home tariff duties are most oppressive to the consumer. It must be admitted as an undeniable fact that when our manufacturing capacity was not able to supply our consumption of dutiable articles consumers had to pay to American manufacturers the most extortionate and ruinous prices, greatly beyond any necessity for their protection against foreign competition, and these manufacturers have thereby accumulated vast fortunes from the unnecessary and oppressive operation of tariff laws. No people ever submitted so long to such robbery under the authority of their own government.

The enormous profits of manufacturing protected articles secured to American manufacturers by too high tariff duties invited so much capital into manufacturing that production was increased beyond home demand and consumption, and this hot-bed growth sometimes glutted the American market and reduced prices of protected articles below the addition of the duty. Those engaged in manufacturing protected articles, instead of dividing their large incomes annually among stockholders and showing the people the real profits of their monopoly, enlarged their manufacturing capacity from part of the proceeds of their business until they turned out too much for American markets, and, in defiance of their power to prevent it by all sorts of shifts and combinations and trusts among themselves, they found the American market glutted and prices of protected articles reduced. This overproduction of protected articles and consequent reduction of prices caused by unreasonable, unjust, and oppressive tariff taxation that brought such enormous profits to manufacturers as to enable them to increase the growth of manufacturing and build up mountains of wealth is paraded as conclusive evidence of the wisdom of such a system of legislation.

What justification can now be found in any general or public policy, or public necessity, or the protection of laborers in mining and manufacturing, for continuing such tariff duties as must be admitted to be too high, or unnecessary, or unequal and unjust? It is conceded by all parties and factions and every member of Congress that the Federal Government is levying and collecting more revenue than it needs for any lawful purpose, and to the extent that the revenue collected exceeds the just wants of the Government it has been pronounced to be an unwarranted abuse of the taxing power properly characterized as "public robbery." Every member of Congress and every political party who obstructs a revision of existing tariff laws for the purpose of favoring manufacturing monopolies, at the risk of a financial panic and industrial paralysis, becomes a party to the robbery and a political criminal, and deserves political death.

The Republican and Democratic parties have promised to reduce the income of revenue to the wants of the Government, and it is trifling with the common sense of the people for Republicans to charge the blame of the failure to revise the tariff to the Democratic party.

This Congress can not adjourn until such a change is made in our revenue laws as will stop the flow of money from the people into the national Treasury beyond the needs of the Government. Let the excess be fifty, seventy-five, or a hundred millions, whatever it is, is the withdrawal of that much of the life-blood necessary to the health of all business interests and industrial pursuits. Manufacturers themselves are deeply interested in putting a stop to the drain of money from our currency circulation that is indispensable to their own trade in American markets. How can manufacturing and mining industries prosper when there is stringency in the supply of money produced by the withdrawal of millions every month from the channels of trade to be locked up in the Treasury?

First, then, shall any changes be made in the present free-list? In considering and acting on the free-list and the different schedules of dutiable articles I do not expect to get all I want. I recognize the character of the subjects of taxation. I expect human nature and personal interests and the bias of selfish consideration and ambitions to exert their influence, and I am willing to concede something to others and deal with this whole subject in the spirit of fair compromise to reach a fair adjustment.

Then, what shall be done with the free-list? I would increase it by putting there all chemicals and dye-stuffs used in manufacturing, and also raw wool of all low grades, and salt, and I may, in the general make-up, be willing to add other articles to secure necessary remedial legislation. It is simply impossible to please everybody, or to satisfy the natural cravings of human kind to claim more than they are entitled to, and to take all they can get without regard to the rights of other people.

Then let us endeavor, in the spirit of harmony and liberal concession, to enter upon the solution and adjustment, as far as practicable, of the vitally important and pressing question to the tax-paying people of the country, what reduction shall be made of the revenue derived from direct taxation? What imported articles now dutiable shall go on the free-list? And what shall be the rate of duty and how shall it be applied to the many articles imported? While we are engaged in the important and difficult work of improving our present revenue system it is necessary for us to remember and that the people should understand that the burdens of taxation are not to be measured alone by the amount of revenue collected and paid into the Treasury for the support of the Government.

It is manifest that the least part of the burdens of our present tariff laws has been and is the amount of money raised by tariff duties and actually appropriated to the support of the Government. This truth is made clear by the undeniable fact that the only revenue paid into the Treasury from tariff laws comes from the collections from the importers of duties on the articles imported. The importers pay into the Treasury every dollar that is collected from duties on importations. The amount, in round numbers, collected last year from importations was $212,000,000. Not less than that amount will be paid the present fiscal year by importers. Who has to carry this $212,000,000? Among whom is it distributed? The same answer can never be made to this question, for the plain reason that the truth is difficult to find, and the searchers for it announce their discoveries in accordance with their personal interests. If you say the duty is added in every case to the price of the article in the foreign market, many sales here will instantly be produced to disprove your statement.

It is certain the importer will reimburse himself unless some competing seller offers the same article at a less price. Whether the consumer or the importer pays the duty depends entirely on the supply of the article in the American market. If the American consumption of the article imported exceeds the American supply, the importer will be able to reimburse himself the full amount of the duty. If the home and foreign supplies are equal to the consumption, the importer may save the duty in the sale. But if the American stock of such goods, whether from importations or home manufacture, is in excess, more or less, of the consumption or demand, the competition between sellers will enable the buyer to have some choice and take some part with the sellers in making and regulating the price of such articles. In the latter case the consumer can protect himself in whole or in part against the payment of the duty. As a rule, with some exceptions, it can not be denied that the duty, in whole or in part, is added to the ultimate price and is paid by the consumer. In every instance where the duty on an imported article, in whole or in part, is added to the price in the American market it is for the plain reason that the supply and the consumption are equal, or nearly so, and there is no influential competition between sellers. In the absence of an overstock or full supply, and consequent competition among sellers, it is very certain that to the extent the duty enters into the price of the imported article will it be added to the price of all the like articles manufactured in this country or in Europe. In that condition of the supply and demand here the portion of the duty paid by the consumer to the importer for the foreign article will be added in the sale of the same or like article sold by the American manufacturer. When the amount consumed of American manufactures and the increase of the price of the same to the American consumer by tariff duties are ascertained, as I have stated, and the amount of consumption is multiplied by the increased price, we have the data for measuring the burdens of tariff taxation and accounting for the stupendous wealth of its beneficiaries. It is, therefore, false and misleading to assert, as is done every day, that the amount of revenue derived from tariff duties determines the full measure of the burdens of tariff taxation. The $212,000,000 demanded by the Government from duties on imports can be increased millions more for the alleged benefit of manufacturing industries by a skillful application, arrangement, and adjustment of the schedules and classifications and duties and machinery of a tariff system.

Tariff laws can be so framed as not to raise any more revenue than the Government needs, and yet abound in gross violations of the Constitution and unjust and oppressive provisions.

It must be conceded that American consumers are greatly interested in having the supply of what they consume equal to the demand, and

hence they are, or should be, favorable to the encouragement of production of manufactured articles used by them, and it is in this manifestly sound proposition that strong support is found for such a judicious exercise of the power of taxation for revenue as will insure, as an intentional and desirable incident of revenue duties, reasonable and sufficient protection to American manufacturers against the advantage of cheaper labor enjoyed by the foreign manufacturer. Let us inquire, then, what is the difference in the cost of manufacturing labor in the United States and the competing manufacturing countries in Europe. It is simply impossible to answer this question accurately. All that can be ascertained is something near an average difference. It is certainly all the American manufacturer can ask to be conceded that the average cost of unskilled labor in Europe is 50 per cent. less and of skilled labor 100 per cent. less than in this country. There is a great amount of perfectly reliable evidence that in England spinners and weavers in cotton and woolen mills are better paid than they are in New England.

Robert Howard was examined under oath by the Senate Committee on Education and Labor, of which I was a member, and he testified that he had been a spinner of cotton cloth at Fall River, Mass., for eleven years—and neither of the Senators from Massachusetts will question his credibility or the opportunities he has enjoyed of learning the facts to which he testifies; that he was then secretary of the labor association at Fall River, Mass., and was thoroughly acquainted with the condition of the working classes in New England and also in Old England; that he worked in England seventeen years as a mule spinner and a piecer for the mule spinner, and that his opinion of the condition of the workmen in that branch of industry relatively in the United States and in England is that the English spinner is in a far better condition. He would not speak for the weavers, but would for the spinners. In England they give a man a pair of mules, that is cotton-spinning frames, and an assistant to work between the mules with him, and also an assistant to work on the back of the mules, but in this country it is a peculiar fact that however large the mules may be, no matter how many spindles they may contain, the employers will not come to the same rules adopted in England. They insist on one man running the mule with only one little assistant to go behind it. There is one exception to that rule at the Amoskeag Mills, in Manchester, N. H. As the secretary of the Mule Spinners' Association he knew what the practice was in all the mills. Fall River is the Manchester of America, because of the whole production of print cloths in the United States that city produces three-fifths. In Oldham, England, they run 5,000,000 spindles, nearly one-half the whole number (11,000,000) run in the United States. In the report of Carroll D. Wright, for 1883, out of 190 mills in Massachusetts, 150 are tabulated, showing the value of the products to be $66,471,313, and the value of the raw material to be $35,009,108. This amount deducted from the value of the products would leave $31,462,205. The amount paid for wages of labor was $15,451,347, leaving a remainder of $16,010,858 for the employers. The amount paid for wages divided between 59,684 operatives in 150 mills would give $258.80 to each operative, big and little, or divided by 313 working days in the year would give 82 cents per day to each operative. Several gentlemen who have testified here have made the impression that $9 a week have been the average wages, and many laboring people complain and say that false impressions should be corrected.

Mr. Howard then gives the comparative wages paid spinners in England and America:

In England: At Ashton-under-Lyne, Blackburn, Stockport, and Hyde, for 28-inch cloth, 56 reed, 14 picks, 60 by 56, 58 yards long (that is the cut), 25 cents for manufacturing a cut of that description.

For 28-inch cloth, 60 reed, 16 picks, 64 by 64, 58 yards long, the average is 28½ cents a cut.

In America: At Providence, Fall River, and Lowell, for 28-inch cloth, 56 reed, 14 picks, 60 by 56, 58 yards to the cut:

For Providence, a cut similar to the English cloth pays 17½ cents.

For the whole State of Rhode Island, averaged 16¼ cents.

For Fall River, 20 cents per cut.

For Lowell, 20 cents per cut.

For 28-inch cloth, 60 reed, 15 picks, 64 by 64, 58 yards long, Providence pays 22½ cents per cut, Fall River 23½ cents per cut, Lowell 23½ cents per cut.

On the first description of goods 25 cents a cut is paid in England, while in America only 18¾ cents is paid. On the second class of goods England pays 28¾ cents per cut, and America pays only 23 cents for the same cloth.

The most that a spinner will do in England is to attend four looms. Sometimes American spinners will attend eight mules. A spinner in England will have two tenders to a long pair of spinning mules. In America the spinner has no help except one child. The looms are run faster here than in England, and turn out more cloth. In England the looms are run nine hours. In Massachusetts they work ten hours, and in Rhode Island and New Hampshire eleven hours

Now let us compare the facts stated under oath by Mr. Howard, who is as well informed and as worthy of credit as any man in New England. Politicians, newspapers, and members of Congress who represent manufacturing districts make the assertion that the operatives in Fall River, Lowell, and all over New England receive from manufacturers double pay for the same work that is done by English operatives. The way the statement is made which reaches the people is deceptive and misleading. The amount of wages earned in a day in New England is compared with the wages earned in a day in Old England, and when shown in that way is about double as much here as it is there. The truth is concealed from the people that the American and the English operatives are each paid by the piece or the cut, and that the American workman does nearly double the work in a day that is done by the English workman. The Englishman runs from two to four mules nine hours, and the American workman runs from six to eight mules ten and eleven hours. The fact is that the employer in New England gets nearly double the work and better work out of his operatives, and pays less according to quantity and quality of labor than the manufacturer in England. But the wages earned each day on account of the greater amount of work in New England sums up about twice what it is in Old England. This is true as to the manufacture of all cotton and woolen goods. But, to avoid all controversy, I will admit, not believing it to be true, that for skilled labor we pay 50 to 100 per cent. more for such labor employed in manufacturing in this country than is paid in England. And in France and Germany the difference is much greater. For labor that is the least skilled in manufacturing the difference is only about 50 per cent. between the two countries. I have made this liberal admission for the benefit of our manufacturers, without considering the question of the relative amount and value of wages in different countries so far as the workingman is concerned.

I desire now to call special attention to an important matter which has been overlooked in the adjustment of tariff duties, with a view to the protection of the labor employed in manufacturing in the United States.

The manufacturer's claim is for so much protection from tariff laws as will make up the difference in the cost of the labor employed here and in foreign countries in manufacturing industries. The Democratic party is pledged to secure that much protection in revising the present tariff laws. Will it be denied that a full compliance with this promise requires only that Congress shall ascertain what amount of difference is paid by the manufacturer for the labor he employs in making the article upon which the duty is asked to be levied? Then take each schedule of tariff duties and find what portion of the total cost of production was paid for labor in the place where the dutiable article is manufactured. When the amount paid the laborer for making the dutiable article where it is manufactured is ascertained, then find the amount of the difference paid by the manufacturer here and in foreign countries for such labor. The first question is, what amount of revenue is it right and necessary to collect from this article, as the share that ought to be charged to it in making up the aggregate amount of revenue needed by the Government? This question is to be decided by considering all the facts I have heretofore mentioned. Take, for illustration, cotton goods that enter into general consumption, and made out of cotton yarn, number fourteen and under, and with less than one hundred threads to the square inch. Shall any duty be levied on such goods? They are now taxed, if not bleached, dyed, or colored, 2½ cents per square yard, and if bleached, 3½ cents per square yard; and in addition thereto 40 per cent. ad valorem. It is an undisputed fact that the production of such goods, known as shirting, sheeting, and drilling by American manufacturers, is fully equal and more than equal to the entire consumption in this country; and that large annual shipments are made of these goods to foreign markets, where they sell at a profit against foreign competition. It is well known that no foreign country can compete, or undertakes to compete, with us in the manufacture and sale of such goods to supply the American market. How is it that American manufacturers of shirtings, sheetings, and drillings, are able to manufacture these goods with higher-priced labor and ship them abroad and sell them at a profit over the same kind of goods manufactured with so-called pauper labor in Europe? Tell me why the same thing can not be done in the manufacture and sale of woolen goods for every-day wear. Why can not the American manufacturer make and sell common woolen and cotton cloth at home without a tariff duty, as well as he can ship and sell cotton goods in Europe?

The answer is no doubt ready by manufacturers or their representatives, that it is the tariff in America that enables them to pay more for labor to make cotton goods cheaper and better here than it is done in Europe, and as to woolens it will be stated that the same thing can not be done, because wool is more than double the price here that it is in Europe. The consumer is asked to believe that high-priced labor makes low-priced goods out of cotton, but that the same better-paid labor can not make low-priced woolens to supply the home demand and ship to Europe, because wool is higher in America. If a protective tariff has made the American manufacturer strong enough to pay more for his labor, and make all the cotton goods to supply consumers in this country and ship 25 per cent. of their production to Europe for sale at a profit, how is it possible that putting shirtings, sheetings, and drillings on the free-list can harm the American manufacturer or his operatives? And what is it that makes wool higher in America? The manufacturer will answer, as the fact is, that it is the duty on wool and the cheaper labor employed in raising it abroad. The amount and cost of the labor in raising cotton in this country is ten times as much as the amount and cost of labor in raising wool, so that the difference in the cost of the labor here and abroad in raising wool deserves but little consideration, as it cuts a small figure in answering the question, why woolen goods for every-day wear can not be made in this country to supply the home market and to ship abroad without a protective duty, as well as cotton shirtings, sheetings, and drillings. The only reason why there is any difference in the ability of the American manufacturer to make common

woolen goods as well as common cotton goods without a protective tariff is the duty on raw wool. Put wool or the cheaper grades of wool on the free-list, and there can be no valid reason, founded on protection of labor, why cotton and woolen goods, that are necessary for every-day wear and use, can not be put upon the free-list. As to common cotton cloth like shirting, sheeting, and drilling, the duty is wholly harmless, and need be repealed for no reason except that it produces no revenue.

I will now support my statements by the most reliable evidence taken under oath by the Senate Committee on Education and Labor.

William Mather testified before the committee: That he resided in Manchester, England, and was on a visit to this country to ascertain, on the authority of the Royal Commission on Technical Education, what are the opportunities offered to the people of this country to acquire industrial training and technical knowledge of the various occupations and industries that are followed here, and generally what opportunities are afforded for science teaching, the teaching of the elements of the sciences that underlie all the industry of this country, as they do of all countries; that he had been an employer of labor all his life; that the appointment of this royal commission to inquire into the technical education of all the countries in the world arose out of the fact that in England they had not many opportunities nor institutions which afford to the working population, or to the middle classes, the means of acquiring a knowledge of the sciences before they enter into the usual occupations of industrial life; that England has felt for the last ten years very acutely the competition which has sprung up in all parts of the world with her industries, and it has been supposed by some public men, and large numbers of the community generally, that English manufactures of the simplest kind would for the future have to yield to a higher class of production if they are to hold their place in the world as purveyors of clothing and the various articles which have hitherto been shipped from England; that the countries of Europe have ceased to take from England gray cloth and the simplest form of machinery, and have in a hundred ways ceased to need the services of England in matters for which twenty years ago they were absolutely dependent upon her. In consequence of this England finds it necessary to improve the taste in all articles she manufactures, and to bring to bear a higher knowledge of the scientific laws that underlie all the industries, and to educate her people into still greater skill—a skill derived from a higher intelligence; that in England the people have an idea that America excels in all the mechanic arts any other countries of the world; that her wonderful genius in the direction of original design—invention—and the excellence of her manufactures in regard to everything mechanical has attracted the attention for a number of years and made the people of England curious to know how it is that the people of America have arrived at such excellence and proficiency; that they had accounted for such superiority of American working classes from our universal system of education and the immense resources of our country, that had attracted intelligent men from all parts of the world to settle here, and their families had grown up and made intelligent and superior working people; that the industries of England had flourished chiefly hitherto upon the great demand which all the world has made for her products and the facility with which, owing to the abundance of material, they have manufactured all their machinery and textile goods; that during the last ten years that demand has very much decreased and England has now to pass on to a different kind of manufacture.

Mr. Mather further testified that he did not wish to say anything to intensify differences of opinion, but he would say that he believed all American working people have greater activity, greater nervous energy than English people have, and that the Americans do more work, and can do more work from that spirit of intense desire, which they have to accomplish something, to accomplish more, even day by day, than they have done before. This is in the spirit of the people. They work harder while at work, and nine hours count for more here than ten hours in England. That one of the difficulties arising here out of our development is, that we have artificially developed our industries, that we are going at a rate that is not natural, that we are forcing all around. That on the question of manufacturing in New England, the system we have adopted of protecting our textile industries, has, of course, enabled our manufacturers to get very large profits in a short time, and has attracted employers to invest, and it has at last developed a competition here greater than they have in England with all the world to compete with. That England is now right down on the ground. She is now thrown on the fact that she must produce a more artistic article in order to make herself felt in the future in the markets of the world. In America you have continued to make rapidly, which is not of the highest class; you have sacrificed everything to quantity, in order to make profits. All the vast capital from all parts of the country put into these textile fabrics enters into competition; at the same time wages remain as they were when you were doing a "roaring" trade. Manufacturers feel now that their capital is engaged collectively in a vast industry, very creditably conducted, very well managed, and with the strictest economy, except with palpable waste of raw material. In this country waste of raw material is the normal condition. You waste your forests, your metals, your food, and your drink; but in regard to manufacturing industries as a whole, they are conducted here with an intelligence and success that equals anything in any part of the world, but they have been built up on an artificial basis. The general competition has become intense, and when manufacturers say "We are not making high profits, we can prove we are not," the working people say "We are accustomed to a certain amount of wages and can not take less." There is a difficulty that can only be solved by much bitter experience on both sides. It is an artificial state of things that can only be solved by natural law.

The foregoing are the opinions of an English manufacturer of great ability and large experience, after three years' observation and study of American conditions and relations.

The next witness I will introduce is George C. Richardson, who testifies as follows:

I reside in Boston. I am selling agent, and have been for eighteen years, for mills in Lowell, Lawrence, Saco, and Lewiston. I sell cotton and wool manufactures. I am agent also of the Lowell Carpet Company. I am the exclusive selling agent for all the mills I represent. I sell every yard of goods they make. The York Manufacturing Company, at Saco, Me., was incorporated in 1822. Their dividends averaged over 12 per cent. for forty-seven years. They are making only irregular dividends now and sometimes pay none at all, but they have kept in operation. Their mills have been doubled within seven or eight years. So also with the Everett Mills. They have doubled their machinery. The profits upon the manufacture of colored goods have, as a rule, been larger than in the manufacture of common kinds of cotton goods.

But this last year there has been an unusual depression, from the fact that the accumulation has been so great on colored goods, and not only that, but the large dividends and earnings of the York Mills and the Amoskeag Mills have invited other machinery in other parts of the country to go on to their goods, and now there is too much machinery on colored goods, and it will take some time to bring back the true relations between production and consumption of colored goods. There is nothing like intelligence in manufacturing. It produces at a very much lower rate because it produces more. It reduces the cost of production. The labor of the ignorant help we import is at a lower rate on the pay-roll, but it does not earn nearly as much. One of the greatest advantages of our American manufacturers, as compared with other countries, is that the average intelligence of the laborer is of a higher grade. As a rule, skill is always intelligent.

To improve the general condition of the working people of this country the first thing I would do would be to equalize raw materials as compared with other countries and with the general tariff. We should improve the condition of our people if we had raw material, so that we could use it freely in manufacturing a great many kinds of goods we do not make now. But if raw material stands at too high a cost it is an impediment in the way of the laborer, and they do not have the field to operate in; whereas, if raw material were free, industry would become more diversified. I should supply it free of duty. I include as raw material wool, and all materials we call dye-stuffs—chemicals of all kinds. There was a large advance in the last tariff in that way.

The cotton interests say the woolen interests have been too highly protected with regard to raw material, but I am on both sides. I am a cotton manufacturer, although the cotton dominates with us. We have four mills that manufacture 30,000 bales of cotton each year. The last tariff discriminated unfavorably on a great many things. They retained the duty on wool, and reduced it on woolen goods, which the general public does not see, but a manufacturer feels it very quickly in running his machinery. But we have no fault to find in the cotton trade. We can get along. I do not know but what we could get along with free trade in the cotton business in this country if they would give us free raw material used in cotton manufactures. If it were not that cotton is combined with wool largely it would not be very much affected by a tariff one way or the other.

In dress goods cotton and wool are combined; it is cotton and wool or worsted and cotton. Take all our numbers of cotton yarn from below 14 (we export those very largely) and there is no duty; but when you come to our finer goods there is a duty. We do not feel it very much in our business. We are now exporting all the lower grades of goods. I recollect three years ago we exported about 64,000 bales of goods. The numbers under 14 represent the number of the yarn spun. Our mills make very few goods that are made of yarn over 9 or 10. There are ducks, such as No. 8, and they come down to Nos. 2 and 3. That is the size of the thread. Three or four years ago we exported 64,000 packages of these low-grade cotton goods, and to-day our mills export 23,000 bales. On all below Nos. 30 and 40 yarns the tariff is of very little consequence. The yarns run to 30 and 40. The Fall River mills make No. 30 goods. The Amoskeag mills make 22 or 23. The Amoskeag mills make largely of colored goods and export.

In former periods the tariff was of large consequence to the cotton-goods manufacture. Within my own experience I have seen cottons which were made in India on sale here in Boston. Education and intelligence in labor and in the use and application of machinery to labor enable us to make the goods and place them in the market as cheaply as they do in England and France, and under the protection heretofore afforded by the tariff we have been able to manufacture these goods in competition with England and France and thereby educate our laborers. We are better educated as manufacturers than we were thirty years ago, and the South will compete with us just in proportion to development in education.

There are a great many more difficulties in the woolen business than in the cotton. The wonderful skill by our foreign competitors in woolen manufacture, in using low grades of stock, in making handsome goods without any wool in them, is a serious drawback to American manufacturers. It is wonderful how in Yorkshire they will manage to work in jute and all the ordinary materials that are ever used in manufacturing and give the appearance of good woolen goods. They work up an article that has really very good wearing qualities. If they can produce goods that cost them 25 to 50 cents because of this skill, and we produce an article at more than double—say, 75 cents to $1—but which does not appear any better than theirs, although ours is worth a great deal more, that is one of the battles we have to fight. Our goods are better, but appearance is on the side of the English goods in woolens, but not in cottons. They can not work other material into cotton. We are all up with them in cottons. They can not cover up the raw material and put it out of sight, as they can in woolens.

But now, at this period, the power of the English manufacturer has been wiped out largely by our improved woolen machinery. We have gone ahead in machinery faster than they have in Europe. The laborers in England will not allow more than a certain portion of machinery to be used in their mills; they are very tenacious on that point; the laborers in England dictate the improved machinery that shall go into their mills. England has always used the tariff to protect her own labor. There is now a strong feeling of apprehension in Manchester, England, and in all the manufacturing districts of Europe that they may have to compete with the labor of America. In fact, it seems to be the only thing they fear. It disturbs them very much indeed. It is the labor element that has this apprehension, not the capital; capital can take care of itself.

Another witness examined under oath by the Senate committee was Thomas L. Livermore, who testified as follows:

I live in Manchester, N. H., and am agent and manager at this place of the Amoskeag Manufacturing Company. The company has on its pay-rolls usually from 5,500 to 6,000 people. The mills under my charge use about 40,000 bales of cotton per year, and manufacture between 55,000,000 and 60,000,000 yards of cloth, at a cost of between $5,000,000 and $6,000,000 per annum. The cloth we manufacture is mainly of yarn that has been dyed; it is ticking, denims, cheviots, awnings, and ginghams; we also make cotton flannels not dyed. The cost of the labor to make these goods is about 30 per cent. of the total cost of the goods. The people employed are of various nationalities; nearly one-third are Canadians, perhaps one-fourth Irish, one-fifth Yankees, and the remainder German, Scotch, and English.

The dividends of the company are ordinarily declared semi-annually; our regular dividend is 5 per cent. semi-annually, making 10 per cent. per annum. There have been during this time extra dividends, which have brought the total up to 14 per cent. per annum on the nominal capital stock of $3,000,000. This 14 per cent. includes a little profit on the sale of land on which this city is built, most of which was owned by the company; this profit amounts to about 2 per cent. The market for our goods is not confined exclusively to this country; we export to the hot latitudes in and about the Caribbean Sea and to some extent to Brazil; we export about 5 per cent. of the goods we manufacture, made up of what are called blue denims, such as make workmen's pants and women's dresses and aprons.

I have not any doubt that at the present time [September, 1883] the capacity of the manufacturing industries, say, of New England, exceeds the American demand. I only regard this as a temporary inequality in the supply and demand. The growth of population rapidly overtakes the increase in the number of spindles. We are now suffering from overproduction. The goods we export and ginghams, are those mainly produced in excess. When I say there is an overstock, I mean in the whole American market.

A cotton mill can be built in England at $12 per spindle or less, and the same mill in this country would cost perhaps from $14 to $16 per spindle. Sixteen dollars per spindle is the cheapest we can construct mills for in Manchester, N. H. That difference in the cost here and in England is due partly to the difference in material out of which the mill is built and equipped, and partly to the proximity of the coal and iron mines to the place where the mill is built. In this country, for the most part, the coal has to be mined by labor which is dearer, and then transported a long distance to where it has to be used. In England the mill is on one acre of ground and the coal mine in the next acre. I have had a manufacturer of ginghams in England to tell me that he got his coal delivered to him at his boiler for $2 a ton. It costs me over $6 a ton landed at my boilers.

Mr. PUGH. How would it be, as it is in Alabama, where the coal and iron and limestone and plenty of timber and raw cotton are all right there in sight?

Answer. Well, that being the case, as soon as the laboring population is equal to the demands of manufacture, Alabama would be among the most favored States. The general impression among manufacturers here is that American machinery, with some few exceptions, is better than English. It is more ingenious, better finished, and stronger and more capable of enduring wear and tear.

The 14 per cent. profit we realize on our nominal capital we get on the main part of the goods we manufacture altogether from the operation of the tariff. My impression is that the rate of duty on the kind of goods we manufacture is about 40 per cent., a duty which is greatly in excess of any profit we make. The competition on most of the small goods we make is so fierce, and the margin so small, that the tariff, in order to be of any use to us, must be practically prohibitive. I do not think it is worth while to make any "bones" about it. What we want is a prohibitory tariff.

Mr. PUGH. You do not conceal the fact that whatever protection you get comes out of those who consume your fabrics? That is a necessary result, is it not?

Answer. It is, I think, when you look at it in one aspect, but when you consider that most of the people who consume are the very people, for the most part, whose wages are enhanced by the profit, then, perhaps, their profit is greater than their loss.

The next witness examined was Gilbert B. Whitman, who testified as follows:

I am the agent and manager of the Amory Manufacturing Company, in Manchester, N. H. We manufacture cotton cloth and work about 800 hands. We make shirting, sheeting, and jeans, costing from 8 to 10 cents per yard, and 1 pound of cotton makes 3¼ yards of cloth, costing in labor to work up the pound 25 cents. That is about 1 cent per yard for the cost of the labor.

I commenced learning the business of manufacturing thirty-one years ago and have followed it ever since.

American manufacturers have not the least ground for fear of English manufacturers, except on the cost of labor. They are able to compete, except on account of the difference in the cost of labor. I think we are far in advance of English manufacturers in a great many lines of work.

Mr. PUGH. Now, then, you say all the advantage English manufacturers have over American is in the cost of labor. You pay for labor 1 cent per yard, and say the English pay only half a cent (which is too low an estimate), but put it at only half what you pay for labor and you offset that difference in the cost of labor by a half-cent difference in your favor in the cost of the raw cotton, and by another half-cent in the cost of the transportation of the English fabric to the American market. Are not our goods better, and are we not able to meet the English anywhere in the South American markets, and in Brazil, and in China, and you say you do ship to China?

Answer. Yes, sir; we send our surplus there.

The next witness examined was Charles D. McDuffie, who testified as follows:

I reside in Manchester, N. H., and am agent and manager of the Manchester Mills' manufacturing department. I began my life in the cotton mill at the age of seventeen years, and have worked in a cotton mill in every department. The Manchester Mills manufacture about 18,000,000 yards yearly of worsted dress goods, and about 13,000,000 yards of print cloths. We use about 8,000 bales of cotton a year, and about 3,500,000 pounds of wool, and employ about 2,650 hands.

We pay more for wool than they do in England and France. The wool that sells for 21 cents per pound there would cost us here 45 cents per pound. Wool in the grease at 45 cents per pound shrinks about 56 per cent., besides other waste in noils, and when clean and ready for manufacturing 1 pound of fine wool will make 4 yards of cloth. When clean, a pound of fine wool would cost us about $1.20. Wool purchased from sheep-raisers in Pennsylvania, West Virginia, and Ohio cost us that sum. We buy some wool in England, Montevideo, some in Boston, Cincinnati, Philadelphia, St. Louis, Louisville, and in Canada. The cost of woolen goods in France and England is doubled when sold in America. France takes possession of this market with gray woolen goods and drives out England. The best sheep's wool is raised in Pennsylvania, West Virginia, and Ohio. There is as fine wool and as good wool raised in these States as any I have ever seen.

Mr. PUGH. The styles of French woolens you speak of are classed as dress goods?

Answer. Yes, they are for dresses. They are the finest quality of worsted goods. If you were to double the duty on these goods, they would still be imported. The supply of woolen goods (not worsted, but such as all manufacturers make out of all sorts of wool) got beyond the demand.

This condition of things is produced by laws we can not control, and have always in the past been beyond the control of people.

Mr. PUGH. How much benefit do you get in the price of your protected articles from the tariff? I mean, how much profit do you make out of the tariff?

Answer. I do not know that I can answer that question directly, on account of the conditions it involves. The question of where we get protection to our textile industries comes entirely in the amount of labor in the protected piece of goods. If there is but little labor in the piece of goods, we do not need any protection; if there is much labor in it, it enters into a large part of the cost of a piece of goods. We then need protection, or we must stop making the goods. We need protection in that class of goods that require a greater amount of labor. And these are the finer fabrics in every case—the dress of the people which you may call luxuries.

Mr. PUGH. The duty could go on that class of goods and thus tax the consumers of dress goods, and there is where I have always said the duty ought to go. The man whose absolute and unavoidable necessities compel him to buy, and who can not avoid the burden of taxation, that is the man I want to relieve of that burden.

Witness continues:

There is not much difference in foreign and American wool. Australian wool will shrink about 52 to 56 per cent., and Montevideo wool about the same; Ohio, West Virginia, and Pennsylvania wool about the same. * * *

There is quite a difference in the English system as to fancy goods. They don't make goods as we do; they make you samples. You order upon the samples, and the manufacturer fills your order. They do not make and store goods for the market as we do. The English and French fill orders on samples. * * *

In my experience since 1848 the manufacturing capacity of New England has been enormous. For the last three years there has been very little. With the exception of little additions to the present corporations, I don't think capital will make any increase for years to come, because they all recognize the fact that it has to go South. * * *

We export a low grade of cotton goods. That is where labor represents the smallest factor in the cost of the goods. Wherever labor represents a large factor in the cost of goods we can not export them.

Every American witness whose testimony I have presented is a Republican in politics of life-long connection with and personal experience in the business of manufacturing cotton and woolen goods in New England. They have given their knowledge and experience under oath, and certainly the friends of protection can not deny that the full measure of protection required to make up the difference in the cost of labor in New England and in Old England and France, as shown by the evidence, would be abundantly afforded by two-thirds of the tariff rates on dress cotton and woolen goods, and that as to all cotton goods used in every-day wear it would not make the slighest difference in the market price of these goods if they were on the free-list.

It is a fact that ought to be admitted without question, that as to all cotton goods manufactured in this country out of yarn No. 14 and under, tariff duties or no tariff duties is a wholly immaterial question. Then as to dress goods made out of cotton, it is trifling with undeniable facts to claim that a purely revenue duty of one-third less than the present rate would afford ample protection to our manufacturers against cheaper foreign labor. But as to these cotton fabrics that are being used for dress and (except the very highest grades) manufactured in this country in quantity and quality to supply the American demand, the adjustment of tariff duties on cotton dress goods ought not to be the subject of serious contention or difficulty. Then, as to the woolen schedule, there is no more difficulty in the way of fair adjustment than there is in the cotton schedule, if we could agree on what shall be done with raw wool. This question could be settled at once, if it were not for the fear of the voting power of those wool-growers who demand high tariff duties. Some manufacturers of wool unite with wool-growers in keeping the present high duty on wool, because at least 40 per cent. of the duty on woolen goods is allowed them to compel the consumer to make up to the woolen manufacturer the higher price he has to pay for wool on account of the duty on raw wool. And should raw wool be put on the free-list because it is raw material, then every producer of any other raw material used in manufacturing will expect his raw material to go on the free-list, and while each class may believe that all raw material, except what they produce, should be made free of duty, yet the threat of retaliation in the work of revision and reduction of tariff rates drives all raw-material producers together in the determination to make common cause in the fight against any revision or reduction of present tariff taxation. There is no duty levied by the present tariff laws that is more unnecessary and oppressive to the working people of this country of all classes and conditions than the duty on raw wool and the consequent duties on woolen goods and clothing.

The amount of labor employed in raising wool is not 10 per cent. of the cost of production, and the claim for protection against cheaper foreign labor is utterly destitute of merit. Put it on the free-list and change the schedule of duties on woolen goods so as to put common woolen cloth and woolen clothing used for every-day wear by laboring people, and common blankets, on the free-list, and as to fine woolen goods used for dress, and fine blankets, let the duty be reduced in proportion to the reduction in the price of raw wool when it is on the free-list. For the sake of revenue, to make up for reductions thereof on account of lessening the duties on articles of necessity in common use, I would favor a duty on the higher grades of wool that are used in the manufacture of fine dress woolens; and such a revenue duty would afford sufficient encouragement to the raising of fine sheep in this country. Nearly all the wool we import is of the lower grades, in the

growing of which it is impossible for the United States to compete with Australia and South America. We also import the finest wool, that is not produced in this country in sufficient quantity to supply the demand, and a revenue duty might be levied on the highest grades of wool that make dress goods, to encourage the raising of the finest sheep.

I have shown by well-established facts that the manufacturers of cotton and woolen goods in New England, where at least two-thirds of such goods are manufactured, can not suffer, and that their operatives will have the full measure of benefit intended to be secured to them, and all that is demanded by their employers for them from tariff taxation, in the revision of the present cotton and woolen schedules as I have indicated. Will the change I propose in the cotton and woolen schedules deprive Southern manufacturers of such goods of any protection from tariff duties that is really necessary to their growth and prosperity? I will not consume the time of the Senate in answering this question. But I refer those who deny the ability of the South to manufacture cotton and woolen goods without tariff protection or under the protection of a revenue tariff more profitably than New England to the testimony of William H. Young, president of the Eagle and Phœnix Mills, at Columbus, Ga. (volume 4, Report Senate Committee on Education and Labor, pages 508–524); also, testimony of John Rhodes Browne, president of the Columbus Manufacturing Company, Columbus, Ga. (same report, page 524); also, testimony of A. S. Matheson, superintendent of the Eagle and Phœnix Mills (same report, page 534); also, testimony of John Hill, engineer and machinist, Eagle and Phœnix Mills (same report, page 582); also, testimony of Charles H. Phinizy, president of the Augusta Factory, Georgia (same report, page 696); also, testimony of Charles Estes, president of the King Mill, Augusta, Ga. I am personally acquainted with each of the witnesses named above, and know them to be first-rate business men of the highest integrity and possessed of unusual practical sense and large experience in respect to the matters and subjects about which they testify.

The next schedule to which I invite attention is the "metal schedule." Shall this schedule be revised; and, if so, in what particulars? The first article is iron ore, taxed 75 cents per ton. Let us apply the considerations I have mentioned, as being proper to influence us in framing tariff laws, to this commodity. Iron ore is the foundation and hope of success of all the iron business in the world. The iron metal in the earth is almost as valuable and indispensable to mankind as gold and silver. The common labor of the world digs up and puts in market for the use of the world about thirty-five or forty millions of tons per annum, and of this quantity the United States now use about twelve millions of tons. Iron ore abounds in greater or less quantity in twenty-eight States of our Union, and there is enough in easy reach to be found on our lake shores and in several of the United States to supply all the demand for it in the world for a million of years. As a rule, where this ore is found the land has but little or no other value. Iron ore differs very greatly in value. The amount of iron found in a pound of earth may be one-half or more, and yet not be of much value. Everything depends upon the purity of the iron the pound of ore will yield. The test of purity is the freedom of the ore from sulphur and phosphorus. The presence of sulphur and phosphorus in the iron renders it too brittle and so impairs its tensile strength that it can not be converted into good steel. The demand for iron ore all over the world is for ore lowest in sulphur and phosphorus.

All the competition between the owners and producers of iron ore in this and all other countries is to supply the world's demand for ores that are pure enough to make steel, and especially steel rails for railroads. During the last ten years American energy has been greatly stimulated in the discovery of ores free from phosphorus. Vast quantities of such ores have been found on Lake Superior, and it is claimed that such ores have been, and can be, found in West Virginia, and in North Carolina, and in Tennessee, and in Alabama. It is very certain that enough of iron ore, sufficiently low in phosphorus to make good steel, can be found in the United States to supply the entire world's demand. It is also certain that iron ores of equally good quality are found, and no doubt in inexhaustible quantity, in Spain, Africa, Cuba, and Canada. These best ores, wherever found, are purchased by the manufacturers of pig-iron, to be converted into steel. These steel manufacturers, and especially those who make steel rails, are compelled to buy the ores freest from impurities.

The American manufacturers of pig-iron to convert into steel who have their furnaces near the Atlantic ports are the only importers of foreign iron ore. Those iron manufacturers who insist that ores shall go on the free-list base their claim on the ground that it is the raw material of every description of iron and steel, and for that reason these ores ought to be obtained at the lowest cost so as to cheapen manufactured articles to the consumer. On the other hand, those who own ore lands and those who dig out and supply ores to iron and steel manufacturers in this country claim that, as the theory and policy of incidental protection from revenue duties have support in the purpose of encouraging the development of American resources and the use of American productions, and of the labor so employed, it would amount to unjust and unequal discrimination to make pig-iron and all the other forms of manufactured iron and steel the subject of revenue duties and to leave out ores, upon which the whole iron and steel business is founded, to compete with the ores of foreign countries. There would be no contention upon the subject of making iron ores free, or taxable, if the American ores that are purest and freest from phosphorus were accessible alike and at the same cost to all the American manufacturers of steel. But unfortunately the iron ores that are lowest in phosphorus, and the best for that reason, are found only in sufficient quantity to supply the whole world in the Western and Southern States. The greatest quantity yet discovered is on Lake Superior. These lake ores have to be brought by water to Cleveland, Ohio, and other lake cities, and from there carried by railroad to eastern manufacturers of steel and steel rails. The steel makers in Cleveland get the American ore cheaper than steel makers in Philadelphia solely on account of the difference in the cost of transportation. If ores were on the free-list, eastern manufacturers of steel in Pennsylvania, and other States having Atlantic ports, believe that they could import their ores from the Mediterranean and Cuba at less cost of transportation, and also save the 75 cents per ton now paid as duty.

As a public question, what importance or benefit is there in putting iron ores on the free-list, or letting the present duty stand? If ores are made free will the price be reduced? Spanish and African ores can not now be imported to any American port for less than $5 per ton at the port of delivery. It is a mistake to suppose that Mediterranean ores are shipped here as ballast. It is a fact well established that the lowest average freight charge for iron ores shipped from Spain or Africa is 12s., or $3 per ton. From Cuba, Nova Scotia, or Canada the freight would cost less. But from whatever country the ores come the freight would cover nearly the whole cost. The question of making up the difference in the cost of the labor employed here and in foreign countries in digging the ore out of the ore-beds for delivery to purchasers really deserves but little consideration in deciding whether ores shall be free or not. The cost of the labor where American ores are delivered rarely exceeds 50 cents per ton, and certainly not over 75 cents, and if foreign ores were dug up and delivered for 10 cents per ton, or for nothing, how does the duty of 75 cents per ton benefit the American laborer? Does anybody suppose that the American laborer gets one cent more on account of the duty, or that he would get one cent less if ores were free? The labor cost of 50 or 75 cents per ton is a mere bagatelle, and iron manufacturers and ore owners know that they are the real parties to the contention, and that the laborers have no interest in the question whatever, except in the event that making ore free would lessen the consumption of American ores by the increased importation and supply of foreign ores, and thereby make the demand less for labor to deliver American ores. Then, is it reasonably certain that making foreign ores free of the duty of 75 cents or 50 cents per ton would increase their importation? If the importation were increased it would be for the sole reason that removing the duty had made the ore that much cheaper. Is it likely that foreign ore would be made that much cheaper, or any cheaper by putting it on the free-list? Will any increased demand for foreign ores and the increased demand for transportation from foreign countries make the ores or the transportation any cheaper than they are now under the duty?

Any supposed benefit American iron and steel manufacturers might get from free foreign ore would be very soon swallowed up by the increase of the cost of shipping foreign ores to American markets. I can not be made to believe that letting the duty stand or taking it off would produce any other effect than to reduce the revenue the amount now collected on iron ores. I have no idea that the imports would be any greater in twelve months on account of ore being free than they would be if ore were taxed as it is now. The cost of foreign or American iron ore will never be affected by more or less supply—it resolves itself into the cost of transportation. There is a superabundance of the best ores in the United States and in foreign countries, and no amount of demand here, or elsewhere, can ever fail for one moment to find the supply a thousand-fold greater than the demand. The only danger or ground for apprehension in the future of ore owners and iron and steel manufacturers that I can see in this country is, that the quantity and quality of iron ore and the natural facilities for iron and steel making are so wonderful and inexhaustible in the United States that capital will be invested in these industries to such an extent as to increase the production so rapidly that glutted American markets will soon force prices down to the bottom, where ore owners and iron and steel manufacturers must be satisfied with minimum profits or quit the business. There are two reasons which I consider sufficiently meritorious to influence my vote against putting iron ore on the free-list as compared with the reasons I have stated in favor of such a change.

First. If the iron and steel manufacturers at or near Atlantic ports, who want free ore because it would make ore cheaper to them, are correct in their belief, then it is very certain that all the iron and steel manufacturers in Pennsylvania, Maryland, New Jersey, and New York would supply themselves with foreign ores. And in Gulf ports, like Pensacola and Mobile, accessible by rail and water to Alabama coal fields, iron and steel manufacturers in those ports could establish their own lines of steamers to Cuba and get their entire supply of ores, and thereby put the owners of ore beds and the workers in North Alabama and in Cuba, and the manufacturers and workers of iron and steel out of Ala-

bama ores in the interior cities and towns of Alabama, in fierce competition. If the Cuban ore could be obtained cheaper than Alabama ore in the interior, and the Cuban ores were found to be a better quality, the rivalry between Gulf furnaces and the furnaces in the interior of Alabama would soon reduce ore to a nominal price and seriously impair, if it did not destroy, the value of ore lands in Alabama. All the value they could have would be for mixing with Cuban ores. The retention of the duty of 75 cents per ton may not, and I do not believe it will, materially interfere with the chances or opportunities for such competition, but the removal of the duty would certainly be regarded by ore owners and ore workers in Alabama, and Georgia, and North Carolina, and Tennessee, and West Virginia, as an act of unjust discrimination against American and in favor of foreign ore.

Second. In my judgment it would be unwise, and result in no public benefit, to make iron ore free, and thereby produce alarm and discontent among American owners of ore beds and their workers, and make this subject one of constant irritation and contention in politics without any compensating public benefit.

The next article taxed in the metal schedule is pig-iron, on which there is a duty of $6.72 per ton. Pig-iron is a staple production in our trade and commerce in which our sixty millions of people are directly interested. The capacity of the State that I partly represent to produce pig-iron is equal, if not superior, to any in the Union, and in the present and future growth and prosperity of Alabama the two commodities that will contribute most largely to her greatness are cotton and pig-iron. Nature has blessed Alabama with inseparable and marvelous agricultural and mineral and manufacturing resources. Old England is powerful in her manufacturing capacity, and so is New England; but neither is able to increase its agricultural population or productions. In agricultural advantages and resources Alabama has no superior, and she challenges the world to equal her in the wonderful combination of raw material and natural advantages for mining and manufacturing. No State can have more to make in a hearty union and co-operation of agriculture and mining and manufacturing. Two-thirds of our cotton crop is exported, and one-third consumed in the United States. The price of cotton is fixed and regulated in Liverpool, England, without any influence of tariff or free-trade legislation. The superior quality of American cotton, and the abundance of the supply, secures a monopoly of the American market and insures its supremacy over other cotton-producing countries in foreign markets. It can not be denied that the cotton planter and food producer in Alabama would be benefited by encouraging and establishing mining and manufacturing of all kinds in Alabama, and so would other Southern States having the same facilities. It is a simple truth that the closer together producers and consumers live and carry on their pursuits the better for each of them.

If there is any profit in farming, and mining, and manufacturing, all these industries should be carried on together, where nature has supplied the means of making them successful and profitable. Why has Providence furnished in such abundance and in such close neighborhood the marvelous resources for farming and manufacturing as are found in Alabama, if they can not be worked and their fruits appropriated to the use of mankind, without contention, and rivalry, and antagonism? Then let the farmers, and miners, and manufacturers go together in harmonious and friendly co-operation in the great work of advancing Alabama to the front in all the elements that make a great State.

Great Britain is the most formidable rival of the United States in the production of pig-iron. The capacity of Great Britain to produce pig-iron does not extend beyond 8,000,000 tons, and she has the world's market open to her, which she largely supplies. She gets much of her ore from Spain and Africa. All the shipments of pig-iron to the United States amount to about a half million tons, mostly imported by American manufacturers of steel, who pay the duty to get pig-iron that is freer from impurities and better for making steel. The last fiscal year all the importations amounted to 418,919 tons. When pig-iron was $7 per ton duty more was then imported than is now under the present duty.

The present capacity of the pig-iron production of the United States is equal to about 7,000,000 tons, all of which is consumed in the United States. It is a small estimate to put the production of pig-iron in this country in five years from now at 10,000,000 tons. Will the consumption keep up with the production? Will American markets take all the pig-iron that will be made in the United States? If so, will it be taken at present prices? England has the world's markets open to her, and with a productive capacity at present equal to the United States she fails to find sale for all she makes, and what is left of her annual production she ships to American markets to get rid of her surplus and pays the duty of $6.72 per ton. How will it be when the United States leads England in production? Stated generally, the cost of pig-iron in Great Britain is about $12 per ton at the port of delivery, and on shipboard from $13.75 to $14 per ton, as shown by the Philadelphia Bulletin. Add the duty paid at the American port of $6.72 and you make the cost to the shipper in the American port of every ton of foreign pig-iron at least $20. Put the cost at the furnace at $7 per ton, and on shipboard at $10, and then you make the cost in the American port, after paying the duty, $16.72. The 418,919 tons of pig-iron imported the year ending June 30, 1887, according to the official report from the Bureau of Statistics, page 88, was valued at $6,528,795, which would be over $15 per ton, with the duty of $6.72 to be added.

Now, what is the cost of making pig-iron in Pennsylvania and Alabama? This question has been much discussed and iron-makers differ widely in their items and estimates of the cost per ton.

The following estimate was furnished, under oath, to the Senate Committee on Education and Labor, in November, 1883, by I. W. Sloss, president and owner of the Sloss furnaces, in Birmingham, Ala.:

| | |
|---|---|
| 2½ tons ore to each ton of pig-iron at $1.60 | $3.60 |
| 1.4 tons coke to each ton of pig-iron | 4.06 |
| ½ ton limestone | .30 |
| Fuel for boiler | .20 |
| Sand, water supplies | .30 |
| Repairs, taxes, and interest | 1.19 |
| Labor and salaries | 2.25 |
| Total cost | 11.90 |

I deny that the charges for repairs, taxes, interest, and salaries of officials, like the president of the company, are legitimate items of cost; but let them pass.

What is the cost of the labor necessarily employed to make a ton of pig-iron?

President Sloss answers:

| | |
|---|---|
| Labor cost in the 2½ tons of ore | $2.25 |
| Labor cost in the 1.4 tons coke | 2.13 |
| Labor cost in the one-third ton limestone | .17 |
| Labor cost in the fuel | .14 |
| Labor cost in the repairs and material | .77 |
| Labor of salaried men | 2.25 |
| Labor in total freights on stock to ton of ore | 1.00 |
| Total | 8.71 |

The items charged for repairs and materials for repairs, and the labor of salaried officers, and the labor for freight, are illegitimate and not properly included in the labor cost to make a ton of pig-iron to be considered in ascertaining what labor cost shall be made up by the duty.

Take the items of cost properly included in the above estimate, and the cost of a ton of pig-iron at Birmingham would be $4.69 for labor, and the other items of cost would be $3.28. But making the most liberal allowance for illegitimate items and it is a high estimate to put the whole cost at $10 per ton, and of this whole cost the allowance for labor can not exceed $5.

Now, what is the difference in the cost of the labor that makes imported pig-iron and the cost of the labor that makes Alabama or Pennsylvania pig-iron? That is to say, if the foreign labor costs but $2.50 per ton and the Alabama and Pennsylvania labor $5 per ton, the pledge of the Democratic party is to put a revenue duty on imported pig-iron that will make up the difference in the cost of labor in Europe and in the United States, and this is all that the pig-iron manufacturer claims. That makes the difference in the cost of the labor in Alabama and Pennsylvania and in Great Britain, to be made up by the duty, $2.50. But suppose the cost of labor in Alabama is $8 per ton, and in Great Britain $4 per ton, then the difference to be made up by the duty would be $4. It is trifling with truth and disregarding facts too well known to be disputed to deny that $5 per ton duty will afford the amplest protection to the manufacturers of pig-iron in the United States. It is useless to make the inconsiderate and utterly unfounded assertion that $5 per ton duty will not afford them more than sufficient protection.

In point of fact, I consider the difference in the duty of $6.72 and $5 as so unimportant in its effects on our revenue and as a protection to the pig-iron industry that it is not worth contention or serious consideration. My remarks on the subject of iron ore and pig-iron are intended to show how utterly groundless the apprehension is that these industries are in the slightest danger from any revision or reduction of tariff duties.

But the trouble is that all classes who are personally interested in the mining or manufacturing of anything that has a duty on it, which can be, in whole or in part, added to the price against the imported article of like kind, combine and form organizations called trusts, to limit production, to carry out the common purpose founded solely on personal interest to resist any reduction of the duty on the article they manufacture or any interference with the existing tariff. "Let the tariff stand," is the cry of every one who makes money out of it. The pig-iron makers and iron and steel makers in Alabama and Pennsylvania and in every other State ring their fire-bells and try to alarm the whole country if you propose to touch the duty on raw wool or any other protected article. You may not say a word about interfering with any duty in the iron or metal schedule, but nevertheless, in accordance with the combination founded in trust and confidence among themselves to promote individual interests, the pig-iron maker and the wool-grower and all the beneficiaries of high duties join in the cry of "Free-traders!" and "Free-traders' war on great American industries to paralyze and destroy business interests and starve poor laborers." In 1883, when the tariff was revised on the report of the Tariff Commission, a convention composed of 138 delegates, who represented the iron and steel makers, assembled at Cresson, Pa., and a committee of pig-iron makers reported to the convention that it was impossible for industry

to survive a rate of duty below $9 per ton. All the furnace fires would be put out and darkness cover the mineral region if the duty on pig-iron was less than $9. But the convention did not heed the cry, and reported that $8 per ton would afford sufficient protection. When Congress was so reckless of the fate of our pig-iron industries as to put the duty at $6.72, what was the consequence? The importation of pig-iron was much less than when the duty was $7, and pig-iron makers have never been more prosperous than during the last four years.

It will not be believed that the profits of pig-iron making under proper management have been less than 25 per cent. There is plenty of reliable evidence that the profit at present prices is not less than 50 per cent., while farming has not paid 8 per cent. When the iron-maker is selling his iron at a price that yields him at least three times as much profit as the farmer makes, and the iron-maker claims that he is indebted to the tariff for his profits, who expects him to agree to any revision of the tariff, or any reduction of duties? It is perfectly natural that all those who are making money, or think they are making money, out of the tariff, should prefer to let it stand. It is expecting too much of human nature to ask those who have enriched themselves out of high duties to agree to a reduction. But those who are not sharing these unreasonable profits, but paying them as consumers of protected articles, are in a different condition, and occupy a standpoint from which they can take a different view. The farmer tells the iron and steel maker that he is willing and anxious that he shall succeed and prosper, so as to make iron and steel manufacturing great industries that will develop the mineral resources of the country sufficiently to supply the home demand and be able to export to foreign markets. But, my friends, you must not be too greedy. Be satisfied with a reasonable profit. It is the farmer's right to buy what he wants where he can get it cheapest. The manufacturer claims and exercises the right to get his labor where he can hire it cheapest. But the farmer says, while he has the right to buy what he wants anywhere he can get it cheapest, yet he is willing, in order to encourage home production of what he consumes and build up a market for his products nearest his home, to so levy revenue duties in amount and application as to enable the home manufacturer to live long and prosper in his business. But when the manufacturer abuses this concession of the consumer, and combines with the beneficiaries of oppressive taxation to prevent any returning benefit to the consumer from home competition, which he was told would certainly come if he would submit for a season to high tariffs to encourage home manufacturers, it is bad faith and unjust treatment to which consumers can not be expected to submit.

There are many articles in the metal schedule that are overtaxed and could stand reductions of duties—such as steel rails, plate-glass, and wire for fencing. Most of the revenue from the metal schedule comes from steel rails, plate-glass, and wire fencing, and these, and many other articles, might be reduced with great saving to consumers in price, if lower duties failed to reduce the revenue.

President Cleveland has had the courage and patriotism never exhibited before by any other public man in his position and with his surroundings to come out in an open field and tell the truth, as he understands it, so that there can be no mistake about what he means and what he believes to be the paramount duty of Congress. His last annual message was a great surprise to Congress and the country. For the last quarter of a century the immediate beneficiaries of our present tariff system have had full sway, and they had well-grounded confidence in their ability to hold their fort, and being intrenched behind their money power, and press power, and brain power, they never dreamed that any national party, or any public man who aspired to be President, and certainly no Chief Magistrate who was the acknowledged head of his party and its accepted candidate for re-election, would dare plant himself in full view of their fortifications, and in close range of all their guns, and invite them to give a patient hearing and reasonable and patriotic consideration to what he felt it to be his public duty to communicate and recommend to Congress in relation to a matter of pressing and far-reaching importance to them and the whole country.

There is not a single sentence in the message that is not the whole truth and nothing but the truth. That is my opinion. But there are members of my party who refuse to say the message is faultless. As the President truly states, we are confronted by a "condition" of public affairs that is a serious menace to the general welfare. The longer continuance of this condition must increase its perils, and the application and enforcement of all our theories must not be urged as indispensable concessions to secure co-operation in affording relief to the country. In this emergency President Cleveland has discharged his duty nobly. His message is invaluable in its other public effects and consequences. It will elevate public opinion and political thought, and teach the young men of the country a valuable lesson. It had become the habit of politicians and the practice of parties to treat politics as a game, and public office as a prize to be won or lost, and, without regard to means or agencies to promote and establish sound principles, the highest test of public worth and excellence was success. The people never fail to come to the support of a public servant who is bold enough to declare his honest convictions. Strong convictions are founded in a strong common sense of right and wrong, and when supported by unflinching courage they never fail to command the admiration and confidence of the people. Some men possess extraordinary ability and learning, but however gifted they may be in uncommon sense the wires are always down between them and the people. That man is the greatest statesman who by his opinions and his acts gives expression and enforcement to the common sense of the people he represents. The common sense of the people makes up public opinion and is the only safeguard of our republican government.

The PRESIDENT *pro tempore*. What disposition of the resolution does the Senator desire?

Mr. CULLOM. I suppose it is not the desire to dispose of the resolution during the afternoon, and I ask leave to introduce a resolution to be read and referred to the proper committee.

The PRESIDENT *pro tempore*. The resolution offered by the Senator from Alabama is before the Senate, and must be disposed of.

Mr. HARRIS. Let it lie on the table.

The PRESIDENT *pro tempore*. It will lie on the table, if there be no objection.

### COLEMAN C. SYMPSON, DECEASED.

Mr. CULLOM submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay out of the miscellaneous items of the contingent fund of the Senate, to Mrs. Mary A. R. Quinby, of Carthage, Ill., widowed sister of Coleman C. Sympson, deceased, late enrolling clerk of the Senate, the sum of $1,104, and to Joseph Gawler, undertaker, the sum of $192, being an amount equal to six months' salary as clerk aforesaid; and said sums to be considered as including all funeral expenses and all other allowances.

### CLERK TO A COMMITTEE.

Mr. HISCOCK submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Select Committee on the Centennial of the Constitution and the Discovery of America be, and it hereby is, authorized to employ a clerk during the sessions, who shall be paid, out of the contingent fund of the Senate, the usual per diem compensation.

Mr. MORRILL. I move that the Senate adjourn.

The PRESIDENT *pro tempore*. The Senator will withhold the motion for an instant, while the Chair lays before the Senate a joint resolution from the House of Representatives, for reference.

Mr. MORRILL. Certainly.

### HOUSE BILL REFERRED.

The joint resolution (H. Res. 3) giving one month's pay to certain employés of the House of Representatives was read twice by its title, and referred to the Committee on Appropriations.

### AID TO COMMON SCHOOLS.

Mr. BLAIR. I desire to give notice that to-morrow, on the conclusion of the morning business, I shall move to proceed to the consideration of the educational bill.

### EXECUTIVE SESSION.

Mr. COCKRELL. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twelve minutes spent in executive session the doors were reopened, and (at 4 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 20, at 12 o'clock m.

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## NOMINATIONS.

*Executive nominations received by the Senate the 19th day of December*, 1887.

### POSTMASTERS.

Calvin R. Clarke, to be postmaster at Nevada City, in the county of Nevada and State of California, in the place of Wallace J. Williams, whose commission expires December 20, 1887.

Mary Florence Byrne, to be postmaster at Grass Valley, in the county of Nevada and State of California, in the place of Michael Byrne, jr., deceased.

Thomas Farrell, to be postmaster at Marysville, in the county of Yuba and State of California, in the place of Charles Hapgood, whose commission expires December 20, 1887.

Talleyrand F. Brown, to be postmaster at Grafton, in the county of Walsh and Territory of Dakota, in the place of William M. Chandler, whose commission expires December 20, 1887.

William J. Dyckes, to be postmaster at Lewiston, in the county of Fulton and State of Illinois, in the place of William W. Hull, whose commission expires December 20, 1887.

Isaac Fielding, to be postmaster at Champaign, in the county of Champaign and State of Illinois, in the place of Eli N. McAllister, whose commission expires December 20, 1887.

Morris S. McCoy, to be postmaster at Polo, in the county of Ogle and

State of Illinois, in the place of Mrs. Caroline E. Aplington, whose commission expires December 20, 1887.

Elam L. Stewart, to be postmaster at Carmi, in the county of White and State of Illinois, in the place of George R. Little, whose commission expires December 20, 1887.

L. W. Goen, to be postmaster at Independence, in the county of Buchanan and State of Iowa, in the place of David Donnan, resigned.

Suel J. Spaulding, to be postmaster at Indianola, in the county of Warren and State of Iowa, in the place of William W. Worth, whose commission expires December 20, 1887.

Orlando Currier, to be postmaster at Hallowell, in the county of Kennebec and State of Maine, in the place of Jacob B. Thomas, whose commission expires December 20, 1887.

Joseph M. Hollywood, to be postmaster at Brockton, in the county of Plymouth and State of Massachusetts, in the place of Joseph M. Hollywood, whose commission expires December 20, 1887.

Thomas F. Lyons, to be postmaster at Canton, in the county of Norfolk and State of Massachusetts, in the place of Frederick E. Holmes, whose commission expires December 20, 1887.

Henry A. Pope, to be postmaster at Milton, in the county of Norfolk and State of Massachusetts, in the place of Henry A. Pope, whose commission expires December 20, 1887.

John E. Kennedy, to be postmaster at Northfield, in the county of Rice and State of Minnesota, in the place of Henry S. French, resigned.

William Lee, to be postmaster at Saint Paul, in the county of Ramsey and State of Minnesota, in the place of David Day, whose commission expires December 20, 1887.

David L. Young, to be postmaster at Winona, in the county of Montgomery and State of Mississippi, in the place of David L. Young, whose commission expires December 20, 1887.

Henry H. Russell, to be postmaster at Warrensburg, in the county of Johnson and State of Missouri, in the place of John W. Brown, resigned.

John H. Welch, to be postmaster at Fairmont, in the county of Filmore and State of Nebraska, in the place of Simeon Sawyer, resigned.

Gilbert R. Lindsay, to be postmaster at Rahway, in the county of Union and State of New Jersey, in the place of Samuel M. Oliver, resigned.

Robert A. Scott, to be postmaster at Friendship, in the county of Allegany and State of New York, in the place of Jacob O. Price, resigned.

Dudley H. Beaman, to be postmaster at Hiram, in the county of Portage and State of Ohio, in the place of Dudley H. Beaman, whose commission expires December 20, 1887.

S. S. Bloom, to be postmaster at Shelby, in the county of Richland and State of Ohio, in the place of Charles L. Kerr, whose commission expires December 20, 1887.

Christian B. Dorwart, to be postmaster at Salem, in the county of Columbiana and State of Ohio, in the place of Frank W. Webster, whose commission expires December 20, 1887.

Philip Klein, to be postmaster at Chillicothe, in the county of Ross and State of Ohio, in the place of William E. Gilmore, whose commission expires December 20, 1887.

D. W. Vail, to be postmaster at Norwalk, in the county of Huron and State of Ohio, in the place of Edward L. Husted, whose commission expires December 20, 1887.

Charles W. James, to be postmaster at Baker City, in the county of Baker and State of Oregon, in the place of Charles L. Palmer, resigned.

Charles M. Adams, to be postmaster at Colorado, in the county of Mitchell and State of Texas, in the place of Prince A. Hazzard, whose commission expires December 20, 1887.

Samuel A. Fishburn, to be postmaster at Mexia, in the county of Limestone and State of Texas, in the place of Joshua A. Gardiner, whose commission expires December 20, 1887.

John O. Frink, to be postmaster at Taylor, in the county of Williamson and State of Texas, in the place of John O. Frink, whose commission expires December 20, 1887.

Harry E. Pickett, to be postmaster at Waxahachie, in the county of Ellis and State of Texas, in the place of William J. F. Ross, resigned.

Felix C. Bennett, to be postmaster at Monroe, in the county of Green and State of Wisconsin, in the place of John S. Ball, whose commission expires December 20, 1887.

W. E. Lennan, to be postmaster at Hurley, in the county of Ashland and State of Wisconsin, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Charles R. Oldham, to be postmaster at Moundsville, in the county of Marshall and State of West Virginia, in the place of Maria L. Gans, whose commission expires December 20, 1887.

William P. Campbell, to be postmaster at Wellsburgh, in the county of Brooke and State of West Virginia, in the place of Joseph R. Naylor, deceased.

REVENUE SERVICE.

John B. Hull, of Virginia, to be a third lieutenant in the revenue service of the United States, in the place of Third Lieut. George A. York, promoted.

James M. Moore, of Maryland, to be a third lieutenant in the revenue service of the United States, to succeed Third Lieut. Albert H. Ewing, resigned.

GENERAL OFFICER.

Col. Wesley Merritt, of the Fifth Cavalry, to be brigadier-general, April 16, 1887, *vice* Willcox, retired from active service.

QUARTERMASTER'S DEPARTMENT.

First Lieut. Crosby P. Miller, regimental quartermaster Fourth Artillery, to be assistant quartermaster, with the rank of captain, November 21, 1887, *vice* Furey, promoted.

MEDICAL DEPARTMENT.

Lieut. Col. Charles Page, surgeon, to be Assistant Surgeon-General, with the rank of colonel, November 17, 1887, *vice* Perin, retired from active service.

Maj. James C. McKee, surgeon, to be surgeon, with the rank of lieutenant-colonel, November 17, 1887, *vice* Page, promoted.

Capt. Alfred C. Girard, assistant surgeon, to be surgeon, with the rank of major, November 17, 1887, *vice* McKee, promoted.

QUARTERMASTER'S DEPARTMENT.

Maj. George B. Dandy, quartermaster, to be deputy quartermaster-general, with the rank of lieutenant-colonel, November 11, 1887, *vice* Reynolds, retired from active service.

Capt. John B. Furey, assistant quartermaster, to be quartermaster, with the rank of major, November 11, 1887, *vice* Dandy, promoted.

MEDICAL DEPARTMENT.

Capt. Robert H. White, assistant surgeon, to be surgeon, with the rank of major, May 14, 1887, *vice* Taylor, retired from active service.

FIRST REGIMENT OF CAVALRY.

Capt. John M. Hamilton, of the Fifth Cavalry, to be major, April 21, 1887, *vice* Huntt, promoted to the Tenth Cavalry.

THIRD REGIMENT OF CAVALRY.

First Lieut. George F. Chase, to be captain, November 25, 1887, *vice* Simpson, retired from active service.

Second Lieut. Parker W. West, to be first lieutenant, November 25, 1887, *vice* Chase, promoted.

FOURTH REGIMENT OF CAVALRY.

Lieut. Col. Charles E. Compton, of the Fifth Cavalry, to be colonel, October 19, 1887, *vice* Royall, retired from active service.

FIFTH REGIMENT OF CAVALRY.

Lieut. Col. James F. Wade, of the Tenth Cavalry, to be colonel, April 21, 1887, *vice* Merritt, appointed brigadier-general.

Maj. James Biddle, of the Sixth Cavalry, to be lieutenant-colonel, October 19, 1887, *vice* Compton, promoted to the Fourth Cavalry.

First Lieut. William P. Hall, regimental quartermaster, to be captain, March 8, 1887, *vice* Greely, appointed Chief Signal Officer.

First Lieut. Walter S. Schuyler, to be captain, April 21, 1887, *vice* Hamilton, promoted to the First Cavalry.

Second Lieut. Augustus C. Macomb, to be first lieutenant, March 11, 1887, *vice* London, appointed regimental quartermaster.

Second Lieut. Luther S. Welborn, to be first lieutenant, April 21, 1887, *vice* Schuyler, promoted.

SIXTH REGIMENT OF CAVALRY.

Capt. Tullius C. Tupper, to be major, October 19, 1887, *vice* Biddle, promoted to the Fifth Cavalry.

First Lieut. Henry P. Kingsbury, to be captain, October 5, 1887, *vice* Gordon, retired from active service.

First Lieut. Frank West, to be captain, October 19, 1887, *vice* Tupper, promoted.

Second Lieut. Thomas Cruse, to be first lieutenant, September 28, 1887, *vice* Touey, deceased.

Second Lieut. John Y. F. Blake, to be first lieutenant, October 5, 1887, *vice* Kingsbury, promoted.

Second Lieut. George H. Sands, to be first lieutenant, October 19, 1887, *vice* West, promoted.

SEVENTH REGIMENT OF CAVALRY.

Capt. Theodore A. Baldwin, of the Tenth Cavalry, to be major, October 5, 1887, *vice* Madden, retired from active service.

TENTH REGIMENT OF CAVALRY.

Maj. George G. Huntt, of the First Cavalry, to be lieutenant-colonel, April 21, 1887, *vice* Wade, promoted to the Fifth Cavalry.

First Lieut. Samuel L. Woodward, to be captain, October 5, 1887, *vice* Baldwin, promoted to the Seventh Cavalry.

Second Lieut. Leighton Finley, to be first lieutenant, October 5, 1887, *vice* Woodward, promoted.

FIRST REGIMENT OF ARTILLERY.

Maj. William M. Graham, of the Fourth Artillery, to be lieutenant-colonel, August 10, 1887, *vice* Piper, promoted to the Fifth Artillery.

Capt. Edward R. Warner, of the First Artillery, to be major, May 7, 1887, *vice* Randolph, deceased.

Capt. William L. Haskin, to be major, August 11, 1887, *vice* Warner, retired from active service.

First Lieut. Frederic C. Nichols, to be captain, August 11, 1887, *vice* Haskin, promoted.

First Lieut. Abner H. Merrill, to be captain, August 14, 1887, *vice* Nichols, retired from active service.

Second Lieut. William C. Rafferty, to be first lieutenant, August 11, 1887, *vice* Nichols, promoted.

Second Lieut. John L. Chamberlin, to be first lieutenant, August 14, 1887, *vice* Merrill, promoted.

SECOND REGIMENT OF ARTILLERY.

First Lieut. John C. Scantling, to be captain, May 2, 1887, *vice* Howell, deceased.

First Lieut. George S. Grimes, to be captain, November 20, 1887, *vice* Wilson, deceased.

Second Lieut. Edwin St. J. Greble, to be first lieutenant, May 2, 1887, *vice* Scantling, promoted.

Second Lieut. Melzar C. Richards, to be first lieutenant, November 20, 1887, *vice* Grimes, promoted.

THIRD REGIMENT OF ARTILLERY.

Maj. La Rhett L. Livingston, of the Fourth Artillery, to be lieutenant-colonel, March 5, 1887, *vice* Scott, deceased.

First Lieut. Edward C. Knower, to be captain, May 7, 1887, *vice* Warner, promoted to the First Artillery.

Second Lieut. Wilbur Loveridge, to be first lieutenant, May 7, 1887, *vice* Knower, promoted.

FOURTH REGIMENT OF ARTILLERY.

Capt. Henry C. Hasbrouck, to be major, March 5, 1887, *vice* Livingston, promoted to the Third Artillery.

Capt. Jacob B. Rawles, of the Fifth Artillery, to be major, August 10, 1887, *vice* Graham, promoted to the First Artillery.

First Lieut. Frederick Fuger, regimental quartermaster, to be captain, March 5, 1877, *vice* Hasbrouck, promoted.

First Lieut. William Ennis, regimental adjutant, to be captain, October 5, 1887, *vice* Morris, retired from active service.

Second Lieut. Walter S. Alexander, to be first lieutenant, March 31, 1887, *vice* Miller, appointed regimental quartermaster.

Second Lieut. Frederick S. Strong, to be first lieutenant, May 6, 1887, *vice* Davenport, deceased.

Second Lieut. Williston Fish, to be first lieutenant, October 15, 1887, *vice* Taylor, appointed regimental adjutant.

FIFTH REGIMENT OF ARTILLERY.

Lieut. Col. Alexander Piper, of the First Artillery, to be colonel, August 10, 1887, *vice* Hamilton, retired from active service.

First Lieut. Paul Roemer, to be captain, August 10, 1887, *vice* Rawles, promoted to Fourth Artillery.

Second Lieut. Albert C. Blunt, to be first lieutenant, August 10, 1887, *vice* Roemer, promoted.

FIRST REGIMENT OF INFANTRY.

First Lieut. John J. O'Connell, to be captain, April 14, 1887, *vice* Hamilton, retired from active service.

Second Lieut. Benjamin S. Wever, to be first lieutenant, April 14, 1887, *vice* O'Connell, promoted.

EIGHTH REGIMENT OF INFANTRY.

Second Lieut. Edgar Hubert, to be first lieutenant, October 29, 1887, *vice* McMinn, retired from active service.

NINTH REGIMENT OF INFANTRY.

First Lieut. James Regan, to be captain, June 15, 1887, *vice* Pease, retired from active service.

First Lieut. William L. Carpenter, to be captain, October 2, 1887, *vice* Munson, deceased.

Second Lieut. Frank L. Dodge, to be first lieutenant, June 15, 1887, *vice* Regan, promoted.

Second Lieut. Charles R. Noyes, to be first lieutenant, August 28, 1887, *vice* Wyatt, resigned.

Second Lieut. Charles P. Stivers, to be first lieutenant, August 30, 1887, *vice* Capron, retired from active service.

Second Lieut. Christopher C. Miner, to be first lieutenant, October 2, 1887, *vice* Carpenter, promoted.

TWELFTH REGIMENT OF INFANTRY.

Second Lieut. Charles W. Abbot, jr., to be first lieutenant, September 1, 1887, *vice* Darr, resigned.

FOURTEENTH REGIMENT OF INFANTRY.

First Lieut. Julius E. Quentin, to be captain, June 15, 1887, *vice* Kennington, retired from active service.

Second Lieut. Joseph H. Gustin, to be first lieutenant, June 15, 1887, *vice* Quentin, promoted.

SIXTEENTH REGIMENT OF INFANTRY.

First Lieut. Samuel R. Whitall, to be captain, April 14, 1887, *vice* Vinal, retired from active service.

Second Lieut. Elias Chandler, to be first lieutenant, April 14, 1887, *vice* Whitall, promoted.

EIGHTEENTH REGIMENT OF INFANTRY.

First Lieut. Michael Leahy, regimental quartermaster, to be captain, June 15, 1887, *vice* Durham, retired from active service.

First Lieut. James H. Baldwin, to be captain, October 6, 1887, *vice* Kline, promoted to the Twenty-fourth Infantry.

Second Lieut. Charles McClure, to be first lieutenant, June 21, 1887, *vice* Wood, appointed regimental quartermaster.

Second Lieut. Charles L. Steele, to be first lieutenant, October 6, 1887, *vice* Baldwin, promoted.

TWENTIETH REGIMENT OF INFANTRY.

First Lieut. John A. Manley, to be captain, May 14, 1887, *vice* Bradley, deceased.

First Lieut. William H. Hamner, to be captain, August 31, 1887, *vice* Fletcher, retired from active service.

First Lieut. John B. Rodman, to be captain, October 15, 1887, *vice* McNaught, retired from active service.

Second Lieut. James A. Irons, to be first lieutenant, May 14, 1887, *vice* Manley, promoted.

Second Lieut. James S. Rogers, to be first lieutenant, August 25, 1887, *vice* Lord, retired from active service.

Second Lieut. Henry B. Moon, jr., to be first lieutenant, August 31, 1887, *vice* Hamner, promoted.

Second Lieut. Edwin H. Webber, to be first lieutenant, October 15, 1887, *vice* Rodman, promoted.

TWENTY-FOURTH REGIMENT OF INFANTRY.

Capt. Jacob Kline, of the Eighteenth Infantry, to be major, October 6, 1887, *vice* Rawn, deceased.

TWENTY-FIFTH REGIMENT OF INFANTRY.

First Lieut. Henry P. Ritzius, to be captain, September 1, 1887, *vice* Gray, dismissed.

Second Lieut. Eaton A. Edwards, to be first lieutenant, September 1, 1887, *vice* Ritzius, promoted.

CORPS OF ENGINEERS.

First Lieut. Solomon W. Roessler, to be captain, December 1, 1887, *vice* Payson, resigned.

Second Lieut. David DuB. Gaillard, to be first lieutenant, October 22, 1887, *vice* Crosby, resigned.

Second Lieut. Harry Taylor, to be first lieutenant, December 1, 1887, *vice* Roessler, promoted.

FIFTH REGIMENT OF ARTILLERY.

First Lieut. Edmund L. Zalinski, to be captain, December 9, 1887, *vice* Van Reed, retired from active service.

Second Lieut. Warren P. Newcomb, to be first lieutenant, December 9, 1887, *vice* Zalinski, promoted.

ELEVENTH REGIMENT OF INFANTRY.

Second Lieut. Richard M. Blatchford, to be first lieutenant, December 7, 1887, *vice* Handforth, dismissed.

MEDICAL DEPARTMENT.

*To be assistant surgeons, with the rank of first lieutenant.*

Jefferson D. Poindexter, of Virginia, March 11, 1887, *vice* Barrows, resigned.

Charles E. Woodruff, of Pennsylvania, April 14, 1887, *vice* Mason, resigned.

Julian M. Cabell, of Virginia, April 14, 1887, *vice* Kane, resigned.

William N. Suter, of Virginia, May 16, 1887, *vice* White, promoted.

Eugene L. Swift, of New York, August 12, 1887, *vice* Dickson, deceased.

Nathan S. Jarvis, of New York, October 14, 1887, *vice* Cunningham, deceased.

*To be post chaplain.*

Rev. William K. Tully, of Florida, April 23, 1887, *vice* Rayner, retired from active service.

Second Lieut. Stephen H. Elliott, of the Eighth Cavalry, to be second lieutenant Fifth Cavalry, June 20, 1887, with rank from October 24, 1886, *vice* Potter, transferred to the Corps of Engineers.

Second Lieut. George W. Gatchell, of the Fifth Artillery, to be second lieutenant Fourth Artillery, November 12, 1887, with rank from August 10, 1887.

Second Lieut. John D. Miley, of the Fourth Artillery, to be second lieutenant Fifth Artillery, November 12, 1887, with rank from October 15, 1887.

*Fifth Regiment of Artillery.*

Additional Second Lieut. James C. Bourke, of the Second Artillery, to be second lieutenant, December 9, 1887, *vice* Newcomb, promoted.

*Corps of Engineers.*

Additional Second Lieut. Francis R. Shunk, to be second lieutenant, October 22, 1887, *vice* Gaillard, promoted.

Additional Second Lieut. James J. Meyler, to be second lieutenant, December 1, 1887, *vice* Taylor, promoted.

TO BE SECOND LIEUTENANTS.

Class rank.

*First Regiment of Cavalry.*

24. Cadet William C. Rivers, *vice* Landis, promoted.

*Second Regiment of Cavalry.*

21. Cadet P. D. Lochridge, *vice* Holton, promoted.

*Fourth Regiment of Cavalry.*

22. Cadet Thomas H. Slavens, *vice* Dickinson, promoted.
23. Cadet Nathaniel F. McClure, *vice* Dean, promoted.

*Fifth Regiment of Cavalry.*

10. Cadet John M. Jenkins, *vice* Macomb, promoted.
16. Cadet Alfred M. Hunter, *vice* Welborn, promoted.

*Eighth Regiment of Cavalry.*

29. Cadet Ellwood W. Evans, *vice* Elliott, transferred to the Fifth Cavalry.

*Ninth Regiment of Cavalry.*

32. Cadet John H. Alexander, to fill a vacancy in the regiment.

*Tenth Regiment of Cavalry.*

30. Cadet Robert G. Paxton, *vice* Mott, deceased.

*First Regiment of Artillery.*

3. Cadet Eugene W. Van C. Lucas, *vice* Runcie, promoted.

*Second Regiment of Artillery.*

6. Cadet Richmond P. Davis, *vice* Catlin, promoted.
8. Cadet Ernest Hinds, *vice* Greble, promoted.

*Third Regiment of Artillery.*

7. Cadet George O. Squier, *vice* Gibson, appointed first lieutenant in the Ordnance Department.
11. Cadet Edgar Russel, *vice* Loveridge, promoted.

*Fourth Regiment of Artillery.*

9. Cadet Wirt Robinson, *vice* Alexander, promoted.
12. Cadet George F. Landers, *vice* Strong, promoted.

*Fifth Regiment of Artillery.*

4. Cadet Charles B. Wheeler, *vice* Allen, promoted.

*First Regiment of Infantry.*

28. Cadet Frederic A. Tripp, *vice* Wever, promoted.

*Second Regiment of Infantry.*

14. Cadet Harry E. Wilkins, *vice* Pickering, promoted.

*Third Regiment of Infantry.*

52. Cadet James T. Dean, *vice* McCoy, promoted.

*Fourth Regiment of Infantry.*

42. Cadet Herman Hall, *vice* Chase, promoted.

*Sixth Regiment of Infantry.*

39. Cadet Ambrose I. Moriarty, *vice* Shaw, dropped as a deserter.

*Tenth Regiment of Infantry.*

50. Cadet William P. Baker, *vice* Blunt, transferred to the Fifth Cavalry.

*Eleventh Regiment of Infantry.*

27. Cadet William Weigel, *vice* Handforth, promoted.
51. Cadet Eugene L. Loveridge, *vice* Emory, promoted.

*Thirteenth Regiment of Infantry.*

46. Cadet Alexander L. Dade, *vice* Hall, promoted.

*Fourteenth Regiment of Infantry.*

19. Cadet Charles H. Martin, *vice* Calhoun, promoted.

*Sixteenth Regiment of Infantry.*

31. Cadet John C. Gregg, *vice* Chandler, promoted.

*Eighteenth Regiment of Infantry.*

5. Cadet Edward C. Young, *vice* Campbell, deceased.

*Nineteenth Regiment of Infantry.*

36. Cadet Thomas C. Hanson, *vice* Evans, promoted.
44. Cadet Arthur B. Foster, *vice* Ives, promoted.

*Twentieth Regiment of Infantry.*

45. Cadet Marcus D. Cronin, *vice* Irons, promoted.
48. Cadet Charles Gerhardt, *vice* Niskern, resigned.

*Twenty-first Regiment of Infantry.*

49. Cadet Samuel Seay, jr., *vice* Parke, promoted.

*Twenty-second Regiment of Infantry.*

41. Cadet William E. Bruce, *vice* Getty, promoted.

Class rank.

*Twenty-fifth Regiment of Infantry.*

47. Cadet Charles S. Farnsworth, *vice* Reed, promoted.
53. Cadet Ulysses G. McAlexander, *vice* Devol, promoted.

TO BE ADDITIONAL SECOND LIEUTENANTS.

*Attached to the Corps of Engineers.*

1. Cadet Francis R. Shunk.
2. Cadet James J. Meyer.

*Attached to the Cavalry arm.*

33. Cadet John A. Harman, to the Seventh Cavalry.
34. Cadet Thomas Q. Donaldson, jr., to the Third Cavalry.
Cadet George McK. Williamson, to the Sixth Cavalry.
37. Cadet Francis H. Beach, to the First Cavalry.
38. Cadet Thomas W. Hall, to the Fourth Cavalry.
40. Cadet Alonzo Gray, to the Fifth Cavalry.
43. Cadet Pierrepont Isham, to the Seventh Cavalry.

*Attached to the Artillery arm.*

Cadet George W. Gatchell, to the Fifth Artillery.
15. Cadet Oscar I. Straub, to the First Artillery.
17. Cadet Fremont P. Peck, to the Fourth Artillery.
20. Cadet John D. Miley, to the Fifth Artillery.
25. Cadet Herman C. Schumm, to the Third Artillery.
26. Cadet James C. Bourke, to the Second Artillery.

*Attached to the Infantry arm.*

18. Cadet Edson A. Lewis, to the Eighteenth Infantry.
54. Cadet Willian K. Jones, to the Fourteenth Infantry.
55. Cadet Edmund Wittenmyer, to the Ninth Infantry.
57. Cadet Michael J. Lenihan, to the Twenty-fifth Infantry.
58. Cadet William H. Wassell, to the Ninth Infantry.
59. Cadet Mark L. Hersey, to the Nineteenth Infantry.
60. Cadet Walter L. Taylor, to the Sixteenth Infantry.
61. Cadet Bard P. Schenck, to the Seventh Infantry.
62. Cadet Henry R. Adams, to the Twenty-third Infantry.
63. Cadet Samuel A. Smoke, to the Sixth Infantry.
64. Cadet Frank H. Albright, to the Twelfth Infantry.

*Third Regiment of Cavalry.*

Additional Second Lieut. Pierrepont Isham, of the Seventh Cavalry, to be second lieutenant, November 25, 1887, *vice* West, promoted.

*Sixth Regiment of Cavalry.*

Additional Second Lieut. George McK. Williamson, to be second lieutenant, September 28, 1887, *vice* Cruse, promoted.

Additional Second Lieut. Francis H. Beach, of the First Cavalry, to be second lieutenant, October 5, 1887, *vice* Blake, promoted.

Additional Second Lieut. Alonzo Gray, of the Fifth Cavalry, to be second lieutenant, October 19, 1887, *vice* Sands, promoted.

*Seventh Regiment of Cavalry.*

Additional Second Lieut. John A. Harman, to be second lieutenant, July 5, 1887, *vice* Wilcox, dismissed.

Additional Second Lieut. Thomas Q. Donaldson, jr., of the Third Cavalry, to be second lieutenant, September 1, 1887, *vice* Spilman, resigned.

*Tenth Regiment of Cavalry.*

Additional Second Lieut. Thomas W. Hall, of the Fourth Cavalry, to be second lieutenant, October 5, 1887, *vice* Finley, promoted.

*First Regiment of Artillery.*

Additional Second Lieut. Oscar I. Straub, to be second lieutenant, August 11, 1887, *vice* Rafferty, promoted.

Additional Second Lieut. Fremont P. Peck, of the Fourth Artillery, to be second lieutenant, August 14, 1887, *vice* Chamberlain, promoted.

*Second Regiment of Artillery.*

Additional Second Lieut. Herman C. Schumm, of the Third Artillery, to be second lieutenant, November 20, 1887, *vice* Richards, promoted.

*Fourth Regiment of Artillery.*

Additional Second Lieut. John D. Miley, of the Fifth Artillery, to be second lieutenant, October 15, 1887, *vice* Fish, promoted.

*Fifth Regiment of Artillery.*

Additional Second Lieut. George W. Gatchell, to be second lieutenant, August 10, 1887, *vice* Blunt, promoted.

*Ninth Regiment of Infantry.*

Additional Second Lieut. Edmund Wittenmyer, to be second lieutenant, June 15, 1887, *vice* Dodds, promoted.

Additional Second Lieut. William H. Wassell, to be second lieutenant, August 28, 1887, *vice* Noyes, promoted.

Additional Second Lieut. Mark L. Hersey, of the Nineteenth Infantry, to be second lieutenant August 30, 1887, *vice* Stivers promoted.

Additional Second Lieut. Frank H. Albright, of the Twelfth Infantry, to be second lieutenant, October 2, 1887, *vice* Miner, promoted.

*Twelfth Regiment of Infantry.*

Additional Second Lieut. Bard P. Schenck, of the Seventh Infantry, to be second lieutenant, September 1, 1887, *vice* Abbot, promoted.

*Fourteenth Regiment of Infantry.*

Additional Second Lieut. William K. Jones, to be second lieutenant, June 15, 1887, *vice* Gustin, promoted.

*Eighteenth Regiment of Infantry.*

Additional Second Lieut. Edson A. Lewis, to be second lieutenant, June 15, 1887, *vice* McClure, promoted.

Additional Second Lieut. Samuel A. Smoke, of the Sixth Infantry, to be second lieutenant, September 30, 1887, *vice* Young, resigned.

Additional Second Lieut. Frederic D. Evans, of the Twenty-second Infantry, to be second lieutenant, October 6, 1887, *vice* Steele, promoted.

*Twentieth Regiment of Infantry.*

Additional Second Lieut. Michael J. Lenihan, of the Twenty-fifth Infantry, to be second lieutenant, August 25, 1887, *vice* Rogers, promoted.

Additional Second Lieut. Walter L. Taylor, of the Sixteenth Infantry, to be second lieutenant, August 31, 1887, *vice* Moon, promoted.

*Twenty-second Regiment of Infantry.*

Cadet Frederic D. Evans, graduate of the Military Academy, to be additional second lieutenant, July 1, 1887, the date he was given his diploma.

*Twenty-fifth Regiment of Infantry.*

Additional Second Lieut. Henry R. Adams, of the Twenty-third Infantry, to be second lieutenant, September 1, 1887, *vice* Edwards, promoted.

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## HOUSE OF REPRESENTATIVES.

### MONDAY, *December* 19, 1887.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Friday was read and approved.

COMPENSATION OF CERTAIN EMPLOYÉS TREASURY DEPARTMENT.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting a statement showing the names and compensation of employés paid from appropriations for the construction of public buildings; which was ordered to be printed, and laid on the table.

POSITIONS OF THE ARMY AT GETTYSBURGH.

The SPEAKER also laid before the House a letter from the Secretary of War, referring to the appropriation for marking the positions occupied by the army at Gettysburgh, and recommending that authority be granted to purchase land for that purpose; which was ordered to be printed, and laid on the table.

CONTINGENT EXPENSES MILITARY ESTABLISHMENT.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a statement of expenditures from the appropriations for the contingent expenses of the military establishment for the fiscal year ended June 30, 1887; which was ordered to be printed, and laid on the table.

BRIDGES OVER THE MUSKINGUM RIVER, OHIO.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with the report of the board of engineers, a draught and recommending the passage of an act to regulate the construction of bridges over the Muskingum River, Ohio; which was ordered to be printed, and laid on the table.

REPORTS ON PRIVATE LAND CLAIMS.

The SPEAKER also laid before the House letters from the Acting Secretary of the Interior, transmitting communications from the Commissioner of the General Land Office, embodying a report of the surveyor-general for New Mexico and Arizona on the following private land claims: The town of Atrisco; Tres Alamo, No. 17; Santa Tomas de Iturbide colony, No. 139; Ocaté claim, No. 143; Las Huertas claim, No. 144; José Antonio Lucero claim, No. 147; Plaza Blanca tract, No. 148; Plaza Colorado tract, No. 149; Cañon de Carnue claim, No. 150; the town of El Rito claim, No. 151; and the Guadalupita tract, No. 152; which were severally laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. THOMAS, of Kentucky, until January 6, 1888, on account of important business.

To Mr. HATCH, until January 5, 1888.

To Mr. STEELE, until after the holiday recess.

To Mr. HUNTER, until January 6, 1888, on account of important business.

To Mr. GLOVER, until after the holiday recess, on account of important business.

To Mr. MCCLAMMY, for four days from and after to-day, on account of important business.

To Mr. WILSON, of Minnesota, until after the holiday recess, on account of important business.

COMPILATION OF QUESTIONS OF ORDER.

Mr. COX. I offer for present consideration the resolution which I send to the desk.

The Clerk read as follows:

*Resolved*, That for the purpose of completing the compilation of questions of order raised and decided on general appropriation and revenue bills heretofore ordered by the House so as to include the Forty-eighth and Forty-ninth Congresses, the Speaker is authorized to employ a clerk to perform such work, who shall be paid, out of the contingent fund of the House, such compensation as may be fixed by the Committee on Accounts.

The SPEAKER. The question is on agreeing to the resolution.

Mr. RANDALL. Let it be again read.

The resolution was again read.

Mr. RANDALL. I suggest to the gentleman from New York to allow that proposition to go to the Committee on Rules. We are not at present sufficiently acquainted with its effect.

Mr. COX. I shall make a very brief statement and I think the gentleman from Pennsylvania will withdraw any objection. There was authority given for work done by one of the clerks of this House in making a compilation in relation to all questions of order coming up on revenue and appropriation bills. There was an appropriation to pay for this service in the last deficiency bill, which failed. I should like to see a compilation of all questions of order as to revenue and appropriation bills, not only made in the House but made in the Committee of the Whole, and decided, so that we may guide ourselves properly as to the effect of our rules; and the sooner this is done the better for intelligent action on the part of the House of Representatives.

Mr. RANDALL. I understand perfectly well the object of this resolution, but I do not think it provides proper restraints as to the expenditure. I would like to know exactly the time to be employed in bringing up the work to which reference is made and the compensation to be awarded. We should know the limit of time and the limit of amount as well. I think if the resolution goes to the Committee on Rules it will be examined and we shall be able to secure the exact restrictions required.

Mr. COX. The gentleman from Pennsylvania [Mr. RANDALL] may amend the resolution, if he chooses, by stating that the work shall be done, say, within three months. I believe it will be completed within that time.

Mr. RANDALL. I do not want to impair the efficiency or the thoroughness of the work; and I am not sufficiently informed to know by what date it should be completed or what amount should be paid for it. That is the reason why I wanted it to go to the committee for thorough examination.

Mr. COX. As the Committee on Rules will likely report the resolution back on an early day, I accept the suggestion of the gentleman from Pennsylvania.

The resolution was referred to the Committee on Rules.

MEMBER SWORN.

Mr. RYAN, a Representative-elect from Kansas, appeared and qualified by taking the prescribed oath.

ORDER OF BUSINESS.

Mr. TOWNSHEND. I understand the unfinished business to-day is the resolution which came over from the last sitting, which I introduced, in reference to the introduction of bills. As I understand the Committee on Rules will soon be announced, I ask unanimous consent that my resolution lie over for the present.

There was no objection.

COMMITTEE ON RULES.

The SPEAKER announced the appointment of the Committee on Rules, as follows: The Speaker, Mr. RANDALL of Pennsylvania, Mr. MILLS of Texas, Mr. REED of Maine, and Mr. CANNON of Illinois.

AMENDMENT OF RULES.

Mr. RYAN. I offer the privileged resolution which I send to the desk, and ask to have it referred to the Committee on Rules.

The Clerk read as follows:

*Resolved*, That Rule XXIV be amended by adding to clause 1 the following: "*Provided*, That there shall only be printed for the use of the House and Senate, unless otherwise ordered, 100 copies of each bill and resolution of a private nature and 500 copies of each bill and resolution of a public nature."

The resolution was referred to the Committee on Rules.

FRENCH SPOLIATION CLAIMS.

Mr. DIBBLE. I offer for present consideration the resolution which I send to the desk.

The Clerk read as follows:

*Resolved*, That the reports of the Court of Claims under the act of Congress entitled "An act to provide for the ascertainment of claims of American citizens for spoliations committed by the French prior to the 31st day of July, 1801," approved January 20, 1885, be referred to the Committee on Appropriations, when appointed, with instructions to report to this House all such claims as have been decided favorably to the claimants and so reported by the Court of Claims in the general deficiency bill for the consideration of the House.

Mr. DIBBLE. Under the legislation adopted by Congress in 1885 all questions of law and fact connected with the French spoliation claims were referred to the Court of Claims, to be reported back by that court to this House for its consideration and action.

There have been reported to the present House the decisions of the court in relation to thirty-five ships. Thirty of those decisions are favorable and five adverse. The amount which the Court of Claims has decided as being due by the United States to the claimants in those cases is about $448,000. The object of this resolution is simply to have, in a convenient form for consideration by the House, these claims, which in the report are all set forth separately, with the decisions and the reasons therefor, in order that they may be intelligently considered, with a sufficient interval of time between now and the reporting of the deficiency bill to give every member of the House an opportunity for full examination of each and every claim. This being the course which other reports of the Court of Claims usually take, I presume, Mr. Speaker, that it will give better opportunity for examination and greater liberty of debate than any other, and unless some gentleman wishes to discuss the matter I will ask for the present consideration of the resolution, and upon that will call the previous question.

Mr. MILLS. I hope the gentleman will withdraw the demand for the previous question.

Mr. DIBBLE. Does the gentleman desire to discuss this matter?

Mr. MILLS. I do.

Mr. DIBBLE. How much time does the gentleman require?

Mr. MILLS. Only two or three minutes.

Mr. DIBBLE. I will yield five minutes to the gentleman from Texas [Mr. MILLS], and reserve the balance of my time.

Mr. MILLS. Mr. Speaker, this is a matter of great importance. The House is not informed as to the amount of money embraced in these claims. We know nothing about it, and we are asked to take up the consideration of this question and act upon it without any investigation by a committee of the House, without any recommendation from a committee. In my judgment, it is a matter of too much importance to be acted upon here until it has been investigated and reported upon by a committee, and when the gentleman from South Carolina [Mr. DIBBLE] gets through with the discussion of the subject I shall propose to refer the resolution to a committee.

Mr. DIBBLE. That is the motion.

Mr. MILLS. I understood the gentleman to ask for its present consideration.

Mr. DIBBLE. No, sir. The resolution refers the matter to the Committee on Appropriations, to be reported in the deficiency bill, and then considered by the House.

Mr. MILLS. Well, we do not want it referred with instructions. We want it referred without instructions.

Mr. BLOUNT. Will the gentleman from South Carolina [Mr. DIBBLE] yield to me for a moment?

Mr. DIBBLE. Yes, sir.

Mr. BLOUNT. It seems to me, Mr. Speaker, that this resolution goes further than my friend from South Carolina [Mr. DIBBLE] claims. It is not simply a proposition to refer the subject. It directs the reference of these claims to the Committee on Appropriations with instructions to report them in an appropriation bill, and it gives that instruction before that committee have had a chance to examine the claims.

Mr. DIBBLE. Not at all.

Mr. RANDALL. The gentleman from South Carolina [Mr. DIBBLE] does not propose that, I think.

Mr. BLOUNT. I understand that the matter is to be reported to the House on a deficiency bill, and is to come to the House with all the moral effect of such a report.

Mr. RANDALL. My idea is that this matter should first have the judgment of the Committee on Claims as to the propriety of its enactment before it goes to the Committee on Appropriations.

Mr. BLOUNT. The gentleman from Pennsylvania [Mr. RANDALL] is discussing one aspect of the subject and I am discussing another. This resolution amounts to a resolution of instruction to the Committee on Appropriations to report in one of the general appropriation bills all these claims that have been reported on by the court, just as judgments are reported; and if that is done they will come back into this House with all the moral force that attends a report of any bill by the Committee on Appropriations. It seems to me that that should not be done; especially in view of the fact that when the bill referring these claims to the Court of Claims was before the House the inducement for its passage was the statement that the action of the court was not to be final, but that the claims were subsequently to be passed upon by the House.

Mr. SHAW. Will the gentleman from Georgia permit me to ask him a question?

Mr. BLOUNT. Certainly.

Mr. SHAW. Does not this resolution call for the reference of only such claims as have been adjudicated by the Court of Claims?

Mr. BLOUNT. I think it does; but, as I have just stated, the objection to the resolution is that it amounts to a declaration on the part of this House that the investigation as to that class of claims is concluded; whereas it is well known that when the bill referring these cases to the court was before the House it was stated, and accepted on every side, that the action of the court was not to be final, but that the court was simply to report the questions of fact and law to this House, to be reviewed by the House, and the judgment of the court to be confirmed or not, just as the House saw fit to determine.

It was expressly precluded that this question was to be treated as my friend from South Carolina proposes to treat it to-day. This is a new matter coming in here in the way that I have stated; and it does seem to me proper that it should be referred under these circumstances to some committee, as it may involve the expenditure not merely of $400,000, but of twenty, thirty, or possibly forty million. No man can undertake to say what the aggregate may be; and I submit that now in the initiative, we ought, in good faith under the promises made when the act for the consideration of these claims by the Court of Claims was passed, to provide for a reference to some committee, whether the Committee on Appropriations, the Committee on Claims, or any other committee, so that this question may have full consideration. We should not by the adoption of a resolution in this form commit the judgment of the House at this time.

## MESSAGES FROM THE PRESIDENT.

Several messages, in writing, from the President of the United States, were communicated to the House by Mr. PRUDEN, one of his secretaries.

## FRENCH SPOLIATION CLAIMS.

The House resumed the consideration of the resolution offered by Mr. DIBBLE.

Mr. DIBBLE. I will call my friend's attention to the fact that that resolution provides for a reference of these claims to the Committee on Appropriations, who shall report them back in a bill for the consideration of the House. By the adoption of this resolution the House will not be bound to any particular action in finally disposing of these claims.

Mr. BLOUNT. Mr. Speaker, this proposition is to put these claims on the same footing with any measure reported by a committee for the consideration of the House; and I do not see why we should require the committee to report these particular items in that way. It is proposed that we treat these special claims as of higher rank than provisions for the maintenance of the Army or the Navy, the consular and diplomatic service, or any other branch of the Government. The gentleman proposes to require that these claims shall be reported for consideration.

Mr. DIBBLE. It is proposed merely that these claims be treated in exactly the same manner as other reports which come from the Court of Claims; that provision for every claimant be inserted as a separate item, with the amount thereof, in the appropriation bill. Here is a report from the Court of Claims detailing the proceedings in each case—the facts found after a regular judicial investigation before a court the judges of which are appointed by the Government. After the Government has been heard by its duly authorized representatives, this court submits a report with all the facts found, and giving every conclusion of law with the reasons therefor; so that, on any particular case, each member of the House—not merely the lawyers of the House—can form an intelligent opinion. It is proposed simply that these claims be reported in the general deficiency appropriation bill, which comes in towards the close of the session. Meanwhile, any member of the House who feels an interest in the subject may take this report of the court, may sift the cases, and when the general deficiency bill comes up can discuss each or all of these cases on general principles or with reference to details.

The history of these claims is that they have heretofore been fully considered repeatedly by Committees on Claims of this House; they have been passed upon by committees of both Houses ever since the year 1802; and since 1826, when the evidence was first transmitted to Congress, there has never been made, either to the Senate or to the House, an unfavorable report as to the justice of these claims. There are over forty favorable reports, sanctioned by the greatest names in American statesmanship and jurisprudence. From the early reports, the second of which was made by Francis Marion, of South Carolina, down to the latter reports, dignified by the names of Rufus Choate and Daniel Webster, there has been one consensus of opinion in favor of the justice of these claims. They have been before this House in its discussions, and the ultimate conclusion of Congress was that the merits of every claim should be judicially ascertained. This has been done as to thirty-five of these cases, which are embraced in this report. As to five ships the report is adverse; as to thirty, favorable. The amount found due by the court in these thirty-five cases is only $445,000, an average of about $14,000 to each ship.

This resolution does not present these claims to the House now for the purpose of taking any snap judgment of this body. The object is to insure, when this House gets to its rush of business, that certainty of final consideration and action, be it favorable or adverse, which, under the rules of this House, we are not apt to get with measures of this kind in any other way.

One word, Mr. Speaker, in regard to the probable amount of these claims in the aggregate. It has been variously estimated from $9,000,000 up to $30,000,000. I have carefully considered the statistics of these cases, representing all classes of vessels—schooners, brigs, and ships. I take these thirty-five cases to be a fair sample of all. In

view of the average of the recoveries against the Government in these cases, and the fact that the time limited by statute has expired and no more claims can now be presented, it is my judgment that the aggregate, instead of being $20,000,000 or $30,000,000, will not, at the most, exceed $14,000,000. If we adopt the average in these thirty-five cases, the amount will be $10,000,000. Taking this basis of calculation, the amount of these claims will be much less than the opponents of their payment have stated.

Mr. Speaker, the amount of the claims involved in this resolution is, as I have said, only $448,000. But, sir, if the Government owes these claimants this money, the question of amount is a secondary one. The Government of the United States is able to pay its debts; the Government does pay its debts; and these particular claims have been favorably acted on by nearly every Congress during the last forty years.

Mr. BLOUNT. Mr. Speaker, I wish to say——

Mr. REED rose.

Mr. BLOUNT. If the gentleman from Maine [Mr. REED] wishes to speak, I will give way for the present. [A pause.]

Mr. DIBBLE. Mr. Speaker, if no further debate is desired, I will move the previous question.

Mr. BLOUNT. If I am required to go on now, I will do so.

The SPEAKER. The gentleman from Georgia [Mr. BLOUNT] will proceed.

Mr. BLOUNT. Mr. Speaker, this is an exceptional proposition, such a one as I have never known to be made in this House before. It is a resolution directing the Committee on Appropriations of this House, charged by the House with considering all the items proper for governmental expenditures, to abandon for the time being as to these particular claims any revision of them—to direct the clerk of that committee to insert in the deficiency bill a provision for the payment of certain claims reported from the Court of Claims. I say, sir, it is without precedent.

My friend has referred to other cases coming from the Court of Claims which have gone to the Committee on Appropriations. Sometimes they have gone to them and sometimes to the Committee on Claims; but I undertake to say never before has the House withdrawn from that Committee on Appropriations the power to revise those claims; never before have claims coming from the Committee on Claims failed to be examined by the Committee on Appropriations; and never before has that Committee on Appropriations failed to exercise the right to say whether they should go into the appropriation bill or not.

Mr. HOLMAN. Will the gentleman yield to me in order that I may call attention to the law on this subject?

Mr. BLOUNT. With pleasure.

Mr. HOLMAN. I ask the section of the law covering the subject may be read. It is section 6 of the act approved January 20, 1885; and after the law has been read I desire to call attention to the precedents under similar laws.

The Clerk read as follows:

SEC. 6. That on the first Monday of December in each year the court shall report to Congress, for final action, the facts found by it, and its conclusions in all cases which it has disposed of and not previously reported. Such finding and report of the court shall be taken to be merely advisory as to the law and facts found, and shall not conclude either the claimant or Congress; and all claims not finally presented to said court within the period of two years limited by this act shall be forever barred, and nothing in this act shall be construed as committing the United States to the payment of any such claims.

Mr. HOLMAN. The uniform practice with regard to the findings of the Court of Claims prior to the passage of the law making the judgment of that court final was that the report made to Congress upon the facts and conclusions of law should be referred to the proper Committee on Claims. The same practice has prevailed under the Bowman act; the facts as found by the Court of Claims are reported to Congress and then go to the proper Committee on Claims. There is no instance, I think, in our history where the Court of Claims has been required to ascertain the facts in reference to claims referred to it that the report made did not go to one or other committees of this House for consideration.

Mr. BLOUNT rose.

Mr. DIBBLE. I believe I still retain the floor.

Mr. BLOUNT. I understood that I was occupying the floor in my own right, and yielded to the gentleman from Indiana.

The SPEAKER. The Chair understood the gentleman from South Carolina to demand the previous question.

Mr. DIBBLE. I yielded to the gentleman from Georgia, out of my time, of course, to hear what he had to say, and I am now willing to yield to him whatever time he may desire.

Mr. BLOUNT. I do not recollect absolutely, Mr. Speaker, as to whether the statement of my friend from Indiana is correct or not, that this class of claims has always gone to the Committee on Claims. I am inclined to think sometimes they have gone to the Committee on Appropriations, but never with instructions requiring that committee to report them back in an appropriation bill, never taking from that committee the right, the revisionary right over such matters as have been referred to them by the House.

Mr. HOLMAN. Will the gentleman permit me to make a further remark?

Mr. BLOUNT. Certainly.

Mr. HOLMAN. Where a court has been required by law to find the facts and report its conclusions to Congress the report has uniformly gone to one or the other committees of the House. Such claims so reported have uniformly been considered as still claims to be considered by Congress. The court in all such cases simply furnishes information to Congress on which to base legislation.

Mr. BLOUNT. I will not say absolutely, as the gentleman from Indiana has had large experience, and his statement will go for whatever it is worth, and it is worth a good deal, and it is not important to me what committee it should go to; but I do insist whenever any of these claims shall go to the Committee on Appropriations that committee shall be permitted to do with them as with other matters referred to them for consideration and action, and that they shall not be required to put them in an appropriation bill to be reported to the House. I do not see why their standing as claims should have any superior right; I do not see why they should be allowed any superiority over any other class of claims, for these are not judgments, as I understand it, but are simply advisory in their character, and I can not see any principle upon which we should require the Committee on Appropriations to include their payment in an appropriation bill without the examination and revision which are given to every other matter referred to them.

Mr. MILLIKEN. Does not the gentleman from Georgia believe that this matter has already been put off long enough? Does he not know that it has been put off from time to time for eighty years, and is not that a sufficient delay? Let me ask him if he does not believe, further, that if his motion prevails it will be put off for eighty years longer before it comes up for consideration?

Mr. BLOUNT. Ah! that is what the gentleman means, then, by his resolution. You have waited a long time, and you mean to declare by your resolution that it shall be put off no longer. We are not going to consider it, but we are going to compel the Committee on Appropriations, without reference to the rules of the House or the merits of the question, to fasten the claims on an appropriation bill, and drive them through the House without consideration.

Mr. MILLIKEN. Oh, no; we are going to consider them; that is all we ask.

Mr. BLOUNT. You are going to consider them! How? On a deficiency bill. The law and facts in perhaps thirty or forty cases will be before you, and you will give, possibly, five minutes consideration to each one, which will, after all, be a mere perfunctory performance, because you declare on the floor of the House and in your resolution that you are tired of waiting.

Mr. BUCHANAN. Is not eighty years long enough to wait?

Mr. MILLIKEN. The gentleman need not be afraid there will be no consideration. We will all be there when the question comes up, and I suppose the gentleman from Georgia will be there.

Mr. BLOUNT. I am sure my friend will be there.

Now, my friend from South Carolina [Mr. DIBBLE] declares that these claims have been considered and approved in some forty-odd reports, and by some of the most eminent men in the country. I concede that the principle upon which the claims rest has been reported by various committees.

It is likewise true that it has had vetoes from two distinguished Presidents of the United States. I do not care to inquire into the fact as to whether these Presidents or the gentlemen making these reports from the committees were correct. I am only dealing with the question now presented.

Mr. MILLIKEN. Will the gentleman state the ground of the last veto? If he will state the ground on which that veto was based I think he will come to the conclusion that there is no force whatever in his present argument or position.

Mr. BLOUNT. I can not state a veto message in the short time allowed me. I do not think it important, however, as to whether these gentlemen were right and the President wrong, or otherwise. The principle is one thing. We have cases now here—the facts and the law in individual cases—to be considered after simply a recommendation from that court, and the resolution means nothing else, practically, except to bring up these claims, not for consideration and adjudication, but for payment on an appropriation bill.

Mr. DIBBLE. Did I understand the gentleman from Georgia to say that he was favorable to the payment of some of these claims, and the principle involved in them?

Mr. BLOUNT. Oh, no; I made no such statement.

Mr. DIBBLE. Very well; I only wanted to know where the gentleman stands.

Mr. BLOUNT. Ah, that is it. You are simply feeling about.

Mr. Speaker, I am perfectly willing to acquiesce in legislative enactments touching this matter, though I did not vote for the measure originally. I am willing to treat the principle as accepted by the country, but I am not willing to force upon this House in this manner without consideration the payment of these claims.

Mr. DIBBLE. Then what objection has the gentleman, if he treats the principle as accepted by Congressional and judicial action—what objection has he that these cases should be taken up together in detail and acted upon in a deficiency bill? It is the experience of the older

members of this House that on frequent occasions exceptions have been taken to even final judgments of the Court of Claims. Members now on this floor know that in many cases individual judgments of the Court of Claims are criticised and in some instances stricken from the deficiency bills; and I reassert, sir, that there is nothing here to commit the House to favorable or unfavorable action, but it is a proposition simply to put these cases in a shape where the House can take them up in detail in a bill that the Committee on Claims could not report in this shape; and, if it did, would not have the floor for its consideration. That being the case, the general deficiency bill is the only proper one for such action.

Mr. BLOUNT. I presume the gentleman did not intend to take me from the floor.

Mr. DIBBLE. By no means. How much time does the gentleman want?

Mr. BLOUNT. Well, we have plenty of time. I do not want to occupy very much more, however.

Mr. MILLS. Let me ask the gentleman from South Carolina if he would not consent to so modify his motion as to have these claims referred to the Committee on Claims with instructions to report back as soon as possible such recommendations as they think proper; and then when you get them up before the House they will have additional weight given to them by a recommendation on the part of the committee that has thoroughly investigated the matter.

Mr. REED. Will you allow immediate action?

Mr. MILLS. What is the gentleman's question?

Mr. REED. Will you allow the committee to report for immediate action?

Mr. MILLS. Let them have the right to report at any time.

Mr. REED. I mean for immediate action when the report comes before the House.

Mr. SPRINGER and others. Oh, no!

Mr. REED. I thought so.

Mr. MILLS. The report will be privileged, and will stand on the same footing as any similar business. I am willing that it shall be privileged to that extent.

Mr. MILLIKEN. Does the gentleman mean to refer them to the Committee on Claims with instructions to report them in a bill, and then await the usual result of such reports?

Mr. MILLS. I mean with instructions that they shall be reported upon as soon as practicable.

Mr. DIBBLE. In answer to the gentleman I will say I am not willing to concede for these claims a position which the experience of members of this House shows will render their consideration precarious if not absolutely impossible. All the object of this resolution is to insure consideration; and when the consideration comes the subject can be discussed and disposed of and a final decision of Congress had. This is the only way, judging from our experience in this House, in which that result can be obtained.

Mr. BLOUNT. The gentleman from South Carolina says that claims reported by the Court of Claims have been rejected by this House. I will not undertake to say that that has not happened. But what the gentleman suggests has not been the means the House has resorted to heretofore for informing itself in reference to claims. When the report has gone to the Committee on Claims, for instance, they have taken up the claims through a subcommittee, examined them in detail, and rejected many of them.

It is through committees that the wisest legislation always comes, and I hope we are not going to depart from the rule in this particular case. I do not see, sir, repeating myself, why it is that we should put this class of claims on a different footing from that on which we put all other claims. We have never made the appropriation bills vehicles for reporting claims against the Government to the House, and I trust we are not going to do it now.

We are at the beginning of a session; we are here with a certain uneasiness lest there should be heedlessness in the manner of expenditures of the public moneys.

Mr. DIBBLE. I do not like to interrupt my friend from Georgia, but I wish to ask the Chair whether I am limited to one hour.

The SPEAKER. The Chair thinks so.

Mr. DIBBLE. I ask the Chair how much time I have left.

The SPEAKER. The gentleman from South Carolina has twenty-five minutes of his time remaining.

Mr. DIBBLE. I feel constrained, in justice to other members of the House, to restrict my friend from Georgia a little in the amount of time. I yield to him two minutes further.

Mr. BLOUNT. I hope the gentleman from South Carolina will make a better arrangement than that. There are many gentlemen here who do not agree with him. I am willing, if it be agreeable to the gentleman, to take the floor after his time shall have expired and yield to him such time as may have been taken from him.

Mr. DIBBLE. I would rather control the time myself. I desire to call the previous question at the expiration of the hour.

Mr. BLOUNT. The gentleman from South Carolina, I understand, wishes to give me but two minutes more. If that is his proposition I will say that I do not care about that sort of discussion.

Mr. DIBBLE. I yield to the gentleman from Alabama [Mr. OATES] five minutes.

Mr. MILLS. I give notice that at the expiration of the hour I will move to refer the resolution to the Committee on Claims.

Mr. OATES. I can not see any good purpose in a reference of this resolution to the Committee on Claims, because so far as that committee could go the Court of Claims has already gone. It has ascertained the facts, and in accordance with its opinions of the law has reported these claims for allowance.

There is but one objection, it seems to me, that can well be made against this resolution, if it is understood to conclude the committee or the House, and that is the doubt which rests upon the minds of a good many gentlemen and has done so during the whole period of the controversy on these claims, as to whether this Government is legally liable for them. That question during the last session of Congress was before the Judiciary Committee, and by that committee received full consideration, and the majority agreed to report to this House—and it was reported but I believe never acted upon—a bill in accordance with the desire expressed to some of the committee on the part of the law officers of the Government, that an appeal in some of these cases, to be selected by the Attorney-General, should be taken to the Supreme Court of the United States, and by that high tribunal determined, in order to free the minds of people from the doubt as to the liability of the Government.

Unless this is done it seems to me that the resolution of the gentleman from South Carolina is a proper means of disposing of these claims. Unless this House and the other are going to provide for a test of the liability of the Government by the Supreme Court of the United States, these claimants are entitled to have an appropriation for the payment of the amount which the Court of Claims under a law of Congress has found is due them.

I therefore favor the reference resolution offered by the gentleman from South Carolina, and pending its consideration by the Committee on Appropriations those gentlemen who desire to have the question tested before the Supreme Court of the United States will have an opportunity to attain that object by offering bills and sending them to the Judiciary Committee, from which no doubt they will be duly reported. Then this House and the other can act thereon and provide a means of appeal and final trial. But, sir, if this is not to be done, then these claimants, having acted under a law of Congress and gone before the Court of Claims and obtained an adjudication in their favor, are entitled, in my judgment, to have an appropriation made for the payment of their claims.

Mr. BLOUNT. Did the court pass on the question of the legality of the claims?

Mr. OATES. I am satisfied myself of their legality, and am prepared to vote in favor of them; but if gentlemen desire to test the question before the Supreme Court I am willing that shall be done, and will vote for a bill to give jurisdiction and allow the claims to be taken there. On the other hand, if that is not to be done, then I am in favor of paying them.

Mr. SOWDEN. Will the gentleman permit a question?

Mr. DIBBLE. Yes, sir.

Mr. SOWDEN. Under the act referring these claims to the court is not the Government precluded from the right of appeal?

Mr. DIBBLE. It can not have that right without independent legislation on the subject.

Mr. Speaker, I now yield five minutes to the gentleman from Maine [Mr. REED].

Mr. REED. Mr. Speaker, this is, after all, a practical question. At least three-score of the members present now know, and the rest of them before the end of the session will know, that there are a great many ways of killing a bill besides a direct negative vote of the House. Among the methods, one is to send it to a committee, and especially to the Committee on Claims, which is so overburdened with work that it can report on but very few of the matters that are referred to it.

The present proposition is to send this to the Committee on Appropriations with directions to report it upon a deficiency bill for the action of the House. The Committee on Appropriations can consider these items and report against them or report for them, but in no event will they be allowed to prevent the House from voting on them. That is the proposition. If that is refused and these claims are sent to the Committee on Claims, this House will adjourn without a vote. I admit that there ought to be some reason for taking this matter out of the ordinary course, if it is to be taken out of the ordinary course. What is the reason? The Congress of the United States, by a solemn enactment, has referred this class of claims to a court of its own constitution, appointed by itself and paid by itself, with instructions to ascertain whether these claims are due in law and in fact. That court, after solemn judicial investigation, has decided that the United States, upon the law and the fact, is liable. In the act giving the court that jurisdiction we reserved the right to pass upon this question under the light of the opinion of the court; but having that opinion, having procured it in judicial fashion, having paid for it, it does seem to me that after eighty years of waiting on the part of these claimants, after nearly three generations to whom the money was due have faded off from the earth, we ought to make no more dilatory opposition, but ought as a

Congressional body to come squarely and manfully up to the yes or no answer for which every man must be responsible to his constituents and to his conscience.

In other words, if the course that is proposed is unusual, the case is unusual also. If it is a rare course there are rare reasons for it. The matter for this House to decide, here and now, is practically this: Shall we vote on these claims directly, or shall we not?

Mr. SPRINGER. Will the gentleman from South Carolina yield me three minutes?

Mr. DIBBLE. Yes, sir.

Mr. SPRINGER. Mr. Speaker, this is simply a question of the orderly proceeding of this House. Every other case that comes from the Court of Claims under the Bowman act is referred to the Committee on Claims, just as other private claims are referred, but here is a proposition to take these cases out of the ordinary course and out of the ordinary jurisdiction of the House, and refer them to the Committee on Appropriations. It seems to me, sir, that this motion is premature. This resolution takes away from the Committee on Claims its jurisdiction under the rules of the House and makes the Appropriations Committee a claims committee. Heretofore the Appropriations Committee has never appropriated for private claims except in extraordinary cases, and the rules of the last House—which I presume will be the rules of this House also—require that all private claims shall be referred to the Committee on Claims, or to the Committee on War Claims, according to the nature of the case. This resolution proposes to make these claims privileged, and to refer them, not to the Committee on Claims, to which they would properly go, but to the Appropriations Committee, which is a privileged committee with authority to report at any time, and the resolution further instructs the Appropriations Committee to report these claims in a deficiency bill. Now a deficiency bill is one of the bills which provide for carrying on the ordinary expenses of the Government, and it was never intended that private claims should be included in such a bill.

Besides, these claims have not yet been finally adjudicated by any tribunal of this Government. They were referred to the Court of Claims that the facts and the law as appearing to that tribunal might be reported to Congress; but the law providing for a reference to the court provided that "nothing in this act shall be construed as committing the United States to the payment of any such claim." This resolution commits the United States at once to the payment of these claims——

Mr. DIBBLE. Not at all.

Mr. SPRINGER. By ordering the Committee on Appropriations to report them to this House as part of the expenses of this Government, for which we are bound to make appropriations.

I hope this resolution will be referred to the Committee on Claims, and that all these claims may take the usual course; otherwise I shall ask that all the other claims which may come from the Committee on Claims with a favorable recommendation under the Bowman Act shall also be referred to the Committee on Appropriations, to be treated as a part of the legal and equitable demands against the Government for which that committee must provide. I ask that this matter be treated as we are accustomed to treat all similar questions. I hope a law may be passed providing that one of these cases may be taken on appeal from the decision of the Court of Claims to the Supreme Court of the United States, giving the latter tribunal an opportunity to pass finally upon this question.

[Here the hammer fell.]

Mr. DIBBLE. Mr. Speaker, how much time have I?

The SPEAKER. Thirteen minutes.

Mr. DIBBLE. I yield three minutes to the gentleman from Arkansas [Mr. ROGERS].

Mr. ROGERS. Mr. Speaker, the position assumed by the gentleman from Alabama [Mr. OATES] is unquestionably the logical position applicable to this case as it is now presented. If the Congress of the United States does not propose to allow these cases, with those which are to follow, amounting to millions of dollars, to be finally adjudicated by the Supreme Court of the United States, then these claims ought to be paid, and paid at once, and for the reason that I regard the findings by the Court of Claims as entitled to greater dignity and respect than the report of any committee of the House made in the ordinary way. But, Mr. Speaker, the Department of Justice, which has had control of this litigation on the part of the Government, if I am correctly informed (I have not seen the report), has recommended that Congress permit an appeal to be taken by either party from the judgment of the Court of Claims (if it may be called a judgment) to the Supreme Court of the United States, which tribunal shall be allowed to render its final judgment upon the questions involved.

Personally, I feel that if this question were now put to a vote, I should vote against the appropriation—first, because we have not the final judgment of any court; but secondly, because the Department of Justice, having control of this litigation on the part of the Government, is not satisfied with the judgment, or rather findings of fact, if you please, which has been rendered by the Court of Claims; and I think before we pay, that Department which has investigated and conducted these suits should be satisfied. But if the Supreme Court of the United States should settle the questions involved and decide finally against the Government, then I should be for the payment of these judgments, as I am for the payment of every final judgment rendered by the supreme judicial tribunal of this land.

I submit therefore, Mr. Speaker, that the proposition of the gentleman from South Carolina is premature. It anticipates the wishes of the Attorney-General, and seeks to defeat the action advised by him. If the course proposed is to be adopted with reference to these cases, it should become a precedent for every other class of claims—certainly for claims which are supported by the final judgments of the Supreme Court of the United States, some of which are now resting against the Government. I hope that these claims will not be allowed to take the course proposed by the gentleman from South Carolina, but that, in accordance with the recommendation of the Department of Justice, which has been intrusted with the supervision of these matters, the Supreme Court of the United States will be allowed to pass finally upon the legality of these claims, and render such judgment as seems proper in the premises before we pay either or any of them; and that is all I wish to say, Mr. Speaker, at this time.

The SPEAKER. The gentleman from South Carolina [Mr. DIBBLE] has ten minutes of his time remaining.

Mr. DIBBLE. Mr. Speaker, the proposition that the Supreme Court of the United States should deliver a final judgment in relation to the French spoliation claims was before the Houses of Congress for legislative consideration at the time when the bill which became a law was under discussion; and gentlemen who are familiar with the history of this legislation will well remember that the friends of these claims were perfectly willing that they should go to the Supreme Court of the United States for final adjudication, and that after such final disposition by the Supreme Court nothing further should be done by Congress except to appropriate the money. But the very gentlemen, some of them, who are now opposing this resolution, said "No." They were not willing to relinquish on the part of Congress the power of final decision; and it was in deference to the views of the opponents of these claims that such a provision was stricken out. If, now, the course suggested by these gentlemen be adopted, what happens? After repeated knocking at the doors of Congress, we secure the passage of a bill for the adjudication of these claims. During its discussion two methods of settling the matter are proposed—one that the claims should go to the Court of Claims for consideration and decision, and should then come back for the final action of Congress; the other that the Court of Claims should have the power to render a judgment which should become final upon an appeal to the Supreme Court of the United States. In deference to the views of the opponents of these claims we gave them their choice; they adopted the plan which was embodied in the present law. Now, after they have had their choice, after everything has been done according to their plan, they come to us and ask us to adopt the other plan. We have allowed them their option as to the course which should be pursued. A court has solemnly decided that sundry of these claims are just. At the instance of these gentlemen, we willingly agreed to submit the adjudications of that court for final action by Congress. They now wish all this to be wiped out, and ask that the plan which they before rejected be now adopted. Mr. Speaker, this looks very much like what we call a dilatory motion.

The justice of these claims is sanctioned by names which have dignified the bench of the United States. Chief-Justice Marshall, familiar with the circumstances of these cases as things within his own day and generation, put his approval on the justice of these claims. I think the gentleman from Illinois drew the proper distinction in regard to this resolution. We do want a privileged position for these cases—not privileged in such a way as to commit the House to any particular final decision, but privileged in such a way that after eighty-five years have passed we may now have a final hearing and adjudication upon these cases, to which I submit, after such delay, we are fairly entitled. If they go into the Supreme Court, it would take four years before any one of them would be decided. If every case had to go to the Supreme Court, not one of the members of this House would be left when the final decision of the last case would take place. The present claimants would then have all passed away. If that is to be the course suggested by the opponents of this resolution, I hope no such disposition will be agreed to by the House.

I reiterate that there is nothing that commits the House, except that the last clause of the resolution provides for their submission to the House for action. It is not simply an instruction to insert these claims in the bill for the purpose of passing them, but it is to insert them in the bill that is to be reported to the House for the consideration of the House. And when the appropriation bill comes up, as we all know, it is considered item by item in the Committee of the Whole. The utmost latitude of debate is allowed. The whole question is debated under the five-minute rule. Every gentleman on the floor will have the right to be heard, if he desires to do so, as there is no previous question in the Committee of the Whole. Any one item can be objected to, and every gentleman on the floor can express his objection to any part of the claim. The whole question can be sifted down to the very bottom. Justice can be done in every one of the cases. That is all I ask. My motion is not to prevent any discussion in the Committee of

the Whole. The fullest latitude of debate will be allowed under the rules, and any item can be acted on as the House chooses. Members will have the opportunity from now until the time when the deficiency bill will be reported to study each of these cases. If any one wants to study them, he can even go to the records of the Court of Claims for that purpose. All my resolution provides for is that these claimants shall have an opportunity for the consideration of and action on their claims by the House.

I now demand the previous question.

Mr. RANDALL. I hope the previous question will not prevail, as I would like to say a word in this connection. It involves a large sum of money; but I do not wish to deprive the gentleman, by delay, of the right to make the motion, and I will yield the floor back to him, so that he may renew his motion.

Mr. DIBBLE. I will yield to the gentleman from Pennsylvania all of the time remaining, lacking one minute.

The SPEAKER. There are only three minutes remaining.

Mr. RANDALL. Mr. Speaker, there is more involved in this question than mere parliamentary attitude of this class of claims. The Committee on Appropriations heretofore, with a single exception, has always recommended the payment of claims which came to that committee as the judgment of the Court of Claims. That exception was the Choctaw claim, covering the sum of $2,800,000, and the committee recommended as to that claim that further information was desired.

Now, if I understand correctly the attitude of these claims, the Court of Claims was, by law, authorized to find the facts and report to Congress for review. They are not, in fact, therefore, judgments of the Court of Claims. But, in addition, the Judiciary Committee of the last House reported a bill conferring the right upon the Department of Justice to appeal from the findings in these cases.

A MEMBER. To both parties?

Mr. RANDALL. No, conferring upon the Government the right to appeal. If I am wrong I can be corrected, but my recollection is that the Committee on the Judiciary reported in favor of Congress passing a law giving the Government of the United States the right to appeal in any of these cases.

The SPEAKER. The gentleman's time has expired.

Mr. ROGERS. I desire but one sentence.

Mr. DIBBLE. I demand the previous question.

Mr. ROGERS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ROGERS. I would like to know under what rule there is a limitation as to time for debate.

The SPEAKER. The Chair has frequently decided that in the absence of a resolution adopting the rules of the House formally, the proceedings of the House are governed by the general parliamentary law, of which the practice of the House constitutes a part—in fact, the principal part.

Mr. SPRINGER. If I had known such to be the case I would have objected long ago.

Mr. BLOUNT. If the demand for the previous question is voted down?

The SPEAKER. Debate will proceed.

Mr. BLOUNT. I hope the gentleman from South Carolina will allow the debate to proceed. I think no one will overstep the proper limitation of debate.

Mr. DIBBLE. Mr. Speaker, the Committee on Appropriations is composed of able and experienced members of the House. If this question is referred to them they will report back in a bill, and there is no precluding them from making remarks or presenting their opinion upon their own report. If their report as to any one of these claims comes before the House it comes up, not for favorable action, necessarily, by the House, but for such action as the House shall see proper to take. The House does not commit itself by simply allowing consideration. They can report the claims in the bill from the Committee on Appropriations, and then report upon that, recommending that certain claims be stricken out, if you choose. So they have full opportunity to express their opinion, and there is no better or more experienced committee in the House to which that duty could be assigned.

I now demand the previous question.

The question was taken on ordering the previous question; and on a division there were—ayes 123, noes 70.

Mr. BLOUNT. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 163, nays 84, not voting 77; as follows:

YEAS—163.

| | | | |
|---|---|---|---|
| Adams, | Breckinridge, WCP | Campbell, T. J. | Cummings, |
| Anderson, A. R. | Brewer, | Cannon, | Cutcheon, |
| Anderson, G. A. | Brower, | Caruth, | Dalzell, |
| Atkinson, | Browne, T. H. B. | Caswell, | Dargan, |
| Baker, C. S. | Browne, T. M. | Catchings, | Darlington, |
| Bankhead, | Brown, C. E. | Cheadle, | Davidson, R. H. M. |
| Barnes, | Bryce, | Cogswell, | Davis, |
| Blanchard, | Buchanan, | Compton, | Dibble, |
| Bliss, | Bunnell, | Conger, | Dingley, |
| Boothman, | Burnett, | Cothran, | Dorsey, |
| Boutelle, | Burrows, | Cowles, | Dougherty, |
| Bowden, | Butler, | Crouse, | Elliott, |
| Farquhar, | Howard, | Oates, | Smith, |
| Felton, | Hutton, | O'Donnell, | Snyder, |
| Fuller, | Jackson, | O'Ferrall, | Stephenson, |
| Gallinger, | Johnston, J. T. | O'Neill, Charles | Stewart, Charles |
| Gay, | Johnston, T. D. | Osborne, | Struble, |
| Gear, | Kelley, | Owen, | Taulbee, |
| Gest, | Kennedy, | Patton, | Taylor, E. B. |
| Gibson, | Kerr, | Perkins, | Taylor, J. D. |
| Glass, | La Follette, | Perry, | Thomas, G. M. |
| Goff, | Latham, | Peters, | Thomas, O. B. |
| Grosvenor, | Lehlbach, | Phelan, | Thompson, A. C. |
| Grout, | Lind, | Phelps, | Tillman, |
| Hall, | Lodge, | Plumb, | Turner, E. J. |
| Hare, | Lyman, | Post, | Vandever, |
| Harmer, | Lynch, | Pugsley, | Walker, |
| Hayden, | Mason, | Rayner, | Washington, |
| Heard, | McComas, | Reed, | Weber, |
| Hemphill, | McCormick, | Rice, | West, |
| Henderson, D. B. | McKenna, | Robertson, | Wheeler, |
| Henderson, J. S. | McKinley, | Rockwell, | White, J. B. |
| Henderson, T. J. | McKinney, | Romeis, | White, S. V. |
| Hermann, | Merriman, | Rowell, | Wickham, |
| Hiestand, | Milliken, | Russell, C. A. | Wilkinson, |
| Hitt, | Moffitt, J. H. | Russell, J. E. | Williams, |
| Holmes, | Morrill, | Sawyer, | Wise, |
| Hopkins, A. J. | Morse, | Scull, | Woodburn, |
| Hopkins, S. T. | Nichols, | Shaw, | Yardley, |
| Houk, | Norwood, | Sherman, | Yost. |
| Hovey, | Nutting, | Simmons, | |

NAYS—84.

| | | | |
|---|---|---|---|
| Abbott, | Cox, | Macdonald, | Richardson, |
| Anderson, C. L. | Crisp, | Mahoney, | Rogers, |
| Anderson, J. A. | Enloe, | Mansur, | Ryan, |
| Arnold, | Ermentrout, | Martin, | Sayers, |
| Bacon, | Fisher, | Matson, | Seney, |
| Baker, Jehu | Foran, | McCreary, | Shively, |
| Barry, | Ford, | McCullogh, | Sowden, |
| Biggs, | Forney, | McRae, | Springer, |
| Bland, | French, | Mills, | Stewart, J. D. |
| Blount, | Grimes, | Montgomery, | Stockdale, |
| Bound, | Hogg, | Moore, | Stone, W. J., Ky. |
| Breckinridge, C. R. | Holman, | Morgan, | Stone, W. J., Mo. |
| Buckalew, | Hooker, | Neal, | Tracey, |
| Bynum, | Hopkins, S. I. | Newton, | Turner, H. G. |
| Campbell, Felix | Hudd, | Outhwaite, | Vance, |
| Campbell, J. E. | Kilgore, | Parker, | Weaver, |
| Candler, | Laidlaw, | Payson, | Whitthorne, |
| Chipman, | Landes, | Peel, | Wilkins. |
| Clardy, | Lane, | Penington, | Wilson, Thomas |
| Clements, | Lanham, | Pidcock, | Wilson, W. L. |
| Cobb, | Lawler, | Randall, | Yoder. |

NOT VOTING—77.

| | | | |
|---|---|---|---|
| Allen, C. H. | Davidson, A. C. | Jones, | Rusk, |
| Allen, E. P. | DeLano, | Kean, | Scott, |
| Allen, J. M. | Dockery, | Ketcham, | Spinola, |
| Bayne, | Dunham, | Laffoon, | Spooner, |
| Belden, | Dunn, | Lagan, | Stahlnecker, |
| Belmont, | Finley, | Laird, | Steele, |
| Bingham | Fitch, | Lee, | Stewart, J. W. |
| Bowen, | Flood, | Long, | Symes, |
| Brown, J. R. | Funston, | Maffett, | Tarsney, |
| Brumm, | Gaines, | Maish, | Thomas, J. R. |
| Burnes, | Glover, | McAdoo, | Thompson, T. L. |
| Butterworth, | Granger, | McClammy, | Townshend, |
| Carlton, | Greenman, | McMillin, | Wade, |
| Clark, | Guenther, | McShane, | Warner, |
| Cockran, | Hatch, | Moffatt, S. C. | Whiting, J. R. |
| Collins, | Haugen, | Morrow, | Whiting, William |
| Cooper, | Hayes, | Nelson, | Wilber. |
| Crain, | Herbert, | O'Neall, J. H. | |
| Culberson, | Hires, | O'Neill, J. J. | |
| Davenport, | Hunter, | Rowland, | |

So the previous question was ordered.

On motion of Mr. PERKINS, by unanimous consent, the reading of the names was dispensed with.

The following pairs were announced until further notice:

Mr. HATCH with Mr. HIRES.

Mr. LAGAN with Mr. ALLEN, of Massachusetts.

Mr. COLLINS with Mr. LONG.

Mr. DAVIDSON, of Alabama, with Mr. FUNSTON.

Mr. GREENMAN with Mr. GEST.

Mr. DUNN with Mr. STEELE.

Mr. MCMILLIN with Mr. WHITING.

Mr. COCKRAN with Mr. DELANO.

Mr. SPINOLA with Mr. SPOONER.

Mr. O'NEALL, of Indiana, with Mr. ARNOLD.

Mr. WARNER with Mr. DOCKERY.

Mr. MCSHANE with Mr. BELDEN.

Mr. JONES, of Alabama, with Mr. COOPER.

The following pairs were announced until after the holiday recess:

Mr. BURNES with Mr. WADE.

Mr. STEWART, of Texas, with Mr. HUNTER.

Mr. LAFFOON with Mr. FINLEY.

Mr. MCCLAMMY with Mr. DUNHAM.

The following were announced as being paired for this day:

Mr. BELMONT with Mr. BAYNE.

Mr. GLOVER with Mr. BUTTERWORTH.

Mr. RUSK with Mr. FLOOD.

The following were announced as paired upon this question:

Mr. CRAIN with Mr. STAHLNECKER.

Mr. TOWNSHEND with Mr. KETCHAM.

The result of the vote was then announced as above recorded.

Under the operation of the previous question the resolution was adopted.

Mr. DIBBLE moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PUBLIC TIMBER LANDS.

Mr. WHITE, of New York, submitted the following resolution:

*Resolved*, That the Secretary of the Department of the Interior be, and he is hereby, requested to communicate to this House a statement in detail of the plan of legislation referred to on page 23 of his report to the President for 1887, and thought by him to be needed for the disposal of the public timber lands, so as to secure at the same time the preservation of the natural forest lands at the headwaters of navigable rivers and put within the reach of settlers a legal means of providing themselves with timber for building their homes, fuel, and other domestic purposes.

Mr. WEAVER. I move that the resolution just read be referred to the Committee on the Public Lands, when appointed.

The motion was agreed to.

AMENDMENT TO RULES.

Mr. WHITTHORNE offered the following resolution; which was read, and referred to the Committee on Rules:

*Resolved*, That Rule XXIV be so amended as to read:

"Fourth. On Thursday of each week, after the morning hour, it shall be in order to entertain a motion that the House shall now proceed to consider bills and resolutions on the House Calendar in their regular order; and if this motion fail, then public business shall be in order as on other days."

REPORTED CLAIMS ON THE CALENDAR.

Mr. McCOMAS. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCOMAS. The Bowman Act, chapter 116, volume 22, of the Statutes at Large, in section 7, provides—

That reports of the Court of Claims to Congress under this act, if not finally acted upon during the session at which they are reported, shall be continued from session to session and from Congress to Congress until the same shall be finally acted upon.

Now, in order to give effect and force to that continuance from Congress to Congress, my question is, will not claims thus reported back from the Court of Claims to the last Congress and then reported by its committee to the Forty-ninth Congress with an accompanying bill standing on the Calendar of the last Congress—will not those claims, under the force of the terms of the section which I have read, be placed upon the Calendar and be the first claims in priority on the Calendar for consideration during the present Congress? I send to the Speaker's desk the act to which I have referred.

The SPEAKER. The Chair remembers the terms of the act. The practice in the House has been when a report is received from the Court of Claims it is referred to the committee which had original jurisdiction of the matter; the Committee on War Claims or the Committee on Claims, as the case may be. If that committee during that Congress reports the claim back again to the House, the Chair thinks that the section of the act to which the gentleman from Maryland refers requires the report to be continued on the Calendar, and the Chair has so instructed the Clerk in the present session to place on the Calendar in regular order all the reports made by committees on reports from the Court of Claims. That will be done.

PAY TO CERTAIN HOUSE EMPLOYÉS.

Mr. BURROWS. I offer for present consideration the joint resolution which I send to the desk.

The Clerk read as follows:

A joint resolution giving one month's pay to certain employés of the House of Representatives.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That all officers and employés of the House who were employed on the 5th day of December, 1887, and who have ceased or shall, prior to the 1st of January, 1888, cease to be so employed, shall be paid a sum equal to one month's pay at the rate they were severally receiving on the 5th day of December, 1887; and an amount sufficient for this purpose is hereby appropriated out of any money in the Treasury not otherwise appropriated, and the same to be immediately available.

Mr. BURROWS. It is well known that certain employés of the Forty-ninth Congress who held over till the meeting of this Congress with the expectation of being retained, have been discharged. This is the usual resolution under such circumstances, to give one month's pay to enable these persons to return to their homes.

Mr. OATES. I move to lay that resolution on the table.

The motion to lay the resolution on the table was not agreed to.

Mr. OATES. I move that the resolution be referred to the Committee on Appropriations.

Mr. BURROWS. I hope that motion will not prevail. If the resolution were referred it would be of no service.

The motion to refer was not agreed to.

Mr. BURROWS. I demand the previous question.

Mr. BUCHANAN. I ask that the resolution be again reported.

The joint resolution was again read.

Mr. OATES. If in order, I move to refer the resolution to the Committee on Accounts.

The SPEAKER. That motion is in order.

The question being taken on the motion of Mr. OATES, the Speaker stated that the noes seemed to have it.

Mr. OATES. I call for a division.

The House divided; and there were—ayes 32, noes 83.

So (further count not being called for) the motion was not agreed to.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The resolution will be considered as having been read a second time. The question is now on ordering it to be engrossed and read a third time.

Mr. OATES. On that question I ask for the yeas and nays. [Cries of "Oh, no!"] I want to put gentlemen on the record.

The yeas and nays were not ordered, only 15 members voting therefor.

The joint resolution was ordered to be engrossed and read a third time.

The SPEAKER. The question is on the passage of the resolution.

Mr. OATES. I call for a division.

The House divided; and there were—ayes 110, noes 34.

So (further count not being called for) the joint resolution (H. Res. 3) was passed.

Mr. BURROWS moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. MILLS. I move that the House do now adjourn.

Mr. ANDERSON, of Kansas. I ask the gentleman from Texas to withdraw his motion for a moment to allow me to submit a resolution for reference to the Committee on Rules.

The SPEAKER. The Chair understands that several gentlemen have resolutions which they desire to submit for reference to that committee.

Mr. MILLS. I withhold my motion to allow that to be done.

AMENDMENTS OF RULES.

Mr. BUCKALEW submitted the following resolution; which was read, and referred to the Committee on Rules:

*Resolved*, That a select committee, to consist of nine members, be appointed upon election of President, Vice-President, and Representatives in Congress.

Mr. ANDERSON, of Kansas, submitted the following; which was read, and referred to the Committee on Rules:

Amend Rule XV by inserting, in line 3 of paragraph 1, after the word "then," the words "the name of the State shall be added, and if there be two members from the same State, then."

Mr. GALLINGER submitted the following resolution; which was read, and referred to the Committee on Rules:

Amend Rule XI by adding the following:

"Any committee may be required by vote of the House to report back any matter which has been in its possession for one month, and all such matters so reported back shall go to their respective Calendars."

Mr. McRAE offered the following; which was referred to the Committee on Rules:

*Resolved*, That the forty-ninth subdivision of Rule XI of the rules of the last House of Representatives be amended by adding, after the word "House," in the fifteenth line of page 245, the following:

"And the said committees shall have leave to call up for consideration any bill or resolution so reported at any time after the report thereon has been printed, and in making such calls, either in the House or in the Committee of the Whole House, the committees shall have precedence in the order named in this rule."

Mr. BRECKINRIDGE, of Arkansas, offered the following; which was read, and referred to the Committee on Rules:

Proposed amendment to the rules of the House of Representatives relating to bills for the improvements of rivers and harbors:

First. Amend Rule XVI by adding to section 9, "or bills for the improvement of rivers and harbors."

Second. Amend Rule XXIV, section 7, by adding, after the words "general appropriation bills," the following: "And bills for the improvement of rivers and harbors."

Third. Amend Rule XXI by adding a section between sections 6 and 7, as follows: "In bills for the improvements of rivers and harbors all appropriations for snagging operations, for the pay of regularly employed officials, and for other subjects not herein provided for, shall be in a separate bill; all appropriations for works other than snagging operations shall be accompanied by a report of the estimate for final cost for completion; all works other than snagging operations, and of which the final cost of completion is less than $500,000 may be appropriated for in a separate bill; every work of which the final cost of completion is $500,000 or more shall be appropriated for in a separate bill, and it shall not be in order to make any such appropriation unless the bill provides for the completion of the work; and it shall not be in order to report or amend any bill for the improvements of rivers and harbors contrary to these provisions.

ADDITIONAL BOUNTY CLAIMS.

Mr. MACDONALD presented a memorial of the Legislature of Minnesota to Congress in relation to extending the time for filing claims for additional bounties in certain cases; which was referred to the Committee on Military Affairs, and ordered to be printed in the RECORD.

The memorial is as follows:

STATE OF MINNESOTA.

Twenty-fifth session.] S. F. [No. 346.

Memorial to Congress in relation to additional bounty.

Whereas Congress, by the act of July 28, 1866, granted to each soldier who enlisted into the Army of the United States after the 19th day of April 1861, for a

period of not less than three years, and having served the term of his enlistment, has been honorably discharged, and who has received or who is entitled to receive from the United States, under existing laws, a bounty of $100 and no more; and any such soldier enlisted for not less than three years, who has been honorably discharged on account of wounds received in the line of duty, and the widow, minor children, or parents, in the order named, of any such soldier who died in the service of the United States, or of disease or wounds received while in the service and in the line of his duty, shall be paid the additional bounty of $100; and

Whereas said act expired July 1, 1880, by limitation, and at the time of its expiration there were many soldiers' widows and parents of soldiers in Minnesota and other States who were entitled to the extra bounty provided for by said act of July 28, 1866, who were prevented from making their applications and having them allowed before the expiration of the time allowed by said act; and

Whereas a large number of claims of Minnesota soldiers for bounty have been allowed and have for a long time remained unpaid for the want of an appropriation to pay the same: Therefore,

*Be it resolved by the Legislature of the State of Minnesota*, That our Senators and Representatives in Congress be requested to use their influence to secure the passage of any act enabling soldiers entitled to extra bounty under the act of July 28, 1866, to file their claims and receive the same amount which their comrades have already received, and also an act appropriating money for the payment of such bounty claims as have been allowed.

*Resolved*, That the secretary of state forward a certificate copy of the resolution to each of our Senators and Representatives in Congress forthwith.

A. E. RICE,
*President of the Senate.*
WILLIAM R. MERRIAM,
*Speaker of the House of Representatives.*

Approved February 25, A. D. 1887.

STATE OF MINNESOTA, *Department of State:*

I hereby certify that I have carefully compared the foregoing with the original now on file in this department, and that it is a true and correct copy thereof, and of the whole of the same.

Witness my hand and the great seal of the State this 15th day of March, A. D. 1887.

[SEAL.]

H. MATTSON,
*Secretary of State.*

PENSION-ARREARS ACT.

Mr. MACDONALD also presented a memorial of the Legislature of Minnesota to Congress, in favor of the extension of the pension-arrears act; which was referred to the Committee on Invalid Pensions, when appointed, and ordered to be printed in the RECORD.

The memorial is as follows:

STATE OF MINNESOTA.

Twenty-fifth session.] H. F. [No. 756.

Joint resolution to Congress relating to the extension of the pension-arrears act.

Whereas the arrears-of-pension act of one thousand eight hundred and seventy-nine (1879) provides that all pensions granted or applications filed on or after July first, one thousand eight hundred and eighty (1880), shall commence on the date of filing; and

Whereas many brave and disabled soldiers were denied arrears under this act, and without any cause for this exclusion; and

Whereas pensions granted should be commensurate with the period of disability, without regard to the time of filing of application: Therefore,

*Be it resolved by the Legislature of the State of Minnesota*, That Congress be requested to repeal so much of said act as limits the arrears of pensions to applications filed prior to said date of July first, one thousand eight hundred and eighty (1880); and that said act be so amended as to extend such limit according to the recommendation of the national pension committee of the Grand Army of the Republic, so as to remove said limits.

That Congress, at the present session, be respectfully requested to pass the pension acts recommended by the national pension committee of the Grand Army of the Republic.

That the Secretary of State be, and is hereby, requested to send certified copies of this resolution to each of our Senators and Representatives in Congress.

WILLIAM R. MERRIAM,
*Speaker of the House of Representatives.*
A. E. RICE,
*President of the Senate.*

Approved March 1, A. D. 1887.

STATE OF MINNESOTA, *Department of State:*

I hereby certify that I have carefully compared the foregoing with the original now on file in this department, and that it is a true and correct copy thereof, and of the whole of the same.

Witness my hand and the great seal of the State this 15th day of March, A. D. 1887.

[SEAL.]

H. MATTSON,
*Secretary of State.*

AMENDMENT OF THE RULES.

Mr. BREWER offered the following; which was read, and referred to the Committee on Rules:

*Resolved*, That the first paragraph of Rule X of the House of Representatives be amended so that the same shall read as follows:

"RULE X.

"OF COMMITTEES.

"1. Unless specially ordered by the House, the Speaker shall, within two weeks after his election at the commencement of each Congress, appoint the following standing committees, to wit."

Mr. FARQUHAR offered the following; which was read, and referred to the Committee on Rules:

Amend Rule X by providing that the Committee on Printing shall consist of five members.

INTERNATIONAL EXHIBITION AT MELBOURNE.

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, with the accompanying documents, referred to the Committee on Foreign Affairs, when appointed, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a report from the Secretary of State in relation to the invitation from Her Britannic Majesty to this Government to participate in the International Exhibition which is to be held at Melbourne in 1888, to celebrate the centenary of the founding of New South Wales, the first Australian colony.

GROVER CLEVELAND.

EXECUTIVE MANSION, *December* 19, 1887.

INTERNATIONAL LABOR EXPOSITION.

The SPEAKER also laid before the House the following message from the President of the United States; which was read, and, with the accompanying documents, referred to the Committee on Foreign Affairs, when appointed, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a report from the Secretary of State in relation to an invitation which has been extended to this Government to appoint a delegate, or delegates, to the International Exposition of Labor to be held in April, 1888, at Barcelona, Spain, and commend its suggestions to the favorable attention of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *December* 19, 1887.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. COOPER until January 5, 1888, on account of important business.

OFFICIAL RECORDS OF THE WAR OF THE REBELLION.

Mr. GROSVENOR offered the following; which was read, and referred to the Committee on Military Affairs, when appointed:

*Resolved*, That the Secretary of War be, and he is hereby, directed to transmit to the House a full statement of the plan and scope of the compilation of the official records of the war of the rebellion, specifying particularly all changes, if any, made or contemplated, either in the arrangement or subject-matters to be published, in the plan adopted by the Secretary of War while the publication of these records was in charge of the late Lieut. Col. R. W. Scott; and that the said Secretary be directed to further transmit copies of all official correspondence and orders relating to permitting or refusing access to such portions of the war records as have been selected for publication under the law of Congress providing for their publication.

ORDER OF BUSINESS.

Mr. MILLS. I move that the House do now adjourn.

The motion was agreed to; and accordingly the House (at 2 o'clock and 4 minutes p. m.) adjourned.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. J. A. ANDERSON: Petition of H. K. Chapman Post No. 362, Grand Army of the Republic, of Chapman, Kans., for a service pension—to the Committee on Invalid Pensions.

By Mr. BANKHEAD: Petition of William Datton, and of Elizabeth Stovall, of Walker County; of John Belcher, of Jefferson County; of William T. Hammer, of Tuscaloosa County; of E. A. Anderson, administratrix of James Anderson, of Scott County; of Matilda Stewart, administratrix of Joseph Stewart, of Scott County; of Sarah E. Brown, widow of Seaborn J. Brown, of Wayne County, and of Thomas L. Shamblin, of Tuscaloosa County, Alabama, for reference of their several claims to the Court of Claims—to the Committee on War Claims.

By Mr. BLANCHARD: Memorial of the Sugar Planters' Association of Louisiana, asking an additional appropriation for continuing sugar-diffusion experiments in that State—to the Committee on Appropriations.

By Mr. BOWDEN: Petition of J. T. Burroughs and others, in regard to compensation of letter-carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. BUNNELL: Petition of the Butchers' National Protection Association, praying for a law to protect the public from the vile adulteration of lard—to the Committee on Agriculture.

Also, memorial of Col. Jonathan D. Stevenson, in relation to the survey of the bay of Suisun, San Francisco, Cal.—to the Committee on Claims.

By Mr. BURNES: Petitions of Thomas H. Pittis and others, and of Rev. John A. McAfee and others, and of Florence McKissick and others, of Parkville, Mo., and of Walter H. Clark and others, against the admission of Utah as a State—to the Committee on the Territories.

By Mr. CHIPMAN: Petition of the heirs of William A. Burt, deceased, in the matter of the claim of William A. Burt, for relief—to the Committee on Claims.

By Mr. CLEMENTS: Petition of Robert Dillard, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. COMPTON: Petition of Sarah E. Lawton, of Washington, D. C., for relief—to the Committee on Claims.

By Mr. DINGLEY: Petition of Nelson Thompson and 142 others; of the Boston and Bangor Steam-ship Company and others; of S. A. Harwood and 44 others; of W. T. Marr and 102 others, and of D. M. Davis and 44 others, for the construction of a breakwater to protect the harbor of Monhegan, on the coast of Maine—to the Committee on Rivers and Harbors.

By Mr. DORSEY: Petition of the citizens of Plainview, Kans., favoring postal telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. DUBOIS: Petition of 1,500 citizens of Idaho Territory to

amend the "alien act" so as to exclude mineral lands from its provisions—to the Committee on the Public Lands.

By Mr. ERMENTROUT: Memorial of General D. B. Burney post in favor of pensioning Margaret Dipple—to the Committee on Invalid Pensions.

By Mr. GALLINGER: Papers in the case of Seth Wilmarth, of Malden, Mass.—to the Committee on Claims.

By Mr. GEAR: Petition of Elisha Wilkins for a pension for service in the Seminole war—to the Committee on Pensions.

By Mr. GROSVENOR: Petition of Joseph Socie and 56 others, for a pension for Joseph Socie—to the Committee on Invalid Pensions.

Also, petition of James White, Company A, Third Regiment Ohio Militia, to be placed on the pension-rolls—to the Committee on Invalid Pensions.

By Mr. HOLMAN: Petition of and papers in the pension claim of Col. Theo. Livings—to the Committee on Invalid Pensions.

Also, petition and papers of George F. Roberts, administrator, W. T. Patt & Co., T. and J. W. Graff & Co.—to the Committee on Claims.

By Mr. HOUK: Petition in behalf of pensioning Mrs. Angeline Silvey—to the Committee on Invalid Pensions.

Also, petition of John Spellings, of Carroll County, Tennessee, for relief—to the Committee on Invalid Pensions.

By Mr. LAWLER: Petition of S. B. Bradt and others, to remove the duty imposed on used foreign postage-stamps—to the Committee on Ways and Means.

Also, resolution of the Trade and Labor Assembly of Chicago, asking that a portion of the Dearborn Park lot be set apart for their use for a labor hall—to the Committee on the Public Lands.

Also, petition of John J. Coughlin, for relief—to the Committee on Claims.

By Mr. LEE: Papers in the case of Rose A. Cameron, administratrix of David A. Cameron, for relief—to the Committee on Claims.

By Mr. LYMAN: Petition of J. S. Cartell, of Bridgewater, Iowa, for reduction of postage—to the Committee on the Post-Office and Post-Roads.

By Mr. McCULLOGH: Four petitions, signed by several thousand citizens of the Twenty-first district of Pennsylvania, against the admission of Utah as a State—to the Committee on the Territories.

By Mr MILLIKEN: A bill extending the benefits of the pension laws to soldiers' widows who have remarried and whose second husbands have died leaving them in pecuniary need—to the Committee on Invalid Pensions.

Also, a bill granting a pension to Emeline Knowles—to the Committee on Invalid Pensions.

By Mr. MORGAN: Petition of Rebecca T. Bowen, administratrix of Reese Bowen, and of Charles G. Bobo, administrator of Laura S. Bobo, of De Soto County; of W. F. Seginin, and of William C. McAlexander, of Marshall County; of William H. Rogers, of Marshall County, and of R. A. and P. H. Hawkins, heirs of Ruth Lavender, of Tate County, Mississippi—to the Committee on War Claims.

By Mr. MORROW: Resolutions of the Pacific Coast Department of the American Shipping and Industrial League, recommending legislation providing a bounty of 30 cents per ton for each 1,000 miles sailed or steamed by American vessels engaged in foreign trade—to the Select Committee on American Ship-building and Ship-owning Interests.

Also, resolutions of the same, for a system of coast defenses and an increase of the Navy—to the Committee on Appropriations.

By Mr. NEAL: Petition of William Robinson, of Eve Mills, Monroe County, Tennessee, for arrears of pension—to the Committee on Invalid Pensions.

By Mr. RANDALL: Petition of Daniel McCarthy, late private in Company A, Fifty-second Regiment New York Volunteers, for a pension—to the Committee on Invalid Pensions.

By Mr. RICHARDSON: Petition of heirs of Robert Hannah and of W. T. Ferris, administrator, of Franklin County, and of A. J. Whittaker, administrator of T. R. Moore, of A. S. Randolph, and of Joseph J. McCown, of Lincoln County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. ROGERS: Petition of La Fayette Franklin, to be placed on the pension-rolls—to the Committee on Invalid Pensions.

Also, petition of Richard Hammond; of Charlotte Staunton, widow of Simeu Staunton; of John McCombs; of Mrs. E. A. Awalt, widow of Michael Awalt; of Ambrose M. Thompson, heir of Ransom Thompson; of A. M. Woodruff; of Zilphia L. Doline, widow of Robert Doline, and of John H. Glidewell, administrator of Nelson Wright, of Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. SENEY: Memorial of the Butchers' National Protection Association for legislation against the adulteration of lard—to the Committee on Agriculture.

By Mr. STAHLNECKER: Petition and letter, together with samples of cotton goods from Messrs. Healy & Co., 214 Church street, New York, complaining of the present high tariff on low-priced cotton goods—to the Committee on Ways and Means.

By Mr. STONE, of Kentucky: Papers relating to the claim of the heirs of H. Corths—to the Committee on War Claims.

Also, papers in the claim of Parez Dickinson, surviving partner of Cowan & Dickinson, and of Thomas J. Wright, administrator—to the Committee on War Claims.

Also, papers in the case of John W. Cobbs; of Wilson Thompson; of Robert J. Crow; of Henry Kordenbrook; of D. Carruthers; of Lucy F. Dideer; of Elkanah Hubbard; of E. H. Chamberlain; of W. A. Rawlings; of C. J. Coleman; of Josephine B. Kellar; of B. G. Brazleton; of R. C. Campbell; of D. W. and T. T. Settle; of D. W. Settle; of Julius F. Wahl; of J. E. Williamson; of John Q. A. King; of D. Y. Craig; of Lucinda J. Atchison; of J. S. Allard; of John Mack; of John W. Cobbs; of Maria L. Saunders; of Robert Watson; of William A. Bell; of J. M. Biggard; of John L. Allard; of T. H. Flournoy; of Jacob Davie; of Robert Enders; of R. Loebs; of Isaac Kellar; of Thomas T. Settle; of J. W. Bloomfield; of Caspar Ashoff; of Mary J. Thompson; of A. Slusmeyer, and of W. C. Fritts *et al.*, of Kentucky—to the Committee on War Claims.

By Mr. TOWNSHEND: Petition of Thomas S. Walker, for relief by special act—to the Committee on Military Affairs.

By Mr. WHEELER: Petition of Samuel C. Painter, of Lawrence County; of James D. Coffman, and of Jacob W. Todd, of Limestone County; of Hamilton F. Arthur, of Lewiston County; and of Clark Cross, and of William A. Calaham, of Jackson County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WHITING: Petition of 11 citizens of Petersham, Mass., praying for the reissue of fractional currency—to the Committee on Banking and Currency.

By Mr. WICKHAM: Petition of Lepha A. Osborn, widow of Henry A. Osborn, for a pension—to the Committee on Invalid Pensions.

Also, petition of Marcus De Moss, late private Company C, Forty-second Regiment Ohio Volunteers, for a special-act pension, with accompanying papers—to the Committee on Invalid Pensions.

By Mr. WILLIAMS: Petition of William S. Ridley, and of Andrew J. Konkle, for pensions—to the Committee on Invalid Pensions.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. ABBOTT: Of citizens of De Soto and of Trinity Mills, Dallas County, and of Aquilla, Hill County, Texas.

By Mr. J. A. ANDERSON: Of citizens of Hopewell, Kans.

By Mr. BARRY: Of F. A. Townshend and others, of Montgomery County; and of A. G. Slaughter and others, of Chickasaw County, Mississippi.

By Mr. BLAND: Of citizens of Coulstone, Mo.

By Mr. BOOTHMAN: Of Erastus Musser and 38 others, of Six Points, Wood County, and of Rachael Boutell and 41 others, of Ayersville, Defiance County, Ohio.

By Mr. BOUND: Of 62 citizens of Schaefferstown, and of Greble, Lebanon County, and of Cabel, Northumberland County, Pennsylvania.

By Mr. BOUTELLE: Of John E. French and others; of A. McGlauflin and others; of R. O. Pinkham and others; of W. D. Gilpatrick and others, and of F. L. Stevenson and others, of the State of Maine.

By Mr. BOWDEN: Of J. L. Hudgins & Co. and others, of Poquoson, York County, Virginia.

By Mr. BROWER: Of citizens of Rockingham County of Guilford County; of Caswell County; of Surry County; of Forsyth County, and of Stokes County, North Carolina.

By Mr. BUNNELL: Of citizens of Bellasylva, Wyoming County, and of Powell, Bradford County, Pennsylvania.

By Mr. J. E. CAMPBELL: Of citizens of Clermont County, and of Preble County, Ohio.

By Mr. COBB: Of T. D. Chambliss and others, of Autauga County, Alabama.

By Mr. COWLES: Of citizens of Fonta Flora, of Lucia, of Jonesville, of Foscoe, of Shull's Mills, of Boone, and of Banners Elk, Watauga County; of Bristol, Ashe County; of North Catawba, Caldwell County, and of Fancy, Cleveland County, North Carolina.

By Mr. DARGAN: Of citizens of Effingham, of Oak Grove, of Cranesville, of Campbell's, of Bermuda, and of Jeffries, Marion County; of Single, of Scranton, and of Mouzons, Williamsburgh County; of Blenheim, of Brightsville, and of Parnassus, Marlborough County; of Foreston, of Panola, of Bethlehem, and of New Zion, Clarendon County; of Marlow, and of Board Landing, Horry County, and of Howe, Darlington County, South Carolina.

By Mr. DINGLEY: Of William K. Smith and others, and of Francis C. Hatharn and others, of the State of Maine.

By Mr. ENLOE: Of W. H. Pratt and 48 others, of Hamburg, Hardin County; of Benjamin Kendall and 184 others, of Hollow Rock, Carroll County; of H. D. Odle and 20 others, of Coxburg, Benton County, and of J. W. Simmons and 51 others, of Michie, McNairy County, Tennessee.

By Mr. GALLINGER: Of W. G. Kendall and 41 others, of Westmoreland, and of Berkley Keyzar and 48 others, of Stewartstown, N. H.

By Mr. GROSVENOR: Of D. A. Morrie and 38 others, of Thomas Davis and 52 others, of Hartleyville; of Joseph Gumber and 38 others,

of Patton Mills; of Henry Griffith and 32 others, of Agis; of N. B. Spencer and 38 others, of Meigsville; of W. A. Gould and 69 others, of Burlingham, and of M. A. Adams and 60 others, of Keno, Ohio.

By Mr. HALL: Of citizens of Gehrton, Crawford County, and of Evans City, Butler County, Pennsylvania.

By Mr. HEARD: Of citizens of the Sixth district of Missouri.

By Mr. HERBERT: Of S. F. Kelly and others, of Mount Ida, Crenshaw County, Alabama.

By Mr. HIESTAND: Of citizens of Schock's Mills, of Mount Hope, and of Falmouth, Lancaster County, Pennsylvania.

By Mr. HITT: Of William H. Cox and 38 others, of Grand Detour, Ill.

By Mr. HOGG: Of R. A. Shenk and 75 others; of G. G. Barrett and 68 others; of C. P. T. Moore and 68 others; of J. F. Prickett and 87 others; of N. Shipley and 68 others; of R. R. Ransom and 68 others; of Samuel Keffer and 68 others; of George L. Nye and 68 others; of R. T. Kyle and 68 others; of J. W. Breathtel and 68 others; William R. Jefferson and 58 others; of R. E. Fisher and 68 others; of J. B. McKan and 68 others; of Allen Griffith and 55 others; of C. J. Spelman and 41 others; of J. J. Litten and 46 others; of William J. Roberts and 49 others; of J. E. Markham and 9 others; of B. E. Heflin and 68 others; of George W. Grove and 73 others; of J. K. Workman and 42 others; of A. J. Lamp and 22 others; of M. E. Farris and 60 others; of A. Y. Martin and 44 others, and of J. Jarrett and 62 others, of West Virginia.

By Mr. HOPKINS: Of Charles W. Hazlewood and others, of Roanoke County; of J. B. Thomasson and others, of Bedford County; of R. B. Booth and others, of Charlotte County, and of B. W. Conner and others, of Halifax County, Virginia.

By Mr. HOUK: Of citizens of Union Church, and of High Point, Knox County; of Miser, and of Montrose, Blount County; of Kreis, Roane County; of Hickory Ridge, Jefferson County; of Fox, Sevier County; of Warwick's Cross Roads, Union County, and of W. B. Clark and others, of Tennessee.

By Mr. JACKSON: Of citizens of Good Intent, and of Lagonda, Washington County, Pennsylvania.

By LATHAM: Of Riggs Herrington and others, of Ayden, Pitt County, North Carolina.

By Mr. McCLAMMY: Of citizens of Harrington and of Leaflet, Harnett County, and of Gillisville, Cumberland County, North Carolina.

By Mr. McCREARY: Of F. R. Davidson and other citizens of the Eighth district of Kentucky.

By Mr. McCULLOGH: Of citizens of Bottsville, Westmoreland County, and of Laughlintown, Westmoreland County, Pennsylvania.

By Mr. McKINLEY: Of citizens of Kensington, Columbiana County, Ohio.

By Mr. MILLIKEN: Of R. W. Mosher and others; of Thomas Warren and others; of D. P. Pingree and others, and of William C. Andrews and others, of the State of Maine.

By Mr. MORGAN: Of Joshua Baker and others, of Walton, Lafayette County, Mississippi.

By Mr. NEAL: Of C. S. Owings and others, of Olio, Van Buren County; of F. J. Epperson and others, of Heliotrope, Polk County; of F. A. McCabe and others, of Sheffield, Rhea County; of W. B. Powell and others, of Pine Land, Meigs County, and of J. W. Phifer and others, of Van Buren County, Tennessee.

By Mr. NICHOLS: Of E. Patterson and others, and of B. C. Harper and others, of the Fourth district of North Carolina.

By Mr. OATES: Of J. H. Wardin and 180 others, of Elizabeth, Coffee County, Alabama.

By Mr. PATTON: Of 25 citizens of Alvira; of 36 citizens of Elk County, and of Wistar, Clinton County, Pennsylvania.

By Mr. PETERS: Of D. H. Condway and others, of Snyder; of Daniel Settles and others, of West Point, and of W. T. J. Plummer and others, of Kansas.

By Mr. PUGSLEY: Of citizens of Bell and of Dodsonville, Highland County; of New Harmony, Baron County; of Andersonville, Ross County, and of Port William, Clinton County, Ohio.

By Mr. RICHARDSON: Of Dr. John W. Steele and 75 others, of Bedford County; of L. D. Lugg and 75 others, of Lincoln County; of J. W. Mayfield and 60 others, of Rutherford County, and of J. S. Thompson and 50 others, of Tennessee.

By Mr. ROGERS: Of citizens of Pulaski County; of Logan County; of W. A. Hauck and others, and of J. L. Williams and others, of Scott County; of W. B. Steed and others, and of William Williams and others, of Saline County; of W. J. Parker and others, of G. W. Hopkins and others, of W. W. West and others, of W. J. Trainell and others, of F. M. Owens and others, and of W. F. Turner and others, of Sebastian County; and of Joseph L. House and others, of D. Halcumb and others, of J. W. Campbell and others, of W. R. Rogers and others, and of J. Dirhazen and others, of Arkansas.

By Mr. SCULL: Of citizens of Culp and of Linking Valley, Blair County, and of Bakersville, Somerset County, Pennsylvania.

By Mr. SIMMONS: Of J. C. Moore and others, of Craven County; of R. H. Read and others, of Vance County; and of H. W. Brown and others, and of Cyrus Forcue and others, of Jones County, North Carolina.

By Mr. SOWDEN: Of O. T. Burtch and others, of Lehigh County; and of Reuben H. Buss and others, and E. J. Transue and others, of Northampton County, Pennsylvania.

By Mr. STONE, of Kentucky: Of citizens of Aurora, Ky.

By Mr. A. C. THOMPSON: Of citizens of Adams County; of Lawrence County; of Jackson County; of Scioto County, and of Lawrence County, Ohio.

By Mr. TILLMAN: Of citizens of Henry; of Red Bank; of Maplewood; of Dornsville; of Coosawhatchie; of Pleasant Cross; of Lawtonville, and of Rehoboth, S. C.

By Mr. TOWNSHEND: Of Runned Post-office, Ill.

By Mr. H. G. TURNER: Of C. W. Hillhouse and others, of Minton, Worth County, and B. J. Folsom and others, of Habira, Lowndes County, Georgia.

By Mr. WASHINGTON: Of Carrie Sugg and 64 others, of Robertson County, Tennessee.

By Mr. WHEELER: Of William Gomer and 53 others; of J. P. Hodges and 47 others, and of F. A. Cowan and 45 others, of Alabama.

By Mr. WHITTHORNE: Of S. A. Thompson and others of Dickson County; of W. D. McPherson and others, of Williamson County; of W. A. Butler and others, and of J. L. Walker and others, of Giles County; of R. W. Worley and others, of Bradshaw; of W. W. Jackson and others, of Fountain Creek, and of R. S. Frayser and others, of Tennessee.

By Mr. WICKHAM: Of James Park and others, of Huron County, Ohio.

By Mr. WISE: Of citizens of Sabot Island, of Elk Hill, and of Oilville, Goochland County, and of French Hay, Hanover County, Virginia.

By Mr. YOST: Of citizens of Roseland; of Vinco; of Curdsville; of Axtell; of Morcoro; of Stony Point Mills; of Bybee; of River Depot; of Foga, and of Monticello, Va.

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## SENATE.

### TUESDAY, *December* 20, 1887.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

INTERNATIONAL EXPOSITION OF LABOR AT BARCELONA.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations:

*To the Senate and House of Representatives:*

I transmit herewith a report from the Secretary of State in relation to an invitation which has been extended to this Government to appoint a delegate or delegates to the International Exposition of Labor, to be held in April, 1888, at Barcelona, Spain, and commend its suggestions to the favorable attention of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *December* 19, 1887.

INTERNATIONAL EXHIBITION AT MELBOURNE.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations:

*To the Senate and House of Representatives:*

I transmit herewith a report from the Secretary of State in relation to the invitation from Her Britannic Majesty to this Government to participate in the International Exhibition which is to be held at Melbourne in 1888, to celebrate the centenary of the founding of New South Wales, the first Australian colony.

GROVER CLEVELAND.

EXECUTIVE MANSION, *December* 19, 1887.

The PRESIDENT *pro tempore.* The Chair suggests to the Senate that, under the rules, communications from the executive department are not printed as a matter of course. A motion is necessary.

Mr. EDMUNDS. I move that both messages be printed.

The PRESIDENT *pro tempore.* In the absence of objection, that order will be made.

REVISED STATUTES OF IDAHO.

The PRESIDENT *pro tempore* laid before the Senate the revised statutes of Idaho Territory, transmitted in accordance with provisions of the Revised Statutes of the United States; which were referred to the Committee on Territories.

PETITIONS AND MEMORIALS.

Mr. SHERMAN presented the petition of William Burnett, of Washington, D. C., praying for the purchase by Congress of two pistols worn by General Lafayette during the Revolutionary war; which was referred to the Committee on the Library.

Mr. HISCOCK presented the petition of A. O. Bunnell and other citizens of New York, praying that an appropriation be made for the benefit of public schools; which was ordered to lie on the table, a bill on that subject having been reported by the Committee on Education and Labor.

He also presented the petition of Dr. Daniel Hohn, Rev. S. L. Helf-

enstine, and 108 other citizens, of Pavina, N. Y., praying for the enactment of a bill providing temporary aid for common schools, to be disbursed on the basis of illiteracy, thereby securing the means of universal education; which was ordered to lie on the table.

He also presented the petition of Margaret Madden, widow of Christopher Madden, late private in Company B, Eighty-fourth Regiment New York Volunteers, praying for a supplemental pension from August 10, 1866, to July 6, 1886; which was referred to the Committee on Pensions.

He also presented the petition of Hiram Berdan, of New York, praying for certain pension legislation; which was referred to the Committee on Pensions.

He also presented a petition of the American Security Company of New York, in favor of the ratification of the extradition treaty with Great Britain; which was referred to the Committee on Foreign Relations.

Mr. EVARTS presented the petition of James W. Gardner and 46 other citizens of the town of Gardiner, N. Y., praying for the enactment of a bill providing temporary aid for common schools, to be disbursed on the basis of illiteracy, thereby securing the means of universal education; which was ordered to lie on the table.

Mr. DAVIS presented the memorial of William M. Jenkins and other citizens of Minnesota, remonstrating against the admission of Utah as a State with polygamy; which was referred to the Committee on Territories.

Mr. FRYE. I present a petition of the National Temperance Society, officially signed, praying for the adoption of effective measures for the discouragement and suppression of the exportation to Africa of intoxicating liquors by American citizens. The association ask that the petition be referred to the Committee on Foreign Relations. I move its reference to that committee.

The motion was agreed to.

Mr. PASCO. I present a petition from the Legislature of Florida, and ask that it be read at length. It is not long.

The PRESIDENT *pro tempore*. The petition will be read if there be no objection.

The petition was read, and referred to the Committee on Claims, as follows:

A memorial to the Congress of the United States asking for an appropriation to pay the unpaid balance awarded to citizens of Florida under the provisions of the several acts of Congress passed in furtherance of article 9 of the treaty between the United States and Spain concluded February 22, 1819.

Whereas in article 9 of the treaty between the United States and Spain concluded February 22, 1819, the United States obligated itself to cause satisfaction to be made for the injuries, if any, which, by process of law, shall be established to have been suffered by the Spanish officers and individual Spanish inhabitants by the late operations of the American army in Florida, and article 11 of said treaty further provided for the payment of the same if the sum of the claims did not exceed $5,000,000; and

Whereas the Congress of the United States, in furtherance of said stipulation, did pass the following acts: "An act to carry into effect the ninth article of the treaty concluded between the United States and Spain," approved February 22, 1819, and "An act for the relief of certain inhabitants of East Florida," approved June 26, 1834, under and by virtue of the several acts, the judge of the superior court therein named, in conformity with the spirit and letter of the said acts, and under a just and equitable construction of the same, did adjudicate said claims, decreeing a principal sum, together with interest upon the same for years at a fixed rate per cent., and did report the same, together with the evidence on which they were founded, to the Secretary of the Treasury of the United States; and

Whereas the Secretary of the Treasury, in conformity with the law, did pay to the several claimants whose claims had been adjudicated, or to their authorized agents, the principal sum decreed, but from some cause unknown to your memorialists declined to pay the interest, which constituted a part of the award in each case; and

Whereas your memorialists have been informed and believe that the sum so paid in part satisfaction of the said award does not exceed $1,500,000: Therefore,

*The Legislature of Florida, memorializing the honorable Senate and House of Representatives of the United States in Congress assembled*, Respectfully request that an adequate appropriation be made to pay the unpaid balance, being the interest awarded as aforesaid, and that the Secretary of the Treasury be required to pay the same. Your memorialists believe that the Congress of the United States ought in justice and equity to provide for the payment of the interest so awarded in consistency with the requirements of the treaty aforesaid, and the several acts of Congress in furtherance thereof, and respectfully request that our Senators and Representatives in Congress present this memorial in their respective Houses, and that the secretary of state do furnish copies of this memorial to our Senators and Representatives in Congress.

Approved June 3, 1887.

Mr. GORMAN presented the petition of F. Selina Buchanan, widow of the late McKean Buchanan, pay director United States Navy, praying to be allowed an increase of pension; which was referred to the Committee on Pensions.

Mr. CULLOM presented resolutions adopted by the board of supervisors of Christian County, Illinois, in favor of legislation in reference to swamp lands; which was referred to the Committee on Public Lands.

Mr. ALLISON presented the petition of Sullivan & Stampfer and other citizens of Dubuque, Iowa, praying that Dubuque may be made a port for the immediate transportation of imported goods; which was referred to the Committee on Commerce.

Mr. DAWES presented the petition of Rev. Henry M. Dean and 147 other citizens of Hingham, Mass., praying for the enactment of a bill providing temporary aid for common schools, to be disbursed on the basis of illiteracy, thereby securing the means of universal education; which was ordered to lie on the table.

Mr. McPHERSON. I present a petition of many citizens of Paterson, N. J., praying for the enactment of a bill providing temporary aid for common schools, to be disbursed on the basis of illiteracy, thereby securing the means of universal education. I move that the petition lie on the table, the bill having been reported.

The motion was agreed to.

Mr. McPHERSON presented the petition of the trustees of the Stevens Institute of Technology, of Hoboken, N. J., praying for the return of a certain sum assessed by the assessor of internal revenue on a bequest of the late Edwin A. Stevens, of Hoboken, and paid by the executors of the will; which was referred to the Committee on Finance.

Mr. BLODGETT presented the petition of Rev. J. H. Duryea and 31 other citizens of the town of Paterson, N. J., praying for the enactment of a bill providing temporary aid for public schools, to be disbursed on the basis of illiteracy, thereby securing the means of universal education; which was ordered to lie on the table.

Mr. QUAY presented a memorial of citizens of Pennsylvania, remonstrating against the admission of Utah as a State with polygamy; which was referred to the Committee on Territories.

He also presented the petition of R. F. Kerr and 124 other citizens of Crawford County, Pennsylvania, praying for the enactment of a bill providing temporary aid for common schools; which was ordered to lie on the table.

Mr. BLAIR. I present the petition of the National Woman's Christian Temperance Union, as embodied in resolutions adopted at their last annual meeting at Nashville, Tenn., November 22, 1887, in which they state:

Whereas we believe that Federal aid should be extended to the support of free public schools in otherwise neglected portions of our country, and deeply regret that the last national Congress ignored the petitions for the same of over two millions of citizens by refusing to pass what is known as the Blair bill: Therefore,

*Resolved*, That by such measures as shall seem to us wise we will continue our support of this or a similar bill until it is passed.

The paper further states that "the foregoing resolution is presented as a petition to the Congress of the United States in Senate and House assembled in behalf of the National Woman's Christian Temperance Union, by Frances E. Willard, president, and Mary H. Hunt, superintendent of the educational department of the Woman's Christian Temperance Unions of the United States."

As the bill is on the Calendar, I move that the petition lie on the table.

The motion was agreed to.

Mr. HAWLEY presented the petition of Ann Conroy, praying for the removal of the charge of desertion from the records of the War Department against her husband, Thomas Conroy, late of Company I, Sixty-ninth Regiment New York Volunteers; which was referred to the Committee on Military Affairs.

He also presented the petition of Thomas Morrison, praying for the removal of the charge of desertion from his record as corporal of Company C, Twenty-eighth Regiment Connecticut Volunteers; which was referred to the Committee on Military Affairs.

Mr. CAMERON presented six memorials of citizens of Pennsylvania, remonstrating against the admission of Utah as a State without the imposition of restrictions against polygamy; which were referred to the Committee on Territories.

He also presented the petition of William Berry and 89 other citizens of Washington County, Pennsylvania, praying for the enactment of a bill providing temporary aid for common schools, to be disbursed on the basis of illiteracy, thereby securing the means of universal education; which was ordered to lie on the table.

Mr. EDMUNDS presented a petition of sundry postmasters in the State of Vermont of the fourth class, praying for a readjustment of the laws on the subject of their compensation so that they shall receive a larger amount; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of Maria Smith, widow of Cyrus T. Smith, late a private in Company I, Fourth Regiment Vermont Infantry Volunteers, praying for the passage of a special act by Congress granting her a supplemental pension; which was referred to the Committee on Pensions.

Mr. BROWN presented the petition of W. C. Shore and 39 other citizens of Banks and Habersham Counties, Georgia, praying for the enactment of a bill providing temporary aid for common schools, to be disbursed on the basis of illiteracy, thereby securing the means of universal education; which was ordered to lie on the table.

Mr. JONES, of Arkansas, presented the petition of Biscoe Hindman and 178 other citizens of Phillips County, Arkansas, praying for the enactment of a bill providing temporary aid for common schools; which was ordered to lie on the table.

Mr. PUGH presented a petition of citizens of Mount Ida, Ala., praying that increased compensation be allowed fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

## REPORTS OF COMMITTEES.

Mr. MORRILL. I report back from the Committee on Finance the bill (S. 600) authorizing the Secretary of the Treasury to make final

adjustment of claims of certain foreign steamship companies arising from the illegal exaction of tonnage dues, with a recommendation that the committee be discharged from its further consideration, and that it be referred to the Committee on Claims.

I will state that the Committee on Finance have heretofore considered bills like this for interest adversely, but the Committee on Claims having had this bill under consideration last year, we think it is proper that it should be referred to them again.

The report was agreed to.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 473) to authorize the Secretary of the Treasury to cause to be examined certain vouchers filed, or to be filed, by the State of Missouri, or her agent or agents, for sums claimed to be due from the Government of the United States on account of payments made by said State since April 22, 1882, to the officers and enlisted men of her militia forces for military services rendered to the United States in the suppression of the rebellion, as evidenced by the proper pay-rolls heretofore filed with, examined, and accepted by the Government of the United States, and to report to Congress, reported it without amendment, and submitted a report thereon.

Mr. TELLER, from the Committee on Public Lands, to whom was referred the bill (S. 287) to quiet title of settlers on the Des Moines River lands, in the State of Iowa, and for other purposes, reported it with an amendment.

Mr. MORGAN. As a member of the Committee on Public Lands, I respectfully dissent from that bill as reported by the majority of that committee. I regard it simply as an effort on the part of Congress to usurp the judicial power of the United States for the purpose of reversing, setting aside, and annulling many decrees which have been passed, some of them in the inferior courts and some of them in the Supreme Court of the United States. I concur in the views which have been taken by the President of the United States in his veto message upon the bill when he refused to give it his signature during the last Congress.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. DAVIS. I am directed by the Committee on Pensions, to whom was referred the bill (S. 257) granting a pension to Mary S. Logan, to report it with an amendment, which consists in correcting the middle letter of her name by the substitution of the letter "A" for the letter "S." I ask for the immediate consideration of the bill.

The PRESIDENT *pro tempore*. Is there objection to the consideration of the bill at this time?

Mr. BERRY. I ask that the bill be read for information.

The PRESIDENT *pro tempore*. The bill will be read at length for information, subject to objection.

The Chief Clerk read the bill.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. BERRY. I object.

The PRESIDENT *pro tempore*. Objection being made, the bill will be placed on the Calendar.

Mr. FARWELL. I see that the committee recommend that the letter "S" be stricken out and the letter "A" be put in the name of Mrs. Logan, so as to read "Mary A. Logan." That is an error. I desire to call the attention of the committee to the matter so that the proper name may be put in the bill.

The PRESIDENT *pro tempore*. The Chair understands that the committee have reported an amendment to the bill. The bill is now on the Calendar, and that matter can be considered when the bill is brought up for consideration.

Mr. DAVIS. I am also instructed by the Committee on Pensions, to whom was referred the bill (S. 574) to increase the pension of Mrs. Apolline A. Blair, to report it without amendment, and I ask for its present consideration.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill.?

Mr. GORMAN. I object. Let it go on the Calendar.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (S. 607) for the relief of Juliet C. Palmer, widow and administratrix of James C. Palmer, late Surgeon-General United States Navy, asked to be discharged from its further consideration, and that it be referred to the Committee on Naval Affairs; which was agreed to.

He also, from the Committee on Pensions, to whom was referred the petition of Bridget Adams, of Worcester, Mass., praying for the removal of the charges of desertion against her husband, late a private in Thirty-first Regiment Massachusetts Volunteers, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

He also, from the Committee on Pensions, to whom was referred the bill (S. 586) for the relief of Asher W. Foster, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

Mr. HAMPTON, from the Committee on Military Affairs, to whom was referred the bill (S. 158) authorizing the Secretary of War to transfer to the trustees of the Porter Academy certain property in the city of Charleston, S. C., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 503) for the relief of Maj. William M. Maynadier, a paymaster in the United States Army, reported it without amendment, and submitted a report thereon.

Mr. HAMPTON. I am also instructed by the Committee on Military Affairs, to whom was referred the bill (S. 256) for a survey and estimate for a railroad from the mainland to Key West, Fla., and for a canal connecting the same with the St. John's River, for military and naval purposes, to report it adversely.

Mr. CALL. I ask that the bill be placed on the Calendar.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. HAMPTON, from the Committee on Military Affairs, to whom was referred the joint resolution (S. R. 5) in relation to the claim of John B. Read against the United States for the alleged use of projectiles for rifled ordnance, claimed as the invention of said Read, and by him alleged to have been used pursuant to a contract or arrangement made between him and the War Department in 1856, for which no compensation had been made; also in relation to the claim of William E. Woodbridge, based upon the plea of alleged priority in this line of invention, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 33) for the relief of Thomas J. Miller, of Washington Territory, asked to be discharged from its further consideration, and that it be referred to the Committee on Claims; which was agreed to.

### IMPORTATION OF FOREIGN MERCHANDISE.

Mr. ALLISON. The Committee on Finance instruct me to report an original bill, and I ask that it be placed on the Calendar.

The bill (S. 977) to regulate the importation of foreign merchandise and to secure uniformity in the classification and valuation thereof, and for other purposes, was read twice by its title.

Mr. ALLISON. In view of the importance of the bill, as it affects materially the administration of the law respecting the importation of foreign goods and makes many important modifications of existing laws upon that subject, I ask, by instruction of the committee, that 10,000 extra copies of the bill be printed in pamphlet form.

The PRESIDENT *pro tempore*. The resolution reported by the Committee on Finance will be read.

The Chief Clerk read as follows:

*Resolved*, That 10,000 copies of Senate bill No. 977 be printed in pamphlet form, 2,000 of which shall be for the use of the Committee on Finance, and 8,000 for the use of the Senate.

Mr. EDMUNDS. The resolution must go to the Committee on Printing under the rule.

The PRESIDENT *pro tempore*. It will be referred to the Committee on Printing.

Mr. PLATT. Unless the printing will cost more than $500 it does not need to go to the Committee on Printing.

The PRESIDENT *pro tempore*. As the Chair understands the rule, the resolution having been reported by a standing committee, a reference to the Committee on Printing is not necessary.

Mr. EDMUNDS. I wish the Chair would kindly have the rule read. I was under the impression that the rule positively required that all motions to print extra copies, no matter where they came from, should be referred to the Committee on Printing; but I may be mistaken. I have no objection to the thing being done, but we ought to adhere to the rules.

The PRESIDENT *pro tempore*. The Chair thinks on reflection that the Senator from Vermont is correct in his interpretation of the rule, and that a motion to print additional copies should be referred to the Committee on Printing. Such being the case, the order of reference will be made.

### PAY OF CONGRESSIONAL EMPLOYÉS.

Mr. ALLISON. I am instructed by the Committee on Appropriations, to whom was referred a joint resolution (H. Res. 2) authorizing and directing the payment of the salaries of the officers and employés of Congress for the month of December, 1887, to report it favorably without amendment. I ask unanimous consent that the joint resolution may be considered now.

Mr. EDMUNDS. Let it be read at length for information.

The PRESIDENT *pro tempore*. The joint resolution will be read at length for information, subject to objection.

The Chief Clerk read as follows:

*Be it resolved, etc.*, That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby, authorized and instructed to pay the officers and employés of the Senate and House of Representatives their respective salaries for the month of December, 1887, on the 22d day of said month.

Mr. EDMUNDS. No objection.

The PRESIDENT *pro tempore*. There being no objection, the joint resolution is before the Senate as in Committee of the Whole, and open to amendment.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HOLIDAY RECESS.

Mr. ALLISON. I am also instructed by the Committee on Appropriations, to whom was referred a concurrent resolution of the House of Representatives providing for a holiday recess, to report it favorably without amendment. I ask unanimous consent that the resolution may be considered now.

The PRESIDENT *pro tempore*. The resolution will be read, subject to objection.

The Chief Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That when the two Houses adjourn on Thursday, December 22, 1887, they stand adjourned until Wednesday, January 4, 1888.

The PRESIDENT *pro tempore*. The Senator from Iowa asks unanimous consent for the present consideration of the resolution reported by him. Is there objection?

Mr. PLUMB. I object.

The PRESIDENT *pro tempore*. Objection being made, the resolution will be placed upon the Calendar.

CLERK TO A COMMITTEE.

Mr. PADDOCK. I report with a favorable recommendation, from the Committee to Audit and Control the Contingent Expenses of the Senate, a resolution submitted by the Senator from New York [Mr. HISCOCK] authorizing the Select Committee on the Centennial of the Constitution and the Discovery of America to employ a clerk. I will state that the committee not being authorized to employ a clerk, the Senator, who is the chairman of the committee, is in a position where he is not authorized to employ a clerk for himself separately, and therefore he is without a clerk entirely. I ask for the immediate consideration of the resolution.

The resolution was considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the Select Committee on the Centennial of the Constitution and the Discovery of America be, and it hereby is, authorized to employ a clerk during the sessions, who shall be paid, out of the contingent fund of the Senate, the usual per diem compensation.

PRINTING OF PRESIDENT'S MESSAGE, ETC.

Mr. MANDERSON. I am directed by the Committee on Printing, to whom was referred a resolution for printing the President's message, etc., to report it without amendment, and I ask for its present consideration.

The resolution was read, as follows:

*Resolved*, That there be printed, in pamphlet form, for the use of the Senate, 1,000 copies of the annual message of the President, and the reports proper of the heads of the Departments, Comptroller of the Currency, Director of the Mint, and Treasurer of the United States, without the appendices.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution? The Chair hears none. The question is on agreeing to the resolution.

Mr. COCKRELL. How many copies are specified?

Mr. MANDERSON. One thousand copies.

Mr. COCKRELL. Is that the usual number?

Mr. MANDERSON. That is the usual number ordered by the Senate of the document in this form. Its cost is under $500, costing $315, and it is the number usually ordered by the Senate in this form. I think the number is sufficient.

The resolution was agreed to.

SELECT COMMITTEE ON INDIAN TRADERS.

Mr. PADDOCK. The Committee to Audit and Control the Contingent Expenses of the Senate have instructed me to report with amendment, in the nature of a substitute, the resolution submitted by the Senator from New Hampshire [Mr. CHANDLER] in regard to the Select Committee on Indian Traders, and I ask for its present consideration.

The PRESIDENT *pro tempore*. The resolution and the amendment will be read.

The Chief Clerk read the resolution, as follows:

*Resolved*, That the Select Committee on Indian Traders be, and hereby is, authorized and directed to continue the investigation directed to be made under Senate resolution of June 3, 1886, with all the authority and powers granted to the original committee by said resolution of June 3, 1886, including the taking of testimony and the employment of a stenographer.

The Chief Clerk read the amendment, as follows:

Amend the resolution so as to make it read as follows:

"*Resolved*, That the Select Committee on Indian Traders be, and hereby is, authorized and directed to continue the investigation directed to be made under Senate resolution of June 3, 1886, with all the authority and powers heretofore granted to the committee, including the taking of testimony and the employment of a clerk and a stenographer; and that all necessary expenses of such investigation be paid out of the contingent fund of the Senate, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

"Also, that the compensation of the stenographer authorized by resolution of the Senate of December 14, 1887, to be employed by the Committee on Privileges and Elections be paid out of said contingent fund upon like approval."

Mr. PADDOCK. I ask for the present consideration of the resolution.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. PADDOCK. I will state with reference to the provision in the resolution as to the stenographer of the Committee on Privileges and Elections, which committee was authorized the other day to employ a stenographer, that this provision was put in in order to cover a defect in the other resolution.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the resolution proposed by the committee.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution as amended.

Mr. CALL. I desire to ask some member of the Committee on Indian Affairs a question. Before voting on the resolution I should like to know from some one why it is that the ordinary committees of this body are not capable, during the session of Congress, of dealing with the subjects which properly belong to those committees? I hear a number of resolutions read constituting special committees for subjects over which the standing committees of this body have jurisdiction, and for the purpose of considering which they are created and continued.

I have no desire to make any captious objection to the pending resolution, but I should like to know why it is that the ordinary regular standing committees of this body can not perform the duties intrusted to them.

Mr. PLATT. If I can have the attention of the Senate, I will make a statement with regard to this particular empowering of the Select Committee on Indian Traders of the present session.

At the last Congress a select committee was raised to investigate certain charges with reference to licenses to Indian traders and the attempt by those traders to sell their licenses. That committee took testimony during the session of Congress, and was authorized to sit during the recess to continue the investigation. It did so, and it met here on the 26th of November for the express purpose of allowing the Commissioner of Indian Affairs to put in testimony in reply. But the Commissioner of Indian Affairs, we found, had been afflicted by the loss of his wife, and it was impossible for him to put in his reply at that time, and of course the matter had to be postponed.

At the present session a Select Committee on Indian Traders was constituted, with the Senator from New Hampshire [Mr. CHANDLER] as chairman. The object of this resolution is to allow the continuance and completion of the investigation which was ordered at a previous Congress, and which was postponed under the circumstances I have detailed.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

INDIAN OPERATIONS ON THE PLAINS.

Mr. MANDERSON. I report back from the Committee on Printing the documents which accompany the letter from the Secretary of the Interior, transmitting the testimony and report of Colonel Carrington, United States Army, in reference to operations on the plains against the Indians. I am instructed by the committee to move that the usual number of copies of the document be printed for the use of the Senate, but no additional copies.

The PRESIDENT *pro tempore*. The indorsement of the document will be stated.

The CHIEF CLERK. "A letter from the Secretary of the Interior, transmitting, in response to a Senate resolution of February 11, 1887, certain papers relative to Indian operations on the plains in 1867."

The PRESIDENT *pro tempore*. The motion is that the usual number be printed. If there be no objection, that order will be made.

GOVERNMENT POSTAL TELEGRAPH.

Mr. EDMUNDS. I ask that the bill (S. 534) to provide for the establishment of a postal telegraphic system, which I introduced the other day, and which was laid upon the table, be taken from the table and referred to the Committee on Post-Offices and Post-Roads. I had intended to submit some brief observations upon the bill, but, trusting to the zeal and fidelity which the Committee on Post-Offices and Post-Roads has hitherto shown in favor of some such measure, I think I can safely send the bill to them without any preliminary observations, trusting that it will be very speedily reported, when it can be discussed.

The PRESIDENT *pro tempore*. The bill, having been read the second time, will be referred to the Committee on Post-Offices and Post-Roads.

Mr. CULLOM. I had the honor of introducing a bill on the same subject, the bill (S. 614) to provide for the establishment and operation of the United States postal telegraph, which I ask be taken from the table and referred to the same committee, without any remarks.

The PRESIDENT *pro tempore*. The bill having been read the second time, will be referred to the Committee on Post-Offices and Post-Roads.

BILLS INTRODUCED.

Mr. CULLOM introduced a bill (S. 978) for the relief of the legal heirs of Hugh Worthington; which was read twice by its title, and referred to the Committee on Claims.

Mr. SHERMAN introduced a bill (S. 979) for the relief of Benjamin

D. Lakin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 980) granting an increase of pension to Horace M. Cook; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 981) granting a pension to Elizabeth Bauer; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 982) for the relief of John Wybrant; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 983) to remove the charge of desertion against George K. Smith; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 984) to remove the charge of desertion against Levi Beer; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 985) to remove the charge of desertion against Edward Whitehouse, alias Edward Williams; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. HISCOCK introduced a bill (S. 986) to provide for the adjustment of certain accounts of Edwin A. Merritt, late consul-general at London, for storage and care of the archives at that consulate-general; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 987) for the relief of the administrators of the estate of Isaac P. Tice, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 988) to refund duties paid by the State of New York on arms imported in 1863; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 989) for the relief of Margaret Madden; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 990) granting a pension to Frank Casart; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 991) granting a pension to Sarah E. Beeman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 992) for the relief of the Sone & Fleming Manufacturing Company, limited, of the city of New York; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Finance.

He also introduced a bill (S. 993) referring to the Court of Claims the claim of the Compagnie Générale Transatlantique for duties of tonnage illegally exacted; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Foreign Relations.

Mr. MORGAN introduced a bill (S. 994) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th day of July, 1868;" which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 995) for the relief of Robley D. Evans and Richard M. Green; which was read twice by its title, and referred to the Committee on Patents.

Mr. COCKRELL introduced a bill (S. 996) granting a pension to Caroline Ruppert; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BLAIR introduced a bill (S. 997) granting a pension to Silas McIntire; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 998) to restore pensions in certain cases; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FARWELL introduced a bill (S. 999) for the relief of Edmund D. Taylor; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. QUAY introduced a bill (S. 1000) to increase the pensions of certain soldiers and sailors who are utterly helpless from injuries received or diseases contracted while in the service of the United States; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1001) granting a pension to George W. Fisher; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1002) granting a pension to Thomas Todd; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DAVIS introduced a bill (S. 1003) granting the right of way to the Duluth and Manitoba Railroad Company across the Fort Pembina military reservation in Dakota Territory; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. HAWLEY introduced a bill (S. 1004) granting a pension to Ann Verneuil; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. CAMERON introduced a bill (S. 1005) granting to Mrs. Helen W. Mauck, widow of Maj. Clarence Mauck, Ninth United States Cavalry, a pension as of the rank and grade held by her husband at the time of his death; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PLATT introduced a bill (S. 1006) granting a pension to Mary E. Blackman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. TURPIE introduced a bill (S. 1007) granting a pension to John S. Coleman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. WALTHALL (by request) introduced a bill (S. 1008) for the relief of John W. King, of Warren County, in the State of Mississippi; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. BECK introduced a bill (S. 1009) granting an increase of pension to Sallie R. Alexander, widow of Lieut. Col. Thomas L. Alexander, United States Army; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1010) for the relief of Samuel Ceas, of the District of Columbia; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1011) for the relief of the legal representatives of Egbert Thompson, deceased; which was read twice by its title.

Mr. BECK. I introduce the bill by request. I do not know anything about it, but I have been requested to present it. I move that the bill be referred to the Committee on Naval Affairs.

The motion was agreed to.

Mr. GORMAN introduced a bill (S. 1012) for the relief of Charles K. Remsberg; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1013) for the relief of James F. Hogan; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1014) for the relief of the estate of John C. Thompson, deceased; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. PLUMB introduced a bill (S. 1015) granting a pension to Margaret M. Collins; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1016) granting a pension to Lieut. Adolph Henning; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1017) granting a pension to Stephen Schiedel; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1018) granting a pension to Joseph W. Eubanks; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1019) to authorize and direct the Secretary of War to place on file in the War Department the names of the officers and members of the Frontier Guards, mustered into the volunteer military service of the United States on the 18th day of April, 1861, and issue discharges to the same; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1020) granting a bounty of $100 to the Second Regiment Kansas Volunteer Infantry; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1021) allowing extra pay to certain officers of the volunteer Army in the war of the rebellion; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1022) to relinquish the interest of the United States in certain lands in Kansas; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1023) for the relief of Michael Jordan; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Appropriations.

Mr. PALMER (by request) introduced a bill (S. 1024) for the relief of John A. Fairfax; which was read twice by its title, and referred to the Committee on Claims.

Mr. GEORGE introduced a bill (S. 1025) for the erection of an equestrian statue of ex-President Zachary Taylor; which was read twice by its title, and referred to the Committee on the Library.

Mr. ALLISON introduced a bill (S. 1026) for the relief of the owners, officers, and crew of the British bark Chance; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. BECK introduced a bill (S. 1027) to fix the charge for passports at $1; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Foreign Relations.

He also introduced a bill (S. 1028) amending the internal-revenue laws providing for the punishment of retail dealers in spirituous and malt liquors, and for other purposes; which was read twice by its title,

and, with the accompanying papers, referred to the Committee on Finance.

Mr. BLAIR introduced a joint resolution (S. R. 21) granting a gold medal to Capt. Charles de Arnaud; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. REAGAN introduced a joint resolution (S. R. 22) providing for the printing of additional copies of Executive Document No. 51, first session Forty-ninth Congress, on the subject of cattle and dairy farming; which was read twice by its title, and referred to the Committee on Printing.

AMENDMENT TO A BILL.

Mr. GEORGE submitted an amendment intended to be proposed by him to the bill (S. 614) to provide for the establishment and operation of the United States postal telegraph; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

CHIPPEWA AND MUNCIE INDIANS.

Mr. PLUMB submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Interior be directed to inform the Senate whether any person or persons are being ejected at the instance of his Department, or otherwise to his knowledge, from lands purchased of the Chippewa and Muncie Indians in Kansas, and if so, what state of law or facts justify such action; and also whether the interests of said Indians would not be promoted by their removal from the State of Kansas to the Indian Territory.

INDEX OF DOCUMENTS.

Mr. PLATT submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Committee on the Library be instructed to consider and report upon the necessity of the publication for the use of the Senate of a consolidated index of the reports and documents of the Forty-sixth to the Forty-ninth Congresses, inclusive, contained in the Senate library.

D. B. LUCAS.

Mr. FAULKNER submitted the following resolution; which was read:

*Resolved*, That the sum of —— dollars be paid out of the contingent fund of the United States Senate to D. B. Lucas in full of all expenses, etc., incurred by him as a contestant for a seat in the Senate as a Senator from the State of West Virginia.

Mr. FAULKNER. I move that the resolution be referred to the Committee on Privileges and Elections. I have inserted no amount in the resolution, believing that should be more properly inserted by the committee to whom the subject is referred.

The PRESIDENT *pro tempore*. The resolution will be referred to the Committee on Privileges and Elections, if there be no objection.

CAPTAIN HALL'S OREGON VOLUNTEERS.

Mr. MITCHELL. I submit the following resolution, and ask for its present consideration:

*Resolved*, That the Secretary of War be, and he is hereby, directed, if not incompatible with the public service, to report to the Senate at his earliest practicable convenience a copy of all records in his Department relating to what is commonly known and called "Captain Hall's Company of Oregon Volunteers," which it is alleged served in the Cayuse war in the Territory of Oregon; when such company was organized, and where and when, if at all, mustered into the service of the United States, and when disbanded, and the names of the persons respectively composing such company.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. WILSON, of Iowa. The resolution does not seem to be in the usual form of such resolutions. I suggest to the Senator from Oregon that he modify it by striking out the words "if not incompatible with the public service."

Mr. MITCHELL. I accept the suggestion. Let the resolution be amended so as to read:

*Resolved*, That the Secretary of War be, and he is hereby, directed to report to the Senate, etc.

The resolution as modified was agreed to.

PRINTING OF PRESIDENT'S MESSAGE.

Mr. MORGAN submitted the following resolution; which was referred to the Committee on Printing:

*Resolved*, That 10,000 additional copies of the annual message of the President of the United States to the Fiftieth Congress be printed in pamphlet form for the use of the Senate.

ADMISSION OF UTAH.

Mr. CALL. I ask the Senate to take up the resolution which I submitted yesterday, in regard to printing the Utah memorial.

The PRESIDENT *pro tempore*. The Senator from Florida moves that the Senate proceed to the consideration of the resolution submitted by him yesterday, which will be read.

The Chief Clerk read as follows:

*Resolved*, That the petition and accompanying papers of the citizens of the United States in the Territory of Utah, claiming to represent the wishes and requests to Congress of 200,000 American citizens, be printed in the RECORD.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

Mr. CALL. I understood the Senator from Nebraska [Mr. PADDOCK], who objected to the passage of the resolution, to withdraw his objection.

Mr. PADDOCK. I can not hear the Senator from Florida.

Mr. CALL. If there be no objection, and I believe there is none, I ask that the resolution be adopted.

Mr. EDMUNDS. I move that the resolution be referred to the Committee on Territories, which now has the papers. My reason for making the motion is that that committee ought to see what is contained in this long memorial, etc., before it is printed, particularly in the RECORD, which is a very expensive performance, and because we have had one piece of experience hitherto with printing a similar paper in the RECORD without knowing what was in it, which, had it been known, I think the Senate would not have allowed to be printed in the RECORD, because it was obviously improper; the language of it was improper and disrespectful.

I think the Committee on Territories had better examine these papers before the Senate acts on the question whether they shall, at an expense of $500 or $1,000, be printed in the whole edition of the RECORD. Therefore I move that the resolution be referred to the Committee on Territories, which now has possession of the papers.

Mr. CALL. Before that motion is voted on I desire to say that if the Senator from Vermont has paid any attention to the memorial he will perceive that there is nothing in it which is objectionable to the Congress of the United States. It is only a statement from a large majority—as they claim—of 200,000 citizens of the United States of what they desire.

I am not here now to advocate their wishes, or express any opinion at this time upon that subject, but I do affirm that it does not rest with any Senator or any member of Congress to say, with any kind of justification in reason, or with any degree of respect for the people of the United States, that they shall not be heard here, or in advance to say that what they wish and what they state is not respectful to Congress, and for that reason should be suppressed and their right of petition practically denied.

There is nothing in the petition whatever, except a statement in regard to a public matter, the admission of Utah, and a statement of the facts as these citizens of the United States regard them.

This objection is made in the spirit of persecution of these people. They have been alleged to have some peculiar beliefs in reference to the domestic relations which are objectionable to us. This allegation is claimed by them to be true only so far as it relates to their religious belief that the relation is not unscriptural and not forbidden. As a matter of fact, they state that polygamy is practiced only by a small portion of their population; not 3 per cent., they insist, have ever been subject to the practice which has been charged upon them. I am informed by persons of intelligence and character, non-Mormons and anti-polygamists, that this charge is a myth upon which their opponents are seeking to make these objections for the purpose of obtaining the property of these people in Utah. I am informed by citizens of the United States, Republicans and Democrats, who have recently been in Utah, that not 3 per cent. of these people are guilty of the practices upon the assumption of which the Senator from Vermont makes this objection.

But be it true or not true, they have a right to be heard, and I shall now show by reading the memorial that there is nothing in it which is objectionable. I am sorry the Senator from Vermont puts me to this inconvenience, but I am not surprised at it, for the honorable Senator is not in the habit of avoiding those things which give inconvenience to others, although he gains nothing by his objections toward accomplishing his object.

Mr. PADDOCK. The resolution not only covers the memorial, but all the accompanying papers.

Mr. CALL. I do not understand the Senator.

Mr. PADDOCK. The resolution not only covers the memorial which the Senator proposes to read, but all the accompanying papers, which are the proceedings of the constitutional convention, so called, the constitution itself, and other things.

Mr. CALL. I presume it is not desired to encumber the RECORD with any voluminous publication. The constitution need not be included. I understand the request made to me from these citizens of the United States to be that their memorial, stating their desire in respect to the admission of Utah, and the facts in reference to the number of the anti-polygamists in the Territory, both Mormon and non-Mormon, and the good faith of both polygamists and anti-polygamists in accepting the Edmunds-Hoar law and making it a part of their State constitution, may be printed.

The memorial reads as follows:

Memorial of the constitutional convention of Utah.

*To the President and the Senate and House of Representatives of the United States of America in Congress assembled:*

GENTLEMEN: For the fifth time the people of Utah present to your honorable body a constitution providing for a republican form of government, and respectfully ask admission into the Union as a free and sovereign State.

Your memorialists are delegates in a constitutional convention, chosen by the people of this Territory, in mass meetings, to which all citizens of every party were publicly invited. The constitution presented herewith was framed by your memorialists with a desire to effect a political settlement of the questions which have heretofore interposed as the sole objections when Utah has applied for the rights and privileges of statehood.

Under recent acts of Congress no person practicing polygamy can vote or hold office in this Territory. Your memorialists are registered voters, and the constitution which they adopted on the 7th day of July, 1887, was ratified at the general election, August 1, 1887, by a popular legal vote of 13,195, only 502 voting

agnist it. The total number of votes cast at the same election for precinct and county officers and members of the Legislative Assembly was 16,640. This shows a balance of 2,943 who refrained from voting on this question; the voters of the minority party having been so directed openly by their political leaders, who do not favor any movement for the removal of those disabilities which are common to the Territorial system, unless likely to be specially favorable to them.

The number of the voting population has been considerably reduced by the operations of Congressional statutes. The act of March 22, 1882, disfranchised all polygamists; the act of March 3, 1887, excluded all women from the polls; the test oath prescribed by the same law was so distasteful to many persons of all classes who were otherwise qualified that they abstained from registration, and as only registered voters could cast their ballots at the general election for or against the constitution framed by your memorialists, the total vote in its favor was, under the circumstances, remarkably large.

The people who have adopted and ratified this constitution are law-abiding citizens of the United States. They have not violated any law of Congress. The special provisions they have framed in reference to practices condemned by the popular voice were made in good faith, and so worded that they are practically unrepealable. In these, Congress has not imposed unusual requirements upon a new State, but the people have placed these restrictions upon themselves in order to meet prevailing objections and secure political harmony with the existing States. In doing this they consider they have but exercised a reserved and constitutional right. If Utah shall be admitted into the Union, these provisions will be strictly and fairly enforced.

Your memorialists have no hesitation in stating that almost the entire population of Utah are desirous of becoming fully identified as a State with the institutions of this great Republic, and of taking part in national affairs as loyal and as peaceable citizens. They have demonstrated their fitness for the duties, responsibilities, and privileges of Statehood. They are thrifty, temperate, industrious, intelligent, and progressive. They form a vigorous, stable, and permanent community, out of debt and ready to move forward in step with existing States.

The Territory has a population of not less than 200,000. Her wealth, exclusive of mines, which are untaxed and represent unknown millions, aggregates not less than $150,000,000. Her resources, products, interests, and prospects are conceded by all to be amply sufficient to sustain a State government, and have so frequently been presented to Congress and the nation, with statistics, that we deem it unnecessary to detail them in this memorial. The soil, irrigated by mountain streams diverted through canals and ditches over large areas once a desert, brings forth grain and fruit in rich abundance. Cattle and sheep roam upon a thousand hills and supply both home and foreign markets. Her woolen and other manufactories have become famous for their honest and useful products. Factories and work-shops supply labor to skilled and common artisans, who are content with reasonable wages, and among whom strikes and troubles with capital have hitherto been unknown. The necessities and many of the luxuries of life are abundant and cheap.

Minerals of all kinds abound within her borders, and the mining output aggregates from $7,000,000 to $10,000,000 annually. Apart from the precious metals, there are valuable deposits so varied in character and immense in quantity as to afford in themselves material for untold wealth. These await but the touch of the capital that a settled political condition will draw to Utah, to be brought forth for the benefit of her people and the enrichment of the nation. The great railroads which already have their termini in or near her capital city, with others in process of construction, place her people in easy communication with the rest of the country, and facilitate commercial relations. The telegraph, the telephone, the electric light, and other modern improvements are utilized extensively by her citizens. Her business status and reputation in the great centers of trade are unimpeachable. Her taxes are phenomenally low, and her internal affairs have been honestly and economically conducted. Her school system, with the best text-books used in the foremost schools of the country, provide strictly secular education for the children in every city and settlement. Her statistics bear very favorable comparison with even the older States. Nothing now stands in the way of her march to that proud position to which everything just and natural points as her destiny but those political disabilities which only statehood can remove.

We appeal to your honorable body to regard the wishes of a people who earnestly desire to aid in promoting the welfare and glory of the Union, and who, from the day their pioneers first unfurled the stars and stripes on this then Mexican soil, have looked forward to the time when they should enter the Union as a State, as guarantied to them in common with other residents on the territory acquired by the treaty of Guadalupe Hidalgo.

We ask that the constitution of the proposed State of Utah shall receive the close and impartial attention of your honorable body. It guaranties "a republican form of government." It provides for equal rights and privileges before the law to citizens of all parties, creeds, and conditions. It is broad and liberal and contains the best provisions to be found in other State constitutions. It meets the demands that have been made upon the majority of the people of Utah when they have previously asked admission into the Union. What more can be required of any people?

The admission of Utah will relieve the Government of a question that has troubled it for a quarter of a century, and remove it from national to local regulation, where it properly belongs. It will add one more star to the national galaxy, increase the strength of the Union, save the country many thousands of dollars annually, and bind to the interests of the nation a body of honest, patriotic, and grateful people, who will be found, when the mists of misrepresentation and prejudice are cleared away, to be a community of which any government might be proud.

We ask for "a republican form of government," and we ask that it be given us now. For nearly forty years Utah has been pleading for statehood. Shall a deaf ear be still turned to her entreaties? We hope for better things. In behalf of the great majority of the voters who represent the vast majority of the people of Utah, we submit that having broken no law we should not be deprived of our liberties on account of objections raised against others. We ask for justice and a fair consideration of our cause, with the solemn pledge that Utah as a State will be faithfully devoted to true republican principles and to the interests and welfare of the Government of the United States. And your memorialists will ever pray.

Adopted in convention at Salt Lake City, Utah Territory, on the 8th day of October, A. D. 1887, by unanimous vote, and ordered to be signed by the president and secretary.

JOHN T. CAINE,
*President.*
HEBER M. WELLS,
*Secretary.*

Mr. President, I have read this memorial to show the insincerity of the objection which has been made by the Senator from Vermont to the printing of this memorial from 200,000 American citizens in the RECORD, as requested by them, to the end that they may have a hearing before the Congress and before the people of the United States.

The Senator from Vermont knew that there was nothing in this memorial disrespectful to Congress, and he knew that there was no reason in right or justice why the Senate of the United States should refuse to hear the petition of either one citizen, however poor or however erring, or of two hundred thousand citizens who have a right to be heard here, as much right as the Senator from Vermont or I have—a constitutional right to be heard in this body and before the American people; a solemnly guarantied right not only to be heard, but to have secured to them, and to each of them, all of the rights, immunities, and privileges which the Senator from Vermont has or which any other citizen of the United States has; a right of equality in all respects before the law, which the Senator, myself, and every other Senator have taken an oath to respect and defend and secure to them.

For one, I propose to respect and obey that oath, and not violate it either directly, or by evasion, or indirectly.

Mr. EDMUNDS. Mr. President, I thank the Senator from Florida very much for his gratifying and complimentary allusions to me. They are worthy of him, and I trust I can bear them.

I certainly do not question the sincerity of the Senator from Florida, for he has stood behind this polygamous hierarchy every time they have had any interest to advance or any wholesome legislation to resist, so far as I now remember, at all times, and with great ability and considerable zeal. So I can with equal sincerity give him the praise to which he is justly entitled of being absolutely sincere in standing by this body of persons through thick and through thin, come good, come ill. I expect that he will continue to do so, and if in the process of time that Territory should become a State, and we could change the Constitution so that one person might be a Senator from two States, I have no doubt that the Senator from Florida would be the first Senator that the Mormon hierarchy would select, as they ought to.

But we come back to the question, what ought to be done in regard to printing in the RECORD papers of this character? I am for the first time advised of the contents of this memorial, so far as I was able to hear it read. There are a great many other papers, there are a great many answers to them in other papers, that might be read, if I chose to evade the just rules of the Senate by spending the morning in reading counter-statements, which would show the utter hypocrisy and gammon of this performance, a mere trick to get out from under the hand of Congress and the laws of the United States, on a promise that when they become a sovereign and independent State, standing, as the Constitution requires when they come in that they shall stand, on an equal footing with every other State in the Union, and having the right, whatever may be in their constitution about changing it, to change it at any time they please without the consent of Congress, and not being bound by any compact that they may make in regard to their social institutions, as the Supreme Court in another case, or in more than one, perhaps, has long ago decided, respecting the equality of all new States admitted into the Union. I understand all that, and I trust everybody does; and, for one, I do not propose to be a party to spending the money of the people of the United States in printing in the RECORD for circulation among the people this sort of thing. The record of the proceedings of the Senate is a record of its proceedings, and not intended to be a record of statements that people of the United States choose to make to Congress. That is where it stands, and therefore it is that I make the motion.

Mr. CALL. Mr. President, the Senator from Vermont is equally insincere, incorrect, and even frivolous in his statement that he has heard me stand behind the Mormon hierarchy and defend it. The Senator from Vermont has heard me stand behind human rights—the rights of women and children whom he was seeking to brand with a lifetime of sorrow and disgrace; he has heard me defend a patient and suffering anti-polygamous people when with the most exquisite cruelty he has sought to punish the poor innocent women and children in Utah by legislation which I regard as unconstitutional, unfeeling, inhuman, and subversive of the religion and precepts of the Divine Teacher. But I am as far from sustaining the Mormon or any other hierarchy as is the Senator from Vermont; indeed, I am much farther, for I am in favor of religious tolerance. I am a believer in the power of Christ's religion and His preachers, and the Senator from Vermont does not seem to be so. A Senator may be a defender of religious liberty, in favor of tolerance, without being a persecutor and without being inhuman towards women and children.

That much the Senator from Vermont has heard from me, but he has never heard, and he never will hear me stand in this Chamber to deny the rights of 200,000 citizens of the United States to whom he has sworn to give their constitutional rights. He has never heard me seek to prevent them from having a hearing, and he has never heard me advocate corrupt judicial tribunals or packed juries or the prostitution of the courts of justice and the laws of the land for the conviction even of criminals, much less of men and women who formed relations under peculiar religious beliefs of their own at a time when the right to make their own laws and regulate their own institutions had been guarantied to them by treaty and expressly conferred upon them by act of Congress. He has never heard me advocate branding a whole generation of young men and women, native-born and adopted citizens, with a stigma by law, and to declare them unworthy of trust and confidence as citizens because their fathers and mothers are charged with what we regard as objectionable relations and heterodox and unsound religious

opinions. The Senator from Vermont has not heard me advocate the seizure of the places of worship and the property of citizens of the United States because they call themselves the Church of Jesus Christ of the Latter Day Saints, and because a small number of them have been guilty of polygamy.

I have not expressed an opinion even as to how I should vote on this proposition, nor as to whether these people are or are not sincere. That is a question for future consideration and for evidence. I have, however, been informed by persons, Democrats and Republicans, as good as the Senator from Vermont or I, as fair in standing, as respectable in character, that the majority of these people, all but about 5 per cent., have never been polygamists; that more than a hundred thousand young women and men growing up, many of them now of age, who were educated in the public schools of that country, are opposed to polygamy, and that the prevailing sentiment of the young population of Utah who have been educated as American citizens, who have the rights that I have and that the Senator from Vermont has, is opposed almost unanimously to the institution of polygamy, and that they have consented conscientiously to the legislation of Congress and have done all that they could to enforce it, and propose to make it, so far as they can do so, perpetual and irrevocable. By what right does the Senator from Vermont say here that this is a "sham and a pretense?" On what assumption of truth or reason does he pronounce the protestations of the young men and women of Utah that they are innocent and chaste and desirous of an anti-polygamous society and government a false pretense, a sham, and a fraud?

How vain and idle the objection which the Senator from Vermont seeks to make here, and impose upon the people of this country, that by the law these men can not trammel the State in its future legislation. Suppose that to be so, does that show that they are not sincere? Does that import that the very cruel legislation he himself has constantly forced on these people has had no effect? Why, Mr. President, these attempts to condemn these people in advance, to prejudice them in the public opinion, without a hearing, are idle and unworthy of the Senator from Vermont. They are not reasonable as a matter of logic and not true as a matter of fact.

Mr. STEWART. Mr. President, after what has been said I should be very much opposed to printing this memorial in the RECORD. It would, I fear, raise false hopes in Utah, and be construed as an expression of opinion that it is possible now to entertain a proposition for the admission of Utah as a State. I regret as much as any one can that Utah is not in a condition to become a State of this Union. She is a near neighbor of my own State; she is a Western Territory; and she has sufficient population and material development to become a State, and it is a very unfortunate thing, very much to be regretted, and no one regrets it more than I do that she is utterly unfit. She is governed by a close corporation, a hierarchy. I do not think there is any such thing as freedom in Utah. Free schools, as we understand them, do not exist. Everything is made subservient to the political organization known as the Mormon Church. Polygamy is but an incident. It is impossible for citizens of the United States to live in any part of Utah outside of the towns where there is military protection. The various modes they have of ridding themselves of gentiles are cruel and unreasonable, the details of which I do not propose to relate at present. I would hate to give a vote which would in any way hasten the admission of Utah as a State until her people are really prepared to establish a free government, establish a government wherein citizens of the United States of all denominations may reside in peace and be protected.

We do not want to admit Utah with this weak promise that she will abolish polygamy, without any evidence that she will abolish her organization that governs that people with a rod of iron, and excludes other citizens from living among them. It is an astonishing fact that an oligarchy of that kind should be set up in the heart of the country in utter hostility to the rest of the United States. They have proselyted the poor and the ignorant from all parts of the world, and they have taught them that the United States is their greatest enemy. I have, during the last thirty years, from time to time attended their churches and heard them preach the doctrine that their church should govern the earth, particularly the United States, and that the United States would be destroyed. They have taught that doctrine and they have exercised political power with that view. A generation has grown up thoroughly hostile to the Government of the United States in the heart of the country; and until there can be such a change as will give them freedom and good government, and until those people can learn to become citizens of the United States in good faith and respect that Government, I should think it a great calamity to have them placed in a position where they can change their constitution at will and perpetuate an organization hostile to this Government, hostile to liberty, founded upon a pretended hierarchy, and I am opposed to any vote that will at this time give countenance to the idea that the people of Utah are fit to become a State.

Mr. CALL. Mr. President, I deprecate any discussion in regard to what Utah is or is not. These people deny the statement of the Senator from Nevada. They have a right to be heard. They ask that proof be taken as to whether or not they are a loyal people and sincere, as to whether they are hostile to the people of the United States or not. They ask the poor privilege of being heard and allowed to prove their true status, and not to be condemned in advance, without evidence, upon prejudice. That is the question upon which I have been speaking. That is the motion which I have made. I am defending, sir, the right of an American citizen to a fair trial and to a fair hearing, and that he shall not be condemned in the Congress of the United States without a hearing and without proof.

They deny all the statements of the Senator from Nevada, and I have heard them denied, as I said before, by Republicans of the highest intelligence and by Democrats within the last few days. In regard to these facts I have not expressed any opinion of my own. If the Senator from Nevada is right, then it becomes simply a question whether we have the constitutional power and right to deny the principles of the Government and the great proposition upon which all our institutions rest, whether public opinion under our institutions and our Government is the true and safe basis of local self-government, or whether a central and concentrated authority in the hands of a small number of persons shall prescribe the domestic institutions and the religion of a people—an anti-Mormon hierarchy, of which the Senator from Vermont shall be the high priest and apostle, to make war upon and suppress the Mormon hierarchy with fire and sword—or whether we shall rely on the principles of our Government and the presumed power of Christ's religion and His ministers to accomplish the result.

I have not expressed an opinion even on this subject. I will agree with the Senator that, as a matter of expediency, if what he says is true these people are not like other American citizens; but if what they say is true, and what other citizens of the United States of character and consideration say, and what people from Europe who have testified on this subject say is true, then the Senator from Nevada is wrong. He is condemning these people upon facts which do not exist and denying to them virtues and qualities which they possess. This he denies to them without a hearing and without proof, and he asks that they shall not have the rights of American citizens on this judgment in advance.

Mr. PLATT. Mr. President, I am somewhat surprised that this matter should have excited so much zeal and interest as it seems to have excited this morning, for it appears to me that it is not a question of whether Utah shall be admitted as a State which we are considering here, but that the only question is whether memorials of citizens should be printed at length in the RECORD. I know of no reason why the memorial of some citizens who undertake to hold what they call a constitutional convention, or a convention to adopt a constitution in the Territory of Utah, should be printed in the RECORD more than the memorials of any other citizens who petition Congress.

Mr. CALL. Will the Senator allow me to ask him a question?

Mr. PLATT. Certainly.

Mr. CALL. The Senator says that he knows of no reason why the memorial of some citizens who have undertaken to hold what they call a constitutional convention should be published in the RECORD any more than the memorial of any other citizen. That is what I understand him to say. I will ask the Senator if he does not recognize the fact that 200,000 people, having a peculiar situation, being subject to the most severe penal laws and processes of law more than the law itself, more than any other people are subject to—whether that does not constitute a difference between them and some other one man or two men who are only interested in some mere personal matter. I ask if he does not conceive that this is a matter of public policy, touching peculiar conditions and affecting large bodies of people, and if these are not reasons why the case is differentiated from that of one or two or a dozen men who present a petition or memorial in some personal matter.

Mr. PLATT. The Senator's question is somewhat long, Mr. President; but without entering into a discussion of the condition of affairs in Utah, I simply remark in passing that the Senator may be mistaken in supposing that only 5 per cent. of the people of Utah are under the terrible imposition of the legislation of Congress, or there are no two hundred thousand citizens who are anxious to be heard. But the question is whether a memorial of this sort should go in the RECORD. It has been many times discussed here that the RECORD was too voluminous. Resolutions have been introduced that the CONGRESSIONAL RECORD should be confined to an actual transcript of the proceedings of the two Houses; and if not passed, such a resolution has, I think, met the sanction not only of a majority but of almost all the members of the Senate. It has been customary to allow the printing of memorials of State Legislatures in the RECORD, not, as I understand, by any rule of the Senate, but upon the theory that they represented the views of the States. Thus it has become a part of Senatorial comity, so to speak, that the memorials of Legislatures should be printed in the RECORD when asked for by the person presenting them, but beyond that I know of no rule or practice which will justify the printing of this memorial in the RECORD.

It seems to me a little strange that this particular thing should be made so much of and the claim set up that it is denying the right of petition when the Senate will not allow a petition to be printed at full length in the RECORD. The rule, as I understand it, forbids even the reading of a petition at length. The rule is that the Senator presenting it shall make a brief statement of the prayer of the petition. You

might as well say that the right of petition is denied in every instance when a petition is presented here and it is asked that it should go at full length in the RECORD, and the Senate, for the purpose of keeping the CONGRESSIONAL RECORD within the limits which it ought to occupy, denies the right to have it printed at length in the RECORD.

I do not admit the right, if it be put upon that ground, of any number of the citizens of the United States to have their memorials printed in the RECORD. We have had, I think, the petitions of more than 200,000 women in the land, asking for legislation looking to the right of female suffrage in the United States. I do not know but that some of those memorials have been printed in the RECORD; but if it were put upon the ground of right, I should stand here and say there was no right that it should be printed in the RECORD, and it was no denial of the right of petition that the Senate refused to put it in the RECORD. More than 200,000 people have petitioned Congress time and time again on very many subjects, but this is the first time, I think, that it has ever been claimed that because an objection was made to printing those memorials or any of them in the RECORD, that the right of petition and the right of being heard was denied!

Mr. HARRIS. Mr. President, may I inquire what the pending motion is in respect to this memorial?

The PRESIDENT *pro tempore*. The motion of the Senator from Vermont to refer the resolution to the Committee on Territories.

Mr. HARRIS. I thought it certainly could not be the motion to print, because I understand the Senator from Florida read the memorial as part of his remarks, and thereby put it in the RECORD.

Mr. PADDOCK. Mr. President, I do not propose at this stage of the session to embark in any discussion of this question of the application of Utah for admission into the Union. I desire simply to correct a statement or two made by the Senator from Florida.

The Senator said that this memorial comes from 200,000 people of the Territory of Utah. That is a mistake. The whole population of the Territory of Utah is 200,000. The Mormons of all kinds are about 140,000. The remainder are what are known as gentiles. They are not Mormons at all; nor did any of them in any way participate in the concoction or presentation here of this State scheme.

Then, as to the Mormons of all kinds, my friend says that only 3 per cent. of the gentlemen who present this memorial here are polygamists. I assert that there are not 3 per cent. who are not polygamists so far as the indorsement of the doctrine of polygamy is concerned. There are a good many who, under the circumstances of their situation, have not gone into polygamy; but there are not, in my opinion, and I speak with the confidence of an intimate knowledge of the situation in Utah, 3 per cent. of all those who stand behind this petition for the admission of Utah as a State into the Union who do not believe that polygamy is the result of a Divine revelation and that it is their duty to maintain it. While they may not have gone into polygamy themselves, they have aided and abetted others who have gone into it, and aided and abetted in maintaining the institution itself against the law and the prosecution of offenses under the law.

Mr. President, I ask the Secretary to read a passage from the last annual report of the Utah Commission, which I send to the desk.

The PRESIDENT *pro tempore*. It will be read, if there be no objection.

The Secretary read as follows:

If Utah should be admitted into the Union as a State, the following result would follow, namely: There would be an immediate cessation of all further prosecutions for polygamy and unlawful cohabitation under laws of Congress. No prosecution for polygamy would ever take place in the State, until the ruling power in the State chose to do what they now arraign the Government for—"persecute" for a crime which is "an essential part of their religion." This claim has been set forth in a formal way which has made it a solemn declaration of the whole Mormon population of Utah. At a general conference held at Logan, April 6, 1885, a resolution was adopted and a committee appointed to draft a protest and address to the President and people of the United States. Such address was adopted at a mass meeting, held May 2, 1885, at which the Hon. John T. Caine, Delegate from the Territory, presided, and was deputed as the agent to present the same. In that document is formally proclaimed—

"As to our religious faith, it is based upon evidence which to our minds is conclusive; convictions not to be destroyed by legislative enactments or judicial decisions. Force may enslave the body, but it can not convince the mind. To yield at the demand of the legislature or judge the rights of conscience would prove us recreant to every duty we owe to God and man. Among the principles of our religion is that of immediate revelation from God; one of the doctrines so revealed is celestial or plural marriage, for which ostensibly we are stigmatized and hated. This is a vital part of our religion, the decisions of courts to the contrary notwithstanding."

It is a circumstance worthy of mention that Mr. Caine, who bore so prominent a part in the adoption and promulgation of the address from which the above extract was made, was also the president of the convention which adopted the proposed State constitution.

Mr. PADDOCK. I have only to say in addition that the most prominent and conspicuous men who speak for the church and act for the church in all important matters were in that conference and directed the proceedings to which that report, made two years ago to the Senate of the United States, refers, and the same men were in this so-called convention that framed the constitution and prepared this memorial now before the Senate. Certainly these men have met with no change of heart; but suddenly it was concluded that it was better for them to get out from under the control of the Federal Government, believing if this could be done, and they could get the sovereign power of a State for Utah in their own hands through statehood, there would be no trouble in circumventing the Federal Government, nullifying its laws on the system of polygamy, to the end that the system of polygamy in that Territory should be perpetuated.

Mr. BLAIR. I move that the resolution lie on the table.

Mr. CALL. I hope the Senator will withdraw that motion for a moment.

Mr. BLAIR. This is likely to encumber the RECORD indefinitely. The Senator has already secured the printing of his memorial by reading it, and this matter is delaying the proceedings of the Senate.

Mr. CALL. I only wish to say a word to correct what has been said.

Mr. BLAIR. I will withdraw the motion for a moment.

Mr. CALL. The Senator from Nebraska said that I had stated there were only 3 per cent. of Mormons who were practically polygamists. I wish to say that I said nothing of that kind. I have not stated anything or any opinion on this subject. I do not know anything about the facts. I have stated what these people state and what other credible persons state, and I have asked permission for them to prove this before the Senate. They say that there is not over 3 per cent. in the Territory of the whole population who have ever been polygamists, and they ask permission to prove that fact. I will not say whether that is the same or a greater proportion than may be found among other communities—Vermont or Nebraska or other States. I have no doubt that our people in all the States are very much alike, and that there is, perhaps, as large a proportion of immorality in this respect as 3 per cent. in many of our communities.

I am opposed to polygamy. I am opposed to all forms of superstition, whether it be called religion or not. I believe in the old evangelical churches, the Baptists, Methodists, Catholics, Presbyterians, and others. I venerate their teachings and respect and honor their ministers. I do not profess to know anything about the condition of things in Utah of my own knowledge. I have made no statement of it, and I make none here. I stated what was the opinion and statement of men of character and intelligence upon this subject. I do not think any one believes that if 200,000 men and women of Connecticut were to ask that any petition of theirs should be printed in the RECORD that we should hear the Senator from Connecticut arguing that they were not a legislature, and that there was no rule of the Senate for it. This is hair-splitting of the worst kind.

Now, Mr. President, this memorial having been read, and not desiring to provoke any further contention of the matter, I will withdraw the resolution.

The PRESIDENT *pro tempore*. The resolution will be considered as withdrawn if there be no objection.

## AID TO COMMON SCHOOLS.

Mr. BLAIR. I move that the Senate proceed to the consideration of Order of Business 12, being Senate bill No. 371.

The PRESIDENT *pro tempore*. The Senator from New Hampshire moves that the Senate proceed to the consideration of Senate bill 371.

Mr. MORGAN. I should like to inquire whether the Senator expects to get a final vote on this bill to-day.

Mr. EDMUNDS. Let us hear what the bill is. Let the title be read.

The PRESIDENT *pro tempore*. The title of the bill will be read at the desk.

The SECRETARY. A bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. BLAIR. I will say in reply to the inquiry of the Senator from Alabama that I shall be very glad indeed, if we are able to do so, to take up the bill and proceed as far as we can to-day. Of course a bill of this importance can not be pressed against the courtesy and wishes of the Senate, if there are members of the body who desire to be heard at length, but I should hope we might complete the consideration of the bill before adjournment to-day.

Mr. MORGAN. The bill has received an amendment in the committee. I do not know what the amendment is.

Mr. BLAIR. A mere verbal amendment.

Mr. MORGAN. I do not know about that. It is also accompanied by a report which I have not had time to read. The report and bill were laid on our desks this morning.

The PRESIDENT *pro tempore*. The Chair will observe that under the rules a motion to proceed to the consideration of a bill between the hours of 1 and 2 must be decided without debate.

Mr. MORGAN. I do not propose to debate the question. I desire to make a suggestion to the Senator from New Hampshire.

Mr. RIDDLEBERGER. I wish to ask the Senator from New Hampshire, because I know this is not a debatable proposition, whether this is the bill. I should like to know whether this large pamphlet or volume laid on our desks to-day, "The Education Bill," is the bill we are asked to take up.

Mr. BLAIR. The bill is in the Senator's file.

Mr. RIDDLEBERGER. I have been in favor of the educational bill, but I am not in favor of passing books as bills.

Mr. BLAIR. The Senate, I think, understands the distinction. I ask for a vote.

Mr. MORGAN. Mr. President——

The PRESIDENT *pro tempore*. The Senator from Alabama will be considered entitled to the floor if there be no objection.

Mr. MORGAN. I ask the Senator from New Hampshire if he expects the Senate to come to a vote before the recess. There are several new Senators on both sides of the Chamber who are desirous of investigating this question, I suppose. I should like very much that some opportunity for the consideration of this measure should be given before it is pressed to a final vote.

Mr. GRAY. With the permission of the Senator from New Hampshire, I desire to say that there are a number of Senators on this side of the Chamber who wish to speak upon the bill when it is considered by the Senate. I for one desire to say something in regard to the bill, and I know of others who desire to be heard in regard to it, but none of whom, as I am informed, are ready or care to engage in the debate before the holidays. It will be impossible for some of these Senators to prepare themselves properly to express what they desire to express in regard to the bill before the recess. I therefore join with the Senator from Alabama in the hope that the bill will not be taken up now.

Mr. BLAIR. I desire to be understood in what I said in reply to the suggestion of the Senator from Alabama, that there will be no purpose to press the bill contrary to the usual courtesies of the Senate. They are, as I understand, that any member desiring to speak shall have the opportunity to be heard.

I desire to call up the bill and proceed as far as may be to-day, and if the whole day is occupied then resume its consideration to-morrow; but I apprehend from the suggestions of Senators that the ultimate disposition of the bill will be postponed. It will be entirely satisfactory, I think, to the friends of the bill to postpone it to the day to which the Senate may adjourn, and that it be the unfinished business on that day.

Mr. MORGAN. I have no objection to that.

Mr. BUTLER. Like my friend from Alabama and my friend from Delaware I may have some observations to submit upon this measure, and I trust the Senator from New Hampshire will not undertake to railroad it through the Senate. I trust that he will allow it to take the usual course of important measures before this body. For one, it is just possible, I think probable, that I shall have a substitute to offer for the bill, which I believe will meet the approval of a majority of the Senate; at least I hope so; and I have not had the time to prepare that substitute. I can see no reason why this bill should be taken up at this time and given a preference when it can just as well be taken up when the Senate meets on the 4th of January, or on whatever day it shall meet after the holidays. I hope the motion of the Senator from New Hampshire will be withdrawn. I am not inclined and do not intend to make any mere factious opposition to the measure, but am entirely sincere when I say that it requires discussion, will have discussion, and it had better come up in the regular course of business after the holidays.

Mr. REAGAN. I trust that the Senator from New Hampshire will not press the consideration of this bill at present. It is at best a bill of doubtful constitutionality and of doubtful expediency. Many Senators, if its consideration comes up now, will not have had an opportunity of examining the subject. I trust the measure will be allowed to take its course and come up at such time as will allow the proper consideration of it.

Mr. RIDDLEBERGER. Will the Senator from New Hampshire allow me to make a statement? I do not wish to be misunderstood in regard to this bill. If this is the original educational bill, I am for it. If the Senator will not allow me to know whether it is or not, I shall vote for postponement. If he will allow me to make my statement, it may make a difference of one vote.

Mr. BLAIR. I think the Senator had better make his statement.

Mr. RIDDLEBERGER. My statement, then, is this: that this [holding up a document] is not a bill at all, and I object to it because it has two pages of remarks made by the Senators on this floor in advocacy of the bill after it had once passed the Senate. If there is to be a bill introduced into the Senate it ought to be one without such a preface as this, such a preface as is to bear out men in making statements that the records of the Forty-ninth Congress and the Forty-seventh Congress show to be untrue. If you are passing an educational bill, then I say do not put into it that which the records of Congress show to be untrue. That is the objection I have to this bill. I am for it as an original proposition; I have voted for it from its inception; I have made my remarks on it; I could introduce these two records on it; but I am not willing to vote for two pages of preface here that are made up of records made two years after the bill had passed and speeches made after the bill had passed.

Now, sir, I say I am not prepared to vote for this thing to be called a bill when it is a CONGRESSIONAL RECORD *ex post facto*. I want the Blair educational bill, but I want that and that alone, with such amendments as judgment and experience shall suggest to it; but this part of it here I will never vote for, because it is not true.

Mr. BLAIR. Mr. President, I say to the Senator that he is laboring under a misapprehension, and a moment's conference between us will satisfy him of that fact. The bill has been introduced in the usual form, referred to the committee, and reported back to the Senate in the exact language in which it passed the Senate during the last Congress by a vote of 36 to 11, including, as I am happy to say, the vote of my friend from Virginia [Mr. RIDDLEBERGER]. That is the bill which, being introduced in the Senate and referred to the committee, has been reported back to the Senate unanimously, with the exception of a slight amendment of a single section. That is the bill. The Senator is laboring under a misapprehension in regard to the collection of data, documentary and tabulated, laid on the tables of Senators to-day.

Mr. RIDDLEBERGER. I beg the Senator's pardon. That was the charge brought against me only two or three days ago in my Legislature, and I have the RECORD here to show that I am right about it, and I challenge him and the men who brought the allegation against me down there to deny it. I have the RECORD here, and I am only waiting for an opportunity to hurl it right into the teeth of this Senate and let it be known that it is the truth and who is the champion of the measure.

Mr. BLAIR. The motion is to proceed to the consideration of the bill. I ask for action on that.

The PRESIDENT *pro tempore*. Is the Senate ready for the question on the motion to proceed to the consideration of the bill the title of which has been read? The motion is not debatable, but the Chair understands that the debate is proceeding by unanimous consent.

Mr. BLAIR. By consent, according to the usual courtesy of the Senate.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from New Hampshire.

Mr. BLAIR. I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. DAWES (when Mr. HOAR's name was called). My colleague [Mr. HOAR] has been called away from the Senate. I think he is paired with the Senator from Tennessee [Mr. HARRIS]. My colleague, if here, I am sure, would vote "yea."

The PRESIDENT *pro tempore*. The Senator from Tennessee has already voted.

Mr. DAWES. I call the attention of the senior Senator from Tennessee. I understood from my colleague that he was paired with the Senator from Tennessee.

Mr. HARRIS. I have no recollection of it, but if the Senator's colleague has absented himself with any such understanding, I shall certainly observe it.

Mr. DAWES. I may be mistaken in the Senator, but my colleague told me he was paired with some one.

Mr. HARRIS. I shall certainly respect any understanding the Senator's colleague may have had, but I have no recollection of having heard a word on the subject.

Mr. DAWES. He has gone away with the impression that he is paired with somebody.

Mr. HARRIS. If it shall turn out that he is not paired with some other Senator, I shall take care of his pair.

Mr. DAWES. That is satisfactory.

Mr. PUGH. I desire to state that I am paired with the colleague of the Senator from Massachusetts.

Mr. DAWES. I remember now that it was the Senator from Alabama.

Mr. KENNA (when his name was called). I am paired with the Senator from Minnesota [Mr. SABIN].

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR]. If he were present he would vote "yea." I vote "yea."

Mr. SPOONER (when his name was called). I am paired generally with the Senator from Mississippi [Mr. WALTHALL]. I do not see him in the Chamber, and I therefore withhold my vote.

Mr. WILSON, of Maryland (when his name was called). I am paired with the Senator from Rhode Island [Mr. CHACE]. If he were present, I should vote "nay."

The roll-call was concluded.

Mr. HEARST. I am paired with the Senator from Nevada [Mr. JONES] on political questions. I did not regard this as a political question. If it is a political question I will withdraw my vote, and if not I will let it stand.

The PRESIDENT *pro tempore*. The Senator from California must decide that question himself.

Mr. HEARST. I do not believe that it is political.

Mr. CULLOM. The Senator from Rhode Island [Mr. CHACE] is paired with the Senator from Maryland [Mr. WILSON].

The result was announced—yeas 38, nays 15; as follows:

YEAS—38.

| | | | |
|---|---|---|---|
| Allison, | Dawes, | Manderson, | Riddleberger, |
| Berry, | Dolph, | Mitchell, | Sawyer, |
| Blackburn, | Edmunds, | Morrill, | Sherman, |
| Blair, | Evarts, | Paddock, | Stockbridge, |
| Blodgett, | Frye, | Palmer, | Teller, |
| Brown, | George, | Pasco, | Turpie, |
| Call, | Hampton, | Payne, | Vance, |
| Chandler, | Hiscock, | Platt, | Wilson of Iowa. |
| Cullom, | Ingalls, | Pugh, | |
| Davis, | Jones of Arkansas, | Ransom, | |

NAYS—15.

| | | | |
|---|---|---|---|
| Bate, | Coke, | Harris, | Reagan, |
| Beck, | Faulkner, | Hawley, | Saulsbury, |
| Butler, | Gorman, | Hearst, | Vest. |
| Cockrell, | Gray, | Morgan, | |

ABSENT—23.

| | | | |
|---|---|---|---|
| Aldrich, | Eustis, | Kenna, | Stanford, |
| Bowen, | Farwell, | McPherson, | Stewart, |
| Cameron, | Gibson, | Plumb, | Voorhees, |
| Chace, | Hale, | Quay, | Walthall, |
| Colquitt, | Hoar, | Sabin, | Wilson of Md. |
| Daniel, | Jones of Nevada, | Spooner, | |

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. BLAIR. I ask that the bill and report be read; and then I shall have no objection to doing whatever is convenient to the Senate.

Mr. EDMUNDS. It will not do any good to read the bill just now. It will have to be read over again when it is taken up for debate. I move that the Senate proceed to the consideration of executive business.

Mr. BLAIR. Will the Senate have any objection to printing the bill with the report in the RECORD?

Mr. RIDDLEBERGER. I object if it means this book.

Mr. EDMUNDS. That will not do any good just now. I move that the Senate proceed to the consideration of executive business.

Mr. RIDDLEBERGER. I ask, first, my privilege to object to the printing of the bill, if this is what it means.

The PRESIDENT *pro tempore*. The motion is not debatable.

Mr. RIDDLEBERGER. I do not object to printing the bill, but I object to printing this book again.

Mr. MANDERSON. I ask the Senator from Vermont to withdraw his motion, to permit me to present a report as to a resolution to print.

Mr. EDMUNDS. I yield for that purpose.

PRINTING ADDITIONAL COPIES OF BILLS.

Mr. MANDERSON. I am directed by the Committee on Printing to report back a resolution to print extra copies of a bill favorably, and move that it be adopted. I ask for its present consideration.

The resolution was considered, by unanimous consent, and agreed to, as follows:

*Resolved*, That 1,000 extra copies of Senate bill No. 945, to extirpate contagious pleuro-pneumonia, foot-and-mouth disease, and rinderpest among cattle, and to facilitate the exportation of cattle and the products of live-stock, and for other purposes, be printed.

Mr. MANDERSON. I am also directed by the Committee on Printing, to whom was referred the resolution to print 10,000 extra copies of Senate bill No. 977, to report it favorably without amendment. I ask for its present consideration.

The resolution was considered by unanimous consent, and agreed to, as follows:

*Resolved*, That 10,000 extra copies of Senate bill No. 977, to regulate the importation of foreign merchandise and to secure uniformity in the classification and valuation thereof, and for other purposes, be printed in pamphlet form, 2,000 of which shall be for the use of the Committee on Finance and 8,000 for the use of the Senate.

THE CIVILIZED INDIAN TRIBES.

Mr. BUTLER submitted the following resolution; which was read:

*Resolved*, That a select committee of five Senators be appointed by the President of the Senate, who shall be charged with the duty of inquiring into and reporting upon the relations of the five civilized tribes of Indians to the Government of the United States; to investigate the condition of said tribes, and whether it is desirable and advisable to make the members of said tribes citizens of the United States, with leave to report by bill or otherwise.

Mr. BUTLER. I ask for the immediate consideration of the resolution.

Mr. TELLER. I object. Let it be printed. I should like to see it in print.

The PRESIDENT *pro tempore*. The resolution lies over under the rule, and will be printed.

EXECUTIVE SESSION.

Mr. EDMUNDS. I renew my motion for an executive session.

The PRESIDENT *pro tempore*. The Senator from Vermont moves that the Senate now proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After nineteen minutes spent in executive session the doors were reopened, and (at 2 o'clock and 40 minutes p.m.) the Senate adjourned until to-morrow, Wednesday, December 21, at 12 o'clock m.

## NOMINATIONS.

*Executive nominations received by the Senate the 20th day of December*, 1887.

ASSOCIATE JUSTICE SUPREME COURT DISTRICT OF COLUMBIA.

Martin V. Montgomery, of Michigan, to be associate justice of the supreme court of the District of Columbia, *vice* Arthur MacArthur, retired.

CHIEF-JUSTICE SUPREME COURT DISTRICT OF COLUMBIA.

Edward F. Bingham, of Ohio, to be chief-justice of the supreme court of the District of Columbia, *vice* D. K. Cartter, deceased.

UNITED STATES DISTRICT JUDGE.

William J. Allen, of Illinois, to be United States district judge for the southern district of Illinois, *vice* Samuel H. Treat, deceased.

ADDITIONAL CIRCUIT JUDGE.

E. Henry Lacombe, of New York, to be additional circuit judge for the second judicial circuit, as provided by act of Congress approved March 3, 1887.

ASSOCIATE JUSTICE SUPREME COURT TERRITORY OF MONTANA.

Stephen A. DeWolfe, of Montana, to be associate justice of the supreme court of the Territory of Montana, *vice* William J. Galbraith, whose term expires January 7, 1888.

CHIEF-JUSTICE SUPREME COURT TERRITORY OF MONTANA.

Newton W. McConnell, of Tennessee, to be chief-justice of the supreme court of the Territory of Montana, *vice* Decius S. Wade, term expired.

ATTORNEYS OF THE UNITED STATES.

Samuel F. Bigelow, of New Jersey, to be attorney of the United States for the district of New Jersey, *vice* J. H. Lippincott, resigned.

Owen A. Galvin, of Massachusetts, to be attorney of the United States for the district of Massachusetts, *vice* George M. Stearns, resigned.

Whitaker M. Grant, of Iowa, to be attorney of the United States for the district of Alaska, *vice* Mottrom D. Ball, deceased.

Thomas E. Haydon, of Nevada, to be attorney of the United States for the district of Nevada, *vice* Trenmore Coffin, term expired.

George S. Peters, of Ohio, to be attorney of the United States for the Territory of Utah, *vice* W. H. Dickson, resigned.

Clarence H. Pitkin, of Vermont, to be attorney of the United States for the district of Vermont, *vice* Kittredge Haskins, removed.

George E. Pritchett, of Nebraska, to be attorney of the United States for the district of Nebraska, *vice* G. M. Lambertson, term expired.

Emory B. Sellers, of Indiana, to be attorney of the United States for the district of Indiana, *vice* David Turpie, resigned.

MARSHALS OF THE UNITED STATES.

Samuel L. Blaisdell, of Rhode Island, to be marshal of the United States for the district of Rhode Island, *vice* J. H. Coggeshall, term expired.

Andrew H. Dill, of Pennsylvania, to be marshal of the United States for the eastern district of Pennsylvania, *vice* James N. Kerns, removed.

John W. Emerson, of Missouri, to be marshal of the United States for the eastern district of Missouri, *vice* P. E. D. Couzins, deceased.

James R. Jordan, of Virginia, to be marshal of the United States for the western district of Virginia, *vice* Samuel L. Graham, resigned.

John Myers, of Oregon, to be marshal of the United States for the district of Oregon, *vice* Penumbra Kelly, removed.

William M. Nixon, of Tennessee, to be marshal of the United States for the eastern district of Tennessee, *vice* Joseph J. Ivins, resigned.

Charles M. Stafford, of New York, to be marshal of the United States for the eastern district of New York, *vice* Augustus C. Tate, term expired.

JUSTICE OF THE PEACE, DISTRICT OF COLUMBIA.

John Evans, of the District of Columbia, to be a justice of the peace in and for said District, assigned to the city of Washington, *vice* John N. Oliver, removed.

APPRAISER OF MERCHANDISE.

Frank G. Hoyne, of Illinois, to be appraiser of merchandise in the district of Chicago and State of Illinois, in the place of Francis A. Hoffman, jr., resigned.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate December* 15, 1887.

ASSISTANT SECRETARY OF STATE.

George L. Rives, of New York, to be Assistant Secretary of State.

SECRETARY OF THE TREASURY.

Charles S. Fairchild, of New York, to be Secretary of the Treasury.

ASSISTANT SECRETARY OF THE TREASURY.

Isaac H. Maynard, of New York, to be Assistant Secretary of the Treasury.

TREASURER OF THE UNITED STATES.

James W. Hyatt, of Connecticut, to be Treasurer of the United States.

ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY.

Bayless W. Hanna, of Crawfordsville, Ind., to be envoy extraordinary and minister plenipotentiary of the United States to the Argentine Republic.

Alexander R. Lawton, of Savannah, Ga., to be envoy extraordinary and minister plenipotentiary of the United States to Austria-Hungary.

COLLECTOR OF INTERNAL REVENUE.

James F. Benedict, of Colorado, to be collector of internal revenue for the district of Colorado.

*Executive nomination confirmed by the Senate December 20, 1887.*

POSTMASTER.

Suel J. Spaulding, to be postmaster at Indianola, in the county of Warren and State of Iowa.

## HOUSE OF REPRESENTATIVES.

### TUESDAY, *December* 20, 1887.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. MOFFATT, of Michigan, indefinitely, on account of sickness.

To Mr. SMITH, of Wisconsin, for two days.

To Mr. PATTON, from to-morrow until January 7, 1888, on account of important business.

ORDER OF BUSINESS.

Mr. TOWNSHEND. I ask unanimous consent that the resolution introduced by me in regard to the introduction of bills be laid over until to-morrow.

The SPEAKER. If there be no objection, that order will be made.

There was no objection.

MEMBER-ELECT SWORN IN.

Mr. MILLS. I understand that a member-elect from Tennessee, now present, desires to be sworn in; otherwise, I should now move that the House adjourn.

Mr. BENTON MCMILLIN, Representative-elect from the Fourth district of Tennessee, presented himself, and was duly qualified by taking the prescribed oath.

ORDER OF BUSINESS.

Mr. MILLS. I desire to move now that the House adjourn, so as to permit the Committee on Rules to continue their work, that they may if possible be ready to submit a report to-morrow. Before making that motion, however, I will yield to any gentlemen who wish to submit resolutions for amendment of the rules or other propositions for reference merely.

IMPORTATION OF BELGIAN MINERS.

Mr. BRUMM. I submit the resolution which I send to the desk.

The Clerk read as follows:

Whereas it is currently reported that the coal operators in the Lehigh region are now importing, or are about to import, two thousand Belgian miners, under contract to take the place of the miners now on strike in that section; and

Whereas the said striking miners have used every endeavor to have a settlement of the differences existing by arbitration; and

Whereas the said operators have positively refused to submit to arbitration: Therefore,

*Be it resolved*, That the President be requested to notify the officials of the Treasury of this fact and to urge them to use special efforts to prevent the landing of these Belgian miners and to see that the law against such importation is strictly enforced.

Mr. MILLS. Let that resolution go to the Committee on Labor.

Mr. BRUMM. I had hoped that gentlemen would consent to its adoption now; but if objection is made to that course, let it be referred.

Mr. MILLS. Let it go to the Committee on Labor.

Mr. SPRINGER. Should it not go to the Committee on Ways and Means?

The SPEAKER. What is the proposition?

Mr. MILLS. I move that the resolution be referred to the Committee on Labor.

The SPEAKER. If there be no objection, it will be so referred.

There was no objection, and it was ordered accordingly.

COMMITTEE ON RULES.

Mr. TOWNSHEND submitted the following resolution; which was referred to the Committee on Rules:

*Resolved*, That the Committee on Rules shall hereafter consist of the Speaker and six members of the House.

COMMITTEE ON THE AMERICAN ISTHMUS.

Mr. BAKER, of Illinois, submitted the following resolution; which was referred to the Committee on Rules:

In consideration of the very great and permanent interest of the people of the United States in the matter of interoceanic transit across the American Isthmus,

*Be it resolved*, That the rules be so amended that a committee of thirteen members of this House, to be denominated "The Committee on the American Isthmus," be appointed by the Speaker, to which committee shall be referred such matters as relate to interoceanic transit across said Isthmus.

Mr. MILLS. I move now that the House adjourn.

The motion was agreed to; and accordingly (at twelve minutes after 12 o'clock p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. L. ANDERSON: Petition of E. A. Anderson, administratrix of James Anderson, deceased, of Scott County; of Matilda Stewart, administratrix of Joseph Stewart, deceased, late of Scott County; of Sarah E. Brown, widow of Seaborn J. Brown, of Wayne County, and of Mary L. Underwood, heir-at-law of Theresa Grimme, of Yazoo County, Mississippi, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. J. A. ANDERSON: Protest of Richard Wake and 33 others, citizens of White City, Kans., against the admission of Utah as a State with polygamy—to the Committee on the Territories.

By Mr. BLANCHARD: Memorial of the Agricultural Society of Louisiana, for an appropriation for experimental stations, as provided for in the Hatch bill of the Forty-ninth Congress—to the Committee on Agriculture.

By Mr. BUNNELL: Petition of business men of California, Oregon, and Washington Territory, protesting against lowering the duty on lumber—to the Committee on Ways and Means.

By Mr. DORSEY: Petition of citizens of California, in reference to the tax on lumber—to the Committee on Ways and Means.

Also, petition of citizens of Colfax County, Nebraska, asking reissue of fractional currency—to the Committee on Banking and Currency.

By Mr. ERMENTROUT: Memorial of lumber producers on the Pacific coast, against placing lumber on the free-list, and setting forth reasons therefor—to the Committee on Ways and Means.

By Mr. GIFFORD: Petition of veteran soldiers and sailors of Dakota, through their convention held in Woonsocket, September, 1887, for the repeal of the arrearage-pension act, and dating all pensions from disability—to the Committee on Invalid Pensions.

By Mr. KETCHAM: Memorial of Hatfield & Muhler, Paulsen & Watters, and 183 others, prominent business men of New York City, requesting that this Congress authorize the Secretary of War to contract with Charles Stoughton and his associates for the entire work of improving the Harlem River, New York, for a sum not exceeding $1,350,000, the work to be completed July 4, 1890—to the Committee on Rivers and Harbors.

By Mr. LYNCH: Remonstrance of C. F. Hill and others against the admission of Utah with polygamy—to the Committee on the Territories.

Also, a bill for the relief of S. E. Bryant and of Francis J. Canlan—to the Committee on Invalid Pensions.

By Mr. MORROW: Petition of the saw-mill owners of the Pacific coast, protesting against the abrogation of the duty on lumber—to the Committee on Ways and Means.

By Mr. O'DONNELL: Petition of the Butchers' National Protective Association against the adulteration of lard—to the Committee on Agriculture.

By Mr. OSBORNE: Petition of Messrs. Renton, Holmes & Co., and others, of San Francisco, Cal., praying that no change be made in the existing duty on manufactured lumber—to the Committee on Ways and Means.

Also, memorial of Col. Jonathan D. Stevenson, in relation to the survey of the bay of Suisun—to the Committee on Claims.

Also, memorial of the Butchers' National Protective Association, asking for a law to protect the public from the adulteration of lard—to the Committee on Agriculture.

By Mr. PERRY: Petition of letter-carriers of Columbia, S. C., for increased compensation—to the Committee on the Post-Office and Post-Roads.

By Mr. RANDALL: Resolutions of the Philadelphia Conference of Baptist Ministers, to prevent the importation of rum and other ardent spirits into the Congo states from America, England, and Germany—to the Committee on Foreign Affairs.

By Mr. RICHARDSON: Petition of George W. House; of administrator of J. C. Wade; of administrator of Eliza Burrus, of Rutherford County, and of administrator of William E. Eddins, of Lincoln County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. ROGERS: Petition of Thomas McGuire, of Arkansas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. RUSSELL: Papers in the case of Jeremiah M. Williams and others, heirs of Thomas Williams—to the Committee on War Claims.

By Mr. WHEELER: Petition of Robert E. Tweedy, of Lawrence County; and of J. T. Morgan, administrator of Sidney C. Porey, of Lauderdale County, Alabama—to the Committee on War Claims.

By Mr. S. V. WHITE: Petition of Catharine McDonald, widow of John McDonald, late of Company F, One hundred and thirty-ninth New York Volunteers, for a special-act pension—to the Committee on Invalid Pensions.

By Mr. YODER: Petition of citizens of Mercer County, Ohio, for a pension to Marion Vangordon, a blind man—to the Committee on Invalid Pensions.

The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. C. L. ANDERSON: Of J. W. Carlisle and others, citizens of Mississippi.

By Mr. BLANCHARD: Of C. W. Hamner, W. R. Sprawls, and others, postmasters of Louisiana.

By Mr. BOUTELLE: Of C. H. Nealey and others, of South Newburgh, Me.

By Mr. BROWER: Of citizens of Surry County (4); of Forsythe County, and of Stokes County (2), North Carolina.

By Mr. BUTLER: Of citizens of Witt's Foundry; of Carter; of Fall Branch; of Amis; of Bird's Bridge; of Rose Hill; of Mill Brook; of Orborn; of Blossom; of Okolona; of Upchurch; of Barnes; of Alpha, and of Reatown, Tenn.

By Mr. COBB: Of A. F. Duffey and others, of Denver, and of G. H. Culpepper and others, of Society Hill, Ala.

By Mr. CRISP: Of A. S. J. McRae and others, of McRae, Ga.

By Mr. CROUSE: Of Lafayette Conkley and 58 others, of Cuyahoga County, Ohio.

By Mr. ERMENTROUT: Of citizens of Powell Station, Berks County, Pennsylvania.

By Mr. GLASS: Of citizens of Idlewild, Tenn.

By Mr. GRIMES: Of J. B. Parker and others, citizens of Prattsburgh, Talbot County, Georgia.

By Mr. GROUT: Of H. A. Foy and 54 others, of Evansville, and of R. G. Hill and 44 others, of East Elmore, Vt.

By Mr. HOGG: Of George A. Childers and 34 others, of Cabell County; of Andrew Robinson and 33 others, of Upland, and of Joseph Piersal and 24 others, of Mason County, West Virginia.

By Mr. LYNCH: Of citizens of Fleetville, and of East Benton, Lackawanna County, and of Drum's, and of Larksville, Luzerne County, Pennsylvania.

By Mr. McCLAMMY: Of citizens of Swann's Station, and of Greenwood, Moore County, and of Willis Creek, N. C.

By Mr. McCORMICK: Of 48 citizens of Goodyear, and of 58 citizens of Buckwalter, Cameron County, and of 41 citizens of East Chatham, Tioga County, Pennsylvania.

By Mr. McCULLOGH: Of citizens of Woodglen, and of Rogersville, Greene County, Pennsylvania.

By Mr. MAISH: Of 44 citizens of Alpine, York County, Pennsylvania.

By Mr. NEWTON: Of citizens of Lincoln Parish; of Claiborne Parish; of Catahoula Parish; of Union Parish, Louisiana.

By Mr. NICHOLS: Of citizens of Cane Creek, and of Beaumont, Chatham County; of Enno, Wake County, and of Earpsborough, N. C.

By Mr. PATTON: Of 45 citizens, of McPherron, Clearfield County, Pennsylvania.

By Mr. PERRY: Of L. R. McPherson and others; of L. M. Glenn and others; of W. D. Southern and others; of C. E. Johnson and others; of Thad. Babb and others; of D. R. Feasten and others; of T. C. Davis and others; of J. E. Goodwin and others, and of James Brown and others, citizens of South Carolina.

By Mr. REED: Of C. O. Waite and others, of Maine.

By Mr. ROGERS: Of W. L. Hopkins and others of Grace, Ark.

By Mr. WHEELER: Of George T. McWharten and others, of Chickarus, and of C. O. Sherrell and 52 others, of Alabama.

By Mr. YARDLEY: Of citizens of Dyerstown, Bucks County, and of Square, Montgomery County, Pennsylvania.

By Mr. YODER: Of citizens of Skill's Cross Roads, Mercer County; and of Horatio, and of Tecumseh, Darke County, Ohio.

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## SENATE.

### WEDNESDAY, *December* 21, 1887.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

DIRECTORS, ETC., OF DISTRICT INSTITUTIONS.

The PRESIDENT *pro tempore*. The Chair announces the appointment of Hon. JOSEPH R. HAWLEY, a Senator from Connecticut, as a director of the Columbia Institution for the Instruction of the Deaf and Dumb, for the Fiftieth Congress; Hon. CUSHMAN K. DAVIS, a Senator from Minnesota, as consulting trustee of the Reform School of the District of Columbia, for the term of four years; and Hon. JOSEPH C. S. BLACKBURN, a Senator from Kentucky, director for the Columbia Hospital for Women and Lying-in Asylum, for the Fiftieth Congress.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a memorial signed by many citizens of the United States, protesting against the admission of Utah; which was referred to the Committee on Territories.

Mr. VANCE presented a petition of citizens of Yadkin County, North Carolina, and a petition of citizens of Pamlico County, North Carolina, praying that increased compensation be allowed to fourth-class postmasters; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. CAMERON presented the petition of Adam Hoffman and other citizens of Lebanon, Pa., praying for the enactment of a law prohibiting the employment of convict labor; which was referred to the Committee on Education and Labor.

Mr. DAVIS presented the petition of P. Cudmore and other citizens of Minnesota, praying that an appropriation be made for the construction of the Nicaraguan Canal; which was referred to the Committee on Foreign Relations.

Mr. CALL. I present a resolution, in the nature of a petition, adopted by a convention of colored citizens, held at Jacksonville, Fla., December 1, 1887, favoring an appropriation to aid in the exposition proposed to be held by the colored people at Atlanta, Ga., during the coming year. I move that the paper be referred to the Committee on Appropriations.

The motion was agreed to.

Mr. STEWART. I present the petition of W. C. Reed, of San Francisco, Cal., praying to be allowed damages for loss of property growing out of a violation of treaty obligations with the United States by the Japanese Government. It appears to be a meritorious case, and I move that the petition be printed and referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. VOORHEES presented the petition of Jesse T. Battle, of Petersburgh, Ind., praying to be allowed an invalid pension; which was referred to the Committee on Pensions.

He also presented the petition of Catharine K. Bailey, of Petersburgh, Ind., praying to be allowed a widow's pension; which was referred to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. MORRILL, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 140) for the erection of a bronze statue of Spencer F. Baird, late Secretary of the Smithsonian Institution, reported it without amendment.

Mr. SPOONER, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 154) for the erection of a public building at Milwaukee, Wis., reported it with an amendment.

He also, from the Committee on Claims, to whom was referred the bill (S. 577) for the relief of the American Grocer Association, of the city of New York, asked to be discharged from its further consideration, and that it be referred to the Committee on Post-Offices and Post-Roads; which was agreed to.

Mr. SHERMAN, from the Committee on Foreign Relations, to whom the subject was referred, reported a bill (S. 1029) to amend an act to restrict the ownership of real estate in the Territories to American citizens, etc., approved March 3, 1887; which was read twice by its title.

WEIL AND LA ABRA CLAIM.

Mr. MORGAN, from the Committee on Foreign Relations, reported the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of State be directed to communicate to the Senate any correspondence with the Government of Mexico since January, 1886, relating to the claim of Weil and the La Abra Silver Mining Company; and

That he state what amounts have been paid by Mexico under the convention concluded July 4, 1868, with that Government for the adjustment of claims, the distribution that has been made of said funds, and the amount remaining undistributed, and the claims for which awards were made under said convention that remain unpaid.

That he state the grounds upon which the payment of any sums awarded to any of said claimants under said convention have been withheld, and whether the sums so withheld are invested in any interest-bearing funds, or are held in the Department of State subject to the further action of Congress.

BILLS INTRODUCED.

Mr. VOORHEES introduced a bill (S. 1030) to submit to the Court of Claims for adjudication the title of William McGarrahan to the mineral interests of the rancho "Panoche Grande," in the State of California, and for other purposes; which was read twice by its title, and referred to the Committee on Mines and Mining.

He also introduced a bill (S. 1031) for the payment of Sowell Coulson, and Porter, Harrison, and Fishback for legal services; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1032) to authorize the States of Ohio, Indiana, and Illinois, respectively, to commence and prosecute suits against the United States in the Supreme Court of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1033) providing for the purchase of "the Capron collection of Japanese works of art;" which was read twice by its title, and referred to the Committee on the Library.

Mr. BUTLER introduced a bill (S. 1034) making an appropriation for the purchase of the scale known as Fairbanks & Co.'s infallible American gold and silver coin scale and counterfeit-coin detector, for use in the post-offices throughout the United States; which was read twice by its title, and referred to the Committee on Appropriations.

Mr. ALLISON introduced a bill (S. 1035) for the relief of certain

volunteer soldiers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. MANDERSON introduced a bill (S. 1036) for the relief of Theodore L. Van Dorn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1037) granting a pension to the infant children of Michael A. Moran; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1038) for the relief of Capt. Robert G. Smither; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1039) for the relief of the heirs of Charles B. Smith, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. MORRILL introduced a bill (S. 1040) to authorize the acquisition of certain parcels of real estate embraced in square No. 406 of the city of Washington, for the enlargement of the Post-Office Department building, and to provide accommodations for the city post-office; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. EVARTS introduced a bill (S. 1041) granting a pension to Mary E. Walker, M. D.; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1042) for the relief of Ann Leddy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1043) for the relief of Benjamin F. Wells, sr.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 1044) authorizing the Secretary of the Treasury to state and settle the account of James M. Willbur with the United States, and to pay said Willbur such sum of money as may be found due him thereon; which was read twice by its title, and referred to the Committee on Claims.

Mr. WILSON, of Iowa, introduced a bill (S. 1045) granting a pension to Rhoda Williams; which was read twice by its title, and referred to the Committee on Pensions.

Mr. INGALLS (Mr. HARRIS in the chair) introduced a bill (S. 1046) providing for the resurvey of township No. 18 south, of range No. 9 west of the sixth principal meridian, in the State of Kansas; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1047) to increase the pension of James A. Underwood; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1048) granting a pension to Francis Knapp; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1049) for the relief of Horace Boughton; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1050) for the relief of Robert W. Waters; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1051) to amend the act giving the approval and sanction of Congress to the route and termini of the Anacostia and Potomac River Railroad, in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also (by request) introduced a bill (S. 1052) to authorize the construction of a bridge across Rock Creek at the foot of Massachusetts avenue extended; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also (by request) introduced a bill (S. 1053) to authorize the construction of a bridge across Rock Creek, on the Woodley Lane road, in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also (by request) introduced a bill (S. 1054) to incorporate the Rock Creek Railway Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1055) to incorporate the Georgetown and Tennallytown Railway Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1056) to amend section 6 of an act entitled "An act to provide for the adjustment of land grants made by Congress to aid in the construction of railroads, and for the forfeiture of unearned lands, and for other purposes," approved March 3, 1887; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. FRYE introduced a bill (S. 1057) to settle and adjust the claims of any State for expenses incurred by it in defense of the United States; which was read twice by its title, and referred to the Committee on Claims.

Mr. FAULKNER introduced a bill (S. 1058) to relieve John J. Farnsworth of the charge of desertion; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. COCKRELL introduced a bill (S. 1059) to disapprove chapter 50 of the acts of the Legislative Assembly of the Territory of New Mexico, entitled "An act amending section 580 compiled laws relating to qualifications of jurors," approved January 18, 1887, and also chapter 51 of the acts of said Legislative Assembly, entitled "An act to amend the law in relation to the selection of jurors," approved February 18, 1887; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. RIDDLEBERGER introduced a bill (S. 1060) to incorporate the Eckington and Soldiers' Home Railway Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1061) for the relief of Stephen Casey; which was read twice by its title, and referred to the Committee on Claims.

Mr. INGALLS (by request) introduced a joint resolution (S. R. 23) to protect the interests of the United States in the extension of Massachusetts avenue through the grounds of the new Observatory; which was read twice by its title, and referred to the Committee on the District of Columbia.

### FISH-CULTURAL STATION IN MISSOURI.

Mr. COCKRELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the United States Fish Commission is hereby directed to report to the Senate at as early a day as practicable what measures, if any, have been taken for the selection of a site for and the location of a fish-cultural station of the United States Fish Commission in the Ozark region of Southwest Missouri, with the views and recommendations of the Commission, and the probable cost thereof.

### CREDENTIALS OF SENATORS.

Mr. SPOONER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Whereas it is in the highest degree desirable that the credentials evidencing the election of United States Senators by the Legislatures of the several States should be as far as practicable free from technical objection as to the form thereof; and

Whereas the Congress has, pursuant to the power vested in it by the Constitution, regulated by act the time and the manner of the election of Senators in the several States, rendering it practicable that credentials of election under said act should be uniform in character: Now therefore,

*Resolved*, That the Committee on Privileges and Elections be, and it is hereby, instructed to consider the expediency of the adoption by the Senate for the guidance of the executives of the several States, of a form or forms of credential conforming to the provisions of the Federal law regulating the time and manner of electing United States Senators, the said committee to report by bill or otherwise.

### THE CIVILIZED INDIAN TRIBES.

The PRESIDENT *pro tempore*. If there are no further concurrent or other resolutions, the Chair lays before the Senate a resolution coming over from yesterday, which will be read.

The Chief Clerk read the resolution submitted yesterday by Mr. BUTLER, as follows:

*Resolved*, That a select committee of five Senators be appointed by the President of the Senate, who shall be charged with the duty of inquiring into and reporting upon the relations of the five civilized tribes of Indians to the Government of the United States; to investigate the condition of said tribes, and whether it is desirable and advisable to make the members of said tribes citizens of the United States, with leave to report by bill or otherwise.

The PRESIDENT *pro tempore*. Will the Senate agree to this resolution?

The resolution was agreed to.

### REDUCTION OF POSTAGE RATES.

Mr. BECK. If it is in order, I ask that the resolution offered by me on the 12th instant, and laid on the table, be taken up for the purpose of having it referred. It is Miscellaneous Document No. 8.

The PRESIDENT *pro tempore*. The Senator from Kentucky asks the Senate to proceed to the consideration of a resolution which will be read.

The Chief Clerk read as follows:

*Resolved*, That the Committee on Post-Offices and Post-Roads be, and it is hereby, directed to inquire into the advisability of reducing the rate of postage to 1 cent on all mail matter now known as first-class which does not exceed 1 ounce in weight, and a proportionate reduction on all excess of 1 ounce, and report to the Senate by bill or otherwise as soon as practicable.

The PRESIDENT *pro tempore*. The question is on the motion to refer the resolution to the Committee on Post-Offices and Post-Roads.

Mr. BECK. Mr. President, I desire to say only a word in regard to the matter.

I announced the other day that I would prepare a bill looking to the accomplishment of this object, but upon examination I found it required a thorough examination of the present relations of the third and fourth class postmasters, about which there is a good deal of trouble now, and that a change of postage would involve still further investigation of the proper adjustment of their compensation. Looking over quite a number of other things connected with the matter, I found that

it would be better that the resolution should go to the Committee on Post-Offices and Post-Roads, so that they could carefully prepare a bill themselves after consultation with the Postmaster-General. Therefore I ask that the resolution may be referred to the Committee on Post-Offices and Post-Roads.

The PRESIDENT *pro tempore*. That order will be made, if there be no objection.

COMMISSIONER OF FISH AND FISHERIES.

Mr. DAWES. I should like to call up for consideration at the present time Order of Business No. 10, being the bill (S. 261) to amend the law concerning the Commissioner of Fish and Fisheries. It will take but a moment. I presume it will lead to no debate.

Mr. BLAIR. I do not understand that consent to the request of the Senator from Massachusetts interferes with the unfinished business.

The PRESIDENT *pro tempore*. The unfinished business will come before the Senate at the hour of——

Mr. BLAIR. Will the unfinished business come up at 1 or 2 o'clock, under the present state of the rules?

The PRESIDENT *pro tempore*. The Chair would hold that the unfinished business comes before the Senate at the hour of 2 o'clock, unless otherwise ordered by the Senate. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. PLATT. Let the bill be read at length.

The Chief Clerk read as follows:

*Be it enacted, etc.*, That section 4395 of the Revised Statutes of the United States be, and the same is hereby, amended to read as follows:

"That there shall be appointed by the President, by and with the advice and consent of the Senate, a person of scientific and practical acquaintance with the fish and fisheries of the coast to be a Commissioner of Fish and Fisheries, and he shall receive a salary at the rate of $5,000 a year, and he shall be removable at the pleasure of the President. Said Commissioner shall not hold any other office or employment under the authority of the United States or any State."

Mr. SHERMAN. I should like to have the Senator from Massachusetts explain what change is proposed by the bill in the existing law.

Mr. DAWES. The section of the Revised Statutes proposed to be amended is in these words:

SEC. 4395. There shall be appointed by the President, with the advice and consent of the Senate, from among the civil officers or employés of the Government, a commissioner of fish and fisheries, who shall be a person of proved scientific and practical acquaintance with the fishes of the coast, and who shall serve without additional salary.

This section was enacted when the propagating of food fish was an experiment, and began upon a very small scale. The Senator from Kentucky [Mr. BECK] will recollect that the service had its origin in a $5,000 appropriation contained in an appropriation bill at one time originating in the other House. It has grown to very considerable dimensions, and has been productive of immense good. It originated at the suggestion of that great enthusiast and scientific man, Professor Baird, who has lately died, whose anxiety to push it through was so great that he offered to take the labor upon himself without any additional compensation to that which he was receiving as Secretary of the Smithsonian Institution. He sacrificed his life in that work, and it has become of such dimensions that it is wholly impracticable to continue it in that connection. It is so much that it calls for the entire time of some scientific man, and it is for that purpose that upon advisement of those largely interested, as well as the officials of the Government, this bill has been drawn to establish the office of commissioner separate from the Smithsonian Institution, to be filled of course by such scientific man as has heretofore been called into that service; and without doubt the President will be able to find such a man to fill the place.

Mr. VEST. I should like to ask the Senator from Massachusetts if he objects to striking out the words "of the coast." That language is found in the Revised Statutes, and yet we know that in the practical conduct of this bureau or department of the public service the operations of the Fish Commission have not been confined to the coast, and very properly so.

Mr. DAWES. Most certainly I agree to strike out the words.

Mr. VEST. Then I will make that motion. I have no objection to the bill if that clause is stricken out.

Mr. DAWES. It has grown beyond the coast and has developed on the lakes and in other portions of the country, quite as desirable a work as on the coast, where it was originally attempted.

Mr. VEST. That is true, Mr. President, and practically all the Western rivers have been stocked with very valuable fish.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Missouri will be stated.

The CHIEF CLERK. In line 8, after the word "fisheries," it is proposed to strike out "of the coast," so as to read:

That there shall be appointed by the President, by and with the advice and consent of the Senate, a person of scientific and practical acquaintance with the fish and fisheries to be a Commissioner of Fish and Fisheries, and he shall receive a salary at the rate of $5,000 a year, and he shall be removable at the pleasure of the President.

Mr. MITCHELL. I was about to call for the reading of the report when the Senator from Missouri interposed. I certainly should have objected to the bill as originally introduced, but as proposed to be amended I am in favor of it. The fisheries of the Columbia River and of the Western coast generally have become of immense importance. Since the commencement of that industry, twenty-two years ago, over $45,000,000 worth of canned fish have been shipped from the Columbia River alone.

Mr. DAWES. That phrase came into the law when the whole idea was an experiment, and it was proposed to try it on the coast. Practically that limitation has been disregarded. As the Senator from Oregon and the Senator from Missouri know, the original effort has been extended to the lakes and the large rivers with equal success.

Mr. PLUMB. I simply want to ask the Senator from Massachusetts to explain what he meant by saying that the former Fish Commissioner had sacrificed his life in the performance of the duties of this office?

Mr. DAWES. I did not mean that literally; I meant that owing to the many duties which had fallen upon this scientific enthusiast, among them largely these matters of the fisheries, everybody, I believe, is of opinion that his life was shortened.

Mr. BECK. Mr. President, I do not propose to oppose this bill, but I desire to call the attention of the Senate, and the Senator from Massachusetts particularly, to the fact that while it proposes to appoint a commissioner (and he ought to be paid, I agree, and paid well, because it is a very important work), the whole system has grown up, as was very well said, out of a small appropriation. It is not regulated by any well-defined laws or system or responsibility, and the committees which have to deal with it and furnish the money to run it are constantly at sea to know by what authority this work is done. After the commissioner is appointed this bill ought to be supplemented by a bill defining the duties of that position, so that there will be some law and some responsibility, and not have it go on from year to year as it is now, without anything except what the committees seem to think it best to do. So long as Professor Baird lived the matter was under very good control, I admit, because he knew it from the beginning, and I do not think he ever asked for any service that was not required; but it is a loose way to have a thing running.

Mr. DAWES. Out of some such legislation as this there ought to come just what the Senator has suggested, but it would be more likely to come from the appointment of a man who would devote his whole time and his whole thought to this work than it would by continuing it attached to some other office as an adjunct and as a subordinate position.

Mr. REAGAN. Is the bill open to amendment at this time?

The PRESIDENT *pro tempore*. An amendment is pending. An amendment to that amendment would be in order.

Mr. DAWES. If there is no objection, let the pending amendment be adopted.

Mr. REAGAN. The amendment I propose is to be offered to another part of the bill.

The PRESIDENT *pro tempore*. The question is, Shall the amendment proposed by the Senator from Missouri be agreed to?

Mr. CALL. I desire to know whether the amendment of the Senator from Missouri is designed to eliminate the coast from the operation of the bill?

Mr. VEST. Not at all. It extends it.

Mr. CALL. Then I have no objection to the amendment. I merely wish to say that this is a very important interest to the State of Florida, and one inuring to the benefit of the Federal Government. Our coast fisheries are of immense value.

The amendment was agreed to.

Mr. REAGAN. I move to amend the bill, in line 10, before the word "thousand," by striking out the word "five" and inserting the word "three;" so as to read:

And he shall receive a salary at the rate of $3,000 a year.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Texas.

Mr. REAGAN. I have only a word to say with reference to the amendment. The salary proposed by the bill is higher than a majority of the governors of the States of this Union receive. The duties may very well be performed by any respectable clerk. There is no great intellectual training or qualification necessary for the performance of the duties of Fish Commissioner, and it seems to me that a salary of $3,000 is ample compensation for the office.

Mr. HAMPTON. I think the Senator from Texas is laboring under a mistake. The provision for the salary placed in the bill is precisely what was paid to the assistant fish commissioner, when Mr. Baird, as head of the Smithsonian Institution, received no salary for his work. I differ with the Senator from Texas altogether in his statement that the place does not require a man thoroughly familiar with all the details not only of propagating and hatching fish, but a man of scientific attainments. I do not think a salary of $5,000 is at all too high, and I hope the amendment will not prevail.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARRIAGE AND DIVORCE.

Mr. DOLPH. I move to take up the joint resolution (S. R. 2) proposing an amendment to the Constitution of the United States empowering Congress to legislate upon the subjects of marriage and divorce, and prohibiting bigamy and polygamy. I desire to take up the joint resolution merely for the purpose of submitting some remarks upon it.

The PRESIDENT *pro tempore*. If there be no objection, the joint resolution will be considered as before the Senate as in Committee of the Whole. The Senator from Oregon is entitled to the floor.

Mr. ALLISON. Pending that I ask the Senator from Oregon to yield to me that I may call up the resolution of the House of Representatives in respect to the holiday adjournment.

The PRESIDENT *pro tempore*. Does the Senator from Oregon yield for that purpose?

Mr. DOLPH. I do.

HOLIDAY RECESS.

The PRESIDENT *pro tempore*. The Senator from Iowa asks that the Senate proceed to the consideration of the concurrent resolution adopted by the House of Representatives regarding the holiday recess. The resolution will be read.

The Chief Clerk read the resolution, as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That when the two Houses adjourn on Thursday, December 22, 1887, they stand adjourned until Wednesday, January 4, 1888.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

Mr. PLUMB. Mr. President, I objected to the consideration of this resolution yesterday because I thought there was no reason why we should depart from the usual custom in our haste to get away from the discharge of public duties. I thought if we were to leave our post of duty at this time without any adequate excuse we at least ought to so resolve with the deliberation which characterizes the Senate in the passage of legislation.

I shall vote against the resolution because I think it is against the public interest that we should adjourn at this time. This session will continue until the dog-days, greatly to our discomfort, and during the latter part of the session the country will be in the midst of a heated Presidential canvass, which will distract the attention of the Senators from the discharge of their duties, and will make the closing weeks of the session unprofitable to the public, although perhaps necessary because of the fact that we shall have been dilatory in the mean time.

I do not believe there is any reason why we should adjourn over the holidays. I do not think one out of a half-dozen of all the members of Congress will go home during the holidays, although that is the pretense under which the resolution is to be adopted. Of those living west of the Ohio very few will go home.

This is the time of the year when we can best do the business which we have come here to do. It is a time when the members are fresh and vigorous, and when they are certainly as free from distraction from outside as they could be at any time, and if there is any spare time it had better be taken next summer, at the period when there will be enough to look after on account of the many things which will take our attention away from the business of legislation.

The Senator from Alabama [Mr. PUGH] introduced a resolution some days ago in which he asked the Senate to resolve that it would not adjourn finally until it had done something about the surplus in the Treasury, referring, no doubt, to the admonitions of the President of the United States in his message on that very important subject. The Senator from Ohio [Mr. SHERMAN] suggests that that was Pickwickian; but it was of sufficient importance to be mentioned and to be in fact the sole subject of discussion by the President in his last message.

I do not agree with the President in many of the statements which he has made, and I do not at all agree with him in saying that if any trouble is caused by the surplus in the Treasury it will be because of the non-action of Congress. We should remain here, however, during the holidays and legislate upon the subject treated in the message along with others, which are pressing for attention, but not with the view that Congress is responsible for a condition of affairs which threatens disaster, if, indeed, trouble is impending. The primary responsibility for the present condition of the Treasury rests with the President. He has chosen to totally disregard the law which authorizes and practically requires him to spend the money in the Treasury beyond the needs of the Government for current administration in the payment or in the purchase of the national debt. The excuse which he makes for this refusal is because the law is embodied in an appropriation act, and by reason of its being found there he says it is perhaps doubtful if it was intended as anything but a temporary expedient.

SEC. 2. That the Secretary of the Treasury may at any time apply the surplus money in the Treasury not otherwise appropriated, or so much thereof as he may consider proper, to the purchase or redemption of United States bonds: *Provided*, That the bonds so purchased or redeemed shall constitute no part of the sinking fund, but shall be canceled. (Act approved March 3, 1881.)

I do not know of any warrant on the part of the President to distinguish between the laws which are passed by Congress, and to say that one provision is less mandatory upon him than another. I do not think that it comes with very good grace from him to criticise the particular place where important provisions of law are found. It is enough to say that this particular law was passed and approved as all laws are; and if the President shall choose to disregard all provisions of law which are found in appropriation acts, and which he don't happen to approve of, he will be found to have a pretty large contract on his hands, and one which may result somewhat disastrously to him.

He omitted, also, to state one very important fact, and that is, that when Congress passed a law affirmatively requiring him to pay out $10,000,000 a month in the discharge of the public debt (and it was done with a degree of complacency which disgusted me considerably, in the precise shape which he indicated and distinctly said would be acceptable to him), he conveniently stuck it in his pocket, did not approve it, and it did not become a law.

Mr. BECK. But he did pay it out faster than Congress required.

Mr. PLUMB. That is only another way of saying that he don't want to be hampered or controlled by the law. He had, besides, the admonition of the Senator's speech to prompt him. The President happens to think that he knows more about this matter than Congress does, and the question of the existence or non-existence of a statute is nothing to him. He means to do as he pleases, statute or no statute, and if unpleasant consequences come to the country because of his failure to obey the law, he proposes to unload the responsibility upon Congress.

Sir, if a Republican President had done what a Democratic President has done, there would be talk of impeachment on that side of the Chamber. When I think of the denunciations that I have heard of national banks, and about the craven submission of the Government to the interests of those banks under Republican administration, I think with some degree of complacency of what has occurred since a Democratic administration came into power. I wonder if my friend from Missouri [Mr. VEST], who has made the welkin ring all over that good old State, which he so ably represents, in denunciations of the national banks as vampires sucking the substance of the people, did not smite himself when he saw a Democratic President come in and bring with him the president of a national bank as Secretary of the Treasury and the cashier of another national bank as United States Treasurer.

The administration is not only refusing to purchase bonds, but it is depositing $40,000,000 of this alleged surplus in the Treasury with national banks, to be by them lent to the people. The public money is, therefore, being used to swell the profit of the banks and put new burdens upon the borrowing public instead of paying it out on the bonded debt, and saving the Government interest, and giving the money to the people without price.

I think this costs the people some three or four million dollars a year, and enriches the banks by that amount. The President seems to be confident of his legal authority to thus favor the banks at the expense of the people. He says the last purchases of 4½ per cent. bonds were made at a premium of 8 per cent. They are selling now in the market at a premium of about 7 per cent. As they mature in September, 1891, the rate of interest yielded to the Government by the purchase now would be 2½ per cent.

The President, in his eagerness to put the responsibility upon Congress for the Treasury surplus, not only ignores his duty under existing law, but he forgets to take note of the fact also that a river and harbor bill, which appropriated $12,000,000 or $15,000,000 of the surplus, failed to become a law, not because of any lack of action on the part of Congress. He might have said, if he would not thereby have been trampling upon his own party's toes, that a deficiency bill which carried $8,000,000 expenditures, failed because of the neglect of duty on the part of the majority representing his party in the House of Representatives. The addition of $12,000,000 by means of the expenditures for rivers and harbors and $8,000,000 in paying the debt which the Government owes would have made a very considerable addition to the current funds of the people of the United States at this juncture, and reduced the surplus correspondingly. If he had been candid he would have also stated that several millions more would have been paid out to disabled ex-Union soldiers justly entitled to the same if he had signed the disabled soldiers' pension bill passed at the last session of Congress.

I have never wholly agreed with the policy of the Treasury Department under Republican administrations. There was this to be said about it, that in the matter of the payment of the public debt it was regular and uniform in its operations, and was not under the suspicion of being influenced by banking or other private interests. As fast as $10,000,000 came into the Treasury it was paid out in the discharge of the public debt. It never congested there until $40,000,000 or $50,000,000 were on hand, and then emptied at once in order to meet a condition of things existing in what is known as "the street." It never was paid out after consultation with banking officers in New York City, nor to meet local conditions existing there. However much the Republican Administration may have been criticised in other respects, at least it was not liable to that criticism which will lie at the door of the present Administration.

Mr. President, the trouble with this Administration is that it has had no eyes for anything in a financial way except where it related to the banking and speculative interests of New York City. It has not taken into account that all this long summer there has been a lack of

money necessary for the proper carrying on of business all over the Western and Southern country. It was not until there was a dearth of money in New York City for the carrying of stock and for speculative purposes that money has been paid out. When the New York banks were lacking in funds the Treasury Department had no doubt about the legality of the law authorizing the purchase of bonds, and some seventeen millions of bonds were purchased. Whenever the same condition of things again exists there will be no further doubts about the binding force of the law, and other bonds will be bought to relieve the stringency. Meanwhile the country at large can suffer for the lack of money to properly transact business, while the President pleads his doubt about the law for not doing what was so promptly done to relieve stringency at New York.

The President says such a discretion as this law commits to him ought not to be intrusted to an executive officer, but he has already exercised it in the case mentioned, and it is one which must necessarily be committed to the Executive, as it has been from the beginning of the Government with reference to the public debt in this country. It will not do to say that some executive officer might abuse his discretion. There is the law. It should be obeyed. The President won't claim that he is afraid he will not properly administer it. He is willing enough to have the responsibility when that responsibility is in the line of what seems to be—I will not say his own interest, but the interest of the company that he seeks, as shown by his pocket veto of the Morrison surplus resolution. When there was trouble, or liability to trouble, in Wall street, there was no question then about the exercise of Executive discretion in the disposal of nineteen or twenty millions in the purchase of bonds; but the moment the stricture there was removed there was no further exercise of that discretion, and no further disbursement made; and so $140,000,000 of the people's money beyond all Treasury needs is hoarded and kept out of circulation.

Mr. President, it is not exactly germane to this branchof the subject, and yet, in the line of what I have said about the disregard of the law by the President, I desire to call attention to the fact that one of the last bills signed by Mr. Arthur, when President of the United States, an Indian appropriation bill, contained a provision requiring the President to begin, carry on, and conclude negotiations with certain Indian tribes in the Indian Territory for the cession of the interest of those tribes in lands which it was desired by Congress to open to settlement. That provision was in the following words, and the Senator from Missouri [Mr. VEST] will remember the controversy there was about its enactment, how strenuously he and I and others labored in order that it might be enacted, so that the land under consideration might be opened to homestead settlement:

That the President is hereby authorized to open negotiations with the Creeks, Seminoles, and Cherokees for the purpose of opening to settlement under the homestead laws the unassigned lands in said Indian Territory ceded by them respectively to the United States by the several treaties of August 11, 1866, March 21, 1866, and July 19, 1866; and for that purpose the sum of $5,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated; his action hereunder to be reported to Congress.

I ask the Secretary to read from the report of the Secretary of the Interior for the fiscal year ending June 30, 1885, that part of the report which refers to this provision of the statutes, and which sets forth the reasons why the President of the United States did not proceed to carry out the mandate of Congress, and which is unexecuted to this day.

The Chief Clerk read as follows:

OKLAHOMA.

By the third article of the treaty of August 16, 1866 (14 Stat., 766), it is stipulated that "in compliance with the desire of the United States to locate other Indians and freedmen thereon, the Seminoles cede to the United States their entire domain," consisting of 2,169,080 acres, at the rate of 15 cents per acre.

By the third article of the treaty of August 11, 1866 (*ibid.*, 786), the Creeks, for the same purpose, ceded to the United States the west half of their entire domain, which cession passed 3,402,430 acres, at the rate of 30 cents per acre. The two cessions combined aggregated 5,571,410 acres. The Indians have been paid therefor according to agreement.

In pursuance of the purpose for which these lands were ceded to the United States, portions on the east and the west thereof have been from time to time set apart for and assigned to certain tribes and bands of friendly Indians for their use and occupancy.

That portion of the land remaining unappropriated to the trust provided for in the treaties lies very nearly in the center of the Indian Territory. It is this unappropriated tract that is commonly called the "Oklahoma country." No agent of the Government resides upon this land, and it is not occupied in any way by any person or persons for any purpose under any authority of this Department.

An organized movement by certain persons was begun and set on foot some years past for the forcible possession of and settlement upon these lands under the plea that they formed a part of the public domain and were subject to entry and settlement under the general land laws of the United States. To prevent such unlawful and unauthorized settlements it became necessary for the Executive to issue the proclamations of April 26, 1879, February 12, 1880, and July 1, 1884, defining the status of those lands, and warning all persons against any attempts to go or settle thereupon. It had also been made necessary to use a part of the military force of the United States to remove intruders who had succeeded in getting into that country.

When I assumed charge of this Department it was alleged that certain individuals, associations of persons, and corporations were in the unauthorized possession of portions of the "Oklahoma country," and also that certain other persons and associations were preparing to enter, occupy, and settle upon said lands.

The matter was considered; and the President, on the 13th of March, 1885, issued his proclamation, warning all persons then upon the lands, and those intending, preparing, or threatening to enter and settle upon the same, that they would not be permitted to enter upon that territory or to remain thereon if already there.

The parties claiming the right to enter these lands, alleging them to be public lands, argue that the United States must have understood the treaty with the Seminoles and Creeks, while the meaning and intent thereof was freshly in their mind and knowledge, as restoring the land to the public domain, since by act of Congress of July 27, 1866 (14 Stat., 294)—passed in the same month that the treaties were proclaimed—a right of way with a subsidy of land was granted the Atlantic and Pacific Railroad Company over a route described which passed through the "Oklahoma country." They claim that by authorizing the use of a portion of the land for railroad purposes the United States admitted that they could be used for other than Indian purposes, and that this must have been conceded by the Indians, who failed to object to its appropriation for railroad purposes.

This argument would hardly have been advanced if the advisers of these parties, or the parties themselves, had carefully read the concluding clause of section 2 of the granting act, which is as follows:

"The United States shall extinguish, as rapidly as may be consistent with public policy and the welfare of the Indians, and only by their voluntary cession, the Indian title to all lands falling under the operation of this act and acquired in the donation to the road named in the act."

For the purposes of this act the Indian title to that portion of the "Oklahoma country" through which the railroad was proposed to be run has not been extinguished. The railroad has not been constructed upon or extended into that territory, and consequently it has not acquired possession nor the right of possession of any portion of those lands under that law.

In the case of the United States *v.* D. L. Payne, tried in the district court of the United States for the western district of Arkansas, Judge Parker cited the decisions of the Supreme Court in the case of Wilcox *v.* Jackson (13 Pet., 266), "wherein it is held that whenever a tract of land has been appropriated to the public use it is severed from the mass of the public domain, and subsequent laws of sale are not construed to embrace it, though they do not in terms except it." He also refers to the case of the Leavenworth, Lawrence and Galveston Road *v.* The United States (2 Otto, 733), which affirms the doctrine in Wilcox *v.* Jackson, and holds further that "this doctrine applies with more force to Indian than to military reservations." Judge Parker then adds:

"I think, therefore, from the authorities I have cited, and from the language of this section, that there is no doubt that this act of Congress has not changed the land in controversy from the condition of a reservation."

Notwithstanding the rulings of the Interior Department, the proclamations of the Executive, and the solemn adjudications of a Federal court of competent jurisdiction over the parties and over the subject matter, upon a clear statement of facts on both sides of the question, all holding that these lands are not a part of the public domain and are not subject to pre-emption and homestead entry under the general land laws of the United States, but, on the contrary, that they are a part of the Indian Territory, that they are not unappropriated lands, but lands dedicated to specific purposes, yet it is to be regretted that repeated attempts have been made to make forcible entry and possession upon said lands.

It has become generally known throughout this country that this large tract of land, fertile, well watered, and with its mild climate, is unoccupied, and that it has continued in this idle condition since the treaties of 1866. It is therefore not surprising that a large class of hardy, industrious people, residing in more thickly settled States, are eager to acquire homesteads upon it.

The respectful petitions of many peaceable and law-abiding citizens from numerous localities throughout the country requesting that it be opened to settlement, no less than the threatened unlawful invasion of the land, have had the effect of inducing consideration of the subject by Congress, which, at its last session, enacted the following provision of law, namely:

"That the President is hereby authorized to open negotiations with the Creeks, Seminoles, and Cherokees for the purpose of opening to settlement under the homestead laws the unassigned lands in said Indian Territory ceded by them respectively to the United States by the several treaties of August 11, 1866, March 21, 1866, and July 19, 1866; and for that purpose the sum of $5,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated; his action hereunder to be reported to Congress." (23 Stat., 384.)

This provision of law refers not only to the lands ceded by the Creeks and Seminoles referred to above, but also to lands ceded by the Cherokees, the status of which is considered herein under the title "The Cherokee Outlet."

The unlawful combinations above referred to have rendered it, in my judgment, unwise to appoint this commission. That which gives security to life and property is the spirit of law. Nothing is more dangerous, more fatal to rights of property and personal safety and public order, than a spirit of lawlessness. The manifestations of the latter danger should be checked at all times, until the rule of law becomes the daily rule of conduct for our people.

The lands reserved for the accommodation of the Indians are undoubtedly much larger in extent than is needed for their wants and accommodation. There can be no harm in recognizing the gradual current slowly tending in the direction of civilized occupation and use of the Indian Territory, as the Indians themselves become consolidated upon fewer residental points; but rapacity and lawlessness will not abide the gradual and gentle method of change, and seek by violence and forcible invasion to displace law and treaty and the sense of obligation to both, and ride rough-shod into possession of the lands of the Indian reservations. Will it not be a lesson—valuable there and valuable elsewhere—to show such transgressors that their way is hard, and that nothing will render the Indian occupation more permanent, or postpone the change in the use of these lands longer, than the attempts to invade and by force obtain possession and enjoyment of them? The outlaws and depredators who imagine they can override the law and violate treaty obligations with the Indians will discover the impossibility of success when they find themselves confronted by the law of the land, strengthened by the civil and military arm, and backed by the moral sentiment of a just people.

Mr. PLUMB. It will be observed that the Secretary of the Interior, speaking for the President of the United States, alleges as a reason for not carrying out this law then in force, that there were certain men encamped or otherwise located on the border of the Indian Territory seeking to go over upon these lands. They were persons who claimed that the land belonged to the Government, and that they had a legal right to go upon it; a claim, I have no doubt, they made in perfect sincerity, however much they may have been mistaken. But however their attitude may have been at the time, it has ceased to have any validity, by reason of the fact that almost contemporaneously with the issuing of this report those persons dispersed, and have never since assembled on the border of that Territory or elsewhere, so far as I know, threatening to go into the Indian Territory, or claiming any right whatever to do so; but the President has never carried out that provision of law, has never negotiated with the Indians; and there are millions of acres of fertile land totally unoccupied, and with no Indian claiming any right of possession on them, which have been withheld

from settlement through all this period of time; and Congress has practically been estopped from acting, because it can not open the land to settlement until the Indians have ceded their rights, and the Executive is almost, if not quite, a necessary party for the carrying on of such negotiation as may be necessary for the securing of such.

I think it is the duty of the Executive to carry out the laws that Congress makes. It is not the part of the Executive to assume that Congress did not intend that a certain line of policy plainly marked out in the law was not to be carried out. It is within the competence of Congress to say that the revenues of the Government which are in excess of current needs shall be applied in the extinction of the national debt until every dollar has been so extinguished, and to continue the financial policy necessary to that purpose, the views of the President to the contrary notwithstanding.

I think it will be much more in keeping with the position and the responsibilities and the duties of that high office for the person who occupies it to at least do what the law requires him to do, leaving the responsibility, whatever it may be, where it would then properly belong.

I do not believe, and never have believed, in accumulating large sums of money in the Treasury. I have urged upon the Senate, and have voted here repeatedly for the cutting down of the surplus to the lowest possible sum. I believe in a poor Treasury and a rich people. I am in favor of putting out every dollar of money as fast as it comes in, first, in the payment of the current obligations of the Government, and second, in the payment of the debt. If the Government would pay more of its debts it would be better, and the revenues can and should be reduced. But reducing the revenues for the future don't dispose of the present surplus. That must be paid out or the people continue to suffer for the lack of it for use in their business. The President makes no suggestion whatever as to how the actual surplus shall be disposed of, his recommendations going wholly to the prevention of its further increase.

Mr. BECK. Mr. President, I do not propose to enter upon a debate in regard to the President's policy on a motion to adjourn over for the holidays. I assume, with the Senator from Kansas, that the pending resolution will pass. It is the usual recess. I believe there has never been an exception to it. The House of Representatives has always passed such resolutions, and the Senate has always agreed to them. Why on a motion like that, when we have all the next year before us, with no limit to our session, a discussion of the President's policy should be now thrust upon the Senate I can not quite understand.

But there are some things the country ought to know in connection with the statements of the Senator from Kansas. His charges and assertions do not disclose them. One is, that the policy of the Republican party, by imposing and maintaining unnecessarily high taxation, has caused the present surplus to be piled up in the Treasury, and they seem determined to hold it there or waste it upon some pet schemes which they may be able to devise; and the country ought to be advised of the further important fact that the Republican party has so adjusted the time of maturity of the bonds of the United States that they can not be paid with the surplus thus piled up by needless, and therefore unjust, taxation in the Treasury without paying to the bondholders any premium they may see fit to demand. Let us look at the facts.

Their policy postponed the payment of about $750,000,000 of the bonds till 1907, and $250,000,000 of them until 1891. The President has during his administration paid off nearly $200,000,000 of the bonds subject to call—that is, he has paid every dollar of the 3 per cent. bonds, all that were due, and that could by possibility be paid without paying any premium that the bondholders might see fit to ask, and it is obvious that they have the power to raise, as the President very well says, whenever the policy suggested by the Senator from Kansas is adopted, the premiums demanded to any amount they see fit. Perhaps it is because the power exists in the hands of the bondholders to raise the 4 percents from 23 to 27 premium, or from 27 to 40, or from 40 to 50 per cent. that gentlemen on the other side of the Chamber are so very anxious to have the President pay out the money of the people at the rate of $130 or $140 for every hundred dollars of bonded debt we owe.

The Republican party and its financial policy brought the country into its present condition.

The Democratic party, on the other hand, headed by the President of the United States, is endeavoring to reduce taxation, so that the needless surplus shall not reach the Treasury. The Democratic Administration found this condition of things, also, which caused serious alarm. The national banks of which the Senator speaks, and which have been the favored pets of his party during all the time they held power, had become absolute failures for the purpose of furnishing the country with a sufficient currency for the business wants of the people. I put a question to the Comptroller of the Currency the other day relative to the contraction of the bank currency, and received his official answer, which shows that there were $352,000,000, in round numbers, of bonds of the United States deposited four years ago as security for the circulation of the national-bank notes, to wit, on November 1, 1883; and that on November 1, 1887, when 40,000 more miles of railroad had been added to our transportation routes, and the wants of the country were proportionally increasing, those national banks which were held up to us as being a safe means of furnishing sufficient circulation have reduced the bonds to $188,000,000, a reduction in circulation of $164,000,000, when our commerce and the other needs of the country required an increase of at least $100,000,000 or $150,000,000, instead of a contraction of $164,000,000; and because the outstanding notes have not all been returned, though the bonds are withdrawn, there were on the 1st day of November over $102,000,000 of greenbacks locked up in the Treasury to protect the national-bank notes outstanding that were not protected by bonds. The letter of the Comptroller is as follows:

TREASURY DEPARTMENT,
OFFICE OF COMPTROLLER OF THE CURRENCY,
*Washington, D. C., November* 21, 1887.

Hon. JAMES B. BECK, *United States Senate:*

SIR: In response to your verbal request of this date, I have the honor to inclose herewith a tabulated statement showing—

1. The amount of United States bonds on deposit to secure circulation.
2. The amount of national-bank circulation outstanding.
3. The amount of lawful money on deposit to redeem national-bank notes.
4. The amount of public moneys in United States depositories at the beginning of business on the 1st day of November of each year from 1883 to 1887, each inclusive, with the yearly decrease or increase of the bonds, circulation, lawful money, and public deposits.

Very respectfully,

J. D. ABRAHAMS,
*Deputy and Acting Comptroller.*

And the table he furnished me is as follows:

| Year. | United States bonds. | | National-bank notes. | | Lawful money on deposit. | | United States depositories. | |
|---|---|---|---|---|---|---|---|---|
| | On deposit to secure circulation. | Decrease during the year. | Outstanding at the dates named. | Decrease during the year. | To redeem national-bank notes. | Increase or decrease during the year. | Public moneys on deposit. | Increase or decrease during the year. |
| November 1, 1883 | $352,877,300 | ..... | $352,013,787 | ..... | $35,993,462 | ..... | $11,871,823 | ..... |
| November 1, 1884 | 325,316,300 | $27,561,000 | 333,559,813 | $18,453,974 | 41,710,163 | $5,716,701 | 15,742,439 | $3,870,616 |
| November 1, 1885 | 308,364,550 | 16,951,750 | 315,847,168 | 17,712,645 | 39,542,978 | *2,167,185 | 13,595,550 | *2,146,889 |
| November 1, 1886 | 245,444,050 | 62,920,500 | 301,529,888 | 14,317,280 | 81,819,233 | 42,276,255 | 16,266,639 | 2,671,089 |
| November 1, 1887 | 188,828,000 | 56,616,050 | 272,041,203 | 29,488,685 | 102,826,136 | 21,006,903 | 31,767,478 | 15,500,839 |

* Decrease.

This is a startling exhibit in more aspects than one. What was the President to do? He either had to buy the bonds that were not payable till 1891 and 1907, under the laws which had been passed by the political friends of the Senator from Kansas, and which could not be repealed, or lock the money up in the Treasury, or leave it with the United States depositaries to be loaned out to the people so as to keep it in circulation. Any horn of the dilemma was bad. All resulted from Republican legislation. The banks refused to keep up their circulation because the premium on the bonds was too high. The President could not buy them without paying more than the banks would have to pay. If $31,000,000 more contraction was added to that caused by the bank contraction national bankruptcy was imminent.

Something had to be done. Now the complaint is that this money is left in the hands of the depositaries to the extent of $31,000,000. Is not that safer, in order to avert a crisis, than to lock it up? There is no dispute as to the fact that the national-bank circulation has been contracted $164,000,000 in four years and that $102,000,000 of greenbacks are now locked up, and if this $31,000,000 now in the hands of depositaries, and kept in circulation by being in their hands to be loaned out again, had been added to that great contraction, then there would, I submit, have been great danger of a panic all over the country, and especially all over the West, and that is no doubt what many gentlemen on the Republican side want and are seeking to bring about, so as to charge it to a Democratic administration, and are only sorry that the President has not pursued some policy that would destroy public confidence, so that they could go before the country and assert that Democrats can not carry on the Government successfully.

I repeat that the Republicans are responsible for all the evils arising from contraction of the currency and for the vast surplus now held by the Government. Why do I say so?

They passed the laws that made it impossible to obtain the bonds without paying enormous premiums. These laws prevent us from paying till 1907 nearly seven hundred and fifty million of our bonded debt. The national banks contracted their circulation—perhaps they

were compelled to do so—because, if you please, of the high premium on bonds that they would have had to pay when they sought to buy them in lieu of the 3 percents that were called in, and we were obliged to call in all the 3 percents to get the surplus out. Still the fact remains that the President had nothing left under the laws which he found in existence, and which he has called on Congress to revise so as to reduce the amount that is pouring into the Treasury, except to pay off all the bonds he could.

Now he reports to Congress that he can get no more without paying any premium that the holders might demand; and he states what is obvious, that the moment it is ascertained that the policy of the Government requires the surplus to be paid for bonds not due, that very moment the bondholders have power to double the present premium, or refuse to allow the Government to get back a dollar of them, and he is denounced on this floor because he hesitates to squander the people's money on premiums to bondholders, even if he has the power to squander it under the law as it now stands.

The President does suggest a difficulty about the law in his message, and I am told he was advised by some of the very best lawyers in the country that there was doubt about his power under it. I have none; I believe he can buy bonds at any premium; but I do not think he ought to throw away the money of the people in that way.

The law reads:

That the Secretary of the Treasury may at any time apply the surplus money in the Treasury not otherwise appropriated, or so much thereof as he may consider proper, to the purchase or redemption of United States bonds.

That was passed in an appropriation bill in 1881. The question has been presented to the mind of the President, as I learn, by leading lawyers, whether that did not mean that he could at any time pay the surplus moneys then in the Treasury for bonds. If it had meant, it was argued, any surplus that might come into the Treasury hereafter, appropriate words would have been used, and it would have said "any surplus now or hereafter in the Treasury of the United States may be paid out;" but the framers of the law took care not to say that; and if the President of the United States had ordered the Secretary to pay out 30 or 35 per cent. premium on bonds not due until 1907, there are gentlemen on the other side who would have argued, and argued plausibly, that that section only meant to give him the right to dispose of the surplus then locked up in the Treasury, and he would have been denounced for paying $1,500 to the bondholder for every $1,000 that we owed. At that time, of course, there were plenty of 3 per cent. bonds that were payable without premium, or they became payable very soon after the act of 1881 was passed.

Mr. PLUMB. While the Senator is on that point will he yield to me for a moment?

Mr. BECK. Certainly.

Mr. PLUMB. At that date there were, as the Senator says, 3 per cent. bonds which were payable at the option of the Government. If that law was not prospective in its operation, it was entirely idle, because at that time there were no surplus funds which could not be used in the redemption of bonds without any legislation whatever. Therefore it must have meant that it was prospective, or it does not mean anything.

Mr. BECK. I beg pardon. There was no authority prior to that in the President or in the Secretary of the Treasury to buy any bonds except for the sinking fund. That was provided for in 1862. The act of 1881 was the only authority that was given to buy bonds outside of the sinking fund; and that sinking fund, let me here repeat, is another fraud upon the people of the United States, and is another cunning device originating on the other side of the Chamber and at the other end of the Capitol by the Republican party to maintain high taxation, needless, and therefore vicious, beyond the wants of the Government.

Mr. PLUMB. The Senator is certainly not so lacking in information as to make that charge. That provision was reported from the Finance Committee by the present Secretary of State, Mr. Bayard, as a separate bill.

Mr. BECK. Which provision?

Mr. PLUMB. The provision you are now commenting on in regard to the purchase of bonds.

Mr. BECK. I have said nothing against that. I am talking about the sinking fund, which is an annual addition to the amount we must raise by taxation. It has been swelled up by all sorts of devices and pretenses, fair and foul, to nearly $50,000,000 annually, when we have paid over $600,000,000 more on the debt than any Secretary of the Treasury ever ventured to say that sinking fund required us to pay. Still, under some pretense or other, we have to pay it annually and provide for it in adjusting taxation as though it was a debt, and we are maintaining that miserable fraud called a sinking fund to-day on the statute-book to pay bonds that are not payable until 1907. Will any Senator pretend to say that it was ever intended by any law creating a sinking fund that $50,000,000 a year should be collected from this people by taxation, in addition to the ordinary requirements of the Government, to buy bonds before they mature, when the date of maturity was fixed at 1907? That would be to admit that it is part of the policy of this country to pay off its bonds before they are due and to pay 200 per cent. premium on them, if the bondholder sees fit to ask it; yet we keep that law on the statute-books, collecting $50,000,000 a year, and we are forced to buy that amount of bonds at any premium, and then we have Republican Senators to-day denouncing the President of the United States because he does not go far beyond the requirements of the sinking fund, for he has this year bought all that the sinking fund requires, and pay the bondholders the premium they demand upon all that they will part with, and the Republicans will band together, refuse to reduce taxes, so that there will always be an enormous surplus to invest in such bonds and premiums as will enrich their bondholding friends at the expense of the tax-payer, and call that protecting American industry.

There ought to be something like decent consistency in the charges preferred. In one breath complaint is made of the President because he leaves the money in the banks to loan to the people, and then in another breath he is charged with locking it up in the Treasury and thereby producing contraction.

Mr. ALLISON. The Senator from Kentucky states that the sinking fund has been provided for for this year nearly.

Mr. BECK. So the Secretary says in his report.

Mr. ALLISON. So he does. In providing for it he purchased fourteen or seventeen million—I do not remember the exact number—of bonds in the open market in New York. That is to say, a certain amount of bonds were purchased in New York for the purpose of making an application to the sinking fund. Is not that the fact?

Mr. BECK. I do not know where they were purchased; but the sinking fund was provided for, and the Secretary has felt obliged to provide for it, because the law required him to do so.

Mr. ALLISON. But it was provided for by the purchase of fourteen million of unmatured bonds, if that was the amount.

Mr. BECK. More than that, I think.

Mr. ALLISON. Well, seventeen millions. Now, I should like to ask the Senator from Kentucky to construe this part of the law which says:

*Provided*, That the bonds so purchased and redeemed shall constitute no part of the sinking fund.

He seemed to think when he first read the law that the Secretary could buy for the sinking fund.

Mr. BECK. Oh, no; that proviso was one of the artful contrivances of the Republican gentlemen. They intended not only to keep taxation up to the point required to carry on the Government, but they required it to be kept up to yield $45,000,000 or $50,000,000 more as a sinking fund which should be coerced by taxation annually in addition to what was needed; but this provision says you shall not provide for that sinking fund by any purchase you may make; you must still keep up taxation to collect that, whether we want it or not, and these additional bonds that you buy out of any surplus after the sinking fund is provided for are not to be counted, so as to give the people any relief by reducing the sinking fund; that must be kept up to afford an excuse for 45 or 50 or 60 or 75 per cent. tariff protection in order to protect a few favored interests.

Mr. ALLISON. The Senator from Kentucky misapprehends my question, I think. I want to know how it is that the President construed this law so as to prevent him from purchasing bonds in the open market, because it is not clear enough now, and yet four months ago he purchased seventeen millions of bonds and applied them to the sinking fund, although the law itself provided that he should not do it. I should like to have that explained.

Mr. BECK. The sinking fund is a fund that we are compelled to provide for by laws as old as 1862, and up to the point where it is required the Secretary had authority and is required to purchase bonds always and to keep them in the Treasury in a separate account. The bonds the Secretary bought lately were sinking-fund bonds, which he always had authority to obtain in any way he could. The law of 1881 went beyond that and said, "You must not interfere with this sinking-fund law; purchases under this act shall not be charged against it; taxation shall still be kept up to the old amount beyond what is necessary to provide for the wants of the Government; any bonds you purchase outside shall be canceled and not charged to the sinking fund."

What the President says is that, whether he has authority or not under this provision in the law of 1881 to apply any surplus that may come in hereafter, it is not a proper thing for him or any Secretary of the Treasury to do, to pay $130 or $150 for each $100 bond purchased, and that it is the duty of the representatives of the people to reduce the taxes wrongfully exacted down to a point where that surplus will not get into the Treasury, and not put that necessity upon him. I insist that any law which authorizes the Secretary of the Treasury to buy bonds whenever and at whatever rate he pleases, to bull or bear the market, to make or unmake fortunes, to gamble anywhere on the markets of this country, in Wall street or elsewhere, ought not to be tolerated and will not be tolerated by any Congress that represents the people fairly. That is in substance what the President says.

The surplus is on hand and increasing rapidly; the banks are contracting their circulation when it is needed badly. He has to a limited extent, in order to keep the money in use, left temporarily thirty-one million in the national depositories, which he says is a mere temporary expedient; but it is better than to lock it up. The fact is shown, and

the Secretary of the Treasury repeats it, that there has been a contraction of $164,000,000 national-bank currency and $102,000,000 of greenbacks deposited, and if that $31,000,000 had been paid into the Treasury there might have been a panic all over the country, which would have been very lamentable to all but Republican politicians. The President has carefully sought to avoid these evils by the course he has pursued, and he has shown his anxiety for Congress to find some efficient remedy by sending the message he did to Congress.

All I care to add now is that the sinking fund, so called, ought to be abolished at once and the taxes reduced at least $100,000,000; that the money of the people ought to be, as I propose in a bill I have offered, issued in the form of coin certificates, redeemable at the option of the Government either in gold or silver coin, so as to bring the two coined metals together, as it is painfully apparent that the national banks are no longer to be relied upon to furnish a safe and reliable currency, which promise was the only reason or authority Congress had for chartering them; and I insist that the necessity of leaving this money in the hands of depositories, to be loaned to the people who own it, ought to be avoided by a prompt reduction of taxation. All these questions will be fully argued when the proper time comes, and I know the policy of the President and the Democratic party will be fully vindicated.

It will be very hard for gentlemen on the other side to explain why they have kept up taxes to the extent they have; why they have maintained this sinking fund against our protest fifty millions beyond any possible necessity; why they are still resisting all attempts to reduce taxation, and why they are finding fault because the President does not pay out the money for bonds at any premium the bondholders may ask, but calls on the representatives of the people to devise some way of stopping the surplus without paying excessive taxes. That is the complaint, and seems to be the principal offense with which he is charged.

Before I take my seat I wish, in answer to the question put by the Senator from Iowa, of how and by what authority the bonds bought were applied to the sinking fund, to read the statute:

SEC. 3694. The coin paid for duties on imported goods shall be set apart as a special fund, and shall be applied as follows:

First. To the payment in coin of the interest on the bonds and notes of the United States.

Second. To the purchase or payment of one per centum of the entire debt of the United States, to be made within each fiscal year, which is to be set apart as a sinking fund, and the interest of which shall in like manner be applied to the purchase or payment of the public debt, as the Secretary of the Treasury shall from time to time direct.

That was the original authority, which still remains, and required him to buy at least 1 per cent. of the debt, etc., no matter what the premium was.

Mr. ALLISON. Then I understand the Senator from Kentucky now to say that the Secretary of the Treasury has not exercised the authority given him by the act of 1881 at all.

Mr. BECK. I say that the President, in his message, announces that he has only purchased enough to supply the sinking fund, and expresses a doubt as to the other act, and asks Congress to remove it.

Mr. ALLISON. But my criticism was, and the Senator from Kentucky does not seem to answer it, that the Secretary of the Treasury, in his report, states that under this law of 1881 (which is not of doubtful construction, and the Senator from Kentucky now, for the first time, so far as I know, is able to find a doubt about it) he purchased $17,000,000 of bonds. Now, the question I asked was not whether there was any law for it, but, if he purchased them under this section of the statute of 1881, how he could do it when that law expressly provided that the bonds thus purchased should not be applied to the sinking fund; and yet he expressed doubt as to the law itself.

Mr. BECK. My respect for the chairman of the Appropriations Committee (and we serve together on the Finance Committee as well, and do not very often differ) induces me to say what I tried to say before. I read the section now to show that all the bonds the Secretary has lately purchased were purchased under section 3694 of the Revised Statutes, which required the Secretary to purchase the 1 per cent. of the debt, etc., and that he had not exercised, as far as I was aware, any authority in the purchase of bonds at a premium under the section of the act of 1881.

Mr. ALLISON. Now I understand the Senator.

Mr. BECK. That is what I was endeavoring to say all the time.

Mr. DOLPH. Mr. President, if it be difficult for the Republican party, as the Senator from Kentucky [Mr. BECK] supposes, to explain why the revenues were not reduced when there was a large public debt that was payable upon demand and therefore a legitimate use for all the surplus moneys, I should think it would be more difficult for the Democratic party, with the control of the Administration and of the House of Representatives, to explain why they have not been reduced during two years and more since the present Administration came into power.

But I rose for another purpose than to discuss that question. The President has deemed the reduction of the revenues so important as to justify his making it the sole burden of his message, instead of following the usual custom in that regard, and we have already had one set speech on the tariff by the Senator from Alabama [Mr. PUGH], and to-day we appear to have plunged into the midst of a discussion of the subject.

I should like at the commencement of the discussion to know what the surplus is. I hold in my hand a table comparing, by bills, estimates of regular annual appropriations for the fiscal year 1888 with those for 1889, and also comparing the appropriations made by the general appropriation acts for 1888 (exclusive of deficiencies) with the estimates for 1889, and showing the aggregate of estimated regular annual and permanent appropriations, and amount of estimated revenues for 1889.

I find that the total estimates for the regular and permanent annual appropriations for 1889—these estimates being made by the advisers of the present Administration—amount to $384,094,527.58; that the amount of estimated revenues for 1889, exclusive of the estimated postal revenues, is $383,000,000. So that exclusive of the estimated postal revenues for 1889, the estimated appropriations exceed the estimated revenues by $1,094,527.58. Adding the estimated postal revenues, and the estimated revenues over the estimated regular and permanent appropriations for 1889 are $56,469,206.74.

In this estimate, while the Chief of Engineers has asked, for rivers and harbors, $40,041,998.77, there has been estimated by the Secretary of War only $12,213,470. The estimate of the amount required for the sinking fund for the fiscal year ending June 30, 1889, is $47,721,552.66. If, by appropriating less than the estimates, the increase of the estimates for the year 1889 over the appropriations of last year, when no appropriations were made for rivers and harbors and the deficiency bill failed, could be saved, the total amount of the surplus would be $90,823,563.98.

I hold in my hand a statement of the surplus revenue for twenty years, from which it appears that it has varied from 1868, when it was $28,297,798, to 1887, when the surplus was $103,471,097, and in which latter year, as I have said, there were no appropriations for rivers and harbors and the deficiency bill failed.

The statement is as follows:

*Surplus revenue for twenty years.*

| | | | |
|---|---|---|---|
| 1868 | $28,297,798 | 1878 | $20,799,551 |
| 1869 | 48,078,469 | 1879 | 6,879,500 |
| 1870 | 101,601,916 | 1880 | 65,833,653 |
| 1871 | 91,146,756 | 1881 | 100,069,404 |
| 1872 | 96,588,904 | 1882 | 145,543,810 |
| 1873 | 48,392,959 | 1883 | 132,879,444 |
| 1874 | 2,344,882 | 1884 | 104,363,025 |
| 1875 | 13,376,658 | 1885 | 63,463,771 |
| 1876 | 29,022,241 | 1886 | 93,956,588 |
| 1877 | 30,340,577 | 1887 | 103,471,097 |

In making any reduction of the revenues it is important to bear in mind also that the amount required for the sinking fund will gradually increase from $47,721,552.66 in 1888 to $94,502,729.36 in 1908, when, it is estimated, the last of the public debt will be paid.

I now submit a statement of the amounts required for the sinking fund in the future.

No. 46.—*Statement giving an estimate of the amounts annually required for the sinking fund, according to present method of computing interest.*

| Fiscal year. | Principal of public debt at the beginning of the fiscal year, less currency, gold and silver certificates, and amount held for redemption of United States notes. | Sinking-fund requirements. |
|---|---|---|
| 1887 | $1,474,034,605.78 | $46,743,135.66 |
| 1888 | 1,427,291,470.12 | 47,721,552.66 |
| 1889 | 1,379,569,917.46 | 48,720,125.04 |
| 1890 | 1,330,849,792.42 | 49,739,268.01 |
| 1891 | 1,281,110,524.41 | 52,133,063.63 |
| 1892 | 228,977,460.78 | 54,039,830.45 |
| 1893 | 1,174,937,630.33 | 56,016,337.24 |
| 1894 | 1,118,921,293.09 | 58,065,134.78 |
| 1895 | 1,060,856,158.31 | 61,202,717.80 |
| 1896 | 999,653,440.51 | 63,105,553.43 |
| 1897 | 936,547,887.08 | 65,074,446.69 |
| 1898 | 871,473,440.39 | 67,104,769.43 |
| 1899 | 804,368,670.96 | 69,198,438.23 |
| 1900 | 735,170,232.73 | 71,357,429.51 |
| 1901 | 663,812,803.22 | 73,583,781.30 |
| 1902 | 590,229,021.92 | 75,879,505.28 |
| 1903 | 514,349,426.64 | 78,247,038.67 |
| 1904 | 436,102,387.97 | 80,688,346.26 |
| 1905 | 355,414,041.71 | 83,205,822.67 |
| 1906 | 272,208,219.04 | 85,801,844.34 |
| 1907 | 186,406,374.70 | 91,903,645.34 |
| 1908 | 94,502,729.36 | 94,502,729.36 |
| Total | | 1,474,034,605.78 |

I repeat that if the appropriations are made which have been estimated for the ordinary expenses of the Government for the next fiscal year, and only $12,213,470 are appropriated for rivers and harbors, no provision made for deficiencies of the last year or the previous year, and the sinking fund provided for, the actual surplus will be only $56,469,206.74. Now, what is the condition of the Treasury? I hold in my

hand a statement of the assets and liabilities of the Treasury of the United States, November 30, 1887, from which I find that the aggregate amount of assets was $623,457,535.90. I have no means of comparing this with the condition of the Treasury on the 30th of November, 1886, but I have a statement before me of the condition of the Treasury on September 30, 1886, and can compare the condition of the Treasury on the 30th of last month with its condition fourteen months previous, and I find that on the 30th of September, 1886, the Treasury assets were $517,388,900.20, which gives an increase of $106,068,634.89.

This increase mainly consists first of $6,471,176 gold held for the redemption of gold certificates. That is to say, the amount of outstanding gold certificates on the 30th of November, 1887, was that much greater than on the 30th of September, 1886. Also of $72,239,022 silver held for the redemption of silver certificates, that being the increase of the silver certificates for the same period. Also of $22,909,778 of the "fund held for the redemption of notes of national banks failed," "in liquidation," and "reducing circulation." So that the principal contraction of the currency during that period, shown by this statement, is the amount of $22,909,778, the additional amount on deposit for the redemption of national-bank notes on the 30th of November last over the amount on deposit fourteen months before that date.

I also find that the amount of the available balance in the Treasury on the 30th of last month was $55,258,701.19; assets not available, minor coin, and fractional silver coin, $24,208,274.11, or a total of $79,466,975.30. This is a decrease over the available balance fourteen months before. The available balance September 30, 1886, was $72,913,141.26; not available, minor coin, and fractional silver coin, $27,142,634.52, or a total of $100,055,775.78.

In considering any proposition to reduce the revenue it ought to be borne in mind also that important subjects of national concern are being pressed upon the attention of Congress, the proper disposition of which will create new and large demands upon the Treasury. There are other important objects, national in their character, and of great urgency, for which largely increased appropriations are demanded by every principle which should control the action of Congress. Among these is the improvement of rivers and harbors. Congress, under the commerce clause of the Constitution, has power to regulate interstate commerce. It has assumed jurisdiction over the navigable waterways of the country to remove obstructions, to authorize bridges, and to determine what works shall be made for the improvement of navigation. It is the settled doctrine now that Congress may provide for the improvement of harbors in the interests of foreign commerce, and for the improvement of our rivers, including rivers wholly within the boundaries of a State, the commerce of which helps to swell the great volume of interstate and foreign commerce, by appropriations from the Federal Treasury.

In my judgment this power of Congress is coupled with a duty to the States and to the people of the States to exercise it. When the earlier appropriations were made for river and harbor improvements there was a diversity of opinion as to the power of Congress on this subject, and many eminent statesmen denied the power of Congress to appropriate money for the improvement of rivers. Other statesmen, equally eminent, maintained with great vigor and ability that Congress could rightfully exercise such power.

The amounts which were appropriated in the early years of our history, when our commerce was small and confined to the Atlantic coast, and when the condition of our Treasury would not justify large appropriations, ought to be no criterion by which to determine what appropriations shall be made to-day, when civilization has spread across the continent and when our system of interstate commerce by rail and by water extends over our entire territory from the Great Lakes to the Gulf and from ocean to ocean. The amount which has heretofore been appropriated by Congress for the improvement of rivers and harbors is insignificant compared with the magnitude and importance of the work. I had occasion to examine the matter during the recess of Congress and I found that the total amount heretofore appropriated for such purposes is about $160,000,000. Prior to 1867 there were only four years in which the appropriations amounted to $1,000,000, and out of sixty-one bills appropriating money for that purpose there were but nineteen in which the aggregate of the appropriations exceeds a million dollars.

The amount appropriated by Congress is small compared with the amount which is appropriated by the principal foreign nations for the purpose of improving their rivers and harbors. France has 1 mile of railroad for every 11 square miles of territory. We have 1 mile of railroad for every 29 square miles of territory; and yet, while we have appropriated altogether only $160,000,000 for the improvement of our great waterways, France, having before appropriated more than that amount, recently, in a single budget, as I am told, made provision for expending $175,800,000 for canals and the improvement of rivers and harbors.

Germany has 1 mile of railroad for every 9 square miles of territory; and yet, pursuing the same enlightened and liberal policy in regard to rivers and harbors as France, she appropriates annually more for the improvement of rivers and harbors than has ever been advocated by the most enthusiastic advocate of river and harbor improvements in this country.

The estimate of the amounts which could be economically expended in the improvement of rivers and harbors for the year ending June 30, 1887, by the local engineers was over $45,000,000; these estimates were reviewed and cut down by the Chief of Engineers to about $30,000,000; and yet Congress undertook to appropriate last year less than $10,000,000 by a bill which did not receive the Executive sanction. Was there any good reason why the full amount recommended by the Chief of Engineers should not have been appropriated? I assert not only that there was no good reason, but that upon every principle except one, and that one that Congress ought not to appropriate money at all for rivers and harbors, the action of Congress was wasteful and wrong.

The PRESIDENT *pro tempore*. The Senator will pause. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business of yesterday, being the bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. ALLISON. I ask the Senator from New Hampshire to consent to let that bill stand aside informally for the present.

The PRESIDENT *pro tempore*. The Senator from Iowa asks unanimous consent that the unfinished business may be informally laid aside, retaining its place. Is there objection?

Mr. BLAIR. I have no objection.

The PRESIDENT *pro tempore*. The Chair hears no objection. The resolution remains before the Senate.

Mr. DOLPH. I was about to say that the cost of river and harbor improvements, the cost of supervision, and the cost of plant, is greatly increased by small appropriations, and that there is always a great loss from deterioration of the work while it is suspended for want of money. I was told recently by a gentleman that a member of the Mississippi River Commission had stated to him that the damage to the plant and to the work on the Mississippi River by reason of the stoppage of the work for want of funds would be equal to the amount which would have been received for that improvement had the bill that was passed at the last Congress been signed by the President.

I am not informed what the amount of the estimates made by the local engineers for rivers and harbors for the next year is. But, as I have said, the Chief of Engineers has estimated $40,041,998.77. Is there any reason why that amount should not be appropriated? If we can not rely upon the engineers who have charge of these works as to the amount which can be expended and the amount which should be appropriated, upon whom can we rely? I undertake to say that every member of this Senate knows that at least the amount estimated as required for the works in progress by the Chief of Engineers should, as a matter of economy, be appropriated for that purpose next year, and that $40,000,000 appropriated in one bill would go as far in carrying on the works as $80,000,000 would appropriated in annual installments of $10,000,000.

Then, again, large appropriations render it possible to make contracts for the work, and it goes without saying, I think, that public works or private enterprises can be much more cheaply carried on by contract than by day's work.

Now, while there is money in the Treasury applicable to the purpose, and while we have time for proper and deliberate consideration of the plans and the manner of executing the work, provision should be made for the defense of our seacoast. The question of seacoast defense is rapidly becoming an absorbing one in the United States. The danger is too great and too imminent for Congress to delay longer in making some provision for the commencement of the work.

The story of our coast defense, which has so often recently been brought to the attention of Congress, may be told in a few words. Such improvements and inventions have been made within the last quarter of a century in the means of offensive and defensive warfare, that our guns, our forts, and our ships, which twenty-five years ago compared favorably with those of other nations, have become worthless for defense. Since the close of the war we have devoted our energies to the development of our means of internal transportation and to paying our war debt, and have made no progress in the matter of coast defenses, while other nations have been experimenting with guns, projectiles, explosives, and armor, and have provided themselves with fortifications of modern type and modern navies. The result is that our seacoast from the St. Croix to the Rio Grande, and from Mexico to British Columbia, with our important seacoast cities and our great and growing and important coastwise commerce, is entirely defenseless.

Is this condition of things to be allowed to continue? I hear no one proposing such a course. On the contrary, from the Legislatures of the States and Territories, from political conventions and other conventions of the people, from boards of trade and representative bodies everywhere throughout the length and breadth of our land, and from the public press, comes up a demand to Congress now, while the money is in the Treasury, and before we cut off the sources of revenue, to provide for the fortification of our seacoast.

The Senate at the last session passed two bills, one of them authorizing the Secretary of the Navy to contract for steel for modern built-up steel rifles for the Navy; another authorizing the Secretary of War to make a similar contract for steel for guns for the Army, and appropriating money to commence fortifications; but they received no consideration in the other House. Can it be that the most popular

branch of the National Legislature is opposed to fortifying our coast, or are they afraid to intrust the Administration with the expenditure of the money necessary for that purpose?

The board on fortifications and other defenses have recommended an appropriation for the first year of $21,500,000 for this purpose. Can any one give a good reason why this sum should not be appropriated and the commencement of this work provided for before we cut off our revenues and leave ourselves without the funds required for coast defenses?

While the leading nations of Europe have been, by subsidies and by liberal compensation to their steam-ship lines for carrying their foreign mails, building up their foreign commerce, establishing speedy and certain communication with every country which promised a profitable trade, our Government has done nothing, and our ship-owners have been unable to compete with the cheaper iron and cheaper labor of Great Britain in ship-building and with the subsidized steam-ship lines of other countries, and, as a consequence, we have lost our share in the foreign carrying trade. I think every one will admit that something should be done to restore our merchant marine.

We have a surplus of manufactured products which other nation need. We have facilities for indefinitely increasing it. New foreign markets mean increased manufactures, more work and better wages for our working men. The essential means for securing additional foreign markets is the same as that which has been adopted by other countries—speedy, certain, and regular communication by means of transportation lines owned and manned and controlled by citizens of the United States interested in extending our commerce and carrying the American flag to every country with which we would establish and foster a foreign trade. Two and a half millions of our surplus revenues could be profitably expended for the purpose of placing our citizens upon an equality with the citizens of Great Britain, France, Germany, Belgium, and Italy, whose capital is invested in the foreign carrying trade, and there ought to be annual appropriations for the purpose of aiding steam-ship lines between the United States and the countries of South and Central America, and China, and Japan, until such steam-ship lines establish a business by which they will be able to compete with the subsidized lines of other countries.

There are other directions in which a portion of the surplus revenues could be economically expended. The Government is annually paying in this city and in many other places throughout the United States large sums for the rent of buildings for the accommodation of the public business. From the fact that the national bonds are exempt from taxation, and for other reasons are a favorite form of investment, the Government can borrow money cheaper than any citizen, and it ought to be able to erect and maintain public buildings cheaper than its citizens. There are places where the Government has no building now for the accommodation of its business, and other places where the accommodations are inadequate, in which public buildings might be economically erected, and the expenditure of the money would be of great benefit to the people.

Congress at the last session passed a bill which has been already referred to during this discussion, known as the dependent-pension bill, a measure for the relief of the veterans of the Union Army, the men who by their valor and their sacrifices, when the fate of the nation hung upon the arbitrament of battle, saved the Union—a measure dictated alike by justice to them and by the patriotic sentiment of the country. It is to be hoped that before Congress adjourns that bill will become a law, and from five to seven millions of the surplus in the Treasury provided for.

The Senate has twice, at least, passed another bill, known as the Blair educational bill, a measure dictated alike by motives of self-preservation and wise statesmanship, the merits of which I will not stop to discuss, but it has failed to receive consideration in the House of Representatives. If that bill should become a law provision will have been made for $7,000,000 of the surplus for the first year and an increased amount thereafter.

There has been for the last two years virtually no appropriation made for the survey of the public lands. There ought to be for some years to come from half a million to a million dollars appropriated to extnde the public surveys. The Government invites its citizens to go upon the public lands and become settlers under the pre-emption and homestead laws, and it is bound in good faith, within a reasonable time, to survey their claims, to establish their boundaries, and to enable them to secure titles to their lands. Instead of there being obstacles placed in the way of the settler in obtaining his title, every facility should be afforded him.

The Government is the great land-owner. It owns vast tracts of land which are worthless without irrigation. Some portion of the surplus ought to be expended in experiments to ascertain if water can not be obtained for the irrigation of these desert lands, and, where water can be had in sufficient quantity, stored in reservoirs and utilized by canals, the Government might, with economy and profit, aid in the reclamation of desert lands.

A proper estimate of the value of our Pacific possessions, of the possibilities of our trans-Pacific commerce, and of the international importance of the project on the part of legislative and executive departments of this Government would ere this have secured the commencement of the Nicaragua canal, and that would have created a demand for fifteen or twenty millions more of the surplus for some years to come.

In short, sir, if we were to take our eyes off the increasing surplus in the Treasury and stop bemoaning the prosperity of the country, and trying to make the people dissatisfied with an alleged burden of taxation which they do not feel, and to devote our energies to the development of the great resources which the Almighty has placed in our hands, to increasing the products of our manufactures, of our shops, of our farms, of our mines, and our forests, to cheapening transportation by the improving of our rivers and harbors, and to restoring our foreign commerce, we would act wiser than we do.

As I attempted to show at the outset, the surplus in the Treasury is not nearly as large as is frequently claimed, and against the surplus which would remain in the Treasury after providing for the sinking fund if the appropriations estimated for by the Secretary of the Treasury were made, I would offset the difference between the amount recommended by the Chief of Engineers for rivers and harbors and the amount estimated by the Secretary of War, $27,828,528.77. I would appropriate for fortifications the amount recommended by the board on fortifications and other defenses, $21,500,000; for the restoration of our foreign carrying trade, the building up of our merchant marine, not less than $2,500,000; for surveys of the public lands $500,000; for public buildings for some years to come not less than $10,000,000; annually for dependent pensions $7,000,000; the Blair educational bill $7,000,000, making a total of $76,328,528.77, leaving a deficit of nearly $20,000,000, and that without making any provision for the deficiency of last year or the year before.

Mr. President, I have suggested several objects to which the surplus in the Treasury might be properly devoted. I do not expect that Congress will do anything half so meritorious as appropriating the amount recommended by the Chief of Engineers for rivers and harbors, or the amount recommended by the board on fortifications and other defenses for the fortification of our seacoasts; and I fear that the dependent-pension bill, and the Blair educational bill, at the close of the present Congress, will be no nearer becoming laws than they were when the last Congress adjourned, and I do not expect that Congress will make the appropriation that I advocate for the restoration of our merchant marine. If we can not spend the surplus revenues for these great and necessary objects of national importance, of course the accumulation of the surplus must be stopped; but what sources of revenue shall be cut off or diminished is a question upon which we are not agreed, and which I will not discuss to-day.

Mr. VEST. Mr. President, the Senator who has just taken his seat in the close of his remarks expressed great solicitude that the American flag should be again seen upon the ocean, and announced that he was for building up the American merchant marine. There is a bill pending in this Congress now, offered by the Senator from Pennsylvania [Mr. CAMERON] on behalf of the Red Star Line of Philadelphia, a corporation a large majority of whose stock is in the hands of American citizens who propose in this bill to purchase the last dollar of outstanding stock before this legislation shall be had from Congress, who ask the poor privilege of putting sixteen of their steamers, built with their money, under the American flag in order to carry it to foreign ports. I undertake to say that not one single Senator on the other side of the Chamber will record his vote in favor of that bill. It was reported from the Committee on Commerce at the last Congress.

We have removed a great many of the disadvantages under which the carrying trade of the United States labored. The Senator from Maine [Mr. FRYE] and myself labored together in that behalf, and we have finally brought the law to the condition that an American citizen can sail his vessel under the American flag as cheaply as under that of any foreign nation. Under the navigation laws, under the statutes as they stood before this amendment, no American citizen could bring a foreign-bought vessel under the American flag for any purpose whatever, and under the statutes before this amendment the difference in expense and cost of sailing a vessel under the American flag was so much against American citizens that they were driven to put their vessels under the flags of England and Germany and other nations. After we made this amendment the manager of the Red Star Line came with this bill, claiming that that line could not afford to build vessels in the United States on account of the difference in the cost between building on the Delaware and on the Clyde, but the law had been amended so that he could now sail these ships as cheaply as under the British flag, but he asked the poor privilege of putting the American flag over these sixteen steamers owned by that company.

The Senator from Oregon will not vote for the bill, with all his solicitude for the American merchant marine. He will say by his vote deliberately to these American citizens, "You shall not put your property under the flag of your own country; you may put the American flag over these ships in a foreign port, and you may sail them between foreign ports, but you can not touch American soil with the emblem of your own nationality upon your own property." Why is this? It is because our friends on the opposite side of this Chamber do not propose to touch these infamous navigation laws for fear they may break the solemn compact they have made with the protected industries of this

country by tariff taxation. They do not propose to give any American citizen this privilege for fear that a crevasse may be created in the long line of protected industries under the tariff which will result in a deluge.

Mr. President, we have heard a great deal about the river and harbor bill. I stand here to-day to say that a more unjust, a more unreasonable charge was never made against any Chief Executive than that which has been repeated often in the press and from the hustings of this country against President Cleveland because he vetoed the last river and harbor bill, and the charge is made by Senators who do not know, or who do not care to know, what the facts were in regard to that legislation. The bill came to the Senate from the House of Representatives appropriating $11,000,000 for rivers and harbors. It came before the Committee on Commerce, of which I am a member. I called attention then to the fact that the reports of the Bureau of Engineers, then lying on our table, showed that at that very time $10,000,000 was in the hands of the bureau, not one dollar ofwhich had been expended, from the preceding year's appropriations, and when we passed the bill, not for $11,000,000 but $14,000,000——

Mr. PLUMB. Will the Senator from Missouri permit me to ask him why the money was not expended?

Mr. VEST. Yes, I will tell the Senator what has been the result in regard to certain appropriations, speaking from my service of ten years upon the Committee on Commerce. It resulted from the fact that the Bureau of Engineers for one reason or another declared that they were not able to expend the appropriations during the current year, either from neglect or for some other reason, I do not pretend to say what. It has been the practice of the Bureau of Engineers to come in and make estimates, as the Senator from Oregon has just stated, of thirty or forty or fifty million dollars for public works, and they have made them because they said that they knew Congress would cut down the appropriation to one-third or one-fourth the amount they asked for, and then, when we have made these appropriations at their suggestion, instead of carrying on the works, they, as in the instance I have just mentioned, allowed the public money appropriated to rivers and harbors to lie idle and then come to Congress and ask for $30,000,000 more.

Mr. PLUMB. Has not the President of the United States control of this matter? Does he not control the Army?

Mr. VEST. The President of the United States has no more control of the matter, practically, than if he did not occupy that position at all. How can he supervise the expenditures on our rivers and harbors and see where the money is expended? Is he to perform the detail duties of this entire Government? Is there to be no intermediate? Are there no instrumentalities to be used? The Bureau of Engineers under the practice and under the law has this money in its control, and it refuses or fails to expend it, and then comes to Congress and asks for another appropriation of twenty or thirty million dollars, and when we have passed a bill appropriating it what does the President do? Just like any other practical and honest and sensible business man would do, he says, "I will not sign this bill when it is evident you have $10,000,000 on hand, which you have not been able to expend, out of the last year's appropriations."

I am very much astonished to hear these charges from my friend from Kansas. If any argument were needed for a Christmas recess his speech would furnish it. He needs new Christian influences from the great anniversary of Christendom which celebrates the natal day of Him who said, "Do unto others as you would that others should do unto you," and "Peace, good will toward men."

The Senator deprecates the fact that the President did not sign that bill and put in circulation some $14,000,000 among the people, yet I well remember when we reported that bill from the Committee on Commerce the most bitter attacks upon it, the most excruciating ridicule, the most terrible sarcasm came from my honorable friend from Kansas. He took it up by sections and in the aggregate; he ridiculed it; he denounced it; he voted against it. Why did not my honorable friend, by his vote, help to put $14,000,000 in circulation amongst the poor people of the country? He opposed our bill, and it would seem by the most ordinary rules of consistency that he should approbate what the President has done in regard to it.

Now, sir, my friend from Kansas has seen proper to allude to me in connection with the national banking system. I had no idea that he would discuss the national banks, or the appropriations that were expected to be made by this Congress, upon a resolution to adjourn for the Christmas holidays. Let me say to that honorable Senator that I have never denounced the national banking system in its service as a legitimate banking scheme. I have never said one word against national banks as banks of deposit or exchange. I have denounced, and I will denounce as long as I remain in public life, that feature of the national banking law which gives to them the power to expand or contract the currency of this country at their own will.

I would not give to any corporation, to any individual or any association of individuals that could be selected on the face of this earth the enormous power which is given to the national banks of this country by existing legislation. That I have denounced; that is the feature of the national banking law which I have opposed—the right of these institutions to curtail their bonds or buy more and expand or contract the currency of the country for their own purposes. I would not give that power to any human association, much less to a set of men whose business it is to make money, and who finally, no matter what may have been their original intent, find all their aims and purposes confined to their own interests.

The Senator from Kansas says that the President of the United States has lent himself to the purposes of speculators in Wall street; that he has gone into the market and purchased bonds in order to meet the purposes of men who were speculating in the business of the country.

Mr. President, I recollect in 1881, when the representatives of the people undertook to fund the maturing indebtedness of this country at a lower rate of interest, 3 per cent., the week's discussion that we had here. Then, indeed, the corridors were crowded with speculators, bank presidents, bank cashiers, bank stockholders, threatening, cajoling, and using every sort of instrumentality in order to defeat the proposed legislation. We thought that the national banks were the fiscal agencies of the Government; we thought we had a right to use them for the purpose of reducing the rate of interest on the public indebtedness and bringing it down to 3 per cent. After they had exhausted every other means and every other argument, they said to us, "Pass this bill and we will precipitate a panic in Wall street; we will strike down the securities of the country; we will show you that the Congress of the United States has not all the power in this country; that there is something else to be considered. If you pass this bill we will strike a blow at the financial condition of this country that will reverberate from ocean to ocean." We passed the law, and received a veto message from Mr. Hayes, in which he said that the national banking system must be protected; that 3 per cent. was too low a rate of interest; and yet the same bonds were afterwards funded at 2½ per cent. The national banks of the United States, instead of assuming this burden in common with their fellow-citizens, after the bill was passed, in forty-eight hours struck down the money market in New York, precipitated bonds, more than $25,000,000 in a single hour, ruining thousands of men on account of that action. I heard no dissertation then about the President, I heard nothing said then about a combination between the Chief Executive and the speculators. On the other hand, our friends on the other side of this Chamber supported that veto and the bill failed to become a law.

Mr. PLUMB. The bill never came here after the veto. It failed in the House of Representatives.

Mr. VEST. Very well; it failed, and failed by the votes of the Republican party.

Another word, in regard to the Indian land question, and I am done. I feel on that subject somewhat like the Senator from Kansas, but I do not understand the facts as he does. He says that now there is no disorder in regard to land in the Indian Territory. I read but this morning that already lawless men were gathering on the border of that Territory to invade Oklahoma, and the Senator knows and I know that the real reason why the President of the United States did not appoint those commissioners was on account of the unsettled and lawless condition of that country at the time, and the additional fact that the Indians, in advance of any approach on the part of the United States to purchase whatever interest they had in those lands, declared that they would not consider such a proposition at all. Without waiting to be approached, without waiting for any advance, they declared to this Government that they did not propose to give up such right as they had, whether it was vested or inchoate; that they intended to stand where they have stood for the last thirty years, upon their treaty stipulations, without dealing with the Government on this question in any way whatever.

I shall not allude to what has been said in regard to the purchase of bonds in open market by this Administration. The Senator from Kentucky [Mr. BECK] has already explained it.

I want to say now, without detaining the Senate further, that the message of the President of the United States has defined, and sharply defined, the issues between the two great parties. For one I indorse that message from beginning to end. I am prepared to go into the canvass upon it, and whatever the result may be, I say now publicly, as I shall say everywhere, if the President of the United States has done nothing else he has proven himself to be an honest, brave, patriotic Executive, and one worthy the leadership of any party that has ever existed in the history of this country.

Mr. PLUMB. Mr. President, the Senator from Kentucky [Mr. BECK] and the Senator from Missouri [Mr. VEST] have, I think, avoided as far as possible the issue that has been presented.

So far as the Senator from Missouri is concerned and the action on the bill of which I spoke, we happened to be together. It was not the Senator from Missouri or the Senator from Kentucky, but the Administration that I spoke of, and I spoke of the actions of the Administration as in contrast with that which those Senators in common with their colaborers on that side of the Chamber have been advocating; and it has always been a matter of wonder to me that such public-spirited gentlemen have not found it consistent with their public duty to criticise the action on the part of their own Administration which they so freely criticised and denounced on the part of Republican administrations.

Mr. President, the charge as to the vicious character of fiscal legis-

lation enacted while the Republican party was in power comes with poor grace from the Democratic party. They have had the House of Representatives ever since 1874, except for one single term of two years; they had the Senate for two years, 1879-'81, and during that period of time had the whole legislative power of the Government. You may search the records of Congress in vain for any serious proposition made from any Democratic quarter to amend, alter, repeal, or seriously modify a single one of all these acts which they so freely denounce. The Democratic party sat in silence self-convicted upon this issue during all these years of their legislative power, during which time they made no effort whatever looking to the repeal of any of the legislation which had been enacted in the days of Republican power. Mr. Cleveland's administration has not even recommended any changes in the sinking-fund or other fiscal acts, which would make them less obnoxious to the charges made by the Senator from Kentucky. Republican legislation may, therefore, appeal to the Democratic party for vindication.

I differed with the President (Mr. Hayes) who vetoed the bond bill of 1881. I voted for the bill and would have voted cheerfully to have carried it over the Presidential veto. Whatever of subserviency that veto may have manifested to the national banking interest of this country, it remained for a Democratic President to make the president of a national bank his Secretary of the Treasury. It remained for the Treasurer of the United States under a Democratic administration, himself a cashier of a national bank, to so juggle the returns of the Treasury Department as to subtract nearly $30,000,000 of current assets from the list of available funds, and thereby make an excuse for not paying the national debt to that extent. It was that same president of a national bank, as Secretary of the Treasury, who recommended that the greenbacks be retired, and that to the national banks which my friend from Missouri characterizes so now be committed the privilege of supplying the country with currency.

No Republican administration ever made the president of a national bank Secretary of the Treasury, and no Republican administration ever made the cashier of a national bank Treasurer of the United States. No Republican administration ever depreciated silver coin by publishing it in official Treasury statements as unavailable for the payment of the public debt with, as this Administration has done, and does every time it makes a debt statement; and no Republican administration had such distrust of the solvency of the Treasury that it went into the money market and bought ten millions of gold in order to strengthen the reserve. That is what this Democratic Administration did in the early days of its incumbency, notwithstanding the large and dangerous Treasury surplus.

Mr. President, in casting doubt upon the validity of the legislation requiring the purchase of bonds out of surplus funds, and which he did not wish to execute, the President is attacking his own official family. That legislation was reported from the Finance Committee of the Senate by the gentleman who is now his Secretary of State as a separate bill. Because it could not go through as a separate bill, it went, by unanimous consent, into an appropriation bill in the precise terms in which that Senator, now Secretary of State, reported it. The President could have had ample advice as to the true intent and meaning, and the continuing authority of that legislation which Senator Bayard had reported to the Senate, and secured the passage of, by inquiring of this member of his official family.

Mr. MCPHERSON. Will it materially interfere with the Senator if I ask him a question in this connection?

Mr. PLUMB. Not at all.

Mr. MCPHERSON. I do not intend to engage in the discussion at this time, but I should like to ask the Senator from Kansas to tell the Senate in a plain, straightforward manner what has been the custom of legislation, both in the House of Representatives and the Senate, touching riders on appropriation bills. Have they not been more particularly construed by reference to the peculiar circumstances that existed at that particular time and to which the legislation was supposed to apply?

Let me illustrate it in this case. In the year 1881 there was outstanding in the neighborhood of four hundred and fifty million of 3 per cent. bonds, upon which there was no premium in the market. The case as it stands to-day reveals the fact that we have seven hundred and fifty million of bonds, upon which there is a large premium in the market. In 1883 we reduced, as we supposed, the tariff. The Tariff Commission investigated in 1882. In 1883 the tariff, as we supposed, was very materially reduced, thereby continuing the 3 per cent. bonds for a longer period of time. The surplus, which it was proposed to reduce by a rapid payment of the bonds, was to continue somewhat, because the process was expected to be delayed. Here was a rider put on an appropriation bill in 1881, which was to cover any surplus in the Treasury that might exist at that time, which was intended to apply, and which could only apply, to the bonds that were then within the power of the Government to call. Now, I submit the injustice of the criticism the Senator makes on the President of the United States when he says it is the duty of the Executive to pay this high premium on bonds with the surplus in the Treasury, the President avowing that he does not think there is a full exercise of his discretion in the law which was attached as a rider to an appropriation bill; but under the act of 1862, which is a positive act and a positive exercise of power in the President, he does apply seventeen millions to the sinking fund.

Now, the Senator from Kansas will bear with me a moment more. He was a member of the Senate, as I think, at that time, and a member of the Committee on Appropriations, and when he voted for that rider in the appropriation bill—for we are in the habit of calling such legislation riders to appropriation bills—he certainly did not intend to confer upon the President of the United States, the then President or any succeeding President, the power to pay 25 per cent. premium on bonds, the most extraordinary power that has ever been conferred upon a Secretary of the Treasury since the organization of this Government. If it were conferred to-day by legislation it would be that very same legislation that appears in the appropriation act of 1881, and there is not a gentleman upon that side of the Chamber who will to-day confer upon the present Secretary of the Treasury or any Secretary of the Treasury the power to go into the market to bull or bear, as the case may be, the bonds of the United States. Not one of you would vote for such a bill to-day; and to undertake to say that that is a continuing power or was intended to be a continuing power after the redemption of the 3 per cent. bonds is perfectly absurd. The President of the United States has not exercised any such power. The Secretary of the Treasury avows that he does not think it a power that ought to be conferred upon the Secretary of the Treasury or any officer of the Government; and he has not exercised it.

Now, one word more, if the Senator will bear with me. He finds fault with the Secretary of the Treasury for leaving the money in the hands of the Government depositaries. Well, that may be a special power, but at the same time that power exists, and the Treasury is amply secured by a pledge of United States bonds, not at the premium at which it is proposed the President shall buy the bonds for the purpose of getting the money into circulation, but on bonds at par the loan is made.

The Senator has made——

Mr. PLUMB. I yielded to the Senator for a question. I had just got fairly started in what I had to say.

Mr. MCPHERSON. There is one other point I wish to speak about and then shall yield the floor.

Mr. PLUMB. I can not yield further.

The PRESIDING OFFICER (Mr. MANDERSON in the chair). The Senator from Kansas has the floor. Does he decline to yield further?

Mr. PLUMB. I decline to yield further. I yielded for a question. The Senator will have ample time after I conclude to make a speech.

Mr. MCPHERSON. Will the Senator answer my question? Will he vote for such a bill?

Mr. PLUMB. I voted for the provision under consideration, as the Senator from New Jersey did, and as the members of the President's Cabinet did. I do not know of any difference in regard to the duty of obeying a provision of law found in an appropriation bill and one that is found in some other bill. The provisions under which silver certificates are issued were enacted in appropriation bills. I never heard that the President thought there was any question as to his duty to carry out these provisions of law or that they were temporary in character. Important provisions in relation to our dealings with Indian tribes are found in appropriation bills. The Army of the United States was reorganized at the close of the war by means of legislative provisions inserted in an appropriation bill. The organization and military code thus created exist to-day.

It is a new thing to me to have anybody say that a law is lacking in force because it happens to be found on some particular page of the statute book, or in some particular conjunction. The President has already obeyed this law to the extent of purchasing the amount of $17,000,000 of bonds under it. If good for $17,000,000 it is good for the whole $140,000,000. It was framed to meet such a contingency as has arisen. The Senator from New Jersey, with all his wisdom, did not anticipate so early a payment of the 3 per cent. bonds; but they have been paid and the next resource is the purchase of bonds which the act provides for.

It is the duty of the President to obey it, and however much declamation there may be about the unwisdom of paying 24 per cent. or any other per cent. premium for bonds, there can not be any doubt about its being a wiser exercise of power than it is to give the use of the money to the banks who pay nothing to the Government. In the one case the Government saves 2½ per cent. on every dollar that it invests in its own bonds; in the other case it gives the whole of it to the banks and authorizes them to put the screws so much the tighter on those who are obliged to borrow from them. If the money can not be made use of by the Government in any other way, give it back to the people directly, rather than send it without interest to the banks.

Now, Mr. President, the fundamental proposition is this: that the Treasury is collecting a sum of money, about ten millions a month, beyond its needs, that the people require that this money be paid back to it every week, or every month, as fast as it comes in; that by reason of the non-payment of this money back into the channels of trade, business has come to a standstill in certain portions of the country, and everywhere there is sluggish business, high interest, grave apprehension, by reason of the enormous contraction of the currency brought

about by the Treasury policy. I am dealing with the present, and not the prospective condition of the Treasury surplus. Cutting off further accumulation will not dispose of the money on hand. This is the pressing affair.

The President, for the purpose of making a point against the tariff, apparently, says, "I will not carry out this law, and thereby dispose of the existing surplus, but I will run the country to the brink of destruction in order to compel Congress to take up and do with the tariff exactly what I would have them do." He confronts the country with this great peril; he has stopped business in all portions of the country; he has enhanced the price of money to the borrower, the business man; he throws more and more the business of the entire country into the hands of speculators, simply in order that he may compel Congress, under the pressure of this threat of ruin, to act on the tariff from his standpoint. That is the issue.

The Democratic party, here and elsewhere, have taken up the President's cry, "The country is in peril. Nothing but prompt and thorough action by means of legislation to reduce the surplus will avail." It is under these conditions that Congress has met; and the first thing, instead of a bill to reduce the revenue, is a resolution to take a two-weeks recess. Meanwhile the surplus will continue to pile up and the peril increase. Is this what the country had a right to expect, a proper response to the President's message? Is the Democratic party incompetent to deal with this question? I must, in candor, however, admit that something has been done to reduce the surplus, and something proposed to reduce it still further. This Administration increased the expenses of government this year over $25,000,000 beyond those of last year. That much has been taken out of the surplus; and I have in my hand a joint resolution which has passed the House of Representatives at the present session, and which is to be all the legislation we are to have of a financial character until after the holidays, an entire month. Meanwhile the peril, the responsibility for which the President has put upon Congress, is to continue. The response of the House to the lurid statements of the President is found in this joint resolution to pay a month's extra wages to a lot of House employés who, in the effort of the Democratic majority to make pegs and holes correspond, are to be turned out of office shortly.

The Democrats found out pretty early that they had not offices enough to go around, and they have adopted a device of taking in one set and turning them out with a month's pay, and then taking in another set, and so on. Here is this resolution passed by the House of Representatives the 19th day of the present month:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That all officers and employés of the House who were employed on the 5th day of December, 1887, and who have ceased or who shall, prior to the 1st day of January, 1888, cease to be so employed—

A polite phrase designed to cover the political exigency—

shall be paid a sum equal to one month's pay at the rate they were severally receiving on the 5th day of December, 1887; and an amount sufficient for this purpose is hereby appropriated out of any money in the Treasury not otherwise appropriated, and the same to be immediately available.

That is the response of the House of Representatives to the President's message—no committees, no legislation, nothing but chaos, and a resolution to pay Democratic political debts out of the Treasury. The whole Democratic party will go in procession on and off the House force to get this one month's pay. This year there are one hundred and forty-odd of them turned out and voted a month's pay, and next year one hundred and forty new ones will come and the old ones move out, get a month's pay, and so on.

Thus, in due time, the entire party—that is to say, if something does not happen to them next year—will actually get their hands into the public Treasury. They have been hankering after it, lo, these many years. They had a hunger which could not be satisfied with the offices and emoluments which sufficed for the Republicans. So they have created some hundreds of new places, increased the salaries attached to the old places, and, their resources being exhausted, they have adopted the month's pay device to take care of the remainder of the hungry horde, thereby reducing the surplus, but carefully putting the reduction into the party pocket.

That is the response of the House of Representatives to the message of the President. Abandoning all consideration of our foreign affairs, taking no account of any other thing in the wide horizon supposed to be swept by the Executive vision, he simply dwells on the surplus in the Treasury and the necessity of reducing it, and the House of Representatives comes back with a proposition to give every member of the Democratic party a month's pay. That would reduce the surplus, and that, I think, is just about as serious, probably, as the action of the House will be when they get further on. At all events, this is what the Democratic House, the one immaculate body that never errs, which represents the high tide of Democratic sentiment this country through, has to say about this very important question, the sole topic of the President's communication to Congress.

I do not care about the partisan aspect of this controversy. I do care that the business of this country shall not be interrupted in order to make capital for or against any plan of revising the tariff or reducing the surplus. I do care that the volume of currency, already too small, shall not be diminished by 10 per cent., and that the President of the United States, in order to diminish it, shall not deliberately violate the law that he has sworn to maintain and to execute. And I think the Senator can afford to set a good example of devotion to public interests by refusing to adjourn and by insisting on going ahead with the important business of the session.

Mr. TELLER. Mr. President, if the President of the United States is to be the guide, Congress meets every two years under the impending shadow of a great disaster. One thing terrifically dangerous is about to happen, and the whole business of the country is to be upset and destroyed if some pet scheme of this Administration is not immediately adopted by the National Congress. Two years ago we came together with fright depicted on the countenances of a great many public men and absolute terror in the executive department of the Government with reference to the question whether we should continue to coin $2,000,000 of silver a month or whether we should stop that coinage. Nay, the Administration did not wait till it got into power; the President from Buffalo, contrary to the usual custom of Executives, issued a proclamation to the people, and more particularly to the House of Representatives, calling upon them to immediately legislate to avoid this great and impending disaster, to put the question beyond all doubt. I supposed then, and I suppose now, that it was with the view that this Administration might not be annoyed by one of the difficult economic and financial questions of the day.

When we received the message of the President at the last session it dealt largely with that subject. When we got the report of the Secretary of the Treasury it was full of the subject and practically contained nothing else. When we got the report of the Treasurer it abounded in denunciations of the financial policy adopted by Congress in relation to the use of silver. The Comptroller of the Currency and the Director of the Mint shied their castors in the ring and took a little part in this discussion. The whole civilized world was notified that we were on the eve of some great disaster, and the national banks were not slow in taking up the cry and putting in their oar in defense of the policy of the Administration. Then we began a discussion of it in this body and in the other House. No legislation resulted, and the great disaster threatened did not take place. Gold continued to come from abroad to a degree unusual in the history of a commercial people. Silver was dug out of the ground and put into use as money, and when there was a surplus beyond what the Government coined it went abroad. The exports of silver were greater than the imports, notwithstanding the prophecy on the part of the Treasury Department that if we did not repeal the law we should be flooded with silver, and that the gold would go abroad. Since that great impending disaster was threatened and prophesied we have added more than one hundred millions of gold to the hoarded gold in this country. The Treasury Department on the 10th day of this month held $211,880,000 net gold, with only $46,000,000 of silver.

The people abroad who took up these public declarations of the executive department of our Government must have been impressed with the idea that we were novices in financial legislation; that we had no financial capacity or financial ability, and that this country was being run upon a policy which must eventually and very soon bring it to disaster. In the summer of 1885, before Congress met, after the lecture the other House had received from the Executive, and which failed to do anything during that session, we were told repeatedly from high official authority that there was an impending disaster threatened, and that the Government was likely to be disgraced.

In the middle of July, 1885, there was a remarkable gathering of fifty-four national banks which came to the relief of this anti-bank Administration, as the Senator from Missouri would have us understand it is. Fifty-four banks got together in the city of New York, and there was the representative of this Administration, the Treasurer, with no more authority to be there than any private citizen of the United States, representing the Government of the United States in what they professed was its hour of peril, and proposing what they proclaimed to the civilized world as a step necessary to avert a disgrace to the Administration and to the nation. What did they do? What did that convention culminate in? In a loan to the Government of $6,000,000 gold to be exchanged for $6,000,000 of fractional currency, which by a law was exchangeable for greenbacks worth more in the commercial world that day than the gold which they exchanged for the fractional currency. They were careful not to exchange it for silver dollars, but to exchange it for that which was equivalent to gold.

I repeat what I have said before, that in the history of government administration there has never been such a spectacle presented, where one of the financial officers of the Government took part in a convention to proclaim to the world that the Government he represented was in financial distress and in danger of financial disgrace. When that convention met in New York nobody knew better than the Chief Executive and the Secretary of the Treasury and the Treasurer that that was a bald pretense. I use the term advisedly and deliberately when I say it was a bald pretense. It was a fraud on the public, a fraud upon the American people, and a fraud upon the civilized world. There was no necessity for that convention. There was no need of the Government borrowing money of any kind or any class to protect its honor.

At the time when the convention met there were $120,208,895 of gold

in the Treasury of the United States. There were $17,322,310 more of gold certificates in the Treasury belonging to the Government of the United States, equivalent to gold coin, to be received and taken by everybody as gold coin. In addition to that, there were in the Treasury $14,400,000 of national notes, which could have been converted into coin on a moment's notice in the city of New York, certainly within six hours from the time the notice was given. Here was a total of $152,931,205 unused, unneeded, in the Treasury of the United States, besides the silver money, amounting to more than $100,000,000; and yet we were told that those banks had generously come to the relief of the Government of the United States by loaning it $6,000,000, the pay for which they eventually took in the greenback currency of the country.

I said deliberately, with intent, that it was a pretense; and what was it for? To bring about a panic among the people with reference to the issue of the silver dollar; to convince the people that it was a financial risk to continue the coining of two million silver dollars a month. That is what it was supposed would bring the representatives of the people to Executive opinion when they got here in December.

What was the disaster which was to be avoided? That we might avoid paying our bonds in the identical coin in which we had contracted that they should be paid; that the letter of the law and nothing more should be kept in view in reference to our dealing with the bondholding creditors of the Government, and that was all.

We are told that there is a great disaster impending now. It is the most remarkable exhibition in the history of the world (if not in the history of the world, at least in the history of this country), that no other Executive before this time has sent in his annual message dealing with one single question. All the great questions in which the people are interested, outside of the single question of the duties upon imports or the repeal of the revenue laws, have been avoided and left untouched. Our flag has been pulled down from off an American ship, our sailors and seamen have been insulted, arrested, and taken into a neighboring port without, as we think, the authority of law; and yet the President finds nothing to say upon that subject. He reserved himself entirely for this great impending disaster, and what is it? The surplus that is accumulating in the Treasury.

This is the new disaster, the biennial disaster, the disaster which comes in aid of a support to the Executive opinion, the disaster which is presented to frighten the country and to alarm the people into submitting to legislation that their judgment and their cool deliberation will not sanction. What is it? Fifty-five million dollars of surplus in the Treasury of the United States to-day. What a wonderful surplus is $55,000,000!

When this Administration came into power there was some surplus in the Treasury. The outgoing Administration had paid every month, month in and month out, about $10,000,000 towards the reduction of the public debt.

This Administration failed to pay a dollar of the public debt till the following February, they coming into power in March. During the long summer and fall and the early winter they had no money to pay out, with millions lying idle in the Treasury, and it was paid out only when the Senator from Kentucky [Mr. BECK] brought his indictment in this body against the Administration and public opinion compelled the payment of some portion of the $194,000,000 which had been drawing interest for all those eleven months or nearly, to the time when the first payment was made, with money in the Treasury to have paid off, if not all of it, a considerable part of it in the very first week of the Administration.

When this Administration came into power they had in the Treasury of the United States net $127,346,553 in gold. They had of gold certificates in the Treasury $40,426,930 more. Thus on the 28th day of February, four days before the Administration came into power, they had $167,813,483 in gold.

Mr. BUTLER. May I interrupt the Senator from Colorado for one moment?

The PRESIDENT *pro tempore*. Does the Senator from Colorado yield?

Mr. TELLER. Yes, sir.

Mr. BUTLER. I simply desire to inquire what is the question before the Senate.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution of the House of Representatives.

Mr. TELLER. If that is all the Senator wants to know, I will proceed.

Mr. BUTLER. That is what I wanted to inquire.

Mr. TELLER. I do not wonder that the Senators on the other side of the Chamber, who have made this Chamber ring, during every session I have been here for a number of years, with denunciations of the Republican party for its accumulation of money in the Treasury, do not want cold facts and figures. I do not wonder that they rise to say that this discussion is out of time. There will never be a time when they will want to discuss this matter. There will never be a time when the truth will be pleasant to their ears, with reference to this matter, for they know that if this had been an administration they did not help to elect no denunciation could be too severe and no language they could use would be sufficient to express their condemnation of an administration that would thus proceed.

Mr. BUTLER. The Senator certainly will not accuse me of indulging in much stump-speaking. I certainly have not occupied much of the time of the Senate in stump-speaking.

Mr. TELLER. I am not complaining of any interruption the Senator makes.

In addition to the amount of gold I have spoken of, the Administration had seventy-two million and some odd thousands of silver dollars, every one of which might have been paid out by law, by right, upon the then accrued indebtedness of the United States in the shape of bonds, amounting very nearly to $200,000,000. They saw fit to continue to hoard the money in the Treasury, and when we came here in December, 1885, every dollar which had gone into the Treasury, save and except what was necessary for current expenses, had been there accumulated. At that time they had accumulated a considerable amount both of gold and silver, till the total accumulation in the Treasury of the United States amounted then to $287,156,965, which was payable, if they saw fit, upon the debt of the Government.

Mr. MCPHERSON. Will the Senator yield to me for a question?

Mr. TELLER. I will not yield to the Senator to make a speech. If he wishes to ask a question, he can do so.

Mr. MCPHERSON. I wish to ask a single question.

Mr. TELLER. I will not yield for a speech such as the Senator attempted to make when the Senator from Kansas was on the floor.

Mr. MCPHERSON. I remember well when the honorable Senator was at one time a distinguished representative in the Cabinet of a distinguished President. I remember quite well that the policy of that administration, and of all former Republican administrations, was to pay the public debt in the very best money known to the world. What I should like to know is, whether that distinguished member of that Cabinet ever protested against the policy of paying the Government's debt as the Republican party always paid it, and if that is true, why does he criticise a Democratic administration for pursuing the same policy?

Mr. TELLER. I did not protest; nobody protested; the country was satisfied with the payment of the debt by the late administration and its predecessors. They paid it out month by month, not sporadically, not at the demand of Wall street, not at the demand of a bankers' convention, not for the purpose of putting up stocks or putting them down, not in the interest of speculation and the banks, but they paid it off by a system, month in and month out, during the many years that the late administration reduced the public debt, in a manner which has been the admiration and the wonder of the world. I had no occasion to protest, and I only protested when this Administration, for nearly eleven months, never paid a dollar of the public indebtedness, and allowed it to draw interest.

Mr. MCPHERSON. I submit to the Senator that he ought to allow me to interrupt him for a moment just at that particular point.

The PRESIDENT *pro tempore*. Does the Senator from Colorado yield?

Mr. TELLER. I will yield for a question, but I am not going to yield for a speech. I know the Senator's method of interruption.

Mr. MCPHERSON. The Senator will remember that about the time the Democratic Administration came into power it was predicted by the retiring Secretary of the Treasury, Mr. McCulloch, that the country would be upon a silver basis in less than thirty days. The Treasury had been depleted of its gold. There was nothing to maintain the payment of the interest on the public debt, or that portion of the public debt to which the surplus should be applied. With this prediction we were confronted. The Treasury proceeded to strengthen itself, and it did so in a very legitimate way. That is all I have to say.

Mr. TELLER. That is not a question, and it is not a fair statement of the facts, as the records will show. It is not a fair statement of the facts of the financial history of this country.

Mr. MCPHERSON rose.

Mr. TELLER. I decline to be interrupted now.

There was no such prophecy that this country would be on a silver basis. There was an effort made by the Secretary of the Treasury then, as it has been made since, to destroy the confidence of the people in the silver money of the country, and he did predict disasters if its coinage was continued, as his successor did.

So far from this Administration having taken any steps to strengthen the Treasury or to increase the gold, they took no steps at all, unless it was to keep the money in the Treasury. They knew if they paid out $10,000,000 for bonds in April that a considerable proportion of that money would get back into the Treasury in May, if they knew anything about the finances of the country at all. They knew that the way to get the customs duties in gold was to pay out the gold and put it in circulation among the people, if they had any ideas at all of the finances of the country. I complain, and a respectable party here complain, that they declined to pay out the money which was in the Treasury, but allowed it to accumulate, and now, I say, when they come here and tell us, as the foundation of an attack upon the revenue system of the country, that they make this attack because there is an impending disaster, it is not true and it is not made in good faith. They were willing, in the interest of bondholders and in the interest of the banks, to accumulate much more money in the Treasury than they have

now, to leave the debt unpaid, and to let the people suffer for want of the money. Fifty-five million dollars is the surplus to-day, they say.

Mr. PLUMB. Without the subsidiary silver.

Mr. TELLER. That does not take into account, as is suggested, the subsidiary silver. Of course they have declared that that was of no value, practically, in all their treatment. I admit it does not take into account the one hundred millions of gold held by the Treasury Department for the purpose of the redemption of greenbacks, which the Wall street banker, whom they brought and put into the Treasury, changed from the assets of the country to the debit side; who, instead of making it a credit made it a liability, and thus said to everybody everywhere that we had been committing a fraud upon the public when we said we had $100,000,000 of gold put down in the assets of the country, and that it was a mistake; the more gold you had the worse you were off, if he was correct, and he put it on the liability side of the Government.

Mr. President, is there such an impending danger? Have we so much money, or are we likely to have so much money, that we must destroy the established business of the country in haste, immediately, for the purpose of reducing the revenues? I shall not now discuss the question whether it will reduce the revenue; that question will come up later; but is there any necessity for haste, for fright, for alarm, as indicated by the President's message, with the $55,000,000 of surplus? Last year our customs duties increased over the year before $24,000,000; our sales of lands increased over the sales of the preceding year $3,000,000; our internal revenue on tobacco alone was $2,000,000 more the last year than it was the year before. There was an increase of $34,000,000 of revenue to the Government, mainly made up of items which are uncertain in their character and unstable.

Suppose we should have financial disasters all over the world. Such disasters come occasionally. Suppose we should have what are called hard times this year. Suppose we had had such a state of affairs last year, where would have been your increased amount of duties on imports? The people would have been too poor to have bought the imported articles, the duties would not have been paid, and you would not have had any surplus, and so you could strike off from the three items I have mentioned $27,000,000. If that had been done, suppose we had passed a deficiency bill of nearly $6,000,000, as it passed this body at least, and it ought to have been $10,000,000. A deficiency bill which would have properly discharged the obligations of the Government and maintained its courts and its institutions in a proper manner would have been $10,000,000 instead of being nothing at all. Suppose we had passed a river and harbor bill of $5,000,000 or $10,000,000, and the disasters I have spoken of should have occurred. There would not then have been a dollar of surplus in the Treasury to-day. We should not have been in the condition, I admit, that we were when the Republican party entered upon the administration of the Government in 1861, because we should have had ample credit, whether we had any money in the Treasury or not.

The Senator from Missouri [Mr. VEST] proceeded to speak in terms of great severity of the national banks and to refer to the bill which Mr. Hayes vetoed. I did not feel particularly injured by what he said, for I voted for the bill, and would have voted for it over the veto if an opportunity had been presented. I advocated the bill on the floor of the Senate. I condemn the conduct of the banks in that matter as much as the Senator does, and I think the banks did themselves an injury at that time from which they never will recover. But it comes with a bad grace from the Senator to say, "I would not give the banks the opportunity to contract the currency; I would not give them the opportunity to issue more and then less, and so keep the financial affairs of the country in a disturbed condition." Does the Senator remember that the first utterance from this Administration to this body and the other House was a recommendation that the $346,000,000 of the people's money, drawing no interest and doing money duty as no paper ever did money duty in the history of finances in the world, should be surrendered, with the statement that the national banks would be glad to issue paper money for the accommodation of the public? Yet the Senator approves that, I suppose, because he sets himself up here as the champion of the financial management of this Administration.

All that has been said about the financial affairs of this Government being under the control of national banks can not be controverted with a national-bank president as Secretary of the Treasury to begin with, with a national-bank officer as Treasurer, with the meetings with the representatives of national banks when the Government had no necessity for their aid, or their assistance, or their counsel; but more than all, with the recommendation that the $346,000,000 should be destroyed, it costing the Government nothing to keep it afloat, practically doing duty as money wherever the English tongue is spoken, should take the place of a national note to be issued, because the national banks would be kind enough and generous enough to come to the relief of the Government with the paltry sum of three or four million, or five or six million dollars of gold when there was no need of it. I say if there was anything needed to convince the people that this is a national-bank Administration, that it is controlled from Wall street, you need not go to the character of the men appointed to office, but taking the utterances of the officials, from the Chief Executive down to the lowest officer who is allowed to address the public on the question of finance, the proof can be found so that no man, however zealous he may be, dare gainsay it.

Mr. BUTLER. I will inquire again, if the inquiry is not out of order, what is the question before the Senate?

The PRESIDENT *pro tempore*. The question is, Will the Senate agree to the resolution reported yesterday from the Committee on Appropriations? The resolutions will be read at the desk, if the Senator desires.

Mr. BUTLER. I should like very much to have the resolution read and acted upon. If these stump-speeches are to continue I shall move to organize the Senate into a town-meeting, or some other meeting, and propose to divide time. I do not care to sit here and be compelled to listen to stump-speeches, when, perhaps, we might avoid them. I therefore hope that whatever is to be considered by the Senate will be considered; and I ask for the reading of the pending resolution.

The PRESIDENT *pro tempore*. The resolution will be read by the Chief Clerk.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, *December* 16, 1887.

*Resolved by the House of Representatives (the Senate concurring)*, That when the two Houses adjourn on Thursday, December 22, 1887, they stand adjourned until Wednesday, January 4, 1888.

The PRESIDENT *pro tempore*. The question is, Will the Senate agree to the resolution?

Mr. STEWART. Mr. President, I believe the question, as presented by the resolution, is whether Congress shall adjourn for two weeks in this crisis or stay here and attend to the public business. From the discussions which have been had I am satisfied that we ought not to adjourn. We are told that the only financial remedy which can be had—and that is the issue—has been proposed by the President. We are told that the country is suffering grievously on account of the surplus in the Treasury; that there is a large amount of money locked up; and I am satisfied that it will remain locked up a long time if it is not liberated before that issue is disposed of.

The issue, as I understand it, is whether the American people have come to the conclusion that they will stop doing their own work and hire it done, and send what money we have out of the country with which to buy the necessaries of life, and leave our people without employment. I believe that nations, as well as individuals, get rich by doing their own work, and that fact is pretty well illustrated by the history of this country. Every time we have had a tariff so that we had to do our own work, we have grown rich. See what has happened since 1860. We destroyed at least $8,000,000,000 of property in the war. If I remember correctly, we had $16,000,000,000 of property in the United States in 1860. In 1870 we had over $30,000,000,000, or about $24,000,000,000 estimated on a gold basis. In 1880 we had something over $43,000,000,000, and we were then pretty nearly equal to Great Britain. A fair estimate of the value of the property of the United States to-day, according to the ratio of increase since 1860, is not less than $60,000,000,000. We are now far in excess of Great Britain. In 1860 the wealth of the United States per capita was $514. It is now over $1,000. This is the result of doing our own work. There is no other visible agency to produce it.

To give up our markets to outsiders, to stop doing our own work, is the way to get poor, and that is the only way suggested by the President to dispose of the surplus revenue that is in the Treasury. This process will also dispose of the revenue now in the pockets of the people, because if you send your money out of the country to buy goods you can not either keep it in the Treasury or in circulation among the people.

We are now on a coin basis. Our gold and silver has a commodity value for exportation as well as a money value for circulation at home. If we hire our work done abroad we shall have to export gold and silver to pay for it. Then come contraction, hard times, idleness, and starvation. When we surrender our markets to Europe we must also surrender our surplus cash. This scheme is a good plan for draining the Treasury, but a bad one for our people who want employment and good wages. Of course, the question of the tariff depends in every case upon the circumstances of the country. If we had as neighbors two hundred million people who were receiving higher wages than we are, and who were rich and able to buy our goods, we would want to give our people employment by obtaining their markets for our manufactures and supply them with our commodities which we would have to sell. There is no market in the world of that kind for us. We pay the highest wages of any people, and consequently if we throw our markets open, other people who work for less wages will supply us.

If our tariff procures too much revenue some legislation may be necessary; but the question is, what kind of legislation we ought to have. Our markets are exceedingly valuable; sixty million people, better clothed and better fed than any other people on earth, are large consumers and most desirable customers. We paid last year over $683,000,000 for commodities produced in Europe and Asia by cheap labor. That enormous sum was paid by our people for commodities produced by the labor of other countries at a rate of wages that would be starvation prices in this country. We only charged the foreign peddlers (through courtesy called importers) who sold these commodities in our markets about $217,000,000 for this privilege. It appears we have not

charged enough to keep these importers out of our country. Still the President proposes to sell our markets cheaper, so that more goods may be brought in and less manufactured here. He assumes that the money raised by a sale of our markets is so much taxes levied upon the industries and necessities of our people. In this I think he is mistaken. I do not pretend to deny that every dollar raised by the tariff is a tax, but it occurs to me that it is a tax upon the industries and necessities of other countries, and not upon our own people; and the tax thus levied, so far from burdening the industries of this country, protects them by charging others for the rights and privileges they enjoy in our markets. The fact that the people of England, and not the people of the United States, ask for free trade ought to have put the President on inquiry as to who pays the tax created by our tariff. The effect of this kind of taxation is illustrated, as before stated, by the rapidity with which we acquire wealth under the operations of the tariff.

Our Democratic friends tell the laboring class that they will be greatly benefited if they do not have so much work to do; that if they do not do any of their own work, but hire Asiatics and Europeans to do it, they can live in luxury. The trouble is, however, they do not tell them how they are going to get money to buy these luxuries produced by cheap labor in other countries if they have no work to perform by which they can earn money.

There is another way to regulate the amount of money to be produced from the sale of our markets. Instead of selling them so cheap that any foreign country can buy them and make money at it, raise the price so that neither Asia nor Europe can afford to buy them. In other words, make the tariff prohibitory on articles in the production of which there is competition at home.

I am opposed to giving away our markets; our people want them; they want the privilege of supplying them with their own manufactures and their own products, and they have a right to them; they live here and pay taxes. The Europeans and Asiatics do not support our Government and have no right to the privileges of our markets. All we have to do, if there is too much revenue, is to raise the tariff, do more work at home, buy less from abroad, and give our people a chance. The question must be discussed and understood before we adopt the President's plan, which is to throw open our markets and put the laboring men of this country in competition with the cheap labor of the Old World.

The situation has materially changed since Democrats and Whigs discussed this question in the olden times. The millions of China are now aroused to the advantages of modern civilization; they have been among us and all over Europe and have learned the art of manufacturing every commodity which can be produced in any country. Take off the tariff and our markets will be flooded not only by the cheap labor of Europe, but by the labor of the starving millions of overcrowded China.

Our laborers feel the sharp contest when they are put in competition with Chinese labor in this country—a contest from which they shrink, and from which we are legislating to protect them by excluding the Chinese. But if there were no duties on imported goods from China the Chinamen could remain at home and compete with the labor of this country, deprive our people of their markets, and reduce their wages to starvation prices.

The conditions have changed in the last forty years in another respect. The means of transportation have vastly improved. Freight is so cheap that all the laborers of the world under the rules of free trade would be practically placed on an equality. It costs comparatively nothing to transport goods from either Europe or Asia to the United States. A very few cents will transport enough clothing for the use of a family for a whole year. The cost of transportation will not make any material difference between wages in America and wages in Asia. The only protection the laborer has is our tariff. Remove that, and the Asiatics, residing at home and subsisting on rice, free from all the burdens of our country, can enjoy all of its advantages. The laborers of this country must work for Chinese wages and starve if we give away our markets.

The free-traders tell the hatter that if there were no tariff on boots he could buy boots cheaper, but they do not tell him where he could get money to buy boots with if there was no tariff on hats. They tell the shoemaker that if there were no tariff on cloth he could buy his coat cheaper, but they do not tell him where he could get the money with which to buy a coat if the paupers of the Old World manufacture all the boots. They tell the farmer that if there were no tariff on dry goods it would not cost so much to clothe his family, but they do not tell him where he could get money with which to buy dry goods if his home market, which is 95 per cent. of his entire market, were taken away or even reduced one-half by the inability of the people, who would be thrown out of employment by free trade, to buy corn and potatoes, and who would be forced for want of other employment, and for want of money, to raise their own corn and potatoes or starve.

Before we come to the conclusion that it is necessary to impoverish ourselves for the purpose of depleting the Treasury, it occurs to me that we ought to examine the whole subject and see if there is no other mode of disposing of the surplus revenue. Before we decide to adopt the President's plan and grow poorer and poorer rather than to raise the tariff and grow richer and richer, we ought to examine the whole subject and ascertain whether or not poverty or a plethoric Treasury are the only alternatives which exist.

That is the question to be discussed. It will take some time to settle that question; and inasmuch as it is cool now, in the beginning of the session, as the discussion has opened beautifully, I should like to hear it go on. I have been very much interested in the discussion. There may be some things which might be done with the surplus money. It has been suggested that it is unbecoming in us as a nation to allow all our seaports to remain entirely unprotected when we have plenty of money to build fortifications. All other nations support some kind of a navy, so as not to be at the mercy of their enemies; and it has been suggested that if Uncle Sam could spare the money it would be good policy to have a few seaworthy ships of war. It might be well to pay a little attention to the necessities of commerce and not wholly ignore the estimates of the engineers in charge of the improvements on our rivers and harbors. Something might be done for the improvement of the Mississippi River if we had the money.

These enterprises would give employment to the people, and we would be doing our own work, if we could afford to spend some money for these purposes. Since the Secretary of the Treasury finds no difficulty in circulating silver certificates, the President might, in his discretion, purchase four millions instead of two millions' worth of silver per month, and thus encourage silver mining and relieve not only the Treasury but the stringency of the money market. No particular harm would result to any class if this should raise the price of silver so that the wheat and cotton growers of India would have a less percentage of advantage over the producers of these commodities in the United States than they now enjoy while buying cheap silver in America and selling it at par in India.

There may be other worthy objects that need the expenditure of money. It seems to me that we might look around and see what money is needed, and if we are getting too much money we may think it best for us to raise the tariff and reduce the revenue by that method rather than to reduce it by giving away our markets and pauperizing the people. These questions can be discussed now, while it is cool and the subject is up. Why draw our salaries and waste the next two weeks by going home and leaving the country in a crisis? I am in favor of staying here, and I shall vote against the pending resolution.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

Mr. PLUMB. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ALLISON. Mr. President, I only desire to say a word respecting the pending resolution. The Committee on Appropriations reported the resolution, believing that there was a general sentiment in favor of an adjournment for the holidays. The resolution came to us from the House of Representatives without a division in that body.

I sympathize very much in what has been said by the Senator from Kansas as to what ought to be done, but I do not see that the Senate can very rapidly promote many of those things by staying in session, in the condition in which the House of Representatives now is.

It is well understood, I suppose, in this body that there are only three ways of getting rid of the surplus. One is the way suggested by the Senator from Kansas, which is a very good one, and now wholly within the control of the Administration; another is to appropriate the money, and another is to change our existing revenue laws.

It is perfectly clear that revenue measures must originate in the House of Representatives. We waited for two years in this body for a proposition to come to us from the House of Representatives looking to a change of our revenue laws. From the beginning of 1885 to this time no such measure has come. There is now no pretense of a proposition that any such measure can or will come from the House of Representatives between this day and the 4th day of January. Therefore, it is impossible for us to do anything in that time towards that end.

Mr. VEST. May I ask the Senator a question?

Mr. ALLISON. Certainly.

Mr. VEST. Did not the Republican party in the House of Representatives vote twice during the last Congress against considering at all the question of reducing taxation?

Mr. ALLISON. I am not going into a discussion as to what took place in the House of Representatives. It is enough for the Senator from Missouri to know that his party was in a large majority in the last House, that it is in a majority in the present House, and that it is responsible for the legislation so far as the House of Representatives is concerned.

The Senate has at this time no power to act upon any of the measures suggested by the Senator from Kansas. Therefore, I do not see that we can promote or advance in any way the interests which we all think ought to be considered and advanced, by refusing the House of Representatives what they ask in the resolution, and what they have asked without a division as respects party.

Mr. PLUMB. If we do not adjourn, the other House can hardly adjourn. The other House, as the Senator from Massachusetts [Mr. DAWES] well suggests, and as I was about to observe, will therefore

go to work. It poses as the friend of the people, as the foe of all monopolies, and all that sort of thing, and practically does nothing. It needs the competition, in the first place, of a good example. It has always had one practically on the part of the Senate, but it might be enforced a little stronger at the present time. It needs not only that, but it needs the focus of public opinion, which it will get if the Senate refuses to adjourn.

We can take up here and pass the bills which were passed at the last Congress, and which the other House never even took off its table. Hundreds of bills went, it was said, from the Senate, bills of a public character and bills of a private character, and they were laid on the Speaker's table, and were never taken off at all during the last Congress. As the Senator from Maine [Mr. FRYE] informs me, there were four hundred and eighty bills in regard to which they never did the Senate the courtesy nor the public business the decency even to refer to committees and give any chance by which they might be considered.

This is not a question of comparison. It is a question of every body doing what it considers to be its duty. As I said, we can get off our Calendar and out of our committees largely the bills which we passed at the last session. We shall thereby have the decks cleared for action in such a way that if we can not do anything else we can sit around and see the dog-fight on the tariff business in the other House, and then is the time I should like to have a little leisure. But if the other House should send us a revenue bill, we could then take it up freed from the *impedimentum* of a great Calendar, overloaded with bills from committees which will be striving all the time for precedence, and which might crowd out the great revenue measure. It is to be an era of discussion, of full discussion, I hope, and we ought to get rid of the frills and furbelows of legislation, like the bill of my friend on my left [Mr. BLAIR] for the appropriation of $77,000,000 for education and things of that kind, and get ready for the serious matter of reducing the surplus.

Mr. BUTLER. Mr. President, I like a little fun occasionally, but I think of all the disgusting spectacles in the world, it is the affectation and hypocrisy and humbuggery which we have seen in this body to-day. There is not a Senator upon the floor who does not know that what has been said about our staying here is absolutely bosh and hypocrisy. There is not a Senator upon this floor who does not know that there will not be one single thing done in either House of Congress until after the holidays; and yet we have been getting up before the country and posing as being anxious to do the public business, and the people demand it, and all such stuff and nonsense!

What is the need of such talk? The public understands it perfectly well. I suppose a great deal of it was said for the benefit of newspapers and the reporters. We must stay here and work for the dear people! The eyes of the country are on us! The focus of public opinion, as the Senator from Kansas says, will make the House of Representatives move!

Sir, I do not like to even appear to be disrespectful to anybody, but I repeat, it is the idlest, flimsiest, shallowest humbuggery I have ever known in my life. I can stay here as well as any other Senator, if the rest of the body propose to stay, and if the Senate will stay here and go to work I shall try and be in my seat; but if we are to stay here from day to day, and hear what we have heard to-day, stump-speeches, then I simply propose not to submit to it as far as I can help it.

As I said awhile ago, if we are going to have a mere exhibition of stump-oratory upon this floor, let us organize this body into a town meeting and divide time, first one side and then the other, have applause in the galleries, and all the other appliances and appurtenances of a town meeting; but if the Senate is going to preserve its decorum, as I understand it, let us either concur in the resolution of the House of Representatives, and come back on the 4th of January, or go to work in earnest, and adjourn from day to day.

Mr. PLUMB. I do not know who constituted the Senator from South Carolina a public censor——

Mr. BUTLER. I am not a public censor——

Mr. PLUMB. I do not know who gave him any warrant to impugn motives on this floor or elsewhere.

Mr. BUTLER. I am not a public censor——

The PRESIDENT *pro tempore*. The Senator from Kansas has the floor. Does he yield to the Senator from South Carolina?

Mr. PLUMB. Unless the Senator is a public censor he is a common scold.

Mr. BUTLER. If we had two or three common scolds in the Senate we certainly should get along a great deal better.

Mr. PLUMB. Each one may speak for himself in regard to his view about what is called public opinion. I do not think I demean myself at all in saying that I have respect for it; yet if I represented, in whole or in part, a State on this floor in which public opinion was stifled, I might speak more contemptibly about it. I have spoken here under just as much serenity as the Senator speaks, with responsibility to people who read the newspapers, who cast their own votes and have them counted.

Mr. BUTLER. Will the Senator be kind enough to explain why he assumes——

Mr. PLUMB. I do not propose to be catechised, nor do I propose to be held up to censure in the way——

Mr. BUTLER. Will the Senator be kind enough to state why he has——

The PRESIDENT *pro tempore*. Does the Senator from Kansas yield?

Mr. PLUMB. I do not yield.

Mr. BUTLER. Well, sir.

The PRESIDENT *pro tempore*. The Senator from Kansas is entitled to the floor in his own right.

Mr. BUTLER. I shall seek the floor in my own right hereafter.

Mr. PLUMB. When it comes to the point that a Senator can not oppose or favor a measure on the floor without subjecting himself to such censorship and such reflections as have been uttered by the Senator from South Carolina, I think it is time to have the Senate purged.

Mr. SHERMAN. Mr. President, in one thing I agree with the Senator from South Carolina. I agree that it is hardly worth while for us to deny the other House the usual privilege of an adjournment over the holidays; but I do not agree with him in his view of the debate to-day. I have been very much interested in it. It has brought to the attention of the Senate, I think, the folly of some features of the President's message, that he is endeavoring to create a scare and alarm about the condition of our country because it has fortunately for it $55,000,000 of surplus revenue in the Treasury. If it be true that there is such a state of alarm, such a state of panic as is expressed by the language of the President, certainly a Democratic House friendly to him ought not to adjourn over the holidays.

I do not believe that there is any such occasion for alarm. I do not believe that anybody is alarmed. I think that the language of the President was entirely too strong, and that the debate to-day illustrates the fact that while there are honest differences of opinion to be discussed in the Senate on questions which ought to be approached gradually and considerately, yet it is right and proper for members on this side of the Chamber to call attention to the folly of the House of Representatives in suddenly adjourning without even an organization, with no committees appointed and no preparation made for this great peril. Therefore it is proper to make some reasonable comments upon the President's message and upon the state of events by which we are surrounded.

The $55,000,000 of surplus revenue referred to in the message is less than was in the Treasury at any time from the 1st of July after the President was sworn into office to February following when he first commenced buying bonds. There have been several times in the history of this Administration, during the nearly three years it has existed, when the surplus revenue was greater than it is to-day, and when the same cry of alarm might have been made.

It seems to me it is reasonable and right when such a state of affairs exists, when the country is about to be frightened and business men are alarmed lest something terrible should happen because the money of the country is gathered into the Treasury, that the humbug should be at least punctured, or exploded, or explained away to a certain extent. We shall undoubtedly have to approach the questions which have been suggested here to-day, and I trust that in a temperate and fair manner we shall expose our differences and express our opinions.

I do not regret the scenes which have occurred here to-day, and the speeches which have been made, which I consider very good on both sides of the question; but I agree entirely with what is said by the Senator from South Carolina in this, that we can not now refuse to comply with the request of the other House to adjourn. Such a refusal never has been made. I have known several times before when debates of this kind have sprung up and some talk has been had about husbanding the holidays and doing something, but in my thirty-odd years' experience I do not know a single case where it has resulted in any good. The practical effect of our refusing to adjourn and to pass the resolution would be that by to-morrow the other House would be without a quorum, whether we consent to their adjournment or not, and the next day there would not be a quorum of the Senate, in my judgment. Therefore it is simply folly to refuse an adjournment.

I shall vote for the resolution; not that I would introduce it; not that I do not think there is plenty of business here for us to do; but I know very well, by long experience in Congress, and it has been the case for nearly the hundred years in which the Government has existed, that it is impossible to hold Congress to work during the holidays; the members will go home to their families. It is idle, therefore, for us to waste any further time in delaying the passage of the resolution, though I do not at all regret the debate, but think it has been very useful and very instructive.

Mr. TELLER. Mr. President, I do not propose to discuss the question whether a Senator in this body has a right to call other Senators to task for discussing a question which that Senator thinks is out of taste. I leave that by simply saying that whatever may be the sentiment or the practice in some sections of the country with reference to the freedom of public utterance, it has not reached the Senate, and it is not likely to reach the Senate, and the Senate is not likely to constitute a censor or a critic.

I agree with the Senator from South Carolina when he says there has been a good deal of humbug here to-day. It occurred to me that it was the greatest possible evidence of humbug when a Senator stood up and said that the President of the United States had not, under existing law, the authority to buy bonds, when the Chief Executive, whom he supports so heartily and so thoroughly, says in his message that he, or his financial officer, has bought $27,000,000 of bonds. It did strike me

that there was a good deal of humbug in that, and that there was a good deal of humbug in some other things which were said, but I did not think it was exactly the thing for me to get up and say that it was humbug or hypocrisy for a Senator to say this or to say that.

I simply wish to say to the Senator from South Carolina and his associates that they can not escape the discussion of this question, and they can not escape it because they think the other House is not going to send to us a bill which will enable us to discuss it according to the rules which prevail in some other bodies, where a speech must be upon the pending question, and germane to the question before the body. We shall find opportunities to discuss this whole economic question, and we intend to do it, and the gentlemen on the other side, who say they stand with both feet on the platform laid down by the President, and then straddle wide enough to get across the continent in the protection of things which are in their interest, and theirs alone, will have ample opportunity for discussion. Senators from every section of this great Republic, who represent every class of the great American people in the Senate, and who do not believe in playing second fiddle to any nation, a tail to an English kite, who believe that the American laborer is interested in this question, and not the American manufacturer, and who are ready to discuss it from any standpoint, and at any time, will never be deterred by having it said in their presence that it is a stump-speech, nor will they be deterred by the fear of criticism, or by the fear, fortunately, that if they should differ from the Executive the public patronage would not be theirs.

Mr. BUTLER. Mr. President, I think that the Senator from Colorado and the Senator from Kansas have worked themselves into a frenzy without the slightest provocation on my part. I have not said one word about their speeches except that they were stump-speeches. I do not think they will deny that they were. I simply characterized in language perhaps which was not entirely parliamentary the action of the entire body in pretending, as I insist, to desire that Congress should not adjourn, when everybody wanted to adjourn. I said nothing whatever about the right of any Senator to speak upon any subject he chose. I said not one word about cutting off the discussion of the President's message or any other public question before the country.

If the Senator from Colorado or the Senator from Kansas imagines for one instant that I desire to avoid any discussson upon these propositions, they are both very much mistaken. On the contrary, upon an appropriate occasion and at a proper time, instead of attempting to prevent it, I shall invite discussion upon that and all other public questions.

I was about to apologize to the Senate for the use of language which, as I said, perhaps might have been unparliamentary, but inasmuch as the Senator from Ohio in characterizing the message of the President of the United States refers to it as a piece of humbuggery, I think that I am justified in applying that term to our own body without being disrespectful. Therefore, I shall not withdraw it, as I was about to do, but, following his illustrious example, I believe I will let the language stand just as it was uttered.

The PRESIDENT *pro tempore*. The yeas and nays having been ordered, the Secretary will call the roll on agreeing to the resolution.

The Secretary proceeded to call the roll.

Mr. BERRY (when the name of Mr. JONES, of Arkansas, was called). My colleague [Mr. JONES] is paired with the Senator from Wisconsin [Mr. SPOONER]. I do not know how he would vote, if present, on this question.

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR]. Can his colleague say how he would vote on this question?

Mr. COCKRELL. He has gone home.

Mr. DAWES. I am unable to say how my colleague would vote.

Mr. HARRIS. Does the Senator know how his colleague has acted or would act?

Mr. COCKRELL. He has gone home.

The PRESIDENT *pro tempore*. The Chair would observe that debate is not in order during roll-call.

Mr. DAWES. I think the Senator from Alabama ought to consider himself free to vote his own sentiments.

Mr. PUGH. Then I vote "yea."

Mr. SPOONER (when his name was called). On this question I am paired with the Senator from Arkansas [Mr. JONES]. I do not know how he would vote, and therefore withhold my vote. If I were at liberty to vote I would vote "yea."

Mr. WILSON, of Maryland (when his name was called). I am paired with the Senator from Rhode Island [Mr. CHACE].

The roll-call having been concluded, the result was announced—yeas 37, nays 19; as follows:

YEAS—37.

| | | | |
|---|---|---|---|
| Allison, | Cullom, | McPherson, | Sherman, |
| Bate, | Eustis, | Morrill, | Stanford, |
| Beck, | Evarts, | Pasco, | Turpie, |
| Blackburn, | Faulkner, | Payne, | Vance, |
| Blodgett, | Gorman, | Pugh, | Vest, |
| Brown, | Gray, | Quay, | Walthall, |
| Butler, | Hampton, | Ransom, | Wilson of Iowa. |
| Cameron, | Harris, | Reagan, | |
| Cockrell, | Hearst, | Saulsbury, | |
| Coke, | Hiscock, | Sawyer, | |

NAYS—19.

| | | | |
|---|---|---|---|
| Berry, | Dawes, | Manderson, | Platt, |
| Blair, | Dolph, | Mitchell, | Riddleberger, |
| Bowen, | Frye, | Paddock, | Stewart, |
| Chandler, | George, | Palmer, | Teller. |
| Davis, | Ingalls, | Plumb, | |

ABSENT—20.

| | | | |
|---|---|---|---|
| Aldrich, | Edmunds, | Hoar, | Sabin, |
| Call, | Farwell, | Jones of Arkansas, | Spooner, |
| Chace, | Gibson, | Jones of Nevada, | Stockbridge, |
| Colquitt, | Hale, | Kenna, | Voorhees, |
| Daniel, | Hawley, | Morgan, | Wilson of Md. |

So the resolution was concurred in.

ATKINSON'S COINAGE REPORT.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States:

*To the Senate and House of Representatives:*

I transmit herewith a communication from the Secretary of State, accompanied by the report of Mr. Edward Atkinson, of Massachusetts, who was specially designated by me under the provisions of successive acts of Congress in that behalf, to visit the financial centers of Europe in order to ascertain the feasibility of establishing, by international arrangement, a fixity of rates between the two precious metals in free coinage of both.

GROVER CLEVELAND.

EXECUTIVE MANSION,
*Washington, December 20, 1887.*

Mr. MANDERSON. I move that the message of the President and the accompanying documents be printed, the usual number. To show its character I send a letter to the Secretary to be read.

The Chief Clerk read as follows:

DEPARTMENT OF STATE, *Washington, December 19, 1887.*

MY DEAR GENERAL: To-day the President will probably send in a message conveying the report of Mr. Edward Atkinson upon the condition and prospects of the "silver question" in Europe.

Together with Mr. Atkinson's report is a translation of Soetbeer's "Materialen," by Professor Taussig, of Harvard, which contains a perfect mine of information on this highly important subject.

It would be highly advisable for authority for the printing of this valuable treatise to be given by Congress at the earliest day.

The whole is in type, and I heartily recommend it to your favorable action.

Very truly, yours,

T. F. BAYARD.

Hon. CHAS. F. MANDERSON,
*Chairman of the Senate Committee on Printing.*

Mr. MORRILL. I move that the message and accompanying documents be referred to the Committee on Finance.

The PRESIDENT *pro tempore*. The message and documents will be referred to the Committee on Finance and printed.

Mr. BECK. I rise to inquire what is the effect of the motion of the Senator from Vermont to refer the communication of the Secretary of State to the Committee on Finance? I hope it does not interfere with the printing of the usual number.

The PRESIDENT *pro tempore*. That order has been made.

Mr. MORRILL. That was included.

Mr. BECK. The usual number will be printed before reference?

The PRESIDENT *pro tempore*. The order to print the message, with the accompanying documents, has been made.

BILLS INTRODUCED.

Mr. GRAY. I desire——

Mr. SHERMAN. I have been recognized. I move that the Senate proceed to the consideration of executive business; but I will give way to morning business.

Mr. GRAY introduced a bill (S. 1062) to increase the appropriation for the erection of the public building at Wilmington, Del.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. PLUMB introduced a bill (S. 1063) for the relief of the heirs or legal representatives of Robert J. Baugness, deceased; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1064) for the relief of L. J. Warden; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. STEWART introduced a bill (S. 1065) to authorize the distribution of certain moieties to the late officers of customs at the port of San Francisco; which was read twice by its title, and referred to the Committee on Claims.

Mr. FRYE introduced a bill (S. 1066) exempting American coastwise sailing vessels piloted by their licensed masters, or by a United States pilot, from the obligation to pay State pilots for services not rendered; which was read twice by its title, and referred to the Committee on Commerce.

Mr. FRYE. I also introduce a bill relating to imported liquor, and commend its very early and earnest attention to the Committee on Finance.

The bill (S. 1067) relating to imported liquors was read twice by its title, and referred to the Committee on Finance.

Mr. STANFORD introduced a bill (S. 1068) for the relief of J. G. Fell, Edward Hooper, and George Burnham; which was read twice by its title, and referred to the Committee on Indian Affairs.

MARRIAGE AND DIVORCE.

Mr. DOLPH. When the resolution for adjournment was taken up I had the floor, intending to make some remarks on the joint resolution (S. R. 2) proposing an amendment to the Constitution of the United States, empowering Congress to legislate upon the subjects of marriage and divorce, and prohibiting bigamy and polygamy.

It is so late now that I shall not ask the Senate to hear me to-day, but I give notice that to-morrow, after the morning business, I shall ask leave to take up the resolution for the purpose of making some remarks. They will be brief, however, and I hope no Senator will ask me to give way for a resolution or a bill.

AID TO COMMON SCHOOLS.

Mr. BLAIR. I wish to make a suggestion in reference to the order of business. The educational bill is the unfinished business. I have been notified by several Senators that they desire to make speeches somewhat at length, and it is obvious that to enter on its discussion to-morrow would be of very little service to the ultimate disposition of the bill; and as the Senator from Oregon desires to make a speech to-morrow on another matter, of which he has given notice, I ask unanimous consent of the Senate that the education bill be postponed and be made the unfinished business for January 4, the day to which the adjournment is to take place.

Mr. RIDDLEBERGER. I do not wish to oppose any motion the Senator from New Hampshire may make in respect to that bill; I expect him to have the entire management of it; but I want to be heard for a few moments this evening. I wish to make a statement, and not a statement alone, but to produce some records that will verify the statement I make. While I am not rising now to oppose the motion, I am simply doing what other Senators have done this afternoon, taking advantage of the situation to make a few remarks.

Mr. SHERMAN. Mr. President——

The PRESIDENT *pro tempore*. The Senator from New Hampshire asks unanimous consent. Does the Chair understand the Senator from Virginia to yield the floor?

Mr. RIDDLEBERGER. No, sir; I do not.

The PRESIDENT *pro tempore*. The Chair begs the Senator's pardon.

Mr. RIDDLEBERGER. As an earnest advocate of this bill from the time the Senator from New Hampshire introduced it I desire to state to him again that I can not indorse this book which he has had laid on our desks. I see it is copyrighted. Of course the Senator had a right to copyright it. It ought to have been a kind of a Know-Nothing blue-book. In it here are the indorsements of Senators of what is called the Blair educational bill, which indorsements were made two years after the bill had passed and by Senators who had earnestly opposed it from different standpoints on this floor. I object to that going to the country as a book or as a public document, printed in almost the form of the CONGRESSIONAL RECORD save and except the back of it. I will take for instance the indorsement of one of the Senators, and I do this for a reason which is not to be attributed to any malice on my part, but because of recent occurrences in my own State and among the representatives that are there in its General Assembly. I can not read it in this light; but it is the indorsement of Senator Mahone, of Virginia.

The Senator from New Hampshire knows that Senator Mahone, of Virginia, opposed that bill, and that this indorsement which is in his book was written two years after the bill had passed the Senate. If there be any doubt about it, I have the RECORD here. I want to call special attention to it because of the fact that in the Virginia General Assembly a few days ago an accusation was made that statements which I had made on this floor were untrue.

I have here the CONGRESSIONAL RECORD, volume 17, part 2, of the Congress, in which that Senator appeared as absent, when the Senator from New Hampshire and other Senators on this floor asked me to go into his committee-room and get him to vote for or against the bill. I met him in his committee-room. He was absent from the roll-call, but not from the Capitol.

I have here the CONGRESSIONAL RECORD of two years later, in which the words appear that are copied into this pamphlet or bill of the Senator from New Hampshire. I do not propose to stand in this Senate Chamber under an aspersion of that sort coming from my own State and verified here by what appears to be a record that will be wrung around among the people with whom I live. If we are to have bills introduced and passed here, let us have bills, but not such statements as are made in this book to bear out the records of men that contravene the records of the Congress itself as is shown by these books.

I never have paraded any record of my own in that form, or in any other. I have never yet, and hope I never will. I have never had the opportunity, I should rather say, to occupy a committee-room from which to issue a personal document and a personal record after my term had expired in the Senate; and I do object to sending out this which as far as it can be is a statement made that goes to a question of veracity between me and a representative Virginian in the house of delegates, put into a document of the Senate. I do not think the Senator from New Hampshire will ask to have it remain there until he shall have stated on this floor that this statement made here is taken from the CONGRESSIONAL RECORD made two years after the opposition of my former colleague to this bill.

I am willing to rest my statements on the RECORD, and I will be pardoned by Senators and by all gentlemen everywhere for making this statement, when they read in the journals of the house of delegates of Virginia not only what has seemingly appeared to be a record here, but that my word was not good because of the fact that the record was against me. I say that this is no record. Here is the CONGRESSIONAL RECORD of 1883, here is the CONGRESSIONAL RECORD of 1885, and I ask the Senator from New Hampshire now on this floor to say which one of these records is right. I will carry the books to him, I will show them, I will read to him the remarks from each one of them, and let it go back to Virginia whether I have told the truth or whether the statement there made against me was correct.

Mr. BLAIR. Mr. President, the pamphlet to which the Senator has alluded contains brief statements, selected sentences of the views of Senators as delivered on this floor touching the merits of what is known as the educational bill. That bill, as is known, has passed the Senate on two different occasions, once in the year 1884 and again in the year 1886.

During the vacation, knowing that this bill would be again pending, and there being a vast amount of matter accumulated in the way of argument and data bearing upon it, I performed the labor of making some selections for the purpose of elucidating the subject in such a way as to save the time of the Senate; and the passage to which the Senator refers is one of the results. Embodied upon its covers is some other additional matter. The body of the book is simply copied from the CONGRESSIONAL RECORD itself, the record of the two debates preceding the passage of the bill in 1884 and 1886.

Of course it never occurred to me that there ever was any occasion, in taking from the remarks of Senators in reference to the merits of the bill, to make a designation of the occasion of the debate in which those remarks were uttered, whether in 1884 or 1886, they being on the same measure. The remarks of Senator Mahone in favor of the bill are taken from the debate of 1886, the last debate, when, as I understand, he favored the measure, voting for it. I have no knowledge in reference to the circumstances which are averred by the Senator with reference to the action of Mr. Mahone on the first occasion when the bill was pending in and passed by the Senate. In committee he favored the original bill as introduced in 1881, as reported in the Forty-seventh Congress. The bill passed in 1884 was considerably modified. I can not say that Senator Mahone favored those modifications. I think he did not. I am not aware whether he opposed the bill on its final passage, and I can not say.

I sincerely take great pleasure in stating what I think no man who knows the Senator from Virginia will doubt for a moment, that his veracity, so far as I know, is not to be questioned anywhere. I take him to be a man of the truest and highest veracity, and that he has stated nothing on this floor or elsewhere but what he sincerely believes to be true; but so far as the record goes it bears out any citation which has been made in this pamphlet.

Mr. RIDDLEBERGER. Mr. President, I am greatly obliged to the Senator for saying that he never heard me tell a story. I should like, also, to know why the Senator can not recollect that he asked me to go to the committee-room and request Senator Mahone to come here and vote. My persistence in this statement, I think, is justified by the fact that I have been assaulted in my own house of delegates in Virginia. The Senator from New Hampshire and, I think, Senator Cameron, then of Wisconsin, asked me to go. Now, there is this distinction to be drawn, and I want it clearly drawn, and I want it done on this floor, where it will answer the allegation brought against me down there in my own State among my own people. The bill of 1881 that the committee agreed upon was a bill providing that the money should be disbursed through Federal officers. The last Blair educational bill, as it came into the Senate and was perfected, was opposed because the money was to be disbursed by State school boards. I want the distinction clearly drawn, and I want it to go into the CONGRESSIONAL RECORD that I make it. The journals of the house of delegates of the State of Virginia will be responsible for what is said there.

When the change was made the Senator from New Hampshire does not recollect. I am sorry for it. I know a change overcame the mind of my colleague, and that is the cause of the accusation brought against me in Virginia. That is the change, and from that time on he was opposed to the bill until, as this book shows, two years after it was passed, he gave voice to the world, appearing in a new CONGRESSIONAL RECORD made up by the Senator from New Hampshire and copyrighted. I want it understood, and I intend to have it understood, that the CONGRESSIONAL RECORD and the recollection of Senators here bear me out, so far as I am concerned, and show the verity of my statement, and let that which goes out through others rest upon their recollection and upon a record made up two years after date.

Mr. BLAIR. Mr. President, I wish merely to correct a slight inaccuracy of the Senator from Virginia. The difference between the original bill as it stood in 1881 and the bill as passed in 1884 and 1886 was this: that by the bill as originally introduced in 1881, the funds were to be disbursed upon the joint approval of the State authorities,

and of the Federal commissioner or authorities, and without the approval of both there was to be no disbursement in the States. It was not a bill providing that the disbursement should be made by Federal authority, in any wise disregarding the authorities of the State. The bill as it passed in 1884 and 1886 is before the Senate, and it provides substantially that the disbursement be at the will of the State, subject to certain conditions and reports, as the Senate understands.

Mr. RIDDLEBERGER. The papers state exactly what I said or intended to say, that as long as there was a Federal hand in the distribution of the money the committee were a unit; that when the Federal hand was withdrawn and it was sent to State boards to report back to the Interior Department, then came the difference.

The PRESIDENT *pro tempore*. The Senator from New Hampshire asks unanimous consent——

Mr. RIDDLEBERGER. I have no objection.

The PRESIDENT *pro tempore*. That Senate bill No. 371, to aid in the establishment and temporary support of common schools, being the unfinished business before the Senate to-day, may be informally passed over and assigned as the unfinished business for Wednesday, the 4th day of January next. Is there objection?

Mr. HARRIS. I have no objection to its being postponed and made the special order for that day, but I object to making it the unfinished business in anticipation.

Mr. BLAIR. If the Senator objects to its being postponed in the form in which I desire, I wish to proceed with the bill.

Mr. HARRIS. Why not make it the special order for that day?

Mr. BLAIR. The Senator very well understands.

Mr. SHERMAN. I submit the motion that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. Before submitting the motion the Chair lays before the Senate the unfinished business, being the bill (S. 371) to aid in the establishment and temporary support of common schools. The Senator from Ohio moves that the Senate now proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirty minutes spent in executive session the doors were reopened, and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 22, at 12 o'clock m.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate December* 19, 1887.

CONSUL-GENERAL.

Harold Marsh Sewall, of Bath, Me., consul-general of the United States at Apia.

SURVEYOR OF CUSTOMS.

Nathan Cleaves, of Maine, to be surveyor of customs for the port of Portland, in the State of Maine.

*Executive nominations confirmed by the Senate December* 20, 1887.

COLLECTOR OF INTERNAL REVENUE.

Kerr Craige, of North Carolina, to be collector of internal revenue for the fifth district of North Carolina.

ASSISTANT REGISTER OF TREASURY.

Legh W. Reid, of Virginia, to be Assistant Register of the Treasury.

POSTMASTERS.

Edgar F. Dell, to be postmaster at Woodbury, in the county of Gloucester and State of New Jersey.

Norman R. Burghardt, to be postmaster at South Orange, in the county of Essex and State of New Jersey.

James W. Errickson, to be postmaster at Freehold, in the county of Monmouth and State of New Jersey.

George B. Givens, to be postmaster at Belvidere, in the county of Warren and State of New Jersey.

John Johnson, to be postmaster at Paterson, in the county of Passaic and State of New Jersey.

John Kennell, to be postmaster at Passaic, in the county of Passaic and State of New Jersey.

Samuel A. Laning, to be postmaster at Bridgeton, in the county of Cumberland and State of New Jersey.

Cyrus F. Osgood, to be postmaster at Hammonton, in the county of Atlantic and State of New Jersey.

William H. Price, to be postmaster at New Brunswick, in the county of Middlesex and State of New Jersey.

Victor C. Roberts, to be postmaster at Moorestown, in the county of Burlington and State of New Jersey.

Alfred R. Toland, to be postmaster at Asbury Park, in the county of Monmouth and State of New Jersey.

Albert H. Mowry, to be postmaster at Charleston, in the county of Charleston and State of South Carolina.

William S. Morrow, to be postmaster at Nashville, in the county of Washington and State of Illinois.

James B. Charters, to be postmaster at Dixon, in the county of Lee and State of Illinois.

James T. Doherty, to be postmaster at St. Charles, in the county of Kane and State of Illinois.

Joel H. Johnson, to be postmaster at Woodstock, in the county of McHenry and State of Illinois.

Marcellus Keene, to be postmaster at Atlanta, in the county of Logan and State of Illinois.

Walter Kirkpatrick, to be postmaster at Virden, in the county of Macoupin and State of Illinois.

Thomas J. Mathews, to be postmaster at Grayville, in the county of White and State of Illinois.

Agnes Ross, to be postmaster at Ravenswood, in the county of Cook and State of Illinois.

James L. Scott, to be postmaster at Mattoon, in the county of Coles and State of Illinois.

Levinus L. Stark, to be postmaster at Wheaton, in the county of Du Page and State of Illinois.

James M. Thomas, sr., to be postmaster at Wyoming, in the county of Stark and State of Illinois.

William J. Burrow, to be postmaster at Plymouth, in the county of Wayne and State of Michigan.

James A. Canavan, to be postmaster at St. Joseph, in the county of Berrien and State of Michigan.

Oscar H. Dean, to be postmaster at Pentwater, in the county of Oceana and State of Michigan.

James Dempsey, sr., to be postmaster at Manistee, in the county of Manistee and State of Michigan.

Russell B. Emmons, to be postmaster at Oscoda, in the county of Iosco and State of Michigan.

Andrew M. R. Fitzsimmons, to be postmaster at Reading, in the county of Hillsdale and State of Michigan.

James H. Gee, to be postmaster at Norway, in the county of Menominee and State of Michigan.

Alonzo Gilbert, to be postmaster at Stanton, in the county of Montcalm and State of Michigan.

Edward D. Home, to be postmaster at Bessemer, in the county of Gogebic and State of Michigan.

Maria S. Howlett, to be postmaster at Jonesville, in the county of Hillsdale and State of Michigan.

Charles L. Hecox, to be postmaster at Greenville, in the county of Montcalm and State of Michigan.

Peter McKellar, to be postmaster at Paw Paw, in the county of Van Buren and State of Michigan.

Henry D. Pessell, to be postmaster at Quincy, in the county of Branch and State of Michigan.

William Springer, to be postmaster at Port Huron, in the county of St. Clair and State of Michigan.

Charles J. Strang, to be postmaster at Charlevoix, in the county of Charlevoix and State of Michigan.

Derwin Ely, to be postmaster at Alma, in the county of Gratiot and State of Michigan.

James B. Thorn, to be postmaster at Hudson, in the county of Lenawee and State of Michigan.

James P. McGill, to be postmaster at Beaver Dam, in the county of Dodge and State of Wisconsin.

James McGinn, to be postmaster at Neenah, in the county of Winnebago and State of Wisconsin.

Daniel A. Mahoney, to be postmaster at Kenosha, in the county of Kenosha and State of Wisconsin.

Levi F. Martin, to be postmaster at Chippewa Falls, in the county of Chippewa and State of Wisconsin.

John Meehan, to be postmaster at Darlington, in the county of La Fayette and State of Wisconsin.

Gustav Meyer, to be postmaster at Boscobel, in the county of Grant and State of Wisconsin.

Adam Milbrath, to be postmaster at New London, in the county of Waupaca and State of Wisconsin.

Francis R. Reuschlein, to be postmaster at Burlington, in the county of Racine and State of Wisconsin.

Albert C. Robinson, to be postmaster at Green Bay, in the county of Brown and State of Wisconsin.

William M. Underhill, to be postmaster at Oconto, in the county of Oconto and State of Wisconsin.

Edward Whaley, to be postmaster at Prairie du Chien, in the county of Crawford and State of Wisconsin.

James W. White, to be postmaster at Kosciusko, in the county of Attala and State of Mississippi.

George W. Bynum, to be postmaster at Corinth, in the county of Alcorn and State of Mississippi.

Lemuel S. Dillard, to be postmaster at Oxford, in the county of La Fayette and State of Mississippi.

William J. Rousseau, to be postmaster at Starkville, in the county of Oktibbeha and State of Mississippi.

Eben R. Wortham, to be postmaster at Greenville, in the county of Washington and State of Mississippi.

Daniel K. Weis, to be postmaster at Ashland, in the county of Boyd and State of Kentucky.

William H. Wilkerson, to be postmaster at Mount Sterling, in the county of Montgomery and State of Kentucky.

Josiah B. Willis, to be postmaster at Richmond, in the county of Madison and State of Kentucky.

Susan K. Burch, to be postmaster at Georgetown, in the county of Scott and State of Kentucky.

Julius E. Geier, to be postmaster at Carrollton, in the county of Carroll and State of Kentucky.

William S. McChesney, to be postmaster at Lexington, in the county of Fayette and State of Kentucky.

Henry C. Metcalfe, to be postmaster at Carlisle, in the county of Nicholas and State of Kentucky.

William R. Rhea, to be postmaster at Johnson City, in the county of Washington and State of Tennessee.

James E. Surguine, to be postmaster at Cleveland, in the county of Bradley and State of Tennessee.

Edmund J. Wood, to be postmaster at McMinnville, in the county of Warren and State of Tennessee.

*Executive nominations confirmed by the Senate December* 21, 1887.

UNITED STATES CONSUL.

Alexander R. Webb, of St. Louis, Mo., to be consul to the United States at Manila.

POSTMASTERS.

D. W. Vail, to be postmaster at Norwalk, in the county of Huron and State of Ohio.

Philip Klein, to be postmaster at Chillicothe, in the county of Ross and State of Ohio.

Mortermore Allison, to be postmaster at Canisteo, in the county of Steuben and State of New York.

Christian B. Dorwart, to be postmaster at Salem, in the county of Columbiana and State of Ohio.

S. S. Bloom, to be postmaster at Shelby, in the county of Richland and State of Ohio.

Dudley H. Beaman, to be postmaster at Hiram, in the county of Portage and State of Ohio.

George Daniel, to be postmaster at Sandusky, in the county of Erie and State of Ohio.

Frederick O. Cable, to be postmaster at Owego, in the county of Tioga and State of New York.

William R. Brown, to be postmaster at Newburgh, in the county of Orange and State of New York.

Samuel J. Brown, to be postmaster at Havana, in the county of Schuyler and State of New York.

Frank G. Bolles, to be postmaster at Unadilla, in the county of Otsego and State of New York.

Williard M. Baird, to be postmaster at Ogdensburgh, in the county of St. Lawrence and State of New York.

Samuel O. Arnold, to be postmaster at Katonah, in the county of Westchester and State of New York.

Charles M. Felton, to be postmaster at Waterville, in the county of Oneida and State of New York.

John C. Fairchild, to be postmaster at Mamaroneck, in the county of Westchester and State of New York.

Charles J. DeLand, to be postmaster at Fairport, in the county of Monroe and State of New York.

Edward G. Dean, to be postmaster at Deposit, in the county of Broome and State of New York.

James S. Davenport, to be postmaster at Richfield Springs, in the county of Otsego and State of New York.

Terrence M. Davis, to be postmaster at Alfred Centre, in the county of Allegany and State of New York.

Henry Davie, to be postmaster at Delhi, in the county of Delaware and State of New York.

Thomas D. Jones, to be postmaster at Attica, in the county of Wyoming and State of New York.

Seward F. Gould, to be postmaster at Avon, in the county of Livingston and State of New York.

Sophie J. Gaydon, to be postmaster at Port Jefferson, in the county of Suffolk and State of New York.

John T. Gallup, to be postmaster at Greenport, in the county of Suffolk and State of New York.

Valentine Fleckenstein, to be postmaster at Rochester, in the county of Monroe and State of New York.

Augustus M. Field, to be postmaster at West Chester, in the county of Westchester and State of New York.

James A. McKenna, to be postmaster at Long Island City, in the county of Queens and State of New York.

Frank McKeon, to be postmaster at Dobbs Ferry, in the county of Westchester and State of New York.

Andrew J. Moore, to be postmaster at Goshen, in the county of Orange and State of New York.

Albert J. Lovelee, to be postmaster at Adams, in the county of Jefferson and State of New York.

John H. Larkin, to be postmaster at Cohoes, in the county of Albany and State of New York.

Samuel T. Kilpatrick, to be postmaster at Irvington, in the county of Westchester and State of New York.

William J. Phillips, to be postmaster at Wolcott, in the county of Wayne and State of New York.

Wright E. Perry, to be postmaster at Cold Spring, in the county of Putnam and State of New York.

Nathaniel H. Odell, to be postmaster at Tarrytown, in the county of Westchester and State of New York.

Thomas O'Connor, to be postmaster at Wellsville, in the county of Allegany and State of New York.

Burr O. Newton, to be postmaster at Bolivar, in the county of Allegany and State of New York.

William P. McCarty, to be postmaster at Allegany, in the county of Cattaraugus and State of New York.

George G. Schwinger, to be postmaster at Tonawanda, in the county of Erie and State of New York.

Daniel A. Sackrider, to be postmaster at Randolph, in the county of Cattaraugus and State of New York.

John B. Sackett, to be postmaster at Buffalo, in the county of Erie and State of New York.

Marvin Sackett, to be postmaster at New Lebanon, in the county of Columbia and State of New York.

William K. Roy, to be postmaster at Wappinger's Falls, in the county of Dutchess and State of New York.

Benjamin Rhodes, to be postmaster at Niagara Falls, in the county of Niagara and State of New York.

William J. Dyckes, to be postmaster at Lewistown, in the county of Fulton and State of Illinois.

Perry S. Wicks, to be postmaster at Bay Shore, in the county of Suffolk and State of New York.

L. Lockwood Thayer, to be postmaster at Warsaw, in the county of Wyoming and State of New York.

Benjamin M. Tasker, to be postmaster at Fort Edward, in the county of Washington and State of New York.

Charles R. Street, to be postmaster at Huntington, in the county of Suffolk and State of New York.

E. Lewis Snow, to be postmaster at Le Roy, in the county of Genesee and State of New York.

Andrew A. Slawson, to be postmaster at Waverly, in the county of Tioga and State of New York.

Edgar H. Looney, to be postmaster at Bentonville, in the county of Benton and State of Arkansas.

Charles E. Bramble, to be postmaster as Texarkana, in the county of Miller and State of Arkansas.

Hugh C. Armstrong, to be postmaster at Neosho, county of Newton and State of Missouri.

Robert A. Scott, to be postmaster at Friendship, in the county of Allegany and State of New York.

Elam L. Stewart, to be postmaster at Carmi, in the county of White and State of Illinois.

Isaac Fielding, to be postmaster at Champaign, in the county of Champaign and State of Illinois.

Bart Burke, to be postmaster at Santa Cruz, in the county of Santa Cruz and State of California.

William E. Woodson, to be postmaster at Marshall, in the county of Saline and State of Missouri.

John D. Wood, to be postmaster at California, in the county of Moniteau and State of Missouri.

Henry H. Saling, to be postmaster at Memphis, in the county of Scotland and State of Missouri.

James M. Nickell, to be postmaster at Hannibal, in the county of Marion and State of Missouri.

William T. Marsh, to be postmaster at Rich Hill, in the county of Bates and State of Missouri.

John B. Jewell, to be postmaster at Carrollton, in the county of Carroll and State of Missouri.

Henry W. Hough, to be postmaster at Kirkwood, in the county of St. Louis and State of Missouri.

Lowry W. Hawkins, to be postmaster at Canton, in the county of Lewis and State of Missouri.

John C. McCauley, to be postmaster at Searcy, in the county of White and State of Arkansas.

Napoleon B. Byrne, to be postmaster at Berkeley, in the county of Alameda and State of California.

Thomas Leonard, to be postmaster at Sonora, in the county of Tuolumne and State of California.

John T. Knox, to be postmaster at San Bernardino, in the county of San Bernardino and State of California.

Mary C. Hughes, to be postmaster at Fresno City, in the county of Fresno and State of California.

James S. Gardiner, to be postmaster at Anaheim, in the county of Los Angeles and State of California.

Wyatt C. Durno, to be postmaster at Truckee, in the county of Nevada and State of California.

Elisha De Witt, to be postmaster at Yreka, in the county of Siskiyou and State of California.

Jasper N. Davies, to be postmaster at Arcata, in the county of Humboldt and State of California.

Granville Spurgeon, to be postmaster at Santa Ana, in the county of Los Angeles and State of California.

Edward O. Rollins, to be postmaster at Oroville, in the county of Butte and State of California.

Edward A. Preuss, to be postmaster at Los Angeles, in the county of Los Angeles and State of California.

Allen D. Norman, to be postmaster at San Diego, in the county of San Diego and State of California.

John McGonigle, to be postmaster at San Buenaventura, in the county of Ventura and State of California.

Willis U. Masters, to be postmaster at Pasadena, in the county of Los Angeles and State of California.

Franklin T. Dick, to be postmaster at La Grande, in the county of Union and State of Oregon.

George W. Larue, to be postmaster at Colfax, in the county of Whitman and Territory of Washington.

Caleb R. Barratt, to be postmaster at Salt Lake City, in the county of Salt Lake and Territory of Utah.

Edward Weisbaum, to be postmaster at Hanford, in the county of Tulare and State of California.

Isaac N. Thompson, to be postmaster at Santa Clara, in the county of Santa Clara and State of California.

Hiram H. Thomas, to be postmaster at Colusa, in the county of Colusa and State of California.

William Lee, to be postmaster at St. Paul, in the county of Ramsey and State of Minnesota.

Gilbert R. Lindsay, to be postmaster at Rahway, in the county of Union and State of New Jersey.

Andrew J. Nuzum, to be postmaster at Grafton, in the county of Taylor and State of West Virginia.

Frank D. Hoy, to be postmaster at Point Pleasant, in the county of Mason and State of West Virginia.

William P. Campbell, to be postmaster at Wellsburgh, in the county of Brooke and State of West Virginia.

Charles R. Oldham, to be postmaster at Moundsville, in the county of Marshall and State of West Virginia.

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## HOUSE OF REPRESENTATIVES.

### WEDNESDAY, *December* 21, 1887.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

#### CLAIMS AGAINST THE UNITED STATES.

The SPEAKER laid before the House letters from the assistant clerk of the Court of Claims, transmitting copies of the findings of fact by the court in the cases of Robert E. Hale against the United States, Edwin Dickinson against the United States, and David Singleton against the United States; which were laid on the table.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. GAY, from to-day until January 5.

To Mr. PARKER, from to-day until January 9, on account of sickness.

To Mr. MCCORMICK, from the adjournment of the House to-day until after the holiday recess.

#### REPORT FROM COMMITTEE ON RULES.

Mr. RANDALL submitted the following report from the Committee on Rules.

The Clerk read as follows:

The Committee on Rules, to which were referred various propositions to amend the rules of the House, has had the same under consideration, and makes the following partial report:

The committee has not had time to conclude its consideration of all the propositions referred to it, and therefore reports back to the House such measures only as it deems necessary to be disposed of in order to complete the organization of the House.

The committee recommends the adoption of the rules of the Forty-ninth Congress until the further order of the House, with the following changes:

The Committee on the Library shall consist of five members.

Rule X shall be amended by inserting, after the words "on Rivers and Harbors, to consist of fifteen members," the following words: "on the Merchant Marine and Fisheries, to consist of thirteen members."

Rule XI shall be amended by inserting, after clause 8, the words "to the merchant marine and fisheries: to the Committee on the Merchant Marine and Fisheries."

Rule XII shall be amended by striking out the word "and," before the words "Mines and Mining," and inserting, after the said words, "and Private Land Claims."

Clause 4 of Rule XXI shall be so amended as to read as follows:

"All bills for the improvement of rivers and harbors, for the establishment or change of post-routes, and all bills of a private nature, shall be delivered to the Clerk, as in the case of memorials and petitions, for reference to appropriate committees."

That clause 1 of Rule XXII be so amended as to read as follows:

"1. Members having petitions or memorials or bills of a private nature to present may deliver them to the Clerk, indorsing their names and the reference or disposition to be made thereof; and said petitions and memorials and bills of a private nature, except such as in the judgment of the Speaker are of an obscene or insulting character, shall be entered on the Journal, with the names of the members presenting them, and the Clerk shall furnish a transcript of such entry to the Official Reporters of Debates for publication in the RECORD."

That clause 2 of Rule XXII be so amended as to read as follows:

"2. Any petition or memorial or private bill excluded under this rule shall be returned to the member from whom it was received; and petitions and private bills which have been inappropriately referred may, by direction of the committee having possession of the same, be properly referred in the manner originally presented; and an erroneous reference of a petition or private bill under this clause shall not confer jurisdiction upon the committee to consider or report the same."

That Rule XLVI be amended so as to read as follows:

"There shall be printed 500 copies of each bill of a public nature, of which 25 shall be deposited in the office of the Clerk of the House, and the remainder shall be deposited in the document-room of the House for the use of members; and there shall be printed 100 copies of each private bill, which shall be deposited in the document-room of the House for the use of members. Motions to print additional numbers of any bill, report, resolution, or other public document shall be referred to the Committee on Printing, and the report of the committee thereon shall be accompanied by an estimate of the probable cost thereof."

That there shall be a Select Committee on Reform in the Civil Service, to be appointed by the Speaker, to consist of thirteen members, to which shall be referred all propositions touching civil service of the United States.

That there shall be a Select Committee on the Election of President and Vice-President and Representatives in Congress, to be appointed by the Speaker, to consist of thirteen members, to which shall be referred all propositions touching the election and tenure of the office of the President and Vice-President and Representatives in Congress, the count of the electoral vote, and the succession to the office of President.

That there shall be a Select Committee on the Eleventh Census, to be appointed by the Speaker, to consist of thirteen members, to which shall be referred all proposed legislation concerning the eleventh census of the United States and the apportionment of representation in the House of Representatives.

That there shall be a Select Committee on Indian Depredation Claims, to be appointed by the Speaker, to consist of thirteen members, to which shall be referred all proposed legislation relating to claims of citizens of the United States on account of property destroyed or taken by Indians, including appropriations therefor.

That there shall be a Select Committee on Ventilation and Acoustics, to be appointed by the Speaker, to consist of seven members, to which shall be referred all propositions relating to the ventilation and acoustics of the Hall of the House of Representatives.

That there shall be a Select Committee on the Alcoholic Liquor Traffic, to be appointed by the Speaker, to consist of eleven members, to which shall be referred all propositions touching the alcoholic liquor traffic.

Mr. RANDALL. Mr. Speaker, I desire to hold the floor so as to enable me to call the previous question upon the adoption of the report; but I do not mean to intimate for a moment by that statement the existence of any purpose to abridge debate touching the various propositions submitted in the report of the Committee on Rules.

It will be noticed that the report is only a partial one. The time has not been sufficient for the Committee on Rules to consider every subject that has been referred to it and every change proposed; but it is the intention of the committee to investigate fully each of the suggestions that have been referred to it for its consideration. It is also proper for me to state that the report is a unanimous one, except in one particular, and that is as to the creation of the Committee on Alcoholic Liquor Traffic. The gentleman from Maine [Mr. REED], the gentleman from Illinois [Mr. CANNON], and myself constituted the majority of the committee in that connection. There were two votes against it, which I am permitted to state came from——

Mr. BLAND. Let me interrupt the gentleman for a moment.

Mr. RANDALL. Let me complete my statement.

Mr. BLAND. I want to ask the gentleman in this connection if at the proper time he will yield for an amendment to that portion of the rule to which he is just referring confining the jurisdiction of the committee to the District of Columbia, where Congress alone has jurisdiction over the subject. It has none in the States, and I desire a separate vote on that proposition, with the opportunity of amendment.

Mr. RANDALL. Whenever the gentleman presents his proposition I will state my instructions. My instructions, as I understand them to be, are to ask the previous question on the adoption of the report as submitted.

But I was proceeding to state, in reference to the votes in committee on the creation of the Committee on Alcoholic Liquor Traffic, that there were two gentlemen who voted in the minority, they being the Speaker and the gentleman from Texas [Mr. MILLS].

I desire, as briefly as possible, to state to the House the changes proposed. The first is an increase in the membership of the Committee on the Library, which grows out of the construction of the new Library building, to be erected directly east of the Capitol.

The next change is this: Under the old rules there was a Select Committee on American Ship-building and Ship-owning Interests, the title of which is changed to the Committee on American Marine and Fisheries; and it has been made a permanent instead of a select committee. The jurisdiction has also been changed to meet the change in title; but the jurisdiction given to it does not interfere with any matters that have heretofore been considered by the Judiciary Committee, the Committee on Commerce, or the Committee on Foreign Affairs.

The next change is the addition of a representative from the Delegates on the Committee on Private Land Claims. There are a number of the committees where the Territories are represented, and the Committee on Rules consider that the Private Land Claims Committee should also have such representation.

The fifth change is as to the manner of the presentation of bills and the printing of the same. The report sets forth exactly what the rule will be if the House adopts the recommendation of the committee. Private bills, it is proposed, shall be placed in the box at the desk, and public bills shall be presented, as heretofore, in open House.

Mr. DINGLEY. If the gentleman will pardon me, I would like to ask if it is proposed that private bills may be presented on any day instead of on Mondays, as has heretofore been the case.

Mr. RANDALL. I take it that in the absence of any rule to the contrary they can be presented on any day,

The committee discovered that the expense of printing these private bills for the two Houses of Congress aggregated, during the Forty-ninth Congress, $118,000, which was an increase in the cost over the Forty-eighth Congress of $22,000, showing that this largely increased expenditure did really call for some change in this particular. The committee add to that rule providing for this change of presentation of private bills, and the number of printed public and private bills, a clause, in harmony with the decisions of the House heretofore, that the improper reference of any bill should not by reason of such reference give the committee to which it was erroneously referred any jurisdiction whatever over the subject-matter. It is proposed that a committee having such a bill erroneously referred to it shall bring it back to the Clerk, and under—most likely, though the rule does not so state—under the direction of the Speaker it will be given such reference as is appropriate.

There is under the law now provision for printing 750 copies of all public and private bills; but the Public Printer, at the time of the increase of the membership under the last apportionment in this House, took occasion to increase the number, until now it aggregates 924 copies which are printed, 440 of which go to the House document-room——

Mr. ENLOE. Let me ask the gentleman from Pennsylvania in regard to these private bills, if this provision of the rule is adopted, as reported by the committee, will these bills stand as having passed their first and second reading?

Mr. RANDALL. If the rule is changed in that respect, they will not have passed their first and second reading, but will, I presume, when they are reported back and go on the Calendar. That, in my judgment, would be the proper parliamentary procedure.

The committee further provide for the printing of 100 copies of all private bills—500 of the public and 100 of the private bills. It often happens that members desire to see, or furnish applicants with, copies of private bills, and if none were printed it would force upon them the necessity of hunting up the original bill and having a manuscript copy made, being thus subjected to expense in that direction. We thought the recommendation would be proper to print 100 of each private bill before we made too radical a change by proposing to print none.

Of the 924 bills, public and private, that are printed, 440 go to the House document-room, 308 to the office of the Clerk of the House, 8 to the Secretary of the Senate, 134 to the Senate, 15 to the Department of State, 4 to the Public Printer, and 15 are printed for purposes of the files; making, as stated, 924 copies. The committee propose 500 copies, which will lessen the expense and supply each member of the Senate and House a copy, which will be sufficient, we think, in almost all cases. There never has been good reason, so far as I know, why 308 copies should be placed in the Clerk's document-room; and our recommendation also provides that 25 shall go to the Clerk for the files and such other uses—such, for instance, as the Committee on Enrolled Bills—as the Clerk will require them for.

I have here the accurate figures as to the cost of the printing, which I shall state. The printing of bills of the Senate for the Forty-ninth Congress was $45,000; the cost of printing bills of the House was $73,000; total $118,000, being an increase of $22,000 over the cost for the same printing in the Forty-eighth Congress. As to the effect of the change proposed the Public Printer makes the following statement:

> Upon the basis of a division of the bill printing of the Forty-ninth Congress, one-half supposed to be public bills and one-half private bills, 500 copies being printed of each bill of the former and 100 of the latter, the total would be $84,300, being a saving of $33,000 under the cost by the existing rules for printing.

The committees which have been in existence in former Congresses as select committees and are continued under this report are the Select Committee on the Civil Service and the Select Committee on the Election of President and Vice-President and Representatives in Congress. Another committee is that on the Eleventh Census, and the jurisdiction is somewhat changed. It is provided that all matters shall be referred to that committee which relate to the census and the apportionment. That has always gone there heretofore, but in the jurisdiction as embraced in the rules was not included.

The next change is the creation of a new committee to consider the claims of American citizens against Indians.

Mr. BUCHANAN. Will the gentleman from Pennsylvania allow me a question right there?

Mr. RANDALL. Certainly.

Mr. BUCHANAN. Is it the purpose of the Committee on Rules to vest in the proposed committee jurisdiction over claims of American citizens arising out of Indian depredations?

Mr. RANDALL. I will ask the Clerk to read that portion of the report which gives jurisdiction to that committee.

Mr. BUCHANAN. I think it ought to be so.

Mr. RANDALL. The Clerk will read the portion of the report giving jurisdiction to the Committee on Indian Depredations, which is a full answer to the question of the gentleman from New Jersey.

The Clerk read as follows:

> That there shall be a Select Committee on Indian Depredation Claims, to be appointed by the Speaker, to consist of thirteen members; to which shall be referred all proposed legislation relating to claims of citizens of the United States on account of property destroyed or taken by Indians, including appropriations therefor.

Mr. RANDALL. That is comprehensive.

Mr. BUCHANAN. It is not quite so full as I supposed it was.

Mr. RANDALL. The next committee created, or rather continued, is the Committee on Ventilation and Acoustics, and the last is that on Alcoholic Liquor Traffic.

Without yielding the floor I desire now to yield to any gentleman who may desire to speak touching the matters embraced in the report. If no gentleman desires to do so, I will ask the previous question.

Mr. McCREARY. I desire to ask the gentleman from Pennsylvania a question. Is it proposed to cut off all amendments to the proposed amendments to the rules?

Mr. RANDALL. That is entirely within the disposition of the House. My object is that I may not lose the control of the floor. I think I am in harmony with the committee in the course I am taking.

Mr. McCREARY. I would like to send up and have read for information an amendment which I propose to introduce at the proper time, if I can get the floor.

Mr. RANDALL. I yield to the gentleman for that purpose.

The Clerk read as follows:

Amendment of Rule XXI:

> "It shall be the duty of the committees having jurisdiction of the general appropriation bills, within sixty days after their appointment at the first session of Congress and within forty days after the commencement of the second regular session of Congress, to report the general appropriation bills for legislative, executive, and judicial expenses, for sundry civil expenses, for fortifications, for District of Columbia, for pensions, for deficiencies, for consular and diplomatic expenses, for the Army, for the Navy, for the expenses of the Indian Department, for the support of the Military Academy, for the Post-Office Department and mail transportation, and for the Agricultural Department; or in failure thereof the reason of such failure."

Mr. RANDALL. I desire to say to the gentleman from Kentucky, and the House, that that proposition is already before the Committee on Rules and has not been reached; but I think I know the disposition of the entire committee is that there shall be no attempt to shirk a recommendation in that direction, and that that proposition will be taken up when other substantial amendments are considered by the Committee on Rules outside of the matters that we report now, which relate to the organization of the House proper.

Mr. McCREARY. At the time I offered that amendment I was under the impression that the Committee on Rules had considered that proposition. I think it is an important amendment, and I desire that there should be proper action upon it. I hope at the proper time that this House will have an opportunity of voting upon the subject of restoring a rule which was in force in the House of Representatives for forty-three years, and which was omitted from the rules only in 1880, after having been in the rules since 1837. But as I am informed by the gentleman from Pennsylvania that the committee have not yet considered the subject, and as I presume I will have an opportunity hereafter to present any views I may have on that subject, I shall not press this proposition until the Committee on Rules have considered it.

Mr. RANDALL. If no other gentleman desires to speak, I ask the previous question.

Mr. PERKINS. With the permission of the gentleman from Pennsylvania, I should like to say a word or two.

Mr. RANDALL. How much time does the gentleman desire?

Mr. PERKINS. Only a few minutes.

Mr. RANDALL. Let the gentleman take what time he wants.

Mr. PERKINS. I simply desire to call the attention of the House to the proposed Committee on Indian Depredation Claims.

As I remember, in the Forty-ninth Congress, Indian depredation claims, except those which proposed upon their face that payment should be made from annuities or other funds belonging to the Indians, went to the Committee on Claims and not to the Committee on Indian Affairs. In consequence of the great amount of labor that was involved upon the Committee on Claims, it was substantially a denial of justice to refer those cases to that committee, because the committee could not find time for their consideration, and hence they got no hearing in this House. Therefore I think it is very proper that a committee should be created for the consideration of these Indian depredation claims; but it seems to me that claims which are to be paid from funds or annuities belonging to the Indians should properly be referred to the Committee on Indian Affairs, as they were in the Forty-ninth Congress.

If this business is to be taken from the Committee on Indian Affairs, that committee will be left with almost nothing to do except to prepare the Indian appropriation bill—if that duty should be given to it under the rules that are to be adopted by this House. Gentlemen will remember that in the Forty-ninth Congress we passed a bill which gave to the President of the United States, under certain circumstances, the right to allot lands in severalty to the Indians; hence that subject is

virtually taken out of Congress, and will no longer be a disturbing question with the Committee on Indian Affairs. Now, if all business pertaining to Indian depredation claims is to be taken from the Committee on Indian Affairs it will leave that committee, as I have already suggested, with substantially little more to do than to prepare the Indian appropriation bill. Therefore that committee will have ample time, and it seems to me that it can very properly devote itself to the consideration of such depredation claims as, by their terms, are to be paid from Indian funds. That committee has had cognizance of those claims for years past, and has given to them much investigation and consideration, and therefore I think that the Committee on Indian Affairs will be better prepared to take up such claims and dispose of them intelligently and fairly than any new committee that might be created for the special purpose. Hence, if the gentleman from Pennsylvania will permit me, I will propose an amendment——

Mr. RANDALL. I am in no hurry.

Mr. PERKINS. Then I will offer as an amendment to the proposed rule the following:

Except such as are to be paid from funds or annuities belonging to the Indians.

That will leave with the Committee on Indian Affairs all claims which, by their terms, it is proposed shall be paid from such Indian funds or annuities.

Mr. RANDALL. Mr. Speaker, this rule, as I understand it, will leave with the Committee on Indian Affairs the whole Indian policy of the Government, involving a great many important questions. The rule only goes this far: It gives the House a new committee for the consideration of claims of American citizens for depredations committed by the Indians, and I will suggest to the gentleman from Kansas [Mr. PERKINS] that the claims for depredations which it is proper or possible to pay out of Indian annuities or other Indian funds bear but a small proportion to the entire amount of Indian depredations.

Mr. PERKINS. I agree to that.

Mr. RANDALL. In other words, the great bulk of those claims are for depredations committed by Indian tribes who have no annuities or funds from which to make payment. I now yield to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Speaker, it is true, as stated by the gentleman from Kansas [Mr. PERKINS], that under the construction given to the rules of the House in the Forty-ninth Congress such claims for Indian depredations as proposed payment directly out of the Treasury were referred to the Committee on Claims, while those bills contemplating payment out of tribal or annuity funds went to the Committee on Indian Affairs. Very many bills of this character were introduced and referred to the Committee on Indian Affairs not only in the Forty-ninth but in preceding Congresses. I must say, however, that during the brief period of my service in this House, so far as I can now recall, not a single, solitary bill for the payment of an Indian depredation claim reported from that committee has ever received final consideration.

Now, the object of this amendment is the organization of a new committee which will have plenary jurisdiction of the entire subject-matter, which can consider and investigate all these claims, formulate such measures as are designed to accomplish their ultimate settlement, including appropriations therefor, and report the same for the action of the House. This proposition is in keeping with the recommendation of the Commissioner of Indian Affairs (Mr. Atkins), who was long an able and efficient member of the House of Representatives, and who, in connection with the duties of his present office, has given much attention to the subject. His opinion is certainly entitled to great weight and consideration. I hold in my hand his annual report to the Secretary of the Interior for the present year, and will read what he says on page 49:

Many of these depredation claims have been pending for so long a time that a large number of the claimants are dead, and can be represented only by heirs or administrators. The witnesses are scattered and many of them are also dead, and in a few more years, in the ordinary course of events, both claimants and witnesses will have passed away. It has therefore occurred to me that if it is the intention of Congress ever to pay these claims—very many of which, after investigation, I believe are just and should be paid—it should take steps at an early day looking toward their final arbitration and settlement. With that view I would suggest a plan of action which would probably prove effective in disposing of them. If it should be deemed wise and proper, the House of Representatives might, by an amendment to its rules, organize a new committee on Indian depredation claims, which committee could investigate and report upon such cases as are recommended by the Interior Department for payment, just as the Committee on War Claims examines and reports with reference to what are known as the 4th of July claims. Every one familiar with the immense pressure on Congress for time to transact the public business knows that these Indian claims can never be considered by Congress *seriatim* except in some such manner as above indicated.

Mr. Speaker, it does seem to me that any one who is familiar with this question, and conversant with past legislation in relation thereto, as well as the delay and want of action by Congress in the just and appropriate treatment of this character of governmental obligations, can not fail to be convinced of the importance and propriety of creating this committee, and conferring upon it all the necessary jurisdiction. The first statute relating to compensation for Indian depredations was enacted May 19, 1796, providing for eventual indemnification of the injured party by the Government, and the deduction of the necessary sum out of the annual stipend from the United States to the tribe to which the Indian committing the depredation belonged. Other legislation bearing upon the subject can be found in the acts of March 30, 1802; June 30, 1834; February 28, 1859; June 25, 1860; July 15, 1870; May 29, 1872; March 3, 1885, and May 15, 1886.

I will not now attempt an analysis of these different statutes, but merely quote the same in order to furnish data for inquiry into the history of such legislation and the policy of the Government. I have endeavored to obtain an approximate estimate of the amount of money that would be required to pay off and discharge such Indian depredation claims as are now outstanding, which have been ascertained, approved, and allowed by the Interior Department, but have been unable to procure the same from any authoritative source. I have before me Executive Document No. 125, first session of the Forty-ninth Congress, in which is transmitted by the Acting Secretary of the Interior, under date March 11, 1886, a report of the Commissioner of Indian Affairs, containing a list of Indian depredation claims which have been filed in the Interior Department from time to time. This report was made in compliance with the act of March 3, 1885. It contains, as stated by the Commissioner, about 4,500 claims, approximating in amount about $15,000,000. Many of these claims have been disallowed and rejected, while others have been approved. It must be apparent that any proper and intelligent consideration of this vast number of claims, and the preparation and presentment of such measures, general or special, as will secure fair and correct disposition and treatment of the same, will require the constant and patient efforts of a committee created for that specific and exclusive object.

The gentleman from Kansas [Mr. PERKINS] will doubtless remember some of the circumstances under which the provision (March 3, 1885) requiring the transmittal of the list of claims contained in Executive Document No. 125, to which I have referred, was inserted in the Indian appropriation bill for 1885. In that bill, reported from the Committee on Appropriations, provision was made for the full payment of certain individual claims on account of Indian depredations. But an amendment was proposed providing in lieu thereof that 15 per cent. of all such claims as had been allowed and approved by the Interior Department, and favorably reported by the Committee on Indian Affairs during that Congress, should be paid, and this proposition passed the House, but was defeated in the Senate, and instead thereof was inserted the following:

For the investigation of certain Indian depredation claims, $10,000; and in expending said sum the Secretary of the Interior shall cause a complete list of all claims heretofore filed in the Interior Department, and which have been approved in whole or in part, and now remain unpaid, and also all such claims as are pending but not yet examined, on behalf of citizens of the United States, on account of depredations committed, chargeable against any tribe of Indians, by reason of any treaty between such tribe and the United States, including the name and address of the claimants, the date of the alleged depredations, by what tribe committed, the date of the examination and approval, with a reference to the date and clause of the treaty creating the obligation for payment, to be made and presented to Congress at its next regular session. * * *

Since that time the practice of providing for the payment of such claims on the Indian appropriation bills has ceased, and, so far as I am advised, no measure of relief, private or public, has been passed. In the Forty-ninth Congress, May 15, 1886, provision was made for continuing the matter of the investigation and examination of these claims, as follows:

Indian depredation claims: For continuing the investigation and examination of certain Indian depredation claims, originally authorized, and in the manner therein provided for by the Indian appropriation act approved March 3, 1885, $20,000; and the examination and report shall include claims, if any, barred by statute, such fact to be stated in the report; and all claims whose examination shall be completed by January 1, 1887, shall then be reported to Congress, with the opinions and conclusions of the Commissioner of Indian Affairs and the Secretary of the Interior upon all material facts, and all the evidence and papers pertaining thereto.

By virtue of these provisions, special agents have been sent out to examine into and take testimony concerning these claims. The objection had been urged that many of the claims were exorbitant and founded upon *ex parte* evidence; and $30,000 have been appropriated for making reports and obtaining additional testimony. The result is, that many claims not heretofore submitted have been presented, and claimants have been stimulated to file their claims who had not previously indulged any hope of payment, and hence the amount claimed has been increased rather than diminished.

As suggested by the Commissioner of Indian Affairs, "very many of these claims are just and should be paid," and "if it is the intention of Congress ever to pay them," it is high time that something should be done in that direction.

The Committee on Indian Affairs, it seems to me, is already sufficiently burdened with other matters over which it exercises jurisdiction—the Indian appropriation bill, questions of eminent domain, the education of the Indians, and the entire policy of the Government in connection with them. It has not heretofore had the time to give to these particular claims that attention which their importance demands. I therefore appeal to my friend from Kansas [Mr. PERKINS], who I know is in sympathy with the essential purpose involved in the creation of this committee, not to insist upon any abridgment of the jurisdiction proposed to be conferred; because I believe it is due to these claimants,

due to ourselves, and due to Congress that, as soon as their justice can be satisfactorily ascertained, all meritorious claims of this sort should be paid, and the committee to which they are referred ought not to be limited to the consideration of any particular class of these claims.

Mr. HERMANN. On behalf of the people of my State I desire to express my concurrence with the excellent remarks just made by the gentleman from Texas [Mr. LANHAM]. But I desire to ask him whether, under the rule now proposed, any portion of these depredation claims will be excluded from the consideration of the committee. The gentleman is aware that under legislation adopted in 1885 the Interior Department was precluded from the consideration of any claims not presented prior to that particular time. The gentleman is further aware that since that time claims equally meritorious with any others have been presented; but the Interior Department, claiming that it has not jurisdiction, has declined to give to these claims more recently presented the same consideration allowed to claims previously brought forward. I therefore desire in behalf of my constituents to ask the gentleman whether all claims presented up to the present moment are to receive the consideration of this committee.

Mr. LANHAM. The gentleman from Oregon [Mr. HERMANN] of course understands that it is impossible in the mere creation of this committee to change any existing law. The question, however, as to the propriety of the existing limitation would perhaps be addressed to the committee and to Congress; and any technical bar might, in the judgment of Congress, be obviated in favor of meritorious claims which ought to be paid. It is not the purpose of the resolution to exclude any legitimate claim from the consideration of the committee.

Mr. Speaker, these claims are of the utmost importance to people in the West. As Executive Document No. 125 shows, the claimants reside in Kansas, Colorado, Texas, Iowa, Missouri, Minnesota, Oregon, Nebraska, New Mexico, Dakota, Wyoming, and other States and Territories. These claims have arisen all over what was once the western frontier, and are in favor of the heroic pioneers who have paved the way by their suffering and privations to the splendid civilization which is now enjoyed. What I have sought to accomplish in offering the resolution, which has received the favorable consideration and unanimous approval of the Committee on Rules, is the inauguration of some measure looking to the final settlement and ultimate payment of every just and honest claim in favor of any citizen of the United States who has been despoiled of his property by the Indians.

Mr. HERMANN. I desire to inquire further whether this rule will confer upon the committee authority to report appropriations covering these claims.

Mr. LANHAM. That is included in the resolution. If there is a desire to ask me any further question I will cheerfully answer to the best of my ability; if not, I do not wish to consume any more of the time so kindly extended me by the gentleman from Pennsylvania [Mr. RANDALL], but will, by permission of the House, append two exhibits from the report of the adjutant-general of Texas, made in September, 1884, which, though partial and incomplete, will afford some idea of the loss and suffering endured by the people of my State in consequence of Indian depredations.

EXHIBIT No. 1.

*Statement of Indian depredations committed on the frontier of Texas since the close of the war to August 5, 1867, from records on file in offices of governor and secretary of state.*

| No. of voucher. | Date subsequent to war. | County where committed. | Persons— Killed. | Wounded. | Captured. | Reclaimed. | Property destroyed and stolen. Cattle. | Sheep. | Horses. |
|---|---|---|---|---|---|---|---|---|---|
| 1 | 1865-6 | Kerr | ..... | ..... | ..... | ..... | ..... | ..... | 70 |
| 2 | ..... | Webb | 7 | ..... | ..... | ..... | ..... | 1,000 | 103 |
| 3 | ..... | Erath* | 6 | 2 | 2 | ..... | ..... | ..... | 88 |
| 4 | ..... | Montague | 7 | ..... | 8 | 7 | 11,620 | ..... | 191 |
| 5 | ..... | Uvalde | 29 | 3 | 3 | 1 | 3,066 | 500 | 220 |
| 6 | ..... | Medina | 3 | ..... | 1 | ..... | ..... | ..... | 182 |
| 7 | ..... | Lampasas | 8 | ..... | 1 | ..... | 400 | ..... | 409 |
| 8 | ..... | Hamilton | 3 | 2 | 1 | 1 | 4 | ..... | 215 |
| 9 | ..... | Menard | 1 | 1 | ..... | ..... | 2,720 | ..... | 57 |
| 10 | ..... | Kendall | 2 | ..... | ..... | ..... | ..... | ..... | 137 |
| 11 | ..... | McCulloch | 1 | ..... | ..... | ..... | 827 | ..... | 44 |
| 12 | ..... | Comal | ..... | ..... | ..... | ..... | ..... | ..... | 16 |
| 13 | ..... | Bexar | 1 | ..... | ..... | ..... | ..... | ..... | ..... |
| 14 | ..... | Cooke | 4 | ..... | 5 | 4 | 1,308 | ..... | 154 |
| 15 | ..... | Blanco | 2 | ..... | ..... | ..... | ..... | ..... | 185 |
| 16 | ..... | Bosque | 2 | 2 | 1 | 1 | ..... | ..... | 94 |
| 17 | ..... | Palo Pinto | ..... | ..... | 1 | ..... | ..... | ..... | 150 |
| 18 | ..... | Comanche | 5 | 2 | 1 | ..... | ..... | ..... | 75 |
| 19 | ..... | Tarrant | ..... | ..... | ..... | ..... | ..... | ..... | 16 |
| 20 | ..... | San Saba | 1 | ..... | ..... | ..... | ..... | ..... | 75 |
| 21 | ..... | Hood | 1 | ..... | ..... | ..... | ..... | ..... | 46 |
| 22 | ..... | Gillespie | 9 | ..... | 5 | 7 | 1,000 | ..... | 40 |
| 23 | ..... | El Paso | 29 | 1 | ..... | ..... | 238 | 930 | 110 |
| 24 | ..... | Jack | 7 | ..... | ..... | ..... | 5,000 | ..... | 100 |
| 25 | ..... | Atascosa | 4 | ..... | ..... | ..... | ..... | ..... | ..... |

*County judge says: "Report incomplete; not half reported."

*Statement of Indian depredations committed, etc.*—Continued.

| No. of voucher. | Date subsequent to war. | County where committed. | Persons— Killed. | Wounded. | Captured. | Reclaimed. | Property destroyed and stolen. Cattle. | Sheep. | Horses. |
|---|---|---|---|---|---|---|---|---|---|
| 26 | ..... | Mason | 6 | ..... | ..... | ..... | 500 | ..... | 38 |
| 27 | ..... | Brown | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| 28 | ..... | Coleman | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| 29 | ..... | Parker | 10 | ..... | 4 | 4 | ..... | ..... | 454 |
| 30 | ..... | Young | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| 31 | ..... | Wise | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| 32 | ..... | Llano | ..... | ..... | ..... | ..... | 151 | ..... | 81 |
| 33 | ..... | Burnet | 1 | ..... | 1 | 1 | ..... | ..... | 3 |
| 34 | ..... | Bandera* | 4 | 3 | 2 | 1 | 4 | ..... | 136 |
| 35 | ..... | Concho River | ..... | 2 | ..... | ..... | ..... | ..... | 28 |
| All | Feb. 4, 1867 | McCulloch | ..... | ..... | ..... | ..... | 4,000 | ..... | ..... |
| | July 12, 1867 | Comanche† | 2 | 4 | 1 | ..... | ..... | ..... | ..... |
| | July 15, 1867 | Parker | 2 | ..... | 4 | ..... | ..... | ..... | ..... |
| | July 16, 1867 | Wise | 1 | ..... | 2 | ..... | ..... | ..... | ..... |
| | July 19, '67 | Young (added) | {1 {2 | ..... | ..... | ..... | ..... | ..... | ..... |
| | do | Hamilton† | 2 | 2 | 1 | ..... | ..... | ..... | ..... |
| | ..... | ..... | 163 | 24 | 44 | 29 | 30,838 | 2,430 | 3,781 |

*Colonel Dalrymple and party attacked, losing $4,000 worth of property.
†No official reports, but information of facts. Property carried off, amount not known.
‡This party of Indians (100) made a raid through Jack, Wise, Parker, and Young.

It is proper to state no official reports have been received from Wise County, one of the heaviest sufferers. There are other counties known to have suffered severely from which no reports have been received.

EXHIBIT No. 2.

*Partial statement of depredations by Indians from 1867 to November 1, 1875, compiled from various reports received at adjutant-general's office, and not included in any annual report issued from that office.*

| Counties. | Previous to 1873, since 1866. Citizens. Killed. | Wounded. | Carried off. | Stolen. Attacks on persons. | Horses and mules. | Cattle. | Since 1873 to date. Citizens. Killed. | Wounded. | Carried off. | Stolen. Attacks on persons. | Horses and mules. | Cattle. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Coleman | 2 | 3 | ..... | 2 | 57 | 1,010 | 3 | ..... | ..... | 5 | 670 | ..... |
| Menard | 10 | 2 | 2 | ..... | 619 | 7,710 | 5 | 4 | ..... | ..... | 271 | ..... |
| Kimble | ..... | ..... | ..... | ..... | ..... | 2,650 | 3 | ..... | ..... | 2 | 24 | ..... |
| Kerr | ..... | ..... | ..... | ..... | ..... | ..... | 3 | ..... | 2 | 2 | 182 | ..... |
| San Saba | ..... | ..... | ..... | ..... | ..... | ..... | 3 | 1 | ..... | ..... | 476 | 710 |
| Hamilton | 6 | 4 | 1 | ..... | 500 | ..... | ..... | ..... | ..... | ..... | ..... | 125 |
| Live Oak | 3 | ..... | 2 | ..... | 480 | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Denton | 18 | 1 | 17 | ..... | 1,195 | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Archer | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 1 | 7 | ..... |
| Clay | ..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... | ..... | ..... | 137 | ..... |
| Wichita | ..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... | ..... | ..... | 12 | 250 |
| Parker | ..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... | ..... | 1 | ..... | ..... |
| Kendall | 2 | 1 | 1 | ..... | 705 | 25 | ..... | ..... | ..... | ..... | ..... | ..... |
| McMullen | 3 | ..... | 3 | ..... | 474 | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Burnet | 5 | ..... | ..... | ..... | 254 | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Bexar | 2 | ..... | 2 | ..... | 25 | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Comal | ..... | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Bandera | ..... | ..... | ..... | ..... | ..... | ..... | 6 | 4 | ..... | ..... | 62 | ..... |
| Callahan | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 10 | ..... |
| Zavalla | ..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... | ..... | ..... | 70 | ..... |
| Young | 8 | ..... | ..... | ..... | 92 | ..... | 1 | ..... | ..... | ..... | 88 | ..... |
| Uvalde | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 186 | ..... |
| Kinney | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 40 | 75 |
| Comanche | ..... | ..... | ..... | ..... | ..... | ..... | 2 | 1 | ..... | ..... | 24 | ..... |
| Jack | 1 | ..... | ..... | ..... | 103 | ..... | 5 | ..... | ..... | 3 | 300 | ..... |
| Montague | ..... | ..... | ..... | ..... | 32 | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Llano | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 4 | ..... | ..... | 35 | ..... |
| Tom Green | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 445 | ..... |
| Shackelford | ..... | ..... | ..... | ..... | 37 | ..... | ..... | ..... | ..... | ..... | 25 | ..... |
| Brown | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 33 | ..... |
| Mason | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 10 | ..... |
| El Paso | ..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... | ..... | 1 | 10 | ..... |
| McCulloch | ..... | ..... | ..... | ..... | ..... | ..... | 3 | ..... | ..... | ..... | 4 | ..... |
| Gillespie | 2 | 1 | 1 | ..... | 1,177 | ..... | 1 | ..... | ..... | ..... | 66 | ..... |
| Maverick | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... | 1 | 4 | ..... |
| Erath | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 50 | ..... |
| Wise | 13 | ..... | 5 | ..... | 441 | ..... | 3 | ..... | ..... | ..... | 340 | ..... |
| Palo Pinto | ..... | ..... | ..... | ..... | 64 | ..... | 1 | ..... | ..... | ..... | 130 | ..... |
| Stephens | ..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... | ..... | ..... | 98 | ..... |
| | 75 | 13 | 34 | 2 | 6,255 | 11,395 | 45 | 15 | 2 | 17 | 3,809 | 1,160 |
| Might have been reported by Governor Throckmorton, and therefore deducted | 6 | 1 | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Total | 69 | 12 | 33 | 2 | 6,255 | 11,395 | 45 | 15 | 2 | 17 | 3,809 | 1,160 |

| | |
|---|---|
| Total killed | 114 |
| Total wounded | 27 |
| Total carried off | 35 |
| Total attacked | 19 |
| Total horses and mules stolen | 10,064 |
| Total cattle stolen | 12,555 |

MESSAGE FROM THE PRESIDENT.

A message, in writing, from the President of the United States, was received, by Mr. PRUDEN, one of his secretaries.

AMENDMENT OF THE RULES.

The House resumed the consideration of the report of the Committee on Rules.

Mr. RANDALL. The gentleman from Colorado [Mr. SYMES] desires to be heard for a few minutes, and I will yield to him for that purpose.

Mr. SYMES. Mr. Speaker, I hope the new rule reported by the Committee on Rules, as an amendment to the rules of the House, creating a special committee to consider and report upon Indian depredation claims, will be adopted. For if there be one subject upon which the Government of the United States has been derelict in the discharge of its duty it is in reference to the non-payment of claims arising out of Indian depredations. They have been allowed to accumulate, without action, as shown by the gentleman from Texas [Mr. LANHAM], during over twenty-five years, until they have reached the aggregate number of over five thousand. In the mean time a very few of them, perhaps some of the most unjust, have been paid.

Now, sir, I do hope, in accordance with the report of the Committee on Rules, this whole subject of Indian depredation claims may be referred to a special committee of this House for consideration and report, because it is the only way in which these claimants can obtain a hearing. The Committee on Indian Affairs of the Forty-eighth Congress reported during the last few days of the session, to be included in the appropriation bill, about half a dozen claims for payment. I was not then a member of the House, but I was here in this Hall during the expiring days of the session, and I heard conference reports between the two Houses of Congress debated.

There were a few claims reported in the appropriation bill to which the Senate members of the committee of conference would not consent, because, as they said, they had no time to give them any proper consideration. In other words, the proposition was then stated on the part of the Senate, and agreed to very generally, that although these Indian depredation claims might be absolutely just, although poor women might be starving out upon the frontier, who had their husbands murdered by the Indians and their property destroyed, although this might be the case beyond question, yet neither the House nor the Senate of the United States had theretofore provided any way whereby they could secure action in behalf of these claimants and the payment to which they are justly entitled. And as it is now they can not receive payment of their claims, for the plain reason that neither the committee of the Senate, nor the committee of the House, nor individual members of either body can obtain a proper opportunity to scrutinize them and report which are just and which are unjust and the amount due. In other words, the Government of the United States says to these claimants, "Your claims are just; some of you may be starving; we know that you need the money justly due to you, but it can not be paid because we have not furnished you with a proper tribunal to decide on your claims and make appropriation to pay them so you can obtain it within any reasonable period."

Now, Mr. Speaker, one word further on this subject, as I represent a district and constituents who are interested in very many of these Indian depredations claims. I am continually requested to present those claims before the Committee on Indian Affairs, and I am receiving letters from very poor widows, whose husbands have been murdered and their property taken from them, and they are living on charity for the want of the money they are fairly entitled to from the Government.

I do hope, therefore, the House will agree to this portion of the report from the Committee on Rules, so that a special committee will be provided to consider and act upon these Indian depredation claims. When such a committee has been provided and they have taken up these claims for action, I have no doubt they will report some general bill to this House which will create a special tribunal or give jurisdiction to the Court of Claims to adjudicate upon and find the amount due. If that be done, and the Court of Claims shall consider and report to Congress upon this class of cases, I have no doubt that then, in accordance with the procedure explained by the gentleman from South Carolina [Mr. DIBBLE] the other day in reference to the French spoliation claims, a report will come to this House in such a way that the consciences of members will be relieved, and they will be able to vote for an appropriation to pay these just claims.

Mr. RANDALL. I wish to state to the gentleman from Colorado that I am under obligation to yield a portion of the time to other gentlemen.

Mr. SYMES. One word more and I will yield the floor; I may not have another opportunity to say publicly to the members of the House what I have already scolded so much about in private. [Laughter.] It is this: It is time the members of this House appreciated the fact that there should be provided some special tribunal to consider and dispose of these Indian depredation claims and claims of a like character.

It must be known to gentlemen of any experience in this House that it is impossible for members of committees to obtain the time to consider any large number of these claims, examine the testimony, and determine the amounts respectively due, and report the numerous private bills to the House.

But, suppose the Indian Committee could examine and report on the large number of claims and report the bill and have it put on the Private Calendar, they could never be reached for consideration or action in the House. One day in the week is devoted to the consideration of bills on the Private Calendar. More private bills are usually reported to the House the first few weeks than can be passed during the session. The Committee on Indian Affairs reported a few bills for Indian depredations last Congress, but not one was ever reached for action on the Calendar during the Forty-ninth Congress. During the Forty-eighth not more than one-half dozen were acted on. These claims can never be paid if their payment depends on committee reports and action on the private bills in the House.

If I were called upon to select the three hundred and twenty-five men, who, of all others, have not the time nor opportunity to judicially consider and decide on the respective amounts due these five thousand claimants, I would name the three hundred and twenty-five members of this House. Whenever a claimant has obtained a report in favor of his bill, it is not passed, because members say they have not been able to investigate it and decide whether it is just.

Mr. Speaker, a bill creating a special tribunal should be passed, and authorized to hear and determine these claims, and find the amounts due. That tribunal should report its findings and decisions to Congress, similar to the way the Court of Claims reports its judgments, so the amounts could be put into the ordinary appropriation bills. That tribunal or court should be of such a character that the House would not hesitate to act upon its judgments and vote the appropriations to pay them.

These claims have been investigated by the Indian Bureau twice, under acts of Congress, and the amounts found due with the evidence in support of the claims reported to the House. An act was passed by the Forty-eighth Congress requiring a reinvestigation of them and additional reports by the Commissioner of Indian Affairs. Special agents have traveled over the country, made this reinvestigation, and again their claims have been reported to Congress. But this House does not consider these reports of the Commissioner even *prima facie* evidence of the amounts due, or the justness of the claims. So the expense the Government has been to, and the expense the claimants have been put to in producing the evidence avails them nothing. Mr. Speaker, this is unjust to these honest claimants. The proper way, the practical way, and the just way to dispose of these claims between the Government and these claimants is to create a special tribunal to hear and decide them. Provide that the large quantity of testimony taken in the cases shall be submitted to and considered by such tribunal.

Let us not, sir, continue to deceive these claimants any longer by holding out false hopes, when we know the just claims can not and will not be paid under the present system.

If, on account of the expiration of Congress, some of the ordinary appropriations for salaries, etc., fail, a great cry is raised about the injustice, and on the reassembling of Congress an urgency deficiency bill is brought forward and the necessary appropriations made. This is right. The Government should act like any prompt and honorable debtor. Many of these claims appeal more strongly than any other debts of the Government for payment. I know one poor widow, whose husband was shot down by the Southern Ute Indians in Southwestern Colorado about two years ago, and herself wounded, and their house and all they had burned up. She has been supported mostly by the charity of friends. Under the United States statutes her claim is due. The Government failed in its duty in allowing these barbarous Indians to leave their reservation and commit the outrage. It is again derelict in not paying this poor woman her just claim, to aid her in supporting her little orphans. There are many others I could specify.

Mr. Speaker, I appeal to the House in the name of justice and right to adopt this rule, create this special committee, and when it reports proper measures for the relief of these claimants, pass the acts and do tardy justice.

Mr. RANDALL. I yield now three minutes to the gentleman from Arkansas [Mr. PEEL].

Mr. PEEL. Mr. Speaker, I only desire to refer to the argument of the gentleman from Kansas [Mr. PERKINS] against the creation of this new committee as proposed by the Committee on Rules.

It is well known, sir, that there are two classes of Indian depredation claims, one a class which is paid directly from the Treasury of the United States, while the other is paid out of the funds belonging to the Indians against which the claim is pending. Now, the reason urged by the gentleman from Kansas against the creation of the new committee is somewhat forcible, for it goes to the question of giving jurisdiction over the property of the Indians to a committee of this House.

But there is another reason, Mr. Speaker, which I think much greater than the objection of the gentleman, in favor of the recommendation of the Commissioner of Indian Affairs and the report of the Committee on Rules for the creation of this committee. It is a well-known fact that in the Forty-eighth Congress a distinction existed between the two classes of claims, and under the rules that class of claims for dep-

redations payable out of the United States Treasury went to the Committee on Claims, while the other class, those paid from the Indian funds, went to the Committee on Indian Affairs.

I remember well the confusion that arose in the Committee on Indian Affairs in regard to the matter. It was not infrequent that we had bills referred to our committee that belonged to the Committee on Claims. It was impossible for the Speaker, when a simple depredation claim was presented in the shape of a bill, to know exactly to which committee it belonged without careful examination. He had not time to examine the various treaties to know whether this claim should be paid out of the one fund or the other, and therefore he could not make the distinction which the rules required in its reference. That, I think, is a sufficient answer to the objection which the gentleman from Kansas makes.

Now, one word in regard to the work of the committee. I desire to say in regard to that point that the Committee on Indian Affairs did all the work possible to be done outside of the consideration of the depredation claims. I know that we worked here during the last Congress as hard as any other committee, and not a single depredation claim was passed upon by the House, one great reason being that we had so much other work to do that it was utterly impossible to investigate the mass of evidence presented with these claims and report upon them. The consequence was that very few were reported to the House.

Mr. LANHAM. Let me ask the gentleman from Arkansas a question. During the Forty-eighth and Forty-ninth Congresses was any bill of this sort passed through the House upon the report of the Committee on Indian Affairs?

Mr. PEEL. I think not; not one that I remember.

Now, Mr. Speaker, these claims, it is well known, have been existing, many of them, for a long time. They have been standing for from one to twenty years; some of them are made under one law and some under another. Some of them are barred by the statute of limitations; others are not. If this committee is created the consideration of these claims will be its whole duty. Its whole jurisdiction being confined to the consideration of these claims, they will have much better consideration than it has been possible heretofore to give them.

[Here the hammer fell.]

Mr. RANDALL I now yield three minutes to the gentleman from Mississippi [Mr. HOOKER].

Mr. HOOKER. Mr. Speaker, I rise not so much for the purpose of discussing the matter presented under any particular rule which is proposed to be amended by the report of the Committee on Rules, as to suggest to the gentleman from Pennsylvania [Mr. RANDALL], if I can get his attention, that it would probably facilitate the action of the House on the report of the committee to take up the various amendments proposed by the committee and consider them *seriatim* in the order in which they are presented by the report.

I take it for granted from the reading of the report that there will not be much objection to many of the suggestions of the committee, and probably little discussion except in reference to one or two. Therefore it will doubtless facilitate matters to take up these suggestions and consider them in their order, because, as I have said, upon some there may be discussion, while upon others there may be, and probably will be, none. Upon some there may be amendments proposed, while upon others there will probably be none.

So far as the question that has been discussed is concerned, that in reference to the consideration of these Indian depredation claims, it comes quite late in the report, and I doubt not is a proper method to get rid of the accumulated Indian claims which have grown to such numbers before that committee during former sessions of Congress. I feel sure that we should have a tribunal to consider promptly and pass upon these questions one way or the other, and settle the numerous claims against the tribes. But while that is done there is another side of the question to be considered, and that is, the claims of the Indians themselves against the Government of the United States and its citizens. They should be considered with equal promptness and settled with equal and exact justice.

I suggest, however, merely to the gentleman from Pennsylvania the propriety of taking up the amendments of the committee, and considering them in their consecutive order.

Mr. RANDALL. The gentleman from Illinois [Mr. ADAMS] desires to be heard. I will yield to him for a few moments.

Mr. ADAMS. I wish to ask the gentleman from Pennsylvania a question relating to the practical effect of adopting this resolution. As to the purpose of the Committee on Rules in presenting it, that is clear. They desire to facilitate the organization of the House.

It is known, in the first place, that it is here proposed to adopt the entire set of rules of the Forty-ninth Congress, with sundry modifications.

Now, we know that at any period in a session of Congress any member may propose amendments to any rule, but we know also that it is extremely difficult for him to get his proposition before the House, and the only occasion upon which any member can, with reasonable facility, get before the House a proposed amendment to any rule which he desires to amend is now, at the beginning of a Congress. Therefore, I desire to ask the gentleman from Pennsylvania whether he is authorized to state, on behalf of the Committee on Rules, that notwithstanding the adoption of this resolution the members of the House will have the early opportunity, which they usually have at the beginning of a Congress, of going all over the rules of the preceding Congress, except so far as they may be modified by the report of the Committee on Rules which we have now under consideration, and of considering any proposed amendment to any of the rules?

Mr. RANDALL. In reply to the gentleman from Illinois I desire to say that the report itself sets forth that it is only a partial report of the matters that are before the committee; and I can give my own understanding, not being authorized to speak for any one else, but I think not in contravention of the judgment of the committee as regards its individual membership, that every subject which has been referred to that committee, introduced by any member of this House, in connection with the rules, will be fully considered and reported upon by the Committee on Rules, so that the House will have entire control of the matters to which the gentleman has referred, and reach a decision upon them.

Mr. ADAMS. Let me ask the gentleman from Pennsylvania one other question. Supposing that some member of this House desires to amend a rule in regard to which no proposition has as yet been submitted or referred to the Committee on Rules, is it the understanding of the gentleman from Pennsylvania that such member will have that opportunity at an early day?

Mr. RANDALL. The Committee on Rules can take away from the individual member no privileges and no rights. As I understand it, any member of this House can at any time introduce for reference matters relating to the rules. These go to the Committee on Rules, and will be considered, I presume, without doubt, by the Committee on Rules and reported upon to the House.

Mr. ADAMS. Let me make another suggestion, if the gentleman from Pennsylvania will allow me. When a further report comes in, as I suppose a further report will come in, I think we ought, in fairness, considering the partial character of this report, to be permitted to go over, as briefly and rapidly as may be, the rules of the Forty-ninth Congress, and that some liberality should be shown in allowing amendments to be made to the rules of the Forty-ninth Congress.

Mr. RANDALL. The report of the committee is a mere recommendation. The House has the power to amend its own rules, and that power can not be taken away from it. I now ask the previous question.

Mr. SPRINGER. I should like to be allowed five minutes.

Mr. RANDALL. How much time have I remaining?

The SPEAKER. The gentleman has fifteen minutes of his time remaining.

Mr. RANDALL. I yield five minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. I had hoped that the Committee on Rules in making this report would have gone a little further in their work and would have reduced the number of these committees instead of adding to the list. In their superior wisdom they have seen fit to include all of the old committees of the last Congress and to add one or two new ones. I will not offer any amendment looking to the reduction of the committees of this House, or ask the privilege to do so, as I know it would be unavailing; but I hope that at some time in the future we may be able to reduce the committees to that number only which will be necessary for the efficient discharge of the business of the House.

We might have adopted, perhaps, the rule adopted in another body not far from this, of creating enough committees to give the members of the majority side of the House each a committee and also the good fellows on the other side each a committee. But this body is a little too numerous for that, and we can not follow that example set to us by another body assembled not remotely from this place.

In reference to one of the new committees created here, I think it very proper to create it. I want to suggest to those gentlemen who imagine that that committee is going to bring the relief that is anticipated that they will in the end find themselves mistaken.

I hold in my hand the document to which the gentleman from Texas [Mr. LANHAM] has referred, coming from the Interior Department, and transmitting a list of claims now pending in the Interior Department on that subject. I find that it embraces 4,500 claims, aggregating $15,000,000. The heading of each claim is printed in this pamphlet without the substance of the claim being given, the amounts being stated in a tabular form, and the date of depredation; and this list covers 290 pages of closely-printed matter.

Mr. LANHAM. Let me state that a number of the claims mentioned there have been disallowed by the Department.

Mr. SPRINGER. All of them are transmitted here and will go before this committee, notwithstanding that they may have been disallowed by the Interior Department. There is no committee of this House that can consider 10 per cent. of the claims that will be presented during one session or one term of Congress, and there is but one solution of the problem; that is, to confer upon the Court of Claims, or upon some other tribunal, jurisdiction to hear and determine those claims. If this proposed committee will report a general law conferring such jurisdiction upon some tribunal that can devote its whole time to the subject for five or ten years, then there can be a proper adjudication of these cases, but not otherwise.

Mr. LANHAM. Will it not be within the power of the committee to recommend such a course?

Mr. SPRINGER. It will be within the power of the committee, and I hope that instead of wasting their time upon individual cases they will report a general bill which will give all of these claims a status before a proper tribunal by which they can be heard and determined.

[Here the hammer fell.]

Mr. SPRINGER. I ask the gentleman to yield me a few minutes more.

Mr. RANDALL. How much time have I left, Mr. Speaker?

The SPEAKER. The gentleman from Pennsylvania [Mr. RANDALL] has ten minutes remaining.

Mr. SPRINGER. I will ask the gentleman to give me three minutes more.

Mr. RANDALL. I yield to the gentleman for three minutes.

Mr. SPRINGER. Such jurisdiction can be conferred upon the Court of Claims without increasing the expenses of the Government, and it will be the best means of doing justice to these claimants. Some citizens of my own State have been traveling out upon the plains and have fallen in with Indians and been the victims of their depredations. Their cases are included in this list, and I desire that they shall have a fair hearing and a fair opportunity to have their claims adjudicated in some legal way; for I think the method adopted by the Interior Department, of sending out agents to collect *ex parte* affidavits and then referring to clerks in the Department the adjudication of claims involving millions upon millions of dollars, is unsatisfactory and demoralizing in the extreme. I repeat, then, there is but one proper solution of the question, and that is conferring jurisdiction to hear and determine these claims upon the Courtof Claims, or upon some other tribunal. But when that jurisdiction is conferred, or that tribunal is created, there should be a clearly defined rule established as to the liability of the Government in these cases.

Is it to be understood that every man who starts across the plains or through any of the Territories of the United States is insured by the Government, as to his person and his property, against the depredations of the Indians, and that if he is overtaken and injured, or his property destroyed by them, the Government is bound to make good his losses? A great many of these cases are of that character, and the question is whether the Government is to be an insurer for every man who goes out into the Indian country and suffers from Indian depredations. I think that question ought to be settled by Congress before it is submitted to the Interior Department, to be determined by clerks employed there at $1,500 a year.

But, Mr. Speaker, these claims are but a moiety of the claims pending against the Government. I had the honor to be chairman of the Committee on Claims during the last Congress, and the claims presented there aggregated, I believe, from fifteen million to twenty million dollars. A large number of bills for payment of claims were introduced into the last Congress, but few of them could be considered. The claims for which those bills provided are still pending. As soon as the flood-gate is open by the adoption of these rules we shall have them all here again. The consequence will be that we shall be unable to deal with them, and Congress never can deal with them satisfactorily, so that the only real solution of the problem is the creation of a tribunal which can take up and investigate and adjudicate these claims.

Mr. RANDALL. The gentleman from Tennessee [Mr. ENLOE] desires to have read, as a part of his remarks, an amendment which he intends to offer to the rules, and I yield to him for that purpose.

Mr. ENLOE. Mr. Speaker, I send to the Clerk's desk, and ask to have read for the information of the House, an amendment which I propose to the rules. I will merely say that in my judgment this amendment, if acted upon favorably by the House, will result in a greater saving than will follow from any other one amendment proposed.

The amendment was read, as follows:

It shall not be in order for the Speaker to entertain a proposition to grant leave to print in the RECORD any speech not actually delivered on the floor of the House, and no member shall publish in the RECORD any speech or remarks not actually delivered in the House.

Mr. RANDALL. I now yield to the gentleman from Kansas [Mr. PERKINS] for one minute.

Mr. PERKINS. Give me a little more time than that.

Mr. RANDALL. Mr. Speaker, how much time have I left?

The SPEAKER. The gentleman has six minutes left.

Mr. RANDALL. Then I will yield four minutes to the gentleman from Kansas [Mr. PERKINS].

Mr. PERKINS. Mr. Speaker, I hope gentlemen understand that I do not antagonize the proposition of the Committee on Rules to create this new committee. In fact in my judgment such a committee should be created. The only question I make is as to its proper jurisdiction. I agree with the gentleman from Illinois [Mr. SPRINGER] that if a committee is created with the powers proposed by this report neither it nor any other single committee of this House can pass upon all these claims. There are forty-five hundred claims reported from the Interior Department for consideration by the House. Furthermore, there will be many bills introduced providing for payment of Indian depredation claims that have not been reported from the Interior Department, and no one committee can possibly do the work that will be put upon this proposed committee. Hence I think, as I suggested in the first instance, that Indian depredation claims which by their terms require that compensation shall be made from the annuities or other funds of Indian tribes ought to be referred to the Committee on Indian Affairs.

I agree with the gentleman from Pennsylvania that this particular class of claims constitutes but a very small percentage of the Indian depredation claims brought to the attention of Congress. Only a very few of the great mass of Indian depredation claims contemplate by their terms that they shall be paid from the annuities or other moneys of the Indians; and it is only claims of this kind that I desire to go to the Committee on Indian Affairs.

One word as to the compliments bestowed on the committee of the last Congress by the gentleman from Colorado [Mr. SYMES]. In his enthusiasm or zeal he says that during the Forty-ninth Congress that committee did not report a single Indian depredation claim. Why, sir, if the gentleman will take the Calendar of the last Congress he will find how erroneous is that statement. Many such bills were reported from that committee; but the time of the House was so occupied that the committee never had the opportunity of bringing those bills to the attention of the House. That committee was not a privileged committee, except as to appropriation bills. Neither will this committee be a privileged committee; and hence it will in all probability meet with no better success in reaching the ear of the House than did the Committee on Indian Affairs.

As to the remarks of my friend from Texas [Mr. LANHAM], he can not say words which I will not indorse in favor of the prompt and fair consideration of these claims. Nor will he be more earnest in pressing their consideration upon the attention of the House. I know personally in my own State many individuals who are in poverty and in want, as they have been for twenty-five years, because that long ago all that they had was stolen from them by roving bands of Indians, and from that time to this they have been knocking at the doors of Congress, asking from the Government some measure of justice; and I think it time that justice should be awarded to them. I therefore indorse heartily what the gentleman from Texas has said in this regard. I am not making this proposition for the purpose of antagonizing any fair and just Indian depredation claim. On the contrary, I make this suggestion in the interest of such claims, because I believe the Committee on Indian Affairs will have time to consider fairly claims which are to be paid from the funds or annuities of the Indians; and, logically, I think such claims should go to that committee. Among the 4,500 claims reported already by the commissioners appointed by the Interior Department, many are found to be honest and meritorious, but are barred by the statute of limitations because not presented within three years from the time the depredation was committed. On this ground these officers report against them. Technically this is right, as under the law their powers are necessarily limited, and they could not report favorably claims barred by the statute of limitations.

But in Congress no such rule prevails. We are supreme in such matters, and in my judgment it would be dishonest and wrong for this great Government to take advantage of the statute of limitations, and refuse to pay the many honest and meritorious claims there are against it, because they were not presented within three years from the time the loss was sustained and the wrong committed. The Government should not punish the claimants because they have been indulgent and forbearing.

Mr. RANDALL. I think the jurisdiction proposed to be given to this committee is comprehensive enough. If there is room for any objection, the language defining the authority of the committee is possibly rather too loose.

I yield for a moment to the gentleman from New Hampshire [Mr. GALLINGER], who desires to ask me a question.

Mr. GALLINGER. Before the previous question is ordered, I wish to put an inquiry to the distinguished gentleman from Pennsylvania, representing the Committee on Rules. I observe that the committee has reported in favor of the appointment of certain special committees. I wish to ask the gentleman whether an amendment proposed by myself to constitute a Committee on Public Health has had consideration by the committee, and, if so, whether they have reached an adverse conclusion on that proposition.

Mr. RANDALL. The committee did in part consider the proposition submitted by the gentleman, but did not reach a final conclusion upon it. For myself I will say that, as one of the members of the committee, I was inclined not to favor the constitution of the proposed Committee on Public Health, because I was in some doubt as to the jurisdiction to be given to the committee—how far its authority would extend as to matters of quarantine and other subjects relating to the public health.

I now ask the previous question on agreeing to the report of the Committee on Rules.

Mr. ADAMS. I desire to ask a parliamentary question. This proposition being to adopt, with some modifications, forty-six rules of the House of Representatives of the last Congress, is not the question divisible?

The SPEAKER. The Chair thinks that a separate vote may be called for on any proposition contained in the report.

Mr. ADAMS. Another question: After the previous question has been ordered, would it be in order for me to move that the consideration of all rules of the Forty-ninth Congress in regard to which the Committee on Rules has not recommended a modification be postponed till the first Wednesday in January?

The SPEAKER. Those propositions to amend the rules on which the committee has made no report are not before the House.

Mr. ADAMS. But, Mr. Speaker, the report, as I understand, is that the rules of the House as they existed in the Forty-ninth Congress be adopted as the rules of the present House. If I am incorrect in that impression, I am very glad to learn it.

The SPEAKER. The report proposes to adopt the rules of the Forty-ninth Congress with certain modifications, until the further order of the House; that is the statement contained in the report. The report also states that there are other propositions pending before the committee which are hereafter to be considered and reported upon.

Mr. RANDALL. I call for the previous question.

The previous question was ordered.

The SPEAKER. The question is now upon agreeing to the report.

Mr. PERKINS. I will ask the gentleman from Pennsylvania [Mr. RANDALL] whether he consented that I should offer my amendment.

Mr. RANDALL. Under my instructions from the committee I am not permitted to do so.

Mr. PERKINS. I have no disposition to antagonize the proposition to create a committee on Indian depredation claims; I merely desired an opportunity, if I could obtain it from the gentleman, to have a vote on the amendment I have suggested. If in order, I would ask a separate vote on that proposition.

Mr. RANDALL. I have the utmost desire to be courteous to the gentleman; but I have no authority to admit his amendment.

The SPEAKER. The gentleman from Kansas [Mr. PERKINS], as the Chair understands, asks a separate vote upon the proposition to create a committee on Indian depredation claims.

Mr. PERKINS. Only with the understanding that I may offer an amendment; if I can not do that I do not care for a separate vote.

Mr. MILLS. The previous question having been ordered, the gentleman, of course, can not offer an amendment.

Mr. PERKINS. Then I do not press the demand for a separate vote.

Mr. RANDALL moved to reconsider the vote by which the previous question was ordered; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The question being taken on agreeing to the report of the Committee on Rules, it was agreed to.

Mr. RANDALL moved to reconsider the vote by which the report was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. MILLS. On behalf of the Committee on Rules, I desire to report the resolution which I send to the desk.

### COIN VALUE OF PRECIOUS METALS.

The SPEAKER. Before the resolution of the gentleman from Texas [Mr. MILLS] is read, the Chair will lay before the House a message from the President of the United States.

The following message from the President of the United States was read, and, with the accompanying documents, referred to the Committee on Coinage, Weights, and Measures, when appointed, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a communication from the Secretary of State, accompanied by the report of Mr. Edward Atkinson, of Massachusetts, who was especially designated by me, under the provisions of successive acts of Congress in that behalf, to visit the financial centers in Europe, in order to ascertain the feasibility of establishing, by international arrangement, a fixity of rates between the two precious metals in free coinage of both.

GROVER CLEVELAND.

EXECUTIVE MANSION,
*Washington, December* 20, 1887.

### ORDER OF BUSINESS.

The SPEAKER. The Chair will suggest that, under the rule just adopted as a part of the report of the Committee on Rules, gentlemen who desire to introduce private bills will place their names upon the bills, and indicate by memorandum to what committee they think the bills should be referred.

Mr. TOWNSHEND. I rise to a question of order. I ask whether the resolution offered by me last Friday in reference to the introduction of bills does not now come up as unfinished business.

The SPEAKER. It will do so as soon as the proposition which has been submitted to the House by the gentleman from Texas [Mr. MILLS] has been read and disposed of.

### ASSIGNMENT OF ROOMS IN HOUSE WING OF CAPITOL.

The following resolution, reported by Mr. MILLS, from the Committee on Rules, was read:

*Resolved*, That the following changes be made in the occupation of rooms in the House wing of the Capitol:

That the room of the subcommittees of the Committee on Appropriations be assigned to the Speaker, and that a door-way be made to connect the same with the members' retiring-room; that the rooms now occupied, respectively, by the Speaker and Sergeant-at-Arms be assigned to the Committee on Appropriations; that the present room of the Committee on Appropriations be assigned to the Sergeant-at-Arms.

*Resolved*, That the changes herein ordered shall be made under the direction and supervision of the Architect of the Capitol.

Mr. MILLS. This arrangement is proposed for the convenience of the parties named in the resolution. The proposition is that the Speaker shall occupy, instead of his present room, the small room which has been occupied by subcommittees of the Committee on Appropriations; and that the Sergeant-at-Arms take the room now occupied by the Committee on Appropriations, which committee shall take the two rooms now occupied by the Speaker and the Sergeant-at-Arms. Provision is also made that a door shall be cut from the small room I have mentioned into the retiring-room for members. It is unnecessary to make any further statement. The subject has been fully considered by the Committee on Rules, and this is a unanimous report. I call for the previous question.

The previous question was ordered; and under the operation thereof the resolution was adopted.

### INTRODUCTION OF BILLS.

Mr. TOWNSHEND. Mr. Speaker, I now move to take up for action at this time a resolution coming over by unanimous consent, providing for the introduction and reference of bills. Without asking for a formal vote on the adoption of my resolution I will ask, by unanimous consent, that the House proceed to the call of the States for the introduction of bills for reference. I will say that the Public Printer, or all those engaged in the work at the Printing Office, tell us it will be better to allow the introduction of these bills before the holidays, so that they may be printed during the holidays, and ready for members when they return.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

*Resolved*, That on Monday next, immediately after the reading of the Journal and its approval, the Speaker shall call all the States and Territories in alphabetical order for bills and resolutions for printing and reference without debate; on which call joint and concurrent resolutions and memorials of State and Territorial Legislatures may be presented and appropriately referred, and on this call only resolutions of inquiry directed to the heads of Executive Departments shall be in order for reference to appropriate committees.

Mr. SPRINGER. That resolution should be modified in accordance with the action taken a few minutes ago on the report of the Committee on Rules.

Mr. TOWNSHEND. I modify the resolution so as to provide only for the introduction of public bills, as under the amendment of the rules adopted private bills go into the petition-box.

Mr. BROWNE, of Indiana. I object.

Mr. TOWNSHEND. I move further to modify the resolution by striking out the words "Monday next" and inserting "now."

Mr. RICHARDSON. It should also be provided that when the call of States shall be commenced for the introduction of bills it should be continued over to-morrow, if necessary, so that members of States later on in the call may not be cut off from the opportunity of presenting the bills which they may desire to introduce and have referred to appropriate committees.

Mr. BROWNE, of Indiana. I object to the introduction of any bills at this time.

Mr. TOWNSHEND. Very well; then I will call up the resolution for action at this time.

Mr. BROWNE, of Indiana. I object.

The SPEAKER. The resolution is pending, and the gentleman from Illinois calls it up for action at this time.

Mr. TOWNSHEND. I ask that the resolution be modified so as to read "now" instead of "Monday next," and that it be further modified so as to merely include the presentation and reference of public bills, as private bills have already been provided for by the rule adopted this morning.

Mr. SPRINGER. It provides that it shall be in accordance with the rules of the House, and that is now one of the rules of the House, that private bills shall be sent to the petition-box, and this will therefore refer only to the introduction of public bills.

The SPEAKER. That is now the rule of the House, and the resolution provides for proceeding to the consideration of public bills only.

Mr. RICHARDSON. The resolution should be still further modified so as to provide for continuing the call of States for the introduction of bills to-morrow if the call be not concluded to-day.

Mr. TOWNSHEND. Of course I am willing to agree to such a modification of the resolution.

Mr. RICHARDSON. That is, that the call shall be continued until all the States and Territories have been called for the introduction of public bills.

The SPEAKER. If there be no objection, these modifications of the resolution will be considered as agreed to.

There was no objection, and the resolution as modified was read.

Mr. TOWNSHEND. I demand the previous question.

Mr. O'NEILL, of Pennsylvania. I desire to be heard for just one moment.

Mr. TOWNSHEND. I will yield for a question, but not for a speech.

Mr. O'NEILL, of Pennsylvania. I merely wish to say, Mr. Speaker, for the benefit of those who are with us now for the first time in the House of Representatives, that the introduction of bills to-day does not expedite their consideration in the least. In other words, the committees do not take up bills in the order of their presentation. It is well enough to know that, so that members may see that nothing is gained by the introduction of bills at this time. In fact, we know it is better to wait for the introduction and reference of bills until after the committees have been appointed.

Mr. TOWNSHEND. I demand the previous question.

Mr. O'NEILL, of Pennsylvania. I hope it will not be sustained, because it will only lead to confusion.

The House divided; and there were—ayes 25, noes not counted.

So the previous question was not ordered.

Mr. HOUK. Is the resolution debatable?

The SPEAKER. It is.

Mr. HOUK. Mr. Speaker, I take it to be the experience of this House whenever in the past we have participated in the introduction of bills before committees were appointed and the House was regularly organized, the effect has been to lead to confusion and not to the advancement of the work of this body. I have no purpose to debate this question further than to say that it is an experiment which has not proved beneficial in the past, and I trust we will not enter upon it again.

One word further. A great many gentlemen have acted upon the supposition and understanding bills were not to be introduced until after the organization of the House by the appointment of committees. If the resolution be adopted it will work a disadvantage to those gentlemen. I am as anxious as any one to introduce bills, but I am aware of the fact that nothing will be gained by the introduction of bills now, while no measure will be prejudiced by waiting until we can proceed in an orderly manner to bring the public business before the House.

Mr. BROWNE, of Indiana. I move to lay the resolution upon the table. I think the vote just taken sufficiently indicates the temper of the House on this question, and in the interest of economy of time I hope the resolution will be laid upon the table.

Mr. TOWNSHEND. Mr. Speaker, before that motion is submitted, let me say that I think it evident from the expression the House has just given, that it does not desire any bills to be introduced before the holiday recess. Being willing to respect that sentiment, I ask leave to withdraw the resolution.

I find that few members have bills prepared of a public nature to be submitted to-day.

There being no objection, the resolution was withdrawn.

### AMENDMENT TO THE RULES.

Mr. ENLOE submitted the following proposed amendment to the rules; which was read, and referred to the Committee on Rules:

RULE —.

It shall not be in order for the Speaker to entertain a proposition to grant leave to print in the RECORD any speech not actually delivered upon the floor of the House; and no member shall publish in the RECORD any speech or remarks not actually delivered in the House.

Mr. HOLMAN submitted the following proposed amendment to the rules; which was read, and referred to the Committee on Rules:

*Resolved*, That the third clause of the twenty-first rule of the House be amended to read as follows:

"No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriation for such public works and objects as are already in progress; nor shall any provision in any such bill or amendment thereto changing existing law be in order except such as, being germane to the subject-matter of the bill, shall retrench expenditures by the reduction of the number and salary of the officers of the United States, or by the reduction of the compensation of any person paid out of the Treasury of the United States."

Mr. McRAE submitted the following proposition of an amendment to the rules; which was read, and referred to the Committee on Rules:

Amend Rule X by striking out "thirteen" and inserting "fifteen" wherever it occurs.

### DEATH OF HON. NICHOLAS T. KANE.

Mr. TRACEY. Mr. Speaker, the sad duty devolves upon me to announce to the House the death, last September, of Hon. Nicholas T. Kane, late a member-elect to this House from the State of New York. I request that the resolutions I now send to the desk be read, and at the proper time I will move their further consideration.

The Clerk read as follows:

*Resolved*, That this House has heard with sorrow of the death of Hon. Nicholas T. Kane, late a member-elect to this House from the State of New York.

*Resolved*, That a copy of these resolutions be transmitted by the Clerk to the widow of the deceased member.

*Resolved*, That the Clerk be directed to communicate a copy of these resolutions to the Senate.

The SPEAKER. The resolutions will lie upon the table for the present.

Mr. TRACEY. As a further mark of respect to the memory of the deceased, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 1 o'clock and 37 minutes p. m.) the House adjourned.

### PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule, private bills and joint resolutions of the following titles were introduced and referred as indicated below:

By Mr. WHEELER: A bill (H. R. 1) to incorporate the Washington Safe Deposit and Trust Company—to the Committee on the District of Columbia.

Also, a bill (H. R. 2) for the relief of Abraham C. Myers—to the Committee on the Judiciary.

Also, a bill (H. R. 3) to remove the political disabilities of William W. Mackall, of Virginia—to the Committee on the Judiciary.

Also, a bill (H. R. 4) granting arrears of pension to Stephen White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5) for the relief of Eviline Fondreu—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6) granting a pension to Marion Berry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7) granting a pension to Thomas B. Walsh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8) to restore Mrs. R. S. Horton upon the pension-rolls—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9) for the relief of William H. Crook—to the Committee on Claims.

Also, a bill (H. R. 10) for the relief of Basil Moreland—to the Committee on Claims.

Also, a bill (H. R. 11) for the relief of Anthony Joseph and Pedro J. Jaramillo—to the Committee on Claims.

Also, a bill (H. R. 12) for the relief of George W. Morse—to the Committee on Claims.

Also, a bill (H. R. 13) for the relief of the legal representatives of Egbert Thompson, deceased—to the Committee on Claims.

Also, a bill (H. R. 14) for the relief of William J. Poitevent—to the Committee on Claims.

Also, a bill (H. R. 15) for the relief of Arthur L. Fish—to the Committee on Claims.

Also, a bill (H. R. 16) for the relief of Mrs. Sarah Elizabeth Holroyd, widow and administratrix of the estate of John Holroyd, deceased—to the Committee on Claims.

Also, a bill (H. R. 17) for the relief of Maj. William M. Maynadier, a paymaster in the United States Army—to the Committee on Claims.

Also, a bill (H. R. 18) for the relief of Frank Della Torre and Susan F. Della Torre, heirs of Peter Della Torre, deceased—to the Committee on Claims.

Also, a bill (H. R. 19) for the relief of H. B. Wilson, administrator of the estate of William Tinder, deceased—to the Committee on Claims.

Also, a bill (H. R. 20) for the relief of Isaac S. Simpson—to the Committee on Claims.

Also, a bill (H. R. 21) for the relief of John J. Brown—to the Committee on Claims.

Also, a bill (H. R. 22) to increase the pension of Mrs. Minerva Eagle, widow of Commodore Henry Eagle, late of the United States Navy—to the Committee on Pensions.

Also, a bill (H. R. 23) granting a pension to James M. Kirk—to the Committee on Pensions.

Also, a bill (H. R. 24) for the relief of Eliza Russell, widow of Eldredge Russell—to the Committee on Pensions.

Also, a bill (H. R. 25) for the relief of Charles Landrum—to the Committee on War Claims.

Also, a bill (H. R. 26) for the relief of William J. Poitevent—to the Committee on War Claims.

Also, a bill (H. R. 27) vesting the Court of Claims of the United States with jurisdiction to determine the rights of William E. Woodbridge to certain letters patent for a metallic sabot, and to render judgment in payment for the use of the same by the Government during the war of 1861—to the Committee on War Claims.

Also, a bill (H. R. 28) for the relief of Robert Cornell White, his executors, heirs, or assigns—to the Committee on War Claims.

Also, a bill (H. R. 29) for the relief of Edward W. McGinnis—to the Committee on War Claims.

Also, a bill (H. R. 30) for the relief of S. Dingee & Co., their executors, heirs, or assigns—to the Committee on War Claims.

Also, a bill (H. R. 31) for the relief of James Millinger—to the Committee on War Claims.

Also, a bill (H. R. 32) for the relief of the Florence Masonic Lodge, No. 14, at Florence, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 33) for the relief of Pollie Lester—to the Committee on War Claims.

Also, a bill (H. R. 34) for the relief of the heirs of Dr. Nathan Fletcher—to the Committee on War Claims.

Also, a bill (H. R. 35) to pay Rising Sun Lodge, No. 29, Accepted Free Masons, of Decatur, Ala., for building, etc., burned by United States troops—to the Committee on War Claims.

Also, a bill (H. R. 36) for the relief of La Grange College—to the Committee on War Claims.

Also, a bill (H. R. 37) for the relief of John H. Jones and Thomas D. Harris—to the Committee on War Claims.

Also, a bill (H. R. 38) to refer the claim against the United States of the trustees of La Grange College, Colbert County, Alabama, to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 39) to refer the claim against the United States of the trustees of the Cumberland Presbyterian Church, of Athens, Limestone County, Alabama, to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 40) to refer the claim against the United States of the Florence Masonic Lodge, of Florence, Ala., to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 41) for the relief of C. C. Spiller and others—to the Committee on War Claims.

Also, a bill (H. R. 42) for the relief of Amos L. Moody, administrator of the estate of Argy L. Garner, deceased—to the Committee on War Claims.

Also, a bill (H. R. 43) to refer the claim against the United States of the trustees of the Rising Sun Masonic Lodge, No. 29, of Decatur, Ala., to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 44) to reimburse the trustees of the Cumberland Presbyterian Church of Athens, Limestone County, Alabama—to the Committee on War Claims.

Also, a bill (H. R. 45) to confirm a certain private land claim in the Territory of New Mexico—to the Committee on Private Land Claims.

Also, a bill (H. R. 46) to confirm a certain private land claim in the Territory of New Mexico—to the Committee on Private Land Claims.

Also, a bill (H. R. 47) for the relief of Mary F. Potts—to the Committee on Patents.

Also, a bill (H. R. 48) for the relief of Benjamin M. Simpson—to the Committee on the Public Lands.

Also, a bill (H. R. 49) for the relief of Benjamin M. Simpson—to the Committee on the Public Lands.

Also, a bill (H. R. 50) for the relief of Capt. Henry H. Humphreys—to the Committee on Military Affairs.

Also, a bill (H. R. 51) for the relief of Edward Byrne—to the Committee on Military Affairs.

Also, a joint resolution (H. Res. 4) in relation to the claim made by John B. Read against the United States for the alleged use of projectiles for rifled ordnance claimed as the invention of said Read, and by him alleged to have been used pursuant to a contract or arrangement made between him and the War Department in 1856, for which no compensation has been made; also in relation to the claim of William E. Woodbridge, based upon the plea of alleged priority in this line of invention—to the Committee on Military Affairs.

By Mr. FORNEY: A bill (H. R. 52) for the relief of J. G. Fell, Edward Hoopes, and George Burnham—to the Committee on Indian Depredation Claims.

Also, a bill (H. R. 53) for the relief of Samuel Noble—to the Committee on the Judiciary.

Also, a bill (H. R. 54) for the relief of Mrs. M. J. Donahoe—to the Committee on War Claims.

Also, a bill (H. R. 55) granting a pension to Stephen C. Slayton—to the Committee on Pensions.

Also, a bill (H. R. 56) to refund to W. L. Whitlock, of Alabama, taxes illegally collected as income tax—to the Committee on Claims.

By Mr. PEEL: A bill (H. R. 57) for the relief of Laban Heath & Co.—to the Committee on Claims.

By Mr. ROGERS: A bill (H. R. 58) for the relief of Edward Fitzgerald—to the Committee on War Claims.

Also, a bill (H. R. 59) for the relief of Charlotte Stanton, widow of Simeon Stanton—to the Committee on War Claims.

Also, a bill (H. R. 60) for the relief of John McCombs—to the Committee on War Claims.

Also, a bill (H. R. 61) for the relief of Mrs. E. A. Awalt, widow of Michael Awalt—to the Committee on War Claims.

Also, a bill (H. R. 62) for the relief of Mrs. Missouri Houston, now Hendrix, administratrix and widow of Samuel Houston—to the Committee on War Claims.

Also, a bill (H. R. 63) for the relief of Davidson Dickson and others—to the Committee on War Claims.

Also, a bill (H. R. 64) for the relief of J. H. T. Main—to the Committee on War Claims.

Also, a bill (H. R. 65) for the relief of Lucy Ann Lee and Allen G. Lee—to the Committee on War Claims.

Also, a bill (H. R. 66) referring to the Court of Claims the claims of Ethan A. and Edward V. Deuell—to the Committee on Claims.

Also, a bill (H. R. 67) for the relief of M. F. Haynie—to the Committee on Claims.

Also, a bill (H. R. 68) for the relief of Zeb Ward—to the Committee on Claims.

Also, a bill (H. R. 69) for the relief of John D. Admas—to the Committee on Claims.

Also, a bill (H. R. 70) for the relief of Silias F. Field—to the Committee on Claims.

Also, a bill (H. R. 71) for the relief of the estate of Elias Rector, deceased—to the Committee on Claims.

Also, a bill (H. R. 72) for the relief of W. W. Burns—to the Committee on Claims.

Also, a bill (H. R. 73) for the relief of the late John Rogers, deceased—to the Committee on Private Land Claims.

Also, a bill (H. R. 74) for the relief of Pryor N. Lea—to the Committee on Military Affairs.

Also, a bill (H. R. 75) for the relief of James H. Hamilton—to the Committee on Indian Depredation Claims.

Also, a bill (H. R. 76) for the relief of L. A. Morris—to the Committee on the Judiciary.

Also, a bill (H. R. 77) for the relief of Joseph Stanley—to the Committee on Pensions.

Also, a bill (H. R. 78) granting a pension to La Fayette Franklin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 79) granting a pension to James Supple—to the Committee on Invalid Pensions.

Also, a bill (H. R. 80) granting a pension to Forester N. McBride—to the Committee on Invalid Pensions.

By Mr. McRAE: A bill (H. R. 81) for the relief of M. W. Locke, deceased—to the Committee on Claims.

Also, a bill (H. R. 82) for the relief of R. R. Tinsley—to the Committee on Claims.

By Mr. C. A. RUSSELL: A bill (H. R. 83) granting a pension to H. P. Farnsworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 84) granting a pension to Mary E. Blackman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 85) granting a pension to Mrs. Mary Jane Case—to the Committee on Invalid Pensions.

Also, a bill (H. R. 86) for the relief of C. A. Williams and others—to the Committee on Claims.

Also, a bill (H. R. 87) for the relief of Nancy E. Day—to the Committee on Claims.

Also, a bill (H. R. 88) granting a pension to Sally A. Randall—to the Committee on Pensions.

Also, a bill (H. R. 89) to remove charge of desertion against Daniel C. Lewis—to the Committee on Military Affairs.

By Mr. ROGERS: A bill (H. R. 90) granting a pension to John A. Grissom—to the Committee on Invalid Pensions.

By Mr. PENINGTON: A bill (H. R. 91) for the relief of the officers and enlisted men of the Fifth and Sixth Delaware Regiments—to the Committee on War Claims.

By Mr. NORWOOD: A bill (H. R. 92) for the relief of Morgan Rawls—to the Committee on Claims.

Also, a bill (H. R. 93) for the relief of Mayer Newmark—to the Committee on Claims.

Also, a bill (H. R. 94) for the relief of Lepine C. Rice—to the Committee on Claims.

By Mr. G. A. ANDERSON: A bill (H. R. 95) for the relief of W. H. H. Hardin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 96) for the relief of S. A. Saint John—to the Committee on Invalid Pensions.

Also, a bill (H. R. 97) granting a pension to Ida B. Linthicum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 98) granting a pension to Philander A. Bartlett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 99) for the relief of Francis J. Bizaillion—to the Committee on Invalid Pensions.

By Mr. LANDES: A bill (H. R. 100) granting a pension to Francis M. Page—to the Committee on Invalid Pensions.

Also, a bill (H. R. 101) granting a pension to Rev. J. M. Madding—to the Committee on Invalid Pensions.

Also, a bill (H. R. 102) granting a pension to Elisha Black—to the Committee on Invalid Pensions.

Also, a bill (H. R. 103) granting a pension to Sarah Dougherty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 104) for the relief of Archibald Hunley—to the Committee on Military Affairs.

Also, a bill (H. R. 105) for the relief of Neil Fisher—to the Committee on Military Affairs.

Also, a bill (H. R. 106) to remove the charge of desertion against Willis Jines (or Joines)—to the Committee on Military Affairs.

Also, a bill (H. R. 107) for the relief of Aaron E. Welty—to the Committee on Military Affairs.

Also, a bill (H. R. 108) for the relief of John C. Weaver—to the Committee on War Claims.

By Mr. SPRINGER: A bill (H. R. 109) to refund to Dr. F. O. Saint Clair $97.80 duties on a monument to the memory of Francis J. Townshend, late of the United States Navy—to the Committee on Claims.

By Mr. T. J. HENDERSON: A bill (H. R. 110) granting a pension to Mary S. Logan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 111) granting a pension to John K. Mannon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 112) granting a pension to George Schneider—to the Committee on Invalid Pensions.

Also, a bill (H. R. 113) for the relief of Samuel Burrell—to the Committee on Military Affairs.

Also, a bill (H. R. 114) for the relief of the heirs and legal representatives of Alfred Robinson, deceased—to the Committee on War Claims.

By Mr. MATSON: A bill (H. R. 115) to increase the pension of Thomas F. Townsend—to the Committee on Invalid Pensions.

Also, a bill (H. R. 116) to increase the pension of John T. Hammans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 117) granting a pension to Franklin P. Burget, William Burget, and Lydia A. Burget—to the Committee on Invalid Pensions.

Also, a bill (H. R. 118) for the relief of James M. Shields—to the Committee on Invalid Pensions.

Also, a bill (H. R. 119) for the relief of Mary J. Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 120) for the relief of Charlotte Caroline Hackleman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 121) for the relief of Enos F. M. Blair—to the Committee on Pensions.

Also, a bill (H. R. 122) for the relief of Julia A. Darrall—to the Committee on Pensions.

Also, a bill (H. R. 123) for the relief of William M. Hanby—to the Committee on Military Affairs.

Also, a bill (H. R. 124) for the relief of Col. Daniel McClure—to the Committee on Military Affairs.

Also, a bill (H. R. 125) for the relief of Milton R. Avery—to the Committee on Military Affairs.

Also, a bill (H. R. 126) for the relief of William Mabee—to the Committee on War Claims.

Also, a bill (H. R. 127) for the relief of William M. Franklin, John M. Stucky, and William H. Fritts—to the Committee on Claims.

Also, a bill (H. R. 128) for the relief of John Fletcher—to the Committee on Indian Depredation Claims.

By Mr. SHIVELY: A bill (H. R. 129) granting a pension to Jesse H. Gaines—to the Committee on Invalid Pensions.

Also, a bill (H. R. 130) granting a pension to John E. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 131) granting a pension to Finton A. Stroup—to the Committee on Invalid Pensions.

Also, a bill (H. R. 132) granting a pension to Hamilton R. Harper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 133) to increase the pension of Samuel Lilly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 134) to increase the pension of David M. Rennoe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 135) granting a pension to Dallas Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 136) for the relief of William Bassett—to the Committee on Military Affairs.

Also, a bill (H. R. 137) for the relief of Godfrey Bestle—to the Committee on Military Affairs.

By Mr. HOLMAN: A bill (H. R. 138) granting a pension to Joseph Perry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 139) granting a pension to Nicholas Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 140) granting a pension to Hannah Rigor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 141) granting a pension to Selinda E. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 142) granting a pension to Clara I. Worstell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 143) granting an increase of pension to Amelia A. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 144) for the relief of Lucien B. Harbaugh—to the Committee on Military Affairs.

Also, a bill (H. R. 145) for the relief of Matthew E. Jackson—to the Committee on Military Affairs.

Also, a bill (H. R. 146) for the relief of F. W. Zickendrath—to the Committee on Military Affairs.

Also, a bill (H. R. 147) for the relief of Thomas Levi—to the Committee on War Claims.

Also, a bill (H. R. 148) for the relief of Isaac H. Wheat—to the Committee on War Claims.

By Mr. FULLER: A bill (H. R. 149) granting a pension to Rachel Barnes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 150) granting an increase of pension to Henry B. Shaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 151) for the relief of Mathias Pedersen—to the Committee on War Claims.

By Mr. CONGER: A bill (H. R. 152) granting a pension to Mrs. Therese Guelich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 153) granting a pension to Mrs. Sophia E. Sharp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 154) restoring to the pension-roll the name of Cynthia J. Carlton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 155) for the relief of Mrs. Dulcena Noel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 156) correcting the military record of William D. Clark—to the Committee on Military Affairs.

Also, a bill (H. R. 157) correcting the military history of Robert McNutt—to the Committee on Military Affairs.

By Mr. D. B. HENDERSON: A bill (H. R. 158) granting a pension to David T. Elderkin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 159) granting a pension to Jane Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 160) granting a pension to Elizabeth B. Sailer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 161) granting an increase of pension to Albert Mabb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 162) granting a pension to Albert Loeper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 163) granting a pension to George Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 164) for the relief of Henry A. Paus—to the Committee on Military Affairs.

Also, a bill (H. R. 165) for the relief of H. C. Markham—to the Committee on Military Affairs.

Also, a bill (H. R. 166) for the relief of William Thompson—to the Committee on War Claims.

By Mr. STRUBLE: A bill (H. R. 167) for the relief of Daniel T. Hedges and Edward B. Spalding, executors of Charles E. Hedges, deceased—to the Committee on Claims.

Also, a bill (H. R. 168) granting a pension to Dudley Carey—to the Committee on Invalid Pensions.

By Mr. RYAN: A bill (H. R. 169) granting a pension to Mrs. P. E. Broaddus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 170) granting a pension to Charles Banks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 171) granting a pension to Jesse Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 172) to grant a pension to Frederick Schrumpp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 173) to grant a pension to John B. Childs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 174) to grant a pension to Jacob R. Critten—to the Committee on Invalid Pensions.

Also, a bill (H. R. 175) to grant a pension to John N. Pennell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 176) to grant a pension to Philip Wagner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 177) to grant a pension to John W. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 178) to grant a pension to Mrs. J. G. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 179) to grant a pension to Eli W. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 180) to grant a pension to James Dye—to the Committee on Invalid Pensions.

Also, a bill (H. R. 181) granting a pension to W. H. Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 182) granting a pension to John C. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 183) granting a pension to Rebecca H. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 184) granting a pension to Adolph Hankammer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 185) granting a pension to Samuel F. C. Garrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 186) for the relief of Samuel T. Evey—to the Committee on Military Affairs.

Also, a bill (H. R. 187) for the relief of Elijah Crudgington—to the Committee on War Claims.

By Mr. PETERS: A bill (H. R. 188) for the relief of John Banks—to the Committee on War Claims.

By Mr. RYAN: A bill (H. R. 189) granting a pension to August C. T. Gogall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 190) granting a pension to Johanna Trew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 191) granting a pension to Peter Burger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 192) granting an increase of pension to John Nicodemas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 193) for the relief of James Coughlin—to the Committee on Military Affairs.

Also, a bill (H. R. 194) for the relief of John J. Miller—to the Committee on Military Affairs.

Also, a bill (H. R. 195) for the relief of Edward Fenlon—to the Committee on Claims.

Also, a bill (H. R. 196) for the relief of John T. Ryman—to the Committee on Claims.

Also, a bill (H. R. 197) for the relief of John Garaghty—to the Committee on Claims.

Also, a bill (H. R. 198) for the relief of Thomas H. Soward—to the Committee on War Claims.

Also, a bill (H. R. 199) for the relief of Russell S. Newell—to the Committee on Indian Depredation Claims.

By Mr. PETERS: A bill (H. R. 200) granting a pension to Walter O. Watson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 201) granting a pension to Edward Waters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 202) granting a pension to Jesse W. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 203) to increase the pension of James A. Underwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 204) granting a pension to Frederick C. Shaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 205) granting a pension to T. W. Stoughton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 206) granting a pension to William H. Starr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 207) granting a pension to Joseph A. Porter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 208) granting a pension to Calvin C. Pratt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 209) granting a pension to Levi H. Naron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 210) granting a pension to Ephraim Nye—to the Committee on Invalid Pensions.

Also, a bill (H. R. 211) to increase the pension of Nicholas W. New—to the Committee on Invalid Pensions.

Also, a bill (H. R. 212) granting a pension to Albert E. Magoffin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 213) granting a pension to W. H. H. McArthur—to the Committee on Invalid Pensions.

Also, a bill (H. R. 214) granting a pension to Levi P. Mettz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 215) granting a pension to James McCaffrey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 216) granting arrears of pension to Richard H. McWhorter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 217) granting a pension to C. T. Maphet—to the Committee on Invalid Pensions.

Also, a bill (H. R. 218) granting a pension to Mrs. Jennie Lawrence, Charles Baker, and Ada Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 219) granting a pension to Clinton Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 220) granting a pension to John J. Lockrey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 221) increasing the pension of John C. Johnston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 222) granting a pension to Thomas J. Hutchins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 223) granting a pension to Nathaniel Grigsby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 224) granting a pension to William Dobbs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 225) granting a pension to S. J. Caldwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 226) granting a pension to Oliver Bellamy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 227) granting a pension to Anna Baughman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 228) to increase the pension of Cornelia V. Blackman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 229) granting a pension to J. D. Austin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 230) granting arrears of pension to Mrs. Eliza A. Moses—to the Committee on Pensions.

Also, a bill (H. R. 231) to increase the pension of Edmund Ashworth—to the Committee on Pensions.

Also, a bill (H. R. 232) for the relief of the estate of Nathan T. Shuler—to the Committee on War Claims.

Also, a bill (H. R. 233) for the relief of William L. Rose—to the Committee on War Claims.

Also, a bill (H. R. 234) for the relief of David Morrow—to the Committee on War Claims.

Also, a bill (H. R. 235) for the relief of Orren D. Lemert—to the Committee on War Claims.

Also, a bill (H. R. 236) for the relief of Elkanah Huddleston—to the Committee on War Claims.

Also, a bill (H. R. 237) for the relief of Harry Fones—to the Committee on War Claims.

Also, a bill (H. R. 238) for the relief of Levi Fellers—to the Committee on War Claims.

Also, a bill (H. R. 239) for the relief of Eliza J. Campbell—to the Committee on War Claims.

Also, a bill (H. R. 240) for the relief of William K. Copeland—to the Committee on War Claims.

Also, a bill (H. R. 241) to correct the military record of John Summers—to the Committee on Military Affairs.

Also, a bill (H. R. 242) for the relief of Michael Rockford—to the Committee on Military Affairs.

Also, a bill (H. R. 243) for the relief of Stephen O'Connor—to the Committee on Military Affairs.

Also, a bill (H. R. 244) to restore John F. Lewis to the rank of first lieutenant in the Twenty-first United States Infantry, and place him upon the retired-list—to the Committee on Military Affairs.

Also, a bill (H. R. 245) for the relief of Asher W. Foster—to the Committee on Military Affairs.

Also, a bill (H. R. 246) for the relief of J. W. Patterson—to the Committee on Claims.

Also, a bill (H. R. 247) for the relief of Henry Hegwer—to the Committee on Claims.

By Mr. STONE, of Kentucky: A bill (H. R. 248) for the relief of James O. Mortimer—to the Committee on War Claims.

Also, a bill (H. R. 249) for the relief of James B. McCubbin—to the Committee on War Claims.

Also, a bill (H. R. 250) for the relief of Seth H. Kellogg—to the Committee on War Claims.

Also, a bill (H. R. 251) for the relief of the estate of Francis M. Murray, deceased—to the Committee on War Claims.

Also, a bill (H. R. 252) for the relief of Michael Mayer—to the Committee on War Claims.

Also, a bill (H. R. 253) for the relief of the legal representatives of Lewis W. Washington, deceased—to the Committee on War Claims.

Also, a bill (H. R. 254) for the relief of John M. Higgins—to the Committee on War Claims.

Also, a bill (H. R. 255) for the relief of Sarah E. Harper—to the Committee on War Claims.

Also, a bill (H. R. 256) for the relief of William Pritchard—to the Committee on War Claims.

Also, a bill (H. R. 257) for the relief of the heirs of E. P. George—to the Committee on War Claims.

Also, a bill (H. R. 258) for the relief of A. J. Carr—to the Committee on War Claims.

Also, a bill (H. R. 259) for the relief of the heirs of T. W. Pickering—to the Committee on War Claims.

Also, a bill (H. R. 260) for the relief of T. B. Pool—to the Committee on War Claims.

Also, a bill (H. R. 261) for the relief of the heirs of James A. Gregory—to the Committee on War Claims.

Also, a bill (H. R. 262) for the relief of P. F. Genoway—to the Committee on War Claims.

Also, a bill (H. R. 263) for the relief of Thomas J. Flanary—to the Committee on War Claims.

Also, a bill (H. R. 264) for the relief of Nathan Fralick—to the Committee on War Claims.

Also, a bill (H. R. 265) for the relief of Thomas H. Flournoy—to the Committee on War Claims.

Also, a bill (H. R. 266) for the relief of A. J. Drennan—to the Committee on War Claims.

Also, a bill (H. R. 267) for the relief of John N. Dorr, sr.—to the Committee on War Claims.

Also, a bill (H. R. 268) for the relief of Thomas Dew—to the Committee on War Claims.

Also, a bill (H. R. 269) for the relief of Joel H. Curd—to the Committee on War Claims.

Also, a bill (H. R. 270) for the relief of Thomas Crenshaw—to the Committee on War Claims.

Also, a bill (H. R. 271) for the relief of Granvil F. Clement—to the Committee on War Claims.

Also, a bill (H. R. 272) for the relief of P. Conway—to the Committee on War Claims.

Also, a bill (H. R. 273) for the relief of George L. Colley—to the Committee on War Claims.

Also, a bill (H. R. 274) for the relief of Mary C. Clarke—to the Committee on War Claims.

Also, a bill (H. R. 275) for the relief of John W. Chappel—to the Committee on War Claims.

Also, a bill (H. R. 276) for the relief of Mrs. C. C. Carner—to the Committee on War Claims.

Also, a bill (H. R. 277) for the relief of the heirs of William Cash—to the Committee on War Claims.

Also, a bill (H. R. 278) for the relief of Lewis Carter—to the Committee on War Claims.

Also, a bill (H. R. 279) for the relief of A. B. Carlin—to the Committee on War Claims.

Also, a bill (H. R. 280) for the relief of the estate of Howard B. Bush, deceased—to the Committee on War Claims.

Also, a bill (H. R. 281) for the relief of K. Battoe—to the Committee on War Claims.

Also, a bill (H. R. 282) for the relief of Mrs. Mary J. Barnett—to the Committee on War Claims.

Also, a bill (H. R. 283) for the relief of the heirs of Wiley Baker—to the Committee on War Claims.

Also, a bill (H. R. 284) for the relief of the legal representatives of D. G. Hurley, deceased—to the Committee on War Claims.

Also, a bill (H. R. 285) for the relief of the legal representatives of H. Corths, deceased—to the Committee on War Claims.

Also, a bill (H. R. 286) for the relief of J. M. Woolf—to the Committee on War Claims.

Also, a bill (H. R. 287) for the relief of A. Wood—to the Committee on War Claims.

Also, a bill (H. R. 288) for the relief of G. T. Wallace—to the Committee on War Claims.

Also, a bill (H. R. 289) for the relief of Benjamin R. Waller—to the Committee on War Claims.

Also, a bill (H. R. 290) for the relief of Samuel Ullman—to the Committee on War Claims.

Also, a bill (H. R. 291) for the relief of Harriet W. Shacklett—to the Committee on War Claims.

Also, a bill (H. R. 292) for the relief of W. J. Saling—to the Committee on War Claims.

Also, a bill (H. R. 293) for the relief of Merritt Rose—to the Committee on War Claims.

Also, a bill (H. R. 294) for the relief of John W. McKnight—to the Committee on War Claims.

Also, a bill (H. R. 295) for the relief of James Love—to the Committee on War Claims.

Also, a bill (H. R. 296) for the relief of Charles B. Lewis—to the Committee on War Claims.

Also, a bill (H. R. 297) for the relief of A. Gates Lee—to the Committee on War Claims.

Also, a bill (H. R. 298) for the relief of C. H. Hubbard—to the Committee on War Claims.

Also, a bill (H. R. 299) for the relief of John Hutcherson—to the Committee on War Claims.

Also, a bill (H. R. 300) for the relief of the trustees of the First Baptist Church at Smithland, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 301) for the relief of J. F. Wahl—to the Committee on War Claims.

Also, a bill (H. R. 302) granting an increase of pension to Joseph S. C. Rowland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 303) granting a pension to James M. Parks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 304) for the relief of Charles S. Bradley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 305) granting a pension to William A. M. Brewer—ot the Committee on Invalid Pensions.

Also, a bill (H. R. 306) granting a pension to Hester V. Blackburn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 307) granting a pension to Nathaniel Rusten—to the Committee on Invalid Pensions.

Also, a bill (H. R. 308) granting a pension to John Lynn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 309) granting a pension to Elizabeth R. Hull—to the Committee on Invalid Pensions.

Also, a bill (H. R. 310) granting a pension to John F. Hopkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 311) granting a pension to James P. Brewster—to the Committee on Pensions.

Also, a bill (H. R. 312) granting a pension to William Thompson—to the Committee on Pensions.

Also, a bill (H. R. 313) for the relief of Ellen Ray—to the Committee on Pensions.

Also, a bill (H. R. 314) authorizing the Secretary of War to place the name of James L. Henderson on the roll of Company B, Sixteenth Kentucky Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 315) giving a military record to Alexander Francesco, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 316) authorizing the Secretary of War to remove the charge of desertion from the record of Edward Lee Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 317) for the relief of John W. Robinson—to the Committee on Military Affairs.

Also, a bill (H. R. 318) for the relief of James H. Rhynes—to the Committee on Military Affairs.

Also, a bill (H. R. 319) for the relief of Rodolph Randol—to the Committee on Military Affairs.

Also, a bill (H. R. 320) giving a military record to James King—to the Committee on Military Affairs.

Also, a bill (H. R. 321) to carry into effect the recommendation of the Board of Admirals convened under the joint resolution approved February 5, 1879, in the case of Commander Henry Glass, United States Navy—to the Committee on Naval Affairs.

By Mr. CARUTH: A bill (H. R. 322) for the relief of B. M. M. Parish—to the Committee on War Claims.

Also, a bill (H. R. 323) for the relief of Mrs. Cassa Simpson—to the Committee on War Claims.

Also, a bill (H. R. 324) for the relief of C. T. Vennigerholz—to the Committee on War Claims.

Also, a bill (H. R. 325) for the relief of Mrs. Mary T. Duncan—to the Committee on War Claims.

Also, a bill (H. R. 326) for the relief of Mrs. Frances Marshall—to the Committee on War Claims.

Also, a bill (H. R. 327) for the relief of Warren Mitchell—to the Committee on War Claims.

Also, a bill (H. R. 328) for the allowance of certain awards made by a board of claims to certain citizens of Jefferson County, Kentucky—to the Committee on War Claims.

Also, a bill (H. R. 329) for the relief of Chambers & Brown—to the Committee on Claims.

Also, a bill (H. R. 330) for the relief of Thierman & Frost—to the Committee on Claims.

Also, a bill (H. R. 331) for the relief of David Meriwether—to the Committee on Claims.

Also, a bill (H. R. 332) for the relief of W. J. Tapp & Co.—to the Committee on Claims.

Also, a bill (H. R. 333) granting a pension to Catherine Busey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 334) granting a pension to Henry Medley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 335) granting a pension to General W. E. Woodruff—to the Committee on Pensions.

Also, a bill (H. R. 336) for the relief of William Spieth—to the Committee on Military Affairs.

Also, a bill (H. R. 337) to remove the charge of desertion from the military record of Max Von Eik—to the Committee on Military Affairs.

Also, a bill (H. R. 338) to remove the charge of desertion from the military record of J. George Ruckstuhl—to the Committee on Military Affairs.

Also, a bill (H. R. 339) for the relief of J. E. Pilcher—to the Committee on the Judiciary.

By Mr. McCREARY: A bill (H. R. 340) for the relief of James C. Matherly, assignee of John C. Pierce—to the Committee on War Claims.

Also, a bill (H. R. 341) for the relief of John Farley—to the Committee on War Claims.

Also, a bill (H. R. 342) for the relief of James Dozier—to the Committee on War Claims.

Also, a bill (H. R. 343) for the relief of D. N. Williams—to the Committee on War Claims.

Also, a bill (H. R. 344) for the relief of J. A. Clark, executor of James Clark, deceased—to the Committee on War Claims.

Also, a bill (H. R. 345) for the relief of James M. Cornelison—to the Committee on War Claims.

Also, a bill (H. R. 346) for the relief of A. Carson—to the Committee on War Claims.

Also, a bill (H. R. 347) for the relief of John H. McBrayer—to the Committee on War Claims.

Also, a bill (H. R. 348) for the relief of M. H. Gill—to the Committee on War Claims.

Also, a bill (H. R. 349) for the relief of James M. Clowers—to the Committee on War Claims.

Also, a bill (H. R. 350) for the relief of W. G. Dunn, administrator of Cooper Dunn, deceased—to the Committee on War Claims.

Also, a bill (H. R. 351) for the relief of B. F. Robinson—to the Committee on War Claims.

Also, a bill (H. R. 352) for the relief of E. F. Pigg—to the Committee on War Claims.

Also, a bill (H. R. 353) for the relief of the trustees of the Baptist Church at Crab Orchard, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 354) granting a pension to Samuel McClure—to the Committee on Invalid Pensions.

Also, a bill (H. R. 355) granting a pension to Jonathan Brandenburg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 356) granting a pension to Thomas J. Hays—to the Committee on Invalid Pensions.

Also, a bill (H. R. 357) granting a pension to G. W. McClure—to the Committee on Invalid Pensions.

Also, a bill (H. R. 358) granting a pension to W. B. Benny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 359) for the relief of John S. Boswell—to the Committee on Claims.

Also, a bill (H. R. 360) for the relief of Smith R. Menshon—to the Committee on Claims.

By Mr. ROBERTSON: A bill (H. R. 361) for the relief of George W. Munday, administrator of Maj. Gen. Eleazur W. Ripley, deceased—to the Committee on Claims.

By Mr. DINGLEY: A bill (H. R. 362) to increase the pension of Charles W. Sanborn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 363) granting a pension to Mrs. Eliza L. Mace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 364) granting a pension to Mrs. Elizabeth Besse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 365) granting a pension to John Humes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 366) granting a pension to James Ferris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 367) granting a pension to Nathaniel D. Chase—to the Committee on Invalid Pensions.

Also, a bill (H. R. 368) granting a pension to Austin Reynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 369) granting a pension to Mrs. Esther B. Hayford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 370) for the relief of the administratrix of the estate of G. W. Lawrence—to the Committee on War Claims.

Also, a bill (H. R. 371) to correct the military record of John R. Rollins—to the Committee on Military Affairs.

Also, a bill (H. R. 372) to remove the charge of desertion against W. P. Farmer, late of the United States Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 373) for the relief of Dennis B. Munsey—to the Committee on Naval Affairs.

Also, a bill (H. R. 374) granting balance of pension to William H. S. Riley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 375) for the erection of a monument to the memory of Maj. Gen. Henry Knox, at Thomaston, Me.—to the Committee on the Library.

By Mr. DAVIS: A bill (H. R. 376) for the relief of certain surviving widows of soldiers who served in the last war with Great Britain, in 1812 to 1815—to the Committee on Pensions.

Also, a bill (H. R. 377) granting a pension to George R. Long—to the Committee on Invalid Pensions.

Also, a bill (H. R. 378) granting a pension to Sarah J. Deplitch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 379) granting a pension to William E. Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 380) for the relief of Winifred B. Coffin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 381) granting a pension to Ellen M. Sprague—to the Committee on Invalid Pensions.

Also, a bill (H. R. 382) granting a pension to Catharine G. Bodfish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 383) granting a pension to Benjamin Hillman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 384) granting a pension to Albert Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 385) granting a pension to Margaret O'Neill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 386) to increase the pension of Charles H. Sherman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 387) to increase the pension of William Shaftoe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 388) granting a pension to John Q. A. Tripp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 389) to increase the pension of Charles Harding—to the Committee on Invalid Pensions.

Also, a bill (H. R. 390) granting a pension to Warren Chubbuck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 391) granting a pension to Joshua H. Wilkies—to the Committee on Invalid Pensions.

Also, a bill (H. R. 392) to provide for the payment of the claim of William Beattie and John Beattie, jr.—to the Committee on Claims.

Also, a bill (H. R. 393) to provide for the payment of the claim of Capt. Roderick McIntosh—to the Committee on Claims.

Also, a bill (H. R. 394) for the relief of the heirs of Capt. Thomas Sanford—to the Committee on Claims.

Also, a bill (H. R. 395) for the relief of the owners of the schooner Mary Mershon—to the Committee on Claims.

By Mr. LODGE: A bill (H. R. 396) for the relief of the officers and crew of the United States sloop of war Cumberland—to the Committee on War Claims.

Also, a bill (H. R. 397) to increase the pension of Thomas Ferrall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 398) granting cannon to Abraham Lincoln Post, of Charlestown, Mass.—to the Committee on Military Affairs.

By Mr. MORSE: A bill (H. R. 399) granting a pension to Catherine Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 400) for the relief of Sarah Jane Goss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 401) granting a pension to Mrs. Jeannie Stone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 402) for the relief of the First National Bank of Newton—to the Committee on Claims.

Also, a bill (H. R. 403) for the relief of William R. Boag—to the Committee on Military Affairs.

By Mr. CHIPMAN: A bill (H. R. 404) for the relief of Mary McGrath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 405) for the relief of M. J. Shelp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 406) for the relief of W. H. Goodwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 407) granting a pension to G. W. Burkhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 408) for the relief of Caroline M. Montgomery—to the Committee on Military Affairs.

Also, a bill (H. R. 409) for the relief of Thomas W. Lord—to the Committee on Military Affairs.

Also, a bill (H. R. 410) for the relief of Henry F. Brownson—to the Committee on Military Affairs.

Also, a bill (H. R. 411) to amend the records of the War Department in the case of James Cooney—to the Committee on Military Affairs.

Also, a bill (H. R. 412) for the relief of the heirs of the late William A. Burt—to the Committee on Claims.

By Mr. BREWER: A bill (H. R. 413) for the relief of Constantia V. Auringer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 414) granting an increase of pension to Merritt Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 415) granting a pension to Henrietta Bowers, widow of Walter Bowers, deceased—to the Committee on Invalid Pensions.

Also, a bill (H. R. 416) granting a pension to Thomas H. Aulls—to the Committee on Invalid Pensions.

Also, a bill (H. R. 417) granting a pension to David Strunk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 418) granting a pension to William H. Brokenshaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 419) granting a pension to Daniel T. Russell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 420) granting an increase of pension to Lewis G. Clark—to the Committee on Pensions.

Also, a bill (H. R. 421) granting a pension to Rufus Squire—to the Committee on Pensions.

Also, a bill (H. R. 422) for the relief of William Gray—to the Committee on Military Affairs.

Also, a bill (H. R. 423) granting relief to Charles Thom—to the Committee on Military Affairs.

By Mr. STONE, of Missouri: A bill (H. R. 424) granting a pension to Elizabeth Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 425) granting a pension to Elisha L. Elam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 426) for the relief of Simeon Gilbreath—to the Committee on War Claims.

Also, a bill (H. R. 427) for the relief of John H. Roberson—to the Committee on War Claims.

By Mr. DORSEY: A bill (H. R. 428) granting a pension to William B. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 429) to increase pension of Dennis Tracey, Company D, Twenty-sixth Indiana Volunteer Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 430) for the relief of Henry Van Blaricum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 431) granting a pension to Hannah Varquison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 432) granting a pension to Columbus Bosteder, Company B, First Missouri Engineers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 433) granting a pension to Lydia A. Train—to the Committee on Invalid Pensions.

Also, a bill (H. R. 434) granting a pension to Ephraim Logan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 435) granting a pension to John B. Flinnigen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 436) for the relief of James Barnes, Joab Williams, and William Titus—to the Committee on War Claims.

Also, a bill (H. R. 437) for the relief of Jesse G. Hawkins—to the Committee on Military Affairs.

By Mr. GALLINGER: A bill (H. R. 438) for the relief of the sufferers by the wreck of the United States steamer Tallapoosa—to the Committee on Claims.

Also, a bill (H. R. 439) for the relief of Grovenor A. Curtice—to the Committee on War Claims.

Also, a bill (H. R. 440) granting a pension to Mary C. Knight—to the Committee on Invalid Pensions.

Also, a bill (H. R. 441) granting a pension to Eliza J. Currier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 442) granting a pension to Emily B. Newell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 443) granting an increase of pension to Albert G. Fifield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 444) granting a pension to Lorenzo D. Whitcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 445) granting a pension to Laura A. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 446) granting a pension to Alexander McKelvie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 447) granting an increase of pension to Edward B. Holt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 448) for the relief of Daniel B. Newhall—to the Committee on War Claims.

Also, a bill (H. R. 449) for the relief of William Trefethen—to the Committee on Claims.

Also, a bill (H. R. 450) for the relief of Barker, Williams, and others—to the Committee on Claims.

Also, a bill (H. R. 451) for the relief of certain citizens of San Francisco—to the Committee on Claims.

Also, a bill (H. R. 452) for the relief of George Hill, jr.—to the Committee on War Claims.

Also, a bill (H. R. 453) for the relief of Charles D. Purington—to the Committee on Military Affairs.

Also, a bill (H. R. 454) for the relief of Joseph Freschl—to the Committee on War Claims.

Also, a bill (H. R. 455) for the relief of Albert D. Spalter—to the Committee on War Claims.

By Mr. BROWER: A bill (H. R. 456) for the relief of the widow of Lieut. John F. Stewart—to the Committee on Claims.

Also, a bill (H. R. 457) for the relief of Henry N. Wolf—to the Committee on Claims.

By Mr. PARKER: A bill (H. R. 458) for the relief of Ida A. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 459) for the relief of Elvira Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 460) for the relief of Mary L. Currier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 461) for the relief of the minor children of Joseph Sawyer, deceased—to the Committee on Pensions.

Also, a bill (H. R. 462) for the relief of Legrand E. Scrafford & Co., and others—to the Committee on Ways and Means.

Also, a bill (H. R. 463) for the relief of the legal representatives of Nicholas Bush, deceased—to the Committee on War Claims.

By Mr. C. S. BAKER: A bill (H. R. 464) for the relief of Nehemiah Osburn—to the Committee on Claims.

Also, a bill (H. R. 465) to remove the charge of desertion against the name of Joseph Attridge—to the Committee on Military Affairs.

Also, a bill (H. R. 466) for the relief of John T. Hall—to the Committee on War Claims.

Also, a bill (H. R. 467) to remove the charge of desertion against the name of James M. McNeil, alias James W. Gibson—to the Committee on Military Affairs.

Also, a bill (H. R. 468) granting a pension to Mary A. Van Etten—to the Committee on Invalid Pensions.

Also, a bill (H. R. 469) granting a pension to Marie A. Salisbury and Almira Morgan, only children of Maj. Abner Morgan, of the Revolutionary army—to the Committee on Pensions.

By Mr. NUTTING: A bill (H. R. 470) granting a pension to Anna Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 471) for the relief of Lafayette Pease—to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 472) for the relief of Charles Lanman—to the Committee on the Library.

Also, a bill (H. R. 473) for the relief of Robert C. Murphy—to the Committee on Claims.

Also, a bill (H. R. 474) for the relief of General G. Cluseret—to the Committee on Foreign Affairs.

Also, a bill (H. R. 475) to refer the claim of Alice E. De Groot and Theodore R. B. De Groot, administrators of William De Groot, deceased, to the United States Court of Claims—to the Committee on Claims.

By Mr. T. D. JOHNSTON: A bill (H. R. 476) to place the name of Nathan Crisp on the muster-roll of Company B, Third North Carolina Mounted Infantry—to the Committee on Military Affairs.

Also, a bill (H. R. 477) for the relief of Allen Gunter—to the Committee on Military Affairs.

Also, a bill (H. R. 478) to place the name of Rev. Stephen M. Collis on the muster-roll of the Thirteenth Tennessee Cavalry as chaplain thereof—to the Committee on Military Affairs.

Also, a bill (H. R. 479) to amend "An act to restore the name of Lifuss Roberson to the pension-rolls," approved February 22, 1887—to the Committee on Pensions.

Also, a bill (H. R. 480) granting a pension to William S. Ray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 481) for the relief of Stephen M. Honeycutt—to the Committee on War Claims.

Also, a bill (H. R. 482) for the relief of Levi Jones—to the Committee on War Claims.

Also, a bill (H. R. 483) for the relief of Elizabeth Jones, widow of John Jones, deceased, and to place the name of said John Jones on the muster-rolls of Company B, Second Regiment North Carolina Mounted Infantry—to the Committee on War Claims.

Also, a bill (H. R. 484) for the relief of Thomas C. Dickey—to the Committee on Claims.

By Mr. MONTGOMERY: A bill (H. R. 485) for the relief of Anthony McElroy's estate—to the Committee on War Claims.

By Mr. ROMEIS: A bill (H. R. 486) granting a restoration of pension to Lydia Calhoun—to the Committee on Invalid Pensions.

Also, a bill (H. R. 487) for the relief of Daniel H. Nye—to the Committee on War Claims.

By Mr. J. D. TAYLOR: A bill (H. R. 488) granting a pension to Elizabeth Burr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 489) granting a pension to Mary J. Douglass—to the Committee on Invalid Pensions.

Also, a bill (H. R. 490) granting a pension to George W. Pitner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 491) granting a pension to Charles White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 492) for the relief of Henry Grimes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 493) for the relief of Simeon Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 494) granting a pension to William E. Fowler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 495) granting a pension to Mary A. Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 496) for the relief of John Kirk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 497) granting a pension to Ferdinand Keyser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 498) for the relief of Walter Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 499) granting a pension to Catharine Maxwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 500) granting a pension to Charles Riggle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 501) granting a pension to Maggie Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 502) granting a pension to Matilda M. Harriman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 503) granting a pension to George E. Littleton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 504) for the relief of Walter Jefferson—to the Committee on Pensions.

Also, a bill (H. R. 505) for the relief of J. O. Heller—to the Committee on Claims.

Also, a bill (H. R. 506) for the relief of Battelle & Evans—to the Committee on War Claims.

By Mr. WICKHAM: A bill (H. R. 507) rerating the pension of Christian Franski—to the Committee on Invalid Pensions.

By Mr. A. C. THOMPSON: A bill (H. R. 508) granting a pension to Sarah F. Hawkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 509) granting a pension to James A. Haley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 510) granting a pension to John Q. Bellville—to the Committee on Invalid Pensions.

Also, a bill (H. R. 511) granting a pension to William R. Rogers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 512) granting a pension to Frederick Hedgermire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 513) granting a pension to James F. Wait—to the Committee on Invalid Pensions.

Also, a bill (H. R. 514) granting a pension to Joseph Fisher—to the Committee on Invalid Pensions.

By Mr. WICKHAM: A bill (H. R. 515) to remove the charge of desertion from the military record of George W. Stelts—to the Committee on Military Affairs.

By Mr. A. C. THOMPSON: A bill (H. R. 516) to remove a charge of desertion against Henry King—to the Committee on Military Affairs.

Also, a bill (H. R. 517) for the relief of John McMahan—to the Committee on Military Affairs.

Also, a bill (H. R. 518) for the relief of P. J. Edwards, administrator of David Edwards, deceased—to the Committee on War Claims.

Also, a bill (H. R. 519) for the relief of Moses J. Robertson—to the Committee on War Claims.

Also, a bill (H. R. 520) for the relief of John M. Higgins—to the Committee on War Claims.

By Mr. ERMENTROUT: A bill (H. R. 521) granting a pension to Charlotte W. Otto—to the Committee on Invalid Pensions.

Also, a bill (H. R. 522) granting a pension to Joseph Lighthiser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 523) granting a pension to Sarah A. Paff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 524) granting a pension to John C. Lutz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 525) granting a pension to John Hunter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 526) to increase the pension of George W. Wertz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 527) granting a pension to Rebecca Rhoads—to the Committee on Invalid Pensions.

Also, a bill (H. R. 528) granting a pension to H. S. Gaul—to the Committee on Invalid Pensions.

Also, a bill (H. R. 529) granting a pension to Clara Geiser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 530) increasing the pension to Albert Schaeffer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 531) granting a pension to Mary Ann Wesner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 532) granting a pension to Henry Lichty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 533) granting a pension to John F. Donabower—to the Committee on Invalid Pensions.

Also, a bill (H. R. 534) granting a pension to Casper Scharff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 535) granting a pension to Philip Tothero—to the Committee on Invalid Pensions.

Also, a bill (H. R. 536) granting a pension to Kate Fleig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 537) for the relief of Peter D. Ranke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 538) granting a pension to James Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 539) granting a pension to Edward S. Kauntner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 540) granting a pension to Susan A. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 541) for the relief of the estate of Michael Hoak, deceased—to the Committee on War Claims.

Also, a bill (H. R. 542) for the relief of Maj. Michael P. Small—to the Committee on Military Affairs.

Also, a bill (H. R. 543) to relieve John Lyon from the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 544) for the relief of Daniel H. Snyder—to the Committee on Military Affairs.

Also, a bill (H. R. 545) for the relief of Marcus A. Reno—to the Committee on Military Affairs.

By Mr. DARLINGTON: A bill (H. R. 546) granting arrears of pension to De Witt Clinton Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 547) granting increase of pension to Rebecca P. Nields—to the Committee on Invalid Pensions.

Also, a bill (H. R. 548) to increase the pension of Phineas Malin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 549) granting a pension to Joseph S. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 550) for the relief of William R. Blakeslee—to the Committee on Military Affairs.

By Mr. RICHARDSON: A bill (H. R. 551) for the relief of N. G. Terry—to the Committee on Claims.

Also, a bill (H. R. 552) for the relief of the legal representatives of William Pepper, deceased—to the Committee on War Claims.

Also, a bill (H. R. 553) making an appropriation for the benefit of the Primitive Baptist Church at Pelham, Grundy County, Tennessee—to the Committee on War Claims.

Also, a bill (H. R. 554) for the relief of the legal representatives of Joseph G. Myers, deceased—to the Committee on War Claims.

Also, a bill (H. R. 555) for the relief of John G. and Carrie Sims and Cleveland and R. P. Webster—to the Committee on War Claims.

Also, a bill (H. R. 556) for the relief of the legal representatives of Richard F. Wasson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 557) for the relief of Alexander J. Drumright—to the Committee on War Claims

Also, a bill (H. R. 558) for the relief of the Cumberland Presbyterian Church, Fayetteville, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 559) for the relief of L. D. Sugg—to the Committee on War Claims.

Also, a bill (H. R. 560) making an appropriation for the benefit of the Presbyterian Church at Murfreesborough, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 561) for the relief of the legal representatives of Dennis Mahoney, deceased—to the Committee on War Claims.

Also, a bill (H. R. 562) for the relief of B. B. Taylor—to the Committee on War Claims.

Also, a bill (H. R. 563) for the relief of William Cunningham—to the Committee on War Claims.

Also, a bill (H. R. 564) for the relief of Charles J. Hill—to the Committee on War Claims.

Also, a bill (H. R. 565) for the relief of Martha L. Russell, Mary A. Howse, and Lula H. Howse—to the Committee on War Claims.

Also, a bill (H. R. 566) for the relief of the legal representatives of Charles Anderson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 567) for the relief of the legal representatives of Mrs. L. Bivens, deceased—to the Committee on War Claims.

Also, a bill (H. R. 568) for the relief of Jere Webb from the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 569) granting a pension to Mrs. Nancy J. Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 570) granting a pension to James W. Robertson—to the Committee on Invalid Pensions.

By Mr. WHITTHORNE: A bill (H. R. 571) for the relief of William Chandler—to the Committee on Naval Affairs.

Also, a bill (H. R. 572) for the relief of Rear-Admiral Carter—to the Committee on Naval Affairs.

By Mr. WASHINGTON: A bill (H. R. 573) for the relief of Samuel B. Seat, administrator of Christian Kropp, deceased—to the Committee on Claims.

Also, a bill (H. R. 574) for the relief of Frederick Smith—to the Committee on Claims.

Also, a bill (H. R. 575) for the relief of Payne, James & Co.—to the Committee on Claims.

Also, a bill (H. R. 576) for the relief of the legal representatives of Adelicia Cheatham for money illegally assessed and paid the Government under protest—to the Committee on Claims.

Also, a bill (H. R. 577) for the relief of William H. Gordon—to the Committee on War Claims.

Also, a bill (H. R. 578) for the relief of Mrs. Jane L. Taylor—to the Committee on War Claims.

Also, a bill (H. R. 579) for the relief of A. H. Buchanan—to the Committee on War Claims.

Also, a bill (H. R. 580) for the relief of Duncan Marr—to the Committee on War Claims.

Also, a bill (H. R. 581) for the relief of the trustees of Stewart College, Montgomery County, Tennessee—to the Committee on War Claims.

Also, a bill (H. R. 582) for the relief of Wilkins W. Waggoner—to the Committee on War Claims.

Also, a bill (H. R. 583) for the relief of legal representatives of A. J. Tynes, deceased—to the Committee on War Claims.

Also, a bill (H. R. 584) for the relief of Caleb Bryan—to the Committee on War Claims.

Also, a bill (H. R. 585) for the relief of Mrs. Ann B. Armstrong—to the Committee on War Claims.

Also, a bill (H. R. 586) for the relief of Mrs. Minerva Reems—to the Committee on War Claims.

Also, a bill (H. R. 587) for the relief of the estate of Andrew J. Duncan, deceased—to the Committee on War Claims.

Also, a bill (H. R. 588) for the relief of Cummings, Doyle & Co., and Doyle & Co.—to the Committee on War Claims.

Also, a bill (H. R. 589) for the relief of D. W. and Minna H. Glassie and Joseph C. Nash—to the Committee on War Claims.

Also, a bill (H. R. 590) for the relief of Thomas Chadwell, administrator—to the Committee on War Claims.

Also, a bill (H. R. 591) for the relief of the estate of Henry S. French—to the Committee on War Claims.

Also, a bill (H. R. 592) for the relief of Richard Atkinson—to the Committee on War Claims.

By Mr. O'FERRALL: A bill (H. R. 593) for the relief of James Albert Bonsack—to the Committee on Patents.

Also, a bill (H. R. 594) for the relief of William E. Logan—to the Committee on Claims.

Also, a bill (H. R. 595) for the relief of C. A. Worthington—to the Committee on Military Affairs.

Also, a bill (H. R. 596) for the relief of John Southwick—to the Committee on Military Affairs.

Also, a bill (H. R. 597) to make Dr. A. Sidney Tebbs a surgeon in the United States Marine-Hospital Service—to the Committee on Naval Affairs.

Also, a bill (H. R. 598) granting a pension to James A. Van Nort—to the Committee on Pensions.

Also, a bill (H. R. 599) granting increased pension to Charles H. Day—to the Committee on Invalid Pensions.

Also, a bill (H. R. 600) increasing the pension of Mary Minor Hoxey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 601) for the relief of Noah Foltz—to the Committee on War Claims.

Also, a bill (H. R. 602) for the relief of Mrs. Lucy B. Legrand—to the Committee on War Claims.

Also, a bill (H. R. 603) for the relief of Samuel H. Sonner—to the Committee on War Claims.

Also, a bill (H. R. 604) for the relief of the legal representatives of George W. Taylor—to the Committee on War Claims.

Also, a bill (H. R. 605) for the relief of the legal representatives of Thomas H. Crow, deceased—to the Committee on War Claims.

Also, a bill (H. R. 606) for the relief of William H. Woodward—to the Committee on War Claims.

Also, a bill (H. R. 607) for the relief of Martin Belaw—to the Committee on War Claims.

Also, a bill (H. R. 608) for the relief of Saint Clair D. Kirtley and Francis W. Kirtley—to the Committee on War Claims.

Also, a bill (H. R. 609) for the relief of the trustees of the Centenary Reformed Church, of Winchester, Va.—to the Committee on War Claims.

By Mr. BOWDEN: A bill (H. R. 610) for the relief of William Lavery—to the Committee on War Claims.

Also, a bill (H. R. 611) for the relief of Mrs. P. L. Ward, widow and executrix of William Ward, deceased—to the Committee on War Claims.

Also, a bill (H. R. 612) for the relief of Thomas Wright—to the Committee on War Claims.

Also, a bill (H. R. 613) for the relief of John S. Braxton—to the Committee on Claims.

Also, a bill (H. R. 614) for the relief of J. E. Hozier—to the Committee on Claims.

Also, a bill (H. R. 615) for the relief of James B. Mitchell—to the Committee on Claims.

Also, a bill (H. R. 616) granting a pension to Kate Ryder—to the Committee on Pensions.

By Mr. O. B. THOMAS: A bill (H. R. 617) to relieve Isaiah Guist from the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 618) granting a pension to James W. Harriman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 619) granting a pension to Robert Patterson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 620) granting an increase of pension to William Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 621) granting an increase of pension to William M. Whaley—to the Committee on Invalid Pensions.

By Mr. HIESTAND: A bill (H. R. 622) granting a pension to Maria Wenger—to the Committee on Invalid Pensions.

By Mr. MONTGOMERY: A bill (H. R. 623) for the relief of Isham Coombs—to the Committee on War Claims.

Also, a bill (H. R. 624) for the relief of Samuel R. Grundy—to the Committee on War Claims.

Also, a bill (H. R. 625) for the relief of Jeremiah Jeffries—to the Committee on War Claims.

Also, a bill (H. R. 626) for the relief of Ben A. Stith, administrator—to the Committee on War Claims.

Also, a bill (H. R. 627) granting a pension to Francis Mattingly—to the Committee on Pensions.

By Mr. C. S. BAKER: A bill (H. R. 628) granting a pension to Juliette Stone—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 629) for the relief of Isaiah Humrickhouser—to the Committee on Military Affairs.

Also, a bill (H. R. 630) for the relief of Wesley W. Taylor—to the Committee on Invalid Pensions.

By Mr. RANDALL: A bill (H. R. 631) for the relief of Frances Anne Pyne Ricketts—to the Committee on Invalid Pensions.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BREWER: Petition of Charles Thorn, with accompanying papers—to the Committee on Military Affairs.

Also, petition and papers accompanying the bill for the relief of William Gray—to the Committee on Military Affairs.

Also, petition of Thomas H. Aully, praying for a pension—to the Committee on Invalid Pensions.

Also, petition of Merritt Lewis, for an act giving him arrearage pension—to the Committee on Invalid Pensions.

Also, petition for increase of pension of Lewis G. Clark—to the Committee on Pensions.

Also, letter accompanying bill of William H. Brokinsham—to the Committee on Invalid Pensions.

By Mr. CANDLER: Petition of William Hadaway, of Forsyth County, Georgia, for reference of his case to the Court of Claims—to the Committee on War Claims.

By Mr. CONGER: Petition of 275 citizens, business men, of Des Moines, Iowa, for the passage of a general bankrupt law—to the Committee on the Judiciary.

By Mr. COX: Petition of Hiram Berdan, of New York City, concerning pensions—to the Committee on Invalid Pensions.

Also, memorial in relation to the claim of General G. Cluseret—to the Committee on Foreign Affairs.

By Mr. GOFF: Petition of William M. Smith, for compensation as a scout—to the Committee on War Claims.

By Mr. LODGE: Petition of Abraham Lincoln Post, No. 11, Grand Army of the Republic, for condemned cannon—to the Committee on Military Affairs.

By Mr. D. B. HENDERSON: Petition of mail-carriers of Dubuque, Iowa, for increase of compensation—to the Committee on the Post-Office and Post-Roads.

Also, paper from R. M. Marvin, for amending section 4700 of the Revised Statutes—to the Committee on Invalid Pensions.

Also, paper from same, relating to increase of pension to Albert Mabb, of Manchester, Iowa—to the Committee on Invalid Pensions.

Also, petition of S. M. Pollock and others, for a pension for George Bennett—to the Committee on Invalid Pensions.

Also, petition in behalf of Albert Lœper—to the Committee on Invalid Pensions.

Also, petition of Milo L. Sherman and 37 others, for a bill in favor of Army nurses—to the Committee on Invalid Pensions.

Also, petition of E. H. Mix Post, Grand Army of the Republic, of Ackley, Iowa, in relation to pension legislation—to the Committee on Invalid Pensions.

Also, petition from J. V. Carpenter Post, No. 61, of Iowa, urging that pensions be granted to Army nurses—to the Committee on Invalid Pensions.

Also, paper from J. W. Cotes, of Warren, Dak., giving reasons why men shot through the lungs should receive the same rate of pension as one who has lost a hand or foot—to the Committee on Invalid Pensions.

Also, petition from members of the British House of Commons and others, in relation to arbitration of differences between Great Britain and the United States—to the Committee on Foreign Affairs.

Also, petition of the Dubuque Art Association and other citizens, for abolishing duties on works of fine art, especially paintings and sculpture—to the Committee on Ways and Means.

Also, petition of the Woman's Christian Temperance Union, of Manchester, Iowa, for the passage of Senate bill 2362, Forty-ninth Congress—to the Committee on Foreign Affairs.

Also, affidavits in the case of Mrs. Jane Thomas for relief—to the Committee on Invalid Pensions.

By Mr. HOUK: Petition of Jacob S. Tritts, of Michael A. Staples, and of Charles T. P. Davis, of Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, petition asking for the passage of a law equalizing bounties—to the Committee on Invalid Pensions.

By Mr. McRAE (by request): Petition of Mary C. Ward, of Ouachita County, Arkansas, for relief—to the Committee on War Claims.

By Mr. MATSON: Petition of Robert M. Fraker, of Bird City, Kans., late captain Company E, Sixth Missouri Cavalry, for a pension.

Also, petition of Enos F. M. Blair, alias Marian Blair, late private in Capt. James M. Morgan's company of Iowa Mounted Volunteers, Mexican war, for a service pension—to the Committee on Pensions.

By Mr. McKINLEY: Petition of citizens of California engaged in the manufacture of lumber—to the Committee on Ways and Means.

By Mr. MORGAN: Petition of S. M. Fudge, of Panola County, Mississippi, for reference of his case to the Court of Claims—to the Committee on War Claims.

By Mr. NEAL: Petition of James N. Reid, of Grundy County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. O'DONNELL: Petition of citizens of the Pacific coast, against any reduction of the tariff on lumber—to the Committee on Ways and Means.

By Mr. ROGERS: Petition of Henry W. Long, for relief—to the Committee on Claims.

Also, papers in the claim of W. W. Burns, for relief—to the Committee on Claims.

Also, memorial of William G. Whipple, mayor of Little Rock, Ark., relative to a road to the national cemetery near that city—to the Committee on Military Affairs.

By Mr. STONE, of Missouri: Petition of Simeon Gilbreath, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. WASHINGTON: Petition of Alexander L. Buchanan; of widow of Jacob Eberhart; of James T. Hamilton; of administratrix of D. B. Hicks; of Christian Hofstetter; of executor of A. J. Milam; of Martha A. Newsom (widow); of George S. Williamson; of administratrix of J. D. Horton; of J. R. Bouderant, administrator of E. C. Bouderant; and of John Donnelly, of Davidson County; of Jackson Tyler, and of J. M. Thompson, of Cheatham County; of B. F. Posten, and of John O'Neal, of Montgomery County; and of E. H. McNeil, of Humphreys County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WHEELER: Petition of the heirs of Benjamin Snodgrass, of Jackson County, and of the heirs of Little Robinson, of Lauderdale County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WHITTHORNE: Petition of William J. Hardiman, and of executrix of Simpson A. Patterson, of Giles County; of Martha Bailey, of heirs of James M. Hunter, and of administrator of H. B. Porter, of Maury County; and of administrator of Johnson Jordan, of the widow of Turner G. Hill, and of administrator of Brice M. Hughes, of Williamson County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WISE: Petition in favor of Federal aid to public schools—to the Committee on Education.

By Mr. YODER: Petition of citizens of Allen County, Ohio, for pension to John W. Fleming, Company A, One hundred and fiftieth Regiment Ohio Volunteer Infantry—to the Committee on Invalid Pensions.

Also, petition of William C. Baker and others, for a pension—to the Committee on Invalid Pensions.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. BROWER: Of citizens of Caswell County, North Carolina.

By Mr. T. H. B. BROWNE: Of J. A. Flippo and others, of Caroline County, and of Thaddeus Hodges and others, of Mathews County, Virginia.

By Mr. BUNNELL: Of citizens of Litchfield, Bradford County, Pennsylvania.

By Mr. DINGLEY: Of D. A. Lawrence and others, and of Michael Hickey and others, of Maine.

By Mr. ENLOE: Of W. P. Holton and 32 others, of Jester, Chester County, Tennessee.

By Mr. ERMENTROUT: Of citizens of Berks County, Pennsylvania.

By Mr. GLASS: Of citizens of Abernathy, of McBride, and of Durhamville, Tenn.

By Mr. GOFF: Of Michael Shepard and others, of Wileyville; of J. R. Windom and others, of Short Creek; of P. A. Poundstail and others, of Troy; of Elliot Stump and others, of Stumptown; of G. M. Warner and others, of Aberdeen; of Henry Estep and others, of St. Joseph; of N. Beck and others, of Pepper; of George F. Perry and others, of Olive; of W. F. McKelvey; of Morris H. White and others, of Pond Gap; of L. F. Hildebrand and others, of Adamsville; of M. L. Weekly and others, of Joseph's Mills; of M. Bailey and others, of Leading Creek, and of Atwell Summers, of Lonetree, W. Va.

By Mr. GRIMES: Of James M. Cook and others, of Chattahoochee County, Georgia.

By Mr. GROUT: Of Alfred Watkins and 38 others, of South Reading, Vt.

By Mr. HIESTAND: Of citizens of Bainbridge, Lancaster County, Pennsylvania.

By Mr. HOUK: Of Gumfork; of Well Springs; of Big Creek Gap; of Louisville; of White Pine; of Piney, and of Troutman, Tenn.

By Mr. LEE: Of citizens of Fauquier County; of Loudoun County, and of Prince William County, Virginia.

By Mr. McCLAMMY: Of A. R. Ellis and others, of Gilbert, Moore County, and of S. B. Taylor and others, Ward's Mills, N. C.

By Mr. McCULLOGH: Of citizens of Swartz, Greene County, Pennsylvania.

By Mr. McKINLEY: Of citizens of Achor, Columbiana County, Ohio.

By Mr. McRAE: Twenty-three petitions of sundry citizens of the Third district of Arkansas.

By Mr. NEAL: Of R. R. Ramsey and others, of Cassville, White County; and of Alexander Coppinger and others, of Tarlton, Grundy County, Tennessee.

By Mr. NICHOLS: Of citizens of Alamance County; of Nash County; of Chatham County, and of D. H. Albright and others, of the Fourth district, North Carolina.

By Mr. PETERS: Of S. C. Carter and others, of Ainsworth, Kans.

By Mr. ROGERS: Of citizens of Ivesville, Pulaski County, Arkansas.

By Mr. ROMEIS: Of W. M. Hewitt and 20 others, of Peachton, Ottawa County, Ohio.

By Mr. SCULL: Of citizens of Salemville, Bedford County, Pennsylvania.

By Mr. STONE, of Kentucky: Of J. F. Stone and others, of Kentucky.

By Mr. WHEELER: Of Goodloe Pride and 23 others, of Barton, and of H. H. Bridgers and 17 others, of Dry Cove, Ala.

By Mr. WHITTHORNE: Of R. G. Petway and others, of Hickman County, Tennessee.

By Mr. WISE: Of citizens of Fifer, Goochland County, Virginia.

By Mr. YODER: Of citizens of Neptune, Mercer County, and of Landeck, Ohio.

By Mr. YOST: Of citizens of Flannagan's Mills; of Moreley; of Hunter's Lodge; of Deerfield; of Beesville; of Gilliamsville; of Strait Creek, and of Vanderpool, Va.

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## SENATE.

### THURSDAY, *December* 22, 1887.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented resolutions adopted by the Legislature of Pennsylvania; which, on motion of Mr. BLAIR, were ordered to lie on the table, and be printed in the RECORD, as follows:

IN THE SENATE, *April* 13, 1887.

*Resolved (if the house concur)*, That our Senators in Congress be instructed, and the Representatives be requested, to support, at the next session, the Blair bill for national aid to common schools, to the end that all sections of the Union may secure educational facilities.

*Resolved*, That the secretary of the Commonwealth is hereby directed to send copies of the above resolution to the President of the Senate and the Speaker of the House, at Washington, when Congress convenes in December next.

Extract from the journal of the senate.

THOS. B. COCHRAN,
*Chief Clerk of the Senate.*

IN THE HOUSE OF REPRESENTATIVES, *April* 14, *A. D.* 1887.

The foregoing resolution concurred in.

SAM'L A. LOSCH,
*Chief Clerk of the House of Representatives.*

Approved the 22d day of April, A. D. 1887.

JAMES A. BEAVER.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH,
*Harrisburg, December* 20, *A. D.* 1887.

*Pennsylvania, ss:*

I do hereby certify that the foregoing and annexed is a full, true, and correct copy of the original concurrent resolution of the General Assembly, approved the 22d day of April, A. D. 1887, as the same remains on file in this office.

In testimony whereof I have hereunto set my hand and caused the seal of the secretary's office to be affixed the day and year above written.

[SEAL.]

CHARLES W. STONE,
*Secretary of the Commonwealth.*

The PRESIDENT *pro tempore* presented resolutions adopted by the American Bar Association, favoring the celebration of the Constitutional Centennial; which were referred to the Select Committee on the Centennial of the Constitution and the Discovery of America.

Mr. MITCHELL. I present senate joint resolution No. 5 of the Legislative Assembly of the State of Oregon, favoring legislation prohibiting aliens from occupying United States lands for herding and grazing purposes. Such a bill has already become a law, but let the memorial be referred to the Committee on Public Lands.

The PRESIDENT *pro tempore*. The memorial will be referred to the Committee on Public Lands.

Mr. MITCHELL presented joint resolution No. 6 of the Legislative Assembly of the State of Oregon, favoring the adoption of a constitutional amendment providing for the election of United States Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented house joint resolution No. 7 of the Legislative Assembly of the State of Oregon, favoring an appropriation for the survey and improvement of Tillamook Bay and bar; which was referred to the Committee on Commerce.

He also presented a house joint memorial of the Legislative Assembly of the State of Oregon, favoring the payment of the expenses of the volunteer forces of Oregon and Washington Territory in the Indian war of 1855–'56, as allowed by the commission consisting of General Rufus Ingalls, A. J. Smith, and Hon. L. F. Grover; also that the survivors of Indian wars be pensioned in the same manner as the survivors of the Mexican war; which was referred to the Committee on Military Affairs.

He also presented senate joint memorial No. 10 of the Fourteenth Legislative Assembly of the State of Oregon, favoring an appropriation of the sum of $2,500 for the construction of a wagon-way from Cape Foulweather, in Benton County, Oregon, to Coos Bay, in Coos County, Oregon, through the United States reservation known as Cape Perpetua; which was referred to the Committee on Military Affairs.

He also presented house joint memorial No. 2 of the Fourteenth Legislative Assembly of the State of Oregon, favoring an appropriation of $13,845.84 to pay claimants the amounts allowed them by Philo Callender, commissioner of war claims, growing out of the Indian war in Oregon Territory; which was referred to the Committee on Military Affairs.

He also presented senate joint resolution No. 18 of the fourteenth biennial session of the Legislative Assembly of Oregon, favoring the reimbursement of settlers on even sections of land within the grant to the Oregon Central Railroad Company, which grant has now been forfeited, for the excess paid by such settlers for their lands by reason of the price fixed in the grant; which was referred to the Committee on Public Lands.

He also presented house joint memorial No. 3 of the Legislative Assembly of the State of Oregon, at its regular session, favoring legislation providing that the Umpqua River between Gardiner and the mouth of that river be properly buoyed; which was referred to the Committee on Commerce.

He also presented joint memorial No. 3 of the Legislative Assembly of the State of Oregon, praying Congress as follows:

First. That all unearned lands heretofore granted to railroad corporations, and especially to the Northern Pacific Railroad Company, be declared forfeited.

Second. That especially the lands of said company coterminous with and adjacent to the proposed Columbia River branch of said road, namely, between Wallula, Wash., and Portland, Oregon, be declared forfeited without delay.

Third. That the forfeiture of said last-mentioned portion of said grant be not made conditional upon the forfeiture of other portions between Bismarck, Dak., and Wallula, Wash., but that in case Congress can not agree upon the forfeiture of all unearned lands west of Bismarck, they shall nevertheless declare forfeited said lands coterminous with and adjacent to said proposed line between Wallula, Wash., and Portland, Oregon.

Fourth. That in case speedy forfeiture of said lands is not possible, such legislation will be had as will require the location and public announcement to settlers of a definite boundary line of said grant, so that lands beyond legal and proper bounds can no longer be kept from entry and sale in consequence of the present undefined claims of said company.

The memorial was referred to the Committee on Public Lands.

Mr. MITCHELL presented senate joint memorial No. 5 of the Legislative Assembly of the State of Oregon, favoring an appropriation for the improvement of the Umpqua River, from the mouth to a point at

or near the town of Elkton, in Douglas County, Oregon; which was referred to the Committee on Commerce.

He also presented senate joint memorial No. 1 of the Fourteenth Legislative Assembly of the State of Oregon, favoring a modification of the treaty between the United States and the Chinese Empire, so as to stop and prohibit the importation or immigration of Chinese and other Asiatic laborers altogether, and to adopt such lawful means as are necessary to rid the country of those already here; which was referred to the Committee on Foreign Relations.

He also presented senate joint memorial No. 2 of the Legislative Assembly of the State of Oregon, favoring the adoption of some speedy legislation declaring such lands as have not been earned by railroad companies in accordance with the conditions imposed by Congress withdrawn from such grants, and that the same be speedily thrown open for settlement by the people; which was referred to the Committee on Public Lands.

Mr. SPOONER. I present, by request, a petition on behalf of the citizens' representative committee of one hundred, of the District of Columbia, praying for the passage of a bill to create a board of education for the District of Columbia. I move that the petition be referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. SPOONER presented a communication from J. Crutchett, of the District of Columbia, on the subject of saving half the cost for fuel, light, and power in the Capitol and buildings of the Government by the use of his improvements; which was referred to the Committee on Public Buildings and Grounds.

Mr. CALL presented the petition of J. A. Voyles and other postmasters of the fourth class in the State of Florida, praying for the passage of a law increasing the compensation of fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. BLAIR presented the petition of the State Temperance Union of New Hampshire, officially signed, praying for an amendment to the Constitution of the United States to prohibit the manufacture, importation, exportation, and transportation of intoxicating beverages; which was referred to the Committee on Education and Labor.

Mr. CULLOM presented resolutions adopted by the board of supervisors of Clay County, Illinois, urging the enactment of legislation for the relief of purchasers of swamp lands in the State of Illinois; which were referred to the Committee on Public Lands.

He also presented a petition of 115 ex soldiers and citizens of Dallas City, Ill., and vicinity, praying that Francis Marion Walker, who is now entirely disabled as a result of his military service, be placed upon the pension-roll; which was referred to the Committee on Pensions.

## ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the enrolled joint resolution (H. Res. 2) authorizing and directing the payment of the salaries of the officers and employés of Congress for the month of December, 1887; and it was thereupon signed by the President *pro tempore*.

## REPORTS OF COMMITTEES.

Mr. EUSTIS, from the Committee on Epidemic Diseases, to whom was referred the bill (S. 642) to authorize the removal of the quarantine station from Ship Island, Mississippi, reported it without amendment.

## BILLS INTRODUCED.

Mr. MORRILL introduced a bill (S. 1069) for the relief of L. A. Noyes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. QUAY introduced a bill (S. 1070) granting a pension to Mrs. Mary R. Armstrong; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COKE introduced a bill (S. 1071) for the relief of A. B. Norton; which was read twice by its title, and referred to the Committee on Claims.

Mr. SPOONER (by request) introduced a bill (S. 1072) to incorporate the Capital Rapid Transit Street Railway Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also (by request) introduced a bill (S. 1073) to create a board of education for the District of Columbia and to prescribe its powers and duties; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PALMER (by request) introduced a bill (S. 1074) for the relief of J. W. McMillan; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1075) for the relief of Elvira A. Scott; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CALL (by request) introduced a bill (S. 1076) granting a pension to the widow of John Leary; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DOLPH introduced a bill (S. 1077) for the relief of Mrs. Clara Morris; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1078) for the relief of Florida Kennerly, which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1079) making an appropriation for the purpose of paying Indian depredation claims which have been audited and approved by the Secretary of the Interior and reported to Congress; which was read twice by its title.

Mr. DOLPH. Mr. President, I ask the indulgence of the Senate for a moment in regard to this bill.

I introduced a similar bill during the last Congress, together with another bill authorizing claimants for Indian depredations to sue the United States in the Court of Claims, and a number of bills for the private relief of parties for damages on account of Indian depredations. The Committee on Indian Affairs, I believe, reported upon none of them.

There are four thousand five hundred of these claims. The amount involved is, I think, something like fourteen or fifteen million dollars. Many of these claims are claims for depredations that occurred during the period when the law provided that upon a proper presentation of such a claim and its allowance by the Secretary of the Interior, it should be paid out of annuities owing to the Indian tribes which committed the depredation, and if there were no such annuities, then out of the Treasury of the United States. There is, therefore, a legal obligation on the part of the Government to pay many of these claims, which are over thirty years of age. All the other claims which have been reported upon and are covered by this bill, are claims which have been examined by the Secretary of the Interior under the provisions of existing laws—laws which provide that claimants may present their claims to the Secretary of the Interior with their proof, and that they shall be audited. They have been notified from time to time that the Secretary of the Interior has audited and allowed their claims for certain amounts. They do not understand why when their claims are audited and allowed they are not to be paid; and I undertake to say it is a burning shame that for thirty years the Congress of the United States has declined to take action upon these claims.

I am informed that for the first time in the House of Representatives there will be a committee especially charged with the examination of Indian depredation claims, and I do hope that justice will be done to these claimants now by the Committee on Indian Affairs of the Senate, and that some report will be made. It would be better to report that the laws which now provide for the presentation of the claims should be repealed and no false hopes held out to the claimants, and they be not put to the expense of presenting their claims and proving them and employing counsel to present them with the expectation that the Government would make an appropriation for their payment, rather than to continue to delay from day to day to take action upon them. If we are not going to pay them, let Congress say so, and if we are going to pay them, let the proper committee grapple with the matter and make some disposition of it.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Indian Affairs.

Mr. VOORHEES introduced a bill (S. 1080) to extend the laws of the United States over certain unorganized territory south of the State of Kansas; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. JONES, of Arkansas, introduced a bill (S. 1081) for the erection of a public building at Helena, Ark.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1082) for the relief of J. R. B. Moore; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PASCO introduced a bill (S. 1083) for the erection of a public building at Tallahassee, Fla.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. BLAIR introduced a bill (S. 1084) for the relief of the American Board of Commissioners for Foreign Missions, Rev. Worcester Willey, and Esther Smith; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. MITCHELL introduced a bill (S. 1085) to relieve Jacob Kintz, alias John Walters, from the charge of desertion; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1086) granting a pension to Jacob Kintz, alias John Walters; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1087) for the relief of D. S. Holton, of Oregon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1088) for the relief of Charles W. Denton, of Oregon; which was read twice by its title, and referred to the Committee on Claims.

Mr. McPHERSON introduced a bill (S. 1089) for the relief of Henrietta M. Sands, widow of the late Rear-Admiral Benjamin F. Sands, United States Navy; which was read twice by its title, and referred to the Committee on Claims.

Mr. BOWEN introduced a bill (S. 1090) for the relief of George Max-

well, F. C. Bulkley, and H. L. Newman; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. GORMAN introduced a bill (S. 1091) to establish a light-ship off the entrance to Chesapeake Bay; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1092) for the relief of St. Vincent's Orphan Asylum, in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. MITCHELL introduced a bill (S. 1093) providing for the construction of, and making an appropriation for, a military wagon-road between Cape Foulweather, in Benton County, and Coos Bay, in Coos County, Oregon; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1094) making an appropriation for the survey and improvement of Tillamook Bay and bar, in the State of Oregon; which was read twice by its title, and referred to the Committee on Commerce.

Mr. TELLER introduced a bill (S. 1095) to provide for the compulsory education of Indian children; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. SAWYER introduced a bill (S. 1096) granting a pension to James Lucas; which was read twice by its title, and referred to the Committee on Pensions.

### WITHDRAWAL OF PAPERS.

On motion of Mr. CHANDLER, it was

*Ordered*, That H. S. Cummings, attorney for the estate of David Huestis, deceased, have leave to withdraw from the files of the Senate the papers in the claim of the said Huestis, there having been no adverse report thereon.

### PACIFIC COAST NAVAL STATION.

Mr. MITCHELL. On the 12th of this month I introduced a joint resolution (S. R. 8) providing for the appointment of a commission to select a site for a naval station on the Pacific coast, which lies upon the table. I give notice that on the 4th of January, at the conclusion of the morning business, I shall ask that the joint resolution be taken up for the purpose of enabling me to submit some remarks upon it before its reference to the appropriate committee.

### MARRIAGE AND DIVORCE.

The PRESIDENT *pro tempore*. If there is no further morning business——

Mr. DOLPH. I do not rise to morning business, but to make a motion as soon as that is completed.

The PRESIDENT *pro tempore*. The order of morning business, then, is closed.

Mr. DOLPH. I now move to take up Senate joint resolution No. 2.

The PRESIDENT *pro tempore*. The Senator from Oregon moves that the Senate proceed to the consideration of a joint resolution the title of which will be stated.

The CHIEF CLERK. A joint resolution (S. R. 2) proposing an amendment to the Constitution of the United States empowering Congress to legislate upon the subjects of marriage and divorce, and prohibiting bigamy and polygamy.

Mr. BLAIR. I desire to inquire whether if the joint resolution is taken up it would displace the unfinished business.

The PRESIDENT *pro tempore*. The Chair announces that under the rule the unfinished business every day will come up at 2 o'clock.

Mr. BLAIR. Suppose the Senate adjourns earlier than that hour, the unfinished business would not be displaced?

The PRESIDENT *pro tempore*. It would not be displaced. The question is on the motion of the Senator from Oregon, to proceed to the consideration of the joint resolution named by him.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. DOLPH. Let the joint resolution be read.

The PRESIDENT *pro tempore*. It will be read at length.

The Chief Clerk read as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of the said Legislatures, shall be valid as a part of said Constitution, namely:

ARTICLE —.

Congress shall have power to legislate upon the subjects of marriage and divorce by general laws applicable alike to all the States and Territories, and neither bigamy nor polygamy shall exist or be permitted within the United States or any place subject to their jurisdiction—

Mr. DOLPH. Mr. President, the object of the proposed amendment to the Federal Constitution, just read, is to transfer the power now exercised by the several States to legislate upon the subjects of marriage and divorce to the Federal Government, in order to secure uniformity in all the States as to the grounds for divorce and as to the effect of a decree dissolving the marriage contract.

I do not propose at this time to discuss at any considerable length the nature of the relation of marriage. The most enlightened portions of mankind agree that, however assumed, the marital relation is something more than a mere copartnership between the parties, that it is an institution of transcendent importance to the state on account of its relations to society and to posterity. Whether we affirm or deny that marriage has been divinely ordained to secure the perpetuation of the race and the happiness and prosperity of mankind, it must be conceded that it is the natural relation between the sexes, and is necessary to the formation and preservation of the family, which is the foundation of organized society and the promoter of good order and civilization. The state, therefore, has an undoubted right, and it is its duty, to prescribe the qualifications of the parties to the marriage contract, the manner in which it must be solemnized to render it legal, the proof required for its authentication, the disabilities which render individuals incompetent to marry, the causes for which the marriage contract may be annulled or dissolved, and to provide by law in what courts the proceedings for the annulment or dissolution of the contract may be instituted, the rules of procedure and of evidence in such proceedings, the manner of authenticating the decree of the court, and the effect of a dissolution of the contract upon the personal status and property rights of the parties and their children. The true theory of marriage is that it is not only a contract between the man and the woman, but is also a contract between them and the state, by which they undertake to perform the duties growing out of the marital relation to the state, and upon this theory the contract can only be lawfully entered into or annulled with the consent of the state.

While it is not desirable that criminal and pauper classes and those afflicted with disease or deformity liable to be transmitted to their posterity should be encouraged to marry, otherwise the largest possible freedom of matrimony should be allowed by the laws, and the marriage of those competent to contract should be encouraged by the Government. The dissolution of the marriage contract is a matter which concerns the Government more than it does the parties. The state has a paramount interest in the continuance of the family, because society so greatly suffers when the family relation is disrupted, the home destroyed, and the security lost which the family affords for the support, education, and training of the offspring of the marriage for useful members of the community. Free-and-easy divorce is destructive of morality and good government, injurious alike to the best interests of society, debasing to the estimate which society places upon the marital relation, and degrading to woman. As the state is most interested in the preservation of the family relation, it follows that the laws of a state should limit the causes of divorce to such as render the continuance of this relation a greater evil than its dissolution, and, to prevent collusion, should require that the state in all cases be made a party to a proceeding for a divorce, and should make provision for suitable and sufficient service of process upon the opposite party, and, in case of default, for a defense by the state.

At present in many of the States there are fewer safeguards against collusive divorces than there are against fraudulent judgments in ordinary actions at law. But it is not my purpose to discuss the evils of easy divorce. The matter to which I especially desire to direct the attention of the Senate is the evils which grow out of the widely differing laws of the several States concerning the grounds for divorce and the force and effect of a decree dissolving the marriage contract. The grounds for divorce under the laws of the several States are as diverse as the opinions concerning the nature of the institution of marriage. In some States the laws are as lax and divorce is as free and easy as the most earnest advocates of the proposition that marriage is a simple contract between the parties, which should be dissoluble at their pleasure, could wish—incompatibility of temper alone being sufficient in the discretion of the court in some of the States to authorize a divorce; and in others the grounds range from the most trivial causes up the scale through failure to provide for the support of the wife, desertion, cruel and inhuman treatment, drunkenness, and conviction of a felony, to the scriptural ground of adultery.

Quite as great diversity exists in the laws of the States as to the previous residence required on the part of the plaintiff and the character of service required upon the defendant; and as a consequence to the States where divorce is free and easy flock the parties who wish to evade the more stringent laws of other States, and the result is an ever-increasing harvest of divorces, held to be valid in the State in which they are granted, but which would be declared fraudulent and void in the courts of other States, and remarriages in the States in which the fraudulent divorces have been obtained held to be legal there, but which would be declared bigamous and punished as a felony elsewhere. But this is far from the most serious result growing out of such a system. The personal status of two women and the property rights of the two families are affected by the divorce. The first wife is still the lawful wife, entitled to dower in the real estate of her husband, in the State in which the first marriage was entered into, and probably in every other State except the one in which the fraudulent divorce was granted. The second wife is entitled to dower under the laws of the State in which the second marriage took place, and the children by the second marriage by the laws of that State are legitimate, but elsewhere they are illegitimate and their mother not entitled to dower. There are other diverse provisions in the laws of the several States which continually create confusion and make the conflicts of jurisdiction which arise under them irreconcilable.

In some States, upon a dissolution of marriage, the guilty party is forbidden to marry again; in other States the parties are forbidden to marry for a given period. Where real property owned by the parties is situated in several States, the power of a court in granting a divorce is frequently found to be inadequate to a proper and final adjustment of the property rights of the parties. The mere suggestion of these evils—and I shall at this time attempt nothing more—will convince all that a uniformity of the grounds for divorce and of the effect of the decree dissolving the relation, should exist in all the States. This is impossible so long as marriage and divorce are the subjects of State jurisdiction. The only effectual remedy for the existing undesirable state of affairs is to transfer the power to legislate upon this subject to the Federal Government, so that throughout the States and in the Territories, and everywhere where the jurisdiction of the United States extends, there may be uniformity in the legislation concerning it.

If it be objected that the adoption of this amendment would tend to the centralization of power in the National Government, I answer that many of the powers already possessed by the Federal Government are less important than that under consideration, and that the propriety or necessity of their exercise by the General Government can not be maintained by stronger arguments than can be adduced in favor of conferring upon it the power in question. The number of subjects concerning which the power of legislation is conferred upon Congress is not as important as the character of the subjects.

The exercise of the power of legislation upon the subjects of marriage and divorce by the General Government would involve no considerable expense, no additional officers or tribunals, and if the jurisdiction to grant divorces were left with the State courts, as I think it might be, would involve no additional labor for the United States courts.

The evils complained of might be effectually remedied by the United States exercising only the power of prescribing the causes for which divorces should be granted, the rules of procedure and of evidence, and the effect of the decree.

The exercise of many of the powers already conferred on the General Government requires a vast army of employés and large expenditures; and other powers which are advocated for it, such as control of the telegraph and of the railroads, would necessitate an indefinite increase of officers, agents, and employés, and the annual expenditure of vast additional sums.

None of the cogent reasons which might be urged against the exercise by the General Government of powers involving such large expenditures and such vast patronage exist in the case of the power in question. Its transfer from the States to the United States would not disturb the equilibrium between them, but the change would be most salutary and beneficial to all the people of all the States and Territories. The Constitution was not supposed by its framers to be a perfect instrument, and provision was wisely made for its amendment as time and experience should dictate and the growth of the country and the expansion of government should require. Amendments may be proposed by Congress, but their adoption rests alone with the States, three-fourths of which must concur.

I need not enlarge upon the importance of this measure in a national point of view. The family is the foundation of human governments, the institution upon which the character, stability, and prosperity of a nation more than upon any other depend. In fact it is the foundation upon which all the other beneficent institutions are built. Let that be corrupted, and free schools, a free and enlightened press, wise legislation, and the power of armies and navies can neither repair the evil nor save the nation sooner or later from absolute and irretrievable ruin. Upon the influence of the family circle and the proper training of the children depend the destinies of the Republic.

But this proposed amendment is designed to reach another and greater evil than those of easy divorces and conflicts of State laws. For more than forty years there has flourished in the United States a religious sect which has practiced polygamy under the claim that it was sanctioned by divine revelation. Isolated at first from the more populous portions of the Union, the purposes and practices of its organization but imperfectly understood by the people of the United States, and the attention of the country for the time being engrossed in other and absorbing questions, the Mormon Church has been allowed until recently to violate the laws of the land, to defy the power of the Government with impunity, so that polygamy has grown to alarming proportions, is firmly established in the Territory of Utah, and has sent its roots into the surrounding Territories to poison the social life or other inchoate States and to threaten them with the ultimate domination of the political power in its interests. The power of Congress to legislate for the Territories is plenary, and if we could be assured that with the mutations of parties and the supposed party necessities for political action which arise from time to time, and which for the time being often control legislation, even where great moral and social questions are involved, the Territories would not be admitted into the Union until polygamy is effectually destroyed beyond the hope of resurrection under the power and influence of the Mormon Church, the existence of polygamy in the Territories would not be a reason for the adoption of such an amendment.

It is not my purpose to discuss the claim of the Mormon Church to the sanction of a direct revelation from God for the practice of polygamy. I believe, in common with the great majority of the people of the United States, that Mormonism is a gigantic, powerful, and well-organized fraudulent conspiracy being imposed upon the ignorant and superstitious; that it was "conceived in sin and brought forth in iniquity." But the truth or falsity of the Mormon claim for their religion is immaterial to this discussion. However false, however harmful it is to those who embrace it, so long as its practices are not in conflict with the laws of the land, its influence must be combated, if at all, by other means than legislation by Congress. Religious freedom is guarantied, so far as the Government of the United States is concerned, by the Federal Constitution.

This freedom, however, is a freedom of religious belief and the practice of religious rites and ceremonies which do not violate the laws which have been enacted in pursuance of powers vested in the General Government. The laws deal with practices and not with beliefs. Criminal practices can not be shielded behind this provision of the Constitution. That polygamy is a crime which Congress may prohibit in the Territories is not open to question. The Supreme Court of the United States, the tribunal provided by the Constitution as the final arbiter between the States and the people of the States and Territories and the United States of questions of Federal power, has so decided, and there never was any ground for a different construction of the Constitution. Nor do I propose to discuss the general character of the Mormon people. That they have many good qualities; that they are industrious, economical, temperate, and honest, as a rule, seems to be established. That the common people are devout and thoroughly honest in their religious belief seems probable. I have heard these things urged on this floor apparently as an argument against legislation by Congress for the prevention of their unlawful practices. But all that can be alleged in their favor is no excuse for crime. Temperance, industry, and honesty can not condone for bigamy, and all their good qualities can not excuse them for hostility to the General Government and defiance of the laws of the land.

The power to legislate concerning marriage and divorce in the States has not been conferred by the Constitution upon Congress, and therefore the States have the exclusive power to legislate concerning them. As soon as a State is admitted into the Union it has exclusive control of these subjects. It may enact penal laws against bigamy and polygamy, or by statute legalize them. It may pass no law upon the subject and permit the practice of them, and however distasteful and offensive such practices may be to the people of every other State in the Union, there is no power, aside from the people of the State, which can interfere. When a State is once admitted into the Union, no matter how the admission is secured, Congress can not reconsider its action and the State must retain its power of self-government and its place in the Union. Neither do I believe it is competent for Congress to restrict the power of self-government possessed by the States by legislative enactment either in the act of admission or otherwise. I will not stop now to discuss this question. Should it be seriously proposed to admit Utah upon the ground that the proposed constitution requires the consent of Congress to an amendment of the provision against bigamy and polygamy it will be time enough to consider the question. At present there appear to be other serious and valid objections to the conferring of statehood upon Utah.

I deem it proper to say that this proposed amendment is not offered by me for the purpose of preparing the way for the admission of Utah into the Union. While polygamy is sanctioned by the Mormon Church and that church controls the Territory I shall not be willing to see the United States shorn of any of the power it now possesses over the subject of polygamy in the Territory. In view of the fact that the Federal Government was for many years successfully defied in Utah, its courts compelled to adjourn, its laws set at defiance, and its appointees driven from the Territory by the Mormon Church, and that to-day the great obstacle to the enforcement of the laws of the United States in Utah is the opposition of that church, what could be expected after her admission into the Union even if the power to legislate upon the subject of polygamy in the State were conferred upon Congress? With the Mormon Church, with its perfect political and secret organization, potential in every department of the State government, the United States courts would again be utterly powerless to enforce any law denounced by the church and held by the people to be in violation of the higher law of revelation.

Neither am I in favor of the admission of Utah as a State of the Union with the constitution presented to Congress for its acceptance. And I will not favor her admission until there is more satisfactory evidence than exists to-day that the Mormon Church has abandoned plural marriages and the Mormon people have abandoned the practice of polygamy, and in good faith as law-abiding citizens are ready to aid in enforcing the laws upon that subject, nor until there is better evidence that there is a republican government in Utah and that the government of the proposed State would be republican in fact. This can never be until the political power of the Mormon Church is surrendered or overthrown and the church officials acknowledge the supremacy of the laws and yield obedience to the same. I believe that the best method of accomplishing this would be the creation of a legislative commission, ap-

pointed by the President and confirmed by the Senate, which would be in accord with Congress and the executive department of the Government, and would enact such Territorial laws as would secure present obedience to the laws of the United States and eventual emancipation of the people from the political dominion of the Mormon Church. If the United States, with plenary power to legislate upon the subject for that Territory, with its own courts and officers, and with the machinery for selecting jurors, was unable, on account of the power and hostility of the Mormon hierarchy, for over thirty years, to suppress polygamy, and in spite of the laws and the courts it increased until there were 12,000 persons out of a total adult Mormon population of 50,000 in the Territory who were living in the practice of it, and if, even now, under the operation of the Edmunds act, it is but partially suppressed, what could be expected if Utah should be admitted as a State? Even if it be admitted that the proposed constitution could not be amended without the consent of Congress, no one at all familiar with the past history of the Mormon Church would expect to see a single Mormon punished for the crime of polygamy or unlawful cohabitation so long as the Mormon Church was dominant in the State. After the admission of Utah as a State, with the constitution which the Mormon Church has tendered, the doctrine of plural marriages might be preached and polygamy might be practiced in Utah, and Congress would be as powerless to prevent it as if it were in England or France. The constitution itself is no evidence that the people of Utah are willing to abandon polygamy. It only indicates that they prefer the provision of the proposed State constitution, with its enforcement left to themselves, to the law of Congress prohibiting polygamy and unlawful cohabitation and making the offense a felony, with the power of the United States to enforce the law through its own courts by its own officers.

Nor does the manner in which the proposed constitution was prepared and adopted commend itself to me. The constitutional convention was not called in pursuance of any law authorizing it or prescribing the time of holding it, the number or qualification of delegates, or the manner of choosing them. The call was made by the chairman and secretary of the People's party (Mormon), without previous authority from any party convention or political organization. It appeared the 16th of June, 1887, and called upon the people to assemble on the 25th of the same month in mass convention for the purpose of appointing delegates to a convention, to be held on the 30th of the same month, to provide a constitution; and, according to the report of the minority of the Utah commissioners, remained in session "over a week" and framed and submitted a constitution to be voted upon August 1, 1887. This was the most remarkable feat of the kind of which I have any knowledge, unless it be the adoption of the proposed constitution of the State of Deseret. Not only was this convention called without authority, and the delegates chosen in a manner which precluded the possibility of obtaining a fair expression of the will of the majority of the people of the Territory, but the period which elapsed between the date of the call and the time fixed for choosing delegates, the period between the time for choosing delegates and the time for holding the convention, the duration of the convention, and the period between the time of the adoption of the proposed constitution by the convention and the day fixed for its submission to the people were all so short as to preclude the idea of proper consideration either of the proposition to hold a convention, of the choice of delegates, or of the provisions of the proposed constitution.

The non-Mormon population acted wisely in standing aloof from the movement, which seems to have been suddenly conceived by the Mormon leaders and executed by the Mormon organization with no regard to the forms usually observed in such cases in representative governments. It has been contended by some that a Territory ought not to be admitted to the Union until a constitution had been adopted in accordance with an enabling act of Congress, but there are precedents for the admission of a Territory with a constitution which has been duly adopted in pursuance of an act of the Territory authorizing a convention for the purpose of framing a constitution and submitting it to the people. But there ought to be no precedent made for the admission of an organized Territory without a constitution regularly and duly adopted in pursuance of a law authorizing the convention and providing the manner of electing delegates.

But there is a still stronger reason why I am not in favor of the admission of Utah. While the Mormon Church continued dominant in the new State the State government would not be republican in form. The non-Mormons of the Territory would be deprived of the benefit of the plenary power of the Federal Government to legislate for their protection and to enforce the laws, and would be placed entirely within the power of the Mormon hierarchy. The Mormon Church is an organized government, anti-republican in form and substance. For forty years it has dominated over the political affairs of Utah, and its history is a record of uncompromising disloyalty to the Government of the United States. Time will permit only a hasty and general reference to some of the facts which support this assertion.

From their first settlement in Kirtland, Ohio, the Mormons were driven on account of their political actions, and not on account of their religious beliefs. Smith fled to Missouri in 1838, where a considerable number of Mormons had collected. In his message of 1840 the governor of Missouri tells the story of their political course in that State. He says:

> These people had violated the laws of the land by open and avowed resistance to them; they had undertaken, without the aid of the civil authority, to redress their real or fancied grievances; they had instituted among themselves a government of their own, independent of and in opposition to the government of the State; they had, at an inclement season of the year, driven the inhabitants of an entire county from their homes, ravaged their crops, and destroyed their dwellings. Under these circumstances it became the imperious duty of the executive to interfere and exercise the powers with which he was invested to protect the lives and property of our citizens, to restore order and tranquillity to the country, and maintain the supremacy of the laws.

Driven from Missouri, they settled in Illinois, from which, on account of their gross immoralities, their unscrupulous interference with political affairs, their claim of supremacy for the Mormon hierarchy, and defiance of the State laws, they were driven as they had been from Missouri. Filled with the dream of empire, taught by experience that Mormonism could not flourish surrounded by a moral and Christian community and by the side of republican institutions, Brigham Young sought, after the death of Joe Smith, to transplant the Mormon hierarchy to foreign soil, and in the wilderness, remote from civilization, and apparently free from interruption, to lay the foundation of an independent government.

But by the treaty of Guadalupe Hidalgo the territory which they had settled was transferred to the United States and the Mormon settlement was again liable to be brought into contact with republican institutions and in subjection to the laws of the United States, which would interfere with the despotic power of Young to govern the Mormon people under the claim of divine guidance by direct revelation. The scheme for relief from this threatened danger was the same which has been adopted in the present emergency, that of statehood. Without the formality of an election, a legislature was assembled by Young, a constitution was adopted for the proposed State of Deseret, which was to embrace a territory about 700 miles from north to south and about the same distance from east to west. State officers were elected and a memorial praying for the admission of the State sent to Congress. The officers of the proposed State were the officers of the Mormon Church, the government was the government of the Mormon hierarchy. Congress, instead of admitting Deseret as a State, on the 9th of September, 1850, organized the Territory of Utah, with a much smaller territory; but both before and after the organization of the Territory the legislature of Deseret proceeded to legislate not only in all respects as if the State had already been admitted to the Union, but as if it owned the soil. It granted the water of the streams to Brigham Young and his associates; it partitioned out the timber upon the public lands among the Mormon favorites; it provided officers for the survey of the public domain, and passed laws providing for the recording of conveyances. Brigham Young was appointed governor of the new Territory, but the Territorial government during his term of office was nothing more or less than a church organization. As the State of Deseret it coined money, and in many respects acted as an independent government.

The purpose of the Mormon Church to place the Territorial government under the dominion of the Mormon hierarchy was then, as it is still, manifest. Pretending to the gift of healing by the laying on of hands, they endeavored to prevent the practice of the medical profession in the Territory. In order that justice might be administered by Mormon Church officials through the medium of revelation, they virtually abolished the legal profession by a series of hostile enactments. A cardinal doctrine of the church was that the kingdom of God on earth, by which was meant the Mormon hierarchy, was the only legitimate government on earth, and that the government must be administered and justice dispensed by revelation through the priesthood. Accordingly the Territorial officers appointed by the President were not permitted to perform their functions, the judges were forced to return from the Territory, and they reported that they found "the Mormon Church overshadowing and controlling the opinions, the actions, the property, and even the lives of the members, usurping and executing the functions of legislation and the judicial business of the Territory," etc. The secretary of the Territory first appointed was obliged to flee from the Territory with the United States funds to prevent them from being seized by Brigham Young. All attempts to establish a Territorial government and to maintain the authority of the United States in Utah having failed on account of the hostility of the Mormon hierarchy, Brigham Young was removed and Colonel Steptoe, of the United States Army, appointed governor. He arrived in the Territory in May, 1854, with a battalion of soldiers, but found such a state of affairs that he deemed it prudent to resign and removed with his troops to California. The Sunday after his departure Brigham Young preached a sermon in the Tabernacle, in which he said, "I am and will be governor, and no power can hinder it until the Lord Almighty says, 'Brigham Young, you need not be governor any longer.'"

In February, 1856, a mob, instigated by sermons from the Mormon preachers, at the point of the bowie-knife, compelled the recently appointed United States district judge (Drummond) to adjourn his court *sine die*, and soon after all the United States officers, except the Indian agent, were forced to leave the Territory. President Buchanan, impelled by these riotous proceedings, determined to supersede Brigham

Young as governor, to protect the Federal officers in Utah, and to compel obedience to the laws. Alfred Cummings was appointed governor, Judge Eckels, of Indiana, chief-justice, and Col. Sidney Johnston, with a force of 2,500 men, sent to protect them. Brigham Young issued a proclamation as governor of Utah, denouncing the army as a mob, forbidding it to enter Utah, and calling upon the people of the Territory to rise and repel its advance.

The army reached Utah in September, and on October 5 and 6 the Mormons attacked and destroyed several of the supply trains and captured 800 oxen. Without supplies, overtaken by winter snows and opposed by the hostile Mormons, Colonel Johnston was compelled to return, and camped for the winter on Black Fork, near Fort Bridger. In the spring of 1858 President Buchanan sent a special messenger, Mr. Thomas L. Kane, by way of California, to Utah, with letters to Brigham Young, and toward the end of May two commissioners, Governor Powell, of Kentucky, and Major McCulloch, of Texas, arrived at Salt Lake City with a proclamation offering pardon to the Mormons, which was accepted and the troops allowed to enter Salt Lake City, with the understanding that they should be immediately withdrawn.

The foregoing is but a hasty and imperfect sketch of the history of the disloyalty of the Mormon Church to the Government of the United States up to the time when the Territory was occupied by United States troops. The history, as I have said, is one of uncompromising, invariable hostility to the Government of the United States, and such has been the attitude of the Mormon organization from that day to the present. I will not detain the Senate in recounting the evidence, which is abundant on every hand, to establish this assertion beyond controversy. It is found in messages of Presidents of the United States, in reports of Secretaries of War and of the Interior, of governors, judges, district attorneys, and other officers of the Territory, and of the Utah Commission, all showing that, as stated by the majority of the Utah Commission in their last annual report, "standing face to face with the law, the leaders and their obedient followers have made no concessions to its supremacy, and the issue is squarely maintained between assumed revelations and the laws of the land," and pointing irresistibly to the conclusion reached by them, that "no harmony in the Union could be maintained with the State ruled by a creed which claims all governments but its own to be illegal, and claims a 'separate political destiny and ultimate temporal dominion by divine right.'"

It can not be that the people of Ohio, Missouri, Illinois, and Idaho in their dealings with the Mormons have acted without cause and in a spirit of wanton persecution against a harmless and law-abiding people. If there were not abundant evidence to the contrary, I should be slow to believe that so many communities, in succession, of people who have been so thoroughly imbued with the spirit of toleration and fairness as the American people, have been guilty of persecution. We may do well to consider the estimate placed upon the Mormon organization by those who know it best, and who unite in pronouncing it a gross usurpation. To permit the Mormon Church now, still adhering to the doctrine of plural marriages, still claiming for it the authority of divine revelation, still arrayed against the enforcement of the statutes of the United States for the suppression of polygamy, but feeling the force of the laws as administered by honest and capable officers—to permit the Mormon Church now, in its extremity, when polygamy appears to be doomed to suppression in the near future, to escape from the power and authority of the Federal Government by becoming a State under a constitution which provides an inadequate penalty for the punishment of the crime of polygamy, and which would never be enforced by the State while under the domination of the Mormon Church, would be for Congress to basely abandon the whole contest and to permit this foul blot upon the civilization of the age to grow and spread unchecked.

So transparent are the purposes of the Mormon Church and the Mormon people in regard to polygamy, not only as indicated by the entire history of the church, but by the provision on the subject in the proposed constitution; so hopeless, in view of the attitude of Congress towards the practices of the Mormon Church, appears to be the move for statehood that it is difficult to conceive of the object of its promoters except upon the theory charged in the public press of the country, that the application of Utah and the refusal of Congress to admit her is to be made the excuse for the refusal to admit the Territories of Dakota and Washington. It is to be hoped that no attempt will be made to prevent the deliberate consideration by Congress of the question of the admission of each of the Territories mentioned, and that it will not be sought to purchase the admission of Dakota and Washington by surrendering Utah to the domination of the Mormon Church, or to keep them in the condition of Territories because Congress is not willing to secure their admission at such a price. I have too much confidence in the good sense of the people of Dakota and Washington to believe that they would desire admission at such a sacrifice, and in that of the American people to believe such an excuse would be of any value.

Mr. President, as confirming what I have said as to the attitude of the Mormon hierarchy towards the laws of the United States and the effect of the admission of Utah as a State, I will submit as part of my remarks a portion of the last report of the Utah Commission, which I have indicated by the marks on the copy I send to the desk.

The PRESIDENT *pro tempore*. Does the Senator desire to have it read?

Mr. DOLPH. No, sir; it can appear in the RECORD.

The extract from the report of the Utah Commission to the Secretary of the Interior, for the year 1887, is as follows:

THE MOVE FOR STATEHOOD.

The present year has been marked by proceedings to form a constitution on which to demand admission to the Union of States; the fourth attempt for that purpose in the history of the Territory.

Before the election, on June 16, 1887, a call appeared signed by the chairman and secretary of the People's party (Mormon), calling upon the people of Utah, irrespective of party, creed, or class, to assemble in mass conventions in their respective counties, on June 25, 1887, at 12 m., for the purpose of appointing delegates to a convention to be held at Salt Lake City on the 30th day of June, 1887, to frame a constitution preparatory to an application to Congress for admission to statehood.

The non-Mormons were distrustful of the move and unitedly declined to join the convention, or to recognize it. They gave as reasons for declining that in view of the past history of Utah it was a proper case for Congress, in accordance with the general rule, to say when the time for such a move had arrived, and by an enabling act give it authority when, how, and by whom the convention should be called, and how conducted; that they did not understand this sudden, and to them unannounced call; that the entire proceeding was carried out by the dominant party, and delegates chosen without regard to forms of election or disqualification of voters, without previous discussion and from wholly unauthorized sources; and above all, they did not think the attitude of the great majority of the people of Utah towards the laws and authority of the General Government had been such as to invite the full confidence of Congress in their fidelity to the laws and Government, and to justify that body in granting sovereign statehood.

The convention met, and, with surprising unanimity, adopted a proposed constitution, which declares bigamy and polygamy to be misdemeanors, and affixes punishment. It also provides that no further legislation shall be required to make or define these offenses; that the provision is not amendable without the consent of Congress, and proclaims the separation of church and state. The instrument is silent as to the offense of unlawful cohabitation.

The Mormons claim that having taken this action the people ought not to be longer denied a voice in the conduct of their own affairs and in the selection of officials to carry on the government; that in a Territorial condition citizens are deprived of the rights and powers which are the strength and glory of American citizenship; that as a Territory they are excluded from participation in affairs that vitally concern them; that Utah has the population, the material interests, the intelligence, the stability, and the regard for republican principles and institutions which are necessary to the establishment of a free and sovereign State; that the movement for statehood was not sectarian, partisan, or confined to any sectional interest; but that the call was broad and comprehensive and included citizens of every creed and class; that the convention adopted a constitution in good faith, which is as liberal and fair and as patriotic as that of any State; that it was the work of monogamous citizens acting in their capacity as citizens; that, until it can be shown to be otherwise, their action should be accepted in good faith, and the constitution should be judged by its plain language and terms; that the question of whether under the constitution the provisions against polygamy will be enforced by the officials of the proposed State is a question that must be left to the future, and that time alone will show that every community proposing to come into the Union as a State must be given a fair opportunity to prove whether or not they will carry out the provisions of their charter; that they have never been accused of insincerity by any one who knows what they have endured rather than make promises they did not intend to keep; that the religion of the people should not be dragged into the consideration of measures which are purely political; that in answer to the assertion that, as a State, they will continue to build up their church, they claim the Mormon people have the constitutional right to use every means not inconsistent with the laws of the land to secure converts to their religious faith, unrestrained by any constitutional or legal provision; that Congress has not the right to interpose, as a condition precedent to the admission of the proposed State, that any church shall cease preaching its doctrines or endeavoring to make proselytes; that admitting there is no grant of power under which Congress may sanction an amendment to a State constitution, should Congress refuse to act, the Constitution can not be amended in respect of the offenses named; that the proposed constitution does not presume to say that the President or Congress shall exercise the powers granted them, but leaves the matter to their discretion; that a Territory, as a matter of right, is entitled to admission into the Union of States whenever it possesses the necessary population and has a constitution in harmony with republican institutions; that acting through the only class of citizens who enjoy the privilege of the elective franchise, the monogamous Mormons, they have met the wishes of the nation by a constitution which provides for the punishment of those offenses which have excited the hostility of the nation, and having done so, they now ask to be allowed to hereafter control the affairs of the Territory, as the Constitution of the United States intended they should; that the opposition to the admission of Utah as a State comes from a class who have been the bitter and consistent enemies of the Mormon people, and who are inspired by the hope of bringing the people, while in a Territorial condition, within their power.

The above we believe to be a fair summary of the reasons which the Mormons urge in favor of statehood for Utah.

The action of the convention and the result of its labors did not tend to allay but rather to increase the apprehensions and opposition of the non-Mormons. They make many objections to the admission of Utah as a State at present, and unanimously declined to vote upon the subject or in any way recognize the move. The following is a summary of some of their objections:

That the action taken is without authority from the proper source and not entitled to any recognition, and is accompanied by many and strong evidences of evasion and bad faith in professing an abandonment of polygamy and the accompanying social evils, with the intent to acquire statehood, and without any intent to restrain and punish such offenses, but merely to intrench them behind statehood; that the historical attitude of the great body of the people towards the laws on this subject had not changed down to the eve of calling the convention, and that until then the Mormons, their press and pulpits, had not ceased to declare the laws of Congress unconstitutional and their enforcement persecution; that though the press and pulpits suddenly became silent, with indications in a few places of a muzzled silence, there was still no sign or intimation of any change of sentiment in words or acts, and the hostility to the enforcement of existing laws and Federal authority was still as active and general as before; that scarcely any Mormon in good standing would even promise to obey the laws in the future to escape punishment after conviction in court; that they were unable to understand how the great body of the people could undergo an over-night conversion on the subject of these offenses when the day before their consciences were so strong that nothing could induce them to promise obedience to the laws; that the Deseret Evening News, their leading and uncompromising organ, had, after the framing of the proposed constitution, and before the election, printed an editorial leaving the question to the voters with the most judicial fairness, but ending with the advice to be "as wise as serpents and harmless as doves;" that in view of their past history the first

evidence of a bona fide intent to obey and execute laws making these offenses punishable should be a cessation of hostility to present laws and the announcement of obedience to them; that notwithstanding the great unanimity in the convention and in the subsequent vote of the people, no member of the convention or voter has, in the constitution or elsewhere, declared he considered or believed either of the offenses named is or should be a misdemeanor or punishable, but the provision in the constitution is introduced by the remarkable whereas, for the reason that somebody, perhaps some wicked persons at Washington, deem those crimes incompatible with a republican form of government, they are made misdemeanors and punishable; that it is not easy to conceive why the incompatibility should be limited to a republican form of government, or why it should not extend to every form of civilized government, unless full force is given to the dogma taught by the dominant sect, that the only true and rightful government is a theocracy in which the powers of government are derived from God and delegated to ministers, who govern by divine right; that no constitutional provision can execute itself, but requires prosecutors, jurors and judges, all of whom under statehood would be Mormons, and if a whole people can be suddenly converted one way in one night, they might be susceptible to a reconversion equally sudden, and all the prosecuting powers become hostile to the law; that the rules of evidence and the laws of marriage under statehood are proper subjects of State legislation, and while marriage without witnesses may be good, a rule of evidence that it requires one or more witnesses to the direct fact of marriage to commit polygamy would leave the constitutional provision worthless, and should the courts adopt the rule still existing in some States, that on a charge of bigamy cohabitation and the repute of marriage are insufficient to prove the marriage, no new law or rule of evidence would be needed; that it is historical there are many polygamists in Utah, and as such marriages are concealed the number is unknown, and so far as the Constitution is concerned, all these could live openly with their numerous families as soon as the Federal laws ceased, and point to their relations as the reward of those who had lived up to the privileges of their religion; that there is no grant of power in the Constitution authorizing Congress to sanction or refuse an amendment to the constitution of a sovereign State; that the people of a State can not deprive themselves of the power to amend a constitution the creation of their will, nor can they legislate to bind those that come after them; that the Mormons have hitherto justified their opposition to the Federal laws under plea of conscience in respect to religious matters, but they have apparently made their consciences a marketable commodity and statehood the exchangeable value, if they offer in good faith to suppress these offenses, unless their religious views have suddenly changed, of which there is no evidence or pretense; that the claim that this constitution emanates from and is the work of non-polygamous Mormons is no argument in its favor; that good citizenship does not involve only the question who in fact practices polygamy, but, also, who believes in it as a moral and religious right, superior to all human laws, and hence will be influenced in his conduct by such belief; that the non-polygamists have always been a large majority, but have in every way upheld the polygamists, have been equally active and bitter in their opposition to the laws, and without their aid and support the polygamists could not so long have defied the laws; that there has been no evidence of any struggle or contest between the polygamists and monogamists, but all have acted with the greatest possible harmony and vied with each other in attaining the wisdom of serpents and harmlessness of doves; that the church leaders, who control in such matters, have never manifested in any manner their intention to cease to enforce the practice of polygamy by their people, but that their silence indicates that the converse of the proposition is true, that the Mormon Church has never abandoned its purpose of ultimately becoming a controlling political power, and adopts this method of promoting it; and further, that if the non-polygamists have reached this conclusion, that the law in respect to these offenses is superior, and that it is the first duty of citizens to obey the law of Congress prescribing rules of conduct, it is an easy matter for them to announce it and give some evidence of their good faith.

In accordance with these views the non-Mormons abstained from voting on the subject at the polls, desiring not to recognize the movement in any manner whatever.

The monogamous Mormons cast 13,195 votes in favor of the constitution, 500 votes being cast against it.

The action of the Mormon people in adopting a constitution which forbids polygamy and bigamy, in view of their past history, is an anomaly which demands some explanation. In all its Territorial history, Utah, under the control of the dominant sect, which is in reality a political organization, with aims and methods which are political, has stood arrayed in opposition to laws of Congress on these subjects, and still maintains united efforts to nullify them.

To arrive at a fair conclusion of the opinions and purposes of the Mormon people with respect to polygamy, it is proper that the views and expressions of their press and pulpits should be considered.

The Deseret News, in its issue of October 6, 1880, said:

"But we claim the right under the Constitution of our country to receive just as many divine communications as the Almighty chooses to bestow, and to follow these revelations without molestation or hinderance. At the same time it is our intention to abide by the laws of our country. When we refer to the laws of the land, we wish to be understood that we make one exception; that is, the law framed and pushed through Congress for the express purpose of preventing us from obeying a revelation from God, which we have followed in faith and practiced for many years."

The claim thus made has been reiterated by the first presidency of the church from time to time. In their address of July 24, 1885, they said:

"We can not, however, at the behest of men, lay aside those great principles which God has communicated to us, nor violate those sacred and eternal covenants which we have entered into for time and eternity."

Nothing has transpired to lead us to believe that the views thus expressed by their church organ and most prominent leaders are not entertained by the Mormon people to-day.

The call for the assembling of mass meetings to appoint delegates to meet in convention and frame a constitution was evidently the result of a very sudden inspiration, so much so that the Deseret News editorially said: "It would occasion some surprise." There had been no previous discussion in the press, nor among the people, in relation to such a movement, which was conceived and carried through in the utmost haste.

Within fourteen days after the call was promulgated delegates appointed to frame the constitution had met in convention.

The election of delegates to constitutional convention by means of mass meetings does not commend itself to persons who have been accustomed to see the important duty of framing a constitution for a sovereign State approached with care and deliberation, in accord with the general will of the people, and under proper authority, with no other aim and purpose than to advance the interests of all and not of a particular class.

The provision in the constitution with reference to polygamy and bigamy is as follows:

"SEC. 12. Bigamy and polygamy being considered incompatible with 'a republican form of government,' each of them is hereby forbidden and declared a misdemeanor.

"Any person who shall violate this section shall, on conviction thereof, be punished by a fine of not more than $1,000 and imprisonment for a term of not less than six months nor more than three years, in the discretion of the court. This section shall be construed as operative without the aid of legislation, and the offenses prohibited by this section shall not be barred by any statute of limitation within three years after the commission of the offense; nor shall the power of pardon extend thereto until such pardon shall be approved by the President of the United States."

The crime of polygamy is to be a misdemeanor (in every other State it is a felony), and is punishable by a fine of not more than $1,000 and by imprisonment for a term of not more than three years; whereas, under the Federal law, the fine is fixed at a sum not exceeding $500 and imprisonment for a term not exceeding five years. Under the Federal law polygamists are denied the right to vote and hold office, but under this proposed constitution persons who have committed, or who shall hereafter commit, the crime of polygamy, and all such as continue to live in that crime, will be invested with the full rights of citizenship. Under the Federal law unlawful cohabitation is punished by a fine not exceeding $300 and by imprisonment for a term not exceeding six months; under the proposed State this offense, which perpetuates the evils of polygamy against society and posterity, is to go unpunished.

The Legislature of the proposed State is shorn of its power to raise the grade of the crime to that of felony, or to annex any disqualification on conviction, while it is left free to promote polygamy by providing through inheritances and by means of wills for the maintenance of polygamous households, and to deny the legal wife the right of dower or other rights, as heretofore.

The provisions for amendments to the proposed constitution only by the consent of Congress, and for pardon of convicted polygamists only by approval of the President, are incongruous and futile and need not be considered. It is sufficient to say they are open to the criticism that if a community can not be trusted to amend a constitution it can hardly be said to be fit to be trusted with the powers of a State under any form of constitution, and if it can not be trusted to deal with those who have violated its laws it should not have the control of the administration of the laws.

If Utah should be admitted into the Union as a State, the following result would follow, namely: There would be an immediate cessation of all further prosecutions for polygamy and unlawful cohabitation under laws of Congress. No prosecutions for polygamy would ever take place in the State until the ruling powers in the State chose to do what they now arraign the Government for—"persecute" for a crime which is "an essential part of their religion." This claim has been set forth in a formal way which has made it a solemn declaration of the whole Mormon population of Utah. At a general conference held at Logan, April 6, 1885, a resolution was adopted and a committee appointed to draught a protest and address to the President and people of the United States. Such address was adopted at a mass meeting, held May 2, 1885, at which Hon. John T. Caine, Delegate from the Territory, presided, and was deputed as the agent to present the same. In that document is formally proclaimed:

"As to our religious faith, it is based upon evidence which to our minds is conclusive; convictions not to be destroyed by legislative enactments or judicial decisions. Force may enslave the body, but it can not convince the mind. To yield at the demand of the legislature or judge the rights of conscience would prove us recreant to every duty we owe to God and man. Among the principles of our religion is that of immediate revelation from God; one of the doctrines so revealed is celestial or plural marriage, for which ostensibly we are stigmatized and hated. This is a vital part of our religion, the decision of courts to the contrary notwithstanding."

It is a circumstance worthy of mention that Mr. Caine, who bore so prominent a part in the adoption and promulgation of the address from which the above extract was made, was also the president of the convention which adopted the proposed State constitution.

Under the proposed constitution no disqualification would follow the commission of these crimes; the right of voting would be fully accorded to the ruling class now disfranchised. No prosecution would ever take place for continuing that crime by living in unlawful cohabitation and multiplying its fruits to the degradation of posterity. The right of dower created by Congress would be swept away; the Utah policy has ever been to deny that right to the legal wife, and make her rights depend upon the testamentary disposition of her husband. The rights of the minority population would be left to the mercy of a majority who regard them as intruders and who have always used political power in a clannish spirit. In illustration of their spirit in such matters a statement of their course in the election of officers for the Deseret University and Territorial Insane Asylum will suffice. The university was incorporated when the Territory was first organized, and although some fifteen officers, chancellor and regents, are elected biennially to manage this educational institution, which receives support from the Territorial treasury, not one representative of the minority has ever been elected. For the insane asylum, built by an appropriation from the Territorial treasury, a certain number of directors are elected biennially, but the minority have never been accorded a representative, a privilege and a right which is recognized in every other Territory or State. Further, in Salt Lake City, where the minority have a majority in two of the five organized precincts, they are denied any representation in the city councils by reason of an election law which requires all the city officers to be elected on a common ticket.

The Mormon people can not be called hypocrites. They boldly proclaim their religious belief to all the world. Until that belief shall be changed, if they be true to their creed, polygamy, with its kindred evils, will be fostered by every means in their power. The leaders of the church will probably do in the future what they have done in the past. They do not recognize the authority of the Government to call upon them for any support in its contest with polygamy, but they do recognize the divine command to encourage polygamy. The attitude, purpose, and determination of the church in this respect has been fully developed. In the case of W. W. Taylor, son of John Taylor, who died a few years ago, it was acknowledged after his death that he was a polygamist, and yet he held a responsible office under the city government of Salt Lake City up to the time of his death. Another case was that of Joseph H. Dean. He was elected and served as a member of the city council of Salt Lake. While in office it was learned that he was and had been a polygamist for over three years. The leaders of the church had full knowledge of the fact that these men were disqualified from holding office under the Federal law, yet they acquiesced in their unlawful occupancy of public offices. We have learned of similar cases in the more remote counties. The non-polygamist Mormons were also aware that the men referred to were polygamists, and their course has been in harmony with that of their leaders, as it will probably always be. During the period in which the Government has been actively engaged in prosecuting offenders they have unitedly refused to extend any aid, but have denounced the prosecutions as persecution.

For these reasons the Commission has been led to fear that the provision in the proposed constitution making polygamy a misdemeanor was not adopted nor the action taken with any purpose to suppress polygamy; that it does not indicate an abandonment by the people of Utah in the manner which is demanded by the will of the American people as expressed in their national law; that the late movement for statehood was the offspring of necessity, inspired with the hope of escaping from the toils which the firm attitude of the Government and the energetic course of the Federal officers had wound around them. Realizing that they could expect no aid or comfort from the national Administration, and actuated by a determination not to recognize the supremacy of national laws where they forbid crimes licensed by their creed, it is not surprising that the majority in Utah should resort to some expedient to get relief from their dilemma. In the light of these facts it is evident that the relief sought for is expected in statehood, and that this expedient is, in the case of Utah, inspired by more than the usual motives operating in other communities which are com-

posed of homogeneous American population in accord with the laws and institutions of the country.

The presentation of the proposed application for statehood will demand the consideration of the question by Congress, whether the course of the dominant majority in Utah, in the use of delegated powers in a Territorial condition, has been such as to induce Congress to withdraw certain of these powers until the perpetuated evil should be corrected (which has not been done).

If Utah, as a Territory, has refused to recognize the force and validity of national laws and decisions of the Supreme Court, can it be reasonably expected as a State it will do so? Can it be reasonably expected that crimes and evils which the Government has failed to suppress with its supervision over a Territorial government will be suppressed in a State ruled by the majority which now maintains and propagates these crimes and evils as "an essential part of their religion?"

It is submitted if it would be wise to continue a Territorial government in which the National Government could continue to deal directly with those evils until they should be eradicated, even if it should be necessary, as suggested in former reports of 1884-'5, to take all political power from those who have not sufficient allegiance to recognize the validity of national laws and the decisions of courts, and that no harmony in the Union could be maintained with a State ruled by a creed which claims all governments but its own to be illegal, and claims a "separate political destiny and ultimate temporal dominion, and by divine right."

The Commission is of the opinion that Utah should not be admitted to the Union until such time as the Mormon people shall manifest by their future acts that they have abandoned polygamy in good faith, and not then until an amendment shall have been made to the Constitution of the United States prohibiting the practice of polygamy.

We append to this report resolutions adopted by the Presbyterian and Methodist Churches of Utah.

The PRESIDENT *pro tempore*. What disposition shall be made of the joint resolution?

Mr. DOLPH. Some Senators have suggested to me that they desire to be heard on the general subject. The resolution may lie on the table for the present.

The PRESIDENT *pro tempore*. The resolution will lie on the table.

Mr. CULLOM. I desire to say simply, that in the early part of the session I introduced a joint resolution providing for an amendment to the Constitution, having for its object the same purpose that is proposed by the joint resolution about which the Senator from Oregon has been speaking, and I may take occasion, if his joint resolution lies on the table, to make some remarks on the general subject myself after Congress again convenes. I agree with the Senator that some such amendment ought to be adopted.

### ADDITIONAL LAND OFFICES IN COLORADO.

Mr. BOWEN. I desire to call up Order of Business No. 7, being Senate bill 106, which was reported from the Committee on Public Lands.

The PRESIDENT *pro tempore*. The Senator from Colorado moves that the Senate proceed to the consideration of the bill (S. 106) to establish two additional land offices in the State of Colorado.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

An amendment was reported by the Committee on Public Lands, at the end of section 3 to add:

And said land districts shall be subjected, as other land districts are, under the laws, to be changed or consolidated with any other district or districts, and the land offices may be changed to any other location by order of the President.

The amendment was agreed to.

Mr. BOWEN. There are several amendments which I have indicated on the print I have sent to the desk, which I ask may be acted upon.

The PRESIDENT *pro tempore*. The proposed amendments will be reported.

The CHIEF CLERK. In section 1, line 9, after the word "first," it is proposed to strike out "corrected" and insert "correction;" in line 10, after the word "first," to strike out "corrected" and insert "correction;" so as to make the section read:

That all that portion of the State of Colorado bounded and described as follows: Commencing at the northeast corner of the State of Colorado; thence west along the north boundary line of said State to a point at the intersection of said line with the west line of range fifty-nine west; thence south along said west line of said range to its intersection with the first correction line north in said State of Colorado; thence east along said first correction line north to the eastern boundary line of said State of Colorado; thence north along the eastern boundary line of said State to the place of beginning, be, and is hereby, constituted a new land district, to be called the Sterling land district, the land office for which district shall be located at Sterling, in the State of Colorado.

The amendments were agreed to.

The CHIEF CLERK. In section 2, line 3, after the word "first," it is proposed to strike out the word "corrected" and insert "correction;" in line 5, before the word "line," to strike out "corrected" and insert "correction;" after the word "second," at the end of line 7, to strike out "corrected" and insert "correction;" and in line 9, after the word "second," to strike out the word "corrected" and insert "correction;" so as to make the section read:

SEC. 2. That all that portion of the State of Colorado bounded and described as follows: Beginning at the point where the first correction line north in the said State intersects the eastern boundary line thereof; thence west along said correction line north to its intersection with the seventh guide meridian west in said State; thence south along said seventh guide meridian to the point of its intersection with the second correction line south in said State; thence east along said second correction line to the point of its intersection with the eastern boundary line of said State; thence north along said eastern boundary line of said State to the place of beginning, be, and is hereby, constituted a new land district, to be called the Akron land district, the land office for which shall be located at Akron, in the State of Colorado.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

### ABRAM C. MYERS.

Mr. PUGH. I ask leave to call up Order of Business No. 11, being Senate joint resolution No. 6.

The PRESIDENT *pro tempore*. The Senator from Alabama moves that the Senate proceed to the consideration of the joint resolution indicated by him.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. R. 6) for the removal of all disabilities imposed by the fourteenth amendment to the Constitution of the United States upon Abram C. Myers.

The joint resolution was reported from the Committee on the Judiciary with amendments, in line 4, before the word "disabilities," to insert "political;" in line 6, after the name "Abram C. Myers," to strike out "for having previously taken an oath, as an officer of the United States in the military service thereof, as brevet lieutenant-colonel in the Army of the United States, to support the Constitution of the United States, and afterwards resigned as such officer and engaged in rebellion against the same by enlisting in the military service of the Confederate States;" in line 12, after the word "be," to insert "and the same are hereby;" in the same line, before the word "removed," to strike out the word "forever;" and after the word "removed," to strike out "the said Myers having previously filed his written request of Congress for the removal of such disability;" so as to make the joint resolution read:

*Resolved by the Senate and House of Representatives, etc.*, That all the political disabilities imposed by the third section of the fourteenth article of the Constitution of the United States upon Abram C. Myers be, and the same are hereby, removed.

The amendments were agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed (two-thirds of the Senators present voting in the affirmative).

On motion of Mr. HARRIS, the title was amended so as to read: "A joint resolution for the removal of all political disabilities imposed by the fourteenth amendment to the Constitution of the United States upon Abram C. Myers."

### PRESENTATION OF GAVEL AND CASKET.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

Mr. BUTLER. Will the Senator withhold that for one moment?

Mr. ALLISON. I will.

Mr. BUTLER. I have just been intrusted with a very beautiful piece of workmanship, by a Mexican war veteran, which I ask to present to the Senate, with the accompanying letter from Alexander M. Kenaday, secretary of the National Association of Veterans of the Mexican War.

The PRESIDENT *pro tempore*. The letter will be read, if there be no objection.

The Secretary read as follows:

THE VEDETTE.

WASHINGTON, D. C., *December* 22, 1887.

DEAR SIR: An old veteran of the Mexican war, who served in the Third United States Artillery, now a pensioner and a citizen of Charleston, S. C., has sent to me as a Christmas offering a gavel and casket, his own handiwork, wrought in exquisite proportions out of three hundred and fifty separate pieces of wood, tastefully inlaid, the different colors blending harmoniously, and forming a most elegant and artistic specimen of workmanship, that would be considered an ornament, even on the desk of the Vice-President of the United States. The name of the old soldier is Charles Ufferhusto.

My old friend also sent me a palmetto cane, which I can utilize in my declining years and treasure as a memento of the occasion; but it occurred to me this morning that the gavel might be a timely and an acceptable present to the honorable Senate of the United States, as a slight tribute of respect to that honorable body from a humble but very grateful pensioner under the act of Congress approved January 29, 1887—one of the very few survivors residing in the Palmetto State.

If you see proper, Mr. Senator, to present it, I will feel that I have most appropriately disposed of my old comrade's gift, and make his heart leap with joy by so advising him.

I am, very respectfully, your obedient servant,

ALEXANDER M. KENADAY,
*Secretary of the National Association of Veterans of the Mexican War.*

Hon. M. C. BUTLER,
*United States Senate.*

Mr. BUTLER. I assume that the presiding officer would have no authority, without some instruction from the Senate, to accept this beautiful present. I therefore move that the letter, with the gavel, be referred to the Committee on Rules.

The PRESIDENT *pro tempore*. That order will be made if there be no objection.

### THE CIVILIZED INDIAN TRIBES.

The PRESIDENT *pro tempore*. The Chair announces the appointment of Messrs. BUTLER, MORGAN, DAWES, CAMERON, and TELLER

as the committee authorized by the Senate under the resolution submitted by the Senator from South Carolina [Mr. BUTLER], which was adopted yesterday.

EXECUTIVE SESSION.

The PRESIDENT *pro tempore*. The first bill on the Calendar will be stated.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. Before submitting that motion the Chair lays before the Senate the unfinished business, being the bill (S. 371) to aid in the establishment and temporary support of common schools. The Senator from Iowa moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After forty-one minutes spent in executive session the doors were reopened.

DEATH OF REPRESENTATIVE MOFFATT.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced the death of Hon. SETH C. MOFFATT, a Representative from the State of Michigan, and communicated the resolutions of the House thereon.

Mr. PALMER. I ask for the reading of the resolutions of the House of Representatives.

The PRESIDENT *pro tempore*. The resolutions will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, *December* 22, 1887.

*Resolved*, That the House has heard with sincere regret the announcement of the death of Hon. SETH C. MOFFATT, late a Representative from the State of Michigan.

*Resolved by the House of Representatives (the Senate concurring)*, That a select joint committee consisting of seven members of the House and three members of the Senate be appointed to take orders for superintending the funeral and escort the remains of the deceased to their place of burial, and the necessary expenses attending the execution of this order be paid out of the contingent fund of the House.

*Resolved*, That the Sergeant-at-Arms of the House be authorized and directed to take such steps as may be necessary for properly carrying out the provisions of these resolutions.

*Resolved*, That the Clerk communicate the foregoing resolutions to the Senate.

IN THE HOUSE OF REPRESENTATIVES, *December* 22, 1887.

*Ordered*, That Mr. CUTCHEON, Mr. FORD, Mr. BREWER, Mr. WADE, Mr. FISHER, Mr. LYMAN, and Mr. SHIVELY be the committee on the part of the House.

Mr. PALMER. Mr. President, I offer the resolutions which I send to the desk.

The PRESIDENT *pro tempore*. The resolutions submitted by the Senator from Michigan will be read.

The Chief Clerk read as follows:

*Resolved*, That the Senate has heard with deep sensibility the announcement of the death of Hon. SETH C. MOFFATT, late a Representative from the State of Michigan.

*Resolved*, That the Senate concur in the resolution of the House of Representatives providing for the appointment of a joint committee to take order for superintending the funeral, and to escort the remains of the deceased to Traverse City, Mich., and that the members of the committee on the part of the Senate be appointed by the President *pro tempore*.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolutions.

The resolutions were agreed to unanimously.

Mr. PALMER. Mr. President, I give notice that at some future time I shall introduce resolutions commemorative of the merits of the deceased, which will afford an opportunity for remarks to be made upon the same. I now, out of respect to the memory of the deceased, move that the Senate adjourn.

The PRESIDENT *pro tempore*. Before submitting the motion the Chair will announce as the committee on the part of the Senate, Messrs. PALMER, TELLER, and JONES of Arkansas. The Senator from Michigan moves that the Senate do now adjourn.

The motion was agreed to; and (at 2 o'clock p. m.) the Senate adjourned until Wednesday, January 4, 1888, at 12 o'clock m.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate December* 21, 1887.

MINISTER RESIDENT.

**S. S. Carlisle, of New Orleans, La., to be minister resident and consul-general of the United States to Bolivia.**

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

**Oscar S. Straus, of New York City, N. Y., to be envoy extraordinary and minister plenipotentiary of the United States to Turkey.**

SECRETARIES OF LEGATION.

**John G. Walker, of Texas, to be secretary of the legation and consul-general of the United States at Bogota.**

**Samuel T. Williams, of Maryland, to be secretary of the legation of the United States to Brazil.**

POSTMASTERS.

**Harry E. Pickett, to be postmaster at Waxahachie, in the county of Ellis and State of Texas.**

John O. Frink, to be postmaster at Taylor, in the county of Williamson and State of Texas.

Samuel A. Fishburn, to be postmaster at Mexia, in the county of Limestone and State of Texas.

Charles M. Adams, to be postmaster at Colorado, in the county of Mitchell and State of Texas.

Henry H. Russell, to be postmaster at Warrensburgh, in the county of Johnson and State of Missouri.

Cilicia E. Milligan, to be postmaster at East Las Vegas, in the county of San Miguel and Territory of New Mexico.

Charlotte A. Whitaker, to be postmaster at Texarkana, in the county of Bowie and State of Texas.

Ira H. Harrison, to be postmaster at Sulphur Springs, in the county of Hopkins and State of Texas.

James P. Gilmer, to be postmaster at Honey Grove, in the county of Fannin and State of Texas.

George B. Shepherd, to be postmaster at Franklin, in the parish of St. Mary's and State of Louisiana.

James W. Wilson, to be postmaster at Easton, in the county of Northampton and State of Pennsylvania.

Joseph C. Wilson, to be postmaster at Edinborough, in the county of Erie and State of Pennsylvania.

John C. Seltzer, to be postmaster at Shenandoah, in the county of Schuylkill and State of Pennsylvania.

Charles Schmitt, to be postmaster at Homestead, in the county of Allegheny and State of Pennsylvania.

Charles H. Pott, to be postmaster at Jersey Shore, in the county of Lycoming and State of Pennsylvania.

George Perritte, to be postmaster at Cannonsburgh, in the county of Washington and State of Pennsylvania.

Henry O'Brien, to be postmaster at Conshohocken, in the county of Montgomery and State of Pennsylvania.

Fannie W. Nixon, to be postmaster at Indiana, in the county of Indiana and State of Pennsylvania.

David M. Morrow, to be postmaster at Grove City, in the county of Mercer and State of Pennsylvania.

Willis W. Kitch, to be postmaster at Sharpsville, in the county of Mercer and State of Pennsylvania.

Horace E. Jenkins, to be postmaster at Lansdale, in the county of Montgomery and State of Pennsylvania.

Lucy M. Horton, to be postmaster at North East, in the county of Erie and State of Pennsylvania.

William D. Himmebreich, to be postmaster at Lewisburgh, in the county of Union and State of Pennsylvania.

John Goetz, to be postmaster at Greencastle, in the county of Franklin and State of Pennsylvania.

Cyrus A. Eaton, to be postmaster at Mifflinburgh, in the county of Union and State of Pennsylvania.

Daniel M. Donehoo, to be postmaster at Beaver, in the county of Beaver and State of Pennsylvania.

George W. Dickey, to be postmaster at Houtzdale, in the county of Clearfield and State of Pennsylvania.

Mary E. P. Bogert, to be postmaster at Wilkes Barre, in the county of Luzerne and State of Pennsylvania.

Alvin Arnold, to be postmaster at White Haven, in the county of Luzerne and State of Pennsylvania.

John McAdams, to be postmaster at Mount Pleasant, in the county of Westmoreland and State of Pennsylvania.

William H. Wilson, to be postmaster at Wabash, in the county of Wabash and State of Indiana.

George Stockman, to be postmaster at Bourbon, in the county of Marshall and State of Indiana.

George Procaskey, to be postmaster at Rockport, in the county of Spencer and State of Indiana.

Thomas M. Ochiltree, to be postmaster at Rushville, in the county of Rush and State of Indiana.

James A. Lewis, to be postmaster at Martinsville, in the county of Morgan and State of Indiana.

John F. Krost, to be postmaster at Hammond, in the county of Lake and State of Indiana.

George W. Ingerman, to be postmaster at Noblesville, in the county of Hamilton and State of Indiana.

Charles W. James, to be postmaster at Baker City, in the county of Baker and State of Oregon.

John E. Kennedy, to be postmaster at Northfield, in the county of Rice and State of Minnesota.

Talleyrand F. Brown, to be postmaster at Grafton, in the county of Walsh and Territory of Dakota.

Thomas Farrell, to be postmaster at Marysville, in the county of Yuba and State of California.

Mary Florence Byrne, to be postmaster at Grass Valley, in the county of Nevada and State of California.

Calvin R. Clarke, to be postmaster at Nevada City, in the county of Nevada and State of California.

Alexander C. McCafferty, to be postmaster at Austin, in the county of Lander and State of Nevada.

*Executive nominations confirmed by the Senate December 22, 1887.*

POSTMASTERS.

J. Howard Taylor, to be postmaster at Columbia, in the county of Brown and Territory of Dakota.

Halvor C. Rasmussen, to be postmaster at Devil's Lake, in the county of Ramsey and Territory of Dakota.

Benjamin F. Ochsner, to be postmaster at Kimball, in the county of Brulé and Territory of Dakota.

Ambrose W. Mullen, to be postmaster at De Smet, in the county of Kingsbury and Territory of Dakota.

William G. Judd, to be postmaster at Fargo, in the county of Cass and Territory of Dakota.

Charles W. Hastings, to be postmaster at Brookings, in the county of Brookings and Territory of Dakota.

Alexander Green, to be postmaster at Miller, in the county of Hand and Territory of Dakota.

Ezra W. Foucht, to be postmaster at Redfield, in the county of Spink and Territory of Dakota.

Daniel Flynn, to be postmaster at Mandàn, in the county of Morton and Territory of Dakota.

John B. Bertrand, jr., to be postmaster at Canton, in the county of Lincoln and Territory of Dakota.

Alexander D. Ross, to be postmaster at Litchfield, in the county of Meeker and State of Minnesota.

George D. Babcock, to be postmaster at Mexico, in the county of Oswego and State of New York.

Lee H. Way, to be postmaster at Luverne, in the county of Rock and State of Minnesota.

Godfrey Vivian, to be postmaster at Alexandria, in the county of Douglas and State of Minnesota.

Dor K. Stacy, to be postmaster at Albert Lea, in the county of Freeborn and State of Minnesota.

Frank E. Newell, to be postmaster at Morris, in the county of Stevens and State of Minnesota.

Nels M. Mossberg, to be postmaster at Wilmar, in the county of Kandiyohi and State of Minnesota.

Otto Kaupp, to be postmaster at Blue Earth City, in the county of Faribault and State of Minnesota.

Christian Johnson, to be postmaster at Austin, in the county of Mower and State of Minnesota.

John H. Dorsey, to be postmaster at Glencoe, in the county of McLeod and State of Minnesota.

William F. White, to be postmaster at Barry, in the county of Pike and State of Illinois.

Harry W. Roberts, to be postmaster at Chester, in the county of Randolph and State of Illinois.

John McNamee, to be postmaster at Bement, in the county of Piatt and State of Illinois.

James Keagy, to be postmaster at Cambridge, in the county of Henry and State of Illinois.

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## HOUSE OF REPRESENTATIVES.

### THURSDAY, *December* 22, 1887.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

DEFICIENCIES FOR 1887.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting revised estimates of deficiencies of appropriations for the fiscal year ended June 30, 1887; which was referred to the Committee on Appropriations, and ordered to be printed.

DEFICIENCY ESTIMATES FOR 1888.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting estimates of deficiencies in appropriations required to meet urgent demands of the Government for the fiscal year 1888; which was referred to the Committee on Appropriations, and ordered to be printed.

UNPAID POST-OFFICE CLAIMS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury transmitting, certain claims reported to the Forty-ninth Congress, and not appropriated for, which have been re-examined and allowed by the Auditor of the Treasury for the Post-Office Department; which was referred to the Committee on Appropriations, and ordered to be printed.

COMPENSATION OF POSTMASTERS, ETC.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting schedules allowed by the Auditor of the Treasury for the Post-Office Department for compensation of postmasters, readjusted under the act of March 3, 1883, and miscellaneous claims on account of the postal service payable from the appropriations for "deficiency in the postal revenues 1885 and prior years;" which was referred to the Committee on Appropriations, and ordered to be printed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced the passage of a bill (S. 261) to amend the law concerning the Commissioner of Fish and Fisheries; in which concurrence was requested.

It further announced the passage, without amendment, of the joint resolution (H. Res. 2) authorizing and directing the payment of the salaries of the officers and employés of Congress for the month of December, 1887; and of the concurrent resolution of the House providing for the holiday recess.

ENROLLMENT OF JOINT RESOLUTION.

The SPEAKER. The Clerk has caused to be enrolled and examined the joint resolution, No. 2, which provides for payment of a month's salary to officers of Congress. If there be no objection, the Chair will lay it before the House, and sign it.

There was no objection.

The title of the joint resolution was read, as follows:

Joint resolution (H. Res. 2) authorizing and directing the payment of the salaries of the officers and employés of Congress for the month of December, 1887.

The joint resolution was thereupon signed by the Speaker.

PAY OF DISCHARGED HOUSE EMPLOYÉS.

Mr. ADAMS. I offer the resolution which I send to the desk.

The Clerk read as follows:

*Resolved*, That all officers and employés of the House who were employed on the 5th day of December, 1887, who have ceased, or shall, prior to the 1st day of January, 1888, cease to be so employed, shall be paid by the Clerk, out of the contingent fund of the House, a sum equal to one month's pay at the rate they were severally receiving on the 5th day of December, 1887.

Mr. ADAMS. That is identical with a resolution which we passed a few days ago by a large majority of the House, except that that was a joint resolution and this is a House resolution, and that appropriated money out of the Treasury, and this provides payment out of the contingent fund. It appears to be the opinion in the other branch of the Legislature that these payments, though proper, should be made by each House out of its own contingent fund; and I am informed that the discharged clerks in the other branch were paid yesterday. As the House accepted the principle by a large majority that these payments should be made, I hope there will be no objection to the adoption of this resolution.

Mr. ROGERS. I should like to hear the resolution reported again.

Mr. ADAMS. Before the Clerk again reads the resolution I will repeat that it is identically the same with the resolution passed a few days ago, except that this is a simple House resolution instead of a joint resolution, and that this provides for a payment out of the contingent fund of the House instead of a payment out of the Treasury.

Mr. TOWNSHEND. My colleague, I suppose, wishes it to be understood that this is simply a substitute for the other resolution.

Mr. ADAMS. Yes, sir.

The resolution was again read.

Mr. OUTHWAITE. I would like to have the resolution amended so that it shall not apply to such employés as were put upon the roll since the 1st day of December.

Mr. BLAND. I think the whole thing is an abuse—thoroughly so; and I move to lay the resolution on the table.

Mr. ADAMS. I believe I have the floor.

Mr. RANDALL. Let the resolution go to the Committee on Accounts.

Mr. BLAND. I have no objection to that.

The SPEAKER. The gentleman from Illinois [Mr. ADAMS] still holds the floor.

Mr. ADAMS. I do not desire to detain the House except to say that the whole question was before the House the other day, and the resolution passed by a large majority. These employés have to come on at the beginning of a session of Congress. It is for our convenience that they should be here. Of course some of them may be discharged during the month. They can not tell until they get here whether they are to be discharged or not. It is not for their benefit solely that they come, but it is for our own benefit that they should be here promptly on the first day of the session. I think this payment should always be confined to those who are discharged during the month. But I believe it is eminently fair that such parties should receive the usual month's pay.

Mr. BROWNE, of Indiana. Will the gentleman from Illinois yield to me for a moment?

Mr. ADAMS. Yes, sir.

Mr. BROWNE, of Indiana. We have uniformly passed this resolution, or one equivalent to it; but it seems to me that there is great force in the suggestion made by a gentleman on the other side. It may lead to a great abuse if we allow the Doorkeeper, the Clerk, or others, by our making this provision for one month's pay, to pick up some persons about the city, put them on the pay-roll, have them serve but a few days—perhaps persons living in the city of Washington or near by—and then that some such resolution as this should put in their pockets so much money for which they have rendered no consideration.

It seems to me, therefore, in order that this money may go just where it should, the resolution should be so modified as to exclude those who have been appointed since the 1st day of December. The old employés that were here during the past Congress ought to come back, and even those who have resided in the city should come to their places. As the gentleman from Illinois has remarked, they do not know they are to be discharged till the lightning strikes them. I hope the payment may be continued as to that class of employés, but that the others be excluded.

Mr. ADAMS. As I have said, the only logical foundation for a resolution of this kind is that the employés of the old House have reason to come back, and it is our interest that they should. The suggestion made by the gentleman from Ohio [Mr. OUTHWAITE], whom I do not now see in his seat, seems to me to be reasonable. It is the same suggestion as has just been made by the gentleman from Indiana. If he will reduce it to form, I shall have no objection to its being incorporated in my resolution.

Mr. BROWNE, of Indiana. It can be put in form by this proviso:

*Provided*, This shall not be held to extend to others than those that were on the roll previous to the 1st of December.

Mr. ADAMS. Say "previous to the meeting of Congress." I accept the modification.

The SPEAKER. The Clerk will modify the resolution as suggested.

Mr. HERBERT. I suppose this modification of the proposition to pay employés this extra month's salary is made for the purpose of meeting a Senate objection. A sudden spasm of economy, it appears, has seized upon the gentlemen occupying the other end of this Capitol.

Senators have voted themselves each a clerk. They insist upon paying and do pay all their employés about 25 per cent. more for the same kind of service than we pay here; yet, with all that record, I learn we have been harshly criticised at that end of the Capitol for passing this proposition, which we sent over to them in the form of a joint resolution. The gentleman from Illinois [Mr. ADAMS] now proposes that the same resolution in substance shall be passed as a House resolution, so that the payment of these employés shall be made out of the contingent fund of the House. I shall vote against the proposition now, as I voted against it before; but it seems to me, sir, that even gentlemen who voted for it as we passed it ought to vote against it now if the purpose of the change of form be to accommodate ourselves to the desires of the Senate.

Let the Senate take upon itself the responsibility of defeating the proposition if it desires to do so, and let the country institute a comparison between the economies of the Senate and the House. This House, though it has done things that I can not approve, has never yet ventured upon such extravagances in the matter of its expenses for employés as the Senate is practicing every day.

Mr. BLAND. Mr. Speaker, for the purpose of moving that this resolution be referred to the Committee on Accounts, I withdraw the motion to lay it on the table. There may be some justice in paying a portion of the employés covered by this resolution; there may be some merit in the resolution; that can be ascertained by the Committee on Accounts. But to pass the resolution in its present form would certainly be an abuse. I am satisfied, Mr. Speaker, that if any member of this House, in his private capacity, were called upon to pay employés in this way, he would scrutinize the bills very closely as to the justice of them and the amount of service rendered, and we are here representing our constituents and acting for them—at least we ought to represent them and act for them—as we would for ourselves in our own private business. Resolutions of this kind have grown to be an abuse in this House, and I move that this one be referred to the Committee on Accounts.

Mr. ADAMS. I believe I have the floor, Mr. Speaker.

The SPEAKER. The gentleman from Illinois [Mr. ADAMS] has not yielded the floor.

Mr. ROGERS. I ask the gentleman to yield to me for three minutes.

Mr. ADAMS. I yield to the gentleman from Arkansas for three minutes.

Mr. ROGERS. Mr. Speaker, that the principle involved in this resolution is erroneous there can not be the slightest question. It may be, Mr. Speaker, that there are cases in which the House might properly make an allowance for the traveling expenses of employés who have been discharged; but to say that a gentleman who lives at Alexandria or a gentleman who lives at Georgetown shall have an allowance equivalent to that made to the gentleman who lives at San Francisco, is an abuse which ought not to be tolerated for a moment. There can not be any question about that. This resolution proposes to give a month's extra pay to Tom, Dick, and Harry, upon the false assumption that it is necessary in order to reimburse them for traveling in coming here and returning home, and it proposes to give to each one a full month's pay whether he lives in Washington, or in Georgetown, or in Richmond, or in St. Louis, or in South Carolina, or in Florida, or in California. Obviously, there is no justice in that. There is no principle in it that any honest mind can recognize, and it ought to be stopped. This abuse ought to be put an end to. If we want to do what is just and right by those persons whose cases commend themselves to the consideration of the House, let us appoint a committee of five members, if you please, and let the claimants present themselves before that committee. Let it investigate the merits of their claims, and report a bill embracing all meritorious cases and excluding those which are not meritorious. I will vote for a resolution of that character; but never again while I stand on this floor will I, by any sort of persuasion, by any sort of charitable consideration, by any sort of dictation, or by any sort of precedent, be induced to vote for a resolution of this character, which is, as I have said, wholly baseless so far as principle is concerned. There ought to be some remedy for these cases adopted upon some decent principle that honest minds can recognize, and we ought not to undertake to vote out of the Treasury in this way the money of the people that is put there by taxation, and by oppressive taxation at that.

Mr. HENDERSON, of Iowa. Can the gentleman from Illinois [Mr. ADAMS] inform us how many persons are embraced in this resolution?

Mr. ADAMS. I can not. I know nothing about it. The House passed substantially the same resolution the other day, and I was asked to present this one instead, because the other was found to be unavailable.

Mr. HENDERSON, of Iowa. Do you know how much money is involved in the resolution?

Mr. ADAMS. I do not.

Mr. HENDERSON, of Iowa. Can you tell us whether these parties have been on the rolls during the vacation?

Mr. ADAMS. I know that they were employés of the last House.

Mr. HENDERSON, of Iowa. Have they been drawing money from the Treasury during the summer?

Mr. ADAMS. That I can not say.

Mr. OUTHWAITE. If the gentleman will permit me I will answer that question by saying that several of them have been put upon the rolls within the past month.

Mr. HENDERSON, of Iowa. How many such cases are there?

Mr. OUTHWAITE. I do not know. There are several. I believe there are also several meritorious cases.

Mr. HENDERSON, of Iowa. Mr. Speaker, I think it is unfortunate that we can not get information on this subject before we are called upon to vote on the resolution.

Mr. ADAMS. Mr. Speaker, when the resolution came up the other day I had intended to speak upon it, and to propose a remedy for the evil to which the gentleman from Arkansas [Mr. ROGERS] has alluded, and the existence of which I admit. My remedy would be the organization of each House of Representatives on the 4th day of March next following the election of its members. If that were done, the officers of the House would be elected and all these subordinates appointed at the beginning of the Congressional term, so that no one would have occasion to come here in December unless he knew that he was to be employed for the entire session. That plan has other advantages to which I do not choose now to refer. At the present time all that we can do is either to apply this rule which has been applied year after year, or else adjourn this afternoon without making any provision for the pay of those employés who go home not to return. I had supposed that the main question was considered the other day. I have no information except that such a resolution was adopted, and that for reasons which I have given the form of it should be changed.

I move the previous question.

Mr. BLAND. Is it in order to move reference of this subject?

The SPEAKER. A call for the previous question does not under the rules preclude a motion to refer. Does the gentleman make such a motion?

Mr. BLAND. I move the reference of this question to the Committee on Accounts when appointed, so that they may pass upon the subject.

The SPEAKER. Pending the demand for the previous question upon the resolution and amendment, the gentleman from Missouri [Mr. BLAND] moves to refer the resolution and amendment to the Committee on Accounts, when appointed.

Mr. TOWNSHEND. The gentleman from Missouri [Mr. BLAND] will allow me to say that his motion, if adopted, would defeat the object for which this appropriation is sought.

Mr. BLAND. Not at all. The Committee on Accounts can report favorably on any meritorious case, and the person can be paid, no matter whether he be here or at home.

Mr. TOWNSHEND. But the employé may need this money to go home with.

The question being taken on the motion of Mr. BLAND, there were—ayes 65, noes 66.

Mr. BLAND. I call for tellers.

Tellers were ordered; and Mr. BLAND and Mr. ADAMS were appointed.

The House again divided; and the tellers reported—ayes 74, noes 89.

Mr. BLAND. I call for the yeas and nays.

The yeas and nays were ordered, there being—ayes 29, noes 91 (more than one-fifth voting in the affirmative).

The question was taken; and it was decided in the affirmative—yeas 90, nays 89, not voting 144; as follows:

YEAS—90.

| | | | |
|---|---|---|---|
| Abbott, | Ford, | La Follette, | Randall, |
| Anderson, A. R. | Forney, | Laidlaw, | Rayner, |
| Baker, Jehu | French, | Landes, | Rogers, |
| Barnes, | Fuller, | Lanham, | Russell, J. E. |
| Barry, | Gear, | Latham, | Ryan, |
| Bland, | Glass, | Lyman, | Sayers, |
| Brewer, | Grimes, | Lynch, | Sherman, |
| Browne, T. M. | Hall, | Maish, | Sowden, |
| Brumm, | Hare, | Mansur, | Stockdale, |
| Bryce, | Hayden, | Martin, | Stone, W. J., Ky. |
| Bunnell, | Hemphill, | McRae, | Stone, W. J., Mo. |
| Cannon, | Henderson, D. B. | Mills, | Struble, |
| Catchings, | Herbert, | Morgan, | Thompson, A. C. |
| Clardy, | Hermann, | Neal, | Tracey, |
| Cogswell, | Hitt, | Newton, | Walker, |
| Cowles, | Holman, | O'Donnell, | Weber, |
| Cox, | Holmes, | Outhwaite, | Wheeler, |
| Crain, | Hovey, | Peel, | Whiting, J. R. |
| Crouse, | Hutton, | Penington, | Williams, |
| Cutcheon, | Johnston, J. T. | Perkins, | Wilson, W. L. |
| Davis, | Johnston, T. D. | Perry, | Yost. |
| Elliott, | Kennedy, | Phelan, | |
| Fisher, | Kilgore, | Pugsley, | |

NAYS—89.

| | | | |
|---|---|---|---|
| Adams, | Conger, | Mason, | Stewart, Charles |
| Anderson, C. L. | Cummings, | Matson, | Symes, |
| Anderson, G. A. | Darlington, | McCullogh, | Taulbee, |
| Atkinson, | Dibble, | McKinley, | Taylor, E. B. |
| Bacon, | Enloe, | Merriman, | Thomas, J. R. |
| Baker, C. S. | Farquhar, | Milliken, | Thompson, T. L. |
| Bankhead, | Fitch, | Moffitt, | Townshend, |
| Bliss, | Foran, | O'Ferrall, | Turner, E. J. |
| Boothman, | Gibson, | Osborne, | Vance, |
| Bound, | Henderson, J. S. | Owen, | Vandever, |
| Bowden, | Hiestand, | Plumb, | Washington, |
| Breckinridge, C. R. | Hogg, | Post, | Weaver, |
| Breckinridge, W. C. P. | Hooker, | Richardson, | White, J. B. |
| Browne, T. H. B. | Hopkins, S. T. | Robertson, | White, S. V. |
| Brown, C. E. | Howard, | Romeis, | Whitthorne, |
| Buchanan, | Hudd, | Sawyer, | Wickham, |
| Buckalew, | Ketcham, | Scull, | Wilkins, |
| Burrows, | Lane, | Seney, | Wilkinson, |
| Butler, | Lee, | Shively, | Wise, |
| Bynum, | Lehlbach, | Simmons, | Yardley. |
| Campbell, T. J. | Lind, | Snyder, | |
| Cheadle, | Macdonald, | Springer, | |
| Chipman, | Mahoney, | Stahlnecker, | |

NOT VOTING—144.

| | | | |
|---|---|---|---|
| Allen, C. H. | Dargan, | Houk, | Parker, |
| Allen, E. P. | Davenport, | Hunter, | Patton, |
| Allen, J. M. | Davidson, R. H. M. | Jackson, | Payson, |
| Anderson, J. A. | Davidson, A. C. | Jones, | Peters, |
| Arnold, | De Lano, | Kean, | Phelps, |
| Bayne, | Dingley, | Kelley, | Pidcock, |
| Belden, | Dockery, | Kerr, | Reed, |
| Belmont, | Dorsey. | Laffoon, | Rice, |
| Biggs, | Dougherty, | Lagan, | Rockwell, |
| Bingham, | Dunham, | Laird, | Rowell, |
| Blanchard, | Dunn, | Lawler, | Rowland, |
| Blount, | Ermentrout, | Lodge, | Russell, C. A. |
| Boutelle, | Felton, | Long, | Rusk, |
| Bowen, | Finley, | Maffett, | Scott, |
| Brower, | Flood, | McAdoo, | Shaw, |
| Brown, J. R. | Funston, | McClammy, | Smith, |
| Burnes, | Gaines, | McComas, | Spinola, |
| Burnett, | Gallinger, | McCormick, | Spooner, |
| Butterworth, | Gay, | McCreary, | Steele, |
| Campbell, Felix | Gest, | McKenna, | Stephenson, |
| Campbell, J. E. | Glover, | McKinney, | Stewart, J. D. |
| Candler, | Goff, | McMillin, | Stewart, J. W. |
| Carlton, | Granger, | McShane, | Tarsney, |
| Caruth, | Greenman, | Montgomery, | Taylor, J. D. |
| Caswell, | Grosvenor, | Moore, | Thomas, G. M. |
| Clark, | Grout, | Morrill, | Thomas, O. B. |
| Clements, | Guenther, | Morrow, | Tillman, |
| Cobb, | Harmer, | Morse, | Turner, H. G. |
| Cockran, | Hatch, | Nelson, | Wade, |
| Collins, | Haugen, | Nichols, | Warner, |
| Compton, | Hayes, | Norwood, | West, |
| Cooper, | Heard, | Nutting, | Whiting, William |
| Cothran, | Henderson, T. J. | Oates, | Wilber, |
| Crisp, | Hires, | O'Neall, J. H. | Wilson, Thomas |
| Culberson, | Hopkins, A. J. | O'Neill, Charles | Woodburn, |
| Dalzell, | Hopkins, S. I. | O'Neill, J. J. | Yoder. |

So the resolution and pending amendment were ordered to be referred to the Committee on Accounts, when appointed.

During the roll-call the following announcements were made:

Mr. LAFFOON. I am paired with my colleague, Judge FINLEY. If he were present, I should vote in the affirmative.

Mr. HIRES. I am paired with the gentleman from Missouri [Mr. HATCH]. If he were present, I should vote "no."

Mr. PETERS. I am paired with the gentleman from Georgia [Mr. BLOUNT]. If he were here, I should vote "no."

Mr. MCADOO. I am paired with the gentleman from Maryland [Mr. MCCOMAS]. If he were present, I should vote in the affirmative.

Mr. GROUT. I am paired with the gentleman from Alabama [Mr. OATES].

Pairs were announced from the Clerk's desk as follows:

Until further notice:

Mr. HATCH with Mr. HIRES.

Mr. LAGAN with Mr. ALLEN, of Massachusetts.

Mr. COLLINS with Mr. LONG.

Mr. DAVIDSON, of Alabama, with Mr. FUNSTON.

Mr. GREENMAN with Mr. GEST.

Mr. DUNN with Mr. STEELE.

Mr. SPINOLA with Mr. SPOONER.

Mr. MCSHANE with Mr. BELDEN.

Mr. O'NEALL, of Indiana, with Mr. ARNOLD.

Mr. WARNER with Mr. DOCKERY.

Mr. JONES with Mr. COOPER.

Mr. BURNETT with Mr. KEAN.

Mr. CARUTH with Mr. THOMAS, of Kentucky.

Mr. WILSON, of Minnesota, with Mr. NELSON.

Mr. CLEMENTS with Mr. BUTTERWORTH.

Mr. SCOTT with Mr. FLOOD.

Mr. RUSK with Mr. WHITING, of Massachusetts.

Mr. MCCORMICK with Mr. ANDERSON, of Kansas.

Mr. MONTGOMERY with Mr. THOMAS, of Wisconsin.

Mr. PIDCOCK with Mr. BOUTELLE.

Mr. FELIX CAMPBELL with Mr. MORRILL.

Mr. BELMONT with Mr. PARKER.

Mr. COBB with Mr. JACKSON.

Mr. GLOVER with Mr. BAYNE.

Mr. HOPKINS, of Virginia, with Mr. HOPKINS, of Illinois.

Mr. BLOUNT with Mr. PETERS.

Mr. CAMPBELL, of Ohio, with Mr. KERR.

Mr. MCADOO with Mr. MCCOMAS.

Mr. TURNER, of Georgia, with Mr. STEPHENSON.

Mr. DAVIDSON, of Florida, with Mr. O'NEILL, of Pennsylvania.

Mr. MCKINNEY with Mr. GALLINGER.

Mr. OATES with Mr. GROUT, from December 20, 1887, until January 5, 1888.

Mr. BURNES with Mr. WADE, until after the holiday recess.

Mr. STEWART, of Texas, with Mr. HUNTER, until after the holiday recess.

Mr. LAFFOON with Mr. FINLEY, until after the holiday recess.

Mr. MCCLAMMY with Mr. DUNHAM, until after the holiday recess.

Mr. BREWER said: My colleague, Mr. ALLEN, of Michigan, is confined to his room by illness.

The vote was then announced as above recorded; and the resolution was accordingly referred to the Committee on Accounts, when appointed.

PRIVATE BILLS.

The SPEAKER. The Chair calls the attention of the House to a matter of practice under the rule adopted yesterday. Quite a large number of private bills have been deposited in the petition-box at a time when the House was not in session, and when no officer was here to take charge of them and protect them. The Chair suggests, inasmuch as the introduction of bills is a legislative proceeding, it should be done while the House is in session and the officers of the House are present to take charge of them.

In addition, members have deposited private bills in the petition-box without indorsing their names upon them, and in such cases the Clerk is unable to enter them in the Journal, or furnish a transcript of them for printing in the RECORD.

Mr. RANDALL. In reference to bills which have been filed in the box when the House was not in session, I suggest where those bills are properly indorsed they should be considered as having been presented in conformity to the rule, as otherwise they may be lost.

The SPEAKER. Some such practice should be adopted, because when the House is not in session the Hall of the House is open and the petition-box is accessible to persons who pass through the Hall, and bills are liable to be lost before reaching the hands of the Clerk at all. What is the suggestion made by the gentleman from Pennsylvania?

Mr. RANDALL. That, by unanimous consent, the bills which have been already filed in the petition-box and properly indorsed be considered as having been properly presented under the rule.

The SPEAKER. The Chair has directed the Clerk to journalize those bills as having been properly filed.

Mr. RANDALL. Then as the Journal will show that, I am content.

RIVERS AND HARBORS.

Mr. HERMANN. I understood yesterday, Mr. Speaker, the report from the Committee on Rules was only a partial one, and I now rise for the purpose of asking whether it is in order to submit a resolution at this time, providing for an amendment of the rules?

The SPEAKER. It is for reference only.

Mr. HERMANN. Then in the interest of the entire Pacific coast I ask to submit the resolution which I send to the Clerk's desk to be read.

The Clerk read as follows:

Whereas the Pacific States and Territories west of the Rocky Mountains embrace about one-fourth of the total area of the entire nation, not including Alaska, with a rapidly-increasing population, marvelous resources, a rich foreign and domestic commerce, many important rivers and harbors connecting the remote interior with the ocean, which, with reasonable governmental aid, must

soon produce great and lasting advantages to the whole nation, encourage competition, and reduce the present excessive charges of transportation, so detrimental to the progress of that far-distant portion of our Union; and

Whereas of the fifteen members of the Committee on Rivers and Harbors but one member is usually appointed to the great Pacific West, this being greatly inadequate in view of the waterway needs: Therefore,

*Resolved*, That Rule X of the rules of the Forty-ninth Congress be so amended as to read: "On Rivers and Harbors, to consist of seventeen members."

The resolution was referred to the Committee on Rules.

DEATH OF HON. SETH C. MOFFATT.

Mr. BURROWS. Mr. Speaker, it becomes my painful duty, on behalf of the Michigan delegation, to announce to this House the death of our esteemed colleague, Hon. SETH C. MOFFATT, who died in this city this morning, at half past 7 o'clock.

In his death the delegation feels a personal bereavement. Those who had the pleasure of his acquaintance, I am sure, feel the loss of a genial and true-hearted friend. The State has lost a wise and able counselor.

This is not the time for eulogy. On some more fitting occasion we shall ask the House to join us in a further tribute to his memory. For the present I offer the resolutions I send to the desk.

The Clerk read as follows:

*Resolved*, That the House has heard with sincere regret the announcement of the death of Hon. SETH C. MOFFATT, late a Representative from the State of Michigan.

*Resolved by the House of Representatives (the Senate concurring)*, That a select joint committee, consisting of seven members of the House and three members of the Senate, be appointed to take order for superintending the funeral and to escort the remains of the deceased to their place of burial; and the necessary expenses attending the execution of this order be paid out of the contingent fund of the House.

*Resolved*, That the Sergeant-at-Arms of the House be authorized and directed to take such steps as may be necessary for properly carrying out the provisions of these resolutions.

*Resolved*, That the Clerk communicate the foregoing resolutions to the Senate.

*Resolved*, That as a further mark of respect to the memory of the deceased the House do now adjourn.

The SPEAKER. Before submitting the resolutions the Chair desires to state that if the resolution be adopted the committee, with the consent of the House, will be selected after the adjournment, and the Chair will cause the names to be entered upon the Journal of its proceedings.

There was no objection, and it was so ordered.

The following committee was appointed by the Speaker: Mr. CUTCHEON, of Michigan; Mr. BREWER, of Michigan; Mr. WADE, of Missouri; Mr. FISHER, of Michigan; Mr. FORD, of Michigan; Mr. LYMAN, of Iowa, and Mr. SHIVELY, of Indiana.

The resolutions of Mr. BURROWS were then unanimously agreed to; and accordingly (at 1 o'clock and 12 minutes p. m.) the House adjourned until Wednesday, January 4, 1888.

PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred as indicated below:

By Mr. WHEELER: A bill (H. R. 632) for the relief of Evalin Metz—to the Committee on War Claims.

Also, a bill (H. R. 633) for the relief of Whitnul R. Newsom—to the Committee on War Claims.

Also, a bill (H. R. 634) for the relief of Jessie Cargyle—to the Committee on War Claims.

Also, a bill (H. R. 635) for the relief of I. P. Russell—to the Committee on War Claims.

Also, a bill (H. R. 636) for the relief of the estate of William H. Jones, deceased—to the Committee on War Claims.

By Mr. FELTON: A bill (H. R. 637) for the relief of Brig. Gen. George P. Ihrie, late colonel and additional aid-de-camp of United States Volunteers—to the Committee on Claims.

Also, a bill (H. R. 638) for the removal of the charge of desertion from the record of Frank Aston—to the Committee on Military Affairs.

By Mr. MORROW: A bill (H. R. 639) authorizing Commander J. W. Philip, United States Navy, to accept a silver pitcher from the Government of the United States of Colombia—to the Committee on Naval Affairs.

Also, a bill (H. R. 640) to restore Chaplain C. M. Blake, United States Army, to rank and pay—to the Committee on Military Affairs.

Also, a bill (H. R. 641) authorizing the Secretary of War to revoke the order dismissing First Lieut. D. C. Smith, One hundred and fifth New York Volunteers, and grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 642) to authorize the distribution of certain moieties to the late officers of customs of the port of San Francisco—to the Committee on Claims.

Also, a bill (H. R. 643) for the relief of Andrew J. Barnes—to the Committee on Claims.

Also, a bill (H. R. 644) for the relief of George C. Parkinson—to the Committee on Claims.

Also, a bill (H. R. 645) for the relief of Charles W. Raymond and Albert H. Payson—to the Committee on Claims.

Also, a bill (H. R. 646) for the relief of Charles Willey—to the Committee on War Claims.

Also, a bill (H. R. 647) for the relief of Gottlob Groezinger—to the Committee on Claims.

Also, a bill (H. R. 648) for the relief of Charles L. Scudder—to the Committee on Claims.

Also, a bill (H. R. 649) for the relief of A. C. Bradford—to the Committee on Claims.

By Mr. PEEL: A bill (H. R. 650) for the relief of Andrew B. Davis—to the Committee on War Claims.

By Mr. MORROW: A bill (H. R. 651) for the relief of George A. Norton—to the Committee on Claims.

By Mr. PEEL: A bill (H. R. 652) for the relief of Mrs. Mary M. Payne—to the Committee on War Claims.

Also, a bill (H. R. 653) granting a pension to Jesse G. Featherstone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 654) for the relief of Cyrenus Beers or his personal representative, and also the personal representative of Vail and Robinson—to the Select Committee on Indian Depredation Claims.

By Mr. M. A. SMITH: A bill (H. R. 655) for the relief of P. C. Davis—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 656) for the relief of John E. Clark—to the Committee on Claims.

By Mr. McKENNA: A bill (H. R. 657) for the relief of Lieut. Col. Charles G. Bartlett—to the Committee on Claims.

Also, a bill (H. R. 658) for the relief of A. P. Jackson and others—to the Committee on the Public Lands.

Also, a bill (H. R. 659) for the relief of George B. Cosby—to the Committee on Claims.

Also, a bill (H. R. 660) for the relief of the owners, officers, and crew of the British bark Chance—to the Committee on Claims.

Also, a bill (H. R. 661) for the relief of William R. Wheaton and Charles H. Chamberlain, of California—to the Committee on Claims.

By Mr. SYMES: A bill (H. R. 662) for the relief of Vinton G. Holliday—to the Committee on War Claims.

Also, a bill (H. R. 663) for the relief of the Mexican National Construction Company, of Colorado—to the Committee on Claims.

Also, a bill (H. R. 664) for the relief of George Baggs—to the Committee on Claims.

Also, a bill (H. R. 665) for the relief of Henry F. Arnold—to the Committee on Invalid Pensions.

Also, a bill (H. R. 666) for the relief of W. P. Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 667) for the relief of Zenas Bigelow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 668) for the relief of William Collins—to the Committee on Pensions.

Also, a bill (H. R. 669) for the relief of E. W. Chapman, assignee of Rodman Chapman—to the Committee on Claims.

Also, a bill (H. R. 670) for the relief of Nicholas White—to the Committee on War Claims.

Also, a bill (H. R. 671) for the relief of the heirs of John S. Fillmore, deceased—to the Committee on Private Land Claims.

Also, a bill (H. R. 672) for the relief of Addie Hoyt—to the Committee on War Claims.

Also, a bill (H. R. 673) for the relief of A. G. Boone—to the Committee on Claims.

Also, a bill (H. R. 674) for the relief of William M. Keightley—to the Committee on Claims.

Also, a bill (H. R. 675) for the relief of Royal M. Hubbard—to the Committee on Claims.

Also, a bill (H. R. 676) for the relief of Erastus S. Joslyn—to the Committee on Claims.

Also, a bill (H. R. 677) granting an increase of pension to Patrick Larkin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 678) to increase the pension of Daniel Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 679) granting an increase of pension to Mrs. Maria L. Caraher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 680) granting a pension to Henry H. Stutsman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 681) granting a pension to Lorenzo D. Coombs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 682) granting a pension to Isaac Davisson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 683) granting a pension to Carrie Powell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 684) granting a pension to Frederick W. Becker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 685) granting an increase of pension to Alexander Shaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 686) to remove the charge of desertion against Charles Roden—to the Committee on Military Affairs.

Also, a bill (H. R. 687) to remove the charge of desertion against George W. Peck—to the Committee on Military Affairs.

By Mr. GIFFORD: A bill (H. R. 688) for the relief of Henry Young—to the Committee on Indian Affairs.

Also, a bill (H. R. 689) for the relief of A. G. Shaw—to the Committee on Indian Affairs.

Also, a bill (H. R. 690) for the relief of Bryan Tyson—to the Committee on Claims.

Also, a bill (H. R. 691) for the relief of Jacob Mathis—to the Committee on War Claims.

Also, a bill (H. R. 692) for the relief of George Auld—to the Committee on Claims.

Also, a bill (H. R. 693) for the relief of Richard Redmond—to the Committee on War Claims.

Also, a bill (H. R. 694) for the relief of John F. Malo—to the Committee on Indian Affairs.

Also, a bill (H. R. 695) for the relief of Henry Grebe—to the Committee on War Claims.

Also, a bill (H. R. 696) for the relief of Maria Black—to the Committee on War Claims.

Also, a bill (H. R. 697) granting a pension to the infant children of Michael A. Moran—to the Committee on Invalid Pensions.

Also, a bill (H. R. 698) granting a pension to John McDonald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 699) granting a pension to Joseph B. Walters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 700) granting a pension to Tuffle Snow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 701) granting a pension to Sandford Langworthy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 702) granting a pension to Sterne H. Fowler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 703) granting a pension to Alfred C. Lee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 704) granting a pension to Timothy D. Porter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 705) granting a pension to John D. James—to the Committee on Invalid Pensions.

Also, a bill (H. R. 706) granting a pension to David Teed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 707) granting a pension to Frank M. Budd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 708) granting a pension to John R. Petrie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 709) granting an increase of pension to James M. Brown—to the Committee on Invalid Pensions.

By Mr. LANDES: A bill (H. R. 710) granting a pension to Sarah J. Armstrong—to the Committee on Invalid Pensions.

By Mr. TOWNSHEND: A bill (H. R. 711) for the relief of William Powers—to the Committee on Military Affairs.

Also, a bill (H. R. 712) granting a pension to the minor children of Jonathan E. Lee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 713) granting relief to Wesley Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 714) granting a pension to Marquis D. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 715) increasing the pension of Dwyer Tracy—to to the Committee on Pensions.

Also, a bill (H. R. 716) for the relief of William Collinsworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 717) granting an increase of pension to Daniel M. Maulding—to the Committee on Invalid Pensions.

Also, a bill (H. R. 718) granting a pension to Sally Powell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 719) granting a pension to John D. Denning—to the Committee on Invalid Pensions.

Also, a bill (H. R. 720) granting a pension to James Trimble—to the Committee an Invalid Pensions.

Also, a bill (H. R. 721) granting a pension to Catharine Waters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 722) for the relief of Marquis D. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 723) for the relief of William Greer—to the Committee on Pensions.

Also, a bill (H. R. 724) for the relief of Louisa McLain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 725) for the relief of Edmund D. Taylor—to the Committee on Claims.

Also, a bill (H. R. 726) for the relief of minor children of Jonathan E. Lee—to the Committee on Pensions.

Also, a bill (H. R. 727) for the relief of William P. Fowler—to the Committee on Military Affairs.

Also, a bill (H. R. 728) for the relief of William Morris—to the Committee on Military Affairs.

Also, a bill (H. R. 729) for the relief of George M. Sanders—to the Committee on Military Affairs.

Also, a bill (H. R. 730) for the relief of David H. Utley—to the Committee on Military Affairs.

Also, a bill (H. R. 731) to remove the charge of desertion from the record of John A. Jack—to the Committee on Military Affairs.

Also, a bill (H. R. 732) for the relief of Fannie Pemberton, formerly Fannie Glass—to the Committee on Claims.

Also, a bill (H. R. 733) for the relief of the heirs of Solomon Blue—to the Committee on War Claims.

Also, a bill (H. R. 734) for the relief of Samuel M. Nalley—to the Committee on War Claims.

Also, a bill (H. R. 735) for the relief of John M. Eddy, Elizabeth K. Carroll, Alice B. Eddy, and Frank M. Eddy—to the Committee on War Claims.

By Mr. POST: A bill (H. R. 736) for the relief of Caroline T. Cockle—to the Committee on Claims.

Also, a bill (H. R. 737) granting a pension to Joseph Peve—to the Committee on Invalid Pensions.

By Mr. SPRINGER: A bill (H. R. 738) for the relief of L. S. Ensel—to the Committee on Claims.

Also, a bill (H. R. 739) for the relief of Lorenzo Durham—to the Committee on War Claims.

Also, a bill (H. R. 740) for the relief of Benjamin F. Fox—to the Committee on War Claims.

Also, a bill (H. R. 741) granting an increase of pension to Daniel Clary—to the Committee on Pensions.

Also, a bill (H. R. 742) for the relief of John F. Cadwallader—to the Committee on Claims.

Also, a bill (H. R. 743) for the relief of Jacob Lucas—to the Committee on Claims.

Also, a bill (H. R. 744) for the relief of Gallatin, Bureau, and other counties in the State of Illinois—to the Committee on Claims.

Also, a bill (H. R. 745) to correct and complete the record of Col. B. H. Grierson, United States Army—to the Committee on Military Affairs.

Also, a bill (H. R. 746) for the relief of Boynton Leach—to the Committee on Naval Affairs.

Also, a bill (H. R. 747) granting a pension to Samuel Hays—to the Committee on Invalid Pensions.

Also, a bill (H. R. 748) granting a pension to Edward W. Wyatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 749) for the relief of Smith & Savage—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 750) for the relief of William Gray—to the Committee on Claims.

By Mr. LANE: A bill (H. R. 751) granting a pension to Henry G. Conrad—to the Committee on Invalid Pensions.

Also, a bill (H. R. 752) granting a pension to Richard D. McKinney—to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 753) for the relief of George L. Key—to the Committee on War Claims.

By Mr. HOLMAN: A bill (H. R. 754) to increase the pension of Mrs. Eliza B. Anderson—to the Committee on Invalid Pensions.

By Mr. J. T. JOHNSTON: A bill (H. R. 755) to appropriate $127.50 to reimburse the Indian Committee of Western Yearly Meeting of Friends in Indiana for money expended by them in the purchase of Government lands in North Carolina for an Indian training school—to the Committee on Claims.

Also, a bill (H. R. 756) granting a pension to Eunice Bishop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 757) for the relief of James K. Kennedy—to the Committee on Military Affairs.

Also, a bill (H. R. 758) to increase the pension of William Goshen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 759) to increase the pension of Thomas Baily—to the Committee on Pensions.

Also, a bill (H. R. 760) granting a pension to Elmond A. Decker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 761) for the relief of Henson D. Pittman—to the Committee on Military Affairs.

Also, a bill (H. R. 762) for the relief of William Crouse—to the Committee on Military Affairs.

By Mr. PERKINS: A bill (H. R. 763) for the relief of Mrs. Elizabeth S. Munn—to the Committee on War Claims.

Also, a bill (H. R. 764) granting a pension to Mrs. Mary Pittman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 765) granting a pension to Annie May Pifer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 766) for the relief of H. L. Newman—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 767) for the relief of George Maxwell—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 768) for the relief of A. L. Dickerman and others—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 769) for the relief of Mrs. Rebecca Adams—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 770) granting a pension to R. W. Herod—to the Committee on Invalid Pensions.

Also, a bill (H. R. 771) granting a pension to A. B. Van Cleve—to the Committee on Invalid Pensions.

Also, a bill (H. R. 772) granting an increase of pension to Mrs. Sarah McAdams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 773) granting a pension to John W. Pearson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 774) granting a pension to John McCollister—to the Committee on Invalid Pensions.

Also, a bill (H. R. 775) granting an increase of pension to John D. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 776) for the relief of Chadsey Brothers—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 777) to compensate Mrs. Sarah L. Larimer for important services rendered the military authorities in 1864 at Deer Creek Station, Wyoming, and for loss of property taken by Sioux Indians—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 778) granting a pension to S. K. Coulter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 779) granting a pension to La Fayette Carpenter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 780) granting a pension to James H. Darling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 781) granting a pension to Martha J. McDowell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 782) granting a pension to Marble H. Baird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 783) granting a pension to Mrs. Nancy E. Spencer—to the Committee on Invalid Pensions.

By Mr. PETERS: A bill (H. R. 784) pensioning John J. Lockrey—to the Committee on Invalid Pensions.

By Mr. COGSWELL: A bill (H. R. 785) granting a pension to Martin L. Stover—to the Committee on Invalid Pensions.

Also, a bill (H. R. 786) for the relief of the estate of Thomas Niles, deceased—to the Committee on War Claims.

By Mr. MILLIKEN: A bill (H. R. 787) for the relief of the heirs of William Pitcher, and Axel Hayford, and Samuel Otis, and George B. Fergusson—to the Committee on War Claims.

Also, a bill (H. R. 788) for the relief of Charles H. Wording and others, owners of brig Xenophon—to the Committee on War Claims.

Also, a bill (H. R. 789) for the relief of William E. Caswell—to the Committee on War Claims.

Also, a bill (H. R. 790) granting veteran bounty to James Murry—to the Committee on War Claims.

Also, a bill (H. R. 791) for the relief of Mrs. Evelyn H. Pratt—to the Committee on War Claims.

Also, a bill (H. R. 792) to grant to the Great Falls Electric and Power Company the privilege of utilizing certain waters of the Potomac River—to the Committee on the District of Columbia.

Also, a bill (H. R. 793) for the relief of William Collins—to the Committee on Claims.

Also, a bill (H. R. 794) for the relief of Wilton F. Ward—to the Committee on Claims.

Also, a bill (H. R. 795) for the relief of Ansyl Potter—to the Committee on Claims.

Also, a bill (H. R. 796) for the relief of Sturgis, Lombard & Co.—to the Committee on Claims.

Also, a bill (H. R. 797) for the relief of J. H. Merrill—to the Committee on Claims.

Also, a bill (H. R. 798) for the relief of John W. Kane—to the Committee on Claims.

Also, a bill (H. R. 799) to donate condemned cast-iron cannon to the Soldiers' Monument Association of Waterville, Me.—to the Committee on Military Affairs.

Also, a bill (H. R. 800) to donate condemned cast-iron cannon to the Soldiers' Monument Association of Monroe, Me.—to the Committee on Military Affairs.

Also, a bill (H. R. 801) to donate condemned cast-iron cannon to Thomas H. Marshall Post, No. 41, of the Grand Army of the Republic, of Belfast, Me.—to the Committee on Military Affairs.

Also, a bill (H. R. 802) for the relief of Charles H. Warren—to the Committee on Military Affairs.

Also, a bill (H. R. 803) for the relief of Jefferson Savage—to the Committee on Military Affairs.

Also, a bill (H. R. 804) touching the appointment of a lieutenant-colonel of cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 805) for the relief of Emery S. Wardwell—to the Committee on Military Affairs.

Also, a bill (H. R. 806) for the relief of Mary Morford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 807) for the relief of Horatio R. Maryman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 808) granting a pension to Edwin Bragg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 809) granting a pension to Ephraim Reynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 810) granting a pension to Charles Douglas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 811) granting a pension to Fernando G. Pratt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 812) granting a pension to Maria B. Hatch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 813) granting a pension to Mrs. Lovina J. Reeves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 814) granting a pension to Mrs. Laura F. Pressey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 815) granting an increase of pension to Sarah F. Bridges—to the Committee on Invalid Pensions.

Also, a bill (H. R. 816) granting a pension to Charlotte Broad—to the Committee on Invalid Pensions.

By Mr. BOUTELLE: A bill (H. R. 817) granting a pension to Mary Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 818) granting a pension to Sarah E. Pribble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 819) for the construction of bridges across the St. John and St. Francis Rivers—to the Committee on Foreign Affairs.

Also, a bill (H. R. 820) for the relief of the owners and officers of the brig Olive Frances and others on board said brig—to the Committee on Claims.

Also, a bill (H. R. 821) for the relief of the sureties of Freeman H. Morse, late consul-general at London, England—to the Committee on Claims.

Also, a bill (H. R. 822) granting a pension to Miles S. Scribner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 823) granting a pension to Hannah C. De Witt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 824) granting a pension to Isaiah G. Mayo—to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 825) for the relief of Richard H. Parham, administrator of George Gorman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 826) for the relief of Mrs. E. G. Tomlinson, executrix of W. E. Tomlinson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 827) for the relief of Robert S. McDonald—to the Committee on War Claims.

Also, a bill (H. R. 828) for the relief of William D. Wilson—to the Committee on War Claims.

Also, a bill (H. R. 829) for the relief of Robert S. McDonald—to the Committee on War Claims.

Also, a bill (H. R. 830) for the relief of Richard H. Parham, administrator of George Gorman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 831) for the relief of James C. Newman, administrator—to the Committee on War Claims.

Also, a bill (H. R. 832) for the relief of Mary A. McCain—to the Committee on War Claims.

By Mr. HOOKER: A bill (H. R. 833) for the relief of R. T. Cheek—to the Committee on War Claims.

By Mr. CATCHINGS: A bill (H. R. 834) for the relief of the heirs of John H. Newman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 835) for the relief of Mrs. A. A. Brabston—to the Committee on War Claims.

By Mr. BARRY: A bill (H. R. 836) for the relief of the estate of B. H. Sheppard, deceased—to the Committee on War Claims.

By Mr. CANNON: A bill (H. R. 837) to remove the charge of desertion from the record of Wade H. Newman—to the Committee on Military Affairs.

Also, a bill (H. R. 838) for the relief of Elmer Decker—to the Committee on Invalid Pensions.

By Mr. RANDALL: A bill (H. R. 839) for the relief of J. F. Bailey & Co. and others—to the Committee on Claims.

Also, a bill (H. R. 840) for the relief of the sufferers by the explosion at the United States Arsenal at Frankford, Philadelphia, Pa.—to the Committee on Claims.

Also, a bill (H. R. 841) granting a pension to Morgan Gordon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 842) for the relief of Thomas G. Corbin—to the Committee on Naval Affairs.

Also, a bill (H. R. 843) granting a pension to Axel W. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 844) referring the claim of Arthur W. Paynter, for damages to the schooner Peter D. Lambert and cargo, to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 845) granting a pension to Harriet C. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 846) for relief of Teresa Charles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 847) for relief of Luke Reilly—to the Committee on War Claims.

Also, a bill (H. R. 848) for relief of James C. Booth—to the Committee on Claims.

Also, a bill (H. R. 849) referring the claim of Madeira & Cabada to the Court of Claims—to the Committee on Claims.

Also, a bill (H. R. 850) granting a pension to Frances Dingley Randall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 851) for the relief of James Kane—to the Committee on Military Affairs.

Also, a bill (H. R. 852) granting a pension to Mary Mortimer Semmes—to the Committee on Pensions.

Also, a bill (H. R. 853) for the relief of the legal representatives of Peter Lyle, deceased—to the Committee on Invalid Pensions.

Also, a bill (H. R. 854) granting a pension to John W. Davidson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 855) for the relief of the heirs of Jacob Cramer—to the Committee on Pensions.

By Mr. FISHER: A bill (H. R. 856) granting a pension to Nathaniel M. Berry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 857) granting a pension to Teady Costello—to the Committee on Invalid Pensions.

Also, a bill (H. R. 858) to remove charge of desertion from George Paquette—to the Committee on Military Affairs.

Also, a bill (H. R. 859) to remove charge of desertion from James Wilson—to the Committee on Military Affairs.

By Mr. HEARD: A bill (H. R. 860) for the relief of Alfred Head—to the Committee on Claims.

Also, a bill (H. R. 861) for the relief of Joseph Diehl—to the Committee on War Claims.

Also, a bill (H. R. 862) granting a pension to S. B. Miles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 863) granting a pension to Malinda Vest—to the Committee on Invalid Pensions.

Also, a bill (H. R. 864) granting a pension to William F. Cowden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 865) for the relief of the estate of Green Luttrell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 866) for the relief of W. G. Wear—to the Committee on War Claims.

Also, a bill (H. R. 867) for the relief of J. S. Naffziger—to the Committee on War Claims.

Also, a bill (H. R. 868) for the relief of Jehu Robinson—to the Committee on War Claims.

By Mr. CUTCHEON: A bill (H. R. 869) granting a pension to Francis Deming—to the Committee on Invalid Pensions.

Also, a bill (H. R. 870) granting a pension to Isaac Kimball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 871) granting a pension to John Henning—to the Committee on Invalid Pensions.

Also, a bill (H. R. 872) granting a pension to Calvin H. French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 873) to authorize the payment of extra compensation to Robert J. Mitchell—to the Committee on Claims.

Also, a bill (H. R. 874) for the relief of John A. Thompson—to the Committee on Claims.

Also, a bill (H. R. 875) for the relief of William B. Rowe—to the Committee on War Claims.

Also, a bill (H. R. 876) for the relief of Cornelius M. Hadley—to the Committee on War Claims.

Also, a bill (H. R. 877) for the relief of Edwin M. Watrous—to the Committee on Military Affairs.

Also, a bill (H. R. 878) for the relief of J. D. Maxted and Robert J. B. Newcombe—to the Committee on Claims.

By Mr. FORD: A bill (H. R. 879) granting a pension to Royal J. Hiar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 880) granting a pension to Mary Everingham Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 881) granting a pension to Hiram R. Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 882) to correct the muster of and for the relief of G. W. Davenport—to the Committee on Military Affairs.

Also, a bill (H. R. 883) for the relief of L. B. Townsend, Louis A. Lovell, W. C. Page, Alonzo Sessions, Hampton Rich, Harvey Harter, Benjamin Harter, and Peter Hackett—to the Committee on Claims.

Also, a bill (H. R. 884) for the relief of Marcus H. McCoy—to the Committee on Claims.

Also, a bill (H. R. 885) to amend chapter 253 of the Revised Statutes of the United States, passed June 15, 1878, granting a pension to John Langland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 886) for the relief of Felix McKetterick—to the Committee on Claims.

By Mr. SHERMAN: A bill (H. R. 887) to remove the charge of desertion from the military record of John J. Schmidt—to the Committee on Military Affairs.

Also, a bill (H. R. 888) granting a pension to John Magher—to the Committee on Pensions.

Also, a bill (H. R. 889) granting a pension to Ishmael Jones—to the Committee on Pensions.

Also, a bill (H. R. 890) granting a pension to Edmund Richardson—to the Committee on Pensions.

Also, a bill (H. R. 891) granting a pension to Eliza Ann Shaver—to the Committee on Pensions.

Also, a bill (H. R. 892) granting a pension to Hugh Hughes—to the Committee on Pensions.

Also, a bill (H. R. 893) granting a pension to Julia Stokes—to the Committee on Pensions.

Also, a bill (H. R. 894) for the relief of James Moss—to the Committee on Pensions.

By Mr. BUCHANAN: A bill (H. R. 895) to increase the pension of Wilbur E. Cogswell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 896) for the relief of John H. McClaskey—to the Committee on Military Affairs.

Also, a bill (H. R. 897) for the relief of Wilbur F. Cogswell—to the Committee on Naval Affairs.

Also, a bill (H. R. 898) granting a pension to James De Camp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 899) granting an increase of pension to Benjamin T. Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 900) granting a pension to William Van Brunt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 901) granting a pension to Mrs. Fannie Carman—to the Committee on Pensions.

Also, a bill (H. R. 902) granting a pension to Julia A. Golston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 903) granting a pension to Barzillai P. Irons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 904) granting a pension to Elizabeth Cheesman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 905) granting a pension to Mary M. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 906) granting a pension to George Obergfell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 907) granting a pension to Margaret A. Perrine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 908) granting a pension to Sarah A. Gamble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 909) granting a pension to Mary Ann Dougherty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 910) to authorize the Commissioner of Patents to extend the letters patent heretofore granted to William E. Brooke—to the Committee on Patents.

Also, a bill (H. R. 911) restoring to the pension-roll Martin V. Hargrove—to the Committee on Invalid Pensions.

Also, a bill (H. R. 912) granting a pension to William Dermody—to the Committee on Invalid Pensions.

Also, a bill (H. R. 913) for the relief of James Jones—to the Committee on Military Affairs.

Also, a bill (H. R. 914) referring the claim of William Dolton to the Court of Claims—to the Committee on Claims.

Also, a bill (H. R. 915) granting a pension to John O. Matthis—to the Committee on Invalid Pensions.

By Mr. LEHLBACH: A bill (H. R. 916) for the relief of John Dunker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 917) for the relief of Julianna Muller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 918) for the relief of the estates of Albert H. Brown and William M. Brown—to the Committee on Claims.

Also, a bill (H. R. 919) for the relief of the estate of Albert H. Brown—to the Committee on Claims.

Also, a bill (H. R. 920) granting an increase of pension to George W. Pancoast—to the Committee on Invalid Pensions.

Also, a bill (H. R. 921) for the relief of Catharine Reilley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 922) for the relief of Philip Dutsch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 923) for the relief of Augusta Beyse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 924) for the relief of Susan C. Mandeville—to the Committee on Invalid Pensions.

Also, a bill (H. R. 925) for the relief of Matthew W. Berryman—to the Committee on War Claims.

Also, a bill (H. R. 926) for the relief of Catharine Donahue—to the Committee on Invalid Pensions.

Also, a bill (H. R. 927) for the relief of Friedericke Raff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 928) for the relief of Herman Krauss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 929) for the relief of August Oppel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 930) for the relief of Maria Otto—to the Committee on Invalid Pensions.

By Mr. TRACEY: A bill (H. R. 931) to reimburse William Stanton and John B. Doyle for money expended in removing sand, earth, and reefs in the Hudson River, New York—to the Committee on Claims.

By Mr. KETCHAM: A bill (H. R. 932) for the relief of the Merchants' National Bank, of Poughkeepsie, N. Y.—to the Committee on Banking and Currency.

Also, a bill (H. R. 933) to open and set aside an order of the Court of Claims canceling a portion of a judgment against the United States, remitted, through mistake as to the facts in regard to the same, by claimant to the United States, and to refer the matter to the Court of Claims for such further action as said court shall find to be just and equitable—to the Committee on Claims.

By Mr. LAIDLAW: A bill (H. R. 934) to pay A. Brooks Fletcher for letter-boxes furnished the post-office at Jamestown, N. Y.—to the Committee on Claims.

Also, a bill (H. R. 935) to grant an honorable discharge to George W. Barr from the Army—to the Committee on Military Affairs.

By Mr. BRYCE: A bill (H. R. 936) granting a pension to John Doyle—to the Committee on Invalid Pensions.

By Mr. S. V. WHITE: A bill (H. R. 937) for the relief of the estate of F. Z. Tucker—to the Committee on Claims.

Also, a bill (H. R. 938) granting a pension to Harriet Fawpelle—to the Committee on Invalid Pensions.

By Mr. HIRES: A bill (H. R. 939) to increase the pension of Joshua Bickley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 940) to remove the charge of desertion from the record of Aquilla Mahan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 941) for the relief of George M. Ward—to the Committee on Claims.

Also, a bill (H. R. 942) granting a pension to Belford E. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 943) for the relief of Amy Stanton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 944) for the relief of James Millenger—to the Committee on War Claims.

Also, a bill (H. R. 945) granting a pension to Mary Kelley—to the Committee on Invalid Pensions.

By Mr. J. H. MOFFITT: A bill (H. R. 946) granting a pension to Mary Coates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 947) granting a pension to Eliza P. Brydon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 948) for the relief of William H. Tabbarrah—to the Committee on Invalid Pensions.

Also, a bill (H. R. 949) removing charge of desertion now standing against John Heron—to the Committee on Military Affairs.

Also, a bill (H. R. 950) for the relief of Michael Longevin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 951) for the relief of William Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 952) for the relief of Harriet P. Blake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 953) for the relief of William Johnson—to the Committee on Invalid Pensions.

By Mr. OUTHWAITE: A bill (H. R. 954) to relieve John M. Hartman from the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 955) granting a pension to Mary M. Sweet—to the Committee on Invalid Pensions.

Also, a bill (H. R. 956) for the relief of the heirs of Christopher Cott—to the Committee on Military Affairs.

Also, a bill (H. R. 957) for the relief of William Fletcher—to the Committee on Military Affairs.

By Mr. BOOTHMAN: A bill (H. R. 958) to relieve Lester W. Preston from the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 959) to relieve Joseph Moore from the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 960) to pension George C. Gilmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 961) granting pensions to William Knight, Jacob Parrott, William Reddick, and John Whollam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 962) granting a pension to Robert Lisle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 963) to restore the name of Alexander McConkey to the pension-rolls—to the Committee on Invalid Pensions.

Also, a bill (H. R. 964) granting a pension to James Turner—to the Committee on Pensions.

Also, a bill (H. R. 965) granting a pension to George E. Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 966) to relieve George K. Smith from the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 967) to relieve John W. Davis of the charge of desertion—to the Committee on Military Affairs.

By Mr. PUGSLEY: A bill (H. R. 968) granting a pension to H. S. Sayre—to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 969) granting a pension to Israel Bebout—to the Committee on Invalid Pensions.

Also, a bill (H. R. 970) to remove the charge of desertion against Levi Beer—to the Committee on Military Affairs.

Also, a bill (H. R. 971) granting a pension to Mrs. Viola Cox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 972) for the relief of Myron Packard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 973) to remove the charge of desertion against the record of George Fetterman—to the Committee on Military Affairs.

Also, a bill (H. R. 974) granting a pension to Jacob Wolf—to the Committee on Invalid Pensions.

Also, a bill (H. R. 975) granting a pension to Thad. Coffin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 976) granting a pension to Mary M. Schock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 977) for the relief of D. W. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 978) granting a pension to Mrs. Philip Kame—to the Committee on Invalid Pensions.

Also, a bill (H. R. 979) for the relief of the heirs of William Nessle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 980) to remove charges of desertion against the record of George W. Hand—to the Committee on Military Affairs.

Also, a bill (H. R. 981) granting an increase of pension to Thomas D. Shaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 982) granting a pension to William Willson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 983) for the relief of William T. Crump—to the Committee on Claims.

Also, a bill (H. R. 984) for the relief of W. C. Hutcheson—to the Committee on War Claims.

Also, a bill (H. R. 985) granting a pension to Mrs. Caroline F. Speigel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 986) to grant a pension to Sarah S. Fogle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 987) for the relief of Joseph Craig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 988) for the relief of Joseph R. White—to the Committee on War Claims.

Also, a bill (H. R. 989) to remove the charge of desertion against the record of David Harrington—to the Committee on Military Affairs.

Also, a bill (H. R. 990) granting a pension to James Yant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 991) granting a pension to Jacob Long—to the Committee on Invalid Pensions.

Also, a bill (H. R. 992) granting a pension to Isabella Hodgson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 993) granting arrears of pension to Mrs. Clarissa Munson, widow of Elias Y. Munson, for his services of ninety days in the war of 1812—to the Committee on Pensions.

By Mr. E. B. TAYLOR: A bill (H. R. 994) granting a pension to John Kalbfleisch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 995) granting a pension to Martha J. Spencer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 996) for the relief of the heirs of John Byrnes—to the Committee on Claims.

Also, a bill (H. R. 997) for the relief of Collins Morse and Henry C. Gray—to the Committee on Claims.

Also, a bill (H. R. 998) for the relief of the administrator of the estate of John W. Dear, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 999) to remove the charge of desertion against Nathan Bugbee—to the Committee on Military Affairs.

Also, a bill (H. R. 1000) for the relief of George E. W. Sharretts—to the Committee on Claims.

Also, a bill (H. R. 1001) granting a pension to Marion Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1002) granting a pension to William H. Chapman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1003) to remove the charge of desertion against Edward Whitehouse, alias Edward Williams—to the Committee on Military Affairs.

By Mr. SCULL: A bill (H. R. 1004) for the relief of Andrew Shoenfelt—to the Committee on War Claims.

By Mr. ATKINSON: A bill (H. R. 1005) to remove the charge of desertion from George Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 1006) for the relief of Levi Neitz—to the Committee on Military Affairs.

Also, a bill (H. R. 1007) for the relief of Samuel A. Sanderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1008) granting a pension to Benjamin Seesholtz—to the Committee on Invalid Pensions.

By Mr. HARMER: A bill (H. R. 1009) granting a pension to Albert Berger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1010) granting a pension to Hugh Rogers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1011) granting a pension to Elijah Freeman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1012) granting a pension to Margaret Newberry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1013) granting a pension to Mary Ann Schirge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1014) granting a pension to Edward R. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1015) granting a pension to Sophia Rogers—to the Committee on Invalid Pension.

Also, a bill (H. R. 1016) granting a pension to Elizabeth J. Kaut—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1017) granting a pension to Elizabeth Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1018) for the relief of Julius A. Kaiser—to the Committee on Invalid Pensions

Also, a bill (H. R. 1019) granting an increase of pension to John W. Weber—to the Committee on Invalid Pensions.

By Mr. RICHARDSON: A bill (H. R. 1020) to incorporate the District of Columbia Suburban Railway Company—to the Committee on the District of Columbia.

By Mr. ENLOE: A bill (H. R. 1021) for the relief of the legal representatives of David Bell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1022) for the relief of W. G Frie—to the Committee on War Claims.

Also, a bill (H. R. 1023) for the relief of the legal representatives of F. L. Sidebottom, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1024) for the relief of the heirs of C. P. Spence—to the Committee on War Claims.

Also, a bill (H. R. 1025) for the relief of J. F. Hurt—to the Committee on War Claims.

Also, a bill (H. R. 1026) for the relief of Jesse A. Brown, deceased, or of R. P. Cole, assignee—to the Committee on War Claims.

Also, a bill (H. R. 1027) for the relief of the estate of David Coleman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1028) for the relief of Hiram Johnson and others—to the Committee on War Claims.

Also, a bill (H. R. 1029) for the relief of J. S. Flake, guardian of Samuel Howard—to the Committee on War Claims.

Also, a bill (H. R. 1030) for the relief of Isaiah Sweat—to the Committee on War Claims.

Also, a bill (H. R. 1031) for the relief of James B. Guthrie—to the Committee on Claims.

Also, a bill (H. R. 1032) for the relief of P. E. Parker—to the Committee on Claims.

Also, a bill (H. R. 1033) to pay the legal representatives of Micajah Joyner, a pensioner—to the Committee on Pensions.

Also, a bill (H. R. 1034) for the relief of the estate of John A. Tyson—to the Committee on War Claims.

Also, a bill (H. R. 1035) for the relief of Howard T. Bunch—to the Committee on War Claims.

Also, a bill (H. R. 1036) for the relief of the estate of J. H. Williams, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1037) for the relief of the estate of Israel Barker, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1038) for the relief of D. J. Franklin, of McNairy County, Tennessee—to the Committee on War Claims.

Also, a bill (H. R. 1039) for the relief of Benjamin A. Hayes—to the Committee on War Claims.

Also, a bill (H. R. 1040) for the relief of the legal representatives of John R. Alston, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1041) for the relief of L. T. Williamson—to the Committee on War Claims.

Also, a bill (H. R. 1042) for the relief of the heirs-at-law of Eaton Bond, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1043) to reimburse W. J. Barnes for revenue illegally assessed and collected—to the Committee on Claims.

Also, a bill (H. R. 1044) for the relief of the estate of Moses Diffee—to the Committee on War Claims.

Also, a bill (H. R. 1045) for the relief of the estate of B. B. Bunch—to the Committee on War Claims.

Also, a bill (H. R. 1046) for the relief of A. E. Cooper—to the Committee on War Claims.

Also, a bill (H. R. 1047) for the relief of R. M. Hawley—to the Committee on War Claims.

Also, a bill (H. R. 1048) for the relief of the estate of J. G. Randolph, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1049) for the relief of Mrs. M. A. Crittenden—to the Committee on War Claims.

Also, a bill (H. R. 1050) for the relief of Charles M. Kennerly—to the Committee on War Claims.

Also, a bill (H. R. 1051) for the relief of R. N. Payne—to the Committee on War Claims.

Also, a bill (H. R. 1052) for the relief of the estate of James P. Hastings, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1053) for the relief of V. B. Walker—to the Committee on War Claims.

Also, a bill (H. R. 1054) for the relief of R. R. Aycock—to the Committee on War Claims.

Also, a bill (H. R. 1055) for the relief of Elijah W. Penick—to the Committee on War Claims.

Also, a bill (H. R. 1056) for the relief of Samuel C. Lancaster—to the Committee on War Claims.

Also, a bill (H. R. 1057) for the relief of R. H. Crider—to the Committee on War Claims.

Also, a bill (H. R. 1058) for the relief of the estate of J. C. Smith, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1059) for the relief of A. W. Jones—to the Committee on War Claims.

Also, a bill (H. R. 1060) for the relief of N. H. Whitlow—to the Committee on War Claims.

Also, a bill (H. R. 1061) for the relief of Stephen Carter—to the Committee on War Claims.

Also, a bill (H. R. 1062) for the relief of S. W. Edwards—to the Committee on War Claims.

Also, a bill (H. R. 1063) for the relief of I. F. Huddleston—to the Committee on War Claims.

Also, a bill (H. R. 1064) for the relief of the First Methodist Church in the city of Jackson, Tenn.—to the Committee on War Claims.

By Mr. GLASS: A bill (H. R. 1065) for the relief of V. B. Valentine—to the Committee on Ways and Means.

Also, a bill (H. R. 1066) granting a pension to Simeon House—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1067) to amend the war record of Alfred H. Thomas, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1068) for the relief of the officers and soldiers of the Seventh Regiment Tennessee Infantry—to the Committee on War Claims.

Also, a bill (H. R. 1069) granting a pension to Robert McClean—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1070) for the relief of J. A. Wilson—to the Committee on Claims.

Also, a bill (H. R. 1071) granting a pension to John Hancock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1072) granting a pension to Agnes J. Whicker—to the Committee on Invalid Pensions.

By Mr. NEAL: A bill (H. R. 1073) for the relief of the Roman Catholic Church of St. Peter and St. Paul at Chattanooga, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1074) granting a pension to Linnæus W. Risley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1075) for the relief of John Iles—to the Committee on Military Affairs.

Also, a bill (H. R. 1076) authorizing the construction of a bridge across the Tennessee River at Chattanooga, Tenn.—to the Committee on Commerce.

Also, a bill (H. R. 1077) for the relief of James McGhee—to the Committee on War Claims.

Also, a bill (H. R. 1078) granting a pension to Sarah J. Shirley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1079) for the relief of John B. McGhee, administrator, etc., of Ann E. McGhee, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1080) for the relief of Thomas B. McElwee—to the Committee on Claims.

Also, a bill (H. R. 1081) for the relief of S. H. Fox—to the Committee on War Claims.

Also, a bill (H. R. 1082) for the relief of Luther M. Blackman—to the Committee on War Claims.

Also, a bill (H. R. 1083) for the relief of the legal representatives of William Clift, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1084) for the relief of John W. Curtis—to the Committee on Military Affairs.

Also, a bill (H. R. 1085) granting a pension to Thomas Rains—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1086) granting a pension to William T. Green—to the Committee on Invalid Pensions.

By Mr. HOGG: A bill (H. R. 1087) granting a pension to James Loyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1088) for the relief of Henry B. Monks—to the Committee on War Claims.

Also, a bill (H. R. 1089) to remove the charge of desertion and grant an honorable discharge to James McCaffrey—to the Committee on Military Affairs.

Also, a bill (H. R. 1090) to place on the pension-roll the name of William Patchell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1091) for the relief of G. W. Watson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1092) granting a pension to Jacob E. Israel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1093) for the relief of Daniel Roush—to the Committee on War Claims.

Also, a bill (H. R. 1094) for the relief of William Large—to the Committee on War Claims.

Also, a bill (H. R. 1095) granting a pension to Thomas H. Marshall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1096) for the relief of D. D. Holbert—to the Committee on War Claims.

Also, a bill (H. R. 1097) granting a pension to Mrs. Maria Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1098) to remove the charge of desertion from George B. Warner—to the Committee on Military Affairs.

Also, a bill (H. R. 1099) granting a pension to William A. Walton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1100) for the relief of Absalom Westfall—to the Committee on War Claims.

Also, a bill (H. R. 1101) to remove the charge of desertion from James Evans—to the Committee on Military Affairs.

Also, a bill (H. R. 1102) to increase the pension of John M. Weaks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1103) for the relief of Susan M. Covanovan, surviving heir, etc.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1104) for the relief of J. P. McCardell—to the Committee on Claims.

Also, a bill (H. R. 1105) for the relief of G. W. McCullough—to the Committee on Military Affairs.

Also, a bill (H. R. 1106) for the relief of George W. Dillon—to the Committee on Military Affairs.

Also, a bill (H. R. 1107) to correct the records of the War Department as to the date of death of First Lieut. Caleb Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 1108) for the relief of Samuel J. Brooks—to the Committee on War Claims.

Also, a bill (H. R. 1109) for the relief of John Flesher—to the Committee on War Claims.

Also, a bill (H. R. 1110) for the relief of John R. Harshbarger—to the Committee on War Claims.

Also, a bill (H. R. 1111) for the relief of John Waldron—to the Committee on War Claims.

Also, a bill (H. R. 1112) for the relief of E. C. Hopkins—to the Committee on War Claims.

Also, a bill (H. R. 1113) for the relief of William H. Morris—to the Committee on War Claims.

Also, a bill (H. R. 1114) for the relief of David Harshbarger—to the Committee on War Claims.

Also, a bill (H. R. 1115) for the relief of Mrs. Adelaide Bowen—to the Committee on War Claims.

Also, a bill (H. R. 1116) for the relief of Mrs. Mary Wheeler—to the Committee on War Claims.

Also, a bill (H. R. 1117) for the relief of Simon Stump—to the Committee on War Claims.

Also, a bill (H. R. 1118) for the relief of Jeptha Smith—to the Committee on War Claims.

Also, a bill (H. R. 1119) for the relief of David Durer—to the Committee on War Claims.

Also, a bill (H. R. 1120) for the relief of Calvin Douglass—to the Committee on War Claims.

Also, a bill (H. R. 1121) granting a pension to Sarah O. Drummond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1122) granting a pension to Barbara Lanfried—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1123) to place on the pension-roll the name of Richard J. Stone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1124) to increase the pension of James H. Graham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1125) granting a pension to F. T. Hughes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1126) granting a pension to Mrs. E. J. Epling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1127) granting a pension to Isaac Fortner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1128) granting a pension to Elijah C. Snodgrass—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1129) granting a pension to Susie E. Clark, widow, and Frank D. Clark, Harry L. Clark, Eddie R. Clark, Annie B. Clark, and Maud M. Clark, infant heirs of the late Roland Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1130) granting a pension to William H. Jordan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1131) granting a pension to Alexander Thacker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1132) for the relief of George J. Cuny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1133) granting a pension to Daniel M. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1134) granting a pension to John D. Runnels—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1135) to increase the pension of J. S. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1136) granting a pension to Syntha Douglas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1137) granting a pension to William H. Cyrus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1138) granting a pension to John Harris Marple—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1139) granting a pension to J. A. Petty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1140) granting a pension to Jacob E. Israel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1141) granting a pension to John Pully—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1142) granting a pension to David Lattin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1143) granting a pension to Elizabeth McKay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1144) granting a pension to William J. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1145) granting a pension to William Church—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1146) to increase the pension of Albert G. S. Ball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1147) granting a pension to Daniel White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1148) to restore to the pension-roll M. A. Ayers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1149) to increase the pension of Daniel J. Morgareige—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1150) granting a pension to Mrs. America T. Sprouse—to the Committee on Invalid Pensions.

By Mr. HUDD: A bill (H. R. 1151) for the relief of the legal representatives of A. F. Saint Sure Lindefelt—to the Committee on Military Affairs.

Also, a bill (H. R. 1152) for the relief of the legal representatives of Eliza M. Ferris—to the Committee on Pensions.

Also, a bill (H. R. 1153) for the relief of Jasper Hanson—to the Committee on Claims.

Also, a bill (H. R. 1154) granting a pension to Peter Mayer—to the Committee on Invalid Pensions.

By Mr. HARE: A bill (H. R. 1155) for the relief of John Donaldson—to the Committee on the Post-Office and Post-Roads.

By Mr. McMILLIN: A bill (H. R. 1156) for the relief of Miles F. West—to the Committee on War Claims.

By Mr. PHELAN. A bill (H. R. 1157) for the relief of Samuel Tate—to the Committee on Claims.

By Mr. FELTON. A bill (H. R. 1158) for the relief of Louis Jacobson—to the Committee on Claims.

Also, a bill (H. R. 1159) for the relief of Jonathan D. Stevenson—to the Committee on Claims.

By Mr. HEARD: A bill (H. R. 1160) for the relief of James D. Card—to the Committee on War Claims.

Also, a bill (H. R. 1161) for the relief of Alexander R. Byrum—to the Committee on War Claims.

Also, a bill (H. R. 1162) for the relief of John L. Holloway—to the Committee on War Claims.

Also, a bill (H. R. 1163) for the relief of Samuel V. Sands—to the Committee on War Claims.

Also, a bill (H. R. 1164) for the relief of Isaac A. Davis—to the Committee on War Claims.

Also, a bill (H. R. 1165) for the relief of John Hedgpeth—to the Committee on War Claims.

Also, a bill (H. R. 1166) granting a pension to John Ridderman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1167) for the relief of J. D. Ash—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1168) for the relief of William Crudgenton—to the Committee on Pensions.

Also, a bill (H. R. 1169) granting a pension to Hoy Cooper—to the Committee on Pensions.

Also, a bill (H. R. 1170) for the relief of Alvin A. Ayers—to the Committee on Military Affairs.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. J. M. ALLEN (by request): Petition of L. A. Fort, of Oktibbeha County, Mississippi, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. BANKHEAD: Memorial of Typographical Union No. 4, of Birmingham, Ala., for repeal of certain legislation—to the Committee on Printing.

By Mr. BOUND: Petition of citizens of Lebanon, Pa., for the passage of a law requiring all goods made by contract labor to be plainly marked "convict labor"—to the Committee on Labor.

By Mr. BOWDEN: Petition of Rev. G. D. Armstrong and others, of R. E. De Jarnett and others, and of John H. Cannon and others, against needless work in work and interstate commerce—to the Committee on Labor.

By Mr. BUTLER: Petition of David S. Noe, of heirs of James C. Bowers, and of Samuel J. Moore, of Hamblen County; of administrator of William S. Barkly, of Washington County, and of Samuel Patterson, of Granger County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. COGSWELL: Papers in the case of Thomas Niles, of Massachusetts—to the Committee on War Claims.

By Mr. CONGER: Petition of and resolution of the Iowa State Improved Stock Breeders' Association, urging the suppression of pleuropneumonia and for the free importation of breeding animals—to the Committee on Agriculture.

By Mr. DAVIS: Petition of Joseph B. Macy and 54 others, citizens

of Nantucket, in favor of an appropriation for the repair of the submarine telegraph cable between Nantucket and the mainland—to the Committee on Appropriations.

Also, petition of Marcellus Eldridge and 486 others, citizens of the United States, mariners and others interested in shipping, etc., in favor of an appropriation for survey of Stage Harbor, Cape Cod, Massachusetts—to the Committee on Rivers and Harbors.

By Mr. DAVIS: Petition of Robert Bennett and 193 others, citizens of Bristol County, Massachusetts, in favor of granting a pension to Joshua H. Wilkies—to the Committee on Invalid Pensions.

By Mr. ENLOE: Petition of Stephen Carter, and of heirs of Lytle Newton, of Madison County, and of heirs of Wilburn H. Graves, of Carroll County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. FELTON: Petition of the Chamber of Commerce, of San Francisco, for an appropriation for certain fog-signals on the Pacific coast—to the Committee on Appropriations.

By Mr. FORNEY: Petition of J. P. and J. S. Timberlake; of John H. Vaught, administrator of Maria Barriere; of W. J. Tal'y, administrator of John B. Tally; and of John H. Vaught, administrator of Jeremiah Arnold, of Jackson County; of Eliza H. Tinge, widow of Charles A. Tinge, of Lauderdale County; and of Nancy C. Caner; of Claborn C. Waters; of W. B. Starling; of Catherine A. Scroggins; of Matilda Underwood; of Hartwell Vaughn, jr.; of Susan Wilson (widow); of Josiah L. Belato; of Harriet Burbin; of Isaac Baring; of Elizabeth Booker; of Rebecca Riggers (widow); of Barnett G. McAbee; of James A. Callan; of Sarah C. McConnel; of William B. Owens; of heirs of Caroline Pollard, and of Elizabeth Russell, of Cherokee County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. GIFFORD: Petition of John H. McLaughlin, guardian minor children of Michael A. Moran, for a pension—to the Committee on Invalid Pensions.

By Mr. HALL: Petition of citizens of Pennsylvania against the admission of Utah with polygamy—to the Committee on the Territories.

By Mr. HARE: Petition of William L. Kirk, late of Lawrence County, of Grayson County, Texas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. HARMER: Memorial in favor of the enforcement of laws relating to the importation of pauper labor under contract—to the Committee on Labor.

Also, petitions of Sophia Rogers, of Elizabeth J. Kant, and of Michael Hayes, for a pension—to the Committee on Invalid Pensions.

Also, petition of John H. Weber for increase of pension—to the Committee on Invalid Pensions.

By Mr. J. S. HENDERSON: Petition of Thomas H. Brinegar, of North Carolina, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. HOOKER: Petition of Milton S. Haire, of administrator of Reuben Collins, and of Martha C. Taply, of Hinds County; of W. E. Bolls, and of William E. Bolls, of Jefferson County; of D. V. Cully, of Madison County, and of M. S. Haire, of Hinds County, Mississippi, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. LATHAM: Petition of W. G. Lewis and others, citizens of North Carolina, for an appropriation of $5,000 for removing obstructions from the mouth of Mackey's Creek, Washington County, North Carolina—to the Committee on Rivers and Harbors.

By Mr. LA FOLLETTE: Petition of H. L. Brown, D. A. Hurd, and 100 others, citizens of Darlington, La Fayette County, Wisconsin, against the admission of Utah as a State with polygamy—to the Committee on the Territories.

By Mr. LAWLER: Memorial of the Butchers' National Protective Association of Chicago, Ill., relative to lard adulteration—to the Committee on Agriculture.

By Mr. LEHLBACH: Petition and papers of Henry Brock, for compensation for rent of house on New Jersey avenue, Washington, D. C.—to the Committee on Claims.

By Mr. LODGE: Memorial of citizens of Essex County, Massachusetts, as to arbitration with England—to the Committee on Foreign Affairs.

By Mr. MORGAN (by request): Petition of E. A. Hollis, of Benton County, Mississippi, for compensation for stores and supplies furnished the United States Army during the late war—to the Committee on War Claims.

By Mr. MORROW: Petition of David C. Smith, late lieutenant Company E, One hundred and fifth New York Volunteers, for relief—to the Committee on Military Affairs.

Also, petition of Chaplain C. M. Blake, United States Army, for relief—to the Committee on Military Affairs.

Also, petition of Francis E. Yale, heir and administrator of Capt. Charles Willey, for relief—to the Committee on War Claims.

By Mr. NEWTON: A bill for the improvement of the Ouachita River in Louisiana and Arkansas, appropriating $150,000 therefor—to the Committee on Rivers and Harbors.

By Mr. OUTHWAITE: Memorial of William Fletcher, captain, United States Army, for an act to authorize the President to place him on the retired-list with the grade of major, for over forty years' active service—to the Committee on Military Affairs.

By Mr. RICHARDSON: Petition of heirs of R. Hannah, deceased, of Franklin County, Tennessee, for reference of their claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROBERTSON: Petition of Lucy J. Boyle, of Bayou Sara, La., for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. SENEY: Memorial of J. D. Stevenson, respecting survey of the Bay of Suisun—to the Committee on Rivers and Harbors.

Also, memorial of Joseph Wharton and others, respecting proposed arbitration with Great Britain—to the Committee on Foreign Affairs.

By Mr. W. M. SMITH: Resolution of board of supervisors of Pima County, Arizona, for relief—to the Committee on the Territories.

By Mr. SPRINGER: Memorial of the letter-carriers of Springfield, Ill., for additional compensation—to the Committee on the Post-Office and Post-Roads.

By Mr. STAHLNECKER: Petition of citizens of California, Oregon, and Washington Territory, that the tariff on lumber remain unchanged—to the Committee on Ways and Means.

By Mr. STOCKDALE: Petition of S. Duncan Marshall and George M. Miller, executors of Lewis R. Marshall, for relief—to the Committee on War Claims.

By Mr. STONE, of Kentucky: Petition of Jonathan Williams, of Grant County, and of R. W. Wake, of Lyon County, Kentucky; for reference of their war claims to the Court of Claims—to the Committee on War Claims.

By Mr. TOWNSHEND: Petition of many citizens of Marion and Clinton Counties, Illinois, for restoration to pension-rolls of John Prendergast, late of Company E, Ninth Regiment Illinois Volunteers—to the Committee on Invalid Pensions.

Also, petition of Col. E. D. Taylor, for relief—to the Committee on Claims.

Also, papers relating to the bill for the relief of William Powers—to the Committee on Military Affairs.

By Mr. WHEELER: Petition of George Handy; of John L. Holland, heir of Joseph R. Holland, and of heirs of Vincent Armistead, of Lauderale County, and of R. C. Brooks, of Cherokee County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WHITTHORNE: Papers in the claims of Hardy Summerline; of Adaline J. Law; of heirs of Margaret E. Smith; of E. B. Moore, executor of Parham Moore; of Margaret Ray and James Summers; of Edward M. Taliaferro, guardian of Richard Taliaferro; of Hezekiah Ellenburg; of administrator of C. C. Adams; of James A. Jefferson; of James P. Johnston; of Winfred H. Bailey; of James Lord; of Andrew J. Cheney; of George W. Marlar; of George H. Gilreath; of Daniel Peel; of Joel R. Prewett; of Lucius J. Seaco; of John H. Weeks; of Thomas G. Barker; of John S. E. Crawford; of administrator of James Johnston; of heirs of Thompson Ellerson; of administrator of John H. Hutchins; of Thomas W. Humes, and of administrator of Luckett Davis, of Tennessee—to the Committee on War Claims.

By Mr. WILKINSON: Petition of James R. Young, of New Orleans, and of John Mahoney, of Orleans Parish, Louisiana, for relief—to the Committee on War Claims.

Also, petition of Rosamond Lovio, of New Orleans, and of Sophia Dannenmann, widow of John Dannenmann, of Orleans Parish, Louisiana, for reference of their claims to the Court of Claims—to the Committee on War Claims.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. ATKINSON: Of citizens of Huntington County (4); of Perry County; of Juniata County; of Snyder County (2), and of Franklin County, Pennsylvania.

By Mr. BARRY: Of Samuel Deloach and others; of A. J. Clark and others; of M. C. Palmer and others, and of John H. Pierce, of Mississippi.

By Mr. BROWER: Of citizens of Stokes County and of Forsythe County, North Carolina.

By Mr. T. H. B. BROWNE: Of John A. Palmer and others, of Lancaster County; of F. A. Lewis and others, of Letwalton, Lancaster County, and of J. W. Young and others and of A. J. Dunn and others, of Caroline County, Virginia.

By Mr. ENLOE: Of W. A. Young and 58 others, of Christmasville, Carroll County, and of Rockport, Benton County, Tennessee.

By Mr. ERMENTROUT: Of citizens of Berks County, Pennsylvania.

By Mr. GRIMES: Of J. F. Lovejoy and others, of Grantville, Ga.

By Mr. GROUT: Of George E. Goodall and 64 others, of East St. Johnsbury, Vt.

By Mr. HALL: Of citizens of Lutton, Mercer County; of Tamarac, Crawford County, and of Anandale, Butler County, Pennsylvania.

By Mr. HARMER: Of citizens of Sandiford City, Pa., and of Mial, Union County, Ohio.

By Mr. HOOKER: Of citizens of Brown's Mills; of Nevada; of Cayuga; of Thomasville, and of S. L. Walton and others, of Mississippi.

By Mr. HOWARD: Of 38 citizens of the Third district of Indiana.

By Mr. J. T. JOHNSTON: Of A. C. Wakefield and others, of Ferndale; of W. P. Stout and others, of Hollandsburgh, and of W. F. Richeson and others, of Hollandsburgh, Ind.

By Mr. LATHAM: Of citizens of Hertford County; of Currituck County; of Gates County; of Pamlico County (2), and of Beaufort County, North Carolina.

By Mr. LYNCH: Of citizens of Luzerne County, Pennsylvania.

By Mr. McCLAMMY: Of citizens of Godwin's, N. C.

By Mr. McKINLEY: Of 60 citizens of Gavers, Columbiana County, Ohio.

By Mr. McCULLOGH: Of citizens of Elliottsville; of Holbrook, Greene County; and of Boquet, Westmoreland County, Pennsylvania.

By Mr. NEWTON: Of citizens of Eden, La.

By Mr. O'FERRALL: Of citizens of Frederick County (6); of Shenandoah County (3); of Rockingham County (5); of Page County (4); of Albemarle County (2); of Warren County; of Madison County, and of Bath County, Virginia.

By Mr. OUTHWAITE: Of E. W. Pegg and 65 others, of Franklin County, Ohio.

By Mr. PEEL: Of citizens of Newton County (3); of Washington County; of Boone County, and of W. C. Wright and others; of Zach. McKinney and others, and of J. A. Baker and others, of Arkansas.

By Mr. POST: Of citizens of Oak Mound, Ill.

By Mr. RANDALL: Of J. C. Wagner and others, of Reward, Pa.

By Mr. REED: Of H. H. Sturgis and others, of Bonny Eagle, Me.

By Mr. RICHARDSON: Of James Wallace and 74 others, of Marshall County, Tennessee.

By Mr. ROGERS: Of J. M. King and others, and of G. A. Yawkey and others, of Pulaski County; of J. N. Malone and others, of Whittington; of J. W. Poteat and others; of T. P. Green and others, and of H. C. Stennett and others, of Arkansas.

By Mr. ROMEIS: Of Ira Dunham and 43 others, of Elin, Sandusky County, Ohio.

By Mr. SCULL: Of citizens of Bedford County and of Cambria County, Pennsylvania.

By Mr. STONE, of Kentucky: Of citizens of New Concord, Ky.

By Mr. E. B. TAYLOR: Of citizens of Shulersville, of Vienna, of Settle Mount, and of West Mentor, Ohio.

By Mr. A. C. THOMPSON: Of citizens of Lawrence County, and of Pond Run, Scioto County, Ohio.

By Mr. WHEELER: Of J. E. Davis and 20 others; of J. G. Brown and 26 others; of T. F. Simpson and others, and of John A. Coffs and others, of Alabama.

By Mr. WISE: Of citizens of Johnson's Springs, Goochland County, Virginia.

By Mr. YOST: Of citizens of Augusta County; of Reedy Spring, of Lyndhurst, and of Roseville, Cumberland County, Virginia.

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## SENATE.

### WEDNESDAY, *January* 4, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

JOHN P. JONES, a Senator from the State of Nevada, appeared in his seat to-day.

The Journal of the proceedings of Thursday, December 22, 1887, was read and approved.

#### EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of War, communicating, in response to a resolution of December 15, 1887, information concerning the necessity or utility of improving the navigation of Lake Champlain at Adams Landing; which, with the accompanying papers, was referred to the Committee on Commerce, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of December 20, 1887, a copy of all records in the War Department relating to Captain Hall's company of Oregon Volunteers; which, with the accompanying papers, was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Attorney-General, communicating, in response to a resolution of December 19, 1887, the correspondence between the Attorney-General and Robert T. Davis in relation to the compensation of supervisors of election; which, with the accompanying papers, was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in pursuance of the requirements of the eighth section of the act of July 22, 1854, for Congressional action, a supplementary report of the United States surveyor-general of New Mexico on the private land claim known as the Los Padillos or El Tajo tract, No. 146; which, with the accompanying papers, was referred to the Committee on Private Land Claims, and ordered to be printed.

#### THE WASHINGTON MONUMENT.

The PRESIDENT *pro tempore* laid before the Senate the annual report of the Joint Commission for the completion of the Washington Monument; which was ordered to lie on the table and be printed.

#### PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented resolutions adopted by the Board of Trade of Scranton, Pa., favoring the projected world's exposition in honor of the four hundredth anniversary of the discovery of America by Columbus; which were referred to the Select Committee on the Centennial of the Constitution and the Discovery of America.

He also presented a memorial of citizens of the United States, remonstrating against the proposed admission of Utah Territory as a State into the Union; which was referred to the Committee on Territories.

Mr. FRYE presented a petition in behalf of 20,000 Good Templars of the State of Maine, praying for the appointment of an impartial national commission of inquiry in regard to the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

Mr. FRYE. I present a letter in the nature of a petition, asking for legislation, from E. C. Allen & Co., a publishing house of Augusta, Me., who are doing an exceedingly extensive business. They ask that fractional currency may be issued, and they present the astounding fact—astounding to me—that in their business alone they frequently receive a thousand dollars' worth of postage stamps in a single day as payment for fractions of a dollar, and that frequently in a week they receive five thousand dollars' worth of these stamps to pay sums each of which is less than one dollar. I ask that the letter may be treated as a petition from them, and referred to the Committee on Finance.

The PRESIDENT *pro tempore*. If there be no objection, the paper will be received, and referred to the Committee on Finance.

Mr. McPHERSON presented the petition of George Brown, of New Egypt, N. J., late a private in Company E, Fortieth Regiment New Jersey Infantry Volunteers, praying to be allowed an increase of pension; which was referred to the Committee on Pensions.

He also presented a petition of Union ex-prisoners of war, residing in New Jersey, praying for the passage of a bill for the relief of the Union ex-prisoners of war; which was referred to the Committee on Pensions.

Mr. DAWES presented the petition of Henry Baker and other citizens of Harwich, Mass., praying for the removal of the limitation of the pension-arrears act; which was referred to the Committee on Pensions.

Mr. HARRIS presented the petition of William B. Stokes, of Tennessee, praying to be relieved from liability as surety upon an official bond; which was referred to the Committee on Claims.

Mr. HALE presented the petition of Charles A. Rolfe and others, of Maine, and the petition of citizens of Baring, Me., and vicinity, praying for the building of a bridge across the St. Croix River at Baring, Me.; which were referred to the Committee on Commerce.

He also presented resolutions adopted by the American Fishery Union, remonstrating against the appointment of any commission to define the rights of fishermen, and against the adoption of any new treaty that shall dictate national legislation or destroy the small amount of protection they now have, and favoring the maintenance of their rights under existing treaties and legislation; which were referred to the Committee on Foreign Relations.

He also presented the petition of Benton, Holmes & Co., and other citizens of California, engaged in the manufacture of lumber, praying that the present tariff on lumber may remain unchanged; which was referred to the Committee on Finance.

Mr. VOORHEES presented the petition of Benton, Holmes & Co. and others, of the State of California, praying that the present tariff on lumber may remain unchanged; which was referred to the Committee on Finance.

He also presented the petition of Joseph Lewis, of Pike County, Indiana, praying for restoration to the invalid-pension roll; which was referred to the Committee on Pensions.

Mr. CULLOM presented a resolution adopted by the Illinois State Grange at its annual meeting, held at Springfield, Ill., in December, 1887, indorsing the interstate-commerce act and opposing the repeal of any of its provisions until they have been put squarely to the test and have been found to be oppressive of the rights of the people or unjust to the legitimate rights of the railroad companies; which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the Illinois State Grange at its annual meeting, held at Springfield, Ill., in December, 1887, praying that action be taken towards opening up a deep and continuous waterway channel of commerce from the Mississippi River through the Illinois River route to Lake Michigan at Chicago; which was referred to the Committee on Commerce.

He also presented a resolution adopted by the Illinois State Grange at its annual meeting, held at Springfield, Ill., in December, 1887, favoring the construction and control of a system of telegraph lines by

the Government; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a resolution adopted by the Illinois State Grange at its annual meeting, held at Springfield, Ill., in December, 1887, denouncing that species of gambling upon the crops and industries of the country called dealing in futures and options, and demanding that it be prohibited by law; which was referred to the Committee on Finance.

He also presented a resolution adopted by the Illinois State Grange at its annual meeting, held at Springfield, Ill., in December, 1887, favoring the restriction of foreign immigration in so far as to keep out paupers, criminals, and all others incapable or unwilling to become good citizens, and favoring the Reagan bill on that subject; which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the Illinois State Grange at its annual meeting, held at Springfield, Ill., in December, 1887, remonstrating against the abrogation of the tax upon whisky and tobacco, and praying that sugar, salt, lumber, and other necessaries of life be placed upon the free-list; which was referred to the Committee on Finance.

He also presented a resolution adopted by the Illinois State Grange at its annual meeting, held at Springfield, Ill., in December, 1887, remonstrating against a long extension of time for the redemption of United States bonds at 2½ per cent. for the purpose of the national banks; which was referred to the Committee on Finance.

He also presented a resolution adopted by the Illinois State Grange at its annual meeting, held at Springfield, Ill., in December, 1887, in favor of making the Commissioner of Agriculture a Cabinet officer; which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the Illinois State Grange at its annual meeting held at Springfield, Ill., in December, 1887, favoring an amendment of the Federal Constitution so as to provide for the election of United States Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented the petition of Root & McBride Brothers and 36 other firms, importers, at Cleveland, Ohio, praying for an amendment of the "immediate transportation" act to do away with discrimination against importers at inland ports in the United States; which was referred to the Committee on Commerce.

He also presented resolutions adopted by Rochelle Post, No. 546, Department of Illinois, Grand Army of the Republic, remonstrating against any change in the revenue laws until the contract made with the soldiers, sailors, and marines who furnished the muscle to put down the late rebellion shall be as fully lived up to as is the contract made with the bondholders who furnished the money; which were referred to the Committee on Finance.

Mr. REAGAN presented a petition of the city council of Fort Worth, Tex., praying for the erection of a public building for the use of the post-office and the revenue offices at Fort Worth, Tex.; which was referred to the Committee on Public Buildings and Grounds.

He also presented the petition of W. H. Horn, of San Augustine County, Texas, and 21 other citizens of Texas, praying that increased compensation be granted to fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. SHERMAN presented a petition of citizens of Ohio, praying for the enactment of a law requiring goods produced by convict labor to be marked "convict-made;" which was referred to the Committee on Finance.

Mr. MORRILL presented a petition of citizens of Newbury, Vt., praying that increased compensation be allowed to fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. QUAY presented two memorials of citizens of Pennsylvania, remonstrating against the admission of Utah as a State with polygamy; which was referred to the Committee on Territories.

He also presented a petition of the United States Maimed Soldiers' League, praying for the passage of an act increasing pensions in certain cases; which was referred to the Committee on Pensions.

Mr. DAVIS presented a petition of the Chamber of Commerce of the city of Duluth, Minn., praying for the passage of an act making Duluth a full port of entry and delivery; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of St. Paul, Minn., praying for the establishment of collection districts in Minnesota; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of Duluth, Minn., praying for the grant of the right of way for the Duluth, Rainy Lake River and Southwestern Railway Company through the Bois Forte Indian reservation and other lands; which was referred to the Committee on Indian Affairs.

He also presented a petition of merchants of St. Paul, Minn., praying for the reduction of the duty on cream of tartar, etc.; which was referred to the Committee on Finance.

Mr. DOLPH presented a memorial of the Legislative Assembly of Washington Territory, favoring additional appropriation for a public building at Port Townsend, Wash.; which was referred to the Committee on Public Buildings and Grounds.

Mr. CAMERON presented a memorial of the Legislative Assembly of Washington Territory, in favor of an additional appropriation for the custom-house building at Port Townsend, Wash.; which was referred to the Committee on Public Buildings and Grounds.

Mr. SPOONER presented a memorial of the county board of supervisors of St. Croix County, Wisconsin, suggesting the desirability of action as to the construction of the granting and indemnity clauses of the grant made by the United States to the State of Wisconsin "to aid in the construction of certain railroads in said State," approved May 5, 1864, and making certain representations concerning the administration of that grant; which was referred to the Committee on Public Lands.

Mr. JONES, of Arkansas, presented the petition of L. M. Winters and other citizens of Star of the West, Pike County, Arkansas, praying that increased compensation be allowed fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

## BILLS INTRODUCED.

Mr. VANCE introduced a bill (S. 1097) to provide for the erection of a monument to the memory of Brig. Gen. William Lee Davidson; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 1098) for the relief of the Sisters of the Holy Cross in the city of Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1099) for the relief of the Church of the Ascension, in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HAWLEY introduced a bill (S. 1100) to retire certain disabled officers of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McPHERSON introduced a bill (S. 1101) granting a pension to Rachel A. Sinkinson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 1102) to aid the State of Colorado to support a school of mines; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. STEWART introduced a bill (S. 1103) to provide for an Indian school at Carson City, Nev.; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. VOORHEES introduced a bill (S. 1104) for the relief of Theophilus Fisk Mills; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 1105) providing for the payment of arrears of pensions from the date of death or discharge; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1106) granting a pension to Lona S. Fitzgerald; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SPOONER (by request) introduced a bill (S. 1107) to regulate the subdivision of land within the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1108) providing for the establishment of a port of entry at Superior, in the county of Douglas, in the State of Wisconsin; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1109) for the relief of Royal E. Dake; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1110) granting a pension to Mrs. Fredericka Hauser; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SAWYER introduced a bill (S. 1111) granting a pension to Mary J. Davis; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BUTLER (by request) introduced a bill (S. 1112) to provide for a revision of a distribution of the "invested and other common property" of the Confederated Peoria, Kaskaskia, Wea, and Piankeshaw Indians made under the treaty of 1867 with the United States, and for the payment to those of said Indians who became citizens of the United States under said treaty, the survivors of them, their heirs or legal representatives, of their proportionate share of the "invested and other common property" of the tribe still held in trust for them by the United States; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CAMERON introduced a bill (S. 1113) for the relief of Snowden & Mason; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1114) for the relief of Maj. Michael P. Small, commissary of subsistence United States Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1115) granting a pension to Abraham Howard; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1116) granting a pension to Henry Frantz; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 1117) relating to the record of wills in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1118) to remove the charge of desertion from the military record of William Clark, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1119) to remove the charge of desertion from the military record of Frederick A. Noeller; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1120) to increase the pension of John L. Kirk; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1121) granting a pension to Harmon Bunn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1122) granting an increase of pension to William Collinsworth; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1123) granting a pension to Mrs. Susan Capps; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1124) to increase the pension of John W. January; which was read twice by its title.

Mr. CULLOM. I hope the Committee on Pensions will give this case especial attention, for the reason that this man lost both his feet in prison while serving his country. I very much desire that he should be given an increase of pension during the present session. I move that the bill be referred, with the accompanying papers, to the Committee on Pensions.

The motion was agreed to.

Mr. JONES, of Arkansas, introduced a bill (S. 1125) to appropriate $50,000 to construct a road from Little Rock, Ark., to the national cemetery adjacent thereto; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1126) granting a pension to Francis M. Yearian; which was read twice by its title, and referred to the Committee on Pensions.

Mr. QUAY introduced a bill (S. 1127) to increase the pensions of those who have lost eyes, limbs, or the use of them, are totally helpless, are deaf, and for other purposes; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLPH introduced a bill (S. 1128) to create ports of entry at Tacoma and Seattle, in Washington Territory; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1129) granting to the Newport and King's Valley Railroad Company the right of way through the Siletz Indian reservation; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. HISCOCK introduced a bill (S. 1130) granting arrears of pension to Mary Helena Mahan; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DAVIS introduced a bill (S. 1131) for the relief of Marcus A. Reno; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SHERMAN introduced a bill (S. 1132) granting a pension to Eliza Crewson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1133) granting a pension to Sarah Riheldarfer; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1134) increasing the pension of Miss Sarah Mary Carroll; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1135) to grant arrears of pension in certain cases; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1136) granting a pension to Anna M. Freeman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1137) for the relief of Adam L. Epley; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 1138) to reimburse the depositors of the Freedman's Savings and Trust Company for losses incurred by the failure of said company; which was read twice by its title, and referred to the Committee on Finance.

Mr. HALE introduced a bill (S. 1139) for the construction of a bridge across the St. Croix River; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1140) authorizing the Secretary of War to procure and present suitable medals to the survivors of the "forlorn-hope storming party" of Port Hudson; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1141) to increase the pension of Lucy Moore; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1142) granting a pension to Keziah E. Strong; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DAWES introduced a bill (S. 1143) granting a pension to John Curtin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1144) granting a pension to Frances H. L. Prescott; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BOWEN introduced a bill (S. 1145) granting the right of way to the Durango, Cortez and Utah Railroad Company through the Southern Ute Indian reservation in Southwestern Colorado; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PLUMB introduced a bill (S. 1146) granting a pension to L. J. McGoffin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1147) granting an increase of pension to Daniel Fike; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 1148) to grant a right of way to the Kansas City and Pacific Railroad Company through the Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MITCHELL introduced a bill (S. 1149) to promote the efficiency of the public service in the Indian Bureau; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1150) to pay the Oregon Indian depredation claims audited and allowed by the commissioners, George H. Ambrose, L. F. Grover, and A. C. Gibbs; which was read twice by its title, and referred to the Committee on Claims.

Mr. STOCKBRIDGE introduced a bill (S. 1151) to remove the charge of desertion now standing on the rolls of the War Department against John Miles, late of Company C, Fifteenth Regiment, Michigan Volunteers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. COCKRELL introduced a bill (S. 1152) granting a pension to Myra Freeman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1153) for the relief of Charles Wagemann; which was read twice by its title.

Mr. COCKRELL. I present the petition of Charles Wagemann, praying to be allowed a pension, and additional papers to accompany the bill. I move their reference with the bill to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 1154) granting a pension to Ann E. Brown; which was read twice by its title.

Mr. COCKRELL. I present, to accompany the bill, the affidavits of Mary A. Noell and Caroline A. Black, and of Francis Vallé, and a letter from the Commissioner of Pensions; and I move that they be referred, with the bill, to the Committee on Pensions.

The motion was agreed to.

Mr. QUAY (by request) introduced a bill (S. 1155) to adjudicate the claim of Amanda G. Walter, executrix of Thomas U. Walter, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. BLAIR introduced a bill (S. 1156) to encourage the holding of a national industrial exposition of the arts, mechanics, and products of the colored race throughout the United States of America, to be held at Atlanta, Ga., in the years 1888 and 1889; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Education and Labor.

Mr. TELLER introduced a bill (S. 1157) to correct an error in the description of certain lands entered and patented by the city of Denver, in the State of Colorado, by authority of an act of Congress approved May 21, 1872; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. FAULKNER introduced a bill (S. 1158) to recognize and pay certain claims due by the State of West Virginia to citizens thereof for services rendered the United States in the late war, and which are properly chargeable to the United States; which was read twice by its title, and referred to the Committee on Claims.

Mr. STEWART introduced a joint resolution (S. R. 24) authorizing the Secretary of the Navy to loan certain scientific instruments; which was read twice by its title, and referred to the Committee on Naval Affairs.

### AMENDMENTS TO POSTAL-TELEGRAPH BILL.

Mr. CULLOM submitted amendments intended to be proposed by him to the bill (S. 614) to provide for the establishment and operation of the United States postal telegraph; which were referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

### INTERNAL-REVENUE LAWS.

Mr. BROWN submitted the following resolutions; which were read:

1. *Resolved*, That the practice of the Government of the United States was correct for the first three-quarters of a century of its existence, when it collected the rev-

enues necessary to its support at the ports or other boundaries of our territory by tariff, except in cases of war or other great emergency, when internal-revenue laws, or laws imposing direct taxes, were passed, which were repealed as soon as the emergency which called them forth ceased to exist.

2. *Resolved*, That the present internal-revenue laws, which were enacted as war measures in time of a great emergency, which are onerous, oppressive, and undemocratic, have existed for almost a quarter of a century after the emergency has passed, and there being a very large surplus in the Treasury which it is the duty of the Government to provide against by a reduction of the revenues, it becomes the imperative duty of Congress to enact appropriate legislation for the repeal of said internal-revenue laws at the earliest day practicable.

Mr. BROWN. I ask that the resolutions be printed and lie on the table; and I give notice that on Monday next, at the close of the morning hour, I shall ask leave to submit some remarks on the subject.

The PRESIDENT *pro tempore*. The resolutions will lie on the table, and be printed.

### CONGRESSIONAL LIBRARY BUILDING.

Mr. VEST submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the commissioners in charge of the construction of the Congressional Library be instructed to report what contracts have been made in relation thereto, the amount of the same, and the amount of money already expended, and for what purpose, and the cause of delay in the progress of work on the Library building.

### CALIFORNIA VOLUNTEER COMPANY.

Mr. MITCHELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of War be, and he is hereby, directed to report to the Senate a copy of the record, if any, in his Department relating to the mustering into the service of the United States of the volunteer company enlisted in the State of California about November or December, 1849, and of which Julian or Julius Martin was captain, and when such company was mustered out of the service, if any such record exists, with the names of the persons respectively constituting such company.

### SIGNAL OFFICE REPORTS.

Mr. COCKRELL submitted the following resolution; which was read:

*Resolved*, That the Chief Signal Officer be directed to furnish the Senate, at his earliest convenience, the charts and tables of rainfall on the Pacific coast, and any report made thereon by any officer of his corps, and also to express his views of the importance and value thereof.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. HARRIS. I wish to ask the Senator from Missouri a question before the passage of the resolution. Would it not be better to extend the report to those drought-stricken regions, say, in Northwestern Texas and other sections where the people have suffered very greatly from drought, so that we may have the official data? I should be glad to have the Senator include that in his resolution.

Mr. COCKRELL. I do not think the Signal Office has probably completed any report in regard to those regions, while it has completed its reports in regard to the region named in the resolution, and has them ready. Still, I have no objection to include the points suggested by the Senator from Tennessee.

Mr. HARRIS. I should be glad to have the Senator so modify his resolution as to extend it to the reporting of such information as the Signal Office may have on the subject.

Mr. COCKRELL. I have no objection to such a modification.

The PRESIDENT *pro tempore*. Does the Senator from Missouri desire to modify the resolution?

Mr. HARRIS. The Senator from Missouri is preparing a modification.

Mr. COCKRELL. I now submit the resolution as modified.

The PRESIDENT *pro tempore*. The resolution as modified will be read.

The Secretary read the resolution as modified, as follows:

*Resolved*, That the Chief Signal Officer be directed to furnish the Senate, at his earliest convenience, the charts and tables of rainfall on the Pacific coast, and any report made thereon by any officer of his corps, and also to express his views of the importance and value thereof; and also similar data and information touching the same subject-matter in New Mexico, Texas, and Arizona, so far as obtained.

The resolution as modified was agreed to.

### THE PRESIDENT'S ANNUAL MESSAGE.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a resolution submitted by the Senator from Ohio [Mr. SHERMAN], coming over from a former day, which will be read.

The Chief Clerk read the resolution submitted by Mr. SHERMAN December 19, 1887, as follows:

*Resolved*, That the President's annual message be referred to the Committee on Finance.

Mr. SHERMAN. Mr. President, the President of the United States, in his message, tells us that we are confronted with a condition of national finances which demands our immediate attention. He says that the money collected from the people exceeds the expenses of the Government; that the surplus now in the Treasury is $55,000,000, and will be $140,000,000 by the 1st of July next. He says the situation presages financial convulsion and widespread disaster, and that, though the dangers are not palpable, imminent, and apparent, yet they exist none the less, and may be suddenly precipitated upon us.

In view of this to him alarming state of affairs, he, departing from the practice of his illustrious predecessors, drops from his annual message all reference to our foreign relations, to the many interesting questions that have arisen during the past year in our national affairs, and even omits the usual recognition of the Supreme Ruler of the Universe. All things celestial and terrestrial must be postponed until we get rid of the surplus revenue.

With this extraordinary message before us, I feel called upon to examine the extent of the dangers that the President warns us of, whether they are exaggerated or not, the causes, and the remedies proposed.

The first inquiry is whether the conditions stated are sudden and unforeseen, or have existed for a long time, and grow out of natural causes easily provided for. The existence of a surplus revenue has been a constant occurrence before and since the close of the war. Instead of being a danger, it is an indication of the continuous increase of our domestic productions, of our foreign and domestic commerce, and the steady improvement of our financial condition.

When in 1806 President Jefferson had the good fortune of a surplus revenue, he, in his message, said:

> To what other object shall the surpluses be appropriated * * * after the entire discharge of the public debt, and during those intervals when war shall not call for them? Shall we suppress the impost and thus give that advantage to foreign over domestic manufactures?

He believed the patriotism of the people would "prefer its continuance, and application for the purposes of the public education, roads, rivers, and canals."

When General Jackson had the like good fortune he recommended the distribution of the surplus among the States, and in the last year of his administration Mr. Calhoun introduced a bill for that purpose, which was passed by large majorities in both Houses and signed by President Jackson.

A larger surplus revenue has frequently from time to time been wisely dealt with by Republican administrations. It has either been applied by the executive authorities to the payment of the public debt, or its accumulation has been prevented by Congress, from time to time, by the reduction or repeal of taxes. In the administration of each of Mr. Cleveland's predecessors since the close of the war this simple remedy has been applied without neglecting other matters or raising a cry of alarm. All these reductions of taxes have been made by the Republican party. The Democratic party has had the control of the House of Representatives since the success of the Mississippi plan, except for two years, and during that time never originated or proposed a reduction of taxes. The only Republican Congress for ten years did, by the act approved by President Arthur on the 3d of March, 1883, largely reduce both internal taxes and customs duties to meet the very difficulty which so alarms the President.

Now, in the third year of his administration, he tells you that on the 1st of June, 1885, within three months after he took the oath of office, there was a surplus of $18,000,000, and that it increased at the rate of over a million a week. Why did he not then follow the example of his predecessors by using the powers conferred upon the Secretary of the Treasury to apply this surplus to the reduction of the public debt? Instead of this, although outstanding bonds were redeemable at pleasure, his Administration changed the form of the debt statement, so as to conceal nearly thirty millions of money as unavailable assets, and swelled the surplus for nearly a year, until friend and foe alike cried out against it. If he regarded this growing surplus as a danger, why did he not, as soon as possible, bring his influence to bear upon Congress to provide for a reduction of taxation?

I may also ask, why did not Congress then apply the remedy? The Forty-ninth Congress lived its two years and died. Mr. Cleveland was then as now President of the United States. The House of Representatives contained a large majority of his political friends. They alone had the initiative, the origination, the constitutional power to introduce a bill to reduce taxes. Why was it not done? The only answer is that a controlling majority of that party would not allow a bill to be reported unless it contained provisions which in the opinion of the majority of the members of the House would do great injury to or destroy domestic production, create greater distress than even the accumulation of surplus, and reduce the wages of laborers now usefully employed. If it had been the desire to reduce taxes without reducing American production, the task was easy; but the enormous powers conferred upon the Speaker of the House were used to prevent even the presentation of such a bill, and in this it was understood he had the hearty sympathy and support of the President and the Secretary of the Treasury.

On the 19th day of July, 1886, I called the attention of the Senate to the precise difficulty and danger of the accruing surplus revenue, and the readiness of the majority of the Senate to provide for the reduction of taxes and application of the surplus. But for the action of the President and his Administration, including the Democratic majority in the House of Representatives, the taxes would then have been reduced without endangering domestic industries.

But, sir, even without a reduction of taxation, the surplus revenue might have been applied for great national objects, but for the vetoes of the President and the failure of the Secretary of the Treasury to

exercise plain discretionary powers conferred upon him by law, and the failure of the Democratic House of Representatives to make appropriations for some of the highest national objects demanded by the people. The President, on what I regard as a frivolous reason, refused his signature to the bill providing for the improvement of rivers and harbors, which would have appropriated more than $10,000,000, or nearly one-fifth of the surplus revenue stated by him, for necessary public works and objects of the highest importance in all parts of the country. He, by his veto of the dependent pension bill, withheld from soldiers of the Union Army, many of them suffering in almshouses and charitable institutions, appropriations made by both Houses of Congress for their relief.

The House of Representatives refused to provide for a system of coast defenses, frequently recommended by the executive authorities, for a proper increase and building up of the Navy and our commercial marine, for postal communication with the South American states, and for the encouragement and support of schools for the education of illiterate children. The House neglected or refused to appropriate for deficiencies amounting to eight millions admitted to be due. The House also neglected to pass a Senate bill that proposed to refund to the several States the direct tax levied in 1862 under the stress of war. This tax, collected from the loyal States, is still charged against most of the Confederate States, causing inequalities and discontent in every State. Here there was a proper mode of applying $14,000,000 of the surplus in a way not open to objection.

Had these appropriations, sanctioned by the Senate, been made by the House of Representatives and approved by the President, and the residue of the surplus been applied to the purchase of the public debt, the condition of the Treasury, which so alarms him, would not exist, the public debt would have been greatly reduced, and improvements of vital importance to our commerce would be in course of construction.

But the President casts doubt upon the power of the Secretary of the Treasury to enter the markets and purchase bonds. He says it is "a pretense" or "a supposition." He says the pretense is founded on a provision in an appropriation bill passed several years ago, and is subject to the "suspicion" that it was temporary and limited. Here is the second section of the sundry civil bill approved March 3, 1881 (United States Statutes, volume 21, page 457):

SEC. 2. That the Secretary of the Treasury may at any time apply the surplus money in the Treasury not otherwise appropriated, or so much thereof as he may consider proper, to the purchase or redemption of United States bonds: *Provided*, That the bonds so purchased or redeemed shall constitute no part of the sinking fund, but shall be canceled.

This law was passed by a Democratic Congress in both Houses, on motion of Mr. Bayard, at my request as Secretary of the Treasury, to meet the very difficulty suggested, and, in plain English, to operate "at any time." Under it the Secretary of the Treasury could have and ought to have applied the surplus in the Treasury from time to time to the purchase or redemption of bonds of the United States from the beginning of this Administration to this hour, instead of which there was a steady accumulation of the surplus beyond any precedent, which tended to and did produce the very dangers and difficulties by which we are threatened.

I do not attribute to either of these great officers the intent to produce these results; I do not wish to call into question their integrity or fidelity; but when they try to alarm the country, so as to induce us to break down great industrial interests, I point them to the neglect of a public duty intrusted to their discretion as the fountain of their woes. I say they have this power now. If evil comes to the Republic by this surplus, it is their fault. A power neglected is often as great a wrong as a power usurped. An artificial scare can not be made to cover the faults and defects of this Administration.

Again, sir, if the dangers of this surplus revenue were so great and imminent as the President says they were during the last summer, why did he not convene Congress, the law-making power, to deal with what he calls "the precarious condition of financial affairs," "the distress in business circles," and "absolute peril at hand?" What more "extraordinary occasion" could occur for the exercise of his power to convene Congress? But he did not do it. And now that we are met in regular order we are not to be driven pell-mell by an outcry to reverse the policy of our country for nearly thirty years, to build up our domestic industries by reasonable and proper protection against foreign productions.

Sir, for one I wish to approach the questions presented by the President with a sincere respect for him and his high office, but with a consciousness that we, Senators and Members, have the responsibility of acting upon these matters, with fuller information and a broader view of the interest of our constituents than any executive officer, however elevated, can have.

I agree, as I said more than once during the last Congress, that the revenue should be reduced. It is a pleasing and grateful task, and the moment the House of Representatives gives us jurisdiction of the subject-matter the Senate will be ready to share in this duty, as it has as many as six times done since the close of the war; and if from time to time the Secretary of the Treasury will only do his part, by applying the revenue to current appropriations and the judicious purchase of the public debt, we can, I believe, repair the delays of his party and reduce taxation without crippling industry.

Sir, I agree, as stated by the President, that unnecessary and extravagant appropriations ought not to be made to avoid a surplus of revenue. No money should be collected from the people except to meet the requirements of the Government properly and economically administered. The true remedy is in the reduction of revenue; but this reduction should be made so as to give the greatest relief to the people of the United States. We are legislating not for foreign nations, but for our own; it is for American workshops and American laborers, and not for English capitalists and laborers. It is American productions, the home market, free trade, and easy exchanges between 60,000,000 of our countrymen that we should foster, encourage, and build up by our revenue laws, and not by increased importations to cheapen home labor. Cheapness is not the chief object of desire, but prosperity, employment, industry, and thrift at home.

The highest surplus revenue estimated by the President or Secretary is fifty-five millions a year, after complying with the sinking-fund law. I am glad both the President and Secretary recognize the obligation of this law, for it is not only a declaration of a wise public policy, but is an agreement made with public creditors. And even this estimate is based upon a continuance of the narrow policy of neglect of the defenses of the country, of the improvement of our rivers and harbors, of our just obligations to Union soldiers, of growing illiteracy in nearly half the States, and the increasing burdens of local taxation in all the States. Upon this basis alone we can remit to our people fifty-five millions of taxes. How shall it be done?

We have two distinct systems of taxation: one upon the American productions of spirits, tobacco, and beer, and the other upon imported goods, the products of foreign nations. The first of these the President dismisses with a single sentence. He says that none of the articles named are necessaries; that "there appears to be no just complaint of this taxation by the consumers of these articles, and there seems to be nothing so well able to bear the burden without hardships to any portion of the people."

It may be that there is no complaint by the consumers; but can he say that of the producers of these articles? They are all either the product of the farm or immediate fruits of the products of the farm. Their chief cost is in the leaf-tobacco, or the corn, rye, wheat, and barley of the farm. Do not the farmers complain of this tax? If the President thinks they do not, he is greatly mistaken. The manufacturers of tobacco and the distillers and brewers may not complain, for the necessary requirements of collection laws give them a close monopoly; but the farmers, who are compelled to sell to licensed dealers alone, do complain. The tax on whisky may, and I think does, to some extent, restrain the use of the article as a beverage, and in this way does good; but the taxes on tobacco and beer do not. The traditions and policy of our people are against internal taxes. During and since the war they were a necessity. Now, if continued, they should be reduced; especially the tax on tobacco, no longer necessary, should be remitted. Though tobacco is not, like bread and meat, a necessity, yet its use is so general that the tax is a burden to the farmer and the consumer. The special taxes on rectifiers, special dealers, stills, and worms, yielding annually $5,200,000, ought to be repealed and left to be imposed by the States, and the tax on spirits and beer might be modified so that the States could impose taxes on the domestic consumption of these articles, a bounteous source of revenue, and a proper means of relief from the burdens of local taxation. If the object sought was only to avoid the accumulation of surplus revenue, the easy, natural, and logical course is to repeal or largely reduce internal revenue; and I am glad to notice that the Senator from Georgia [Mr. BROWN] has introduced a proposition to that effect.

But the President proposes to continue these taxes without diminution, so that he may strike a more effective blow at the taxes now resting upon foreign productions. It is of taxes or duties on foreign goods he uses the epithets, "vicious, inequitable, and illogical." His Secretary says: "Reduce duties upon every dutiable article to the lowest point possible." It is at the tariff laws that these two officers aim their epithets and arguments, and the surplus revenue is the mere pretext or occasion. It is the protective industrial policy built up by the Republican party that they would break down. Though the President says that the labor engaged in manufactures should be considered as well as the preservation of our manufactures, yet the message, when fairly construed, is a severe indictment of all engaged in manufactures.

The President speaks of taxes "wrung" from the people "for the benefit of our manufacturers quite beyond a reasonable demand," of "organized combinations to maintain their advantage," of taxes fastened "with relentless grasp upon the clothing" of the people, who are abused and irritated. It is a sweeping accusation against the policy of protection, supported by the great mass of his countrymen and recommended by his most illustrious predecessors. It shows that he favors a public policy which will, in the end, leave our manufacturers in every branch of industry, and the laborers employed as well, to the hard, sharp, and grinding competition of the capital and labor of the world.

Let us then examine in detail this alleged scheme of injustice and wrong, under which, it is said, we have suffered for twenty years, and

the effect of the new policy proposed upon the industry and prosperity of our constituents.

During the fiscal year ending June 30, 1887, there was imported from foreign countries for consumption in the United States merchandise to the value of $683,418,981. Of this there was admitted free of duty merchandise of the value of $233,093,659, giving absolute free trade in domestic productions to the 60,000,000 of our people with each other and with all the world, and free trade in over one-third of all the articles of foreign production consumed in this country. These articles are mainly such as can not be produced here by reason of climate; they do not come into competition with domestic industry; and a tax upon them would be simply a burden without any redeeming benefit. With this kind of free trade I am in hearty sympathy, and would extend it to every article of common use, the growth or production of which is not profitable in the United States. If Senators can name any such articles not already on the free-list, they will have my hearty assistance to place them upon the free-list. It is exactly the opposite policy that is proposed by the President and the school to which he belongs. They seek to place taxes upon articles now free, such as tea and coffee, in order that a greater reduction may be made on articles that do come into competition with home industry.

After deducting the free-list, we import goods of the value of $450,000,000 upon which we levy duties. Shall this be by a uniform rate? We say no, but by a careful discrimination and classification of rates, depending upon the nature and quality of the goods, who are to be the consumers, and the effect the rates proposed will have upon domestic industry; we therefore say that articles of voluntary use, of luxury, ornament, or appetite, not in common use among the people, and which are purchased almost exclusively by the wealthy, should bear a higher rate of taxation—the highest rate that experience shows can be collected without excluding them or inducing smuggling. This is founded upon the admitted maxim of political economy, that taxes should be assessed upon those best able to pay.

This class of articles takes a wide range and includes many that compete with our domestic industries, but the foreign articles are preferred to domestic articles because of taste, fashion, or quality, or are supposed to be superior in flavor to the article of domestic growth. This is especially the case with wines, liquors, and cigars. Other articles of foreign production are supposed to be of higher grades of art, beauty, or excellence than the domestic article, such as silks, satins, broadcloths, innumerable articles of dress and ornament, and porcelain, statuary, painting, glassware, and the like. As to all these articles the price is a matter of indifference to the consumer, and the rate of duty is very much like the price fixed by the manufacturer, as much as you can get.

This is the policy of the present tariff laws, and it has operated even better than was hoped. The Chief of the Bureau of Statistics has given us a list of some of these articles in Schedule E, pages 71–73 of his last report, amounting in value to $86,531,039, which yielded a revenue of $42,172,328 during the last fiscal year. This includes diamonds and other precious stones valued at $10,981,192, upon which a duty is levied of 10 per cent., because experience has shown that a higher rate would lead to smuggling and thereby diminish the revenue. It also includes paintings and statuary valued at $1,935,306, at a duty of 30 per cent. Excluding these articles, the rate of duty on other articles of luxury ranges from 50 to 100 per cent.

But Schedule E does not embrace all the articles properly classed as luxuries. The chief of that bureau says: "In the present table many articles of luxury are grouped together in Class D." Then, again, there are numerous articles of cotton, wool, linen, of furniture, of pottery, glass, etc., which are so elaborately manufactured and ornamented as to become more articles of luxury than many articles of silk which are classed as luxuries. These articles being for the most part subject to the same rates of duty as others of plainer and less elaborate manufacture, and being classed in the import statement with them as furniture, cotton manufactures, glassware, etc., the richer and more luxurious articles can not be distinguished from the necessities, and therefore must be included under Class D.

Taking from the other schedules of imported goods a great variety of expensive fabrics, including expensive clothing, porcelain, and other articles of luxury, and adding their value to Schedule E, it will appear that the value of such articles is not less than $120,000,000 and the duties collected on them not less than $60,000,000, or nearly one-third of all duties collected. It certainly can not be said of these duties, in the language of the President, "that they impose a burden upon those who consume domestic products as well as those who consume imported articles, and thus create a tax upon all our people." On the contrary, these duties have imposed the chief burdens of taxation upon articles of voluntary luxury, and still have incited our own artists and mechanics to compete in these branches of industry with the most skilled artisans of Europe and Asia. In this way we have made the most remarkable progress in these expensive productions, and have brought within the means of great masses of our people porcelain, table ware, ornaments, clothing, decorated and enameled furniture, and a multitude of other articles of taste and luxury, the work of American mechanics. To reduce the duty on these foreign luxuries is but to transfer the burden of taxation from those who willingly bear it to the shoulders of the people.

The next class of duties to which I call your attention is on articles of food and animals. Of these the value imported during the last fiscal year was $112,273,076, paying a duty of $67,998,334, but of this sum the articles of sugar, fruit, and rice, valued at $90,898,000, paid a duty of $63,190,000, or more than nine-tenths of all the taxes levied on food and animals. These are articles which enter into the consumption of every family and every inhabitant of the United States. Now, if the object is to reduce surplus revenue, what better mode could be suggested than to repeal one-half of the duty on sugar, and thus directly relieve the people from $28,250,000 of taxes on an article in most general use by the people of the United States and bearing a tax of 82 per cent. No such suggestion is made by either the President or the Secretary, nor do I care to explore the reasons for their silence.

I believe in protecting all home industries, without respect to section, to the place or manner of production, whether on the farm or in the workshop; but if protection is not the object of the law, and surplus revenue is the great evil to be dealt with, why not give relief to our people by a reduction of the tax on sugar? The effort to produce sugar in this country in quantities at all approaching the demand has failed, though protected by rates among the highest imposed by our tariff laws. Still, in view of the hopeful prospects of producing sugar from beets and sorghum-cane, as well as from sugar-cane, I would not cripple this industry by reducing protective duties except by giving the producers of domestic sugar a bounty equal to the reduction of duty on the imported article.

But it is not the duties on food of which the President complains as "the vicious, inequitable, and illogical source of taxation." The duties of which he complains are those for "the benefit of our manufactures," and especially he urges "a radical reduction of the duties imposed upon raw materials used in manufactures, or its free importation." As I have already said, the great body of crude articles imported that enter into the processes of domestic industry, to the value of $106,389,032, are now free of duty. Every imported article of this class is now free of duty, unless it directly competes with the development of our national resources. The duties of which the President specially complains are such as are levied on "raw materials used in manufactures" that compete with textile materials raised on the farm and metallic ores dug from the mines. Duties averaging 32 per cent. are levied upon imported articles of this kind, valued at $59,542,660, which now yield a revenue of $19,567,903. The chief of these are agricultural productions, namely, wool, flax, hemp, and other textile grasses, hops, bristles, and seeds, valued at $35,000,000, and yielding a revenue of $10,000,000, or less than 30 per cent. duty. The remainder are chiefly metals in ore or pigs, coal, and marble, of the value of $22,490,108, yielding $9,270,526. These imports come into direct competition with the productions of near two million American farmers and hundreds of thousands of laboring men engaged in mines and furnaces in developing almost untold natural resources buried in the earth in nearly every State and Territory of the United States.

This moderate protection given to the labor and capital employed in mining and agricultural industries is the favorite point of assault by the President, and all free-traders, upon the protective policy. It is the citadel of the system. The whole depends upon the principle that it is wise to give by our tariff laws to all forms of American labor the protection or advantage which the imposition of duties on similar foreign production necessarily gives. This has been the rule since the beginning of our Government, recommended by every President of the United States from Washington to Polk. The same rule has been applied for the benefit of the farmer, the miner, and the furnace owner, as for the manufacturer. When it shall be established that labor on the farm, in the mine, and in the furnace shall not be protected as well as that in the workshop, the whole system will fall, and properly so.

The principle of protection demands equality of benefit and of burdens. The object is protection to labor, not to capital. The labor of the miner who digs the ore from the earth, and the furnaceman who molds his metal into pigs, and the farmer who raises wool, is entitled to the same degree of protection, to the extent of the labor employed by them in the production of pig-iron, iron ore, and wool, as the manufacturer who advances the iron into machinery, or the wool into cloth. The principle of protection applies to all American labor alike, and every hour of labor contributed in the whole process of the production of the highest work of art is entitled to equal consideration in framing protective duties. No reason can be given why wool should be made free, and woolen goods be protected. If we must have cheap wool, we must have cheap woolens, and if the labor of the farmer in producing the wool is not protected against undue competition with Australia or Buenos Ayres, then he who makes cloth of wool should not be protected against competition with the looms of Manchester or Leeds. If we have low duties on iron ore, we must have low duties on iron and steel in all its forms. The farmer in producing his crops performs as valuable labor as the artisan in the workshop, and the rights of every producer should have equal and just consideration without fear or favor.

And yet the President selects this class of productions under the name

of "raw materials" for destruction, and specially selects wool as an article not to be protected, and recommends that "the removal or reduction of this duty should be included in the revision of our tariff laws." His whole argument rests upon the allegation that the price of wool is increased to the extent of the duty; that but for the duty the merchant could buy his wool cheaper in South America or Australia. This argument is shown to be fallacious, for the destruction of this industry in the United States would at once advance the price of wool in foreign markets. But suppose it to be true; does not this argument apply as well to all domestic productions and to all manufactures? Wool is the completed article of the farmer as the cloth is of the manufacturer and the coat is of the tailor.

The objection that the duty on wool will raise the price to the consumer, if true, applies as well to the duty on cloth and on every article on the tariff list. The all-sufficient answer is that the duty encourages the production of wool, the manufacture of cloth and of the infinite variety of articles produced or made by American labor competing with foreign labor. This diversity of production inures to the benefit of all classes of our people alike, and is the secret of the enormous growth, power, and wealth of the Republic.

When the President suggests the reduction of this duty as a means of reducing surplus revenue, he seems to be ignorant of the result produced by the tariff of 1883. When that act took effect, we had in the United States 50,360,243 sheep, yielding 262,000,000 pounds of wool. We have now 44,759,314 sheep, yielding 228,300,000 pounds of wool. Did this measure reduce the revenue from wool? Let us see. In 1883 we imported wool to the value of $8,915,149 and collected duty to the amount of $3,206,201. In the last fiscal year we imported wool to the value of $18,206,988, and collected as duty $6,390,055, thus more than doubling importations and nearly doubling the duties collected. Is this the way to reduce the surplus revenue? The President seems to think so; but the junior Senator from Kentucky [Mr. BLACKBURN] has found out the secret. According to a statement I have seen reported in the papers, he is satisfied that a reduction of duty would increase the revenue. He is so quoted in the papers. Whether the statement is true or not, I do not know, but he at least is a little wiser than the President.

But suppose we remove the duty on wool entirely, as the President recommends, we shall get rid of six millions revenue, but shall destroy one of the most important industries of the country. When, after opposing all I could the unwise reduction of the duty on wool in 1883, I, with great reluctance, voted for the tariff bill of that year, because its other provisions would reduce the surplus revenue. I was assailed by the Democratic Legislature of Ohio, and by every Democratic paper in that State, for voting for a bill that reduced the duty on wool; and now a Democratic President recommends its entire abolition! If a reduction of 20 per cent. of duty slaughtered 5,600,000 sheep, what will be the effect of the entire repeal of the duty?

But the President says millions of farmers who do not raise wool get no benefit from the duty on wool, and he indulges in faulty figures and computations as to whether the duty on wool is as much as the increased cost of clothing to the wool-grower. This is beneath the dignity of the policy involved. The question is whether the industry of wool-growing is of benefit to our country, and whether a duty on wool tends to develop that industry, or its repeal to destroy it.

By the same logic the man without children should oppose the school tax, the peace-loving Quaker should oppose all expenditures for the Army and Navy, the citizen of Kentucky for coast defenses, the people of New England for the improvement of the Mississippi River. The whole theory of the President is the outgrowth of the narrowest sectionalism, or rather, of the philosophy of selfishness, which sees no advantage in great objects of national desire, but only what is within the reach of his tub.

But it has been said that if the duty is repealed, the farmer will still go on and raise sheep for the food they yield. I deny it. The great body of sheep raised in the United States is for wool. This is especially so in Texas and California. The act of 1867 gave an enormous impetus to this industry. Former acts had almost destroyed it. The act of 1883 greatly injured it; and now the President, ignorant or heedless of this history, would slaughter millions of sheep upon the pretext of reducing revenue.

The same argument would apply to the duty on every one of the articles I have named—miscalled "raw materials." When I consider the enormous development of our mineral resources under our protective policy, the 10,000,000 tons of ore that choke the avenues of commerce, give employment to our vast system of railroads, build up cities like magic—when I recall the furnaces I have seen which light the heavens from Birmingham to Portland, the new and wonderful mines away off on the granite ridges of Lake Superior, the vast developments in the great Northwest from Minnesota to Washington Territory, the new industries in raw materials springing up in almost every State and Territory of the Union, the clay of the potter, the sand of the glass-maker, it seems to me almost an act of madness to disturb this growing prosperity. These raw materials are the foundation of all our industries.

All this is under the pretext that the surplus revenue must be diminished. Does not experience show that reducing the duties increases importation and adds to the revenue? And does not every man see that to repeal the duties outright is to place our farmers, our miners, our furnacemen, our railroads, and the multitude of people that live by these new developments, under such degrading competition as will cripple and destroy their industries? The pampas of South America may furnish you wool, the helots of Africa, Spain, and Cuba may give a few manufacturers iron ore and pig-iron a little cheaper; but the result will be to cripple the employment of greater masses of your countrymen, to impair their ability to purchase from you, and in the end to break down your whole industrial system.

It has always seemed to me that the most narrow and selfish notion advanced in respect to our tariff laws (to which the President now lends his name) is that made in behalf of advanced industries now supported by duties greater than those on raw materials; that they must be allowed to purchase their raw materials in the cheapest markets of the world; that we must leave undeveloped the mineral treasures planted by the Almighty in every State and Territory, in order that they may have cheap raw materials. Sir, I regard the home production of raw materials as even of more importance than manufactures. All of it is labor better distributed than any other, and gives larger employment to trade and transportation.

The enormous increase of such raw materials is shown by the contrast of the production of a few articles in 1860 and 1886. In 1860 the mines of iron ore yielded 908,300 tons. In 1886 the yield was 10,000,000 tons. The yield of pig-iron in 1860, largely from foreign ores, was 987,559 tons; in 1886, 5,683,329 tons. The yield of copper in 1860 was 7,200 tons; in 1886, 69,971 tons. There are still imported into the United States iron ores, pigs, scrap, and iron and steel in ingots, all called raw material, valued at $17,875,427, which pay duty of $7,801,699. If all of these raw materials were placed on the free-list you would reduce the revenue $7,800,000 and close the most useful industries on the continent. Iron ore and pig-iron free of duty would close every furnace where labor costs more than 50 cents a day, and, worse than all, it would make unprofitable the mining of 10,000,000 tons of iron ore and of as many tons of coal. The transportation of all this raw material would be lost to your railroads and internal waterways, and be given to the hulks, barges, and vessels of every nation but our own. If you reduce the rates, you increase importations, revenues, and surplus, and cripple home industries. If you repeal duties you destroy industries.

There is but one rule that must be applied to all industries impartially, and that is to give to all forms of American labor, which have to compete with foreign labor, that fair and reasonable advantage and protection which will give the American producer the home market for home products. If by reason of climate or other cause we can not compete with foreign countries, then let the trade be as free as air, unless a duty is demanded for purposes of revenue. We should invite competition by foreign labor, but not degradation to the European standard of wages of living.

Let us now turn from raw materials to manufactures. The imports not on the free-list, or classed by me as luxuries or raw materials, are articles partially manufactured for use as materials for manufacture, and manufactured articles ready for consumption, of the value of $218,052,246, which pay as duties $84,034,090. These importations come into direct competition with domestic manufactures mainly built up by the encouragement of our tariff laws. They include all articles made of metals further advanced than metal in pigs or ingots, all articles made of wool, flax, or cotton, all completed articles of every kind, except food, that enter into the consumption and use of civilized man. Scarce any of these industries existed in the United States when the Constitution was framed. Since then they have flourished or foundered according to the changing rates of our revenue laws.

It was these that Washington, Jefferson, Jackson, and Clay recommended should be fostered, encouraged, and protected. The Senator from Indiana [Mr. VOORHEES] in a speech made here a few years since quoted these and many great statesmen in support of this policy; but it was not fully established until our civil war made higher rates and a more perfect classification necessary. Since then our tariff laws have been mainly framed and passed after the most careful consideration, founded upon the same principle, that while levying duties we should protect, foster, and diversify home industries with rates varying from time to time according to the needs of the Government and the growth and development of domestic manufactures. A careful revision of these was made by the Tariff Commission of 1882, which was not improved by the changes made in Congress. It was in the main enacted without party or sectional division and is now the law. All branches of domestic industry have become adapted to these rates except where, as in the case of worsted goods, forced and faulty constructions by revenue agents have defeated the meaning of the law. It is this system that is denounced by the President as "vicious, inequitable, and illogical."

If the objection made by him was only that it now produced too much revenue, I would then discuss with him the best mode of reducing revenue, whether by reducing internal taxes, or by adding to the free-list articles which can not be produced here, or by increasing rates on goods now in successful progress of manufacture or production, so as to discourage importation and invite home competition. If the only object

is to diminish revenue. this is the plain, direct, logical, and effective mode, and I believe as to some industries it ought to be adopted. Even a fair enforcement of the law as it stands, with proper legislative provisions to prevent and punish undervaluations, with some tribunal willing to construe the laws so as to carry out their plain meaning, would reduce importations and revenue.

But that is not what the President wants. His denunciation is aimed at the principles of protection to American industries by tariff laws. He assumes, to use his own language, that "it is a scheme which permits a tax to be laid on every consumer in the land for the benefit of our manufacturers." He especially designates the farmers who are not wool-growers, the mechanics engaged in trades not protected, and the body of our people who are consumers as the victims of this policy. He says only "2,623,089 persons employed in manufacturing industries are claimed to be benefited by a high tariff." This statement of the President that only 2,623,089 persons "are claimed to be benefited by a high tariff" is a remarkable one, when the claim is universally made by those who believe in the policy of protection that all classes of citizens as well as those employed in domestic manufactures are deeply interested in this policy. But even if the statement is applied only to employés, it is misleading. Adding the number dependent upon their labor for a livelihood, and considering the enormous development of our domestic industries since that time, it is safe to say that one-fourth of our entire population is now directly interested in and supported by these industries. Add to these more than two million of farmers, with their families, engaged in producing wool, sugar, flax, hemp, rice, barley, and many other agricultural products protected by the tariff laws, and you will have some conception of the reach and extent of the legislation proposed by the President. Indeed, all the industrial classes of our population, all who are dependent in any way upon their labor and skill for a livelihood, all except those fortunate few whose fixed salaries or income make them independent of if not indifferent to the prosperity of their less fortunate neighbors, and those who are engaged in foreign commerce, are directly interested in the policy of protection.

But this is not all. Every inhabitant in favor of good government and the prosperity of this country is interested in the development, growth, and diversity of manufactures. This is an object of as vital importance as protection by army or navy, as education, peace, or property. It was the leading, controlling cause of the adoption of the Federal Constitution, and was the first object sought for by law when the Government was founded.

Sir, the farmers and mechanics of this country have long since learned to look beyond the narrow view of their interest taken by the President. They look at it from a higher plane. The farmer is protected by moderate tariff rates on everything produced by him which comes in competition with foreign labor. He, more than any other, receives the benefit of the home market furnished him by the diversified labor and employment of manufacturing industries, a home market that consumes 90 per cent. of all the surplus productions of the farm. The carpenter and the blacksmith know full well that every laborer employed in manufactures is withdrawn from competition with them and adds to their means of employment and to their wages. He needs no protection, for his work can not be performed by laborers in foreign lands. It is fixed by the home demand, and is therefore higher in price than in any other country in the world and higher than labor in factories.

The benefits of protection permeate through the whole community and extend to the remotest part of the country, but are most apparent in the immediate neighborhood of manufacturing industries. They are like the air around us, a part of the life we live, though we can not tell whence it comes. The general prosperity is measured by the increasing diversity and extent of our production, both of the farm and of the workshop. The lines between productions which formerly, by reason of the presence of slaves, were largely sectional are now broken down, and the most prospering and hopeful industries are to be found where slavery existed, and the labor of these once slaves, now free, is the means of the most rapid development of the mineral resources in our country.

The President assumes that the duty on imported articles is added to the price of similar articles of home production. He says:

> Millions of our people who never use and never saw any foreign products purchase and use things of the same kind made in this country and pay therefor nearly or quite the same enhanced price which the duty adds to the imported articles.

This can only be true when the article is not made in this country to any considerable degree. In the absence of domestic competition the importer fixes his own price and adds the duty and expenses to the cost in the place of manufacture. But at the first sign of American competition the importer reduces the price of his article and sells it often in a stagnant market at far less than the original cost and duty. Indeed, as a rule imported goods competing with American goods are sold in our market cheaper than in the European market, duties added. In this respect the English manufacturers adopt the old rule of our railroads as to the long haul and the short haul. They charge the home consumer short-haul rates as much as possible, and sell at long-haul rates in the American market, at the lowest living price, so as to drive out American competition. This accomplished, the price is advanced. This has been testified to by many merchants dealing in all kinds not only of American products but of foreign productions.

But, fortunately, in the great body of articles formerly imported the American manufacturer is well established, and under domestic competition the price of standard articles is reduced to approaching European rates, and in some articles we do now compete with them in the markets of the world. This process is now going on.

This is especially so with cottons and woolens and iron and steel manufactures and implements of trade and husbandry. The price of these is not affected by foreign productions, but only by home competition. Of the vast aggregate of manufactures in the United States, valued by the census of 1880 at $5,369,579,191, and now estimated at $7,000,000,000, it is believed about one-third are articles described in the tariff lists, and which come more or less in competition with imported goods. The market value of fully three-fourths of these is fixed by home competition at far less prices than the imported article can be sold for in our market.

Home competition, whenever it gets a foothold, reduces prices and lessens importations. The most remarkable example of this is in the production of glass and glassware, pottery and china-ware, which, under the present tariff, have become established industries, consuming a vast quantity of sand and clay found in great quantities and good quality in many States, and are now competing with European articles, and have greatly reduced the price.

Mr. Dudley, lately United States consul at Liverpool, says:

> An examination will show that there is not a single manufactured commodity, so far as I know, that is not cheaper to-day in the United States under our protective system than it was in 1860 under free trade and before the present protective tariff went into operation.

Again he says:

> Upon investigation it will be found that nine-tenths of the manufactured commodities used by the farmers of our country, including clothing, household goods, furniture, implements of husbandry, tools, etc., are as cheap in this country as they are in England, and in some instances even cheaper.

That statement is borne out by the actual returns from our consuls. Still the fact that large importations are now made of manufactures of iron, steel, cotton, wool, wood, leather, china, and glass ware is evidence that the duty on certain grades of these goods is not beyond the revenue standard. These are mainly those of highest cost, classed as luxuries, consumed only by the wealthy, while in the common grades of all branches of these manufactures the domestic article has driven the imported article from the market. This growth of home manufactures has been so marked and rapid that if the present system is maintained our home industries can and will compete with European production of all articles essential to human life and comfort.

The President states that under our present laws more than four thousand articles are subject to duty. This is a gross but common exaggeration. To show this I will attach to my remarks a list of all articles imported.

But I agree with him that if upon careful examination it shall appear that any duty on any articles can be dispensed with without detriment to American industry, it should be done. If any article now paying taxes can not be manufactured here, it should be placed on the free-list. But the fact that a multitude of articles on the tariff list yield little or no revenue is proof conclusive that the domestic product supplies the demand. In that case to place them upon the free-list might and perhaps would destroy an established home industry, induce importations, and increase the revenue. To even reduce the duty on minor articles so as to invite importations would increase the revenue and add to the surplus. A well-established home industry might in this way be overthrown by importations for that purpose, and then the price of the foreign article would advance and the revenue increase. Therefore stability of rates can do no harm, and may do much good.

But the President says that "as the volume and diversity of our national activities increase new recruits are added to those who desire a continuation of the advantages which they conceive the present system of tariff taxation directly affords them." A strange declaration, for the immediate effect of "new recruits" is to induce competition and lower prices. We see that in every branch of industry open to competition. But he says of these industries that "there exists a suspicion of an organized combination all along the line to maintain their advantage." This is impossible in nearly all the great branches of manufactures. The only striking examples of "organized combination" are by the distillers of whisky, the refiners of sugar, the cotton-seed-oil trust, and the Standard Oil Company, and as to these the President is silent.

He again makes reference to this subject in this language:

> But it is notorious that this competition is too often strangled by combinations quite prevalent at this time, and frequently called trusts, which have for their object the regulation of the supply and price of commodities made and sold by members of the combination.

When such combinations to prevent a reduction of price by fair competition exist, I agree that they may and ought to be met by a reduction of duty. I hope the President will be able to specify them. I know of none such. Combinations are often made by laborers to secure an advance of wages or by employers to reduce wages. If the President is able to aid us to find a remedy for these disputes about the division

of the products of industry, I will give him credit as a public benefactor; but the remedy he proposes strikes alike at the laborer and employer. He invokes the poorly-paid labor of Europe to compete on equal terms with the American laborer and capitalist alike. The capitalist may survive it, but the laborer is necessarily brought to the wages and living and condition of the European laborer.

The object of our tariff laws is to encourage our manufacturers in their competition with their foreign rivals as well as to secure revenue. Therefore these laws should be as permanent as possible, consistent with the needs of the Government. Our citizens are encouraged to invest their money in expensive machinery and buildings to make articles that otherwise we must import. We give them no special privilege, no monopoly. All the world may in our own country enter into competition with them. The President, however, seems to think they are public enemies. He says if by fair competition they should reduce the price of the foreign articles, then, to use his language, "it is entirely evident that one thing has been discovered which should be carefully scrutinized in an effort to reduce taxation." I deny it. The condition of facts stated by him would invite competition at home, which would reduce the price more and more. This healthy process should be encouraged. To chase the successful manufacturer by a change of duties is to legislate for the foreigner against our own citizens.

And this brings me to the most important benefit conferred by our tariff laws; that the result is not only to diversify our industries but to secure to laborers employed in manufactories higher wages and better surroundings and advantages than are enjoyed by laboring men in similar employment anywhere in the world. The President does not overlook this, for he says:

> It is also said that the increase in the price of domestic manufactures resulting from the present tariff is necessary in order that higher wages may be paid to our workingmen employed in manufactories than are paid for what is called the pauper labor of Europe.

He says he acknowledges the force of this argument, that our labor is honorable, that it should not be measured by that of any country less favored. This is all very true, but is inconsistent with the rest of his message. He says of such workingmen, they are only one-seventh of our laboring population, that these, too, have their own wants and their families to supply, that the articles made here can be bought so much cheaper abroad, and we must consider that the tax falls upon all alike; but he says he will think of the workingman when he lowers the duty, and hopes the manufacturer will not reduce his pay. This is very much like the speech he makes to many an eager applicant for office whom he can not appoint. He consoles the workingman very much as he does the wool-grower, that, after all, he must buy his clothing, and he could buy cheaper if he would work at less wages and make his cloth out of Australian wool duty free. He closes his consolation to the workingman with this benediction:

> He receives at the desk of his employer his wages, and perhaps before he reaches his home is obliged, in a purchase for family use of an article which embraces his own labor, to return in the payment of the increase in price which the tariff permits, the hard-earned compensation of many days of toil.

The workingman is no doubt overwhelmed with this logic; but he might answer, "I am, it is true, only one to seven employed in other labor, but their wages do not compete with pauper labor. They are fixed at American rates, in competition with other Americans in the same trade, with American ideas and wants. I went into the factory here to compete with Europeans in establishing a new industry under a law which gave an advantage or protection to home industry. I thought it was right and patriotic. I have received fair wages, have learned the business and am content with it, and have saved a little, but not much. A benevolent and beneficent President thinks this is all wrong, that I must compete with the pauper labor of Europe and work as cheaply, that otherwise I am robbing all the rest of the laboring people of this country; so I must either go back to the farm or take such wages and living as have driven every year a half million of people from Europe to our shores."

The treatment of this question by the President, as it affects the workingman, is a delusion and a snare. He assumes that the cost of living, especially of food and clothing, is higher here than in Europe. This is not true. Food of every kind, except sugar, is cheaper here than in any market in Europe. This is shown by prices current and is proved by the vast export of provisions from the United States to every commercial port in Europe. Clothing worn by workingmen, including blankets, is sold here at prices as low as in London or Liverpool. It is only on the expensive grades of cloth and clothing that the cost in England and Belgium is less than in the United States. The quality and quantity of food of laboring men are confessedly better and greater here than in Europe. The rate of wages is from 50 to 100 per cent. higher here than in any country in Europe, and in some industries much higher. The President does not dispute this, but appeals to the manufacturer, who has been represented as a robber, a conspirator, and extortioner, not to reduce the wages of the workingman, but to pay him out of "surplus profits"—profits very often found on the wrong side of the ledger—profits yielding on the average less than legal interest on money.

What workingman does not feel that this is sheer mockery, and that the inevitable result is to reduce his wages by inviting a close competition with pauper labor? He must share the fate of his employer and divide with him the loss. The all-sufficient answer to the President is that the American laborer does not travel eastward across the ocean to better his condition, but the European laborer comes to America, where labor is respected, and the laborer is better fed, paid, and clothed than in any part of Europe or Asia. Whether this shall continue to be true depends upon the action of Congress in supporting or repealing this protective policy.

Sir, the question before us is one purely of wages. If wages in the United States were no greater than in England, France, and Belgium, our chief competitors, we could, no doubt, now compete with all the world in all metallic and textile fabrics. Is it wise in this country to pursue a policy that will compel the reduction of wages of laboring men employed in manufactures to the standard now general in European countries? We know from documents furnished by our consuls the rate of wages there.

The Senator from Maine [Mr. FRYE], in a recent speech made in Boston, gives in detail the most striking information gained by him from personal observation and inquiry in the workshops of several countries of Europe as to the low, starving rates of wages, and the degradation of labor existing there. God forbid that such injustice and wrong shall ever exist here. Our free institutions could not survive such scenes. Manufactories conducted upon such a basis would be an unmitigated curse. Cheapness purchased at such a price would be a crime. And yet without protective duties we must either abandon our manufactures or reduce wages to the European standard. What more evidence do we need than the hundreds of thousands of people who come to us annually from European countries, bearing the most indisputable testimony to their poverty, their sufferings, and their distress?

The Republican party, inheriting, as they think, the principles of their ancestors, have declared that it is the duty of the National Government, not only to levy enough duties on imported merchandise to support the Government, but that, in doing so, they should so levy these duties as to secure to laboring men employed in manufactures, so far as they can, such wages as will not only furnish them a comfortable living, but will properly support, maintain, and educate wife and children. Cheap labor in this country means the degradation of American politics. The great body of our voting population must labor on the farm, in the mine, or in the workshop, and if without the means of livelihood and opportunities of education, they are not prepared to perform the highest duties of citizens.

Sir, I believe that the advice of the President, to largely reduce the duties on goods coming into competition with our manufactures, will, if sanctioned by Congress, have the effect to produce widespread disaster in every part of our country. Many prosperous industries will be destroyed; others will be crippled. Laboring men will be thrown out of employment, or their wages reduced. It will be no compensation for this distress that a few imported articles will for a time be cheaper in our market, for if there is less to pay there will be fewer to buy. The farmer will have no better market abroad for his products, but will have fewer customers and more competitors at home. Distress can not fall upon a large portion of our people without its widening circles extending to the whole mass. Our national experience, and my own observation during my public life, prove that when protective duties have been reduced the results produced disappoint the authors of that policy, ending in financial distress, and often in panics. This is no time for such an experiment. The signs of unrest in Europe, the vast armaments, the misery of the laboring poor, all warn us to stand by our American policy of home development, of protected industry, and internal improvements. I wish in advance to take my stand against any substantial disturbance of this beneficent policy.

Sir, I have endeavored to give a respectful answer to the message of the President. I am willing, according to the Republican national platform of 1884, to "correct the irregularities of the tariff and reduce the surplus, not by the vicious and indiscriminating process of horizontal reduction, but by such methods as will relieve the tax-payer, without injuring the laborer or the great productive interests of the country." It is upon this basis that Republican reductions of taxation have always been made.

I am willing, as requested by the President, to join in a careful examination of the details of our tariff laws, with a view to the reduction of taxes to the extent stated by him, but not in the manner recommended by him. I am willing, as he enjoins us, to take "a broad and national contemplation of the subject, and a patriotic disregard of such local and selfish claims as are unreasonable and reckless of the welfare of the entire country." But I can not do this and at the same time follow the recommendations of the message. I can not strike at the industrial interests built up by our tariff laws. I can not deepen and intensify the struggle now going on between employers and employed by inviting increased importation, crippling manufactures, and reducing the wages of labor. I greatly prefer a policy that will encourage home industry, diversify home productions, discourage importations, add to our internal and external commerce, open new mines, increase raw materials, light new furnaces, establish new rolling-mills, factories, and workshops, and develop the wonderful natural resources which have been placed by a bountiful Providence under our soil.

I prefer that policy which looks to the interest of our own people rather than to those of foreign nations. I prefer the policy of reducing prices by home competition rather than by foreign competition, of

cheapening raw materials, by increased production, and the improvement of our rivers and harbors, and the competition of our railroads. In other words, I prefer the development, increase, and growth of the productions and employment of our own countrymen, by the aid of our revenue laws, without respect to the policy, or theories, or interests of other nations.

Whatever may be said in favor of free trade among all nations, I believe that, as a new and undeveloped country, our interests are at home, with no entangling alliances, with no powerful enemies on our borders, with no need of great armies or navies, with a Government strong in the strength, numbers, and intelligence of its people, and capable of supplying within themselves all the wants of the highest civilization. Whatever may be said of other nations, protection to home industries, embodied in our tariff laws, is the best for us; and for one I propose to maintain it, even against the advice of the President.

I prefer to obey the injunction of Washington, Jefferson, Jackson, and Lincoln, and such illustrious statesmen as Clay and Webster. I greatly prefer the eloquent appeal of Calhoun in 1816, before sectional animosities clouded his patriotism, in favor of the protection and importance of manufactures to the "national strength and perfection of our political institutions," and in "binding more closely our widespread Republic."

The wisdom of protection to domestic manufactures has been demonstrated by the lights of experience during and since the war.

It has produced the most bounteous stream of revenue, enabling us to meet all the vast expenditures of the war, to sustain and improve our public credit, and to rapidly reduce the public debt without severity or distress.

It has so increased and diversified our domestic manufactures that they have grown to the enormous sum of seven thousand million dollars, including every article of necessity or desire, and yet in every stage of its growth has reduced the cost to the consumer more and more.

In spite of false prophecies it has increased our foreign commerce so that our exports and imports combined, including specie, amounted to the sum of $1,504,000,000 during the last fiscal year, greater far than during any year of lower duties, and double that of our foreign commerce prior to 1860.

This American policy of protection has been adopted and followed by all European nations except Great Britain, and has been approved and copied by the ablest statesmen of Europe, including Bismarck and Cavour. It has even been adopted and copied by all the dependencies of Great Britain. Our neighbor, Canada, when armed by the parent Government with autonomy and power to make laws for itself, has adopted our policy in nearly all its details, has almost copied our tariff laws, and in some of the schedules, especially that of metals, has literally adopted our rates. Australia and all the dependencies of Great Britain armed with self-government are closely following our line of policy, and thus have grown rapidly in strength and population. It is the desire of the people of Ireland to gain the consent of Great Britain that she may, by home rule, protect her industries and thus restore her waste places and recover her wandering population.

Great Britain alone pursues the policy of free trade, only because by centuries of protection she has so established her manufactures that she can compete with all the nations of the world. She is purely a commercial nation, with her ships on every shore, with her hand of power grasping possessions and markets for her surplus manufactures in every part of the habitable globe. But even in England there is a growing party demanding restriction upon the importation of the products of Germany, France, and Belgium. When in some distant future this Republic may have so established our industries we may profit by her example. Until then I prefer to follow the lights of our experience, not to be deluded by the sophisms of free trade, but to preserve our home market for domestic productions, looking forward to the time when competition at home may open the markets of the world to our manufacturers. Even now we can, if we will, by wise commercial regulations with Canada and Mexico and the South American states, extend the market for our home manufactures over vast regions, exchanging tools and implements, cotton goods, and furniture for sugar and coffee and other tropical productions in the south, and lumber, timber, and furs in the north.

Senators, we do not appreciate as we ought the commanding position now held by the United States among the nations of the world. We do not need to learn lessons of political economy from the mother country, for the experience of one hundred years has taught us that our continental position, our vast undeveloped resources, our diversified soil, climate, and productions, our free institutions, founded upon the equality and rights of citizens, bound together by the same language, religion, and laws, demand a line of public policy which less-favored nations, watching each other and jealously curbed by "the balance of power," are not free to adopt. Our ancestors won independence from these thralls. Our fathers won the freedom of the ocean and proclaimed the doctrine of continental exemption from European aggressions. We in our day have tested the strength of our Union. We have abolished slavery. We have established the principles upon which our currency and public faith are founded so as to command the respect and approval of the civilized world. We are now united in bonds of growing strength and I trust in perpetual union. We have built up our industries by a policy founded upon the highest patriotism. Its success is marked by the general wealth and prosperity of our people. While taxing them it seeks to benefit, and it extends its benefits impartially to every industry and to every section. It gives employment to the laborer in every field. It concentrates in our own land and among our own people agriculture, commerce, and manufactures, making each support the others and all contributing to the wealth and grandeur of the Republic. These great departments of industry are not now divided by sectional lines, but are interwoven like the veins, arteries, and muscles of the human body. They are being established North, South, East, and West, in every State of the Union. The great Northwest, with its boundless resources, is contributing every variety of productions to the common wealth.

What we want now is the cultivation of the sentiment of patriotism, an intense love of country, a feeling of national pride. It should be taught in infancy, after the first lisping of "father" and "mother." The school-boy should study the lesson of our wonderful history, achievements, and progress in every stage of his education. The city editor should read a river and harbor bill to learn how many places there are in this country not seen from his eyrie in the high tower. Every American, whether native or naturalized, ought to feel that this is his country, to which he owes allegiance, duty, and pride. The President, any President, in his elevated seclusion, approached only by flatterers and office-seekers, should regard the interests and honor of his country, its development and prosperity, and the employment and happiness of his countrymen as higher far than the interest of foreigners or the cheapness of their products.

It is to the Senate only I have a right to appeal. It was designed by the framers of the Constitution as a conservative check upon changes of law which would injuriously affect the persons and property of American citizens. The best we can do for mankind is to do the best for our country. We give to foreign nations the light of our example, but our duty is to our own. What higher duty can there be than to be watchful of the interests and to protect, foster, and diversify the industries of our own people?

Our country's welfare is our first concern,
And who promotes that best, best proves his duty.

Tables quoted by Mr. SHERMAN:

*Imported raw materials of the farm.*

| 1887. | Value. | Duties. |
|---|---|---|
| Wool | $18,206,988 | $6,390,055 |
| Seeds | 846,581 | 172,438 |
| Flax, hemp, and jute | 11,880,121 | 1,930,340 |
| Bristles | 1,156,435 | 174,424 |
| | 32,090,125 | 8,667,290 |
| Hops | 3,117,663 | 1,329,500 |
| Total | 35,207,788 | 9,996,796 |

*Imported raw materials of the mine.*

| | | |
|---|---|---|
| Coal and coke | $2,811,158 | $683,728 |
| Copper | 209,005 | 103,735 |
| Iron and steel ores in pigs | 17,878,429 | 7,801,699 |
| Lead | 345,313 | 235,878 |
| Other metals | 503,611 | 92,156 |
| Marble | 494,219 | 235,595 |
| Zinc, pigs and ore | 251,373 | 117,735 |
| Total | 22,490,108 | 9,270,526 |

*Classification of imports.*

| | | |
|---|---|---|
| Free-list | $233,093,630 | |
| Articles of luxury, etc | 120,000,000 | $60,000,000 |
| Articles of food | 112,273,076 | 67,998,334 |
| Manufactures | 218,052,246 | 84,034,090 |
| Total | 683,418,981 | 212,032,424 |

FREE-LIST.

*Statement showing the value of imported merchandise entered for consumption for year ending June 30, 1887.*

| Articles. | Value. |
|---|---|
| CLASS A.—ARTICLES OF FOOD, AND ANIMALS. | |
| Animals, not elsewhere specified | $3,136,082 |
| Bologna sausages | 49,828 |
| Cocoa or cacao, crude, and leaves and shells of | 1,670,008 |
| Coffee | 56,360,701 |
| Curry and curry powder | 4,311 |
| Eggs | 1,960,465 |
| Farinaceous substances, and preparations of | 721,984 |
| Fish, not elsewhere specified | 1,098,562 |
| Fruit, including nuts, not elsewhere specified | 4,767,629 |
| Oil-cake | 58,512 |
| Sauerkraut | 9,311 |
| Spices, unground, not elsewhere specified | 3,315,965 |
| Tea | 16,373,423 |
| Yams | 3,004 |

FREE-LIST—continued.

*Statement showing the value of imported merchandise entered for consumption for year ending June 30, 1887—Continued.*

| Articles. | Value. |
|---|---|
| CLASS A.—ARTICLES OF FOOD, AND ANIMALS—Continued. | |
| Articles imported free of duty under reciprocity treaty with Hawaiian Islands: | |
| Rice | $383,985 |
| Molasses | 14,712 |
| Sugar | 9,255,351 |
| Fruits, including nuts | ..... |
| Tallow | ..... |
| Total from Hawaiian Islands | 9,654,048 |
| Total free of duty of Class A | 99,183,773 |
| CLASS B.—ARTICLES IN A CRUDE CONDITION WHICH ENTER INTO THE PROCESSES OF DOMESTIC INDUSTRY. | |
| Aluminium | 9,458 |
| Asbestos, unmanufactured | 118,883 |
| Asphaltum or bitumen, crude | 99,055 |
| Bells and bell-metal, fit only to be remanufactured | 1,129 |
| Bismuth | 169,679 |
| Bones, crude, etc., not for fertilizers | 59,244 |
| Brazil pebbles for spectacles, etc | 35,291 |
| Buhr-stone, unmanufactured | 25,660 |
| Chalk and cliff-stone, unmanufactured | 59,230 |
| Chemicals, drugs, and dyes, not elsewhere specified: | |
| Argal or argol, or crude tartar | 3,412,987 |
| Arsenic | 78,891 |
| Balsams: Copaiva, fir, Peru, and tolu | 67,418 |
| Barks: Calisaya, Lima, and all cinchona barks | 772,257 |
| Berries, nuts, and vegetables, etc., used in dyeing, etc | 120,607 |
| Cochineal | 140,249 |
| Dye-woods | 1,328,933 |
| Flowers, leaves, etc.: Buchu, chamomile, rose, senna, etc | 271,010 |
| Gums: Amber, Arabic, benzoin, camphor, catechu, terra japonica, tragacanth, etc | 4,537,211 |
| Iodine, crude | 174,400 |
| Roots: Colombo, gentian, licorice, madder, etc | 1,935,182 |
| Sulphur, crude | 1,688,360 |
| Tonka beans | 149,113 |
| Vanilla beans | 775,877 |
| All other | 1,176,350 |
| Total chemicals, etc | 16,628,845 |
| Coal and charcoal | 57,749 |
| Coir and cocoa fiber | 3,556 |
| Copper, old, taken from the bottoms of American vessels compelled by marine disaster to repair in foreign ports | 442 |
| Cork-wood, or cork-bark, unmanufactured | 1,239,247 |
| Cotton, unmanufactured, and cotton waste | 533,219 |
| Diamond-dust, or bort | 33,498 |
| Fertilizers: | |
| Guano | 338,467 |
| All other | 1,434,901 |
| Total fertilizers | 1,773,368 |
| Fish sounds or fish bladders | 124,050 |
| Flint, flints, and ground flint-stones | 1,324 |
| Furs and fur-skins, undressed | 2,471,280 |
| Gold and silver sweepings | $12,621 |
| Grease for use as soap-stock only, and all other soap-stock | 52,420 |
| Gut, cat-gut, or whip-gut, unmanufactured | 44,328 |
| Hair, not elsewhere specified | 2,404,423 |
| Hide cuttings, raw, and all glue-stock | 485,042 |
| Hides and skins, other than fur-skins | 24,225,776 |
| Hoofs, horns, etc., unmanufactured | 235,250 |
| India rubber and gutta-percha, unmanufactured | 13,762,627 |
| Istle, or Tampico fiber | 180,428 |
| Ivory, unmanufactured: | |
| Animal | 486,368 |
| Vegetable | 144,663 |
| Lithographic stones, not engraved | 97,893 |
| Meerschaum, crude or raw | 25,478 |
| Mica and mica waste | 63,480 |
| Minerals, crude, not elsewhere specified | 58,089 |
| Moss, sea-weed, etc., used for beds | 73,103 |
| Ores, not elsewhere specified | 3,840,925 |
| Paper-stock, crude | 4,538,719 |
| Palm leaf, unmanufactured | 838 |
| Plants, trees, shrubs, etc., not elsewhere specified | 254,472 |
| Plaster of Paris, unground | 162,154 |
| Platina, unmanufactured | 438,516 |
| Plumbago | 331,621 |
| Polishing, pumice, and rotten stone | 34,866 |
| Quicksilver | ..... |
| Quills, prepared or unprepared | 764 |
| Rennets, raw or prepared | 56,011 |
| Sausage-skins | 278,140 |
| Seeds, not elsewhere specified | 506,322 |
| Shells, not manufactured | 197,984 |
| Silk, unmanufactured | 19,640,397 |
| Sparterre, for making or ornamenting hats | 335 |
| Straw, unmanufactured | 30,521 |
| Tale | 40,848 |
| Tanning materials, not elsewhere specified: | |
| Hemlock bark | 272,956 |
| Other articles in a crude state | 19,134 |
| Teazles | 3,156 |
| Terra alba, aluminous | 39,431 |
| Tin, bars, blocks, or pigs, grain or granulated | 6,927,710 |



FREE-LIST—continued.

*Statement showing the value of imported merchandise entered for consumption for year ending June 30, 1887—Continued.*

| Articles. | Value. |
|---|---|
| CLASS B.—ARTICLES IN A CRUDE CONDITION WHICH ENTER INTO THE PROCESSES OF DOMESTIC INDUSTRY—Continued. | |
| Whalebone, unmanufactured | $5,579 |
| Wood, unmanufactured | 2,734,620 |
| All other free articles | 135,617 |
| Total free of duty of Class B | 106,389,632 |
| CLASS C.—ARTICLES WHOLLY OR PARTIALLY MANUFACTURED, FOR USE AS MATERIALS IN THE MANUFACTURES AND MECHANIC ARTS. | |
| Chemicals, drugs, and dyes, not elsewhere specified: | |
| Acids | 474,512 |
| Albumen and lactarine | 102,215 |
| Alizarine, natural or artificial | 356,748 |
| Analine salts and annotto | 138,736 |
| Indigo | 2,734,117 |
| Lime, chloride of | 1,573,168 |
| Madder, extract of | 8,779 |
| Potash, muriate of | 592,432 |
| Quinine, sulphate and other salts of | 1,141,373 |
| Soda, nitrate of, or cubic niter | 2,614,162 |
| Sugar of milk and sulphur lac | 50,593 |
| Turpentine, Venice, and uranium | $47,152 |
| All other | 182,657 |
| Total chemicals, drugs, etc | 10,016,644 |
| Coir yarn | 141,091 |
| Feathers for beds, and downs | 204,962 |
| Felt, adhesive, for sheathing vessels | 29,229 |
| Hair, hogs', curled for beds and mattresses | 3,457 |
| Oils, not elsewhere specified | 1,736,240 |
| All other free articles | 18,260 |
| Total free of duty of Class C | 12,149,883 |
| CLASS D.—MANUFACTURED ARTICLES, READY FOR CONSUMPTION. | |
| Articles specially imported— | |
| For the use of the United States | 18,283 |
| Philosophical and scientific apparatus, etc., for the use of any religious or scientific institution, and not intended for sale | 79,962 |
| Articles, the growth, produce, or manufacture of the United States, returned | 6,401,829 |
| Bags, not of American manufacture | 271,693 |
| Bolting-cloths | 968,466 |
| Books and other printed matter, not elsewhere specified | 5,280 |
| Fashion plates | 25,656 |
| Gold-beaters' molds and gold-beaters' skins | 7,461 |
| Gold size | 22,853 |
| Hones and whetstones | ..... |
| Household effects, etc., of persons arriving in the United States and of citizens of the United States dying abroad | 2,661,867 |
| Indians' goods | 1,124 |
| Manuscripts | 8,078 |
| Models of inventions, etc | 7,532 |
| Paste, oxydizing | ..... |
| Platina vases, etc., for chemical uses | 58,925 |
| Skeletons and other preparations of anatomy | 8,415 |
| Spurs and stilts, used in the manufacture of earthen, stone, and crockery ware | 1,123 |
| Wood: Fire-wood, hop-poles, and railroad ties | 815,572 |
| All other free articles | 201,546 |
| Total free of duty of Class D | 11,565,665 |
| CLASS E.—ARTICLES OF VOLUNTARY USE, LUXURIES, ETC. | |
| Amber beads | 10,011 |
| Articles specially imported: Regalia, gems, specimens of natural history, works of art, etc., specially imported and not intended for sale | 277,160 |
| Art-works, not elsewhere specified, the production of American artists | 495,937 |
| Cabinets of coins, medals, etc | 231,370 |
| Curling stones, or quoits | 982 |
| Diamonds rough or uncut | 262,357 |
| Fans, common palm-leaf | 63,305 |
| Mineral waters, not artificial | 390,299 |
| All other | 2,093,985 |
| Total free of duty of Class E | 3,805,306 |

SUBJECT TO DUTY.

*Value of imported merchandise entered for consumption during the year ending June 30, 1887.*

NOTE.—The third column shows the specific duties imposed by tariff laws reduced to equivalent ad valorem rates on last year's importations.

| Articles. | Value. | Duty. | Ad valorem rate of duty. |
|---|---|---|---|
| CLASS A.—ARTICLES OF FOOD AND ANIMALS. | | | *Per ct.* |
| Animals, not elsewhere specified | $4,665,067 | $933,013 | 20.00 |
| Breadstuffs | 6,386,561 | 1,075,811 | 16.84 |
| Chicory | 163,682 | 106,672 | 65.17 |

SUBJECT TO DUTY—continued.

*Value of imported merchandise entered for consumption during the year ending June 30, 1887—Continued.*

| Articles. | Value. | Duty. | Ad valorem rate of duty. |
|---|---|---|---|
| CLASS A.—ARTICLES OF FOOD AND ANIMALS—Continued. | | | |
| | | | *Per ct.* |
| Chocolate | $74,197 | $5,694 | 7.67 |
| Cocoa, prepared | 144,906 | 12,693 | 8.76 |
| Coffee substitutes | 7,399 | 2,375 | 32.10 |
| Fish, not elsewhere specified | 2,817,352 | 611,938 | 21.72 |
| Fruits, including nuts, not elsewhere specified | 15,101,447 | 4,214,779 | 27.90 |
| Hay | 791,687 | 157,445 | 18.89 |
| Honey | 5,242 | 2,693 | 51.38 |
| Infants' food | 43,635 | 8,727 | 20.00 |
| Oils, olive and other salad | 654,819 | 163,649 | 25.00 |
| Provisions, comprising meat and dairy products | 1,759,262 | 430,007 | 24.44 |
| Rice | 1,518,766 | 971,455 | 64.01 |
| Salt | 1,455,385 | 676,866 | 49.92 |
| Spices, not elsewhere specified | 170,304 | 66,271 | 38.91 |
| Sugar and molasses: | | | |
| Molasses | 5,336,730 | 1,496,863 | 28.05 |
| Sugar | 68,882,884 | 56,507,496 | 82.04 |
| Total sugar and molasses | 74,219,614 | 58,004,359 | 78.15 |
| Vegetables: | | | |
| Potatoes | 542,234 | 214,638 | 39.58 |
| All other | 1,734,070 | 332,872 | 19.20 |
| Vinegar | 17,447 | 6,378 | 36.56 |
| Total dutiable | 112,273,076 | 67,998,334 | 60.57 |
| CLASS B.—ARTICLES IN A CRUDE CONDITION WHICH ENTER INTO THE PROCESSES OF DOMESTIC INDUSTRY. | | | |
| Asphaltum or bitumen, crude | | | |
| Brass, bars or pigs, and old | 31,985 | 2,840 | 8.88 |
| Bristles | 1,156,435 | 174,424 | 15.08 |
| Broom-corn and rice root for the manufacture of brooms | | | |
| Chemicals, drugs, dyes, and medicines, not elsewhere specified: | | | |
| Antimony, crude | 192,902 | 19,290 | 10.00 |
| Other drugs and dyes | 191,399 | 28,382 | 14.83 |
| Clays or earths | 263,621 | 84,279 | 31.97 |
| Coal and coke | 2,811,158 | 683,728 | 24.32 |
| Copper: | | | |
| Ores | 209,005 | 103,735 | 49.63 |
| Bars, ingots, and pigs, old, fit only for remanufacture, and regulus of | 3,681 | 2,168 | 58.90 |
| Cotton waste or flocks | 172 | 34 | 20.00 |
| Emery ore | | | |
| Flax, hemp, jute, and other textile grasses: | | | |
| Flax, raw, and tow of | 1,908,845 | 154,509 | 8.09 |
| Hemp, and substitutes for | 3,766,713 | 736,322 | 19.55 |
| Jute, raw, and jute butts | 2,665,088 | 517,412 | 19.41 |
| Sisal grass and other vegetable substances, not elsewhere specified | 3,539,475 | 522,097 | 14.75 |
| Total flax, hemp, etc | 11,880,121 | 1,930,340 | 16.32 |
| Grease, all not specially enumerated or provided for | 324,487 | 52,349 | 16.13 |
| Hair, cleaned, unmanufactured, hogs' hair, human hair uncleaned, and cleaned or drawn but not manufactured | 103,699 | 24,801 | 23.92 |
| Hides and skins: Sheep-skin and Angora goat-skins, raw or unmanufactured | | | |
| Hops | 3,117,663 | 1,329,506 | 42.64 |
| Iron and steel, and manufactures of, not elsewhere specified: | | | |
| Ores | 2,112,128 | 855,906 | 40.53 |
| Pig-iron | 6,510,126 | 2,811,026 | 43.18 |
| Scrap-iron | 3,723,417 | 1,755,723 | 47.15 |
| Bars, billets, blooms, blanks, ingots, etc., of steel | 5,529,704 | 2,378,954 | 43.02 |
| Total iron and steel | 17,875,429 | 7,801,609 | 43.64 |
| Lead: Molten and old, ore and dross, and pigs and bars | 345,313 | 235,878 | 68.31 |
| Marble and stone, unmanufactured | 494,219 | 235,595 | 47.67 |
| Metals, metal compositions, not elsewhere specified: Argentine, albata or German silver, nickel, nickel oxide, and metals unmanufactured | 503,611 | 92,156 | 18.30 |
| Mineral substances in a crude state, unmanufactured | 47,291 | 9,458 | 20.00 |
| Paper-pulp, dried for paper-maker's use | 497,273 | 49,727 | 10.00 |
| Parchment, old, fit only to be remanufactured | | | |
| Plants, trees, shrubs, and vines of all kinds, not elsewhere specified | | | |
| Rosin | 353 | 49 | 13.88 |
| Seeds: Castor beans, garden seeds, hemp seed, flax seed, rape seed, and bulbous roots | 846,332 | 172,438 | 20.36 |
| Sinews, nerves, etc., crude | | | |
| Sugar-cane | 1,989 | 199 | 10.00 |
| Sugar drainings | 16,178 | 3,236 | 20.00 |
| Tar and pitch | 15,133 | 2,177 | 14.39 |

SUBJECT TO DUTY—continued.

*Value of imported merchandise entered for consumption during the year ending June 30, 1887—Continued.*

| Articles. | Value. | Duty. | Ad valorem rate of duty. |
|---|---|---|---|
| CLASS B.—ARTICLES IN A CRUDE CONDITION WHICH ENTER INTO THE PROCESSES OF DOMESTIC INDUSTRY—Continued. | | | |
| Wood, and manufactures of: | | | |
| Basswood, unmanufactured; timber used for spars, etc., hewn and sawed or squared or sided | $1,025 | $202 | *Per ct.* 19.71 |
| Hubs for wheels, posts, etc., and unmanufactured wood, not elsewhere specified | 61,019 | 12,167 | 19.94 |
| Total wood, etc | 62,044 | 12,369 | 19.93 |
| Wools, hair of the alpaca, goat, and other like animals, unmanufactured: | | | |
| Class No. 1.—Clothing wools | 4,339,498 | 2,395,537 | 55.20 |
| Class No. 2.—Combing wools | 2,270,058 | 974,179 | 42.91 |
| Class No. 3.—Carpet and other similar wools | 9,741,814 | 2,530,101 | 25.87 |
| Rags, shoddy, mungo, waste, and flocks | 1,855,618 | 490,238 | 26.41 |
| Total wools | 18,206,988 | 6,390,055 | 35.10 |
| Zinc, spelter, or tutenegue: | | | |
| In blocks or pigs, and ore | 251,372 | 117,735 | 46.84 |
| All other dutiable articles | 92,558 | 9,256 | 10.00 |
| Total dutiable | 59,542,660 | 19,567,903 | 32.86 |
| CLASS C.—ARTICLES WHOLLY OR PARTIALLY MANUFACTURED, FOR USE AS MATERIALS IN THE MANUFACTURES AND MECHANIC ARTS. | | | |
| Button materials: Lastings, mohair cloth, etc | 303,911 | 30,391 | 10.00 |
| Cement, Roman, and all other | 1,102,532 | 220,506 | 20.00 |
| Chalk, prepared, French, red, etc | 15,038 | 3,008 | 20.00 |
| Chemicals, drugs, and dyes, not elsewhere specified: | | | |
| Acids | 92,207 | 33,566 | 36.40 |
| Aniline dyes or colors | 1,540,813 | 539,285 | 35.00 |
| Chemical salts or preparations, not elsewhere specified | 386,140 | 96,535 | 25.00 |
| Extracts: Hemlock, indigo, logwood, and other dye-woods | 439,680 | 48,947 | 11.13 |
| Glycerine | 1,016,084 | 294,245 | 28.96 |
| Opium, crude, prepared for smoking, and extract of, and morphia | 1,643,784 | 1,091,593 | 66.41 |
| Potassa or potash | 992,027 | 296,613 | 29.90 |
| Soda, and salts of | 4,767,835 | 1,632,483 | 34.24 |
| Sumac | 466,378 | 64,425 | 13.81 |
| All other | 1,093,110 | 317,888 | 29.08 |
| Total chemicals, drugs, dyes, etc | 12,438,058 | 4,415,580 | 35.50 |
| Coloring for brandy | 9,211 | 4,606 | 50.00 |
| Copper: Plates, rolled, sheets, rods, pipes, etc., and sheathing or yellow metal | 62,841 | 1,356 | a33.88 |
| Cotton, manufactures of: Thread, yarn, warps, or warp yarn, not on spools | 919,702 | 423,760 | 46.08 |
| Emery, grains and ground | 29,833 | 6,744 | 22.60 |
| Flax, hemp, jute, and other textile grasses: | | | |
| Oil-cloth foundations for floor-cloths | 1,019 | 408 | 40.00 |
| Yarns | 789,176 | 276,187 | 35.00 |
| Furs: Dressed on the skin, and hatters' | 4,373,619 | 874,724 | 20.00 |
| Glass and glassware: Disks or plates, unwrought, for optical instruments | | | |
| Glucose | 35,644 | 7,129 | 20.00 |
| Glue | 479,756 | 95,951 | 20.00 |
| Gold and silver, manufactures of: Gold leaf and silver leaf | 5,899 | 1,658 | 28.11 |
| Hair, manufactures of: Curled hair for beds, hair-cloth, and hair seatings | 56,627 | 16,942 | 29.92 |
| Hats, bonnets, and hoods, materials for: Braids, plaits, flats, etc., of straw, etc | 4,271,765 | 862,265 | 20.19 |
| Iron and steel, and manufactures of: | | | |
| Bar iron— | | | |
| Bars or shapes of rolled iron | 1,292,782 | 660,520 | 51.09 |
| Bars, rolled or hammered | 153,696 | 54,541 | 35.49 |
| All other, and slabs, blooms, or loops | 30,348 | 10,622 | 35.00 |
| Hoop, band, scroll, or other iron | 247,853 | 114,624 | 46.23 |
| Mill-iron | | | |
| Sheets, plates, and taggers' iron— | | | |
| Boiler or other plate and sheet iron, common or black | 126,464 | 50,900 | 40.25 |
| Sheets or plates of iron and steel (except what are known as tin-plates) | 598,861 | 234,709 | 39.19 |
| Sheets or plates, known as tin-plates, terne-plates, and taggers' tin | 16,883,814 | 5,706,434 | 33.80 |
| Taggers' iron put up in boxes or bundles or not | 159,195 | 48,996 | 30.78 |
| Wire-rods, of iron and steel | 4,223,612 | 1,717,481 | 40.66 |
| Wire— | | | |
| Iron | 13,863 | 4,794 | 34.58 |
| Steel | 433,460 | 70,050 | 16.16 |
| Wire-rope and wire-strand— | | | |
| Made of iron wire | 11,769 | 5,928 | 50.37 |
| Made of steel wire | 54,276 | 26,604 | 49.02 |
| Wheels of steel, and tired steel wheels, etc | 274,112 | 214,529 | 78.26 |
| Total iron and steel | 24,504,165 | 8,920,732 | 36.41 |

SUBJECT TO DUTY—continued.

*Value of imported merchandise entered for consumption during the year ending June 30, 1887*—Continued.

| Articles. | Value. | Duty. | Ad valorem rate of duty. |
|---|---|---|---|
| CLASS C.—ARTICLES WHOLLY OR PARTIALLY MANUFACTURED, FOR USE AS MATERIALS IN THE MANUFACTURES AND MECHANIC ARTS—Continued. | | | |
| | | | *Per ct.* |
| Lead, in sheets and pipes | $950 | $578 | 60.84 |
| Leather, bend or belting, calf-skin, skins for morocco, upper leather of all kinds, etc | 6,325,704 | 1,067,527 | 16.88 |
| Lime | 57,226 | 5,723 | 10.00 |
| Malt, barley | 153,359 | 41,993 | 27.38 |
| Marble and stone, rough or undressed | 368,001 | 106,749 | 29.01 |
| Metal, metal compositions, and manufactures of, not elsewhere specified: Bronze or Dutch metal, in leaf and powder | 608,214 | 84,464 | 13.89 |
| Mineral substances, not elsewhere specified: Polishing powder | 28,455 | 5,691 | 20.00 |
| Oils: | | | |
| Animal: Cod-liver, neat's-foot, seal, whale, and fish | 87,561 | 21,890 | 25.00 |
| Mineral: Naphtha, benzine, and petroleum, crude | 11,565 | 2,313 | 20.00 |
| Vegetable, fixed or expressed: Castor, croton, flax-seed, hemp-seed, rape-seed, nut, olive, not salad, and other, not elsewhere specified | 179,729 | 47,701 | 26.54 |
| Vegetable, volatile or essential: Bay leaves, cognac, fruit ethers, fusel oil, etc | 133,471 | 34,374 | 25.75 |
| Total oils | 412,326 | 106,278 | 25.78 |
| Paints and colors | 1,220,806 | 399,533 | 32.73 |
| Plaster of Paris, ground or calcined | 33,737 | 6,747 | 20.00 |
| Silk: Floss silk in the gum, and spun silk | 453,285 | 134,995 | 29.78 |
| Umbrella and parasol ribs and stretchers, frames, tips, etc | 80,312 | 27,733 | 34.53 |
| Wood, manufactures of: | | | |
| Boards, planks, deals, etc | 5,825,320 | 930,653 | 15.97 |
| Clapboards | 58,953 | 6,362 | 10.79 |
| Staves | 304,031 | 30,403 | 10.00 |
| Cabinet or house furniture, not finished; osier prepared for use, and rattans and reeds | 224,414 | 27,308 | 12.17 |
| Total wood, etc | 6,412,718 | 994,726 | 15.51 |
| Wools, manufactures of: Yarns, woolen and worsted | 1,747,562 | 1,207,735 | 69.11 |
| Zinc, spelter or tutenegue: In sheets | 26,668 | 18,931 | 70.99 |
| All other dutiable articles | 177,382 | 22,143 | 12.48 |
| Total dutiable | 67,505,441 | 20,393,493 | 30.21 |
| CLASS D.—MANUFACTURED ARTICLES, READY FOR CONSUMPTION. | | | |
| Blacking | 63,552 | 15,888 | 25.00 |
| Bladders, manufactures of | 11 | 3 | 25.00 |
| Books, engravings, and other printed matter, bound or unbound | 2,736,138 | 684,034 | 25.00 |
| Brass, manufactures of | 373,771 | 169,098 | 44.97 |
| Brooms | 4,175 | 1,044 | 25.00 |
| Brushes | 537,348 | 167,234 | 30.00 |
| Buttons, and button molds | 3,469,016 | 867,254 | 25.00 |
| Candles and tapers | 39,617 | 7,923 | 20.00 |
| Carriages, and parts of | 242,999 | 85,040 | 35.00 |
| Chemicals, drugs, dyes, etc., not elsewhere specified: Preparations, medicinal and proprietary | 403,135 | 175,555 | 43.55 |
| Clocks and watches, and parts of | 1,882,564 | 480,326 | 25.99 |
| Copper, manufactures of, not elsewhere specified | 48,217 | 21,697 | 45.00 |
| Corks, and cork-bark, manufactured | 209,532 | 52,383 | 25.00 |
| Corsets | 1,058,793 | 370,578 | 35.00 |
| Cotton, manufactures of: | | | |
| Thread on spools | 97,167 | 51,222 | 52.72 |
| Cloth— | | | |
| Not exceeding 100 threads to the square inch | 161,455 | 117,682 | 72.88 |
| Exceeding 100 and not exceeding 200 threads to the square inch | 2,176,238 | 973,208 | 44.72 |
| Exceeding 200 threads to the square inch | 1,217,654 | 526,416 | 43.23 |
| Velvets, velveteen, etc | 2,252,905 | 901,186 | 40.00 |
| Clothing, ready-made, and other wearing apparel | 456,751 | 159,863 | 35.00 |
| Cords, braids, gimps, galloons, laces, etc | 605,478 | 211,917 | 35.00 |
| Knit goods: Shirts and drawers and hosiery | 6,865,060 | 2,702,709 | 39.37 |
| All other | 3,738,116 | 1,378,308 | 36.87 |
| Total cotton manufactures | 17,568,884 | 7,022,406 | 39.97 |
| Earthen, stone, and china ware: | | | |
| Bricks and tiles | 162,210 | 34,188 | 21.08 |
| Earthen, stone, and china ware | 5,545,883 | 3,217,693 | 58.02 |
| Total earthen, stone, and chinaware | 5,708,093 | 3,251,881 | 56.97 |
| Electric lights, and parts of | 4,140 | 828 | 20.00 |
| Feather beds | 1,932 | 388 | 20.00 |

SUBJECT TO DUTY—continued.

*Value of imported merchandise entered for consumption during the year ending June 30, 1887*—Continued.

| Articles. | Value. | Duty. | Ad valorem rate of duty. |
|---|---|---|---|
| CLASS D.—MANUFACTURED ARTICLES, READY FOR CONSUMPTION—Continued. | | | |
| Flax, hemp, jute, and other textile grasses manufactures of: | | | *Per ct.* |
| Bagging for cotton | $26,727 | $14,467 | 54.13 |
| Bags and bagging | 936,041 | 374,416 | 40.00 |
| Brown and bleached linens, duck, canvas, etc | 13,589,446 | 4,756,297 | 35.00 |
| Burlaps | 3,756,795 | 1,176,706 | 31.32 |
| Carpeting of hemp or jute, and grass cloth | 143,812 | 43,322 | 30.12 |
| Oil-cloths for floors | 308,337 | 123,335 | 40.00 |
| Sail duck and sheetings | 19,327 | 6,019 | 31.14 |
| Seines | 6,233 | 1,558 | 25.00 |
| Thread, twine, and pack thread | 638,552 | 255,421 | 40.00 |
| Cables and cordage | 86,369 | 26,736 | 30.99 |
| All other | 482,956 | 170,028 | 35.21 |
| Total flax, hemp, etc., manufactures | 19,994,495 | 6,948,305 | 34.75 |
| Furs, manufactures of | 171,647 | 51,494 | 30.00 |
| Glass and glassware: | | | |
| Plate glass | 2,953,829 | 1,697,306 | 57.46 |
| Window-glass, cylinder and crown | 1,489,702 | 1,376,233 | 92.38 |
| All other | 2,857,809 | 1,436,773 | 50.28 |
| Total glass and glassware | 7,301,340 | 4,510,312 | 59.01 |
| Gunpowder, fulminates, and percussion caps | 91,014 | 35,196 | 38.67 |
| Hair, manufactures of, and hair pencils | 38,053 | 12,683 | 33.33 |
| Hats, bonnets, and hoods, of grass, straw, willow, etc | 631,146 | 189,344 | 30.00 |
| India-rubber and gutta-percha, manufactures of | 263,744 | 76,048 | 28.83 |
| Inks and ink powders | 103,659 | 31,098 | 30.00 |
| Iron and steel, and manufactures of: | | | |
| Axles, axle-bars, anchors and parts thereof, and anvils | 122,125 | 51,567 | 42.22 |
| Bars or rails for railways— | | | |
| Tee rails, iron | 1,888 | 1,406 | 74.48 |
| Other rails, iron or steel, or in part of steel | 998,441 | 841,941 | 84.33 |
| Cast-iron pipes, cast-iron vessels, plates, stove-plates, andirons, sad-irons, hatters' irons, all castings not elsewhere specified, and malleable iron castings | 32,508 | 9,759 | 30.02 |
| Chain or chains | 84,938 | 38,118 | 44.88 |
| Cotton-ties | 345,997 | 121,099 | 35.00 |
| Cutlery: Penknives, pocket-knives, razors, sword-blades, and cutlery not elsewhere specified | 1,889,064 | 874,151 | 46.27 |
| Files, file-blanks, rasps, and floats | 68,334 | 39,933 | 58.44 |
| Fire-arms | 988,817 | 315,369 | 31.99 |
| Hollow-ware, nails, spikes, tacks, and brads | 5,545 | 3,553 | 64.08 |
| Needles | 314,524 | 79,335 | 25.22 |
| Nuts and washers, railway fish-plates, rivets, bolts, and hinges, or hinge-blanks | 4,843 | 2,979 | 61.51 |
| Saws | 25,423 | 8,975 | 35.30 |
| Screws for wood | 3,719 | 1,880 | 50.55 |
| All other manufactures of iron and steel | 3,356,286 | 1,600,738 | 47.69 |
| Total iron and steel | 8,239,452 | 3,990,803 | 48.44 |
| Lead: Shot, and manufactures of lead, not elsewhere specified | 360 | 162 | 45.00 |
| Leather: Gloves and other manufactures of leather | 4,607,866 | 2,219,335 | 48.16 |
| Marble, slate, and stone, manufactures of | 98,762 | 39,063 | 39.55 |
| Matches | 25,458 | 8,910 | 35.00 |
| Matting and mats for floors, of vegetable substances | 885,969 | 177,194 | 20.00 |
| Metals, metal compositions, and manufactures of, not elsewhere specified: | | | |
| Bronze, manufactures of | 240,635 | 108,286 | 45.00 |
| Britannia and japanned wares, pens, pins, plated and gilt wares, pen tips, and penholders, German silver, platina, stereotype plates, pewter, types, and all other not elsewhere specified | 1,636,422 | 677,880 | 41.42 |
| Mineral substances, not elsewhere specified: Agates, asbestos, and plumbago | 1,133 | 281 | 24.80 |
| Palm-leaf, manufactures of | 6,571 | 1,971 | 30.00 |
| Paper and manufactures of, not elsewhere specified | 1,981,224 | 420,578 | 21.23 |
| Parchment | | | |
| Pencils, lead | 124,869 | 56,881 | 45.54 |
| Philosophical apparatus and instruments | 11,342 | 3,970 | 35.00 |
| Repairs on vessels | 3,615 | 1,807 | 50.00 |
| Saddlery, coach, and harness hardware, etc | 184,259 | 64,491 | 35.00 |
| Silk: Sewing silk, silk in the gum, and twist | 949 | 285 | 30.00 |
| Soap | 438,224 | 117,131 | a26.89 |
| Sponges | 302,510 | 60,502 | 20.00 |
| Starch | 17,035 | 14,029 | 82.35 |
| Straw, manufactures of | 38,131 | 11,122 | 29.17 |
| Tin, manufactures of | 38,829 | 56,581 | a45.00 |
| Toothpicks, quill | 18,584 | 3,717 | 20.00 |
| Umbrellas, parasols, and shades | 72,430 | 34,453 | 47.57 |
| Varnishes | 82,380 | 36,379 | 44.16 |
| Wax, and manufactures of | 5,697 | 1,139 | 20.00 |
| Whalebone, manufactures of | 1,126 | 338 | 30.02 |
| Wood, manufactures of: | | | |
| Cabinet wares, finished | $376,788 | $131,876 | 35.00 |

SUBJECT TO DUTY—continued.

*Value of imported merchandise entered for consumption during the year ending June 30, 1887*—Continued.

| Articles. | Value. | Duty. | Ad valorem rate of duty. |
|---|---|---|---|
| CLASS D.—MANUFACTURED ARTICLES, READY FOR CONSUMPTION—Continued. | | | |
| | | | *Per ct.* |
| Wood, manufactures of—Continued. | | | |
| Laths, pickets, and palings | $373,984 | $35,191 | 12.84 |
| Shingles | 185,611 | 31,355 | 16.89 |
| Osier and willow baskets and wares | 312,179 | 93,654 | 30.00 |
| All manufactures of, not elsewhere specified | 600,181 | 204,014 | 33.99 |
| Total wood manufactures | 1,748,743 | 496,090 | 28.37 |
| Wool, manufactures of: | | | |
| Balmorals | 3,039 | 2,030 | 66.79 |
| Blankets | 3,887 | 2,785 | 71.65 |
| Bunting | 53 | 43 | 81.13 |
| Carpets and carpeting | 1,472,656 | 701,549 | 47.64 |
| Clothing, ready-made, and wearing apparel | 1,461,243 | 896,472 | 61.35 |
| Cloths, woolen | 10,022,371 | 7,055,825 | 70.40 |
| Dress goods, women's and children's, coat linings, and Italian cloths of every description | 17,199,141 | 12,398,975 | 72.09 |
| Endless belts or felts | 167,166 | 88,379 | 52.87 |
| Flannels | 185,204 | 129,674 | 70.02 |
| Hats of wool | 6,595 | 3,562 | 54.01 |
| Knit goods: Hosiery, shirts, drawers, etc | 1,980,454 | 1,243,689 | 62.80 |
| Shawls, woolen | 1,029,998 | 654,008 | 63.50 |
| Webbings, gorings, suspenders, etc | 443,809 | 293,850 | 66.21 |
| All other, not elsewhere specified | 6,656,449 | 4,560,905 | 68.52 |
| Total woolen manufactures | 40,632,065 | 28,031,746 | 68.99 |
| Zinc, spelter, and tutenegue: | | | |
| Manufactures of, not elsewhere specified | 8,117 | 3,652 | 45.00 |
| All other dutiable articles | 55,334 | 23,622 | 42.69 |
| Total dutiable | 124,473,106 | 61,898,365 | 49.73 |
| CLASS E.—ARTICLES OF VOLUNTARY USE, LUXURIES, ETC. | | | |
| Art-works, not elsewhere specified: | | | |
| Paintings and statuary | 1,925,906 | 577,772 | 30.00 |
| Cider | 499 | 100 | 20.00 |
| Cotton embroideries | 10,661,301 | 4,264,520 | 40.00 |
| Fancy articles: | | | |
| Dolls and toys | 1,646,597 | 576,309 | 35.00 |
| Fans, except palm-leaf | 499,791 | 174,927 | 35.00 |
| Feathers, not artificial | 1,652,055 | 514,388 | 31.14 |
| Feathers and flowers, artificial and ornamental | 444,490 | 222,245 | 50.00 |
| Perfumery and cosmetics | 390,430 | 262,404 | 67.21 |
| All other | 2,552,636 | 1,199,087 | 46.97 |
| Total fancy articles | 7,185,999 | 2,949,360 | 41.04 |
| Fire-crackers | 332,941 | 332,941 | 100.00 |
| Flax, hemp, jute, etc.: Laces and insertings | 1,142,473 | 342,742 | 30.00 |
| Ginger ale, or ginger beer | 153,377 | 30,675 | 20.00 |
| Gold and silver, manufactures of, not elsewhere specified | 434,809 | 130,410 | 30.00 |
| Hair, human: Bracelets, curls, etc | 2,379 | 833 | 35.00 |
| Jet, manufactures and imitations of | 54,065 | 13,516 | 25.00 |
| Jewelry and precious stones, not elsewhere specified | 10,981,192 | 1,162,300 | 10.58 |
| Liquors, spirituous and malt, and wines: | | | |
| Malt liquors | 1,267,309 | 614,187 | 48.47 |
| Spirits, distilled | 1,909,900 | 2,939,923 | 154.01 |
| Champagne and other sparkling wines | 3,295,354 | 1,735,422 | 52.72 |
| Still wines | 3,718,383 | 2,112,711 | 56.84 |
| Wine flavoring | 413 | 83 | 20.00 |
| Total liquors and wines | 10,191,350 | 7,402,326 | 72.68 |
| Mineral waters, artificial | 6,473 | 1,942 | 30.00 |
| Musical instruments | 1,613,884 | 403,471 | 25.00 |
| Paper, manufactures of, not elsewhere specified: Cards for playing | 4,040 | 4,040 | 100.00 |
| Photographs | 35,449 | 8,861 | 25.00 |
| Prune wine | 17,060 | 3,412 | 20.00 |
| Silk, manufactures of: | | | |
| Braids, fringes, galloons, buttons, and ornaments | 462,455 | 231,228 | 50.00 |
| Dress and piece goods | 13,961,886 | 6,980,943 | 50.00 |
| Handkerchiefs, hats, caps, bonnets, and hosiery | 1,585,803 | 792,901 | 50.00 |
| Laces | 2,383,205 | 1,191,603 | 50.00 |
| Ready-made clothing | 634,100 | 317,050 | 50.00 |
| Ribbons | 1,970,954 | 985,477 | 50.00 |
| Velvets | 6,343,086 | 3,171,543 | 50.00 |
| All other | 3,468,554 | 1,734,277 | 50.00 |
| Total silk, manufactures of | 30,810,043 | 15,405,022 | 50.00 |
| Sugar candy and confectionery | 22,665 | 12,337 | 54.39 |
| Tobacco, and manufactures of | 10,965,125 | 9,127,758 | 83.32 |
| Total dutiable | 86,531,039 | 42,174,328 | 48.74 |

The PRESIDENT *pro tempore*. The Chair lays before the Senate the unfinished business, being the bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. VOORHEES. Mr. President——

Mr. BLAIR. As the Senator desires to speak on the pending motion, I ask that the unfinished business be temporarily laid aside, to be resumed at the conclusion of the Senator's address.

The PRESIDENT *pro tempore*. If there be no objection, the unfinished business will be informally laid aside. The Senator from Indiana [Mr. VOORHEES] is entitled to the floor on the pending resolution.

Mr. BLAIR. If the Senator will excuse me a moment, I desire to say that I have been appealed to by some one in behalf of the Senator from Ohio [Mr. SHERMAN], who had the right to the floor during the morning hour, that if the unfinished business came up before the conclusion of his address it should be informally laid aside, and I have been also notified that the Senator from Indiana [Mr. VOORHEES] wished an opportunity to speak on the other side of the question. I hope no one will ask me for any further delay in the consideration of the unfinished business.

Mr. VOORHEES. Mr. President, the subject of taxation is as old as government itself, in whatever form, whether human or divine, government has been established on the earth, and yet it is as fresh and full of interest to-day to the laboring masses of mankind as ever at any former period of the world's history. Conflicts of opinion arise, debates ensue, and controversies rage now as they have from the tithing and taxing days of Israel down to the present time. On the one hand government has a paramount right to the support of its citizens as long as it does not transcend its rightful power nor oppress them with extortions beyond its legitimate requirements, while on the other hand the very laws of nature, those supreme and indestructible principles on which rest the natural rights of man, keep the people imbued with a perpetual vigilance against the needless exactions and lawless greed of those in power.

Nothing more important in popular estimation, nor more calculated to produce public agitation, and indeed revolution, can be conceived than such an issue when persisted in, with the exception perhaps of an actual invasion of the liberties and the lives of the people by armed power. At the very foundation of the American Revolution will be found the question of unjust taxation. Our forefathers dismembered the British kingdom, then the foremost power in the world, rather than submit to oppression in that form; and in the Constitution they framed for their great and triumphant independence the powers of the Government in taking the earnings of the people in order to defray public expenses were clearly defined and scrupulously guarded. The idea that more money might, could, or ever should be taken from the pockets of the American people by taxation and placed in the Treasury than was absolutely necessary to defray the actual expenses of the Government economically administered had no existence in the early days of the Republic and no place in the thoughts or purposes of its immortal founders.

Money withdrawn by the hand of the tax-gatherer, whether acting directly or indirectly, whether acting visibly or invisibly—money thus taken from the business transactions of the country, from the active channels of trade, and laid away in Government vaults, idle, useless, and dead, is a spectacle belonging to modern times, modern methods, and modern parties. To contract the volume of currency in circulation, to make money scarce amongst the people, and consequently hard to obtain even in exchange for low-priced labor, depreciated property, or high rates of interest, has always been a financial policy marked by disaster and suffering and accursed by every friend of the general welfare of his countrymen; but when this abominable policy is still further aided and executed by snatching the money of the people from their very hands, at the rate of $10,000,000 a month, as the Senator from Kansas [Mr. PLUMB] admitted was being done now, without necessity, excuse, or palliation, every honest mind must revolt against such wanton robbery.

Overtaxation! Overtaxation! Sir, it is a crime against every home, every fireside, and every laboring man and woman in the United States. It is a crime, national in its proportions, gigantic in its strength, omnipresent in its visitations, and brutal in its rapacity. When the life-blood is drained from the human body by the hand of murder we know that the chill and paralysis of death must ensue, and we know equally well when the earnings of the laboring people are seized by an all-pervading, universal system of overtaxation, and swept out of useful circulation, that every neighborhood, every business community, every branch of industry must experience the stagnation and hardships produced by a drainage so unjust, so criminal, so unnatural, and so inconsistent with the life and prosperity of all the labor interests of the country.

It will be remembered that just as we were adjourning for the recent recess a flurry took place on the other side of this Chamber—a squall it might be styled in nautical phrase, presaging perhaps more dirty and stormy weather from the same point of compass hereafter. In the midst of this premonitory tempest the Senator from Colorado [Mr. TELLER] undertook to dispose of the question of overtaxation by a contemptuous and elaborate sneer. After severely upbraiding the

President for dealing with only one single question in his late annual message to Congress, the Senator exclaimed:

He reserved himself entirely for this great impending disaster; and what is it? The surplus that is accumulating in the Treasury.

This is the new disaster, the biennial disaster, the disaster which comes in aid of a support to the Executive opinion, the disaster which is presented to frighten the country and alarm the people into submitting to legislation that their judgment and their cool deliberation do not sanction. What is it? Fifty-five million dollars of surplus in the Treasury of the United States to-day. What a wonderful surplus is $55,000,000!

With what lofty contempt the Senator from the Rocky Mountains looks upon the sum of fifty-five millions of surplus taxation! Sir, I have recently been in the State represented by the Senator. I looked upon her lofty ranges, towering peaks, and blooming valleys; I lingered about her delicious and healing springs, and saw, as it were, the dead brought back to life; I studied her tremendous mineral resources, her capacity to supply the world with silver; and I witnessed her gold, her silver, and her precious stones put into form and condition for the various uses of mankind. It was indeed, to my mind, a land of wonder and enchantment, and it seemed well calculated to enlarge the views and expand the conceptions of every beholder. I was prepared to understand that many matters and things which appear great and important to people in less-favored countries are small there by comparison, but I was not prepared to believe that even in Colorado fifty-five millions of money, abstracted needlessly from the hard earnings of the American people, was regarded as an insignificant and paltry affair, to be sneered out of the way. I was not prepared to believe that the busy, pushing, enterprising citizens of that great, progressive, and rapidly-developing young State would indorse the contraction of the currency they so much need to the extent of fifty-five millions, or to any extent, by unnecessary and extortionate taxation, especially when they behold the same iniquitous process continuing into the future at the rate of ten millions a month.

But the weighty utterances of another Senator fell upon my ear that blustering afternoon, just before recess, which I desire to recall, and which I think the tax-paying laborers of the country will not soon forget. The Senator from Ohio [Mr. SHERMAN] speaks as one in authority in the councils of his party. His words bind and unbind its policies to as great an extent as those of any other living man. It is true they were not cabled from Paris in all haste under the deep sea, as if the world was in breathless expectation and doubt until he was heard from, but nevertheless, spoken here in the Senate of the United States, they are full of significance and binding force. The Senator from Ohio distinctly declared it "fortunate" for the country that there were $55,000,000 of surplus revenue in the Treasury. Approving the assaults made by other Senators on the President and his message, the Senator from Ohio indulged in the following language:

It seems to me it is reasonable and right when such a state of affairs exists, when the country is about to be frightened and business men are alarmed lest something terrible should happen because the money of the country is gathered into the Treasury, that the humbug should be at least punctured, or exploded, or explained away to a certain extent.

One of the chief blessings and glories of our form of government is the fact that within the next twelve months the citizens of the Republic will have a free and unrestrained opportunity to declare whether in their opinion it is fortunate for them to bear the tyranny of a vast and enormously increasing surplus taxation, and also whether a very able, courteous, and dignified state paper from the Chief Magistrate of the country to the representatives of the people and of the States should be denounced as a humbug because he laid bare the outrage and urgently recommended remedial legislation. The Senator speaks lightly of the fact that "the money of the country is gathered into the Treasury," and scouts the idea of danger or oppression on that account. "Money of the country gathered into the Treasury!" For what object, for what public purpose known to the Constitution, is the money of the country gathered from the fields, the workshops, the marts of trade and commerce, and dumped in huge surplus heaps in the Treasury? Surplus is thus defined by Webster:

That which remains when use is satisfied; excess beyond what is prescribed or wanted; overplus.

I commend this definition of the surplus now in the Treasury and rapidly swelling to the careful consideration of the Senator from Ohio, and I also commend it to the careful consideration of the American people. That surplus is what remains after the use for which money is properly placed there is satisfied; it is the excess beyond what is prescribed by the Constitution or wanted for any defined or specified purpose of the Government; it is simply an overplus, a waste, something not needed where it is, but sorely needed elsewhere.

It will be for the Senator from Ohio and his followers, if he should be the standard-bearer of his party in the contest of 1888, on whose skirmish lines we are now facing each other, to explain to the people why it is fortunate that their money is gathered into the Treasury as a surplus, in excess of all uses, prescriptions, or wants on the part of the Government, rather than it should remain in their own hands.

But the leaders and the press of the Republican party are making strenuous, constant, and audacious efforts to evade and obscure the real and in fact the only issue, so boldly, ably, and opportunely proclaimed and emphasized by the President in his recent message in behalf of the overtaxed labor and business of the country. These efforts are transparently dishonest and will not succeed. They have but small lodgment now in the public mind, and they will have none at all after full discussion has taken place and every principle and position of the Executive, and also of his adversaries, are clearly understood. The plain, naked issue presented by the Executive in his masterly message is a reduction of taxes down to the actual expenses of the Government, as against the maintenance of the present system, whereby the gains of daily labor and the profits of trade are absorbed, without just cause or public reason, into the already flooded and overflowing vaults of the Treasury. Shall such reduction be made, or shall needless and dishonest burdens remain upon the people? That is the question now propounded every day from one ocean to the other, and Congress alone can give an answer.

In moving forward, however, to reduce the taxes of the Government to the line of Government expenses the very first step discloses the powerful forces and fortifications which appear to block the way, and with implements of warfare more potent than cannon or sword defend the present system and forbid reform. The vast and commanding manufacturing interests of the country are invoked into the field of discussion and controversy as allies of the Republican party, allies of excessive taxation, of surplus revenues, of a plethoric overplus in the crowded coffers of the Treasury. More than a hundred years have rolled away since our existence as an independent power began; a hundred years of such majestic development of the industrial and manufacturing forces has taken place as the world never before witnessed. American skill, energy, and resources in furnishing supplies for all the wants of mankind stand foremost among the nations of the earth, and yet the leaders of the Republican party insist with loud and vehement pertinacity that all the mighty manufacturing establishments of the United States, from which have emanated such wonderful and glorious results, will at this late day, this high noon of their power and greatness, collapse and perish by the wayside, unless sustained and protected by an elaborate system of tribute and extortion levied on their laboring countrymen.

I am unwilling to believe that American manufacturers are fairly represented by those who assume to speak thus for them in Congress. I am unwilling to believe in the unpatriotic and absolute selfishness attributed to them here and elsewhere by their self-constituted and misguided friends. I prefer to look upon them as an able, enterprising class of American citizens, deeply imbued with love of country, guided by an unselfish desire for the general welfare, and inspired with a readiness to share in common with their fellow-countrymen all the sacrifices and burdens necessary to secure justice, fair dealing, and good government. In this light I have been accustomed heretofore to regard them in my personal intercourse, and in the discharge of my public duties, and I hope and expect to be warranted in maintaining the same favorable views under all the varying circumstances of the future.

But in this connection there appears a feature of political warfare on the part of the opponents of the present Administration which, while neither novel, nor truthful, nor even decent, calls for attention for those very reasons. The power of misrepresentation comes apparently as a preternatural gift to a certain class of minds, and it seems, within the last thirty days, to have been bestowed in a Pentecostal shower on Republican Senators and Members of the House, and on every other speaker and writer for the Republican party whenever they discuss the attitude of the Democratic party, and of its leader, Grover Cleveland, on the subject of the tariff.

A determined, persistent, and brazen campaign of willful mendacity seems now opened on that subject, and it will continue in the councils and in the field work of the Republican party, day by day, morning, noon, and night, until the frosts of next November come to wither and blast alike their falsehoods and their hopes. The initial point, as well as the key to the arch of the political canvass of 1888, on the part of Republican managers, is, to assume and boldly charge, in season and out of season, that the present Democratic Chief Magistrate and his followers, the entire Democratic party, are in open and bitter hostility to all the manufacturing industries of the United States, wish them nothing but evil, and are in league with British free trade, bribed with British gold, for their destruction. The colossal calumny embodied in this charge, now ringing all along the lines of the Republican party, like a bugle-call to action, stands refuted, overwhelmed, and trampled into the dust by every act of the Democratic party during the glorious and ever-to-be remembered epochs of its former history, and also by every utterance of the President now in power, including especially his recent message, now under discussion.

Sir, it is proper under these circumstances to go to the record of facts, and take a careful and reliable reckoning. It is true the saying has been that falsehood travels with a seven-leagued stride, while truth follows afterwards with a slower gait; yet I have faith that truth will prevail even in such an unequal race.

Let us look for a few moments into that grand declaration of national principles and purposes put forth at Chicago in 1884, by the authorized representatives of the Democracy of every State in the Union, and on which the confidence of the people was secured, and a great victory won. Let us see, first, whether the charge that the Democratic party

is in favor of free trade, and therefore hostile to our manufacturing industries, can be sustained, and, second, whether it is true that the President has departed in a single iota, jot, or tittle from the distinctly-declared policies on which he was elected.

The pledge of the Democratic party at the Chicago convention of 1884, to reduce the taxes of the American people, was bold, explicit, and peremptory. It was made in a few plain, strong words, the meaning of which it was impossible to pervert or misunderstand:

All taxation shall be limited to the requirements of economical government.

And again:

The Democracy pledges itself to purify the administration from corruption, to restore economy, to revive respect for law, and to reduce taxation to the lowest limit consistent with due regard to the preservation of the faith of the nation to its creditors and pensioners.

Sir, it is not to be wondered that a political platform containing such pledges as these should encounter the fierce opposition of those who, like the Senator from Ohio, regard an idle surplus in the Treasury a fortunate thing, and the overtaxation which placed it there a blessing to the people, or of those who, like the Senator from Colorado, turn up their noses disdainfully at $55,000,000, abstracted without any just cause whatever from the channels of trade, as a trifling circumstance.

The reduction of taxation thus pledged by the Democratic party necessarily implied a revision of our system of revenue, and many material changes in our present legislation. This great fact was not evaded by the Chicago convention, nor treated of in any double or doubtful sense. It was pointed out that the Tariff Commission created by Congress in 1882 reported in favor of a general reduction of import duties to the extent of 20 per cent., and that by the tariff act of 1883 a reduction of less than 4 per cent. had been made. It was very obvious, therefore, that it was the purpose of the Democratic party, if placed in power, to reduce taxation by a still further reduction of the duties paid on imported merchandise. It pledged itself "to revise the tariff in a spirit of fairness to all interests," and then proceeded to say:

But in making reduction in taxes it is not proposed to injure any domestic industries, but rather to promote their healthy growth. From the foundation of this Government taxes collected at the custom-house have been the chief source of Federal revenue; such they must continue to be. Moreover, many industries have come to rely on legislation for successful continuance, so that any change of law must be at every step regardful of the labor and capital thus involved. The process of reform must be subject, in the execution, to this plain dictate of justice.

And again, the following assurances were given:

The necessary reduction in taxation can and must be effected without depriving American labor of the ability to compete successfully with foreign labor, and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country.

Sufficient revenue to pay all the expenses of the Federal Government, economically administered, including pensions, interest and principal of the public debt, can be got, under our present system of taxation, from custom-house taxes on fewer imported articles, bearing heaviest on articles of luxury and bearing lightest on articles of necessity.

We therefore denounce the abuses of the existing tariff, and, subject to the preceding limitations, we demand that Federal taxation shall be exclusively for public purposes, and shall not exceed the needs of the Government economically administered.

These provisions of the Democratic platform, on which Democratic success was secured in 1884, contain full notice to the country that Federal taxes were to be reduced to a point where no surplus would be left in the Treasury after paying for an economical administration of the Government, and they also gave ample and timely notice that this reduction was to be made in the custom-house duties now levied on foreign importations. It will also be seen, as a striking feature of these Democratic declarations, with what careful conservatism the manufacturing and labor interests are to be treated in the impending and absolutely necessary revision of our system of tariff taxation.

The policy put forth by the Democratic national convention in 1884 on the subject of the tariff and of taxes was the policy of the founders, the great leaders, and statesmen of the party. It has the sanction of such names as Jefferson, Madison, Jackson, Polk, Marcy, Silas Wright, Horatio Seymour, and others who by their commanding talents and lofty patriotism have illuminated and adorned American history. It was the policy of rigid economy, and of taxation not a dollar beyond actual public expenses; but in raising revenue to that extent by custom-house taxes it has always been, as it is now, the settled policy of the Democratic party to "be at every step regardful of the labor and capital involved" in American manufactories, and to afford them, by equitable adjustments, such incidental protection against foreign competition as must always necessarily and inevitably arise from a tariff laid on articles of traffic manufactured abroad. Incidental protection to the home manufacturer to the extent of the tariff paid by the foreign manufacturer for the privilege of bringing his goods here to sell is as certain as that the shadow of a man will follow him when the sun is shining.

It is this principle, from which there is no escape, which was recognized in the national Democratic platform already cited, and which calls for careful consideration and wise adjustment whenever tariff legislation is attempted.

Sir, I rejoice in every element of American success. I am proud of the inventive genius of this country and of its vast establishments where skilled labor abounds. I look with delight upon the cotton-mills, the coal-mines, the blast-furnaces, and rolling-mills of the South as well as upon those of New England, Pennsylvania, and of many Western States. I would encourage them in their gigantic career of development and usefulness by every legitimate means and by the exercise of every power confided to my hands by the Constitution, and I hold that the policy of the Democratic party has always been ample for their prosperity and progress.

More than that; it is the only safe policy for American manufacturers. Let it once be clearly understood that the manufacturers of this country as a class demand that they be enriched by using the powers of the Government to collect fraudulent taxes, remaining idle in the Treasury, solely for their benefit; let it be understood that they insist on a Chinese wall of high protection, built by a wanton, undisguised tribute levied on the farmer and on every other class of laborers, with no pretense that the Government needs a dollar of such unrighteous extortion; let it be understood that the manufacturers of the United States accept the guidance of the leaders of the Republican party and join in their praise of surplus taxation, now going on at the rate of ten millions a month, with no other reason whatever except to enhance their gains and swell their enormous profits; let all these facts be once understood and fasten themselves in the public mind, and then indeed will perils environ the manufacturing interests of this country such as have never been known before.

If every suggestion of relief to the tax-payer by a reduction of duties, however moderate in tone, reasonable in amount, and regardful of the manufacturer's investments, is to be met with the senseless, untruthful, and knavish cry of free trade, it will not be long until it will be made manifest that the minority can not rule and rob the majority of the American people. Free trade, to a mind knowing the meaning of words, signifies the repeal of all tariff laws, the abolition of all custom-houses, and a resort to direct taxation for revenue. If the Democratic party, with its record of more than fifty years' administration of the Government and its frank and constant declaration of principles, is to be charged with the folly of free trade every time an attempt is made to modify a tariff which is preying on the very vitals of labor and business, the people will very soon and very clearly find out that such assaults are only made to divert public attention from evil designs and schemes of plunder of which they are the victims.

I can not believe, however, that the strong, sagacious, and patriotic business men of the country in control of manufacturing industries will permit themselves for political purposes to be placed in an attitude of absolute injustice, selfish, overweening avarice, and disgraceful unfairness towards the great mass of their fellow-citizens. On a former occasion, more than five years ago, on this floor, I made the following statement, which I here now repeat:

I voted for the amendment offered by the Senator from North Carolina [Mr. VANCE] because I am one of those who believe there is no necessary antagonism between the agricultural and manufacturing industries of this country. I believe there is a safe, sound middle ground between the high protectionist *per se* on the one hand, and the wild free-trader and direct taxationist on the other; that the prosperity of this country lies where its growth and its development, both of lands and manufactures, will be best promoted and protected, and I hope before this session closes to embrace an opportunity to point out that true medium ground; that ground where I think all the industries of this country can be encouraged and harmonized, and at the same time a sufficient revenue obtained.

Again I said in my place as a member of this body:

I speak not in support of a tariff for revenue only, nor of a tariff for protection only, but in support of a tariff which collects the necessary revenue, and at the same time to the extent of that revenue extends protection with discriminating justice to American manufactories.

I am conscious of not the slightest change in my convictions on this subject from that hour to this.

But having pointed out what I conceive to be the true position of the Democratic party on the subject under discussion, I desire in this connection to consider next, and somewhat carefully, the message from the President, which has caused so much demoralized commotion amongst the leaders of the opposition. Sir, it is a pleasure to me to dwell on this remarkable state paper. It bears close and repeated scrutiny and study. It is true to the principles and teachings of the Democratic party from its foundation by Jefferson, eighty-seven years ago, to the present day.

The thanks of the laboring and business classes of the country, and, indeed, of every friend of equal and exact justice, are due to the Executive for seizing on this vital issue with the grasp of a strong, honest man, and placing it before his countrymen in such shape and light that it will never disappear until the wrongs exposed are redressed and the outrages of overtaxation shall cease. The opening statement of this message rings out on the air, and startles the drowsy camp-fires of both political parties, like a bugle-call on the field announcing the hour for action, and calling every man to his position. It is as follows, and will sound well in rehearsal again, even here in this stately presence:

The amount of money annually exacted, through the operation of present laws, from the industries and necessities of the people, largely exceeds the sum necessary to meet the expenses of the Government.

When we consider that the theory of our institutions guaranties to every citizen the full enjoyment of all the fruits of his industry and enterprise, with only such deduction as may be his share towards the careful and economical maintenance of the Government which protects him, it is plain that the exaction of



Is it in wise, conservative statements like these, guarding the inter-

a keen and able observer of men and affairs that those most conspicu-

more than this is indefensible extortion, and a culpable betrayal of American fairness and justice. This wrong inflicted upon those who bear the burden of national taxation, like other wrongs, multiplies a brood of evil consequences. The public treasury, which should only exist as a conduit conveying the people's tribute to its legitimate objects of expenditure, becomes a hoarding-place for money needlessly withdrawn from trade and the people's use, thus crippling our national energies, suspending our country's development, preventing investment in productive enterprise, threatening financial disturbance, and inviting schemes of public plunder.

In this age of vast and colossal monopoly, sucking the very life-blood of labor with equal fierceness and with more numerous and effective contrivances than the octopus, Victor Hugo's devil-fish of the sea; in this age of giant corporations which "clasp with hooked hands" the seaboards of each ocean boundary of the Republic, and rule all intermediate space and interests in their own favor and in utter disregard of the human toil on which all their huge proportions rest; in this age of enormous trust combinations, a new invention for establishing tyranny and oppression in business, for stamping out all rivalry and competition, for the maintenance of exorbitant prices, and for the aggrandizement of the power of consolidated money and the triumph of cruel, heartless, soulless monopolies; in this age of pools, syndicates, and gluttonous greed, when men plot, negotiate, and combine for the amassment of millions in the hands of the privileged few at the expense of the brawn and muscle of those who eat honest bread in the sweat of their faces; in this age of swollen pretense, sham aristocracy, and gilded vulgarity, based upon the labor of others almost, if not quite, as inadequately paid as in the South in the days of slavery; in such an age as this the splendid utterances which I have just read from the message of the President will fall upon the minds of the people as a token, a promise of relief, reform, and redemption from one who has never broken a pledge nor forgotten a public duty.

He declares for the lowly and the oppressed, and announces why, under our theory of government, it is "a culpable betrayal of American fairness and justice" as well as an "indefensible extortion" to rob the people under the guise of taxation. Since the matchless and immortal inaugural read by Jefferson on the 4th of March, 1801, no communication has emanated from the Chief Magistrate of this Government more able, more elevated in statesmanship, more humane and benevolent in its purposes to the people, or more conducive to the general welfare and to good government than the message now under consideration. Who will join issue with him on this opening statement which I have just read? He says the taxes wrung from the people are largely in excess of what the Government needs. Who denies that? He declares that every citizen is entitled to the "full enjoyment of all the fruits of his industry and enterprise, with only such deductions as may be his share toward the careful and economical maintenance of the Government which protects him." Who will gainsay this statement of a great fundamental doctrine of free government, unless it be the Senator from Ohio, who congratulates the people on having the fruits of their industry taken away from them and gathered into the Treasury? The other side of the Chamber has indicated, in a somewhat confused and disorderly way, its purpose to attack every point in the message. Let it be understood that there will not only be no unreadiness on this side to meet every such assault, but that we challenge and court the conflict.

But in addition to the espousal and indorsement of a surplus revenue created by excessive and unjust taxation, and a bitter opposition to the President on that point, the methods suggested in the recent message by which to remedy the already great and still growing evil have especially incited the hostility of those who, in a marked degree, have the interests of the Republican party in their keeping. The sources of Federal revenue are easily comprehended. The duties laid at our custom-houses on goods from abroad, seeking admission and sale here, and the internal or domestic taxes on spirituous and malt liquors, and on tobacco, furnish not only all the money required for actual expenses by the Government, but have created the enormous surplus now on hand, and continuing to increase with amazing and startling rapidity. The deep and fluent streams of money running from the hands of the people into the Treasury must be checked and diminished from one or the other of these prolific and superabundant fountains of revenue.

Where shall reduction of taxes begin? On what articles now affording an overplus shall it take place? These are questions which provoke contention, engender selfish conflicts, and really constitute the most serious difficulties we have to encounter. In the light, however, of Democratic principles, and the more than half a century of Democratic administration, and in view of the distinct declarations of the present Chief Magistrate, there need be no doubt as to the points where the Democratic party will seek to lighten the burdens of the people by lessening their taxes. To cheapen the price of such commodities as constitute the necessities of civilized life, and to place the burdens of government, as far as possible, on those articles which contribute to the luxurious habits and artificial tastes and appetites of mankind, is the true policy and the just exercise of the taxing power. It was declared by the Democratic party, in national convention assembled in 1884, that sufficient revenue for all legitimate purposes of the Government could be raised "from custom-house taxes on fewer imported articles, bearing heaviest on articles of luxury, and bearing lightest on articles of necessity."

Such is the position of the party now, and it will be adhered to in the approaching revision of the tariff. It is true that a very determined assault is being made on our internal-revenue system, and there is a strong purpose in various quarters to entirely abolish or greatly reduce the taxes now collected on spirituous and malt liquors and on tobacco. The result of this movement, should it succeed, is obvious at a glance. It would place before the American people free whisky and tobacco; it would cheapen the use of articles which are of no necessity, while it would retain and continue the present high duties on everything the people wear and on every implement of husbandry wherewith nearly ten million agriculturists prepare their fields and gather their harvests. The report of the Commissioner of Internal Revenue shows that for the year ending June 30, 1887, the sum of $118,837,301.06 was collected by his office, and all of it from distilled spirits, fermented liquors, and tobacco in its various forms, with the exception of $977,724.73 arising from oleomargarine and two or three other minor sources.

The Commissioner estimates that during the current fiscal year, ending June 30, 1888, there will be collected as internal revenue $120,000,000. It will be remembered that the President estimates the surplus which will have accumulated in the Treasury by present rates of taxation June 30, 1888, at the sum of $140,000,000, showing that even the total destruction of our whole internal-revenue system would not make a sufficient reduction to correct the evils by which we are confronted. Sir, I am fully aware that there are many and grave objections to internal-revenue taxation, and I am also aware that many worthy and patriotic people are opposed to its existence, upon grounds far different, however, from a desire to perpetuate for personal gain enormous and unjust taxes on the necessities of life. I appreciate the fact that for many years, and especially in certain States, the whole system, with all its peculiar forces, was used as a powerful instrument of partisan political warfare, and was rendered odious to every fair-minded citizen. We are also often reminded that it is a war tax, and that in times of peace it should pass away. All these considerations and others have their weight; but while the taxes laid by a war tariff on almost every article which enters into the daily wants and necessities of every man, woman, and child in the United States have in reality not been reduced at all, I submit, in all candor, that the work of reduction and reform should be pursued mainly in that field, and the internal-revenue system left to stand yet awhile, subject to certain modifications which can be made perhaps with advantage. For instance, the tax collected on tobacco for the year ending June 30, 1887, amounted to $30,108,067.13, and of this collection the sum of $12,682,137.19, was derived from cigars, cigarettes, cheroots, and snuff. Ithas occurred to me that this tax of over twelve millions and a half shouldbe retained, and that the remainder of the assessment on tobacco, amounting to over seventeen millions, might be remitted, in the general adjustment, now imperatively required. This, however, is a feature of detail, perhaps a feature of compromise, which I need not dwell on now, but which may become my duty to act upon hereafter. I am simply insisting at this time that the great bulk of abatement in the present totally unnecessary, and, therefore, vicious taxation of the people, must take place in a careful and prudent revision of the tariff, and I shall leave to the future what may seem to be the best means and arrangements by which to attain that end.

As a choice between reducing internal-revenue or tariff taxation, I shall labor to cheapen woolens, linens, cotton fabrics, salt, lumber, coal, iron, steel, and all the other great staple commodities, rather than such articles as are indulged in from acquired habits or luxurious modes of living.

Sir, I need hardly assure the Senate that I do not at this advanced period of political economy announce these views because of any charm of novelty or new invention. They are old and axiomatic; they contain self-evident and necessary truths, and no process of reasoning or demonstration can make them plainer, and yet because the President has maintained them in his late message he is assailed as if he had made a violent departure from every sound principle of government. In the following clear, terse sentence taken from the message is to be found the very marrow of the question now before us:

> The taxation of luxuries presents no features of hardship; but the necessaries of life used and consumed by all the people, the duty upon which adds to the cost of living in every home, should be greatly cheapened.

What higher, broader, stronger, platform than this is required for a victorious campaign of the year now just opened? *In hoc signo vinces.* The Democratic party will inscribe this great sentence on its colors, and challenge its adversaries to the arbitrament of the ballot. The result will not be doubtful.

But let us examine somewhat further as to the methods suggested, and the spirit manifested by the Executive in his very able and patriotic message. Falsely and foolishly stigmatized as a free-trade document, we find in it, speaking of the tariff, the following explicit avowal:

> It must be extensively continued as the source of the Government's income; and in a readjustment of our tariff the interests of American labor engaged in manufacture should be carefully considered, as well as the preservation of our manufacturers. It may be called protection, or by any other name, but relief from the hardships and dangers of our present tariff laws should be devised with especial precaution against imperiling the existence of our manufacturing interests.

Is it in wise, conservative statements like these, guarding the interests of American manufacturers on one hand, while seeking to relieve the people on the other, that the doctrines of free trade are so plentifully found? Or is the mythical monster, free trade, discovered lurking in the following splendid paragraph, enunciated by the President in a tone worthy the best statesmanship in the history of the Republic:

Our progress toward a wise conclusion will not be improved by dwelling upon the theories of protection and free trade. This savors too much of bandying epithets. It is a condition which confronts us—not a theory. Relief from this condition may involve a slight reduction of the advantages which we award our home productions, but the entire withdrawal of such advantages should not be contemplated. The question of free trade is absolutely irrelevant; and the persistent claim made in certain quarters, that all efforts to relieve the people from unjust and unnecessary taxation are schemes of so-called free-traders, is mischievous and far removed from any consideration for the public good.

The simple and plain duty which we owe the people is to reduce taxation to the necessary expenses of an economical operation of the Government, and to restore to the business of the country the money which we hold in the Treasury through the perversion of governmental powers. These things can and should be done with safety to our industries, without danger to the opportunity for remunerative labor which our workingmen need, and with benefit to them and all our people, by cheapening their means of subsistence and increasing the measure of their comforts.

Sir, does it not seem that those who cavil with Mr. Cleveland and denounce his views on tariff taxation are such as have predetermined a quarrel and would not approve the Declaration of American Independence if it came from his hand? Such political leaders may have their uses, but in the present instance it requires no gift of prophecy to foresee that as blind leaders of the blind they and their followers will roll in the ditch of defeat together.

But a persistent and violent effort is also being made by those who manage and lead the opposition to the present Administration to convince the public mind that the President is unfriendly to labor interests and labor organizations, and that the reduction of taxes which he so powerfully enforces would prove hurtful to the workingmen and workingwomen of the country, and especially to wage-laborers employed in our manufacturing industries. I might here pause to ask the meaning of the present condition of the wage-workers in many of the most extensive manufacturing regions; why, under the present high tariff, they are engaged in constant strikes and severe struggles with their employers for more pay, if it is true that the employer always pays his hired labor in proportion to the rate of duty levied to protect his manufactured products.

I will go far to protect the American laborer in every respect and to comfort his daily life with generous laws. My heart is full of appreciative sympathy for him and his household as they gather around their troubled fireside, often in penury, sometimes in actual want, and never in ease or affluence, but I have never yet conceived it a remedy for his privations and anxieties to increase the tax on his blankets and bedclothing, or on his salt and meager tableware, while his employer, for whose profit such taxes are paid, is left wholly free to fix his wages, reduce them to the starvation point, or deprive him of work altogether. If the laborer is compelled to pay taxes on all he and his family consume for the benefit of his powerful employer, it would seem but just that the employer should also be compelled to give work to the laborer at wages sufficient to support in comfort him, his wife, and his children.

The President expresses his solicitude for the welfare of the American laborer and points out the vigilant care his interests should receive in the treatment of the tariff in the following terms:

It is also said that the increase in the price of domestic manufactures resulting from the present tariff is necessary in order that higher wages may be paid to our workingmen employed in manufactures than are paid for what is called the pauper labor of Europe. All will acknowledge the force of an argument which involves the welfare and liberal compensation of our laboring people. Our labor is honorable in the eyes of every American citizen; and as it lies at the foundation of our development and progress, it is entitled, without affectation or hypocrisy, to the utmost regard. The standard of our laborers' life should not be measured by that of any other country less favored, and they are entitled to their full share of all our advantages.

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But the reduction of taxation demanded should be so measured as not to necessitate or justify either the loss of employment by the workingman nor the lessening of his wages; and the profits still remaining to the manufacturer, after a necessary readjustment, should furnish no excuse for the sacrifice of the interests of his employés either in their opportunity to work or in the diminution of their compensation. Nor can the worker in manufactures fail to understand that while a high tariff is claimed to be necessary to allow the payment of remunerative wages, it certainly results in a very large increase in the price of nearly all sorts of manufactures, which, in almost countless forms, he needs for the use of himself and his family. He receives at the desk of his employer his wages, and perhaps before he reaches his home, is obliged, in a purchase for family use of an article which embraces his own labor, to return in the payment of the increase in price which the tariff permits, the hard-earned compensation of many days of toil.

Sir, I have thus particularly, and in detail, dwelt upon the message of the President, and submitted his views on disputed points as stated by himself, in order to present a complete refutation, in a condensed form, of the reckless and sometimes malicious misrepresentations with which his positions have already been assailed, and which are certain to continue at least ten months longer. In my judgment, however, the American people will have but small difficulty, as soon as the present improvised commotion has subsided, in determining that his premises, his arguments, and his conclusions are alike impregnable, and alike defy assault. In fact, it was suggested to me a few days ago by a keen and able observer of men and affairs that those most conspicuous at this time in seeking to make a political issue on this subject against the President had failed to convince themselves, but were simply playing a compulsory part, masquerading, as it were, in theatrical costumes, under the sore and humiliating stress of a partisan political necessity.

It would indeed seem strange that intelligent and cultivated thinkers could candidly conclude, under all the circumstances of trade, labor, and general business in this country at the present time, that a dead surplus piled mountain high in the Treasury is a blessing, and that taxes on the common wants and necessities of life should not be diminished, even though it be done without the slightest injustice to the manufacturer and with as much protection as possible to employed labor. It is not for me to impugn the sincerity of our adversaries, but when experienced Republican leaders assume an air of extreme confidence over such an issue as this; when clubs and caucuses and club conventions are called together in spasmodic haste, and proceed to inflate themselves with a sort of hysterical enthusiasm over the opportunity given them by the President to attack principles as old, as true, and as necessary to liberty as any embodied in our Declaration of Independence, it would not, I think, be wonderful, in view of such conduct, if the plain, common-sense people of the country should regard such demonstrations as merely sound and fury, signifying nothing more than a noisy effort to sustain their political courage in the face of certain and overwhelming defeat.

But there is another feature of controversy over the question of the tariff and its present condition which involves the responsibility of parties and to a certain extent of individuals for the delay which has occurred in legislative action. For the first ten years after the war closed the Republican party had complete control of every department of the Government, and for the next six years the Democratic party had a majority in the House of Representatives. During these sixteen years no concerted effort was made for a general revision of the tariff. The expenses of the Government were very great, and whenever a surplus occurred in the Treasury after they were defrayed it was readily returned to circulation by the payment of bonds then falling due and payable. In this way the evils of surplus revenue arising from high taxation did not manifest themselves nor call for redress with the same imperative force they do now. It is true that tariff reform was from time to time urgently demanded by the agricultural and commercial interests of the country, and that tariff taxes were excessive; but the subject was not taken up for definite action until the Forty-seventh Congress convened.

The Republican party had secured a majority in both branches of that Congress and also held the executive department. The bill brought forward by skillful Republican leaders, and which became a law on the 3d day of March, 1883, was designed to appease the popular demand for a revision of the war tariff, or as it is most generally known, the Morrill tariff, and at the same time to touch it as lightly and tenderly as possible. As a member of the Finance Committee of this body I lent my efforts towards shaping that measure so as to reduce taxation and promote the best interests of the whole country; but it all the time appeared more a show than a substance, more a pretense of doing a thing than the actual accomplishment of it. Subsequent experience has demonstrated that the impressions under which I voted against this measure were correct. Instead of reducing our revenues from customs duties they have largely increased under its insidious operation.

For the fiscal year ending June 30, 1886, the revenues collected from that source were $192,905,023.44; for the succeeding year, ending June 30, 1887, they were $217,286,893.13, an increase of $24,381,869.69, while for the present fiscal year, ending June 30, 1888, the duties on imports already actually received, and those estimated for by the Secretary of the Treasury, will reach $228,000,000, being still another increase of $10,715,106.87, in tariff taxation. And alongside of this increase of tax tyranny and overplus oppression, a monopoly of the wealth of the country, in the hands of favored classes, has, with equal pace, also increased, while the condition of labor appears to be not only without protection, but to grow more and more insecure and deplorable every day. A so-called revision of the tariff, producing such results as these, was either a deliberate deception or a huge blunder, and not in any respect what was due to the interests and the expectations of the American people.

In fact the authors themselves of the tariff act of March, 1883, seem to have had but little faith that it would long impose on the credulity of the country. Although the time of nearly an entire Congress had been taken in its consideration, and although its passage was at the time hailed for party purposes as a brilliant triumph of economic statesmanship, yet in the brief space of only fifteen months, at Chicago, June 3, 1884, in the national Republican convention, it was found necessary to put forth a new party promise, as follows:

The Republican party pledges itself to correct the irregularities of the tariff, and to reduce the surplus, not by the vicious and indiscriminating process of horizontal reduction, but by such methods as will relieve the tax-payer without injuring the laborer or the great productive interests of the country.

Here was a plain, clear admission, made three years and a half ago, that their work of little more than a year before had been poorly done,



Sir, I am tempted to submit what the Secretary styles a "bit of history," as stated in his report, and which he aptly suggests "will

Mr. TELLER rose.

Mr. SHERMAN. Does the Senator desire to speak on this question?

and called for correction; that it had not prevented the accumulation of a surplus, nor brought relief to the tax-payer, and this admission was accompanied by a solemn pledge that the Republican party would do its work over again, correct the irregularities it had committed, reduce the surplus in the Treasury, and lift unnecessary burdens from oppressed labor. I repeat, that this distinct and positive pledge was given to the country three years and a half ago, and yet, never by one word, one vote, one step, or the lifting of its finger, has the Republican party, from that day to this, made a single attempt for its fulfillment. On the contrary, the leaders of that party have not only done nothing themselves to remedy their own confessed wrongdoing, but they have, with the whole weight of their organization, hindered the efforts of everybody else.

If I am reminded at this point that a small minority of Democratic Representatives in the House, while waiting for the practical workings of the recently-enacted law of March, 1883, voted against further tariff legislation for the time being, my answer will not be an assault on them, their motives, or their party loyalty. Their action was taken according to their best enlightened sense of duty to those whom they represented. With additional light, however, now on the subject in all its branches and details, those who hope that Democratic counsels will fail to reach a harmonious conclusion will be left to nurse their disappointments before the present session of Congress adjourns.

But what shall be said for a party which, fully realizing its sins and shortcomings, casts its whole force, under caucus discipline, against every movement of relief and reform which it confesses is necessary to the public welfare? This was conspicuously true of the Republican party in both the Forty-eighth and Forty-ninth Congresses; and now in the Fiftieth Congress its boldest and ablest leaders appear terrified and enraged at being compelled to face the same great issue, which they pledged their readiness to meet in 1884, but which they have succeeded in avoiding ever since. It will not do for them to prate about "the vicious and indiscriminating process of horizontal reduction." The field has been open all the time for measures to be introduced by themselves, and their consideration could have been at once secured, had such been the policy of the party.

Various State conventions of that party also have echoed from time to time the confession and the pledge of reformation given in its national assemblage at Chicago. I recall the fact that this was done in Indiana, and yet I know of no leader of the Republican party in Congress from that great and prolific State who has signalized himself in the slightest attempt to reform the abuses or even to disturb in the minutest particular the admitted irregularity and injustice of the tariff as it now stands. The same thing can be said of Iowa, Kansas, Illinois, and many other powerful Commonwealths of the West and Northwest; but with all their talent and eloquence on this floor and in the other branch of Congress no sound, not even a whisper, has ever been heard from them urging the fulfillment of the broken pledge of 1884. And if now, after this long delay, the leaders of the Republican organization here in Congress and elsewhere assume the attitude of tariff reformers, such as they promised to become at Chicago, it will only be under compulsion, the compulsion of public opinion, invoked and aroused by the powerful statement and appeal of Mr. Cleveland in his message a month ago.

They are chiefly incensed against the President because he has disturbed their policy of inaction, concealed, as they conceived it to be, by timely promises and pledges which were never intended to be kept. Their anger is kindled because their dilatory tactics, like a lawyer's for the benefit of his client based on affidavits for a continuance, and promises to go to trial at the next term of court, can avail them no longer. The President has served notice on them, and all concerned, that a further violation of these promises will not be condoned by the people who demand, and have a right to demand action, action by the present session of the present Congress. He calls them to their duty, and arraigns them in the following strong and patriotic language:

> The question thus imperatively presented for solution should be approached in a spirit higher than partisanship and considered in the light of that regard for patriotic duty which should characterize the action of those intrusted with the weal of a confiding people. But the obligation to declared party policy and principle is not wanting to urge prompt and effective action. Both of the great political parties now represented in the Government have, by repeated and authoritative declarations, condemned the condition of our laws which permits the collection from the people of unnecessary revenue, and have, in the most solemn manner, promised its correction; and neither as citizens or partisans are our countrymen in a mood to condone the deliberate violation of these pledges.

But while determining that for the future no useless surplus of the people's money shall be gathered into the Treasury, and while devising the best means to attain that end, the question constantly arises, and with great force, as to the proper disposition of the surplus already there, and which will be vastly increased before this unnatural current, now flowing so strongly in the wrong direction, can be stopped by legislation. The plain people have caught up this question and are asking at every opportunity what is to be done with the overplus of their money which remains after every authorized and legitimate expenditure has been made. It presents a puzzle to their minds as it does also to minds long engaged in the transaction of public affairs.

The statesmen of Europe have looked with amazement at the report of the Secretary of the American Treasury as well as at the message of the Executive. In these great state papers they behold in cold, undeniable figures the wonder and the marvel of nations. A government with every debt paid which is due, and which presents an option to the authorities to pay; a government meeting to the hour the interest on its bonds not yet payable, and in certain instances purchasing such bonds themselves at a premium for its sinking fund; also meeting with the same promptitude its magnificent pension pay-roll; liquidating every item of public expense and yet showing in its treasury an overplus at the end of the present fiscal year of $140,000,000, without disturbance or revolution on the part of its overtaxed citizens, is indeed a spectacle without a parallel in the history of the human race.

Looking merely at its imposing surface it is well calculated, for the moment, to swell the American heart with pride at the inexhaustible resources of his country and the law-abiding patriotism of his countrymen. But the dazzling and alluring picture will not bear scrutiny, nor be approved by sound principles nor sober after-thought. When the Earl of Cardigan, in his uniform of scarlet and gold, led the Light Brigade, "The noble six hundred," down the North Valley at Balaklava, charging the whole Russian army, and riding into "the jaws of death, into the gates of hell," General Bosquet of the French forces, looking on from a distant height, exclaimed, "It is magnificent, but it is not war." And so may thoughtful observers of the tremendous financial power and endurance of the American people exclaim, "It is glorious, but it is not statesmanship." It is glorious to the manhood and resources of the Republic, but in giving the orders, in shaping the policy, on which the American people have been thus strained, taxed, and bitterly tested, all the world now knows that a blunder, equivalent to a crime, has been committed, and stubbornly persisted in. But the question still recurs in its homely, practical way as to the disposal of the results of this blundering policy.

Sir, I have observed with such care as I have been able the numerous suggestions which have been made for the use of the surplus revenue now on hand. It is far easier to point out the objects to which, in my judgment, it ought not to be applied, than it is, perhaps, to indicate where it should be. I am not a disciple of a standing army, nor of a standing navy. I believe in the necessity of neither the one nor the other. Troops should be maintained on our frontiers in sufficient numbers to prevent, as far as possible, the white man from taking the homes and everything else belonging to the Indians, and then in turn to prevent the Indians from indulging in retaliatory murders. To these should be added a few more to raise the flag at sunrise in our forts, and to fire the evening gun at sunset. As to actual preparations for war the American people have shown that they are always ready.

A very earnest and very loud appeal, however, has for some time past been made from certain quarters for the construction of a powerful navy. Our pride in great fleets and in mighty naval armaments, with which to parade and show before the nations of the earth, has been eloquently invoked on many occasions, and when that glowing theme has seemed insufficient to move the country we have been passionately reminded of the perils of impending war unless we build and cover the seas with ships. What proportion of this argument, if it may be so called, is due to sincere conviction, and how much of it is due to the ship-yards, ship-builders, and thrifty contractors whose palms itch to handle the millions in the Treasury, it would be impossible to determine. It has failed, however, to convince me that a standing navy is any more necessary than a standing army. The nations of the earth need no visible sign of our greatness in the shape of American squadrons on their coasts, nor do they need any other reminder than American history that their own safety, far more than ours, requires them to pursue with us the arts of peace rather than the arts of war.

It is now seventy-two years since the close of the only war this Government ever had with a European power, excepting the war for its independence; and in the strong and increasing light of a Christian civilization, calling for the peaceful methods of arbitration instead of the sword, and especially owing to the grand isolation of our geographical position, and our freedom from contact with powerful neighbors, it is reasonable to believe that a hundred years more will come and go without the sound of a hostile gun aimed at the American flag in any of the four quarters of the globe. If, however, the emergency of war should ever rise, no comments from me are necessary, in the light of our glorious military and naval history, to show the manner in which it would be met by the spontaneous patriotism, courage, energy, and inventive genius of the entire country, in all its sections and in every State.

With the exception, therefore, of five or six steel cruisers perhaps, to patrol the oceans and exchange official courtesies with foreign powers, the American people should not be required to spend their money at this time on maritime vessels. Nor would a glance at the history of the Navy since the close of the war encourage the attempt to build up a standing navy, unless an absolute assurance could be given, a bond executed by Fate itself, that such an administration of its affairs as marked many portions of that long period could never occur again. In his recent annual report the Secretary of the Navy very correctly says:

> It is often the subject of wonder what has become of the $70,000,000 spent upon war vessels since the close of the war, in view of the fact that there is now no navy.

Sir, I am tempted to submit what the Secretary styles a "bit of history," as stated in his report, and which he aptly suggests "will serve as an illustration" on this point. It reads as follows:

Among the vessels dropped from the Navy Register and sold during the past year is the Tennessee.

The account of the sale is stated elsewhere.

The history of this vessel is quite interesting and most illustrative. She had a short life, but as a consumer of money a brilliant one. Her hull was built and she was equipped in the New York navy-yard. Her machinery was designed and built under contract by the eminent engineer, Mr. John Ericsson, costing $700,000. Her total original cost was $1,856,075.81. Upon her trial trip, in January, 1867, she ran about 1,000 miles. She attained a speed of 16 knots and made a run of 15 knots per hour for four hours. She encountered a perilous storm, described as a hurricane, which continued over twenty-four hours. The ship suffered considerably. The report of her commander says:

"The engines moved off finely and worked perfectly during all the storm * * * her machinery is as perfect as it need to be. It has undergone the severest test and not once found wanting. She is the fastest ship I have ever seen."

The chief engineer says:

"If the strength and workmanship of the machinery can not be depended upon, then no reliance is to be placed upon the performance of any steam machinery with which I am acquainted."

Two years afterwards she underwent what was called "repairs," and the sum of $576,799.61 was spent upon her; all but $73,000 of this was put on her hull and equipment. It was the full price of a new wooden hull of her size at that time. This was from 1869 to 1871. She then made a cruise of three months and went into the hands of Mr. John Roach to enable him to take out the machinery and boilers of John Ericsson and substitute others of superior character. It was among other things expected to give the ship a 14½-knot speed for twenty-four hours. When she had her trial of this new machinery in 1875 her maximum speed was 10¾ knots, and she had had put upon her an expense of $801,713.60 in addition to the value of her machinery and boilers taken in trade by Mr. Roach at $95,000. This machinery had cost $700,000; had not been in actual service six months; had never been surveyed and condemned by a board of Government officers, nor its value fixed by any Government board, but it was sold to Mr. Roach as old iron.

That is to say, between 1869 and 1875 the Tennessee had had three months' service and had cost in repairs and improvements $1,443,513.21.

This was largely in excess of a fair price for a new ship of her characteristics.

Twelve years after (on April 4, 1887) she is condemned by the Statutory Board as unseaworthy and not worth repairing, and ordered sold, having had put upon her between 1875 and 1887 the additional sum of $577,716.17. She brought $34,525 at the auction sale. She had cost the Government $3,800,000 in round numbers, and had done about ten years of active service, outside of repair shops and navy-yards.

Sir, the views I have thus advanced on the subject of the Navy also express my position in regard to a general system of coast defenses, and the vast expenditures, and dangerous influences therein implied. I turn to more natural, necessary, and practical methods for the use of our surplus revenues. A generous pension-roll with all arrearages paid; liberal appropriations for the improvement of rivers and harbors, the great waterways for cheap transportation, and the only successful competitors of the railroads; the construction of public buildings wherever needed for the public service; all these objects are laudable, and should be attained, but they will fall far short of restoring our immense surplus to circulation, and of affording the relief needed.

As a further remedy, and indeed the greatest and most potent, the American people will be best pleased to see their public debt diminished, and if the authority to purchase bonds not yet due is not to be found in existing law, let Congress promptly supply the defect. I notice with great interest the suggestions made by the able and accomplished Secretary of the Treasury on the use to be made of the surplus. He says:

One use which can be made of this money is to diminish taxation to such an extent that the annual revenues will be less for some years to come than the appropriations; thus the accumulated surplus would be used for ordinary expenses and the people would gain the greatest possible good from it. Doubtless by the time this money was spent in pursuance of this plan, the revenues would have so increased as to be equal to proper annual expenses. Experience teaches that this would probably be the case. In the mean time a portion of this money could lie in banks, where it would be available for the business of the country, and, as upon withdrawal from them it would be at once returned to the channels of business through Government payments, no shock would be caused by such withdrawal. As this is the best use to make of this money, I advise it. If, however, it is thought better to attempt to buy bonds with it, specific authority should be given to the Secretary of the Treasury to do so.

With the greatest respect for the opinion of the Secretary, my judgment prefers the alternative he presents in the last sentence of this extract rather than the more specific recommendation which precedes it. The people know their money is well applied when it is redeeming them from the clutches of debt. If bonds have to be purchased at a premium, equal, or something more than equal, to the accruing interest saved by their prepayment before due, still the country will hail its gradual emancipation, even at such a sacrifice.

There is no bondage so cruel as the bondage of debt, and when our last Government bond is paid, and the last vestige of our national debt is wiped out, there will be a jubilee year in this great land beside whose glories all other jubilees and centennial years will grow pale and insignificant. With equal and exact justice to all our people, and with special privileges to none, and with rigid economy in every branch of the public service, that glad year will approach swiftly and surely. Sir, I have faith in its coming, because the administration of the Government has at last been placed upon sound principles, carried out by honest, able hands, and the American people will see to it in their own way that no backward step shall be taken for the future.

The PRESIDENT *pro tempore*. The Senate resumes the consideration of the unfinished business.

Mr. SHERMAN. Before that is done, I ask that the message may be referred to the Committee on Finance.

Mr. TELLER rose.

Mr. SHERMAN. Does the Senator desire to speak on this question?

Mr. TELLER. A few words.

Mr. SHERMAN. I withdraw the request for action on the pending resolution.

Mr. TELLER. Mr. President, I do not intend at this late hour to discuss either the tariff or the general financial question in which the country is interested.

The Senator who has just taken his seat took occasion in very handsome terms, to which I take no exception, to refer to some remarks I made the other day. I am under obligations to him for the magnificent advertisement and eulogy that he rendered on the State I have the honor in part to represent. He will thereby increase the great number of friends he has in that State, and I certainly feel under personal obligations to him.

I did remark the other day that the President of the United States had said we were confronted with a great emergency, and that, in my judgment, a surplus of $55,000,000 was not an emergency which ought to frighten any administration, much less this one. I complained then, as Senators on the other side of the Chamber had complained, that the Administration had allowed for months the money to accumulate in the Treasury without paying bonded debts that were due and drawing interest.

I learn from an official source which can not be questioned that when the first call was made by this Administration for the redemption of bonds in payment of the public debt, which had been due and were due when this Administration came into power, the surplus had accumulated in the Treasury to the extent of $83,236,898.73. Over $83,000,000 had accumulated before this Administration saw fit to call in a single dollar of the indebtedness then due.

I find a statement here, derived from the published reports of this Administration, that in August, 1885, long before any bonds were called, there were in the Treasury, exclusive of subsidiary coin or unavailable assets, $49,716,000, which could have been applied. The next month the amount was $63,903,106, or nearly $64,000,000; and that was not considered a startling thing. No money was paid out; no bonds were called; no pretense was made that the business of the country was being disturbed, or that it was likely to be disturbed.

I find that in October, 1885, there were $66,818,292 in the Treasury. I find that in November, 1885, there were $61,930,595, and the last of December, 1885, before a bond had been called, there were $71,018,872, or nearly $16,000,000 more than the amount of surplus in the Treasury when the President of the United States sent his startling message to this and the other House.

As I have said, when this Administration made the first call for bonds there was a surplus of $83,236,898.73 in the Treasury. It was said here the other day that on several occasions before they made the call there had been a much greater surplus in the Treasury than there was when this message came to the Senate. I stated then that it was not the amount of money which brought this message; it was not because the Administration were frightened at the surplus and the accumulations; for they knew that there was a method by which they could reduce the surplus, and they had exercised that method to the extent of $27,000,000, if the Treasurer is correctly reported in the message of the President of the United States.

I know it was said on the other side of the Chamber that there was some question whether the surplus could be paid out; but I submit that when an administration have availed themselves of a law to the extent of paying $27,000,000 of the public money at the demand of Wall street—for there is where the demand came from, and but for that demand I do not suppose it would have been paid—they might pay out the $55,000,000 that they have, in the interest of the suffering multitude, if the whole people are suffering as it is now stated they are.

The President speaks of the condition which confronts us. What is the condition? That there is too much money in the Treasury; that it is coming in; and that there is no method by which it can be paid out. Sir, the President knew that when the next appropriation bills come in they must reduce the apparent surplus very largely. The President knew that the deficiency of last year and the deficiency of this year must come in. He knew that there must be a river and harbor bill of some amount; and he knew, what was a foregone conclusion, that the bill which is now before the Senate to be acted upon would take at least $7,000,000 out of the Treasury for the coming year. He speaks of $140,000,000, which he says may come into the Treasury, although it is quite possible that amount may not come; but he ought to know that if it does come, there are $48,000,000, or nearly that amount, to be paid out for the sinking fund. So he was just within a little of the amount they had in the Treasury before they saw fit to call a single bond. They had $83,000,000 before they called any bonds, and then did not call them until they were arraigned by the Democratic side of this body in a speech which has had no equal in any arraignment of the present Administration from this side. Words were uttered from that side of the Chamber, with reference to the conduct of Democratic officials, which have never been equaled in severity on this side of the Chamber. It was then, and then only, that they yielded to what they



SURVEYOR-GENERAL OF NEVADA.

knew was the sentiment of the legislative body and the sentiment of the people all over the country, and called for bonds which had been due and drawing interest eleven months before they made the call, with sufficient money in the Treasury to have paid, if it had been properly expended, I say, the entire debt within reach in six months after the Administration came in.

Be that as it may, they can not deny that on several occasions during the season they had more surplus than they have now. They can not deny that they had $194,000,000 drawing interest at the rate of nearly $6,000,000 a year, which they did not see fit to pay, but they added that to the public burdens which the people bear in paying off this great debt. And now we are told that with $55,000,000 of surplus, such is the condition that confronts us, that it is alarming. I deny it. I deny that any man who has studied the finances of the country a day, and who understands the changes which may happen, can regard it as alarming. While the revenue ran up this year $34,000,000 beyond expectations, it was because $22,000,000 was paid into the Treasury as duties on excessive imports, brought about by the prosperity of the country. That any man who knows anything about the condition of the country knows.

Next year may bring adversity and hard times, and then the $22,000,000 will not be received. Then every man who knows anything about the subject knows that the $3,000,000 paid for public lands last year will not be paid when the pinching hand of adversity is upon the people. So I say it is not wisdom, it is not good business for us, with $230,000,000 due in four years, and with the interest on it to be paid every year, to go on now and reduce the revenues to the bare expenses of the Government.

We have had two speeches on this subject from the other side of the Chamber, and neither of the gentlemen has proceeded, any more than the President did, to show how it is proposed to reduce the revenue. Is it to be $50,000,000? Is it to be $100,000,000? On what do you mean to reduce it?

We are met with glittering generalities that there is a burden on the people, and it is to be reduced. I deny it. Here is the great body that represents the people of the United States; the other Chamber represents them more directly, and is charged with this very question, but it has not seen fit to move in it. Why? Because the people nowhere in this great country at any time have demanded that the taxes should be reduced at the expense of the continuation of the public debt, as this policy means. The people everywhere, where they have been heard from on this question, in conventions, in chambers of commerce, in legislative assemblies, at the polls, and everywhere, have said, "It is a fundamental doctrine of the American people, irrespective of politics, that the public debt shall be paid." Two hundred and thirty million dollars is due four years from now. How do Senators who sustain the President propose to pay it? If they reduce the revenue now to current expenses, how is it to be paid? Do they wish to be put with those who are in favor of a refunding of the debt? Do they want to continue taxes upon the people to keep up the debt? They must do that or they must raise revenue beyond the current expenses so as to be sure and certain that when the debt comes due we shall have the money wherewith to pay it.

I said on a former occasion that this was not an honest scare in the executive department. I said there was no fright there any more than there was here, nor any more than there is with the people; and I repeat again, having proper respect for a co-ordinate branch of the Government, it was for the purpose of bringing the opinion of this body and the other of the legislative department of the country, by misrepresentations and untruthful statements, to the opinion of the Executive that the country would be benefited by a reduction of the tariff; in other words, that the great industrial interests of this country should be disturbed, whether the judgment of the people willed it or not, for fear of an accumulation of large sums of money in the Treasury of the United States, at the expense and to the detriment of the general business of the country.

There is nothing to-day, and there has not been anything at any time in the last year, that would justify such a message. Last year when the regular message came to Congress it dealt with another subject largely. Many pages were devoted to the question of silver, and a few pages were devoted to the questions of civil-service and revenue reform. Then the silver question was the great emergency that confronted the executive department, as it had been the year before, when three-fourths of the whole country differed from the executive department on that silver question. Now the emergency is because of $55,000,000 in the Treasury, of which $27,000,000 is an accident and uncertain in character.

A Senator asks me what was the cause of the emergency of last year. I have stated what was the emergency then, but no one in this body or elsewhere paid any attention to it. In the history of the world an executive officer of so great a people never uttered anything that fell with so little weight upon a people as the utterances of the executive department on that silver question. Nobody took fright; business in this country went on prospering and increasing. There was progress such as had not been heard of before. We coined far more silver this year than we had ever coined before, coining 34,000,000 silver dollars against 24,000,000 the year before, and we have built 13,000 miles of railroad and we put into them $325,000,000.

There is not anything in the history of this country like it. No such number of miles of railroad have ever been built in any other year. More money has been expended for railroads, for manufactures, and for all other things that go to make people happy and comfortable; and yet we are told that this system which we have built up, which has made us great and prosperous as no other nation in the world has grown and prospered, is iniquitous, illogical, and wicked, and that if we do not immediately, at the behest of the executive department, destroy the system, disaster will come to the people.

Do you think the people believe it? Does anybody believe it? Do they believe it at the executive department? If they do they are afflicted to a degree never known in high circles before. I did ridicule it, and I did sneer at it perhaps, as was said by one great Democratic paper that I read. I thought it was beneath the dignity of the President of the United States to tell us that $55,000,000 in the Treasury was a threat, was a promise of disaster, when he had had $83,000,000 there, and when he had had $66,000,000 there, and when he had had $50,000,000 there at other times and never saw fit to pay out the money on the then payable debt of the nation; and I stated that I believed, as I do now, that it was in the interest of an attempt to destroy the great industrial enterprises of this country.

I said the other day, and I repeat now, that in my judgment this is the great question, whether the American laborer shall have compensation for his labor or whether he shall not. I do not myself regard it as a question of capital. I do not regard it as a question whether the manufacturers are to be properly compensated for the money they have invested. I regard it as a question between us and the laboring men of this country, and they will so look upon it; and the appeal that the President made to the manufacturers that when their tariff was reduced, when their income was lessened, as he said it would be, they should be generous to their employés, shows that he understood that the effect of a reduction of the tariff duties would be to reduce the laboring people's wages in this country.

I did not intend to discuss this question to-night, as I have said, because I propose on some occasion hereafter to discuss it at length. I simply wanted to say to Senators who think they can escape this question by saying it is a question of capital, and who think they can escape it by high-sounding words, by talking about wringing from the people taxes, by talking about the robbery of the people, that they are mistaken; they will not deceive anybody by such talk. The American people know that their prosperity is in a great degree the result of the productions of this continent that have given them varied industries and a multitude of employment fitted to the capacity of different classes, with different intelligences and different interests.

When a question came before the Senate some years since about excluding from this country a class of people who competed with our laborers, who came here without homes, without property, without families, and who contributed nothing to church, who contributed nothing to state, who contributed nothing to schools, who contributed nothing to the body-politic, but who lived on wages that the American laborer could not—when we said we will exclude them, the other side of the Chamber pretty generally voted for their exclusion upon the theory that they would not bring the American laborer in competition with the Asiatic laborer, on American soil, where he must wear to some extent American clothes, where he must eat American food; but now they would give him the opportunity in China to manufacture there and send the manufactured article over here.

I have been told by a Senator on the floor since this discussion commenced to-day that goods can be brought from China and landed on our coast for $10 a ton with a great profit to those who transport them, and it is proposed by this system of reduction of the tariff to allow the 450,000,000 Chinamen living upon wages that the poorest American in this country would starve upon, to compete with the American laborers in everything that they can manufacture, and they can manufacture everything that the cunning of man's brain or the skill of his hand can manufacture; and they are to be brought not to our doors, not where they would eat our grain and pork, but where they shall consume only the productions of their own country, and yet shall compete with ours.

I do not believe that such a measure will be a very practicable one in this body. I doubt very much whether a Democratic House will favor it, even at the risk of some disfavor at the White House; but if a Democratic House can be found that dares face the American laborer and open the ports of this country to the labor of the world to compete with American manufactures and American labor, I rely on this body to interpose a check. Neither do I believe that the people of this country are so ignorant and so unlearned that they do not know that if 2,000,000 of men who are engaged in manufactures receive a living from that work, all other classes of American citizens receive like benefit in a proportionate degree. They will not be satisfied that there is danger with $55,000,000 in the Treasury.

I only rose to put in the RECORD the proof, figures and facts that can not be gainsaid, that when the Administration announced that the



INTRODUCTION AND REFERENCE OF BILLS.

and landing opposite David's Island; which was read a first and second

$55,000,000 is a threat to the interests of the country, its own history shows that the announcement was unwarranted by its own history and entirely uncalled for.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Senate resumes the consideration of the unfinished business, being the bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. CULLOM. There ought to be a brief executive session this evening, and I move that the Senate proceed to the consideration of executive business.

Mr. BLAIR. Before that motion is put I should like to say that I shall press the consideration of the unfinished business.

The PRESIDING OFFICER. Is the motion withdrawn?

Mr. CULLOM. Only to allow a statement to be made.

Mr. BLAIR. I do not propose to go on to-night, but I think the Senate will bear me witness that I have been giving way and giving way from before the holidays and since, and I am justified in asking that the consideration of the unfinished business shall be proceeded with to-morrow. I would suggest further that action be taken on the pending resolution to-night, as the Senator from Ohio suggested a few moments ago.

Mr. CULLOM. I think my motion is pending.

The PRESIDING OFFICER. The Senator from Illinois moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 3 o'clock and 58 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 5, 1888.

## NOMINATIONS.

*Executive nominations received by the Senate the 4th day of January*, 1888.

INTERSTATE-COMMERCE COMMISSIONERS.

Walter L. Bragg, of Alabama, who was commissioned during the recess of the Senate, to be an Interstate-Commerce Commissioner (for the term ending December 31, 1888), to fill an original vacancy.

Thomas M. Cooley, of Michigan, who was commissioned during the recess of the Senate, to be an Interstate-Commerce Commissioner (for the term ending December 31, 1892), to fill an original vacancy.

William R. Morrison, of Illinois, who was commissioned during the recess of the Senate, to be an Interstate-Commerce Commissioner (for the term ending December 31, 1891), to fill an original vacancy.

Augustus Schoonmaker, of New York, who was commissioned during the recess of the Senate, to be an Interstate-Commerce Commissioner (for the term ending December 31, 1890), to fill an original vacancy.

Aldace F. Walker, of Vermont, who was commissioned during the recess of the Senate, to be an Interstate-Commerce Commissioner (for the term ending December 31, 1889), to fill an original vacancy.

GOVERNOR OF WASHINGTON TERRITORY.

Eugene Semple, of Vancouver, Wash., who was commissioned during the recess of the Senate, to be governor of Washington Territory, *vice* Watson C. Squire, removed.

COMMISSIONER FOR THE DISTRICT OF ALASKA.

James Sheakley, of Greenville, Pa., who was commissioned during the recess of the Senate, to be a commissioner in and for the district of Alaska, to reside at Wrangel, *vice* George P. Ihrie, resigned.

SECRETARY OF UTAH TERRITORY.

William C. Hall, of Salt Lake City, who was commissioned during the recess of the Senate, to be secretary of Utah Territory, *vice* Arthur L. Thomas, resigned.

SECRETARY OF WYOMING TERRITORY.

Samuel D. Shannon, of Cheyenne, Wyo., who was commissioned during the recess of the Senate, to be secretary of Wyoming Territory, *vice* Elliott S. N. Morgan, removed.

PENSION AGENTS.

William H. Barclay, of Pittsburgh, Pa., who was commissioned during the recess of the Senate, to be pension agent at Pittsburgh, Pa., *vice* Russell Errett, term expired.

Daniel A. Carpenter, of Knoxville, Tenn., who was commissioned during the recess of the Senate, to be pension agent at Knoxville, Tenn., *vice* Robert L. Taylor, resigned, Joseph H. Wagner having failed of confirmation at the last session of the Senate.

INDIAN INSPECTOR.

Thomas D. Marcum, of Catlettsburgh, Ky., who was commissioned during the recess of the Senate, to be an Indian inspector, *vice* George R. Pearsons, resigned.

COMMISSIONER OF PATENTS.

Benton J. Hall, of Burlington, Iowa, who was commissioned during the recess of the Senate, to be Commissioner of Patents, *vice* Martin V. Montgomery, resigned.

SURVEYOR-GENERAL OF NEVADA.

Charles W. Irish, of Iowa City, Iowa, who was commissioned during the recess of the Senate, to be surveyor-general of Nevada, *vice* Christopher C. Downing, removed.

RECEIVERS OF PUBLIC MONEYS.

Gould B. Blakely, of Sidney, Nebr., who was commissioned during the recess of the Senate, to be receiver of public moneys at Sidney, Nebr., to fill an original vacancy.

Benjamin F. Burch, of Independence, Oregon, who was commissioned during the recess of the Senate, to be receiver of public moneys at Oregon City, Oregon, *vice* John G. Pillsbury, term expired.

Alfred B. Charde, of Oakland, Nebr., who was commissioned during the recess of the Senate, to be receiver of public moneys at Niobrara, Nebr., *vice* Sanford Parker, term expired.

John T. G. Crawford, of Fort Ogden, Fla., who was commissioned during the recess of the Senate, to be receiver of public moneys at Gainesville, Fla., *vice* Zachary T. Crawford, deceased.

Albert W. Crites, of Plattsmouth, Nebr., who was commissioned during the recess of the Senate, to be receiver of public moneys at Chadron, Nebr., to fill an original vacancy.

Frank S. De Mers, of Fisher, Minn., who was commissioned during the recess of the Senate, to be receiver of public moneys at Fargo, Dak., *vice* Edward C. Gearey, term expired.

E. Nelson Fitch, of Ludington, Mich., who was commissioned during the recess of the Senate, to be receiver of public moneys at Reed City, Mich., *vice* William H. C. Mitchell, term expired.

Charles M. Foree, of Shelbyville, Ky., who was commissioned during the recess of the Senate, to be receiver of public moneys at Lewiston, Idaho, *vice* Arthur J. Shaw, resigned.

Alexis E. Lemee, of Natchitoches, La., who was recommissioned during the recess of the Senate, to be receiver of public moneys at Natchitoches, La., from March 3, 1887, when his former term of office expired.

Charles P. Maginnis, of Morris, Minn., who was commissioned during the recess of the Senate, to be receiver of public moneys at Duluth, Minn., *vice* Emanuel G. Swanstrom, resigned.

George W. Parks, of Salt Lake City, Utah, who was commissioned during the recess of the Senate, to be receiver of public moneys at Salt Lake City, Utah, *vice* Hugh C. Wallace, resigned.

Isaac Hilliard Polk, of California, who was commissioned during the recess of the Senate, to be receiver of public moneys at Los Angeles, Cal., *vice* John W. Haverstick, resigned.

Harvey E. Shields, of Terre Haute, Ind., who was commissioned during the recess of the Senate, to be receiver of public moneys at Olympia, Wash., *vice* James R. Hayden, removed.

Thomas W. Slusher, of The Dalles, Oregon, who was commissioned during the recess of the Senate, to be receiver of public moneys at The Dalles, Oregon, *vice* Caleb W. Thornbury, term expired.

Charles O. Stockslager, of Galena, Kans., who was commissioned during the recess of the Senate, to be receiver of public moneys at Hailey, Idaho, *vice* Julius S. Waters, term expired.

Joseph H. Swan, of Glenwood Springs, Colo., who was commissioned during the recess of the Senate, to be receiver of public moneys at Glenwood Springs, Colo., *vice* James W. Ross, removed.

John Treacy, of North Platte, Nebr., who was commissioned during the recess of the Senate, to be receiver of public moneys at North Platte, Nebr., *vice* John D. Seaman, removed.

## HOUSE OF REPRESENTATIVES.

### WEDNESDAY, *January* 4, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Thursday, December 22, 1887, was read and approved.

MEMBERS SWORN IN.

Mr. DUNN, of Arkansas, and Mr. HAUGEN, of Wisconsin, having appeared at the bar of the House, were duly qualified according to law.

THE HOUSE RESTAURANT.

Mr. PAYSON submitted the following resolution; which was read, and referred to the Committee on Rules:

RULE —.

The power of appointment, removal, and the regulation of all the privileges and duties of the keeper of the House restaurant, and all details connected therewith, is hereby vested in the Speaker of the House.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted, as follows:

To Mr. EZRA B. TAYLOR, indefinitely.

To Mr. HAYDEN, by reason of a death in his family.

To Mr. GALLINGER, until Monday, the 9th, on account of important business.

To Mr. DOCKERY, on account of sickness in his family.

To Mr. KERR, by reason of sickness.

To Mr. BARNES.

INTRODUCTION AND REFERENCE OF BILLS.

Mr. MILLS. I am informed that the Chair is not ready to announce the standing committees of the House to-day, but will most likely do so to-morrow. I ask, therefore, unanimous consent that the States and Territories be called for the introduction of bills which can be presented to-day and can be prepared for reference to the committees by the clerks by the time the committees are announced.

There was no objection.

The SPEAKER. The Chair will state that under this call only public bills and joint and concurrent resolutions of a public nature are in order. Resolutions for the establishment of post-roads, for the improvements of rivers, and all private bills go into the petition-box for reference.

Mr. HERBERT. Do I understand that a bill for the improvement of a river goes into the petition-box?

The SPEAKER. That has been the rule since 1879. The new rule of the House provides that all private bills shall be introduced in the same way.

VACATION OF PATENTS.

Mr. HERBERT introduced a bill (H. R. 1171) to provide a mode of vacating patents in certain cases; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

JURISDICTION OF CIRCUIT COURT COMMISSIONERS.

Mr. HERBERT also introduced a bill (H. R. 1172) to regulate the jurisdiction of circuit court commissioners; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CLAIMS AGAINST THE UNITED STATES.

Mr. HERBERT also introduced a bill (H. R. 1173) to provide for the judicial ascertainment of claims against the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

UNITED STATES ATTORNEYS.

Mr. HERBERT also introduced a bill (H. R. 1174) relating to compensation and duties of United States attorneys; which was read a first and second time, referred to the Committee on Expenditures in the Department of Justice, and ordered to be printed.

REDUCTION OF DUTIES.

Mr. WHEELER introduced a bill (H. R. 1175) to provide for the reduction of duties in certain cases; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

COURTS OF APPEAL.

Mr. WHEELER also introduced a bill (H. R. 1176) to establish courts of appeal, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

LINE OF THE ARMY.

Mr. WHEELER also introduced a bill (H. R. 1177) to define the line of the Army and to increase its efficiency; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

JURISDICTION OF THE COURT OF CLAIMS.

Mr. WHEELER also introduced a bill (H. R. 1178) to amend an act entitled "An act to restrict the jurisdiction of the Court of Claims, and to provide for the payment of certain judgments for quartermaster's stores and subsistence supplies furnished to the Army of the United States;" which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

INVESTIGATION OF CLAIMS.

Mr. WHEELER also introduced a bill (H. R. 1179) to amend an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims against the Government;" which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CIVIL SERVICE.

Mr. WHEELER also introduced a bill (H. R. 1180) to amend an act entitled "An act to regulate and improve the civil service of the United States;" which was read a first and second time, referred to the Select Committee on Reform in the Civil Service, and ordered to be printed.

PROOF OF LOYALTY.

Mr. WHEELER also introduced a bill (H. R. 1181) to dispense with proof of loyalty in certain cases; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SURVIVORS OF THE INDIAN WARS.

Mr. WHEELER also introduced a bill (H. R. 1182) granting pensions to the survivors of the Indian wars from 1835 to 1842, who have attained the age of seventy years; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

DAVID'S ISLAND.

Mr. WHEELER also introduced a bill (H. R. 1183) to acquire a dock and landing opposite David's Island; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

BRIDGE ACROSS ROCK CREEK, DISTRICT OF COLUMBIA.

Mr. WHEELER also introduced a bill (H. R. 1184) to authorize the construction of a bridge across Rock Creek on the Woodley Lane road, in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

DAVID'S ISLAND.

Mr. WHEELER also introduced a bill (H. R. 1185) to acquire a dock and landing opposite David's Island; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

FREEDMAN'S BANK.

Mr. WHEELER also introduced a bill (H. R. 1186) directing the Secretary of the Treasury to ascertain the amount still due and unpaid to depositors in the Freedman's Bank; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

SIGNAL STATIONS ON WEST INDIA ISLANDS.

Mr. WHEELER also introduced a bill (H. R. 1187) to authorize and direct the Secretary of War to establish signal stations on the West India Islands; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

COMMON SCHOOLS.

Mr. WHEELER also introduced a bill (H. R. 1188) to aid in the temporary support of common schools; which was read a first and second time, referred to the Committtte on Education, and ordered to be printed.

TAX UPON COTTON.

Mr. WHEELER also introduced a bill (H. R. 1189) to provide for refunding to the several States certain sums of money which were collected from persons residing in said States as a tax upon cotton; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

RECORDS OF WAR OF THE REBELLION.

Mr. WHEELER also introduced a bill (H. R. 1190) to provide for the printing of additional copies of the Records of the War of the Rebellion; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

TAX ON TOBACCO AND SPIRITS.

Mr. WHEELER also introduced a bill (H. R. 1191) to remove the tax from tobacco and from spirits made from fruits in certain cases; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

JURISDICTION OF THE LIGHT-HOUSE BOARD.

Mr. WHEELER also introduced a bill (H. R. 1192) to extend the jurisdiction of the Light-House Board; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

CLAIMS AGAINST THE UNITED STATES.

Mr. WHEELER also introduced a bill (H. R. 1193) to adjust the claims of the States against the United States; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

SCHOOL FUND OF ALABAMA.

Mr. WHEELER also introduced a bill (H. R. 1194) to increase the school fund of the State of Alabama; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

ENTRY OF LANDS BY FEMALES.

Mr. WHEELER also introduced a bill (H. R. 1195) to authorize females to enter lands under the homestead law; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

REGULATING THE ADMINISTRATION OF THE ARMY.

Mr. WHEELER also introduced a bill (H. R. 1196) to regulate the administration of the Army; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PUBLIC LANDS FOR SCHOOL SITE, FRANKLIN COUNTY, ALABAMA.

Mr. WHEELER also introduced a bill (H. R. 1197) for donating public land for school site in Franklin County, Alabama; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

CONGRESSIONAL RECORD FOR SENATORS AND MEMBERS.

Mr. WHEELER also introduced a bill (H. R. 1198) to authorize Senators and Representatives to have each twelve numbers of the CONGRESSIONAL RECORD, with the index, bound in paper covers, and for other purposes; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

JURISDICTION OF UNITED STATES COURTS.

Mr. ROGERS introduced a bill (H. R. 1199) to define and regulate the jurisdiction of the courts of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CHEAPER TELEGRAPHIC CORRESPONDENCE.

Mr. ROGERS also introduced a bill (H. R. 1200) to secure cheaper telegraphic correspondence; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

CHARGES ON ST. LOUIS AND SAN FRANCISCO RAILROAD.

Mr. ROGERS also introduced a bill (H. R. 1201) to regulate the charges for freight and passengers on the St. Louis and San Francisco Railroad through the Indian Territory; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

CHARGES ON MISSOURI, KANSAS AND TEXAS RAILROAD.

Mr. ROGERS also introduced a bill (H. R. 1202) to regulate charges for transportation of freight and passengers upon the Missouri, Kansas and Texas Railroad in the Indian Territory; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

RIGHT OF WAY, FORT SMITH AND EL PASO RAILWAY COMPANY.

Mr. ROGERS also introduced a bill (H. R. 1203) to grant to the Fort Smith and El Paso Railway Company a right of way through the Indian Territory, and for other purposes; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

JURISDICTION IN CERTAIN UNITED STATES CIVIL CASES.

Mr. ROGERS also introduced a bill (H. R. 1204) conferring civil jurisdiction in certain cases arising in the Indian Territory on the United States courts which now or may hereafter exercise criminal jurisdiction over said Territory; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

JURISDICTION IN CERTAIN UNITED STATES CRIMINAL CASES.

Mr. ROGERS also introduced a bill (H. R. 1205) conferring jurisdiction on the United States courts over the Indian country in certain criminal cases; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

JURISDICTION IN CIVIL CASES IN INDIAN TERRITORY.

Mr. ROGERS also introduced a bill (H. R. 1206) conferring jurisdiction in certain civil cases arising in the Indian Territory on the United States courts for the western district of Arkansas, the northern district of Texas, and the district of Kansas; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PAY OF UNITED STATES DISTRICT JUDGE.

Mr. ROGERS also introduced a bill (H. R. 1207) regulating the pay of the district judge of the United States for the western district of Arkansas; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CRIMINAL JURISDICTION IN CIRCUIT AND DISTRICT COURTS.

Mr. ROGERS also introduced a bill (H. R. 1208) extending the criminal jurisdiction of the circuit and district courts to the Great Lakes and their connecting waters; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

POST-OFFICE BUILDING, HOT SPRINGS RESERVATION.

Mr. ROGERS also introduced a bill (H. R. 1209) to provide for a building for the use of the post-office, the office of the superintendent of the Hot Springs Reservation, and other civil offices in the city of Hot Springs, Ark.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PAY OF UNITED STATES DISTRICT JUDGES.

Mr. ROGERS also introduced a bill (H. R. 1210) regulating the pay of the district judges of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

EXECUTORY CONTRACTS WITH INDIANS.

Mr. ROGERS also introduced a bill (H. R. 1211) repealing an act of Congress declaring executory contracts with Indians null and void; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

GOVERNMENT RESERVATION, HOT SPRINGS, ARK.

Mr. ROGERS also introduced a bill (H. R. 1212) for the improvement of the Government reservation at Hot Springs, in Arkansas; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ROBBERY AND HORSE-STEALING, INDIAN TERRITORY.

Mr. ROGERS also introduced a bill (H. R. 1213) to punish robbery and horse-stealing in the Indian Territory; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

DESTRUCTION OF BUILDINGS, HOT SPRINGS RESERVATION.

Mr. ROGERS (by request) also introduced a bill (H. R. 1214) authorizing the Secretary of the Interior to issue certificates to certain persons who owned buildings on Hot Springs Reservation for the value thereof, which buildings had been condemned and afterwards burned; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SECTION 5209, REVISED STATUTES.

Mr. ROGERS also introduced a bill (H. R. 1215) to amend and reenact section 5209 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

MINING DÉBRIS IN CALIFORNIA.

Mr. BIGGS introduced a bill (H. R. 1216) for the investigation of the mining débris question in the State of California; which was read a first and second time, referred to the Committee on Mines and Mining, and ordered to be printed.

CHINESE IMMIGRATION.

Mr. FELTON introduced a bill (H. R. 1217) providing for the termination of certain treaty stipulations between the Government of the United States and the Empire of China, and to prohibit Chinese immigration into the United States; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

DRAWBACK DUTY ON MANUFACTURED TIN.

Mr. FELTON also introduced a bill (H. R. 1218) to amend section 3020 of the Revised Statutes, referring to drawback duty on manufactured tin; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PRIVATE LAND CLAIMS.

Mr. FELTON also introduced a bill (H. R. 1219) to provide for ascertaining and settling private land claims in certain States and Territories; which was read a first and second time, referred to the Committee on Private Land Claims, and ordered to be printed.

RE-EXPORTATION OF IMPORTED BOTTLES, ETC.

Mr. FELTON also introduced a bill (H. R. 1220) for the allowance of drawbacks on the re-exportation of imported bottles, corks, etc.; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

REFUNDING DUTIES ON IMPORTED SUGAR.

Mr. FELTON also introduced a bill (H. R. 1221) to refund to exporters of fruits duties paid on imported sugar; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

INCREASE OF DUTY ON PLUMS, ETC.

Mr. FELTON also introduced a bill (H. R. 1222) to increase the duty on plums, prunes, and raisins; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

AMENDMENT OF IMMIGRATION LAWS.

Mr. FELTON also introduced a bill (H. R. 1223) to amend the immigration laws of the United States; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

EXTENSION OF LAND LAWS OVER ALASKA.

Mr. FELTON also introduced a bill (H. R. 1224) to extend the general land and mining laws of the United States over the district of Alaska; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

PROTECTION OF FOREST LANDS IN CALIFORNIA.

Mr. THOMPSON, of California, introduced a bill (H. R. 1225) for the protection of forest lands belonging to the United States and State of California; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

LIGHT AND FOG SIGNAL, HUMBOLDT, CAL.

Mr. THOMPSON, of California, also introduced a bill (H. R. 1226) making an appropriation for establishing the light and fog signal at Humboldt, Cal., upon a more secure site; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PROCEEDS OF PUBLIC LANDS IN CALIFORNIA.

Mr. THOMPSON, of California, also introduced a bill (H. R. 1227) granting to the State of California 5 per cent. of the net proceeds of the cash sales of public lands in said State; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

FOG-SIGNAL, ETC., SAN DIEGO BAY, CALIFORNIA.

Mr. VANDEVER introduced a bill (H. R. 1228) making an appropriation for establishing a light or lights and a fog-signal on or near Ballast Point, entrance to San Diego Bay, California; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

POINT LOMA LIGHT-HOUSE, CALIFORNIA.

Mr. VANDEVER also introduced a bill (H. R. 1229) making an appropriation for the establishment of the Point Loma light-house, California, in a situation lower down the cliff; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PUBLIC BUILDING, SAN DIEGO, CAL.

Mr. VANDEVER also introduced a bill (H. R. 1230) to vacate a military reservation in the city of San Diego, and to provide for the erection of suitable buildings for post-office and revenue purposes; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PROTECTION OF HARBORS.

Mr. VANDEVER also introduced a bill (H. R. 1231) for the protection of harbors; which was read a first and second time, referred to the Committee on Rivers and Harbors, and ordered to be printed.

POSTAL SERVICE IN SOUTHERN CALIFORNIA.

Mr. VANDEVER also submitted the following resolution; which was referred to the Committee on the Post-Office and Post-Roads:

Whereas increasing complaints of inadequate allowances made for the support of the postal service, coming from all prominent offices in Southern California, indicate that the people of that section are suffering a serious public grievance that is retarding the business of the community and occasioning much loss and inconvenience to individuals, as well as scandal to the management of the Post-Office Department; and

Whereas it is reasonable that the Government should, from an accumulating surplus in the public Treasury, provide speedy and effectual relief; and

Whereas the citizens in important cities in that section, at Los Angeles, at San Diego, at San Luis Obispo, at San Bernardino, at Pasadena, at Riverside, and at other offices, have been compelled to supplement by private subscription the allowances made by the Post-Office Department for the postal service, and in some instances to pay the rent of buildings in which the post-offices are kept, to pay necessary clerk-hire not furnished by the Government, to pay gas and water bills of the post-office in order that the public might have reasonable accommodation; and

Whereas the postmasters at San Luis Obispo, and at other offices, in order to keep their offices running for the accommodation of the public, have expended a large part of the salaries allowed to them by law in the hire of clerks and in the payment of expenses which it belonged to the Government to pay, but which the post-office officials refused to allow; and

Whereas the revenues of the offices have been constantly increasing, furnishing the Government a large excess of receipts over expenditures; and

Whereas long lines of persons may be seen at the delivery places of these offices at any hour of the day from morning until night, waiting their turn to receive mail matter; and

Whereas the inadequate force employed in these offices entails fourteen, fifteen, and sixteen hours per day of service on efficient and poorly-paid employés; and

Whereas it is authentically stated that at the San Diego post-office, when a newly appointed postmaster recently took possession of the office, he found a great accumulation of unassorted mail matter, composed chiefly of newspapers and magazines, encumbering the office as so much rubbish, and having no force to assort and distribute the same, he caused it to be loaded into wagons and hauled to the dump in the bay, and that in this way four wagon-loads of mail matter, as above described, were disposed of: Therefore,

*Resolved*, That the Post-Office Committee be instructed to inquire into this matter at its earliest convenience, and to report, with as little delay as possible, a measure of relief; and that to this end that committee be accorded the privilege of reporting at any time.

COMMANDER HENRY GLASS, UNITED STATES NAVY.

Mr. McKENNA introduced a bill (H. R. 1232) to carry into effect the recommendation of the Board of Admirals, convened under the joint resolution approved February 5, 1879, in the case of Commander Henry Glass, United States Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

ADJUSTMENT OF ACCOUNTS OF LABORERS, ETC.

Mr. McKENNA also introduced a bill (H. R. 1233) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

MILITIA OF UNITED STATES.

Mr. McKENNA also introduced a bill (H. R. 1234) to amend the laws governing the militia of the United States; which was read a first and second time, referred to the Committee on the Militia, and ordered to be printed.

CASH SALES OF PUBLIC LANDS, CALIFORNIA.

Mr. McKENNA also introduced a bill (H. R. 1235) granting to the State of California 5 per cent. of the net proceeds of the cash sales of public lands in said State; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

SWEET WINES.

Mr. McKENNA also introduced a bill (H. R. 1236) to provide for the fortification of sweet wines free of tax, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

UNITED STATES WAR STEAM-SHIP HARTFORD.

Mr. MORROW introduced a bill (H. R. 1237) providing for the repair of the United States war steam-ship Hartford; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

COMPOSITE STEAM-VESSELS FOR TRAINING SERVICE OF U. S. NAVY.

Mr. MORROW also introduced a bill (H. R. 1238) for the construction of three composite steam-vessels for the training service of the United States Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

LIGHT-HOUSE, SACRAMENTO AND SAN JOAQUIN RIVERS.

Mr. MORROW also introduced a bill (H. R. 1239) to extend the jurisdiction of the Light-House Board to the Sacramento and San Joaquin Rivers, California; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

CREDIT TO REVENUE-CUTTER SERVICE.

Mr. MORROW also introduced a bill (H. R. 1240) to credit the revenue-cutter service for the transportation home by United States revenue vessels of shipwrecked seamen from the Arctic regions or from the Territory of Alaska; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

TESTING CHAINS AND ANCHORS, ETC.

Mr. MORROW also introduced a bill (H. R. 1241) to require the testing of chains and anchors, and for the better securing of life and property on shipboard; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

POST-OFFICE BUILDING, SAN FRANCISCO.

Mr. MORROW also introduced a bill (H. R. 1242) to amend an act entitled "An act to authorize the purchase of a site for a building for a post-office, court-house, and other offices in San Francisco, Cal.," approved March 3, 1887; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

MILITARY TELEGRAPH TO SOUTH FARALLONE ISLAND, CALIFORNIA.

Mr. MORROW also introduced a bill (H. R. 1243) for the construction of a military telegraph line from San Francisco, Cal., to South Farallone Island, California; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

LIFE-SAVING SERVICE, CALIFORNIA.

Mr. MORROW also introduced a bill (H. R. 1244) authorizing the Secretary of the Treasury to establish and maintan a life-saving station and provide a life-saving crew at such point on the coast of California, between the Ocean House, south of the entrance to the harbor of San Francisco, and Point San Pedro as the General Superintendent of the Life-Saving Service may recommend; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

LIGHT-HOUSE, POINT ST. GEORGE, CALIFORNIA.

Mr. MORROW also introduced a bill (H. R. 1245) making an appropriation for continuing the construction of a light-house on Northwest Seal Rock, off Point St. George, California; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

BUILDING FOR LIGHT-HOUSE BOARD.

Mr. MORROW also introduced a bill (H. R. 1246) making an appropriation for erecting a suitable building at Washington for the use of the Light-House Board, to contain its offices, its archives, its museum, and its laboratory; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ARMY BUILDING, SAN FRANCISCO.

Mr. MORROW also introduced a bill (H. R. 1247) providing for the purchase of a site and the erection thereon of a building suitable for Army purposes in San Francisco, Cal.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

LIGHT-HOUSE BOARD BUILDING.

Mr. MORROW also introduced a bill (H. R. 1248) to provide for the erection of a building for the Light-House Board at Washington, D. C.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

FOG-SIGNAL, ROE ISLAND, CALIFORNIA.

Mr. MORROW also introduced a bill (H. R. 1249) making an appropriation for establishing a light-house and fog-signal on Roe Island, Suisun Bay, California; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

SALARY OF JUDGES OF UNITED STATES DISTRICT COURTS.

Mr. MORROW also introduced a bill (H. R. 1250) fixing the salaries of the several judges of the United States district courts at $5,000 per annum, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

AMENDMENT OF REVISED STATUTES.

Mr. MORROW also introduced a bill (H. R. 1251) to amend section 714 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CONSULATE AT AMOOR RIVER.

Mr. MORROW also introduced a bill (H. R. 1252) to amend an act entitled "An act to abolish the consulate at Amoor River and establish a consulate at Vladivostock, and for other purposes," approved March 3, 1875; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

DUTY ON RAISINS.

Mr. MORROW also submitted a concurrent resolution of the Legislature of the State of California, against a reduction of the duty on raisins; which was referred to the Committee on Ways and Means.

PORT HARFORD, CAL.

Mr. MORROW also submitted a joint resolution of the Legislature of the State of California, relating to the construction of a breakwater at Port Harford, in the Bay of San Luis Obispo; which was referred to the Committee on Rivers and Harbors.

IMPROVEMENT OF HUMBOLDT HARBOR.

Mr. MORROW also submitted a joint resolution of the Legislature of the State of California, relative to the improvement of Humboldt Harbor; which was referred to the Committee on Rivers and Harbors.

IMPROVEMENT OF EEL RIVER, CALIFORNIA.

Mr. MORROW also submitted a joint resolution of the Legislature of the State of California, concerning the improvement of the bar at the mouth of Eel River; which was referred to the Committee on Rivers and Harbors.

SALE OF GOVERNMENT TIMBER.

Mr. MORROW also submitted a concurrent resolution of the Legislature of the State of California, relative to the withdrawal of Government timber from sale; which was referred to the Committee on the Public Lands.

CHARLES M. BLAKE.

Mr. MORROW also submitted a concurrent resolution of the Legislature of the State of California, concerning the pay of Charles M. Blake, late a chaplain in the United States Army; which was referred to the Committee on Military Affairs.

MINERAL LANDS.

Mr. SYMES introduced a bill (H. R. 1253) to amend an act entitled "An act to amend section 2326 of the Revised Statutes of the United States, in regard to mineral lands, and for other purposes;" which was read a first and second time, referred to the Committee on Mines and Mining, and ordered to be printed.

RIGHT OF WAY THROUGH PUBLIC LANDS.

Mr. SYMES also introduced a bill (H. R. 1254) to grant the right of way through the public lands for irrigation purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

INDIAN LANDS, COLORADO.

Mr. SYMES also introduced a bill (H. R. 1255) to enable the State of Colorado to take lands in lieu of the sixteenth and thirty-sixth sections within Indian reservations; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PUBLIC PARK, COLORADO.

Mr. SYMES also introduced a bill (H. R. 1256) to establish a public park at Pagosa Springs, Colo.; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

ADDITIONAL LAND OFFICES, COLORADO.

Mr. SYMES also introduced a bill (H. R. 1257) to establish two additional land offices in the State of Colorado; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

SCHOOL INDEMNITY LANDS, COLORADO.

Mr. SYMES also introduced a bill (H. R. 1258) to allow the State of Colorado to select school indemnity lands; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

ORDNANCE STORES, COLORADO.

Mr. SYMES also introduced a bill (H. R. 1259) to relieve the State of Colorado from charges on account of ordnance stores furnished to the State and Territory; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

ADDITIONAL SOLDIERS' HOMES.

Mr. SYMES also introduced a bill (H. R. 1260) to authorize the location of a branch home for disabled volunteer soldiers and sailors in either of the States of Iowa, Minnesota, Nebraska, or Colorado, or Dakota Territory; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

HOSPITAL, PONCHA SPRINGS, COLO.

Mr. SYMES also introduced a bill (H. R. 1261) to establish an Army and Navy hospital at Poncha Springs, Colo.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

RIGHT OF WAY, FORT CRAWFORD MILITARY RESERVATION.

Mr. SYMES also introduced a bill (H. R. 1262) to grant the right of way to the Denver and Rio Grande Railroad through Fort Crawford military reservation; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

LOCATION OF MINERAL LANDS.

Mr. SYMES also introduced a bill (H. R. 1263) to amend section 2330 of the Revised Statutes; which was read a first and second time, referred to the Committee on Mines and Mining, and ordered to be printed.

PUBLIC BUILDING, PUEBLO, COLO.

Mr. SYMES also introduced a bill (H. R. 1264) for the erection of a public building at Pueblo, Colo.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SOUTHERN UTES, COLORADO.

Mr. SYMES also introduced a bill (H. R. 1265) to authorize the removal of the Southern Ute Indians from the State of Colorado to the Territory of Utah; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

PUBLIC BUILDING, BRIDGEPORT, CONN.

Mr. GRANGER introduced a bill (H. R. 1266) to authorize the purchase of a site, and the erection thereon of a suitable public building for the post-office, custom-house, internal-revenue offices, and other Government officers at the city of Bridgeport, Conn.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

EXEMPTION FROM IMPORT DUTIES.

Mr. FRENCH introduced a bill (H. R. 1267) exempting certain articles from import duties; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

OWNERS OF PRIVATE DIES.

Mr. PENINGTON introduced a bill (H. R. 1268) to authorize the Secretary of the Treasury and the proper accounting officers to restate, settle, and pay to the owners of certain private dies the balance of commission due them; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

LIGHT-HOUSE ON DOG ISLAND, FLORIDA.

Mr. DAVIDSON, of Florida, introduced a bill (H. R. 1269) providing for the establishment of a light-house on Dog Island, State of Florida; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PUBLIC BUILDING AT TALLAHASSEE.

Mr. DAVIDSON, of Florida, also introduced a bill (H. R. 1270) making an appropriation for the erection of a public building at Tallahassee, Fla.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SEMINOLE INDIAN WAR.

Mr. DAVIDSON, of Florida, also introduced a bill (H. R. 1271) granting land-warrants to soldiers and sailors in the United States service in the Seminole Indian war of 1856, their widows and orphans; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

CLERK OF ELECTIONS COMMITTEE.

Mr. CRISP submitted the following resolution; which was read, and referred to the Committee on Accounts:

*Resolved*, That the Committee on Elections be allowed a clerk, to be paid out of the contingent fund of the House until June 30, 1888, at the rate of $2,000 per annum, and that the Committee on Appropriations be, and hereby is, instructed to provide for an annual clerk to the Committee on Elections for the next fiscal year in the legislative, executive, and judicial appropriation bill, at the rate of $2,000 per annum.

SETTLEMENT OF ACCOUNTS WITH RAILROAD COMPANIES.

Mr. CLEMENTS introduced a bill (H. R. 1272) to provide for the settlement of accounts with certain railway companies; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

STERN'S UNITED STATES CALENDAR.

Mr. NORWOOD introduced a bill (H. R. 1273) for the adoption of Stern's United States Calendar as evidence for in the courts and departments of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

COLUMBUS, GA., A PORT OF DELIVERY.

Mr. GRIMES introduced a bill (H. R. 1274) to constitute Columbus, Ga., a port of delivery; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PUBLIC BUILDING AT COLUMBUS, GA.

Mr. GRIMES also introduced a bill (H. R. 1275) to provide for the erection of a public building at Columbus, Ga., and appropriating money therefor; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ADMISSION OF DAKOTA.

Mr. SPRINGER introduced a bill (H. R. 1276) to enable the people of Dakota to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

TERRITORY OF OKLAHOMA.

Mr. SPRINGER also introduced a bill (H. R. 1277) to provide for the organization of the Territory of Oklahoma and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

UNITED STATES ATTORNEYS, MARSHALS, ETC.

Mr. SPRINGER also introduced a bill (H. R. 1278) relating to the compensation and duties of United States attorneys, marshals, and other court officials, and for other purposes; which was read a first and second time, referred to the Committee on Expenditures in the Department of Justice, and ordered to be printed.

PRIVATE CLAIMS AGAINST THE UNITED STATES.

Mr. SPRINGER also introduced a bill (H. R. 1279) relating to private claims or demands against the United States; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

DEPARTMENT OF LABOR.

Mr. SPRINGER also introduced a bill (H. R. 1280) to establish a department of labor and to create a board for the arbitration of controversies between labor and capital; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

PRIVATE AND SPECIAL LAWS.

Mr. SPRINGER also introduced a joint resolution (H. Res. 6) proposing an amendment to the Constitution to prohibit in certain cases the passage of private or special laws; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

THE MALL, WASHINGTON, D. C.

Mr. SPRINGER also introduced a bill (H. R. 1281) to enlarge the eastern end of the Mall, to lay out an avenue through said Mall, and for other purposes; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

TERMS OF TERRITORIAL OFFICERS.

Mr. SPRINGER also introduced a bill (H. R. 1282) to amend section 1858 of the Revised Statutes, relating to terms of Territorial officers; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

CHAPLAIN OF THE HOUSE.

Mr. SPRINGER also submitted the following resolution; which was read, and referred to the Committee on Accounts:

*Resolved*, That the Chaplain of the House be allowed to employ a page during the sessions of this Congress, to be paid out of the contingent fund of the House, and that he be allowed the same stationery as is allowed to members of the House.

DEPARTMENT OF INDUSTRIES AND PUBLIC WORKS.

Mr. TOWNSHEND introduced a bill (H. R. 1283) to establish the department of industries and public works; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

AMERICAN "ZOLLVEREIN."

Mr. TOWNSHEND also introduced a bill (H. R. 1284) to promote the establishment of free commercial intercourse among the nations or America and the Dominion of Canada by the creation of an American customs union, or "Zollverein;" which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

TERRITORY OF OKLAHOMA.

Mr. TOWNSHEND also introduced a bill (H. R. 1285) to organize the Territory of Oklahoma and consolidate certain Indian tribes under Territorial government, and the establishment of a court; also to allot lands in severalty among the Indians, and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

ELECTION OF PRESIDENT AND VICE-PRESIDENT.

Mr. TOWNSHEND also introduced a joint resolution (H. Res. 7) proposing an amendment to the Constitution of the United States in relation to the election of President and Vice-President, providing for their election by a majority of the votes of the people and the abolition of the electoral college, and regulating the method of counting the votes by the two Houses of Congress; which was read a first and second time, referred to the Committee on Election of President, Vice-President, and Representatives in Congress, and ordered to be printed.

ELECTION OF SENATORS.

Mr. TOWNSHEND also introduced a joint resolution (H. Res. 8) proposing an amendment to the Constitution of the United States, providing for the election of Senators by the votes of the people of the States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

JURISDICTION IN PATENT CASES IN UNITED STATES COURTS.

Mr. TOWNSHEND also introduced a bill (H. R. 1286) to limit the jurisdiction of United States courts in patent cases, and to protect persons who, without notice, are bona fide manufacturers, purchasers, venders, and users of articles, machines, machinery, and other things, for the exclusive use, manufacture, or sale of which a patent has been or may hereafter be granted; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

BOUNTY LANDS TO SOLDIERS OF THE LATE WAR.

Mr. TOWNSHEND also introduced a bill (H. R. 1287) granting bounty lands to soldiers of the late war; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PENSIONS TO WIDOWS AND MINOR CHILDREN OF UNION SOLDIERS.

Mr. TOWNSHEND also introduced a bill (H. R. 1288) granting pensions to all widows and minor children of soldiers receiving pensions at the time of their death, without requiring proof that they died from disability incurred in the military and naval service; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PENSION TO SOLDIERS AND SAILORS IN CREEK, ETC., WARS.

Mr. TOWNSHEND also introduced a bill (H. R. 1289) granting pensions to the soldiers and sailors of the Creek, Florida, and Black Hawk wars, and for other purposes; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

REGULAR MEETINGS OF CONGRESS.

Mr. ADAMS introduced a bill (H. R. 1290) to fix the times for the regular meetings of Congress; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

REMOVAL OF DANGEROUS ALIENS FROM THE UNITED STATES.

Mr. ADAMS also introduced a bill (H. R. 1291) to provide for the removal of dangerous aliens from the territory of the United States; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

DEPOSIT OF BONDS BY NATIONAL BANKS.

Mr. ADAMS also introduced a bill (H. R. 1292) in regard to the deposit of bonds by national banks as security for their circulating notes; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

DEARBORN PARK, CHICAGO, ILL.

Mr. ADAMS also introduced a bill (H. R. 1293) to modify and amend the provisions of the act dedicating to public uses the tract of land known as "Dearborn Park," in the city of Chicago, State of Illinois; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

FREE-DELIVERY SYSTEM, POST-OFFICE DEPARTMENT.

Mr. ADAMS also introduced a bill (H. R. 1294) to amend an act entitled "An act to extend the free-delivery system of the Post-Office Department, and for other purposes;" which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and order to be printed.

MESSAGES FROM THE PRESIDENT.

Several messages in writing from the President of the United States were delivered to the House by Mr. PRUDEN, one of his secretaries.

APPROACHES TO MARINE HOSPITAL, CHICAGO, ILL.

Mr. ADAMS also introduced a bill (H. R. 1295) providing for approaches to the marine hospital at Chicago; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

UNIFORM SYSTEM OF BANKRUPTCY.

Mr. HOPKINS of Illinois, introduced a bill (H. R. 1296) to establish a uniform system of bankruptcy throughout the United States; which was read a first and second time, referred to the Committee onthe Judiciary, and ordered to be printed.

COURTS OF APPEALS.

Mr. PAYSON introduced a bill (H. R. 1297) to establish a court of appeals; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PRESIDENTIAL VETO OF ITEMS IN APPROPRIATION BILLS.

Mr. PAYSON also introduced a joint resolution (H. Res. 9) to amend the Constitution of the United States to permit the President to veto items in a general appropriation bill; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

COMMISSION TO TEST STEEL, IRON, AND OTHER BUILDING MATERIAL.

Mr. PAYSON also introduced a bill (H R. 1298) for the appointment of a commission of experts for the testing of steel, iron, and other building material; which was read a first and second time, referred to the Committee on Manufactures, and ordered to be printed.

LANDS FOR HONORABLY DISCHARGED SOLDIERS.

Mr. PAYSON also introduced a bill (H. R. 1299) granting lands to the honorably discharged soldiers of the Union Army in the war of the rebellion; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

REPEAL OF TIMBER-LAND ACT.

Mr. PAYSON also introduced a bill (H. R. 1300) to repeal the timber-land act of June 3, 1878; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

REPEAL OF PRE-EMPTION LAWS, ETC.

Mr. PAYSON also introduced a bill (H. R. 1301) to repeal all laws providing for the pre-emption of the public lands, the laws allowing entries for timber-culture, the laws authorizing the sale of desert lands, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

FORFEITURE OF RAILROAD LAND GRANTS.

Mr. PAYSON also introduced a bill (H. R. 1302) forfeiting certain lands granted to the Southern Pacific Railroad Company, of California, by section 18 of the act of Congress approved January 27, 1866; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

Mr. PAYSON also introduced a bill (H. R. 1303) to declare a forfeiture of certain lands granted to aid in the construction of the Northern Pacific Railroad; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

Mr. PAYSON also introduced a bill (H. R. 1304) to declare a forfeiture of certain lands granted in aid of certain railroads named; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

Mr. PAYSON also introduced a bill (H. R. 1305) to declare forfeited certain lands granted to the State of Michigan to aid in the construction of a railroad from Ontonagon to the Wisconsin State, line, etc.; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

Mr. PAYSON also introduced a bill (H. R. 1306) to declare forfeited a grant of land in aid of the Girard and Mobile Railroad, in Alabama; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

Mr. PAYSON also introduced a bill (H. R. 1307) to forfeit the lands granted to the State of Florida, to aid in the construction of certain railroads, etc.; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

Mr. PAYSON also introduced a bill (H. R. 1308) to declare forfeited certain lands granted to the State of Mississippi, to aid in the construction of railroads, etc.; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

Mr. PAYSON also introduced a bill (H. R. 1309) to declare forfeited certain lands granted to aid in the construction of railroads, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

RIGHT OF WAY TO UNITED STATES RAILWAY COMPANY.

Mr. PAYSON also introduced a bill (H. R. 1310) granting the right of way through the public lands of the United States to the United States Railway Company from a point on the Canadian boundary to a point on the Mexican boundary, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PAYMENT OF CITIZEN WAGON-MASTERS.

Mr. CANNON introduced a joint resolution (H. Res. 10) in relation to the payment of citizen wagon-masters in the United States service; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

EXTENSION OF OPERATIONS OF LIGHT-HOUSE BOARD.

Mr. ANDERSON, of Illinois, introduced a bill (H. R. 1311) extending the operation of the Light-House Board over the Illinois River; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

UNITED STATES COURT AT QUINCY, ILL.

Mr. ANDERSON, of Illinois, also introduced a bill (H. R. 1312) to provide for a term of court at Quincy, Ill.; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

INVESTIGATION OF CERTAIN "TRUSTS."

Mr. MASON submitted the following resolution; which was referred to the Committee on Manufactures:

Whereas some of the necessaries of life, particularly coal and sugar, are placed at an unreasonable price, by what are known as "trusts;" and

Whereas such trusts or combinations are said to be taking advantage of our tariff laws, which are intended for protection to the laborer and manufacturer, and giving effect to such laws in direct opposition to the effect intended to be given by the same: Therefore,

*Be it resolved*, That the Judiciary Committee of the House be directed to investigate said charges and determine, first, what effect said "trusts" have upon the price of the necessaries of life, and whether the same are prejudicial to the interests of the people; and second, what steps, if any, are necessary to secure the desired relief; and to report the same at as early a day as possible to the House, by bill or otherwise.

REFUND OF DIRECT TAX.

Mr. BROWNE, of Indiana, introduced a bill (H. R. 1313) to pay the District of Columbia and certain States and Territories the direct tax paid by them, and appropriating the money therefor, and releasing other States and Territories from the payment of said tax; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

LOTTERIES.

Mr. BROWNE, of Indiana, also introduced a bill (H. R. 1314) to prohibit lotteries, lottery advertisements, and the sale of lottery tickets in the District of Columbia and the Territories, and matters connected therewith; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

Mr. BROWNE, of Indiana, also introduced a bill (H. R. 1315) to prohibit the mailing of letters and circulars concerning lotteries, or newspapers and other periodical publications containing lottery advertisements, and prescribing a penalty therefor; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

WIDOWS AND MINOR CHILDREN OF DECEASED PENSIONERS.

Mr. BROWNE, of Indiana, also introduced a bill (H. R. 1316) granting pensions to the widows and minor children of deceased pensioners in certain cases; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PENSION RATE FOR DEAFNESS INCURRED IN MILITARY SERVICE.

Mr. BROWNE, of Indiana, also introduced a bill (H. R. 1317) fixing a pension rate for deafness incurred in the military service; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ARREARS OF PENSIONS.

Mr. BROWNE, of Indiana, also introduced a bill (H. R. 1318) repealing the limitation to the payment of arrears of pensions; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

AMENDMENT TO CONSTITUTION OF UNITED STATES.

Mr. BROWNE, of Indiana, also introduced a joint resolution (H. Res. 11) proposing an amendment to the Constitution of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

BOUNTY LAND.

Mr. HOVEY introduced a bill (H. R. 1319) granting bounty land to officers and soldiers engaged in the military and naval service of the United States during the late rebellion of the so-called Confederate States; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

SERVICE PENSIONS.

Mr. HOVEY also introduced a bill (H. R. 1320) granting pensions for service in the Army and Navy of the United States during the war of the rebellion; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MARINE HOSPITAL, EVANSVILLE, IND.

Mr. HOVEY also introduced a bill (H. R. 1321) for the erection of a marine hospital at Evansville, Ind.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ADJUSTMENT OF ACCOUNTS OF LABORERS, ETC.

Mr. GEST introduced a bill (H. R. 1322) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

RELIEF FROM CHARGE OF DESERTION.

Mr. GEST also introduced a bill (H. R. 1323) to amend an act entitled "An act to remove the charge of desertion from the rolls and records in the office of the Adjutant-General of the Army against certain soldiers," approved May 15, 1886; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

Mr. GEST also introduced a bill (H. R. 1324) to amend an act en-

titled "An act to relieve certain soldiers from the charge of desertion," approved July 5, 1884; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PUBLIC BUILDING, INDIANAPOLIS.

Mr. BYNUM introduced a bill (H. R. 1325) providing for the purchase of additional ground in the city of Indianapolis, Ind., adjoining the post-office site, and for the improvement of the building thereon, and appropriating $125,000 therefor; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PENSIONS FOR DEAFNESS.

Mr. BYNUM also introduced a bill (H. R. 1326) giving to honorably discharged soldiers, sailors, and marines of the rebellion increased pensions for the loss of hearing; which was read a first and second time, referredto the Committee on Invalid Pensions, and ordered to be printed.

DAMAGES TO PATENTEES.

Mr. BYNUM also introduced a bill (H. R. 1327) limiting the damages to be recorded by any patentee or assignee thereof in certain cases, and restricting the jurisdiction of courts therein; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

REVISION OF PENSION LAWS.

Mr. MATSON introduced a bill (H. R. 1328) to provide for the appointment of a commission to investigate the question of revising the pension laws; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SOLDIERS AND SAILORS DEPENDENT UPON CHARITY.

Mr. MATSON also introduced a bill (H. R. 1329) for the relief of honorably discharged soldiers and sailors who are now disabled and dependent upon charity for a sustenance; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BEGINNING OF PENSIONS.

Mr. MATSON also introduced a bill (H. R. 1330) to repeal all acts of limitation as to the beginning of pensions; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ADDITIONAL PENSIONS.

Mr. MATSON also introduced a bill (H. R. 1331) granting additional pensions to a certain class of pensioners; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

REMOVAL OF DISABILITY.

Mr. MATSON also introduced a bill (H. R. 1332) to amend an act entitled "An act amending the pension law so as to remove the disability of those who, having participated in the rebellion, have since its termination enlisted in the Army of the United States, and become disabled," approved March 3, 1877; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PAYMENT OF PENSIONS.

Mr. MATSON also introduced a bill (H. R. 1333) to amend the pension laws in relation to the payment of pensions; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SPECIAL EXAMINATIONS IN PENSION CASES.

Mr. MATSON also introduced a bill (H. R. 1334) relating to special examinations in pension cases; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PENSIONERS RESIDING IN FOREIGN COUNTRIES.

Mr. MATSON also introduced a bill (H. R. 1335) for the relief of pensioners residing in foreign countries, and for other purposes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

EQUALIZATION OF BOUNTIES.

Mr. MATSON also introduced a bill (H. R. 1336) to equalize the bounties of all soldiers who served in the late war for the Union; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

MONUMENT TO GENERAL SHIELDS.

Mr. MATSON also introduced a bill (H. R. 1337) for the erection of a monument to the memory of General James Shields; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

LEAVE OF ABSENCE, GOVERNMENT PRINTING OFFICE EMPLOYÉS.

Mr. MATSON also introduced a bill (H. R. 1338) to extend the leave of absence of the employés of the Government Printing Office to thirty days per annum; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

FORT BROWN MILITARY RESERVATION, TEXAS.

Mr. HOLMAN submitted the following resolution; which was read, and referred to the Committee on Military Affairs:

Whereas it appears by an act of March, 1885, the sum of $160,000 was appropriated to enable the Secretary of War to acquire a good and valid title for the United States to the Fort Brown reservation, Texas, and to pay and extinguish all claims for the use and occupation of said reservation, provided that no part of this sum should be paid until a complete title be vested in the United States;

Whereas it is alleged that disputes have arisen between the claimants as to their respective shares of this appropriation, and that the Secretary of War has not paid any part of said amount;

Whereas by an act of Congress passed in 1875 the sum of $25,000 was appropriated for the purchase of the grounds and payment of the said Fort Brown reservation; and in the report of General Sherman as to the sufficiency of said sum it is alleged that the payment of $160,000 therefor would be a fraud on the Government;

Whereas it is alleged that it will appear from the documentary evidence in the War Department, the Quartermaster-General's Office, also the evidence of officials now in Washington who have served at said post, likewise the testimony of other citizens which can be obtained, that the sum of $50,000 would be a large price to pay for said reservation, including rent for the use and occupation of the same: Therefore,

*Resolved*, That the Committee on Military Affairs be instructed to investigate the subject-matter herein named, with authority to send for persons and papers; also to inquire into and report as to what necessity exists, if any, for a military post at said point, and the cost to the United States of said post since 1865.

*Resolved*, That the Secretary of War be directed to withhold the payment of any part of said sum of $160,000 for the ground and rents of said Fort Brown reservation.

DISPOSAL OF AGRICULTURAL LANDS.

Mr. HOLMAN also introduced a bill (H. R. 1339) to limit the disposal of the public lands adapted to agriculture to actual settlers under the provisions of the homestead laws, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

CONDITION OF THE INDIANS.

Mr. HOLMAN also introduced a bill (H. R. 1340) to provide for the appointment of a commission to inspect and report on the condition of the Indians, Indian affairs, and for other purposes; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

FORFEITURE OF RAILROAD LANDS.

Mr. HOLMAN also introduced a bill (H. R. 1341) to declare the forfeiture of certain public lands heretofore granted to aid in the construction of certain railroads; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PUBLIC BUILDING, MADISON, IND.

Mr. HOLMAN also introduced a bill (H. R. 1342) to provide for the erection of a public building for the use of the post-office and other Government offices at the city of Madison, in the State of Indiana; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

CLAIMS AGAINST THE UNITED STATES.

Mr. HOLMAN also introduced a bill (H. R. 1343) in relation to claims against the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC USE OF PATENTS.

Mr. HOLMAN also introduced a bill (H. R. 1344) to secure to the public the use of patented inventions; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

PURITY OF THE BALLOT-BOX.

Mr. HOLMAN also introduced a bill (H. R. 1346) to maintain the purity of the ballot-box, to prevent bribery and corruption in elections and appointments, and punish perjury for the violation of its provisions; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CLAIMS AGAINST THE UNITED STATES.

Mr. HOLMAN also introduced a bill (H. R. 1345) limiting the time for the presentation and payment of claims against the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

EFFICIENCY OF THE ARMY.

Mr. STEELE introduced a bill (H. R. 1347) to increase the efficiency of the line of the Army, and for other purposes; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

EQUALIZATION OF BOUNTIES OF SOLDIERS, ETC.

Mr. STEELE also introduced a bill (H. R. 1348) to equalize the bounties of soldiers, sailors, and marines; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

ARREARS OF PENSIONS.

Mr. STEELE also introduced a bill (H. R. 1349) to amend section 2 of an act making appropriations for the payment of arrears of pensions granted by act of Congress approved January 25, 1879, and for other

purposes, approved March 3, 1879; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

TERRITORY OF OKLAHOMA.

Mr. WEAVER introduced a bill (H. R. 1350) to provide for the organization of the Territory of Oklahoma, and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

PRESERVATION OF PUBLIC DOMAIN.

Mr. WEAVER also introduced a bill (H. R. 1351) to consolidate and amend the public-land laws, and to preserve the public domain for homestead settlement; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

NORTHERN PACIFIC RAILROAD LAND GRANTS.

Mr. WEAVER also introduced a bill (H. R. 1352) to declare forfeited certain lands granted to aid in the construction of the Northern Pacific Railroad, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PUBLIC LAND LAWS.

Mr. WEAVER also introduced a bill (H. R. 1353) to further amend the public-land laws, and for the preservation of natural forests on the public domain, the protection of the water supply, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

OFFENSES AGAINST PUBLIC-LAND LAWS.

Mr. WEAVER also introduced a bill (H. R. 1354) to punish offenses against the public land-laws; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

POSTAL TELEGRAPH.

Mr. WEAVER also introduced a bill (H. R. 1355) to enlarge the postal facilities of the United States by the establishment of a postal telegraph; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

RELIEF OF SOLDIERS AND SAILORS.

Mr. WEAVER also introduced a bill (H. R. 1356) for the relief of the soldiers and sailors who served in the Army and Navy of the United States in the late war for the suppression of the rebellion, and to restore to them equal right with the holders of Government bonds; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

FRACTIONAL PAPER CURRENCY.

Mr. WEAVER also introduced a bill (H. R. 1357) to provide for the issuing of fractional paper currency; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

RETIREMENT OF NATIONAL-BANK NOTES.

Mr. WEAVER also introduced a bill (H. R. 1358) to retire national-bank notes and to prevent fluctuations of the currency by substituting Treasury notes in lieu of bank notes; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

INVALID PENSIONS.

Mr. WEAVER also introduced a bill (H. R. 1359) to define the time when pensions granted under the invalid-pension laws of the United States shall take effect; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

DUTY ON BOARDS, ETC.

Mr. WEAVER also introduced a bill (H. R. 1360) to admit free of duty sawed boards, planks, deals, laths, pickets, palings, and shingles; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

ELECTION OF UNITED STATES SENATORS.

Mr. WEAVER also introduced a joint resolution (H. Res. 12) proposing an amendment to section 3, Article I, of the Constitution of the United States, so as to provide for the election of United States Senators by a vote of the people in the several States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

GIRLS' REFORM SCHOOL, DISTRICT OF COLUMBIA.

Mr. HENDERSON, of Iowa, introduced a bill (H. R. 1361) to incorporate the Reform School for Girls of the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

PENSIONS FOR TOTAL HELPLESSNESS.

Mr. HENDERSON, of Iowa, also introduced a bill (H. R. 1362) to increase pensions in certain cases of total helplessness; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

DIRECT TAX.

Mr. HENDERSON, of Iowa, also introduced a bill (H. R. 1363) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by act of Congress approved August 5, 1861; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

REIMBURSEMENT OF STATES.

Mr. HENDERSON, of Iowa, also introduced a bill (H. R. 1364) to reimburse the several States for interest on moneys expended by them on account of raising troops employed in aiding the United States in suppressing the late rebellion; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

AMENDMENT OF PENSION LAWS.

Mr. HENDERSON, of Iowa, also introduced a bill (H. R. 1365) to amend the pension laws, to show certain soldiers on furlough in line of duty; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SALARIES OF DISTRICT JUDGES OF THE UNITED STATES COURTS.

Mr. HENDERSON, of Iowa, also introduced a bill (H. R. 1366) to regulate the amount and time of payment of the salaries of the district judges of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

OCCUPATION OF PUBLIC LANDS BY CATTLE COMPANIES.

Mr. HENDERSON, of Iowa, also offered a resolution relating to the occupation of public lands by cattle companies and others; which was referred to the Committee on the Public Lands.

IMPORT DUTIES ON SUGAR.

Mr. HOLMES introduced a bill (H. R. 1367) removing import duties on sugar; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

SETTLERS ON DES MOINES RIVER LANDS, IOWA.

Mr. HOLMES also introduced a bill (H. R. 1368) to quiet title of settlers on the Des Moines River lands, in the State of Iowa, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PUBLIC BUILDING, FORT DODGE, IOWA.

Mr. HOLMES also introduced a bill (H. R. 1369) for the erection of a public building at Fort Dodge, Iowa; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PENSIONS TO UNION PRISONERS.

Mr. HOLMES also introduced a bill (H. R. 1370) for pensioning prisoners of war who were confined in Confederate military prisons during the late war; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PROTECTION OF SETTLERS ON THE PUBLIC DOMAIN.

Mr. HOLMES also introduced a bill (H. R. 1371) for the protection of settlers on the public domain; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

EQUALIZATION OF BOUNTIES.

Mr. HOLMES also introduced a bill (H. R. 1372) to equalize the bounties of soldiers who served in the late war for the Union; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

CONVICT LABOR OF MANUFACTURED GOODS.

Mr. GEAR introduced a bill (H. R. 1373) prohibiting the purchase of goods which are in whole or in part manufactured by convict labor; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

REGULATION OF COMMERCE.

Mr. ANDERSON, of Iowa, introduced a bill (H. R. 1374) to amend "An act to regulate commerce," approved February 4, 1887; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

INCREASE OF PENSIONS.

Mr. FULLER introduced a bill (H. R. 1375) giving to honorably discharged soldiers, sailors, and marines of the war of the rebellion increased pensions for loss of hearing; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

TRANSCRIPTS OF JUDGMENTS, UNITED STATES COURTS.

Mr. FULLER also introduced a bill (H. R. 1376) requiring transcripts of judgments obtained in United States courts to be filed with county officers having charge of judgment records in certain cases; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ARREARS OF PENSIONS.

Mr. FULLER also introduced a bill (H. R. 1377) to amend "An act

making appropriations for the payment of the arrears of pensions granted by act of Congress approved January 25, 1879, and for other purposes;" which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

LIENS AND JUDGMENTS IN FEDERAL COURTS.

Mr. CONGER introduced a bill (H. R. 1378) declaring the method of perfecting liens in the Federal courts, and providing for public examination of judgment records thereof; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

DEPENDENTS' PENSION BILL.

Mr. CONGER also introduced a bill (H. R. 1379) for the relief of dependent parents, minor children, and honorably discharged soldiers and sailors totally incapacitated for the performance of manual labor; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

AMENDMENT OF SECTION 4707, UNITED STATES REVISED STATUTES.

Mr. CONGER also introduced a bill (H. R. 1380) amending section 4707, Revised Statutes, and fixing the date of dependency of fathers and mothers of deceased soldiers, sailors, and marines; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

INCREASE OF PENSIONS OF MINOR CHILDREN.

Mr. CONGER also introduced a bill (H. R. 1381) increasing the pension of minor children of deceased Union soldiers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

INCREASE OF PENSION FOR DEAFNESS.

Mr. CONGER also introduced a bill (H. R. 1382) granting an increase of the rate of pension for deafness; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PENSIONS.

Mr. CONGER also introduced a bill (H. R. 1383) amending the pension laws and restoring pensions to widows, forfeited by marriage, on death of or divorce from second husband; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

Mr. CONGER also introduced a bill (1384) granting arrears of pension; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

Mr. CONGER also introduced a bill (H. R. 1385) to amend the act of Congress approved August 4, 1886, entitled "An act to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service;" which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

REDUCTION OF POSTAGE ON SEEDS, ETC.

Mr. CONGER also introduced a bill (H. R. 1386) reducing the rate of postage on seeds, plants, cuttings, bulbs, roots, and scions; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

FOURTH REGIMENT, IOWA INFANTRY.

Mr. CONGER also introduced a bill (H. R. 1387) for the relief of the volunteers of the Fourth Regiment of Iowa Infantry; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

JUDGMENTS AND DECREES OF UNITED STATES COURTS.

Mr. LYMAN introduced a bill (H. R. 1388) to regulate the effect of judgments and decrees of courts of the United States in the several States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

LAND GRANTS FOR RAILROADS.

Mr. LYMAN also introduced a bill (H. R. 1389) in relation to grants of public lands by the United States to aid in the construction of railroads; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

REFUND OF DIRECT TAX OF 1861.

Mr. LYMAN also introduced a bill (H. R. 1390) to credit and pay the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PENSIONS.

Mr. LYMAN also introduced a bill (H. R. 1391) to extend the benefit of the pension laws of the United States, and granting pensions to all honorably discharged soldiers, sailors, and marines of the late civil war; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

Mr. LYMAN also introduced a bill (H. R. 1392) to extend the benefits of pension laws of the United States, granting pensions to the soldiers of the late civil war; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

Mr. LYMAN also introduced a bill (H. R. 1393) to amend an act entitled "An act making appropriations for the payment of the arrears of pensions granted by act of Congress approved January 25, 1879, and for other purposes," approved March 3, 1879, and for other purposes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

GOVERNMENT OFFICES, COUNCIL BLUFFS, IOWA.

Mr. LYMAN also introduced a bill (H. R. 1394) authorizing the Secretary of the Treasury to purchase additional ground for the accommodation of Government offices at Council Bluffs, Iowa; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

CATTLE AND DAIRY FARMING.

Mr. LYMAN also introduced a joint resolution (H. Res. 13) for printing additional copies of "Cattle and Dairy Farming;" which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

PUBLIC BUILDING, SIOUX CITY, IOWA.

Mr. STRUBLE introduced a bill (H. R. 1395) for the erection of a public building at Sioux City, Iowa; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SETTLERS ON PUBLIC LANDS.

Mr. STRUBLE (by request) also introduced a bill (H. R. 1396) granting additional rights to settlers on the public lands within railroad limits under the homestead laws; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

HOMESTEAD SETTLEMENT IN INDIAN TERRITORY.

Mr. PERKINS introduced a bill (H. R. 1397) to open to homestead settlers certain portions of the Indian Territory, and for other purposes; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

EXTRA PAY TO VOLUNTEER OFFICERS.

Mr. PERKINS also introduced a bill (H. R. 1398) allowing extra pay to certain volunteer officers of the late war; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

UNITED STATES COURT IN INDIAN TERRITORY.

Mr. PERKINS also introduced a bill (H. R. 1399) to establish a United States court in the Indian Territory, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

RELIEF OF VOLUNTEER OFFICERS, ETC.

Mr. PERKINS also introduced a bill (H. R. 1400) for the relief of certain officers and enlisted men of the volunteer army, and for other purposes; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

CURRENCY.

Mr. PERKINS also introduced a bill (H. R. 1401) to prevent contraction in the currency and to increase the circulation of silver and silver certificates; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

PEORIAS AND MIAMIES.

Mr. PERKINS also introduced a bill (H. R. 1402) to provide for the allotment of lands in severalty to the United Peorias and Miamies of the Indian Territory, and for other purposes; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

BOARD OF COMMISSIONERS OF INDIAN DEPREDATION CLAIMS.

Mr. PERKINS also introduced a bill (H. R. 1403) to establish a board of commissioners of Indian depredation claims; which was read a first and second time, referred to the Select Committee on Indian Depredation Claims, and ordered to be printed.

PUBLIC BUILDING, WINFIELD, KANS.

Mr. PERKINS also introduced a bill (H. R. 1404) for the erection of a public building at Winfield, Kans.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

RAILWAY THROUGH INDIAN TERRITORY.

Mr. PERKINS also introduced a bill (H. R. 1405) to authorize the Kansas City, Fort Scott and Gulf Railway Company to construct and operate a railway through the Indian Territory, and for other purposes; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

NEW YORK INDIAN LANDS, KANSAS.

Mr. PERKINS also introduced a bill (H. R. 1406) to provide for the sale of certain New York Indian lands in Kansas; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

OLD SETTLER OR WESTERN CHEROKEE INDIANS.

Mr. PERKINS also introduced a bill (H. R. 1407) to authorize the Court of Claims to hear, determine, and render final judgment upon the claim of the Old Settler or Western Cherokee Indians; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

LOSS OF HEARING.

Mr. PERKINS also introduced a bill (H. R. 1408) granting an increase of pension to the soldiers, sailors, and marines of the late war on account of total or partial loss of hearing; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

REGULATION OF COMMERCE.

Mr. RYAN introduced a bill (H. R. 1409) to amend section 3 of an act entitled "An act to regulate commerce," approved February 4, 1887; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

SECTION 3232, REVISED STATUTES.

Mr. RYAN also introduced a bill (H. R. 1410) to amend section 3232 of the Revised Statutes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

SECTION 461, REVISED STATUTES OF THE UNITED STATES.

Mr. RYAN also introduced a bill (H. R. 1411) to amend section 461 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PAYMENT OF ARREARS OF PENSIONS.

Mr. RYAN also introduced a bill (H. R. 1412) to amend section 2 of an act making appropriations for the payment of the arrears of pensions granted by act of Congress approved January 25, 1879, and for other purposes, approved March 3, 1879; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

TIME FOR FILING CLAIMS FOR ADDITIONAL BOUNTY.

Mr. RYAN also introduced a bill (H. R. 1413) to extend the time for filing claims for additional bounty under the act of July 28, 1866, which expired by limitation on July 1, 1880, until July 1, 1890; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

TIME FOR FILING CLAIMS FOR HORSES, ETC.

Mr. RYAN also introduced a bill (H. R. 1414) to extend the time for filing claims for horses and equipments lost by officers and enlisted men in the service of the United States, and for other purposes; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

BOUNTIES OF SOLDIERS AND OTHERS.

Mr. RYAN also introduced a bill (H. R. 1415) to equalize the bounties of soldiers and others who served in the late war for the Union; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

RAILWAY THROUGH POTTAWATOMIE RESERVATION.

Mr. RYAN also introduced a bill (H. R. 1416) to authorize the Chicago, Kansas and Western Railroad to construct and operate a railway through the Pottawatomie reservation, in Kansas, and for other purposes; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

SECTION 2133, REVISED STATUTES.

Mr. RYAN also introduced a bill (H. R. 1417) to amend section 2133 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

RIGHT OF WAY.

Mr. RYAN also introduced a bill (H. R. 1418) to grant a right of way through the public land strip to the Chicago, Kansas and Western Railroad Company; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

MONUMENT TO NEGRO SOLDIERS AND SAILORS.

Mr. RYAN also introduced a bill (H. R. 1419) making an appropriation of $100,000 for the erection of a monument to the negro soldiers and sailors who gave their lives for the preservation of the Government; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

PENSIONS TO PRISONERS OF WAR.

Mr. MORRILL introduced a bill (H. R. 1420) for pensioning prisoners of war; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

UNIFORM RATING OF PENSIONS.

Mr. MORRILL also introduced a bill (H. R. 1421) to establish a uniform grade of rating for invalid pensions, and to abolish all distinctions on account of rank in pensions hereafter granted; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SPECIAL PENSIONS.

Mr. MORRILL also introduced a bill (H. R. 1422) relating to pensions granted by special act of Congress; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

NATIONAL BANKS.

Mr. MORRILL also introduced a bill (H. R. 1423) to amend section 5159 of the Revised Statutes; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

FORT LEAVENWORTH MILITARY RESERVATION.

Mr. MORRILL also introduced a bill (H. R. 1424) to provide for the sale of certain portions of the Fort Leavenworth military reservation; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

POSTAL TELEGRAPH.

Mr. ANDERSON, of Kansas, introduced a bill (H. R. 1425) to create the postal telegraph of the United States; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

RAILROAD, ETC., MISSOURI RIVER TO THE PACIFIC.

Mr. ANDERSON, of Kansas, also introduced a bill (H. R. 1426) supplementary to the act of July 1, 1862, entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," and also of the act of July 2, 1864, and other acts amendatory of said first-named act; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

REDUCTION OF LETTER POSTAGE.

Mr. ANDERSON, of Kansas, also introduced a bill (H. R. 1427) to reduce letter postage to 1 cent per ounce; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

POSTAGE ON DROP LETTERS.

Mr. ANDERSON, of Kansas, also introduced a bill (H. R. 1428) to reduce the rate of postage on letters commonly known as drop or local letters to 1 cent; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

DEPARTMENT OF AGRICULTURE.

Mr. ANDERSON, of Kansas, also introduced a bill (H. R. 1429) to enlarge the powers and duties of the Department of Agriculture; which was read a first and second time, referred to the Committee on Agriculture, and ordered to be printed.

AGRICULTURAL COMMISSION.

Mr. ANDERSON, of Kansas, also introduced a bill (H. R. 1430) to create an agricultural commission; which was read a first and second time, referred to the Committee on Agriculture, and ordered to be printed.

DURATION OF PATENTS.

Mr. ANDERSON, of Kansas, also introduced a bill (H. R. 1431) to reduce the lifetime of patents to seven years; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

COMMISSION OF ARBITRATION.

Mr. ANDERSON, of Kansas, also introduced a bill (H. R. 1432) to create the United States commission of arbitration; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

RAILROAD PASSES, ETC.

Mr. ANDERSON, of Kansas, also introduced a bill (H. R. 1433) prohibiting the use of railroad and other passes or telegraph franks by members of Congress and judiciary of the United States, and for other purposes; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PENSIONS TO CERTAIN SOLDIERS AND SAILORS.

Mr. ANDERSON, of Kansas, also introduced a bill (H. R. 1434) granting pensions to certain Union soldiers and sailors of the late war of the rebellion who were confined in Confederate prisons; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SALE OF CERTAIN RAILROADS.

Mr. ANDERSON, of Kansas, also introduced a bill (H. R. 1435) to prevent the sale of certain Pacific railroads before certain United States bonds, with interest, shall have been fully paid; which was read a first and second time, referred to the Committee on Pacific Railroads, and ordered to be printed.

CLASSIFICATION OF PUBLIC LANDS.

Mr. ANDERSON, of Kansas, also introduced a bill (H. R. 1436) to provide for the classification of the public lands, and for a revision of the laws relating to the public lands; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

DISTRICT COURT, SALINA, KANS.

Mr. ANDERSON, of Kansas, also introduced a bill (H. R. 1437) to provide for the holding of district courts of the United States at Salina, Kans.; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

RIGHT OF WAY THROUGH FORT RILEY MILITARY RESERVATION.

Mr. ANDERSON, of Kansas, also introduced a bill (H. R. 1438) authorizing the Kansas Valley Railroad Company to construct and operate a railway through the Fort Riley military reservation in Kansas, and for other purposes; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

HOMESTEAD AND PRE-EMPTION SETTLERS.

Mr. ANDERSON, of Kansas, also introduced a bill (H. R. 1439) for the relief of homestead and pre-emption settlers on the public lands; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

HOMESTEADING PUBLIC LANDS.

Mr. ANDERSON, of Kansas, also introduced a bill (H. R. 1440) to shorten the period required in homesteading public lands to three years; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

SETTLERS UNDER PRE-EMPTION LAWS.

Mr. ANDERSON, of Kansas, also introduced a bill (H. R. 1441) for the relief of settlers on the public lands under the pre-emption laws; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

CERTIFICATION OF LANDS TO KANSAS.

Mr. ANDERSON, of Kansas, also introduced a joint resolution (H. Res. 14) to authorize the Secretary of the Interior to certify lands to the State of Kansas for the benefit of agriculture and the mechanic arts, or issue scrip in lieu thereof; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

SORGHUM SUGAR PROCESS.

Mr. ANDERSON, of Kansas, also submitted the following resolution; which was read and referred to the Committee on Agriculture:

*Resolved*, That the Committee on Agriculture is hereby empowered to ascertain whether any legal impediment by patent, or otherwise, prevents a free and general use of the sorghum-sugar process lately developed by experiments conducted by the Department of Agriculture; and if such impediment exists to report by bill, or otherwise, for consideration at any time, such remedy as shall speedily secure the benefits of said experiments to the whole people of the United States.

Said committee is hereby authorized to send for and examine persons, books, and papers, to administer the oath to witnesses, and to employ a stenographer; and the expenses of such investigation, not to exceed a total of $1,000, are hereby authorized to be paid out of the contingent fund of the House in the manner now provided by law.

LAND GRANTS TO PACIFIC RAILROAD COMPANIES.

Mr. ANDERSON, of Kansas, also submitted the following resolution; which was read and referred to the Committee on the Public Lands:

Whereas enormous grants of public lands were made to the Pacific Railroad Companies by the acts of July 1, 1862, and July 2, 1864, upon certain conditions; and

Whereas it now appears from the official report of the Pacific Railroad Commission created by the act of March 3, 1887, that the said conditions have not been complied with by the several companies: Therefore,

*Resolved*, That the Secretary of the Interior is hereby requested to inform the House at an early day what amount of land approximately is at present withdrawn for each of said companies, what amount has been certified or patented to each, and what amount remains uncertified or unpatented to each company; and

*Resolved*, That the Committee on the Public Lands is hereby directed to report to the House, by bill or otherwise, for consideration at any time, whether, in view of the facts officially ascertained and reported by the Pacific Railroad Commission, any more of said uncertified or unpatented lands ought in equity to be transferred by the United States to these debtor and delinquent railroad companies.

CLAIMS OF KANSAS CITIZENS.

Mr. FUNSTON (by Mr. PETERS) introduced a bill (H. R. 1442) authorizing the appointment of a commissioner and the settlement of the claims of certain citizens of Kansas named therein; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

SETTLERS ON PUBLIC LANDS.

Mr. PETERS introduced a bill (H. R. 1443) for the relief of certain settlers on the public lands; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PORT OF DELIVERY WICHITA, KANS.

Mr. PETERS also introduced a bill (H. R. 1444) to establish a port of delivery at Wichita, Kans.; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PUBLIC BUILDINGS.

Mr. PETERS also introduced a bill (H. R. 1445) to provide for the erection of public buildings in certain towns and cities of the United States; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

RESURVEY OF LAND IN KANSAS.

Mr. PETERS also introduced a bill (H. R. 1446) to resurvey township 31 south, of range 10 west of the sixth principal meridian, in the State of Kansas; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, informed the House that the Senate had passed a bill and joint resolution of the following titles; in which the concurrence of the House was requested:

A bill (S. 106) to establish two additional land offices in the State of Colorado; and

Joint resolution (S. R. 6) for the removal of all political disabilities imposed by the fourteenth amendment to the Constitution of the United States upon Abram C. Myers.

The message also announced the adoption by the Senate of the following resolution:

*Resolved*, That the Senate has heard with deep sensibility the announcement of the death of Hon. Seth C. Moffatt, late a Representative from the State of Michigan.

*Resolved*, That the Senate concur in the resolution of the House of Representatives providing for the appointment of a joint committee to take order for superintending the funeral and to escort the remains of the deceased to Traverse City, Mich., and that the members of the committee on the part of the Senate be appointed by the President *pro tempore*.

Also, that the President *pro tempore* had appointed Mr. PALMER, Mr. TELLER, and Mr. JONES of Arkansas the committee on the part of the Senate under the foregoing resolution.

UNORGANIZED TERRITORY SOUTH OF KANSAS.

Mr. PETERS also introduced a bill (H. R. 1447) to extend the laws of the United States over certain unorganized territory south of the State of Kansas; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

RESURVEY OF PUBLIC LANDS IN KANSAS.

Mr. PETERS also introduced a bill (H. R. 1448) to resurvey township 18 south, range 9 west of the sixth principal meridian in Kansas; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

NOTES OF NATIONAL BANKS.

Mr. PETERS also introduced a bill (H. R. 1449) to provide for the deposit of gold or silver coin or gold or silver bullion as security for the circulating notes of national banks; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

SECTION 3860, REVISED STATUTES.

Mr. PETERS also introduced a bill (H. R. 1450) to amend section 3860 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

PUBLIC BUILDING AT WICHITA, KANS.

Mr. PETERS also introduced a bill (H. R. 1451) for the completion of a public building at Wichita, Kans.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

RAILWAY MAIL SERVICE.

Mr. PETERS also introduced a bill (H. R. 1452) to pay dependent relatives of persons killed by accident engaged in the railway mail service, and to compensate for injuries received; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

ARREARS OF PENSIONS.

Mr. PETERS also introduced a bill (H. R. 1453) to grant arrears of pensions in certain cases; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PENSIONS TO DISABLED SOLDIERS AND SAILORS.

Mr. PETERS also introduced a bill (H. R. 1454) granting a pension to all disabled soldiers and sailors serving more than three months in the war of the rebellion; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

INCREASE OF PENSIONS.

Mr. PETERS also introduced a bill (H. R. 1455) to increase certain

pensions; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

INCREASE OF PENSION FOR LOSS OF EYE.

Mr. PETERS also introduced a bill (H. R. 1456) to increase the rate of pension for the loss of an eye or the sight thereof; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ARREARS OF PENSION.

Mr. PETERS also introduced a bill (H. R. 1457) granting arrears of pension; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

INCREASED PENSION FOR LOSS OF LIMBS.

Mr. PETERS also introduced a bill (H. R. 1458) giving to honorably discharged soldiers and sailors of the rebellion increased pensions for loss of limbs; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PENSIONS FOR DISABILITY EQUAL TO LOSS OF ARM OR LEG.

Mr. PETERS also introduced a bill (H. R. 1459) giving to honorably discharged soldiers and sailors of the rebellion, under disability from gunshot wounds equal to loss of an arm or leg, increased pensions; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

EASTERN JUDICIAL DISTRICT OF KENTUCKY.

Mr. BRECKINRIDGE, of Kentucky, introduced a bill (H. R. 1460) to establish the eastern judicial district of Kentucky; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

JURISDICTION OF UNITED STATES COURTS IN DISTRICT OF KENTUCKY.

Mr. BRECKINRIDGE, of Kentucky, also introduced a bill (H. R. 1461) to regulate the civil, criminal, and penal jurisdiction of the circuit and district courts of the United States in the district of Kentucky; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

COIN CERTIFICATES.

Mr. BRECKINRIDGE, of Kentucky, also introduced a bill (H. R. 1462) to authorize the issue of coin certificates, and for other purposes; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

ARMY OFFICERS AS ATTACHÉS OF FOREIGN LEGATIONS.

Mr. BRECKINRIDGE, of Kentucky, also introduced a bill (H. R. 1463) to assign officers of the Army as attachés to foreign legations; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

SECTION 1189, UNITED STATES REVISED STATUTES.

Mr. BRECKINRIDGE, of Kentucky, also introduced a bill (H. R. 1464) to amend section 1189, Revised Statutes; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

INTERNAL-REVENUE SYSTEM.

Mr. BRECKINRIDGE, of Kentucky, also introduced a bill (H. R. 1465) to modify the internal-revenue system, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

MANUFACTURE OF VINEGAR FROM GRAIN.

Mr. BRECKINRIDGE, of Kentucky, also introduced a bill (H. R. 1466) to regulate the manufacture of vinegar made from grain; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

ENTRY OF DISTILLED SPIRITS.

Mr. BRECKINRIDGE, of Kentucky, also introduced a bill (H. R. 1467) to amend the laws relating to the entry of distilled spirits in distillery and special bonded warehouses, and the withdrawal of the same therefrom, and for payment of tax thereon; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

SECTION 3904, UNITED STATES REVISED STATUTES.

Mr. CARUTH introduced a bill (H. R. 1468) to amend section 3904, chapter 4, title 46, of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

PORTRAIT OF GENERAL GEORGE H. THOMAS.

Mr. CARUTH also introduced a bill (H. R. 1469) providing for the purchase, of the portrait of General George H. Thomas, painted by General S. W. Price; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

AMENDMENT OF SECTION 3357, UNITED STATES REVISED STATUTES.

Mr. CARUTH also introduced a bill (H. R. 1470) to amend section 3357 of the Revised Statutes of the United States, title "Internal revenue;" which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

UNITED STATES JUDICIAL DISTRICTS IN KENTUCKY.

Mr. TAULBEE introduced a bill (H. R. 1471) to divide the State of Kentucky into two judicial districts; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SECTION 3244, REVISED STATUTES.

Mr. TAULBEE also introduced a bill (H. R. 1472) to amend subdivisions 4 and 5 of section 3244 of the Revised Statutes of 1878; which was read a first and second time, referred to the Select Committee on the Alcoholic Liquor Traffic, and ordered to be printed.

COMMERCIAL RELATIONS WITH MEXICO, BRAZIL, ETC.

Mr. McCREARY introduced a bill (H. R. 1473) authorizing the President of the United States to arrange a conference for the purpose of promoting arbitration and encouraging reciprocal commercial relations between the United States of America and the Republics of Mexico, Central and South America, and the Empire of Brazil; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

REIMBURSEMENT TO STATES FOR WAR EXPENSES.

Mr. MONTGOMERY introduced a bill (H. R. 1474) to reimburse the several States for interest on moneys expended by them on account of raising troops employed in aiding the United States in suppressing the late rebellion; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

WAREHOUSING FRUIT BRANDY.

Mr. MONTGOMERY also introduced a bill (H. R. 1475) to provide for warehousing fruit brandy; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PRIVATE CLAIMS IN CONGRESS.

Mr. BLANCHARD introduced a bill (H. R. 1476) regulating the proceedings in Congress upon private claims; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

WESTERN JUDICIAL DISTRICT OF LOUISIANA.

Mr. BLANCHARD also introduced a bill (H. R. 1477) to subdivide the western judicial district of Louisiana; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CONGRESSIONAL TERMS.

Mr. BLANCHARD also introduced a bill (H. R. 1478) establishing the time when the terms of Congress shall begin and end, and when Congress shall meet; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

LANDS FOR SCHOOLS IN LOUISIANA.

Mr. BLANCHARD also introduced a bill (H. R. 1479) granting additional lands to the State of Louisiana for the use of schools; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PRIVATE LAND CLAIMS.

Mr. BLANCHARD also introduced a bill (H. R. 1480) to abrogate the powers of the executive officers of the United States in allowing indemnity locations or scrip for confirmed unsatisfied private land claims, under section 3 of the act of Congress approved June 2, 1858 (U. S. Statutes at Large, volume 11, pages 294 and 295, chapter 81), and to vest that power in the courts of the United States; which was read a first and second time, referred to the Committee on Private Land Claims, and ordered to be printed.

NATIONAL CEMETERY NEAR PINEVILLE, LA.

Mr. BLANCHARD also introduced a bill (H. R. 1481) making an appropriation to construct a road and approaches from Pineville, La., to the national military cemetery near that town; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PUBLIC BUILDING, ALEXANDRIA, LA.

Mr. BLANCHARD also introduced a bill (H. R. 1482) to provide for the construction of a public building at the city of Alexandria, State of Louisiana; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING, MONROE, LA.

Mr. NEWTON introduced a bill (H. R. 1483) for the erection of a public building at Monroe, La.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PORT OF DELIVERY, BATON ROUGE, LA.

Mr. ROBERTSON introduced a bill (H. R. 1484) to constitute Baton Rouge, in the State of Louisiana, a port of delivery; which was read a

first and second time, referred to the Committee on Commerce, and ordered to be printed.

NAVIGATION.

Mr. DINGLEY introduced a bill (H. R. 1485) to prevent dangers to ocean navigation from rafts of logs or timber; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

Mr. DINGLEY also introduced a bill (H. R. 1486) to amend the laws relating to navigation, and for other purposes; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

PROTECTION OF FISHERIES.

Mr. DINGLEY also introduced a bill (H. R. 1487) to protect the fisheries of the United States; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

DRAWBACKS.

Mr. DINGLEY also introduced a bill (H. R. 1488) to allow drawbacks on articles manufactured wholly or partly of materials imported, equal in amount to the duties paid on such materials, when such articles are exported; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

IMPORTED LIQUORS.

Mr. DINGLEY also introduced a bill (H. R. 1489) relating to imported liquors; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

CONSTRUCTION OF NAVAL VESSELS.

Mr. DINGLEY also introduced a bill (H. R. 1490) authorizing the Secretary of the Navy to contract for the construction of naval vessels by private citizens who obligate themselves to establish iron and steel ship-yards in the United States; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

ALCOHOLIC LIQUOR TRAFFIC.

Mr. DINGLEY also introduced a bill (H. R. 1491) to provide for a commission on the subject of the alcoholic liquor traffic; which was read a first and second time, referred to the Select Committee on the Alcoholic Liquor Traffic, and ordered to be printed.

LIGHT-HOUSE GOOSE ROCKS, FOX ISLAND THOROUGHFARE, MAINE.

Mr. DINGLEY also introduced a bill (H. R. 1492) providing for the establishment of a light-house upon Goose Rocks, Fox Island Thoroughfare, Maine; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PROHIBITION IN THE DISTRICT.

Mr. DINGLEY also introduced a bill (H. R. 1493) to prohibit the manufacture and sale of spirituous and intoxicating liquors in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

EXEMPTION FROM PILOT CHARGES.

Mr. DINGLEY also introduced a bill (H. R. 1494) exempting American coastwise sailing-vessels piloted by their licensed masters or by a United States pilot from the obligation to pay State pilots for services not rendered; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

SOLDIERS' MONUMENT, ROCKLAND, ME.

Mr. DINGLEY also introduced a bill (H. R. 1495) granting to Edwin Libby Post, Grand Army of the Republic, permission to erect a soldiers' monument on vacant land adjoining custom-house at Rockland, Me.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PROTECTION OF GIRLS.

Mr. DINGLEY also introduced a bill (H. R. 1496) to amend the Revised Statutes relating to the District of Columbia, for the protection of girls, and for the punishment of the crime of rape; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

ALCOHOLIC LIQUORS.

Mr. DINGLEY also introduced a joint resolution (H. Res. 15) proposing an amendment to the Constitution of the United States in relation to the manufacture, importation, exportation, and sale of alcoholic liquors; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

DISCRIMINATIONS IN CHARGES ON VESSELS BY CANADA.

Mr. DINGLEY also submitted the following resolution; which was referred to the Committee on Merchant Marine and Fisheries:

*Resolved*, That the President be, and he hereby is, requested, if not incompatible with the public interests, to transmit to the House copies of any correspondence, reports, or other information in possession of any Department of the Executive in reference to alleged discriminations in tolls or charges by the Government of the Dominion of Canada against vessels or cargoes passing through the Welland Canal and destined for ports of the United States on the Great Lakes; and also in reference to any system of rebates by the Government of the Dominion of Canada whereby a less toll or charge is in effect imposed on cargoes for export passing through the Welland Canal when transported to the seaboard by the St. Lawrence River than when transported by routes through the United States.

TEMPORARY DOCUMENTS OF VESSELS.

Mr. MILLIKEN introduced a bill (H. R. 1497) to amend section 4322 of the Revised Statutes, requiring copies of temporary documents of vessels to be filed at their home ports; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

LICENSING FISHING VESSELS.

Mr. MILLIKEN also introduced a bill (H. R. 1498) to amend sections 4321, 4377, and 4391 of the Revised Statutes, relative to licensing fishing vessels; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

DEPENDENT AND DESTITUTE PARENTS OF DECEASED SOLDIERS.

Mr. MILLIKEN also introduced a bill (H. R. 1499) relating to pensions for dependent and destitute parents of deceased soldiers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

EXTENDING BENEFITS OF PENSION LAWS.

Mr. MILLIKEN also introduced a bill (H. R. 1500) extending the benefits of the pension laws to soldiers' widows who have married and whose second husbands have died leaving them pecuniarily needy; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PAYMENT OF WAGES BY GOVERNMENT CONTRACTORS.

Mr. MILLIKEN also introduced a bill (H. R. 1501) providing for the payment of weekly wages by Government contractors to their employés; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

SITES FOR WASHINGTON CITY POST-OFFICE AND OTHER BUILDINGS.

Mr. MILLIKEN also introduced a bill (H. R. 1502) to authorize the acquisition of certain parcels of real estate embraced in the territory bounded by Pennsylvania avenue on the north, B street on the south, Ninth street on the east, and Fifteenth street on the west, in the city of Washington, to provide suitable sites for a city post-office, city government buildings, a hall of records, and other public buildings; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ESTABLISHMENT AND SUPPORT OF COMMON SCHOOLS.

Mr. MILLIKEN also introduced a bill (H. R. 1503) to aid in the establishment and temporary support of common schools; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

IMMIGRATION.

Mr. MILLIKEN also introduced a bill (H. R. 1504) to regulate immigration; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PENSIONS FOR DISABLED SOLDIERS AND SAILORS.

Mr. BOUTELLE introduced a bill (H. R. 1505) granting pensions to ex-soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to dependent relatives of deceased soldiers and sailors; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SETTLEMENT OF STATE WAR CLAIMS.

Mr. BOUTELLE also introduced a bill (H. R. 1506) to settle and adjust the claims of any State for expenses incurred by it in defense of the United States; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

PUBLIC BUILDING AT HOULTON, ME.

Mr. BOUTELLE also introduced a bill (H. R. 1507) for the erection of a public building at the town of Houlton, Me.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

RELIEF OF CERTAIN ENLISTED MEN.

Mr. BOUTELLE also introduced a bill (H. R. 1508) to relieve certain appointed or enlisted men of the Navy and Marine Corps from the charge of desertion; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

PROPOSED RETURN OF CAPTURED BATTLE FLAGS, ETC.

Mr. BOUTELLE also submitted the following resolution of inquiry; which was read:

*Resolved*, That the Secretary of War be, and he is hereby, directed to inform this House whether it is true that the flags, standards, and trophies captured from the enemies of the United States have been removed from the place where they were displayed, as required by law, and have since been concealed from the

public; and, if so, when, by what authority, and for what reason said flags and trophies have been withdrawn from public inspection.

Also, that he inform the House whether any proposition has been at any time made, by persons in authority under the United States Government, for the surrender or delivery of any portion of said flags or trophies to any official or person in any of the States lately involved in the rebellion, and, if so, by whose orders and what authority and for what reason such propositions to surrender these sacred trophies of the valor of the nation's defenders were made.

Also, that he inform the House whether it is true, as alleged, that a portion of said flags and trophies were actually surrendered and delivered to persons having no right to their possession, before the countermanding order of the President was issued; and, if so, to furnish a list, and description of the property of the United States thus surrendered, with the names of the person or persons responsible for the delivery, and of those who received said property.

Also, that the Secretary furnish the House with a full descriptive list of all the flags, banners, and trophies that have been placed in the custody of the War Department, with information as to what measures, if any, have been taken to comply with the requirements and obvious intent of sections 218, 428, 1554, and 1565 of the Revised Statutes.

Mr. BOUTELLE. Mr. Speaker, as there will probably be no objection to this resolution, I would like very much to have it adopted now, if I can get unanimous consent to put it upon its passage.

Mr. TIMOTHY J. CAMPBELL. Let it take its course; I object.

Mr. MILLS. Let it be referred to the Committee on Military Affairs.

The resolution was referred to the Committee on Military Affairs.

FEMALE SUFFRAGE.

Mr. REED introduced a joint resolution (H. Res. 16) proposing an amendment to the Constitution extending the right of suffrage to women; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

REPEAL OF LIMITATION ACT.

Mr. GIBSON introduced a bill (1509) to repeal the limitation act of March 3, 1863, etc.; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

LIGHT-HOUSE, LANKSFORD BAY, MARYLAND.

Mr. GIBSON also introduced a bill (H. R. 1510) making an appropriation for the erection of a light-house at the mouth of Lanksford Bay, in Chester River, State of Maryland; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

LIGHT-HOUSE, TANGIER ISLAND.

Mr. GIBSON also introduced a bill (H. R. 1511) making an appropriation for the erection of a light-house on the southern end of Tangier Island in Chesapeake Bay, Maryland; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PAY OFFICERS, COAST SURVEY VESSELS.

Mr. GIBSON also introduced a bill (H. R. 1512) fixing the pay of the pay officers of the Coast Survey vessels and their clerks; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

INTERSTATE POSTAL TELEGRAPH.

Mr. RAYNER introduced a bill (H. R. 1513) to establish an interstate postal telegraph system and for the appointment of an interstate telegraph commission; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

RECORD OF WILLS, DISTRICT OF COLUMBIA.

Mr. RAYNER also introduced a bill (H. R. 1514) relating to the record of wills in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

ADULTERATION OF FOOD, ETC.

Mr. McCOMAS introduced a bill (H. R. 1515) to prevent the adulteration of food or drugs; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

INTERNAL-REVENUE TAXES.

Mr. McCOMAS also introduced a bill (H. R. 1516) to amend the act entitled "An act to reduce internal-revenue taxation, and for other purposes," approved March 3, 1883; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

POSTAL TELEGRAPH SYSTEM.

Mr. McCOMAS also introduced a bill (H. R. 1517) to establish a postal telegraph system in the United States; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

RESTRICTING THE USE OF THE MAILS.

Mr. McCOMAS also introduced a bill (H. R. 1518) to prevent the use of the United States mails to advertise noxious and dangerous medicines, foods, and compounds; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

TAXING POWER OF THE STATE.

Mr. McCOMAS also introduced a joint resolution (H. Res. 17) proposing an amendment to the Constitution of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

RELIEF OF CERTAIN LOYAL CITIZENS.

Mr. McCOMAS also introduced a bill (H. R. 1519) to afford further relief to loyal citizens of States not in rebellion for property taken by the Army of the United States; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

POSTAL SAVINGS BANKS.

Mr. McCOMAS also introduced a bill (H. R. 1520) to establish post-office savings banks as a branch of the Post-Office Department; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

PURCHASE OF UNITED STATES BONDS.

Mr. COMPTON introduced a joint resolution (H. Res. 18) authorizing the Secretary of the Treasury to purchase bonds of the United States; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PAY OF JURORS, LIBRARY SITE.

Mr. COMPTON also introduced a joint resolution (H. Res. 19) to provide for payment of compensation to the jurors summoned in the condemnation of a site for the new Congressional Library; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

REPAYMENT OF ADVANCES BY MARYLAND AND VIRGINIA.

Mr. COMPTON also introduced a bill (H. R. 1521) to provide for paying certain advances made to the United States by the States of Maryland and Virginia; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

POTOMAC AND CHESAPEAKE FREE SHIP-CANAL.

Mr. COMPTON also introduced a bill (H. R. 1522) to provide for the preliminary surveys and location of the Potomac and Chesapeake free ship-canal; which was read a first and second time, referred to the Committee on Railways and Canals, and ordered to be printed.

LIGHT-HOUSE AT COB POINT BAR.

Mr. COMPTON also introduced a bill (H. R. 1523) for the establishment of a light-house at Cob Point Bar, at the mouth of the Wicomico River, in the State of Maryland; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

SECTIONS 4488 AND 4489, REVISED STATUTES.

Mr. DAVIS introduced a bill (H. R. 1524) to amend sections 4488 and 4489 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

CARRIAGE OF PASSENGERS BY SEA.

Mr. DAVIS also introduced a bill (H. R. 1525) supplementary to an act entitled "An act to regulate the carriage of passengers by sea;" which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

INTRODUCTION OF CONTAGIOUS DISEASES.

Mr. DAVIS also introduced a bill (H. R. 1526) to prevent the introduction of contagious and infectious diseases into the United States and to establish a bureau of public health; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

BILLS OF LADING.

Mr. DAVIS also introduced a bill (H. R. 1527) to make bills of lading conclusive evidence in certain cases; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

AMENDMENT TO THE CONSTITUTION.

Mr. DAVIS also introduced a joint resolution (H. Res. 20) proposing an amendment to the Constitution of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

REWARD TO ESQUIMAUX.

Mr. DAVIS also introduced a bill (H. R. 1528) to reward the Esquimaux natives of the Asiatic coast of the Arctic Ocean for acts of humanity to shipwrecked seamen; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

ACCOUNTS UNDER THE EIGHT-HOUR LAW.

Mr. ROCKWELL introduced a bill (H. R. 1529) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

Mr. LODGE introduced a bill (H. R. 1530) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

TRIAL OF CUSTOMS CASES.

Mr. LODGE also introduced a bill (H. R. 1531) to create a court of customs, and to provide for the speedy trial of customs-revenue cases; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

DUTIES ON SUGAR AND MOLASSES.

Mr. LODGE also introduced a bill (H. R. 1532) to repeal the duties on sugar and molasses, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PUBLIC BUILDING AT LYNN, MASS.

Mr. LODGE also introduced a bill (H. R. 1533) for the erection of a public building at Lynn, Mass.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

AMENDMENT TO THE CONSTITUTION.

Mr. LODGE also introduced a joint resolution (H. Res. 21) proposing an amendment to the Constitution of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SALE OF CHELSEA HOSPITAL.

Mr. LODGE also introduced a joint resolution (H. Res. 22) for the sale of the naval hospital at Chelsea, Mass., and for other purposes; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

STORMING PARTY OF PORT HUDSON.

Mr. LODGE also introduced a bill (H. R. 1534) authorizing the Secretary of War to procure and present suitable medals to the survivors of the "forlorn-hope storming party" of Port Hudson; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

POSTAL SERVICE.

Mr. LODGE also introduced a bill (H. R. 1535) to amend chapter 180, United States Statutes at Large, relating to the postal service; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

THE CIVIL SERVICE.

Mr. LODGE also introduced a bill (H. R. 1536) to extend the operation of chapter 27, United States Statutes at Large, entitled "An act to regulate and improve the civil service of the United States;" which was read a first and second time, referred to the Select Committee on Reform in the Civil Service, and ordered to be printed.

PENSIONS FOR LOSS OF ARMS.

Mr. LONG introduced a bill (H. R. 1537) to allow soldiers and sailors in the United States service who have lost both arms an increased pension; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

DAMAGE BY CONFEDERATE CRUISER BOSTON.

Mr. LONG also introduced a bill (H. R. 1538) to confer jurisdiction on the Court of Claims to examine and determine certain claims for damage done on the high seas by the Confederate cruiser Boston; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ACCOUNTS UNDER THE EIGHT-HOUR LAW.

Mr. LONG also introduced a bill (H. R. 1539) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

PORT OF DELIVERY, GRAND RAPIDS, MICH.

Mr. FORD introduced a bill (H. R. 1540) to establish a port of delivery at Grand Rapids, Mich.; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

REGULATING IMMIGRATION.

Mr. FORD also introduced a bill (H. R. 1541) to regulate immigration; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

PUBLIC BUILDING AT GRAND HAVEN, MICH.

Mr. FORD also introduced a bill (H. R. 1542) to provide for the construction of a public building in the city of Grand Haven, State of Michigan; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ARREARS OF PENSIONS.

Mr. FORD also introduced a bill (H. R. 1543) to remove the limitation in the payment of arrears of pensions; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PENSIONS TO VETERANS SIXTY YEARS OLD.

Mr. FORD also introduced a bill (H. R. 1544) to provide for the payment of pensions to persons who served in the military or naval service of the United States during the late war of the rebellion upon their reaching the age of sixty years; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SECTION 4414, UNITED STATES REVISED STATUTES.

Mr. FORD also introduced a bill (H. R. 1545) to amend the fourth paragraph of section 4414 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

IMPROVEMENT OF SAUGATUCK, HARBOR, MICHIGAN.

Mr. FORD also offered a resolution directing the Secretary of War to estimate the cost of the improvement of the harbor of Saugatuck, Mich.; which was referred to the Committee on Rivers and Harbors.

PUBLIC BUILDING, LOWELL, MASS.

Mr. ALLEN, of Massachusetts, introduced a bill (H. R. 1546) for the erection of a public building at Lowell, Mass.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SOUTH HAVEN HARBOR, MICHIGAN.

Mr. BURROWS introduced a resolution calling on the Secretary of War for an additional report on the condition of the harbor of South Haven, Mich.; which was read, and referred to the Committee on Rivers and Harbors.

PENSIONS TO PRISONERS OF WAR.

Mr. BURROWS also introduced a bill (H. R. 1547) for pensioning prisoners of war who were confined in Confederate military prisons during the war of the rebellion; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MEDICAL DIVISION, PENSION BUREAU.

Mr. BURROWS also introduced a bill (H. R. 1548) to increase the efficiency of the medical division of the Pension Bureau; which was read a first and second time, referred to the Committee on Expenditures in the Interior Department, and ordered to be printed.

BOARDS OF SURGEONS, PENSION BUREAU.

Mr. BURROWS also introduced a bill (H. R. 1549) to increase the efficiency of boards of surgeons for the examination of pension applicants; which was read a first and second time, referred to the Committee on Expenditures in the Interior Department, and ordered to be printed.

SALARIES UNITED STATES DISTRICT JUDGES.

Mr. BURROWS also introduced a bill (H. R. 1550) fixing the salaries of United States district judges; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC BUILDING, KALAMAZOO, MICH.

Mr. BURROWS also introduced a bill (H. R. 1551) for the erection of a public building at the city of Kalamazoo, Mich.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

COMPENSATIONS COURT OF CLAIMS, ETC.

Mr. CHIPMAN introduced a bill (H. R. 1552) to regulate the compensation of the chief-justice and judges of the Court of Claims, and of the justices of the supreme court of the District of Columbia; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CRIMINAL JURISDICTION, UNITED STATES COURTS.

Mr. CHIPMAN also introduced a bill (H. R. 1553) extending the criminal jurisdiction of the circuit and district courts to the Great Lakes and their connecting waters; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC BUILDING, DETROIT, MICH.

Mr. CHIPMAN also introduced a bill (H. R. 1554) to amend an act to amend an act to provide for the purchase of a site and the erection of a public building thereon at Detroit, Mich., approved March 3, 1887; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC DEFENSE.

Mr. CUTCHEON introduced a bill (H. R. 1555) to provide for the public defense; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

ARREARS OF PENSIONS.

Mr. CUTCHEON also introduced a bill (H. R. 1556) to remove the limitation in the payment of arrears of pensions; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

WIDOWS' PENSIONS.

Mr. CUTCHEON also introduced a bill (H. R. 1557) to fix the date of commencement of widows' pensions; which was read a first and sec-

ond time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BOUNTIES TO SOLDIERS.

Mr. CUTCHEON also introduced a bill (H. R. 1558) to provide for the payment of a bounty of $100 to soldiers who enlisted in the military service of the United States under the act of July 22, 1861, and who were discharged by reason of surgeon's certificate of disability or for promotion before the expiration of two years, and who have not received $100 bounty; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PENSIONS.

Mr. CUTCHEON also introduced a bill (H. R. 1559) granting pensions to certain soldiers and sailors of the United States in the late war who have attained the age of sixty-two years, or who are disabled from gaining a livelihood, or who are dependent, and for other purposes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

VOLUNTEER OFFICERS AND MEN.

Mr. CUTCHEON also introduced a bill (H. R. 1560) to extend the provisions of "An act to provide for the muster and pay of certain officers and enlisted men of the volunteer forces;" which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

BREVET RANK FOR ARMY OFFICERS.

Mr. CUTCHEON also introduced a bill (H. R. 1561) to authorize the President to confer brevet rank on officers of the Army for gallant services in Indian campaigns; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

FRANKING PRIVILEGE.

Mr. CUTCHEON also introduced a bill (H. R. 1562) to extend the franking privilege to members of soldiers' homes; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PUBLIC BUILDING AT MUSKEGON, MICH.

Mr. CUTCHEON also introduced a bill (H. R. 1563) to provide for the erection of a public building for the use of the post-office and other Government offices at the city of Muskegon, in the State of Michigan; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING AT MANISTEE, MICH.

Mr. CUTCHEON also introduced a bill (H. R. 1564) to provide for the erection of a public building for the use of the post-office and other Government offices at Manistee, in the State of Michigan; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PORTS OF DELIVERY IN MICHIGAN.

Mr. CUTCHEON also introduced a bill (H. R. 1565) to amend section 2599 of the Revised Statutes of the United States, designating ports of delivery in the district of Michigan; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

INSPECTORS OF HULLS AND BOILERS.

Mr. CUTCHEON also introduced a bill (H. R. 1566) to amend section 4414 of the Revised Statutes of the United States, fixing the compensation of local inspectors of hulls and boilers in the Michigan district; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

COIN CERTIFICATES.

Mr. FISHER (by Mr. WHITING, of Michigan) introduced a bill (H. R. 1567) to provide for the deposit of gold and silver coin and bullion, and the issuing of United States coin certificates therefor; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

PUBLIC BUILDING, BAY CITY, MICH.

Mr. FISHER (by Mr. WHITING, of Michigan) also introduced a bill (H. R. 1568) to provide for the erection of a public building at Bay City, Mich.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PURCHASERS AND USERS OF PATENTED ARTICLES.

Mr. BREWER introduced a bill (H. R. 1569) to protect innocent purchasers or users of patented articles; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

PENSION FOR TOTAL DEAFNESS.

Mr. BREWER also introduced a bill (H. R. 1570) to increase the rate of pension for total deafness; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

REFORM IN THE CIVIL SERVICE.

Mr. BREWER also introduced a bill (H. R. 1571) fixing the tenure of public officials and to reform the civil service; which was read a first and second time, referred to the Committee on Reform in the Civil Service, and ordered to be printed.

PENSION FOR DISABILITY BEFORE MUSTER.

Mr. BREWER also introduced a bill (H. R. 1572) granting a pension to certain soldiers who were disabled before muster; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BOUNTY TO VOLUNTEERS.

Mr. BREWER also introduced a bill (H. R. 1573) granting a bounty to certain volunteer soldiers; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

LIQUOR TRAFFIC.

Mr. BREWER also introduced a bill (H. R. 1574) to prevent the sale of spirituous or intoxicating liquors in the public buildings or upon the public grounds connected therewith, belonging to the United States; which was read a first and second time, referred to the Committee on the Alcoholic Liquor Traffic, and ordered to be printed.

PUBLIC BUILDING, LANSING, MICH.

Mr. BREWER also introduced a bill (H. R. 1575) for the erection of a public building in the city of Lansing, State of Michigan; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PENSION TO MILITARY TELEGRAPH OPERATORS.

Mr. BREWER also introduced a bill (H. R. 1576) granting a pension to certain persons who were employed in the military service as telegraphic operators during the war for the preservation of the Union; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BOOKS, ETC., PRINTED IN FOREIGN LANGUAGES.

Mr. LIND introduced a bill (H. R. 1577) to put books, pamphlets, bound or unbound, and illustrated books and papers, and maps and charts, printed in any other language or languages, on the free-list; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

COMMERCE.

Mr. LIND also introduced a bill (H. R. 1578) to amend section 4 of an act entitled "An act to regulate commerce," approved February 4, 1887; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

INVALID PENSIONS.

Mr. LIND also introduced a bill (H. R. 1579) to amend section 4693 of the Revised Statutes of the United States, relating to invalid pensions; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SUGAR, LUMBER, COAL, ETC.

Mr. NELSON introduced a bill (H. R. 1580) to place sugar, lumber, coal, salt, and hemp, manila and sisal grass on the free-list in respect to tariff rates; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

RED LAKE CHIPPEWA INDIANS, MINNESOTA.

Mr. NELSON also introduced a bill (H. R. 1581) for the relief and civilization of the Red Lake Chippewa Indians in the State of Minnesota; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

TERM OF COURT, DULUTH, MINN.

Mr. NELSON also introduced a bill (H. R. 1582) to provide for a term of court at Duluth, Minn.; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC BUILDING, DULUTH, MINN.

Mr. NELSON also introduced a bill (H. R. 1583) to provide for the erection of a public building in the city of Duluth, State of Minnesota; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

DULUTH, RAINY LAKE RIVER, ETC., RAILWAY COMPANY.

Mr. NELSON also introduced a bill (H. R. 1584) granting to the Duluth, Rainy Lake River and Southwestern Railway Company the right of way through certain Indian lands in the State of Minnesota; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

SOLDIERS AND SAILORS OF MEXICAN WAR.

Mr. HOOKER introduced a bill (H. R. 1585) to amend the act entitled "An act granting pensions to the soldiers and sailors of the Mexican war, and for other purposes," so as to dispense with the provision which requires that the claimant or widow of the officer or enlisted man shall be sixty-two years of age before they can claim the benefit of said act; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

CHANGE OF TIME FOR ASSEMBLING OF CONGRESS.

Mr. HOOKER also introduced a bill (H. R. 1586) to change the time for the assembling of the Congress of the United States from the first Monday of December, in each year, to the first Monday in Janu-

ary, in each and every year; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

Mr. HOOKER asked by unanimous consent the bill be printed in the RECORD. There was no objection.

It is as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Fifty-first Congress of the United States, to be elected at the November election in 1888, shall assemble on the first Monday in January, A. D. 1890, instead of the first Monday in December, A. D. 1889, as provided by paragraph 2, section 4 of the Constitution of the United States; and that hereafter the terms of the members-elect shall begin on the first Monday of January after their election in the preceding November and continue for the two years presented by the Constitution of the United States, the first term to continue from the first Monday in January after the election in November until the first Monday in January succeeding, when the second term of members of Congress shall begin and continue until the expiration of the Congressional term for which members of Congress are elected under the Constitution of the United States.

SEC. 2. That this act shall take effect and be in force fromand after its passage.

NATIONAL CEMETERY, NATCHEZ, MISS.

Mr. STOCKDALE introduced a bill (H. R. 1587) to make an additional appropriation for the construction of a road to the national cemetery at Natchez, Miss.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

QUARANTINE STATION AT SHIP ISLAND, MISS.

Mr. STOCKDALE also introduced a bill (H. R. 1588) to authorize the removal of the quarantine station from Ship Island, Mississippi; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

TERMS OF UNITED STATES COURTS AT MISSISSIPPI CITY.

Mr. STOCKDALE also introduced a bill (H. R. 1589) to provide for holding terms of the United States courts at Mississippi City; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

COMPENSATION OF FOURTH-CLASS POSTMASTERS.

Mr. STOCKDALE also introduced a bill (H. R. 1590) to provide for the better compensation of postmasters of fourth-class post-offices in the United States; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

PUBLIC BUILDING, VICKSBURG, MISS.

Mr. CATCHINGS introduced a bill (H. R. 1591) to provide a building for the use of the United States courts, post-office, custom-office, and internal-revenue office at Vicksburg, Miss.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

TERMS OF UNITED STATES COURTS AT VICKSBURG, MISS.

Mr. CATCHINGS also introduced a bill (H. R. 1592) to amend an act entitled "An act to provide for holding terms of United States courts at Vicksburg, Miss.;" which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

STATISTICS OF EXPORTS, IMMIGRATION, AND EMIGRATION.

Mr. HEARD introduced a bill (H. R. 1593) for the collection of more accurate statistics of exports, immigration, and emigration; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

RELIEF OF PURCHASERS AND OTHER GRANTEES OF SWAMP LANDS.

Mr. HEARD also introduced a bill (H. R. 1594) for the relief of purchasers and other grantees of the United States of certain swamp and overflowed lands, and to reimburse and indemnify certain States; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

RETURN OF MONEYS TO STATES AND TERRITORIES.

Mr. HEARD also introduced a bill (H. R. 1595) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

WAR CLAIMS, STATE OF MISSOURI.

Mr. HEARD also introduced a bill (H. R. 1596) to authorize the Secretary of the Treasury to cause to be examined certain vouchers filed or to be filed by the State of Missouri, her agent or agents, for sums claimed to be due from the Government of the United States on account of payments made by said State since April 22, 1882, to the officers and enlisted men of her militia forces for military services rendered to the United States in the suppression of the rebellion, as evidenced by the proper pay-rolls heretofore filed with, examined, and accepted by the Government of the United States, and to report to Congress; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

BUREAU OF STATISTICS, TREASURY DEPARTMENT.

Mr. HEARD also introduced a bill (H. R. 1597) for the reorganization of the Bureau of Statistics, Treasury Department; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

INTEREST ON WAR LOANS.

Mr. HEARD also introduced a bill (H. R. 1598) to reimburse the several States for interest paid on war loans, and for other purposes; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

PUBLIC BUILDING, SEDALIA, MO.

Mr. HEARD also introduced a bill (H. R. 1599) to provide for the erection of a public building in the city of Sedalia, State of Missouri; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

REPORT ON WOOL BUREAU OF STATISTICS.

Mr. HEARD also introduced a joint resolution (H. Res. 23) authorizing the printing of 14,000 copies of the recent special report of the Chief of the Bureau of Statistics, Treasury Department, upon wool and the manufactures of wool; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

AMENDMENT TO THE RULES.

Mr. HEARD also submitted the following proposed amendment to the Rules; which was referred to the Committee on Rules:

Amend Rule XXXIV by inserting after the words "governors of States" the words "Commissioner of Agriculture."

JURISDICTION CIRCUIT COURTS UNITED STATES.

Mr. STONE, of Missouri, introduced a bill (H. R. 1600) to determine the jurisdiction of the circuit courts of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

AMENDMENT OF LAND LAWS.

Mr. STONE, of Missouri, also introduced a bill (H. R. 1601) to repeal all laws providing for the pre-emption of the public lands, the laws allowing entries for timber culture, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

FORFEITURE SOUTHERN PACIFIC LANDS.

Mr. STONE, of Missouri, also introduced a bill (H. R. 1602) forfeiting certain lands granted to the Southern Pacific Railroad Company (of California) by section 18 of the act of Congress approved January 27, A. D. 1866; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PUBLIC BUILDING, KANSAS CITY, MO.

Mr. WARNER introduced a bill (H. R. 1603) making an appropriation for the erection of a custom-house at Kansas City, Mo.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

UNITED STATES CIRCUIT COURT, WESTERN DISTRICT, MISSOURI.

Mr. WARNER also introduced a bill (H. R. 1604) to change the time of the sessions of the circuit court of the western division of the western district of Missouri; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ASSIGNMENT OF RETIRED OFFICERS.

Mr. WARNER also introduced a bill (H. R. 1605) authorizing the assignment of retired officers of the United States Army to certain duties; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

HOMES FOR INDIANS, ETC.

Mr. WARNER also introduced a bill (H. R. 1606) to provide homes for the Indians and for the disposition of surplus lands; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

TELEGRAPH OPERATORS DURING THE WAR.

Mr. WARNER also introduced a bill (H. R. 1607) for the relief of telegraph operators during the war; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

SUBTREASURY, KANSAS CITY, MO.

Mr. WARNER also introduced a bill (H. R. 1608) establishing a subtreasury at the city of Kansas City, Mo.; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

CLAIMS MISSOURI MILITIA.

Mr. WARNER also introduced a bill (H. R. 1609) providing for the appointment of commissioners to ascertain what just claims for military service performed by officers and privates of the military forces of the State of Missouri, in the suppression of the rebellion in concert with the authorities of the United States, and subject to their orders, still remain unpaid and not assumed by said State, and for other purposes; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

RELIEF OF VOLUNTEER OFFICERS.

Mr. WARNER also introduced a bill (H. R. 1610) for the relief of certain volunteer officers; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PUBLIC BUILDING, SPRINGFIELD, MO.

Mr. WADE introduced a bill (H. R. 1611) for the erection of a public building at Springfield, Mo.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

UNITED STATES COURTS, NEBRASKA.

Mr. DORSEY introduced a bill (H. R. 1612) to provide for holding terms of the United States district and circuit courts in the State of Nebraska; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC BUILDING AT FREMONT, NEBR.

Mr. DORSEY also introduced a bill (H. R. 1613) for the erection of a public building at Fremont, Nebr.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING AT GRAND ISLAND, NEBR.

Mr. DORSEY also introduced a bill (H. R. 1614) for the erection of a public building at Grand Island, Nebr.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING AT OMAHA, NEBR.

Mr. McSHANE introduced a bill (H. R. 1615) to provide for the purchase of a site and the erection of a public building thereon at Omaha, Nebr.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

WOOD AND WOODEN WARES.

Mr. McSHANE also introduced a bill (H. R. 1616) to amend Schedule D, chapter 121, volume 22, United States Statutes at Large, entitled "Wood and wooden wares;" which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PUBLIC BUILDING AT PLATTSMOUTH, NEBR.

Mr. McSHANE also introduced a bill (H. R. 1617) for the erection of a public building at Plattsmouth, Nebr.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

FORT OMAHA, NEBR.

Mr. McSHANE also introduced a bill (H. R. 1618) to provide for the sale of the site of Fort Omaha, Nebr., the sale or removal of the improvements thereof, and for the purchase of a new site and the construction of suitable buildings thereon; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING AT BEATRICE, NEBR.

Mr. McSHANE also introduced a bill (H. R. 1619) for the erection of a public building at the city of Beatrice, Nebr.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

COIN CERTIFICATES.

Mr. WOODBURN introduced a bill (H. R. 1620) to provide for the issuance of coin certificates to circulate as money; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

EFFICIENCY OF THE NAVY.

Mr. McKINNEY introduced a bill (H. R. 1621) to promote the efficiency of the Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

PUBLIC BUILDING AT MANCHESTER, N. H.

Mr. McKINNEY also introduced a bill (H. R. 1622) to provide for the completion of the public building in the city of Manchester, N. H.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING AT DOVER, N. H.

Mr. McKINNEY also introduced a bill (H. R. 1623) to provide for the erection of a public building in the city of Dover, in the State of New Hampshire; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING AT PATERSON, N. J.

Mr. PHELPS introduced a bill (H. R. 1624) for the erection of a public building at Paterson, N. J.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

EX-PRISONERS OF WAR.

Mr. PHELPS also introduced a bill (H. R. 1625) for the relief of Union ex-prisoners of war; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BATTLE OF TRENTON.

Mr. BUCHANAN introduced a bill (H. R. 1626) in regard to a monumental column to commemorate the battle of Trenton; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

INTERNAL-REVENUE TAX UPON TOBACCO.

Mr. BUCHANAN also introduced a bill (H. R. 1627) repealing the internal-revenue tax on tobacco and the various manufactures thereof; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

CIVIL SERVICE.

Mr. BUCHANAN also introduced a bill (H. R. 1628) to afford persons in the civil service of the United States Government an opportunity to inspect charges which may be filed against them, and to reply thereto, and for other purposes; which was read a first and second time, referred to the Committee on Reform in the Civil Service, and ordered to be printed.

INTERNAL-REVENUE ACT.

Mr. BUCHANAN also introduced a bill (H. R. 1629) correcting an error in the act entitled "An act to reduce internal-revenue taxes, and for other purposes," approved March 3, 1883; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PENSIONS FOR PRISONERS OF WAR.

Mr. BUCHANAN also introduced a bill (H. R. 1630) providing pensions for prisoners of war in the late rebellion; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

REPORTS OF AGRICULTURAL SOCIETIES.

Mr. BUCHANAN also introduced a bill (H. R. 1631) authorizing the reports of societies of an agricultural character to be carried at newspaper rates of postage; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

CHARGES OF DESERTION.

Mr. BUCHANAN also introduced a bill (H. R. 1632) extending the provisions and benefits of the act approved August 7, 1882, entitled "An act to relieve certain soldiers of the late war from the charge of desertion," to certain naval recruits serving in the said war; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

SECTION 4718, UNITED STATES REVISED STATUTES.

Mr. BUCHANAN also introduced a bill (H. R. 1633) to amend section 4718 of the Revised Statutes of the United States, and for other purposes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PENSIONS.

Mr. BUCHANAN also introduced a bill (H. R. 1634) granting pensions in certain cases; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

BUOY DEPOT, ABSECON, N. J.

Mr. BUCHANAN also introduced a bill (H. R. 1635) making an appropriation for the establishment of a buoy depot at Absecon, N. J.; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

SPECIAL-TAX RECEIPTS.

Mr. BUCHANAN also introduced a bill (H. R. 1636) regulating the issue of special-tax receipts in certain cases; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

LIABILITY FOR USE OF PATENTED ARTICLES.

Mr. BUCHANAN also introduced a bill (H. R. 1637) limiting the liability of the users of patented articles in certain cases; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

DEPARTMENT OF AGRICULTURE.

Mr. BUCHANAN also introduced a bill (H. R. 1638) creating a department of agriculture; which was read a first and second time, referred to the Committee on Agriculture, and ordered to be printed.

PUBLIC BUILDING, ATLANTIC CITY, N. J.

Mr. BUCHANAN also introduced a bill (H. R. 1639) for the erection of a public building at Atlantic City, N. J.; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PORT OF TRENTON, N. J.

Mr. BUCHANAN also introduced a bill (H. R. 1640) changing the name of the port of Lamberton, in the district of Burlington, N. J., to the port of Trenton, in said district; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

LIGHT-HOUSE, SQUAN INLET, NEW JERSEY.

Mr. BUCHANAN also introduced a bill (H. R. 1641) to provide for the erection of a light-house at or near Squan Inlet, in the State of New Jersey; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PROTECTION OF FISHERIES.

Mr. McADOO introduced a bill (H. R. 1642) for the protection of fisheries on the Atlantic coast; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

PUBLIC BUILDING, JERSEY CITY, N. J.

Mr. McADOO also introduced a bill (H. R. 1643) for the erection of a public building at Jersey City, N. J.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

FRAUDULENT ENTRIES ON PUBLIC DOMAIN.

Mr. McADOO also introduced a bill (H. R. 1644) to prevent fraudulent entries on the public domain, and to preserve the same for actual settlers in good faith; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

LIMIT OF HOURS FOR LETTER-CARRIERS.

Mr. McADOO also introduced a bill (H. R. 1645) to limit the hours that letter-carriers in cities shall be employed per day; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

MATES, UNITED STATES NAVY.

Mr. McADOO also introduced a bill (H. R. 1646) relating to the pay and retirement of mates in the Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

PROTECTION OF FISHERIES ON THE ATLANTIC COAST.

Mr. KEAN introduced a bill (H. R. 1647) for the protection of fisheries on the Atlantic coast; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

UNITED STATES COURTS, NEWARK, N. J.

Mr. LEHLBACH introduced a bill (H. R. 1648) providing for the holding of the United States courts in the city of Newark, N. J.; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

EXTENSION AND REPAIR OF PUBLIC BUILDING, NEWARK, N. J.

Mr. LEHLBACH also introduced a bill (H. R. 1649) for the extension and repair of the public building at Newark, N. J., and the purchase of additional land; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

DUTY ON PEARL BUTTONS.

Mr. LEHLBACH also introduced a bill (H. R. 1650) to amend the customs-revenue laws relative to pearl buttons; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

EQUALIZATION OF RIGHT OF FISHING.

Mr. HIRES introduced a bill (H. R. 1651) to equalize the right of fishing in the navigable waters of the United States which border on any State or Territory; which was read a first and second time, referred to the Committee on the Merchant Marine and Fisheries, and ordered to be printed.

PROTECTION OF FISHERIES.

Mr. HIRES also introduced a bill (H. R. 1652) for the protection of fisheries on the Atlantic coast; which was read a first and second time, referred to the Committee on the Merchant Marine and Fisheries, and ordered to be printed.

PUBLIC BUILDING AT BRIDGETON, N. J.

Mr. HIRES also introduced a bill (H. R. 1653) for the erection of a public building at Bridgeton, N. J., and appropriating money therefor; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SALE OF BROOKLYN NAVY-YARD.

Mr. BLISS introduced a bill (H. R. 1654) providing for the sale of navy-yard and United States land on and near Wallabout Bay, in the city of Brooklyn, N. Y., also providing for the sale of a portion of said land to the city of Brooklyn for market purposes; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

PRIVATE LAND CLAIMS.

Mr. BLISS also introduced a bill (H. R. 1655) to revive and amend an act entitled "An act for the final adjustment of private land claims in the States of Florida, Louisiana, and Missouri, and for other purposes," approved June 22, 1860; which was read a first and second time, referred to the Committee on Private Land Claims, and ordered to be printed.

REFUND TO PORT WARDENS.

Mr. BLISS also introduced a bill (H. R. 1656) in relation to refunding certain sums to port-wardens; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

MARINE CORPS.

Mr. BLISS also introduced a bill (H. R. 1657) to regulate appointments and promotions in the staff of the Marine Corps; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

SPECIFIC DUTIES UPON LEATHER GLOVES.

Mr. BLISS also introduced a bill (H. R. 1658) providing for the levying of specific duties upon leather gloves; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

CENSUS.

Mr. COX introduced a bill (H. R. 1659) to provide for taking the eleventh and subsequent censuses; which was read a first and second time, referred to the Committee on the Eleventh Census, and ordered to be printed.

LETTER-CARRIERS.

Mr. COX also introduced a bill (H. R. 1660) to create additional classes of letter-carriers, and to fix the pay thereof; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

APPRAISERS' WAREHOUSE, NEW YORK CITY.

Mr. COX also introduced a bill (H. R. 1661) for the erection of an appraisers' warehouse in the city of New York, and for other purposes; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PROTECTION OF NEW YORK HARBOR, ETC.

Mr. COX also introduced a bill (H. R. 1662) to prevent obstructive and injurious deposits within the harbor and adjacent waters of New York City, by dumping or otherwise, and to punish and prevent such offenses, and making other provisions in connection therewith; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

WAREHOUSING, ETC.

Mr. COX also introduced a bill (H. R. 1663) to modify existing laws in regard to warehousing and the collection of the revenue; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

EIGHT-HOUR LAW.

Mr. COX also introduced a bill (H. R. 1664) to pay certain laborers, watchmen, shipkeepers, workmen, and mechanics under the eight-hour law; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

ARMY AND NAVY BANDS.

Mr. COX also introduced a joint resolution (H. Res. 24) in reference to the employment of the Army and Navy bands; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

PUBLIC BUILDING, NEW YORK CITY.

Mr. TIMOTHY J. CAMPBELL introduced a bill (H. R. 1665) for the purchase of property as a site for a building or buildings for the accommodation of the custom-house, appraiser's stores, subtreasury, assay office, and other Government offices in the city of New York; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

HOURS OF LABOR FOR LETTER-CARRIERS.

Mr. TIMOTHY J. CAMPBELL also introduced a bill (H. R. 1666) to extend to letter-carriers the advantages secured to other employés of the United States by section 3738 of the Revised Statutes, relating to the hours of labor; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

MILITARY RECORDS OF WAR DEPARTMENT.

Mr. TIMOTHY J. CAMPBELL also introduced a bill (H. R. 1667) to enable the Secretary of War to complete the military records of the War Department in so far as the same relate to the State of New York; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

EMPLOYÉS OF GOVERNMENT PRINTING OFFICE.

Mr. TIMOTHY J. CAMPBELL also introduced a bill (H. R. 1668) regulating leave of absence of employés of the Government Printing Office; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

DUTIES ON RUCHINGS AND RUFFLINGS.

Mr. TIMOTHY J. CAMPBELL also introduced a bill (H. R. 1669) to equalize the duties on ruchings and rufflings and the materials used in the manufacture thereof; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PRINTING REPORT OF NAVAL CONSTRUCTOR HICHBORN.

Mr. TIMOTHY J. CAMPBELL also introduced a joint resolution (H. Res. 25) to print 4,000 copies of the report of Naval Constructor Philip Hichborn, on European dock-yards; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

WAREHOUSING, ETC.

Mr. MAHONEY introduced a bill (H. R. 1670) to modify existing laws in regard to warehousing and the collection of the revenue; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

CONVICT LABOR ON PUBLIC BUILDINGS, ETC.

Mr. MAHONEY also introduced a bill (H. R. 1671) to prevent the employment of convict labor upon public buildings and other public works, and convict labor in the preparation or manufacture of materials for public buildings or other public works, and aliens in the service of the United States, and to regulate the manner of letting contracts therefor; which was read a first and secoud time, referred to the Committee on Labor, and ordered to be printed.

BONDS OF CIGAR MANUFACTURERS.

Mr. MERRIMAN introduced a bill (H. R. 1672) to so further amend section 3387 of the Revised Statutes as amended as to reduce the penal sum of the bonds of cigar manufacturers; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

LETTER-CARRIERS.

Mr. MERRIMAN also introduced a bill (H. R. 1673) to extend to letter-carriers the advantages secured to other employés of the United States by section 3738 of the Revised Statutes, relating to the hours of labor; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

AUXILIARY NAVAL VESSELS OF THE UNITED STATES.

Mr. MERRIMAN also introduced a bill (H. R. 1674) to provide auxiliary naval vessels of the United States; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

ALABAMA CLAIMANTS.

Mr. STAHLNECKER (by request) introduced a bill (H. R. 1675) for the relief of claimants whose claims were rejected by the Court of Commissioners of Alabama Claims on the ground that either the petition or the proofs had been received too late; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC BUILDING AT YONKERS, N. Y.

Mr. STAHLNECKER also introduced a bill (H. R. 1676) to erect a public building at Yonkers, N. Y.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

COMMERCIAL SALES, ETC.

Mr. FARQUHAR introduced a bill (H. R. 1677) to regulate commercial sales of goods and merchandise by samples, catalogue, card, price-list, description, or other representation between residents of the several States and Territories; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

SITE FOR PUBLIC BUILDING, BUFFALO, N. Y.

Mr. FARQUHAR also introduced a bill (H. R. 1678) to authorize the purchase of a site for a public building at Buffalo, N. Y.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ADMISSION OF SOUTH DAKOTA INTO THE UNION.

Mr. BAKER, of New York, introduced a bill (H. R. 1679) to provide for the admission of South Dakota into the Union, and for the organization of the Territory of North Dakota; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

RATE OF POSTAGE ON FIRST-CLASS MATTER.

Mr. BAKER, of New York, also introduced a bill (H. R. 1680) regulating the rate of postage on first-class matter; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

RATE OF POSTAGE ON BULBS, SCIONS, PLANTS, AND SEEDS.

Mr. BAKER, of New York, also introduced a bill (H. R. 1681) regulating the rate of postage on bulbs, scions, plants, and seeds; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

PUBLIC BUILDING AT ROCHESTER, N. Y.

Mr. BAKER, of New York, also introduced a bill (H. R. 1682) to increase the appropriation for a public building at Rochester, N. Y.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

BUREAU OF PUBLIC DOCUMENTS.

Mr. BAKER, of New York, also introduced a bill (H. R. 1683) providing for the establishment of a bureau of public documents; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

MARINE HOSPITAL AT NEW YORK.

Mr. WHITE, of New York, introduced a bill (H. R. 1684) establishing a marine hospital at the port of New York; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING AT HUDSON, N. Y.

Mr. KETCHAM introduced a bill (H. R. 1685) for the erection of a public building at Hudson, N. Y.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

OFFICE OF STEAM-BOILER INSPECTOR FOR DISTRICT OF COLUMBIA.

Mr. FELIX CAMPBELL introduced a bill (H. R. 1686) to amend an act creating the office of steam-boiler inspector for the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

MONUMENT IN MEMORY OF VICTIMS OF PRISON SHIPS.

Mr. FELIX CAMPBELL also introduced a bill (H. R. 1687) for the erection and completion of a monument to the memory of the victims of prison ships at Fort Green, Brooklyn, N. Y.; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

PENSION CLAIMS BY DEPENDENT PARENTS.

Mr. WEBER introduced a bill (H. R. 1688) relating to claims for pensions by dependent parents; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PUBLIC BUILDING AT SUSPENSION BRIDGE, N. Y.

Mr. WEBER also introduced a bill (H. R. 1689) providing for the erection of a public building at Suspension Bridge, N. Y.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING AT TROY, N. Y.

Mr. GREENMAN introduced a bill (H. R. 1690) to increase the appropriation for the erection of a public building at Troy, N. Y.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

RELIEF OF THE STATE OF NEW YORK.

Mr. TRACEY introduced a bill (H. R. 1691) for the relief of the State of New York; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

REFUND OF CERTAIN DUTIES.

Mr. TRACEY also introduced a bill (H. R. 1692) to refund duties paid by the State of New York on arms imported in 1863; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

TAX ON TOBACCO, ETC.

Mr. BROWER introduced a bill (H. R. 1693) to repeal the internal-revenue tax on tobacco and spirituous and malt liquors, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

INTERNAL-REVENUE TAX ON FRUIT BRANDY.

Mr. BROWER also introduced a bill (H. R. 1694) to repeal the internal-revenue tax on brandy distilled from fruits, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

TAX ON TOBACCO.

Mr. BROWER also introduced a bill (H. R. 1695) to repeal the tax on tobacco in all its forms, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

SUPPORT OF COMMON SCHOOLS.

Mr. BROWER also introduced a bill (H. R. 1696) to aid in the establishment and temporary support of common schools; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

PUBLIC BUILDING, ASHEVILLE, N. C.

Mr. JOHNSTON, of North Carolina, introduced a bill (H. R. 1697) for the erection of a public building in the city of Asheville, N. C.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SOUTHERN MAIL CLAIMS PRIOR TO 1861.

Mr. JOHNSTON, of North Carolina, also introduced a bill (H. R. 1698) to provide for the payment for carrying the United States mails in the States of Virginia, North Carolina, South Carolina, Tennessee, Kentucky, Missouri, Arkansas, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas prior to May 31, 1861; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

AMENDMENT TO PENSION LAWS.

Mr. JOHNSTON, of North Carolina, also introduced a bill (H. R. 1699) to provide for placing all the surviving soldiers and sailors of the United States who served in Indian wars, including those who served in removing the Cherokee Indians from North Carolina, Georgia, and Tennessee to the Cherokee Nation, on the pension-roll; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

REPEAL OF INTERNAL-REVENUE LAWS.

Mr. JOHNSTON, of North Carolina, also introduced a bill (H. R. 1700) to repeal the internal-revenue laws; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

TAX ON TOBACCO.

Mr. HENDERSON, of North Carolina, introduced a bill (H. R. 1701) to provide for the total repeal of internal-revenue taxes upon tobacco; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

TAXES ON FRUIT SPIRITS.

Mr. HENDERSON, of North Carolina, also introduced a bill (H. R. 1702) for the repeal of the internal-revenue tax on spirits distilled from apples, peaches, and other fruit; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

REPEAL OF INTERNAL-REVENUE LAWS.

Mr. HENDERSON, of North Carolina, also introduced a bill (H. R. 1703) for the total repeal of the internal-revenue laws; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

MONUMENT TO MAJ. GEN. NATHANIEL GREENE.

Mr. HENDERSON, of North Carolina, also introduced a bill (H. R. 1704) to provide for the erection of a monument to Maj. Gen. Nathaniel Greene on the battle-field of the battle of Guilford Court-House, N. C., fought March 15, 1781; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

PUBLIC BUILDING, STATESVILLE, N. C.

Mr. HENDERSON, of North Carolina, also introduced a bill (H. R. 1705) to provide for the erection of a public building at Statesville, N. C.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

NATIONAL CEMETERY, SALISBURY, N. C.

Mr. HENDERSON, of North Carolina, also introduced a bill (H. R. 1706) to provide for grading and paving the approaches to the national cemetery near Salisbury, N. C.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

UNIFORM SYSTEM OF BANKRUPTCY.

Mr. SENEY introduced a bill (H. R. 1707) to establish a uniform system of bankruptcy throughout the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

AMENDMENT OF NATIONAL BANKING LAWS.

Mr. SENEY also introduced a bill (H. R. 1708) to amend section 5151 of the Revised Statutes so as to make the shareholders in national banks jointly and severally liable for the debts of the banks; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

REMOVAL OF CAUSES FROM STATE COURTS.

Mr. SENEY also introduced a bill (H. R. 1709) to regulate the practice in causes removed from State courts; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CIVIL SERVICE.

Mr. SENEY also introduced a bill (H. R. 1710) to repeal an act to regulate and improve the civil service of the United States, approved January 16, 1883; which was read a first and second time, referred to the Committee on Reform in the Civil Service, and ordered to be printed.

VIRGINIUS INDEMNITY.

Mr. THOMPSON, of Ohio, introduced a bill (H. R. 1711) to provide for the disposition of the interest received on the Virginius indemnity; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

PUBLIC BUILDING AT PORTSMOUTH, OHIO.

Mr. THOMPSON, of Ohio, also introduced a bill (H. R. 1712) for the erection of a public building at Portsmouth, Ohio; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

MARINE HOSPITAL AT GALLIPOLIS, OHIO.

Mr. THOMPSON, of Ohio, also introduced a bill (H. R. 1713) for a public building for a marine hospital at Gallipolis, Ohio; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

BIRTHPLACE OF GENERAL GRANT.

Mr. THOMPSON, of Ohio, also submitted a resolution directing an inquiry as to the purchase by the United States of the house and premises where the late General Ulysses S. Grant was born; which was referred to the Committee on the Library.

TAX UPON TOBACCO.

Mr. McKINLEY introduced a bill (H. R. 1714) to repeal all internal-revenue taxes upon tobacco in all forms, and upon the dealers therein; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

ARBITRATION IN NATIONAL DIFFERENCES.

Mr. McKINLEY also introduced a bill (H. R. 1715) to authorize the President of the United States to invite the autonomic Governments of America to send delegates to an international congress to arrange the settlement of national differences by arbitration; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

DUTY ON IMPORTED WOOL.

Mr. McKINLEY also introduced a bill (H. R. 1716) to restore the rates of duty on imported wool; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

ARREARS OF PENSIONS.

Mr. McKINLEY also introduced a bill (H. R. 1717) to repeal the proviso of section 2 of the act of March 3, 1879, making appropriations for the payment of arrears of pensions; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PENSIONS FOR LOSS OF ARM AND LEG.

Mr. McKINLEY also introduced a bill (H. R. 1718) to grant a pension of $72 per month to soldiers who have lost an arm and leg, by amputation or paralysis, in the line of duty; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MUNICIPAL LAWS OF THE DISTRICT.

Mr. McKINLEY also introduced a bill (H. R. 1719) to provide for the examination and purchase of certain manuscripts comprising a revision and consolidation of the laws relating to municipal affairs in the District of Columbia, and for other purposes; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

EQUALIZATION OF BOUNTIES.

Mr. GROSVENOR introduced a bill (H. R. 1720) to equalize the bounties paid by the United States to the volunteer soldiers and sailors of the late war of the rebellion; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

WIDOWS, ETC., OF PENSIONERS.

Mr. GROSVENOR also introduced a bill (H. R. 1721) for the relief of widows and minor children of deceased invalid pensioners; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PENSIONS OF MINOR CHILDREN.

Mr. GROSVENOR also introduced a bill (H. R. 1722) providing an increase of pension to minor children, and for other purposes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

LIMITATIONS IN PENSION CASES.

Mr. GROSVENOR also introduced a bill (H. R. 1723) to remove the limitations in pension cases; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PENSION FOR TOTAL HELPLESSNESS.

Mr. GROSVENOR also introduced a bill (H. R. 1724) to amend an

act relating to pensions for total helplessness; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MINIMUM INVALID PENSIONS.

Mr. GROSVENOR also introduced a bill (H. R. 1725) to provide for a minimum invalid pension of $8 per month; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PENSIONS FOR ADDITIONAL DISABILITIES.

Mr. GROSVENOR also introduced a bill (H. R. 1726) to increase certain pensions for additional disabilities; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PENSIONS TO EX-PRISONERS OF WAR.

Mr. GROSVENOR also introduced a bill (H. R. 1727) providing a pension to surviving ex-prisoners of war; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PENSIONS TO DEPENDENT PARENTS.

Mr. GROSVENOR also introduced a bill (H. R. 1728) for the relief of dependent parents of deceased officers and enlisted men; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SECTION 1225, REVISED STATUTES.

Mr. GROSVENOR also introduced a bill (H. R. 1729) to amend section 1225 of the Revised Statutes; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PENSIONS UNDER SPECIAL ACTS.

Mr. GROSVENOR also introduced a bill (H. R. 1730) for the relief of certain pensioners enrolled by special acts of Congress; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PUBLIC BUILDING, ZANESVILLE, OHIO.

Mr. WILKINS introduced a bill (H. R. 1731) to provide for the erection of a public building in the city of Zanesville, Ohio; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

BONDS REQUIRED OF NATIONAL BANKS.

Mr. WILKINS also introduced a bill (H. R. 1732) to reduce the amount of United States bonds to be required of national banks, and for other purposes; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

CIRCULATING NOTES FOR NATIONAL BANKING ASSOCIATIONS.

Mr. WILKINS also introduced a bill (H. R. 1733) to provide for the issue of circulating notes to national banking associations; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

SPECIE CERTIFICATES.

Mr. WILKINS also introduced a bill (H. R. 1734) authorizing the issue of specie certificates, and for other purposes; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

LAWS AS TO NATIONAL CURRENCY.

Mr. WILKINS also introduced a bill (H. R. 1735) to revise and consolidate the laws relating to the issue and regulation of a national currency secured by United States bonds; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

UNITED STATES REFORMATORY AND PRISON.

Mr. OUTHWAITE introduced a bill (H. R. 1736) to provide a prison and reformatory for persons convicted of violations of the laws of the United States; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

WAR TAXES.

Mr. OUTHWAITE also introduced a bill (H. R. 1737) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ILLUSTRATED CATALOGUE, ARMY MEDICAL MUSEUM.

Mr. OUTHWAITE also introduced a joint resolution (H. Res. 26) to provide for the preparation and printing of an illustrated catalogue of the Army Medical Museum; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

SURVEY OF HISTORIC GROUNDS, ETC.

Mr. ROMEIS introduced a bill (H. R. 1738) to provide for the survey of certain historic grounds, locations, and military works; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

RESTORATION TO PENSION-ROLL OF REMARRIED WIDOWS.

Mr. BROWN, of Ohio, introduced a bill (H. R. 1739) to restore to the pension-rolls widows and mothers of soldiers and sailors of the late war who have been dropped from the rolls by reason of remarriage, in cases where they have again become, or may hereafter become, widows; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MONUMENT TO WILLIAM HENRY HARRISON.

Mr. BROWN, of Ohio, also introduced a bill (H. R. 1740) for the erection of a monument to the late William Henry Harrison; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

PUBLIC BUILDING AT HAMILTON, OHIO.

Mr. CAMPBELL, of Ohio, introduced a bill (H. R. 1741) for the erection of a public building at Hamilton, Ohio; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

RELIEF OF OFFICERS OF VOLUNTEER ARMY.

Mr. CAMPBELL, of Ohio, also introduced a bill (H. R. 1742) for the relief of certain officers of the volunteer army; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

WAR MAPS.

Mr. CAMPBELL, of Ohio, also introduced a bill (H. R. 1743) for the republication of certain war maps; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PENSION LAWS.

Mr. BOOTHMAN introduced a bill (H. R. 1744) supplementary to and amendatory of the pension laws now in force, and granting pensions to disabled Union soldiers, sailors, and marines, and to their widows and to their minor and helpless children under the age of sixteen years, etc.; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PUBLIC BUILDING, DEFIANCE, OHIO.

Mr. BOOTHMAN also introduced a bill (H. R. 1745) appropriating money for the purchase of a site and the erection thereon of a suitable post-office building in the city of Defiance, Defiance County, Ohio; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

HOMESTEAD LAWS FOR ALASKA.

Mr. COOPER introduced a bill (H. R. 1746) to secure the benefits of the homestead laws of the United States to the people of Alaska; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

EDUCATIONAL FUND.

Mr. JOSEPH D. TAYLOR introduced a bill (H. R. 1747) to establish an educational fund to aid in the support of public schools in the several States and Territories; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

INTOXICATING LIQUORS IN DISTRICT OF COLUMBIA.

Mr. JOSEPH D. TAYLOR also introduced a bill (H. R. 1748) to prevent the manufacture and sale of intoxicating liquors in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

LIQUOR TRAFFIC IN DISTRICT OF COLUMBIA.

Mr. JOSEPH D. TAYLOR also introduced a bill (H. R. 1749) prohibiting in the District of Columbia the sale of intoxicating liquors within two squares of any public-school building or Government building in which persons are employed in the service of the Government; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

EQUALIZATION OF BOUNTIES.

Mr. JOSEPH D. TAYLOR also introduced a bill (H. R. 1750) to equalize the bounties of soldiers who served in the late war for the Union; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PENSIONS.

Mr. JOSEPH D. TAYLOR also introduced a bill (H. R. 1751) repealing all limitations as to the time within which meritorious applications for pensions may be filed; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CREDIT TO OREGON FOR ORDNANCE, ETC.

Mr. HERMANN introduced a bill (H. R. 1752) to authorize the Secretary of War to credit the State of Oregon with the sum of $12,398.55 for ordnance and ordnance stores to be issued to the Territory of Washington on account of said State in payment for ordnance and ordnance

stores borrowed by said State of said Territory during the Nez Perce Indian war of 1877 and 1878, and for other purposes; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

HOMESTEAD ENTRIES.

Mr. HERMANN also introduced a bill (H. R. 1753) authorizing and allowing second homestead entries of public lands where failures to consummate original entry is occasioned by sickness, unavoidable accident, aridity or sterility of the soil, mistake of boundaries, etc.; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PENSIONS.

Mr. HERMANN also introduced a bill (H. R. 1754) to amend an act entitled "An act granting pensions to soldiers and sailors of the Mexican war," approved January 29, 1887; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

LIGHT-HOUSE, UMPQUA RIVER, OREGON.

Mr. HERMANN also introduced a bill (H. R. 1755) providing for the establishment of a light-house at or near the mouth of the Umpqua River, in the State of Oregon, and not to exceed in cost the sum of $80,000; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

INDIAN WAR CLAIMS.

Mr. HERMANN also introduced a bill (H. R. 1756) for payment of balance unpaid on Oregon and Washington Territory Indian war claims for suppression of Indian hostilities in 1855 and 1856, as found due by commission appointed by Secretary of War, consisting of General Rufus Ingalls, Capt. A. J. Smith, and Hon. L. F. Grover, pursuant to act of Congress, and disallowed by Third Auditor of the Treasury, as per his report of February 7, 1860; which was read a first and second time, referred to the Select Committee on Indian Depredation Claims, and ordered to be printed.

PUBLIC BUILDING, PORTLAND, OREGON.

Mr. HERMANN also introduced a bill (H. R. 1757) to provide for the construction of a public building at Portland, Oregon; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

INDIAN DEPREDATION CLAIMS.

Mr. HERMANN also introduced a bill (H. R. 1758) to extend the act of March 3, 1887, providing for the bringing of suits against the Government of the United States, so as to include Indian depredations existing prior to the passage of this act, whether presented to or reported adversely by any department of the Government; which was read a first and second time, referred to the Select Committee on Indian Depredation Claims, and ordered to be printed.

WAR CLAIMS.

Mr. HERMANN also introduced a bill (H. R. 1759) to extend the time for filing certain claims for compensation for horses and other property lost in the military service of the United States; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

CLAIMS FROM OREGON AND WASHINGTON TERRITORY.

Mr. HERMANN also introduced a bill (H. R. 1760) to authorize the Secretary of the Treasury to audit certain claims pending from the State of Oregon and Washington Territory; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

FIRST NATIONAL BANK OF PORTLAND, OREGON.

Mr. HERMANN also introduced a bill (H. R. 1761) for the relief of the First National Bank of Portland, Oregon, for money advanced the Oregon Iron Works, the contractor in building the United States revenue-cutter Thomas Corwin; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

LAND DISTRICT IN OREGON.

Mr. HERMANN also introduced a bill (H. R. 1762) to establish an additional land district in the State of Oregon; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PUBLIC BUILDING AT SALEM, OREGON.

Mr. HERMANN also introduced a bill (H. R. 1763) to provide for the construction of a public building at Salem, Oregon; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SALARIES OF UNITED STATES DISTRICT JUDGES.

Mr. HERMANN also introduced a bill (H. R. 1764) fixing the salaries of the several judges of the United States district courts at $5,000 per annum; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

FORFEITURE OF RAILROAD LAND GRANT.

Mr. HERMANN also introduced a bill (H. R. 1765) restoring to the United States certain of the lands granted to the Northern Pacific Railroad Company to aid in the construction of a railroad from Lake Superior to Puget Sound, and to restore the same to settlement, from Wallula to Portland, and to protect the rights of settlers; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

LIFE-SAVING STATION, UMPQUA RIVER, OREGON.

Mr. HERMANN also introduced a bill (H. R. 1766) establishing a life-saving station and providing a life-saving crew at or near mouth of Umpqua River, in the State of Oregon, and appropriating $8,000 therefor; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

LIFE-SAVING STATION, YAQUINA BAY, OREGON.

Mr. HERMANN also introduced a bill (H. R. 1767) making an appropriation for the establishment of a life-saving station and providing for a life-saving crew at Yaquina Bay, in the State of Oregon; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

MILITARY WAGON-ROAD IN OREGON.

Mr. HERMANN also introduced a bill (H. R. 1768) making an appropriation for the resurvey, relocation, shortening, and improvement of the military wagon-road between Rogue River Valley and Fort Klamath, Oregon; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

BOAT RAILWAY AROUND OBSTRUCTIONS IN COLUMBIA RIVER.

Mr. HERMANN also introduced a bill (H. R. 1769) making an appropriation for a final survey and estimates for and the commencement of the construction of a boat railway around the obstructions to navigation at The Dalles and Celilo Falls, in the Columbia River; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

TEMPORARY IMPROVEMENT OF NAVIGABLE RIVERS.

Mr. HERMANN also introduced a bill (H. R. 1770) authorizing the Secretary of War to order certain repairs and improvements of a temporary character in navigable rivers, in order to preserve and continue the use and uninterrupted navigation thereof, and to draw his warrant or requisition from time to time upon the Secretary of the Treasury for such expenditures; which was read a first and second time, referred to the Committee on Rivers and Harbors, and ordered to be printed.

OREGON INDIAN WAR CLAIMS.

Mr. HERMANN also introduced a bill (H. R. 1771) to pay the Oregon Indian war claims audited by Philo Callender, war commissioner; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

LIGHT-HOUSE, COQUILLE RIVER, OREGON.

Mr. HERMANN also introduced a bill (H. R. 1772) for the establishment of a light-house at the mouth of the Coquille River, in the State of Oregon, at a cost not exceeding $40,000; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

VOLUNTARY SIGNAL OBSERVERS.

Mr. HERMANN also introduced a bill (H. R. 1773) providing compensation and necessary instruments to voluntary signal observers; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

ELECTION OF SENATORS.

Mr. HERMANN also introduced a joint resolution (H. Res. 27) proposing an amendment to the Constitution of the United States providing for the election of Senators by the votes of the people of the States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CANAL AND LOCKS, COLUMBIA RIVER.

Mr. HERMANN also submitted a memorial of the Legislature of Oregon, asking for the completion of the canal and locks on the Columbia River, and that it may be finished the sum of $500,000 appropriated therefor, that excessive freight may be reduced and thus add a blessing to the rich commerce of the Columbia River valley; which was referred to the Committee on Rivers and Harbors.

WILLAMETTE VALLEY AND CASCADE MOUNTAIN WAGON-ROAD.

Mr. HERMANN also submitted a memorial of the Oregon Legislature, asking that suits be brought in the name of the United States to cancel and annul all patents and grants of lands to the Willamette Valley and Cascade Mountain Wagon-Road Company of Oregon; which was referred to the Committee on the Public Lands.

OREGON CAYUSE INDIAN WAR.

Mr. HERMANN also submitted a memorial of the Legislature of Oregon, asking that pension be granted the survivors of the Oregon Cayuse Indian war and that of 1855–'56; which was referred to the Committee on Pensions.

Mr. HERMANN also submitted a memorial of the Legislature of

Oregon, asking that the survivors of the Cayuse Indian war of 1847–'48, of Oregon, be pensioned, and that their identification and services be certified by the secretary of state of Oregon; which was referred to the Committee on Pensions.

BOAT RAILWAY AROUND OBSTRUCTIONS IN COLUMBIA RIVER.

Mr. HERMANN also submitted a memorial of the Legislature of Oregon, asking for the construction of a boat railway around the obstructions on the Columbia River at The Dalles, and an appropriation therefor; which was referred to the Committee on Commerce.

WILLAMETTE RIVER.

Mr. HERMANN also submitted a memorial of the Legislature of Oregon, representing great injury to the navigation of the Willamette River near the city of Corvallis, and asking the immediate consideration of Congress and an appropriation to cover the engineer's estimates; which was referred to the Committee on Claims.

FORFEITURE OF UNEARNED LAND GRANTS.

Mr. HERMANN also submitted a memorial of the Legislature of Oregon, asking Congress to declare forfeited all railroad and wagon-road land grants not earned according to the terms of said grants; which was referred to the Committee on the Public Lands.

UMPQUA RIVER, OREGON.

Mr. HERMANN also submitted a memorial of the Oregon Legislature for the survey and improvement of the Umpqua River, in Oregon, between Scottsburgh and Elkton, with a view to its improved navigation; which was referred to the Committee on Rivers and Harbors.

NORTHERN PACIFIC RAILROAD.

Mr. HERMANN also submitted a memorial of the Oregon Legislature asking for forfeiture of the land grant to the Northern Pacific Railroad Company, and that the forfeiture of that portion of the grant between Portland, Oregon, and Wallula, Wash., be a separate measure and not made dependent on the forfeiture of the grant east of Wallula, and be first considered; which was referred to the Committee on the Public Lands.

ROADWAY AT CAPE PERPETUA.

Mr. HERMANN also submitted a memorial of the Oregon Legislature, asking an appropriation of $2,500 for a roadway around Cape Perpetua, the Government reservation for United States light-house purposes; which was referred to the Committee on Commerce.

OREGON INDIAN WAR CLAIMS.

Mr. HERMANN also submitted a memorial of the Oregon Legislature, asking for payment of the claims growing out of the Oregon Indian war as adjusted and reported by Philo Callender, commissioner of Oregon Indian war claims, and amounting to $13,845.84, and being for supplies furnished; which was referred to the Committee on Indian Depredation Claims.

LIGHT-HOUSE, UMPQUA RIVER, OREGON.

Mr. HERMANN also presented a memorial of the Oregon Legislature, asking for the construction of a light-house at the mouth of the Umpqua River, in Oregon, and that said river from Gardiner to the mouth be buoyed; which was referred to the Committee on Commerce.

REPAYMENT ON ACCOUNT OF LAND PURCHASES.

Mr. HERMANN also presented a memorial of the Oregon Legislature, asking for legislation providing for a repayment of an excess of $1.25 per acre to purchasers of lands within the limits of the grant to the Oregon Central Railroad Company, the said grant being now forfeited and restored to the public domain; which was referred to the Committee on Claims.

PAYMENT OREGON AND WASHINGTON TERRITORY VOLUNTEERS.

Mr. HERMANN also presented a memorial of the Oregon Legislature, asking for payment of expenses of Oregon and Washington Territory volunteers in the Indian war of 1855–'56, as allowed by Commissioners Grover, Ingalls, and Smith, together with the unaudited accounts thereof, and for pensions to the survivors of said war and those of the Cayuse war of 1847; which was referred to the Committee on War Claims.

CHINESE IMMIGRATION, ETC.

Mr. HERMANN also presented a memorial of the Legislature of Oregon, asking a modification of the treaty with China by prohibiting the further importation and immigration of Chinese and other Asiatic laborers, and to diminish those already here, thus preventing the further degradation of American labor, etc.; which was referred to the Committee on Foreign Affairs.

PUBLIC BUILDING, ALLEGHENY, PA.

Mr. BAYNE introduced a bill (H. R. 1774) to provide for the erection of a public building for the accommodation of a post-office and other Government offices in the city of Allegheny, Pa.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

REPEAL OF INTERNAL-REVENUE TAX ON TOBACCO.

Mr. BAYNE also introduced a bill (H. R. 1775) to repeal the law imposing internal-revenue taxes upon tobacco, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PUBLIC BUILDING, YORK, PA.

Mr. MAISH introduced a bill (H. R. 1776) for the erection of a public building at York, Pa.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

RELIEF OF CERTAIN CITIZENS OF PENNSYLVANIA.

Mr. MAISH also introduced a bill (H. R. 1777) for the relief of certain citizens of the State of Pennsylvania who suffered losses from Union and Confederate troops during the invasion of the State by the army of General Lee; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

ELECTION OF PRESIDENT AND VICE-PRESIDENT.

Mr. MAISH also submitted a joint resolution (H. Res. 28) proposing an amendment to the Constitution of the United States, in relation to the election of President and Vice-President; which was read a first and second time, referred to the Select Committee on the Election of President, Vice-President, and Representatives in Congress, and ordered to be printed.

Mr. MAISH. I ask unanimous consent to have that resolution printed in the CONGRESSIONAL RECORD.

There was no objection.

The joint resolution is as follows:

SECTION 1. That the following amendment to the Constitution of the United States be proposed to the Legislatures of the several States, which when ratified by three-fourths of said Legislatures shall become a part of the Constitution, namely:

ARTICLE XVI.

Article II, section 1, paragraph 2, to be made to read as follows:

"Each State shall be entitled to a number of electoral votes equal to the whole number of Senators and Representatives to which the State shall be entitled in Congress."

The first division of the twelfth amendment to the Constitution, ending with the words "directed to the President of the Senate" to be stricken out and the following substituted:

"The citizens of each State who shall be qualified to vote for Representatives in Congress, shall cast their votes for candidates for President and Vice-President by ballot, and proper returns of the votes so cast shall be made, under seal, within ten days to the secretary of state, or other officer lawfully performing the duties of such secretary in the government of said State, by whom the said returns shall be publicly opened in the presence of the chief executive magistrate of the State and of the chief-justice or judge of the highest court thereof; and the said secretary, chief executive magistrate, and judge, shall assign to each candidate voted for by a sufficient number of citizens, a proportionate part of the electoral votes to which the States shall be entitled in manner following, that is to say:

"They shall divide the whole number of votes returned by the whole number of the State's electoral vote, and the resulting quotient shall be the electoral ratio for the State, and shall assign to candidates voted for one electoral vote for each ratio of popular votes received by them, respectively, and, if necessary, additional electoral votes for successive largest fractions of a ratio shall be assigned to candidates voted for until the whole number of the electoral votes of the States shall be distributed; and the said officers shall thereupon make up and certify at least three general returns comprising the popular vote by counties, parishes, or other principal divisions of the State, and their apportionment of electoral votes as afore said, and shall transmit two thereof, under seal, to the seat of Government of the United States, one directed to the President of the Senate and one to the Speaker of the House of Representatives, and a third, unsealed return, shall be forthwith filed by the said secretary in his office and be recorded therein and be at all times open to inspection."

Article II, section 2, clause 4, to be made to read as follows:

"The Congress may determine the time for voting for President and Vice-President, and the time of assigning electoral votes for candidates voted for, which times shall be uniform throughout the United States."

Strike out the words "electors appointed" where they occur in the twelfth amendment to the Constitution, and substitute in their stead the words "electoral votes."

DRY-DOCK, LEAGUE ISLAND NAVY-YARD.

Mr. HARMER introduced a bill (H. R. 1778) to authorize the construction of a dry-dock at the United States navy-yard, League Island, Philadelphia; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

NAUTICAL SCHOOL-SHIPS.

Mr. HARMER also introduced a bill (H. R. 1779) for the construction of nautical school-ships; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

HOMES FOR INDIGENT FAMILIES OF SOLDIERS AND SEAMEN.

Mr. HARMER also introduced a bill (H. R. 1780) to establish homes for the mothers, widows, and daughters of volunteer soldiers and sailors of the Army and Navy of the United States who are disqualified from procuring their own support by reason of sickness or poverty; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

ASSISTANT NAVAL CONSTRUCTORS.

Mr. HARMER also introduced a bill (H. R. 1781) regulating the appointment of assistant naval constructors; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

PROMOTION IN THE NAVY.

Mr. HARMER also introduced a bill (H. R. 1782) relating to promotions in the Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

PUBLIC BUILDING, WILKES BARRE, PA.

Mr. OSBORNE introduced a bill (H. R. 1783) to authorize the purchase of a site and the erection of a suitable building for post-office and other Government offices in the city of Wilkes Barre, Pa.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

INCREASE OF PENSIONS.

Mr. OSBORNE also introduced a bill (H. R. 1784) to increase the pension of soldiers and sailors who have been totally disabled; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PUBLIC BUILDING, CHESTER, PA.

Mr. DARLINGTON introduced a bill (H. R. 1785) for the erection of a public building at Chester, Pa.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

BONDS OF CIGAR MANUFACTURERS.

Mr. ERMENTROUT introduced a bill (H. R. 1786) reducing the penal sum of the bond required to be given by persons engaging in the manufacture of cigars under the provisions of section 3387, chapter 7, title 35, Revised Statutes of the United States; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

CIVIL SERVICE.

Mr. ERMENTROUT also introduced a bill (H. R. 1787) to improve the civil-service laws of the United States; which was read a first and second time, referred to the Select Committee on Reform in the Civil Service, and ordered to be printed.

PAY OF CERTAIN CLERKS, HOUSE OF REPRESENTATIVES.

Mr. ERMENTROUT also introduced a joint resolution (H. Res. 29) fixing the time when the pay of certain clerks to committees of the House of Representatives shall begin; which was read a first and second time, referred to the Committee on Accounts, and ordered to be printed.

CLERKS TO COMMITTEES.

Mr. ERMENTROUT also submitted the following resolution; which was referred to the Committee on Accounts:

*Resolved*, That the Committee on Accounts be, and it is hereby, authorized and directed to designate the committees which, in the judgment of the said committee, should be allowed clerks for the present Congress under the legislative, executive, and judicial appropriation bill for the year ending June 30, 1888, and report to the House without delay for its action thereon.

PUBLIC BUILDING AT LANCASTER, PA.

Mr. HIESTAND introduced a bill (H. R. 1788) for the erection of a public building at Lancaster, Pa.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PENSIONS TO SOLDIERS AND SAILORS OF LATE WAR.

Mr. ATKINSON introduced a bill (H. R. 1789) granting a pension to the soldiers and sailors who served in the United States Army and Navy during the war of the rebellion, and for other purposes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ACQUISITION OF PROPERTY BY CORPORATIONS.

Mr. ATKINSON also introduced a bill (H. R. 1790) to prevent the acquisition of real property by corporations, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SECTION 1754, REVISED STATUTES.

Mr. ATKINSON also introduced a bill (H. R. 1791) to amend section 1754 of the Revised Statutes relative to the employment of persons discharged from the military or naval service; which was read a first and second time, referred to the Select Committee on Reform in the Civil Service, and ordered to be printed.

PATENTS.

Mr. ATKINSON also introduced a bill (H. R. 1792) to amend section 4887 of the Revised Statutes in relation to patents; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

PEACE AMONG NATIONS.

Mr. YARDLEY introduced a bill (H. R. 1793) to promote peace among nations by the establishment of a national tribunal or some fixed principle of arbitration; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

DIRECT TAX.

Mr. BOUND presented a resolution of the Legislature of the State of Pennsylvania in regard to the Senate bill providing for the crediting and paying to the several States and Territories of all moneys collected under the direct tax levied under act of Congress of August 5, 1861; which was referred to the Committee on the Judiciary.

PUBLIC BUILDING AT ALTOONA, PA.

Mr. SCULL introduced a bill (H. R. 1794) to provide for the erection of a public building at Altoona, Pa., and appropriating money therefor; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

UNITED STATES NAVAL HOMES.

Mr. O'NEILL, of Pennsylvania, introduced (by request) a bill (H. R. 1795) for the relief of sailors and marines in the United States naval homes; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. O'NEILL, of Pennsylvania. I present this bill by request; and I desire to say it appears to me when a bill is presented by request there should be some record of that fact made on our Journal as well as in the CONGRESSIONAL RECORD.

CLAIM OF SCHUYLKILL COUNTY, PENNSYLVANIA.

Mr. BRUMM introduced a bill (H. R. 1796) to authorize the proper accounting officers of the Treasury to audit and pay the claim of the county of Schuylkill, in the State of Pennsylvania, for money advanced by it under allotments made by soldiers from said county during the late rebellion, by virtue of section 12 of the act of Congress entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July 22, 1861; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

SECURITY OF DEPOSITS IN NATIONAL BANKS.

Mr. BRUMM also introduced a bill (H. R. 1797) to provide for the security of deposits in national banks; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

RETIREMENT OF NATIONAL-BANK NOTES.

Mr. BRUMM also introduced a bill (H. R. 1798) to retire national-bank notes and substitute therefor Treasury notes; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

PAYMENT OF THE PUBLIC DEBT.

Mr. BRUMM also introduced a bill (H. R. 1799) to facilitate the payment of the public debt, and to provide a uniform paper circulation; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

CAPITAL STOCK OF NATIONAL BANKS.

Mr. BRUMM also introduced a bill (H. R. 1800) to fix the maximum limit to the capital stock of the national banking associations; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

COINAGE OF SILVER DOLLARS.

Mr. BRUMM also introduced a bill (H. R. 1801) to provide for further coinage of silver dollars; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

COINAGE RESERVE, ETC.

Mr. BRUMM also introduced a bill (H. R. 1802) to simplify the currency, strengthen the coinage reserve, prevent contraction, and provide for a gradual increase of the circulating medium; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

NATIONAL-BANK ACT.

Mr. BRUMM also introduced a bill (H. R. 1803) to amend the national-bank act; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

SOUTH CAROLINA COURTS.

Mr. PERRY introduced a bill (H. R. 1804) to regulate the terms of the circuit and district courts of the United States for the district of South Carolina; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC BUILDING AT GREENVILLE, S. C.

Mr. PERRY also introduced a bill (H. R. 1805) for a public building at Greenville, S. C.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

RECORD OF LAND PATENTS.

Mr. TILLMAN introduced a bill (H. R. 1806) providing for the record in the county where the land lies of patents returned to the General Land Office as undeliverable; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

SECTION 1014, UNITED STATES REVISED STATUTES.

Mr. HEMPHILL introduced a bill (H. R. 1807) to amend section 1014 of the Revised Statutes of the United States; which was read a

first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SECTION 847, UNITED STATES REVISED STATUTES.

Mr. HEMPHILL also introduced a bill (H. R. 1808) to amend section 847 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CITIZENS OF THE DISTRICT OF COLUMBIA IN UNITED STATES COURTS.

Mr. HEMPHILL also introduced a bill (H. R. 1809) to authorize United States courts to take cognizance of cases in which a citizen of the District of Columbia is a party, the same as if he were a citizen of a State; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

EXPENDITURES IN WAR OF 1812.

Mr. HEMPHILL also introduced a bill (H. R. 1810) directing the Secretary of the Treasury to examine and settle the accounts of certain States and the city of Baltimore growing out of moneys expended by said States and the city of Baltimore for military purposes during the war of 1812; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

CITADEL ACADEMY, SOUTH CAROLINA.

Mr. DIBBLE introduced a bill (H. R. 1811) providing for the payment to the State of South Carolina of rent for the Citadel Academy, and for other purposes; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

DUTY ON JUTE.

Mr. DIBBLE also introduced a bill (H. R. 1812) to place jute upon the free-list; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PRIVATE CLAIMS IN CONGRESS.

Mr. DIBBLE also introduced a bill (H. R. 1813) regulating the proceedings in Congress upon private claims; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

FREEDMAN'S SAVINGS AND TRUST COMPANY.

Mr. DIBBLE also introduced a bill (H. R. 1814) to reimburse the depositors of the Freedman's Savings and Trust Company for losses incurred by the failure of said company; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

DISTRICT COURTS, SOUTH CAROLINA.

Mr. DIBBLE also introduced a bill (H. R. 1815) relating to the district courts of the eastern and western districts of the State of South Carolina; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CIRCULATING NOTES OF STATE BANKS, ETC.

Mr. DIBBLE also introduced a bill (H. R. 1816) to repeal all acts and parts of acts discriminating in taxation against the circulating notes of State banks and State banking associations; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

RAILWAY MAIL SERVICE.

Mr. DIBBLE also introduced a bill (H. R. 1817) to amend section 4004 of the Revised Statutes, relating to the railway mail service; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

REVENUE-CUTTER FOR CHARLESTON, S. C.

Mr. DIBBLE also introduced a bill (H. R. 1818) for construction of a revenue-cutter for Charleston, S. C., in maintenance of the service, to replace the United States revenue-cutter McCulloch; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

AMENDMENT TO THE CONSTITUTION.

Mr. DIBBLE also introduced a joint resolution (H. Res. 30) proposing an amendment to the Constitution of the United States creating and defining the office of second vice-president of the United States; which was read a first and second time, referred to the Select Committee on Election of President, Vice-President, and Representatives in Congress, and ordered to be printed.

MUSTER AND PAY OF VOLUNTEER OFFICERS AND SOLDIERS.

Mr. NEAL introduced a bill (H. R. 1819) to amend an act entitled "An act to provide for the muster and pay of certain officers and enlisted men of the volunteer forces," approved June 3, 1884; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PENSIONS TO SOLDIERS IN INDIAN WARS.

Mr. NEAL also introduced a bill (H. R. 1820) granting pensions to the soldiers engaged in any of the Indian wars prior to 1847; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

COMMON SCHOOLS.

Mr. HOUK introduced a bill (H. R. 1821) to aid in the establishment and temporary support of common schools; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

EQUALIZATION OF BOUNTIES.

Mr. HOUK also introduced a bill (H. R. 1822) to equalize the bounties of soldiers who served in the late war for the Union; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

EVIDENCE IN PENSION CASES.

Mr. HOUK also introduced a bill (H. R. 1823) to amend the pension laws and to prescribe certain rules of evidence in pension cases; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ARREARS OF PENSIONS.

Mr. HOUK also introduced a bill (H. R. 1824) to extend the provisions of the arrears-of-pension act approved March 3, 1879, to pensioners under special acts of Congress, and to repeal the limitations of arrears act; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

REPEAL OF INTERNAL TAXATION.

Mr. HOUK also introduced a bill (H. R. 1825) to repeal the internal-tax laws of the United States; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

ELECTIVE FRANCHISE.

Mr. HOUK also introduced a bill (H. R. 1826) to preserve the purity of the elective franchise, and to punish bribery and other offenses against a free ballot; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

REPEAL OF TOBACCO TAX.

Mr. HOUK also introduced a bill (H. R. 1827) to remove the tobacco tax, and repeal all laws requiring a license for the sale of the same; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

INTERSTATE COMMERCE.

Mr. HOUK also introduced a bill (H. R. 1828) to amend the act to regulate interstate commerce; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

TAX ON SPIRITS.

Mr. McMILLIN introduced a bill (H. R. 1829) to reduce the expense of collecting the tax on spirits, and to prevent officers of the Government from destroying property seized by them; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

OFFICIAL BONDS.

Mr. RICHARDSON introduced a bill (H. R. 1830) to provide for the execution of bonds of all officials by their sureties in aliquot parts; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PENSIONS.

Mr. RICHARDSON also introduced a bill (H. R. 1831) granting pensions to the survivors of the Indian wars; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

CLAIMS FOR ARMY SUPPLIES.

Mr. RICHARDSON also introduced a bill (H. R. 1832) in relation to the examination of claims for Army supplies; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

WAREHOUSING FRUIT BRANDY.

Mr. RICHARDSON also introduced a bill (H. R. 1833) to provide for warehousing fruit brandy; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

CLAIMS AGAINST THE UNITED STATES.

Mr. RICHARDSON also introduced a bill (H. R. 1834) authorizing the Quartermaster-General and Commissary-General to re-examine claims against the United States, and extending time for filing such claims; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

Mr. RICHARDSON also introduced a bill (H. R. 1835) to authorize the auditing and allowance of claims for use and occupation or destruction of buildings during the late war which were used alone for educational and religious purposes; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

SECTION 3255, REVISED STATUTES.

Mr. RICHARDSON also introduced a bill (H. R. 1836) to amend sec-

tion 3255 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

ROAD TO NATIONAL CEMETERY, DOVER, TENN.

Mr. WASHINGTON introduced a bill (H. R. 1837) to construct a road to the national cemetery at Dover, Tenn.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

DELIVERY OF REGISTERED LETTERS, ETC.

Mr. GLASS introduced a bill (H. R. 1838) to amend sections 3929 and 4041 of the Revised Statutes, authorizing the Postmaster-General to prohibit the delivery of registered letters and the payment of money-orders, and providing for the return of the same; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

SALE OF LOTTERY TICKETS IN THE DISTRICT OF COLUMBIA.

Mr. GLASS also introduced a bill (H. R. 1839) to punish the selling and advertising of lottery tickets in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

REFUND OF TAXES ON RAW COTTON.

Mr. GLASS also introduced a bill (H. R. 1840) to refund to producers the taxes collected by the United States on raw cotton in the years 1863 to 1868, inclusive, and for other purposes; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

ADDITIONAL COPIES OF OFFICIAL RECORDS OF WAR OF REBELLION.

Mr. GLASS also introduced a bill (H. R. 1841) providing for the publication of additional copies of the Official Records of the War of the Rebellion; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

LOTTERY ADVERTISEMENTS.

Mr. GLASS also introduced a bill (H. R. 1842) to prohibit the mailing of newspapers and other publications containing lottery advertisements, and prescribing a penalty for the violation of the same; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

REPEAL OF TAX ON TOBACCO.

Mr. GLASS also introduced a bill (H. R. 1843) to enable tobacco planters to sell the tobacco raised or produced by them, free from any internal-revenue tax; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

AGRICULTURE.

Mr. GLASS also introduced a bill (H. R. 1844) to promote agriculture, and for other purposes; which was read a first and second time, referred to the Committee on Agriculture, and ordered to be printed.

CONSULAR REPORTS.

Mr. GLASS also introduced a bill (H. R. 1845) requiring certain consular reports to be in plain English, and for other purposes; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

ADMINISTRATION OF JUSTICE.

Mr. PHELAN introduced a bill (H. R. 1846) for the appointment of a commission to inquire into and report to Congress what, if any, legislation is necessary to improve the administration of justice in the courts of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ENROLLMENT OF A NAVAL MILITIA, ETC.

Mr. WHITTHORNE introduced a bill (H. R. 1847) to provide for the enrollment of a naval militia and the organization of naval reserve forces; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

REFUNDING TAXES COLLECTED ON RAW COTTON.

Mr. ENLOE introduced a bill (H. R. 1848) to refund certain taxes collected by the United States on raw cotton during the years 1863, 1864, 1865, 1866, 1867, and 1868; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

BRANCH HOME FOR DISABLED SOLDIERS IN TENNESSEE.

Mr. ENLOE also introduced a bill (H. R. 1849) to provide for the location and erection in Tennessee of a branch home for disabled soldiers of the late war, Federal and Confederate, and other wars; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PENSIONERS WHO HAVE GIVEN UP CITIZENSHIP.

Mr. ENLOE also introduced a bill (H. R. 1850) to drop from the pension-rolls the names of pensioners who have forsaken citizenship in the United States and have given their allegiance to foreign governments; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

PENSIONS TO SOLDIERS IN FLORIDA AND OTHER INDIAN WARS.

Mr. ENLOE also introduced a bill (H. R. 1851) granting pensions to the soldiers of the Florida war and other Indian wars; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

RETAIL LIQUOR DEALERS.

Mr. ENLOE also introduced a bill (H. R. 1852) to define the meaning of the term "retail liquor dealers," and to amend section 3244 of the Revised Statutes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

FRANKING PRIVILEGE AND DISTRIBUTION OF PUBLIC DOCUMENTS.

Mr. ENLOE also introduced a bill (H. R. 1853) to limit the franking privilege and to provide for the proper distribution of public documents; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

REPEAL OF TOBACCO TAX, ETC.

Mr. ENLOE also introduced a bill (H. R. 1854) to authorize the sale of tobacco by the producer as other products of the soil are now sold, and to repeal the internal-revenue taxes on tobacco, except cigars and cigarettes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

CONGRESSIONAL FUNERALS.

Mr. ENLOE also introduced a bill (H. R. 1855) to regulate the expenditures of the officers of the Senate and House of Representatives in the matter of Congressional funerals; which was read a first and second time, referred to the Committee on Accounts, and ordered to be printed.

CLERK OF THE UNITED STATES DISTRICT COURT AT JACKSON, TENN.

Mr. ENLOE also introduced a bill (H. R. 1856) to provide for a clerk of the United States district court at Jackson, Tenn.; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

BEACON LIGHTS ON THE TENNESSEE RIVER.

Mr. ENLOE also introduced a bill (H. R. 1857) to provide for an increased number of beacon lights on the Tennessee River; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PRINTING PRESIDENT'S MESSAGE.

Mr. ENLOE also introduced a joint resolution (H. Res. 31) to print, in RECORD form, additional copies of the President's message; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

INDIAN DEPREDATION CLAIMS.

Mr. LANHAM introduced a bill (H. R. 1858) to provide for the payment of Indian depredation claims, and making an appropriation therefor; which was read a first and second time, referred to the Select Committee on Indian Depredation Claims, and ordered to be printed.

DEPOSITIONS, UNITED STATES COURTS.

Mr. LANHAM also introduced a bill (H. R. 1859) to provide an additional mode of taking depositions of witnesses in causes pending in courts of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

DISTRIBUTION OF SUPREME COURT DECISIONS.

Mr. LANHAM also introduced a bill (H. R. 1860) to amend section 683 of the Revised Statutes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

COINAGE OF STANDARD SILVER DOLLAR.

Mr. LANHAM also introduced a bill (H. R. 1861) to amend section 1 of an act entitled "An act to authorize the coinage of the standard silver dollar and to restore its legal-tender character, and to provide for the free coinage of standard silver dollars;" which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

INTRODUCTION OF DISEASED CATTLE.

Mr. LANHAM also introduced a bill (H. R. 1862) to disapprove chapter 49 of the acts of the Legislative Assembly of the Territory of New Mexico, entitled "An act to prevent the introduction of diseased cattle into the Territory of New Mexico," approved March 19, 1884; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

Mr. LANHAM also introduced a bill (H. R. 1863) to disapprove No. 35 of the acts of the General Assembly of the Territory of Arizona, entitled "An act to prevent the introduction of diseased cattle into the Territory of Arizona," approved March 2, 1885; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

REMOVAL OF CAUSES FROM STATE COURTS.

Mr. CULBERSON introduced a bill (H. R. 1864) to correct the enrollment of an act approved March 3, 1887, entitled "An act to amend sections 1, 2, 3, and 10 of an act to determine the jurisdiction of the

circuit courts of the United States, and to regulate the removal of causes from the State courts, and for other purposes," approved March 3, 1875; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC BUILDING, TEXARKANA.

Mr. CULBERSON also introduced a bill (H. R. 1865) to provide for the construction of a public building at Texarkana, on and across the boundary line between the States of Texas and Arkansas; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

CURRENCY CONTRACTION.

Mr. CULBERSON also introduced a bill (H. R. 1866) to prevent the contraction of the currency; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

COINAGE OF THE SILVER DOLLAR.

Mr. CULBERSON also introduced a bill (H. R. 1867) to repeal the limitation upon the coinage of the silver dollar; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

EXTENSION OF NATIONAL-BANK CHARTERS.

Mr. CULBERSON also introduced a bill (H. R. 1868) to repeal the proviso to section 12 of an act entitled "An act to enable national banking associations to extend their corporate existence and for other purposes," approved July 12, 1882; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

LIENS OF JUDGMENTS, UNITED STATES COURTS.

Mr. CULBERSON also introduced a bill (H. R. 1869) to regulate the liens of judgments in the courts of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

RIGHT OF ACTION, COURT OF CLAIMS.

Mr. CULBERSON also introduced a bill (H. R. 1870) to revive and extend the right of action in the Court of Claims in certain cases; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

JURISDICTION OF UNITED STATES COURTS.

Mr. CULBERSON also introduced a bill (H. R. 1871) to enlarge the jurisdiction of the district courts of the United States, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CAPTURED AND ABANDONED PROPERTY ACTS.

Mr. CULBERSON also introduced a bill (H. R. 1872) in relation to claims arising under the provisions of the captured and abandoned property acts, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

JURISDICTION OF UNITED STATES COURTS.

Mr. CULBERSON also introduced a bill (H. R. 1873) to limit the jurisdiction of the district and circuit courts of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

TEXAS JUDICIAL DISTRICTS.

Mr. CULBERSON also introduced a bill (H. R. 1874) to change the eastern and northern judicial districts of Texas, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC BUILDING AT FORT WORTH, TEX.

Mr. ABBOTT introduced a bill (H. R. 1875) for the erection of a public building at Fort Worth, Tex.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING AT PALESTINE, TEX.

Mr. MARTIN introduced a bill (H. R. 1876) to authorize the construction of a public building for a post-office in the city of Palestine, Tex.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

CATTLE AND DAIRY FARMING.

Mr. MARTIN also introduced a joint resolution (H. Res. 32) providing for the printing of additional copies of Executive Document No. 51, first session Forty-ninth Congress, on the subject of cattle and dairy farming; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

DATE OF MEETING OF CONGRESS.

Mr. CRAIN introduced a joint resolution (H. Res. 33) proposing an amendment to the Constitution, substituting the 31st of December for the 4th of March as the commencement and termination of the official term of members of the House of Representatives, and providing that Congress shall hold its annual meeting on the first Monday in January.

Mr. CRAIN. I call for the reading of the joint resolution at length, and ask unanimous consent to have it printed in the RECORD.

There was no objection.

The joint resolution was read at length, and was referred to the Select Committee on the Election of President, Vice-President, and Representatives in Congress, and was ordered to be printed. It is as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein),* That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, namely:

"ARTICLE —.

"The 31st day of December, at noon, is substituted for the 4th day of March as the commencement and termination of the official term of the members of the House of Representatives.

The Congress in existence when the members of the first House of Representatives are elected after the ratification of this amendment shall hold no annual session after such election, and its term of office shall expire on the thirty-first day of the following December.

Congress shall assemble at least once in each year, and such meeting shall be on the first Monday in January, unless Congress shall by law appoint a different day.

PUBLIC BUILDING AT BROWNSVILLE, TEX.

Mr. CRAIN also introduced a bill (H. R. 1877) to provide for the purchase of the necessary land and the erection thereon of a custom-house, post-office, and Federal court building, in the city of Brownsville, Tex.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

TEXAS JUDICIAL DISTRICTS.

Mr. CRAIN also introduced a bill (H. R. 1878) to amend sections 2, 4, 5, and 9 of an act approved February 24, 1879, entitled "An act to create the northern judicial district of Texas, and to change the eastern and western judicial districts of said State, and to fix the times and places for holding courts in said districts," as amended by the act approved June 3, 1884, and to provide for holding terms of the court of the western judicial district of Texas at the city of Laredo, and for holding terms of the court of the eastern judicial district of Texas at the city of Brownsville, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SUBTREASURY AT GALVESTON, TEX.

Mr. CRAIN also introduced a bill (H. R. 1879) to provide for the establishment of a subtreasury at Galveston, Tex.; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

LETTER-CARRIERS.

Mr. CRAIN also introduced a bill (H. R. 1880) to include letter-carriers within the provisions of the eight-hour law; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

PUBLIC LANDS FOR EDUCATION.

Mr. CRAIN also introduced a bill (H. R. 1881) to provide for the distribution of the proceeds of the sales of public lands among the States and Territories for educational purposes; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

PROMOTION OF ARMY SURGEONS.

Mr. CRAIN also introduced a bill (H. R. 1882) to authorize the promotion of certain assistant surgeons of the Army after twenty years of service; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

EXAMINATION OF ARMY OFFICERS.

Mr. CRAIN also introduced a bill (H. R. 1883) to provide for the examination of officers of the Army; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

RETIRED-LIST FOR CIVIL SERVICE.

Mr. CRAIN also introduced a bill (H. R. 1884) to establish a retired-list for persons employed in the civil service; which was read a first and second time, referred to the Select Committee on Reform in the Civil Service, and ordered to be printed.

HEATING STREET-RAILWAY CARS.

Mr. CRAIN also introduced a bill (H. R. 1885) to require the street-railway companies in the District of Columbia to heat the cars used by them on their roads; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

SECTION 914, UNITED STATES REVISED STATUTES.

Mr. KILGORE introduced a bill (H. R. 1886) to amend section 914 of the Revised Statutes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ANNULMENT OF CERTAIN LAND TITLES, TEXAS.

Mr. KILGORE also introduced a bill (H. R. 1887) to annul certain titles to land acquired by judicial proceedings in the courts of the United States in Texas, and for other purposes; which was read a first

and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ILLEGAL USE OF PUBLIC LANDS.

Mr. O'FERRALL offered the following resolution; which was read, and referred to the Committee on the Public Lands:

*Resolved*, That the Secretary of the Interior be, and he is hereby, directed to communicate to this House any information in his possession in reference to the illegal use of the public lands by cattle graziers, giving the names of such malfeasors and the quantity of land so used, and also what steps the Interior Department and its agents have taken to prevent and prohibit such illegal use of the public lands, including any proceedings taken, judicially or otherwise, in the premises.

COMMON SCHOOLS.

Mr. O'FERRALL also introduced a bill (H. R. 1888) to aid in the establishment and temporary support of common schools; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

GRAVE OF GENERAL DANIEL MORGAN.

Mr. O'FERRALL also introduced a bill (H. R. 1889) to preserve the grave of General Daniel Morgan and erect a monument over the same; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

BOUNDARIES FOURTH COLLECTION DISTRICT, VIRGINIA.

Mr. O'FERRALL also introduced a bill (H. R. 1890) to amend an act approved June 15, 1882, changing the boundaries of the fourth collection district of Virginia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

LIGHT-HOUSE, NEWPORT NEWS, VA.

Mr. O'FERRALL also introduced a bill (H. R. 1891) to provide for a light-house at Newport News, Middle Ground, Virginia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

BOUNDARIES FOURTH COLLECTION DISTRICT, VIRGINIA.

Mr. WISE introduced a bill (H. R. 1892) to amend an act approved June 15, 1882, changing the boundaries of the fourth collection district of Virginia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

EXPENDITURES IN THE WAR OF 1812.

Mr. WISE also introduced a bill (H. R. 1893) directing the Secretary of the Treasury to examine and settle the accounts of certain States and the city of Baltimore, growing out of moneys expended by said States and the city of Baltimore for military purposes during the war of 1812; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

COMMON SCHOOLS.

Mr. WISE also introduced a bill (H. R. 1894) to aid in the establishment and temporary support of common schools; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

REPEAL OF INTERNAL-REVENUE TAXES.

Mr. WISE also introduced a bill (H. R. 1895) to repeal the law imposing internal-revenue taxes upon tobacco and liquors distilled from fruits, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

SECTION 3709, REVISED STATUTES.

Mr. WISE also introduced a bill (H. R. 1896) to amend and re-enact section 3709 of the Revised Statutes of the United States, and to regulate the making of contracts and purchases of supplies or services for the Government; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PURCHASE OF TOBACCO FOR THE ARMY.

Mr. WISE also introduced a bill (H. R. 1897) to regulate the method of purchasing tobacco for the use of the Army; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

CADETS FOR THE NAVAL SERVICE.

Mr. WISE also introduced a bill (H. R. 1898) to provide for the selection of cadets for the naval service and their technical education; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

EXCHANGE OF GUNS.

Mr. WISE also introduced a bill (H. R. 1899) to authorize the Secretary of War to exchange guns with the R. E. Lee Volunteer Battery, of Petersburgh, Va.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

REPEAL OF INTERNAL-REVENUE TAXATION.

Mr. WISE also presented resolutions of the General Assembly of Virginia, instructing the Senators and requesting the Representatives of that State to vote for the repeal of internal-revenue taxation, etc.; which was referred to the Committee on Ways and Means, and ordered to be printed.

ACCOUNTS UNDER EIGHT-HOUR LAW.

Mr. BOWDEN introduced a bill (H. R. 1900) providing for the adjustment of the accounts of laborers and mechanics arising under the eight-hour law; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

PUBLIC BUILDING, FORTRESS MONROE, VA.

Mr. BOWDEN also introduced a bill (H. R. 1901) for the erection of a public building at Fortress Monroe; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING, NORFOLK, VA.

Mr. BOWDEN also introduced a bill (H. R. 1902) to provide for the erection of a public building in the city of Norfolk, in the State of Virginia; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

REPEAL OF INTERNAL TAXATION.

Mr. BOWDEN also introduced a bill (H. R. 1903) to repeal the internal-revenue laws of the United States, and to abolish all taxes and all offices created by them; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

ROAD TO NATIONAL CEMETERY, YORKTOWN, VA.

Mr. BOWDEN also introduced a bill (H. R. 1904) providing for the building of a road to the national cemetery at Yorktown; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

MONUMENT TO MARY, MOTHER OF WASHINGTON.

Mr. THOMAS H. B. BROWNE introduced a bill (H. R. 1905) for the completion of the monument to Mary, the mother of Washington, at Fredericksburgh, Va.; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

LIGHT-HOUSE, TANGIER SPIT, VIRGINIA.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 1906) making an appropriation for the establishment of a light-house at or near Tangier Spit, Virginia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

ROAD TO NATIONAL CEMETERY, FREDERICKSBURGH, VA.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 1907) to provide for macadamizing the road from the railroad to the national cemetery in the city of Fredericksburgh, Va.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

LIGHT-HOUSE, POCOMOKE RIVER, VIRGINIA.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 1908) making an appropriation for the establishment of a light-house at or near the mouth of the Pocomoke River, in Virginia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

BUOY DEPOT AT CHINCOTEAGUE INLET, VIRGINIA.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 1909) making an appropriation to establish a buoy depot at Chincoteague Inlet, Virginia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

LIGHT-HOUSE, PONGOTEAGUE CREEK, VIRGINIA.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 1910) making an appropriation for the establishment of a light-house at the mouth of Pongoteague Creek, Virginia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PUBLIC BUILDING, FREDERICKSBURGH, VA.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 1911) to purchase a site and erect a public building in the town of Fredericksburgh, Va.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

LIGHT-HOUSE, GREAT WICOMICO RIVER, VIRGINIA.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 1912) asking an appropriation for the establishment of a light-house at the mouth of Great Wicomico River, Virginia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PUBLIC BUILDING AT STAUNTON, VA.

Mr. YOST introduced a bill (H. R. 1913) for the erection of a public building at the city of Staunton, Va.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ROAD TO NATIONAL CEMETERY, AUGUSTA COUNTY, VIRGINIA.

Mr. YOST also introduced a bill (H. R. 1914) to construct a road from the city of Staunton to the national cemetery in the county of Augusta,

in the State of Virginia; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

TAXES UPON TOBACCO AND SPIRITS.

Mr. YOST also introduced a bill (H. R. 1915) to repeal the law imposing internal-revenue taxes upon tobacco and upon spirits distilled from fruits, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

COMMON SCHOOLS.

Mr. YOST also introduced a bill (H. R. 1916) to aid in the establishment and temporary support of common schools; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

BOOK-MAKING AND POOL-SELLING IN THE DISTRICT OF COLUMBIA.

Mr. HOGG introduced a bill (H. R. 1917) to prohibit book-making of any kind and pool-selling in the District of Columbia for the purpose of gaming; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

MARINE HOSPITAL, POINT PLEASANT, W. VA.

Mr. HOGG also introduced a bill (H. R. 1918) to construct a marine hospital at Point Pleasant, W. Va.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

LIGHTING OF BRIDGES.

Mr. HOGG also introduced a bill (H. R. 1919) providing how bridges spanning navigable rivers shall be lighted; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

LOTTERY TICKETS.

Mr. HOGG also introduced a bill (H. R. 1920) prohibiting the buying, selling, or transferring of tickets or chances in any lottery in all territories subject to the jurisdiction of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

VETERAN VOLUNTEERS.

Mr. THOMAS, of Wisconsin, introduced a bill (H. R. 1921) directing the payment of bounties to veteran volunteers who were promoted after re-enlistment; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

INCREASE OF PENSION TO SOLDIERS AND SAILORS.

Mr. THOMAS, of Wisconsin, also introduced a bill (H. R. 1922) granting an increase of pension to soldiers and sailors in certain cases; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

LIFE-SAVING STATION, KEWAUNEE, WIS.

Mr. HUDD introduced a bill (H. R. 1923) providing for the establishment of a life-saving station at the harbor of Kewaunee, Wis.; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

CLERKS FOR SENATORS AND REPRESENTATIVES.

Mr. HUDD also introduced a bill (H. R. 1924) providing compensation for a clerk for Senators and Representatives in Congress; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

REVENUE MARINE SERVICE.

Mr. GUENTHER introduced a bill (H. R. 1925) to promote the efficiency of the revenue marine service; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PUBLIC BUILDING, FOND DU LAC, WIS.

Mr. GUENTHER also introduced a bill (H. R. 1926) for the erection of a public building at Fond du Lac, Wis.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SALE OF TIMBER ON MENOMONEE LANDS.

Mr. GUENTHER also introduced a bill (H. R. 1927) to authorize the sale of timber on certain lands reserved for the use of the Menomnee tribe of Indians in the State of Wisconsin; which was read a first and second time, referred to the Committee on Indians Affairs, and ordered to be printed.

SALARIES OF JUDGES, UNITED STATES DISTRICT COURTS.

Mr. CASWELL introduced a bill (H. R. 1928) fixing the salaries of the several judges of the United States district courts; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

RETURN OF DIRECT TAX.

Mr. CASWELL also introduced a bill (H. R. 1929) to credit and pay to the several States, Territories, and the District of Columbia, and parties from whom the direct tax levied by act of Congress approved August 5, 1861, was collected, and to cancel the unpaid balance thereof; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

COMMERCE.

Mr. CASWELL also introduced a bill (H. R. 1930) to repeal chapter 104 of the act of Congress approved February 4, 1887, entitled "An act to regulate commerce;" which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

SECURITY FOR NATIONAL-BANK CIRCULATION.

Mr. CASWELL also introduced a bill (H. R. 1931) authorizing the issue of United States bonds, and providing a permanent security for national-bank circulation; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

REAL ESTATE IN TERRITORIES.

Mr. CASWELL also introduced a bill (H. R. 1932) relating to ownership of real estate in the Territories by certain corporations; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SWAMP AND OVERFLOWED LANDS.

Mr. CASWELL also introduced a bill (H. R. 1933) for the relief of purchasers and other grantees of the United States of certain swamp and overflowed lands, and to reimburse and indemnify certain States; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PUBLIC BUILDING, MILWAUKEE, WIS.

Mr. SMITH, of Wisconsin, introduced a bill (H. R. 1934) for the erection of a public building at Milwaukee, Wis.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

JUSTICES SUPREME COURT, ARIZONA TERRITORY.

Mr. SMITH, of Arizona, introduced a bill (H. R. 1935) to increase the compensation of the justices of the supreme court of the Territory of Arizona; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

TEXAS PACIFIC RAILROAD LAND GRANT.

Mr. SMITH, of Arizona, also introduced a bill (H. R. 1936) to fix the price of public land within the limits of the forfeited Texas Pacific Railroad land grant; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

MINING.

Mr. SMITH, of Arizona, also introduced a bill (H. R. 1937) to amend chapter 340, United States Statutes at Large, volume 24, Forty-ninth Congress, and to promote and encourage mining; which was read a first and second time, referred to the Committee on Mines and Mining, and ordered to be printed.

FORT LOWELL MILITARY RESERVATION, ARIZONA.

Mr. SMITH, of Arizona, also introduced a bill (H. R. 1938) to reduce the Fort Lowell military reservation in Arizona; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

ADDITIONAL ASSOCIATE JUSTICE, SUPREME COURT OF ARIZONA.

Mr. SMITH, of Arizona, also introduced a bill (H. R. 1939) to provide for an additional associate justice of the supreme court of the Territory of Arizona; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SIOUX RESERVATION, DAKOTA.

Mr. GIFFORD introduced a bill (H. R. 1940) to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations, and to secure the relinquishment of the Indian title to the remainder; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

ADMISSION OF SOUTH DAKOTA, ETC.

Mr. GIFFORD also introduced a bill (H. R. 1941) to provide for the admission of the State of South Dakota into the Union, and for the organization of the Territory of North Dakota; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

PROPOSED STATE OF NORTH DAKOTA.

Mr. GIFFORD also introduced a bill (H. R. 1942) to provide for the formation and admission into the Union of the State of North Dakota, and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

ADDITIONAL ASSOCIATE JUSTICES, DAKOTA.

Mr. GIFFORD also introduced a bill (H. R. 1943) to provide for two additional associate justices of the supreme court of Dakota, and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

SETTLERS UPON THE WINNEBAGO AND CROW CREEK RESERVATIONS.

Mr. GIFFORD also introduced a bill (H. R. 1944) to provide for the relief of settlers upon the Winnebago and Crow Creek reservations, in Dakota; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

SCHOOL LANDS, DAKOTA.

Mr. GIFFORD also introduced a bill (H. R. 1945) granting to Dakota Territory section 16, township 106, range 64 west, in the county of Aurora, in said Territory, for the purposes of a reform school, and granting to said Territory one section of land in lieu thereof for school purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

ADDITIONAL LAND DISTRICTS, DAKOTA.

Mr. GIFFORD also introduced a bill (H. R. 1946) to create two additional land districts in Dakota, and to define the boundaries of the Deadwood district; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

AMENDMENT OF LAND LAWS.

Mr. GIFFORD also introduced a bill (H. R. 1947) to amend section 2288, chapter 4, of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

ABANDONED AND USELESS MILITARY RESERVATIONS.

Mr. GIFFORD also introduced a bill (H. R. 1948) to amend section 2, chapter 214, laws of the first session Forty-eighth Congress, approved July 5, 1884, entitled "An act to provide for the disposition of abandoned and useless military reservations;" which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PROPOSED INDIAN COMMISSION.

Mr. GIFFORD also introduced a bill (H. R. 1949) creating a commission to negotiate with the Sisseton and Wahpeton bands of Sioux Indians of Dakota to secure modifications of existing treaties; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

PUBLIC LANDS FOR EDUCATIONAL PURPOSES.

Mr. GIFFORD also introduced a bill (H. R. 1950) to set apart section 36, township 111, range 62, Dakota Territory, for educational purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

RAPID CITY, DAK.

Mr. GIFFORD also introduced a bill (H. R. 1951) granting to Rapid City, Dak., fractional section 16, township 2 north, range 7 east, Black Hills (Dakota) meridian; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to beprinted.

INDIAN INDUSTRIAL SCHOOL, PIERRE, DAK.

Mr. GIFFORD also introduced a bill (H. R. 1952) for the establishment and maintenance of an Indian industrial school at Pierre, Dak.; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

MONTANA AND IDAHO TERRITORIES.

Mr. DUBOIS introduced a bill (H. R. 1953) to annex a portion of the Territory of Montana to Idaho Territory; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

ADDITIONAL ASSOCIATE JUSTICE, IDAHO.

Mr. DUBOIS also introduced a bill (H. R. 1954) to provide for an additional associate justice of the supreme court of the Territory of Idaho; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

PROPOSED STATE OF MONTANA.

Mr. TOOLE introduced a bill (H. R. 1955) to provide for the formation and admission into the Union of the State of Montana; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

RATIFICATION OF AGREEMENT WITH CERTAIN INDIANS.

Mr. TOOLE also introduced a bill (H. R. 1956) to ratify and confirm an agreement with the Gros Ventres, Piegan, Blood, Blackfeet, and River Crow Indians in Montana; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

CROW INDIAN RESERVATION, MONTANA.

Mr. TOOLE also introduced a bill (H. R. 1957) to provide a permanent reservation for the Crow Indians in Montana; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

OWNERSHIP OF REAL ESTATE IN THE TERRITORIES.

Mr. TOOLE also introduced a bill (H. R. 1958) to amend an act entitled "An act to restrict the ownership of real estate in the Territories to American citizens;" which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

MILITARY STORES FOR MONTANA.

Mr. TOOLE also introduced a bill (H. R. 1959) authorizing the Secretary of War to issue to the governor of the Territory of Montana military stores for the use of the regular, enlisted, organized, and uniformed active militia; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

FISH CULTURE IN MONTANA.

Mr. TOOLE also introduced a bill (H. R. 1960) to authorize the Secretary of the Interior to lease Silver Lake, in the Territory of Montana, for the purpose of fish culture; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

PUBLIC BUILDING AT HELENA, MONT.

Mr. TOOLE also introduced a bill (H. R. 1961) for the erection of a public building at Helena, Mont.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ANNEXATION OF PART OF IDAHO.

Mr. TOOLE also introduced a bill (H. R. 1962) to annex a portion of the Territory of Idaho to Washington Territory and Montana Territory; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

ASSAY OFFICE AT HELENA, MONT.

Mr. TOOLE also introduced a bill (H. R. 1963) to provide for the parting and refining of silver and gold bullion at the assay office in Helena, Mont.; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

ARTESIAN WELLS IN MONTANA.

Mr. TOOLE also introduced a bill (H. R. 1964) to provide for the boring of artesian wells in the Territory of Montana; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

FEDERAL OFFICIALS IN THE TERRITORIES.

Mr. TOOLE also introduced a bill (H. R. 1965) concerning the appointment of Federal officials in the Territories; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

LAND DISTRICT IN MONTANA.

Mr. TOOLE also introduced a bill (H. R. 1966) to create the Fort Benton land district, in the Territory of Montana; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

APPELLATE COURT FOR NEW MEXICO AND ARIZONA.

Mr. JOSEPH introduced a bill (H. R. 1967) to provide for the organization of an appellate court for the Territories of New Mexico and Arizona, and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

SPANISH AND MEXICAN LAND GRANTS.

Mr. JOSEPH also introduced a bill (H. R. 1968) to provide for the judicial investigation and determination of the validity of Spanish and Mexican land grants in New Mexico, Arizona, and the territory acquired from Mexico, and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

SUPREME COURT, NEW MEXICO.

Mr. JOSEPH also introduced (by request) a bill (H. R. 1969) to provide for the appointment of justices of the supreme court of the Territory of New Mexico, authorized to determine the validity of Spanish and Mexican land grants in the said Territory; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

LEVEES ON RIO GRANDE RIVER.

Mr. JOSEPH also introduced a bill (H. R. 1970) to provide for building levees on the banks of the Rio Grande River in the Territory of New Mexico; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PUBLIC BUILDING AT ALBUQUERQUE, N. MEX.

Mr. JOSEPH also introduced a bill (H. R. 1971) to provide for the erection of a public building at Albuquerque, N. Mex.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

JUSTICES OF THE PEACE IN NEW MEXICO.

Mr. JOSEPH also introduced a bill (H. R. 1972) authorizing the Legislative Assembly of the Territory of New Mexico to increase the jurisdiction of justices of the peace in said Territory; which was read a first

and second time, referred to the Committee on the Territories, and ordered to be printed.

SECTION 1882, REVISED STATUTES.

Mr. JOSEPH also introduced a bill (H. R. 1973) to amend section 1882 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on Expenditures in the Department of Justice, and ordered to be printed.

UNIVERSITY IN NEW MEXICO.

Mr. JOSEPH also introduced a bill (H. R. 1974) to reserve lands in the Territory of New Mexico for the benefit of a university in said Territory, and providing for the selection and withdrawal of the same from sale or other disposal; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

IRRIGATION IN NEW MEXICO.

Mr. JOSEPH also introduced a bill (H. R. 1975) to provide for the building of reservoirs in the Territory of New Mexico for the storage of water for the purpose of irrigation; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

SECTION 1858, REVISED STATUTES.

Mr. JOSEPH also introduced a bill (H. R. 1976) to amend section 1858 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

WEIGHTS AND MEASURES, NEW MEXICO.

Mr. JOSEPH also introduced a joint resolution (H. Res. 34) providing for the furnishing of a complete set of weights and measures to the Territory of New Mexico; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

ASSAY OFFICE AT SOCORRO, N. MEX.

Mr. JOSEPH also introduced a bill (H. R. 1977) to establish an assay office at Socorro, in the Territory of New Mexico; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

UNPAID UNITED STATES JURORS IN NEW MEXICO.

Mr. JOSEPH also introduced a bill (H. R. 1978) in relation to certain unpaid United States jurors and others in New Mexico Territory; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

ARMY AND NAVY HOSPITAL, LAS VEGAS, N. MEX.

Mr. JOSEPH also introduced a bill (H. R. 1979) for the construction of an Army and Navy hospital at the Las Vegas Hot Springs, in the Territory of New Mexico; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ARTESIAN WELLS, NEW MEXICO.

Mr. JOSEPH also introduced a bill (H. R. 1980) to provide for the boring of artesian wells in the Territory of New Mexico; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

COMMON SCHOOLS, NEW MEXICO.

Mr. JOSEPH also introduced a bill (H. R. 1981) to aid in the support of common schools in the Territory of New Mexico; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

PUBLIC PARK, NEW MEXICO.

Mr. JOSEPH also introduced a bill (H. R. 1982) to set apart a certain tract of land situated on the headwaters of the Pecos River, in New Mexico, as a public park; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

COUNTY OF SAN JUAN, NEW MEXICO.

Mr. JOSEPH also introduced a bill (H. R. 1983) to ratify an act entitled "An act creating the county of San Juan, in the Territory of New Mexico;" which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

UINTAH INDIAN RESERVATION.

Mr. CAINE introduced a bill (H. R. 1984) to restore to the public domain a part of the Uintah Indian reservation in the Territory of Utah, and for other purposes; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

The SPEAKER. The regular call is completed. The Chair will now recognize gentlemen who were not present when their States were called.

REPEAL OF PERMANENT AND INDEFINITE APPROPRIATIONS.

Mr. RANDALL introduced a bill (H. R. 1985) to repeal certain laws relating to permanent and indefinite appropriations; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

CONSTRUCTION OF PUBLIC BUILDINGS.

Mr. RANDALL also introduced a bill (H. R. 1986) relating to the construction of public buildings; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

AMENDMENT OF THE CONSTITUTION.

Mr. RANDALL also introduced joint resolution (H. Res. 35) proposing an amendment to the Constitution of the United States, authorizing the President to veto any item or items of an appropriation bill, while approving of the other portions of the bill; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

NATIONAL PHARMACOPŒIA.

Mr. RANDALL also introduced a bill (H. R. 1987) to prepare and publish a national pharmacopœia for the United States; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

CLAIMS AGAINST THE UNITED STATES.

Mr. RANDALL also introduced a bill (H. R. 1988) limiting the time within which claims against the United States may be filed and prosecuted; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PENSIONS FOR SURVIVORS OF THE FLORIDA WAR.

Mr. MCMILLIN introduced a bill (H. R. 1989) granting a pension to the survivors of the Florida war; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

FRENCH SPOLIATIONS.

Mr. ROGERS introduced a bill (H. R. 1990) to amend the act of the 20th of January, 1885, entitled "An act to provide for the ascertainment of claims of American citizens for spoliations committed by the French prior to the 31st of July, 1801;" which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

UTILIZATION OF HOT WATER, HOT SPRINGS, ARK.

Mr. ROGERS also introduced the following joint resolution (H. Res. 36); which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed in the RECORD, as follows:

Joint resolution to enable the Secretary of the Interior to utilize the hot water now running to waste in the permanent reservation at Hot Springs, Ark., and for other purposes.

Whereas it is estimated by the superintendent of the Hot Springs Reservation that 300,000 gallons of hot water are daily running to waste on said reservation, because the Secretary of the Interior is powerless under existing laws to give it a useful direction; and

Whereas said superintendent also reports that the hot-water supply barely exceeds the demand; and

Whereas he urgently recommends the increase of the hot-water rents to $40 per tub per annum: Therefore,

*Resolved*, That the Secretary of the Interior be, and is hereby, authorized and directed to utilize the hot water now running to waste by permitting its use by not exceeding three bath-houses, to be erected by individuals below and off said Hot Springs Reservation (the expense of obtaining said water to be borne by the proprietors of said bath-houses), said water to be furnished under the same restrictions and regulations as now govern the supply of hot water furnished to the bath-houses above and off said reservation, and that the water rents for all bath-houses be increased to $40 per tub per annum.

REORGANIZATION OF CONSULAR SERVICE.

Mr. BELMONT introduced a bill (H. R. 1991) to reorganize the consular service of the United States on a salaried basis, to provide for additional consular clerks, to regulate fees, and for other purposes; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

PLEASURE YACHTS.

Mr. BELMONT also introduced a bill (H. R. 1992) to amend the United States Statutes in relation to pleasure yachts; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

IMPORTATION OF WORKS OF ART.

Mr. BELMONT also introduced a bill (H. R. 1993) to amend section 2505 of the Revised Statutes of the United States in relation to the importation of works of art; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

CLAIMS OF SOLDIERS AND SAILORS, ETC.

Mr. SPINOLA (by Mr. BLISS) introduced a bill (H. R. 1994) to remove limitation from claims of soldiers and sailors, to amend section 1754 of the Revised Statutes, and to retire from the civil service those disabled in the Army and Navy; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

Mr. BLISS. My colleague [Mr. SPINOLA], at whose request I have introduced this bill, is absent on account of sickness.

POSTAGE-STAMPS.

Mr. BLISS introduced a joint resolution (H. Res. 37) requesting the

Postmaster-General to discontinue the use of the green two-cent postage-stamps and return to the use of the two-cent stamp of terra-cotta color; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

LAKES AND GULF WATERWAY COMMISSION.

Mr. SPRINGER introduced a bill (H. R. 1995) to create the Lakes and Gulf Waterway Commission; which was read a first and second time, referred to the Committee on Railways and Canals, and ordered to be printed.

PENSIONS.

Mr. HOWARD introduced a bill (H. R. 1996) to amend certain sections of the Revised Statutes of the United States, relating to pensions, and for other purposes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

EDUCATION.

Mr. McRAE introduced a bill (H. R. 1997) to aid the cause of education in certain States; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

SWAMP LANDS.

Mr. McRAE also introduced a bill (H. R. 1998) to relieve purchasers of and to indemnify certain States for swamp lands, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

FORFEITURE OF RAILROAD LAND GRANTS.

Mr. McRAE also introduced a bill (H. R. 1999) to declare the forfeiture of certain lands granted to aid certain railroads, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

Mr. McRAE also introduced a bill (H. R. 2000) to forfeit the lands granted to the Northern Pacific Railroad Company, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

Mr. McRAE also introduced a bill (H. R. 2001) to forfeit lands granted to the Southern Pacific Railroad Company, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

MEMBERS OF CONGRESS AS RAILROAD ATTORNEYS.

Mr. McRAE also introduced a bill (H. R. 2002) to prohibit members of Congress from acting as attorneys or employés for railroad companies holding charters or having received grants of lands or pecuniary aid from the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

REPEAL OF PRE-EMPTION AND TIMBER-CULTURE LAWS, ETC.

Mr. McRAE also introduced a bill (H. R. 2003) to repeal the pre-emption and timber-culture laws, and to amend the desert-land act, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

HOMESTEAD SETTLERS.

Mr. McRAE also introduced a bill (H. R. 2004) to grant additional rights to certain homestead settlers, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

SECTION 3480, REVISED STATUTES.

Mr. McRAE also introduced a bill (H. R. 2005) to repeal section 3480 of the Revised Statutes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

HOMESTEAD SETTLERS.

Mr. McRAE also introduced a bill (H. R. 2006) to grant additional rights to certain homestead settlers on public lands; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

INCOME TAX.

Mr. McRAE also introduced a bill (H. R. 2007) to lay a graduated income tax, and to provide for the manner of collecting the same, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

CAPTURED AND ABANDONED PROPERTY.

Mr. McRAE also introduced a bill (H. R. 2008) to revive the right of action under the captured and abandoned property acts, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CONTRACTION OF THE CURRENCY.

Mr. McRAE also introduced a bill (H. R. 2009) to prevent the national banks from contracting the currency; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

PUBLIC INTERSTATE BUILDING, TEXARKANA.

Mr. McRAE also introduced a bill (H. R. 2010) to provide for a public interstate building at Texarkana; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

MONEYS COLLECTED ON RAW COTTON.

Mr. McRAE also introduced a bill (H. R. 2011) to credit and pay to the States all moneys collected as a tax or duty on raw cotton under the act approved July 1, 1862, and the acts amendatory thereto; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

NATIONAL BANKING ASSOCIATIONS.

Mr. DINGLEY introduced a bill (H. R. 2012) authorizing the Secretary of the Treasury to invest the lawful money deposited in the Treasury in trust by national banking associations for the retirement of their circulating notes; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

MONUMENT AT CRAB ISLAND, LAKE CHAMPLAIN.

Mr. MOFFITT introduced a joint resolution (H. Res. 38) providing for the erection of a monument at Crab Island, Lake Champlain, over the grave of the unknown dead who fell at the battle of Plattsburgh on the 11th of September, 1814; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

MONUMENT AT OLD FORT TICONDEROGA, STATE OF NEW YORK.

Mr. MOFFITT also introduced a bill (H. R. 2013) for the erection of a monument on the site of old Fort Ticonderoga, State of New York; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

TRESPASSERS UPON INDIAN LANDS, ETC.

The SPEAKER laid before the House the following messages from the President of the United States; which were severally referred to the Committee on Indian Affairs, and ordered to be printed.

*To the Senate and House of Representatives:*

I transmit herewith a communication of 23d ultimo from the Secretary of the Interior, submitting, with accompanying papers, a draught of a bill to amend section 2148 of the Revised Statutes of the United States, relating to trespasses upon Indian lands.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 4, 1888.

*To the Senate and House of Representatives:*

I transmit herewith a communication of 23d ultimo from the Secretary of the Interior, submitting, with accompanying papers, a draught of a bill granting a right of way to the Jamestown and Northern Railroad Company through the Devil's Lake Indian reservation, in the Territory of Dakota.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 4, 1888.

*To the Senate and House of Representatives:*

I transmit herewith a communication, of the 22d ultimo, from the Secretary of the Interior, submitting, with accompanying papers, a draught of a bill to amend section 5388 of the Revised Statutes of the United States, relating to timber trespasses upon the public lands, so as to include Indian lands.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 4, 1888.

*To the Senate and House of Representatives:*

I transmit herewith a communication, of 27th December, 1887, from the Secretary of the Interior, submitting, with accompanying papers, draught of a bill "to authorize the Secretary of the Interior to fix the amount of compensation to be paid for right of way for railroads through Indian reservations in certain contingencies."

The matter is commended to the consideration of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 4, 1888.

*To the Senate and House of Representatives:*

I transmit herewith a communication, of 22d ultimo, from the Secretary of the Interior, submitting, with accompanying papers, a draught of a bill to accept and ratify an agreement made with the Indians of the Yakima reservation, in Washington Territory, for the right of way of the Northern Pacific Railroad across said reservation, etc.

The matter is presented to the consideration and action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 4, 1888.

*To the Senate and House of Representatives:*

I transmit herewith a communication, of 24th ultimo, from the Secretary of the Interior, submitting, with accompanying papers, a draught of a bill to accept and ratify an agreement made by the Pah-Ute Indians, and granting a right of way to the Carson and Colorado Railroad Company through the Walker River reservation, in Nevada.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 4, 1888.

*To the Senate and House of Representatives:*

I transmit herewith a communication of the 24th ultimo from the Secretary of the Interior, submitting, with accompanying papers, a draught of a bill to accept and ratify an agreement made with the Sisseton and Wahpeton Indians, and to grant a right of way for the Chicago, Milwaukee and St. Paul Railway through the Lake Traverse Indian reservation, in Dakota. The matter is presented for the consideration and action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 4, 1888.

ORDER OF BUSINESS.

The SPEAKER. A number of communications have heretofore been received from the Executive Departments, which have been presented to the House, ordered to be printed, and laid on the table for reference. If there be no objection, the Clerk, under the direction of the Chair, will make proper reference of the same hereafter, and cause them to be entered upon the Journal.

There was no objection.

And then, on motion of Mr. MILLS (at 4 o'clock and 48 minutes p. m.), the House adjourned.

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PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred, as indicated below:

By Mr. WHEELER: A bill (H. R. 2014) to authorize the construction of a bridge across the Mississippi River at Memphis, in the State of Tennessee—to the Committee on Commerce.

Also, a bill (H. R. 2015) to grant the right of way over the public lands in Alabama to the Rome and Decatur Railroad Company from Rome, Ga., to Decatur, Ala., on the Tennessee River—to the Committee on the Public Lands.

Also, a bill (H. R. 2016) to grant the right of way over the public lands in Alabama, and to grant lands in said State in aid of the St. Louis, Alabama and Atlantic Railroad—to the Committee on the Public Lands.

Also (by request), a bill (H. R. 2017) to incorporate the Rock Creek Railway Company of the District of Columbia—to the Committee on the District of Columbia.

By Mr. HERBERT: A bill (H. R. 2018) for the relief of the estate of James H. Judkins—to the Committee on War Claims.

Also, a bill (H. R. 2019) for the relief of the estate of William T. Judkins—to the Committee on War Claims.

By Mr. PEEL: A bill (H. R. 2020) to refund illegal internal-revenue tax collected of James R. Berry as late auditor of the State of Arkansas—to the Committee on Claims.

Also, a bill (H. R. 2021) to grant a pension to John Reeves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2022) to grant relief to Elizabeth Phillips and child, as widow of Reuben Phillips, deceased—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2023) to grant a pension to John Harper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2024) to grant a pension to Malissa Jane Earls—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2025) to place William J. Sowell on the rolls of the Arkansas Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 2026) for the relief of Jasper J. Henry—to the Committee on War Claims.

Also, a bill (H. R. 2027) to correct military record of Lafayette Mason—to the Committee on Military Affairs.

Also, a bill (H. R. 2028) for the relief of Nancy Blagg, widow of Israel J. Blagg—to the Committee on War Claims.

By Mr. ROGERS: A bill (H. R. 2029) to amend an act entitled "An to incorporate the National Safe Deposit Company of Washington, in the District of Columbia," approved January 22, 1867—to the Committee on the District of Columbia.

Also (by request), a bill (H. R. 2030) for the relief of the legal representatives of Mary H. Pike, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2031) for the relief of William Barnes—to the Committee on War Claims.

Also (by request), a bill (H. R. 2032) for the relief the estate of P. P. Burton—to the Committee on Claims.

Also, a bill (H. R. 2033) for the relief of the estate of W. W. Adams, deceased—to the Committee on Claims.

Also (by request), a bill (H. R. 2034) for the relief of J. J. McAlmont—to the Committee on Claims.

Also (by request), a bill (H. R. 2035) for the relief of Henry W. Long—to the Committee on War Claims.

By Mr. MORROW: A bill (H. R. 2036) authorizing and directing the proper accounting officers of the Treasury to audit and pay the claims of certain laborers in the custom-house at San Francisco, Cal.—to the Committee on Claims.

By Mr. McKENNA: A bill (H. R. 2037) for the relief of Christopher Green and Hugh C. Trainor—to the Committee on Claims.

By Mr. BIGGS: A bill (H. R. 2038) for the relief of Maurice G. Griffith—to the Committee on Claims.

By Mr. T. L. THOMPSON: A bill (H. R. 2039) for the relief of Charles Murphy—to the Committee on Claims.

Also, a bill (H. R. 2040) for the relief of A. Berding and A. Berding & Co.,—to the Committee on Claims.

Also, a bill (H. R. 2041) for the relief of Thomas Guinean—to the Committee on Claims.

Also, a bill (H. R. 2042) for the relief of Charles Murphy—to the Committee on Claims.

Also, a bill (H. R. 2043) for the relief of August Leschinsky—to the Committee on Claims.

Also, a bill (H. R. 2044) to authorize the adjustment of certain accounts arising in the Indian service—to the Committee on Claims.

By Mr. SYMES: A bill (H. R. 2045) for the relief of Edward Rice—to the Committee on Banking and Currency.

Also, a bill (H. R. 2046) for the relief of William E. Wheeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2047) for the relief of John C. Johnston—to the Committee on War Claims.

Also, a bill (H. R. 2048) for the relief of James H. Wells—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2049) to remove the charge of desertion against Francis A. Land—to the Committee on Military Affairs.

Also, a bill (H. R. 2050) granting a pension to E. N. Ordway—to the Committee of Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 2051) to refund to the heirs of Calvin Durand, of Milford, State of Connecticut, certain customs duties improperly collected—to the Committee on Claims.

By Mr. GRANGER: A bill (H. R. 2052) granting a pension to Jane A. Vail—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2053) for the relief of the United States Regulation Fire-Arms Company—to the Committee on Claims.

By Mr. CLEMENTS: A bill (H. R. 2054) for the relief of James M. Lowry—to the Committee on Claims.

Also, a bill (H. R. 2055) for the relief of Rufus Barker—to the Committee on Pensions.

Also, a bill (H. R. 2056) for the relief of Joel J. Goss—to the Committee on Public Buildings and Grounds.

By Mr. CRISP: A bill (H. R. 2057) for the relief of V. B. Jossey—to the Committee on Claims.

Also, a bill (H. R. 2058) for the relief of John F. McRae—to the Committee on Claims.

Also, a bill (H. R. 2059) for the relief of S. E. Scarborough—to the Committee on Claims.

By Mr. SPRINGER: A bill (H. R. 2060) for the relief of John Spicer—to the Committee on Claims.

Also, a bill (H. R. 2061) granting an increase of pension to Francis D. Freitas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2062) for the relief of John W. Breckenridge—to the Committee on Military Affairs.

By Mr. G. A. ANDERSON: A bill (H. R. 2063) granting a pension to Marion Taggart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2064) granting a pension to Jacob F. Joseph—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2065) granting a pension to Moses F. Bassett—to the Committee on Invalid Pensions.

By Mr. DUNHAM: A bill (H. R. 2066) for the relief of Maj. Daniel N. Bash—to the Committee on Military Affairs.

Also, a bill (H. R. 2067) for the relief of James H. Gilbert—to the Committee on Claims.

Also, a bill (H. R. 2068) authorizing the Secretary of the Treasury to pay certain citizens of Chicago, employés of the custom-house, for extra-time service—to the Committee on Claims.

By Mr. ADAMS: A bill (H. R. 2069) for the relief of John G. Schuler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2070) for the relief of Arno Voss—to the Committee on War Claims.

Also, a bill (H. R. 2071) for the relief of Martha Gray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2072) for the relief of John Erpelding and Nicolaus J. Erpelding, administrator of the estate of Nicolaus Erpelding—to the Committee on Patents.

Also, a bill (H. R. 2073) granting an increase of pension to Daniel Willborg—to the Committee on Invalid Pensions.

By Mr. HITT: A bill (H. R. 2074) granting a pension to James Kelley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2075) to incorporate the Capital Rapid Transit Company of the District of Columbia—to the Committee on the District of Columbia.

By Mr. PAYSON: A bill (H. R. 2076) for the relief of Alice E. Culver, administratrix of the estate of F. B. Culver, deceased—to the Committee on Claims.

Also, a bill (H. R. 2077) to place on the pension-rolls the name of William S. Sims—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2078) granting a pension to Charlotte T. Clark—to the Committee on Invalid Pensions.

By Mr. GEST: A bill (H. R. 2079) for the relief of Lyman B. Cutler—to the Committee on War Claims.

Also, a bill (H. R. 2080) for the relief of Conrad Vollmer—to the Committee on War Claims.

Also, a bill (H. R. 2081) granting a pension to Patrick Gregg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2082) granting a pension to Silas W. Shutts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2083) granting a pension to Mary Shall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2084) granting a pension to George Stodd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2085) to grant a pension to Alice S. Parker—to the Committee on Pensions.

By Mr. CANNON: A bill (H. R. 2086) granting a pension to William M. Ammerman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2087) for the relief of Emily Dailey—to the Committee on Pensions.

Also, a bill (H. R. 2088) for the relief of W. S. Carpenter—to the Committee on Claims.

Also, a bill (H. R. 2089) for the relief of John S. Dill—to the Committee on Pensions.

Also, a bill (H. R. 2090) for the relief of John B. Eads—to the Committee on War Claims.

Also, a bill (H. R. 2091) for the relief of David Mayer—to the Committee on Invalid Pensions.

By Mr. A. J. HOPKINS: A bill (H. R. 2092) for the relief of Goff A. Hall—to the Committee on War Claims.

Also, a bill (H. R. 2093) for the relief of John K. Le Baron—to the Committee on Claims.

Also, a bill (H. R. 2094) to increase the pension of Alonzo B. Chatfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2095) granting a pension to Eunice A. Pauntain—to the Committee on Pensions.

Also, a bill (H. R. 2096) to remove the charge of desertion from the military record of Freeman S. Jay—to the Committee on Military Affairs.

By Mr. SHIVELY: A bill (H. R. 2097) to authorize the construction of a bridge across Trail Creek, in the city of Michigan City, Ind.—to the Committee on Commerce.

Also, a bill (H. R. 2098) for the relief of John G. Maughermar—to the Committee on Invalid Pensions.

By Mr. STEELE: A bill (H. R. 2099) to reimburse the Miami Indians of Indiana for moneys improperly taken from them—to the Committee on Indian Affairs.

Also, a bill (H. R. 2100) for the relief of Woodson W. Thrasher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2101) for the relief of Samuel Hawkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2102) for the relief of William R. Burton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2103) for the relief of James P. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2104) granting an increase of pension to Jasper N. Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2105) granting a pension to Lewis Leach—to the Committee on Invalid Pensions.

By Mr. HOLMAN: A bill (H. R. 2106) to equalize the bounties of soldiers who served in the late war for the Union—to the Committee on War Claims.

Also, a bill (H. R. 2107) granting condemned cannon and cannon-balls for monumental purposes to John A. Platter Post, No. 82, Grand Army of the Republic, Indiana—to the Committee on Military Affairs.

Also, a bill (H. R. 2108) to make the Lake Borgne outlet, to improve the low-water navigation of the Mississippi River from New Orleans, La., to Cairo, Ill., and incidentally to reclaim and protect the valley lands of the Mississippi River and tributaries from overflow without levees—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2109) for the relief of Red Cloud and other Sioux Indians—to the Committee on Indian Affairs.

Also, a bill (H. R. 2110) for the relief of John Colter—to the Committee on War Claims.

Also, a bill (H. R. 2111) for the relief of Charlotte H. Fenton—to the Committee on War Claims.

Also, a bill (H. R. 2112) for the relief of Capt. John Burkhart—to the Committee on War Claims.

Also, a bill (H. R. 2113) for the relief of William Rutherford—to the Committee on Claims.

Also, a bill (H. R. 2114) granting a pension to Charles H. Lockwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2115) granting a pension to Fletcher S. Dewey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2116) granting a pension to Johanna Eckhardt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2117) granting a pension to Thomas F. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2118) granting a pension to Nathaniel Bell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2119) granting a pension to Ardenia Dillon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2120) granting a pension to Elizabeth Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2121) granting a pension to Michael Sheets—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2122) granting a pension to Sarah Sanks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2123) granting a pension to James R. Bell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2124) granting a pension to Neal Meginley—to the Committee on Invalid Pensions.

By Mr. T. M. BROWNE: A bill (H. R. 2125) for the relief of Capt. Robert G. Smither—to the Committee on Military Affairs.

Also, a bill (H. R. 2126) for the relief of the widow and children of Peter H. Cookus, deceased—to the Committee on Claims.

Also (by request), a bill (H. R. 2127) for the relief of George F. Roberts and others—to the Committee on Claims.

Also, a bill (H. R. 2128) for the relief of Sewell, Coulson & Porter, Harrison & Fishback—to the Committee on Claims.

Also, a bill (H. R. 2129) for the relief of Joseph Heaton—to the Committee on Military Affairs.

Also, a bill (H. R. 2130) for the relief of Eli Houser—to the Committee on Military Affairs.

Also, a bill (H. R. 2131) for the relief of Joseph Cox, administrator of Charles Pasters, deceased—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2132) granting a pension to John E. McGaughey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2133) granting a pension to Henry C. Powell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2134) granting a pension to Jesse Stout—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2135) granting a pension to David Gentry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2136) granting a pension to C. H. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2137) granting a pension to the widow and minor children of Nathaniel W. Parker, deceased—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2138) to increase the pension of Samuel B. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2139) granting a pension to George Rhody—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2140) granting a pension to Eliza Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2141) granting a pension to David Modlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2142) granting a pension to Nancy E. Retz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2143) donating four condemned cannon to the Sol. Meredith Grand Army Post, of Richmond, Ind.—to the Committee on Military Affairs.

By Mr. HOWARD: A bill (H. R. 2144) for the relief of John B. Mitchell—to the Committee on Claims.

Also, a bill (H. R. 2145) for the relief of John Affalter—to the Committee on War Claims.

Also, a bill (H. R. 2146) for the relief of Franklin R. M. Gilbert—to the Committee on Claims.

Also, a bill (H. R. 2147) for the relief of Mrs. Honora V. Lyon—to the Committee on Claims.

Also, a bill (H. R. 2148) for the relief of James Colvin—to the Committee on War Claims.

Also, a bill (H. R. 2149) for the relief of Aaron M. Applegate—to the Committee on War Claims.

Also, a bill (H. R. 2150) for the relief of Luther F. Warder—to the Committee on Accounts.

By Mr. OWEN: A bill (H. R. 2151) for the relief of Joseph B. Burton—to the Committee on War Claims.

Also, a bill (H. R. 2152) to pay to Perry B. Bowser $500 as back pay for recruiting, and for expenses borne in the military service of the United States—to the Committee on War Claims.

Also, a bill (H. R. 2153) granting increase of pension to George H. Gaskill—to the Committee on Invalid Pensions.

By Mr. BYNUM: A bill (H. R. 2154) for the relief of the legal representatives of Edward A. Smith, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2155) granting a pension to James S. Spaulding—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2156) granting a pension to Warren Ohaver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2157) granting a pension to Ann E. Mussman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2158) granting a pension to Matilda Ann Wiley—to the Committee on Invalid Pensions.

By Mr. HOVEY: A bill (H. R. 2159) for the relief of Isaac C. Higgins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2160) for the relief of Charles H. Mason—to the Committee on Claims.

Also, a bill (H. R. 2161) for the relief of Thomas I. Taylor—to the Committee on War Claims.

Also, a bill (H. R. 2162) for the relief of Catharine K. Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2163) for the relief of Jesse T. Battles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2164) for the relief of Crawford Brown—to the Committee on Claims.

Also, a bill (H. R. 2165) for the relief of Benjamin A. Bertram—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2166) for the relief of Joseph Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2167) for the relief of George E. Oliphant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2168) for the relief of Isaac M. Johnson—to the Committee on Invalid Pensions.

By Mr. GEAR: A bill (H. R. 2169) making appropriation for the improvement of the Des Moines Rapids of the Mississippi River, and the completion of the dry docks at the Des Moines Rapids of the Mississippi River, and amending the statutes in regard to the construction of a floating boom connecting the wall of the canal with the bridge at Keokuk, Iowa—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2170) to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Mississippi River at or near Burlington, in the State of Iowa—to the Committee on Commerce.

By Mr. A. R. ANDERSON: A bill (H. R. 2171) for the relief of F. M. Wadley—to the Committee on War Claims.

Also, a bill (H. R. 2172) for the relief of Nancy J. Cline—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2173) for the relief of Green Fields—to the Committee on Invalid Pensions.

By Mr. D. B. HENDERSON: A bill (H. R. 2174) granting a pension to Lewis Fichthorn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2175) granting a pension to Sarah M. Jewell—to the Committee on Invalid Pensions.

Also a bill (H. R. 2176) granting a pension to Alexander J. Collinge—to the Committee on Invalid Pensions.

By Mr. GEAR: A bill (H. R. 2177) granting a pension to Mahala Robbins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2178) granting a pension to Emmeline Topping—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2179) granting a pension to John Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2180) granting a pension to Lucretia Luckey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2181) granting a pension to John E. Cooksey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2182) granting a pension to Henry Simmons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2183) granting a pension to Theodore Kraup—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2184) granting a pension to Samuel M. Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2185) granting a pension to John C. Herriman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2186) granting a pension to Patrick Tierney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2187) granting a pension to William Walsh—to the Committee on Pensions.

Also, a bill (H. R. 2188) granting a pension to Thomas C. Mitchell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2189) granting a pension to Louis Kohn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2190) granting a pension to Jane Smallridge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2191) granting a pension to Rhoda Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2192) granting a pension to James M. Morgan's Iowa Infantry and Mounted Volunteers—to the Committee on Pensions.

Also, a bill (H. R. 2193) granting a pension to Elisha Wilkins—to the Committee on Pensions.

Also, a bill (H. R. 2194) for the relief of William H. Manning—to the Committee on War Claims.

Also, a bill (H. R. 2195) for the relief of B. F. Moody & Co., or their legal representatives—to the Committee on War Claims.

Also, a bill (H. R. 2196) for the relief of S. T. Marshall—to the Committee on War Claims.

By Mr WEAVER: A bill (H. R. 2197) to correct the military record of Charles Owens, and for other purposes—to the Committee on Military Affairs.

Also, a bill (H. R. 2198) granting a pension to Sara A. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2199) removing the charge of desertion from the military record of George W. Moss—to the Committee on Military Affairs.

Also, a bill (H. R. 2200) for the relief of Henry Barton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2201) granting a pension to Claiborn Callison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2202) granting a pension to Nathaniel Brary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2203) granting a pension to Rebecca E. Bushey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2204) granting a pension to Whipple Handy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2205) granting a pension to Samuel Hanson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2206) removing the charge of desertion from the military record of Nicholas Hoit—to the Committee on Military Affairs.

Also, a bill (H. R. 2207) granting a pension to Simpson Sparks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2208) granting a pension to Julia A. Cornell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2209) granting a pension to Mrs. A. J. Pope—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2210) granting a pension to Hannah E. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2211) granting a pension to George W. Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2212) granting a condemned cannon to the Grand Army post at Montezuma, Iowa—to the Committee on Military Affairs.

By Mr. CONGER (by request): A bill (H. R. 2213) for the relief of the heirs of Mrs. Tellisse W. Wilson—to the Committee on War Claims.

By Mr. STRUBLE: A bill (H. R. 2214) granting a pension of $100 per month to Henry D. Fuller, of Company F, Twenty-eighth Iowa Volunteers—to the Committee on Invalid Pensions.

By Mr. HOLMES: A bill (H. R. 2215) granting a pension to Charles Glamann—to the Committee on Invalid Pensions.

By Mr. MORRILL: A bill (H. R. 2216) for the relief of Thomas A. Osborn—to the Committee on Claims.

Also, a bill (H. R. 2217) for the relief of William S. Thatcher—to the Committee on War Claims.

Also, a bill (H. R. 2218) to increase the pension of James A. Buck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2219) for the relief of D. H. Mitchell—to the Committee on Claims.

By Mr. J. A. ANDERSON: A bill (H. R. 2220) for the relief of John W. Johnston—to the Committee on Military Affairs.

Also, a bill (H. R. 2221) for the relief of Mary Clarke—to the Committee on Claims.

Also, a bill (H. R. 2222) granting a pension to William Thompson—to the Committee on Pensions.

Also, a bill (H. R. 2223) for the relief of the heirs of Job Welton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2224) for the relief of James McDonald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2225) for the relief of Jacob Theirer—to the Committee on Claims.

Also, a bill (H. R. 2226) for the relief of H. P. Wells—to the Committee on Indian Affairs.

Also, a bill (H. R. 2227) for the relief of Josiah Elkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2228) for the relief of Josiah H. Pillsbury—to the Committee on Claims.

Also, a bill (H. R. 2229) to re-examine the homestead claim of Ira Haworth—to the Committee on the Public Lands.

By Mr. RYAN: A bill (H. R. 2230) extending to John Wollanis the benefits and provisions of "An act granting pensions to Wilson W. Brown and others," approved July 7, 1884—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2231) granting a pension to Jonah Slocum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2232) for the relief of Joseph Guy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2233) granting a pension to Bernard Carlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2234) granting a pension to Henry P. Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2235) granting a pension to James H. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2236) granting a pension to Eli J. Yamgheim—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2237) granting a pension to Thomas Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2238) for the relief of Samuel Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2239) to grant a pension to John Waters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2240) to grant a pension to John C. Admas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2241) to grant a pension to Andrew Houser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2242) for the relief of Jacob Snovely—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2243) to grant a pension to James D. Newcomb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2244) to grant a pension to Ruth Ann Bentley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2245) granting a pension to Jeremiah White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2246) granting a pension to Laura A. Watson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2247) granting a pension to Martin Smiley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2248) to relinquish the interest of the United States in certain lands in Kansas—to the Committee on the Public Lands.

Also, a bill (H. R. 2249) for the relief of D. H. Mitchell—to the Committee on Claims.

Also, a bill (H. R. 2250) for the relief of Dr. Lewellen—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2251) for the relief of Adolph L. Lowe, alias Alfred Love—to the Committee on Naval Affairs.

Also, a bill (H. R. 2252) granting condemned cannon, carriage, and cannon-balls to U. S. Grant Post, Kansas—to the Committee on Military Affairs.

Also, a bill (H. R. 2253) for the relief of D. W. Boutwell—to the Committee on War Claims.

By Mr. PETERS: A bill (H. R. 2254) pensioning Stephen Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2255) increasing the pension of A. F. Fuller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2256) increasing pension of William A. Hanger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2257) granting an increase of pension to David McKinney—to the Committee on Pensions.

By Mr. E. J. TURNER: A bill (H. R. 2258) granting a pension to Jonas G. Dodge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2259) granting a pension to Joab M. Haley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2260) granting a pension to George Forster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2261) to increase the pension of Elijah W. Penny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2262) for the relief of John W. Howard—to the Committee on Invalid Pensions.

By Mr. FUNSTON: A bill (H. R. 2263) for the relief of the estate of Ely Moore and Daniel Woodson—to the Committee on Claims.

Also, a bill (H. R. 2264) to amend the pension-roll as it relates to the rank of Maxwell Carroll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2265) for the relief of L. J. Worden—to the Committee on Claims.

Also, a bill (H. R. 2266) for the relief of William Watson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2267) to pay Thompson McKinley $375 for service voucher issued to him during the late war by Capt. George W. Harrison, assistant quartermaster, United States Army—to the Committee on War Claims.

Also, a bill (H. R. 2268) to place the name of Robert Channer on the pension-roll—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 2269) granting a pension to Ozro Harrington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2270) granting a pension to Mrs. Laura M. Cheek—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2271) granting a pension to James Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2272) for the relief of Israel Johnson—to the Committee on Military Affairs.

By Mr. STONE, of Kentucky: A bill (H. R. 2273) for the relief of William L. Travis—to the Committee on War Claims.

Also, a bill (H. R. 2274) for the relief of J. E. Johnson—to the Committee on War Claims.

Also, a bill (H. R. 2275) for the relief of James P. Overstreet—to the Committee on War Claims.

Also, a bill (H. R. 2276) for the relief Asa Alvis—to the Committee on War Claims.

Also, a bill (H. R. 2277) for the relief of George E. Cox—to the Committee on War Claims.

Also, a bill (H. R. 2278) for the relief of Peyton Thomas—to the Committee on War Claims.

Also, a bill (H. R. 2279) for the relief of George Collie—to the Committee on War Claims.

Also, a bill (H. R. 2280) for the relief of W. J. Chitwood—to the Committee on War Claims.

Also, a bill (H. R. 2281) for the relief of Henry Walker—to the Committee on War Claims.

By Mr. McCREARY: A bill (H. R. 2282) to pension Mrs. Theodora M. Piatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2283) for the relief of William Eversale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2284) for the relief of G. W. Herd—to the Committee on War Claims.

Also, a bill (H. R. 2285) for the relief of A. C. Robinson, executor of Jacob Robinson—to the Committee on War Claims.

Also, a bill (H. R. 2286) for the relief of W. N. Potts—to the Committee on War Claims.

Also, a bill (H. R. 2287) for the relief of Abijah B. Gilbert—to the Committee on War Claims.

Also, a bill (H. R. 2288) for the relief of B. F. Bryant—to the Committee on War Claims.

Also, a bill (H. R. 2289) for the relief of James A. Beasley, administrator of Zack Elkin—to the Committee on War Claims.

Also, a bill (H. R. 2290) for the relief of the heirs-at-law of John Patton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2291) for the relief of Jesse P. Riffe—to the Committee on War Claims.

Also, a bill (H. R. 2292) for the relief of M. Barlow—to the Committee on Claims.

Also, a bill (H. R. 2293) for the relief of Henderson Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2294) for the benefit of Mary Conn, administratrix of John Conn, of Rockcastle County, Kentucky—to the Committee on War Claims.

Also, a bill (H. R. 2295) for the relief of W. L. Waddy—to the Committee on War Claims.

By Mr. CARUTH: A bill (H. R. 2296) for the relief of the estate of C. M. Briggs, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2297) for the benefit of the American Mutual Benefit Association of Mexican War Veterans—to the Committee on Military Affairs.

Also, a bill (H. R. 2298) granting a pension to Mrs. Annie Spilman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2299) for the relief of James Trigg—to the Committee on War Claims.

Also, a bill (H. R. 2300) for the relief of C. C. Colmesnil—to the Committee on War Claims.

By Mr. TAULBEE: A bill (H. R. 2301) to restore to the pension-roll the name of Jackson Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2302) for the relief of Sarah Marrs—to the Committee on War Claims.

Also, a bill (H. R. 2303) granting a pension to Wilburn Long—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2304) for the relief of Green B. Kelley—to the Committee on War Claims.

Also, a bill (H. R. 2305) for the relief of James E. Hall, of Clark County, Kentucky—to the Committee on War Claims.

Also, a bill (H. R. 2306) for the relief of David R. Hill—to the Committee on Military Affairs.

Also, a bill (H. R. 2307) granting a pension to Sarah Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2308) for the relief of Andrew Howard, sr.—to the Committee on War Claims.

Also, a bill (H. R. 2309) for the relief of William J. House—to the Committee on War Claims.

Also, a bill (H. R. 2310) for the relief of Greenville R. Hale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2311) granting a pension to Philip Hammon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2312) for the relief of John Harvey—to the Committee on Military Affairs.

Also, a bill (H. R. 2313) for the relief of John L. Hatcher—to the Committee on War Claims.

Also, a bill (H. R. 2314) granting a pension to Thomas Hoskins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2315) referring to the Court of Claims the claims of General T. T. Garrard and others—to the Committee on War Claims.

Also, a bill (H. R. 2316) for the relief of the estate of Esther Gearhart—to the Committee on War Claims.

Also, a bill (H. R. 2317) for the relief of Rachel Gent—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2318) granting a pension to G. W. Fraley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2319) granting a pension to Adam Feltner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2320) for the relief of W. B. Eversole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2321) granting a pension to Larkin Delph—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2322) for the relief of Lewis C. Dills—to the Committee on Military Affairs.

Also, a bill (H. R. 2323) for the relief of Jackson Coomer—to the Committee on War Claims.

Also, a bill (H. R. 2324) granting a pension to Adaline Combs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2325) for the relief of Green Charles—to the Committee on War Claims.

Also, a bill (H. R. 2326) for the relief of Barney Back—to the Committee on War Claims.

Also, a bill (H. R. 2327) for the relief of John W. Baker—to the Committee on War Claims.

Also, a bill (H. R. 2328) for the relief of A. J. Bowman—to the Committee on War Claims.

Also, a bill (H. R. 2329) for the relief of Patience Beatty—to the Committee on War Claims.

Also, a bill (H. R. 2330) for the relief of Andrew Baldridge—to the Committee on War Claims.

Also, a bill (H. R. 2331) for the relief of Joseph Banks—to the Committee on War Claims.

Also, a bill (H. R. 2332) to restore to the pension-roll the name of Polly Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2333) granting a pension to Susanna Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2334) for the relief of P. R. Napier—to the Committee on War Claims.

Also, a bill (H. R. 2335) for the relief of T. J. Pitzer—to the Committee on War Claims.

Also, a bill (H. R. 2336) granting a pension to Alfred Pickelsimer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2337) granting a pension to John Puckett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2338) for the relief of William Preston—to the Committee on War Claims.

Also, a bill (H. R. 2339) for the relief of H. H. Robenson—to the Committee on Military Affairs.

Also, a bill (H. R. 2340) for the relief of David B. Rose—to the Committee on War Claims.

Also, a bill (H. R. 2341) granting a pension to Cressy Roberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2342) for the relief of John F. Rogers—to the Committee on War Claims.

Also, a bill (H. R. 2343) for the relief of James Riley—to the Committee on War Claims.

Also, a bill (H. R. 2344) for the relief of John M. Rice—to the Committee on Claims.

Also, a bill (H. R. 2345) granting a pension to Benjamin Ruh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2346) for the relief of A. H. Sympson—to the Committee on Claims.

Also, a bill (H. R. 2347) for the relief of Brice Shepherd—to the Committee on War Claims.

Also, a bill (H. R. 2348) for the relief of Martin V. Slone—to the Committee on War Claims.

Also, a bill (H. R. 2349) granting a pension to James Stone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2350) granting a pension to Cudberth Stone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2351) for the relief of Harrison Swango—to the Committee on War Claims.

Also, a bill (H. R. 2352) for the relief of Samuel Sternburg—to the Committee on War Claims.

Also, a bill (H. R. 2353) for the relief of Charles D. Swim—to the Committee on Military Affairs.

Also, a bill (H. R. 2354) granting a pension to J. M. Thornbury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2355) granting a pension to Diedrich Timme—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2356) for the relief of William Vest—to the Committee on Military Affairs.

Also, a bill (H. R. 2357) granting a pension to John P. Vaughan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2358) for the relief of Pleasant Whitely—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2359) for the relief of Samuel A. B. Woodford—to the Committee on War Claims.

Also, a bill (H. R. 2360) for the relief of R. M. Wilson—to the Committee on War Claims.

Also, a bill (H. R. 2361) for the relief of Weissinger & Bate, Edward Holbrook, and others—to the Committee on the Judiciary.

Also, a bill (H. R. 2362) for the relief of Hibbard Williamson—to the Committee on War Claims.

Also, a bill (H. R. 2363) granting a pension to Ashley Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2364) for the relief of Elisha Young—to the Committee on War Claims.

By Mr. W. C. P. BRECKINRIDGE: A bill (H. R. 2365) for the relief of William P. Thorne—to the Committee on Claims.

Also, a bill (H. R. 2366) for the relief of Harry I. Todd—to the Committee on Claims.

Also, a bill (H. R. 2367) for the relief of William N. Robb—to the Committee on War Claims.

Also, a bill (H. R. 2368) for the relief of Dr. D. N. Porter—to the Committee on War Claims.

Also, a bill (H. R. 2369) for the relief of John Thorns—to the Committee on War Claims.

Also, a bill (H. R. 2370) for the relief of Dr. John R. Hall—to the Committee on War Claims.

Also, a bill (H. R. 2371) for the relief of Mrs. Nancy Stanhope, widow and executrix of William F. Stanhope—to the Committee on War Claims.

Also, a bill (H. R. 2372) for the relief of James C. Lemon—to the Committee on War Claims.

Also, a bill (H. R. 2373) for the relief of Sigmund Luscher—to the Committee on War Claims.

Also, a bill (H. R. 2374) for the relief of the legal representatives of François Fournier—to the Committee on Private Land Claims.

Also, a bill (H. R. 2375) for the relief of Amanda Chiles—to the Committee on War Claims.

Also, a bill (H. R. 2376) for the relief of Frederick Nienaber—to the Committee on Claims.

Also, a bill (H. R. 2377) for the relief of St. Andrew's Lodge, No. 18, of Free and Accepted Masons, of Cynthiana, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 2378) for the relief of William H. Gray—to the Committee on War Claims.

Also, a bill (H. R. 2379) for the relief of James Miller, of Bourbon County, Kentucky—to the Committee on War Claims.

Also, a bill (H. R. 2380) granting a pension to Lewis D. Terry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2381) granting a pension to C. W. King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2382) for the relief of D. W. Price—to the Committee on Claims.

Also, a bill (H. R. 2383) to relieve W. H. Cohorn of the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 2384) for the relief of Willis Price—to the Committee on War Claims.

Also, a bill (H. R. 2385) for the relief of T. I. Hardin—to the Committee on War Claims.

Also, a bill (H. R. 2386) for the relief of William Berry—to the Committee on War Claims.

Also, a bill (H. R. 2387) for the relief of William Downing—to the Committee on War Claims.

Also, a bill (H. R. 2388) for the relief of Harriet Renwick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2389) for the relief of Mary A. Bradford, administratrix—to the Committee on War Claims.

Also, a bill (H. R. 2390) for the relief of Weissinger & Bate, Edward Holbrook, and others—to the Committee on Ways and Means.

Also, a bill (H. R. 2391) to grant a pension to Mrs. Bettie Marshall—to the Committee on Pensions.

Also, a bill (H. R. 2392) for the relief of Nancy Ann Proffitt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2393) for the relief of La Fayette Adery—to the Committee on War Claims.

Also, a bill (H. R. 2394) for the relief of John Jones—to the Committee on War Claims.

Also, a bill (H. R. 2395) for the relief of Mrs. Annie B. Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2396) granting a pension to James McGonnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2397) for the relief of George W. Taylor—to the Committee on Claims.

Also, a bill (H. R. 2398) for the relief of John H. Chiles—to the Committee on War Claims.

Also, a bill (H. R. 2399) for the relief of Neal Sary—to the Committee on War Claims.

Also, a bill (H. R. 2400) for the relief of William Ashmut—to the Committee on War Claims.

Also, a bill (H. R. 2401) for the relief of J. W. South—to the Committee on War Claims.

Also, a bill (H. R. 2402) for the relief of Nancy Coons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2403) for the relief of Thomas C. Isgrig—to the Committee on War Claims.

Also, a bill (H. R. 2404) granting a pension to Sanford M. Dougherty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2405) granting a pension to I. H. R. Caldwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2406) granting a pension to Sarah A. Hicks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2407) granting a pension to Thomas Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2408) to settle the claims of the heirs of the late Col. Stephen H. Long, of the United States Topographical Engineers—to the Committee on Claims.

Also, a bill (H. R. 2409) for the relief of John M. Viley—to the Committee on Claims.

By Mr. ENLOE: A bill (H. R. 2410) for the relief of J. C. Martin, Mary E. Brice, Lelia A. Martin, and Florence A. Martin—to the Committee on War Claims.

By Mr. ROBERTSON: A bill (H. R. 2411) for the relief of Fanny B. Randolph and Dora L. Stark—to the Committee on War Claims.

By Mr. NEWTON: A bill (H. R. 2412) authorizing the Little Rock and Alexandria Railroad Company to maintain and construct a bridge across Bayou D'Arbonne, in Louisiana—to the Committee on Commerce.

By Mr. DINGLEY: A bill (H. R. 2413) granting a pension to Mrs. Mercy Knight—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2414) granting a pension to Seth M. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2415) granting a pension to Mrs. Mary A. Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2416) granting a pension to Mrs. Hannah F. Brock—to the Committee on Invalid Pensions.

By Mr. BOUTELLE: A bill (H. R. 2417) granting a pension to John Ward—to the Committee on Invalid Pensions.

By Mr. MILLIKEN: A bill (H. R. 2418) to incorporate the Washington Central Electric Railroad Company of the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 2419) for the relief of John Curtin, alias Patrick Kendrick—to the Committee on Military Affairs.

By Mr. REED: A bill (H. R. 2420) authorizing the Secretary of War to lease for a term of years a certain tract of land lying upon Kennebunk River—to the Committee on Military Affairs.

By Mr. McCOMAS: A bill (H. R. 2421) granting a pension to Ann Verneuil—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2422) for the relief of William Talbert—to the Committee on Claims.

Also, a bill (H. R. 2423) to increase the pension of John Brown—to the Committee on Pensions.

Also, a bill (H. R. 2424) for the relief of Francis Marion Hale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2425) granting an increase of pension to Joseph White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2426) granting a pension to John T. Walsh—to the Committee on Invalid Pensions.

Also, a joint resolution (H. Res. 39) to place the name of General Horatio G. Wright, late Chief of Engineers, on the roll of major-generals on the retired-list, with the emoluments and pay of said grade—to the Committee on Military Affairs.

Also, a bill (H. R. 2427) for the relief of John Joseph Bradshaw—to the Committee on War Claims.

Also, a bill (H. R. 2428) granting an increase of pension to William H. Koch—to the Committee on Invalid Pensions.

By Mr. RAYNER: A bill (H. R. 2429) for the relief of T. B. Horwitz—to the Committee on Ways and Means.

Also, a bill (H. R. 2430) for the relief of K. R. Warrington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2431) for the relief of Capt. Charles Thomas—to the Committee on Naval Affairs.

Also, a bill (H. R. 2432) for the relief of Levi Herzog—to the Committee on War Claims.

By Mr. GIBSON: A bill (H. R. 2433) granting an increase of pension to F. Selina Buchanan—to the Committee on Pensions.

Also, a bill (H. R. 2434) to incorporate the Washington Suburban Railway Company of the District of Columbia—to the Committee on the District of Columbia.

By Mr. RUSK: A bill (H. R. 2435) for the relief of Seligman & Stettheimer—to the Committee on Claims.

Also, a bill (H. R. 2436) to remove the charge of desertion from John Hess—to the Committee on Military Affairs.

Also, a bill (H. R. 2437) for the relief of Anna Schaap—to the Committee on Claims.

Also, a bill (H. R. 2438) for the relief of Abram T. Shetzer—to the Committee on War Claims.

Also, a bill (H. R. 2439) granting an increase of pension to Maj. J. F. Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2440) granting a pension to Mrs. N. H. Lambdin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2441) for the relief of James Hooper—to the Committee on the Judiciary.

Also, a bill (H. R. 2442) for the relief of Michael Z. Hammen—to the Committee on Claims.

By Mr. COMPTON: A bill (H. R. 2443) for the relief of Thomas P. Gray—to the Committee on War Claims.

Also, a bill (H. R. 2444) authorizing the refunding of duty on a clock and chime of bells for St. Timothy's Church, of Catonsville, Baltimore County, Md.—to the Committee on Ways and Means.

Also, a bill (H. R. 2445) for the restoration of William C. Spencer to the Army—to the Committee on Military Affairs.

Also, a bill (H. R. 2446) granting a pension to Mary Jane Webster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2447) granting a pension to William H. Stewart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2448) for the relief of James F. Hogan—to the Committee on Claims.

Also, a bill (H. R. 2449) for the relief of the estate of John C. Thompson, deceased—to the Committee on Claims.

Also, a bill (H. R. 2450) to change the name of Tennallytown to Tenleytown—to the Committee on the District of Columbia.

Also, a bill (H. R. 2451) granting a pension to Mrs. Sarah Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2452) to provide for the extension of letters patent for an improvement in insulating submarine cables—to the Committee on Patents.

Also, a bill (H. R. 2453) to authorize the construction of a bridge across Rock Creek at the foot of Massachusetts avenue extended—to the Committee on the District of Columbia.

Also, a bill (H. R. 2454) to incorporate the Washington and Suitland Street Railroad Company, of the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 2455) for the relief of the heirs and legal representatives of Gerard Wood, deceased—to the Committee on Military Affairs.

By Mr. C. H. ALLEN: A bill (H. R. 2456) for the relief of Judith Plummer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2457) to increase the pension of Hubert M. Potter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2458) for the relief of George C. Osgood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2459) for the relief of James Williams—to the Committee on Invalid Pensions.

By Mr. LONG: A bill (H. R. 2460) granting a pension to Mrs. Mary B. Cahoon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2461) for the relief of the owners and crews of the American whaling vessels Midas, Progress, Lagoda, Daniel Webster, and Europa—to the Committee on Claims.

Also, a bill (H. R. 2462) granting a pension to George W. Goodrich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2463) granting a pension to Daniel Lincoln—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2464) granting a pension to John Dolan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2465) for the relief of the heirs of John F. Shorter—to the Committee on Military Affairs.

Also, a bill (H. R. 2466) granting a pension to William O'Connor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2467) to amend chapter 191 of the private acts of the Forty-ninth Congress, concerning James H. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2468) for the relief of the American Board of Commissioners for Foreign Missions, Rev. Worcester Willey, and Esther Smith—to the Committee on Foreign Affairs.

By Mr. WILLIAM WHITING: A bill (H. R. 2469) for the relief of the heirs of Erskine S. Allin—to the Committee on Claims.

By Mr. COGSWELL: A bill (H. R. 2470) referring the claim of Apollos Hale, administrator, to the Court of Claims—to the Committee on Claims.

Also, a bill (H. R. 2471) granting a pension to Anna M. Noyes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2472) granting a pension to Lydia A. Eaton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2473) authorizing the issue of a patent to John P. Reynolds—to the Committee on Patents.

By Mr. LODGE: A bill (H. R. 2474) granting a pension to Joseph Lincoln Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2475) granting a pension to Adelaide L. Jessup—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2476) granting a pension to Mary McDonough—to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 2477) for the relief of Nathaniel McKay and the executors of Donald McKay—to the Committee on War Claims.

Also, a bill (H. R. 2478) for the relief of Samuel E. Wyman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2479) for the relief of Philip T. Greely—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2480) granting a pension to Oliver Pasho—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2481) granting a pension to Laura M. Toson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2482) granting a pension to Maria B. Copeland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2483) granting a pension to Jennie P. Winslow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2484) to restore to the pension-roll the name of John Norton, of Somerville, Mass.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2485) to remove the charge of desertion from the military record of Robert Downing—to the Committee on Military Affairs.

Also, a bill (H. R. 2486) to remove the charge of desertion from the

military record of Arthur T. Currier—to the Committee on Military Affairs.

Also, a bill (H. R. 2487) to remove the charge of desertion from the military record of Horace Walker—to the Committee on Military Affairs.

By Mr. DAVIS: A bill (H. R. 2488) for the relief of Franklin Crocker—to the Committee on Claims.

By Mr. BURROWS: A bill (H. R. 2489) for the relief of Dennis Cane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2490) for the relief of Solomon Lusk—to the Committee on War Claims.

Also, a bill (H. R. 2491) granting a pension to John Bisbey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2492) for the relief of J. H. Rector—to the Committee on Military Affairs.

Also, a bill (H. R. 2493) for the relief of Thomas Chambers—to the Committee on Claims.

Also, a bill (H. R. 2494) for the relief of Chauncey P. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2495) for the relief of Ruth Clark—to the Committee on Pensions.

Also, a bill (H. R. 2496) granting a pension to Margaret A. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2497) for the relief of William E. Keene—to the Committee on Naval Affairs.

Also, a bill (H. R. 2498) granting a pension to Alonzo Higley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2499) increasing the pension of Mrs. Sarah Mary Carroll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2500) for the relief of John Redmond—to the Committee on Military Affairs.

Also, a bill (H. R. 2501) for the relief of George H. Murdock—to the Committee on Military Affairs.

Also, a bill (H. R. 2502) granting a pension to Elizabeth Massey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2503) for the relief of Sarah F. Turner—to the Committee on Invalid Pensions.

By Mr. J. R. WHITING: A bill (H. R. 2504) granting pay and allowances of a second lieutenant of infantry to Samuel Bevins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2505) granting a pension to Benjamin F. Lauzon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2506) granting an increase of pension to Thomas B. Shaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2507) granting a pension to Russel L. Doane, of Peck, Sanilac County, Michigan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2508) to pension William Tibbits—to the Committee on Invalid Pensions.

By Mr. FORD: A bill (H. R. 2509) to provide for a survey and estimate of the expense of the construction of a water route from Grand Rapids, Mich., to Lake Michigan—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2510) for the relief of James Kenney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2511) for the relief of Dilbert Dorman—to the Committee on Invalid Pensions.

By Mr. CHIPMAN: A bill (H. R. 2512) to remove the charge of desertion now standing on the rolls of the War Department against John Miles—to the Committee on Military Affairs.

Also, a bill (H. R. 2513) for the relief of Eunice Tripler, widow of Charles S. Tripler—to the Committee on Military Affairs.

By Mr. CUTCHEON: A bill (H. R. 2514) granting a pension to J. Miller Raub—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2515) granting a pension to Harding Smith—to the Committee on Invalid Pensions.

By Mr. NELSON: A bill (H. R. 2516) to remove the charge of desertion against Alvin Milligan—to the Committee on Military Affairs.

Also, a bill (H. R. 2517) granting a pension to Isaiah T. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2518) granting an increase of pension to John Rowe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2519) granting a pension to JosephMilliron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2520) granting a pension to Jacob Niebels—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2521) granting a pension to Morgan Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2522) to refer the claim of Bazil H. Beaulieu and others to the Court of Claims for adjustment—to the Committee on Claims.

Also, a bill (H. R. 2523) for the relief of citizens who were engaged in the suppression of the Sioux Indian war in Minnesota in 1862—to the Committee on Pensions.

Also, a bill (H. R. 2524) for the relief of Clement A. Lounsberry—to the Committee on Claims.

Also, a bill (H. R. 2525) granting a pension to the widow and children of Lieut. Abner St. Cyr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2526) for the relief of Hartwell Silver—to the Committee on Military Affairs.

Also, a bill (H. R. 2527) authorizing the construction of a bridge across the Red River of the North by the Duluth, Rainy Lake River and Southwestern Railway Company—to the Committee on Commerce.

Also, a bill (H. R. 2528) authorizing the construction of a railroad bridge across the Red River of the North by the North Dakota and Pacific Railway Company—to the Committee on Commerce.

By Mr. RICE: A bill (H. R. 2529) granting a pension to Mary Monti—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2530) granting a pension to John C. Wagoner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2531) granting a pension to Frederick W. Travis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2532) for the relief of Fredrica Eichler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2533) granting a pension to Albert Atchley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2534) granting a pension to Louis W. Bucklin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2535) granting a pension to Ellen St. Cyr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2536) granting a pension to Thomas Weekley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2537) to remove the charge of desertion against Almon R. Tobey—to the Committee on Military Affairs.

Also, a bill (H. R. 2538) for the relief of the First Minnesota Mounted Rangers Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 2539) for the relief of Charles A. Ruffee—to the Committee on Indian Affairs.

By Mr. CATCHINGS: A bill (H. R. 2540) for the relief of William D. Walker—to the Committee on War Claims.

Also, a bill (H. R. 2541) for the relief of F. M. Fitzhugh—to the Committee on War Claims.

Also, a bill (H. R. 2542) for the relief of the heirs of Harper P. Hunt, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2543) for the relief of Mrs. Rowena Clarke—to the Committee on War Claims.

Also, a bill (H. R. 2544) for the relief of Louisa O. Lovell and others—to the Committee on War Claims.

Also, a bill (H. R. 2545) for the relief of John D. Tinney—to the Committee on the Post Office and Post-Roads.

By Mr. STOCKDALE: A bill (H. R. 2546) for the relief of Elizabeth Mackin and Edward Dooley, heirs of Joseph and Mary Dooley, deceased—to the Committee on War Claims.

By Mr. C. L. ANDERSON: A bill (H. R. 2547) for the relief of W. L. Wallace, administrator of the estate of John M. Gill, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2548) for the relief of Turner Babbitt—to the Committee on War Claims.

Also, a bill (H. R. 2549) for the relief of Louisa Thomas, administratrix estate of J. C. Thomas, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2550) for the relief of Julia A. Thomas, administratrix estate of J. O. A. G. Greer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2551) for the relief of T. P. Burnham, administrator Dr. J. Burnham, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2552) for the relief of Margaret Champion—to the Committee on War Claims.

Also, a bill (H. R. 2553) for the relief of Mrs. E. A. Anderson, administratrix of James Anderson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2554) for the relief of T. J. Denson, administrator of estate of George W. McCabe, Scott County, Mississippi—to the Committee on War Claims.

Also, a bill (H. R. 2555) for the relief of W. L. Wallace, administrator—to the Committee on War Claims.

Also, a bill (H. R. 2556) for the relief of Franklin Sessions—to the Committee on War Claims.

Also, a bill (H. R. 2557) for the relief of W. W. Welch—to the Committee on Claims.

By Mr. WADE: A bill (H. R. 2558) for the relief of William A. Carr—to the Committee on War Claims.

Also, a bill (H. R. 2559) for the relief of Thomas J. Newport—to the Committee on War Claims.

Also, a bill (H. R. 2560) for the relief of John Harper—to the Committee on War Claims.

Also, a bill (H. R. 2561) granting a pension to Winburn Hicks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2562) for the relief of John Leak—to the Committee on War Claims.

By Mr. J. J. O'NEILL: A bill (H. R. 2563) for the relief of Joseph La Barge, jr.—to the Committee on Claims.

Also, a bill (H. R. 2564) for the relief of the heirs of Joseph Kulage—to the Committee on War Claims.

Also, a bill (H. R. 2565) for the relief of Julius Sauer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2566) for the relief of Phillip Kopplin—to the Committee on Pensions.

Also, a bill (H. R. 2567) to pay the funeral expenses of William Roberds, a soldier of the war of 1812—to the Committee on Claims.

Also, a bill (H. R. 2568) for the relief of Martha A. Murphy—to the Committee on War Claims.

Also, a bill (H. R. 2569) for the relief of Henry Drehman's heirs—to the Committee on War Claims.

Also, a bill (H. R. 2570) for the relief of Calvin Gunn—to the Committee on Claims.

Also, a bill (H. R. 2571) for the relief of Honora T. Hynes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2572) for the relief of Frank Backof—to the Committee on Military Affairs.

Also, a bill (H. R. 2573) for the relief of John Finn—to the Committee on Claims.

Also, a bill (H. R. 2574) for the relief of Cogswell & Co.—to the Committee on Claims.

Also, a bill (H. R. 2575) for the relief of John Schenk—to the Committee on Military Affairs.

Also, a bill (H. R. 2576) granting a pension to John F. Neville—to the Committee on Pensions.

Also, a bill (H. R. 2577) for the relief of James Hughes—to the Committee on War Claims.

By Mr. WARNER: A bill (H. R. 2578) to authorize the construction of a bridge over the Missouri River at or near the city of Lexington, Mo.—to the Committee on Commerce.

Also, a bill (H. R. 2579) authorizing the President to appoint and retire Andrew J. Smith, late colonel of the Seventh United States Cavalry and a major-general of volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 2580) to remove the charge of desertion from the record of James Klinger—to the Committee on Military Affairs.

Also, a bill (H. R. 2581) to remove the charge of desertion from the record of Frederick Gramm—to the Committee on Military Affairs.

Also, a bill (H. R. 2582) to remove the charge of desertion from the record of J. M. Stine—to the Committee on Military Affairs.

Also, a bill (H. R. 2583) granting a pension to Morgan Welsh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2584) granting a pension to John J. Manor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2585) granting a pension to William Lynch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2586) granting a pension to Samuel J. La Rue—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2587) to place the name of John S. Baker on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2588) to place the name of Eliza Summers, widow of Cornelius Summers, on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2589) granting a pension to Mary M. Black—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2590) for the relief of Margaret Blake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2591) for the relief of Patrick McIntyre—to the Committee on Claims.

Also, a bill (H. R. 2592) for the relief of Andrew Gleeson—to the Committee on Claims.

Also, a bill (H. R. 2593) for the relief of James Brice—to the Committee on Claims.

Also, a bill (H. R. 2594) for the relief of David Waldo—to the Committee on Claims.

Also, a bill (H. R. 2595) for the relief of the widow of John A. S. Tutt, deceased—to the Committee on Claims.

Also, a bill (H. R. 2596) for the relief of Boggs & Allen—to the Committee on Claims.

Also, a bill (H. R. 2597) for the relief of James Brice—to the Committee on Claims.

Also, a bill (H. R. 2598) for the relief of William Whitehouse—to the Committee on War Claims.

Also, a bill (H. R. 2599) for the relief of Payne and Thomas C. Wood—to the Committee on War Claims.

Also, a bill (H. R. 2600) for the relief of W. H. Wade—to the Committee on War Claims.

Also, a bill (H. R. 2601) for the relief of the Baptist Female College of Lexington, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 2602) for the relief of the legal representatives of John C. Adkins—to the Committee on War Claims.

Also, a bill (H. R. 2603) for the relief of George W. Anthony—to the Committee on War Claims.

Also, a bill (H. R. 2604) for the relief E. T. Hill, administrator of L. L. Hill—to the Committee on War Claims.

Also, a bill (H. R. 2605) for the relief of M. B. Mosely—to the Committee on War Claims.

By Mr. BLAND: A bill (H. R. 2606) authorizing the construction of a bridge over the Missouri River at or near the city of Jefferson, Mo.—to the Committee on Commerce.

Also, a bill (H. R. 2607) for the relief of William F. Lambeth—to the Committee on War Claims.

Also, a bill (H. R. 2608) for the relief of Susan Anderson, late widow of Charles Powelson—to the Committee on War Claims.

Also, a bill (H. R. 2609) for the relief of John M. Ragland—to the Committee on War Claims.

Also, a bill (H. R. 2610) for the relief of John B. Dixon—to the Committee on War Claims.

Also, a bill (H. R. 2611) for the relief of Joseph W. McClurg—to the Committee on War Claims.

By Mr. CLARDY: A bill (H. R. 2612) for the relief of Sarah B. Matthews—to the Committee on War Claims.

Also, a bill (H. R. 2613) for the relief of Moses Pendergrass—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 2614) for the relief of Jefferson Griffin—to the Committee on Invalid Pensions.

By Mr. STONE, of Missouri: A bill (H. R. 2615) for the relief of Edmund L. Tuggle—to the Committee on War Claims.

Also, a bill (H. R. 2616) granting arrears of pension to W. J. McGlade—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2617) granting a pension to Mary Bailey—to the Committee on Invalid Pensions.

By Mr. WALKER (by request): A bill (H. R. 2618) for the relief of T. C. Gray—to the Committee on War Claims.

Also (by request), a bill (H. R. 2619) for the relief of F. M. Coleman—to the Committee on War Claims.

Also (by request), a bill (H. R. 2620) for the relief of George W. Summers, heir-at-law of Missouri Cross—to the Committee on War Claims.

Also (by request), a bill (H. R. 2621) for the relief of Randolph R. Rutherford—to the Committee on War Claims.

Also (by request), a bill (H. R. 2622) for the relief of James N. Russell—to the Committee on War Claims.

Also (by request), a bill (H. R. 2623) for the relief of Rhoda C. Cochran—to the Committee on War Claims.

Also (by request), a bill (H. R. 2624) for the relief of Thomas G. Johnson—to the Committee on War Claims.

By Mr. DORSEY: A bill (H. R. 2625) authorizing the erection of a bridge across the Missouri River at Ponca, Nebr.—to the Committee on Commerce.

By Mr. McSHANE: A bill (H. R. 2626) for the relief of John Little and Hobart Williams—to the Committee on Indian Affairs.

Also, a bill (H. R. 2627) granting a pension to Andrew M. Jorden—to the Committee on Invalid Pensions.

By Mr. WOODBURN: A bill (H. R. 2628) for the relief of L. M. Pearlman—to the Committee on War Claims.

By Mr. McADOO: A bill (H. R. 2629) for the relief of Peter A. Lehlback—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2630) for the relief of Post & McCord—to the Committee on Claims.

Also, a bill (H. R. 2631) for the relief of Joseph E. Moore—to the Committee on Claims.

By Mr. BUCHANAN: A bill (H. R. 2632) granting a pension to Richard C. Ivory—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2633) granting a pension to John W. Rose—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2634) granting a pension to Henry Disbrow—to the Committee on Invalid Pensions.

By Mr. PHELPS: A bill (H. R. 2635) granting a pension to Albert E. Gathercole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2636) granting a pension to Peter James—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2637) granting a pension to Maria Gardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2638) granting a pension to Eliza Keogh—to the Committee on Invalid Pensions.

By Mr. KEAN: A bill (H. R. 2639) for the relief of Mary E. Johnson—to the Committee on Claims.

By Mr. LEHLBACH: A bill (H. R. 2640) for the relief of Judith A. Kinsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2641) granting a pension to Emily W. Ogden—to the Committee on Pensions.

By Mr. SAWYER: A bill (H. R. 2642) for the relief of Rupert G. Hill—to the Committee on Military Affairs.

By Mr. BRYCE: A bill (H. R. 2643) for the relief of Elizabeth Fleming, Frances E. Robinson, and Mary and Margaret Johnston—to the Committee on Claims.

Also, a bill (H. R. 2644) granting a pension to Mary Donnelly, widow of James Donnelly—to the Committee on Invalid Pensions.

By Mr. BLISS: A bill (H. R. 2645) for the relief of Mary Donnelson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2646) for the relief of Alois Goebel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2647) for the relief of Matthew Brody—to the Committee on Claims.

Also, a bill (H. R. 2648) authorizing William Lewis and William H. Lewis to make application to the Commissioner of Patents for the extension of their patent for new and useful photographic-plate holders—to the Committee on Patents.

Also, a bill (H. R. 2649) to increase the pension of the widow of the late Naval Constructor Edward Hart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2650) for the relief of Baldwin Cann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2651) for the relief of Arsenius Kamerer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2652) for the relief of David L. Brainard and others—to the Committee on Claims.

Also, a bill (H. R. 2653) for the relief of Ellen Crymble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2654) for the relief of Francis H. Ellison—to the Committee on Claims.

Also, a bill (H. R. 2655) for the relief of Matthew Brody—to the Committee on Claims.

Also, a bill (H. R. 2656) to increase the pension of John Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2657) to grant increase and arrears of pension to George H. Lawrence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2658) for the relief of Charles A. Danolds—to the Committee on War Claims.

Also, a bill (H. R. 2659) for the rewarding of Chief Engineer George W. Melville, United States Navy, for meritorious services, etc.—to the Committee on Naval Affairs.

Also, a bill (H. R. 2660) for the relief of John R. Harrington—to the Committee on Patents.

Also, a bill (H. R. 2661) for the relief of James Caler—to the Committee on Claims.

By Mr. GREENMAN: A bill (H. R. 2662) for the relief of Mary M. Strong—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2663) for the relief of Alonzo Alden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2664) for the relief of Francis Daniels—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2665) for the relief of Joseph G. McNutt—to the Committee on Military Affairs.

By Mr. CUMMINGS: A bill (H. R. 2666) for the relief of Semon, Bache & Co.—to the Committee on Claims.

Also, a bill (H. R. 2667) for the relief of Ida M. Howell—to the Committee on Invalid Pensions.

By Mr. TRACEY: A bill (H. R. 2668) for the relief of Daniel Leary—to the Committee on War Claims.

Also, a bill (H. R. 2669) for the relief of St. Vincent's Orphan Asylum, in the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 2670) granting a pension to Experience S. Miller—to the Committee on Invalid Pensions.

By Mr. FELIX CAMPBELL: A bill (H. R. 2671) granting a pension to Thomas Shannon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2672) to place Jeremiah Phelan, late hospital steward, United States Army, on the retired-list—to the Committee on Military Affairs.

By Mr. MAHONEY: A bill (H. R. 2673) for the relief of Thomas H. Lawrence—to the Committee on Naval Affairs.

Also (by request), a bill (H. R. 2674) for the relief of John Ramsey—to the Committee on War Claims.

Also, a bill (H. R. 2675) granting a pension to Margaret Reagan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2676) to increase the pension of the widow of the late Capt. Dominick Lynch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2677) for the relief of James M. Willbur—to the Committee on Claims.

Also, a bill (H. R. 2678) for the relief of the heirs of George L. Davis, deceased—to the Committee on Claims.

Also, a bill (H. R. 2679) for the relief of the heirs of George L. Davis, deceased—to the Committee on Claims.

Also, a bill (H. R. 2680) for the relief of John Allen—to the Committee on Military Affairs.

Also, a bill (H. R. 2681) to increase the pension of Mrs. Julia S. Finney—to the Committee on Invalid Pensions.

By Mr. MERRIMAN: A bill (H. R. 2682) to provide for the reimbursement of costs and expenses in certain judicial proceedings and for the relief of George C. Ellison—to the Committee on Claims.

Also, a bill (H. R. 2683) for the relief of night inspectors of the ports of New York and Baltimore—to the Committee on Claims.

Also, a bill (H. R. 2684) for the relief of the administrators of the estate of Isaac P. Tice, deceased—to the Committee on Claims.

Also, a bill (H. R. 2685) for the relief of William M. Shimmins and George H. McPherson—to the Committee on Claims.

Also, a bill (H. R. 2686) for the relief of William Knowland—to the Committee on Claims.

By Mr. FLOOD: A bill (H. R. 2687) granting a pension to Smith H. Hildreth—to the Committee on Invalid Pensions.

By Mr. FARQUHAR: A bill (H. R. 2688) for the relief of Alfred Breuer—to the Committee on Military Affairs.

Also, a bill (H. R. 2689) granting a pension to Johanna Geyer, widow of Gustav W. Geyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2690) granting a pension to Augustus Axmacher—to the Committee on Invalid Pensions.

By Mr. STAHLNECKER (by request): A bill (H. R. 2691) for the relief of Alexander Finley, survivor of James Shaw, deceased, relating to the Geneva award—to the Committee on Claims.

Also, a bill (H. R. 2692) for the relief of Fanny Levy—to the Committee on Claims.

Also, a bill (H. R. 2693) for the relief of George A. Brandreth, special administrator—to the Committee on Claims.

By Mr. WEBER: A bill (H. R. 2694) granting a pension to Julia A. Griffen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2695) for the relief of Charles V. Mesler—to the Committee on Claims.

By Mr. T. J. CAMPBELL: A bill (H. R. 2696) for the relief of John J. Crooke—to the Committee on Claims.

Also, a bill (H. R. 2697) for the relief of Andrew Lutz—to the Committee on War Claims.

Also, a bill (H. R. 2698) for the relief of Samuel Gorman—to the Committee on Military Affairs.

Also, a bill (H. R. 2699) for the relief of the heirs of the late Solomon Spitzer—to the Committee on Claims.

Also, a bill (H. R. 2700) for the relief of Augustus Barnes—to the Committee on Military Affairs.

By Mr. S. V. WHITE: A bill (H. R. 2701) granting a pension to Catharine McDonald—to the Committee on Invalid Pensions.

By Mr. T. D. JOHNSTON: A bill (H. R. 2702) granting a pension to Mary Ann Shook—to the Committee on Invalid Pensions.

By Mr. LATHAM: A bill (H. R. 2703) granting a pension to Ann L. Alexander—to the Committee on Invalid Pensions.

By Mr. BOOTHMAN: A bill (H. R. 2704) to restore the name of Malone W. Wiley to the pension-roll of the United States—to the Committee on Invalid Pensions.

By Mr. SENEY: A bill (H. R. 2705) granting a pension to William H. Snyder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2706) granting a pension to Mary Hatch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2707) granting a pension to Baker Saine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2708) granting a pension to Elizabeth A. Neibling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2709) granting a pension to William A. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2710) for the relief of Mathew H. Fulton—to the Committee on Claims.

Also, a bill (H. R. 2711) for the relief of John Freund—to the Committee on War Claims.

Also, a bill (H. R. 2712) granting a pension to John Jacob Frey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2713) for the relief of Omar P. Norris—to the Committee on War Claims.

Also, a bill (H. R. 2714) granting a pension to Jacob F. Newhard—to the Committee on Invalid Pensions.

By Mr. J. E. CAMPBELL: A bill (H. R. 2715) granting a pension to Mahlon Pierson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2716) granting a pension to J. W. Leight—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2717) granting a pension to Malinda Foreman, widow, and minor children of William H. Foreman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2718) for the relief of J. H. Jones—to the Committee on Claims.

Also, a bill (H. R. 2719) granting a pension to Minerva E. Sweeney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2720) granting a pension to Anna McCreary, widow of Robert McCreary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2721) to pay certain arrears of pension to Arthur C. Morgan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2722) for the relief of Jacob Calvin—to the Committee on Military Affairs.

Also, a bill (H. R. 2723) granting a pension to Simon Beakler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2724) for the relief of John R. Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 2725) granting a pension to Jacob Shepherd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2726) for the relief of Adam L. Epley—to the Committee on Claims.

Also, a bill (H. R. 2727) referring the claim, or claims, of Eugene F. Arnold, administrator of William H. Arnold, to the Court of Claims—to the Committee on the Judiciary.

Also, a bill (H. R. 2728) granting a pension to Mary Jane Ginn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2729) for the relief of Rush Carley—to the Committee on Military Affairs.

By Mr. C. E. BROWN: A bill (H. R. 2730) to provide for the settlement of accounts with certain railway companies—to the Committee on Claims.

Also, a bill (H. R. 2731) granting a pension to Mary Bird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2732) for the relief of Enoch Jacobs—to the Committee on Claims.

Also, a bill (H. R. 2733) for the relief of Messrs. Boyle and Roach—to the Committee on Claims.

Also, a bill (H. R. 2734) for the relief of C. C. Marshall—to the Committee on Claims.

Also, a bill (H. R. 2735) granting a pension to Susanna Weil—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2736) granting a pension to Margaret Wadsworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2737) granting a pension to Annie Krumholz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2738) granting a pension to Anna M. Wehe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2739) granting a pension to John A. Miner—to the Committee on Pensions.

By Mr. COOPER: A bill (H. R. 2740) granting an increase of pension to Charles F. Allgoner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2741) for the relief of Emeline Beam, mother of Isaac W. Beam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2742) for the relief of Edward Onsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2743) for the relief of Isabel Derry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2744) for the relief of Frederick Durall—to the Committee on Military Affairs.

Also, a bill (H. R. 2745) for the relief of Robert Mickle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2746) for the relief of John D. Thompson—to the Committee on Claims.

By Mr. A. C. THOMPSON: A bill (H. R. 2747) for the relief of John Kouns—to the Committee on War Claims.

Also, a bill (H. R. 2748) for the relief of the heirs of Henry A. Shadel, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2749) for the relief of Ammon McLaughlin—to the Committee on War Claims.

Also, a bill (H. R. 2750) for the relief of James Forgey—to the Committee on War Claims.

Also, a bill (H. R. 2751) granting a pension to Christopher H. Greene—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2752) granting a pension to Isaac Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2753) for the relief of Caroline Patten, administratrix—to the Committee on War Claims.

Also, a bill (H. R. 2754) granting a pension to Martha E. Mapes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2755) directing the Secretary of War to deliver four gun-carriages to Cadot Post, Grand Army of the Republic, of Gallipolis, Ohio—to the Committee on Military Affairs.

Also, a bill (H. R. 2756) for the relief of the estate of Edwin E. Saunders, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2757) for the relief of Theodore J. Gillett—to the Committee on War Claims.

By Mr. GROSVENOR: A bill (H. R. 2758) for the relief of Francis Hammond—to the Committee on Claims.

Also, a bill (H. R. 2759) for the relief of Ferdinand C. Conner—to the Committee on War Claims.

Also, a bill (H. R. 2760) for the relief of Edward F. Vance—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2761) granting a pension to James White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2762) for the relief of Delilah Copeland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2763) granting a pension to Samuel D. Stiles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2764) granting a pension to Edward F. Vance—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2765) granting a pension to Henry H. Knopp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2766) granting a pension to Anna E. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2767) granting a pension to Russell F. Dimmick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2768) granting a pension to Margaret S. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2769) granting a pension to Henry C. Crippen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2770) for the relief of Mary J. Fouts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2771) granting a pension to Ralph Spencer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2772) granting a pension to Sally Ann Bradley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2773) granting a pension to Mary M. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2774) granting a pension to Gaston Winters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2775) granting a pension to George A. Ellison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2776) granting a pension to William Jack—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2777) granting a pension to Ferdinand C. Conner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2778) granting a pension to Mrs. Elizabeth H. Wildes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2779) granting a pension to J. W. Linkin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2780) granting a pension to Stafford Palmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2781) granting a pension to Joseph Socie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2782) for the relief of the heirs of Christopher Cott—to the Committee on Military Affairs.

Also, a bill (H. R. 2783) for the relief of George A. Cassedy—to the Committee on Military Affairs.

Also, a bill (H. R. 2784) for the relief of Charles L. Campbell—to the Committee on Military Affairs.

Also, a bill (H. R. 2785) for the relief of Daniel Viers—to the Committee on Military Affairs.

By Mr. HERMANN: A bill (H. R. 2786) for the relief of William J. Martin—to the Committee on Claims.

Also, a bill (H. R. 2787) for the relief of Frederick Beno, and for increase of pension—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2788) granting a pension to Lieut. George T. Russell—to the Committee on Pensions.

Also, a bill (H. R. 2789) for the relief of Robert Travila—to the Committee on War Claims.

Also, a bill (H. R. 2790) to place the name of James H. Colby, of Grant's Pass, Oregon, on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2791) for the relief of P. B. Sinnott—to the Committee on Claims.

Also, a bill (H. R. 2792) authorizing the Secretary of War to remove the charge of desertion against Mark F. Jones, of Roseburgh, Oregon, and late of Company E, First Regiment Michigan Engineers and Mechanics, and that a certificate of discharge be issued—to the Committee on Military Affairs.

Also, a bill (H. R. 2793) for the relief of John Alexander—to the Committee on Private Land Claims.

Also, a bill (H. R. 2794) for the relief of Avery D. Babcock and wife, of Oregon—to the Committee on War Claims.

Also, a bill (H. R. 2795) for the relief of J. H. Smith—to the Committee on Pensions.

Also, a bill (H. R. 2796) for the relief of Tunis Swick—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2797) for the relief of Francis M. Vanderpool—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2798) for the relief of John Cain—to the Committee on Pensions.

Also, a bill (H. R. 2799) for the relief of John Meldrum—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2800) for the relief of Darius H. Smyth—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2801) for the relief of Margaret D. Smyth—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2802) for the relief of Eli C. Officer—to the Committee on War Claims.

Also, a bill (H. R. 2803) for the relief of Arthur Saltmarsh—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2804) to pension Winemah Riddell—to the Committee on Pensions.

Also, a bill (H. R. 2805) granting a pension to Martha F. Woodrum, widow of James Woodrum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2806) to increase the pension of James Woody—to the Committee on Pensions.

Also, a bill (H. R. 2807) authorizing the Columbia River Bridge Company to construct a bridge across the Columbia River, between the State of Oregon and the Territory of Washington—to the Committee on Commerce.

Also, a bill (H. R. 2808) to authorize Dalles City to construct a bridge across the Columbia River, in the State of Oregon and Territory of Washington—to the Committee on Commerce.

Also, a bill (H. R. 2809) for the relief of Louis Belfils—to the Committee on Foreign Affairs.

Also, a bill (H. R. 2810) to pay Henry Cummings, of Gilliam County, Oregon, $564, for transporting the United States mails in the State of Oregon—to the Committee on Claims.

Also, a bill (H. R. 2811) to pension Jasper N. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2812) to provide for the retirement of Brig. Gen. Rufus Ingalls (retired) as a major-general of the United States Army—to the Committee on Military Affairs.

Also, a bill (H. R. 2813) for the relief of B. F. Dowell—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2814) for the payment to Daniel P. Barnes, of the State of Oregon, of the sum of $2,110, for property stolen and depredations committed by hostile Snake Indians on the Malheur River, in the State of Oregon—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2815) to indemnify Abial Morrison for property destroyed by hostile Indians in Washington Territory in the years 1855 and 1856—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2816) for the relief of Mrs. Kate Hatton—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2817) for the relief of George Engle—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2818) for the relief of Michael Riley—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2819) for the relief of Samuel B. Flowers and A. T. Fitzhugh, of Oregon—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2820) for the relief of the estate of Richard Boddy—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2821) for the relief of E. J. Northcutt & Brothers—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2822) for the relief of Christina Edson and the personal representatives of John Geisel, deceased—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2823) for the relief of Hardy Elliff—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2824) for the relief of W. C. McKay—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2825) for the relief of William Gallick—to the Committee on Claims.

Also, a bill (H. R. 2826) for the relief of Harkness & Toogood—to the Committee on War Claims.

Also, a bill (H. R. 2827) to pension Silas Beezley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2828) for the relief of Rev. John Wesley Miller—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2829) to pay the heirs of George W. Harris and his wife, Mary A. Harris, and their daughter, Sophia Love, deceased, of Oregon—to the Select Committee on Indian Depredation Claims.

Also, a bill (2830) for the relief of B. B. Bishop—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2831) for the relief of I. B. Nichols—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2832) for the relief of Andrew Clarno—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2833) for the relief of Mrs. Caroline Sexton, formerly Mrs. Nidy—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2834) for the relief of Robert Smith—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2835) for the relief of John P. Walker—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2836) for the relief of Dick J. Smith—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2837) for the relief of Vitz Schutz—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2838) for the relief of John Campbell for property taken—to the Committee on Claims.

By Mr. KELLEY: A bill (H. R. 2839) granting a pension to Henry Sommers—to the Committee on Invalid Pensions.

By Mr. RANDALL: A bill (H. R. 2840) to adjudicate the claim of Amanda G. Walter, executrix of Thomas U. Walter, deceased—to the Committee on Claims.

By Mr. CHARLES O'NEILL: A bill (H. R. 2841) granting a pension to Mary Doyle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2842) granting a pension to David Rentchler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2843) restoring to the pension-roll the name of Fredericka Kurtz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2844) granting a pension to Gertrude Strohiine—to the Committee on Invalid Pensions.

By Mr. BRUMM: A bill (H. R. 2845) granting a pension to J. Claude White—to the Committee on Pensions.

By Mr. McCULLOGH: A bill (H. R. 2846) granting a pension to Jeremiah T. Reed—to the Committee on Pensions.

By Mr. YARDLEY: A bill (H. R. 2847) to increase the pension of Christopher Wall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2848) for the relief of Augustus D. Saylor—to the Committee on Claims.

Also, a bill (H. R. 2849) for the relief of Samuel Blundin—to the Committee on Claims.

Also, a bill (H. R. 2850) for the relief of Charles Dolton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2851) restoring to the pension-rolls Caroline Koeher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2852) granting a pension to Mary Kerr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2853) granting a pension to Elizabeth Shuler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2854) for the relief of Magdalena Fonash—to the Committee on Invalid Pensions.

By Mr. BOUND: A bill (H. R. 2855) granting a pension to James D. Longan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2856) granting a pension to James K. Shay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2857) to remove the charge of desertion from the military record of John McCormick—to the Committee on Military Affairs.

By Mr. JACKSON: A bill (H. R. 2858) granting a pension to Elizabeth Denges—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2859) granting a pension to Ann Eliza Kettlewood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2860) granting a pension to George H. Rider—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2861) granting a pension to Mary Thorn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2862) granting a pension to William Ford—to the Committee on Invalid Pensions.

By Mr. BAYNE: A bill (H. R. 2863) in relation to the claim of the heirs of John Howard Payne—to the Committee on Claims.

Also, a bill (H. R. 2864) for the relief of Dr. W. S. Hosack—to the Committee on Claims.

Also, a bill (H. R. 2865) for the relief of Capt. W. J. Kountz—to the Committee on War Claims.

Also, a bill (H. R. 2866) for the relief of Francis Rielly—to the Committee on Military Affairs.

Also, a bill (H. R. 2867) for the relief of Joseph Walton & Co.—to the Committee on Claims.

Also, a bill (H. R. 2868) for the relief of Francis Rielly—to the Committee on Military Affairs.

Also, a bill (H. R. 2869) referring the claim of the owners of the steamer I. N. Bunton to the Court of Claims—to the Committee on Claims.

Also, a bill (H. R. 2870) for the relief of Snowden & Mason—to the Committee on War Claims.

By Mr. HARMER: A bill (H. R. 2871) granting an increase of pension to Emma Biddle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2872) for the relief of George H. Plant—to the Committee on Claims.

By Mr. DIBBLE: A bill (H. R. 2873) granting a pension to Theresa B. Hoffman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2874) for the relief of the Orangeburgh Lutheran Church—to the Committee on War Claims.

Also, a bill (H. R. 2875) for the relief of Mrs. Louisa H. Hasell—to the Committee on Claims.

Also, a bill (H. R. 2876) for the relief of the heirs of Thomas Black—to the Committee on War Claims.

Also, a bill (H. R. 2877) to empower Robert Adger and others to bring suit in the Court of Claims for rent alleged to be due them—to the Committee on War Claims.

Also, a bill (H. R. 2878) referring the claim of James Marsh to the Court of Claims—to the Committee on Claims.

Also, a joint resolution (H. Res. 42) referring the claim of Rudolph Lobsiger to the Court of Claims—to the Committee on Claims.

Also, a bill (H. R. 2879) for the relief of Robert D. White—to the Committee on Claims.

Also, a bill (H. R. 2880) for the relief of the heirs of Hamilton Slawson, jr.—to the Committee on War Claims.

Also, a bill (H. R. 2881) for the relief of John H. Bruning, assignee—to the Committee on War Claims.

Also, a bill (H. R. 2882) for the relief of John H. Bruning—to the Committee on War Claims.

Also, a bill (H. R. 2883) for the relief of the heirs of Robert Chisolm—to the Committee on Claims.

Also, a bill (H. R. 2884) for the relief of Rudolph Lobsiger—to the Committee on War Claims.

Also, a bill (H. R. 2885) for the relief of John R. Read—to the Committee on War Claims.

Also, a bill (H. R. 2886) for the relief of the heirs of Boston Fowler—to the Committee on War Claims.

Also, a bill (H. R. 2887) for the relief of Mary O'Connor—to the Committee on Claims.

Also, a bill (H. R. 2888) for the relief of the heirs of George Jacob Huthmacher—to the Committee on War Claims.

Also, a bill (H. R. 2889) for the relief of Augustus Fitch, doctor of medicine—to the Committee on War Claims.

Also, a bill (H. R. 2890) for the relief of Sarah Watts, or her legal representatives—to the Committee on War Claims.

Also, a bill (H. R. 2891) for the relief of George W. Williams and others—to the Committee on War Claims.

Also, a bill (H. R. 2892) authorizing the Court of Claims to grant a rehearing in the case of F. W. Claussen *vs.* The United States—to the Committee on the Judiciary.

Also, a bill (H. R. 2893) for the relief of William R. Herron—to the Committee on Claims.

By Mr. PERRY: A bill (H. R. 2894) for the relief of Lacon R. Tillman—to the Committee on War Claims.

Also, a bill (H. R. 2895) for the relief of the heirs of Myra Clark Gaines—to the Committee on Private Land Claims.

Also, a bill (H. R. 2896) for the relief of the heirs of John R. Treutlen—to the Committee on Claims.

By Mr. BUTLER: A bill (H. R. 2897) to restore Joseph Sheilds to the pension-rolls—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2898) granting a pension to Charity Johnson, of Tennessee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2899) for the relief of Mrs. Catharine Vaughn, of Tennessee—to theCommittee on Invalid Pensions.

Also, a bill (H. R. 2900) granting a pension to Ezra Chedister—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2901) granting a pension to Elizabeth T. Lamson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2902) granting a pension to William Bowling, of Tennessee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2903) for the relief of Isaiah Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2904) for the relief of W. R. Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2905) granting a pension to Eliza Gilbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2906) granting a pension to James M. Ware—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2907) granting a pension to Thomas Pemberton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2908) to increase the pension of W. B. Stokes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2909) for the relief of R. R. Robinson—to the Committee on Claims.

Also, a bill (H. R. 2910) for the relief of John L. Rhea, executor of Samuel Rhea, deceased, and Joseph R. Anderson—to the Committee on Claims.

Also, a bill (H. R. 2911) for the relief of J. L. Cain, A. A. Kyle, A. Kennedy, and W. C. Hazen, surviving partner of G. M. Hazen & Son—to the Committee on Claims.

Also, a bill (H. R. 2912) for the relief of Nelson McLaughlin—to the Committee on War Claims.

Also, a bill (H. R. 2913) for the relief of Lewis F. Self, of Tennessee—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 2914) for the relief of Robert Burchfield—to the Committee on Military Affairs.

Also, a bill (H. R. 2915) for the relief of the estate of John D. Riley, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2916) for the relief of James A. Galbreaith—to the Committee on Appropriations.

By Mr. PHELAN (by request): A bill (H. R. 2917) for the relief of N. C. Perkins, administrator—to the Committee on War Claims.

Also (by request), a bill (H. R. 2918) for the relief of Mrs. Sarah C. McLemore, administratrix of John C. McLemore, deceased—to the Committee on War Claims.

Also (by request), a bill (H. R. 2919) for the relief of the legal representatives of Dr. John Pittman—to the Committee on War Claims.

Also (by request), a bill (H. R. 2920) for the relief of Pearson C. Montgomery—to the Committee on War Claims.

Also, a bill (H. R. 2921) for the relief of William J. Smith, late surveyor of customs—to the Committee on Claims.

Also, a bill (H. R. 2922) granting a pension to Mrs. E. G. C. Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2923) for the relief of Mrs. E. G. Carter—to the Committee on War Claims.

Also, a bill (H. R. 2924) for the relief of R. B. Owen—to the Committee on War Claims.

Also, a joint resolution (H. Res. 43) to authorize the erection of a rostrum in the national cemetery near Memphis, Tenn.—to the Committee on Military Affairs.

Also, a bill (H. R. 2925) for the relief of the estate of Daniel Lake, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2926) for the relief of Samuel Tate—to the Committee on Claims.

Also, a bill (H. R. 2927) to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.—to the Committee on Commerce.

By Mr. GLASS: A bill (H. R. 2928) granting a pension to William Lemons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2929) for the relief of William M. Henry—to the Committee on War Claims.

By Mr. McMILLIN: A bill (H. R. 2930) for the relief of John Wood—to the Committee on War Claims.

Also, a bill (H. R. 2931) for the relief of George W. Conatzer—to the Committee on War Claims.

Also, a bill (H. R. 2932) for the relief of John W. Spradlin—to the Committee on War Claims.

Also, a bill (H. R. 2933) granting a pension to Robert Hollan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2934) for the relief of the estate of G. W. Nemo—to the Committee on War Claims.

Also, a bill (H. R. 2935) for the relief of Jackson County, Tennessee—to the Committee on War Claims.

Also, a bill (H. R. 2936) for the relief of the Presbyterian Church of Granville, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 2937) for the relief of Mrs. Maggie A. Elliott—to the Committee on War Claims.

By Mr. HOUK: A bill (H. R. 2938) granting a pension to Melinda Beshears—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2939) granting a pension to James H. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2940) for the relief of B. R. Hackney—to the Committee on War Claims.

Also, a bill (H. R. 2941) granting a pension to Martha A. Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2942) granting a pension to John W. Armstrong—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2943) for the relief of James A. Doughty—to the Committee on Military Affairs.

Also, a bill (H. R. 2944) for the relief of Robert Bradley—to the Committee on War Claims.

Also, a bill (H. R. 2945) for the relief of Barbara Burchell—to the Committee on War Claims.

Also, a bill (H. R. 2946) granting a pension to Melinda Beshears—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2947) granting a pension to James H. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2948) to correct the military record of Alvis Beshears—to the Committee on Military Affairs.

Also, a bill (H. R. 2949) for the relief of Malvin J. Childress—to the Committee on War Claims.

Also, a bill (H. R. 2950) for the relief of Pleasant M. Chapman—to the Committee on Military Affairs.

By Mr. NEAL: A bill (H. R. 2951) for the relief of Alexander Kennedy, sr.—to the Committee on War Claims.

By Mr. RICHARDSON: A bill (H. R. 2952) for the allowance of certain claims for stores and supplies taken and used by the United States Army, as reported by the Court of Claims under the provisions of the act of March 3, 1883, known as the "Bowman act"—to the Committee on War Claims.

By Mr. CRAIN: A bill (H. R. 2953) for the relief of the heirs of Joseph E. Wilson, deceased—to the Committee on Claims.

Also, a bill (H. R. 2954) to grant a pension to William T. Williams—to the Committee on Pensions.

Also, a bill (H. R. 2955) for the relief of Horace Boughton—to the Committee on Claims.

Also, a bill (H. R. 2956) to repeal section 4716 of the Revised Statutes—to the Committee on Pensions.

Also, a bill (H. R. 2957) for the relief of Lewis Parker—to the Committee on War Claims.

Also, a bill (H. R. 2958) for the relief of Abraham Levi—to the Committee on War Claims.

Also, a bill (H. R. 2959) for the relief of John Friery—to the Committee on Claims.

Also, a bill (H. R. 2960) for the relief of Mrs. Catherine Allan—to the Committee on War Claims.

Also, a bill (H. R. 2961) for the relief of Mrs. Carolina Rochow—to the Committee on War Claims.

Also, a bill (H. R. 2962) for the relief of Ernest A. Heinan—to the Committee on War Claims.

Also, a bill (H. R. 2963) for the relief of the heirs of Alexander McCoppin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2964) granting a pension to William E. Parker—to the Committee on Pensions.

Also, a bill (H. R. 2965) for the relief of Henry Halfin—to the Committee on War Claims.

Also, a bill (H. R. 2966) authorizing the Secretary of the Treasury of the United States to refund certain duties paid by James T. Haynes—to the Committee on Claims.

Also, a bill (H. R. 2967) for the relief of Lucas Dubois—to the Committee on War Claims.

Also, a bill (H. R. 2968) for the relief of the heirs of David G. Burnett—to the Committee on War Claims.

Also, a bill (H. R. 2969) granting jurisdiction and authority to the Court of Claims in the case of the steamer De Soto—to the Committee on War Claims.

Also, a bill (H. R. 2970) for the relief of the heirs of John McDonald—to the Committee on War Claims.

Also, a bill (H. R. 2971) for the relief of the legal representatives of Charles Eichlitz, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2972) authorizing the President to appoint and retire Alfred Pleasonton a brigadier-general—to the Committee on Military Affairs.

By Mr. LANHAM: A bill (H. R. 2973) for the relief of Mary Burkett—to the Committee on Pensions.

Also, a bill (H. R. 2974) for the relief of John Snoddy—to the Committee on Claims.

Also, a bill (H. R. 2975) for the relief of Thomas O'Loughlin—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2976) for the relief of Mrs. Susan M. Roach—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2977) for the relief of Calvin T. Hazlewood—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2978) for the relief of C. L. Carter, James C. Loving, Spencer Bevers, and D. J. Murphy—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2979) for the relief of James Marr—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 2980) for the relief of William Beddo and others—to the Select Committee on Indian Depredation Claims.

By Mr. MARTIN: A bill (H. R. 2981) for the relief of W. B. Morrow—to the Committee on War Claims.

By Mr. SAYERS: A bill (H. R. 2982) for the relief of Alexander N. Shipley—to the Committee on Military Affairs.

Also, a bill (H. R. 2983) for the relief of John Mellifont and Ellen Riordon—to the Committee on Claims.

Also, a bill (H. R. 2984) for the relief of August Santlebeer—to the Committee on Claims.

Also, a bill (H. R. 2985) for the relief of George W. Littlefield—to the Committee on Indian Affairs.

Also, a bill (H. R. 2986) for the relief of Sidney P. Gambia—to the Committee on Claims.

Also, a bill (H. R. 2987) for the relief of John C. French—to the Committee on Claims.

Also, a bill (H. R. 2988) for the relief of Vidal Hernandez—to the Committee on Claims.

Also, a bill (H. R. 2989) for the relief of George W. Sampson and Benjamin Henricks—to the Committee on Claims.

Also, a bill (H. R. 2990) for the relief of the heirs and legal representatives of Matthew Allison, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2991) for the relief of J. W. Snyder—to the Committee on Claims.

Also, a bill (H. R. 2992) for the relief of the estate of Robert Eager, deceased—to the Committee on Claims.

Also, a bill (H. R. 2993) to authorize the Secretary of War to convey to the city of Austin, Tex., a tract of land in said city for educational purposes—to the Committee on Military Affairs.

Also, a bill (H. R. 2994) to authorize the restoration of Thomas Little to the rank of captain—to the Committee on Military Affairs.

Also, a bill (H. R. 2995) granting a pension to William C. Herridge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2996) to confirm the title of the heirs or legal representatives of Henry Volcker, deceased, to a certain tract of land in the Territory of New Mexico—to the Committee on Private Land Claims.

By Mr. ABBOTT: A bill (H. R. 2997) for the relief of Eli Ayres, of Kaufman County, Texas—to the Committee on Indian Affairs.

By Mr. LEE: A bill (H. R. 2998) to provide for the payment of the outstanding claim of the heirs of Richard B. Mason, deceased, late of Virginia, against the United States—to the Committee on Claims.

Also, a bill (H. R. 2999) for the relief of Mrs. T. V. Grasty—to the Committee on War Claims.

Also, a bill (H. R. 3000) for the relief of Benwood Hunter—to the Committee on Military Affairs.

Also, a bill (H. R. 3001) for the relief of G. B. Wibert—to the Committee on Claims.

Also, a bill (H. R. 3002) granting a pension to Mary O'Day—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3003) for the relief of Robert H. Blake—to the Committee on War Claims.

Also, a bill (H. R. 3004) for the relief of the Church of the Ascension in the District of Columbia—to the Committee on the District of Columbia.

By Mr. WISE: A bill (H. R. 3005) to relieve Peter Tresnon from the charge of desertion—to the Committee on Military Affairs.

By Mr. YOST: A bill (H. R. 3006) for the relief of Frank P. Murphy—to the Committee on Claims.

By Mr. O'FERRALL: A bill (H. R. 3007) for the relief of the legal personal representatives of Henry H. Sibley, deceased—to the Committee on Claims.

By Mr. T. H. B. BROWNE: A bill (H. R. 3008) for the relief of P. A. Letherbury—to the Committee on Claims.

By Mr. W. L. WILSON: A bill (H. R. 3009) granting a pension to Mrs. Sarah Ramsey—to the Committee on Invalid Pensions.

Also (by request) a bill (H. R. 3010) for the relief of Robert W. Waters—to the Committee on the District of Columbia.

By Mr. HOGG: A bill (H. R. 3011) for the relief of Nimrod McKee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3012) for the relief of William Arnott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3013) for the relief of Eliza Chapman—to the Committee on Invalid Pensions.

By Mr. CLARK: A bill (H. R. 3014) granting a pension to Mary E. Carpenter and minor heirs of William Johnson, deceased—to the Committee on Invalid Pensions.

By Mr. CASWELL: A bill (H. R. 3015) granting a pension to Jane O'Riley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3016) granting a pension to Mary F. Harkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3017) granting a pension to Sarah E. Huntley—to the Committee on Invalid Pensions.

By Mr. GUENTHER: A bill (H. R. 3018) to refund certain import duties—to the Committee on Ways and Means.

Also, a bill (H. R. 3019) for the relief of Peter Mitchell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3020) granting a pension to S. B. Stoddard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3021) granting a pension to Ira J. J. Turney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3022) to pay to Niels Olavus Thorsen the sum of $100 for arrears of bounty—to the Committee on War Claims.

Also, a bill (H. R. 3023) granting a pension to Mary E. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3024) for the relief of Joseph Titus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3025) to pay George M. Hare for services while on detail as master mechanic, caulker, and ship-builder—to the Committee on War Claims.

Also, a bill (H. R. 3026) granting a pension to Benjamin F. Shipley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3027) granting a pension to Charlotte Tuller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3028) for the relief of Sidney Palen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3029) granting a pension to Ludwig Sommerfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3030) for the relief of Gilbert W. Hubbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3031) for the relief of Charles Hoffman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3032) for the relief of Richard Goyin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3033) for the relief of Charles W. Faust—to the Committee on Military Affairs.

Also, a bill (H. R. 3034) to grant a pension to Hannah Buck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3035) for the relief of John W. Brisbois—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3036) granting a pension to Almeda Peck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3037) granting a pension to William A. Mason—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3038) granting a pension to Pliny Jewett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3039) granting a pension to David S. Hawley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3040) for the relief of Charles A. Stevens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3041) for the relief of De Witt Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3042) for the relief of Ella Carroll—to the Committee on War Claims.

Also, a bill (H. R. 3043) granting a pension to John Morter, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3044) authorizing Christopher Moegling to make application to the Commissioner of Patents for the extension of his patent for a new and useful ventilator for grain-mills—to the Committee on Patents.

Also, a bill (H. R. 3045) for the relief of Orson D. Nims—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3046) for the relief of John Whittaker—to the Committee on Claims.

Also, a bill (H. R. 3047) for the relief of Andrew J. Edgerly—to the Committee on Military Affairs.

Also, a bill (H. R. 3048) for the relief of Gabriel Wick—to the Committee on Claims.

Also, a bill (H. R. 3049) granting a pension to Samuel F. Rowe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3050) for the relief of Joseph Conant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3051) granting a pension to Christine Priebe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3052) granting a pension to Adin Cornish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3053) for the relief of the heirs, legal representatives, or legatees of James W. Schaumburg—to the Committee on Claims.

Also, a bill (H. R. 3054) for the relief of Walter H. Graef & Co.—to the Committee on Ways and Means.

Also, a bill (H. R. 3055) for the relief of A. F. Saint Sure Lindefelt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3056) to allow Louis Blessinger extra pay for services in the Army—to the Committee on Military Affairs.

By Mr. HENRY SMITH: A bill (H. R. 3057) for the relief of Newton S. Murphey—to the Committee on Claims.

By Mr. HUDD: A bill (H. R. 3058) to remove the charge of desertion from the military record of Patrick McAnally—to the Committee on Military Affairs.

Also, a bill (H. R. 3059) for the relief of Basil Champagne—to the Committee on Invalid Pensions.

By Mr. M. A. SMITH: A bill (H. R. 3060) granting right of way to the Pima Land and Water Company across Fort Lowell military reservation in Arizona, and for other purposes—to the Committee on Military Affairs.

Also, a bill (H. R. 3061) for the relief of William Yerke—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3062) granting right of way to Tucson Globe and Northern Railway over the San Carlos Indian reservation, in Arizona—to the Committee on Indian Affairs.

By Mr. GIFFORD: A bill (H. R. 3063) to authorize the construction of a bridge across the Missouri River at any point within the county of Charles Mix, Dakota—to the Committee on Commerce.

Also, a bill (H. R. 3064) granting lands to the North Dakota University—to the Committee on the Public Lands.

Also, a bill (H. R. 3065) granting the right of way to the Yankton and Missouri River Railway through the Yankton reservation in Dakota—to the Committee on Indian Affairs.

Also, a bill (H. R. 3066) granting the right of way to the Duluth and Manitoba Railroad Company across the Fort Pembina reservation in Dakota Territory—to the Committee on Military Affairs.

By Mr. DUBOIS: A bill (H. R. 3067) to grant the Boise Basin Bedrock Flume Company the right of way to construct a bedrock flume in Idaho—to the Committee on the Public Lands.

By Mr. TOOLE: A bill (H. R. 3068) granting the right of way through the Fort Missoula military reservation to the Missoula and Bitter Root Valley Railroad Company—to the Committee on Military Affairs.

Also, a bill (H. R. 3069) granting a right of way to the Cinnabar and Clark's Fork Railroad Company, etc.—to the Committee on the Public Lands.

Also, a bill (H. R. 3070) to authorize the construction of a bridge across the Missouri River in Montana—to the Committee on Commerce.

Also, a bill (H. R. 3071) for the relief of James R. Boyce—to the Committee on Claims.

Also, a bill (H. R. 3072) for the relief of Paul McCormick—to the Committee on Claims.

Also, a bill (H. R. 3073) for the relief of F. A. Thompson—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3074) for the relief of the heirs of Leander M. Black—to the Committee on Claims.

Also, a bill (H. R. 3075) for the relief of the estate of George Clendenin, jr., deceased—to the Committee on Claims.

Also, a bill (H. R. 3076) for the relief of Frederick H. Burr—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3077) for the relief of Alfred Wolverton—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3078) for the relief of A. J. Weikert—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3079) for the relief of John Stuart—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3080) for the relief of James Albert Oldham—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3081) for the relief of A. J. Arnold—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3082) for the relief of H. B. Stone and D. E. Rouse—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3083) for the relief of George F. Cowen—to the Select Committee on Indian Depredation Claims.

By Mr. JOSEPH: A bill (H. R. 3084) for the relief of Spiegelberg Brothers—to the Committee on Claims.

Also, a bill (H. R. 3085) for the relief of William H. Moore and Mariosita C. Rea—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3086) for the relief of H. H. Kidder—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3087) for the relief of the legal representatives of José de Jesus Lujan—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3088) for the relief of Apolinario Almanzar, of New Mexico—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3089) for the relief of Juan José Nieto, of Las Vegas, New Mexico—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3090) for the relief of José Pablo Madrid—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3091) for the relief of Ignacio Sanches Y. Ortiz—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3092) for the relief of the heirs of Augustine Gonzales, deceased, late of Las Vegas, New Mexico—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3093) for the relief of the heirs of Dolores Butierrez, deceased, late of Las Vegas, New Mexico—to the Select Committee on Indian Depredation Claims.

By Mr. J. S. HENDERSON: A bill (H. R. 3094) for the relief of the heirs of R. D. Hay—to the Committee on War Claims.

By Mr. BLANCHARD: A bill (H. R. 3095) granting an increase of pension to Gertrude K. Lyford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3096) for the relief of the Union National Bank, of Louisiana—to the Committee on War Claims.

By Mr. ROGERS (by request): A bill (H. R. 3097) for the relief of the estate of Joseph Fenno, deceased—to the Committee on Claims.

By Mr. TOOLE: A bill (H. R. 3098) for the relief of Leander Duncan and Leslie N. Wilkie—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3099) granting a pension to John McDonald—to the Committee on Invalid Pensions.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. ABBOTT: Petition of mail-carriers of Dallas, Tex.—to the Committee on the Post-Office and Post-Roads.

Also, memorial of the city council of Fort Worth, Tex.—to the Committee on Public Buildings and Grounds.

By Mr. C. L. ANDERSON: Petition of Jehu Hall, administrator of Judith W. Horton; of Penelope Augburn; of Julia A. Thomas, administratrix of J. S. O. G. Green; of Paschal D. Hammock; of John Willis; of T. P. Burnham, administrator of Dr. J. Burnham; of Louisa Thomas, widow of John C. Thomas, and of Jane Gilbert, widow of Evan S. Gilbert, of Mississippi, asking reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. G. A. ANDERSON: Petition of Dr. Francis Drude and other Mexican soldiers, of Quincy, Ill., concerning Mexican pension legislation—to the Committee on Pensions.

Also, petition of merchants of Quincy, Ill., for the repeal of the restrictions of the law regarding the mailing of merchandise—to the Committee on the Post-Office and Post-Roads.

By Mr. ATKINSON: Papers in the case of Edward Byrne—to the Committee on Military Affairs.

Also, papers in the case of James Millinger, and of William J. Poitevent—to the Committee on War Claims.

Also, papers in the case of William E. Woodbridge; of William Wheeler Hubbell; of Egbert Thompson; of Basil Moreland; of Sarah Elizabeth Holroyd; of George H. Plant, and of George W. Morse—to the Committee on Claims.

Also, papers in the case of John S. Fillmore, and in the Arroyo de San Lorenzo land claim—to the Committee on Private Land Claims.

By Mr. BARRY: Petition of Mrs. E. C. Carothers, Mrs. G. V. Carlisle, and Vernon Westbrook, of Clay County, and of Rebecca L., Edward A., William E., and R. F. Mosely, of Chickasaw County, Mississippi, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. BAYNE: Petition of citizens of the Twenty-third district of Pennsylvania, against the admission of Utah as a State—to the Committee on the Territories.

Also, papers in relation to the claim of John Bissell—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Grain and Flour Exchange, of Pittsburgh, Pa., in favor of liberal appropriations for the Signal Service—to the Committee on Appropriations.

Also, a petition of Joseph Walton and others, of Allegheny County, Pennsylvania, for the same—to the Committee on Appropriations.

Also, a memorial of Francis Reilly, late of Company B, Sixteenth New York Heavy Artillery, for relief—to the Committee on Military Affairs.

By Mr. BLANCHARD: Petition of Narcisse Prudhomme, of Natchitoches Parish, Louisiana, for reference of her claim to the Court of Claims—to the Committee on War Claims.

Also, petition of the Union National Bank, of Louisiana, for reimbursement of funds illegally taken by the military authorities—to the Committee on War Claims.

By Mr. BLAND: Petition of Susan Anderson and of William F. Lambert, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, petition of A. G. Searce, for a pension—to the Committee on Invalid Pensions.

Also, petition of citizens of Miller County, Missouri, for amendment of the pension laws—to the Committee on Invalid Pensions.

Also, petition of George Barrow, for relief—to the Committee on War Claims.

By Mr. BOUTELLE: Petition of W. H. Kirmin and others, of Eastport, Me., for the erection of a light-house at Todd's Head, Eastport Harbor—to the Committee on Commerce.

By Mr. BREWER: Papers to accompany bill for the relief of William Gray—to the Committee on Military Affairs.

By Mr. T. H. B. BROWNE (by request): Petition of Harriet W. Shacklett, and heirs of B. C. Shacklett, of Fauquier County, Virginia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr BURROWS: Petition of citizens of St. Joseph County, Michigan, for an amendment of the patent laws so as to protect innocent users of the same—to the Committee on Patents.

Also, petition of the Fourth district of Michigan, asking Congress to prohibit the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia—to the Select Committee on Alcoholic Liquor Traffic.

By Mr. CAINE: Petition of John E. Evans and 21 others, citizens of Salt Lake City, Utah, for the passage of a law requiring all goods made by convict labor to be plainly marked "convict labor"—to the Committee on Labor.

By Mr. FELIX CAMPBELL: Petition of Ethan Allen Doty and others, for relief—to the Committee on Ways and Means.

By Mr. J. E. CAMPBELL: Papers in the case of John R. Reynolds—to the Committee on War Claims.

By Mr. CARUTH: Papers in the case of Spilman Anne—to the Committee on Invalid Pensions.

By Mr. CHIPMAN: Petition of Mary McGrath for a mother's pension—to the Committee on Invalid Pensions.

By Mr. CLEMENTS: Petition of Romulus Pass; of William Creel; of Charles T. Shepard, son and heir of Charles T. Shepard, deceased; of Abraham Greeson, and of John Hill, executor of Mount Greeson, deceased, of Georgia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. COGSWELL: Petition of Eben F. Stone and others for an appropriation to remove certain obstructions from the Merrimac River—to the Committee on Rivers and Harbors.

Also, petition of A. Hale, administrator, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. CONGER: Petition of citizens of Des Moines, Iowa, for a reissue of fractional currency—to the Committee on Banking and Currency.

By Mr. CRAIN: Petition of Ebenezer L. Lee, son of Thomas H. Lee, of Arkansas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. CUMMINGS: Petition of Kasimir Seiler, late of Company D, Seventh New York Volunteers, and Company A, Eighty-eighth New York Volunteers, for relief—to the Committee on Military Affairs.

Also, petition of William Oestreicher, for a pension—to the Committee on Invalid Pensions.

By Mr. CUTCHEON: Concurrent resolution of the Legislature of Michigan, relating to inspectors of hulls—to the Committee on Commerce.

By Mr. DINGLEY: Petition of Edwin Libby Post, Grand Army of the Republic, for permission to erect a soldiers' monument on vacant land adjoining custom-house at Rockland, Me.—to the Committee on Public Buildings and Grounds.

Also, petition of the New York Committee for the Prevention of and Regulation of Vice, for the better legal protection of young girls in the District of Columbia—to the Committee on the Judiciary.

Also, petition of the Grand Lodge of Good Templars of Maine, for a national commission to investigate the liquor traffic—to the Select Committee on Alcoholic Liquor Traffic.

Also, petition of same, for a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors—to the Select Committee on Alcoholic Liquor Traffic.

By Mr. FARQUHAR: A bill making appropriation for the improvement of St. Mary's River, Michigan, by a new lock and approaches, and for the improvement of Hay Lake Channel, Michigan—to the Committee on Rivers and Harbors.

By Mr. FORD: Petition of P. C. Freeman and 100 others, and of Douglas M. Brown and 10 others, for a revision of the patent laws—to the Committee on Patents.

By Mr. FUNSTON: Petition to place the name of Robert Chawner on the pension-roll—to the Committee on Invalid Pensions.

Also, petition of Maxwell Carroll, for amendment of his rank as borne on pension-roll—to the Committee on Invalid Pensions.

By Mr. GEAR: Petition of Laura J. Ives, asking the withdrawal of a memorial from the files of the House—to the Committee on Invalid Pensions.

Also, petition of Patrick Tierney, of Burlington, Iowa, for a pension—to the Committee on Invalid Pensions.

Also, petition of William Walsh, of Fort Madison, Iowa, for a pension—to the Committee on Pensions.

By Mr. GLASS: A bill appropriating money for the improvement of the North and South Forks of Forked River—to the Committee on Rivers and Harbors.

By Mr. GRANGER: A bill for the improvement of the harbor of and of Five Mile River, Connecticut—to the Committee on Rivers and Harbors.

By Mr. GRIMES: Petition of J. R. Carter and others, of Carroll County, Georgia, for an appropriation to aid sufferers from overflow along the Chattahoochee and other rivers of Georgia—to the Committee on Appropriations.

By Mr. HARMER: Resolution of the senate and house of representatives of Pennsylvania in support of the bill to credit and pay to the several States and Territories and District of Columbia all moneys collected under the direct tax levied by act of August 5, 1861—to the Committee on Appropriations.

By Mr. D. B. HENDERSON: Resolution of the Improved Stock Breeders' Association of Iowa, urging the extermination of pleuropneumonia—to the Committee on Agriculture.

By Mr. T. J. HENDERSON: Petition and papers in the case of Phineas T. Richardson—to the Committee on War Claims.

By Mr. HERBERT: A bill to provide for opening the shoals and rapids in the Coosa River, so as to form a continuous channel for steam navigation from Wetumpka, Ala., to Rome, Ga.—to the Committee on Rivers and Harbors.

By Mr. HERMANN: Petition and proof of the Indian depredation claim of Vitz Shutz, of Jacksonville, Oregon, for relief—to the Committee on Indian Depredation Claims.

By Mr. HIESTAND: Resolutions of the Pennsylvania Legislature, for a bill to refund to the States taxes collected under act of August 5, 1861—to the Committee on Appropriations.

By Mr. HITT: Petition of James M. Ryan and 72 others, citizens of Jo Daviess County, and of Lichtenberger Brothers and 73 others, of Freeport, Ill., for a law requiring compound lard to be plainly labeled—to the Committee on Agriculture.

By Mr. HOGG: Petition of Eliza Chapman, mother of Byron Chapman, for a pension—to the Committee on Invalid Pensions.

Also, petition of William Arnott, for a pension—to the Committee on Invalid Pensions.

Also, petition of Nimrod McKee, for relief—to the Committee on Claims.

Also, petition of Malinda Rodgers; of Madison Collison, administrator of William Miller; of Charles W. Collison, administrator; of Robert McClintic; of William M. Coffman; of Rhoda Neal; of James H. Arbuckle; of John Sharp, and of A. S. Shaver, of Greenbrier County, and of Edward R. Douglass, of Fayette County, West Virginia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. JOSEPH: Petition of William H. Moore, surviving partner of William H. Moore & Co., and of Mrs. M. C. Rea, of Kansas, for relief—to the Committee on Indian Depredation Claims.

Also, petition of Spiegelberg Bros. for reference of their claim to the Court of Claims—to the Committee on War Claims.

By Mr. LATHAM: Petition of 160 persons employed in the Life-Saving Service, asking an increase of pay—to the Committee on Commerce.

By Mr. LEE: Petition of James E. Holmes, of Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Elias Edmonds, executor of Elias Edmonds, deceased, of Virginia—to the Committee on War Claims.

Also, a bill for the improvement of Occoquan River, Virginia—to the Committee on Rivers and Harbors.

By Mr. LEHLBACH: Petition of Emily W. Ogden, widow of Cornelius H. Ogden, for relief—to the Committee on Pensions.

By Mr. McADOO: Petition of Wilhelmina Ruhlmann, widow of Frederick Ruhlmann, deceased, late of Company F, Twentieth Regiment New York Volunteers, for a special-act pension—to the Committee on Invalid Pensions.

By Mr. McCOMAS: Petition of Lewis G. Kemp, of William H. Young, administrator of John Young, and of James R. Ferrell, of Frederick County; of Mary E. Leofler, administratrix of John Leofler, of

Montgomery County; of C. M. Keedy *et al.*, executors of John J. Keedy, of Jacob H. Keedy, of David R. Miller, heir of John Miller, and of Susannah Hardy, of Washington County, Maryland, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, petition of Thomas O. Dixon, of Frederick County, Maryland, for payment of his war claim—to the Committee on War Claims.

By Mr. McKINNEY: Petition for the relief of laborers on the public works of the United States—to the Committee on Labor.

Also, a petition for the relief of letter-carriers of the United States—to the Committee on the Post-Office and Post-Roads.

By Mr. MAISH: Petition of Jacob Edmund Noël, late commander United States Navy, praying to be reinstated and placed upon the retired-list of officers of the Navy—to the Committee on Naval Affairs.

By Mr. MATSON: Petition of Joseph D. McDonald and 68 others, for the passage of a bill to increase the pension of W. M. Allen, a soldier in the war with Mexico—to the Committee on Pensions.

By Mr. MILLIKEN: Papers in the claim of John H. Merrill—to the Committee on Claims.

By Mr. MORGAN (by request): Petition of Prince Epps, of Holly Springs, Marshall County, Mississippi, for relief—to the Committee on War Claims.

By Mr. MORROW: Petitions of citizens of Port Townsend and Jefferson County, Washington Territory, relative to the tariff on lumber—to the Committee on Ways and Means.

Also, resolutions of the wool-growers of California, against a reduction in the duty on wool—to the Committee on Ways and Means.

By Mr. MORSE: Petition of 45 merchants of Boston, Mass., for the repeal of certain postal laws—to the Committee on the Post-Office and Post-Roads.

By Mr. NELSON: Petition of the Chamber of Commerce of Duluth, Minn., for right of way through Indian lands in Minnesota for the Duluth, Rainy Lake River and Southwestern Railway Company—to the Committee on Indian Affairs.

Also, resolutions of the State Grange of Minnesota, against any change in the oleomargarine law—to the Committee on Agriculture.

By Mr. NEWTON: A bill appropriating $25,000 for the improvement of Tensas River, in Louisiana—to the Committee on Rivers and Harbors.

Also, a bill appropriating $20,000 for the improvement of Bayou Macon, in Louisiana—to the Committee on Rivers and Harbors.

Also, a bill appropriating $20,000 for the improvement of Bayou d'Arbonne, in Louisiana—to the Committee on Rivers and Harbors.

By Mr. O'FERRALL: Petition of Thomas McCardell, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, petition of H. G. Peters and 49 others, citizens of Henry County, Virginia, for national aid to common schools—to the Committee on Education.

Also, petition of James Smith, and of John Whittington, of Frederick County, Virginia, for relief—to the Committee on War Claims.

By Mr. CHARLES O'NEILL: Petition of David Reutchler; of Gertrude Strohline, and of Fredinka Kurtz, for pensions—to the Committee on Invalid Pensions.

By Mr. J. J. O'NEILL: Papers in the case of Frank Backof—to the Committee on Military Affairs.

Also, papers in the case of Calvin Gunn—to the Committee on Claims.

By Mr. OWEN: Petition of sundry citizens of Rensselaer, Ind., against admitting Utah with polygamy—to the Committee on the Territories.

By Mr. PAYSON: Petition of Margaret S. Bell, for a pension—to the Committee on Invalid Pensions.

By Mr. PEEL: Petition of Nancy Blagg, widow of Isaac J. Blagg, for reference of claim to the Court of Claims—to the Committee on War Claims.

Also, petition of 67 citizens of Carroll County, Arkansas, asking a pension for Thomas Higgs—to the Committee on Pensions.

Also, petition of Shawnee Indians to have certain moneys paid them—to the Committee on Indian Affairs.

By Mr. PENINGTON: Petition of Swift & Courtney and others, for an act authorizing the Secretary of the Treasury to restore commissions withheld from certain persons—to the Committee on Claims.

By Mr. RANDALL: Resolutions of the Legislature of Pennsylvania, requesting their Representatives to support a bill to refund to the several States the direct tax levied under act of August 5, 1861—to the Committee on Ways and Means.

Also, memorial of the city council of Fort Worth, Tex., for the erection of a public building in that city for the mail and internal-revenue services—to the Committee on Public Buildings and Grounds.

Also, papers in the case of Thomas G. Corbin—to the Committee on Naval Affairs.

Also, papers in the case of James Kane—to the Committee on Military Affairs.

Also, papers in the case of Luke Reilly—to the Committee on War Claims.

Also, papers in the case of Jacob Cramer, and of Mary Mortimer Semmes, for relief—to the Committee on Pensions.

Also, petition of Francis Dingley Randall; of Axel W. Anderson, and of John W. Davidson, for pensions—to the Committee on Invalid Pensions.

Also, papers in the case of Peter Lyle, and of Morgan Gordon—to the Committee on Invalid Pensions.

Also, papers in the case of Madeira & Cabada; and of the sufferers by the explosion of the United States arsenal at Frankford, Philadelphia, Pa., and of James C. Booth—to the Committee on Claims.

By Mr. REED: Petition of the York Harbor and Beach Railroad Company, for permission to cross the military reservation at Kittery, Me.—to the Committee on Naval Affairs.

Also, petition of citizens of Buxton, Me., in favor of a pension for Mrs. Hannah Boynton—to the Committee on Invalid Pensions.

By Mr. RICE: Petition of the Ministers' Association of Minneapolis, Minn., protesting against the admission of Utah as a State with polygamy—to the Committee on the Territories.

Also, resolutions of the Board of Trade of Minneapolis, Minn., relating to a national telegraphic system—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the same, relating to the Treasury surplus—to the Committee on Ways and Means.

Also, resolution of the State Grange of Minnesota, protesting against any modification of the oleomargarine law—to the Committee on Agriculture.

By Mr. ROBERTSON (by request): Petition of Villeneuve Le Blanc, of Mary J. Barrow, and of Andrew Szabo, of Louisiana, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. ROGERS: Papers in the case of Pryor N. Lea—to the Committee on Military Affairs.

Also, papers in the case of L. A. Morris—to the Committee on the Judiciary.

Also, papers in the case of James H. Hamilton—to the Committee on Indian Depredation Claims.

Also, papers in the claim of D. Dickson, of Simon Stanton, of Michael Awalt, of Edward Fitzgerald, of Lucy Ann and Allen G. Lee, and of William Barnes—to the Committee on War Claims.

Also, papers in the claim of Zeb Ward and M. Gray, of Silas F. Field, of H. H. Haynie, of John D. Adams, and of Elias Recter—to the Committee on Claims.

Also, petition of William Barnes, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. RUSSELL: Petition of E. W. Harback and others, of Upton, Mass., for the repeal of the laws limiting the time for making applications for pensions—to the Committee on Invalid Pensions.

Also, petition of A. C. Stoddard and others, of North Brookfield, Mass., for reform of laws affecting fourth-class mail matter, the abolition of postal notes, and issue of fractional currency—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN: Petition of E. Bennett & Son, for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. SAYERS (by request): Petition of Thomas Little, late captain Tenth United States Cavalry Regiment, for relief—to the Committee on Military Affairs.

By Mr. SENEY: Petition of 183 citizens of Washington Territory, against the removal of the duty on lumber and coal—to the Committee on Ways and Means.

Also, memorial of Flax and Hemp Spinners and Growers' Association, suggesting a modification of the act of February 26, 1885, respecting the importation of labor—to the Committee on Labor.

Also, memorial of Charles Gallagher, asking for pay for the loss of the schooner Nimrod and cargo—to the Committee on War Claims.

By Mr. SPINOLA: Petition and papers in the case of Henry L. Potter, late colonel Seventy-first Regiment New York State Volunteers, for increase of pension—to the Committee on Invalid Pensions.

By Mr. SPRINGER: Petition of S. S. Turner, M. D., for relief of acting assistant surgeons of the Army—to the Committee on Military Affairs.

Also, memorial of citizens of Tacoma, Wash., against any reduction of tariff on lumber—to the Committee on Ways and Means.

Also, petition of A. R. Turner, jr., president of Flax and Hemp Spinners and Growers' Association of Boston, for amendment of the contract labor law—to the Committee on Labor.

Also, resolution of the American Cleveland Bay Horse Association, against certain customs duties—to the Committee on Ways and Means.

Also, memorial of the board of supervisors of Clay County, Illinois, for the passage of certain bills—to the Committee on the Public Lands.

By Mr. CHARLE SSTEWART: A bill authorizing the Secretary of War to improve Cedar Bayou, Texas, and making an appropriation therefor—to the Committee on Rivers and Harbors.

Also, a bill authorizing the Secretary of War to continue the improvement of Buffalo Bayou, in Texas, and making an appropriation therefor—to the Committee on Rivers and Harbors.

Also, a bill authorizing the Secretary of War to continue the construction of the Galveston Bay ship-channel, and making an appropriation therefor—to the Committee on Rivers and Harbors.

Also, a bill authorizing the Secretary of War to continue harbor improvements at Sabine Pass, Texas, and making an appropriation therefor—to the Committee on Rivers and Harbors.

By Mr. STONE, of Missouri: Petition and affidavit to accompany bill for the relief of W. J. McGlade—to the Committee on Invalid Pensions.

Also, papers in the case of Edward L. Tuggle for relief—to the Committee on War Claims.

By Mr. O. B. THOMAS: Remonstrance of Pamperin & Wiggenhorn Cigar Company and 42 others, citizens of La Crosse, Wis., against the passage of any law repealing the internal-revenue tax on tobacco and cigars—to the Committee on Ways and Means.

By Mr. TOOLE: Memorial of the Legislative Assembly of Montana Territory for an amendment of the alien land law—to the Committee on the Judiciary.

Also, memorial of the Legislative Assembly of Montana Territory for an appropriation for the Yellowstone National Park—to the Committee on the Public Lands.

Also, memorial of the Legislative Assembly of Montana Territory for an act increasing the number of members of the Legislative Assembly—to the Committee on the Judiciary.

Also, memorial of the Legislative Assembly of Montana Territory concerning the Fort Buford military reservation—to the Committee on Military Affairs.

Also, memorial of the Legislative Assembly of Montana Territory for a brick wall around the penitentiary—to the Committee on the Territories.

By Mr. VANDEVER: A bill for the improvement of the harbor of San Diego, Cal.—to the Committee on Rivers and Harbors.

Also, a bill for the construction of a breakwater at Port Harford, Cal., and for harbor improvements thereat—to the Committee on Rivers and Harbors.

Also, a bill for the improvement of harbors in Southern California—to the Committee on Rivers and Harbors.

Also, a bill for the improvement of the harbor at San Pedro, Cal., and for the construction of a breakwater—to the Committee on Rivers and Harbors.

By Mr. WADE: Petition of Jalley Crabtree, for a special-act pension—to the Committee on Invalid Pensions.

Also, petition of John Leak, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, papers in the case of William A. Caw—to the Committee on War Claims.

By Mr. WALKER: Petition of James N. Russell; of Randolph Rutherford, and of heirs of Missouri Cross, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WILKINS: Petition of T. J. Moore and 54 others, of Pataskala; and of J. C. Mead and 50 others, of Ohio, relative to Sunday laws—to the Committee on the Post-Office and Post-Roads.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. C. L. ANDERSON: Of G. W. Ainsworth and 30 others, citizens of Jasper County, Mississippi.

Of E. A. Overstreet and 34 others, citizens of Coffadeliah, Neshoba County, Mississippi.

Of R. Estes and 14 others, citizens of Leake County, Mississippi.

Of J. R. Easen and 53 others, citizens of Lauderdale County, Mississippi.

By Mr. BARRY: Of citizens of Weir; of J. C. Holmes and others, of Fearn Springs; of Green D. Moore, Yalobusha County; of Henry Kibler, of Yalobusha County; of A. G. Barton and others, of Reajab; of E. E. Colimura and others, of Bushville; of C. C. Grisham and others, of Compensation; of E. T. Maury, of Compensation; of J. A. Roder and others, Deerbrook, Noxubee County; of W. T. George and others, of Pine Bluff, and of William Heussey, of the State of Mississippi.

By Mr. BAYNE: Of citizens of River Post-Office, Allegheny County; of citizens of Ewing's Mills, Allegheny County, Pennsylvania.

By Mr. BOUTELLE: Of Eaton & Crangle and others, of Maine; of James E. Furguson and others, of Maine; of C. H. Hayden and others, of Maine; of J. M. Brown and others, of Maine; of John L. Moulton and others, of Maine; of J. W. Amhose and others, of Maine.

By Mr. BROWER: Of citizens of Guilford County, and of citizens of Stokes County, North Carolina.

By Mr. T. H. B. BROWNE: Of John R. Hudgins and others, of Mathews County; of A. Carter and others, of Westmoreland County; of T. L. Callet, jr., and others, of Westmoreland County; of I. B. Pendleton and others, of Spottsylvania County, Virginia.

By Mr. J. E. CAMPBELL: Of citizens of Henning's Mills, Clermont County, Ohio.

By Mr. CLARDY: Of M. S. Adams and 8 others, citizens of Missouri, and of E. T. Graham and 51 others, citizens of Marquand, Mo.

By Mr. COBB: Of C. M. Fay and others of Edgewood, Elmore County, Alabama.

By Mr. COWLES: Of citizens of Clingman and of Goshen, Wilkes County, and of Raten, Ashe County, North Carolina.

By Mr. CRAIN: Of the citizens of Caney, Matagorda County, Texas.

Also, of citizens of Liverpool, Brazoria County, Texas.

By Mr. CROUSE: Of the citizens of Moorland, Wayne County, Ohio.

By Mr. DALZELL: Of citizens of Climer, Bradley County, Tennessee.

By Mr. DINGLEY: Of James Roberts and others of Vinalhaven, and of Wilmot Greanleaf and others of Woolwich, Me.

By Mr. GLASS: Of citizens and others, of Nutt Brush, Haywood County, Tennessee, and of citizens of Mack, and of citizens of Curve, and of citizens of Double Bridges, Lauderdale County, Tennessee.

By Mr. GRIMES: Of O. P. Pearce and others, of Frolona, Heard County, Georgia.

By Mr. HALL: Of citizens of Hilliard's, Butler County, and of North's Mills, Mercer County, Pennsylvania.

By Mr. HARE: Of citizens of Texas, of citizens of Vilott, Cooke County, Texas, of citizens of Texas, and of citizens of Gum, Wise County, Texas.

By Mr. HERMANN: Of 35 citizens of Lena, Morrow County, Oregon; of 55 citizens of Mohawk, Lane County, Oregon; of 45 citizens of Millers and of 65 citizens of Oakville, Linn County, Oregon; of 35 citizens of West Union and of 37 citizens of Ingles, Washington County, Oregon; of 60 citizens of Elgin and of 64 citizens of Keating, Union County, Oregon; of 126 citizens of Mink Clackamas, Oregon; of 70 citizens of Fairview and of 37 citizens of Gravel Ford, Coos County, Oregon; of 30 citizens of Wapinitia, Wasco County, Oregon; of 16 citizens of Etna, Jackson County, Oregon; of 46 citizens of Fairdale, Yam Hill County, Oregon; of 26 citizens of De Moss Springs, in Oregon.

Also, of 61 citizens of Fulton, in Oregon; of 40 citizens of Oregon, and of 41 citizens of Idea, Gilliam County, Oregon.

By Mr. HOGG: Of Scott Smith and 40 others; of W. S. Terrall and 35 others; of C. B. Jenkins and 50 others; of Herman Wilson and 60 others; of D. M. Somerville and 50 others; of Thomas Mitchell and 41 others; of John Booth and 52 others; of J. S. S. Porter and 65 others; of D. D. Bush and 50 others; of Marshall Clay and 65 others; of James Butcher and 51 others; of Thomas Pratt and 79 others; of John Adkins and 54 others; of I. S. Jones and 50 others; of Austin Shinn and 61 others, of West Virginia.

Also, of James M. Miller and others, of Raymond City; of A. M. Miller and others, of West Columbia, Mason County; of James Armstrong and others, of Garrett's Bend, Lincoln County, West Virginia.

By Mr. LATHAM: Of citizens of Carteret, of Beaufort, of Currituck, of Hyde, of Dane, and of Gates Counties, North Carolina.

By Mr. LEE: Of citizens of Culpeper, of Fairfax, of Prince William, and of King George Counties, Virginia.

Also, of the citizens of Catharpin, Prince William County, Virginia.

By Mr. MAISH: Of citizens of Bermudian, Adams County, Pennsylvania.

By Mr. McCULLOGH: Of A. H. P. Graham and others, of Stahlstown, Westmoreland County; of citizens of Hunter's Cave, Greene County; of citizens of Fayette County; of citizens of Champion, Fayette County, Pennsylvania.

By Mr. McKINNEY: Of Charles P. Brown and other citizens, of New Hampshire.

By Mr. MILLIKEN: Of S. D. Coombs and others, of Maine.

By Mr. NEAL: Of J. M. Black and others, of Regret; of H. M. White and others, of Glade Creek; of Isaac Cloud and others, of Sylco, Polk County; of J. M. Sandige and others, of Coahulla, Bradley County; of T. J. Carter and others, of Ocoee, Polk County; of E. Holcomb and others, of Ollieville, White County; of J. L. Brown and others, of Petro, Hamilton County; of S. L. Stratton and others, of Citico, Monroe County; of T. H. Ritchy, of Stanley, Marion County; of C. Latham and others, of Prismore, McMinn County; of J. P. Pickelsruner and others, of Joe, Monroe County; J. B. Kennedy and others of Sewee, Meigs County; of John Frey and others, of Pleasant Hill, Cumberland County; of M. D. Francis and others, of Stamper, Bradley County; of W. P. Lansden and others, of Cherry Creek, White County; of E. P. Gibson and others, of Joshua, McMinn County; of William Robert and others, of Falling Water, Hamilton County; of Richard R. Miller, of Linaria, Cumberland County; of A. C. Caldwell and others, of Pelham, Grundy County; of D. M. Bleins, of Athens, Tennessee.

By Mr. NELSON: Of Edward Tay and others, citizens of Minnesota.

By Mr. NEWTON: Of citizens of Rodolph, La.; of citizens of Ouachita; of citizens of Claiborne; of citizens of West Carroll Parish, and of citizens of Catahoula, La.

By Mr. NICHOLS: Of citizens of Glendale, Alamance County, North Carolina.

By Mr. O'FERRALL: Of citizens of Welltown, Frederick County, Virginia; of citizens of Sentinel, Warren County, Virginia.

By Mr. PEEL: Of citizens of Newton County, Arkansas.

By Mr. RANDALL: Of citizens of Ross Valley, Pa.

By Mr. RICHARDSON: Of citizens of Norris Creek, Lincoln County, Tennessee.

By Mr. ROGERS: Of citizens of Pulaski County (3); of Saline County; of Lincoln County, and of A. F. Turner and others, of Arkansas; of O. M. Harwell and others, of Scott County, Arkansas.

By Mr. ROWLAND: Of citizens of Gaddingsville, and of citizens of Red Springs, and of citizens of Vollers, Robinson County, North Carolina; of citizens of Zoar, and of citizens of Poortith, Union County,

North Carolina; of citizens of Lebanon, and of citizens of Iron Hill, Columbia County, North Carolina, and of citizens of Sardis, Mecklenburgh County, North Carolina.

By Mr. SCULL: Of citizens of Somerset County; of the citizens of Gebhartz, Somerset County; of Bedford County; of Forward, Somerset County, and of citizens of Graceville, Bedford County, Pennsylvania.

By Mr. SHIVELY: Of S. C. Stull and 45 others, of Indiana.

By Mr. SOWDEN: Of citizens of Flicksville, Northampton County, Pennsylvania.

By Mr. SPRINGER: Of the citizens of Bath, Mason County, Illinois.

By Mr. CHARLES STEWART: Of sundry citizens of Texas.

By Mr. A. C. THOMPSON: Of citizens of Arion County; of citizens of Hue, Vinton County; of citizens of Campbell, Lawrence County; of citizens of Wigner, Gallia County, and of citizens of Boggs, Gallia County, Ohio.

By Mr. WHITTHORNE: Of W. M. Oliver and others, of Giles County; of J. A. Sanders and others, of Maury County; of W. J. Stockand and others, of Lewis County; of E. M. Sturrill and others, of Giles County; of J. F. Tonder and others of Wayne County; of T. J. Kincaid and others, of Lawrence County; of S. A. Tyler and others, of Giles County; of J. J. Bingham and others; of A. M. Meredith and others, of Wayne County; of W. J. Powers and others, of Lawrence County, Tennessee.

By Mr. WICKHAM: Of Daniel Broader and others, citizens of Paradise Hill, Ashland County, Ohio, and of J. L. Edmuns and others, citizens of Avon Lake, Lorain County, Ohio.

By Mr. WILKINS: Of H. L. Mason and 40 others, of Duncan's Falls, Muskingum County, and of Henry Johnson and 30 others, of Rock, Tuscarawas County, Ohio.

By Mr. YOST: Of citizens of Stubbling Spring and of citizens of Arbor Hill, Augusta County, Virginia; of citizens of Mountain Grove, Bath County, Virginia, and of citizens of Blue Springs, Alleghany County, Virginia.

Also, of citizens of Vesuvius, Rockbridge County, and of citizens of Masters, Alleghany County, Virginia.

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## SENATE.

### THURSDAY, *January* 5, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

#### RIGHT OF WAY THROUGH INDIAN RESERVATIONS.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a communication, of 27th December, 1887, from the Secretary of the Interior, submitting, with accompanying papers, draught of a bill "to authorize the Secretary of the Interior to fix the amount of compensation to be paid for right of way for railroads through Indian reservations in certain contingencies."

The matter is commended to the consideration of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 4, 1888.

#### YAKIMA INDIAN RESERVATION.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a communication, of 22d ultimo, from the Secretary of the Interior, submitting, with accompanying papers, a draught of a bill to accept and ratify an agreement made with the Indians of the Yakima reservation, in Washington Territory, for the right of way of the Northern Pacific Railroad across said reservation, etc.

The matter is presented for the consideration and action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 4, 1888.

#### WALKER RIVER INDIAN RESERVATION.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a communication, of 24th ultimo, from the Secretary of the Interior, submitting, with accompanying papers, a draught of a bill to accept and ratify an agreement made by the Pah-Ute Indians, and granting a right of way to the Carson and Colorado Railroad Company through the Walker River reservation, in Nevada.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 4, 1888.

#### TRESPASSES UPON INDIAN LANDS.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a communication of 23d ultimo from the Secretary of the Interior, submitting, with accompanying papers, a draught of a bill to amend section 2148 of the Revised Statutes of the United States, relating to trespasses upon Indian lands.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 4, 1888.

#### TIMBER TRESPASSES UPON PUBLIC LANDS.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a communication of the 22d ultimo from the Secretary of the Interior, submitting, with accompanying papers, a draught of a bill to amend section 5388 of the Revised Statutes of the United States, relating to timber trespasses upon the public lands, so as to include Indian lands.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 4, 1888.

#### DEVIL'S LAKE INDIAN RESERVATION.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a communication of 22d ultimo from the Secretary of the Interior, submitting, with accompanying papers, a draught of a bill granting a right of way to the Jamestown and Northern Railroad Company through the Devil's Lake Indian reservation, in the Territory of Dakota.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 4, 1888.

#### LAKE TRAVERSE INDIAN RESERVATION.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a communication, of 24th ultimo, from the Secretary of the Interior, submitting, with accompanying papers, a draught of a bill to accept and ratify an agreement made with the Sisseton and Wahpeton Indians, and to grant a right of way for the Chicago, Milwaukee and St. Paul Railway through the Lake Traverse Indian reservation, in Dakota. The matter is presented for the consideration and action of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 4, 1888.

#### CONGRESSIONAL LIBRARY BUILDING.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitted in compliance with section 8 of the act of Congress approved April 15, 1886, showing the proceedings of the commission for the construction of the Congressional Library building since January 31, 1887; which was referred to the Select Committee on Additional Accommodations for the Library, and ordered to be printed.

#### FISH-CULTURAL STATION IN MISSOURI.

The PRESIDENT *pro tempore* laid before the Senate a communication from the United States Commissioner of Fish and Fisheries, transmitting, in compliance with a resolution of December 21, 1887, a report in relation to the availability of the Ozark region, in Southeastern Missouri, for a fish-cultural station; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

#### PETITIONS AND MEMORIALS.

Mr. PLATT. I present the petition of Mrs. J. M. K. Riley and 129 other men and women, who are residents of the District of Columbia, praying for the passage of a bill prohibiting the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia. This petition is indorsed by sundry delegates and members of the Evangelical Alliance. I wish to call the attention of the Committee on the District of Columbia to this and to other petitions which I understand are to follow.

The inhabitants of the District of Columbia are deprived of the right of suffrage, a strange anomaly in this land which boasts of universal suffrage. They can not vote; they can not in any way exercise the right of suffrage. There is no way in which they can express their sentiments as to whether they desire a prohibitory law in the District of Columbia except by petition to Congress. Therefore I ask that the petition of these citizens of the District of Columbia, praying for the protection of their homes, which are the safeguard of the Republic, against the sale of liquor, which is its great danger, may have careful consideration.

The PRESIDENT *pro tempore*. The petition will be referred to the Committee on the District of Columbia.

Mr. PLATT. I present a similar petition of 87 citizens of the First, Second, and Third Congressional districts in Connecticut, and also a petition of 55 citizens of Washington Territory, praying for the same

object. I move the reference of the petitions to the Committee on the District of Columbia.

The motion was agreed to.

Mr. SHERMAN presented a petition of citizens of New Philadelphia, Ohio, praying for the passage of a law granting increased pension to soldiers in the late war disabled by wounds resulting in deafness; which was referred to the Committee on Pensions.

Mr. MITCHELL presented the petition of General John E. Ross and other citizens of Oregon, praying compensation for Indian depredations, and particularly for those audited by Commissioners George H. Ambrose, Indian agent, in 1854, Hon. L. F. Grover, late Senator, and Hon. A. C. Gibbs, late governor of Oregon; which was referred to the Committee on Claims.

He also presented a petition of citizens of Lane County, Oregon, praying for increased compensation to fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. BLAIR. I present the petition of the Right Worthy Grand Lodge of Good Templars, representing 500,000 members, signed by their officers, praying for a national prohibitory constitutional amendment, in which they set forth, addressing their petition to the United States Senate and House of Representatives, as follows:

> The undersigned, citizens of the United States, respectfully and earnestly ask your honorable body, by an appropriate joint resolution, to adopt and propose to the several States an amendment to the Constitution of the United States, which, when ratified, will prohibit henceforth the manufacture, importation, exportation, transportation, and sale of all alcoholic liquors, as a beverage, in the United States, and in every place subject to their jurisdiction.

As the petitioners set forth, this is an organization of 500,000, belonging to all parties and to all religious associations, representing every profession, every occupation, every interest in this broad land, save alone that to which the petition is opposed. I move that the petition be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. BLAIR. I present a petition of the Woman's Christian Temperance Union of Nashua, N. H., earnestly praying for the passage of the educational bill without delay, in the interest of sobriety and intelligent citizenship. I move that the petition lie on the table, as the bill is before the Senate as the unfinished business.

The motion was agreed to.

Mr. BLAIR. I present a memorial addressed to Congress, remonstrating against the admission of Utah as a State so long as the local civil power of the Territory remains in the hands of the Mormon priesthood and the people evade or refuse obedience to the present laws of Congress against polygamy.

The memorial is from Holbrook, Mass., and is signed by a large number of citizens of that locality. I should have passed it to one of the Senators from Massachusetts if I had observed where it came from, but it came to me in a letter. I move that the memorial be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. DOLPH. I present the petition of John W. Redfield and others, praying legislation by Congress providing for the payment of Indian depredation claims in full as audited by the Secretary of the Interior, or that Congress give the United States courts jurisdiction to hear and determine such claims, or create a special court of claims to try them; and for the passage of Senate bill 1079, introduced by myself, making an appropriation for the payment of such claims. The petition is accompanied by an elaborate printed argument prepared by a citizen of Oregon having great familiarity with these claims, showing the justice of them and the duty of Congress to legislate concerning them. I have had occasion several times to call the attention of the Senate and of the Committee on Indian Affairs to this subject. I now move that the petition be referred to the Committee on Indian Affairs.

The motion was agreed to.

Mr. HOAR presented the memorial of I. J. Lansing and other citizens of the United States, remonstrating against the admission of Utah as a State so long as the local civil power remains in the hands of the Mormon priesthood and the people evade or refuse obedience to the present laws of Congress against polygamy; which was referred to the Committee on Territories.

He also presented the petition of Phineas Buckley and other citizens of the United States, praying for the repeal of that provision of the pension laws which limits the time for making applications for pensions; which was referred to the Committee on Pensions.

He also presented the petition of Frederick Fraley, president of the National Board of Trade, praying for the enactment of a general bankruptcy law; which was referred to the Committee on the Judiciary.

He also presented the petition of Rev. J. W. Fulton and other citizens of the United States, praying for the enactment of a bill providing temporary aid for common schools, to be disbursed on the basis of illiteracy; which was ordered to lie on the table.

He also presented the petition of John Linsley, of the parish of East Feliciana, Louisiana, and the petition of John M. Roberts, of Clinton, La., praying that a pension be allowed to John Linsley; which were referred to the Committee on Pensions.

Mr. HISCOCK presented the petition of J. W. Meader and other citizens of Clinton County, New York, praying for the repeal of that provision of the pension laws which limits the time for making application for pensions; which was referred to the Committee on Pensions.

Mr. DANIEL presented a petition of employés in the Norfolk (Va.) navy-yard, praying for the passage of a bill for the relief of per-diem employés who have continuously and faithfully served during the term of one year at the navy-yards and naval stations; which was referred to the Committee on Education and Labor.

Mr. BUTLER presented a concurrent resolution of the Legislature of the State of South Carolina, favoring the repeal of the 10 per cent. tax on the circulation of State banks; which was referred to the Committee on Finance.

He also presented the petition of J. B. Suddath and other citizens of Merchant, S. C.; the petition of W. P. Baily and other citizens of Hattieville, S. C.; and the petition of R. D. Gamble and other citizens of Indiantown, S. C., praying that increased compensation be allowed fourth-class postmasters; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. RIDDLEBERGER presented the memorial of William Wheeler Hubbell, of Concord Depot, Va., remonstrating against the pleuropneumonia bill, and praying for proper legislation to prevent and cure the diseases of bovine animals; which was referred to the Committee on Agriculture and Forestry.

Mr. CAMERON presented a resolution adopted by the Board of Trade of Chester, Pa., protesting against the continuance of the quarantine in its present location near that city, and recommending the establishment of a national system of quarantine; which was referred to the Committee on Public Buildings and Grounds.

Mr. EVARTS presented a petition of citizens of Hempstead, N. Y., praying for the re-establishment of the old rates of postage on seeds, etc.; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented resolutions adopted by the Merchants' Exchange of Buffalo, N. Y., relative to certain suggestions of the Secretary of the Navy; which were referred to the Committee on Naval Affairs.

He also presented the petition of Julius Lea Porter, late of Company K, Sixteenth Regiment New York Volunteers, praying that the time for filing claims for arrears of pensions be extended; which was referred to the Committee on Pensions.

He also presented the petition of E. J. Barker and other citizens of Crown Point, N. Y., praying that the time for filing claims for arrears of pensions be extended; which was referred to the Committee on Pensions.

Mr. SAWYER presented the memorial of La Crosse Division, No. 61, Order of Railway Conductors, of La Crosse County, Wisconsin, praying that the bill for licensing railway conductors be not enacted into a law; which was referred to the Committee on Railroads.

He also presented a resolution of the West Superior Chamber of Commerce, in favor of constituting West Superior, Wis., an independent original port of entry; which was referred to the Committee on Commerce.

### REPORTS OF COMMITTEES.

Mr. DAWES, from the Committee on Indian Affairs, to whom was referred the bill (S. 970) to amend an act entitled "An act providing for allotment of lands in severalty to the Indians residing upon the Umatilla reservation, in the State of Oregon, and granting patents therefor, and for other purposes," approved March 3, 1885, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1095) to provide for the compulsory education of Indian children, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 928) in relation to marriage between white men and Indian women, reported it with amendments.

### BILLS INTRODUCED.

Mr. HOAR introduced a bill (S. 1159) granting a pension to Alphonzo H. Melendy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1160) to increase the pensions of soldiers, sailors, and marines who have been totally disabled; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1161) granting a pension to Mrs. Jeannie Stone, widow of General Charles P. Stone; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1162) for the relief of Susan E. Alger; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1163) for the relief of Edward Rice; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 1164) to amend section 1225 of the Revised Statutes, concerning detail of Army officers to educational institutions, etc.; which was read twice by its title.

Mr. HOAR. I ask that the bill be referred to the Committee on Education and Labor.

Mr. BLAIR. Should it go to the Committee on Education and Labor?

Mr. HOAR. It seems to me, as it is solely in reference to instruction to be given by Army officers in educational institutions, that it should properly be considered by the Committee on Education and Labor.

Mr. COCKRELL. Such bills have always heretofore gone to the Committee on Military Affairs.

Mr. HOAR. I had first marked it for reference to the Committee on Military Affairs, but I thought afterwards, as it related merely to this educational subject, it had better go to the Committee on Education and Labor.

The PRESIDENT *pro tempore*. Is there objection to the reference of the bill to the Committee on Education and Labor?

Mr. BLAIR. I suggest that it follow the usual course, unless the Senator from Massachusetts has a special wish in regard to the matter.

Mr. HOAR. I have no sort of choice.

The PRESIDENT *pro tempore*. Is there objection to the reference of the bill to the Committee on Military Affairs? The Chair hears none, and it is so referred.

Mr. HOAR introduced a bill (S. 1165) to provide for a world's exposition at the national capital in 1892, and thereafter a permanent exposition of the three Americas, in honor of the four hundredth anniversary of the discovery of America; which was read twice by its title, and referred to the Committee on the Centennial of the Constitution and the Discovery of America.

Mr. HOAR. I ask that the bill may be printed in the RECORD. It is not very long and relates to a matter of very wide interest.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

A bill to provide for a world's exposition at the national capital in 1892, and thereafter a permanent exposition of the three Americas, in honor of the four hundredth anniversary of the discovery of America.

Whereas the year 1892 will be the four hundredth anniversary of the discovery of America by Christopher Columbus; and

Whereas a becoming pride in American institutions, civilization, and progress requires that this great historical event be duly celebrated in a manner becoming the dignity, wealth, and grandeur of the western hemisphere: Therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That a world's exposition be held at the national capital in 1892, and thereafter a permanent exposition of the three Americas, under the joint auspices of the United States, the forty-six States and Territories, and the sixteen independent sister nations of the American continent.

SEC. 2. That the management of said exposition consist of a governmental board of twenty-one directors, seven to be appointed by the President of the United States, seven by the President of the United States Senate, and seven by the Speaker of the House of Representatives.

SEC. 3. That an advisory board of sixty-two members be, and the same is hereby, authorized, one to be appointed by the governor of each of the forty-six States and Territories, and one by the Executive of each of the sixteen independent American nations.

SEC. 4. That space for said world's exposition, and permanent exposition of the three Americas be assigned in some unoccupied governmental reservation in the city of Washington, as follows:

1. Space for a permanent State and Territorial building for a permanent exhibit of the representative history, resources, arts, and industries of the forty-six States and Territories of the United States, said space to be available whenever said States and Territories, or a majority thereof, shall make the necessary appropriations for the expense of said building and exhibit.

2. Space for a permanent three Americas building for a permanent exhibit of the history, antiquities, resources, arts, and industries of the fifteen Spanish American Republics, the Empire of Brazil, the Dominion of Canada, and the various colonies of North, Central, and South America, said space to be available whenever said nations and colonies, or a majority thereof, shall make the necessary appropriations for the expenses of said building and exhibit.

3. Space for a temporary building or buildings, for a temporary exhibit, between the 1st of May and the 31st of October, 1892, by all nations other than those of the American continent, and by the private exhibitors of all nations of the world, said space to be available whenever the necessary funds are provided for said buildings and the expenses of conducting said exhibit.

4. A suitable site for a statue of Christopher Columbus, said site to be available whenever the necessary funds are provided for the expenses of said statue.

SEC. 5. That space be assigned in some governmental reservation in the city of Washington for the following permanent governmental buildings, namely:

1. Space for the enlargement of the present National Museum into a continental or three Americas museum, said space to be available whenever the necessary funds are provided for said purpose.

2. Space for a permanent building, under the control of the Interior Department, for the exhibit of working models of important American inventions, said space to be available whenever the necessary funds are provided for said purpose.

SEC. 6. That the President of the United States is authorized to invite the several States and Territories of the United States and the several sister nations of the three Americas to appoint their respective members to the advisory board, and to participate in said exposition in the manner heretofore provided.

SEC. 7. That whenever the necessary funds are provided for the said temporary exhibit during 1892 the President of the United States is authorized to invite all foreign nations, other than those of the American continent, to participate in said exposition.

Mr. BERRY introduced a bill (S. 1166) authorizing the settlement of the debt due the United States by the State of Arkansas and the debt due the State of Arkansas by the United States; which was read twice by its title, and referred to the Committee on Public Lands.

He also (by request) introduced a bill (S. 1167) for the relief of the estate of Elias Rector; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1168) for the relief of the estate of B. B. Ward, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. WILSON of Maryland, introduced a bill (S. 1169) for the relief of Commander George M. Bache, United States Navy, retired; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. REAGAN (by request) introduced a bill (S. 1170) for the relief of the estate of Robert Eager, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. VOORHEES introduced a bill (S. 1171) for the relief of the legal representative of George McDougall, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1172) for the relief of Henry Ayres; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 1173) increasing the pension of Jeptha A. Jones; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DAWES introduced a bill (S. 1174) to establish a postal-telegraph system; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. STEWART introduced a bill (S. 1175) for the relief of the Sisters of the Holy Cross in the city of Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1176) to authorize the sale to aliens of certain mineral lands; which was read twice by its title, and referred to the Committee on Mines and Mining.

Mr. RIDDLEBERGER introduced a bill (S. 1177) for the erection of a public building at Fortress Monroe; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. GORMAN introduced a bill (S. 1178) for the relief of Capt. Charles Thomas, of the United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1179) for the relief of Agnes and Maria De Leon, heirs at law of Rebecca L. De Leon, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. CAMERON introduced a bill (S. 1180) to amend the naval record of Nicholas Leuschen, Peter Leuschen, and Loth Possum; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1181) to remove the charge of desertion against Michael A. Smith; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1182) to amend the military record of Levi H. Figard; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1183) granting a pension to Col. Thomas M. Walker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. EVARTS introduced a bill (S. 1184) to refund excessive duties caused by extraordinary overvaluation of the Austrian florin in the year 1878; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 1185) to regulate the effect of judgments and decrees of the courts of the United States in the several States; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. JONES, of Arkansas (by request), introduced a bill (S. 1186) for the relief of the estate of Patrick P. Burton; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1187) for the relief of J. J. McAlmont; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1188) for the relief of the estate of W. W. Adams, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1189) for the relief of Henry W. Long; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1190) for the relief of the estate of Joseph Fenno, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1191) for the relief of the legal representatives of Mary H. Pike, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. SAWYER introduced a bill (S. 1192) granting a pension to Judson Knight; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1193) granting a pension to John R. Wheelock; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1194) granting a pension to Mary Whirry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1195) to provide for the establishment of a postal telegraphic system; which was read twice by its title and referred to the Committee on Post-Offices and Post-Roads.

Mr. PLATT introduced a bill (S. 1196) to provide for the formation and admission into the Union of the State of North Dakota, and for other

purposes; which was read twice by its title, and referred to the Committee on Territories.

Mr. HISCOCK introduced a bill (S. 1197) for the relief of Charles L. Hemiup; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 1198) for the relief of William H. Robertson and Edward L. Hedden, late collectors of customs for the district of the city of New York; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Finance.

He also introduced a bill (S. 1199) granting a pension to George Frick; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. STOCKBRIDGE introduced a bill (S. 1200) for the erection of a public building in the city of Lansing, in the State of Michigan; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. STANFORD introduced a bill (S. 1201) to restore Chaplain C. M. Blake, United States Army, to rank and pay; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. FAULKNER introduced a bill (S. 1202) for the relief of William M. Morrison; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1203) to amend section 862 of the Revised Statutes of the United States, relating to the modes of proof in causes of equity, admiralty, and maritime jurisdiction; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1204) to provide for holding the circuit and district courts of the United States at Martinsburgh, in the district of West Virginia; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

Mr. HEARST introduced a bill (S. 1205) to amend an act entitled "'An act to restrict the ownership of real estate in the Territories to American citizens, etc.,'" approved March 3, 1887; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PLUMB introduced a bill (S. 1206) to equalize the bounties of soldiers, sailors, and marines of the late war for the Union; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1207) for the relief of John Sullivan; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1208) for the relief of John W. Redfield; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. DANIEL (by request) introduced a bill (S. 1209) for the relief of Robert N. Blake; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1210) providing for the payment of $2,500 to Theophilu Fisk Mills for executing a model and design for an equestrian statue of the late General John A. Rawlins; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 1211) for the completion of the monument to Mary, the mother of Washington, at Fredericksburgh, Va.; which was read twice by its title, and referred to the Committee on the Library.

Mr. HALE introduced a bill (S. 1212) for the relief of the heirs of William Pitcher and Axel Hayford, and Samuel Otis and George B. Fergusson; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1213) for the relief of the owners and officers of the brig Olive Frances, and others on board said brig; which was read twice by its title, and referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 1214) to pay to Julia A. Rice, Jennie M. Daisley, and William D. Daisley $5,000; which was read twice by its title, and referred to the Committee on Claims.

Mr. PUGH introduced a bill (S. 1215) in relation to the district courts of Alabama and the judges of said courts; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. EVARTS introduced a joint resolution (S. R. 25) providing for the printing of 4,500 copies of "Finley's Storm-Track Charts of the North Atlantic Ocean;" which was read twice by its title, and referred to the Committee on Printing.

Mr. VOORHEES introduced a joint resolution (S. R. 26) to arbitrate and settle the questions at issue between the District of Columbia and Samuel Strong; which was read twice by its title, and referred to the Committee on the District of Columbia.

## ALIEN OWNERSHIP OF REAL ESTATE.

Mr. SHERMAN. If there is no further morning business, I desire to call the attention of the Senate to a bill for the passage of which there is immediate call. I move that the Senate proceed to the consideration of the bill (S. 1029) to amend an act to restrict the ownership of real estate in the Territories to American citizens, etc., approved March 3, 1887.

The PRESIDENT *pro tempore*. The question is on agreeing to the motion of the Senator from Ohio.

Mr. PLUMB. I hope that bill will not be called up this morning. We had the subject before the Committee on Public Lands at the last Congress——

Mr. SHERMAN. This bill only affects the question so far as to enable representatives of foreign governments to acquire property——

Mr. PLUMB. I understand, I suppose, what the special scope of the bill is, although I have not seen it.

Mr. SHERMAN. It confines——

Mr. PLUMB. I shall not consent that the bill may go through now. I want time to examine it for the purpose of suggesting amendments.

Mr. SHERMAN. If when the bill is taken up the Senator really desires further time, I will agree that it may go over.

Mr. PLUMB. I object to its being taken up at all now. The Committee on Public Lands have had consideration of the whole question, and very likely there will be some suggestions to come from that committee in regard to amendment. This bill was introduced in the Senate and referred to the Committee on Foreign Relations, and apparently without much consideration it came back here, and while I do not say it ought not to pass in some form, I am very well satisfied that there ought to be some restrictions cast around the exercise of the power. I want time to examine it and I want time to give further consideration to the general question. There is no great hurry about it. I do not think anybody is aching to buy any land in Washington or outside, and I think we might take up some matters which are of more concern to the people of the United States and of more profit to people outside, who perhaps suffer more.

Mr. SHERMAN. I think it due to the Committee on Foreign Relations——

The PRESIDENT *pro tempore*. The Chair would remind Senators that the motion under the rules is not debatable. If there be no objection, the Senator from Ohio will be allowed to proceed.

Mr. SHERMAN. I simply wish to state that there is no great hurry about this matter, except that the Secretary of State, in a letter printed, and which has lain on our tables for some time, has called attention to the importance of the immediate passage of the bill, on the ground that one or two representatives of foreign nations desire to make improvements here for the purpose of legations. There are several legation buildings in this city erected by foreign governments, all of which are known to Senators, and the only object of the bill is to enable those legations to make improvements, and, besides that, to exempt the District of Columbia from the operation of the act. I am very much in favor of the general act which prevents foreign owners from gaining vast regions of land in the Western Territories, but there is no reason applying to those Territories which applies to the occupation of houses and tenements in this city.

If the Senator from Kansas wishes time to look into the bill further, I have no objection; but the motion comes up in regular order; it is not subject to objection.

Mr. PLUMB. I understand the effect of the motion.

Mr. SHERMAN. I withdraw my motion, but give notice that in a day or two I shall feel myself bound by the instruction of the Committee on Foreign Relations and in obedience to the express wish of the Secretary of State to urge speedy action on the bill. I shall call it up within two or three days.

The PRESIDENT *pro tempore*. If there are no further concurrent or other resolutions, the order of morning business is closed.

## PACIFIC COAST NAVAL STATION.

Mr. MITCHELL. Mr. President, I move that the Senate proceed to the consideration of the joint resolution (S. R. 8) providing for the appointment of a commission to select a site for a naval station on the Pacific coast, which was introduced by me on the 12th of December.

The PRESIDENT *pro tempore*. The joint resolution will be read at length.

The Chief Clerk read the joint resolution, as follows:

Whereas the military and naval defenses of the United States, the construction and repair of our shipping, and the promotion and security of our commerce have ever been subjects justifying in the American mind a policy of liberal appropriations for the improvement of harbors, construction of fortifications, erection of light-houses, establishing a Navy, with suitable navy-yards and naval depots, until the Atlantic seacoast from New Brunswick to Strait of Florida presents a cordon of military and naval defenses and commercial aids, with numerous navy-yards, including all the facilities for the construction and repair of vessels and equipments, and the manufacture of ordnance and munitions of war, and all of which have been established with a view mainly of enabling the United States to successfully compete in military, naval, and commercial prowess, advancement, and necessary conflict with the European powers facing the United States in that direction; and

Whereas the territorial empire of the United States presents another great national front, bordering on the eastern shores of the Pacific Ocean, with more than 2,000 miles of sea-line, rapidly growing into military, naval, and commercial importance, confronted not only with formidable European military and naval establishments in the islands of the Pacific to the westward and in the British and Russian possessions to the northward, but with the vast Asian empires and their dependencies, with their over 700,000,000 of inhabitants, who are rapidly turning their attention to improvements in the arts of war, offensive and defensive, and which must at no distant day become powers on the Pacific Ocean not to be ignored by the more civilized nations of the world, while as yet we have but a single navy-yard on all this extended coast-line, and none north of the thirty-eighth parallel of north latitude; and

Whereas the Pacific Northwest, embracing the State of Oregon and the Territories of Washington, Idaho, Western Montana, and Alaska, in addition to being possessed of great agricultural, pastoral, and mineral resources, and a

great and rapidly increasing commerce, internal and foreign, has within its western borders, and in close proximity to the most magnificent harbors and inland seas, immense bodies of the best quality of iron, coal, lime and other stone, and almost boundless forests of the finest timber in the world, suitable in all respects and admirably adapted for the construction and repair of ships, and extensive water-power for propelling machinery, including every natural requisite and facility for the establishment of a first-class navy-yard: Therefore,

*Resolved, etc.*, That the Secretary of the Navy be, and he is hereby, required to appoint a commission, composed of three competent naval officers, whose duty it shall be to examine the coast north of the forty-second parallel of north latitude, in the State of Oregon and Territories of Washington and Alaska, and select a suitable site, having due regard to the commercial and naval necessities of that coast, for a navy-yard, and, having selected such site, shall, if upon private lands, estimate its value and ascertain the price for which it can be purchased, and of their proceedings and action make full and detailed report to the Secretary of the Navy; and the Secretary of the Navy shall transmit such report, with his recommendations, to Congress.

SEC. 2. That to defray the expenses of such commission the sum of $——, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any moneys in the Treasury not otherwise appropriated.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Oregon that the Senate proceed to the consideration of the joint resolution.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. MITCHELL. Mr. President, more than thirteen years ago I endeavored to attract the attention of the Senate to the importance of naval establishments, including ship-building, dock-yards, and supply stations, on the waters of the Pacific Ocean. In the Forty-ninth Congress I again sought to enlist interest in that direction. The effort is now renewed, encouraged by strong words of recommendation from the Chief of the Bureau of Yards and Docks, and approved by the present Secretary of the Navy.

While from the beginning of our Government to the present time, or, to be entirely accurate, until June 30, 1887, there has been expended by the United States in improvements, expenses, and the preservation of the navy-yards, naval stations, and property bought for such purposes, including sites and dry-docks, the sum of $53,994,002.88, not including the sum of $2,954,175.43 expended on the old Philadelphia navy-yard, and which was sold December 22, 1875, for $1,000,000, making a sum total expended of $56,948,178.31, only about 5 per cent. of this amount has been expended west of the Alleghany Mountains. The yards and stations on which this amount of nearly $60,000,000 has been expended are denominated and located as follows:

Navy-yards: Portsmouth, N. H.; Boston, Mass.; New York, N. Y.; League Island, Pa., now closed; Washington, D. C., now used as an ordnance yard; Norfolk, Va.; Pensacola, Fla., and Mare Island, Cal.

Naval stations: New London, Conn., now closed; Key West, Fla.; Sacket's Harbor, N.Y., now closed; New Orleans, La., not improved and I believe now leased; Port Royal, S. C., a coaling station; and a naval property never improved at Blythe Island, Georgia. Of all these fourteen establishments but one, that of Mare Island, in California, is located on the waters of the Pacific. Upon the granite dock at the latter, inaugurated about thirty-five years ago, there has been expended about $3,000,000, and this yard is not yet in all its establishments entirely completed. If, then, navy-yards, dry-docks, and naval supply stations are to be deemed essential, or even important only to a nation in a state of peace or war, then all must agree without hesitation that one such establishment only, however well planned and equipped in all its appointments, is wholly inadequate to meet the wants of the country on the waters of the Pacific.

The Secretary of the Navy, in his late annual report, in referring to the fact that less than one year ago this country was destitute of three manufactories necessary to the construction and armament of a modern war vessel, namely, that of steel forging for the heavier guns, that of armor for iron-clad vessels, and that of the secondary batteries—machine and rapid-firing guns—an essential portion of the armament, and in congratulating the country that "now all three manufactories are in process of construction under contracts of the Department," very properly remarks:

> It was a fatal mistake for this country to be dependent upon any other nation for its implements of war.

It might with equal propriety and truth be said that it is a fatal mistake to permit this country, or any great section or portion of it, to remain longer in an absolutely defenseless condition, not only in respect of ships, guns, and fortifications, but also of properly established and thoroughly equipped naval stations and navy-yards, with suitable docks, foundries, machine-shops, and provision stores, all so advantageous in time of peace, and so absolutely essential in time of war, as bases of naval operations in the country's defense.

The recent history of naval architecture and naval establishments in Europe, so far from furnishing an argument in favor of dispensing with navy-yards and docks, presents forcible reasons to the contrary. The five great home dock-yards of Great Britain, those of Chatham, Sheerness, Portsmouth, Pembroke, and Devonport and Keyham, which are really one, have, notwithstanding the innumerable British private yards on the Clyde, Tyne, Wear, and Tees, been constructed at a cost up to March 31, 1884 (according to the late report of Naval Constructor Hichborn of October 12, 1885), of $63,684,570, not including some $12,000,000 expended for timber and other material for ship-building and the outfit of vessels, making a total of over $75,000,000 represented in these five home dock-yards alone. These give 18,000 men employment the entire year at the average wages of $1.03.

From this same report we find that the total sum expended by the British Government in the fifteen years ending April 1, 1884, upon new building and the repair of vessels of the royal navy aggregated $179,649,625, besides $37,745,650 for incidental charges, making a grand total of $217,395,275, or over one-fourth of the total of naval appropriations during the same period. And of this amount $44,150,575 only were expended in contract work, while $173,244,700, or over four-fifths of the sum appropriated for building and repairs, were expended in the public dock-yards.

The Pembroke dock-yard, said to be the best of home British yards adapted to building purposes, comprising 77 acres of land, has 14 building-slips and 1 dry-dock. This, however, is not a "fitting-out yard," as it has but 1 dock, no basins, and but a limited amount of stores, and vessels built there are sent to other yards as a rule for such purposes. The Devonport and Keyham dock-yards are really one. They are distant from each other but half a mile and connected by the great Keyham Tunnel Railway, the two yards covering 140 acres of land. But it is at the Portsmouth dock-yard that the enterprise, statesmanship, energy, and power of the English Government are most conspicuously represented in this great auxiliary to naval efficiency and power. It has 3,900 feet water-front, 7 building-slips, 9 dry-docks, 2 wet-basins of nearly 4 acres, and contains 115 acres; gives constant employment to nearly 6,000 men, requiring an annual expenditure in the form of wages alone of nearly $2,000,000. The exact figures for the year 1884, as given in the report of Naval Constructor Hichborn, were 5,660 employés, at a cost of £383,660.

Passing to the Chatham dock-yard, on the Medway, we are told "it is but little inferior to Portsmouth." It has 4 dry-docks, 10 building-slips, besides large foundries, store-houses, workshops, etc., and covers 95 acres; while that of Sheerness, although important, does not equal in value or importance either of the two former. It covers 57 acres, has 5 dry-docks, 1 building-slip, 1 wet-dock covering nearly 4 acres, store-house, foundries, etc.

In addition to these home yards and docks, established at a cost of $75,000,000, Great Britain has establishments for building and repairing vessels at Gibraltar, Malta, Yarmouth, Deal, Bermuda, Bombay, Ascension, Antigua, Jamaica, Good Hope, Trincomalee, Halifax, Kingston, Esquimalt, and other points in her provinces and other places under her control.

The five great dock-yards of France—Cherbourg, on the English Channel; Toulon, on the Mediterranean; Brest, near the English Channel, and L'Orient and Rochefort, on the Bay of Biscay—go far in their contributions toward the naval dignity and importance and maritime power of France. They have, we are told, collectively, an area of over 900 acres, contain 24 dry-docks, "and are complete in all the requirements for building, repairing, fitting out, and preservation of ships, and the management of stores and articles required for a navy. The quays, basins, and slips, we are further assured, are of the most substantial character, which if duplicated in the United States would require decades and several hundreds of millions of dollars." The number of men employed has for many years past averaged over 25,000, at an average per diem of 52 cents; and in this statement the French naval establishments of Havre, Bayonne, Dunkirk, and Indret on the Loire are not included.

Russia, the third great naval power of the world, furnishes us examples worthy of imitation in the number of her vessels and men, rather than by her docks and yards, although her naval depot at Cronstadt, on the Baltic, 16 miles from St. Petersburg, two navy-yards at St. Petersburg, and her naval stations at Nikolaief and Sebastopol, on the Black Sea, are important aids to the efficiency and effectiveness of the naval power of Russia. Even Germany and Italy, neither claiming to be a first-class naval power, have in recent years furnished us examples of public spirit, governmental energy, and statesmanship in this regard worthy our admiration and imitation. The three great German dock-yards of Kiel and Dantzic, on the Baltic, and Wilhelmshaven, on the North Sea, are unsurpassed in costliness, magnificence, and efficiency by any in the world. There have been expended in the latter for basins, docks, buildings, and other works in the last twenty-five years over $20,000,000. It has a capacity, as represented in the report before referred to, "equal to the requirements of our entire Navy during peace, and its defenses are already so formidable that in 1870 the French, with their powerful ironclads and rifle-guns, refrained from attacking it."

So Italy, notwithstanding all her political turmoils and dissensions, has within the past twenty-five years, since its unification, constructed a dock-yard at Spezia, which, it is said, "for capacity and completeness is equal to all our navy-yards combined." This great work was begun as late as 1861, is designed for nine building-slips and ten dry-docks, and, up to 1872, over $10,000,000 had been expended on it.

But while the European nations are in this respect pursuing a policy, based not upon mere expediency, not prompted by the imperative and pressing necessities of actual war, but one dictated by wise statesmanship, the result of mature design, enlightened policy, and a deliberate and far-seeing plan in time of profound peace, marked by a prevision

characteristic of true diplomacy and exalted statesmanship, how has it been and how is it to-day with this Government? The establishment of all our naval stations and dock-yards, with perhaps one or two exceptions, has been the result of a pressing necessity at the time. Their selection, construction, and equipment have not been the outgrowth of that statesmanship that sees the end from the beginning, and comprehends from the present the necessities of the future, but the expediency of the hour alone has been the rule that has obtained almost universally in this country.

For over sixteen years after the adoption of the Constitution, although Washington as Chief Executive had used every argument in his power to induce Congress to appropriate money to establish navy-yards, not a dollar had been appropriated for that purpose. The construction of our first ships, authorized by reason of the piratical attacks on our commerce by the Algerian corsairs, was in private ship-yards. These were commenced in 1794. In 1801, Congress having given a deaf ear to the recommendations of the President to appropriate money for the purpose, he purchased on his own responsibility the sites of the navy-yards at Portsmouth, Boston, New York, Philadelphia, Washington, and Norfolk. And this action on the part of the President was finally approved by Congress, which on March 3, 1801, made an appropriation of half a million dollars for the purpose of improving them.

But while nearly sixty millions of dollars have been expended in the last eighty-seven years, even yet we have no settled policy on this subject. The great necessities brought on by actual war, first, by that of 1812; second, by the piratical depredations on our commerce by the West India freebooters in 1821; third, the Mexican war, and fourth, our late civil war, have demonstrated beyond all question and in the most emphatic terms, not only the great importance of yards and docks for the building, repairing, and provisioning of ships of our Navy, but also the absolute imbecility of a policy in such great national matters that is regulated, dictated, and controlled by mere expediency alone.

The war of 1812, during which our Navy, weak, unsupported, and insignificant as it was, won glory upon our northern lakes as imperishable as the stars, and clothed the name of Commodore Perry and others with a fame as abiding as the light of the sun, led, before the close of that war, in addition to the six original navy-yards, to the establishment of seven other stations, namely, Whitehall, on Lake Champlain; Sacket's Harbor, on Lake Ontario; Erie, on Lake Erie; Charleston, S. C.; Baltimore, Md.; Newport, R. I., and New Orleans, La. The troubles with the West India piratical crafts in 1821 brought about the establishment of a naval station at Key West, and a navy-yard at Tartar Point, Pensacola.

The Naval Commission, in their report of December 1, 1883, in referring to this branch of this important subject, say:

> Both of these places (Key West and Pensacola) were brought into still greater prominence during the Mexican war, which demonstrated the necessity of a naval station on the Gulf; while during the late civil war Port Royal, Key West, and Mound City became among the most important naval stations in the possession of the Government. It is impossible to foresee what particular section of the country may be included in the theater of war, or what naval station may become, for the time being, of most value. When, in 1854, our only navy-yard west of the Alleghanies was retroceded to the city of Memphis, the most far-seeing eye could not have discerned the value it would attain in 1862.

But it was not until the convulsions of the late civil war had seized the great corpus of our political, military, and naval fabric, and every nerve center of these great organizations felt the disturbing pressure of actual and terrible war, that the great necessities of our nation in regard to naval stations, navy-yards, docks, and efficient naval-supply sources generally became so absolutely apparent. Not until then was the public mind of this nation thoroughly awakened to the criminal neglect of our Government in the past in dealing with this subject, and to the lamentable fact of the then wholly insufficient condition of our navy-yards for the practical and stern purposes of actual war.

The following extract from the report made by the Secretary of the Navy, in 1864, will best illustrate our condition in this regard at that critical period of our nation's history. He says:

> When hostilities commenced our Government had provided no suitable navy-yards to manufacture the necessary machinery for our rapidly expanding Navy, but the Department was compelled to rely on the few private establishments which it could divert from other engagements for the immense work that was calling out the resources of the nation.
>
> Great embarrassment was experienced in consequence of this neglect of the Government at the very commencement of the war, and although the naval service and the country are suffering constantly from this neglect, measures for the establishment of a suitable navy-yard for the construction and repair of iron vessels, their armature and machinery, are still delayed. * * * As early as March, 1862, and on several occasions since, I have had the honor to present my views to Congress on this subject. The earnestness and frequency with which it has been brought forward must find an apology in its great importance.
>
> The inability of our present establishments for the work imposed by this war has been the source of inexpressible anxiety, and often of great disappointment and public injury. To relieve the navy-yards from work which they have but limited means to execute, and to secure necessary repairs, the Department has been compelled to establish stations for machinery and means of refitment at Mound City, Memphis, New Orleans, Ship Island, Pensacola, Key West, Port Royal, Beaufort, Norfolk, and Baltimore. But these, and all the private establishments of the country, besides other calls upon them, have been insufficient to keep the present Navy in necessary order, so that if to the duty of blockading there were added ocean conflicts with a naval power by which our ships would be often disabled, the sad spectacle would be presented of our ships laid up in time of war for want of a proper establishment with the shops and means to repair them. * * * The Government has not, even at this time, an establishment where a plate can be made for our ironclads. The frontage or wharfage at all our navy-yards, so important for repairs, is less than is required at each of them. One yard, at least, where iron vessels, iron armor, and iron shafting can be manufactured, is now imperatively necessary.

This report of the Secretary of the Navy represented the condition in which we found ourselves during the late civil war by reason of our milk-and-water policy prior to that time in having no general plan looking to the establishment of a system of naval stations, navy-yards, and docks, at all necessary and proper points on all our coasts and great rivers that would be equal, as supply stations in case of either internal or foreign war, to the great emergencies of the hour.

This situation emphasized in emphatic terms the futility and folly and lack of statesmanship theretofore displayed, and since then practically followed by our Government, in continually discussing the question as to the propriety of abandoning those navy-yards we have, or ceding them to certain cities or States, as in the case of the cession to the city of Memphis, in Tennessee, in 1854, of the only navy-yard then west of the Alleghanies, thus losing its value in the great naval conflicts on the Mississippi River seven years later.

It is not safe, as history teaches in unmistakable lessons, to act upon the assumption or theory of perpetual peace, either at home or abroad, or to depend upon providing temporarily and suddenly to meet great emergencies when they arise. The unwisdom of such a course is well illustrated by the following clauses from the report of the Commission before referred to:

> War is the heritage of man; and for the people of the United States history will have been written in vain should they delude themselves with the idle hope of perpetual peace; and when war does come in these modern days it is swift and terrible. Within six months after hostilities commenced against Russia in 1854, the allied armies had landed and beaten the Russians on their own soil.
>
> In 1864, after a campaign of but eight months, Denmark was forced to cede the duchies of Schleswig-Holstein and Lauenberg in favor of Prussia and Austria.
>
> The Prusso-Austrian campaign of 1866 lasted but seven weeks.
>
> In eight months after the Franco-German war burst upon Europe the German army occupied Paris. A dynasty was overturned and the provinces of Alsace and Lorraine were wrested from the dominion of France.
>
> Exposed and unprepared as we are, the damage that could be inflicted upon us ere the note of warning had well sounded would be beyond calculation.
>
> It is a popular belief that our traditional policy of peace is easily maintained by reason of our isolation and our freedom from the entanglements which so frequently disturb the relations of European powers. But this is a delusion. We have, in common with all maritime countries, interests which we are in duty bound to support. The present disturbed condition of affairs on the Asiatic station, the construction of the Panama Canal, the interpolation of the Monroe doctrine into our political creed, our growing commerce in the Pacific, and the naval strength developed by the rising powers of South America are, each and every one, subjects prolific of questions of serious import to the people of the United States. Their Government may at any day be called upon to take its stand and carry into practical effect the broad and enlightened principles which have characterized its foreign policy. To do this, and to exercise that moral influence which belongs to us of right as one of the wealthiest and most liberal members of the great family of nations, a certain reserve of force is absolutely essential.
>
> Now, the number, but more particularly the condition, of our navy-yards may be regarded as a part of that reserve and as an exponent of our naval power. The logical deduction, therefore, is that the power must be developed or our foreign policy be abandoned, if we would avoid national humiliation.

The gradual, and it may be said remarkably rapid, environment of the Pacific coast and Northwestern frontier by important and formidable military and naval establishments, representing in the strongest possible terms British influence, British aggression, and British power, and the military occupation, furthermore, by Great Britain of the islands of the Pacific and the Pacific Ocean itself, are circumstances which ought to arrest the attention of the people of this country, and prompt the Government to such speedy and effective action as may be a fitting response to these formidable menaces of British power.

Already Hong-Kong, Sydney, and other points on the western boundaries of the Pacific, the Fiji and other islands of the Southern Pacific, are converted into magnificent establishments as sources of naval supplies and protection for British fleets now occupying the waters of the Pacific, or which may occupy them more largely in the future. Important loans recently made to the Hawaiian Government, and His Majesty King Kalakaua personally, clearly indicate the intention of English diplomacy in that direction; and the gradually waning power of the Hawaiian King and the disturbed condition of his realm only give encouragement to British rapacity and the well-known desire of Great Britain for extension of territory and enlargement of political and commercial power.

Reaching out from Halifax in the east, one of the greatest military railways ever constructed by man menaces our northern frontier its entire length, riveting the iron rails of its western terminus to one of the most magnificent, expensive, and formidable military and naval establishments in the world, already established and equipped by Great Britain at Esquimalt, on the waters of the Pacific near Victoria, on Vancouver's Island, in British Columbia, soon to be supplemented and strengthened by one no less significant or important at Port Moody.

The Canadian Pacific Railway, while in one sense a great commercial highway, is nevertheless in its inception and completion the outgrowth of military genius and British diplomacy, worthy the men and the nation that conceived the plan and executed the work. It must not be forgotten that lying on and along our entire northern boundary, and on the very border of which is constructed this great military highway, lie the provinces of this great political, military, and naval power, separating us indeed for a distance of over 500 miles from 555,000 square miles of our possessions in Alaska.

Reaching out therefore from Halifax through the Canadian provinces, passing through Kingston, Canada, one of the most strongly fortified points on this continent, through the secure anchorage for naval fleets and naval supplies in the harbor of Esquimalt, extending on one by one through the British naval stations in the several islands of the Southern Pacific, resting in security and safety in the fortifications and supply stations of Sydney and Hong-Kong, it is found our country on its northern and western boundaries is environed and menaced by a chain of British military and naval establishments and strong commercial lines of railway and steamships, which, in the unfortunate event of war between Great Britain and the United States, would give the former advantages over us as a nation of a character beyond all estimate.

The truth is our entire country on every side is completely surrounded on sea and land with a cordon of naval and military establishments, mainly British. This is forcibly illustrated in the report of the Navy-Yard Commission of December 1, 1883 (Senate Executive Document No. 55, first session Forty-eighth Congress), in these words:

Nor are we so completely isolated. On the contrary, we are environed by the naval stations of a country that but a few short years ago would have rejoiced to see the dismemberment of the Union. This has been repeatedly brought to the attention of Congress. Kingston, Canada, one of the strongest military posts of this continent, can, at the very commencement of hostilities, launch gunboats upon the upper lakes where American citizens have property to be reckoned only by the millions. Halifax, with ample resources for supplying a war fleet, is but thirty-six hours' steaming from Boston. Bermuda, with her fine dry-dock and arsenal, is but sixty hours from the capes of Virginia, commands the entrance to the Chesapeake, and as a consequence the navigable rivers of Maryland and Virginia. Nassau would be a rendezvous for British cruisers, as it was a refuge for her blockade-runners during the late civil war. The magnificent harbor of Kingston, Jamaica, with its fine navy-yard at Port Royal, is but four and a half days' steaming from our Gulf ports; and San Francisco is within three days of the British naval station of Esquimalt. Not only this, but France has a navy-yard at Port of France, Martinque, and Spain holds Cuba. Havana is but eight hours from Key West, the key of the Florida Channel and the Gulf of Mexico, and only sixty hours from the rich and populous city of New Orleans. From these stations modern war ships, of which we have no representatives, could fall upon our coast, paralyze our commerce, penetrate our harbors, and destroy such navy-yards as we now possess.

As an offset to all this what have we to offer, to what can we as a nation point with pride as means of defense or supply in the matter of either military or naval establishments on the Pacific coast? Absolutely nothing in so far as the North Pacific is concerned. The whole region from the southern boundary of Oregon to the northwestern extremity of Alaska or Behring Sea, including the mouth of the Columbia River, the great valleys of the Columbia, the Willamette, the Umpqua, and the Rogue Rivers, with their great outlets, Yaquina Bay, the Umpqua River and Coos Bay, the waters of Puget Sound, with an area of over 5,000 square miles and 1,600 miles of shore-line, and the empire of Alaska, are all absolutely defenseless, and in case of war, as at present supplied, would fall an easy and ready prey to the naval forces of Great Britain or those of any of her allies.

The whole Pacific coast, from the Gulf to Behring Sea, a distance of 4,700 miles of our country's frontier, with all its limitless resources, developed and undeveloped, its rapidly increasing population, its growing cities, towns, and villages, its immense commerce, its expanding trade, its rapidly developing industries, is all absolutely defenseless and at the mercy of Great Britain whenever an excuse for hostile action may arise. In all this distance of coast-line, facing the widest and grandest of all oceans, already occupied by the forts and naval stations and fleets of the greatest military and naval power on earth, with the government representing that power continually insisting on misconstruing treaties, in making unreasonable and unjust demands, and insisting on illegal and iniquitous exactions in the matter of the fisheries in Canadian and Alaskan waters, we have the one comparatively insignificant and ill-equipped naval station of Mare Island, in the State of California.

To this alone must our naval power look as a base of supplies in case of an attack on any part of our Western or Northwestern frontiers by any foreign power. This as a means of protection to the whole coast of Oregon, Washington, and Alaska is absolutely unavailable and inefficient, as all must agree. With this alone as a base of naval operations and supplies the mailed hand of the military and naval power of Great Britain, in case of a conflict, would fall with unimpeded, relentless, and destructive power upon the people, the industries, the commerce of the Pacific Northwest. In such a case Oregon, Washington, and Alaska, with all their limitless resources, unprotected, imperiled as they are, would become the sport and toy of British aggression.

It would not then be 54° 40′ or fight; it would be, so far as Great Britain is concerned, 42° without a fight. In such an event the tribute that would be exacted from a defenseless but worthy people would aggregate an amount far in excess of that necessary to place, us in a position to enforce peace "without a sacrifice of rights, principles, and dignity," or, failing in this, that we may be prepared to meet the emergency of war on an equal footing with any foe.

So far from receiving encouragement from the General Government on the Pacific coast in the way of giving us protection, only recently, by an order of the War Department, the troops at Fort Canby, at the mouth of the Columbia, have, for some as yet unexplained cause, been withdrawn and the fort abandoned. The reasons for this backward movement will, I presume, be furnished by the honorable Secretary of War presently in response to a resolution adopted by the Senate on my motion early in the present session. Until this answer is in, criticism would not be in order, and may not be then.

It has been frequently remarked, it is true, and with some force, that navy-yards, being simply ship-building and manufacturing establishments, combined with arsenals for the storage of munitions of war, can not, in one sense, be properly classified in the list of military defenses.

It may be said, with some degree of truth, that being in a measure incapable of defense ordinarily in and of themselves, and being a source of supplies, they are liable to invite attack; but notwithstanding all this the history of this country, as well as that of every naval power on earth, emphasizes their necessity in the general economy of public works essential to the preservation of the influence and dignity, and the security of national and individual rights in times of peace, and the proper and successful defense of all these in the event of war.

Commodore D. B. Harmony, Chief of the Bureau of Yards and Docks, United States Navy, in his annual report to the Secretary, of date October 15, 1887, in discussing the present condition of our navy-yard at Mare Island, California, strongly urges consideration of the establishment of additional naval resources on the waters of Puget Sound, and enforces the proposition with highly important suggestions and incontrovertible facts in these words:

NAVY-YARD, MARE ISLAND, CALIFORNIA.

This navy-yard is our only naval station on the shores of the Pacific. It would be our only base for naval operations for the defense of the ports of this coast, for the protection of our Pacific trade, and for the assertion, if it should become necessary, of the dignity and strength of the nation upon this the greatest of all ocean areas. At present European naval powers are rapidly acquiring the insular countries of this part of the world, their movements advancing so far as to make among themselves a virtual partition of the western Pacific, and extending so far of late as to practically annex groups of islands where American trade and civilizing influences had been theretofore paramount. In considering these movements the possibility does not seem a distant one that our extreme western territory may be hampered and surrounded by the possessions of aggressive naval powers. This, in addition to the immense development upon land and sea in the Pacific that will follow the opening of an interoceanic canal, will force upon this country a greater naval activity, for which we should be prepared. Not only should the question be considered of the establishment of additional naval resources in the waters of Puget Sound, the great coal and iron regions of the future upon this coast, but measures should be taken to place this our only naval station now existing upon the coast in a fully equipped condition. When the emergency arises, and the strain and stress of preparation or actual war is upon us, there will be no time for the establishment of the necessary works, which require considerable time for construction and a continuous though not extravagant expenditure of money.

The Secretary of the Navy, in his recent annual report to the President, of December 6, 1887, gives his approval to this recommendation of Commodore Harmony, and emphasizes its importance by special reference, in these words:

Special attention is called to the considerations presented in the report in reference to the provision of additional facilities for naval work on the Pacific coast, especially in the neighborhood of Puget Sound, the great coal and iron region of the future upon this coast. Apart from this question of an additional naval station, measures should certainly be taken to place the only naval station now existing upon the coast, that at San Francisco, in a fully equipped condition.

In this connection I am also, through the courtesy of Lieut. Commander Charles H. Stockton, United States Navy, at present on duty in the Bureau of Yards and Docks in Washington, enabled to present an interesting memorandum bearing directly, and with much practical force, on the question now under discussion. This memorandum, I am advised by Commander Stockton, is based on a series of official lectures recently delivered by that officer, at the instance of its president, before the students of the Naval War College at Newport, R. I., on the existing naval, commercial, and international conditions of the interoceanic canal and the policy that should be adopted by our Government. This officer stands high as an authority on such naval affairs as he discusses. I beg to submit his contribution entire, and ask that it be incorporated into my remarks. It is as follows:

MEMORANDUM ON THE ADVANTAGES OF ESTABLISHING A NAVAL STATION AT PUGET SOUND.

Puget Sound consists of about 5,000 square miles of water area, and nearly 1,600 miles of shore-line, with fine harbors for naval purposes, a narrow entrance and inside straits capable of being strongly fortified, and with a surrounding country rich in ship-building timber, in coal, iron, and limestone, and with railroads built and building which will provide it, after San Francisco, with the best railroad facilities on the Pacific coast. It offers the only adequate and secure harbors, besides San Francisco, for the largest class of war-vessels on our Pacific coast, which not only makes it fit for a naval station, but makes it susceptible of an attack from a powerful hostile squadron.

On account of the watar area of Puget Sound, the Strait of Juan de Fuca, Washington Sound, and the outside and inside waters leading towards Alaska, the defense of this coast line will have to be to a great extent by a naval force, which force will necessarily require a place for repair, docking, refitting, and provisioning near by. This can be located in one of the many secure harbors in Puget Sound, or it may be advisable to utilize one of the large fresh-water lakes lying so close to this sound. In addition to this the recent remarkable discoveries of iron ore and good coal place the three great elements for iron and steel manufacture, of good coking coal, rich iron ore, and limestone within 50 miles of tide-water; a combination that exists nowhere else in the United States, and few places in the world. These all point to the strong probability that this place will develop rapidly as a place for the manufacturing of iron and steel, and consequently for iron or steel ship-building; hence, it seems wise to prepare in time for the construction of iron and steel war-vessels at this place.

Furthermore, Alaska, now in a semi-colonial state, seems on the verge of development. We are separated from this portion of our domain by 500 miles of water navigation and by the territory belonging to the strongest naval power in the world—Great Britain.

From the topographical, maritime, and climatic conditions existing in Alaska, this Territory especially requires a naval force for its police in times of

peace and for its protection and defense in time of war. The base for such operations both in peace and war will be naturally in the waters of the Puget Sound, thus saving the long and hazardous trip to San Francisco for disabled vessels, or for vessels denied by war or neutral obligations the coal supply existing in British Columbia.

The want of naval and other defenses in these waters has been the subject of discussion among British officers, and when regrets were expressed by some that San Juan Island, which commands the most available and best channel to the Nanaimo coal-mines and the Pacific terminus of the Canadian Railroad, was in the hands of the United States, others retorted that in case of war with the United States, a very small naval force from Esquimalt would at once seize it, as there were neither fortifications, garrison, nor any American naval force probable or possible to prevent it.

In regard to the value of the English dock-yard at Esquimalt, British Columbia, it presents two phases, one in regard to the United States, the other in regard to the control of the Pacific Ocean.

First, in regard to any offensive operations against the United States. It is but 18 miles from Port Angeles and San Juan Island, Washington Territory, and 30 miles from the entrance to Puget Sound. These places could be seized at once by a naval force issuing from Esquimalt Harbor, and thus would go one of the most valuable commercial and mineral districts on the Pacific coast, and the most valuable region for unworked naval material existing anywhere on the coast of the United States.

Second. As to its importance as a base of operations against San Francisco, the Columbia River, and the Pacific seacoast generally, I can show how great this is considered by quoting from a book written by an English military officer, Captain Colomb, in 1879, who in advocating the enlargement of its resources, its fortifications, and the construction of the Canadian Pacific Railroad, says: "Our power of keeping the sea in the North Pacific rests entirely and exclusively on our ability to secure British Columbia against all attacks, and by guarding this North Pacific gem, set as it is with black diamonds, we shall be establishing a post naturally capable of imperial strength, and about as near Australia as Mare Island. It would be an outwork against that steady advance of Russia, which, sooner or later, will shift the real eastern question from the Mediterranean to the Pacific, and it would also hold a pistol to the head of San Francisco." * * *

Since the above was written the home government of Great Britain has granted funds to aid in the extension and completion of the dry-dock at Esquimalt, has made and is making provision for the armament and defense of the post; the Canadian Pacific Railroad has been built, and even more recently a railroad from Esquimalt to the coal mines in the northern part of Vancouver Island. The direct and indirect expenses incurred in this can not now be given or ascertained, but they all point one way. The Canadian Pacific Railroad as a commercial enterprise is a part of the American system of railroads, its virtual terminus is New York, it is tapped at the Sault St. Marie by American railroads, and its Pacific terminus is in the air until it reaches the shores of the Puget Sound; but as a military railroad it is British from end to end, connecting the military stronghold of Halifax with that of Esquimalt, and both threatening, and intended to threaten, our Atlantic and Pacific seacoasts.

To take the question of coal alone, in case of war with England were the Puget Sound district to pass out of our hands, and there is nothing now to prevent it, we would be without coal supply on the Pacific coast, except the meager supply from beyond the Cascade range or the indifferent coal from the Mount Diablo regions. Eastern coal could not come on account of the maritime preponderance of England, and of course the Sydney, Australia, and British Columbia supply would at once be cut off.

If there should be any skepticism about the British preponderence in the Pacific, I can call attention to the fact that the three fortified ports of Hong-Kong, Sydney, and Esquimalt furnish well-equipped sources of supply, repair, and docking for the naval fleets that already center there; the Fiji Islands are an English colony; while our coaling stations in the Pacific are in every way unworthy of the name, would be useless to us in war, and we would probably be denied by English influence the right to coal and refit by the little neutral sovereignties in which they are placed; or if this should not be done, then, as an English admiral has expressed it, the naval force of Great Britain would at once destroy the undefended deposits of coal placed among these islands. On the shores of Puget Sound there should be placed a naval station, then, first, on account of the great raw material resources for naval purposes existing there; second, for a source of supplies, refit, and repair for vessels engaged in the police, protection, and defense of the coasts and waters of the United States reaching from Oregon to Alaska; and, third, as a fortified naval station, to counteract the menacing attitude of the English naval station at Esquimalt, near by, intended to be a military thorn in our side, like Halifax or Bermuda on the Atlantic.

Mr. President, if, following out the suggestions of the Chief of the Bureau of Yards and Docks and those of the Secretary of the Navy and Lieutenant-Commander Stockton, Puget Sound, rather than the waters of the Columbia River, Yaquina, Umpqua, Coos Bay, or Gray's Harbor, should be selected for the establishment of a grand naval station, yards, docks, foundries, machine-shops, supply stores, etc., it would be found that but few if any of the great fundamental conditions and requirements deemed important in the establishment of such structures are wanting.

With the proper military fortifications that must at an early period be erected along the shores, and at the mouth of the Straits of San Juan de Fuca, a navy-yard on the waters of Puget Sound at any one of the very many practicable sites on that great inland sea would meet the first two of the necessary conditions, namely,

First, that of being located within the lines of defense, and,

Second, that of being secure from attack by either sea or land.

Third. Moreover, in the third place, the interior lines of communication to the principal sources of supplies could be fully secured by a navy-yard located on the waters of Puget Sound in time of war.

Fourth. In such a case the establishment would be located not only near a safe and commodious harbor, but on one of the safest and most commodious of all the known harbors of the world.

Fifth. It would be easy of access, and would admit, at all stages of water, without dredging, vessels of the largest draught.

Sixth. No difficulty would be experienced in procuring at reasonable rates skilled labor in the several departments of wood and iron shipbuilding and marine engineering.

Seventh. The facilities of the surrounding country for furnishing the necessary materials of timber, coal, iron ore, and potable water are unexcelled in any country in the world.

Eighth. The character of the ground at innumerable points on Puget Sound is such that dry-docks and wet-basins in numbers sufficient to meet all probable demands can be constructed at a reasonable cost, with ample area for all the necessary structures of a combined shipbuilding and repairing yard and naval arsenal.

Ninth. The supply from innumerable fresh-water lakes and streams, whose waters are inexhaustible, of good potable water would meet every requirement.

Tenth. A navy-yard so located would be difficult to blockade.

Eleventh. It would be surrounded by a climate than which none more salubrious or enjoyable can be found in any State or Territory of the Union.

The foregoing, Mr. President, are the eleven conditions specified by the Naval Commission in their report on the navy-yards of this country, of December 1, 1883, as desirable and the existence of which are deemed important in the selection of a site for a navy-yard. Every one of these conditions is met on the waters of Puget Sound. It may furthermore be said with propriety and force that all of these and others not mentioned, which might be urged, would be present, were the site selected on the waters of the Columbia or the Willamette at any one of any number of convenient points between Portland and Astoria, or at any of the other points I have indicated on the Oregon and Washington coast.

The age of granite docks has given way in these latter years, not in this case, however, to that of iron or steel but to that of wood, and herein lie the unsurpassed facilities afforded for the construction of naval docks on the waters of the Columbia River and on Puget Sound, where there is such a superabundance of the finest forests of fir, cedar, pine, hemlock, and other coniferous timber, besides maple, myrtle, ash, oak, and various other species of deciduous timber, upon which the eyes of man ever rested. The best judgment of those versed in naval architecture has long since condemned the granite dock, and given wood the preference. The latter, or timber docks, are not only more durable, less subject to the influences of frost, but the cost of construction is not much more, if any, as a general rule, than one-third that of those constructed of granite; while the cost of maintaining them in repair is also much less.

Naval Constructor Hichborn, United States Navy, in his interesting report on European docks and yards, remarks as follows on this subject:

> Wooden docks cost from 30 to 50 per cent. less than those of stone, and in climates where they are exposed to severe frosts are much cheaper in maintenance; extensive repairs are not required within the first twenty years.

While Commodore Harmony, United States Navy, Chief of Bureau of Yards and Docks, in a communication addressed to Hon. William McAdoo, of the House Naval Committee, on April 6, 1886, in referring to this subject, says:

> My proposition to build docks of timber is based upon the fact that they can be built at such a small price comparatively. The three proposed will not cost more than three-fourths of what the granite dock at New York cost and about three-fifths of the one at Mare Island. * * * The main objection to a granite dock is, beside the cost, that the alternate freezing and thawing affect the joints of the stones and the water gets in, throwing the stone out of place and requiring constant repairs. * * * There is every reason to believe that a dock constructed of timber will last for centuries with proper care. In case of a piece of timber being found rotten it will be as easy a matter to replace it as to take a defective plank out of a ship and put in a sound one.

To illustrate this question reference may properly be made to the fact that there has been expended in the construction of the granite dry-dock at Mare Island, California, nearly $3,000,000, at least not less than $2,800,000, and it is not yet entirely completed; whereas a wooden dock of the same capacity that would last longer, would cost infinitely less to keep annually in repair, and which would, according to the best authority, be in all respects superior, could have been constructed for less than one-third the amount, and could, on the Columbia River or on Puget Sound, be constructed for still much less. In this respect alone, therefore, the advantages presented by the North Pacific coast, both the Columbia River and Puget Sound, are almost beyond estimate.

While no government should adopt a policy that would tend to crush individual enterprise in the matter of ship-building, but should rather, on the contrary, give every proper encouragement to this great industry, which creates markets for our raw material and gives employment to labor, skilled and otherwise, consistent with national security and the maintenance of national dignity and a proper regard for the general welfare and common defense. still these individual interests, it must be conceded, are always promoted in the end in proportion as the public interests are guarded, protected, and defended. Every individual industry, therefore, the rights of labor and capital, the accommodation and protection of our commercial marine, the naval service of the country, the security, peace, prosperity, and general welfare of all our people on the great Pacific Northwest, and, indeed, throughout the whole country, on sea and land, at home and abroad, can not but be vastly promoted by the early establishment of a permanent and respectable governmental naval station at some suitable point on some one of the great arms of the Pacific Ocean on our Northwestern frontier.

Already much substantial progress has been made in the matter of ship-building on the Oregon and Washington coast, at Coos Bay, Yaquina, Skomakowa on the Columbia River, Portland, Astoria, Shoalwater Bay, Gray's Harbor, and at the various ports of Tacoma and Seat-

tle, and also at many of the large milling establishments on Puget Sound. During the year ending June 30 last, according to the report of the custom-house at Port Townsend, 29 new vessels were built on Puget Sound, representing a net tonnage of 4,854.36 tons. Of these 12 were steam-vessels and 17 sailers.

The largest steamer, the Clara Bell, built at Tacoma, was 99 feet 8 inches in length, with a net tonnage of 111.86 tons; and the largest sailer, the Brigantine, built at Port Blakeley, was 166 feet 8 inches in length, with a net tonnage of 579.39 tons. This was an increase of over 100 per cent. on the number built the year previous, there being but 14 built that year, and an increase of 300 per cent. in the net tonnage, or a tonnage of 4,854.36 tons for 1886–'87 against 1,642.29 in 1885–'86.

Hon. Eugene Semple, the present governor of Washington Territory, in his able, interesting, and comprehensive report to the Secretary of the Interior for the fiscal year ending June 30, 1887, and to whom I am indebted for many of the statistics I have given, after giving valuable information and statistics upon this, as also upon various other of the great industries of that Territory, concludes his statement on the subject of ship-building in these words:

> There is great need of a dry-dock on Puget Sound, not only to accommodate our commercial marine, but for the use of Government vessels; and it is to be hoped that, as the questions of rehabilitating our Navy and increasing our means of coast defense are now being prominently considered, the strategic importance of the coast of Washington Territory, it being on the borders of a possible belligerent and in proximity to a formidable naval station of a foreign power, will not be overlooked.

Much might be added by way of elaboration of the argument in favor of the establishment of a naval station as suggested. Reference might be made to the near future, when the waters of the two great oceans will commingle together through a Nicaraguan ship-canal and when the ships of commerce of all nations and the navies of the world will pass to and fro across the great isthmus now separating them. Attention might also be attracted to the several great transcontinental railways now completed across the continent, spanning a hemisphere, connecting sea with sea, and river and sound and ocean with the Great Lakes, and uniting in close communion the great trade arteries and commercial marts of the nation.

I might cite, too, the value and volume of the great industries of agriculture and mining, as well coal, iron, lime as the precious metals, stock-raising, lumber, wool-growing, the salmon fisheries, manufactures of various kinds that are being carried on, and all of which are rapidly increasing in the States and Territories of the Pacific Northwest to an extent not quite appreciated, I am sure, by our Eastern friends.

I may not be given credit for either candor or truth when I tell you that the value of the salmon of the Columbia River and adjacent waters, packed in cans and shipped to all parts of this country and of the world, since that industry was inaugurated, twenty-two years ago, has averaged considerably over $2,000,000 per annum and aggregated nearly $46,000,000; that to-day more than $2,000,000 of capital are invested in this business on the Columbia River alone; that it gives employment to over 6,000 men, to say nothing of the fisheries at Shoalwater Bay, Gray's Harbor, Tillamook, Yaquina, Coos Bay, Coquille River, and Puget Sound.

Some may be incredulous when it is said that the State of Oregon will this year ship over 18,000,000 pounds of wool and over 20,000,000 bushels of wheat; that the wholesale trade of the city of Portland, Oregon, did in the past year exceed over $60,000,000, and will more than exceed $75,000,000 during the coming year; that the value of the Columbia salmon fisheries for the past year was $2,124,000; that there were shipped by the mills of Puget Sound to foreign, coastwise, and Atlantic ports a total of 306,178,673 feet of lumber, and that the present year five mills shipped 155,731,398 feet; that the total capacity of the lumber mills of Washington Territory in superficial feet for a year of two hundred and sixty days is the enormous sum of 645,440,000 feet; that the total output of coal from the various mines of Washington Territory has been nearly 2,500,000 tons; that there were shipped from the Territory the past year 525,705 tons; that there are in Washington Territory 1,060 miles of thoroughly constructed and equipped railroad, 133 miles of which have been constructed in the past year. And yet, notwithstanding all this, Washington Territory knocks at the doors of Congress for admission into the Union in vain.

Some idea of the amount and value of the commerce of Puget Sound will be had when it is considered that during the last fiscal year nearly 1,000 vessels—994, to be entirely accurate—with an aggregate tonnage of 539,597 tons, of which 155 were coasters and 839 foreign, were entered at the custom-house of Puget Sound in the Puget Sound customs district; while the number of entries and clearances were 1,982 vessels, aggregating a tonnage of 1,054,038. The vessels entering and clearing at that port the past year aggregated 5½ each day for the entire year, or one vessel every 4 hours and 45 minutes during each day and night in the year, or one vessel every 2 hours and 22 minutes during each day of 12 hours.

It may be a surprise to some that in the matter of tonnage of American steam-vessels engaged in the foreign trade, Puget Sound stands second in the United States, New York being the first. From a memorial recently adopted by both branches of the Legislative Assembly of the Territory of Washington, I make the following extract:

> Puget Sound at the present time occupies a prominent position among the maritime ports of the United States, and the rapidity with which the great natural resources of the Territory are being developed will soon place this port in advance of all others. From Governor Eugene Semple's report for 1887 to the Secretary of the Interior, the following facts may be verified:
>
> First. In the number of American steam-vessels engaged in the foreign trade, Puget Sound stands first.
>
> Second. In tonnage of American steam-vessels engaged in the foreign trade Puget Sound stands second, New York being first.
>
> Third. In the aggregate number of American and foreign steam-vessels engaged in the foreign trade we stand seventh.
>
> Fourth. In the aggregate tonnage of American and foreign steam-vessels engaged in the foreign trade Puget Sound stands seventh.
>
> Fifth. In the aggregate number of entrances and clearances of American and foreign vessels, steam and sail, Puget Sound stands fourth.
>
> Sixth. In the aggregate tonnage of all vessels, American and foreign, steam and sail, Puget Sound stands seventh.

The property valuation in Washington Territory, exclusive of railroad property, has increased over $10,000,000 the past year, being a gain of over $9,000,000 over 1885. The estimated cash value of taxable property in the Territory, exclusive of railroad property, is, on a fair valuation, $100,000,000.

Mr. President, the ocean transits and commercial currents of the world, on sea and land, are rapidly changing as material development moves forward with ever-increasing rapidity, and especially are these changes significant and marked in connection with the advancement of civilization upon and over and around that great empire west of the Rocky Mountains. These changes in population, trade, commerce, and in commercial, social, and political influence and power are rapidly disturbing the equilibrium of the past, and will disturb it still more, and very rightfully, too, in the near future.

The scepter which for all the years of our nation's life has been emblematical of and which represented the political, social, and moral influence and power of New England and of the Eastern and Middle States in the councils of the nation, and of that policy which has given shape, direction, and momentum to most of the legislation of this country in the past, and which has not at all times, it is to be regretted, been founded in exact justice to the great West, and particularly to the great Pacific Northwest, must at no distant day recognize as significantly potential, if not indeed controlling, a political influence and power based upon and emanating from an intelligent and powerful constituency of this nation, who have, amid perils unparalleled and dangers and toils unprecedented, planted firmly in the great Pacific Northwest the foundations of powerful States and of an empire of civilization and political and moral power whose voice will in time and at no distant day be heard and respected, if not through modest appeal, by the potentiality and influence of its own inherent force.

I move, therefore, Mr. President that the pending joint resolution be referred to the Committee on Naval Affairs, and I trust that committee may feel constrained to give it early and favorable consideration.

Before the conclusion of Mr. MITCHELL'S remarks, as given above—

The PRESIDING OFFICER (Mr. BERRY in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, being the bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. DOLPH. I appeal to the Senator from New Hampshire [Mr. BLAIR] to let this joint resolution be disposed of. It will not delay final action on his bill. My colleague will be through in ten minutes, and I shall desire fifteen or twenty minutes to supplement his remarks with some remarks of my own.

Mr. BLAIR. I suppose it will be better to yield to the request.

The PRESIDING OFFICER. If there be no objection, the unfinished business will be laid aside temporarily, and the Senator from Oregon will resume his remarks on the joint resolution introduced by him.

Mr. MITCHELL having concluded his remarks—

Mr. DOLPH. Mr. President, the importance of the establishment of a first-class navy-yard and naval station upon the North Pacific coast is so great, not alone to the people of that coast but to the whole country, that I feel constrained to ask the indulgence of the Senate for a few moments while I supplement with some remarks of my own the carefully prepared and exhaustive presentation of the subject by my colleague. I should not venture to do so at this time, but for the fact that we have scarcely seriously entered upon the business of legislation, and there is no important measure pressing for consideration upon the attention of the Senate. There are some things connected with the commerce of the Pacific to which I desire to call the attention of the Senate and which are more appropriate at this time in connection with the subject under discussion than they will probably be in the near future.

My colleague has called attention to the vast sums which have been expended by the United States in providing navy-yards and naval stations. Yet with all this expenditure it must be confessed that the results are not satisfactory. This is due in part, as he has said, to the fact that our navy-yards have been provided in haste when the emergency required them, and therefore the locations were not always selected with care; and in part also to the fact that appropriations for them have been uncertain and insufficient, and could not be economically expended. The truth is that we have not to-day among the exist-

ing navy-yards a single establishment commensurate with the requirements of our present Navy.

We need on both coasts one or more establishments commensurate with the necessities of a great naval power, perfect in detail and as a whole, and of the most substantial character.

There are but few of our naval stations which are properly located. With the advent of guns that throw projectiles of a ton weight ten miles or more, inland, and thoroughly protected locations for naval stations become an imperative necessity. In view of the improvements which have been made in everything pertaining to a navy in the last few years we should with future expenditures lay the foundation for a naval establishment of modern type.

Puget Sound, as we have just heard, presents all the advantages that can be desired for a first-class naval station. The Straits of Juan de Fuca afford a safe and at all times an accessible entrance to Puget Sound from the ocean. The sound itself is one of the most magnificent inland seas upon the face of the globe. It has numerous harbors, and everywhere broad, deep, and unobstructed channels, navigable by the largest vessels that plow the ocean day or night, at all seasons of the year. With proper fortifications at Deception Pass, at Admiralty Head, and Point Wilson, which are a necessity, with or without a naval station, the whole of the sound on the American side, with its hundreds of miles of navigable channels and its numerous harbors of almost unlimited capacity, would be one vast harbor of refuge for our Navy and merchant marine in war or peace.

There is no other place on the continent where timber suitable for ship-building is so abundant and so accessible. Around the sound and along the streams that flow into it are vast forests of valuable timber trees; yellow and red fir, white and red cedar, hemlock, spruce, and pine abound, sufficient to supply the lumber market of the world for years to come. The yellow fir, the Oregon pine, as it is called upon the coast, is very valuable for ship timber, masts, and for side and deck planking. It possesses great strength and durability, and it may be obtained of any required dimensions. The trees are straight and clear from knots, and in some instances from 10 to 12 feet in diameter and from 200 to 300 feet in height. The masts of many of the vessels built on the Atlantic coast are of the yellow fir, shipped from the Columbia River and Puget Sound.

Then on the sound, as we have heard (and in close proximity to constructed and projected lines of railroads and easily accessible from tidewater) are abundant deposits of ironore suitable for making steel, and convenient to the iron deposits, ample supplies of limestone and coking coal are found. I am told that foreign capitalists are already erecting at Seattle a large establishment for the manufacture of steel rails and steel for all purposes of commerce.

The benefit of a fresh-water harbor for iron and steel vessels to lie in is well known. In fresh water they are free from barnacles and mussels, which rapidly foul the bottom while lying still in salt water. Such a fresh-water harbor may be readily provided on Puget Sound. Near Seattle, on the sound, are two fresh-water lakes, Lake Union and Lake Washington. Lake Union is but 5,000 feet from Puget Sound, has ample depth of water, and is a mile and a half in length, and the surface of the lake is 11 feet higher than the surface of the sound. Lake Washington is separated from Lake Union by a narrow neck of land, only 2,044 feet in width, through which a canal has already been constructed by private parties, which admits of the passage of vessels navigating these lakes. Lake Washington is 18½ miles in length, is from 2 to 5 miles in width, and of ample depth to permit of navigation by the largest vessels, and the level of the lake is 18½ feet above the level of the Sound. A canal with locks may be constructed from Lake Washington to the Sound with a reasonable outlay, sufficient for the passage of the largest naval vessels, thus providing a naval station with a fresh-water harbor, in which vessels may lie safe from storm and beyond the reach of the guns of an attacking fleet, and of sufficient capacity to hold the navies of the world. A survey of the several routes for a canal from Lake Washington to Puget Sound was made in October, 1874, under the direction of the War Department, by Brevet Brig. Gen. B. S. Alexander. His report of the survey is now on file in the War Department. In his report he says:

> If there were such a chance to make a great naval depot, so entirely secure, with so many advantages of climate, of coal, timber, and fresh water, free from ice, at any suitable point along the middle of the Atlantic front, or even the Gulf coast of the United States, I do not imagine there would be much hesitation on the subject. The work would probably be started at once. But situated as this harbor is, on one flank of the Pacific front of the United States, in a country yet in its infancy as regards population and resources, the case is different. Nevertheless it should at all times be remembered when this subject comes up for consideration that there are only three places on the Pacific coast of the United States where navy-yards or naval establishments of any kind can be established where they can be made secure. One of these is San Francisco, one is at San Diego, and one in the waters of Puget Sound.

Fifteen years have wrought wonderful changes in the North Pacific coast, and whatever arguments might have been urged, on account of our undeveloped resources and sparse population, at the time this report was made against the commencement of so important a work would now be met and sufficiently answered with the statement that Puget Sound has become the western terminus of two great continental lines of railroad, and the commerce of the Pacific is a prize for which the nations of the earth are contending. Great Britain, with less important interests than ours on the sound, as we have just heard, has a naval station and dry-dock at Esquimalt, the latter larger than any we have on the Atlantic coast. She keeps on Puget Sound from one to three modern war vessels, prepared for any emergency, she is now fortifying her possessions upon the sound, and with her fortified naval station and her naval vessels will command the North Pacific coast as she now commands the North Atlantic by her fortified stations at Bermuda and Halifax.

Not only does the North Pacific coast present every advantage for the establishment of a naval station, but the commerce of the coast justifies the expenditure necessary for such a station. The States and Territories which are dependent upon the Pacific Ocean for an outlet comprise an area of about 800,000 square miles, about seven times as great as the aggregate area of England, Scotland, Wales, and Ireland. Wet have from the southern boundary of California to Puget Sound nearly 2,000 miles of seacoast, while north of Cape Flattery we divide Puget Sound, with its hundreds of miles of navigable channel and numerous islands, with British Columbia. Then we have the Territory of Alaska, with 480,000 square miles of territory, with a seacoast which has been estimated, including the islands and indentations, at 25,000 miles, extending 1,200 miles north and south and 2,200 miles east and west.

There is to-day no part of the Union which is receiving more attention than the Pacific coast. With a climate many degrees milder than the climate of States in the same latitude on the Atlantic, varying with the distance from the ocean and with the altitude so as to give almost every variety of climate found in the torrid and temperate zones; with mines of the precious metals of almost fabulous richness; with vast areas of territory well adapted to agriculture, to cattle-growing, and to sheep-raising; where the grape, orange, and olive, and all the semi-tropical fruits grow to perfection, and the cereals and fruits of the temperate zone are unexcelled; with a wine industry already threatening to rival that of France; growing wools which compare favorably with the finest wools of commerce; raising wheat not excelled by that raised in the most favored wheat-growing regions of the earth; with numerous transcontinental railroad lines terminating upon the Pacific and over which trains of cars come and go freighted with the products of the continent and of Europe and of Asia; the flags of all nations seen floating from the mastheads of merchant fleets in her harbors and upon the high seas, bearing her varied productions to every port in the world; her educational institutions and intellectual culture keeping pace with her physical development, there is no part of the Union to-day which presents more attractions to the settler or offers more advantages to the investor than the Pacific coast.

Fancy can hardly picture the future of this favored region. Events which a quarter of a century ago seemed to lie in the distant and uncertain future have occured in rapid succession, and events are now occuring which foreshadow a grander development of this region than was then dreamed of.

We have an important and growing coastwise commerce upon the Pacific coast, extending from the Mexican line to Behring Straits, employing a large fleet of steamships and sailing vessels, many of the former as elegant and substantial and well adapted to the trade as are found in the coasting trade anywhere. The future development of this trade to meet the requirements of our long line of seacoast and furnish the means necessary for the interchange of the varied products of our soil, our mines, our forests, and our fisheries must be enormous. The trans-Pacific trade is in its infancy, and yet there are regular lines of steamships plying between San Francisco and the ports of China and Japan, and steamships and sailing vessels run between the ports of Puget Sound and the ports of Asia. Valuable cargoes of tea, rice, and silks are shipped from China and Japan to the Pacific coast, and thence across the continent by rail, and our lumber and flour are finding markets in China, Japan, and the Sandwich Islands and other islands of the Pacific.

New lines of transportation across the continent and new steamship lines on the Pacific will develop and stimulate this trade, which must continue to grow as the countries which lie upon the Pacific, and which contain two-thirds of the population of the earth, are developed by means of improved machinery and improved methods of production.

It is time that Congress gave careful consideration to the subject of the future control of the trade of the Pacific. We shall neither extend our commerce on the Pacific nor retain what we have by standing idly by while the leading nations of Europe are contending for it. We are already engaged in a contest with Great Britain for the trade of the Pacific, and in spite of our natural advantages it is liable to be wrested from us by her aggressive and liberal policy.

It was not an accident which made the Straits of Juan de Fuca the boundary between the United States and Great Britain. Her statesmen foresaw the importance of a colonial dependency upon the western coast of this continent, the value of Puget Sound, and the possibilities of the commerce of the Pacific, possibilities which to-day she is making extraordinary efforts to realize. In order to secure the transcontinental line of railroad terminating on Puget Sound, the Canadian Government granted a subsidy to the Canadian Pacific Railroad Company of $25,000,000, 25,000,000 acres of land, and loaned the company $35,000,000, and took back 6,666,666 acres of land at $1.30 an acre, making

$10,000,000 more, and the company received a donation of 707 miles of completed railroad.

Great Britain, ever alive to the importance of maintaining her carrying trade on the high seas, in order to secure a line of steamships between Puget Sound and China and Japan and the islands of the Pacific, has subsidized the Canadian Pacific Steamship Company, which has entered the lists to contend with our American steamship lines for the trade of the Pacific Ocean. While our citizens engaged in the fishing trade are denied the privilege of purchasing supplies in the ports of the Dominion of Canada the Canadian Pacific Railroad is contending all along our Pacific coast, from San Francisco to the sound, and upon the sound, for the transcontinental passenger and freight traffic of the coast, and under at least questionable authority is permitted to take American merchandise and transport it through the British possessions and into the United States again without the payment of duty.

I clipped the other day an article from the New York Shipping List which sets out the struggle between our steamship lines and the subsidized British lines for the commerce between the Pacific coast and China and Japan, portions of which I will present to the Senate:

STRUGGLING TO MAINTAIN OUR OCEAN TRAFFIC.

Two events have recently transpired that are peculiarly significant with respect to the question of American shipping, and are worthy of the careful attention of those statesmen who talk so much and do so little toward advancing the interests of our shipping industry, maintaining the carrying trade we now hold, and encouraging our ship-owners to undertake new enterprises. The first of these is the granting of a subsidy by the British Government to the Canadian Pacific Steamship Company, which runs from Vancouver to Japan and China, and the second is the resolve of the directors of the Pacific Steamship Company to build two new steamers for their China line, the said steamers to be built in our own ship-yards if the present Administration can be induced to pay, under existing law, a fair and just compensation for ocean mail service; otherwise the company will endeavor to save 20 per cent. in the cost of their steamers by having them built abroad, which will necessitate their sailing under a foreign flag. The Pacific Mail Company was the pioneer in establishing steamer traffic across the Pacific Ocean between America and Asia, and up to the present time has successfully retained the lion's share of that traffic, although called upon to contend with keen competition. The belting of the North American continent with railroads has not only resulted in a steady expansion of the freight and passenger traffic across the Pacific Ocean, but has furthermore increased the competition between rival lines for a share of what ought to be a valuable and profitable carrying trade. So long as the company had as rivals the steamers of the Occidental and Oriental Steamship Company, which are run in the interests of the Central and Union Pacific Railroads, or those run in connection with the Northern Pacific, it was a fair fight, for all were on even terms; but the recent competition of the Canadian Pacific has brought into the field a new competitor that is fully aware of the disadvantages with which it will have to contend at the beginning of its career, and accordingly prepares for the contest by applying to its home government for a mail subsidy. The British Government is fully alive to the importance of maintaining the supremacy of her mercantile marine upon the high seas, and is all the more ready in this instance to extend the required assistance, because it is the only British line crossing the Pacific, while its success means the prosperity of an important British railroad connection and the building up of an important traffic with her Canadian colonies. Brought face to face with such rivalry and such competition, the directors of the Pacific Mail Company recognize the supreme importance of at once getting on something like even terms with this new competitor, and hence the resolve to build two new steamers, as mentioned above.

This action of the British Government likewise brings home to the Washington administration what may be the result of the parsimonious interpretation it has adopted of the act of Congress that was passed for the purpose of doing something towards benefiting our merchant marine, while at the same time it furnishes a significant explanation of the reason why American bottoms do not secure and maintain a larger share of the ocean-carrying traffic of the world, and points to the danger we are in of losing what little we have.

Competition can only be successfully fought with its own weapons, and yet we as a nation and a maritime power are endeavoring to ignore this fact, and then complain of our lack of success in competing with our neighbors and rivals. The British Government pays annually $3,500,000 for the transportation of its ocean mails, of which $1,325,000 is paid to the Peninsular and Oriental Company for its India and China service. The German Government subsidizes its steamship lines to the extent of 4,000,000 marks per annum; the French are equally liberal; Austria, Spain, Belgium, and Holland each pay proportionately large amounts, either as direct subsidies to steamship lines or indirectly for mail transportation, while the United States Government appropriates the munificent sum of $325,000 for its ocean mail service, and of this amount barely $50,000 is received by vessels carrying the stars and stripes. If the average Congressman, whose ambition leads him to pose as a statesman, could master the significant importance of these facts, he might be brought to see the suicidal policy that we as a people are pursuing from year to year with respect to the steamship traffic that naturally falls to our lot, but for some reason he is influenced by the clap-trap that is preached by those who forever are harping upon "the raiding of the public purse," "Treasury grabs," "the subsidy lobby," and other unpractical and senseless talk. The cheese-paring policy of the Postmaster-General threatens to deprive us of millions of trade which we might otherwise enjoy, and is actually driving one of the largest of our steamship companies to foreign ship-yards in order to meet the unfair competition of heavily subsidized rivals. These are hard facts which can not be neutralized by argument or sophistry, and we commend them to the consideration of those who are seeking to build up our mercantile marine by carefully constructed theories, while neglecting the more practical and weightier matter of seeing that our laws are properly administered.

My colleague has referred to the fact that Great Britain is establishing naval and commercial stations not only on the Pacific coast, but is surrounding us with a cordon of them. He has alluded to the possible attempts of Great Britain to secure the Sandwich Islands. The question of the future control of the Sandwich Islands is intimately connected with the commerce of the Pacific coast. No man can examine that question and not be satisfied that the United States can not permit the Sandwich Islands to pass under the control of any European power. This is so, not only on account of our commercial and treaty relations, but for a stronger reason, and that is, we can not afford it. If you will examine the map of the Pacific Ocean you will see that the Hawaiian group lies on nearly all the lines of commerce from Australia and Asia to the American continent. As the spokes extend from the hub of a wheel, so the lines of commerce extend from these islands to Valparaiso, Lima, Panama, San Francisco, Victoria, Sitka, Behring's Straits, Japan, Yokohama, Hong-Kong, Singapore, New Guinea, the Caroline Islands, Australia, and New Zealand, giving to them a wonderful strategic position for naval and commercial purposes.

It will be perceived, also, that they lie nearer to our possessions than to those of any other nation, so near, indeed, that their possession by any modern naval power would give that power control not only over our commerce on the Pacific, but over our coastwise commerce as well.

South and west of this group are a number of large islands and numerous groups of smaller ones, nearly if not all of them, the possessions of European powers. I find the struggle to obtain possession of th se islands, and the manner in which they have been partitioned out among the nations of Europe, stated in an article from which I will quote:

During the past few years there has been an extraordinary and growing desire on the part of European powers to acquire territorial possessions in the Pacific Ocean, which may be plainly termed an "annexation fever," and this desire appears to be increasing rather than subsiding. The recent contention for the possession of the island of New Guinea, lying near Australia, raised by the Australian colonies and England with Germany, will not be forgotten. Though the question is not yet definitely settled, it will probably be done amicably by a partition of the island among the claimants. France, already possessed of the Society Islands and New Caledonia, now lays claim to one or two of the Hebrides Islands, and some of the still more important islands of the group west of Tahiti, known as the Leeward Isles, to say nothing of the large island of Madagascar in the Indian Ocean, peopled with four millions of natives.

The recent half-suppressed emeute between Spain and Germany, relative to the ownership of the Caroline Islands in the Central Pacific, which excited an angry, warlike spirit on the part of the Spanish people, and was settled by the arbitration of the Pope, will be remembered by all. The Carolines were awarded to Spain, while the German flag will protect the Marshall Islands. Both these groups lie about 2,000 miles west of Hawaii, in the North Pacific. Germany is also understood to have taken the initial steps which will result in a "protectorate" of Samoa.

* * * * * * *

The possessions of Great Britain are the following: The continent of Australia, including the magnificent harbors of Sydney and Melbourne; New Zealand, with its fine harbor of Auckland; part of New Guinea, and the Fiji group, with its cluster of two hundred islands, all the foregoing being in the South Pacific. She also holds Hong-Kong and Singapore on the Asiatic coast, and Victoria on the American coast, in all at least eight or ten naval stations of great natural strength and importance. The acquisition by her of Hawaii would render almost impregnable her cordon of naval stations stretching in a straight line from Melbourne on the south to Vancouver Island on the north.

France holds the Society Islands, with their fine harbor of Tahiti, the Marquesas group lying north of Tahiti, some of the Leeward Islands, New Caledonia near Australia, one or two of the New Hebrides Islands, and Hue on the Cochin-China coast.

Germany lays protectoral claim to the Marshall Islands, Samoa, part of New Guinea, and one or two islands near the equator.

Russia holds undisputed possession of the Asiatic coast, from Behring Straits and Kamschatka to Corea and China.

Spain owns the Philippine Islands, with the spacious harbor of Manilla, and about one hundred islands of the Caroline group.

The Dutch Netherlands have long held naval or trading stations in Java, Sumatra, Borneo, and New Guinea.

Portugal owns the Ladrone Islands, with the commodious harbor of Guam, a well-known resort for American whale-ships.

Thus it will be seen that the principal European nations have already secured the strongest strategic points in the Pacific Ocean, where trading, coaling, and naval stations have been or can be located; while the United States does not possess a solitary coaling station beyond her coast line, and is already flanked by strong French, German, and English stations, where, in case of war, she would be compelled to seek the privilege of coaling her ships.

I recently clipped from the Portland, Oregon, *Commercial*, an article taken from the Glasgow *Herald* with the caption "Who will control the Pacific?" which shows that however indifferent we may be as to the commercial control of the Pacific, Great Britain is neither indifferent to it nor unaware of its great possibilities, from which I quote the following:

What with land-hunger and trade-hunger it seems as if all the resources of civilization will be exhausted before the dominion of the Pacific is settled.

This, no doubt, is one of the great questions of the not very dim and distant future—Who is to control the Pacific? From the Australasian point of view there can be but one answer to the question, and but one indignant shout of derision at the idea of any doubt on the subject. But with all respect to our antipodean relatives, the Pacific is not confined to the area of waters which wash their shores, and which form the politico-geographical section of the world now known as Melanesia. The Pacific is a very wide term, and it means a very big question, in the settlement of which the scramble for Africa will be small in comparison. It may not be wholly a peaceful settlement, but it will be one which will be chiefly determined by economics rather than by politics. That power will in the future dominate, or at any rate control, the Pacific which can most effectually enfetter it in commercial bonds.

Between Chili and Alaska, between Tasmania and Kamschatka, there are regions which produce in the greatest profusion the most valuable forms of natural wealth. No one power could by any possibility retain political dominion over all that vast area, and no one power can hope to monopolize the trade of it, and trade is now the be-all and the end-all of national existence. The progress of a state is now measured not by the foot-rule, but by the yard-wand, and that country is esteemed the greatest which turns out the largest number of miles of iron rails and of leagues of cotton. In America, at any rate, this seems to be pretty generally believed, and in the United States there evidently exists a growing interest in the consideration of the possibilities affecting the future of the Pacific. An officer of the United States Navy has, indeed, recently published a paper, in which he endeavors to prove that for the next half-century the control of the Pacific will practically depend on the use and ownership of a canal across the neck which unites the northern and southern continents of America. The statement seems rather a large one, but it is not so wild as it appears, and it suggests a number of curious reflections and speculations.

Not the least curious is that the present ownership of the only thing approaching in appearance to a canal is in the hands of a nation which can never by any

possibility control the destinies of the Pacific. If, then, M. de Lesseps succeeds in his work, the theory of the American will follow the example of many theories, and refuse to be in unison with fact. But if it is completed, there can be no doubt that the nation which will receive at first the greatest amount of benefit from it will be Great Britain. The United States Bureau of Statistics records that between 1879 and 1886 the number and tonnage of vessels trading from Eastern America and from Europe with the Pacific—both north and south—very nearly doubled; that in the latter year the tonnage was over 4,500,000 tons; and that more than one-half of the whole tonnage was conveyed between Europe and countries other than the United States. It follows, then, that of the Pacific trade generally something like 2,000,000 tons was with the Pacific ports of the United States, and it need hardly be said that this was almost all, if not wholly, conveyed upon foreign, which means practically British, bottoms. Can the most sanguine British trader suppose that this is a condition of things likely to be perpetuated? Already the Americans have convinced themselves that M. de Lesseps's canal will never be completed; but they have only arrived at this conclusion in order to point out a second—that another canal must be constructed by themselves. Now, it is not to be supposed that they will set to work to cut a canal through Nicaragua, or by any other route, in order to benefit Great Britain. The Nicaragua canal may not be undertaken as a national enterprise; but if it is completed by individual effort, as there is now much reason to suppose, it will assuredly receive national support.

Even if the Lesseps canal be completed this is certain to follow, for the traffic between the Pacific and the Atlantic States of the Union is enormous, and will be enormously developed by a shortened sea-route. And, moreover, the cutting of a practicable canal by any route will open up the markets of Western South America and of the Pacific generally to the manufacturers of the Eastern States. It is not to be expected that, with these markets within reach—brought nearer to the traders of New York and Boston and Philadelphia than they will be to those of London and Liverpool and Glasgow—the Americans will tamely submit to be shut out from them by fetters of their own forging. Let us not delude ourselves. If the line of thought be followed up which we have here but suggested, it will be seen that the probabilities of the future are that the struggle for the practical control of the Pacific will be not with France, or Germany, or Russia, but between Great Britain and the United States. It will, however, be a struggle for commercial, not for political control.

We are not likely to disregard the advice of Washington in his farewell address and become involved in the controversies which from time to time arise between the great powers of Europe, or to enter into entangling alliances with foreign nations. In Europe governments may be destroyed and their territory partitioned between neighboring powers, and, remote from the scene of conflict and unaffected by the changes of the map of the Old World, we will pursue our undisturbed career.

The cause of the oppressed across the sea may enlist our sympathies and their treatment arouse our indignation, but true to our policy of a century we will content ourselves with peaceful remonstrances. There may arise controversies between the United States and foreign powers in which, in the interest of peace, we can afford to wait, negotiate, and arbitrate, but if we are to preserve the autonomy of the Sandwich Islands it behooves us, on the first occasion which affords an excuse for it, to announce to the world that we will not permit foreign interference with them, and to be prepared, if the emergency arises to render it necessary, to make our declaration good. Every acquisition of a commanding position near our territories by any foreign power maintaining a large military and naval establishment weakens the security which our hitherto isolated position has afforded us and tends to make similar military and naval establishments necessary for us.

Great Britain maintains a constant warfare for commercial supremacy. She pursues with unrelenting tenacity of purpose her policy of extending her colonial possessions, building up her carrying trade upon the high seas, and extending her commerce. She maintains a great and constantly increasing naval establishment. As has been stated in substance by my colleague to-day, her naval and commercial establishments dot the maps of the world, while her colonial possessions are found upon every continent and in every sea.

The manner in which she extends her territorial or commercial possessions does not concern us, unless in doing so she encroaches upon our commercial or territorial rights, jeopardizes our peace or safety, or infringes upon our well-known policy of non-interference by the European powers with the political affairs of this continent.

Along the line of commerce to India she fortifies the strategic points and controls them. She maintains the mastery of the Mediterranean by her fortifications at Gibraltar, Cyprus, and Malta. By her fortifications she excludes other nations from the Red Sea. But she denies to us the exercise of the same rights which she claims and exercises for the protection of her colonial commerce, by insisting upon a construction of the Clayton-Bulwer treaty, which if admitted by us, would prevent us forever from constructing the Nicaragua canal under cessions from the Nicaraguan Government.

As a factor in the development of the great resources of the Pacific coast, building up our coastwise commerce, and enabling the United States to maintain control of the commerce of the Pacific, the Nicaraguan canal, built and controlled by the United States, would be potent and far-reaching. It would pay every year, after it was constructed, more than the cost of its construction, directly and indirectly, to the people of the United States.

It is time that we brush away the cobwebs of diplomacy and grapple with the question of isthmian transit, and solve it in favor of the people of the United States. The canal should be built and controlled by the United States, and it should be commenced as soon as the necessary cessions can be obtained from the Nicaraguan Government.

It is time that we had a well-defined foreign policy known to the world, a policy looking to closer relations with the Central and South American Republics, to the restoration of our merchant marine and the extension of our commerce, and to the prompt protection of the property and personal rights of our citizens upon every land and in every sea.

We can no longer afford, on account of our isolated position, our compact territory, or our peaceful disposition, to have no policy which extends beyond our own borders. We can not afford to allow a foreign policy of acquisition and conquest to be carried to our very doors. If we do, we shall abdicate the position which our power, our influence, our wealth, and our territorial location entitle us to maintain among the nations of the earth.

Mr. BLAIR. I ask for the reading of the educational bill, which is the regular order.

Mr. MITCHELL. Will the Senator allow me to have the pending matter disposed of?

Mr. BLAIR. Certainly.

Mr. MITCHELL. I move that the joint resolution be referred to the Committee on Naval Affairs, and I trust that that committee will find it consistent with their pleasure and duty to give it an early and favorable consideration.

The PRESIDING OFFICER. The joint resolution will be referred to the Committee on Naval Affairs.

## AID TO COMMON SCHOOLS.

Mr. BLAIR. Now let the unfinished business be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. BLAIR. I ask for the reading of the bill and the report of the committee.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary read as follows:

*Be it enacted, etc.*, That for eight fiscal years next after the passage of this act there shall be annually appropriated from the money in the Treasury the following sums, to wit: The first year the sum of $7,000,000, the second year the sum of $10,000,000, the third year the sum of $15,000,000, the fourth year the sum of $13,000,000, the fifth year the sum of $11,000,000, the sixth year the sum of $9,000,000, the seventh year the sum of $7,000,000, the eighth year the sum of $5,000,000; which several sums shall be expended to secure the benefits of common-school education to all the children of the school age mentioned hereafter living in the United States: *Provided*, That no money shall be paid to a State, or any officer thereof, until the Legislature of the State shall, by bill or resolution, accept the provisions of this act; and such acceptance shall be filed with the Secretary of the Interior. And if any State, by its Legislature, shall decline or relinquish its share or proportion under this act, or any portion thereof, the sum so relinquished shall go to increase the amount for distribution among the other States and the Territories as herein provided. And any State or Territory which shall accept the provisions of this act, at the first session of its Legislature after its passage, shall, upon complying with the other provisions of this act, be entitled at once to its pro rata share of all previous annual appropriations.

SEC. 2. That such money shall annually be divided among and paid out in the several States and Territories, and in the District of Columbia, in that proportion which the whole number of persons in each who, being of the age of ten years and over, can not write bears to the whole number of such persons in the United States; such computation shall be made according to the census of 1880 until the illiteracy returns of the census of 1890 shall be received, and then upon the basis of that census. And in each State and Territory, and in the District of Columbia, in which there shall be separate schools for white and colored children, the money received in such State or Territory, and in the District of Columbia, shall be apportioned and paid out for the support of such white and colored schools, respectively, in the proportion that the white and colored children between the ages of ten years and twenty-one years, both inclusive, in such State or Territory, and in the District of Columbia, bear to each other, as shown by the said census. The foregoing provision shall not affect the application of the proper proportion of said money to the support of all common schools wherein white and colored children are taught together.

SEC. 3. That the district of Alaska shall be considered a Territory within the meaning of this act; but no acceptance of the provisions of this act, report of the governor of the district, or expenditure by the district for school purposes shall be required; and the money apportioned to said district shall be expended annually, under the direction of the Secretary of the Interior, in the manner provided for the expenditure of other appropriations for educational purposes in said district; and for the purpose of ascertaining the amount to be apportioned to said district the Secretary of the Interior shall ascertain, in such manner as shall be deemed by him best, the number of illiterates therein.

SEC. 4. That no State or Territory shall receive any money under this act until the governor thereof shall file with the Secretary of the Interior a statement, certified by him, showing the common-school system in force in such State or Territory; the amount of money expended therein during the last preceding school year in the support of common schools, not including expenditures for the rent, repair, or erection of school-houses; whether any discrimination is made in the raising or distributing of the common-school revenues or in the common-school facilities afforded between the white and colored children therein, and, so far as is practicable, the sources from which such revenues were derived; the manner in which the same were apportioned to the use of the common schools; the number of white and colored children in each county or parish and city between the ages of ten and twenty-one years, both inclusive, as given by the census of 1880, and the number of children, white and colored, of such school age attending school; the number of schools in operation in each county or parish and city, white and colored; the school term for each class; the number of teachers employed, white and colored, male and female, and the average compensation paid such teachers; the average attendance in each class, and the length of the school term. No money shall be paid out under this act to any State or Territory that shall not have provided by law a system of free common schools for all of its children of school age, without distinction of race or color, either in the raising or distributing of school revenues or in the school facilities afforded: *Provided*, That separate schools for white and colored children shall not be considered a violation of this condition. The Secretary of the Interior shall certify to the Secretary of the Treasury the States and Territories which he finds entitled to share in the benefits of this act and also the amount due to each.

SEC. 5. That the amount so apportioned to each State and Territory shall be drawn from the Treasury by warrant of the Secretary of the Treasury, upon the monthly estimates and requisitions of the Secretary of the Interior as the same may be needed, and shall be paid over to such officers as shall be authorized by the laws of the respective States and Territories to receive the same. And that

the Secretary of the Interior is charged with the proper administration of this law, through the Commissioner of Education; and they are authorized and directed, under the approval of the President, to make all needful rules and regulations, not inconsistent with its provisions, to carry this law into effect.

SEC. 6. That the instruction in the common schools wherein these moneys shall be expended shall include the art of reading, writing, and speaking the English language, arithmetic, geography, history of the United States, and such other branches of useful knowledge as may be taught under local laws; and copies of all school-books authorized by the school boards or other authorities of the respective States and Territories, and used in the schools of the same, shall be filed with the Secretary of the Interior.

SEC. 7. That the money appropriated and apportioned under the provisions of this act to the use of any Territory shall be applied to the use of common and industrial schools therein, under the direction of the Legislature thereof.

SEC. 8. That the design of this act not being to establish an independent system of schools, but rather to aid for the time being in the development and maintenance of the school system established by local government, and which must eventually be wholly maintained by the States and Territories wherein they exist, it is hereby provided that no greater part of the money appropriated under this act shall be paid out to any State or Territory in any one year than the sum expended out of its own revenues or out of moneys raised under its authority in the preceding year for the maintenance of common schools, not including the sums expended in the erection of school buildings.

SEC. 9. That a part of the money apportioned to each State or Territory, not exceeding one-tenth thereof, may, in the discretion of its Legislature, yearly be applied to the education of teachers for the common schools therein, which sum may be expended in maintaining institutes or temporary training-schools, or in extending opportunities for normal or other instruction to competent and suitable persons, of any color, who are without necessary means to qualify themselves for teaching, and who shall agree in writing to devote themselves exclusively, for at least one year after leaving such training-schools, to teach in the common schools, for such compensation as may be paid other teachers therein.

SEC. 10. That no part of the fund allotted to any State or Territory under the first section of this act shall be used for the erection of school-houses or school buildings of any description, nor for rent of the same.

SEC. 11. That the moneys distributed under the provisions of this act shall be used only for common schools, not sectarian in character, in the school districts of the several States, and only for common or industrial schools in Territories, in such way as to provide, as near as may be, for the equalization of school privileges to all the children of the school-age prescribed by the law of the State or Territory wherein the expenditure shall be made, thereby giving to each child, without distinction of race or color, an equal opportunity for education. The term "school districts" shall include all cities, towns, parishes, and other territorial subdivisions for school purposes, and all corporations clothed by law with the power of maintaining common schools.

SEC. 12. That no second or subsequent allotment shall be made under this act to any State or Territory unless the governor of such State or Territory shall first file with the Secretary of the Interior a statement, certified by him, giving a detailed account of the payments or disbursements made of the school fund apportioned to his State or Territory and received by the State or Territorial treasurer or officer under this act, and of the balance in the hands of such treasurer or officer withheld, unclaimed, or for any cause unpaid or unexpended, and also the amount expended in such State or Territory, as required by section 9 of this act, and also a statement of the number of school districts in such State or Territory, and whether any portion of such State or Territory has not been divided into school districts or other territorial subdivisions for school purposes, and if so, what portion, and the reasons why the same has not been so subdivided; the number of children of school-age in each district, and the relative number of white and colored children in each district, and of the number of public, common, and industrial schools in each district; the number of teachers employed; the rate of wages paid; the total number of children in the State or Territory, and the total number taught during the year, and in what branches instructed; the average daily attendance and the relative number of white and colored children; and the number of months in each year schools have been maintained in each school district. And if any State or Territory shall misapply or allow to be misapplied, or in any manner appropriated or used other than for the purposes and in the manner herein required, the funds, or any part thereof, received under the provisions of this act, or shall fail to comply with the conditions herein prescribed, or to report as herein provided, through its proper officers, the disposition thereof, and the other matters herein prescribed to be so reported, such State or Territory shall forfeit its right to any subsequent apportionment by virtue hereof until the full amount so misapplied, lost, or misappropriated shall have been replaced by such State or Territory and applied as herein required, and until such report shall have been made: *Provided*, That if the public schools in any State admit pupils not within the ages herein specified, it shall not be deemed a failure to comply with the conditions herein. If it shall appear to the Secretary of the Interior that the funds received under this act for the preceding year by the State or Territory have been faithfully applied to the purposes contemplated by this act, and that the conditions thereof have been observed, then, and not otherwise, the Secretary of the Interior shall distribute the next year's appropriation as is hereinbefore provided. And it shall be the duty of the Secretary of the Interior to promptly investigate all complaints lodged with him of any misappropriation by or in any State or Territory of any moneys received by such State or Territory under the provisions of this act, or of any discrimination in the use of such moneys; and the said complaints, and all communications received concerning the same, and the evidence taken upon such investigations, shall be preserved by the Secretary of the Interior, and shall be open to public inspection and annually reported to Congress.

SEC. 13. That on or before the 1st day of September of each year the Secretary of the Interior shall report to the President of the United States whether any State or Territory has forfeited its right to receive its apportionment under this act, and how forfeited, and whether he has withheld such allotment on account of such forfeiture.

SEC. 14. That no State or Territory that does not distribute the moneys raised for common-school purposes equally for the education of all the children, without distinction of race or color, shall be entitled to any of the benefits of this act.

SEC. 15. That the apportionment of the money that shall be appropriated in pursuance of this act for the purposes of education in the Territories shall be upon the basis of the illiteracy therein, as provided in section 2 of this act; but in determining the number of illiterates therein the Secretary of the Interior is authorized to receive and consider, in addition to the census returns of 1880, any evidence that may be submitted to him showing the number of illiterates in any such Territories, and shall determine therefrom, before the first distribution is made, the amount to which such Territory is entitled.

SEC. 16. That there shall be appropriated and set apart, in addition to the sum of $7,000,000 of the first appropriation, the sum of $2,000,000, which shall be allotted to the several States and Territories on the same basis as the moneys appropriated in the first section, which shall be known as the common-school-house fund, to be paid out to each State and Territory at the end of the year on proof of the expenditure made during such year, which shall be expended for the erection and construction of school-houses for the use and occupation of the pupils attending the common schools in the sparsely populated districts thereof, where the local community shall be comparatively unable to bear the burdens of taxation. Such school-houses shall be built in accordance with plans to be furnished free on application to the Bureau of Education in Washington: *Provided, however*, That not more than $150 shall be paid from said fund toward the cost of any single school-house, nor more than one-half the cost thereof in any case; and the States and Territories shall annually make full report of all expenditures from the school-house fund to the Secretary of the Interior, as in case of other moneys received under the provisions of this act.

SEC. 17. The District of Columbia shall be entitled to all the benefits and subject to all the regulations of this act, so far as applicable under its form of government.

SEC. 18. The power to alter, amend, or repeal this act is hereby reserved.

The PRESIDENT *pro tempore*. The amendment reported by the Committee on Education and Labor will be read.

The SECRETARY. In section 8, line 10, after the word "authority," the committee proposes to insert "including interest money from any source."

Mr. HALE. I wish the Senator in charge of the bill would explain to the Senate just what is covered by that amendment. What sources of revenue to the State are covered by the words he has inserted here?

Mr. BLAIR rose.

Mr. CAMERON. Will the Senator from New Hampshire give way to me, that I may make a motion?

Mr. BLAIR. I should like to know the Senator's purpose.

Mr. CAMERON. I wish to make a motion that when the Senate adjourns to-day it be until Monday.

Mr. BLAIR. No, I do not wish to give way now. I have been waiting, and the Senator from Texas [Mr. REAGAN] is waiting for the floor. I hope the Senate will not agree to any motion to adjourn at this time.

Mr. CULLOM. The Senator from Pennsylvania does not propose to move to adjourn now.

Mr. BLAIR. Besides, I think the Senate can well go on to-morrow with the consideration of the educational bill; at least, I shall ask the Senate to do so. I will reply to the Senator from Maine at a more appropriate time. I should like to have the report of the committee now read.

Mr. HALE. The Senator does not propose to take a vote on the amendment at present?

Mr. BLAIR. Not at all.

Mr. HALE. Before that time comes, I hope the Senator will explain it.

Mr. BLAIR. I shall do so. I should like to have the report of the committee read.

ADJOURNMENT TO MONDAY.

Mr. CAMERON. I move that when the Senate adjourns to-day it be until Monday next.

Mr. BLAIR. It is impossible to hear the Senator from Pennsylvania.

The PRESIDENT *pro tempore*. The Senator from Pennsylvania moves that when the Senate adjourns to-day it be to meet on Monday next.

Mr. BLAIR. I hope the Senate will go on with the consideration of the educational bill to-morrow.

The PRESIDENT *pro tempore*. The question is on agreeing to the motion of the Senator from Pennsylvania.

Mr. BLAIR. On that question I call for the yeas and nays.

The yeas and nays were ordered and taken.

Mr. BLACKBURN. I am paired with the Senator from Nebraska [Mr. MANDERSON], but I am informed that the pair does not apply in this case, and I vote "yea."

Mr. CULLOM. I wish to announce that the Senator from New Hampshire [Mr. CHANDLER] is paired with the Senator from North Carolina [Mr. RANSOM] on all questions where a pair would be considered necessary. I only mention it because they are absent with the understanding that there is a pair on questions where a pair ought to be enforced.

Mr. RANSOM. The Senator does not wish me to pair on this question?

Mr. CULLOM. No, sir. My colleague [Mr. FARWELL] is paired generally with the Senator from Louisiana [Mr. EUSTIS]. The Senator from Minnesota [Mr. SABIN] is paired with the Senator from West Virginia [Mr. KENNA]. The Senator from Iowa [Mr. ALLISON] announced to me before he went away his pair with some Senator, but I really have forgotten who it is. The Senator from Iowa [Mr. WILSON] is paired generally with the Senator from Florida [Mr. PASCO].

Mr. BUTLER. My colleague [Mr. HAMPTON] is paired generally with the Senator from Massachusetts [Mr. DAWES], but I do not understand that it is necessary to insist on the pair, so that the Senator from Massachusetts may vote on this question.

Mr. COCKRELL. Before the Senator from Iowa [Mr. WILSON] left I told him I would pair with him; but as I understand he has been paired with another Senator, I suppose the senior Senator from Iowa [Mr. ALLISON] expects me to pair with him. We generally pair with each other when he is absent, and on any question where there would be a division I would be paired with him.

Mr. CULLOM. I also desire to announce that the Senator from Rhode Island [Mr. CHACE] is paired with the Senator from Maryland [Mr. WILSON].

Mr. DAWES. I am paired with the Senator from South Carolina

[Mr. HAMPTON] on all questions which require a pair, but I do not understand this to be one. For that reason I have voted.

Mr. SAULSBURY. I am paired with the Senator from Iowa [Mr. ALLISON] on all political questions. I do not know whether this question has assumed a political aspect, as I have just come into the Chamber, and I shall not vote.

The result was announced—yeas 43, nays 10; as follows:

YEAS—43.

| | | | |
|---|---|---|---|
| Bate, | Faulkner, | Mitchell, | Spooner, |
| Blackburn, | George, | Morgan, | Stanford, |
| Bowen, | Gorman, | Morrill, | Stewart, |
| Brown, | Gray, | Payne, | Stockbridge, |
| Butler, | Hale, | Platt, | Teller, |
| Cameron, | Harris, | Pugh, | Turpie, |
| Cockrell, | Hawley, | Quay, | Vance, |
| Cullom, | Hiscock, | Ransom, | Vest, |
| Daniel, | Ingalls, | Riddleberger, | Voorhees, |
| Davis, | Jones of Nevada, | Sawyer, | Walthall. |
| Evarts, | McPherson, | Sherman, | |

NAYS—10.

| | | | |
|---|---|---|---|
| Berry, | Coke, | Dolph, | Reagan. |
| Blair, | Colquitt, | Frye, | |
| Blodgett, | Dawes, | Hoar, | |

ABSENT—23.

| | | | |
|---|---|---|---|
| Aldrich, | Edmunds, | Jones of Arkansas, | Plumb, |
| Allison, | Eustis, | Kenna, | Sabin, |
| Beck, | Farwell, | Manderson, | Saulsbury, |
| Call, | Gibson, | Paddock, | Wilson of Iowa, |
| Chace, | Hampton, | Palmer, | Wilson of Md. |
| Chandler, | Hearst, | Pasco, | |

So the motion was agreed to.

## AID TO COMMON SCHOOLS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. BLAIR. Let the report be read.

The PRESIDENT *pro tempore*. The report will be read.

The Secretary read the following report, submitted by Mr. BLAIR December 19, 1887:

The Committee on Education and Labor, to whom was referred the bill (S. 371) entitled "A bill to aid in the establishment and temporary support of common schools," unanimously recommend its passage with the following amendment:

Amend section 8, line 10, by inserting after the word "authority" the following: "including interest money from any source," so that the whole will read, etc.

Although the committee believe that no measure of greater, if there be any of equal, importance will engage the attention of the Senate during the session, they have not deemed it necessary to enter upon a general discussion of the merits of this bill or to enlarge upon the serious nature of the public emergency which requires its enactment into law. The records of the last ten years are replete with exhaustive debates in both Houses of Congress, which, with numerous reports of committees and the general discussion of the subject throughout the country, afford sufficient data for the formation of opinion without more than the statement of a few general considerations at this time.

The original bill providing national aid for the establishment and temporary support of common schools was introduced in the Senate December 6, 1881, during the first session of the Forty-seventh Congress. It was favorably reported by the Committee on Education and Labor, but not acted upon by the Senate during that Congress.

The bill was again introduced early in the Forty-eighth Congress, and being again favorably reported by the Committee on Education and Labor, after a protracted and memorable discussion of several weeks' duration, was passed by the Senate on the 7th day of April, 1884, by a vote of 33 yeas to 11 nays, but failed of consideration by the House of Representatives during that or the following session.

Again the Senate passed the bill during the first session of the Forty-ninth Congress, on the 5th day of March, 1886, after an exhaustive debate of three weeks' duration, by an increased majority of 36 yeas to 11 nays. Strenuous efforts were made during both sessions of the Forty-eighth and Forty-ninth Congresses to secure consideration of the bill and of like measures by the House, which failed.

Your committee again, for the fourth time, report the bill "to aid in the establishment and temporary support of common schools" favorably to the Senate, and unanimously recommend its passage. The form of the bill remains the same as that in which it was last passed by the Senate, with the exception of a single amendment to the eighth section, made to remove a possible ambiguity of expression.

This measure was devised and has been pressed during these four Congresses to secure the removal of the alarming and increasing evil of illiteracy and its baneful consequences, and not as a means of expending surplus revenues, although their existence removes all excuse for failure to pass it. The evil and the bill are both much older than the surplus, and in the belief of the committee the bill should become a law even if it were necessary to impose additional taxation in order to provide means for the necessary expenditure.

The sum of money required to carry into execution the provisions of the bill will average less than $10,000,000 yearly during its full term of eight years, and each year's expenditure is to be appropriated in the usual manner for the fiscal year during which the disbursement is to be made, so that there is no occasion to set apart a reserve or fund in advance.

If, however, it should be thought wise to set apart from the already accumulated and rapidly increasing surplus of over $100,000,000 the seventy-nine millions which is the total amount of expenditure contemplated during the full eight years' period of proposed expenditure, the money is in the Treasury.

This course, however, is not recommended, as the annual sum required will be less than one-fifth the ordinary expense of the Army and Navy, no more than the usual river and harbor appropriation, not exceeding the cost of two of the great war ships, the building of which is considered a mere trifle and the use of which is problematical, one-eighth the annual payment for pensions, and not more than one-thirtieth of the ordinary expenses of the Government. The annual appropriation for schools contemplated by this bill is of so small an amount that it can not seriously enter into the scheme of any proposed repeal or modification of the revenue laws, and would not be felt in the great mass of the three hundred millions of yearly national expenditure.

The money annually appropriated is to be divided among the several States upon the basis of their relative illiteracy as shown by the census of 1880, that being deemed, on the whole, the best available test of relative necessity as between the States; but when once in possession of the State the expenditure is to be made by the State for the support of common schools in connection with its own school money in such manner as to produce an equalization of common-school advantages to all the children of school age in the State.

Separate schools being the choice of both white and colored citizens in some parts of the country, it is provided in the bill that no discrimination in the use of school money shall exist in favor of either class of pupils.

The gradation of the amount from $7,000,000 in the first year, when it may be reasonably supposed that a smaller sum can be economically utilized than afterward, to $15,000,000 in the third year, and its diminution from that sum $2,000,000 yearly to the last year of the eight years' term, when the expenditure will be $5,000,000 only throughout the entire country, and will not then constitute one-thirtieth of the total expenditure of the country for the support of common schools, and probably not one-tenth of the then expenditure for that purpose in any of the States, will, in the belief of your committee, leave the school systems of all the States and Territories vigorous and wholly self-dependent, so that there will be no occasion for further aid from the General Government. It may be further observed in this connection that the appropriation of not exceeding one-tenth of the amount at the will of the States for the instruction of teachers will provide a body of teachers well qualified for their work, which is the most essential condition of good schools, and with the provision conjointly made by the States from their own funds the establishment of adequate permanent training-schools for teachers in the States for the future will be secured. The small fund provided to assist in building cheap but model school-houses in poor and sparsely settled districts will furnish the whole country with the much-needed pattern after the principles of which every district should copy in time to come.

This is a most beneficial and important feature of the bill.

The necessity for national aid in the establishment and temporary support of common schools, which was so startlingly demonstrated by the census of 1870 and by the still more appalling returns of 1880, is proved by the observation and opinions of the great mass of educators and others most competent to testify upon the subject to be increasing and not diminishing.

Here and there improvement is apparent, but the great mass of the illiteracy of the country is untouched. Illiteracy grows with the country and keeps full pace with our general increase.

The increase of population adds continually to the number who require education, while the means of education are not and can not, and therefore will not, be provided without temporary assistance from the funds of the nation, whose general welfare depends upon the intelligence and virtue and the consequent homogeneous diffusion of prosperity and happiness among the whole people. Even if the evil could, after generations of struggle, be overcome by the localities where it chiefly prevails, it is wrong that this rich and powerful nation should withhold the assistance which would remove it within the next ten years.

It must be admitted that intelligence is as indispensable to the continued existence of the nation as to the continued existence of the States, and that the great right of self-defense may be invoked, if it be necessary, to perpetuate the life of both.

Fortunately, the tremendous struggle and sacrifices of that portion of our common country which specially suffers from the consequences of conditions for which the nation was responsible and which are now happily passed away, to educate the children of all classes and races, demonstrate that only a pittance of aid, if seasonably given, and that pittance temporary in its nature, will be required to secure a comprehensive, efficient, and sufficient system of common schools in all the States, forever independent of other than local support.

The entire amount appropriated by this bill is far less per capita than the money distribution by the General Government in 1836, and not one-tenth in value of the great benefactions of public lands to be converted into money upon which rest the public-school systems of the mighty States in the great valley and of the majestic Commonwealths which lie beyond.

Nor should the necessity of equalizing the educational development of our people in connection with the successful solution of the labor and industrial problems, which constitute the most serious of all our public questions, be forgotten; and this aspect of the subject is one which will soon compel the attention of many who now carp at the education bill as an intruder upon the domain of national legislation.

The temporary aid to common schools proposed in this bill should have been given at once upon the close of the civil war. To bestow it now is but to perform a long-deferred obligation, the neglect of which has already greatly enhanced grave perils to the nation.

Every month thousands of illiterate youth are passing beyond the reach of educational influences into the great mass of American citizenship, and cursing the land and the world with their contribution to an ignorant and corrupted sovereignty.

And who shall estimate the evil consequences which will befall us from the continuance of that low and unfortunate motherhood which, under the influence of illiteracy and ignorance, is now bearing one-fourth of the children of the Republic?

Will not the American nation at least give common intelligence to the mothers of the generations yet to be?

If there be no sentiment of patriotism which can stir us to action, the instinct of self-preservation, which confers a certain degree of wisdom upon brutes even, ought not longer to be outraged by our suicidal delay.

Mr. BLAIR. Mr. President, this bill has been long before the country, and has twice passed the Senate by large majorities. Under these circumstances, I have thought it would be a proper thing for the friends of the measure to give way to those who may wish to use their time to oppose it. I understand that the honorable Senator from Texas [Mr. REAGAN] would like to address the Senate at the present time, and I give way to him.

Mr. REAGAN. Mr. President, so much learning and ability have been displayed during past Congresses in the discussion of the provisions of the bill under consideration and of the principles involved in its passage that I can hardly hope to throw any new light on the subject; and yet I feel that it is due to the people of the State I in part represent that I should state some of the reasons why I will vote against its passage.

Before entering upon a statement of these reasons I must say that so much of the purposes of the bill as look to the enlargement of common-school facilities, improved education, and to the increase of knowledge has my most hearty approval, and any measure to promote those purposes which would not involve a violation of the Constitution would command my support. While the Senator from New Hampshire [Mr. BLAIR], the author of this bill, is entitled to great credit for the labor

and research he has bestowed on this subject, he is entitled to still greater credit for the humane and noble purpose which he avows of a desire to secure to the illiterate people of impoverished States the advantages of better education and higher civilization. It is not the purpose he would accomplish, but the method he adopts to secure its accomplishment to which I am opposed.

My opposition to this bill is based on the absence of power in Congress to enact such a law; on the fact that its passage would be the adoption of a policy of centralization which would establish a despotism of popular majorities, overthrow the Constitution, and endanger the liberties of the people; because it offers a bribe in money to the people to sacrifice their manhood and self-reliance and to surrender their constitutional government in consideration of the paternal care of a master whose ultimate cruelty we may not now be able to estimate; and because it would be the surrender of our birthright for a mess of pottage.

I do not wish to see the American people surrender that sturdy self-reliance which has characterized them from the first settlement of the American colonies to the present time, nor to see them demoralized and degraded by any system of subventions from the Government which would deprive them of the independent and resolute purpose to take care of themselves without pecuniary aid from the Federal Government.

This bill would have other important effects upon the public interests, to which I am opposed, whether they are sought to be accomplished by the Senator from New Hampshire and other friends of the bill or not. Among these would be the use of the public moneys to carry out the purpose of this bill as a pretext for perpetuating a high protective tariff and to prevent a reduction of the great burdens of taxation now imposed on the people, and by the same means to aid in the perpetuation of the national debt and our present system of national banking. While I mention these two objects as important, and in themselves sufficient to control my vote against this bill, I do not propose to discuss them now. My principal objection to it rests upon the still higher grounds just mentioned.

CONSTITUTIONAL QUESTION CONSIDERED.

I deny the constitutional power of Congress to pass such a law. Under our system of dual government, where the people are sovereign, and where they are the government-making power, and where they have conferred such powers as pleased them on the State and Federal governments, respectively, and retained to themselves such powers as they chose not to confer on either, it is as necessary for the law-making power under either of these governments to inquire into its jurisdiction when attempting to legislate as for courts of justice with special or limited jurisdiction to inquire into their jurisdiction when they come to adjudicate a case.

We should never lose sight of the fact that in this country the people are sovereign; that they delegated to the Federal Government such powers, and such only, as to enable it to deal with other governments foreign to ours, that is, to control our international policy, and such as to enable it to deal with our Federal and interstate relations, covering such subjects as relate to the interest of the whole Union, such as were necessary for the welfare and safety of the whole people, and as could not with propriety and advantage be exercised by the several States. Such as the power—

To lay taxes, duties, imposts, and excises.
To borrow money on the credit of the United States.
To regulate commerce with foreign nations, and among the States, and with Indian tribes.
To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States.
To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures.
To provide for the punishment of counterfeiting the securities and current coin of the United States, etc.

Such were the powers our fathers thought it necessary and wise to confer on Congress.

And after conferring these powers they provide by the tenth amendment to the Constitution that—

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

The people for their own protection reserved some powers which they refused to confer upon either the State or Federal Government.

The vast residuum of powers, not delegated by the Constitution to the Federal Government and not reserved to the people, are conferred on the several State governments. These embrace, among many others, the power to regulate the acquisition, control, and ownership of property; the providing security for life, person, and property; the management of the estates of deceased persons, embracing the power to regulate the descent and distribution of estates, and the making of wills; the power to regulate marriage and divorce; the power to make all police regulations necessary for the good of society; the power to organize courts of justice for the enforcement of the laws of the State; the power to levy and collect taxes to support the State government, etc.; in a word, the power to regulate and control the local and domestic interests of the people, as contradistinguished from the powers necessary to carry out our Federal and foreign relations.

We are told by Mr. Justice Story, section 906, in his Commentaries on the Constitution, a work confessedly of the highest authority, that—

The Constitution was, from its origin, contemplated to be the frame of a national government, of special and enumerated powers, and not of general and unlimited powers.

He says further in the same paragraph that—

If the clause "to pay the debts and provide for the common defense and general welfare of the United States" is construed to be an independent and substantive grant of power, it not only renders wholly unimportant and unnecessary the subsequent enumeration of specific powers, but it plainly extends far beyond them and creates a general authority in Congress to pass all laws which they may deem for the common defense and general welfare. Under such circumstances the Constitution would practically create an unlimited national government. The enumerated powers would tend to embarrass and confuse, since they would only give rise to doubts as to the true extent of the general power or of the enumerated powers.

And in section 907 he says:

For what purpose could the enumeration of particular powers be inserted, if these and all others were meant to be included in the preceding general power? Nothing is more natural or common than first to use a general phrase and then to qualify it by a recital of particulars. But the idea of an enumeration of particulars which neither explain nor qualify the general meaning, and can have no other effect than to confound and mislead, is an absurdity which no one ought to charge on the enlightened authors of the Constitution. It would be to charge them either with premeditated folly or premeditated fraud.

This strong language of a great judge and law writer ought to be repeated as many times as attempts are made by Congress, such as the passage of the bill under consideration, to usurp the rights of the States, to overthrow the Constitution of the United States, and to make a centralized government to take the place of the Federal system of government provided by the Constitution.

If I may be pardoned, I will here make a digression from this particular line of argument so far as to state that I am of opinion no government of so great territorial extent as the United States, and with such a great variety of interests, could long be perpetuated as a centralized republic. Such territorial extent and varied interests can be harmonized only under a federal republic like ours or under a monarchy. In a centralized republic of such territorial extent, population, and interests there would always be a majority and a minority section. And whether the majority should be situated in the north, the south, the east, or the west, the people of the majority section would claim the political advantages which their majority assured to them, and would demand the adoption of policies oppressive to the minority section, and their political representatives would, as a rule, insist on the adoption of such policies as a means of securing and preserving popular favor. This would inevitably lead to discontent, angry strife, and in the end to political turmoil and revolution. Hence in my view the great importance of maintaining inviolable our present Federal system as marked out by the Constitution of the United States.

Returning to the consideration of the question as to the unconstitutionality of the bill under consideration, I cite again from Story on the Constitution, section 436, language, which quotes approvingly from the Federalist, as follows:

An entire consolidation of the States into one complete national sovereignty would imply an entire subordination of the parts, and whatever powers might remain in them would be altogether dependent on the general will. But as the plan of the convention aims only at a partial union or consolidation, the State governments would clearly retain all the rights of sovereignty which they before had and which were not by that act exclusively delegated to the United States.

The precise test as to the power of Congress is stated by Mr. Story, section 1238, as follows:

Whenever, therefore, a question arises concerning the constitutionality of a particular power, the first question is whether the power is expressed in the Constitution. If it be, the question is decided. If it be not expressed, the next inquiry must be whether it is properly an incident to an express power and necessary to its execution. If it be, then it may be exercised by Congress. If not, Congress can not exercise it.

Under what express grant of power are we to pass this bill "to aid in the establishment and temporary support of common schools" in the States of the Union? Can any one point to the grant of power? I take it no one will attempt to do so. If this can not be done, to what "express grant of power is it an incident and necessary to its execution?" Will any Senator who favors the passage of this bill answer these questions?

The tenth amendment to the Constitution, already quoted, declares that—

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

Judge Story, commenting on this amendment, section 1900, says:

This amendment is a mere affirmation of what, upon any just reasoning, is a necessary rule of interpreting the Constitution. Being an instrument of limited and enumerated powers, it follows irresistibly that what is not conferred is withheld and belongs to the State authorities, if invested by their constitutions of government respectively in them; and if not so invested, it is retained by the people as a part of their sovereignty.

Speaking further of this amendment, section 1901, he says:

Its sole design is to exclude any interpretation by which other powers should be assumed beyond those which are granted. All that are granted in the original instrument, whether express or implied, whether direct or incidental, are left in their original state. All powers not delegated, and not prohibited, are reserved.

In further comment on this amendment, in the same paragraph, he says:

> One would suppose, if the history of the human mind did not furnish abundant evidence to the contrary, that no reasonable man would contend for an interpretation founded neither in the letter nor in the spirit of an instrument. Where is the controversy to end, if we desert both the letter and the spirit? What is to become of constitutions of government, if they are to rest, not upon the plain import of their words, but upon conjectural enlargements and restrictions to suit the temporary passions and interests of the day? Let us never forget that our constitutions of government are solemn instruments, addressed to the common sense of the people, and designed to fix and perpetuate their rights and liberties. They are not to be frittered away to please the demagogues of the day. They are not to be violated to gratify the ambition of political leaders. They are to speak in the same voice now and forever. They are of no man's private interpretation. They are ordained by the will of the people, and can be changed only by the sovereign command of the people.

This splendid passage is at once inspiration, prophecy, and warning, which should not be disregarded by those who wish well of the Republic.

This brings me to consider, in the light of the provisions of the Constitution and canons of construction which I have quoted, the report of the Committee of the Senate on Education and Labor, made during the Forty-ninth Congress, reviewing and indorsing the report made by the same committee on the same bill during the Forty-eighth Congress. In that report the committee say, among other things, or rather the chairman of the committee says (for he declares that "as a matter of argument the committee as a whole is not responsible" for the report):

> We propose to inquire into the nature and extent of the power and obligations of the National Government to assist in the education of the people when necessary for its and their own preservation.

With all respect for the honorable Senator who prepared the report, I venture the statement that this is one of the most extraordinary papers which ever emanated from the American Senate, in its bold and utter disregard of the provisions of the Constitution of the United States, of all the recognized rules of its interpretation, and of the character, genius, and traditions of our Government. As this report may be supposed to embody the strongest arguments in favor of the passage of the bill under consideration, it is proper to inquire briefly into their value and merits.

We may ascertain hereafter whether those members of the committee who are absolved from responsibility for the report, and others who favor the passage of this extraordinary bill, have been able to give other and better reasons than those contained in this report in favor of its passage.

The author of this report says:

> Our leading proposition is that the General Government possesses the power and has imposed upon itself—

Not that it is required by the Constitution, but that it has imposed on itself—

> the duty of educating the people of the United States whenever, for any cause, those people are deficient in that degree of education which is essential to the discharge of their duty as citizens either of the United States or of the several States wherein they chance to reside.

This remarkable statement of the "leading proposition," as stated by the honorable chairman of the committee, in favor of the passage of this bill, at one bound, without constitutional warrant (as I expect to be able to show), and without reason or authority to sustain it, and in violation of the theory of our Government and in disregard of our political traditions, would overthrow the great distinctive difference between our theory of the sovereignty of the people and the theory of the monarchies of the Old World, that the king or emperor is the sovereign source of political power. It would make this grand eleemosynary establishment, formerly known as the Government of the United States, the supreme and the sole judge of what is needful for the welfare of the people. In reference to our political system it would make the pyramid stand upon its apex. It would treat the States and the people as dependent on the will of the Federal Government in all matters in which it might determine that "whenever, from any cause," they failed to come up to the standard of qualifications and duty which Congress regards as the correct one the Federal Government can of right intervene and remedy the supposed evil.

Our political theory is that the Government derives its powers from the consent of the governed; that the people are the sovereign source of political power; that they delegated such of their sovereign power as seemed to them best to the Federal Government, and such portion of it as they thought best to the several States, retaining to themselves such rights as they were unwilling to commit to the control of either of these governments. If there is no express grant of power to Congress to pass such a bill as this, and if the passage of such a bill is not necessary as a means of executing some expressly granted power, then it can only be passed for the reason that the Federal Government is the sovereign source of political power and may do what it pleases without reference to the wishes and consent of the several States or of the people. To do this would be to overthrow the Constitution, to destroy the rights of the States, to disregard the will of the people, to change the character of our Government from that of a free, constitutional republic to a despotism of centralized majorities, and in effect to deny the capacity of the people for self-government.

The control of merely local and domestic questions by Congress would, in a large measure, destroy the direct accountability of the representatives to their constituents by removing them too far from the observation of the people, and would thus open the way for reckless, improper, and prodigal legislation.

Already by loose constructions of the Constitution and by usurpations of power the jurisdiction of Congress has become so extended as to render it difficult for it to pass the required laws. Up to a quarter of a century ago it was a rare thing for a session of Congress to pass more than a half dozen general laws outside of appropriation bills. Now, by these extensions of jurisdiction, we pass a considerable volume of laws at each session. If we adopt the principle which underlies this educational bill, that Congress may do whatever it supposes the general welfare to require, then a perpetual session of Congress will not give sufficient time for the passage of such laws as may be called for. The result would necessarily be that Congress would have to delegate very extensive powers to the heads of departments of the Government, and that we should adopt a system of personal government, not resting on the popular will and controlled by just legal provisions, but leave the interests of the public and the rights of the people to the discretion and at the mercy of Cabinet officers, not selected by the people and too far removed from them to be under any direct responsibility to them. This would be the very essence of despotism; it might be just and mild, or arbitrary, harsh, and unjust, according to the character of the officer. Do honorable Senators feel prepared to go further than we have heretofore gone, as the passage of this bill will require us to do, in assuming that the "general welfare" clause of the Constitution is a grant of power, and in centralizing the powers of this Government, in destroying the rights of the States as they exist under the Constitution, in changing the character of our Government, and in sacrificing the liberties of the people?

The paragraph I have quoted from the report of the committee speaks of the duty which the Government of the United States had "imposed on itself." It has imposed no constitutional duty on itself, and can impose none. It derives its power by delegation from the people, and can lawfully exercise no other power than that which is so derived. The Government did not create itself nor did it prescribe its own powers.

I shall now copy a few other passages from this report, showing the reasons upon which it is proposed to pass this bill, and illustrating the doctrine by which our constitutional system of government is to be overthrown. In that report it is said:

> But the right to educate the children throughout the nation is the right to preserve the Government and the nation. That right can not be curtailed. It is geographically coextensive with the jurisdiction of the Government itself, and self-preservation compels its exercise by the National Government whenever there is failure for any reason on the part of the parent or the State.

This is the new method of establishing the powers of the Federal Government to which the attention of Senators is invited.

The constitutional Government of the United States has now been maintained in peace and war for nearly one hundred years. It has exhibited a growth in population and wealth and advancement in all the elements of civilization surpassing any other country in the world, ancient and modern. During nearly one-half of this time, and when the foundations of its greatness were being laid, there were no free public schools in any part of the country. The men who fought the battles of the Revolution and the men who framed our grand and wonderful Constitution of Government had none of the advantages of free public schools. I believe such schools were unknown then; and still our people did not go into barbarism and our Government did not perish.

Again that report says:

> But Congress has express power to provide for the general welfare of the United States, and to exert its utmost power of taxation to promote that which was one of the six greatest ends enumerated in the preamble, and to secure which the Constitution itself was ordained and established by the whole people of the United States of America.

I need hardly say that the preamble to the Constitution is no more a grant of power than the caption of an ordinary act is a part of the law. And no respectable authority can be cited to show that it is a grant of power. Mr. Justice Story, whom I have so often quoted, says, section 462:

> And here we must guard ourselves against an error which is too often allowed to creep into the discussions upon this subject. The preamble never can be resorted to to enlarge the powers confided to the General Government or any of its departments. It can not confer any power *per se;* it can never amount by implication to an enlargement of any power expressly given. It can never be the legitimate source of any implied power when otherwise withdrawn from the Constitution.

And again that report says:

> If in the past the National Government has not borne its due proportion of the burdens of the education of the people, or if new conditions have arisen which require of it a degree of co-operation with the several States not hitherto necessary in securing to all citizens of the Republic that degree of intelligence which is indispensable to the safety of society and to the happiness of the individual, who is at once the subject and the sovereign of both local and national administration, then the time has come for a new departure, and the withes of straw must yield to the expanding limbs of the giant who is arousing himself for the labors of the time which has already come.

As the writer of that report makes no allusion to the necessity of

amending the Constitution so as to accomplish his purpose, we may fairly infer that the Constitution of the United States is the "withes of straw" which must yield to his wishes on this subject. This idea is in harmony with the whole report. How do the supporters of the bill under consideration and the friends of education like that suggestion? Are they ready to adopt it?

I will give one more sample extract from that report. It is:

Laws are silent in war. They were silent in the conflict through which we have just passed. But what is meant by this? Not that all laws are silent; but that minor regulations which appertain to more quiet times are suspended in the overmastering presence of the great first law of self-preservation. In this sense, which is the true sense, laws may become silent in peace as well as in war. We are now in peace, but if there be laws which forbid education to the illiterate millions of the American people by the outstretched arm and bursting Treasury and innumerable intellectual and moral agencies of the nation at large, then those laws should, and, in the presence of the uprising sentiment of the people, I may say, they shall, be silent in this land until by the diffusion of knowledge and of the power which knowledge gives to every child within our borders peace may be made perpetual.

Mr. BLAIR. The Senator will allow me to say that in the report—I had no idea the Senator knew of it, as the report was made in a former Congress—there is a disclaimer of responsibility on the part of the committee for the argument, which was prepared wholly by the chairman of the committee.

Mr. REAGAN. I suppose my honorable friend did not observe that in a former part of my remarks I stated that fact.

Mr. BLAIR. I have been absent from the Chamber and was not aware of the fact that the Senator had mentioned that circumstance.

Mr. REAGAN. If there be any law or laws in any part of the United States which forbid the education of the illiterate millions, I have no knowledge of where they are to be found; and I suppose the hypothetical suggestion of that report on this point to be baseless. The only law which it is necessary to silence in order to secure the passage of the proposed bill, and to secure the carrying out of its policy, is the Constitution of the United States. I do not know whether it was the intention of the author of the report to urge a lawless disregard of the Constitution in order to carry the proposed measure, but I submit, in all candor, that such seems to be the meaning and effect of this extraordinary report.

This school bill contemplates taxing the people to the extent of $79,000,000 to be applied to common-school education in the States. Where is the grant of power for the levying of such a tax to be found?

Article I, section 8, clause 1, of the Constitution provides that—

The Congress shall have power to lay and collect taxes, duties, imposts, and excises—

For what purpose?

to pay the debts and provide for the common defense and general welfare of the United States.

I have already shown that the "general welfare" clause is not a grant of power. The sum of money proposed to be expended is not to pay debts, nor is it for the common defense. Where, then, is the power to be found which would authorize the levy of such a tax?

The report of the committee recommending the passage of this bill assumes that, under the "general welfare" clause of the Constitution, Congress may "exert its utmost power of taxation." That is, that it may determine outside of constitutional authority for what purpose it will impose taxes on the people, and then it may oppress them by taxing to the utmost of its power. This doctrine is monstrous. And again, where do Senators find the power to tax the people of Illinois for the purpose of educating the people of Texas, or the people of Ohio to educate those of Mississippi, or those of Massachusetts to educate the people of South Carolina?

I assume that Congress can only lawfully levy and collect taxes and appropriate money to carry out the purposes for which the Federal Government was established, and that to promote education in the States was not one of these purposes.

On this point I quote from page 108 of Cooley on Taxation, a book of great merit, by an author whose book on Constitutional Limitations is of the highest authority, as follows:

GRADE OF THE GOVERNMENT WHICH TAXES.

In considering the legality of the purpose of any particular tax, a question of first importance must always concern the grade of the government which assumes to levy it. The "public" that is concerned in a legal sense in any matter of government is the public the particular government has been provided for; and the "public purpose" for which that government may tax is one which concerns its own people, and not some other people, having a government of its own, for whose wants taxes are laid. There may, therefore, be a public purpose as regards the Federal Union which would not be such as a basis for State taxation, and there may be a public purpose which would uphold State taxation, but not the taxation which its municipalities would be at liberty to vote and collect. The purpose must in every instance pertain to the sovereignty with which the tax originates; it must be something within its jurisdiction so as to justify its making provision for it. The rule is applicable to all the subordinate municipalities; they are clothed with powers to accomplish certain objects, and for those objects they may tax, but not for others, however interesting or important, which are the proper concern of any other government or jurisdiction. State expenses are not to be provided for by Federal taxation, nor Federal expenses by State taxation, because in neither case would the taxation be levied by the government upon whose public the burden of the expenses properly rests. To provide for such expenses would, consequently, not be a purpose in which the people taxed would, in a legal sense, be concerned.

I must also beg the indulgence of the Senate while I read at some length the opinion of Mr. Madison, who is often called the father of the Constitution, on this subject:

Mr. MADISON. It is supposed by some gentlemen that Congress have authority not only to grant bounties in the sense here used, merely as a commutation for drawback, but even to grant them under a power by virtue of which they may do anything which they may think conducive to the general welfare. This, sir, in my mind raises the important and fundamental question whether the general terms which have been cited are to be considered as a sort of caption or general description of the specified powers, and as having no further meaning and giving no further powers than what are found in that specification, or as an abstract and indefinite delegation of power extending to all cases whatever, to all such at least as will admit the application of money, which is giving as much latitude as any government could well desire.

I, sir, have always conceived—I believe those who proposed the Constitution conceived—it is still more fully known and more material to observe that those who ratified the Constitution conceived—that this is not an indefinite government, deriving its powers from the general terms prefixed to the specified powers, but a limited government, tied down to the specified powers, which explain and define the general terms.

It is to be recollected that the terms "common defense and general welfare" as here used are not novel terms first introduced into this Constitution. They are terms familiar in their construction and well known to the people of America. They are repeatedly found in the old Articles of Confederation, where, although they are susceptible of as great a latitude as can be given them by the context here, it was never supposed or pretended that they conveyed any such powers as is now assigned to them. On the contrary, it was always considered clear and certain that the old Congress was limited to the enumerated powers, and that the enumeration limited and explained the general terms. I ask the gentlemen themselves whether it was ever supposed or suspected that the old Congress could give away the money of the States in bounties to encourage agriculture, or for any other purpose they pleased. If such a power had been possessed by any body, it would have been much less impotent, or have borne a very different character from that universally ascribed to it.

The novel idea now annexed to those terms and never before entertained by the friends or enemies of the Government will have a further consequence, which can not have been taken into the view of the gentlemen. Their construction would not only give Congress the complete legislative power I have stated; it would do more, it would supersede all the restrictions understood at present to lie in their power with respect to a judiciary. It would put it in the power of Congress to establish courts throughout the United States, with cognizance of suits between citizen and citizen, and in all cases whatsoever.

This, sir, seems to be demonstrable; for if the clause in question really authorized Congress to do whatever they think fit, provided it be for the general welfare, of which they are to be the judge, and money can be applied to it, Congress must have power to create and support a judiciary establishment with a jurisdiction extending to all cases, favorable in their opinion to the general welfare, in the same manner as they have power to pass laws and apply money providing in any other way for the general welfare. I shall be reminded, perhaps, that according to the terms of the Constitution the judicial power is to extend to certain cases only, not to all cases. But this circumstance can have no effect in the argument, it being presupposed by the gentlemen that the specification of certain objects does not limit the import of the general terms. Taking these terms as an abstract and indefinite grant of power, they comprise all the objects of legislative regulations, as well such as fall under the judiciary article in the Constitution as those falling immediately under the legislative article, and if the partial enumeration of objects in the legislative article does not, as these gentlemen contend, limit the general power, neither will it be limited by the partial enumeration of objects in the judiciary article.

There are consequences, sir, still more extensive, which, as they follow clearly from the doctrine combated, must either be admitted, or the doctrine must be given up. If Congress can employ money indefinitely to the general welfare, and are the sole and supreme judges of the general welfare, they may take the care of religion into their own hands; they may appoint teachers in every State, county, and parish, and pay them out of their public Treasury; they may take into their own hands the education of children, establishing in like manner schools throughout the Union; they may assume the provision for the poor; they may undertake the regulation of all roads other than post-roads; in short, everything, from the highest object of State legislation down to the most minute object of police, would be thrown under the power of Congress; for every object I have mentioned would admit of the application of money, and might be called, if Congress pleased, provisions for the general welfare.

The language held in various discussions of this House is a proof that the doctrine in question was never entertained by this body. Arguments wherever the subject would permit have constantly been drawn from the peculiar nature of this Government, as limited to certain enumerated powers, instead of extending, like other governments, to all cases not particularly excepted. In a very late instance—I mean the debate on the representation bill—it must be remembered that an argument much used, particularly by gentlemen from Massachusetts, against the ratio of 1 for 30,000, was that this Government was unlike the State governments, which had an indefinite variety of objects within their power; that it had a small number of objects only to attend to, and, therefore, that a smaller number of Representatives would be sufficient to administer it.

Arguments have been advanced to show that because, in the regulation of trade, indirect and eventual encouragement is given to manufacturers, therefore Congress have power to give money in direct bounties, or to grant it in any other way that would answer the same purpose. But surely, sir, there is a great and obvious difference, which it can not be necessary to enlarge upon. A duty laid on imported implements of husbandry would, in its operation, be an indirect tax on exported produce; but will any one say that by virtue of a mere power to lay duties on imports Congress might go directly to the produce or implements of agriculture or to the articles exported? It is true, duties on exports are expressly prohibited; but if there were no article forbidding them, a power directly to tax exports could never be deduced from a power to tax imports, although such a power might indirectly and incidentally affect exports.

In short, sir, without going further into the subject, which I should not have here touched at all but for the reasons already mentioned, I venture to declare it as my opinion that were the power of Congress to be established in the latitude contended for it would subvert the very foundations and transmute the very nature of the limited government established by the people of America; and what inferences might be drawn or what consequences ensue from such a step it is incumbent on us all to consider.

Mr. BLAIR. Will the Senator be so kind as to give the date of this extract from the writings of Mr. Madison?

Mr. REAGAN. It occurred in the early period of the Government, in the Congress of the United States.

Mr. BLAIR. In 1791?

Mr. REAGAN. I have not the date precisely.

Mr. BLAIR. It was in reference to a bounty upon the fisheries, was it not?

Mr. REAGAN. A friend sitting near me tells me that it was in 1791.

Mr. BLAIR. That was my recollection; and it was subsequently disclaimed by Mr. Madison himself.

Mr. REAGAN. Not the general principles enunciated.

If reason and weight of authority can settle any question, the two authorities just quoted would seem to settle conclusively the question that Congress can not under the authority of the Constitution appropriate money to carry out the purposes of this bill to establish and support common schools in the States.

Have Southern Senators so soon forgotten the horrors of the so-called reconstruction of the Southern States, when the Constitution and laws were silent, and the people there were only permitted to hear, to suffer, and to obey the commands of the military, that they are ready for a few million dollars to take from those they represent the protecting shield of the Constitution, and subject them to the capricious will, the prejudices, and the avarice of a popular majority of the American people? Do they forget that they are representing the weaker section of the Union? That their people need and demand protection, equality of rights, and liberty more than they do money?

I can not speak for others, but if I were to vote for the passage of this bill, with my convictions as to the powers of Congress under the Constitution, I should feel that to secure to the State of Texas the paltry sum of about $4,000,000, to be paid in installments, during a period of eight years, I had voted to abrogate, to annul the Constitution of the United States, the sheet-anchor of our liberties, the bond which binds together what should be a perpetual Union, of what should be indestructible States, resting on the will and authority of the freest, most prosperous, and most happy people as a whole on the face of the earth.

CONGRESS MAY APPROPRIATE LAND, BUT IT CAN NOT TAX THE PEOPLE FOR EDUCATIONAL PURPOSES.

It has been assumed in argument by many Senators, that because Congress had granted lands for educational purposes it could also grant money for the same purpose. If Congress had granted lands for this purpose in the absence of the necessary authority, such precedents would not justify the passing of other unconstitutional acts. If precedents are to take the place of constitutional grants of power, then we might as well regard the Constitution as abrogated, for precedents not warranted by its provisions may be found all along through the history of the Government. There would be no more wisdom or justice in such an assumption than for us to conclude that the bad acts of our private lives should serve as precedents to excuse or justify other bad acts, and relieve us from any obligation to obey the moral law and the precepts of Christianity.

But there are other answers to this assumption that the giving of lands justifies taxing the people to give money for educational purposes in the States. The Government lands are held in trust by it for the benefit of the whole American people, and it is simply discharged from that trust *pro tanto* when it surrenders portions of them to aid in the cause of education. And in all cases, I believe, when public lands or money the proceeds of the sales of public lands have been so appropriated, their use and application have been controlled by the several States and Territories by their own laws and agents. If the Federal Government should attempt to follow its land grants into the State, and to administer them there, that would also violate the Constitution, but for a different reason than for taxing the people for the purpose specified in this bill. The appropriations of land have been absolute, without provisions for reversion to the United States after the titles vested, and wholly freed from Federal control. Congress does not undertake to go into the States with its laws and its agents to administer the land so appropriated, or the proceeds of the sales of such land, nor to require the governors of States and other State officers to conform their action in the use of such lands to the requirements of Federal laws, nor to report their proceedings to any Federal officer for his approval or disapproval. And, beside this, under Article IV, section 3, clause 2 of the Constitution, Congress has plenary and unlimited power to dispose of the public lands, while taxes can only be levied by the Federal Government to carry out the purposes for which it was established, as I have tried to demonstrate. This distinction, it seems to me, is conclusive against the power of the Federal Government to levy and collect taxes to support schools in the States; and also against the assumption that because Congress has granted lands to promote education in the States it can tax the people and raise and appropriate money for the same purpose.

ANALYSIS OF THE BILL.

The case is entirely different with the bill under consideration. The people are to be taxed to raise the $79,000,000. Federal officers are to be appointed to examine and supervise the reports from all of the thirty-eight States and nine or ten Territories. The people are to be taxed in addition to cover the cost of collecting the above sum, and for the payment of the salaries, etc., of the required officers and clerks. And in a large measure the money is to be collected from the people of some of the States for the benefit of the people of other States. It would be more equitable, and much less expensive, for the citizens of each State to pay the taxes to support their own schools, and to collect those taxes by their own officers and off their own subjects of taxation.

Instead of giving this money to the several States and Territories, to be administered by them, as in the case of the public lands given for a like purpose, this bill provides in its first section that—

No money shall be paid to any State, or to any officer thereof, until the Legislature of the State shall, by bill or resolution, accept the provisions of this act; and such acceptance shall be filed with the Secretary of the Interior.

The State must first accept the bribe. It must then, by bill or resolution, solemnly ratify an unconstitutional act of Congress. And then it must crown its self-accepted infamy by filing such bill or resolution with the Secretary of the Interior.

The fourth section of the bill evinces so clearly the complete subordination in which the States are to be held to the Federal laws and authorities that I shall quote all of it down to the proviso, as follows:

SEC. 4. That no State or Territory shall receive any money under this act until the governor thereof shall file with the Secretary of the Interior a statement, certified by him, showing the common-school system in force in such State or Territory; the amount of money expended therein during the last preceding school year in the support of common schools, not including expenditures for the rent, repair, or erection of school-houses; whether any discrimination is made in the raising or distributing of the common-school revenues or in the common-school facilities afforded between the white and colored children therein, and, so far as is practicable, the sources from which such revenues were derived; the manner in which the same were apportioned to the use of the common schools; the number of white and colored children in each county or parish and city between the ages of ten and twenty-one years, both inclusive, as given by the census of 1880, and the number of children, white and colored, of such school age attending school; the number of schools in operation in each county or parish and city, white and colored; the school term for each class; the number of teachers employed, white and colored, male and female, and the average compensation paid such teachers; the average attendance in each class, and the length of the school term. No money shall be paid out under this act to any State or Territory that shall not have provided by law a system of free common schools for all of its children of school age, without distinction of race or color, either in the raising or distributing of school revenues or in the school facilities afforded.

No comment is necessary to expose its purpose.

Mr. BLAIR. Will the Senator allow me to ask him if he is willing that the proviso be printed in connection with what he has already read?

Mr. REAGAN. I have not put the proviso in.

Mr. BLAIR. Would the Senator object to it? It seems to modify the meaning somewhat.

Mr. REAGAN. If the Senator chooses to read it, I have no objection.

Mr. BLAIR. The proviso goes on:

*Provided*, That separate schools for white and colored children shall not be considered a violation of this condition. The Secretary of the Interior shall certify to the Secretary of the Treasury the States and Territories which he finds to be entitled to share in the benefits of this act, and also the amount due to each.

Will the Senator allow me to ask him a question at this point?

Mr. REAGAN. Certainly.

Mr. BLAIR. The proposition which he is advocating is that here is an interference on the part of the General Government with the sovereignty of the State.

Mr. REAGAN. Yes, sir; with the State authority.

Mr. BLAIR. Or the authority of the State. As I have understood, and as I think the friends of the bill construe this section and all other provisions of like character in the bill, it is simply a specification of conditions upon which the State may or may not take the money as it sees fit. There is no requirement that a State shall take the money; but if it does accept its proportion of the entire fund it accepts it upon the same conditions that are applicable in all other States. But it may leave it alone; it is not obliged to take it. There is no interference unless the State by affirmative action by its Legislature accepts and demands it.

Mr. REAGAN. The section goes down into the States, takes hold of State officers, directs how they shall do and what they shall report. I leave that question with Senators for their consideration.

The fifth section of the act contains the following:

And the Secretary of the Interior is charged with the proper administration of this law, through the Commissioner of Education; and they are authorized and directed, under the approval of the President, to make all needful rules and regulations, not inconsistent with its provisions, to carry this law into effect.

That is, to carry a Federal law into effect within the States, and relating to a question of local State policy, the education of the children of these States.

It provides in the sixth section what studies shall be taught in State schools in which the State furnishes the houses, pays the general expense of administering the law, and at least one-half the current expense for instruction proper, as follows:

That the instructions in common schools wherein these moneys shall be expended shall include the art of reading, writing, and speaking the English language, arithmetic, geography, and history of the United States.

It then graciously adds:

And such branches of useful knowledge as may be taught under local laws.

So the Federal law will not even trust the States to prescribe the course of study for their children.

But this delectable section proceeds:

And copies of all school-books authorized by the school boards or other authorities of the respective States and Territories, and used in the schools of the same, shall be filed with the Secretary of the Interior.

Why? Is there a purpose in this? If not, why is it put in the bill? If there is, why is it not expressed? The study of the history of the

United States is one of the branches to be taught. There are several school histories of the United States. The last section of this bill provides that—

The power to alter, amend, or repeal this act is hereby reserved.

Is it the intention that if the histories of the United States are not such as are approved by the Secretary of the Interior and the Commissioner of Education this act shall be so amended as to enable them to prescribe what history of the United States shall be taught? Some of the school histories of the United States contain matter which some of the Senators supporting this bill would not like to have taught to their children. Let them beware what they are doing. And do they think that their Legislatures and States and school officers are unequal to the task of prescribing a course of studies for public common schools? If not, why consent to the impertinent intrusion by a Federal law of a direction as to what studies shall be taught our children? And why demand the inspection of our school-books? Such was the policy of Russia towards the Poles in prohibiting the use of the Polish language in schools after the conquest of Poland. Such was the policy of Austria with Hungary, whose people, up to a recent date, were not permitted to educate their children in their own language, and now only in their primary schools, but were required to adopt the language of their conquerors and masters. The same policy was pursued by Germany after the conquest of Alsace-Lorraine, in which province, as I am informed, the French population were required to be instructed in books of history which eulogized the Germans and vilified the French.

The eighth section of the act provides as follows:

That no greater part of the money appropriated by this act shall be paid out to any State or Territory in any one year than the sum expended out of its own revenues, or out of moneys raised under its authority, including interest money from any source, in the preceding year, for the maintenance of common schools, not included in the sums expended in the erection of buildings.

If there are people who suppose they will be relieved from taxation for school purposes by the proposed subvention, the reading of this section will cure them of that belief.

Section 10 provides—

That no part of the fund allotted to any State or Territory under the first section of this act shall be used for the erection of school-houses or school buildings of any description, nor for rent of the same.

The sixteenth section, however, provides for the appropriation of $2,000,000, to be divided among the several States and Territories, for the construction of school-houses, under the following conditions prescribed by that section:

Such school-houses shall be built in accordance with plans to be furnished free on application by the Bureau of Education at Washington: *Provided, however*, That not more than $150 shall be paid from said fund towards the cost of any single school-house, nor more than one-half the cost thereof in any case.

So it is seen the people in the several States and Territories are not to be trusted with the planning and building of cheap country school-houses, when they furnish at least half the money to pay for their construction, and when they have to be built under plans submitted by the Bureau of Education. This bill goes on to provide that—

The States and Territories shall annually make full report of all the expenditures from the school-house fund to the Secretary of the Interior, as in case of other moneys received under the provisions of this act.

For what purpose? To what end? What necessity is there, if it is not in connection with other provisions of the bill, to dwarf and degrade the States, and to prepare the people for a centralized Republic, a despotism of majorities?

The twelfth section of the act shows that it is intended to subordinate completely the State authorities to the Federal authorities, and that the law shall be administered by Federal officials. If this is not so, why require a detailed statement from the governor of everything which is to be done in the State to the Secretary of the Interior? This section of the act is so important that I read it in its entirety:

SEC. 12. That no second or subsequent allotment shall be made under this act to any State or Territory unless the governor of such State or Territory shall first file with the Secretary of the Interior a statement, certified by him, giving a detailed account of the payments or disbursements made of the school fund apportioned to his State or Territory and received by the State or Territorial treasurer or officer under this act, and of the balance in the hands of such treasurer or officer withheld, unclaimed, or for any cause unpaid or unexpended, and also the amount expended in such State or Territory, as required by section 9 of this act, and also a statement of the number of school districts in such State or Territory, and whether any portion of such State or Territory has not been divided into school districts or other Territorial subdivisions for school purposes, and if so, what portion, and the reasons why the same has not been so subdivided; the number of children of school age in each district, and the relative number of white and colored children in each district, and of the number of public, common, and industrial schools in each district; the number of teachers employed; the rate of wages paid; the total number of children in the State or Territory, and the total number taught during the year, and in what branches instructed; the average daily attendance and the relative number of white and colored children; and the number of months in each year schools have been maintained in each school district. And if any State or Territory shall misapply or allow to be misapplied, or in any manner appropriated or used other than for the purposes and in the manner herein required, the funds, or any part thereof, received under the provisions of this act, or shall fail to comply with the conditions herein prescribed or to report as herein provided, through its proper officers, the disposition thereof, and the other matters herein prescribed to be so reported, such State or Territory shall forfeit its right to any subsequent apportionment by virtue hereof until the full amount so misapplied, lost, or misappropriated shall have been replaced by such State or Territory and applied as herein required, and until such report shall have been made: *Provided*, That if the public schools in any State admit pupils not within the ages herein specified, it shall not be deemed a failure to comply with the conditions herein. If it shall appear to the Secretary of the Interior that the funds received under this act for the preceding year by the State or Territory have been faithfully applied to the purposes contemplated by this act, and that the conditions thereof have been observed, then, and not otherwise, the Secretary of the Interior shall distribute the next year's appropriation as is hereinbefore provided. And it shall be the duty of the Secretary of the Interior to promptly investigate all complaints lodged with him of any misappropriation by or in any State or Territory of any moneys received by such State or Territory under the provisions of this act, or of any discrimination in the use of such moneys; and the said complaints, and all communications received concerning the same, and the evidence taken upon such investigations, shall be preserved by the Secretary of the Interior, and shall be open to public inspection and annually reported to Congress.

Why require the governors to certify to the Secretary of the Interior a detailed account of the payments and disbursements made of this school fund, unless for the purpose of having the fund administered under the direction of Federal officers? And how are the governors to comply with this requirement and that of the fourth section? How much time and how many clerks will be necessary to enable them to comply with the requirements of these sections? Can any Senator guess? And here let me suggest that in view of the very vastness of the appropriation of public funds proposed by this bill Senators seem to have forgotten the smaller but still very large appropriations which will have to be made from year to year for the clerical force, both here and in the States, necessary to carry out its provisions.

And the Secretary of the Interior is required to promptly investigate all complaints of misappropriation of these moneys and of any discriminations in the use of such moneys. Knowing the negro character as I do, I will venture to predict that if this section becomes law the Secretary of the Interior will not be able to investigate all the complaints which will come to him under it. An ignorance for which they should not be held responsible and suspicions which arise partly from that ignorance and partly from their social position, coupled with a knowledge that they can appeal to a power which they believe to be unfriendly to the Southern whites, will no doubt bring a vast number of frivolous and unjust complaints to the Secretary for investigation and open a new and rich field for sectional agitation.

The best people of both races in the South are anxious to promote harmonious relations between the whites and blacks, and gratifying progress has been made in that respect. But my belief is if this bill shall become a law it will disappoint the philanthropic hopes and expectations of both Northern and Southern Senators who are supporting it, and reopen a Pandora's box, to pour out anew upon the Southern States the ills they have suffered so much from, but which have been less grievous during the last few years. I have no desire to be a prophet of evil, but it may be better to avoid than to suffer what must in the nature of things flow from the passage of such a law as this would be.

EDUCATION IN THE SOUTHERN STATES.

The passage of the bill under consideration has been urged by some Senators and accepted by others because of the exceptional condition in which some of the States were left as the result of the late civil war; because by it about eight million slaves were made free people and were invested with the rights and privileges of citizenship, which they were not, as a rule, qualified to exercise intelligently; and because by it the States in which most of them reside were greatly impoverished.

We must all recognize the great force of this philanthropic desire to enlighten so large a number of citizens who are in so great need of the knowledge which is necessary to enable them to understand and to perform the duties of citizenship and to take care of their own personal rights. And so strongly do I sympathize with this view that nothing less than the fear of subverting our form of government and endangering the liberty of both races could induce me to oppose its being carried out by some such law as the one now proposed.

It is true that at the close of the late civil war the Southern States were utterly impoverished and in a large measure desolated. Their social and industrial systems, which came down to them through the traditions of the ages, and had been secured to them by constitutional provisions and by legal enactments, were utterly destroyed, at a sacrifice to them of thousands of millions of dollars, and rich and poor alike were involved in almost universal bankruptcy. Their school systems and educational institutions were in abeyance. They were without means to sustain them, and education languished.

I do not mention these things to complain of them now. They were in a large measure the result of causes for which the generation which suffered from them was not responsible, and they are buried in the irrevocable past. But I mention them for the purpose of contrasting the educational condition in those States now with what it was then; to show that the interests of education are not being neglected there, and that that country is not in the danger from illiteracy which some of the friends of this bill seem to suppose.

I do not propose to go fully into this subject. But I make the general statement that all the Southern States have now fully organized systems of free public schools in operation, sustained by the revenues of those States, in which all the children of scholastic age receive instruction, the white and black children having equal benefits from the common schools. Private schools, colleges, and universities have also been restored to active usefulness and are now generally in successful

operation, and normal schools for the education of both white and black teachers, sustained at public expense, are now in successful operation in some of the Southern States. The school funds of most of those States are not yet sufficient to afford tuition for as many months in the year as is desirable; but these funds are annually increasing, and the organization of the school systems is being perfected as fast as the sparseness of settlements in some portions of them will permit.

The State common-school funds in some of these States, perhaps in most of them, are being supplemented by local taxation in school districts, which is provided for by law, so that in very many districts free schools are kept n operation for six, eight, and ten months in the year. I have not the means of knowing how much money in the aggregate is raised by local taxation for free-school purposes in these States, but suppose the sum to be very nearly equal to the State appropriations.

I think no one who is familiar with the condition and progress of education in the Southern States will question the general accuracy of the statement I am making of it. So it will be seen they are not in so deplorable a condition as to call for very extraordinary measures for their relief in this respect.

As tending to show the progress of education in the free common schools of that section of the Union, I submit a statement of the annual income of the several States for this purpose where there is the greatest amount of illiteracy, which has grown out of the enfranchisement of the black population. The statement is for the year 1884–'85, which is the last year for which such a statement has been made out:

| | | | |
|---|---|---|---|
| Alabama | $511,510 | North Carolina | $631,904 |
| Arkansas | 931,404 | South Carolina | 515,580 |
| Florida | 335,984 | Tennessee | 1,330,850 |
| Georgia | 690,372 | Texas | 1,661,476 |
| Louisiana | 571,139 | Virginia | 1,050,860 |
| Maryland | 1,758,585 | West Virginia | 957,150 |
| Mississippi | 872,320 | | |
| Missouri | 4,232,073 | Aggregating | 16,051,207 |

Mr. GEORGE. Will the Senator allow me to interrupt him? Judging from the statement made of the schools of Mississippi alone, I will say that the State taxation of Mississippi for common schools does not amount to the sum mentioned there by a very large deficit.

Mr. REAGAN. As to that I do not know. It is not mentioned in the report, and there is nothing in the report of the Secretary of the Interior to indicate that local taxation is embraced in the current school fund. But the Senator must know better than I do about the State of Mississippi, of course.

Mr. GEORGE. I venture to assert that not one of the Southern States mentioned by the Senator from Texas appropriates the sum specified out of the State treasury, independent of local taxation.

Mr. REAGAN. The Senate will understand that it is not very pleasant to be interrupted, but I will say to the Senator that I have taken the statements from the executive document to which I called attention. The figures are reported by the Secretary of the Interior on the authority of the Commissioner of Education, and I leave the question between the Senator and those authorities.

Mr. GEORGE. I will state for the information of the Senator——

Mr. HARRIS. If the Senator from Texas will allow me, my colleague [Mr. BATE], who has just retired from the office of governor of Tennessee, says to me that from the treasury of that State, the $1,300,000 named by the Senator from Texas was appropriated independently.

Mr. REAGAN. I am taxing the Senate, and I shall decline to yield to further interruption. I have submitted the document upon which I made the statement and Senators can comment on it to their satisfaction hereafter.

The PRESIDING OFFICER (Mr. DAVIS in the chair). The Senator from Texas declines to yield.

Mr. REAGAN. Since taking the foregoing statement from the report of the Secretary of the Interior, from House of Representatives Executive Document No. 1, part 5, first session Forty-ninth Congress, I have received the following letter from Hon. M. J. Durham, First Comptroller of the Treasury, which shows that the current common-school fund for the last scholastic year for the State of Kentucky amounted to $1,247,798.40, which added to the foregoing aggregate makes the total of the current school fund for the Southern States about $17,299,005 for the year 1884–'85, and for the State of Kentucky 1886–'87:

TREASURY DEPARTMENT, FIRST COMPTROLLER'S OFFICE,
*Washington, D. C., January 3, 1888.*

DEAR SIR: Referring to our conversation of yesterday, I will say that I do not find the governor's message as full upon the school question in Kentucky as I supposed it was, but I can give you a general statement about it. We have a general system of common-school education in Kentucky, and it is supported by interest upon a fund that has been derived from various sources, amounting to something over a million and a half of money, and in addition to that there is a tax of 22½ cents levied upon the taxable property of the State for the support of common schools; and the amount derived from interest on the fund and taxes for the year just closed is $1,247,798.40, being a per capita of $1.90 to each child between the ages of six and sixteen. There is no distinction made in this fund between white and colored children. The system is a reasonably fair one in Kentucky. As a matter of course, local taxation in the various districts amounts to a very considerable sum, but to just how much I am not able to state.

Very truly, yours,

M. J. DURHAM.

Hon. JOHN H. REAGAN,
*United States Senate.*

This, it will be seen, makes a very respectable showing for those States under the circumstances. And these figures would be much more imposing if the sums voted by local communities could be added to them, and if we were able to show the sums expended in the construction of school-houses, and for education in private schools, in normal schools, and in the colleges and universities of those States.

What I have said will, I trust, show that there is no reason for the Southern States to be regarded as mendicants, seeking alms at the hands of their more prosperous neighbors; that there is no reason to fear that liberty will be lost and that our Government and institutions will perish because of the illiteracy of their children; that no facts exist which should induce their people to surrender their State autonomy and with it their manhood and self-reliance. Much less is there reason for them to consent to the overthrow of our constitutional Republic, and for them to consent to the adoption of a centralized despotism of majorities, which means the entire subordination of the interests of the minority section to those of the majority section of the country.

WHAT IS EDUCATION?

What is learned in the schools is not all there is of education. The schools aid in the acquisition of knowledge; but much of real education is acquired in the family circle, on the farm, in the workshop, in public assemblages, in court-houses, at the hustings, and in the churches. And there is probably not a Senator here who has not known men of superior intelligence who could neither read nor write. And the universal experience in this country is that even among the illiterate class there is a great deal of practical intelligence and many useful citizens. In the discussion of this bill we seem to lose sight of these great facts, and to proceed on the principle that the knowledge necessary to good citizenship can only be acquired in the school-house. Would it not be as well for us on this as on other questions to consult common sense and our every-day experience? I saw, when a boy, in the Charleston (S. C.) Mercury a very interesting paper on the subject of "Atmospheric knowledge and the education of the blood." I have not forgotten the impression it made on me. Our whole lives are a school. All our surroundings are school-masters. And a person with natural faculties can hardly be raised in this country without practical knowledge enough to make a comfortable living and to understand the principal duties of citizenship. Of course I have reference to the free people. Such was not the case, as a rule, with the slave population. But now that they are free and invested with the rights of citizenship, it will as well apply to them; if, as we hope may be the case, they are capable of the intellectual development which a few of them have shown and which characterizes the Caucasian race.

The people of the section where the most of them live mean to make a fair and faithful trial of their capacity to this end; and they need no promptings from others as to the demands of duty and interest in this respect. Investigation would probably develop the fact that outside of the black population, whose condition is exceptional, there are more educated fools than there are illiterate people not qualified to take care of their own interests. I do not make these suggestions to undervalue scholastic education, for I recognize fully its importance, but to call to mind facts which should not be lost sight of in considering the capacity of our people for self-government, and to show that we are not in so great danger on account of illiteracy as seems to be supposed by some Senators.

CONDITION OF EDUCATION IN TEXAS.

I can not speak with as full information of the progress which is being made in the matter of education in other States, but I submit a letter from the comptroller of public accounts of the State of Texas, to show what is being done in that State:

OFFICE OF THE COMPTROLLER,
*Austin, December 28, 1887.*

Hon. JOHN H. REAGAN,
*United States Senate, Washington, D. C.:*

DEAR SIR: In reply to yours of the 20th instant I give you below a statement regarding the school fund of Texas, which I presume is the information desired by you.

The investment of the permanent school fund of Texas is as follows, to wit:

| | |
|---|---|
| Texas State bonds | $2,048,000 |
| County bonds | 2,263,000 |
| Railroad bonds | 1,753,000 |
| Cash uninvested | 220,000 |
| Total | 6,284,000 |

There are about 25,000,000 acres of land donated by the State to the permanent fund, that are yet unsold.

The annual interest due upon sales of lands belonging to said fund is about $650,000.

In addition to the income from the above-named investments, an annual advalorem tax of 12½ cents on the $100 valuation of property, and a poll tax of $1, are levied and collected and one-fourth of all occupation taxes collected is appropriated for the purpose of supplementing said income.

The apportionment made by the board of education for the support of the public schools for the present scholastic year amounts in round numbers to $2,300,000. It is estimated that school districts and cities supplement the State fund about $800,000 by local taxation, and by investments held by the school fund of the counties.

The University of Texas has now an annual income of about $50,000, with a permanent fund of $544,000 in Texas State bonds, besides her lands that are unsold.

The Agricultural and Mechanical College has an annual income of $22,000.

There was appropriated by the last Legislature $100,000 for the support of the Deaf and Dumb and Blind Institutes for this year.

Respectfully,

JNO. D. McCALL,
*Comptroller.*

P. S.—In reply to your telegram just received I give you below the total taxable values of this State from 1880 to 1887, inclusive; the other questions I think have already been answered in the letter.

| | | | |
|---|---|---|---|
| 1880 | $311,470,736 | 1884 | $603,060,917 |
| 1881 | 357,000,000 | 1885 | 621,011,989 |
| 1882 | 419,925,476 | 1886 | 630,525,123 |
| 1883 | 527,537,390 | 1887 | 650,412,401 |

From this it is seen that the permanent common-school fund in Texas, in money and land, is perhaps greater than that in any other State in the Union, or than in any other country in the world; and that the current available fund for the present scholastic year amounts to $2,300,000, to which is to be added the $800,000 derived from local taxation, making the current school fund of the State for the scholastic year amount to about $3,100,000.

The permanent university fund of $544,000 is supplemented by very large land grants, with an available fund for current use of $50,000, while the Agricultural and Mechanical College has an annual income of $22,000. And there is also a liberal support by the State to two normal schools, one for the education of white, and one for the education of colored teachers.

This statement shows the progress made since 1884–'85 in education as well as in the taxable property of the State, when the available school fund of that State was $1,661,476.

It may be that others of the Southern States are not as fortunately situated as Texas in this respect. But that they are all as earnestly engaged in the promotion of the cause of education I think is undoubtedly true; and that they will succeed in the establishment of good systems of free common schools, which will meet the necessities of their people, without Federal aid, I do not doubt.

The desire for the education of the black population is not a mere matter of sentiment with the people of the Southern States, nor is it a political hobby by which they expect to gain or to retain political power in the Federal Government. The people of that section are influenced on that subject by far higher and nobler purposes. The negroes constitute a considerable part of their communities. They are invested with freedom and citizenship; and the interests of all of both races require that they should be qualified for these to them new duties, in order to secure the promotion of the welfare of all.

Mr. VEST obtained the floor.

Mr. CULLOM. If the Senator from Missouri has the floor for the purpose of making a speech, I ask him to give way to allow us to have a brief executive session.

Mr. VEST. Certainly.

Mr. BLAIR. I desire to make a short statement of fact in immediate connection with the statistics given by the Senator from Texas, which I think would be interesting.

The PRESIDENT *pro tempore*. The Senator from Missouri is entitled to the floor.

Mr. BLAIR. I ask the Senator from Missouri to yield to me perhaps two minutes, or five at the outside.

Mr. VEST. Certainly. All I want is to take the floor on the bill for Monday.

Mr. GEORGE. Will the Senator from Missouri give way so that I may have printed in the RECORD the names of the Democratic Senators of this body in the Forty-eighth and Forty-ninth Congresses who supported this bill? That is all I want to put in the RECORD.

Mr. VEST. Will the Senator also print the names of those who voted against the bill, of whom I am one?

Mr. GEORGE. Will the Senator give way or not? Will you answer that question?

Mr. VEST. Certainly. All I want is to keep the floor for Monday.

Mr. PLUMB. I ask unanimous consent to offer at this time an amendment to the bill in order that it may be printed. I offer a substitute for section 2 of the bill.

The PRESIDENT *pro tempore*. Does the Senator desire to have it read?

Mr. PLUMB. Yes, I ask that it be read.

The PRESIDENT *pro tempore*. The amendment will be read at the desk.

The CHIEF CLERK. Strike out section 2 and insert:

SEC. 2. That such money shall annually be divided among and paid out in the several States and Territories, and in the District of Columbia, in proportion to their population respectively, according to the census of 1880: *Provided*, That all of said money remaining undistributed at the date of the publication of the returns of population, as shown by the census of 1890, shall be divided as aforesaid in proportion to the population according to said census of 1890.

Mr. GEORGE. By the kindness of the Senator from Missouri, I am allowed to put on record the names of the Democratic Senators who have supported this bill on the two occasions when it was passed by this body. They are as follows:

Messrs. BERRY, BLACKBURN, BROWN, CALL, CAMDEN, COLQUITT, EUSTIS, GARLAND, GEORGE, GIBSON, HAMPTON, JACKSON, JONAS, JONES of Florida, JONES of Arkansas, KENNA, LAMAR, PAYNE, PUGH, RANSOM, VANCE, VOORHEES, and WALTHALL, numbering 23.

The number of Democratic Senators who have voted against the bill in the two last Congresses is 13. Their names are also here and may be printed in the RECORD:

Messrs. BAYARD, BECK, BUTLER, COKE, COCKRELL, GRAY, GROOME, HARRIS, MAXEY, MORGAN, PENDLETON, SAULSBURY, and WILSON of Maryland.

Mr. PLUMB. Will the Senator allow me to ask him a question? Of course he must have some purpose in thus repeating what is already in the RECORD. I ask him if he is afraid any of them will get away before another vote on the bill?

Mr. GEORGE. My purpose is to bring that fact to the attention of the public in connection with the speech of the Senator from Texas. The fact is found through several volumes of the RECORD, and is not accessible to the public at large.

Mr. BLAIR. Mr. President, I desire, with the consent of the Senator who has the floor, to read, in connection with the remarks of the Senator from Texas, a letter which I find in the Texas Iron News of December 31, 1887, the title of which is "Teachers and school fund—County Treasurer Rowell speaks." The letter is as follows:

TEACHERS AND SCHOOL FUND—COUNTY TREASURER ROWELL SPEAKS.

*Editor Texas Iron News, Jefferson, Tex.:*

DEAR SIR: You will confer a favor by publishing the following extract, reported to the Fort Worth Gazette from Austin, December 21, 1887:

"Complaints from school-teachers throughout the State are coming to the department concerning their non-payment. On inquiry it is learned that the State now owes the teachers a total sum approximating $900,000, which she is unable to pay, and will be unable for some time to come. As a consequence the teachers throughout the State are forced to discount vouchers and coupons, often at ruinous rates, and to Shylocks who glory in speculating on hard-run teachers."

Further on is given as causes for this state of affairs "droughts and other disasters, and cutting off of payment of interest and other revenues from school lands." Whatever the cause or causes may be, they should as far as possible be remedied by the next Legislature, as it is certainly a very great hardship on teachers not to be able to realize within 10 per cent. of the face value of their vouchers. Teachers often, not knowing the cause of this delay in payment of their vouchers, blame the county treasurers for it. They think perhaps the county treasurers are using for their own private purposes money that ought to be paid to them. I have been unable to account for this long delay of payments satisfactorily to myself. It is now near the end of the fourth month of the scholastic year, and this county has not received one cent of her pro rata of the available school fund, and when she will receive it I can not say. I have written to the comptroller in regard to it several times, and once to the State treasurer, and the only information I get is that there is no money there for school purposes, that they do not know when there will be, and that it will be paid out to the counties to which it belongs as fast as it arrives. My advice to teachers is to investigate for themselves, and to organize and present this matter to the next Legislature in such a shape as to command attention. If they do not, county treasurers will be compelled to do so in self-defense.

R. E. ROWELL.

He appears to be one of the county treasurers. I do not desire to make any comment upon that, but to read in connection with it a letter just received from a son of Albert Sidney Johnston, William Preston Johnston, president of the Tulane University, of Louisiana. I need not say what the Senators from Louisiana, and all Senators in the body undoubtedly know, that there is no more eminent educator in the country, and no man who can speak of the condition of education in the South probably as well as Mr. Johnston. He addresses a letter to me dated New Orleans, December 31, 1887, and which is as follows:

NEW ORLEANS, *December* 31, 1887.

DEAR SIR: Your letter of December 24, asking my opinion of the actual condition of education in this section, and suggesting my attendance in Washington to assist in presenting the claims of the people to national aid to education, has been received. I regret that the exacting nature of my duties will prevent me from going to Washington, but I am very glad to assure you of my hearty approval of the Blair bill, as it now stands, and of my earnest wish for its success. I have advocated it with pen and voice, and regard it as the most important measure to the Southern States now before Congress.

In regard to the educational condition of this State, and of the South, I can only say that there is no argument in favor of the Blair bill which has been urged in the past that does not receive confirmation and additional cogency in the present condition of affairs. Without doubt there has been a great advance in the material prosperity of the South in the last few years, but much of the enhanced energy and enlarged means of our people has been turned toward the rehabilitation of their fortunes. A broader and deeper feeling for the advancement of education has been evoked by the untiring efforts of its friends. It seems to me that all has been done that was possible with the means and agencies at command. But in spite of a widening interest in education and a success adequate to the effort made, there has been a relative loss in our educational status. We are retrograding instead of advancing. Unless we are able to make a stand, to rally the forces of society, and lift the ignorant classes of the South from barbarism and degradation, the experiment of a republican democratic government must be a failure among us. I can not now see any better solution to the question than that offered by the Blair bill, and the narrowness of its opponents, especially in the South, fills me with amazement.

The governor of this State, the Hon. S. D. McEnery, in an address in August, 1885, urged the education of the masses "to the proper understanding of the rights and duties of citizenship, the functions of government, and the appreciation of free institutions;" adding, "I am safe in saying that not one-half of the voting population of Louisiana have any knowledge whatever of these subjects, yet they are eligible to the highest office in the State, sit as jurors, and determine questions affecting property, liberty, and life."

In this city, which is more favorably situated than the rest of the State, the prospect is very disheartening. In 1858 the public schools received $253,699; in 1887, only $171,000. While the population has increased 54 per cent., the appropriations for the schools have diminished 32 per cent. The school board reports December 13, 1887, as follows: "We believe it is well known to all intelligent citizens of New Orleans that our public schools have received inadequate support; that our school-houses are insufficient in number and size; that many of them are unattractive, dilapidated, and even in some cases unsafe. It is well known also that our able and faithful teachers are poorly and irregularly paid. It is, too, generally believed that this state of affairs is the natural and inevitable result of the poverty of our city." And this, though in this city there is a

large special fund, the donation of John McDonogh, which is employed in aid of school buildings.

In a report adopted last night by the school board of this city occurs the following language:

"Should the appropriation be fixed at the same figures as last year, the result will be most disastrous, if not absolutely ruinous, to the efficiency of the schools.

"We have no balance from funds to fall back upon, as we had last year, and the present financial outlook is extremely discouraging to any true friend of public education."

In this I quite agree, as with the budget presented by the council, there will be a reduced efficiency. If in the great contest with the forces of darkness, ignorance, and barbarism we suffer a defeat now, it will postpone the day of regeneration for our people many a long year. You, at least, Mr. Senator, will have nothing to reproach yourself with in this matter. * * *

I am, very respectfully, yours,

WM. PRESTON JOHNSTON.

Hon. HENRY W. BLAIR,
*United Sta'es Senate, Washington, D. C.*

I call attention to these statements of fact.

Mr. REAGAN. The Senator will allow me to say that I was advised that some person had sent to a gentleman in the other House the paper which has been read, and requested that it should be delivered to the Senator from New Hampshire. What could have given rise to that paper, I do not know. I understand that the collection of taxes in what is called the "drought district" of Texas, which has suffered very greatly from drought, has been for a time suspended. Possibly that may have been the cause of the failure to collect; but that does not answer another proposition which is made in the letter, that the writer has repeatedly called on the comptroller, who advised him that there was no money in the treasury. I have read the official statement of the comptroller, dated the 28th of December, showing that there are $2,300,000 in the treasury to the credit of the school fund; and I leave the statement of the comptroller, made officially, as the answer to the statement of that gentleman that there is no money in the treasury.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eighteen minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until Monday, January 9, at 12 o'clock m.

## NOMINATIONS.

*Executive nominations received by the Senate the 5th day of January*, 1888.

### REGISTERS OF UNITED STATES LAND OFFICES.

Edward Burgess, of Culpeper, Va., who was commissioned during the recess of the Senate, to be register of the land office at Prescott, Ariz., *vice* John L. Camp, resigned.

Andrew D. Duff, of Phœnix, Ariz., who was commissioned during the recess of the Senate, to be register of the land office at Tucson, Ariz., *vice* Benjamin M. Thomas, removed; Charles E. Dailey having been rejected by the Senate.

Henry R. Pendery, of Leadville, Colo., who was commissioned during the recess of the Senate, to be register of the land office at Leadville, Colo., *vice* James R. De Remer, resigned.

Frank P. Tanner, of Colorado, who was commissioned during the recess of the Senate, to be register of the land office at Gunnison, Colo., *vice* John J. Thomas, term expired.

John R. Whiteside, of Vermillion, Dak., who was commissioned during the recess of the Senate, to be register of the land office at Deadwood, Dak., *vice* James P. Luse, term expired.

William Porter, of Des Moines, Iowa, who was commissioned during the recess of the Senate, to be register of the land office at Des Moines, Iowa, *vice* Felix G. Clarke, removed. William Lowry also was appointed to said office during the recess of the Senate, but declined.

Henry O. Billings, of Alton, Ill., who was commissioned during the recess of the Senate, to be register of the land office at Hailey, Idaho, *vice* Homer L. Pound, term expired.

Frank W. Beane, of Salt Lake City, Utah, who was commissioned during the recess of the Senate, to be a register of the land office at Blackfoot (formerly Oxford), Idaho, *vice* August Duddenhausen, removed.

Francis F. Patterson, of Salem, N. C., who was commissioned during the recess of the Senate, to be register of the land office at Lewiston, Idaho, *vice* Patrick H. Winston, jr., resigned.

Samuel Demers, of Concordia, Kans., who was commissioned during the recess of the Senate, to be register of the land office at Concordia, Kans., *vice* Sylvester H. Dodge, term expired.

Henry A. Yonge, of Beloit, Kans., who was commissioned during the recess of the Senate, to be register of the land office at Kirwin, Kans., *vice* John Bissell, term expired.

William Colville, of Red Wing, Minn., who was commissioned during the recess of the Senate, to be register of the land office at Duluth, Minn., *vice* Ralph N. Marble, resigned.

James Greeley, of Franklin, Minn., who was commissioned during the recess of the Senate, to be register of the land office at Redwood Falls, Minn., *vice* William P. Christensen, removed.

John M. Adams, of Sidney, Nebr., who was commissioned during the recess of the Senate, to be register of the land office at Sidney, Nebr., to fill an original vacancy.

John R. Markley, of Niobrara, Nebr., who was commissioned during the recess of the Senate, to be register of the land office at Niobrara, Nebr., *vice* Miner W. Bruce, removed. Frank W. Welna, also, was commissioned as said officer during the recess of the Senate, but died.

Milton Montgomery, of Lincoln, Nebr., who was commissioned during the recess of the Senate, to be register of the land office at Chadron, Nebr., to fill an original vacancy.

James H. Walker, of Raton, N. Mex., who was commissioned during the recess of the Senate, to be register of the land office at Santa Fé, N. Mex., *vice* Charles F. Easley, resigned.

James M. Adams, of Yakima, Wash., who was commissioned during the recess of the Senate, to be register of the land office at Spokane Falls, Wash., *vice* James M. Armstrong, resigned.

Gilbert W. Carrington, of Ashland, Wis., who was commissioned during the recess of the Senate, to be register of the land office at Ashland, Wis., *vice* Albert K. Osborn, term expired.

Henry Cornelius, of Menasha, Wis., who was commissioned during the recess of the Senate, to be register of the land office at Menasha, Wis., *vice* George W. Fay, term expired.

William M. Blanding, of St. Croix Falls, Wis., who was commissioned during the recess of the Senate, to be register of the land office at St. Croix Falls, Wis., *vice* Michael Field, term expired. Fred J. Blanding, also, was commissioned as said officer during the recess of the Senate, but resigned.

Richard Y. Hardin, of Brownsborough, Ky., who was commissioned during the recess of the Senate, to be register of the land office at Buffalo, Wyo., to fill an original vacancy.

### INDIAN AGENTS.

Joseph W. Preston, of Monticello, Ga., who was commissioned during the recess of the Senate, to be agent for the Indians of the Mission Agency (consolidated), in California, established by Executive order of April 13, 1887.

James D. Jenkins, of Osage, Iowa, who was commissioned during the recess of the Senate, to be agent for the Indians of the Sisseton Agency, in Dakota, *vice* Benjamin W. Thompson, removed.

William W. Dougherty, of Liberty, Mo., who was commissioned during the recess of the Senate, to be agent for the Indians of the Warm Springs Agency, in Oregon, *vice* Jason Wheeler, resigned.

Joseph B. Lane, East Portland, Oregon, who was commissioned during the recess of the Senate, to be agent for the Indians of the Siletz Agency, in Oregon, *vice* Francis M. Wadsworth, term expired.

Rickard D. Gwydir, of Covington, Ky., who was commissioned during the recess of the Senate, to be agent for the Indians of the Colville Agency, in Washington Territory, *vice* Benjamin P. Moore, resigned.

### COLLECTORS OF CUSTOMS.

Thomas Cutler, of California, to be collector of customs for the district of Humboldt, in the State of California, to succeed William H. Pratt, whose term of office has expired by limitation.

Joseph W. Clapp, of Massachusetts, to be collector of customs for the district of Nantucket, in the State of Massachusetts, to succeed Albert A. Gardner, whose term of office has expired by limitation.

### ASSOCIATE JUSTICE OF THE SUPREME COURT OF MONTANA.

Stephen DeWolfe, of Montana, to be associate justice of the supreme court of the Territory of Montana, in place of William J. Galbraith, whose term expires January 7, 1888.

The nomination of Stephen A. DeWolfe to the above-named office, which was delivered to the Senate December 20, 1887, is hereby withdrawn.

### POSTMASTERS.

David B. Morgan, to be postmaster at Julesburg, in the county of Logan and State of Colorado, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Carlos O. Holcomb, to be postmaster at New Hartford, in the county of Litchfield and State of Connecticut, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1888.

John B. Manlove, to be postmaster at New Castle, in the county of New Castle and State of Delaware, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Frank Abt, to be postmaster at Lead City, in the county of Lawrence and Territory of Dakota, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Lafayette J. Fulton, to be postmaster at Casselton, in the county of Cass and Territory of Dakota, in the place of Lafayette J. Fulton, whose commission expired December 20, 1887.

C. L. Jack, to be postmaster at Fernandina, in the county of Nassau and State of Florida, in the place of Warren F. Scott, resigned.

Samuel Berry, to be postmaster at Winchester, in the county of Scott and State of Illinois, the appointment of a postmaster for the said office

having, by law, become vested in the President from and after January 1, 1888.

Hibben S. Corwin, to be postmaster at Peru, in the county of LaSalle and State of Illinois, in the place of Hibben S. Corwin, whose commission expired December 20, 1887.

Thomas G. Dennis, to be postmaster at Waverly, in the county of Morgan and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Daniel O'Donnell, to be postmaster at Newton, in the county of Jasper and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Henry Slikkerveer, to be postmaster at Orange City, in the county of Sioux and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Frank A. Winchell, to be postmaster at Kingsley, in the county of Plymouth and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

George W. Brown, to be postmaster at Cherokee, in the county of Crawford and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

George Warren, to be postmaster at Hickman, in the county of Fulton and State of Kentucky, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Melville M. Folsom, to be postmaster at Old Town, in the county of Penobscot and State of Maine, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1888.

Charles B. Carpenter, to be postmaster at Brookfield, in the county of Worcester and State of Massachusetts, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1888.

William G. Stone, to be postmaster at Machias, in the county of Washington and State of Maine, in the place of James A. Ballinger, deceased.

Ernest M. Johnson, to be postmaster at Maynard, in the county of Middlesex and State of Massachusetts, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1888.

Walter G. Peckham, to be postmaster at Rockport, in the county of Essex and State of Massachusetts, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1888.

Theron L. Arnold, to be postmaster at Three Rivers, in the county of St. Joseph and State of Michigan, in the place of John B. Handy, whose commission expired December 20, 1887.

John H. Chapman, to be postmaster at Whitehall, in the county of Muskegon and State of Michigan, in the place of Charles C. Thompson, resigned.

Martin Cremer, to be postmaster at Ypsilanti, in the county of Washtenaw and State of Michigan, in the place of Miss Frances L. Stewart, whose commission expires January 7, 1888.

William Dester, to be postmaster at Berrien Springs, in the county of Berrien and State of Michigan, in the place of Fremont D. Nichols, whose commission expired December 20, 1887.

Leon Ephraim, to be postmaster at Manistique, in the county of Schoolcraft and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Julius Granger, to be postmaster at Fort Gratiot, in the county of St. Clair and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

John G. Mansfield, to be postmaster at Buchanan, in the county of Berrien and State of Michigan, in the place of Joseph L. Richards, resigned.

David D. Murphy, to be postmaster at Red Jacket, in the county of Houghton and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Elvin L. Sprague, to be postmaster at Traverse City, in the county of Grand Traverse and State of Michigan, in the place of Myron E. Haskell, whose commission expired December 20, 1887.

Lewis H. Wilcox, to be postmaster at Corunna, in the county of Shiawassee and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Harry L. Atchison, to be postmaster at Chatfield, in the county of Fillmore and State of Minnesota, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Nels J. Benson, to be postmaster at Tower, in the county of St. Louis and State of Minnesota, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1888.

Thomas Hall, to be postmaster at Preston, in the county of Fillmore and State of Minnesota, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

George W. Martin, to be postmaster at Charleston, in the county of Mississippi and State of Missouri, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Charles E. Dudley, to be postmaster at Marysville, in the county of Lewis and Clarke and Territory of Montana, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Peter Cockrell, to be postmaster at South Omaha, in the county of Douglas and State of Nebraska, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Joseph W. Goodwin, to be postmaster at Wolfborough, in the county of Carroll and State of New Hampshire, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1888.

Charles R. Jameson, to be postmaster at Antrim, in the county of Hillsborough and State of New Hampshire, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1888.

Alfred E. Jaques, to be postmaster at Wilton, in the county of Hillsborough and State of New Hampshire, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1888.

John H. Rolfe, to be postmaster at Penacook, in the county of Merrimack and State of New Hampshire, in place of Luther Gage, resigned.

John F. Kelly, to be postmaster at Jersey City, in the county of Hudson and State of New Jersey, in the place of John G. Gopsill, whose commission expired December 20, 1887.

James T. Van Derveer, to be postmaster at Somerville, in the county of Somerset and State of New Jersey, in the place of Emma J. Porter, whose commission expired December 20, 1887.

Robert H. Hopper, to be postmaster at Kingston, in the county of Sierra and Territory of New Mexico, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Peter A. Albert, to be postmaster at Holley, in the county of Orleans and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

William H. O'Donnell, to be postmaster at Jordan, in the county of Onondaga and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Hanson C. Phelps, to be postmaster at Norwood, in the county of St. Lawrence and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

James M. Swift, to be postmaster at North Tarrytown, in the county of Westchester and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Homer D. Hunt, to be postmaster at Warren, in the county of Trumbull and State of Ohio, in the place of Simeon L. Hunt, deceased.

John G. Herzog, to be postmaster at Loudonville, in the county of Ashland and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Joseph F. Wisecarver, to be postmaster at McMinnville, in the county of Yam Hill and State of Oregon, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Patrick Bracken, to be postmaster at Parker's Landing, in the county of Armstrong and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

H. Wells Buser, to be postmaster at Hummelstown, in the county of Dauphin and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Sidney Hayden, to be postmaster at Sayre, in the county of Bradford and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

David Maxwell, to be postmaster at Wilkinsburgh, in the county of Allegheny and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Jeremiah Mohler, to be postmaster at Ephratah, in the county of Lancaster and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

James P. Smith, to be postmaster at Lehighton, in the county of Carbon and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

John M. Woodburn, to be postmaster at Newville, in the county of Cumberland and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

William T. Broyles, to be postmaster at Dayton, in the county of Rhea and State of Tennessee, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

William A. Squires, to be postmaster at Henrietta, in the county of Clay and State of Texas, in the place of Henry Eddy, whose commission expired December 20, 1887.

John H. Stapp, to be postmaster at Burnet, in the county of Burnet and State of Texas, in place of Mary E. Coffee, whose commission expired December 20, 1887.

Volney E. H. Reed, to be postmaster at Cameron, in the county of Milam and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1888.

Robert M. Gardner, to be postmaster at Christiansburgh, in the county of Montgomery and State of Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1888.

Christopher Gordon, to be postmaster at Winooski, in the county of Chittenden and State of Vermont, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Thomas B. Coon, to be postmaster at Kilbourn City, in the county of Columbia and State of Wisconsin, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

ARMY PROMOTIONS.

*Tenth Regiment of Cavalry.*

First Lieut. William H. Beck, to be captain, December 23, 1887, *vice* Morrison, retired from active service.

Second Lieut. James W. Watson, to be first lieutenant, December 23, 1887, *vice* Beck, promoted.

*Fourth Regiment of Artillery.*

Second Lieut. Charles L. Phillips, to be first lieutenant, December 31, 1887, *vice* Fish, resigned.

*Fifth Regiment of Infantry.*

Capt. Edward C. Woodruff, of the Twelfth Infantry, to be major, January 2, 1888, *vice* Snyder, promoted to the Tenth Infantry.

*Seventh Regiment of Infantry.*

Maj. Andrew S. Burt, of the Eighth Infantry, to be lieutenant-colonel, January 1, 1888, *vice* Collins, retired from active service.

*Eighth Regiment of Infantry.*

Capt. Charles J. Dickey, of the Twenty-second Infantry, to be major, January 1, 1888, *vice* Burt, promoted to the Seventh Infantry.

*Tenth Regiment of Infantry.*

Maj. Simon Snyder, of the Fifth Infantry, to be lieutenant-colonel, January 2, 1888, *vice* Mizner, promoted to the Seventeenth Infantry.

*Twelfth Regiment of Infantry.*

First Lieut. Harry L. Haskell, to be captain, January 2, 1888, *vice* Woodruff, promoted to the Fifth Infantry.

Second Lieut. Daniel E. McCarthy, to be first lieutenant, January 2, 1888, *vice* Haskell, promoted.

*Seventeenth Regiment of Infantry.*

Lieut. Col. Henry R. Mizner, of the Tenth Infantry, to be colonel, January 2, 1888, *vice* Chambers, deceased.

*Twenty-second Regiment of Infantry.*

First Lieut. Cornelius C. Cusick, to be captain, January 1, 1888, *vice* Dickey, promoted to the Eighth Infantry.

Second Lieut. Frank B. Jones, to be first lieutenant, January 1, 1888, *vice* Cusick, promoted.

*Twenty-fourth Regiment of Infantry.*

First Lieut. Morris C. Wessells, to be captain, December 22, 1887, *vice* Custer, deceased.

Second Lieut. James E. Brett, to be first lieutenant, December 22, 1887, *vice* Wessells, promoted.

NAVY PROMOTIONS.

Chief Engineer George W. Melville, a resident of New York, to be Engineer-in-Chief and Chief of the Bureau of Steam Engineering, in the Department of the Navy, with the relative rank of commodore.

Medical Inspector C. J. Cleborne, a resident of Pennsylvania, to be a medical director in the Navy, from the 18th September, 1887, *vice* Medical Director Samuel F. Coues, retired.

Surgeon William Knickerbocker Van Reypèn, a resident of New Jersey, to be a medical inspector in the Navy, from the 16th August, 1887, *vice* Medical Inspector Somerset Robinson, retired.

Surgeon Thomas C. Walton, a resident of New York, to be a medical inspector in the Navy, from the 18th September, 1887, *vice* Medical Inspector C. J. Cleborne, promoted.

Passed Assistant Surgeon James R. Waggener, a resident of Kentucky, to be a surgeon in the Navy, from the 18th March, 1887, *vice* Surgeon Joseph Hugg, retired.

Passed Assistant Surgeon Thomas H. Streets, a resident of Pennsylvania, to be a surgeon in the Navy, from the 1st May, 1887, *vice* Surgeon H. N. Beaumont, deceased.

Passed Assistant Surgeon Manly H. Simons, a resident of Ohio, to be a surgeon in the Navy, from the 16th August, 1887, *vice* Surgeon W. K. Van Reypen, promoted.

Passed Assistant Surgeon John C. Boyd, a resident of South Carolina, to be surgeon in the Navy, from the 18th September, 1887, *vice* Surgeon T. C. Walton, promoted.

Stephen Stuart White, a resident of Maryland, to be an assistant surgeon in the Navy, to fill a vacancy.

James Gaven Field, a resident of Virginia, to be an assistant surgeon in the Navy, to fill a vacancy.

Hatton N. T. Harris, a resident of Virginia, to be an assistant surgeon in the Navy, to fill a vacancy.

George McCaw Pickrell, a resident of Virginia, to be an assistant surgeon in the Navy, to fill a vacancy.

Rand Percy Crandall, a resident of New York, to be an assistant surgeon in the Navy, to fill a vacancy.

Charles Franklin Webster, a resident of Pennsylvania, to be an assistant surgeon in the Navy, to fill a vacancy.

Passed Assistant Paymaster William W. Barry, a resident of Massachusetts, to be a paymaster in the Navy, from the 18th December, 1886, *vice* Paymaster J. E. Tolpee, promoted, and Paymaster W. N. Watmough, retired.

Assistant Paymaster Leeds C. Kerr, a resident of the District of Columbia, to be a passed assistant paymaster in the Navy, from the 25th February, 1887, *vice* Passed Assistant Paymasters W. W. Barry, promoted, and Louis A. Yorke, dismissed.

Passed Assistant Engineer Burdette C. Gowing, a resident of New York, to be a chief engineer in the Navy, from the 15th of February, 1886, *vice* Chief Engineer W. D. Smith, retired.

Passed Assistant Engineer Absalom Kirby, a resident of the District of Columbia to be a chief engineer in the Navy, from the 2d of December, 1886, *vice* Chief Engineer George P. Hunt, deceased.

Passed Assistant Engineer James Entwistle, a resident of New York, to be a chief engineer in the Navy, from the 1st July, 1887, *vice* Chief Engineer H. L. Synder, deceased.

Passed Assistant Engineer Nathan P. Towne, a resident of Maine, to be a chief engineer in the Navy, from the 3d July, 1887, *vice* Chief Engineer William L. Nicoll, deceased.

Second Lieut. Carroll Mercer, United States Marine Corps, a resident of the District of Columbia, to be a first lieutenant in that corps, from the 25th February, 1887, *vice* First Lieutenant Jesup Nicholson, retired.

## HOUSE OF REPRESENTATIVES.

### THURSDAY, *January* 5, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

Mr. LONG. Mr. Speaker, I ask unanimous consent to dispense with the reading of so much of the Journal as enumerates the list of bills introduced and referred on yesterday.

There was no objection, and it was so ordered.

The remainder of the Journal was read and approved.

SENATE BILLS REFERRED.

The SPEAKER laid before the House, under the rule, bills of the Senate of the following titles; which were severally read twice, and referred as follows, namely:

The bill (S. 261) to amend the law concerning the Commissioner of Fish and Fisheries—to the Committee on the Merchant Marine and Fisheries.

The bill (S. 106) to establish two additional land offices in the State of Colorado—to the Committee on the Public Lands.

Joint resolution (S. R. 6) for the removal of all political disabilities imposed by the fourteenth amendment of the Constitution of the United States upon Abram C. Meyers—to the Committee on the Judiciary.

LEAVE OF ABSENCE.

By unanimous consent, indefinite leave of absence was granted to Mr. MAFFETT, by reason of sickness.

INTRODUCTION OF PRIVATE BILLS.

The SPEAKER. The Chair is asked to call the attention of members again to the fact that numbers of private bills are placed in the petition-box without having indorsed upon them the name of the members presenting the same. In all such cases, of course, the Clerk is unable to enter them upon the Journal and furnish a list to the official RECORD for publication, as required by the rule. Gentlemen will do well to inquire at the Clerk's desk and ascertain whether their bills are properly indorsed.

PRESERVATION OF FORESTS.

Mr. EZRA B. TAYLOR, by unanimous consent, introduced a bill (H. R. 3239) for the preservation of the woods and forests of the national domain adjacent to the sources of the navigable rivers and their affluents in the United States; which was read a first and second time, referred to the Committee on Agriculture, and ordered to be printed.

DUTY ON IMPORTED WOOL.

Mr. EZRA B. TAYLOR, by unanimous consent, also introduced a bill (H. R. 3240) to restore the rates of duty on imported wool; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PENSIONS TO CERTAIN SOLDIERS AND SAILORS.

Mr. EZRA B. TAYLOR, by unanimous consent, also introduced a bill (H. R. 3241) granting pensions to soldiers and sailors confined in Confederate prisons; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

POLYGAMY.

Mr. EZRA B. TAYLOR also, by unanimous consent, introduced a joint resolution (H. Res. 45) for the amendment of the Constitution of the United States in regard to polygamy and polygamous association, or cohabitation between the sexes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

NATIONAL-BANK LIENS.

Mr. STEWART, of Georgia, by unanimous consent, introduced a bill (H. R. 3242) to authorize national banks to take liens upon real estate for advances or loans of money; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

OVERPAYMENT OF DUTY.

Mr. COLLINS, by unanimous consent, introduced a bill (H. R. 3243) to amend section 3013 of the Revised Statutes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

MARINE SIGNAL BOARD.

Mr. COLLINS, by unanimous consent, also introduced a bill (H. R. 3244) to establish a board by the name of "The Marine Signal Board of the United States," with a view of having adopted a code and system of marine lights and fog signals, and regulating the same; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

SALARIES OF JUDGES, NEW YORK.

Mr. COLLINS, by unanimous consent, also introduced a bill (H. R. 3245) to regulate the salaries of the judges of the circuit and district courts of the United States within the State of New York; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SALARY OF CERTAIN APPRAISERS.

Mr. COLLINS, by unanimous consent, also introduced a bill (H. R. 3246) to amend sections 2528, 2529, and 2532 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

CRUELTY TO ANIMALS.

Mr. COLLINS, by unanimous consent, also introduced a bill (H. R. 3247) for the prevention of and punishment of cruelty to animals; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

JUDGES SUPREME COURT, ETC., DISTRICT OF COLUMBIA.

Mr. COLLINS, by unanimous consent, also introduced a bill (H. R. 3248) to regulate the compensation of judges of the supreme court of the District of Columbia and of the Court of Claims; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

INCREASE OF PENSIONS.

Mr. COLLINS, by unanimous consent, also introduced a bill (H. R. 3249) to increase the pensions of soldiers, sailors, and marines who have been totally disabled; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

RECOVERY OF TAXES, ETC., ERRONEOUSLY PAID.

Mr. COLLINS, by unanimous consent, also introduced a joint resolution (H. Res. 46) to provide for the recovery of internal-revenue taxes and penalties erroneously assessed and paid in certain cases; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

DUTY ON LUMBER.

Mr. RICE, by unanimous consent, introduced a bill (H. R. 3250) to amend section 2506 of the Revised Statutes, as amended by the act of March 3, 1883, relating to the duty on lumber in certain cases; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

NON-COMMISSIONED ARMY STAFF OFFICERS.

Mr. RICE, by unanimous consent, also introduced a bill (H. R. 3251) to fix the pay of the non-commissioned staff officers of the United States Army, unattached to regiments; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

COLLECTOR AT ST. PAUL, MINN.

Mr. RICE, by unanimous consent, also introduced a bill (H. R. 3252) to amend sections 2595 and 2596 of the Revised Statutes of the United States, and provide a collector at the port of St. Paul, Minn. which was read a first and second time, referred to the Committee on Commerce and ordered to be printed.

AMENDMENT OF RULES.

Mr. O'NEILL, of Missouri, submitted the following resolution; which was read and referred to the Committee on Rules:

*Resolved*, That whenever a member presents a bill or joint resolution "by request," those words be entered on the Journal of the House.

PUBLIC BUILDING AT CHARLESTON, W. VA.

Mr. SNYDER, by unanimous consent, introduced a bill (H. R. 3253) to appropriate the sum of $52,000 for the enlargement and improvement of the United States public building at Charleston, W. Va.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

THOMAS A. COAKLEY.

Mr. TIMOTHY J. CAMPBELL, by unanimous consent, submitted the following resolution; which was read and referred to the Committee on Accounts:

*Resolved*, That Thomas A. Coakley, of New York be, and he is hereby, appointed a messenger during the present Congress, at the same rate of compensation received by him during the Forty-ninth Congress; said compensation to be paid out of the contingent fund of the House.

UNITED STATES BONDS AND BANK CIRCULATION.

Mr. STEWART, of Georgia, by unanimous consent, introduced a bill (H. R. 3254) to authorize the reduction of United States bonds and of the circulation of the national banks; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

IMPRISONMENT OF COUNTY JUDGES.

Mr. STONE, of Missouri. I offer, for reference, the resolution which I send to the desk.

The Clerk read the title of the resolution, as follows:

Resolution authorizing and directing the Committee on the Judiciary to investigate and report the facts connected with the imprisonment of the county court judges of St. Clair County, Missouri.

Mr. STONE, of Missouri. I desire to have the resolution read.

Mr. SPRINGER. I object.

The SPEAKER. The gentleman from Missouri has the right to have the resolution read before it is referred, in order that it may be seen what is the proper committee to which to refer it.

Mr. SPRINGER. I object to the introduction of the resolution.

The SPEAKER. The gentleman from Illinois has the right to do that.

Mr. SPRINGER. I object to the introduction of the resolution until after the committees are announced, and call for the regular order.

The SPEAKER. The gentleman from Illinois objects to the introduction of the resolution at present.

REGENT OF SMITHSONIAN INSTITUTION.

The SPEAKER announced the appointment of Mr. S. S. COX, of New York, as Regent of the Smithsonian Institution.

STANDING AND SELECT COMMITTEES.

The SPEAKER. The Chair will announce also the remainder of the standing and select committees of the House not heretofore announced.

The Clerk read the list, as follows:

*Committee on Ways and Means*—Messrs. Mills, McMillin, Breckinridge of Arkansas, Breckinridge of Kentucky, Turner of Georgia, Wilson of West Virginia, Scott, Bynum, Kelley, Browne of Indiana, Reed, McKinley, and Burrows.

*Committee on Appropriations*—Messrs. Randall, Forney, Burnes, Foran, Sayers, Clements, Felix Campbell, Gay, Rice, Cannon, Ryan, Butterworth, Long, McComas, and Henderson of Iowa.

*Committee on the Judiciary*—Messrs. Culberson, Collins, Seney, Oates, Rogers, Glover, Henderson of North Carolina, Buckalew, Stewart of Georgia, Ezra B. Taylor, Parker, Stewart of Vermont, Caswell, Adams, and Fuller.

*Committee on Banking and Currency*—Messrs. Wilkins, Snyder, Howard, Dargan, Hatton, Bacon, Landes, McKinney, Dingley, Brumm, Woodburn, Whiting of Massachusetts, and Wilber.

*Committee on Coinage, Weights, and Measures*—Messrs. Bland, Norwood, Hemphill, Tracey, Wilson of Minnesota, Wilkinson, Martin, Hall, Payson, Kean, Vandever, Belden, Wickham, and Toole.

*Committee on Commerce*—Messrs. Clardy, Crisp, Tarsney, Rayner, Anderson of Iowa, Lagan, Wilson of Minnesota, Bryce, Phelan, O'Neill of Pennsylvania, Davis, Dunham, Anderson of Kansas, Davenport, and Thomas H. B. Browne.

*Committee on Rivers and Harbors*—Messrs. Blanchard, Jones, Stewart of Texas, Catchings, Wise, Snyder, Gibson, Fisher, Thompson of California, Henderson of Illinois, Bayne, Grosvenor, Nutting, Stephenson, and Cogswell.

*Committee on Merchant Marine and Fisheries*—Messrs. Dunn, McMillin, Morse, Springer, Hatch, Breckinridge of Kentucky, Cummings, Macdonald, Dingley, Hopkins of Illinois, Felton, Farquhar, and Clark.

*Committee on Agriculture*—Messrs. Hatch, Davidson of Alabama, Stahlnecker, Morgan, Glass, Burnett, McClammy, Biggs, Whiting of Michigan, Funston, Hires, Laird, Conger, Pugsley, Patton, and Dubois.

*Committee on Foreign Affairs*—Messrs. Belmont, McCreary, Norwood, Hooker, Russell of Massachusetts, Raynor, Chipman, Cothran, Ketcham, Phelps, Hitt, Rockwell, and Morrow.

*Committee on Military Affairs*—Messrs. Townshend, Tillman, Hooker, Maish, Spinola, Robertson, Ford, Yoder, Steele, Laird, Cutcheon, Gear, Fitch, and Carey.

*Committee on Naval Affairs*—Messrs. Herbert, Wise, McAdoo, Whitthorne, Rusk, Cockran, Elliott, Abbott, Harmer, Thomas of Illinois, Goff, Boutelle, and Hayden.

*Committee on the Post-Office and Post-Roads*—Messrs. Blount, Dockery, Merriman, Ermentrout, Enloe, Anderson of Illinois, Anderson of Mississippi, Montgomery, Rowland, Bingham, Guenther, Peters, Allen of Massachusetts, White of New York, Lind, and Caine.

*Committee on the Public Lands*—Messrs. Holman, Laffoon, Stone of Missouri, McRae, Wheeler, Washington, Stockdale, Macdonald, Payson, Jackson, McKenna, Hermann, Turner of Kansas, and Voorhees.

*Committee on Indian Affairs*—Messrs. Peel, Allen of Mississippi, Shively, Perry, Hudd, McShane, Cobb, Hare, Perkins, Nelson, LaFollette, Darlington, Allen of Michigan, and Gifford.

*Committee on the Territories*—Messrs. Springer, Cox, Barnes, Elliott, Hayes, Kilgore, Mansur, Ford, Struble, Baker of New York, Symes, Dorsey, Warner, and Joseph.

*Committee on Railways and Canals*—Messrs. Davidson of Florida, McRae, Stone of Kentucky, Pidcock, Hayes, Bryce, Cobb, Carlton, Plumb, Wilber, McCormick, Gaines, and Russell of Connecticut.

*Committee on Manufactures*—Messrs. Bacon, Breckinridge of Arkansas, Wilson of West Virginia, Bynum, McKinney, Grimes, Hermann, Bunnell, Hopkins of New York, Crouse, and Smith of Wisconsin.

*Committee on Mines and Mining*—Messrs. O'Ferrall, Foran, Candler, Neal, Greenman, Whiting of Michigan, Lynch, Biggs, Woodburn, McCullogh, Gest, Flood, Nichols, and Smith of Arizona.

*Committee on Public Buildings and Grounds*—Messrs. Dibble, Johnston of North Carolina, Sowden, Neal, Newton, McShane, Bankhead, Hogg, Milliken, Wade, Lehlbach, Kennedy, and Post.

*Committee on Pacific Railroads*—Messrs. Outhwaite, Crain, Richardson, Barnes, Collins, Caruth, Tracey, Granger, Weber, Holmes, Dalzell, Hovey, and Mason.

*Committee on Levees and Improvement of the Mississippi River*—Messrs. Catchings, Glass, Tarsney, Lawler, Montgomery, Walker, Robertson, Hall, Whiting of Massachusetts, Morrill, Grout, and Scull.

*Committee on Education*—Messrs. Candler, Mahoney, Crain, Caruth, Buckalew, Lane, Cobb, Penington, O'Donnell, Taylor of Ohio, Russell of Connecticut, Belden, and White of Indiana.

*Committee on Labor*—Messrs. O'Neill of Missouri, Tarsney, Felix Campbell, Davidson of Alabama, Compton, Candler, French, Burnett, Buchanan, Bound, Plumb, Nichols, and Haugen.

*Committee on the Militia*—Messrs. McAdoo, Forney, Sowden, Seney, Gibson, Blanchard, Stewart of Texas, Spinola, Lehlbach, Wade, Owen, Vandever, and McCormick.

*Committee on Patents*—Messrs. Weaver, Tillman, Cowles, Grimes, Greenman, Lane, Martin, Vance, West, Osborne, Smith of Wisconsin, Thomas of Kentucky, and Arnold.

*Committee on Invalid Pensions*—Messrs. Matson, Pidcock, Chipman, Yoder, Lane, Lynch, French, Walker, Thompson of California, Morrill, Sawyer, Gallinger, Spooner, Thompson of Ohio, and Hunter.

*Committee on Pensions*—Messrs. Bliss, Hutton, Dougherty, Henderson of North Carolina, Barry, Bankhead, Carlton, Russell of Massachusetts, Struble, Butler, Finley, Scull, and De Lano.

*Committee on Claims*—Messrs. Lanham, Dougherty, Shaw, Timothy J. Campbell, Taulbee, Simmons, French, Lynch, Mansur, Baker of Illinois, McCullogh, Cheadle, Kerr, Bowden, and Laidlaw.

*Committee on War Claims*—Messrs. Stone of Kentucky, Bliss, Lawler, Stockdale, Granger, O'Neall of Indiana, Penington, Wilkinson, Hiestand, Thomas of Wisconsin, Crouse, Gaines, and Brower.

*Committee on Private Land Claims*—Messrs. McCreary, Weaver, Glover, Perry, Sayers, Washington, Cockran, Latham, Dorsey, Thomas of Wisconsin, Bowen, Wickham, Gest, and Smith of Arizona.

*Committee on the District of Columbia*—Messrs. Hemphill, Campbell of Ohio, Compton, Heard, Mahoney, Latham, Lee, Vance, Rowell, Grout, Atkinson, Romeis, and Brewer.

*Committee on the Revision of the Laws*—Messrs. Oates, Turner of Georgia, Townshend, Burnes, Matson, Dibble, Lanham, Hogg, Finley, Brewer, Yardley, Boothman, and Butler.

*Committee on Expenditures in the State Department*—Messrs. Morse, Belmont, Stewart of Georgia, Lee, Atkinson, Brower, and Kerr.

*Committee on Expenditures in the Treasury Department*—Messrs. Wheeler, Culberson, Simmons, Hall, Farquhar, Gallinger, and Bowden.

*Committee on Expenditures in the War Department*—Messrs. Laffoon, Jones, Wilkins, Rice, Warner, Arnold, and De Lano.

*Committee on Expenditures in the Navy Department*—Messrs. Scott, Herbert, Morgan, Romeis, Sawyer, and Maffett.

*Committee on Expenditures in the Post-Office Department*—Messrs. Dockery, Cowles, Merriman, Anderson of Mississippi, Brown of Ohio, Post, and Moffitt.

*Committee on Expenditures in the Interior Department*—Messrs. Hudd, Bliss, O'Neill of Missouri, Washington, Brumm, West, and John R. Brown.

*Committee on Expenditures in the Department of Justice*—Messrs. Cowles, Forney, Hutton, Greenman, Thompson of Ohio, Sherman, and Hopkins of Virginia.

*Committee on Expenditures on Public Buildings*—Messrs. Timothy J. Campbell, Dougherty, Barry, Walker, Milliken, Yardley, and Yost.

*Committee on Accounts*—Messrs. Shaw, Sowden, Hays, Grimes, Lee, O'Donnell, Bound, Flood, and Boothman.

*Committee on the Library*—Messrs. Stahlnecker, Davidson of Florida, Gay, O'Neill of Pennsylvania, and Owen.

*Committee on Printing*—Messrs. Richardson, Gibson, and Hiestand.

*Committee on Enrolled Bills*—Messrs. Fisher, Enloe, Carlton, Kilgore, Holmes, and Kennedy.

*Committee on Reform in the Civil Service*—Messrs. Clements, Dargan, Stone, Bryce, Rusk, Phelan, Abbott, Anderson of Iowa, Bayne, Hopkins, Spooner, Fitch, and Thomas of Kentucky.

*Committee on the Election of President, Vice-President, and Representatives in Congress*—Messrs. Ermentrout, Crain, Peel, Cummings, Lagan, Lawler, Cothran, Rowland, Baker of Illinois, Osborne, Brown of Ohio, Baker of New York, and Kean.

*Committee on the Eleventh Census*—Messrs. Cox, Blount, Holman, Clardy, Seney, Taulbee, Perry, Newton, McKenna, Taylor of Ohio, Hopkins of Virginia, Maffett, and Sherman.

*Committee on Indian Depredation Claims*—Messrs. Whitthorne, Dunn, Howard, Allen of Mississippi, Shively, Hare, Biggs, Buchanan, Symes, Bunnell, Brown, Hopkins of New York, and Williams.

*Committee on Ventilation and Acoustics*—Messrs. Landes, Compton, Davidson of Alabama, Vance, White of Indiana, Haugen, and Williams.

*Committee on the Alcoholic Liquor Traffic*—Messrs. Campbell of Ohio, Bland, Merriman, McRae, Anderson of Illinois, Moore, McClammy, Hunter, Cheadle, Moffitt, and Yost.

ADJOURNMENT OVER.

Mr. RANDALL. I move that when the House adjourns to-day it be to meet on Monday next. My object in making this motion is to give the committees time to organize, to select their clerical force, and, if possible, to prepare business for the beginning of the week, so that we may now go promptly to work on matters of public concern.

The motion was agreed to.

IMPRISONMENT OF COUNTY COURT JUDGES.

Mr. SPRINGER. I withdraw my objection to the introduction of the resolution offered by the gentleman from Missouri [Mr. STONE].

The resolution was read, and referred to the Committee on the Judiciary. It is as follows:

Whereas it is alleged in the public prints and elsewhere, that John F. Tandy, Albert Hoyt, and S. C. Peden, judges of the county court of St. Clair County, Missouri, are now confined in the common jail of Cole County, Missouri, and have been so confined for more than one month, on the order of the circuit court of the United States for the western district of Missouri; and

Whereas the imprisonment of said county judges is based upon the following facts, namely: That the said circuit court of the United States, on April 23, 1887, issued its writ of mandamus to said county judges, commanding them to levy a tax on all property in said St. Clair County, for the purpose of raising a fund sufficient to satisfy a certain judgment, theretofore rendered in said circuit court against said county; to which writ said county judges made answer and return to the effect that they could not obey the writ, for the reason that they had no authority under the laws of the State of Missouri to levy the tax, and that any attempt to do so would subject them to a criminal prosecution and heavy punishment under the laws of the State; which return was true in substance and effect; notwithstanding which, the said circuit court quashed the return, attached said county judges for contempt, and committed them to jail, there to remain until they should acknowledge themselves willing to levy the tax according to the mandate of said circuit court, or until the further order of said court; and

Whereas the arrest and imprisonment of these judicial officers of the State, under the circumstances detailed, is a gross usurpation of judicial power on the part of the Federal circuit court, and a dangerous menace to every just form of local government: Therefore,

*Be it resolved*, That the Committee on the Judiciary is hereby instructed to investigate the facts touching the imprisonment of said county judges, and to report by bill or otherwise, at the earliest day practicable; and to this end the said Committee on the Judiciary is hereby authorized and empowered to send for persons and papers, and to take whatever steps may be necessary to a proper and complete investigation of said alleged imprisonment; and to pay the expense thereof, the sum of $1,000, or so much thereof as may be necessary, is hereby appropriated out of the contingent fund of the House.

SESSION CLERKS FOR COMMITTEES.

Mr. MATSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution which I send to the desk.

The SPEAKER. The resolution will be read, after which the Chair will ask for objections.

The resolution was read, as follows:

*Resolved*, That the Committee on Accounts be instructed to report to the House on Monday next the apportionment of the session clerks provided for by law.

Mr. ROGERS. Mr. Speaker, I desire to reserve an objection.

Mr. MCMILLIN. I was going to ask the gentleman from Indiana why he offers the resolution in this form, instructing the Committee on Accounts as to their action in this matter.

Mr. MATSON. I think, Mr. Speaker, it is quite important that the clerks should be apportioned to the committees promptly in order that the business of the House may proceed. Between now and Monday there certainly ought to be ample time to make this apportionment, which seems to be a mere matter of form, as I apprehend that there will be hardly any departure from the apportionment heretofore existing. It is important to the House to have the matter settled, and I think the committee may as well report on Monday as at a later time.

Mr. MCMILLIN. I simply wish to call the attention of the House to the fact that the Committee on Accounts have had no opportunity to meet to consider this subject.

Mr. MATSON. This resolution certainly implies no reflection on the committee, because everybody knows that they have not had an opportunity to act in this matter.

Mr. ROGERS. I withdraw my objection.

The SPEAKER. Is there further objection?

Mr. HOLMAN. I ask that the resolution be again reported.

The resolution was again read.

Mr. OATES. I move to amend the resolution so as to instruct the Committee on Accounts to report a clerk for each committee not provided by law with an annual clerk. I remember well that in the last Congress we consumed a good deal of time in debating and considering propositions for clerks for several of the committees which were not provided for by law, until at last we gave clerks to them all, and I think we shall save time by voting to do that now. If a subject is important enough to have a committee appointed to consider it, I certainly think the committee ought to have a clerk.

The question was taken on the amendment of Mr. OATES, and the Speaker declared that the noes seemed to have it.

Mr. OATES. I ask for a division.

The House divided; and there were—ayes 60, noes 86.

Mr. OATES. No quorum has voted.

The SPEAKER. The gentleman makes the point that no quorum has voted. The Chair will appoint to act as tellers the gentleman from Alabama [Mr. OATES] and the gentleman from Indiana [Mr. MATSON].

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries.

ORDER OF BUSINESS.

Mr. MILLS. I now move that the House adjourn.

MESSAGE FROM THE PRESIDENT.

Pending the motion to adjourn,

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Committee on Indian Affairs, and ordered to be printed.

*To the Senate and House of Representatives:*

I transmit herewith a communication, of the 23d ultimo, from the Secretary of the Interior, submitting a draught of a bill "to provide for the reduction of the Round Valley Indian reservation, in the State of California, and for other purposes," with accompanying papers relating thereto. The documents thus submitted exhibit extensive and entirely unjustifiable encroachments upon lands set apart for Indian occupancy, and disclose a disregard of Indian rights so long continued that the Government can not further temporize without positive dishonor. Efforts to dislodge trespassers upon these lands have in some cases been resisted upon the ground that certain moneys due from the Government for improvements have not been paid. So far as this claim is well founded the sum necessary to extinguish the same should be at once appropriated and paid. In other cases the position of these intruders is one of simple and barefaced wrong-doing, plainly questioning the inclination of the Government to protect its dependent Indian wards and its ability to maintain itself in the guaranty of such protection.

These intruders should forthwith feel the weight of the Government's power. I earnestly commend the situation and the wrongs of the Indians occupying the reservation named to the early attention of the Congress, and ask for the bill herewith transmitted careful and prompt attention.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 5, 1888.

Mr. MILLS. Mr. Speaker, I withdraw the motion to adjourn.

The SPEAKER. The motion to adjourn is withdrawn. The tellers will take their places, unless gentlemen agree to postpone this matter.

Mr. MATSON. I ask to withdraw the resolution I have offered, as I am satisfied, now that the attention of the Committee on Accounts has been called to this matter, there will be prompt action.

The SPEAKER. If there be no objection, the resolution will be regarded as withdrawn.

There was no objection.

CLAIM OF FLORIDA.

Mr. DAVIDSON, of Florida, by unanimous consent, introduced a bill (H. R. 3255) to authorize the Secretary of the Treasury to settle and pay the claim of the State of Florida on account of expenditures made in suppressing Indian hostilities, and for other purposes; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

LIFE-SAVING STATION, SAUGATUCK, MICH.

Mr. FORD, by unanimous consent, introduced a bill (H. R. 3256) providing for the establishment of a life-saving station at the harbor of Saugatuck, Mich.; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

LIFE-SAVING STATIONS.

Mr. COX, by unanimous consent, introduced a bill (H. R. 3257) to establish additional life-saving stations; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

POSTAGE ON FOURTH-CLASS MATTER.

Mr. GROUT, by unanimous consent, introduced a bill (H. R. 3258) to reduce the postage on fourth-class matter; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

APPOINTMENT OF POSTMASTERS.

Mr. GROUT, by unanimous consent, also introduced a bill (H. R. 3259) to enable the people to name their postmasters; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ALCOHOLIC LIQUOR TRAFFIC.

Mr. GROUT, by unanimous consent, also introduced a bill (H. R. 3260) providing for the appointment of a commission on the subject of the alcoholic liquor traffic; which was read a first and second time, referred to the Committee on the Alcoholic Liquor Traffic, and ordered to be printed.

PENSIONS.

Mr. GROUT, by unanimous consent, also introduced a bill (H. R. 3261) for the relief of Union soldiers who were confined in Southern prisons; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

Mr. GROUT, by unanimous consent, also introduced a bill (H. R. 3262) granting pensions to all invalid soldiers of the United States in the late civil war who are dependent upon their daily labor for their support; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

DESTRUCTION OF VESSELS AT SEA.

Mr. COLLINS, by unanimous consent, also introduced a bill (H. R. 3263) to amend section 5365 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

REPORT ON WOOL MANUFACTURES.

Mr. BREWER, by unanimous consent, introduced a joint resolution (H. Res. 47) providing for the printing of 20,000 copies of the recent special report of the Chief of the Bureau of Statistics, entitled "Wool and the Manufactures of Wool," 5,000 for the use of the Senate and 15,000 for the use of the House; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

Mr. MILLS. I renew the motion that the House adjourn.

The motion was agreed to; and accordingly (at 1 o'clock and 10 minutes p. m.) the House adjourned till Monday next.

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PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred, as indicated below:

By Mr. JONES: A bill (H. R. 3100) for the relief of the creditors of the Deposit Savings Association of Mobile, Ala.—to the Committee on Claims.

Also, a bill (H. R. 3101) for the relief of Claude H. Mastin, surviving parter of the firm of Le Vert and Mastin, of Mobile, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 3102) for the relief of the Mobile Marine Dock Company—to the Committee on War Claims.

By Mr. ROGERS: A bill (H. R. 3103) granting a pension to Shelby Gregory—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3104) granting a pension to Cyrenius W. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3105) granting a pension to Peter Greenfield—to the Committee on Invalid Pensions.

By Mr. FELTON: A bill (H. R. 3106) for the relief of Lieutenant-Colonel Eyre—to the Committee on Military Affairs.

By Mr. MORROW: A bill (H. R. 3107) to increase the pension of James Coey, late major of the One hundred and forty-seventh Regiment New York Volunteers—to the Committee on Pensions.

By Mr. J. D. STEWART: A bill (H. R. 3108) for the relief of Thomas Flynn—to the Committee on War Claims.

Also, a bill (H. R. 3109) for the relief of George T. Reeves—to the Committee on War Claims.

Also, a bill (H. R. 3110) for the relief of Ebenezer T. White—to the Committee on War Claims.

By Mr. CANNON: A bill (H. R. 3111) for the relief of James McEvoy—to the Committee on Pensions.

By Mr. T. J. HENDERSON: A bill (H. R. 3112) for the relief of Phineas T. Richardson—to the Committee on War Claims.

By Mr. PAYSON: A bill (H. R. 3113) granting a pension to Eusebe Geroux—to the Committee on Invalid Pensions.

By Mr. TOWNSHEND: A bill (H. R. 3114) for the relief of minor children of Jonathan E. Lee—to the Committee on Pensions.

By Mr. HOLMAN: A bill (H. R. 3115) to increase the pension of Theodore Livings—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 3116) for the relief of Henry C. De Ahna—to the Committee on Claims.

Also (by request), a bill (H. R. 3117) for the relief of the heirs of Miguel Salinas—to the Committee on Claims.

Also (by request), a bill (H. R. 3118) for the relief of George F. Brott—to the Committee on War Claims.

By Mr. STEELE: A bill (H. R. 3119) for the relief of George W. Leipps—to the Committee on Military Affairs.

By Mr. T. M. BROWNE: A bill (H. R. 3120) authorizing the Secretary of War to remove the charge of desertion from the record of Private Ernest Beechner—to the Committee on Military Affairs.

Also, a bill (H. R. 3121) for the relief of Agnes and Maria De Leon—to the Committee on Claims.

By Mr. BYNUM: A bill (H. R. 3122) for the relief of the legal representative of George McDougall, deceased—to the Committee on Claims.

Also, a bill (H. R. 3123) granting a pension to Caroline E. French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3124) granting a pension to William Sears—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3125) for the relief of Susan Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3126) granting a pension to Tilman Bush—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3127) granting a pension to John Maholm—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3128) to remove the charge of desertion against Isaac R. Kemp—to the Committee on Military Affairs.

Also, a bill (H. R. 3129) granting a pension to Julius R. Fredrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3130) for the relief of Peter Curran—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3131) for the relief of John Sage—to the Committee on Military Affairs.

Also, a bill (H. R. 3132) for the relief of David A. Haywood—to the Committee on Claims.

Also, a bill (H. R. 3133) to remove the charge of desertion against James Kiley—to the Committee on Military Affairs.

Also, a bill (H. R. 3134) for the relief of James Kiley—to the Committee on Invalid Pensions.

Also, a joint resolution (H. Res. 40) for the relief of Maria Virginia Brown, assignee—to the Committee on War Claims.

Also, a bill (H. R. 3135) for the relief of Flora Skinner—to the Committee on Claims.

Also, a bill (H. R. 3136) for the relief of Lewis Bitlick—to the Committee on War Claims.

Also, a bill (H. R. 3137) for the relief of J. O. Harding—to the Committee on War Claims.

Also, a bill (H. R. 3138) for the relief of Mrs. Sarah H. Wiggins—to the Committee on War Claims.

Also, a bill (H. R. 3139) for the relief of Silas D. Bailiff—to the Committee on Military Affairs.

By Mr. LYMAN: A bill (H. R. 3140) for the relief of William Anderson—to the Committee on War Claims.

Also, a bill (H. R. 3141) for the relief of Mrs. Harriet N. Campbell—to the Committee on War Claims.

Also, a bill (H. R. 3142) for the relief of Emerson F. Fales—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3143) to correct the military record of Wilson B. George—to the Committee on Military Affairs.

Also, a bill (H. R. 3144) for the relief of John W. Duncan—to the Committee on Military Affairs.

Also, a bill (H. R. 3145) for the relief of Eliza Boyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3146) for the relief of Sarah E. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3147) for the relief of Ransom L. Harris—to the Committee on War Claims.

Also, a bill (H. R. 3148) for the relief of John S. Herwick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3149) for the relief of David H. Thompson—to the Committee on Military Affairs.

Also, a bill (H. R. 3150) granting an increase of pension to William Randall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3151) for the relief of Wells C. McCool—to the Committee on War Claims.

Also, a bill (H. R. 3152) for the relief of Arlington M. Harrington—to the Committee on Pensions.

Also, a bill (H. R. 3153) for the relief of William McGrath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3154) for the relief of Nancy J. Lucas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3155) for the relief of E. J. Aldrich—to the Committee on War Claims.

By Mr. GEAR: A bill (H. R. 3156) granting a pension to Emily Millhour—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 3157) granting a pension to Mary Baker—to the Committee on Invalid Pensions.

By Mr. PETERS: A bill (H. R. 3158) increasing the pension of Howard S. Abbott—to the Committee on Invalid Pensions.

By Mr. LYMAN: A bill (H. R. 3159) for the relief of William Reed—to the Committee on Military Affairs.

By Mr. TAULBEE: A bill (H. R. 3160) for the relief of Barney Back—to the Committee on War Claims.

Also, a bill (H. R. 3161) for the relief of Levi Romans—to the Committee on War Claims.

Also, a bill (H. R. 3162) for the relief of Jesse K. Howard—to the Committee on Military Affairs.

By Mr. MILLIKEN: A bill (H. R. 3163) granting a pension to Clarissa Shorey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3164) for the relief of George P. Haven—to the Committee on Military Affairs.

Also, a bill (H. R. 3165) for the relief of John McGarigle—to the Committee on Military Affairs.

Also, a bill (H. R. 3166) for the relief of Louis E. Weymouth—to the Committee on Military Affairs.

By Mr. LONG: A bill (H. R. 3167) granting a pension to Elizabeth L. Nott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3168) to adjust the accounts of the Department of Agriculture—to the Committee on Agriculture.

By Mr. COLLINS: A bill (H. R. 3169) to submit to the Court of Claims for adjudication the title of William McGarrahan to the mineral interests of the rancho "Panoche Grande," a tract of land in the State of California, and for other purposes—to the Committee on Mines and Mining.

Also, a bill (H. R. 3170) for the relief of John R. Farrell—to the Committee on War Claims.

Also, a bill (H. R. 3171) for the relief of Edward S. Tobey—to the Committee on Claims.

Also, a bill (H. R. 3172) granting a pension to Samuel W. Pierce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3173) for the relief of St. Vincent's Orphan Asylum, in the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 3174) for the relief of Providence Hospital, in the city of Washington, District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 3175) for the relief of Richard A. Neuert—to the Committee on Military Affairs.

Also, a bill (H. R. 3176) for the relief of Albert H. Emery—to the Committee on Claims.

By Mr. C. H. ALLEN: A bill (H. R. 3177) for the relief of James Green—to the Committee on Military Affairs.

Also, a bill (H. R. 3178) for the relief of Michael J. McLaughlin—to the Committee on Military Affairs.

By Mr. ROCKWELL: A bill (H. R. 3179) granting a pension to Levi H. Randall—to the Committee on Invalid Pensions.

By Mr. BURNES: A bill (H. R. 3180) granting a pension to John H. Sayers—to the Committee on Invalid Pensions.

By Mr. NELSON: A bill (H. R. 3181) for the relief of Anna W. Osborne—to the Committee on Claims.

By Mr. LIND: A bill (H. R. 3182) for the relief of John Waddams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3183) for the relief of Kelsey Curtis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3184) granting a pension to John P. Schmitz—to the Committee on Invalid Pensions.

By Mr. RICE: A bill (H. R. 3185) granting a pension to Sarah C. Webster, widow of Joseph R. Webster—to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 3186) granting a pension to Samuel Cody—to the Committee on Invalid Pensions.

By Mr. HEARD: A bill (H. R. 3187) granting a pension to Nancy Cranch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3188) granting a pension to David Blake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3189) granting a pension to Lucy A. M. Norman—to the Committee on Invalid Pensions.

By Mr. NEAL: A bill (H. R. 3190) granting a pension to Newton O'Neal—to the Committee on Invalid Pensions.

By Mr. McSHANE: A bill (H. R. 3191) granting a pension to Mary S. Logan—to the Committee on Invalid Pensions.

By Mr. DORSEY: A bill (H. R. 3192) for the relief of David L. Brainard and others—to the Committee on Military Affairs.

Also, a bill (H. R. 3193) granting a pension to William S. Hall—to the Committee on Invalid Pensions.

By Mr. HIRES: A bill (H. R. 3194) for the relief of Joseph Curriden—to the Committee on War Claims.

By Mr. CUMMINGS: A bill (H. R. 3195) authorizing the Secretary of the Treasury to make a final adjustment of claims of certain foreign steamship companies arising from certain illegal exactions of tonnage dues—to the Committee on Claims.

By Mr. BELMONT: A bill (H. R. 3196) for the relief of Sarah E. E. Perine, widow and administratrix of William Perine, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3197) referring to the Court of Claims the claim of the Compagnie Générale Transatlantique for duties of tonnage illegally exacted—to the Committee on Foreign Affairs.

Also, a bill (H. R. 3198) for the relief of Thomas F. Young's assignee, etc.—to the Committee on War Claims.

Also, a bill (H. R. 3199) granting a pension to Mary White—to the Committee on Pensions.

Also, a bill (H. R. 3200) granting a pension to John Curran—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3201) for the relief of Margaret M. Carleton—to the Committee on Invalid Pensions.

By Mr. NUTTING (by request): A bill (H. R. 3202) granting a pension to Electa A. McColly—to the Committee on Invalid Pensions.

By Mr. PAYSON: A bill (H. R. 3203) for the relief of John Hoover—to the Committee on Military Affairs.

By Mr. BOOTHMAN: A bill (H. R. 3204) to remove the charge of desertion against David A. Hamlin—to the Committee on Military Affairs.

By Mr. C. E. BROWN: A bill (H. R. 3205) granting a pension to Margaret M. Driscoll—to the Committee on Invalid Pensions.

By Mr. KENNEDY: A bill (H. R. 3206) granting a pension to Thornton Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3207) for the relief of Henry Newyear—to the Committee on Military Affairs.

Also, a bill (H. R. 3208) to pension Mary J. McCafferty—to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 3209) granting a pension to Emeline Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3210) for the relief of James Patterson—to the Committee on Military Affairs.

By Mr. E. B. TAYLOR: A bill (H. R. 3211) granting a pension to Joseph Mathews—to the Committee on Invalid Pensions.

By Mr. YODER: A bill (H. R. 3212) for the relief of George T. Silvers—to the Committee on Military Affairs.

Also, a bill (H. R. 3213) for the relief of Amos Sheline—to the Committee on Military Affairs.

By Mr. BOUND: A bill (H. R. 3214) to remove the charge of desertion from the military record of Thomas Connelly—to the Committee on Military Affairs.

By Mr. DALZELL: A bill (H. R. 3215) to authorize the construction of the Ohio Connecting Railway Company Bridge—to the Committee on Commerce.

Also, a bill (H. R. 3216) for restoration to the rolls of Sylvester F. Hildebrand—to the Committee on Military Affairs.

By Mr. BAYNE: A bill (H. R. 3217) for the relief of Frederick Gates—to the Committee on Military Affairs.

Also, a bill (H. R. 3218) granting a pension to John Marks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3219) granting a pension to William M. Rimmel—to the Committee on Invalid Pensions.

By Mr. JACKSON: A bill (H. R. 3220) for the relief of Rebecca Spence and Matilda Spence—to the Committee on Claims.

Also (by request), a bill (H. R. 3221) to remove the charge of desertion from the record of William P. Witherow and grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 3222) restoring to the pension-roll the name of Hannah Dimond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3223) for the relief of W. H. Ward—to the Committee on Patents.

By Mr. DIBBLE: A joint resolution (H. Res. 44) referring case of Rudolph Lobsiger, a Swiss citizen, to the Court of Claims—to the Committee on Foreign Affairs.

By Mr. RICHARDSON: A bill (H. R. 3224) for the relief of Andrew J. McNabb—to the Committee on War Claims.

By Mr. HOUK: A bill (H. R. 3225) for the relief of Patrick J. Griffin—to the Committee on Military Affairs.

Also, a bill (H. R. 3226) for the relief of Jeremiah Fritts—to the Committee on Military Affairs.

Also, a bill (H. R. 3227) for the relief of Mrs. Sarah E. Cox—to the Committee on War Claims.

Also, a bill (H. R. 3228) for the relief of Warren Hall—to the Committee on War Claims.

By Mr. HENRY SMITH: A bill (H. R. 3229) to remove the charge of desertion against A. Washburn—to the Committee on Military Affairs.

By Mr. SNYDER: A bill (H. R. 3230) for the relief of R. H. Lee—to the Committee on War Claims.

Also, a bill (H. R. 3231) granting a pension to Capt. Woodson Blake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3232) for the relief of Alexander Flanegan—to the Committee on War Claims.

Also, a bill (H. R. 3233) for the relief of Robert F. Reynolds—to the Committee on War Claims.

Also, a bill (H. R. 3234) granting a pension to James A. Myers—to the Committee on Invalid Pensions.

By Mr. T. H. B. BROWNE: A bill (H. R. 3235) to restore to John W. Mears a fine improperly imposed on him—to the Committee on the Judiciary.

By Mr. SNYDER: A bill (H. R. 3236) for the relief of George Pfeiffer—to the Committee on War Claims.

By Mr. GUENTHER: A bill (H. R. 3237) granting a pension to Friederika Winter—to the Committee on Invalid Pensions.

By Mr. HUDD: A bill (H. R. 3238) granting a pension to Louis Pope—to the Committee on Invalid Pensions.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. H. ALLEN: Petition of Michael J. McLaughlin and of James Gree for removal of charge of desertion—to the Committee on Military Affairs.

Also, petition of the J. C. Ayer Company and others, citizens of Lowell, Mass., praying for legislation which shall cause the Postmaster-General to refund money under certain rulings of the Post-Office Department, and for other purposes—to the Committee on the Post-Office and Post-Roads.

By Mr. C. S. BAKER: Petition of George. W. Nichols and 28 others, citizens and voters residing in Monroe and Orleans Counties, New York, in favor of a reduction of the rate of postage on seeds, plants, bulbs, and scions, to reduce the cost of money orders of $5 or less, to abolish postal notes, and to restore fractional currency for use in the mails—to the Committee on the Post-Office and Post-Roads.

By Mr. BAYNE: Petition of William J. Blain, late of Company M, Sixty-second Regiment, Pennsylvania Infantry Volunteers, for removal of charge of desertion—to the Committee on Military Affairs.

Also, petition of George Nichols and 28 others, of Monroe and Orleans Counties, New York, in favor of fractional currency for the convenience of trade—to the Committee on Banking and Currency.

Also, petition of William M. Rimmel, for special-act pension—to the Committee on Invalid Pensions.

Also, petition of John Marks, for original pension—to the Committee on Invalid Pensions.

Also, joint resolution of the Legislature of California, relating to mining débris—to the Committee on Mines and Mining.

Also, petition of Edward Ayres, Company F, Fifty-first Indiana, for a pension—to the Committee on Invalid Pensions.

Also, petition of Frederick Gates, for a special-act pension—to the Committee on Invalid Pensions.

By Mr. BELMONT: Petition of William J. Courtney, of Soldiers' Home, in the county of Elizabeth, Virginia—to the Committee on Invalid Pensions.

By Mr. BREWER: Petition of citizens of Oxford, Oakland County, Michigan—to the Committee on Invalid Pensions.

By Mr. CLEMENTS: Petition of Christopher C. Boyle, of Chattooga County; of heirs at law of Chesley Holland, deceased, of Barton County, and of S. W. Dobson, of Gordon County, Georgia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. COLLINS: Petition from the Massachusetts Society for the Prevention of Cruelty to Animals—to the Committee on the Judiciary.

Also, memorial of the mayor and board of park commissioners of Boston, asking permission to use and improve Castle Island, in Boston Harbor, in connection with the park system—to the Committee on Public Buildings and Grounds.

Also, petition of James J. Dorsey and others, residents on the New York Indian lands, so called, for legislation giving them title to the same—to the Committee on the Public Lands.

By Mr. CRAIN: Petition of Peter Johnson, for relief—to the Committee on Claims.

By Mr. ERMENTROUT: Memorial of the Fishing Union, for protection for the fishing industries—to the Committee on Merchant Marine and Fisheries.

Also, memorial of Mrs. Annie Gibson Yates, for relief—to the Committee on Pensions.

Also, memorial of the Flax and Hemp Growers' and Tinners' Associations, asking that skilled labor be allowed to come into this country without violating United States laws—to the Committee on Commerce.

Also, memorial of citizens of Tacoma, of Washington Territory, asking continuance of high tariff on lumber—to the Committee on Ways and Means.

Also, memorial of Charles Gallagher, for relief—to the Committee on War Claims.

Also, memorial of the Druggists' Association of Reading, Pa., for the abolition of internal-revenue tax on spirits used in the manufactures and the arts—to the Committee on Ways and Means.

By Mr. FORD: Petition of Royal T. Hiar, for original pension—to the Committee on Invalid Pensions.

Also, petition of P. R. Brown and 75 others, for a revision of the patent laws—to the Committee on Patents.

By Mr. FORNEY: Petition of John H. Bishop, of Cherokee County, and of Andrew J. Blackburn, of Blount County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. GEAR: Petition of Emily Millhour for special-act pension—to the Committee on Invalid Pensions.

By Mr. GLASS: Petition of John E. Evans, of Obion County, and of H. H. Mahan, administrator of Josiah B. Moss, deceased, of Crockett County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. GRANGER: A bill for the improvement of Black Rock Harbor, Connecticut—to the Committee on Rivers and Harbors.

By Mr. HALL: Remonstrance against the admission of Utah with polygamy, from citizens of Butler County, Pennsylvania—to the Committee on the Territories.

By Mr. HERMANN: A bill providing an additional appropriation for the purpose of continuing work on the canal and locks at the Cascades of the Columbia.

Also, a bill providing an appropriation for the continuance of improvements at the mouth of the Columbia River.

Also, a bill providing an appropriation for the speedy completion of the entrance to Yaquina Bay, Oregon.

Also, a bill providing an appropriation for continuing the improvements at the entrance to Coos Bay, Oregon.

Also, a bill providing an appropriation for the improvement of the Umpqua River, Oregon.

Also, a bill appropriating $80,000 for improving entrance to Coquille River—to the Committee on Rivers and Harbors.

Also, petition of John Campbell, of Arkansas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. HUDD: Petition of Louis Pope, for special-act pension—to the Committee on Invalid Pensions.

By Mr. JACKSON: Petition for a law to refund the direct tax collected under the act of August 5, 1861, to the several States—to the Committee on Ways and Means.

By Mr. McMILLIN: A bill appropriating $250,000 for the improvement of Cumberland River above Nashville—to the Committee on Rivers and Harbors.

Also, joint resolutions to authorize the purchase of the lands necessary for the construction of locks and dams on the Cumberland River—to the Committee on Rivers and Harbors.

Also, petition of Mrs. Margaret Harrell, of Sumner County, and of Nathan Smith, administrator of Green Harper, deceased, of Trousdale County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. MORROW: Petition of citizens of Washington Territory, against the reduction of the tariff on lumber—to the Committee on Ways and Means.

By Mr. NEAL: Petition of Newton O'Neal, for an original pension—to the Committee on Invalid Pensions.

By Mr. NUTTING: Petition of citizens of Weedsport, N. Y., for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. O'DONNELL: Petition of 58 citizens of Michigan Centre, Mich., against the admission of Utah with polygamy—to the Committee on the Territories.

By Mr. CHARLES O'NEILL: Petition urging the passage of bill for the relief of sailors and marines in the United States naval homes—to the Committee on Pensions.

Also, remonstrance of citizens of Philadelphia, Pa., against the employment of convict labor by the Government, or, if so employed, to have the articles made designated by "convict labor"—to the Committee on Labor.

By Mr. PAYSON: Petition of J. E. Taylor and others, of Livingston County, Illinois, for legislation for the better observance of the Sabbath day—to the Committee on Education.

By Mr. PIDCOCK: Petition of Union Ex-Prisoners of War Association of New Jersey, in favor of pensions for ex-prisoners of war—to the Committee on Invalid Pensions.

By Mr. RICE: Petition of the St. Paul Chamber of Commerce, for the passage of a bill to amend sections 2595 and 2596 of the Revised Statutes of the United States, and to provide a collector at the port of St. Paul, Minn.—to the Committee on Commerce.

By Mr. ROMEIS: Petition of F. T. Lane and others, for the issue of fractional currency for postal purposes—to the Committee on Banking and Currency.

By Mr. SNYDER: Petition of James A. Milam, for relief—to the Committee on Invalid Pensions.

By Mr. SPRINGER: Resolution of the Illinois State Grange, in favor of electing United States Senators by the people—to the Committee on the Judiciary.

Also, resolution of same, to connect the Mississippi River and Lake Michigan via Illinois River and canal—to the Committee on Railways and Canals.

Also, resolution of same, denouncing dealing in futures and options—to the Committee on Agriculture.

Also, resolution of same, indorsing the Reagan immigration bill—to the Committee on Labor.

Also, resolution of same, indorsing the interstate-commerce law—to the Committee on Commerce.

Also, resolution of same, to make the Commissioner of Agriculture a Cabinet officer—to the Committee on Agriculture.

Also, resolution of same, against extending time of payment of United States bonds—to the Committee on Ways and Means.

Also, resolution of same, for a Government telegraph—to the Committee on the Post-Office and Post-Roads.

Also, resolution of same, in favor of taxing whisky and tobacco and not necessaries of life—to the Committee on Ways and Means.

Also, memorial of the manufacturers of cigars and tobacco at Pekin, Ill., against the abolition or reduction of the tax on tobacco and cigars—to the Committee on Ways and Means.

By Mr. STAHLNECKER: Petition of Charles Gallagher, for relief—to the Committee on Claims.

By Mr. TAULBEE: Petition of Jesse K. Howard, for removal of charge of desertion—to the Committee on Military Affairs.

By Mr. WISE: Petition in favor of national aid in support of common-school education—to the Committee on Education.

By Mr. YODER: Petition of Amos Sheline, and of George T. Silvers, for removal of charge of desertion—to the Committee on Military Affairs.

By Mr. YOST: Petition of citizens of Henry County, Virginia, for the passage of the Blair educational bill—to the Committee on Education.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. ABBOTT: Of citizens of Bee Creek, Ellis County, Texas.

Also, of citizens of Scurry, Kaufman County, Texas.

By Mr. BAYNE: Of Robert Sample and others, of Wildwood, Allegheny County; of citizens of Lewis, Allegheny County, and of citizens of Talley Cavey, Allegheny County, Pa.

By Mr. BROWER: Of citizens of White Road, Forsythe County; of R. S. Williams and others, of Rockingham County, North Carolina; of Jonah Jackson and others, of Surry County; of citizens of Surry County, North Carolina.

By Mr. J. E. CAMPBELL: Of citizens of Butler County; of citizens of Butler County, Ohio.

By Mr. CROUSE: Of C. F. Averill and others, of Medina County, Ohio.

By Mr. ENLOE: Of R. C. Cothran and 39 others, of Denson's Landing; of W. T. Daniels, jr., and 46 others, of Tom's Creek, Perry County; of D. H. Smith and 51 others, of Roxie; of T. L. Summons and 66 others, of Mexico, and of William Francis and 31 others, Bilbrey, Carroll County; of J. C. Springer and 40 others, of Grand Hill, McNairy County; of A. D. Barrett and 70 others, of Montgomery, Chester County; of Thomas B. Tidwell and 48 others, of Gilly Mills; of M. L. Crow and 48 others, of Pickwick, Harden County; of A. J. Crouch and 40 others; of E. D. Sweed and 42 others, of Law; of J. C. Tincher and 45 others, Crucifer, Henderson County, Tennessee.

Also, of W. T. Punce and 41 others, citizens of Chaseville, Benton County, Tennessee.

By Mr. ERMENTROUT: Of citizens at Land's Store, and of citizens of Bethel; of citizens of Dryville and others, and of citizens of Spangsville and others; of citizens of Vinemont and others, and of citizens of New Jerusalem, and of citizens, of Fredericksville, Berks County, Pennsylvania.

By Mr. HERBERT: Of W. H. Mead and others, of Meadville; of J. P. McLinden and others, of Pike County; of S. T. Kennedy and others, of Pike County; of J. D. Donnelly and others, of Donnelly; of P. R. Parsons and others, of Crenshaw County; of J. A. Whaley and others, of Covington County, Alabama.

By Mr. S. I. HOPKINS: Of J. Kyle Robinson and others, of Montgomery County; of W. A. Overstreet and others, of Bedford County; of R. P. Martin and others, of Roanoke County; of A. G. Haythe and others, of Halifax County; of W. J. King and others, of Botetourt County, and of W. L. Mason and others, of Campbell County, Virginia.

By Mr. HALL: Of citizens of North Oakland, and of Whitestown, Butler County; of citizens of Randolph and of Hayfield, Crawford County, and of Balm, Mercer County, Pennsylvania.

By Mr. NEAL: Of citizens of Tyner, Hamilton County, Tennessee.

By Mr. NICHOLS: Of James T. Hutchins and others, of North Carolina; of S. M. Boggs and others, of Mud Lick; of C. N. Roberson and others, of Elm Grove, Chatham County, and of F. L. Spoon, Oakdale, Alamance County, North Carolina.

By Mr. OUTHWAITE: Of Daniel L. Davis and others, of Hocking County, Ohio.

By Mr. RICHARDSON: Of W. F. McDonnell and others, of Lincoln County, Tennessee.

By Mr. ROGERS: Of R. G. S. Morris and others, of Arkansas.

By Mr. ROWLAND: Of citizens of Rushing, N. C.; of citizens of Anson County; of citizens of Robeson County; of citizens of Mecklenburgh County; of citizens of Mecklenburgh County; of citizens of Mecklenburgh County; of citizens of Martindale, N. C.; of citizens of Mecklenburgh County; of citizens of Union County; of citizens of Shamrock, N. C.; of citizens of Bloomington, N. C.

Also, of citizens of Richmond County; of citizens of Union County; of citizens of Stanly County; of citizens of Anson County; of citizens of Mecklenburgh County; of citizens of Stanly County; of citizens of Columbus County; of citizens of Union County; of citizens of North Carolina.

By Mr. SIMMONS: Of John B. Taylor and others; of Mr. Lanva and others; of Basil Jenkins and others; of H. E. Hardy and others; of E. T. Rodwell and others; of J. W. Barnes and others; of F. P. Endlaw and others; of F. A. Jugran and others; of William Davis and others, of North Carolina.

By Mr. WASHINGTON: Of J. E. Cugo and 8 others, of Carmel; of W. W. Woodson and 59 others, of Saugo; of B. A. Orgain and 59 others of Orgain's Cross Roads; of L. C. Atkins and others, of Port Royal; of citizens of Dotsonville, Montgomery County; of citizens of Lockert and others, of Calhoun County; of citizens of Mitchell, Robertson County; of G. M. Reasoner and 67 others, of Ridge Post; of Dr. J. H. Jordan and 69 others, of Jordan; of W. M. Yeatman and 22 others of Edgefield Junction, Davidson County; of citizens of McEwen and of Cold Springs; of Woolworth, Humphreys County, Tennessee, and of citizens of Wynn, Stewart County, Tennessee.

By Mr. WHITTHORNE: Of L. B. Lester and others, of Giles County, Tennessee.

By Mr. WILLIAMS: Of citizens of Carrollton Station, Montgomery County, Ohio.

By Mr. YODER: Of citizens of Mercer County; of William Bell and others, of Darke County; of citizens of Santa Fé, Logan County; of citizens of Darke County; of citizens of Mercer County; of citizens of Mercer County.

By Mr. YOST: Of citizens of Highland County; of citizens of Amherst County, Virginia.

## SENATE.

### MONDAY, *January* 9, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of the proceedings of Thursday last was read and approved.

ROUND VALLEY INDIAN RESERVATION.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a communication, of the 23d ultimo, from the Secretary of the Interior, submitting a draught of a bill "to provide for the reduction of the Round Valley Indian reservation, in the State of California, and for other purposes," with accompanying papers relating thereto. The documents thus submitted exhibit extensive and entirely unjustifiable encroachments upon lands set apart for Indian occupancy, and disclose a disregard of Indian rights so long continued that the Government can not further temporize without positive dishonor. Efforts to dislodge trespassers upon these lands have in some cases been resisted upon the ground that certain moneys due from the Government for improvements have not been paid. So far as this claim is well founded the sum necessary to extinguish the same should be at once appropriated and paid. In other cases the position of these intruders is one of simple and barefaced wrongdoing, plainly questioning the inclination of the Government to protect its dependent Indian wards and its ability to maintain itself in the guaranty of such protection.

These intruders should forthwith feel the weight of the Government's power. I earnestly commend the situation and the wrongs of the Indians occupying the reservation named to the early attention of the Congress, and ask for the bill herewith transmitted careful and prompt attention.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 5, 1888.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of War, transmitting, for the consideration of Congress, a draught of a bill to effect a rearrangement of the grades of office in the Subsistence Department of the Army; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

REPORT OF INTERSTATE COMMERCE COMMISSION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting the first annual report of the Interstate Commerce Commission, with the recommendation that the connection of the Interstate Commerce Commission with the Department of the Interior be severed; which, with the accompanying papers, was ordered to lie on the table, and be printed.

CONGRESSIONAL LIBRARY BUILDING.

The PRESIDENT *pro tempore* laid before the Senate a report of the commissioners for the construction of the Congressional Library building; which, with the accompanying papers, was, on motion of Mr. VOORHEES, referred to the Select Committee on Additional Accommodations for the Library of Congress, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented the petition of Albert S. du Puget, of Philadelphia, Pa., praying for relief; which was referred to the Committee on Pensions.

He also presented resolutions adopted by the Merchants' and Manufacturers' Association of Baltimore, favoring the proposed permanent exposition of the three Americas at the national capital; which was referred to the Select Committee on the Centennial of the Constitution and the Discovery of America.

Mr. MANDERSON presented a joint resolution of the Legislature of Nebraska, in favor of giving a silver medal to veterans of the late war; which was referred to the Committee on Military Affairs.

He also presented a joint resolution of the Legislature of Nebraska, in favor of the repeal of the law relating to arrears of pensions; which was referred to the Committee on Pensions.

He also presented a resolution adopted by F. H. Woods Post, No. 443, Grand Army of the Republic, Felicity, Ohio, in favor of the passage of Senate bill 181, known as the Grand Army pension bill; which was referred to the Committee on Pensions.

He also presented a petition of ex-prisoners of war of Minneapolis, Minn., praying for the passage of Senate bill 936, to pension the late prisoners of war confined in Confederate prisons; which was referred to the Committee on Pensions.

Mr. MANDERSON. I present a petition, very numerously signed by members of the Omaha tribe of Indians in the State of Nebraska, setting forth their condition as to their having taken lands in severalty and having assumed the position of citizens of the United States and of the State in which they live. They state that for three years they have lived upon these severalty lands, and they desire that there shall be now paid to them in two installments, one this year and one the coming year, the amount due them as annuities, that it may be used by them.

I ask the reference of the petition to the Committee on Indian Affairs, and request of that committee speedy action, as a delegation of this tribe are now in the city to press this matter before them. I move that the petition be printed.

The PRESIDENT *pro tempore*. The petition will be printed and referred to the Committee on Indian Affairs, if no objection be interposed.

Mr. PAYNE presented resolutions adopted by the Board of Trade of Cleveland, Ohio, in behalf of the Vessel Owners' Association of that city and vicinity, favoring the establishment of a naval reserve on the lakes, as proposed by the Secretary of the Navy; which were referred to the Committee on Naval Affairs.

He also presented the petition of Sarah K. McLean, widow of the late Lieut. Col. Nathaniel H. McLean, late of the United States Army, praying to be granted certain relief; which was referred to the Committee on Military Affairs.

Mr. FARWELL presented a petition of the city council of Lake View, Ill., praying for better postal facilities and favoring the establishment of free delivery; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of citizens of Clay and Christian Counties, Illinois, praying for the passage of certain legislation in relation to swamp and overflowed lands; which was referred to the Committee on Public Lands.

He also presented a petition of letter-carriers of Washington, D. C., praying to be allowed increased compensation; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. MCPHERSON presented copies of eight letters, originals in claimant's possession, in regard to the petition of Lydia K. White, praying to be allowed a pension as Army nurse; which were referred to the Committee on Pensions.

Mr. TELLER presented a petition of citizens of Larimer County, Colorado, praying for the issue of fractional paper currency; which was referred to the Committee on Finance.

He also presented a petition from citizens of Larimer County, Colorado, praying for a reduction of the rate of postage on seeds, plants, bulbs, scions, etc.; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. REAGAN presented the petition of James Johnson and 23 other citizens of Texas, praying that additional compensation be allowed fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of 4 citizens of Texas, representing officially the Texas Woman's Christian Temperance Union, praying for the passage of an amendment to the Constitution prohibiting the sale of liquor; which was referred to the Committee on Education and Labor.

He also presented a petition of 4 citizens of Texas, representing officially the Texas Woman's Christian Temperance Union, praying for the appointment of a national commission of inquiry concerning the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

Mr. HARRIS. I present the petition of M. W. Galt, W. W. Corcoran, and 74 other citizens of the District of Columbia, praying that an additional day be given each month to the consideration of District affairs by the two Houses of Congress, and expressing confidence in and approval of the course of the commissioners of the District. I move that the petition be referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. CAMERON presented resolutions adopted by the Chamber of Commerce of Pittsburgh, Pa., favoring the continuance of the appropriation for daily telegraphic reports of the condition of the Ohio River; which were referred to the Committee on Commerce.

He also presented a memorial of citizens of the Tenth Congressional district of Pennsylvania, remonstrating against the admission of Utah with polygamy; which was referred to the Committee on Territories.

He also presented a petition of citizens of the Twentieth, Twenty-fourth, Twenty-fifth, and Twenty-sixth Congressional districts of Pennsylvania, praying for the passage of a bill prohibiting the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. SPOONER presented the petition of Black Hawk, Winnesheik, and other Winnebago Indians, of Wisconsin, praying that the statutes providing for the enrollment and paying of annuities to members of the Winnebago tribe of Indians be so amended that all the descendants of Pierre Paquette may be enrolled and paid annuities the same as other members of that tribe; which was referred to the Committee on Indian Affairs.

He also presented the petition of Moses Paquette and other Indians

of the Winnebago tribe, and of certain mixed-blood Indians, now lawfully residing in the State of Wisconsin, praying for the enactment of a law which shall authorize any of the Indians and mixed-blood Indians of the Winnebago tribe lawfully residing in that State to become citizens of the United States, and for the payment to all such as shall so become citizens of their proportion of moneys and effects of the Winnebago tribe held in trust by or under the provisions of any treaty or law of the United States; which was referred to the Committee on Indian Affairs.

Mr. BLODGETT presented a petition of the Woman's Christian Temperance Union of Plainfield, N. J., praying for the passage of a law for the better legal protection of young girls in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. DAWES presented the petition of the National Division of the Sons of Temperance, praying that the United States join Great Britain in suppressing the liquor traffic in the Western Islands; which was referred to the Committee on Foreign Relations.

Mr. FRYE presented the petition of C. M. Hilton and other citizens of West Mills, Me., praying that increased compensation be allowed fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. STOCKBRIDGE presented a petition of citizens of the Fourth, Ninth, and Eleventh Congressional districts of Michigan, praying for the passage of a bill for the prohibition of the liquor traffic in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. PADDOCK presented a joint resolution of the Legislature of Nebraska, favoring the immediate repeal of that part of the pension law known as the arrears limit; which was referred to the Committee on Pensions.

He also presented a joint resolution of the Legislature of Nebraska, in favor of granting to each of the Union soldiers in the late war a silver medal; which was referred to the Committee on Military Affairs.

He also presented the petition of John R. Clark, C. C. Bevans, and other citizens of Lincoln, Nebr., praying that the Territory of Utah be not admitted as a State so long as the civil power of the Territory remains in the hands of the Mormon Church; which was referred to the Committee on Territories.

Mr. COKE presented three petitions of citizens of Texas, praying that increased compensation be allowed fourth-class postmasters; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. BECK presented the petition of Owen W. Thomas & Co., and others, pork-packers of Louisville, Ky., praying for the passage of a bill to prevent the adulteration of lard; which was referred to the Committee on Agriculture and Forestry.

Mr. BOWEN presented a resolution of the Denver (Colo.) Chamber of Commerce, in favor of an increased appropriation for a public building in Denver; which was referred to the Committee on Public Buildings and Grounds.

He also presented a resolution adopted by the Denver (Colo.) Chamber of Commerce, remonstrating against the removal of the tariff on wool; which was referred to the Committee on Finance.

He also presented resolutions adopted by the Denver (Colo.) Chamber of Commerce, remonstrating against the removal of the customs duties on lead; which were referred to the Committee on Finance.

Mr. DAVIS presented the petition of Lewis Maish and 42 other ex-prisoners of war, praying for the passage of a bill to pension ex-prisoners of war; which was referred to the Committee on Pensions.

Mr. COCKRELL. I present a resolution adopted by the Queen City Division, No. 60, Order of Railway Conductors at Sedalia, Mo., in regard to Senate bill 874, to provide for the licensing of railway conductors on railways within the United States, introduced in the Senate on the 5th of December, 1887. The memorialists state that it is expected that the Order of Railway Conductors shall favor the passage of the bill, but they are opposed to it for the following reasons:

That the cost of executing the proposed law will be excessive and unreasonable.

That the benefits to the public and commerce will be chimerical and inadequate to the expense.

That no benefit can accrue to the conductors as a class, but that it will impose on them many unnecessary hardships.

That the cost of procuring a license is excessive.

That they do not, as a class, desire any special legislation in their behalf.

That the best judges of their capacity and fitness for their duties are their superior officers, whose official success, to a great extent, depends on faithfulness and ability.

That the bill as introduced is vague and indefinite in its provisions.

I move that the memorial be referred to the Committee on Interstate Commerce, to which committee I understand the bill to which this memorial relates was referred.

The motion was agreed to.

Mr. BLAIR. I present a petition sent to me from the office of the general conference steward of the African Methodist Episcopal Zion Church. Rev. C. R. Harris transmits the petition, and he says that the petition has been circulated in Virginia, the Carolinas, Georgia, Alabama, Mississippi, Louisiana, Texas, Tennessee, Kentucky. "I send the first installment to-day. Many are yet to come in, but I thought best to send these, which are all that have come up to this date, so that if you think best you may present them before others arrive.

"The petition was worded by Bishop S. T. Jones, D. D., of the African Methodist Episcopal Zion Church, and has the indorsement of the entire bench of bishops, including J. J. Moore, D. D., J. W. Hood, D. D., J. P. Thompson, and T. H. Lomax. Their signatures will come in a short while. Some of the petitions here sent are signed by an entire conference of ministers of the African Methodist Episcopal Zion Church, and the petition was heartily approved by the conferences in the above-mentioned States.

"Please present these petitions to Congress as the prayer of the black man of the South, and may God move upon the hearts of all Congressmen that they may approve by vote the educational bill."

This petition, he goes on to say, contains between three and four thousand names of people such as he describes. It is addressed to the Congress of the United States. In it they say:

We, the undersigned petitioners, being a portion of the humble people recently enfranchised and invested with the duties and responsibilities of citizenship by the act of the National Government, respectfully ask and earnestly pray that the Government which lifted us from vassalage to the dignity of manhood, would complete the work it has so wisely and meritoriously begun by the speedy adoption of the measure now before Congress known as the "Blair bill," or some such measure as will enable the several States more largely and efficiently to assist us in our own endeavors to prepare ourselves by liberal education so to discharge the duties and responsibilities of the important trust, as shall be more beneficial to the Government, whether local or national.

We would respectfully urge our claim to national aid in our interest for the reasons stated and on the following additional grounds: First, of our enforced and unrequited contribution to the wealth and aggrandizement of the nation; second, of our loyalty and patriotism in times of national calamity, both in the struggle for independence and in the contests for national supremacy; third, of our fidelity in guarding the domestic interests of our late owners while they were engaged in a sanguinary conflict having for its object our perpetual bondage; and, lastly, on the grounds of our poverty and consequent inability to educate ourselves. From these and other considerations we pray that we may have the favor of the National Government, and as in duty bound we shall ever-more pray.

Then follow the signatures to the number of 3,107, as mentioned by Rev. C. R. Harris. As the bill referred to is before the Senate, I move that the petition lie on the table.

The motion was agreed to.

Mr. DANIEL presented a petition of citizens of Henry County, Virginia, praying for the passage of the bill granting national aid to education; which was ordered to lie on the table.

Mr. PLATT presented two petitions of citizens of the District of Columbia, praying for the passage of Senate bill 927, prohibiting the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. HISCOCK presented a petition of citizens of Watertown, N. Y., praying that an appropriation be made for the erection of a public building for a post-office in the city of Watertown, N. Y.; which was referred to the Committee on Public Buildings and Grounds.

He also presented two petitions of the Grand Division of the Sons of Temperance of Western New York, praying for the submission to the States of a national prohibitory constitutional amendment; which were referred to the Committee on Education and Labor.

He also presented a petition of citizens of Schuyler Falls, Clinton County, New York, praying for the repeal of the provision of the pension law limiting the time for making application for pensions; which was referred to the Committee on Pensions.

He also presented the petition of C. Augusta Urquhart, of New York, praying for the reference of her claim against the United States to the Court of Claims; which was referred to the Committee on Claims.

Mr. PALMER presented a petition of N. M. Campbell and 56 other citizens of Hubbardston, Mich., praying for the increase of pension for deafness; which was referred to the Committee on Pensions.

He also presented a petition of James Haley and 33 other citizens of Huron, Mich., praying that the patent laws be so amended as to protect the innocent users of patented articles; which was referred to the Committee on Patents.

He also presented a memorial of the Letter-Carriers' Association of Saginaw, Mich., praying for an increase of salary; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of citizens of the First, Third, Fourth, and Sixth Congressional districts of Michigan, praying for the prohibition of the manufacture and sale of alcoholic liquors in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. SABIN presented a petition of letter-carriers of St. Paul, Minn., praying to be allowed increased compensation; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a resolution adopted by the common council of Duluth, Minn., favoring an appropriation to reimburse the city of Duluth for the necessary expense in constructing a ship-canal across Minnesota Point, etc.; which was referred to the Committee on Commerce.

He also presented a memorial of citizens of Minnesota, remonstrating

against the passage of a law for the admission of Utah as a State with polygamy; which was referred to the Committee on Territories.

He also presented a resolution adopted by the Farmers' Alliance of Washington County, Minnesota, praying for certain legislation in regard to railroad charges for passengers and freight; which was referred to the Committee on Commerce.

Mr. EVARTS presented the petition of Charles Gallagher, late purveyor of the headquarters of the Department of Virginia and North Carolina, praying reimbursement for loss of his vessel and cargo; which was referred to the Committee on Claims.

He also presented the petition of Flora Adams Darling, praying to be granted certain relief, and to be furnished with a copy of the report made by the Court of Claims of the finding of fact reported to the House Committee on the Judiciary, upon which she bases her claim for reimbursement and damages against the Government; which was referred to the Committee on Claims.

Mr. EDMUNDS presented the petition of E. E. Andrews and 20 other citizens of Berlin, Vt., praying for the reduction of the postage on seeds, etc.; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of W. C. Hoog and 40 other citizens of Grand Isle, Vt., praying for the repeal of the law limiting the time for making applications for pensions; which was referred to the Committee on Pensions.

Mr. SAWYER presented a petition of citizens of the Third, Sixth, Seventh, Eighth, and Ninth Congressional districts of Wisconsin, praying for the prohibition of the manufacture and sale of alcoholic liquors in the District of Columbia; which was referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES.

Mr. TELLER, from the Committee on Public Lands, to whom was referred the bill (S. 426) granting to the city of Colorado Springs, in the State of Colorado, certain lands therein described for water reservoirs, reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 425) to grant the right of way through the public lands for irrigation purposes, reported it with amendments.

BILLS INTRODUCED.

Mr. SHERMAN introduced a bill (S. 1216) providing for the investment of certain funds in the Treasury; which was read the first time by its title.

Mr. SHERMAN. As that is an important bill, I should like to have it read so that it may appear in the RECORD. It is very short.

The PRESIDENT *pro tempore*. The bill will be read the second time at length.

The bill was read the second time at length, and referred to the Committee on Finance, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is hereby authorized and directed, from time to time, to invest not exceeding 80 per cent. of the fund held in the Treasury for redemption of notes of national banks "failed," "in liquidation," and "reducing circulation," by the purchase in open market of any bonds of the United States bearing interest.

That whenever the money on hand to the credit of said fund shall fall below 20 per cent. of the fund deposited, the Secretary of the Treasury is hereby authorized and directed, from time to time, to sell in open market any portion of the bonds purchased for said fund as may be necessary in his opinion to enable him to pay as presented any notes of national banks for the redemption of which said fund is held, the purpose of this section being to maintain in the Treasury for such redemption not less than 20 per cent. and not exceeding 30 per cent. of the money deposited.

That any national bank now authorized or hereafter authorized to issue 90 per cent. of the bonds deposited by it as security for circulating notes, shall, after the passage of this act, be authorized to issue circulating notes to the amount of 100 per cent. of the par value of the bonds so deposited.

Mr. SHERMAN introduced a bill (S. 1217) to establish in the Department of the Treasury a bureau of adulteration and to provide for the maintenance thereof, and to regulate or prohibit the importation, manufacture, and sale of adulterated articles of food and drugs; which was read twice by its title.

Mr. SHERMAN. I introduce the bill at the request of several organizations interested in the subject-matter. I move that it be referred to the Committee on Finance.

The motion was agreed to.

Mr. SHERMAN introduced a bill (S. 1218) to incorporate the Atlantic Trust and Deposit Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1219) granting a pension to David Heimbach; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. COKE introduced a bill (S. 1220) to create a board of arbitration to settle and determine the controversy between the United States and the State of Texas relating to certain territory by them respectively claimed; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1221) to authorize the Choctaw, Chickasaw, Cherokee, Creek, and Seminole Nations of Indians, respectively, to lease lands within their respective boundaries for mining purposes, subject to the approval of the Secretary of the Interior, and to validate leases heretofore made for said purposes by the proper authorities of any of said nations; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. SAWYER (by request) introduced a bill (S. 1222) to pay George M. Hare for services while on detail as master mechanic, caulker, and ship-builder; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1223) for the relief of Sarah Jane Johnson, widow of Richard Johnson; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1224) to provide for post-office buildings; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. COLQUITT (by request) introduced a bill (S. 1225) to abrogate the powers of the executive officers of the Unted States in allowing indemnity locations or scrip for confirmed, unsatisfied private land claims, under section 3 of the act of Congress approved June 2, 1858 (United States Statutes at Large, volume 11, pages 294 and 295, chapter 81), and to vest that power in the courts of the United States; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. DAWES (by request) introduced a bill (S. 1226) touching the grade of commander in the Navy, and to correct an error in relation to an appointment therein; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1227) authorizing the appointment of a superintendent of Indian schools, and prescribing his duties; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1228) granting a right of way to the Jamestown and Northern Railroad Company through the Devil's Lake Indian reservation, in the Territory of Dakota; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1229) to accept and ratify an agreement made by the Pah-Ute Indians, and granting a right of way to the Carson and Colorado Railroad Company through the Walker River reservation in Nevada; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. VOORHEES introduced a bill (S. 1230) to incorporate the Central Cable Railway Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1231) for the relief of Samuel Schiffer, sole survivor of the firm of Schiffer & Co.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1232) for the relief of Thomas G. Corbin; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1233) for the relief of Julius A. Kaiser; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. FARWELL introduced a bill (S. 1234) to create the Lakes and Gulf Waterway Commission; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

He also introduced a bill (S. 1235) to modify and amend the provisions of the dedication to public use of the tract of land known as "Dearborn Park" in the city of Chicago, State of Illinois; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

He also introduced a bill (S. 1236) to amend title 33, Revised Statutes, admitting duty free animals for breeding purposes; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 1237) granting a pension to Anna Mertz; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PUGH (by request) introduced a bill (S. 1238) to establish a court of appeals; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CAMERON introduced a bill (S. 1239) granting an increase of pension to Mrs. Annie Gibson Yates; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1240) granting a pension to Lyman H. Walker; which was read twice by its title, and referred to the Committee on Pensions.

Mr. EVARTS introduced a bill (S. 1241) to prevent obstructive and injurious deposits within the harbor and adjacent waters of New York City, by dumping or otherwise, and to punish and prevent such offenses, and making other provisions in connection therewith; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1242) for the relief of the legal representatives of Maj. William Kendall; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. MORRILL introduced a bill (S. 1243) to grant to the Great Falls Electric and Power Company the privilege of utilizing certain waters of the Potomac River; which was read twice by its title.

Mr. MORRILL. This seems to be an important bill, but I introduce it by request. I move that the bill be referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. SPOONER introduced a bill (S. 1244) providing for reference of causes in the courts of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PLATT introduced a bill (S. 1245) for the relief of Nancy E. Day, administratrix of the estate of James L. Day, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. MANDERSON introduced a bill (S. 1246) to grant additional rights to homestead settlers on the public lands, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

He also introduced a bill (S. 1247) directing the Secretary of War to furnish States with copies of the records of troops in the late war; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1248) to effect a rearrangement of the grades of office in the Subsistence Department of the Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1249) to secure monthly payments in the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1250) to amend an act entitled "An act granting pensions to the soldiers and sailors of the Mexican war, and for other purposes," approved January 29, 1887; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1251) to prevent the summary cancellation of pension certificates and providing for hearings in cases relating thereto; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 1252) for the relief of John Spicer; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1253) granting pensions to certain soldiers and sailors of the Black Hawk war and of the Florida war, and for other purposes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1254) granting a pension to Eliza J. Mayden; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1255) granting arrears of pension to Sarah E. Brashear; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. GORMAN introduced a bill (S. 1256) for the relief of Rachel Walcott; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1257) for the relief of Mrs. Sarah H. Wood; which was read twice by its title, and referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 1258) granting a pension to Sarah Ann Waters; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HEARST introduced a bill (S. 1259) to amend section 4737 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1260) to restore to the public domain a part of the Uintah Valley Indian reservation in the Territory of Utah, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. JONES, of Arkansas, introduced a bill (S. 1261) granting a pension to William H. Nonamaker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HARRIS introduced a bill (S. 1262) for the relief of I. Kropp, administrator of Christian Kropp, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. ALLISON introduced a bill (S. 1263) granting a pension to Esther J. Kasson and children; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1264) granting a pension to Martha V. Coleman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1265) granting the right of way to the Tucson, Globe and Northern Railroad Company through the White Mountain Indian reservation in the Territory of Arizona; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PADDOCK introduced a bill (S. 1266) granting a pension to Shelton Flannigan; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1267) granting a pension to J. B. Tingley; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1268) to authorize the Secretary of the Interior to ascertain and certify the amount of land located with military warrants in the States described therein, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. McPHERSON (by request) introduced a bill (S. 1269) granting a pension to Lydia K. White; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1270) to authorize the voluntary retirement of certain officers of the United States Navy who have rendered conspicuous services in battle; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. PALMER introduced a bill (S. 1271) to amend section 4414 of the Revised Statutes of the United States, fixing the compensation of inspectors of hulls and boilers in the several districts of the United States; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1272) granting a pension to Helen A. Beebe; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HISCOCK (by request) introduced a bill (S. 1273) for the relief of Wilbur F. Cogswell; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also (by request) introduced a bill (S. 1274) for the relief of Capt. William Galloway; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1275) for the relief of Lucien H. Robertson, and to remove the charge of desertion; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 1276) for the relief of Thomas S. Hughes, and to remove the charge of desertion; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1277) to ratify and confirm an agreement entered into by commissioners on the part of the States of New York and Pennsylvania in relation to the boundary line between said States; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. COCKRELL introduced a bill (S. 1278) for the relief of James A. Terrell; which was read twice by its title, and, with the accompanying petition, referred to the Committee on Claims.

Mr. BECK (by request) introduced a bill (S. 1279) for the relief of the Mobile and Girard Railroad Company; which was read twice by its title, and referred to the Committee on Claims.

Mr. BOWEN introduced a bill (S. 1280) granting a pension to Forest M. Castle; which was read twice by its title, and referred to the Committee on Pensions.

Mr. RANSOM introduced a bill (S. 1281) for the relief of Sophia B. Moore; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 1282) to refund to the State of North Carolina certain moneys therein named; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1283) making an appropriation for the erection of a light-house on or near Diamond Shoal off Cape Hatteras, North Carolina; which was read twice by its title.

Mr. RANSOM. Mr. President, in presenting this bill I desire to express my sincere thanks to the members of the Light-House Board, from whom it emanates, for their thoughtful and careful attention to a subject than which there are but few, if any, more important to the commerce of the world and to humanity.

The bill proposes to appropriate $500,000 for the erection of a light-house on Diamond Shoal, some 10 miles out to sea from the point of Cape Hatteras where the present light-house stands.

I shall not detain the Senate now with an argument in favor of the bill. I will simply say that in all human history there will be but few better or more glorious days than the one on which the dark terrors of Hatteras shall be overcome by the illumination of humane science. Upon all the wide seas there is not a mariner who will not hail and bless that light, which will guide and save their ships in the perilous nights upon that fearful coast, when the very lights of heaven are obscured, and no time will come when the originators or promoters of this work and the country which accomplishes it will not receive, as they will deserve, the gratitude and honor of mankind.

I move that the bill be referred to the Committee on Commerce, satisfied, as I am, that that committee will give it prompt and earnest attention.

The motion was agreed to.

Mr. PAYNE introduced a bill (S. 1284) for the relief of Sarah K. McLean, widow of the late Lieut. Col. Nathaniel H. McLean; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. REAGAN. Before the holidays I introduced a bill to regulate immigration. On examination I find that it is not as full as I desired, and I therefore introduce an amended bill on the same subject.

The bill (S. 1285) to regulate immigration, was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. PLUMB introduced a bill (S. 1286) granting a pension to Mi-

chael Lane; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HALE introduced a bill (S. 1287) granting arrears of pension to George Andrews; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 1288) granting a pension to John Child; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WALTHALL. By request of the Senator from Kentucky [Mr. BLACKBURN] I introduce a bill.

The bill (S. 1289) for the relief of the estate of Francis M. Murray, deceased, was read twice by its title, and referred to the Committee on Claims.

Mr. CHANDLER introduced a bill (S. 1290) to enable the Secretary of the Interior to fulfill certain treaty stipulations with the Pottawatomie Nation or tribe of Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. RIDDLEBERGER introduced a bill (S. 1291) for the erection of a public building at the city of Staunton, Va.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1292) to construct a road from the city of Staunton to the national cemetery, in the county of Augusta, in the State of Virginia; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1293) for the relief of Frank P. Murphy; which was read twice by its title, and referred to the Committee on Claims.

Mr. DANIEL introduced a bill (S. 1294) for the erection of a public building in the city of Roanoke, Roanoke County, Virginia; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. HAWLEY introduced a bill (S. 1295) for the relief of soldiers and sailors who enlisted or served under assumed names, while minors or otherwise, in the Army or Navy during the war of the rebellion; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TELLER introduced a bill (S. 1296) granting the right of way through the public lands of the United States to the United States Railway Company from a point on the Canadian boundary to a point on the Mexican boundary, and for other purposes; which was read twice by its title, and referred to the Committee on Railroads.

Mr. BOWEN introduced a bill (S. 1297) to establish a mint of coinage in the city of Denver, in the State of Colorado; which was read twice by its title, and referred to the Committee on Finance.

Mr. GORMAN introduced a joint resolution (S. R. 27) providing for the printing of a supplement to Wharton's Digest of International Law; which was read twice by its title, and referred to the Committee on Printing.

Mr. HALE introduced a joint resolution (S. R. 28) authorizing Paymaster J. Q. Burton, of the United States Navy, to accept a decoration conferred upon him by the Emperor of Japan; which was read twice by its title, and referred to the Committee on Naval Affairs.

### PAPERS WITHDRAWN AND REFERRED.

Mr. EDMUNDS. I ask an order that the petition and papers of Thomas C. Clark, a claimant for a Revolutionary claim, be withdrawn from the files and referred to the Committee on Revolutionary Claims. There has been, as I understand, no adverse report.

The PRESIDENT *pro tempore*. That order will be made, if there be no objection.

On motion of Mr. HARRIS, it was

*Ordered*, That the petition and papers of John C. Stansee be taken from the files of the Senate and referred to the Committee on Military Affairs, there having been no adverse report thereon.

On motion of Mr. CULLOM, it was

*Ordered*, That the petition of Lyman Guinnip, for correction of his military record, and the accompanying papers, be taken from the files of the Senate and referred to the Committee on Military Affairs, no adverse report having been made on the same.

### ADMISSION OF CHINESE.

Mr. STEWART submitted the following concurrent resolution; which was read:

*Resolved by the Senate (the House of Representatives concurring)*, That the President of the United States be requested, at the earliest practical moment, to negotiate a treaty with the Emperor of China containing a provision that no Chinese shall enter the United States except ambassadors and others engaged in the diplomatic service of the Chinese Empire and merchants engaged in trade between the United States and foreign countries, and providing further that the United States shall be at liberty to ascertain, by such officers or tribunals as Congress may designate, whether Chinese offering to enter the United States are of the excepted classes.

Mr. STEWART. I ask that the resolution may be printed and lie on the table. I shall call it up in a few days with a view of submitting some remarks in regard to it.

The PRESIDENT *pro tempore*. The resolution will lie on the table, and be printed.

### FOREIGN MAIL PARCELS.

Mr. HOAR. I offer the following resolution, for which I ask immediate consideration:

*Resolved*, That the Postmaster-General be directed to inform the Senate what length of time books and other parcels received by mail from foreign countries are detained in the custom-house at New York, and if such detention be necessary or not, and what is the reason therefor.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. HOAR. Mr. President, I desire to say that some few years ago this country established what it was supposed would be a great convenience to business men and other persons receiving small parcels from abroad; that is, a system by which books and small parcels of merchandise could be sent by mail. That practice is being very largely resorted to, but I believe it is true—at any rate it has been true in my experience, and I have had a good deal—that it takes longer to get a parcel which comes through the post-office from a foreign country out of the New York custom-house after it has arrived in this country than the whole time spent in the voyage from Europe.

I do not know but that this inquiry ought to have been properly addressed to the Secretary of the Treasury rather than to the Postmaster-General; but I hope the inquiry will lead to a correction of the abuse.

The resolution was agreed to.

### COMPILATION OF REVENUE AND APPROPRIATION ACTS.

Mr. ALLISON. I offer the following resolution and ask for its reference to the Committee on Rules:

*Resolved*, That the Secretary be directed to compile, for the use of the Senate, from the Journals of the two Houses, the Annals of Congress, the Register of Debates in Congress, and the Congressional Globe and RECORD, a complete chronological history of revenue and general appropriation bills from the First to the Forty-ninth Congresses, inclusive, and for this purpose shall be authorized to employ an additional clerk, who shall be paid out of the contingent fund such compensation as shall be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. HOAR. I should like to suggest to the Senator from Iowa, having had a little experience with a similar work upon the Committee on Privileges and Elections, that I think it would be much more convenient to the Senate and to him to have the service performed by a clerk under the immediate direction of the Committee on Finance, of which the Senator is a member. I make the suggestion that an additional clerk to that committee be appointed for that purpose, so that it may go with the original resolution.

Mr. ALLISON. Very well; that can be considered by the Committee on Rules.

The PRESIDENT *pro tempore*. The resolution will be referred to the Committee on Rules, if there be no objection.

### COREA.

Mr. MITCHELL submitted the following resolution; which was referred to the Committee on Foreign Relations:

*Resolved*, That the Secretary of State be, and he is hereby, directed to transmit to the Senate copies of all correspondence between his Department and the United States minister at Corea relative to recent alleged attempts upon the part of the Chinese Government to dethrone the King of and absorb Corea.

### COMING OF CHINESE.

Mr. MITCHELL. On the 12th of December I introduced a bill in reference to Chinese immigration into this country, and at that time asked that it lie on the table. I now give notice that at the conclusion of the morning business on Wednesday next I shall move to take up that bill for the purpose of presenting some remarks in connection with the bill.

### INTERNAL-REVENUE LAWS.

The PRESIDENT *pro tempore*. If there be no further resolutions the morning business is closed.

Mr. BROWN. I move to take up the resolutions introduced by myself some days since on the subject of the removal of the internal-revenue taxes, with the view of submitting some remarks.

The PRESIDENT *pro tempore*. The Senator from Georgia moves that the Senate proceed to the consideration of resolutions which will be read.

The Chief Clerk read the resolutions submitted by Mr. BROWN, January 4, 1888, as follows:

*Resolved*, That the practice of the Government of the United States was correct, for the first three-quarters of a century of its existence, when it collected the revenues necessary to its support at the ports or other boundaries of our territory by tariff, except in cases of war or other great emergency, when internal-revenue laws or laws imposing direct taxes were passed, which were repealed as soon as the emergency which called them forth ceased to exist.

*Resolved*, That the present internal-revenue laws, which were enacted as war measures in time of a great emergency, which are onerous, oppressive, and undemocratic, have existed for almost a quarter of a century after the emergency has passed, and there being a very large surplus in the Treasury, which it is the duty of the Government to provide against by a reduction of the revenues, it becomes the imperative duty of Congress to enact appropriate legislation for the repeal of said internal-revenue laws at the earliest day practicable.

The PRESIDENT *pro tempore*. The question is on the motion to take up the resolutions.

The motion was agreed to; and the Senate proceeded to the consideration of the resolutions.

Mr. BROWN. Mr. President, the Constitution of the United States, in Article I, section 8, declares that Congress shall have power to lay and

collect taxes, duties, imposts, and excises; to pay the debts and provide for the common defense and general welfare of the United States, but all duties, imposts, and excises shall be uniform throughout the United States.

And in section 9 of the same article it is provided that no capitation or other direct tax shall be laid unless in proportion to the census or enumeration hereinbefore directed to be taken.

And it is then declared that "no tax or duty shall be laid on articles exported from any State."

Now it seems very clear that the Constitution clothes Congress with full power to collect the revenues of this Government by duties on imports, or imposts by excise laws, or laws of the character now called the internal-revenue laws, or by a direct tax. So far as the power of Congress over the subject is concerned there seems to be no doubt that it may adopt either of the modes above mentioned, or all of them, in collecting the revenues necessary to an economical administration of the Government, and all of these modes of raising revenue have been practiced at different times under authority of different acts of Congress.

There can, therefore, be no constitutional question involved, as the whole question is a question of policy, or of interest, and not of constitutional law. In the passage of a revenue act we should have regard, as far as may be, to the local interest of every State or section, and to the best interests of the whole people.

Local interests have so much to do with this question that it has scarcely ever happened that a strict party vote has been cast on the passage of a general revenue act. There being no constitutional question involved, each State and each section naturally has more or less regard to its own local interests.

The first session of the First Congress, on the 4th day of July, 1789, passed—

An act for laying a duty on goods, wares, and merchandise imported into the United States.

The preamble of said act is in these words:

Whereas it is necessary for the support of Government, for the discharge of the debts of the United States, and the encouragement and protection of manufactures that duties be laid on goods, wares, and merchandise imported.

Then follows the body of the statute, laying a tariff on a large class of imported goods, wares, and merchandise. This was the first revenue act passed by the Congress of the United States after the organization of the Government. Mr. Madison was a leading member of Congress, and a number of others were members who were also members of the convention that framed the Constitution of the United States, and who were familiar with the construction placed upon it at the time by those who participated in its creation.

In passing this first revenue act Congress had three objects in view, as avowed in the preamble: first, the support of the Government; second, the discharge of the debts of the United States, and, third, the encouragement and protection of manufactures. This act was a tariff act only, taxing goods, wares, and merchandise imported from other countries. The first internal-revenue act was not passed until 1792.

At that time the population of the United States was small and the people were poor, and they did not use enough of imported goods in their plain mode of life to raise sufficient revenue to support the new Government and pay the debts contracted during the Revolution, and Congress found it necessary to enact internal-revenue laws taxing a number of articles produced within the United States. On account of the necessities of the Treasury these different modes were resorted to more than once during the two administrations of General Washington and the administration of Mr. Adams.

When Mr. Jefferson, who was elected President in the year 1800, came into power, it is well understood that he did not favor the internal-revenue system, and in his first annual message he recommended that it be abolished. He says:

Other circumstances combined with the increase of numbers have produced an augmentation of revenue arising from consumption in a ratio far beyond that of population alone, and though the changes in foreign relations now taking place so desirably for the whole world may for a season affect this branch of revenue, yet, weighing all probabilities of expense as well as of income, there is reasonable ground of confidence that we may now safely dispense with all internal taxes, comprehending excise, stamps, auctions, licenses, carriages, and refined sugars, to which the postage on newspapers may be added to facilitate the progress of information, and that the remaining resources of revenue will be sufficient for the support of Government, to pay the interest of the public debts and to discharge the principals within shorter periods than the laws or general expectation had contemplated. War, indeed, and untoward events may change this prospect of things on a call for expense which the imposts could not meet.

But sound principles will not justify our taxing the industries of our fellow-citizens to accumulate treasure for wars to happen we know not when, and which might not perhaps happen but for the temptations offered by that treasure.

Here Mr. Jefferson, the author of the Declaration of Independence, the great apostle of human rights, and the father of the Democracy, draws the true distinction. He recommends the repeal of the internal-revenue laws, because there is no emergency that justifies their continuance, and leaves it to the future as to a return to them if foreign wars should create an emergency calling for more revenue than the imposts or customs would yield.

Congress acted promptly upon the recommendation of President Jefferson and passed the necessary act abolishing the internal-revenue system, with proper provisions for winding it up. In his second annual message, referring to the subject, President Jefferson says:

The collection of internal taxes having been completed in some of the States the officers employed in it are of course out of commission. In others, they will be shortly; but in a few, where the arrangements for the direct tax had been retarded, it will be some time before the system is closed.

Again, in the same message, he also says:

Where effects so salutary result from the plans you have already sanctioned, when merely by avoiding false objects of expense we are able without a direct tax, without internal taxes, and without borrowing, to make large and effectual payments towards the discharge of our public debt and the emancipation of our posterity from that mortal canker, it is an encouragement, fellow-citizens, of the highest order, to proceed as we have begun, in substituting economy for taxation, and in pursuing what is useful for a nation placed as we are, rather than what is practiced by others under different circumstances, and whensoever we are destined to meet events which shall call forth all the energies of our countrymen we have the firmest reliance on those energies, and the comfort of leaving for calls like these the extraordinary resources of loans and internal taxes. In the mean time, by payments of the principal of our debt, we are liberating annually portions of the external taxes and forming from them a growing fund still further to lessen the necessity of recurring to extraordinary resources.

This shows Mr. Jefferson's position very clearly, that neither loans nor internal taxes were justifiable except in cases of great emergency, when the necessary revenue could not be raised by tariff taxation, which is sometimes designated the customs and sometimes impost duties, while the internal-revenue laws are characterized as excise laws.

Congress, upon the recommendation of the President, having abolished the internal taxes, Mr. Jefferson, in his second inaugural address, uses the following language on the subject of internal taxation and in disapprobation of the continuance by the Government of two armies of collectors or revenue officers. He says:

The suppression of unnecessary offices, of useless establishments and expenses, enabled us to discontinue our internal taxes. These covering our land with officers and opening our doors to their intrusions, had already begun that process of domiciliary vexation which once entered is scarcely to be restrained from reaching successively every article of produce and property. If among these taxes some minor ones fell, which had not been inconvenient, it was because their amount would not have paid the officers who collected them, and because if they had any merit the State authorities might adopt them instead of others less approved.

The remaining revenue on the consumption of foreign articles is paid cheerfully by those who can afford to add foreign luxuries to domestic comforts, being collected on our seaboard and frontiers only, and incorporated with the transactions of our mercantile citizens; it may be the pleasure and pride of an American to ask, what farmer, what mechanic, what laborer ever sees a tax-gatherer of the United States?

This shows that the father and great apostle of the Democracy, who not only understood but inculcated its principles with an ability that none of his followers has probably possessed, did not, except in cases of extreme emergency, favor the system either of direct tax or internal-revenue laws, but he favored the collection of the taxes necessary to support the Government by customs collected at the ports, or, in other words, by tariff. It is safe Democracy to follow in Jefferson's footsteps and to practice his precepts. Thus the law stood for several years. But during the Presidency of Mr. Madison, when the country became involved in a war with Great Britain, it became necessary to raise revenue, as a war measure, by every means in the power of the Government, to support the armies and maintain the character and credit of the United States; and Congress during the war enacted internal-revenue laws very similar to those which were enacted during the late civil war which commenced in 1861; but everybody understood that it was no longer the settled policy of the Government to collect its revenues by direct tax or by the internal-revenue laws. And in about three years after the treaty of peace with Great Britain the internal-revenue system was repealed, except such portions of it as were necessary to enforce the collection of taxes already due, and the system was abandoned by all parties. This law of repeal took effect the last of the year 1817, and from that time to 1861, during a period of forty-four years, all parties, Federal, Democratic, Whig, American, and Republican, agreed, as the settled policy of the Government, that its revenues were to be raised at the ports and by tariff only.

Of course the powers above enumerated still rested in Congress and could be properly used in case of emergency, but it became the settled policy of the Government and the people of the United States not to permit the use of these powers except in some great emergency, and h en for no longer period than the emergency might last. And let it be borne in mind that the internal-revenue system growing out of the war of 1812 was not continued in operation until the war debt contracted during that struggle was paid, or until the pensions for the soldiers who served in that war were paid, but it was continued for only a very short period after the struggle ended.

During the forty years above mentioned the different contending political parties, most of the time the Whig and Democratic parties, differed widely on the proper mode of levying the tariff, but all were agreed that the revenues necessary to support the Federal Government should be raised by tariff, and by tariff only.

The civil war, commencing in 1861, again brought a great strain upon the Government, and it became necessary for it to raise revenue, not only by tariff, as in ordinary times, but by direct tax and by a very comprehensive and sweeping internal-r venue system.

The necessity and propriety of the assessment of taxes in all three of the modes then practiced, during the existence of such an emergency,

are admitted. But it is contended we should have followed the example of the great men who conducted the Revolution and who inaugurated the Government and put its machinery into operation, including Jefferson, Madison, and Monroe, and we should have continued the direct tax and the internal-revenue system for the period of the emergency only. This was true of the direct tax, as there was but one assessment of a tax of that character, and that was not all paid, and there was no effort, I believe, to make a second assessment.

But the internal-revenue laws were much more sweeping and multiform in character, and instead of their repeal within three years after the termination of the great struggle, as was done by our fathers at the end of the war of 1812, it has now been twenty-two years since the war ended, and we are still collecting, in round numbers, $118,000,000 a year under the internal-revenue system, and at a time, too, when there is a heavy surplus of revenue in the Treasury, and the effort of statesmen is to get rid of the surplus, and not to increase the revenue.

It is true that many of the provisions of the internal-revenue system established during the war have been repealed from time to time, and we have now reached a point where the principal remaining revenue is a tax on tobacco and a tax on distilled spirits and fermented liquors. We have collected during the fiscal year ending June 30, 1887, $55,829,-321.71 tax on distilled spirits, and on fermented liquors $21,922,187.49, making an aggregate on distilled spirits and fermented liquors of $87,-751,509.20; and from tobacco, cigarettes, cigars, etc., the sum of $30,-108,067.13.

Thus you see, Mr. President, we have departed from the practice and precepts of our fathers, and twenty-two years after the end of the war, which was the emergency that justified the enactment of the internal-revenue laws, we are still paying an enormous sum of internal taxes which our fathers would have abolished, judging by their example, within three years after the war terminated. I think we have certainly reached a period now when a large majority of the people of the United States who do not live at the ports where our customs are collected should be permitted to say, in the language of Mr. Jefferson, that it is "the pleasure and pride of an American to ask, what farmer, what mechanic, what laborer ever sees a tax-gatherer of the United States?"

We are maintaining two systems of taxation and paying the expense of two armies of officers and employés who are in the service of the Government, and drawing good salaries from the pockets of the people, when there is no just reason why we should pay but one corps of collectors.

Let us look a little at the expense and the practice of this internal system of taxation. According to the report of the Commissioner of Internal Revenue, the collection of the tax for the past year cost $4,065,-148.87. This does not include the loss to the Government of leakage on spirits, or casualties, or loss by fire, of which I will speak hereafter, or the price of printing revenue stamps, but it includes the actual cost of the collection of the revenue. It is a sum almost as large as the entire revenue of the Government in Washington's first administration.

The Government employs in the internal-revenue system nearly 4,000 persons. During the last fiscal year there were 85 collectors, each having control of a large district; 950 deputy collectors, 184 clerks, some of whom received fourteen, fifteen, sixteen, and eighteen hundred dollars per annum, and others smaller salaries. There were 35 porters and messengers, there were 625 gaugers, 555 storekeepers, and 757 who acted as storekeeper and gauger. There were general distillery surveyors, together with other agents and employés, aggregating, in the whole, as already stated, about 4,000 persons. This army of Government officials and employés are, from the very nature of the case, compelled to conduct a system of espionage which is a great annoyance and vexation to our people, and which creates a great deal of disloyalty to the Government, in many cases not without good cause; and Mr. Jefferson characterized it well when he said "these," referring to the internal taxes, "covering our land with officers, and opening our doors to their intrusion, had already begun that process of domiciliary vexation which, once entered, is scarcely to be restrained from reaching successively every article of produce and property."

The father of Democracy, therefore, in strong terms, condemned this employment of an army of internal spies, officers, and employés to collect an internal tax, and it must be admitted that the condemnation was just. Not only does the system lead to a great amount of espionage, and numerous frivolous prosecutions, but the people, being strongly opposed to the law, take the chances of defying or evading the Government, when it undertakes to restrain them from the exercise of a privilege which they regard as a part of their birthright, to manufacture the stimulants which they think they need out of the productions of their own labor.

To show the reason for the hostility to the internal-revenue law, and the rigor, and in many instances, cruelty, with which it has been enforced, I have obtained from the office of the Commissioner of Internal Revenue a statement of the number of prosecutions and the number of convictions in the northern district of Georgia alone, for ten years, commencing June 30, 1877, and ending June 30, 1887, and I find that there were 4,647 prosecutions based on indictments or criminal informations in that single district, and the convictions during the same period for violations of the internal-revenue laws in the northern district of Georgia were 2,533. Here were 4,647 persons arrested and dragged from their homes, in many instances nearly 100 miles, to Atlanta, where they were imprisoned, and 2,533 of them were convicted for violations of this law, which they consider odious and oppressive, while 2,114 were acquitted, showing the charges against them to have been false and unfounded. But this is not all. The violations of the law have been mostly in the northern and northeastern portions of the State, in what might be termed the mountain belt, where there is a hardy, honest, brave, independent class of people, who, at the commencement of the late unfortunate war, were more loyal to the Government of the United States than the people of any other portion of the State of Georgia; but they feel that they have been oppressed by these odious laws, until there is probably less loyalty to the Government there now than in any other part of the State. The persons arrested for violations of the law who live a long way from Atlanta were carried there for trial, and where they were unable to give bail were imprisoned, and probably a half dozen of the neighbors of each were subpœnaed as witnesses, and were compelled to attend court at great distance from home during one, two, or three terms before the case was disposed of.

They are an agricultural people, and the term of the court that comes in the spring of the year embraces the period when they are planting their crops. Large numbers of them have lost their crops or had them greatly neglected and damaged on account of their being obliged to attend court, either as defendants or as witnesses. They have been unable to pay their bills at hotels, and have had to camp out in many instances, and suffered great hardship and fatigue, and great privation, the hardship being almost as great upon the witnesses as upon the defendants themselves. If all the witnesses subpœnaed for the United States and for the defense were embraced in the enumeration it would probably reach ten or fifteen thousand persons who have been dragged from their homes in that district and compelled to attend the sessions of the United States courts, at the greatest possible inconvenience and loss to themselves. How heartily do these people, and all their neighbors and friends, indorse the sentiment of Mr. Jefferson as to the "pleasure and pride of an American who can ask, what farmer, what mechanic, what laborer ever sees a tax-gatherer of the United States?"

They have not only seen tax-gatherers, but they have been annoyed by spies and cursed by the process of domiciliary vexation referred to by Mr. Jefferson. They have been made the victims of cruelty and oppression, such as no free people ought to be required to endure. It is true there has been a great modification of all this rigor in the execution of the law as it is administered by the present collector and the present marshal of the northern district of Georgia, who are both high-toned gentlemen and excellent officers, but they have seen enough of the hardships of the system, and have known enough of its past cruelty to our citizens to satisfy them both that the system ought to be abolished *in toto*.

The Legislature of the State of Georgia has passed almost unanimously, on four different occasions, resolutions instructing their Senators and requesting their Representatives in Congress to use every reasonable effort to have these odious laws repealed. Popular sentiment is overwhelmingly opposed to these laws, and no act would give greater satisfaction to the people of Georgia than an act sweeping them entirely off the statute-book.

But the simple indictments and inconvenience above referred to have not, during the past administrations, been the worst part of the case. It has happened again and again that certain subordinate revenue officers have been sent out through the country upon raids, hunting illicit distilleries. Probably they would find a distillery without a license, or registration, and find some citizen there who may be the owner, or may be only a visitor, or an employé, who would naturally be frightened on seeing the revenue officers, who have been a terror to the citizens of that district. The unfortunate man, in the midst of his fright, breaks to run, the revenue officer raises his gun and shoots him down. At the next term of the superior court of the county the grand jury finds a true bill against this official marauder for murder. A motion is made at the next term of the court to transfer the case to the Federal court, on the ground that the person who did the killing was in the employment and was an officer of the Government of the United States at the time. The case is transferred by order of the Federal court, and in the Federal court the district attorney is directed to defend the murderer, because he was the acting officer of the United States when he did the killing. The result has been in every such case, I believe, without exception that the prosecution has ended in an acquittal, so that it may be truly said, that a revenue officer can go raiding and shoot down any citizen he pleases who is found at an illicit still, and feel confident that he will not be put on trial in the State court, but that his case will be removed to the Federal court, and, judging from the universal practice that has prevailed, that he will there be acquitted.

But this is not all. An unfortunate defendant charged with the violation of the internal-revenue laws is put upon trial and convicted. He may be a weakly man, with weak lungs. The offense is one of a grade that on conviction requires the court to pass a sentence of penitentiary imprisonment, and instead of being imprisoned in his own State, or in a climate to which he is accustomed, he is sent to prison

at Albany, N. Y., by order of the court; and by the time he has served out his term there his health is frequently so permanently impaired that he goes home a wreck, to die there as a result of his confinement in the rigorous climate of a northern prison. Forty citizens of Georgia have been consigned to this northern prison.

But this is not all. The fourteenth amendment to the Constitution of the United States declares that no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty, or property without due process of law, or deny to any person within its jurisdiction the equal protection of the laws. This, then, certainly denies to any State the power by its officers to go into the country and seize the property of a citizen, and destroy it without judicial trial, or due process of law. Not so, however, with the officers of the Government of the United States, when they go raiding upon the unfortunate victims who are suspected of violation of the internal-revenue laws. They hold themselves under no such restraint. They seize and destroy property because they discover or suspect that it is being used in violation of the internal-revenue laws. For instance, they seize the distilleries and destroy the stills; they pour out large quantities of beer; they seize and take possession of and carry away large quantities of whisky wherever they may find it without the proper marks or brands, and they seize property belonging to the citizen, and destroy it at their pleasure, without judicial process and without any due process of law. Their sovereign will determines the rights of the citizen. A deputy collector, a mere subaltern, decides the question whether the property is the subject of destruction, and he acts as judge, jury, and executioner, and carries his own order into effect by the destruction of the property, when his sovereign pleasure so dictates, and the party injured is left to seek redress from the Government as best he may.

By reference to the report of the Commissioner of Internal Revenue, I find that during the last fiscal year there were 199 stills seized in the State of Georgia, 99 of them were destroyed, and 100 were removed. Of course it was charged that these stills were being used in violation of the internal-revenue laws, and if the officers, executing the laws had been State officers there would have been no question that under the fourteenth amendment to the Constitution none of the stills could have been destroyed or removed and confiscated or appropriated without a trial in court; in other words, without due process of law. But no such trial is had when the seizure is made by the Federal officers. They seize and destroy the property of the citizen at pleasure, and there is no one to make them afraid. I also see by the table in the same report that there were 690 persons arrested by the Federal officers during the last fiscal year in the State of Georgia. Any system of collecting revenue which justifies the agents of the Government in making raids upon the honest masses of our people, and shooting down citizens at their pleasure, seizing and imprisoning innocent men, seizing and destroying the property of citizens without judicial trial, or without due process of law, and dragging thousands of persons hundreds of miles from their homes as witnesses, in what very often turn out to be frivolous prosecutions, is an outrageously oppressive and iniquitous system, and should never be practiced by a republican government longer than it is absolutely necessary to relieve the pressing wants of the Treasury, as in case of war, or some great calamity, and should certainly never be maintained nor practiced to pay money into the Treasury which the Government does not need, and especially when we are striving to enact laws for the reduction of taxation.

Why can not this outrageously oppressive system be abolished; why may we not profit by the precepts and example of our fathers on this question? Why continue to oppress the citizens of this Republic, to shoot them down by official marauders because they are accused of violating this system? Why continue a system that authorizes Federal agents or employés to seize and destroy without trial the property of the citizen at pleasure? Why continue a system that vexes and harasses the citizen with unfounded prosecutions for trivial offenses? Why continue a system that fills our jails with innocent people and compels an army of witnesses to attend the Federal court at the greatest possible inconvenience to themselves and families, which transports convicted citizens for imprisonment to a rigorous climate to which they are not accustomed, endangering their health, and often costing them their lives? Why continue a system that turns loose four thousand officers and detectives among our people, prying into their most private affairs, and having them prosecuted for the most trivial offenses? Why continue to tax the people of the United States over $4,000,000 a year to support this system, which is a monstrous outrage upon the rights and liberties of a free people?

Why can not this odious law, which has been repealed as to many other articles, be repealed so far as it relates to tobacco and whisky; and its army of retainers, spies, and marauders, which in the past has been too often the character of the force employed, be discharged from the pay-roll of the Government, and sent to seek their living and earn their bread in other pursuits? Why are the farmers of Virginia, and North Carolina, and South Carolina, Georgia, Kentucky, and Tennessee, and other States compelled to pay a heavy internal tax upon one of their principal agricultural productions, tobacco, when no one of the other crops or productions of the country is taxed in like manner? Why select this particular commodity or crop, and levy thirty millions a year upon its production? Why is this oppression applied to tobacco planters that does not apply to the cotton planters, or the planters who raise wheat, or oats, or barley, or grass, or other agricultural production? What justice is there in this discrimination?

But I may be told that a majority of the members of this present Congress favor the repeal of the tobacco tax, but that the whisky tax will not be surrendered—never, no, never! Why not? For a reason that does not apply to the farmer who raises tobacco. The whisky tax can not be abolished for the reason that those who pay the tax and charge it to others and make enormous profits are not willing to have it abolished. In other words, the distillers insist on being permitted to pay the whisky tax and charge it to the consumer; therefore the Congress of the United States must not touch this holy shrine which is too sacred to be polluted by profane hands and too profitable to be given up by those who control it. I repeat, why can not the whisky tax be abolished? For the reason that the combination of distillers who pay the tax and charge it to the people who consume their productions are too powerful for the Government. They have decreed that their occupation and their enormous profits shall not be taken from them and their monopoly shall not be destroyed, and that others not belonging to the brotherhood shall not participate on equal terms, unless it be those of their own class. In other words, the present whisky ring, if I may use the expression without offense to the dignity of that great association of protected capitalists, insist on paying the Government a very heavy tax, with the privilege of charging it to the people, and then make an enormous profit out of the business.

Mr. President, we have heard a great deal in this Chamber about monopoly, about the greed of manufacturers, about railroad combinations and monopolies, and monopolies in steamships and in various crafts for transportation. We have heard about a monopoly or a corner in stocks, or in wheat, or in cotton, or other productions, but there is not a monopoly on the American continent that is at all comparable to the monopoly controlled by the great whisky ring of this country. There is no other association or monopoly that is so well protected and that has so fine a margin for enormous profits.

In the first place, the whisky ring of the United States is protected by a tariff of $2 per gallon on all imported whisky from all other countries. No matter whether it be Irish or Scotch whisky, or what country it may come from, when it reaches our ports it must not come in competition with the great whisky ring of this country without paying a tariff of $2 a gallon, which is charged to the consumer, and according to the logic of the tariff reformers is a profit of $2 a gallon to the great whisky ring of this country. So that at the custom-house they are the best protected of American citizens, and they have nothing to fear, as other manufacturers generally have, from competition from abroad, as their protection in proportion to the cost of the commodity is greater than that of any other manufactured article in the United States.

Let us inquire for a moment what are the profits of the whisky ring of this country, and we will probably see the motive that prompts such terrible opposition to every movement that looks to the removal of the tax on this commodity.

By reference to the report of the Commissioner of Internal Revenue it will be seen that there were 17,959,565 bushels of grain distilled into spirits during the past fiscal year, and it made a little over 4 gallons of spirits to each bushel of grain.

A bushel of corn in Illinois or Iowa can be bought for from 30 to 40 cents, and, many times, much below that. Now let us throw away the fraction over 4 gallons of whisky per bushel which the distillers make out of the corn, and it takes one-fourth of a bushel of corn to make a gallon of whisky, and one-fourth of a bushel of corn cost the distiller 10 cents; so that for 10 cents he buys corn enough to make a gallon of good whisky. It is said that it costs the distiller about 10 cents a gallon to make the whisky, making the corn and the whole expense of manufacturing the whisky together, cost the distiller, say, 20 cents a gallon.

The internal-revenue tax is 90 cents per gallon, to be added. But the licensed distiller does not have to pay this tax into the Treasury of the United States upon the quantity of spirits made by him. But without paying any interest upon it during the period when payment is withheld, he may place it in a bonded warehouse for a term of three years, and the Government will pay the gauger to gauge it and ascertain the quantity, and the Government will pay out of the Treasury of the United States the salary of a storekeeper to guard the bonded warehouse, and see that the whisky belonging to the licensed distiller is protected and taken care of by the Government's agent, paid out of the pockets of the people. The distiller may permit it to lie in the bonded warehouse for three years, without interest, paying no revenue into the Treasury for that time, but at the end of three years he must remove it from the bonded warehouse and pay the tax of 90 cents a gallon on it in its then condition. The whisky being three years old, it is worth in the market probably from two to three dollars a gallon. But we will suppose, for the purposes of this argument, that it is worth $2.10 a gallon when it is three years old. Out of this, the distiller must pay 90 cents per gallon tax, which he charges to the consumer,

and 20 cents a gallon, the cost of the whisky, which leaves a balance of, say, $1 per gallon as his net profits.

The report of the Commissioner of Internal Revenue shows that there were made during the fiscal year 1887 75,974,376 gallons of whisky from grain. The same report shows that there were during the same year 1,160 grain distilleries registered, and 969 registered grain distilleries were operated during that year, so that the 969 distillers of grain produced, according to the report, 75,974,376 gallons of distilled spirits. This was an average of 78,404 gallons to each distiller. Now, suppose the profits of the distiller to be $1 per gallon, as estimated above. This would give to each of the 969 sturdy "whisky barons" an annual average profit of $78,404. Some of the larger ones no doubt would get more, and some of the smaller ones would get less, but that is the average as I figure it according to the report of the Commissioner of Internal Revenue, estimating the profits at $1 per gallon. This would be a very pretty net income. Doubtless the sturdy "whisky barons," who are accustomed to large results, would not think it extravagant, but any other manufacturing interest in this country would regard it an immensely large net income.

But let us test the profits of the distiller by another rule. I understand the position of a large class of tariff reformers in this country to be this: That if a foreign merchant imports into this county a large quantity of wool, for instance, when the tariff on wool is 20 per cent., the importer adds the tariff to the original price of the wool, thus charging the tariff to the consumer, and that this raises the price of all wool in the market, as well that produced in our own country as that which is imported, 20 per cent., which gives to each wool-grower or wool merchant 20 per cent. net profit which he would not receive but for the tariff. Now let us apply this rule to the distiller. A foreign distiller imports into this country a large quantity of whisky. The tariff on whisky is $2 a gallon. According to the rule above referred to, which is so earnestly advocated by able and distinguished tariff reformers, this $2 is added to the price of the whisky, and must be paid by the consumer. This raises the price (if the rule be correct) of whisky in this country from 20 cents a gallon at the still to $2.20, and enables every distiller to make $2 per gallon, the amount of the tariff, net profit on his whisky, which would give to the whole combination of registered distillers for the last fiscal year a net profit in round numbers of $152,000,000 on 76,000,000 gallons made by them. This is very handsome protection and a splendid net profit for a small association of 969 capitalists to make in a single year.

I will not stop to inquire in this connection whether the tariff reformers are correct in the assumption that a tariff of 20 per cent. or 50 per cent. imposed on imported goods raises the price of all goods of that character 20 per cent. or 50 per cent. in the market and gives to the manufacturer of these goods that per cent. of net profit.

I only state the proposition, which is submitted by very able and distinguished tariff reformers as axiomatic, with the remark that if their theory be true, then the whisky ring makes a net profit of $2 a gallon on all the whisky made by them, or of $152,000,000 per annum. Count the original cost of the whisky at 20 cents a gallon and the tariff at $2 a gallon, and the whisky is protected by a tariff of 1,000 per cent., which is vastly greater than the protection afforded any other commodity on account of importation into the United States from any foreign country. With this protection at the ports our good friends, the "whisky barons," as they have been termed, need feel no serious alarm growing out of foreign competition.

Again, our laws carefully guard and protect the whisky monopolists against loss by leakage, casualty, or destruction by fire. For instance, if the distiller puts a forty-gallon barrel of whisky in a bonded warehouse, and it lies there three years, guarded by the agent of the United States at the expense of the people, when the time comes that he must take it out and pay the tax on it, the Government very promptly and kindly allows him a deduction of 7½ gallons per barrel for the leakage during the time that the Government guarded and protected it for him at its own expense. And if by any mishap the whisky is destroyed by fire or other casualty, provision is made for his relief and he is exempt from paying the tax upon it. In other words, the Government takes it in charge, pays its own storekeeper in bonded warehouse out of the pockets of the people to guard the whisky for the distiller for three years, and allows him a very large percentage for leakage, and in the event of casualty exempts him from taxation, and collects, not 90 cents a gallon on the whisky as it was measured when first distilled, but 90 cents a gallon on the old mellow Bourbon as it is turned out of the bonded warehouse after the legal deductions above mentioned.

But suppose at the end of the three years there springs up a lively foreign demand for whisky, and the distiller sees that he can make a large profit by shipping it out of the country. He then takes it from the bonded warehouse under regulations prescribed by the Department, and ships it abroad, paying no tax upon it, as the Constitution of the United States does not permit the Government to impose an export duty. In that case, therefore, he has made his whisky, put it in bonded warehouse, had it guarded at the expense of the Government for three years, had proper deductions for leakage made in his favor, and he then exports it without paying any tax upon it, or even paying the Government and people of the United States for the expense of the storekeeper who guarded it in the warehouse. And, if the exportation were made in good faith, and he fails to make sale abroad as he expected to do, and has retained his whisky in the original sealed packages, he may, when it is still older, and more mellow, import it back into this country through the custom-house, by paying 90 cents a gallon upon it, while all foreign whisky by the side of it is paying $2 a gallon as an import duty.

This would seem to be favorable enough to a member of the great protected whisky fraternity. But I have said that this is a monopoly, the grandest monopoly on this continent, one where vast operations are conducted, and one of vast profits to those engaged. Is it a protected monopoly? As I have already shown, it is protected against all foreign whisky, no matter by what nation made or sold, by a tariff of $2 a gallon, which is a very handsome profit. On that side, then, the Government has done its part very faithfully in building up and protecting this huge association of monopolists.

But it may be said that every American citizen has a right to engage in the same business and that therefore it is not a monopoly. This is a mistake. Prior to the passage of the law setting up this monopoly there were thousands of small distillers scattered all over the country who made the quantity of spirits for which there was demand. Large numbers of them did not make regularly five gallons a day. Take the mountain section of my own State, where there has been so much trouble with the revenue officers, and the small distiller lives, say, 75 miles from a railroad. He makes 100 bushels of corn for sale. If he hauled it across the Blue Ridge Mountains to the railroad in past years, when there was no railroad anywhere near him, the cartage or freight was worth about half the price of the corn. Instead of doing this he united with one or two of his neighbors who had a like quantity of corn for sale and they put up a small distillery and distilled their corn into whisky, and they could then carry it to the railroad or to a distant city in barrels with one or two wagons and teams. This enabled them to realize from their corn a profit by the distillation, and gave them money to buy their necessaries, such as salt, sugar, coffee, and the like.

This class of persons who formerly engaged in the business of distillation was very numerous, and in the aggregate they made a large quantity of whisky. Prior to the passage of the revenue laws, which created the great monopoly above referred to, there were very few large distilleries in this country, most of the whisky needed for use being made by the small distillers. In arranging this grand enterprise, where a number of capitalists could put their money to vast profit, it became necessary to have legislation or authorized orders of the Government for their protection on both sides. They must be protected by a proper tariff against importation of foreign whisky. This was promptly done. Then they must be protected internally against this army of small distillers, who were making most of the whisky used in this country.

As it was necessary to have the distillery registered and prepare a warehouse and incur the expense necessary to make whisky on a reasonably large scale, the little distillers above mentioned were left out by their poverty and their inability to make the investment necessary to conduct a registered distillery. This gave the licensed distillers the control of the business. But, to "make assurance doubly sure" and guard against any mishap on that point, a ruling was made at an early period in the office of the Commissioner of Internal Revenue that no one could receive a license or be permitted to distill unless he could make at least 20 gallons of whisky every three days. This was 6⅔ gallons a day regularly. This was sufficient to cut off this army of small distillers to which I have made reference. They can not get a license to distill. If let alone they would, on account of their large number, distill an immense quantity of whisky, but the privilege is denied to them absolutely on any terms because they are too small to be let into the big ring, and they are too numerous to be permitted to conduct a business in competition with it that would seriously impair its profits. They can not get a license and they must not interfere with the monopoly without a license. If they make whisky without a license the jail door stands at their back. And it is made the legal duty of a faithful revenue officer to arrest the little distiller, carry him before a commissioner and have him bound over to the Federal court, and if he is too poor to give bond, lodge him in jail and keep him there until the time for trial, summon his neighbors to attend court fifty to one hundred miles from home as witnesses against him, and when convicted send him to the Albany penitentiary for the period prescribed by law for his offense. Here stands, then, this immense whisky monopoly, strongly protected against foreign whisky by a tariff of $2 a gallon at the coast, and equally well fortified by the orders and practice of the Government against the immense number of small distillers in the interior by keeping the jail door open at their backs, so that they may be hurried in if they interfere with the privileges of this great class of protected capitalists. No association of protected capitalists, no brotherhood with a common interest, could be better fortified against assault in every direction. Two dollars a gallon protection in the custom-house and the jail door open in the interior ready to receive their competitor if he shows his head, and all the spies, marshals, and courts of the Federal Government bound by law to protect them against the people of the interior who would attempt to en-

croach upon their royal privilege of making a gallon of whisky out of a peck of corn, which costs them 10 cents, and paying 90 cents a gallon tax upon it, which they charge to the consumer, and having it guarded at the expense of the Government by an agent paid out of the Treasury of the United States for three years, when it is worth, say, from two to three dollars a gallon.

This immense profit is enough to tempt the foreign importer, and enough to make the little humble citizen of the interior long for a participation, and try competition in his own small way, even at the risk of lodgment in the jail. But usually the spies, collectors, marshals, district attorneys, and courts, who are obliged under the law to care for the protection of the fraternity, are too powerful for the poor class of violators of the royal privilege of the great whisky ring, and when the competitors can not otherwise be controlled, their active intrusion and competition are certainly for the time prevented by their imprisonment in the common jails of their own State or the penitentiary of a distant State.

But the intrusion of the little man, the small manufacturer or small dealer, who might annoy the great protected fraternity and reduce their profits by competition, is not limited to the interior alone. Even at the ports the small man is commanded to stand aside, the envious looker-on who can under no circumstances participate. For his exclusion our tariff law of 1883 makes the following provision:

> But any brandy or other spirituous liquors imported in casks of less capacity than 14 gallons shall be forfeited to the United States.

So that the little distiller who can not make 20 gallons in three days in the interior is knocked entirely out of the ring, and the little importer who has not more than 14 gallons in his cask is disposed of in the same summary manner. None of this class of small people, either by sea or land, can be permitted to come in competition with the great protected whisky fraternity.

But it is said that the repeal of the internal-revenue laws will turn whisky and tobacco loose without taxation; that neither of these articles is what is usually termed a "necessity," but both are luxuries; and that it is a great deal better to reduce the tariff and give to the families of the poor free trace-chains, free wool hats, and free calico, which they now get cheaper than they ever did at any former period of the existence of the Government, than it is to give them free tobacco and free whisky.

Now, I suppose I might with propriety controvert the position that tobacco is not a "necessary." It is used by a very large proportion of the population of this country, and a man who uses it will generally tell you that he can do without any other article of food or drink better than he can without his tobacco. But suppose it is classed under the head of luxuries, then it is a luxury that the poor man, as well as the rich, will have as long as he can raise a dollar with which to purchase it. And the money necessary to purchase it is used for the purpose, and not for the support of the family, so that the money with which the poor man buys his tobacco is taken from the money which he provides by his labor for the support of his family and is made part of the expenses of the family. Suppose the internal tax be 100 per cent. upon the value of tobacco, and that a poor man uses, when he pays the internal tax upon it, $20 worth in a year. If we abolish the internal-revenue tax we take off $10 from the cost of his tobacco, which goes to the support of his family, giving them $10 worth of additional necessities and comforts. It is, therefore, according to the practice of the country, as much a part of the necessaries for the support of the family as is sugar, coffee, wool hats, trace-chains, or calico, and when you take the tax off tobacco you will probably please more poor laboring men than you can please by any other act of legislation which does not reduce tax to a greater amount.

The same rule applies substantially to whisky. It may be classed among luxuries, and it may be denied that it is a necessary of life, and yet there are very few families in this broad land that do not use more or less of it, and they will use it, as long as they can raise a dollar with which to pay for it, whether they get it at a high price or a low price, and when we put a tax of 90 cents a gallon on whisky that only costs the distiller 20 cents a gallon, we put a tax of 450 per cent. upon a commodity that the laboring man as well as the wealthy man of this country will use, without regard to the tax or the prohibitory laws that may be passed on that subject. As the matter now stands, the poor man who is obliged to buy a gallon of whisky to keep in his house for medicinal purposes, or who buys it that he may occasionally take a drink, as most men do, has to pay four and a half times as much for the whisky on account of the taxes imposed by the Government as it costs the distiller from whom he buys it. The removal of this tax will therefore save a very large amount of money to the poor laboring class, who use and will continue to use, without regard to price, more or less whisky in their families every year. In that case, the reduction of the tax on whisky is as much a relief to the family as any other reduction of like amount, as a reduction of $10 per annum on the price of whisky they buy, leaves $10 in the family treasury to be paid out for some other necessaries which the family greatly need, and which they would not otherwise get.

But whether whisky is to be considered a necessary or a luxury, alcohol, its chief ingredient, which pays a tax in proportion to its purity and strength, is not only a necessary article for use in mechanics, but is an essential article in our drug stores in the preparation of medicines which are absolutely necessary both for the poor and the rich. In filling a great majority of prescriptions, and the preparation of medicines used for most diseases, alcohol is an essential part of the compound, and a tax on alcohol is a tax upon one of the most useful necessaries of life. Those who desire to remove an onerous tax from one of the commonest necessaries of the laboring classes, and indeed all classes of our people, should, it seems to me, vote to remove the tax from alcohol.

But it may be said that the repeal of the tax on whisky and the turning of everybody loose to make it who thinks proper to do so will bring the price down until it will be so cheap that there will be more drinking than there is at present. This is a mistake. Prior to the enactment of the internal-revenue laws, when the whisky used in this country was distilled by thousands of small distillers all through the mountains and valleys, there was no more drinking and no more drunkenness than there is at present. Those who used the whisky paid less for it and had more money left with which to pay for the support of their families, and the same would be true again if the present internal-revenue laws are repealed. It is true the whisky monopolists would not then run their present large distilleries and have the Government guard their whisky for them in warehouse for three years without expense to the distiller, as is now the case, but many of them would discontinue the business, and the small distillers would make whatever profit there is to be made in the business.

But I deny that this would cause any more distilled spirits to be made and used than are now made and used. The present Distillers' Association make seventy-six to eighty millions of gallons a year on an average. Take the year 1887, and according to the report of the Commissioner of Internal Revenue there were 58,096,621 gallons in bonded warehouse at the beginning of the fiscal year, and there were produced by the distillers during that year, in exact figures, 77,831,509 gallons, making a total for the year, distilled and in bonded warehouse, of 135,928,220 gallons.

Now, the Senate will bear in mind that the licensed distillers for the year 1886 sold all the whisky that anybody would buy, including the filling of all orders from abroad, and after disposing of all they could they had over 58,000,000 gallons left at the end of the year, to which they added nearly 78,000,000 by production during the year, making, in round numbers, 136,000,000 gallons on hand and produced during that year. Say that the population of the United States is now 60,000,000. This is about 2¼ gallons of whisky for each man, woman, and child, including the infant at the breast, made and held during the fiscal year 1887 by the licensed or registered distillers of this country. They therefore certainly prepared a liberal allowance for the people of the United States. No other system will keep more than that quantity on hand, tempting the people to use it, and no other system will keep anything like so large a quantity on hand when we reach a point where the owner has to guard and protect his own whisky and where it is no longer done for him by an agent paid by the Government of the United States.

The licensed distillers understand very well the demand of the market, both at home and abroad, for whisky, and they regulate it so as to keep enough on hand for everybody, and in the event they are making more than there is a demand for, they have, judging from the newspaper reports, a whisky "trust," as it is called, by which the association takes that matter in hand, and by a compact among themselves they agree not to make more than a certain quantity, which meets the demands of the market, but which does not bring down the price so as to take money out of the pockets of the members of the great whisky ring, and by the reduced price put it into the pockets of the people.

But it is said that the temperance people, or Prohibitionists, are opposed to the removal of the tax on whisky, as they fear it will increase the quantity and multiply the evils growing out of the use of intoxicating drinks.

Judging from the quantity that is made each year by the licensed distillers and by the quantity they keep in bonded warehouse, no system that can be adopted will surpass or probably equal them in amount of production and the amount of supply kept on hand. There is therefore no danger of increasing the quantity made and used by the people of the United States by the repeal of the present internal-revenue laws.

I should think that the Prohibitionists would very naturally desire the repeal of the revenue laws by the Congress of the United States, so as to leave the whole question under the control of the States, so that, in case the Prohibitionists should get the control of a State there would be no embarrassment growing out of licenses to distill and sell, granted by the Government of the United States, as is now the case. Remove all Federal interference with the manufacture and vending of ardent spirits, and you will have the matter entirely within hands of the States, where a majority of the people of each State can control it. If the Prohibitionists are right, and the majority of the people are with them, then they could ask nothing better than for the Government of the United States to take its hands off this traffic, and leave it entirely under the control of the States.

But it may be said that the license granted by the Federal Govern-

ment does not protect a person who sells whisky, if it is prohibited by the law of the State where the sale is made. Without entering into a discussion of that point, it is enough to say, that persons would not take out and pay the United States for licenses to sell unless they expected to realize a profit by making sales under the licenses. Now, by reference to the report of the Commissioner of Internal Revenue, it will be seen that in 1887 there were 183,490 persons licensed to sell spirits, as retail dealers, each paying $25 for the license, aggregating $4,587,268.21 license fees.

There were also 4,163 persons licensed as wholesale dealers, each paying $100 for the privilege, aggregating $416,304.66, which together make the sum of $5,003,572.87 paid into the Treasury of the United States by persons for licenses to sell as wholesale and retail dealers in spirituous liquors. Now, no one, whether Prohibitionist or anti-Prohibitionist, will suppose that nearly 190,000 persons would pay into the Treasury of the United States over $5,000,000 a year for license to sell liquors which they do not expect to use and which they do not make profitable. I presume I may safely say that there is not a prohibition State in the Union where there is not a large quantity of spirituous liquors sold by persons licensed by the United States.

The Prohibitionists, therefore, can surely have no objection to the passage of the law which will sweep these license laws from the statute-book. The National Woman's Christian Temperance Union, certainly the most important and influential temperance organization in this country, has taken unequivocal ground on this subject in favor of the repeal of the internal-revenue laws. In their convention held in Louisville in 1882 they resolved "that the internal-revenue taxes are wrong in principle, an outrage on the moral sentiment of the country, a quasi-indorsement of a pernicious traffic, and the legalizing, so far as the national Government can, of a business that is the source of most of our crime and poverty." In the convention of the same organization held at Nashville, Tenn., in November, 1887, Miss Frances E. Willard, the president of the organization, used this expression, speaking of the internal-revenue laws:

> To-day it stands as the strongest bulwark between the liquor traffic and annihilation. The amount of tax is almost equal to the annual surplus in the United States Treasury. Let both be wiped out together.

And this recommendation of the president of the association was fully indorsed by the association itself. The national Prohibition party in its platform in 1884 took the same position. So that there is no room for doubt as to where the Prohibitionists stand on this question. They favor unequivocally the repeal of the odious laws to which I have already referred.

But it is said that whisky and tobacco, whether luxuries or necessaries, are articles that the people of this country will use, and articles which, rather than be deprived of them, they will pay a heavy price for, and that it is therefore proper to impose a heavy tax on whisky and tobacco and make them bear a just proportion in the support of the Government. I fully concur in this proposition. One of the objections to the so-called prohibition laws of some of the States and cities of this country is that there is almost as much liquor sold and drank under the prohibition system as there is under the license system, the difference being that under the license system it pays a fair share of the burdens of government, while under the prohibition system, as the sale is supposed in legal contemplation not to exist, it pays nothing whatever.

My position is not that we shall have whisky and tobacco free and pay a high price for other necessaries, but that whisky and tobacco should be taxed heavily, and I agree with Mr. Jefferson that the tax should be imposed by the States and not by the Federal Government. Let a law be enacted in each State compelling each tax-payer when he gives in his taxes, under oath, to swear how many gallons of whisky or malt liquor he has made during the year, and let the law make it perjury for him to swear falsely. Let the State grant him a license to distill, and make it penal for him to vend any portion of the products of his distillery, without paying the tax and license-fee, and let there be stringent penal laws against illicit distillation or for failure to account for the quantity distilled, and let the tax for the quantity made within the State be paid into the treasury of the State and used for the reduction of the present State tax on the lands, agricultural implements, horses, mules, cattle, sheep, hogs, goats, and other property belonging to the citizens of each State. This would greatly lessen the tax upon all the implements and necessaries of farm life, and would be of more service to the farmers of this country than any reduction of tariff on wool hats, trace-chains, horseshoes, calico, and other commodities, which are now cheaper than they have ever been before, of which each farmer buys but a very limited quantity each year.

Take my own State as an illustration. During the twenty-two years since the war the State of Georgia has paid, on account of the internal-revenue laws, into the Treasury of the United States the sum of about $22,750,000, being about $1,000,000 a year paid by the people of Georgia under this system.

Now suppose we put a State tax upon these articles as heavy as that now levied by the Government of the United States, and the amount of revenue raised will almost pay the amount of direct tax collected from the people of Georgia for the support of the State government, and will leave the farmers and their plantations and live-stock and property almost free from taxation. This is a benefit which would not only be felt, but highly appreciated by the agricultural classes of all the States of the Union, and while the farmers would still pay their part of the tax on the whisky and tobacco they used, they would be relieved of a great portion of the tax they now pay. Now it goes into the Treasury of the United States, and they still have to pay their State tax. Then it would go into the treasury of the State and to that extent relieve them of the burden of State tax which they now pay in addition to the internal-revenue tax on whisky and tobacco.

Again, there is a large class of people who use whisky and tobacco freely, but who now pay no tax, because they have no visible property upon which it can be levied, who in future would have to pay a liberal share of the tax for the support of the government, and the amount paid in by them would be that much taken from the aggregate which is now raised by the other citizens of the State. In other words, the men who use the most whisky and tobacco under such a law would pay the heaviest tax to aid in the support of the State government.

Again, in the place of the present system of arresting a violator of the internal-revenue laws by the United States officials and carrying him a hundred miles to jail, and requiring half a dozen of his neighbors to attend court as witnesses, resulting in almost the ruin of each of them, the indictment for a violation would occur in the county in the State where the offense is committed. The defendant, if imprisoned at all, would be imprisoned in the common jail of his own county, and the witnesses would simply attend court in the county-seat of their own county, probably a day or two during the term, which they could do without any of the imposition and almost ruin to which they are now subjected under the present system, when they are dragged 50 or 100 miles from home to attend court; so that in every view of it, it would be better for the common laboring and farming classes of our people that these internal-revenue laws should be swept from the statute-book of the United States, and whisky and tobacco should be made to pay liberally their part in the support of the government of the States, and all indictments for violations of the law should be heard in the superior courts of the States, and not in the Federal courts. The more oppressive features of the internal-revenue laws would be eradicated by the proposed change, and whisky and tobacco would still be required to pay a liberal share of the direct taxes imposed upon the people for the support of the State governments.

Mr. President, the present system of internal-revenue laws of the United States is an outrageous system of espionage, injustice, and wrong. It ought to have been abolished long since, and there can certainly be no just reason for its longer continuance. We are anxiously inquiring how we can get rid of an amount of surplus that is flowing into the Treasury annually almost the equivalent of the amount collected under the internal-revenue system.

We do not need the money in the Treasury. We are not engaged in war, and there is no emergency that justifies its collection. Let us therefore return to the practice of the great men who formed this Government, and of the great men who administered it for many years, who, as soon as the emergency had passed which called forth the enactment of such laws, swept them from the statute-book; and let us without delay get rid of internal taxation by the Federal Government, with all its espionage, its trivial prosecutions, its oppressions, its outrages, and its wrongs.

This return to the old familiar practice of the fathers in the better days of the Republic will at once relieve us of the surplus in the Treasury, and relieve Congress and the Administration of all further embarrassment on that question.

The PRESIDENT *pro tempore*. The unfinished business is now before the Senate; it will be stated.

The CHIEF CLERK. A bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. BECK. What has become of the resolutions of the Senator from Georgia?

The PRESIDENT *pro tempore*. Having been considered and the Senator from Georgia having made his observations, they lie on the table.

Mr. BROWN. I wish to move their reference to the Committee on Finance.

Mr. BECK. I shall object to that. The Committee on Finance has no constitutional jurisdiction over these questions now; the House of Representatives alone can originate tax bills.

Mr. BROWN. I move, then, that the resolutions lie on the table for the present.

Mr. BECK. I want them to lie on the table.

The PRESIDENT *pro tempore*. The resolutions are not now debatable. The unfinished business having been informally laid aside at 2 o'clock to enable the Senator from Georgia to conclude his speech, the resolutions now lie on the table.

Mr. BECK. Let them lie on the table. It may suit some Georgia moonshiners to be rid of the internal-revenue tax and prevent the money so realized going into the Treasury, for it all goes there, so as to impose a necessity for taxes in such a shape that three-fourths of the money will go into the pockets of some gentlemen out of the pockets of the laboring poor. I want to be heard on that question before it is acted on.

Mr. BROWN. The resolutions may lie on the table for the present.

AID TO COMMON SCHOOLS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 371) to aid in the establishment and temporary support of common schools.

The PRESIDENT *pro tempore*. The Senator from Missouri [Mr. VEST] is entitled to the floor.

Mr. GEORGE. With the consent of the Senator from Missouri I desire to make a correction in the list of Democratic Senators who supported the pending bill, presented by me the other day. By accident the name of Mr. Walker, of Arkansas, was omitted from the list of Democratic Senators who favored the bill. I desire to put that on record.

Mr. HARRIS. I desire to call the attention of the Senator from Mississippi, with the permission of the Senator from Missouri, to one fact. In the list of Senators who voted for the bill, in the list he submitted to the Senate, the Senator quoted the name of the predecessor of the Senator from Arkansas [Mr. JONES] and Mr. JONES also, which was somewhat a doubling up. They voted as the Senator declared, but not at the same time. I hope the Senator will make that correction also.

Mr. GEORGE. There is no correction needed on that subject. I stated the names of the Democratic Senators who had supported the bills in the Forty-eighth and Forty-ninth Congresses.

Mr. HARRIS. But it made an aggregate of more Senators than ever voted at any one time the way the Senator from Mississippi stated.

Mr. GEORGE. There was no statement made by me that all those Senators voted at the same time, but I distinctly stated that this was a list of the Democratic Senators who voted for the measure in two different Congresses.

Mr. VEST. Mr. President, I want to state in that connection that my name does not appear as voting against the bill. I have not examined the RECORD, but I presume I was paired with a Senator who was on the opposite side of the question. I have been against this bill from the beginning. I was one of the six Senators who voted against it when first offered, when it was in a less objectionable form than at present; I voted against it when it was confined to an appropriation of public lands, or their proceeds.

If I were called upon Mr. President, to give a title to the pending bill I should describe it as "An act to erect a monument to the memory of Alexander Hamilton, and to encourage mendicancy in the Southern States."

I am not surprised that many Republican Senators warmly support this measure. It is no wonder the Republican party are anxious for its enactment. When suffrage was given to the ignorant negroes of the South it was with the firm belief on the part of the Republicans of the country that it would give them political supremacy in the Southern States. When a carnival of crime and corruption was inaugurated in the South by the white carpet-baggers who flocked like vultures to that unfortunate region, and when prostrate States writhed helpless under the feet of these adventurers, there was little sympathy on the part of those Republicans who now boast of their generosity in supporting this bill.

The Senator from Massachusetts [Mr. HOAR] told us during the Forty-eighth Congress that he did not put his support of this measure on the argument growing out of the right to appropriate money for the general welfare. "I do not go," he said, "into any subtle refinements as to any distinction between the right to give land and the right to give money. I undertake to say that the legislature of this nation has the right to save the life of this nation against whatever dangers may threaten it."

It seems to me that we have heard this language before, accompanied by the statement that the country had outgrown the Constitution, and that the young giant must now throw away the swaddling clothes made for it when an infant.

I am not surprised to hear this from Republican Senators, for the higher law has been the *vade mecum* of the Republican party since it came into existence.

I have no disposition to ascribe sinister motives to any one, but I must be permitted to say that it is cause for infinite regret that some of my Democratic colleagues, who have spent their lives in eloquent defense of a strict construction of the Constitution and of the doctrine that all appropriations of money should be governed by the express and necessarily implied grants of that instrument, have now abandoned these landmarks of our party before the great temptation presented by this bill. If the dead take any interest in the affairs of the living, what must be the surprise of John C. Calhoun when he sees the strict construction, hair-splitting, State-rights Democrats of the South wrapped up in the "general welfare" doctrine, which, as Sancho Panza said of sleep, "covers one all over as with a blanket," and yelling in both Houses of Congress "for the old flag and an appropriation."

I have no idea that anything I can say will change the inevitable result in this Chamber, for there are seventy-nine million reasons for the passage of this bill, so overwhelming and conclusive, that argument and appeal are equally useless against them.

Senator Benton said once of a kindred measure, "it comes into the Senate Chamber with money in every clause to pay its way through, as the souls of the damned arrived on the banks of the river Styx with money in hand to pay their way into hell. The surly Charon never refused a soul that had the money. In this polite assembly so munificent a bill can not be turned out of doors."

In my judgment, Mr. President, the greatest disaster that can ever come upon the people of the South, more terrible than war, pestilence, or famine, will be the enactment of this law. Whilst the glamour of universal education is thrown around this measure, its author, the Senator from New Hampshire [Mr. BLAIR] has distinctly told us its purpose in the following language:

> What have we (the Republican party) done to vindicate the ballot-box in the South? Since 1876 not one thing that is of tangible and practical value to the colored population to which we gave the franchise, but failed to give the common schools when we had control practically in the South. That colored population is turned over we know utterly, and must be forever unless reached by the introduction of schools which will reach both races alike. It is given over wholly and totally, and it is a settled fixed condition and status of that colored population of the South to-day that they are not voters, that they are not citizens as a rule. I believe that as thoroughly as the Senator from Nebraska, and speaking simply as a Republican politician, I assert that this measure should be enacted into a law for the purpose of spreading the principles of the Republican party and as the only possible way of doing it hereafter.

No language can be plainer than this. It strips off the disguise which rhetoric and statistics have thrown around this bill, and it stands forth from the utterance of its author a naked, bald design to obtain political power in the name of universal education. The Senator from New Hampshire expresses his regret that during the days of reconstruction, when the helpless South was completely at the mercy of the Republican party, this law was not enacted for political purposes.

Having failed by all other means to break up the solid South, the Republican leaders have now resorted to the expedient adopted by the wag, who, by throwing a handful of nuts into a convention of monkeys engaged in deliberation upon grave affairs of state, caused a general scramble to the neglect of all other business. But for the fact that we are supposed to have a large surplus in the national Treasury, and the further fact that the people of the South have been led to believe that this bill will distribute a large amount of this surplus in the Southern States, it would have no more chance in a Democratic Congress than a donation to the devil himself in a Christian congregation.

Before examining this measure further I call attention to the fact that not one line or word in the bill indicates its object to be the distribution of the surplus. The word "surplus" is nowhere found in the bill, but, on the other hand, its provisions clearly indicate that for a period of eight years the money collected from the people by taxation shall be returned in certain amounts to those from whom it came. There is no parallel between the circumstances by which we are surrounded now and those of 1836, when Congress considered the question of distributing twenty-eight millions of dollars lying idle in the national Treasury, among the States.

Mr. Calhoun and President Jackson both declared that to give Congress the power to make the distribution it would be necessary to adopt an amendment to the Federal Constitution.

The result of the debate had by the most distinguished statesmen then living was that the money which really constituted a surplus, there being no public debt and no great works of internal improvement, should be loaned to the States, to be returned to the National Government on demand. It is strange that President Jackson, who is now quoted by the advocates of this bill, was utterly oblivious of the extraordinary power claimed under the territorial and general-welfare clauses of the Constitution, both of which existed then as now.

Let it be distinctly understood that the present bill does not propose to distribute the surplus in the Treasury, or any part of it, but is a proposition to take the money raised from the people through a series of years by tariff and other taxation and distribute it amongst the States for educational purposes. Democratic Senators who are now urging a reduction of tariff taxation, and who are professing great anxiety to lessen the tax burden resting upon the people, should remember that their support of this measure necessitates the retention of these taxes to the amount of $79,000,000 for the next eight years.

A distinguished leader of the Republican party, their candidate for the Presidency in the last contest, attempted, it will be remembered, to protect the existing tariff, and to popularize himself at the same time by a scheme to distribute the taxes on whisky and tobacco amongst the States for educational purposes. The pending bill is but the appearance of the same idea in a different form, and I sincerely hope it will meet the same fate.

If the power to make this appropriation is constitutionally vested in Congress, then the same arguments which secure the passage of the present bill would unquestionably prove that the system should be made permanent.

The eighth section of the bill declares—

> That the design of this act is not to establish an independent system of schools, but rather to aid for the time being in the development and maintenance of the school system established by local government, and which must be eventually maintained by the States and Territories wherein they exist.

But I warn Senators that what is now declared to be only temporary must inevitably become a permanent system, and that it will be as impossible to discontinue the appropriation when once made as to withdraw from the confirmed inebriate the stimulus to which he has been

accustomed for years. If I believed, as do the advocates of this bill, that Congress has the power to enact it into a law, and that the danger is so imminent as to threaten the existence of free institutions, I would vote, not for an appropriation during a term of eight years, but I would "make assurance doubly sure" by making the appropriation perpetual. If education belongs to the General Government, and not exclusively to the States, I do not see how we can escape the conclusion that the General Government should assume entire control of the subject.

Taxation in the States is direct, whilst that by the Federal Government is indirect, and on that account much less objectionable to the tax-payer. The constitutional power being conceded to pass the bill, why should we not make the system permanent and avoid the possibility of danger to the national life in the future?

The fountain of illiteracy will never be dried up, procreation will continue, and however intellectually precocious the children of the future may be, it is hardly possible that they will be born into the world able to read and write.

The power to enact this law is claimed by some of its advocates to be found under what is known as the territorial clause of the Constitution, which provides:

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

It is claimed that there is no difference between the power of Congress to dispose of the public lands and its power to dispose of money in the Treasury. Very little examination is necessary to show the monstrous result of such reasoning. That the power of Congress over the public lands is without restriction has been settled by an overwhelming weight of authority. Chancellor Kent says in his Commentaries:

With respect to the vast territories belonging to the United States, Congress has assumed to exercise over these supreme powers of sovereignty. Exclusive and unlimited power of legislation is given to Congress by the Constitution and sanctioned by judicial decision.

In 14 Peters, 526, the Supreme Court of the United States declares—

That the power of Congress over the public lands is vested in Congress by the Constitution without limitation, and has been considered the foundation on which the Territorial governments rest.

Justice Story says:

The public lands hold out, after the discharge of the national debt, ample revenue to be devoted to the cause of education and sound learning and to internal improvement, without trenching upon the property or embarrassing the pursuits of the people by burdensome taxation. The constitutional objection to the appropriation of other revenues of the Government to such objects has been supposed to apply to an appropriation of the proceeds of the public lands.

The power of Congress over the public lands being unlimited, it is evident that the argument made by the advocates of this bill proves too much. If the framers of the Constitution meant that this clause by using the term "property" included money in the Treasury, then it follows irresistibly that the unlimited power of Congress to appropriate would apply to all money in the Treasury, and that the Government would be one of unlimited power.

If this construction be correct, then the other provisions of the Constitution which specify the purposes for which Congress may levy taxes, are absolutely unnecessary and meaningless.

It is urged, however, that Congress, possessing the unlimited power of disposition over the public lands, could appropriate the public money to the purchase of territory, and then give this territory so purchased, or its proceeds, to the cause of education or any other purpose, and thus bring about the same result.

It is safe to assume that the framers of the Constitution never anticipated or thought that any Congress could be elected by the American people which would thus deliberately violate their oaths of office by evading a provision of the Constitution.

Whether we consider the territorial clause which we have quoted, or that clause of the Constitution which provides that Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States, we are confronted in each instance with the inquiry whether the framers of the Constitution meant that the Government they established should be one of limited or unlimited power.

This was the question which divided the two great parties led respectively by Hamilton and Jefferson, and which was supposed to have been settled by the people of the United States in the election of Jefferson, Madison, and Monroe to be successively Presidents of the Republic.

History shows that the great leading idea of the men who made the Constitution was to establish a government with enumerated and not unlimited powers, and to make this certain they declared that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

That the power to regulate and control education in the States was not given to the General Government, but is a domestic concern of the States only, will not be denied by any Senator on this side of the Chamber. If there is such a Senator here, I beg him to rise now and say to the contrary.

Whilst the position taken by the advocates of this bill as to the meaning of the territorial clause drives them to acknowledge that the Government is one of unlimited powers, and that Mr. Hamilton in his grave has at last triumphed, it is further contended that the general-welfare clause which we have quoted unquestionably gives the power to make this appropriation. It has even been asserted that Jefferson, Madison, Monroe, and Jackson admitted this construction.

I am not here to question motives or to lecture any one of my colleagues. Their action upon this bill is a matter for individual judgment and responsibility. But I solemnly protest against outraging the memories of these great Democratic Presidents by any such statement. If any Senator thinks proper to abandon the Democratic construction of the Constitution and adopt that of the Federalists, he is at liberty to do so, but he shall not, without my protest, carry with him the names of the great men who distinctly and emphatically repudiated the Hamiltonian idea that this was a government of unlimited powers.

I do not propose to go into ancient history or in this presence to make numerous citations, but Mr. Jefferson has been quoted in behalf of this blanket construction of the general-welfare clause. I quote now from Mr. Jefferson's writings as to a remarkable incident related by himself in 1804. It is well known that Mr Jefferson entered into President Washington's cabinet with great reluctance, his personal desire being to return to France, where he had been minister.

When he returned from Europe and landed at Norfolk he found a letter from President Washington asking him to become Secretary of State, and under a sense of public duty he accepted. When Hamilton made his celebrated report on manufactures, in which he asserted that under the general-welfare clause of the Constitution Congress could impose any tax it saw fit to protect the manufacturers of the United States, and that Congress had the power to enact any bill which it thought necessary to the general-welfare of the country, Jefferson, who had been restive under the attacks of the Federal party, called upon the President and tendered his resignation as Secretary of State. In February, 1792, Jefferson, then Secretary of State, declared to President Washington his intention to retire from the Cabinet, and, when pressed for his reasons, frankly stated that it was impossible for Colonel Hamilton and himself to continue together in the administration, and that now a proposition had been brought forward, the decision of which must definitely determine "whether we live under a limited or unlimited Government."

"To what proposition do you allude?" asked the President.

"To that," replied Jefferson, "in the report of manufactures (by Hamilton), which, under color of giving bounties for the encouragement of particular manufactures, meant to establish the doctrine that the Constitution, in giving power to Congress to provide for the general welfare, permitted Congress to take everything under their charge which they should deem for the public welfare. If this was maintained, then the enumeration of powers in the Constitution does not at all constitute the limits of their authority." (Writings of Jefferson, volume 9, page 104.)

Again, on September 9, 1792, Mr. Jefferson thus wrote to Washington from Monticello:

That I have utterly, in my private conversations, disapproved of the system of the Secretary of the Treasury (Hamilton), I acknowledge and avow, and this was not merely a speculative difference. His system flowed from principles adverse to liberty, and was calculated to undermine and demolish the Republic by creating an influence of his Department over the members of the Legislature. I saw this influence actually produced and its first fruits to be the establishment of the great outlines of his project by the votes of the very persons who, having swallowed his bait, were laying themselves out to profit by his plans; and that had these persons withdrawn, as those interested in a question should, the vote of the disinterested majority was clearly the reverse of what they made it. If what was actually doing begat uneasiness in those who wished for virtuous government, what was further proposed was not less threatening to the friends of the Constitution.

For in a report on the subject of manufactures (still to be acted on) it was expressly assumed that the General Government has a right to exercise all powers which may be for the general welfare, that is to say, all the legitimate powers of government; since no government has a legitimate right to do what is not for the welfare of the government. There was indeed a sham limitation of the universality of this power to cases where money is to be employed. But about what is it that money can not be employed?

I have heard the argument upon this floor that the power of appropriation followed the unlimited power of taxation, and there being no limit on the power to tax, therefore Congress had the power to appropriate those taxes as it pleased.

Mr Jefferson says:

Thus the object of these plans is to draw all the powers of government into the hands of the general legislature, to establish means for corrupting a sufficient corps in that legislature to divide the honest votes, and preponderate by their own the scale which suited, and to have the corps under the command of the Secretary of the Treasury, for the purpose of subverting, step by step, the principles of the Constitution which he has so often declared to be a thing of nothing which must be changed. (Jefferson's Works, volume 3, pages 461, 462.)

And again, in a letter to Albert Gallatin, Mr. Jefferson thus wrote:

The act was founded avowedly on the principle that the phrase in the Constitution which authorizes Congress "to lay taxes to pay the debt and provide for the general welfare" was an extension of the powers specifically enumerated to whatever would promote the general welfare; and this, you know, was the Federal doctrine. Whereas, our tenet ever was, and, indeed, it is almost the only landmark which now divides the Federalists from the Republicans, that Congress had not unlimited power to provide for the general welfare, but were restrained to those specifically enumerated; and that as it was never meant they should provide for that welfare, but by the exercise of the enumerated powers—

That is the Democratic doctrine to-day, and will be until our party

shall cease to exist. Congress has no right to provide for the general welfare but by the exercise of enumerated powers—

so it could not have been meant that they should raise money for purposes which the enumeration did not place under their action; consequently that the specification of powers is a limitation of the purpose for which they may raise money.

Am I compelled at this day to reiterate the declarations of the founder of the Democratic party, and of the father of the Constitution? An eloquent Senator from Georgia, whose voice is now stilled in death, once proclaimed in this Chamber that Mr. Madison knew more about that instrument than any other man who then lived or ever could live on this continent. I have studied the writings of Mr. Madison from boyhood up. He said our Constitution was an instrument of compromise. It forms a peculiar Government, *sui generis*, with no precedent. All ancient history furnished no precedents for the construction of the Constitution of the United States. Mr. Madison, the father of the Constitution, and the great constitutional lawyer of the convention which made it, and of the Congress that followed, has declared that it was monstrous to suppose that the Constitution created a government of unlimited powers.

When Mr. Hamilton's report on manufactures came before Congress in 1792, Mr. Madison said:

There are consequences, sir, still more extensive, which, as they follow clearly from the doctrine combated, must either be admitted, or the doctrine given up. If Congress can employ money indefinitely for the general welfare and are the sole and supreme judges of the general welfare, they may take the case of religion into their own hands; they may appoint teachers in every State, county, and parish, and pay them out of the public treasury; they may take into their own hands the education of children, establishing in like manner schools throughout the Union, etc.

It would seem, in considering these prophetic words, "that coming events cast their shadows before," and that Mr. Madison foresaw the attempt now being made by the pending bill.

Mr. Hamilton's position is in direct opposition to that of Jefferson and Madison. He contended "that Congress could be considered as only under one restriction which does not apply to other Governments. They can not apply the money they raise to any purpose merely and purely local, but with this exception they have as large a discretion in relation to the application of money as any legislature whatever."

It is evident that under this construction the powers of Congress are unlimited, for the body which enacts the law is the only tribunal to determine whether its purpose is national or local, and when its discretion is once exercised there is no appeal. Religion, education, temperance, chastity, not being of local character, could be regulated by Congress.

Instead of the Constitution creating a dual government, the National Government with certain enumerated powers and the States with other powers, Mr. Hamilton's idea was that the only limitation upon the power of Congress rested upon the single inquiry, whether the object of the law was national or local.

It is true that President Monroe went further than Jefferson or Madison, and admitted the right of Congress to go beyond the enumerated powers of appropriation specified in the Constitution, but he never went so far as the advocates of this bill, or as the great founder of the Federal party, Mr. Hamilton.

The following language on the Cumberland Road bill shows the full extent to which he ever went upon this question:

If, then, the right to raise and appropriate the public money is not restricted to the expenditures under the other specified grants, according to a strict construction of either powers, respectively, is there no limitation to it? Have Congress a right to raise and appropriate the public money to any and every purpose, according to their will and pleasure? They certainly have not. The Government of the United States is a limited government, instituted for great national purposes, and for those only. Other interests are committed to the States, whose duty it is to provide for them. Each government should look to the great and essential purpose for which it was instituted, and confine itself to those purposes.

Again, General Jackson, who could not find in the Federal Constitution the power to distribute the $28,000,000 in the Treasury in 1836—and the territorial and general-welfare clauses then stood as they stand to-day—in his veto message on the Maysville Road bill, in speaking of the power of Congress to appropriate money to objects other than those mentioned in the enumerated power, says:

Yet, such grants have always been professedly under the control of the general principle that the work which might be thus aided should be of a general, not local, national, not State, character. A disregard of this distinction would of necessity lead to the subversion of the Federal system.

And, sir, the question now is when we are called upon to exercise a doubtful power, to which class does it belong? Does it belong to the enumerated national powers or to those of the States? Is it a power which was given to the National Government, or is it a power which was reserved to the States or the people thereof?

To quote Jefferson, Madison, Monroe, or Jackson in favor of the Hamiltonian doctrine is a monstrous outrage unsupported by a single declaration from either of these eminent men.

They believed and contended, as true Democrats believe and contend now everywhere, that the grants enumerated in the Constitution limit the power of Congress to appropriate the public money, and that the Government is not one of unlimited powers.

It is no answer to this argument that many of us have voted for bills of doubtful constitutionality under plaintive and eloquent appeals in behalf of sufferers from flood or famine, or where epidemic diseases threatened to become general in their ravages throughout the country. I have been taunted with votes of this character by gentlemen to whose eloquence I gave up my own judgment for the time. For one, I am prepared to say now that if I had known the mischievous use for which those votes would be used as precedents and arguments for such legislation as that now pending, I could not have been induced by any sort of appeal to surrender, even by implication, my settled convictions as to the power of Congress. And if a public apology can do anything towards meeting the argument based upon those votes, I now make it.

I have already said that this bill should be entitled "An act to erect a monument to the memory of Alexander Hamilton." It breathes the spirit of centralization and paternal government in every section and line. It provides in section 4:

SEC. 4. That no State or Territory shall receive any money under this act until the governor thereof shall file with the Secretary of the Interior a statement, certified by him, showing the common-school system in force in such State or Territory; the amount of money expended therein during the last preceding school year in the support of common schools, not including expenditures for the rent, repair, or erection of school-houses; whether any discrimination is made in the raising or distribution of the common-school revenues or in the common-school facilities afforded between the white and colored children therein, and, so far as is practicable, the sources from which such revenues were derived; the manner in which the same were apportioned to the use of the common schools; the number of white and colored children in each county or parish and city between the ages of ten and twenty-one years, both inclusive, as given by the census of 1880, and the number of children, white and colored, of such school age attending school; the number of schools in operation in each county or parish and city, white and colored; the school term for each class; the number of teachers employed, white and colored, male and female, and the average compensation paid such teachers; the average attendance in each class; and the length of the school term. No money shall be paid out under this act to any State or Territory that shall not have provided by law a system of free common schools for all of its children of school age, without distinction of race or color, either in the raising or distributing of school revenues or in the school facilities afforded: *Provided*, That separate schools for white and colored children shall not be considered a violation of this condition. The Secretary of the Interior shall certify to the Secretary of the Treasury the States and Territories which he finds to be entitled to share in the benefits of this act, and also the amounts due to each.

In section 12 it is provided:

SEC. 12. That no second or subsequent allotment shall be made under this act to any State or Territory unless the governor of such State or Territory shall first file with the Secretary of the Interior a statement, certified by him, giving a detailed account of the payments or disbursements made of the school fund apportioned to his State or Territory and received by the State or Territorial treasurer or officer under this act, and of the balance in the hands of such treasurer or officer withheld, unclaimed, or for any cause unpaid or unexpended, and also the amount expended in such State or Territory as required by section 9 of this act, and also a statement of the number of school districts in such State or Territory, and whether any portion of such State or Territory has not been divided into school districts or other territorial subdivisions for school purposes, and if so, what portion, and the reasons why the same has not been so subdivided; the number of children of school age in each district, and the relative number of white and colored children in each district, and of the number of public, common, and industrial schools in each district; the number of teachers employed; the rate of wages paid; the total number of children in the State or Territory, and the total number taught during the year and in what branches instructed; the average daily attendance and the relative number of white and colored children; and the number of months in each year schools have been maintained in each school district. And if any State or Territory shall misapply or allow to be misapplied, or in any manner appropriated or used other than for the purposes and in the manner herein required, the funds, or any part thereof, received under the provisions of this act, or shall fail to comply with the conditions herein prescribed, or to report as herein provided, through its proper officers, the disposition thereof, and the other matters herein prescribed to be so reported, such State or Territory shall forfeit its right to any subsequent apportionment by virtue hereof until the full amount so misapplied, lost, or misappropriated shall have been replaced by such State or Territory and applied as herein required, and until such report shall have been made: *Provided*, That if the public schools in any State admit pupils not within the ages herein specified, it shall not be deemed a failure to comply with the conditions herein. If it shall appear to the Secretary of the Interior that the funds received under this act for the preceding year by the State or Territory have been faithfully applied to the purposes contemplated by this act, and that the conditions thereof have been observed, then and not otherwise the Secretary of the Interior shall distribute the next year's appropriation as is hereinbefore provided. And it shall be the duty of the Secretary of the Interior to promptly investigate all complaints lodged with him of any misappropriation by or in any State or Territory of any moneys received by such State or Territory under the provisions of this act, or of any discrimination in the use of such moneys; and the said complaints, and all communications received concerning the same, and the evidence taken upon such investigations, shall be preserved by the Secretary of the Interior, and shall be open to public inspection and annually reported to Congress.

Now let us examine very briefly the practical operation of this law. Suppose the governor of the State of Mississippi files his report to the Secretary of the Interior as required by the provisions of section 4; in the mean time the General Government has passed under the control of the Republican party, and whilst this report is pending a negro massacre is charged to have occurred within that State. Resolutions are immediately introduced in both Houses of Congress calling upon the Secretary to suspend the payment of the pro rata amount going to Mississippi under the provisions of this law, and for a committee of inquiry.

It will be, of course, denied that the amount appropriated has been justly and equitably divided between the white and colored children of the State, and witnesses will be forthcoming to prove it. The result will inevitably be that a sovereign State must stand uncovered before the Secretary of the Interior, pleading and begging for justice, a spectacle which should gladden the soul of every true Federalist.

Mr. President, I favor universal education, and I would be glad if every child in the United States, without distinction as to sex or color,

could be taught to read and write; but this is not all of education. There is something above and beyond the mere ability to read and write; the highest education is that which teaches self-respect and individual independence. Without this individuals and communities must deteriorate.

The overruling idea of the men who made the Constitution was that the States should be independent of the Federal Government as to all functions and powers given to them, and when the States are compelled to appear for cross-examination and as suppliants for so much money, the idea is absolutely destructive of their independence.

Committees of inquiry, and espionage of the most humiliating kind, with swarms of Federal spies and inspectors, will follow the enactment of this law. Dependence means degradation, and the first step in that direction has been taken when the people of the South can entertain for a moment the propositions contained in this bill.

It is useless for Senators to conceal from themselves the meaning of this measure. It is intended to destroy the entire common-school system of the States, and to put upon it the stamp of Federal authority. Whilst the bill declares in one section that its object is to assist the States, and not to establish an independent system of education, its other provisions contradict the assertion. The leaders of the Republican party know its meaning, and what they mean in supporting it.

The Senator from Ohio [Mr. SHERMAN] said when the bill was debated in the Forty-eighth Congress:

> I said a moment ago, and I repeat it with full reflection, that I do not think the United States, when they come to deal with this matter, ought to trust the settlement of the important questions that grow out of this new policy to the action of the people of the Southern States, because the force of prejudice, the force of education, is so strong and potent, even on the minds of the most intelligent men, that I do not believe the United States would act wisely in conferring upon the Southern States absolute power over education and the expenditure of the money involved in it. I say this, not in any feeling of unkindness to the people of the South, but from a deep conviction that owing to the prejudices of race, owing to the influences of slavery still darkening the minds—
>
> Poor unfortunate people!—
>
> and which, probably, will darken their minds for two or three generations, they can not be left alone to decide how and in what manner the money to be appropriated by Congress for the education of the illiterate shall be applied. The policy and mode should be pointed out clearly by Congressional law, so that the object to be accomplished by the United States may be fixed, not by the law of any State, but by the judgment of the representatives of the people and of the States.

That is, by Congress, of course. Pursuing the subject, Mr. SHERMAN further said:

> The United States, when it appropriates money, selects an agent to disburse this money of its own, and may make conditions. If the United States have the right to appropriate the money, they have the right to say on what conditions the money shall be expended. If they say we will aid the South or the Southern States to educate their illiterate children, then the United States have the power and the right to set out the principles and conditions or limitations of that grant. The greater includes the less; and if the power is given to make these appropriations at all, the power is also given to say for whose benefit the money shall be expended, where and when and how appropriated, and for what purposes. This is as clear a proposition as any can be shown in Euclid or any other mathematical work.—*Congressional Record*, March 26, 1884, pages 2428, 2429.

If this bill does not put the whole common-school system under the control of the General Government, somebody is egregiously mistaken, and it is safe to say that it is not the Senator from Ohio.

After the Southern States have once come under the influence of the Federal stimulant, after they have erected school-houses and employed teachers, and become accustomed to depending upon Federal appropriations, does any sane man believe that they will exert themselves as now for their common schools, or dare to incur the displeasure of the national authority?

Home rule, self-government, State independence, will all give way before the craving for more appropriations. To accept money under the terms of this bill is to surrender all that makes State authority respectable.

I am the sincere friend of education, but I do not believe that the millennium predicted by the author of this measure will follow its enactment. The ability to read and write will not decrease crime in the ratio stated by certain enthusiasts, nor is illiteracy strangling the Republic like some immense serpent coiled about its victim.

The Republican Senators now rushing this bill to its passage ought to have thought of this monster before giving suffrage to the ignorant and half-civilized negroes.

Now they stand upon a pedestal, and pretend to be horror-stricken at the result of their own policy. The real horror comes from the fact that the Southern States still vote the Democratic ticket. Republican statesmen openly proclaim negro suffrage a failure, and piteously lament that, whilst it has increased the representation of the Southern States, it has also increased the electoral vote of their political opponents.

We are asked now to support a measure of at least doubtful constitutionality because the life of the nation is in imminent danger from illiteracy, and this Hall resounds with declamation in behalf of education, and in depicting the increase of crime and poverty by reason of illiteracy in the Southern States.

The Senator from New Hampshire [Mr. BLAIR] has placed before us immense tables of statistics taken from the census of 1880, with long lines of figures drilled and arranged like the standing armies of Europe, all showing that illiteracy and crime go hand in hand, whilst morality and education are twin sisters.

I hope that I may be pardoned for calling attention to certain startling statistics taken from the same census of 1880, which I offer as a supplement to the copyrighted edition of my friend from New Hampshire.

The rule of law is unquestioned that a witness put upon the stand for any purpose is subject to examination as to the whole case. This census is the foundation of all the argument made by the Senator from New Hampshire, and I have a legitimate right, without being the opponent of universal education, to examine the statements of the census to see what credit should be given to it. I do so the more cheerfully because in all the wilderness of figures he has furnished I find nowhere what is most important in this discussion, the effect of common-school education, as shown by the census, upon crime and the morality of the people.

I ask attention to the following table, carefully compiled from the census of 1880:

*Table showing the comparative diffusion of common-school instruction, and morality, in the United States, from the census of 1880.*

| States. | Total population over ten years. | | | | Native population over ten years. | | | |
|---|---|---|---|---|---|---|---|---|
| | Unable to read in one thousand. | Prisoners; one in every— | Rank in instruction. | Rank in morality. | Unable to write in one thousand. | Prisoners; one in every— | Rank in instruction. | Rank in morality. |
| Alabama | 435 | 609 | 36 | 23 | 250 | 2,216 | 35 | 6 |
| Arkansas | 288 | 693 | 30 | 15 | 255 | 1,376 | 36 | 13 |
| California | 71 | 256 | 20 | 37 | 20 | 396 | 7 | 37 |
| Colorado | 59 | 416 | 19 | 34 | 71 | 424 | 22 | 36 |
| Connecticut | 42 | 679 | 12 | 19 | 10 | 837 | 2 | 25 |
| Delaware | 153 | 1,351 | 25 | 3 | 81 | 2,828 | 24 | 3 |
| Florida | 380 | 671 | 32 | 20 | 207 | 5,734 | 31 | 1 |
| Georgia | 428 | 568 | 35 | 26 | 232 | 2,662 | 34 | 4 |
| Illinois | 43 | 680 | 13 | 18 | 53 | 749 | 20 | 29 |
| Indiana | 48 | 897 | 16 | 11 | 68 | 1,025 | 21 | 22 |
| Iowa | 24 | 1,442 | 1 | 2 | 26 | 1,435 | 13 | 12 |
| Kansas | 36 | 543 | 4 | 30 | 31 | 628 | 15 | 32 |
| Kentucky | 222 | 817 | 27 | 12 | 228 | 1,920 | 33 | 8 |
| Louisiana | 458 | 602 | 37 | 24 | 198 | 2,050 | 30 | 7 |
| Maine | 35 | 1,273 | 3 | 5 | 19 | 1,442 | 5 | 11 |
| Maryland | 160 | 551 | 26 | 29 | 78 | 1,142 | 23 | 18 |
| Massachusetts | 53 | 595 | 18 | 35 | 7 | 483 | 1 | 35 |
| Michigan | 38 | 643 | 7 | 22 | 23 | 693 | 10 | 31 |
| Minnesota | 37 | 1,308 | 6 | 4 | 19 | 1,139 | 5 | 19 |
| Mississippi | 419 | 567 | 34 | 27 | 166 | 2,475 | 27 | 5 |
| Missouri | 80 | 757 | 23 | 14 | 111 | 1,029 | 25 | 21 |
| Nebraska | 25 | 817 | 2 | 12 | 23 | 823 | 10 | 27 |
| Nevada | 73 | 254 | 21 | 38 | 11 | 338 | 3 | 38 |
| New Hampshire | 42 | 1,048 | 11 | 7 | 11 | 1,161 | 3 | 16 |
| New Jersey | 45 | 541 | 14 | 31 | 32 | 697 | 16 | 30 |
| New York | 42 | 452 | 10 | 37 | 22 | 523 | 9 | 34 |
| North Carolina | 383 | 592 | 33 | 25 | 317 | 1,013 | 28 | 23 |
| Ohio | 36 | 934 | 4 | 10 | 43 | 1,166 | 18 | 15 |
| Oregon | 41 | 760 | 9 | 23 | 35 | 950 | 17 | 24 |
| Pennsylvania | 46 | 655 | 15 | 21 | 48 | 831 | 19 | 26 |
| Rhode Island | 79 | 688 | 22 | 16 | 29 | 773 | 14 | 28 |
| South Carolina | 482 | 1,039 | 38 | 8 | 224 | 5,263 | 32 | 2 |
| Tennessee | 277 | 498 | 29 | 32 | 278 | 1,054 | 37 | 20 |
| Texas | 241 | 933 | 28 | 33 | 139 | 574 | 26 | 33 |
| Vermont | 49 | 1,611 | 17 | 9 | 24 | 1,144 | 12 | 17 |
| Virginia | 340 | 681 | 31 | 17 | 185 | 1,914 | 28 | 9 |
| West Virginia | 121 | 1,087 | 24 | 6 | 186 | 1,325 | 29 | 14 |
| Wisconsin | 40 | 1,614 | 8 | 1 | 20 | 1,671 | 7 | 10 |

It will be seen by an examination of this table that of all the States in the Union Iowa's entire population is best instructed. There are in Iowa only 24 in 1,000 who can not read, whilst in South Carolina there are 482 in 1,000 of the entire population who can not read. In Iowa 1 in every 1,442 is a prisoner, whilst in South Carolina 1 in every 1,039 is a prisoner.

Whilst the difference in common instruction is so enormous in favor of Iowa, being as 20 to 1, the difference of crime in favor of Iowa is only as 7 to 5.

The ten States of the Union which lead in the matter of common-school instruction rank as follows: Iowa, Nebraska, Maine, Kansas, Ohio, Minnesota, Michigan, Wisconsin, Oregon, and New York. Of these ten States Wisconsin is 1st in morality and 8th in instruction.

I call attention to the fact that these States all belong to the same class. I know it will be said when comparing Southern with Northern States that the laws are so much better enforced in the North than in the South that the parallel does not hold; but here are States of the same climatic condition, with the same class of population, and with no negroes.

Wisconsin is 1st in morality, 8th in instruction; Iowa is 2d in morality, 1st in instruction; Minnesota is 3d in morality, 6th in instruction; Maine is 4th in morality, 3d in instruction; Ohio is 5th in morality, 5th in instruction; Nebraska is 6th in morality, 2d in instruction; Michigan is 7th in morality, 7th in instruction; Oregon is 8th in

morality, 9th in instruction; Kansas is 9th in morality, 4th in instruction; New York is 10th in morality, 10th in instruction.

I call attention to the fact that when these States are compared with each other, all of them being what are known as free States, it will be seen that Wisconsin is high in morality, but low in instruction; Nebraska and Kansas are low in morality, but high in instruction. In three only of these States do the figures indicate that crime is commensurate with illiteracy.

The ten most illiterate States are Tennessee, Arkansas, Virginia, Florida, North Carolina, Mississippi, Georgia, Alabama, Louisiana, and South Carolina.

South Carolina is 1st in morality, 10th in instruction; Arkansas is 2d in morality, 2d in instruction; Virginia is 2d in morality, 3d in instruction; Florida is 4th in morality, 4th in instruction; Alabama is 5th in morality, 8th in instruction; Louisiana is 6th in morality, 9th in instruction; North Carolina is 7th in morality, 5th in instruction; Georgia is 8th in morality, 7th in instruction; Mississippi is 9th in morality, 6th in instruction; Tennessee is 10th in morality, 1st in instruction.

It will be noticed that of these States, which were all slave States, South Carolina, whilst the most illiterate, is the most moral, and Tennessee, with the highest education, is the most criminal. In only three of these States is crime commensurate with illiteracy.

The foregoing figures are based upon the total school population in the States mentioned, and whilst it will be found that there is a considerable difference of morality in favor of the better instructed States, it is also true that the greater criminality of the illiterate States is not in proportion to their illiteracy.

Wisconsin, whilst not the best instructed, is the best of the first group in morality, whilst Tennessee is seven times as illiterate but only three and one-half times as criminal as Wisconsin.

If we consider now the white population only, we find that in Massachusetts there are only 7 in 1,000 unable to write, whilst in North Carolina there are 317 in 1,000 who can not write, and yet according to the census there is more than twice as much crime among the native white population of Massachusetts as among the same class in North Carolina.

Of all the States as to native whites, Massachusetts ranks 1st in instruction and 35th in morality; Connecticut ranks 2d in instruction and 25th in morality; New Hampshire ranks 3d in instruction and 16th in morality; Nevada ranks 4th in instruction and 38th in morality; Maine ranks 5th in instruction and 11th in morality; Minnesota ranks 6th in instruction and 19th in morality; Wisconsin ranks 7th in instruction and 10th in morality; Delaware ranks 24th in instruction and 3d in morality; Florida ranks 31st in instruction and 1st in morality; South Carolina ranks 32d in instruction and 2d in morality; Kentucky ranks 33d in instruction and 8th in morality; North Carolina ranks 38th in instruction and 23d in morality.

The figures in regard to Massachusetts and North Carolina have been given. The figures for the other States are equally important and suggestive. Thus, in Connecticut only 10 in 1,000 are unable to write; in New Hampshire, only 11. In South Carolina, 224 in 1,000 can not write; in Florida, 207. In Connecticut, 1 in every 837 is a prisoner; in New Hampshire, 1 in every 1,161. In South Carolina, 1 in every 5,203 is a prisoner; in Florida, 1 in every 5,731. That is to say, in Connecticut and New Hampshire ability to write is twenty times as extensive among the native white population as it is in South Carolina and Florida, yet there is five times as much crime in proportion in Connecticut and New Hampshire as there is in South Carolina and Florida.

Mr. HAWLEY. I should like to ask a single question at that point, which may throw a little light on these statistics. Suppose that a State never prosecuted anybody for crime, it would stand first in the table for morality?

Mr. VEST. I have attempted to answer that proposition by comparing States which belong to the same class, with the same institutions and the same climatic condition. I grant that point would be well taken if I compared only States in the South with States in the North, but I compare Southern States with Southern States and Northern States with Northern States, and I show from this census, which, if it is worth anything, proves what I say, that illiteracy and crime do not go together. I take States which are exactly alike in all their conditions, and I show as between those States that the best educated State is not the best governed State and not the most moral.

Mr. BLAIR. When the Senator is through on that point I wish to call his attention to one aspect of the matter; and I shall do so now, if agreeable to him.

Mr. VEST. I do not wish to have a speech injected into mine.

Mr. BLAIR. I should like before the Senator leaves this point to suggest one thing for his consideration.

Mr. VEST. Certainly.

Mr. BLAIR. I do not know in regard to this comparison of States as between themselves, but I have examined this matter in the individual States, and it has been a subject of careful examination by those who have given attention to it in many different nations. It has always been found to be the case that in a given community a very much larger proportion of crime was committed by the illiterate than by the educated people of the same community. In the State of New York, for instance, of the crime committed in that State there is at least nine times as large a proportion committed by illiterates as by educated people, comparing the relative numbers of the two classes, and that is true of every State; it is true of every nation.

I have statistics which at the proper time I shall submit to the Senator's examination, showing that wherever an illiterate population and an educated population live together in the same community, under the same conditions, crime is committed by the illiterate population to at least ten times the proportion that it is committed by the educated population.

Mr. VEST. It is greatly to be regretted, without attributing any indirect motive to the author of this bill, that with all his vast labor, with his statistics bewildering and labyrinthine, he stumbled over the very question which every legislator must first consider. What is the effect of illiteracy upon government? What is the effect upon crime? In all these tables he has not given what he says is at his fingers' end.

Mr. BLAIR. If the Senator will look at the twenty-seventh page of the same pamphlet he will find it given very elaborately.

Mr. VEST. As to the effect?

Mr. BLAIR. As to the relative crime committed by the literate and illiterate classes.

Mr. VEST. But I mean a comparison between the States.

Mr. BLAIR. That is not pertinent to the discussion.

Mr. VEST. I am not here attacking education; I am here attacking the correctness of the deduction which the Senator makes from this census. I very much believe that you can take the census and prove anything out of it.

Mr. BLAIR. If the Senator will permit me there is nothing in any of the tables instituting any comparison between illiteracy and crime, and no argument that I have made with reference to this bill calls for any such comparison. What I have incorporated here has been before the Senate for a long time in this pamphlet, the elaborated deduction of a distinguished gentleman from New York; indeed, of two gentlemen. The Senator can find it on the twenty-sixth and twenty-seventh pages of the pamphlet, and I call the attention of other Senators to that same matter.

Mr. VEST. Mr. President, it is not necessary to pursue the discussion and run the figures over to show that they prove certain things; they prove too much for the purpose of the other side. They prove that illiteracy and crime do not go together in the ratio claimed. That I purpose to establish by the very authority claimed by the Senator from New Hampshire. I am not attacking education, but I am attacking the monstrous claim that this bill is a panacea for all the evils which afflict the body politic. Many things create crime—the climate, the general conditions of life, nativity, density of population—and yet to listen to the speeches made on this floor for the last four years here is the universal panacea, the philosopher's stone politically that solves every doubt with regard to the future of this country. It does not do it. I should like to educate the people. If education does not make every man better, it makes him more useful and a better political agent in the creation of material wealth. When any man or any set of men undertake to tell me that they have discovered the great secret of the art of governing mankind in one single omnibus measure like this, I hope I shall be excused for entering a slight dissent.

Another singular fact is apparent from these tables, that in Pennsylvania, Illinois, Missouri, Ohio, Colorado, and Kentucky, whilst the entire populations, white, colored, native and foreign, are better instructed, they are more criminal than the native white populations.

These States differ largely; some of them are manufacturing States and some of them agricultural; some have large cities and some have none, but the census shows that they agree in one respect, namely, their native white populations are at once more ignorant and more moral than their entire populations. If we now eliminate the immigrant class and compare the native whites of Louisiana, Florida, South Carolina, Kentucky, Georgia, and Alabama with the native whites of the well-instructed States of Massachusetts, Connecticut, New Hampshire, Nevada, Minnesota, and Maine, we find that the more ignorant are the more moral.

In Massachusetts one in every 473 is a prisoner, and in Florida one in 5,734.

If we compare States belonging to the same class, such as Virginia, North Carolina, South Carolina, and Florida, we find that Virginia is 1st in instruction but 2d in morality; North Carolina is 2d in instruction and 3d in morality; South Carolina is 4th in instruction and 1st in morality, whilst Georgia is 3d in instruction and 4th in morality.

If we are met with the statement that these remarkable figures are produced by the better administration of justice in the Northern States, we reply that this objection is answered by the fact that crime and illiteracy do not go together in States which belong to the same section and have the same institutions, such as the four we have last named. South Carolina, for instance, stands first in morals and third in education, whilst Georgia is less ignorant but more criminal.

If we consider the Northeastern States, we find that Maine is better instructed and less criminal than New Hampshire, whilst Connecticut

is better instructed but more criminal than either Vermont or Rhode Island.

If we consider the native white population only in these States, Maine is more ignorant and less criminal than New Hampshire; New Hampshire is better educated but slightly less criminal than Vermont, and Vermont has double the illiteracy of Connecticut, but is much better in morals. At the same time, Connecticut is much better instructed than Rhode Island, but slightly better in morals.

If we pass to the Southwest, we find that Arkansas is more ignorant but much less criminal than Texas, and in the Northwest we find that Iowa's total population is better instructed and more criminal than Wisconsin, whilst as to the native whites Wisconsin is better instructed and less criminal than Iowa.

Mr. HOAR. Will the Senator be kind enough to state for the information of the Senate what is the precise statistic which he speaks of as the statistic of morality or criminality?

Mr. VEST. I stated that.

Mr. HOAR. I beg the Senator's pardon; my attention was called away when he stated it.

Mr. VEST. The census of 1880 undertakes to find out the morality of the people of the respective States by the number of prisoners.

Mr. HOAR. By the number of prisoners?

Mr. VEST. By the charges made of a criminal character of all sorts, both felonious and misdemeanors.

Mr. HOAR. The Senator states in one sentence two different things. First, he says the number of criminals; second, he says the charges made of a criminal character. What I wish to understand, if I am not disturbing the Senator, is whether the statistics which he gives are the enumeration of persons convicted of crime, the enumeration of persons charged with crime, or the enumeration of persons sent to prison for crime? What are the figures of?

Mr. VEST. As I understand, the census enumerators simply reported the number of persons who were indicted or charged with crime and arrested. They did not undertake to go through the record and find who had been convicted.

Mr. HOAR. So if one State, for instance, makes drunkenness, or, as we had in Boston for a great many years, smoking in the streets an offense, and another State does not, the five thousand persons arrested in Boston for smoking in the streets would be counted under that class and would not be counted in Portsmouth, N. H.?

Mr. VEST. I do not know but that such is the case. I know that there is a large number of very respectable people in this country who think drunkenness is a very much greater crime than some of the felonies, and they are now proposing to legislate on that idea. *De gustibus non est disputandum.*

Mr. HOAR. I did not propose to interrupt the Senator, but I wished to ask him to state the precise statistics.

Mr. VEST. I take these figures as they occur; I am not responsible for them.

Mr. HOAR. I did not criticise the figures; I merely wanted to understand them.

Mr. VEST. I did not frame the census act. I had very little to do with appointing enumerators. This census is brought here as the fountain of all argument in favor of this bill, and I am simply finding out what it proves altogether.

If we consider the thirteen original States of the Union, and compare the native white population, we find that Massachusetts is better instructed but more criminal than New York, Pennsylvania, or Maryland. New York is next to Massachusetts in point of instruction. Pennsylvania is better instructed but more criminal than Maryland, the latter State being of the four we have named the most ignorant and the most moral.

In the remaining nine of the thirteen original States Connecticut is 1st in instruction, but more criminal than any of the others, except Rhode Island and New Jersey. New Hampshire is 2d in instruction, but more criminal than either South Carolina, Delaware, Georgia, or Virginia. This fact I commend particularly to the distinguished author of this bill.

Rhode Island is 3d in instruction, but worse in morals than any except New Jersey, which is worst of all in morals, but 4th in education. North Carolina is the most ignorant, but 6th in morals. Georgia stands 8th in education, but 3d in morals; South Carolina is 7th in education, but 1st in morals; whilst of the whole thirty-eight States Florida, in respect to the native whites, is most moral, and South Carolina is next.

I wish to say here that I have no doubt in the world the statistics in regard to New Jersey came not from illiteracy, but in a large measure from the peculiar locality of that State, with the two great cities of the Union upon each side of it, with Philadelphia on one side and New York on the other, and with a dense population, many of them in manufacturing districts.

Mr. McPHERSON. The Senator will bear with me for a moment. While I do not wish to interrupt him, it would be perhaps well for me to say a word in that connection in regard to the State of New Jersey, that it may be better understood than the Senator is now leaving us to understand. For instance, some of the little towns along the seashore which have a resident population of two or three thousand people will have during the summer months a registered population of perhaps 70,000 or 80,000 people. Some of them come from the Senator's own State, I believe, as it is almost the only place in the Union where people can keep cool in summer. I have distinct recollection of several Missourians having been arrested at Long Branch last summer for some default in respect to their conduct.

As the Senator says, the State of New Jersey is sandwiched, so to speak, between the great States of Pennsylvania and New York. On Sundays there is a great exodus from both those States to the State of New Jersey. Our police force must needs be increased four or five fold in order to keep these alien citizens in something like good order. As the Senator has already said, his statement is based upon the number of arrests which represents the crime. Certainly I have known our jails and every place of moral reform that we have located along the seashore, along the line between these two great States, to be filled on Monday morning with prisoners.

Therefore I say the statement is not fair with respect to New Jersey, for New Jersey does stand about as high in point of educational facilities as any State in the Union. I think there is but a small difference between New Jersey and New York.

Mr. VEST. I tried to say that. I tried to convey the same idea, that it was possibly this peripatetic population which has increased the ratio of arrests for crime in New Jersey. I have no doubt Missouri has contributed to that end by some of her people going to New Jersey and remaining until they have forgotten their moral education in their own State and furnished an illustration of the old axiom that "evil communications corrupt good manners."

It is not my purpose in presenting these figures, taken from the census of 1880, and for which I am not at all responsible, to depreciate the value of common-school education; but it is my purpose to show the monstrous exaggeration and the fanatic enthusiasm which have pervaded the discussion of this bill, and that the census, from which its friends draw their arguments, proves too much.

It has been assumed here in debate and in the public press that illiteracy was the great fountain of crime, and that universal education would be accompanied by universal morality.

These tables show beyond question that there are other factors besides education to be considered in this discussion. Religion, nativity, climate, density of population, and many other factors, enter into the question, and for any man or set of men to claim the discovery of a panacea for all the ills which afflict the body politic, is simply nonsense.

I am willing and anxious to educate the people of this country, but I propose to do it with the instrumentalities pointed out by the Constitution, and not to destroy that instrument by following blindly and without question every new evangel which comes with education as its shibboleth.

It would be supposed, Mr. President, from what we have heard upon this floor and throughout the country, that illiteracy is strangling in its serpent folds all prosperity and energy in the Southern States. I have before me now, taken from the Manufacturers' Review, of Baltimore, a statement in regard to the progress of the South during the past year, which absolutely disproves this monstrous assertion.

Of the fourteen Southern States, there are only four in which capital invested in new enterprises is not double the amount invested in 1886.

Think of that! But four in these poor, miserable States, now groaning under this terrible load of illiteracy! A wonderful people that white population must be! The ancient Romans, who carried their eagles in conquest to the farthest confines of the then known world, must pale their glories before the white men of the South, if they are to be judged by the statistics of my friend from New Hampshire. If, with their black illiterates they still doubled their wealth during the past year, *io triumphe* to the Huguenot and Anglo-Saxon people who inhabit the plains and savannahs of the South! I am prouder to-day of my people and my lineage after this development than ever before, and I stand here, as a Southern man, to proclaim that if this census and these reports are reliable, no such people have ever been known on the face of the earth.

The number of new enterprises organized or established during 1887 is 3,430, as compared with 1,570 in 1886. The amount of capital, including capital stock of incorporated companies organized during 1887, is $256,298,000, as compared with $126,226,000 in 1886.

Seventy-seven new mills have been projected, many of them being now under construction, which is the largest number ever reported in one year. Cotton-mills have largely oversold their production, and many old mills are being enlarged to meet the demand for their goods. Alabama alone has secured during the year the location of five large car-building establishments, two at Decatur, and one each at Birmingham, Anniston, and Gadsden. The Anniston works have cost $1,000,000, and employ 1,000 mechanics, and will turn out twenty complete cars a day, comprising passenger, freight, parlor, and sleeping cars, the entire work, from wheels to upholstering, to be done in these shops.

In the building of rolling-mills, pipe-works, machine-shops, and foundries the same activity is seen, while furniture factories, agricultural-implement works, flour-mills, gas and electric works, canning fac-

tories, and wood-working establishments are being started in all the Southern States.

In South Carolina a review of the year just ended shows an increase in agricultural, mining, and manufacturing products from $72,000,000 in 1880, to $101,000,000 in 1887. The increase in manufactures has been 91 per cent., and in live-stock 61 per cent. There are now in the State three thousand manufacturing establishments, whilst the product of the phosphate mines has grown from 125,000 tons in 1880, to 432,000 tons in 1887.

Nor is this wonderful progress confined to material wealth. Equal advance has been made in education, until it can be confidently asserted from actual experience that the Southern States are able, without becoming mendicants, to educate all the children within their limits.

It is true that a large number of illiterates in these States can never be reached by the pending bill or any other means.

Out of the 4,715,495 persons in the South in 1880 over ten years of age who could not write, 2,961,371, or about two-thirds, were men and women over twenty-one years old and beyond the reach of legislation.

This simple statement eliminates in one sentence much of the sensational declamation for the passage of this bill.

The following table, compiled from the reports of school superintendents in the respective States and published in the New York Evening Post, shows that the Southern States have a common-school system supported by their own people equal to that of Maine, New Hampshire, and Vermont from 1860 to 1870, and which proved sufficient for the advanced civilization of New England:

| State. | Per cent. enrolled. | Average daily attendance. | Length of school year in days. | Amount expended per pupil. |
|---|---|---|---|---|
| Maine | 69 | 68 | 104 | $7.75 |
| New Hampshire | 64 | 71 | 100 | 9.63 |
| Vermont | 72 | 68 | 126 | 8.37 |
| Delaware | 77 | 61 | 157 | 6.88 |
| Maryland | 55 | 51 | 182 | 10.09 |
| Virginia | 52 | 57 | 120 | 4.59 |
| West Virginia | 73 | 61 | 100 | 5.99 |
| Missouri | 68 | 75 | 113 | 8.13 |
| Texas | 79 | ..... | 100 | 6.78 |
| Florida | 93 | 73 | 90 | 5.37 |
| Tennessee | 61 | 59 | 78 | 3.73 |
| Minnesota | 62 | 45 | 112 | 12.63 |
| Kansas | 74 | 68 | 115 | 9.50 |
| Nebraska | 66 | 60 | 120 | 13.39 |
| Alabama | 56 | 62 | 83 | 2.30 |
| Mississippi | 60 | 58 | 77½ | 3.01 |
| South Carolina | 63 | 69 | 70 | 2.41 |
| North Carolina | 56 | 62 | 62 | 2.12 |
| Georgia | 57 | 66 | 65 | 2.12 |
| Kentucky | 49 | 63 | 102 | 2.48 |
| Arkansas | 48 | ..... | ..... | 3.67 |
| Louisiana | 19 | 69 | 102 | 4.24 |
| Maine, 1860–'70 | 60 | 78 | 99 | 5.05 |
| New Hampshire, 1860–'70 | 85 | 65 | 97 | 4.01 |
| Vermont, 1860–'70 | 78 | 64 | 119 | 5.06 |

From this table it will be seen that more than two-thirds of all children of school age attend school in Delaware, West Virginia, Missouri, Florida, and Texas; almost two-thirds in South Carolina, Mississippi, and Tennessee; and more than half in Maryland, Virginia, North Carolina, Georgia, and Alabama.

In Delaware, Maryland, Virginia, West Virginia, Kentucky, Missouri, Louisiana, and Texas the school year ranges from 100 up to 182 days, against 100 in New Hampshire now, and 99 in Maine and 97 in New Hampshire from 1860 to 1870.

The reports of school superintendents for 1884 show that in Florida 93 per cent. of all the children of school age, white and black, are enrolled; in Texas, 79; Delaware, 77; West Virginia, 73; Missouri, 68; South Carolina, 63; Tennessee, 61; Mississippi, 60.

In eight of the Southern States the average length of the school year ranges from 100 in Texas and West Virginia up to 182 in Maryland, whilst it falls below 75 days in only three.

In 1869 only 108,074 attended school in Virginia, whilst in 1884–'85 there were enrolled 303,343.

In Florida within the same period the number of scholars nearly doubled, the increase being from 38,315 to 62,327.

In Arkansas the enrollment increased from 112,233 in 1882–'83 to 153,216 in 1883–'84.

In Alabama the report of the State superintendent of schools shows that in four years the common schools have grown from 4,624 schools, with 177,428 pupils and a school fund of $392,904, to 5,595 schools, with 252,967 pupils and a school fund of $523,353.

In Arkansas the State superintendent reports that between 1883 and 1886 there has been an increase from 2,462 teachers, with 112,233 pupils and $479,471 expenditure, to 3,691 teachers, 175,935 pupils, and $866,892 expenditure.

In Georgia the State superintendent reports an increase in four years from 244,197 to 309,594 pupils, and of expenditure from $498,533 to $723,161.

In Florida the State superintendent reports the increase in school expenditure within four years from $133,260 to $400,000.

In the face of this record, evidencing beyond question the ability of the Southern people to educate the children, black and white, within their States, this bill is pressed to its passage.

Mr. President, I have loved the people of the South devotedly. I have shared their sorrows and gloried in their heroic fortitude under adverse fortune. They are now in presence of a great temptation, and if they yield to the tempter, if they barter away their history, traditions, principles, independence, and self-respect for this mess of Federal pottage, I shall turn away more in grief and shame than anger.

If this bill is passed, it will be by Southern votes; but there is one place of refuge still left for the Constitution.

The brave and honest man who is President of the Republic will prove false to the principles of his life, and of the great party which elected him, if he does not interpose his Executive veto in the path of this pernicious and undemocratic measure.

Mr. WILSON, of Maryland, obtained the floor.

Mr. HARRIS. I desire to ask the Senator from Maryland if he will yield to a motion to proceed to the consideration of executive business?

Mr. WILSON, of Maryland. I will.

Mr. SPOONER rose.

Mr. HARRIS. Do I understand the Senator from Wisconsin to rise for a purpose?

The PRESIDENT *pro tempore*. Does the Senat or from Tennessee yield to the Senator from Wisconsin?

Mr. HARRIS. I yield to the Senator from Wisconsin if he desires it.

### PUBLIC BUILDING AT MILWAUKEE.

Mr. SPOONER. I ask unanimous consent that the bill (S. 154) for the erection of a public building at Milwaukee, Wis., may be considered at this time. I think it will not elicit any debate.

The PRESIDENT *pro tempore*. The Senator from Wisconsin asks unanimous consent that the unfinished business may be informally laid aside in order that the Senate may consider the bill indicated by him. Is there objection? The Chair hears none, and the bill is before the Senate as in Committee of the Whole, and will be read at length.

The Secretary read the bill, which was reported from the Committee on Public Buildings and Grounds with an amendment in section 1, line 50, after the word "million" to insert "one hundred thousand," so as to make the proviso read:

*Provided, however*, That the said Secretary may, in lieu of purchasing an entirely new site as aforesaid, purchase additional necessary ground adjoining the site of the present public building in said city, and cause to be erected thereon said new building; but in the event that said present site shall be so utilized, for said new building, the cost of said building, including said additional ground, shall not exceed one million one hundred thousand dollars.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

### EXECUTIVE SESSION.

Mr. HARRIS. I renew my motion.

Mr. BLAIR. Mr. President——

Mr. HARRIS. If necessary, let the unfinished business be laid before the Senate.

Mr. BLAIR. Let the unfinished business be laid before the Senate.

The PRESIDENT *pro tempore*. The unfinished business has been laid before the Senate.

Mr. BLAIR. And laid aside.

The PRESIDENT *pro tempore*. And is pending, and the Senator from Maryland [Mr. WILSON] is entitled to the floor.

Mr. HARRIS. And I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty minutes spent in executive session the doors were reopened, and (at 4 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 10, 1888, at 12 o'clock m.

## NOMINATIONS.

*Executive nominations received by the Senate the 9th day of January*, 1888.

### CONSULAR.

William L. Bradford, of Alabama, to be consul of the United States at Barranquilla, *vice* Victor Vifquain, transferred to the consulate at Colon (Aspinwall).

J. Harvey Brigham, of Louisiana, now consul of the United States at Paso del Norte, to be consul at Kingston, Jamaica, *vice* Louis D. Beylard, resigned.

Charles Storck, of Texas, to be consul of the United States at Monterey, to fill a vacancy.

Thomas W. Hotchkiss, of New York, now commercial agent at Ottawa, Ontario, to be consul of the United States at that place.

Beckford Mackey, of South Carolina, now consul of the United States

at Nuevo Laredo, to be consul at Paso del Norte, *vice* J. Harvey Brigham, nominated to be consul at Kingston, Jamaica.

Lebbeus G. Bennington, of Ritchie C. H., W. Va., to be consul of the United States at Rio Grande do Sul, to fill a vacancy.

Jacob L. Doty, of Brooklyn, N. Y., now commercial agent at St. George's, Bermuda, to be consul of the United States at Tahiti, Society Islands, *vice* Dorence Atwater, resigned.

MELTER AND REFINER.

David K. Tuttle, of New Jersey, to be melter and refiner of the mint of the United States at Philadelphia, in the State of Pennsylvania, to succeed James C. Booth, whose resignation has been accepted.

REGISTER OF THE LAND OFFICE.

Jacob T. Ake, of Ironton, Mo., to be register of the land office at Ironton, Mo., *vice* James H. Chase, whose term of office will expire January 20, 1888.

POSTMASTERS.

Elizabeth J. Cook, to be postmaster at Arkadelphia, in the county of Clark and State of Arkansas, in the place of Mrs. Elizabeth J. Cook, whose commission expired January 7, 1888.

Isaac D. Price, to be postmaster at Newport, in the county of Jackson and State of Arkansas, in the place of Ada E. Remmel, whose commission expired January 8, 1888.

James L. Clark, to be postmaster at Glenwood Springs, in the county of Garfield and State of Colorado, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887.

Charles H. Edwards, to be postmaster at Portland, in the county of Middlesex and State of Connecticut, in the place of Charles H. Edwards, whose commission expires January 21, 1888.

Henry N. Pardee, to be postmaster at Northford, in the county of New Haven and State of Connecticut, in the place of Thomas A. Smith, whose commission expires January 16, 1888.

George T. Propper, to be postmaster at Wahpeton, in the county of Richland and Territory of Dakota, in the place of Barney C. Wilson, whose commission expires January 25, 1888.

John F. Kiddo, to be postmaster at Cuthbert, in the county of Randolph and State of Georgia, in the place of Duncan Jordan, whose commission expires January 23, 1888.

John F. Redding, to be postmaster at Barnesville, in the county of Pike and State of Georgia, in the place of William J. Fincher, whose commission expires January 23, 1888.

John W. Arnold, to be postmaster at Lockport, in the county of Will and State of Illinois, in the place of John H. Weeks, whose commission expires January 24, 1888.

Oliver N. Goldsmith, to be postmaster at Englewood, in the county of Cook and State of Illinois, in the place of Willard N. Smith, whose commission expires January 23, 1888.

Johnathan B. Stutsman, to be postmaster at Harlan, in the county of Shelby and State of Iowa, in the place of Benjamin I. Kinsey, whose commission expires January 15, 1888.

Lewis R. Norton, to be postmaster at Westfield, in the county of Hampden and State of Massachusetts, in the place of Reuben Noble, resigned.

Charles W. Price, to be postmaster at Fort Benton, in the county of Choteau and Territory of Montana, in the place of Michael A. Flanagan, whose commission expires January 23, 1888.

Charles A. Wustum, to be postmaster at Billings, in the county of Yellowstone and Territory of Montana, in the place of Lucius Whitney, whose commission expires January 25, 1888.

Sarah Hodgdon, to be postmaster at Deming, in the county of Grant and Territory of New Mexico, in the place of James P. Byron, whose commission expired January 8, 1888.

Henry R. Boyce, to be postmaster at Fonda, in the county of Montgomery and State of New York, in the place of Darius V. Berry, whose commisson expired January 8, 1888.

James Garvin, to be postmaster at Morristown, in the county of St. Lawrence and State of New York, in the place of Henry Russell, whose commisson expires January 24, 1888.

Michael D. Murray, to be postmaster at Johnstown, in the county of Fulton and State of New York, in place of Mortimer Wade, whose commission expired January 7, 1888.

Giles M. Stoddard, to be postmaster at Groton, in the county of Tompkins and State of New York, in place of Dana Rhodes, whose commission expires January 21, 1888.

Patrick Gaynor, to be postmaster at Franklin, in the county of Warren and State of Ohio, in the place of John M. Dachtler, resigned.

William Rowe, to be postmaster at Westerville, in the county of Franklin and State of Ohio, in the place of Mary M. Coggeshall, whose commission expires January 23, 1888.

George Flammer, to be postmaster at Covington, in the county of Miami and State of Ohio, in the place of Rush Reynolds, whose commission expired January 7, 1888.

Mrs. Frank A. Helm, to be postmaster at Corvallis, in the county of Benton and State of Oregon, in the place of Newton R. Barber, resigned.

William H. Allen, to be postmaster at Ennis, in the county of Ellis and State of Texas, in the place of F. Y. Goldsborough, resigned.

Laura W. Yarrington, to be postmaster at Eagle Pass, in the county of Maverick and State of Texas, in the place of John S. Sproull, whose commission expired December 20, 1887.

NOMINATION WITHDRAWN.

James H. Kerwin, to be postmaster at Glenwood Springs, in the State of Colorado.

## HOUSE OF REPRESENTATIVES.

### MONDAY, *January* 9, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Thursday last was read and approved.

DEFICIENCY APPROPRIATIONS.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting estimates of deficiencies in appropriations for current and last fiscal years for wages and contingent expenses of assay office at Boise City; freight on coin and bullion, assay offices; salaries, office of superintendent of State, War, and Navy Department building; officers' quarters, navy-yard, Mare Island, Cal.; and statistics of marriage and divorce, Bureau of Labor; which was referred to the Committee on Appropriations, and ordered to be printed.

WATERTOWN ARSENAL.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of War of an appropriation to improve the sanitary condition of the Watertown arsenal; which was referred to the Committee on Appropriations, and ordered to be printed.

ADDITIONAL CLERKS IN PENSION OFFICE.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Interior of an appropriation to pay for the employment of additional clerks in the Pension Office; which was referred to the Committee on Appropriations, and ordered to be printed.

CHARLES M'CAFFERTY AND D. AND C. P. DULL.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of War of an appropriation to pay Charles McCafferty and D. and C. P. Dull, contractors on the Great Kanawha River improvement; which was referred to the Committee on Appropriations, and ordered to be printed.

BISHOP & CO., OF HONOLULU.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate and letter from the Secretary of State in relation to the claim of Bishop & Co., of Honolulu; which was referred to the Committee on Appropriations, and ordered to be printed.

LIGHT AND FOG SIGNALS, MASSACHUSETTS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting estimates from the Light-House Board of appropriations for light and fog signals at Slate Ledge, Boston Harbor, Mass., and for the purchase of land at Pinos, Cal., light station; which was referred to the Committee on Commerce, and ordered to be printed.

GOVERNMENT FUNDS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a letter from the Secretary of State recommending that the United States consul at Iquique, Peru, be relieved from responsibility for the loss of Government funds by fire; which was referred to the Committee on Foreign Affairs, and ordered to be printed.

JOHN M'NAUGHTON.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting, with inclosures, a letter from the Second Auditor in relation to the "act for relief of John McNaughton;" which was referred to the Committee on Military Affairs, and ordered to be printed.

PROTECTION WALL, NAVY-YARD, LEAGUE ISLAND, PENNSYLVANIA.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a supplemental estimate from the Secretary of the Navy of an appropriation for dredging, for filling in, and for building a protection wall at the navy-yard, League Island, Pennsylvania; which was referred to the Committee on Naval Affairs, and ordered to be printed.

INDIAN AGENT AT OSAGE AGENCY, INDIAN TERRITORY.

The SPEAKER also laid before the House a letter from the Secre-

tary of the Treasury, transmitting an estimate from the Secretary of the Interior of an appropriation for the salary of the Indian agent at the Osage agency, Indian Territory; which was referred to the Committee on Indian Affairs, and ordered to be printed.

WAGON-ROAD, HOOPA VALLEY RESERVATION, CALIFORNIA.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Interior for an appropriation for the construction of a wagon-road from the Hoopa Valley agency to the southern boundary of the Hoopa Valley reservation, California; which was referred to the Committee on Indian Affairs, and ordered to be printed.

IRRIGATING DITCHES AND FLUMES FOR MISSION INDIANS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Interior of an appropriation for irrigating ditches and flumes for the Mission Indians, California; which was referred to the Committee on Indian Affairs, and ordered to be printed.

STOCK CATTLE, TONGUE RIVER AGENCY, MONTANA.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Interior of an appropriation to purchase stock cattle for the Northern Cheyenne Indians located at the Tongue River agency, Montana; which was referred to the Committee on Indian Affairs, and ordered to be printed.

CHICKASAW NATION OF INDIANS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Interior of an appropriation to fulfill treaty stipulations with the Chickasaw Nation of Indians; which was referred to the Committee on Indian Affairs, and ordered to be printed.

ALEXANDER SAYERS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a letter from the Third Auditor in relation to the appropriation to pay Alexander Sayers, of Nelson County, Kentucky, for mules taken from him; which was referred to the Committee on War Claims, and ordered to be printed.

INFORMERS, ETC.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a report of payments to informers and seizing officers in the customs service during the fiscal year ending June 30, 1887; which was referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

COMMERCE PASSING ST. MARY'S FALLS CANAL.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, a report in regard to the commerce passing the St. Mary's Falls Canal; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

USE, OCCUPANCY, AND INJURY TO PUBLIC WORKS.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports of the use, occupancy of, and injury to public works; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

BALANCES ON HAND FOR IMPROVEMENT OF RIVERS AND HARBORS.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, a tabulated statement of balances on hand for the improvement of rivers and harbors November 1, 1887; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

SURVEY OF PORTION OF SAVANNAH RIVER.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, the report of a survey of Savannah River from Cross Tides, above Savannah, to bar; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

REPORT OF MISSISSIPPI RIVER COMMISSION.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting the annual report of the Mississippi River Commission; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

MISSISSIPPI RIVER COMMISSION.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with financial statements, a report of the operations of the Mississippi River Commission from July 1 to November 1, 1887; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

SUBSISTENCE DEPARTMENT OF THE ARMY.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with inclosures, a draught, and recommending the passage of a bill "to effect a rearrangement of the grades of office in the Subsistence Department of the Army;" which was referred to the Committee on Military Affairs, and ordered to be printed.

PRELIMINARY EXAMINATIONS OF RIVERS.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports of preliminary examinations of localities found to be unworthy of improvement by the Government; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

PORT CLINTON HARBOR, OHIO.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, a report in reference to the acquiring by the United States of title to lands adjoining a pier built for the improvement of the harbor of Port Clinton, Ohio; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

CONGRESSIONAL LIBRARY BUILDING.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting a report of the proceedings of the Commission for the Construction of the Congressional Library Building since January 31, 1887; which was referred to the Committee on the Library, and ordered to be printed.

INTERSTATE-COMMERCE COMMISSION.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting the first annual report of the Interstate Commerce Commission, and recommending that the connection of the Commission with that Department be severed; which was referred to the Committee on Commerce, and ordered to be printed.

LOS PADDILOS CLAIM, NEW MEXICO.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Interior, transmitting a letter from the surveyor-general for New Mexico on the private land claim of Los Paddilos; which was referred to the Committee on Private Land Claims.

INDIAN DEPREDATION CLAIMS.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Interior, transmitting, with a letter from the Commissioner of Indian Affairs, a schedule of Indian depredation claims examined and determined from January 5, 1887, to January 1, 1888, together with papers in each case; which was referred to the Select Committee on Indian Depredation Claims, and ordered to be printed.

INSANE ASYLUM, AUBURN, N. Y.

The SPEAKER also laid before the House a letter from the Attorney-General, transmitting a letter from the superintendent of the State Asylum for Insane Criminals at Auburn, N. Y., and asking an appropriation to pay for removing from said asylum certain insane United States prisoners whose terms have expired; which was referred to the Committee on Appropriations, and ordered to be printed.

NORFOLK COUNTY FERRY COMMITTEE.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of findings of fact, etc., in the case of the Norfolk County Ferry Committee *vs.* The United States; which was referred to the Committee on War Claims.

RALEIGH POINDEXTER.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of findings of fact by the court in the case of Raleigh Poindexter *vs.* The United States; which was referred to the Committee on War Claims.

WASHINGTON MONUMENT COMMISSION.

The SPEAKER also laid before the House a letter from the chairman of the joint commission for the completion of the Washington Monument, transmitting his annual report; which was referred to the Committee on the Library, and ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WASHINGTON, for two days, on account of sickness.

To Mr. BOWDEN, for three days from the morning of the 10th, on account of important business.

To Mr. HOPKINS, for two days, on account of sickness.

RESIGNATION FROM A COMMITTEE.

Mr. BAKER, of Illinois. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. BAKER, of Illinois. I rise for the purpose of announcing that I feel constrained to resign my position as a member of the Committee on Claims, and do so accordingly, adding, however, a sincere expression of my high appreciation of the *personnel* of that committee.

The SPEAKER. The gentleman from Illinois asks to be excused from service on the Committee on Claims. If there be no objection, the request will be granted.

There was no objection, and it was so ordered.

CORRECTIONS.

Mr. DAVIDSON, of Florida. Mr. Speaker, I desire to correct the RECORD. On page 299 it appears that a bill introduced by me on the 6th, House bill No. 3017, in reference to the claim of the State of Florida, was referred to the War Claims Committee. It should have been referred to the Committee on Claims, and I think I made that indorsement upon the bill.

The SPEAKER. The reference of the bill will be corrected.

Mr. ENLOE. Mr. Speaker, on the 4th I introduced a number of petitions from fourth-class postmasters, asking for an increase of compensation. I find from the list of petitions printed in the RECORD that a number of errors appear in the names of the post-offices as well as in the names of the postmasters themselves, and I desire to have the necessary corrections made.

The SPEAKER. If the gentleman will send the corrections to the Official Reporters they will be inserted in the RECORD in their proper places.

ADDITIONAL DAY FOR THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL. Mr. Speaker, I desire unanimous consent to have a short petition printed in the RECORD in reference to the business of the District of Columbia.

The SPEAKER. If there be no objection the petition will be printed in the RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, and referred to the Committee on Rules.

It is as follows:

*To the Senate and House of Representatives*
*of the United States in Congress assembled:*

We, the undersigned residents and tax-payers of the District of Columbia, beg respectfully to represent:

That, in view of our entire dependence upon Congress for needful legislation, and of the great development of our population and values during the last decade, an additional day in each month ought to be set aside for the consideration of District affairs;

That we have entire confidence in the integrity, ability, and disinterestedness of our present Commissioners and in their knowledge of our needs, and we earnestly desire that their well-considered plans and efforts for the better security of the material interests of the District be encouraged and sustained; and

That we are entirely satisfied that these views are in full accord with those held by the large majority of our fellow-citizens:

Gardiner G. Hubbard, Thos. J. Fisher, W. S. Thompson, M. W. Beveridge, Alexander Graham Bell, E. Francis Riggs, Chas. C. Glover, George Bancroft, W. W. Corcoran, Anthony Hyde, E. F. Beale, John R. McLean, Sam'l Shellabarger, M. G. Emery, Crosby S. Noyes, B. H. Warder, Rob't C. Schenck, J. W. Thompson, Jno. A. J. Creswell, Dan'l B. Clarke, Sam'l Norment, Jno. T. Lenman, Stilson Hutchins, Brainard H. Warner, W. Laird, jr., H. M. Sweeny, G. T. Dunlop, W. H. Tenney & Sons, William A. Gordon, Enoch Totten, Walter S. Cox, W. E. Edmonston, M. Ashford, W. F. Mattingly, M. F. Morris, A. T. Britton, Jno. A. Baker, M.W. Galt, Bro. & Co., Hooe, Bro. & Co., R. Ross Perry, Nath'l Wilson, E. M. Gallaudet, Hallet Kilbourn, Johnson Brothers, E. Kurtz Johnson, L. G. Hine, Jas. G. Payne, Benjamin P. Snyder, C. B. Church, H. A. Griswold, W. W. Godding, C. M. Matthews, James C. Welling, Geo. Truesdell, L. B. Tuttle, Geo. W. Utermehle, Woodward & Lothrop, John F. Waggaman, John Hay, Fitch, Fox & Brown, Bell & Co., Peter F. Bacon, J. Henry Brooks, M. D., Wm. Ballantyne, W. M. Galt & Co., T. W. Smith, Geo. M. Oyster, S. Taylor Suit, Myron M. Parker, H. P. Waggaman, Geo. E. Lemon.

Mr. HEMPHILL. I desire to offer a resolution carrying out the objects of that petition.

The SPEAKER. A resolution of that nature will be in order on the call of States and Territories.

WHARTON'S "INTERNATIONAL LAW."

Mr. KELLEY, by unanimous consent, introduced a joint resolution (H. Res. 48) providing for the printing of a supplement to the Digest of International Law printed under the direction of joint resolution of July 28, 1886; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

COMMITTEE ON ELECTIONS.

Mr. CRISP, by unanimous consent, submitted the following resolution; which was read, considered, and agreed to:

*Resolved*, That the Committee on Elections be authorized to have printed for the use of said committee such documents and papers as it may deem necessary in connection with subjects considered by said committee.

*Resolved further*, That said committee have leave to sit during the sessions of the House.

Mr. CRISP moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ASSIGNMENT OF COMMITTEE CLERKS.

Mr. SHAW submitted a privileged report from the Committee on Accounts; which was read, as follows:

The Committee on Accounts, having had under consideration the resolution referred to them by the House January 4, 1888, authorizing them to designate the committees which in the judgment of said committee should be allowed clerks under the legislative, executive, and judicial appropriation bill for the year ending June 30, 1888, limiting the number of clerks to be so apportioned to thirty-one, respectfully report the same back to the House with the following recommendations:

To the Committee on Elections, a clerk;
To the Committee on Banking and Currency, a clerk;
To the Committee on Coinage, Weights, and Measures, a clerk;
To the Committee on the Merchant Marine and Fisheries, a clerk;
To the Committee on the Territories, a clerk;
To the Committee on Railways and Canals, a clerk;
To the Committee on Manufactures, a clerk;
To the Committee on Mines and Mining, a clerk, who shall also act as clerk to the Committee on Levees and Improvements of the Mississippi River;
To the Committee on Pacific Railroads, a clerk;
To the Committee on Education, a clerk;
To the Committee on Labor, a clerk;
To the Committee on the Militia, a clerk, who shall also act as clerk to the Committee on Expenditures in the Navy Department;
To the Committee on Patents, a clerk;
To the Committee on Invalid Pensions, two assistant clerks;
To the Committee on Pensions, a clerk;
To the Committee on Private Land Claims, a clerk;
To the Committee on the Revision of the Laws, a clerk, who shall also act as clerk to the Committee on Expenditures in the Department of Justice;
To the Committee on Expenditures in the Treasury Department, a clerk;
To the Committee on Expenditures in the War Department, a clerk;
To the Committee on Expenditures in the Post-Office Department, a clerk;
To the Committee on Expenditures in the Interior Department, a clerk;
To the Committee on Expenditures on Public Buildings, a clerk, who shall also act as clerk to the Committee on Expenditures in the State Department;
To the Committee on Accounts, a clerk;
To the Committee on the Library, a clerk;
To the Committee on Printing, a clerk;
To the Committee on Enrolled Bills, a clerk;
To the Committee on Reform in the Civil Service, a clerk;
To the Committee on the Election of President, Vice-President, and Representatives in Congress, a clerk, who shall also act as clerk to the Committee on Ventilation and Acoustics;
To the Committee on Indian Depredation Claims, a clerk; and
To the Committee on Alcoholic Liquor Traffic, a clerk.

And your committee would further recommend that there be allowed a clerk to the Committee on the Eleventh Census; and in view of the fact that the work of this committee will be arduous, critical, and virtually continuous, that this clerk be employed during the remainder of this Congress at a salary of $2,000 per annum, to be paid out of the contingent fund of the House, and therefore offer the following resolution:

*Resolved*, That the Committee on the Eleventh Census be authorized to employ a clerk for the remainder of this Congress at a salary of $2,000 per year, to be paid out of the contingent fund of the House.

Mr. SHAW. The Committee on Accounts, by the resolution of the House authorizing this action, was limited to the assignment of thirty-one clerks, and it found thirty-eight committees to be provided for. In the assignment they have done that which they believe will best promote the business of the House, and trust the report will commend itself to the judgment of the members on the floor. I now call the previous question.

Mr. HOOKER. I ask the gentleman from Maryland to withhold for the present the call for the previous question.

Mr. LANHAM. Will the gentleman from Maryland [Mr. SHAW] consent to allow amendments to be offered?

Mr. SHAW. I scarcely see how it is possible for any logic, even with all the sophistry of which it is capable, to provide thirty-eight committees each with a clerk when there are only thirty-one clerks to be assigned.

Mr. LANHAM. Still it might be proper to make some amendments to the report.

Mr. HOOKER. If the gentleman from Maryland will permit, I desire to offer an amendment to this effect, that that portion of the report which attaches to the clerk to the Mining Committee other duties be stricken out, and that a clerk be given to the Committee on Levees and Improvements of the Mississippi River.

I therefore ask the gentleman to withdraw the call for the previous question, which endeavors to force through the whole of the proposition without an opportunity being given to consider any amendment. If the gentleman will not agree to that, I hope the House will vote down the call for the previous question. The House must have control of these matters in some way or other, unless the committee is to be absolute and give the House no opportunity for amendment.

The SPEAKER. The gentleman from Maryland [Mr. SHAW] demands the previous question on the adoption of the report.

The House divided; and there were—ayes 56, noes 128.

Mr. SHAW. I call for the yeas and nays.

For ordering the yeas and nays there were 34 votes in the affirmative—not one-fifth of the last vote.

Mr. SHAW. Count the other side.

The negative vote was counted, and there were noes 117.

So (the affirmative being more than one-fifth of the whole vote) the yeas and nays were ordered.

Mr. BAKER, of Illinois. I ask that the report of the committee may be again read, so that the House may understand it.

The Clerk read the report.

Mr. DOCKERY. Mr. Speaker, I understand that the gentleman from Mississippi [Mr. HOOKER] proposes to provide a separate clerk for each of the five committees not included in the report of the Committee on Accounts. Now I am sure that the House desires to adopt the report, and intends no reflection whatever upon the committee, and therefore I suggest that, by unanimous consent, the call of the roll be dispensed with and the House be allowed to vote directly on the proposition of the gentleman from Mississippi, and decide as to whether or not they will allow these five additional clerks.

Mr. BLOUNT. On that single proposition alone?

Mr. SHAW. I am perfectly willing that the sense of the House shall be taken on that question.

Mr. REED. I should think it much better that the gentleman should withdraw the call for the yeas and nays, and have the discussion go on.

The SPEAKER. It requires unanimous consent now to change the regular order. The yeas and nays have been ordered upon the demand for the previous question. The gentleman from Missouri [Mr. DOCKERY] suggests that unanimous consent be given to dispense with the call of the yeas and nays, and take a vote upon the proposition of the gentleman from Mississippi [Mr. HOOKER]. Is there objection?

Mr. REED. There is no objection to dropping the call for the yeas and nays; but the other proposition, it seems to me, is one that ought not to be accepted, for I presume the object of the gentleman on the other side in objecting to the report of the Committee on Accounts was to have this subject discussed, and the House has voted very decidedly in favor of the discussion of the proposition involved. I hope gentlemen will not shrink from the discussion.

The SPEAKER. The request of the gentleman from Missouri is objected to, and the Clerk will proceed to call the roll.

The question was taken; and there were—yeas 83, nays 189, not voting 51; as follows:

YEAS—83.

| | | | |
|---|---|---|---|
| Abbott, | Greenman, | McCreary, | Simmons, |
| Bacon, | Grimes, | McMillin, | Smith, |
| Barnes, | Hall, | McShane, | Sowden, |
| Bland, | Hare, | Mills, | Stahlnecker, |
| Bliss, | Hatch, | Montgomery, | Stewart, Charles |
| Blount, | Hayes, | Moore, | Stewart, J. D. |
| Boothman, | Henderson, T. J. | Neal, | Stockdale, |
| Bound, | Hiestand, | O'Donnell, | Stone of Ky. |
| Breckinridge, WCP | Hogg, | O'Neall, J. H. | Stone of Mo. |
| Brewer, | Holman, | Outhwaite, | Taylor, E. B. |
| Bryce, | Howard, | Peel, | Taylor, J. D. |
| Burnett, | Hudd, | Perry, | Turner, E. J. |
| Bynum, | Hutton, | Pidcock, | Vance, |
| Campbell, T. J. | Laffoon, | Rayner, | Whiting, J. R. |
| Candler, | Latham, | Richardson, | Whitthorne, |
| Cockran, | Lee, | Rogers, | Wilkins, |
| Collins, | Maish, | Rowell, | Wilkinson, |
| Dockery, | Mansur, | Russell, J. E. | Wilson, Thomas |
| Elliott, | Matson, | Seney, | Wilson, W. L. |
| Fisher, | McAdoo, | Shaw, | Wise. |
| Gibson, | McClammy, | Shively, | |

NAYS—189.

| | | | |
|---|---|---|---|
| Adams, | Dalzell, | Jones, | Peters, |
| Allen, C. H. | Darlington, | Kelley, | Phelan, |
| Allen, E. P. | Davenport, | Kennedy, | Phelps, |
| Anderson, A. R. | Davidson, R. H. M. | Kerr, | Post, |
| Anderson, C. L. | Davis, | Ketcham, | Pugsley, |
| Anderson, G. A. | De Lano, | Kilgore, | Reed, |
| Anderson, J. A. | Dibble, | La Follette, | Robertson, |
| Atkinson, | Dingley, | Lagan, | Rockwell, |
| Baker, C. S. | Dorsey, | Laidlaw, | Romeis, |
| Baker, Jehu | Dunham, | Laird, | Russell, C. A. |
| Bankhead, | Dunn, | Landes, | Sawyer, |
| Barry, | Enloe, | Lane, | Scott, |
| Bayne, | Ermentrout, | Lanham, | Scull, |
| Belden, | Farquhar, | Lawler, | Sherman, |
| Biggs, | Felton, | Lehlbach, | Snyder, |
| Bingham, | Finley, | Lind, | Spooner, |
| Blanchard, | Flood, | Lodge, | Springer, |
| Bowden, | French, | Lynan, | Steele, |
| Bowen, | Fuller, | Lynch, | Stephenson, |
| Brower, | Funston, | Macdonald, | Stewart, J. W. |
| Browne, T. H. B. | Gaines, | Mahoney, | Struble, |
| Browne, T. M. | Gallinger, | Martin, | Tarsney, |
| Brown, C. E. | Gear, | Mason, | Taulbee, |
| Brown, J. R. | Geet, | McCormick, | Thomas, G. M. |
| Brumm, | Glass, | McCullogh, | Thomas, O. B. |
| Buchanan, | Glover, | McKinley, | Thompson, A. C. |
| Buckalew, | Goff, | McKinney, | Tillman, |
| Bunnell, | Granger, | McRae, | Tracey, |
| Burrows, | Grosvenor, | Merriman, | Townshend, |
| Butler, | Grout, | Milliken, | Turner, H. G. |
| Caruth, | Guenther, | Moffitt, | Wade, |
| Caswell, | Harmer, | Morgan, | Walker, |
| Catchings, | Haugen, | Morrill, | Warner, |
| Cheadle, | Hayden, | Morrow, | Weaver, |
| Chipman, | Hemphill, | Nelson, | Weber, |
| Clardy, | Henderson, J. S. | Newton, | West, |
| Clark, | Hermann, | Nichols, | White, J. B. |
| Cobb, | Hires, | Norwood, | White, S. V. |
| Cogswell, | Hitt, | Nutting, | Whiting, William |
| Conger, | Holmes, | Oates, | Wickham, |
| Cowles, | Hooker, | O'Ferrall, | Wilber, |
| Cox, | Hopkins, A. J. | O'Neill, J. J. | Williams, |
| Crain, | Hopkins, S. I. | Osborne, | Woodburn, |
| Crisp, | Houk, | Owen, | Yardley, |
| Crouse, | Hovey, | Patton, | Yoder. |
| Culberson, | Hunter, | Payson, | |
| Cummings, | Jackson, | Penington, | |
| Cutcheon, | Johnston, J. T. | Perkins, | |

NOT VOTING—51.

| | | | |
|---|---|---|---|
| Allen, J. M. | Cooper, | Hopkins, S. T. | Rowland, |
| Arnold, | Cothran, | Johnston, T. D. | Rusk, |
| Belmont, | Dargan, | Kean, | Ryan, |
| Boutelle, | Davidson, A. C. | Long, | Sayers, |
| Breckinridge, C. R. | Dougherty, | Maffett, | Spinola, |
| Burnes, | Fitch, | McComas, | Symes, |
| Butterworth, | Foran, | McKenna, | Thomas, J. R. |
| Campbell, Felix | Ford, | Morse, | Thompson, T. L. |
| Campbell, J. E. | Forney, | O'Neill, Charles | Vandever, |
| Cannon, | Gay, | Plumb, | Washington, |
| Carleton, | Heard, | Parker, | Wheeler, |
| Clements, | Henderson, D. B. | Randall, | Yost. |
| Compton, | Herbert, | Rice, | |

During the roll-call the following proceedings took place:

Mr. BLOUNT. Mr. Speaker, I rise to a parliamentary inquiry. I desire to ask if it is not perfectly competent to refer this matter, including the amendment of my friend from Mississippi [Mr. HOOKER,] to the Committee on Accounts for a further report.

The SPEAKER. Of course the House has at all times control over any question as to the number of its clerks.

The following-named members were announced as paired:

Mr. FORAN with Mr. BUTTERWORTH.

Mr. BURNES with Mr. HENDERSON, of Iowa.

Mr. CLEMENTS with Mr. MCCOMAS.

Mr. SAYERS with Mr. CANNON.

Mr. RANDALL with Mr. RYAN.

Mr. CAMPBELL with Mr. O'NEILL, of Pennsylvania.

Mr. RICE with Mr. MAFFETT.

Mr. DAVIDSON, of Alabama, with Mr. HOPKINS, of New York.

The following were announced as paired for this day:

Mr. FORNEY with Mr. LONG.

Mr. GAY with Mr. ARNOLD.

Mr. SPINOLA with Mr. KEAN.

Mr. JOHNSTON, of North Carolina, with Mr. THOMAS, of Illinois.

Mr. ROWLAND with Mr. BOUTELLE.

Mr. FORD with Mr. PARKER.

The result of the vote was then announced as above recorded.

So the demand for the previous question was not agreed to.

Mr. HOOKER. Mr. Speaker, I have reduced to writing the proposition which I make to amend the report of the Committee on Accounts, and I now send it to the Clerk's desk to be read.

The amendment was read, as follows:

That so much of the report of the committee as provides that the same clerk shall act for two committees be stricken out, and that a separate clerk be allowed for each one of the Committees on Expenditures in the State Department, the Navy Department, and the Department of Justice, and for the Committees on Levees of the Mississippi River, and on Ventilation and Acoustics; and that clerks whose pay is not provided for by law shall be paid out of the contingent fund of the House until the 1st day of July, 1888, at the rate of $6 per day, as heretofore.

Mr. HOOKER. Mr. Speaker, I desire to say a word upon this proposed amendment to the report of the committee; and probably what should be said upon this subject might be embraced in the single declaration that if there is any subject of sufficient dignity and importance in the view either of the House itself, or of the country whose interests it cares for, as to justify the appointment of a committee, the work of that committee ought to be of sufficient moment to demand the appointment of a clerk.

My amendment provides simply that a clerk be provided for each of the committees designated in the report, instead of having in several cases clerks with double duty to perform, as is now provided. I might speak of one of these committees, which is of very great and growing importance; I allude to that which has charge of the improvement of the Mississippi River. This is an important committee, and grows more and more so every year, as appropriations become more and more necessary for improving the navigation of that great river and its main tributaries.

I submit, Mr. Speaker, that this report ought to provide a clerk for each of the committees designated, the effect of my proposition being to provide clerks for the Committee on Expenditures in the State Department, the Committee on Expenditures in the Navy Department, the Committee on Expenditures in the Department of Justice, the Committee on Levees and Improvements of the Mississippi River, and the Committee on Ventilation and Acoustics. The whole increase in expenditure will be to the extent simply of providing a clerk for each of these committees. The Committee on Accounts, as I understand, is not provided for and does not particularly desire to be; hence that committee is not embraced in the proposition.

I make no allusion to the Committee on the Census, because that has been provided for very properly by the report of the committee, which proposes the appointment of an annual clerk for the Committee on the Census. The necessity of such a clerk must be apparent to any one who has acted heretofore, as I have, upon that committee; for I had the honor in a former Congress to take a part in that service with the gentleman from New York [Mr. COX], who with such distinguished ability acted as chairman of the committee which made provision for the taking and publication of the census of 1880. My amendment does not affect in the least the provision of the report on that subject.

Now, sir, if no one desires to speak on this subject, I will imitate the example of the gentleman who presented this report, and will call for the previous question.

Mr. ADAMS. Will the gentleman yield to me for two minutes?

Mr. BURROWS. I would like to say a few words.

Mr. HOOKER. I will first yield to the gentleman from Illinois [Mr. ADAMS].

Mr. ADAMS. Mr. Speaker, if the House is not prepared to adopt the proposition of the gentleman from Mississippi [Mr. HOOKER], that every committee be provided with a clerk, nevertheless the report of the Committee on Accounts ought to be amended by striking out that portion which provides that the clerk of one committee shall render service as clerk for another committee. Such provision is utterly useless; no practical advantage has ever been found to result from it, and the only reason for inserting it in the report is to make it appear that

in some way provision is made for the clerical work of all the committees.

The session committee clerks authorized by law number, I believe, thirty-one, whereas the number of committees to be provided in some way with clerical assistance is, I think, thirty-seven.

A MEMBER. Thirty-eight.

Mr. ADAMS. The Committee on Accounts has undertaken to distribute these thirty-one clerks among thirty-eight committees. The proper way of performing this particular task would have been for them to say which of these committees are entitled to clerks, and there have left the matter, leaving it to the House to provide for the other committees out of the contingent fund, or else not to provide for them at all; for every one who is familiar with committee business will see that a clerk appointed by the chairman of one committee can not be, and I believe experience has shown never has been, of the slightest possible practical use to any other committee.

Hence, at the proper time I would like to call for a division of the question, in order that, if the House should decide to vote down the proposition of the gentleman from Mississippi—and I shall vote with him in support of it—we may nevertheless strike from the report of the committee the useless and absurd provision that a clerk of one committee shall appear to serve also as the clerk of another committee.

Mr. LANHAM. I desire to inquire as to the effect of the demand made by the gentleman from Mississippi for the previous question, as I have an amendment which I desire to offer to the report of the committee.

Mr. HOOKER. I take it for granted, if the Speaker please, that the previous question if now ordered would operate upon the report of the committee and the amendment which I have proposed. Of course, the previous question can not operate upon anything which, when it is called, is not before the House; and up to this time, as I understand, there is no amendment pending except that which I have offered.

Mr. LANHAM. I desire to offer an amendment to the report of the committee.

Mr. HOOKER. I am now ready to yield to the gentleman from Michigan [Mr. BURROWS]. How much time does he desire?

Mr. BURROWS. Five minutes.

Mr. HOOKER. I yield to the gentleman.

Mr. BURROWS. Mr. Speaker, the effect of the amendment proposed by the gentleman from Mississippi is to enlarge the number of clerks as contemplated by the report; and it provides specifically that a clerk be assigned to each of the committees on expenditures in the various Departments. I had supposed that the appointment of a clerk to any committee was based upon the assumption that the committee would have something to do. If the object of appointing a committee clerk is simply to provide the chairman of the committee with some one to attend to his private correspondence, this is an excellent device for that purpose.

We have no better way of judging of the probable services of these various committees in the future than by referring to the experience of the past. One of the committees to which the gentleman from Mississippi asks that a clerk be assigned is the Committee on Expenditures in the State Department. This committee existed in the last Congress, and I find that in the first session of that Congress it made no report, and in the second session made the same number. The Committee on Expenditures in the Treasury Department, consisting of seven members, made in the first session of the last Congress one report, and in the second session none. Yet this committee is to be provided with a clerk. The Committee on Expenditures in the War Department made, during the first session of the last Congress, two trifling reports, and during the second session none. From the Committee on Expenditures in the Navy Department there were in the first session of the last Congress two reports, and in the second session none. From the Committee on Expenditures in the Post-Office Department in the first session there was no report made whatever, nor was any report made in the second session. From the Committee on Expenditures in the Interior Department there was no report in the first session and no report in the second session. I believe, from the Committee on Expenditures in the Department of Justice, there was an investigation in the first session, but there was no report made in the second session. The Committee on Expenditures of Public Buildings made no report whatever. So I may say in regard to other committees.

Now, it seems to me, Mr. Speaker, it is a profligate expenditure of public money. These committees, in the main, have no necessity for a clerk, and I apprehend the clerk is chiefly for the purpose of transacting the business of the chairman of the committee. If a portion of the members of the House are to be assigned clerks under the guise of clerks to committees, which committees have nothing to do, why not let a clerk be appointed for each member of the House, as a clerk is provided for each member in the Senate? I submit this is not a fair way to dispose of the surplus. [Laughter.]

Mr. OATES. Will the gentleman from Michigan permit me to ask him a question?

The SPEAKER. The gentleman's time has expired.

Mr. PERKINS. I hope the gentleman from Mississippi will permit me to move an amendment at this time.

Mr. HOOKER. I have agreed to yield five minutes of my time to the gentleman from Texas [Mr. LANHAM].

Mr. PERKINS. I hope there will be no objection to having my amendment read.

Mr. HOOKER. Not now.

Mr. LANHAM. I send up to the Clerk's desk to be read an amendment which I desire to offer at this time.

The Clerk read as follows:

*Resolved*, That the Committee on Claims be authorized, during this session only, until further order of the House, to employ an assistant clerk, to be paid out of the contingent fund of the House, at the rate of $6 per day.

The SPEAKER. Does the gentleman from Mississippi yield to the gentleman from Texas for debate or for the purpose of having the amendment offered?

Mr. HOOKER. I have yielded to the gentleman from Texas for five minutes.

The SPEAKER. Does the gentleman mean to have the amendment offered?

Mr. HOOKER. Whilst I think the Committee on Claims ought to have an assistant clerk, I am satisfied that if I yield for the purpose of allowing the gentleman to offer this amendment I will be compelled to yield to a half-dozen others who have similar amendments to submit.

Mr. PERKINS. I hope there will be no objection to permit me to offer an amendment to the amendment.

Mr. HOOKER. I can not yield to the gentleman from Texas to offer his amendment, nor can I yield for any other amendment to be offered.

Mr. LANHAM. I hope the gentleman from Mississippi will hear me for one moment.

MESSAGE FROM THE PRESIDENT.

A message, in writing, was received from the President, by Mr. PRUDEN, one of his secretaries.

CLERKS OF COMMITTEES.

Mr. LANHAM. The gentleman from Mississippi has yielded to me for five minutes, and, Mr. Speaker, it is only necessary to say in support of the amendment I have offered that it has been usual for several years to provide an assistant clerk for the Committee on Claims. That is one of the hardest working committees in this House, as all members will attest who have served on it.

The amendment I have offered is identical in language with the resolution reported from the Committee on Accounts in the first session of the Forty-ninth Congress. No man who has ever served on that committee will deny the justice of giving that committee a clerk and an assistant clerk. It needs not only a clerk, but an assistant clerk, because bills are pouring upon it every day. Seventeen hundred bills were referred to it at the last session of Congress. We need the service of an assistant clerk, and I hope it will be granted.

I desire to say a word, Mr. Speaker, in reply to the gentleman from Michigan——

The SPEAKER. Does the gentleman yield the floor for the purpose of allowing this amendment?

Mr. HOOKER. No; I do not. I can not yield to any amendment, but will call the previous question before sitting down.

Mr. LANHAM. I hope it will be voted down.

Mr. HOOKER. There will be no difficulty on the part of the gentleman from Texas in passing that proposition after my proposition has been disposed of; but if I yield to him now to offer it as an amendment I will have to yield to everybody else on the floor who has a similar amendment to present.

Mr. LANHAM. Will the gentleman consent to this being offered?

Mr. HOOKER. No; I can not now.

Mr. LANHAM. Will he consent to its being referred to the Committee on Accounts?

Mr. HOOKER. I have no objection to the gentleman offering it whenever he pleases, but I prefer my own proposition to be voted on now without amendment.

Let me say a word in answer to what has been said by the gentleman from Michigan [Mr. BURROWS]. I differ with him as to the importance of these committees for which clerks have been asked. Several years ago I served on the Committee on Expenditures in the Treasury Department, and I do not remember to have ever performed any service more laborious or more important than that of the committee on which I had the honor to serve as chairman of the subcommittee. Each one of these Committees on the Expenditures in the State Department, on Expenditures in the Department of Justice, on Expenditures in the Treasury Department, and on Expenditures in the Interior Department, if they perform the duties imposed upon them by their creation and the appointment of members to serve upon them, in obtaining the information needed for the action of the House, will have plenty to do, and in the proper discharge of their duties they ought to have the assistance of clerks to assist them, and not impose the whole work upon the members, who already have as much as they can possibly attend to.

Now, the gentleman from Michigan asked, why not appoint a clerk for each member, as the Senate has provided a clerk for each Senator? Let me say to him that each clerk provided for one of these committees is not only for the service of the chairman of the committee but is

amenable to the orders and directions of every other member of the committee just as much as he is to the chairman of the committee. He is the clerk of the committee to perform the functions attached to that position, and there is not one of the committee who is not entitled to his services as much as the chairman. As I have already stated, if it was important enough to designate these committees, their duties are of sufficient importance to require action on the part of members who have been appointed upon them.

I now call the previous question on the amendment I have offered to the report of the committee.

Mr. PERKINS. Is it in order for me now to offer a substitute?

The SPEAKER. It is not. The Chair understands the previous question to be called by the gentleman from Mississippi on the amendment only.

Mr. HOOKER. No, I call the previous question on the whole subject—upon my amendment and upon the report of the committee.

Mr. PERKINS. I would like, with the permission of the gentleman from Mississippi, to offer a substitute for his proposition.

Mr. HOOKER. The gentleman can offer his proposition separately and let it stand upon its own merits. I do not want to embarrass this amendment.

The SPEAKER. The gentleman from Mississippi demands the previous question.

Mr. REED. That cuts off all other amendments?

The SPEAKER. If the previous question is ordered it does.

Mr. REED. It is evident from the language of the gentleman from Mississippi that he does not so understand it, because he says the gentleman from Kansas may be allowed to offer his substitute.

Mr. HOOKER. I say that he can offer his proposition on its own merits at another time.

Mr. REED. Oh, at some other time! Not now?

Mr. HOOKER. No, sir; not now.

Mr. REED. Well, will the gentleman from Mississippi tell me how many reports the Committee on Levees of the Mississippi River made in the last Congress?

Mr. HOOKER. I do not know, sir; I know that they might make a great many if they had clerical assistance.

I call the previous question.

Mr. REED. I will tell the gentleman from Mississippi they made one report.

Mr. HOOKER. That may be. I have no doubt the subject is important enough to induce a number of reports.

The SPEAKER. The question is on ordering the previous question.

The question being taken on ordering the previous question, there were—ayes 67, noes 123.

So the previous question was not ordered.

Mr. LANHAM. Mr. Speaker, I now offer the amendment I sent to the desk a few moments ago as an amendment to the report of the Committee on Accounts.

The SPEAKER. To come in after the report of the committee?

Mr. LANHAM. I offer it independently of the amendment of the gentleman from Mississippi.

The SPEAKER. But that amendment is pending, and until it is disposed of no other amendment is in order, except as an amendment to that.

Mr. LANHAM. Then I offer it as an amendment to the amendment of the gentleman from Mississippi.

The SPEAKER. That is in order, and it will be read.

The Clerk read as follows:

*Resolved*, That the Committee on Claims be authorized during this session only, until further ordered by the House, to employ an assistant clerk, to be paid out of the contingent fund of the House, at the rate of $6 per day.

Mr. PERKINS. I offer the following substitute, if in order.

The SPEAKER. A substitute for what?

Mr. PERKINS. For the pending proposition.

The SPEAKER. Does the gentleman offer it as a substitute for the proposition of the gentleman from Mississippi as proposed to be amended by the gentleman from Texas?

Mr. PERKINS. Yes, sir; as a substitute for both propositions.

The SPEAKER. That is in order, and it will be read.

The Clerk read as follows:

*Provided*, That each member of this House, not the chairman of a committee given a clerk herein, shall be given a clerk during the sessions of Congress, to be paid for from the House contingent fund, at the rate of $100 per month.

Mr. HOOKER. I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. HOOKER. The proposition which has been submitted by myself as an amendment to the report of the Committee on Accounts, refers to a number of clerks to be designated for specific duties to the committees of the House. The amendment of the gentleman from Texas proposes an amendment to mine, giving an assistant clerk to the Committee on Claims. These two amendments, Mr. Speaker, are in accordance with the subject-matter of the report. That report refers to clerks for committees of the House as they are now constituted. But the proposition of the gentleman on the other side of the Chamber, as I understand it, is not to give a clerk or additional clerk to committees of the House, but to give each member of the House a clerk at a fixed compensation designated in his amendment. I submit, sir, that that is not properly a substitute; that it is not germane, and is not pertinent either to the subject-matter of the report of the committee, to my amendment, or to that of the gentleman from Texas.

It is not the purpose of the Committee on Accounts, nor was it their function, to report upon the question of what clerical assistance should be given to the individual members; but they refer specifically to clerks for committees. My amendment only proposes to increase the number of clerks by adding five, and the gentleman from Texas by his amendment proposes a further addition of one clerk.

I therefore submit that the proposition from the other side is not in order.

The SPEAKER. The Chair will hear the gentleman from Kansas on the point of order.

Mr. PERKINS. Mr. Speaker, in answer to the point of order made by the gentleman from Mississippi, I would suggest that, as I understand the question, this is a report from the Committee on Accounts—the committee which has jurisdiction of this subject; and, as a substitute for the pending amendments offered to that report, I have offered the proposition which has been read, which not only enlarges the amendment of the gentleman from Mississippi, but meets what I believe is a "long-felt want" in this House. [Laughter.] The propriety of the amendment has been acknowledged both publicly and privately by almost all of the members except when they happen to be required to cast their votes "yea" or "nay" upon this floor. [Laughter.] Then for some cause best known to themselves they do not seem inclined to put themselves on the record as in personal conversation.

In further answer it appears to me that this is germane to the pending proposition. If the proposition is adopted what is its effect? The gentleman from Mississippi as chairman of a committee is provided for already by the report. As chairman of a committee which has no work, but as a member of the House, which has much work, he is already provided for; while other members of the House who have much work to do, but are not chairmen of committees, are provided for by the substitute. This applies to those members of the House who are not given clerks by the report of the committee; and as a substitute, therefore, it seems manifestly to be germane to the report and in order. If the amendment of the gentleman from Mississippi is in order it seems to me my substitute must also be in order, because it enlarges the scope of his amendment.

The SPEAKER. The amendment of the gentleman from Mississippi relates to clerks of committees only.

Mr. REED. The Speaker will notice that this report contains the provision for a special clerk for the Committee on the Census, with special pay and with a special term of service. That takes the report out of the ordinary category of reports for the assignment of clerks already provided by law. No objection has been made to that, and it is to that report that the amendment is offered; and it seems to me that an amendment, like that of the gentleman from Kansas, is germane to such a report as that; for it provides for the same class of cases that are intended in the provision as to Census Committee and such cases as that of the gentleman from Mississippi. In other words, it gives to us outright and directly what some gentlemen are desirous—and there is no objection to their desire—of having under the general forms which have hitherto existed; and I am sure the House ought to be allowed to vote on the proposition.

Mr. SHAW. I desire to say in reply to the remarks of the gentleman from Maine [Mr. REED] that the resolution in regard to the Census Committee, although not exactly in pursuance of the resolution under which the committee was authorized by the House to act in providing a clerk, provided nevertheless a clerk for a committee, and not a clerk for an individual member of the House.

Mr. REED. Yet that was the object.

Mr. HOOKER. I desire to say in reply to the gentleman from Maine that it appears to me he very much misunderstands the proposition of his friend from Kansas. The proposition of that gentleman is a substitute for the amendment offered by myself and the amendment offered by the gentleman from Texas, and not an amendment to the report of the committee.

Therefore the argument of the gentleman from Maine that the Committee on Accounts have provided in this report that the Census Committee shall have a clerk at a fixed salary during this Congress is no argument that the proposition of the gentleman from Kansas is in order.

That proposition is offered as a substitute for the two amendments; and even if it were offered as a substitute for the report itself, the proposition of the gentleman from Maine would not be correct; for it is in the power of that committee to report the assignment of a clerk to a committee. As they did for all the committees, so they did for the Committee on the Census, which is a committee raised at this time for the purpose of taking charge of the mode and method of taking the next census of the United States.

Therefore it seems to me the argument of the gentleman from Maine is not maintainable, and the amendment of the gentleman from Kansas is not germane to the subject-matter before the House, the report

of the committee, or the amendment, which I had the honor to offer, or the amendment offered by the gentleman from Texas.

The SPEAKER. The rule of the House provides that no proposition on a subject-matter under consideration shall be admitted under color of an amendment; in other words, that every amendment offered to a pending proposition must be germane to that proposition. The report now before the House relates entirely to the assignment of clerks to committees of the House, while the amendment offered by the gentleman from Kansas proposes to assign a clerk to each member. The Chair thinks the point of order is well taken and that the amendment is not in order.

Mr. McRAE. I desire to offer what I send to the desk as a substitute for the report of the committee and all pending amendments.

The Clerk read as follows:

*Resolved*, That each committee of the House not allowed an annual clerk by law is hereby allowed a session clerk at $100 per month, to be paid out of the contingent fund of the House.

Mr. McRAE. It is a well-known fact that committees to some extent at least have heretofore been furnished clerks who have but little work for them. It looks hard to discriminate and allow some clerks and others none, and at the same time I am opposed to spending as much money as we do for such clerks. The money appropriated, if properly distributed on the basis of the work to be performed, would more than furnish every committee with a clerk. Let us reduce the salary to $100 per month. For that sum you can get men competent to discharge all the duties that are incumbent upon these committee session clerks; men equally as competent as those who served the last Congress. Do this and you will treat all alike and besides save nearly $20,000 of the amount appropriated for this purpose. Therefore I hope if the House allows the employment of clerks whose principal duty is to serve the favored few who happen to be named first on the committees, that it will do so at as little cost as possible. I think we can get competent young men for $100 per month. I yield five minutes to the gentleman from Missouri [Mr. DOCKERY.]

Mr. DOCKERY. I sincerely hope the proposition of the gentleman from Arkansas [Mr. McRAE] will not be adopted. Thirty-one session clerks are now authorized by law, the law of the legislative, executive, and judicial appropriation bill. This proposition seeks to take the money for the payment of these clerks out of the contingent fund, when Congress has heretofore and now authorized these clerks to be paid out of the general fund. The effect of this amendment, if adopted, will be to exhaust the contingent fund of the House and leave without use the appropriation heretofore made for the payment of the thirty-one session clerks.

Mr. HOOKER rose.

Mr. McRAE. I believe I have the floor.

Mr. HOOKER. Will the gentleman from Arkansas allow me to ask him a question?

Mr. McRAE. Yes, sir.

Mr. HOOKER. Does your amendment affect the clerk provided for the Committee on the Census?

Mr. McRAE. It is not so intended.

Mr. HOOKER. Then let it be so expressed.

Mr. McRAE. I intended that my resolution should be a substitute for all of the report of the committee except the resolution which refers to the Committee on the Eleventh Census. That I adopt and make a part of mine.

Mr. OATES. Why should a clerk to a committee of the House be paid less than a clerk to a committee of the Senate?

Mr. McRAE. Simply because we should be more economical than the Senate is.

Mr. LANHAM. Where there is an annual clerk provided for, does your resolution exclude assistant clerks?

Mr. McRAE. No, sir; it does not affect them.

Now, Mr. Speaker, in answer to the gentleman from Missouri [Mr. DOCKERY], I want to say this: If the appropriation in the act of March 3, 1887, for thirty-one annual clerks, without naming them, is not expended, the Government will have lost nothing. We are not compelled to employ them. What I propose is to use a less amount of money and provide a greater number of clerks, and service for more committees. It can be done, and it ought to be done.

Now, if any gentleman desires to discuss the substitute, I will yield to him for that purpose. Otherwise, I shall call for the previous question.

Mr. PERKINS. I desire to offer a substitute for the pending amendment.

The SPEAKER. The gentleman from Arkansas [Mr. McRAE] has offered a substitute for the entire report of the committee, and the pending amendment. No further amendments can now be offered except an amendment to the substitute of the gentleman from Arkansas.

Mr. PERKINS. Then I will offer mine as an amendment to his substitute.

Mr. McRAE. Before I yield for the amendment to be offered, I would like to hear it read.

Mr. REED. Mr. Speaker, how does the gentleman from Arkansas get control of this matter?

The SPEAKER. The gentleman from Arkansas has the floor for one hour, under the rules. At the termination of that time, if the previous question is not ordered, the floor will be open to any member who can take it.

The amendment proposed to be offered by Mr. PERKINS was read, as follows:

*Resolved*, That each member of every committee shall be entitled to a clerk during the session of Congress, who shall receive a monthly salary of $100, to be paid out of the contingent fund of the House: *Provided*, That only one clerk shall be allowed to each member.

[Laughter.]

The SPEAKER Does the gentleman from Arkansas yield the floor to have this amendment offered?

Mr. McRAE. I do not.

Mr. HERBERT. Mr. Speaker, do I understand that the amendment of the gentleman from Kansas [Mr. PERKINS] is not before the House?

The SPEAKER. It is not. It has not been offered.

Mr. McRAE. Mr. Speaker, I desire to have my substitute modified so as to embody that portion of the report of the Committee on Accounts which provides for a clerk for the Committee on the Eleventh Census. Now, if no other gentleman desires to discuss the substitute, I will call for the previous question.

Mr. HERBERT. I ask to have the substitute reported.

Mr. PERKINS. Mr. Speaker, do I understand that the gentleman from Arkansas [Mr. McRAE] refuses to permit my amendment to be offered?

The SPEAKER. He declines to yield for that purpose.

The Clerk again read the substitute offered by Mr. McRAE.

The SPEAKER. The gentleman from Arkansas [Mr. McRAE] is entitled to the floor.

Mr. McRAE. The substitute being modified so as to embrace that portion of the report of the Committee on Accounts providing a clerk for the Committee on the Eleventh Census, I demand the previous question upon its adoption.

Mr. SPRINGER. Will the gentleman yield to me for a moment?

Mr. McRAE. I will yield to the gentleman from Illinois.

Mr. SPRINGER. I understand that the appropriation bill, which is now the law, provides for twenty-five clerks for committees at $6 per day during the session, making an aggregate of $31,950.

A MEMBER. Does it name the committees?

Mr. SPRINGER. It does not name the committees, but it enumerates the clerks that are allowed to be appointed and fixes their rate of compensation.

Mr. McRAE. We are not compelled to employ the thirty-one. We can employ more or less of them.

Mr. SPRINGER. It seems to me that twenty-five of the clerks that we employ will, under the law, be entitled to $6 a day.

Mr. McRAE. I think not. If the gentleman's position is correct, what is the use of what we are doing here this morning?

Mr. SPRINGER. Twenty-five of the clerks are provided for in the appropriation bill, and the amount of compensation they are to receive is fixed. Now, it seems to me that for twenty-five clerks, in addition to the annual clerks, Congress has already fixed the per diem compensation, but as to any others in addition to the twenty-five, their compensation may be fixed at any sum which the House may deem just, to be paid out of the contingent fund.

Mr. McRAE. If the position of the gentleman from Illinois [Mr. SPRINGER] is correct, what will these clerks receive after the 1st of July, of the present year? The appropriation bill expires at that time.

Mr. SPRINGER. They will receive nothing after the appropriation expires.

Mr. McRAE. Then let us fix their compensation now. You are seeking to employ these clerks for the Fiftieth Congress. Let them understand when they go into the places exactly what they are to receive and how long they are to remain. One hundred dollars a month is enough for the work to be performed, and I hope the compensation will be fixed at that. The resolution of February 17, 1882, only fixes the time when the pay begins and does not fix the amount.

Mr. SPRINGER. But I understand that the compensation of twenty-five of them is fixed by law until the 30th of June next.

Mr. DOUGHERTY. I wish to ask the gentleman from Arkansas whether the effect of the adoption of his substitute would not be to give all these clerks to the District of Columbia, for the reason that clerks who might be appointed from the States or from other sections of the country could not afford to come here for $100 a month?

Mr. McRAE. I will undertake to furnish all the clerks that are wanted out of the gentleman's own district for $100 a month, or out of any other district. [Laughter.] I move the previous question.

The SPEAKER. The gentleman from Arkansas moves the previous question upon the report and all pending amendments.

Mr. SHAW. I hope the gentleman from Arkansas [Mr. McRAE] will permit me to say a few words.

Mr. McRAE. Mr. Speaker, the chairman of the Committee on Accounts [Mr. SHAW] desires to be heard briefly on this subject; and I yield to him such time as he may desire. Will five minutes be sufficient?

Mr. SHAW. I do not desire more than that time.

Mr. McRAE. I yield to the gentleman for not exceeding five minutes.

Mr. SHAW. Mr. Speaker, I trust that the motion of the gentleman from Arkansas [Mr. McRAE] will not prevail. Many of these committees—in fact most of them—have important duties to discharge and they require clerks of such an order of talent as will command in other positions better pay than the gentleman proposes to allow. I am quite sure, therefore, that the efficiency of the committees would be very greatly interfered with were this amendment adopted. I trust it will be voted down.

Mr. McRAE. I believe the gentleman from Michigan [Mr. BURROWS] wishes me to yield to him. Will five minutes be sufficient?

Mr. BURROWS. I desire the gentleman to yield for the purpose of allowing me to offer an amendment.

Mr. McRAE. If the gentleman will indicate his amendment, I will determine whether I can yield.

Mr. BURROWS. I wish to offer an amendment to append to the proposition this provision—that the proposition shall not apply to the eight committees on expenditures in the various Departments. Is there objection to that?

Mr. McRAE. I could not agree to that, because I understand that some of these committees need clerks as badly as some others that have had them. If the gentleman means economy then he should vote for my substitute. I renew the call for the previous question.

The SPEAKER. The question is on ordering the previous question.

The question being taken, there were—ayes 50, noes 92.

Several MEMBERS. No quorum.

The SPEAKER. As no quorum has voted, tellers will be ordered.

Mr. McRAE. In order to save time, I call for the yeas and nays on ordering the previous question.

The yeas and nays were not ordered, only 15 voting in favor thereof.

The SPEAKER. The Chair appoints as tellers the gentleman from Arkansas [Mr. McRAE] and the gentleman from Kansas [Mr. PERKINS].

The House again divided; and the tellers reported—ayes 93, noes 116.

So the previous question was not ordered.

Mr. PERKINS addressed the Chair.

Mr. MILLS. As the call for the previous question has not been sustained, I desire to offer an amendment.

Mr. REED. I submit that the gentleman from Kansas [Mr. PERKINS] is entitled to the floor by parliamentary usage.

Mr. PERKINS. I addressed the Chair, and endeavored to get recognition.

The SPEAKER. The Chair will recognize the gentleman from Kansas.

Mr. PERKINS. I desire to offer as an amendment to the substitute of the gentleman from Arkansas the provision which I send to the desk.

The Clerk read as follows:

That each member of every committee shall be entitled to a clerk during the session of Congress, who shall receive a monthly salary of $100, to be paid out of the contingent fund of the House: *Provided*, That only one clerk shall be allowed to each member.

Mr. MILLS. I make the point of order that this proposition is not germane to the pending question.

The SPEAKER. The gentleman from Texas makes the point of order that this amendment is not germane to the proposition before the House.

Mr. PERKINS. I think the gentleman from Texas did not observe the phraseology of my motion, to which I call the attention of the Speaker. My proposition relates to the committee.

Mr. MILLS. It proposes the employment of a clerk for each member of a committee, which of course includes every member of the House.

The SPEAKER. Does the gentleman from Kansas desire to be heard further on the point of order?

Mr. PERKINS. I have said all that I wish to say on that point.

The SPEAKER. The Chair has some doubt as to the admissibility of the amendment, but feels disposed to let the House vote upon it.

Mr. PERKINS. I yield three minutes to the gentleman from Pennsylvania [Mr. BRUMM].

Mr. HOOKER. I rise to a point of order. I submit that the amendment offered by the gentleman from Kansas is not in order, not being germane to the subject-matter under consideration.

The SPEAKER. The Chair has just stated that, although he entertains some doubt as to the admissibility of the amendment under the rules, he will allow the House to vote upon it, and therefore overrules the point of order.

Mr. PERKINS. I yield three minutes to the gentleman from Pennsylvania [Mr. BRUMM].

Mr. BRUMM. Mr. Speaker, I remember that when in the last Congress a resolution was offered and voted upon, granting to each member of Congress a clerk, but three of all the chairmen of committees of the House that were provided with clerks voted in favor of that proposition, notwithstanding the fact that a number of the committees, as has been shown this morning, although they had clerks, had practically no business to perform, for I happened to be a member of one committee that had but one meeting besides the one called for the purpose of organizing the committee; yet that committee had a clerk, and a number of these committees are in the same position. When that vote was taken those gentlemen who were chairmen of these committees had their clerks; yet, upon the proposition to allow each individual member a clerk, all these chairmen, except three, as I have stated, voted against doing unto others as they would have others do unto them. Therefore I think it proper that we should vote on this proposition now, before these gentlemen, who are chairmen of committees, obtain their share of the "pork." While they are "out in the cold" the chances are that they will be more willing to do justice to their fellow-members on this proposition.

Mr. PERKINS. I yield for a few moments to the gentleman from Iowa [Mr. STRUBLE].

Mr. STRUBLE. Mr. Speaker, as is known to members of the last Congress, I advocated in that Congress the justice of the proposition that the members of that House should each be allowed a clerk, so as to better enable them to discharge the responsible duties imposed upon them. Though I but repeat what has been said over and over again, the statement is worth repetition, that no member of this House can discharge all the burdensome clerical work connected with the performance of his official duties, and at the same time have opportunity for the examination of the great public questions which are necessarily thrust upon him, and which he should have time intelligently to examine.

It is of more importance to this country that their legislators should have time and opportunity for a proper, full, and complete examination of these great public questions coming before them than it is whether or not we shall expend a few dollars more this year and during this Congress than during a preceding year and at another Congress.

I am in favor of this proposition to grant a clerk at a proper compensation, to be paid during each session only, to every member of this Congress, and not only to the members of this, but of future Congresses, and I am prepared to go before my people and defend my position. In the interest of the people we represent, who deserve and demand our best and most faithful service, let us have the manhood to pass this motion.

Mr. PERKINS. If it is the desire of the gentleman from Texas, I will renew the demand for the previous question; or if any gentleman desires to speak in opposition to the amendment I will now yield the floor to him for that purpose.

Mr. BROWNE, of Indiana. I should like to be heard.

Mr. PERKINS. For how long?

Mr. BROWNE, of Indiana. Five minutes.

Mr. PERKINS. I will yield to the gentleman for that time.

Mr. BROWNE, of Indiana. Mr. Speaker, I agree with all that has been said as to the necessity for the employment of a clerk for each Representative of the people in this House. I am compelled, however, to vote against this proposition. We were elected under a law fixing the compensation of Representatives in Congress at $5,000 per annum, to which are added certain emoluments in the shape of mileage and allowance for stationery. That was at least in morals a contract between each Representative and his constituents that he would serve the ensuing term for that measure of compensation.

Still, I object to it for the further reason that there is nothing to intervene between the Treasury and the Representatives of the people, except an election, after a measure has been passed that seeks to take money from the Treasury. The power of this House to appropriate money for the pay of its own members is without limit as to time. Congress may not only increase the measure of its compensation, but may to some extent make it retroactive. If we may do that as to the session in which we now serve, there is nothing to prevent our allowing additional compensation to members for terms which have already expired. If, therefore, we may, without limit—for I believe the Constitution imposes none except that the appropriation shall be for public purposes—if, I say, we may therefore appropriate without limit, it seems to me when we have increased the salary or emoluments of office it ought not to take effect until an election intervenes between the passage of the law and the time when it is to be operative. In that way, and in that way only, can the people have an opportunity to pass upon such a measure and save the Treasury.

If we increase our salary, say, to $10,000, $15,000, or $25,000 each—although we have been elected upon a measure of compensation fixed at a lesser sum than this enormous amount—this raid, if you please, on the Treasury can only be prevented by allowing the people between this and the time when the law is to take effect to send Representatives here who will repeal the law.

As I have said before on this floor and repeat now, I will never vote to increase my compensation or the compensation of Representatives in Congress, either directly or indirectly, unless the measure is by express stipulation only to take effect in another Congress to be sent here by the people.

[Here the hammer fell.]

Mr. HERBERT. I ask the gentleman to yield to me for five minutes.

Mr. PERKINS. I will yield to the gentleman from Alabama [Mr. HERBERT] five minutes, and when he has concluded, to the gentleman from Georgia [Mr. BLOUNT] for five minutes.

Mr. HERBERT. I ask that the pending resolution be reported.

The resolution was again read.

Mr. HERBERT. Mr. Speaker, it seems to me the House is not paying the attention to this matter which its importance demands. The effect of it will be to add about three hundred clerks, three hundred office-holders, to the number now in existence. If gentlemen will look a little, as they ought to do, at the situation, I think they will understand why certain gentlemen persist in their endeavor to force the proposition on the House at this time, just before a Presidential election. Are we, whom the country holds responsible for the conduct of this House, as the majority party, willing to take the responsibility now of indirectly increasing, as the gentleman from Indiana has said, our own compensation by adding these three hundred additional office-holders to the existing clerical force? This is the single question to which I desire to call the attention of the House, and I most earnestly hope we will not permit it to be done. It matters not who makes the motion, or what party votes it upon us, the majority will be held responsible for this additional three hundred office-holders if this resolution shall be adopted.

[Here the hammer fell.]

Mr. PERKINS. I yield now to the gentleman from Georgia.

Mr. BLOUNT. Mr. Speaker, the proposition to give to each member of the House a clerk is by no means a new one. For several Congresses preceding this that proposition has come up in some shape or other before the House of Representatives, and it has been almost unanimously voted down. It has always been condemned by every Democratic House that has been assembled since the origination of the proposition. It is essentially a Senate measure, decried by the several Democratic Houses that preceded this from the date of its first presentation in the House to the present time. It is a question that has occasioned struggles between the two Houses and has at times threatened an extra session. Conference committees of the two Houses have met and disagreed time and again because of it, and the unanimous conclusion reached by the Democrats in the House has invariably been against the adoption of such a measure.

It has never reached the House before in its present shape, and now it comes after such an unfortunate chain of circumstances as puts the control of the measure practically in the hands of the other side of the House.

The question with which we are now confronted, therefore, is, shall we submit to the situation? Is it not possible for the gentlemen who control this side of the House and who control the House itself, but who have temporarily lost control of this measure, to resume that authority vested in them by recommitting this report to the committee from which it originated, coupled with the other propositions which have been offered as amendments to it on the floor of the House?

It seems to me, Mr. Speaker, that, by a mistake the House has hitherto made, this measure is not now in such a shape that the House can wisely act upon it. I do not undertake to say that the report of the Committee on Accounts is the exact report that should be adopted; I do not mean to say that the measure presented by the gentleman from Mississippi [Mr. HOOKER] is the exact thing that should be passed, or that the amendment proposed by the gentleman from Arkansas [Mr. MCRAE] is right. But there has been a development of the opinions and sentiments of this side of the House, there has been an expression of its wants and wishes; and I trust that in the light of that development the whole matter will be recommitted to the Committee on Accounts in order that it may consider and make such report as may be reached in the light of surrounding circumstances after full consideration of the facts.

The gentleman from Alabama [Mr. HERBERT] has well stated the matter, when he says that this is but another proposition to create three hundred and twenty-five additional officers, less the clerks of the present committees of the House. That is just what it means, neither more nor less, and it is a proposition that has been repudiated by every Democratic House that has been in session, as I have said, since the origination of the measure.

Now, sir, this House is under the control of the Democratic party. That party is responsible for whatever shall emanate from it. It makes no difference whether the legislation adopted here shall be reached by a majority of that party, or by the great bulk of the other side and a small faction of this side. This side, under any circumstances, is responsible to the country, and the country will hold it responsible for whatever is done or left undone. I trust, sir, that in this measure, as in all other measures that are presented here, we, facing the responsibility, as we should, will act together as friends, political friends for political purposes, in the interests of this great country.

This proposition is but the beginning. Division here upon this means division at other points. We have the care of the public treasury, and if extravagance is to commence to-day, or has already commenced, and if it is to be continued, the responsibility for this negligence must rest on this side of the House, and the country will undoubtedly hold it responsible.

Mr. PERKINS. How much time have I remaining?

The SPEAKER. The gentleman has forty minutes remaining.

Mr. PERKINS. I yield three minutes to the gentleman from Mississippi [Mr. STOCKDALE].

Mr. STOCKDALE. Mr. Speaker, there is great force probably in the expressions used by the gentleman from Alabama [Mr. HERBERT] and repeated by the gentleman from Georgia [Mr. BLOUNT], but as far as the question of forcing a measure upon this House by the other side or by this side on the threshold of a Presidential election is concerned, I do not think there is anything in that whatever. If the measure be right in itself, we are perfectly willing to support it and go into any election upon that issue. If the measure in itself be wrong, we should vote it down, if there never was to be a Presidential election at all.

Now, then, if the members of this House really need a clerk, if their duties to their constituents demand that they shall have a clerk to assist them in the minor operations of their official duties, why I should be perfectly willing to go before my constituents and say so, and tell them the reason that I voted for such a resolution. It would be voting for a resolution in their interest, not in our own, in order that they might have the advantage of all the time of their representatives and the assistance of a clerk. If the members, therefore, have any necessity for a clerk to assist them in the discharge of their public duties, duties that they owe to their constituents, they should have a clerk.

I believe the duties of this House are as arduous as the duties imposed by the Senate upon its members. But, Mr. Speaker, I am opposed to voting upon this resolution at the present time; not for any reason that I fear a vote on any question in the face of a Presidential election, but I do not believe the subject has been sufficiently considered, and I am not prepared to say that I would be willing to vote for it. But I am in favor of walking squarely up to the rack and voting upon this proposition directly, and not dodge responsibility behind this scheme of voting a clerk to each member of each committee, for every member of the House is a member of some committee. We should therefore, in my opinion, as suggested by the gentleman from Georgia, refer this back to the Committee on Accounts and let them submit a new report, so that we may all be able to vote intelligently upon this question.

[Here the hammer fell.]

Mr. PERKINS. I yield three minutes to the gentleman from Indiana [Mr. MATSON].

Mr. MATSON. I believe this matter ought not to be recommitted to the Committee on Accounts, but that the subject ought to be disposed of to-day. It is certainly important to the transaction of the business of the House that this matter should be settled, because the committees are likely to do little, if any, work until it is disposed of.

I apprehend it will be found after the discussion here that the Committee on Accounts has done about all it will dare to do under any circumstances. If the House should instruct the Committee on Accounts to report this matter back, giving to each committee a clerk, perhaps they would take the responsibility. Without such instruction I am quite sure they would not, for the law does not provide enough clerks to give one to each committee. It seems to me that as the matter is before the House now, it is the duty of the House to dispose of it. If the House believes these committees that are unprovided for should have each a clerk, let us vote on that proposition. If the House believes the Committee on Claims ought to have an additional clerk, let us vote on that proposition.

I apprehend the matter of giving a clerk to each member of the House will not be seriously considered when the vote is finally taken. I apprehend gentlemen are not ready to-day by a simple resolution of the House to create three hundred additional officers hurriedly at this early period of the session. I believe that responsibility will not be taken. I think this matter ought to be disposed of now, and that the Committee on Accounts ought to be sustained as far as it has gone, and that these matters of amendment ought to be disposed of in order that the business of the House may proceed.

Mr. PERKINS. I yield three minutes to the gentleman from Iowa [Mr. KERR].

Mr. KERR. I was very much pleased at the remarks of the gentleman from Georgia [Mr. BLOUNT] in regard to the question of economy when he urged his party friends to stand by him and vote for a measure of economy. And I do not think this side of the House can absolve themselves from the necessity of standing by economy when measures of this kind are under consideration. I do not believe it is necessary for the average member of this House to employ a clerk either in regard to matters before the House or matters concerning his relations to his constituents. Believing that that is not necessary, and in view of the remarks made by the gentleman from Mississippi, that if a matter was before a committee upon which any member desired information the services of the clerk might be employed to obtain that information, I think the amendment proposed by the gentleman from Kansas [Mr. PERKINS] ought not to be adopted.

Mr. PERKINS. I yield five minutes to the gentleman from Florida [Mr. DOUGHERTY].

Mr. DOUGHERTY. As far as this discussion has gone it appears to me that the principal opposition to the full scope of this resolution comes from the gentlemen who are chairmen of committees, and there-

fore have clerks. They talk upon this matter upon the broad platform of statesmanship. Now, I take this ground, that if every member of this House had a clerk the business of his constituents would be better attended to than it is at the present time.

I would vote, sir, for a proposition to abolish every committee of this House which was not of sufficient importance to authorize the employment of a clerk to attend to the business of that committee; and I will go further. The Speaker well knows, and so does every member of this House who has served here for several terms, that every legislative appropriation bill returning from the Senate comes into this House with an amendment tacked upon it giving each Senator a clerk. What is there in the duties to be performed by a Senator which should entitle him to a clerk more than there is in those duties which are supposed to be performed by a Representative? Put the question before the House, to say nothing of the whole people of this country, in its bare light and it will be seen that that action upon the part of the Senate is simply a mode of increasing the pay of a Senator. Now let the same step be taken by the members of this House; let it be called by its real name—increasing the pay of a member—and he has just as much right to that increase of pay as has a Senator of the United States.

Furthermore, sir, while the resolution of the gentleman from Arkansas [Mr. MCRAE] was under discussion, I asked him a question and he answered it. My question was whether the effect of his resolution would not be to put all of the clerkships into the District of Columbia on the ground that a gentleman from a distance could not afford to come here to take a place? In answer to that question he said that plenty of gentlemen from my district would come here. I deny that statement *in toto*.

Mr. MCRAE. If I was mistaken in supposing the district of the gentleman could furnish fit clerks, I beg his pardon, and get them from other districts.

Mr. DOCKERY. They might come from the district of the gentleman from Arkansas, but I do say that you could not get any man from my district in the State of Florida, who is competent to be a clerk of a committee of this House, to come here for $100 a month. He can do better at home. Now, sir, as my time is short, I have just this further to say: The gentleman from Alabama [Mr. HERBERT] and the gentleman from Georgia [Mr. BLOUNT], both of them chairmen of committees, inveigh against the action of the majority of this House in voting themselves clerks——

Mr. BLOUNT. If the gentleman will allow me I will say that I have voted against this proposition and spoken against it a dozen times, and have done so when I had no clerk. I have always opposed it, and so has my friend from Alabama.

Mr. DOCKERY. But most of the time the gentleman has been chairman of a committee and has been provided with a clerk. But, Mr. Speaker, be that as it may, something has been said here about the motives which actuate members in voting upon this question. Now, sir, I deny that such language, impugning in any way the motives of members of this body, is parliamentary. My motive in voting to furnish myself a clerk as a member of three committees of this House is that my constituents may be better served than they can be while I have to attend to the duties of a clerk myself. Gentlemen talk glibly here about responsibility and about approaching elections. Sir, I believe that the American people care very little how much of the public money may be spent provided they get some adequate return for the expenditure in the way of services to themselves or their representatives. This matter of "economy" is worn out. [Laughter.] Each side as it has been in the majority here from time to time has preached "economy"——

[Here the hammer fell.]

Mr. PERKINS. I yield two minutes more to the gentleman from Missouri.

Mr. DOCKERY. I am obliged to the gentleman from Kansas. I shall probably not consume the two minutes.

Speaking of the question of motives, I simply wish to make this statement, plainly and without the violation of any parliamentary usage, that the real reason why every member of this House has not long since had a clerk is that gentlemen have been afraid of their constituents. [Laughter.]

Mr. PERKINS. I yield five minutes to the gentleman from Pennsylvania [Mr. BAYNE].

Mr. BAYNE. Mr. Speaker, I favored this proposition in the last Congress. It was not then in precisely this form. It had to come to the House as a report from the Committee on the Revision of the Laws, and, as I understood, it was the unanimous report of that committee, except one member. It therefore had the indorsement of the Democratic members of that committee, and it met with the favorable consideration of the House until the closing hours of the session, when, under the press of business and the want of time, it failed of consideration.

I should rather have the proposition in the form in which it was presented by the Committee on the Revision of the Laws than in the form in which it is now presented; but rather than see it fail, I shall support this proposition, voting to each member of the House a clerk. I agree with the gentleman from Florida [Mr. DOUGHERTY] that the work of every member will be more faithfully and better done, and that he will render better service to his constituents when he has a clerk. The work and the details which each member is required to attend to would be much better attended to under such circumstances, and in the interest of wise and well-considered legislation on this floor I advocate this proposition. I think that if members were relieved from a great many of the duties that are now incumbent upon them as to small matters of detail, they would be able to give more intelligent attention to their general duties as legislators. All round, this proposition would work to the advantage of the people of the country.

Some gentlemen say that these clerks are not needed. I do not know what constituencies those are whose representatives can perform their duties here without the aid of clerks. I suppose the large majority of the members of this House require and employ clerks. The purpose of this proposition, as it comes from the Committee on Accounts, is to give clerks to certain committees, which committees have really nothing in the world to do, so that in such cases the clerk becomes, in point of fact, the clerk of the chairman of the committee. Why not take this matter squarely by the horns and meet the issue boldly now, before the November elections, and vote to each member of this House a clerk? My constituents will stand it, and I do not believe there is a constituency in the country that will not stand it. I believe in having the courage to do what is right. I believe that these clerks are needed, and we ought to have the courage to say so by our votes, and not equivocate and beat the devil around the bush, as we do when we support a proposition giving clerks to the Committees on Expenditures in the State Department and in the War Department, and various others that have nothing at all to do. As I have said, I would prefer to have the proposition in the good shape in which it came from the Committee on the Revision of the Laws at the last session; but for fear that we may not be able to get the proposition in that form, and that if action be delayed the proposition may be defeated, I intend to vote for the substitute offered by the gentleman from Kansas [Mr. PERKINS].

Mr. PERKINS. I yield three minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, I think the gentleman from Kansas is mistaken as to the number of clerks that would be allowed under his resolution. I ask the Clerk to read the proposition again.

The Clerk read as follows:

That each member of every committee shall be entitled to a clerk during the session of Congress, who shall receive the monthly salary of $100, to be paid out of the contingent fund of the House: *Provided*, That only one clerk shall be allowed to each member.

Mr. SPRINGER. Now, if I understand the proposition aright, every member of the House, being of course a member of some committee, would be entitled to one clerk as a member of a committee, and the committees are entitled to certain clerks in addition.

Mr. BUCHANAN. The gentleman does not understand the proposition.

Mr. SPRINGER. The chairman of a committee in appointing a clerk for the committee does not appoint a clerk for himself; the appointee is known as the committee's clerk; he is not the member's clerk at all. But this proposition would give to each chairman of a committee the right to appoint a clerk for himself individually, in addition to the appointment he may have made as chairman of the committee. Take my own case. I am chairman of one committee and a member of another committee. Under this proposition I would have a right as a committee member to appoint a clerk, because the clerk I have appointed as chairman of a committee is the clerk of the Committee on Territories, not of the individual who acts as chairman. I think if this matter were properly understood members would not vote these additional clerks. There are forty-two standing committees of the House; so that under this proposition there would be forty-two committee clerks, and then there would be in addition an individual clerk for every member of the House. Upon this construction I am opposed to the amendment, as also upon the general merits of the proposition.

Mr. PERKINS. I yield three minutes to the gentleman from Pennsylvania [Mr. SCOTT].

Mr. SCOTT. Mr. Speaker, so far as my experience in this House enables me to judge, I believe the duties devolving upon members here are of such a character that no gentleman can perform them satisfactorily to himself and with proper regard to the interests of his constituents without a clerk. And I stand here to-day ready to vote to give every member of this House a clerk. I am not afraid to go home and meet my people on this issue; for I would tell them that the man does not live, and has not lived, who can attend to his duties in this Hall, attend to his committees, visit the Departments upon business of his constituents, answer his correspondents, and do all this work without the assistance of a clerk.

Coming to the question of clerks of committees, I can see no reason why we should make distinctions between one committee and another—why the Committee on Claims, for instance, should have two clerks and in other cases a single clerk be required to divide his labors between two committees. Why is that, sir?

Mr. LANHAM. The Committee on Claims has perhaps more work to do than any other committee.

Mr. SCOTT. I do not know that such is the case. No gentleman on

this floor can say what work will devolve on any committee under the rules of this House, and no gentleman can say that the chairman or the members of any particular committee can go on and discharge their duties without a clerk. For my part, if we are not going to give each member of this House a clerk, then I say that, in justice to the various committees, each committee ought to have a clerk, irrespective of what may have been the practice in the past.

Mr. PERKINS. I yield three minutes to the gentleman from Tennessee [Mr. HOUK].

Mr. HOUK. Mr. Speaker, I propose to vote for this measure, giving to every member of this House a clerk, and in casting that vote I am not voting for my individual benefit; I am voting for the benefit of my constituents. I presume there is not a man on this floor who attends to his duties as a Representative who is not compelled to employ a clerk. I have had one ever since I have been a member of this body, and I think the constituency that would be unwilling to sanction this aid to their Representative here would naturally be a constituency that did not understand the duties of the Representative.

It is the experience of every man here that it is utterly impossible for any gentleman to keep up with the various questions which are brought before this body, to examine properly the facts and the circumstances, the law and the reasons surrounding them, and at the same time keep up, without clerical assistance, that tremendous correspondence which is absolutely necessary in looking after the details of business entrusted to members of this House. Therefore, in casting my vote for this proposition, I do so for the purpose of enabling me, as the Representative of the people of the Second Congressional district of Tennessee, to give attention to the legislation of this body. I propose to let the people, through their Treasury, pay for a clerk to aid me in looking after their interests in the various departments of the Government and keeping up with the details of my official duty.

One other word. In giving this vote to facilitate the public business, I am in nowise alarmed about going back to my constituents and telling them that I thus voted.

[Here the hammer fell.]

Mr. PERKINS. I yield three minutes to the gentleman from Michigan [Mr. CUTCHEON].

Mr. CUTCHEON. Mr. Speaker, upon the general question as to the desirability of clerks for members of this House, whether that question be considered with reference to the business of the House, the thoroughness with which we are to perform our public duties, or the interests of our constituents, I have no doubt whatever. So far as my acquaintance extends, I believe that every member of this House, unless he be able to provide himself with a clerk outside of the salary allowed him by law, is compelled to devote a very large proportion of his time to the performance of merely clerical duty. I do not believe that the law fixing the salaries of members of Congress contemplated this state of affairs.

There is another thing we ought not to forget. Times are not now as they were five years ago, or even ten years. There are gentlemen who still occupy seats on the floor of this House who were here when the population of the United States was thirty millions, instead of sixty millions, as it is to-day. They remember the time when the bills introduced here in a single session were numbered by hundreds, instead of by tens of thousands, as they literally are to-day.

For my own part, I believe it would be in the interest of practical economy to our individual constituents if a clerk or the allowance for a clerk were provided for each and every member. I voted for this proposition in the last Congress. I voted for it because I believed it was right. I believe it is right to-day, and therefore shall vote for it to-day.

There is another thing to which I may advert. We have before us here from session to session bills in the interest of labor, in regard to the eight-hour law and laws of like import. I venture to affirm, on an average, the members of this body are engaged in their public duties not eight hours a day or ten hours a day, but I believe there are more gentlemen on this floor who give from twelve to thirteen hours a day to their public duties than there are who give less than that time. I do not believe our constituents want us to do this. I do not believe they ask us to busy ourselves for hours each day performing work which a clerk can be hired for $100 a month to do as well. Therefore I shall vote for the amendment of the gentleman from Kansas.

[Here the hammer fell.]

Mr. PERKINS. I now yield for five minutes to the gentleman from Georgia.

Mr. STEWART, of Georgia. Mr. Speaker, I desire to say it is not the part of wisdom to legislate by indirection. We all knew at the time of our election that our salaries were $5,000 a year and mileage. By indirection to-day we attempt to add $300,000 more to the salaries of the members of this House under the guise of aiding the committees by furnishing each one of them with a clerk. Now, I insist, if this proposition is not to take effect in the future, so the people can say when they select their representatives they shall not have the power to supplement their salaries by an indirect vote, by indirect legislation, it will be unfair to our constituents. It is an improper and unusual mode of legislation thus, under the guise of aiding each chairman of a committee, to allow him $1,000 for a clerk for two sessions of Congress, when at the time each member was elected to this House he knew his salary was only $5,000 a year without any supplementary or additional amount of this character.

[Here the hammer fell].

Mr. PERKINS. I now yield two minutes to the gentleman from Indiana [Mr. STEELE].

Mr. STEELE. Mr. Speaker, I am glad indeed this House did not take alarm at the remark of the gentleman from Alabama [Mr. HERBERT], who notified us we were on the eve of a Presidential election and to prepare for the battle, and that economy must again be the rallying cry. Now, I am not surprised to hear that cry come from him, because he has a clerk. [Laughter.]

It is physically impossible for me to do all the work I am called upon to do for my constituents. I have answered every letter and attended to every request coming from them, and I have my whole time taken up by that work, and my colleague [Mr. BROWNE] says he does not need a clerk, or that he will not vote for a clerk. Now, look at this desk—there are seventy-five letters unanswered [laughter] and as many more perhaps at home unanswered.

Mr. STRUBLE. And besides other questions, there is the tariff.

Mr. STEELE. The gentleman has a right to his position on this question, and he can vote against the resolution allowing a clerk, but for myself I am going to vote for a clerk in order that I may serve my constituents better. I had the courage to do it two years ago, and if my constituents do not want me to have a clerk during the succeeding Congress they can say so and I will not be their Representative.

If the House sees proper to vote us a clerk I shall be very glad indeed, and I would call special attention to the position taken by the gentleman from Pennsylvania [Mr. SCOTT], who comes boldly out in favor of doing so. He has the wealth to hire a dozen clerks if he wants to and not feel it as a drain upon him, and yet he has some compassion upon poor people who are laboring under other circumstances. He is not going to be a demagogue because he has got a clerk for his committee, either, but is willing that others shall have equal privileges. I hope, therefore, that this side of the House will have the courage of its own convictions, and if they have constituents who do not want them to come here to undertake to do their duty better and more satisfactorily, then they ought to be willing to stay at home.

Mr. PERKINS. I now yield three minutes to the gentleman from Alabama [Mr. OATES].

Mr. OATES. Mr. Speaker, the policy of the Government of the United States, unlike that of Great Britain, is to pay its legislators for their services. This is done because it enables the people of any Congressional district to be represented if they choose by the poorest man in the district. They expect efficient services to be here rendered by their representatives.

No gentleman who has been here for even one session will say that any man can perform all the duties efficiently and faithfully pertaining to his position without some clerical assistance. I could enlarge upon this, as I did in a report from the Committee on the Revision of the Laws, which I submitted in a former session of Congress, and which gave fully the reasons, which are manifest on reflection, why a clerk should be allowed to members.

But, sir, as my time is limited, I only care now to say that while I favor the general proposition of a clerk to every Senator and Representative who is not the chairman of a committee, and therefore unable to utilize the services of the clerk of that committee, yet the present proposition does not meet my approval.

It is a simple, naked proposition that the members of the House of Representatives who are not chairmen of committees shall have a clerk during the sessions of Congress at a compensation of $100 a month.

I am in favor of a general law making the compensation uniform and applying it to the clerks of Senators as well as to the clerks of Representatives. But in that respect in my judgment the proposition now submitted is so defective that I can not vote for it, though I am prepared at all times to vote for a well-considered and matured proposition to carry out the general scope of the idea.

Mr. PERKINS. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has three minutes.

Mr. PERKINS. I would like permission to extend the time two minutes longer in order to give the gentleman from Alabama [Mr. HERBERT] two minutes, reserving three to close the debate. I ask unanimous consent, therefore, that the time be extended for two minutes.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. PERKINS. I now yield two minutes to the gentleman from Alabama [Mr. HERBERT].

Mr. HERBERT. Mr. Speaker, it has been more than once suggested in the course of this debate that the reason of my opposition to this measure is that I have a clerk as chairman of one of the committees of the House. That is a mistake. The Committee on Naval Affairs has a clerk, but that clerk writes very few of my letters. I write fully nine-tenths of them myself as a general proposition; but sometimes in the last Congress when I found myself unable to write my letters, I

took the money out of my own pocket and paid a stenographer to come and take them down from my dictation and write them out for me. That is what I expect to do during this session; and every gentleman upon the floor can do the same thing if he desires it.

But this is just, as the gentleman from Georgia [Mr STEWART] has said, a plain proposition to increase our own salaries by an amount ranging from $500 to $1,000 per year. It is the same thing that was done in the back-salary grab, so well remembered in this country. Men came here elected to serve at $5,000 a year, and with that agreement made with the people, for that was the implied contract on which they were elected, that being then the law, they voted themselves during their term of service $7,500 a year. Very few of them ever got back. In principle this is precisely the same, for every gentleman can pay if he chooses for this service out of the amount—$5,000 a year, which was the salary by law when he was elected—the necessary clerk-hire to write his letters.

[Here the hammer fell.]

Mr. HOOKER. Will the gentleman from Kansas allow me a moment?

Mr. PERKINS. I have but three minutes to close the debate.

I desire to notice first the argument made by the gentleman from Alabama [Mr. HERBERT], which was originally, doubtless, suggested by the gentleman from Indiana [Mr. BROWNE], that this proposition involves the increase of the compensation as now fixed by law of the members of this House.

The language of the resolution is that this compensation is to go to a clerk, who shall assist in part the member serving his constituency, in the running of errands at the Departments, in looking after that errand work that every member of this House is called upon to perform, and which errand work largely takes from him his usefulness as a member of this House.

There is not a member of this House, I care not what his experience is in matters of legislation, that is able to look after his correspondence and his errand work and at the same time give intelligent attention to the business of this House. Every member here of twenty-four hours' experience on work knows this is a very important thing and in private conversation will recognize and confess the necessity for a clerk being assigned to each member. I am glad I represent a constituency that is willing a member shall vote for a proposition that will give him this assistance in doing this errand work and enable him to look after their wants in the various departments of the Government. The time of the member which should be devoted to matters of legislation is largely occupied by this errand work to which I have referred. This proposition does not contemplate giving a dollar to a member, but it does contemplate that these clerks who are to be called to assist the constituency of the members in the doing of this work shall be paid the not very extravagant sum of $100 per month.

I am very glad that I represent a constituency that casts more than 2,500 votes. If I represented a constituency that only cast 2,500 votes perhaps I might be able to do their work. [Applause.] But I represent a constituency which cast 32,000 votes and more, and there are members here representing districts which cast more than double the number cast in the entire ten Congressional districts of Georgia. And when you ask a member to do the work of 32,000 electors, answering their letters, running their errands, and looking after their various interests, you ask an impossibility. I do not think it is the sense of the people of America that these labors should be imposed upon any one man, and in the interest of good legislation and in the interest of our constituents, who want their every interest carefully and attentively looked after, I offer this amendment.

I demand the previous question.

Mr. MILLS. Pending the call for the previous question I move to recommit the report of the committee, with the amendments that have been offered, to the Committee on Accounts. I desired to submit some remarks, but the demand for the previous question cuts me off.

Mr. CUTCHEON. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CUTCHEON. I desire to be informed whether at this stage it would be in order to offer a substitute for the proposition of the gentleman from Kansas?

The SPEAKER. It would not. Only one motion is in order at this stage, the motion to commit with or without instructions.

Mr. JOHNSTON, of Indiana. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JOHNSTON, of Indiana. Will it be in order to offer an amendment giving instructions to the committee?

The SPEAKER. An amendment to a motion to recommit is in order.

Mr. JOHNSTON, of Indiana. I move, then, to amend the motion of the gentleman from Texas [Mr. MILLS] by giving to the committee the instructions which I send to the desk.

The SPEAKER. That is in order.

Mr. PERKINS. I desire to make a parliamentary inquiry. Pending the demand for the previous question is it in order to move to recommit?

The SPEAKER. By the express language of the rule the motion to recommit is in order pending the demand for the previous question or after the previous question has been ordered.

The Clerk will now report the instructions offered by the gentleman from Indiana [Mr. JOHNSTON].

The Clerk read as follows:

That it shall be unlawful for any clerk of a committee of the House of Representatives to perform any duty for the chairman of the committee or any member thereof that does not pertain to the business before the committee.

The SPEAKER. The question is on agreeing to the amendment of the gentleman from Indiana to the motion of the gentleman from Texas.

The question being taken; there were—ayes 70, noes 94.

Mr. JOHNSTON, of Indiana. I call for the yeas and nays.

The yeas and nays were ordered, 46 members voting therefor.

Mr. ANDERSON, of Kansas. Let the amendment be again read.

The amendment was again read.

The question was taken; and there were—yeas 109, nays 164, not voting 50; as follows:

YEAS—109.

| | | | |
|---|---|---|---|
| Adams, | Cooper, | Houk, | Rowell, |
| Allen, C. H. | Crouse, | Hovey, | Russell, C. A. |
| Allen, E. P. | Dalzell, | Hunter, | Ryan, |
| Anderson, J. A. | Darlington, | Jackson, | Scull, |
| Baker, C. S. | Davenport, | Johnston, J. T. | Sherman, |
| Baker, Jehu | Davis, | Kennedy, | Smith, |
| Bayne, | De Lano, | Kerr, | Snyder, |
| Belden, | Dorsey, | La Follette, | Spooner, |
| Bound, | Dunham, | Laidlaw, | Steele, |
| Breckinridge, C. R. | Farquhar, | Lehlbach, | Taylor, J. D. |
| Brewer, | Finley, | Lodge, | Thomas, G. M. |
| Browne, T. H. B. | Fuller, | Lyman, | Thompson, A. C. |
| Brown, C. E. | Funston, | Mason, | Tillman, |
| Brown, J. R. | Gaines, | McComas, | Turner, E. J. |
| Brumm, | Gallinger, | McCormick, | Vandever, |
| Buchanan, | Gear, | McCullogh, | Weber, |
| Bunnell, | Gest, | Morrill, | West, |
| Burrows, | Grosvenor, | Morrow, | White, J. B. |
| Butler, | Grout, | Osborne, | White, S. V. |
| Campbell, Felix | Guenther, | Owen, | Whiting, J. R. |
| Cannon, | Haugen, | Pattou, | Whiting, William |
| Cheadle, | Hayden, | Perkins, | Wickham, |
| Chipman, | Hayes, | Peters, | Wilber, |
| Clark, | Hermann, | Phelps, | Williams, |
| Cockran, | Hiestand, | Plumb, | Yardley. |
| Cogswell, | Hires, | Post, | |
| Collins, | Holmes, | Reed, | |
| Conger, | Hopkins, A. J. | Romeis, | |

NAYS—164.

| | | | |
|---|---|---|---|
| Abbott, | Dockery, | Landes, | Randall, |
| Allen, J. M. | Dougherty, | Lane, | Rayner, |
| Anderson, A. R. | Dunn, | Lanham, | Richardson, |
| Anderson, C. L. | Elliott, | Latham, | Russell, J. E. |
| Anderson, G. A. | Enloe, | Lee, | Sayers, |
| Bankhead, | Ermentrout, | Lind, | Scott, |
| Barnes, | Felton, | Lynch, | Seney, |
| Barry, | Fisher, | Macdonald, | Shaw, |
| Biggs, | Foran, | Maish, | Shively, |
| Bingham, | Forney, | Mansur, | Sowden, |
| Blanchard, | French, | Martin, | Springer, |
| Bland, | Gay, | Matson, | Stahlnecker, |
| Bliss, | Gibson, | McAdoo, | Stephenson, |
| Blount, | Glass, | McClammy, | Stewart, Charles |
| Boothman, | Glover, | McCreary, | Stewart, J. D. |
| Brower, | Goff, | McKenna, | Stewart, J. W. |
| Browne, T. M. | Greenman, | McKinney, | Stockdale, |
| Bryce, | Grimes, | McMillin, | Stone of Ky. |
| Buckalew, | Hall, | McRae, | Stone of Mo. |
| Burnett, | Hare, | McShane, | Struble, |
| Bynum, | Harmer, | Merriman, | Symes, |
| Campbell, T. J. | Hatch, | Mills, | Tarsney, |
| Candler, | Heard, | Moffitt, | Taulbee, |
| Carlton, | Hemphill, | Montgomery, | Thomas, O. B. |
| Caruth, | Henderson, J. S. | Moore, | Thompson, T. L. |
| Caswell, | Henderson, T. J. | Morgan, | Tracey, |
| Catchings, | Herbert, | Morse, | Townshend, |
| Clardy, | Hitt, | Neal, | Turner, H. G. |
| Clements, | Hogg, | Newton, | Vance, |
| Cobb, | Holman, | Nichols, | Wade, |
| Compton, | Hooker, | Oates, | Walker, |
| Cothran, | Hopkins, S. I. | O'Donnell, | Weaver, |
| Cowles, | Howard, | O'Ferrall, | Wheeler, |
| Cox, | Hudd, | O'Neall, J. H. | Whitthorne, |
| Crain, | Hutton, | O'Neill, J. J. | Wilkins, |
| Crisp, | Jones, | Outhwaite, | Wilkinson, |
| Culberson, | Ketcham, | Payson, | Wilson, Thomas |
| Cummings, | Kilgore, | Peel, | Wilson, W. L. |
| Cutcheon, | Laffoon, | Penington, | Wise, |
| Davidson, R. H. M. | Lagan, | Perry, | Woodburn, |
| Dingley, | Laird, | Phelan, | Yost. |

NOT VOTING—50.

| | | | |
|---|---|---|---|
| Arnold, | Dibble, | Mahoney, | Rogers, |
| Atkinson, | Fitch, | McKinley, | Rowland, |
| Bacon, | Flood, | Milliken, | Rusk, |
| Belmont, | Ford, | Nelson, | Sawyer, |
| Boutelle, | Granger, | Norwood, | Simmons, |
| Bowden, | Henderson, D. B. | Nutting, | Spinola, |
| Bowen, | Hopkins, S. T. | O'Neill, Charles | Taylor, E. B. |
| Breckinridge, WCP | Johnston, T. D. | Parker, | Thomas, J. R. |
| Burnes, | Kean, | Pidcock, | Warner, |
| Butterworth, | Kelley, | Pugsley, | Washington, |
| Campbell, J. E. | Lawler, | Rice, | Yoder. |
| Dargan, | Long, | Robertson, | |
| Davidson, A. C. | Maffett, | Rockwell, | |

So the amendment was not agreed to.

On motion of Mr. PERKINS, the reading of the names of members voting was dispensed with.

The following additional pairs were announced:

Mr. BELMONT with Mr. KELLEY, for the rest of the day.

Mr. DOUGHERTY with Mr. WADE.

Mr. MCKINLEY with Mr. BRECKINRIDGE, of Kentucky, for this day.

Mr. ALLEN, of Mississippi, with Mr. BUTTERWORTH, for the rest of the day.

The result of the vote was then announced as above recorded.

The SPEAKER. The question now is upon the motion of the gentleman from Texas [Mr. MILLS] to recommit the report and pending amendments to the Committee on Accounts.

Mr. CUTCHEON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CUTCHEON. Would it be in order now to offer an amendment to further instruct that committee?

The SPEAKER. It would.

Mr. CUTCHEON. I move to amend the substitute of the gentleman from Kansas [Mr. PERKINS] by striking out $100 and inserting $75.

The SPEAKER. That is an amendment to the proposition which is pending.

Mr. CUTCHEON. I intend it as an amendment to the motion to instruct the committee.

The SPEAKER. That is in order. The gentleman from Michigan [Mr. CUTCHEON] moves to amend the motion of the gentleman from Texas [Mr. MILLS], so as to instruct the committee as stated in his amendment.

Mr. MILLS. Mr. Speaker, was not the motion of the gentleman to instruct the committee?

The SPEAKER. It was.

Mr. MILLS. Can two motions to instruct be pending at the same time?

The SPEAKER. One motion to recommit with instructions is all that is in order under the rule, but the motion to commit without instructions is as amendable as any other motion until the previous question is ordered on it. The gentleman from Michigan [Mr. CUTCHEON] moves to amend the motion of the gentleman from Texas, so as to instruct the committee to report back the resolution with a proposition to pay these clerks $75 per month instead of $100 per month, and the question now is upon that amendment.

The amendment of Mr. CUTCHEON was rejected.

Mr. MILLS. I now move the previous question on the motion to recommit.

The question was taken, and the previous question was ordered.

The SPEAKER. The question now is on the motion of the gentleman from Texas to recommit the report and pending amendments to the Committee on Accounts.

The House divided; and there were—ayes 121, noes 100.

So the motion was agreed to.

Mr. MILLS moved to reconsider the vote by which the motion was agreed to; and also moved that the motion to reconsider be laid on the table. The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. LONG. I ask unanimous consent for the present consideration of the resolution which I send to the desk. [Cries of "Regular order!"]

The SPEAKER. The regular order is demanded. Under the rules of the House, the regular order is the call of States and Territories for the introduction of bills and resolutions. Under this call, public bills, and joint and concurrent resolutions, and resolutions and memorials of State and Territorial Legislatures, are in order; also, resolutions of inquiry addressed to heads of Departments.

PROCEEDS OF CAPTURED AND ABANDONED PROPERTY.

Mr. JONES introduced a bill (H. R. 3264) to authorize suits in the Court of Claims for proceeds of abandoned and captured property; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SUPREME COURT REPORTS FOR JUDGES.

Mr. JONES also introduced a bill (H. R. 3265) to supply certain United States judges with United States Supreme Court reports; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SECTION 4631, REVISED STATUTES.

Mr. JONES also introduced a bill (H. R. 3266) to extend the provisions of section 4631, title 56, "Prize," of the Revised Statutes, and of the act of June 8, 1874, in relation to prize-money, to fleet officers; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

INLAND NAVIGATION.

Mr. JONES also introduced a bill (H. R. 3267) for the relief of inland navigation; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

CONVENING OF CONGRESS.

Mr. WHEELER introduced a bill (H. R. 3268) to designate the time for the convening of Congress; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

Mr. WHEELER. I ask unanimous consent that that bill be printed in the RECORD.

The SPEAKER *pro tempore* (Mr. HATCH). That request is not in order at this time. The Chair will recognize the gentleman later.

PUBLIC LANDS IN ALABAMA.

Mr. WHEELER also introduced a bill (H. R. 3269) to amend an act entitled "An act to exclude the public lands in Alabama from the operation of the laws relating to mineral lands," approved March 3, 1883; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

COMPENSATION DUE DEPUTY MARSHALS.

Mr. WHEELER also introduced a bill (H. R. 3270) to regulate the payment of the compensation due to deputy marshals; which was read a first and second time, referred to the Committee on Expenditures in the Department of Justice, and ordered to be printed.

COMPENSATION OF FOURTH-CLASS POSTMASTERS.

Mr. WHEELER also introduced a bill (H. R. 3271) to increase the compensation of fourth-class postmasters; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

RETIREMENT OF DISABLED ARMY OFFICERS.

Mr. WHEELER also introduced a bill (H. R. 3272) to retire disabled officers of the Army; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

SUBSISTENCE DEPARTMENT OF THE ARMY.

Mr. WHEELER also introduced a bill (H. R. 3273) to effect a rearrangement of the grades of office in the Subsistence Department of the Army; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

FORFEITURE OF RAILROAD LAND GRANT.

Mr. OATES introduced a bill (H. R. 3274) to forfeit certain lands granted to the Mobile and Girard Railroad Company, to confirm the titles to purchasers, and to absolve said company from its obligations as a land-grant railroad; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

LEGAL PRACTICE BEFORE CONGRESSIONAL COMMITTEES, ETC.

Mr. OATES (by request) also introduced a bill (H. R. 3275) to establish a uniform system for the practice of attorneys at law before the committees of Congress and the Executive Departments, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SETTLERS ON DES MOINES RIVER LANDS.

Mr. OATES (by request) also introduced a bill (H. R. 3276) for the relief of the settlers upon lands along the Des Moines River above the Raccoon Forks, in the State of Iowa; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ACCOUNTS OF MARSHALS, ETC.

Mr. OATES also introduced a bill (H. R. 3277) to amend section 856 of the Revised Statutes of the United States, in reference to the payment of accounts of marshals and other officers; which was read a first and second time, referred to the Committee on the Revision of the Laws, and ordered to be printed.

SECTIONS 3480 AND 4716, REVISED STATUTES.

Mr. OATES also introduced a bill (H. R. 3278) to repeal in part and to limit sections 3480 and 4716 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on the Revision of the Laws, and ordered to be printed.

FOREST FIRES ON UNITED STATES LANDS.

Mr. OATES also introduced a bill (H. R. 3279) to define and punish the offense of setting fire to and burning woods, grass, or forests on lands belonging to the United States; which was read a first and second time, referred to the Committee on the Revision of the Laws, and ordered to be printed.

AMENDMENT OF RULES.

Mr. OATES also submitted the following resolution; which was referred to the Committee on Rules:

*Resolved*, That section 33 of Rule XI of the House of Representatives be amended so as to read as follows, to wit:

"To the revision and codification of the statutes of the United States, and to the amendment or repeal of the same, which do not relate to judicial proceedings: to the Committee on the Revision of the Laws."

Mr. OATES also submitted the following resolution; which was referred to the Committee on Rules:

*Resolved*, That sections 2 and 3 of Rule XIV of the House of Representatives be amended by striking out the words "one hour" wherever they occur, and inserting in lieu thereof the words "thirty minutes," and by adding to section 2 the following: "And any member who obtains the recognition of the Speaker for the purpose of debate shall yield any part of his time to more than two other members."

IMMIGRATION OF FOREIGNERS.

Mr. OATES also submitted the following resolution; which was referred to the Committee on the Judiciary:

*Resolved*, That the Judiciary Committee be, and they are hereby, instructed to inquire into and report to this House during the present session of Congress, by bill or otherwise, what further legislation may be necessary to limit and restrict the number of foreigners who are annually immigrating to the United States, and to secure better protection to the people of this country against the evils arising from indiscriminate admission to domicile and citizenship of paupers, criminals, outlaws, and turbulent persons from other countries.

REGISTRY OF FOREIGN-BUILT SHIPS.

Mr. DUNN introduced a bill (H. R. 3280) to amend section 4132 of the Revised Statutes of the United States, so as to authorize the purchase of foreign-built ships by citizens of the United States, and to permit the same to be registered as vessels of the United States; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

AMENDMENT OF HOMESTEAD LAWS.

Mr. PEEL introduced a bill (H. R. 3281) to equalize and amend the homestead laws of the United States, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

Mr. PEEL also introduced a bill (H. R. 3282) to repeal an act entitled "An act to provide additional regulations for homesteads and preemptions of the public lands," approved March 3, 1879; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

TOBACCO TAX.

Mr. PEEL also introduced a bill (H. R. 3283) to allow producers of tobacco to sell the same in the leaf, hand, or twist without internal-revenue restriction or tax; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

INDIAN DEPREDATION CLAIMS.

Mr. PEEL also introduced a bill (H. R. 3284) to create and establish a commission on Indian depredation claims; which was read a first and second time, referred to the Committee on Indian Depredation Claims, and ordered to be printed.

UNITED STATES COURT IN INDIAN TERRITORY.

Mr. PEEL also introduced a bill (H. R. 3285) to establish a United States court in the Indian Territory, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

DIVISION OF GREAT SIOUX RESERVATION.

Mr. PEEL also (by request) introduced a bill (H. R. 3286) to divide the Great Sioux reservation in Dakota and Nebraska, and to secure to the Indians the title in fee-simple to lands in severalty, and to open a portion to actual settlement, and to provide for the better education and civilization of the Sioux Indians; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

SIOUX NATION OF INDIANS, DAKOTA.

Mr. PEEL also (by request) introduced a bill (H. R. 3287) to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations, and to secure a relinquishment of the Indian title to the remainder; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

ARKANSAS STATE DEBT.

Mr. BRECKINRIDGE, of Arkansas (by request) introduced a bill (H. R. 3288) authorizing the settlement of the debt due the United States by the State of Arkansas; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

NATIONAL-BANK NOTES.

Mr. BRECKINRIDGE, of Arkansas, for Mr. BRECKINRIDGE, of Kentucky, introduced a bill (H. R. 3289) to provide for the investment of the lawful money deposited in the Treasury by the national banks for the redemption of their circulating notes, and for other purposes; which was read a first and second time.

Mr. BRECKINRIDGE, of Arkansas. I move the bill be referred to the Committee on Ways and Means.

The SPEAKER *pro tempore* (Mr. HATCH in the chair). The Chair has examined the bill and is satisfied it should be referred, under the rules, to the Committee on Banking and Currency.

Mr. BRECKINRIDGE, of Arkansas. I have introduced the bill at the request of the gentleman from Kentucky, and at his request I have moved its reference to the Committee on Ways and Means, which I believe to be the proper committee.

Mr. WILKINS. In response to what the gentlemen from Arkansas has said I wish to state that all bills of that character in the Forty-eighth and Forty-ninth Congresses went to the Committee on Banking and Currency. The bill of the gentleman from Maine [Mr. DINGLEY] was reported from that committee in the Forty-eighth Congress, and again in the Forty-ninth Congress a bill almost *verbatim*, word for word with this one. It refers to moneys deposited by national banks in the Treasury to redeem outstanding circulation, and has nothing whatever to do with the national debt except that the same was invested in Government bonds. It belongs exclusively to the Committee on Banking and Currency.

Mr. BRECKINRIDGE, of Arkansas. If in order to make one or two observations, I will add a word to what I have already said. I call the attention of the House to the fact that this does not relate to national-bank notes that are secured by Government bonds. It relates exclusively to those national-bank notes which have been assumed by the Federal Government like the greenbacks. It is to meet the payment of that class of national-bank notes, and is purely a strictly governmental obligation—in other words, an obligation just the same as the greenbacks are. Upon that ground, and knowing it to be the wish of my colleagues upon the committee, who believed it to be the proper committee for reference, I ask the House to send this bill to the Committee on Ways and Means, upon which committee the gentleman who offered the bill sits.

The SPEAKER *pro tempore*. The Chair will read the rule bearing upon this question:

All proposed legislation shall be referred to the committees * * * as follows: subjects relating to the revenue and the bonded debt of the United States: to the Committee on Ways and Means.

To banking and currency: to the Committee on Banking and Currency.

The Chair thinks this relates to banking and currency, but the gentleman from Arkansas moves its reference to the Committee on Ways and Means.

Mr. ANDERSON, of Kansas. Let the bill be read.

Mr. COX. Is this question open for discussion?

The SPEAKER *pro tempore*. The Chair will state that debate is not in order. The Chair did indulge the gentleman from Arkansas and the chairman of the Committee on Banking and Currency for a moment; but under the rules of the House bills must be referred without debate.

Mr. DINGLEY. I move to amend the motion of the gentleman from Arkansas by striking out "Ways and Means" and inserting "Banking and Currency."

Mr. COX. Is that motion debatable?

The SPEAKER *pro tempore*. It is not.

The question being taken on the amendment of Mr. DINGLEY, the House divided, and there were—ayes 106, noes 26.

So (no further count being demanded) the bill was referred to the Committee on Banking and Currency, and ordered to be printed.

DISTRICT OF COLUMBIA.

Mr. BRECKINRIDGE, of Arkansas (by request), also introduced a bill (H. R. 3290) to amend section 685 of the Revised Statutes relating to the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

TOOLS FOR NAVY-YARD, MARE ISLAND, CAL.

Mr. MCKENNA introduced a bill (H. R. 3291) to authorize the purchase of tools for the navy-yard at Mare Island, California; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

FRUIT JUICES.

Mr. MCKENNA also introduced a bill (H. R. 3292) providing that imported fruit juices compounded with alcohol be classed as alcoholic compounds and be subject to duty as such; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

FRUIT BRANDY.

Mr. MORROW introduced a bill (H. R. 3293) to amend an act entitled "An act relating to the production of fruit brandy and to punish frauds connected with the same," approved March 3, 1887; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

SILK CULTURE IN THE UNITED STATES.

Mr. THOMPSON, of California, introduced a bill (H. R. 3294) for the development and encouragement of silk culture in the United States, under the supervision of the Commissioner of Agriculture; which was read a first and second time, referred to the Committee on Agriculture, and ordered to be printed.

ROUND VALLEY RESERVATION, CALIFORNIA.

Mr. THOMPSON, of California (by request), also introduced a bill (H. R. 3295) to provide for the allotments of land in severalty to the Indians residing upon the Round Valley reservation, in the State of California, and granting patents therefor, and for other purposes; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

TAXATION OF COMPOUNDED BEVERAGES.

Mr. THOMPSON, of California, also introduced a bill (H. R. 3296) defining pure wines and providing for taxation of certain compounded beverages; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

INDIAN DEPREDATIONS.

Mr. THOMPSON, of California, also introduced a bill (H. R. 3297) in relation to Indian depredations; which was read a first and second time, referred to the Select Committee on Indian Depredation Claims, and ordered to be printed.

INDIAN DEPREDATION CLAIMS.

Mr. THOMPSON, of California, also introduced a bill (H. R. 3298) to pay all Indian depredation claims which have heretofore been examined and approved by the Secretary of the Interior or Commissioner of Indian Affairs and reported to Congress; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

RELIEF OF THE STATE OF CALIFORNIA.

Mr. THOMPSON, of California, also introduced a bill (H. R. 3299) for the relief of the State of California; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

LANDS FOR CEMETERY PURPOSES, COLORADO.

Mr. SYMES introduced a bill (H. R. 3300) to amend an act to enable the city of Denver to purchase certain land for cemetery purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

CUSTOM-HOUSE, DENVER, COLO.

Mr. SYMES also introduced a bill (H. R. 3301) for the erection of a custom-house at Denver, Colo.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SPECIAL COURT TO EXAMINE CLAIMS.

Mr. SYMES also introduced a bill (H. R. 3302) to establish a special court or a tribunal to examine, adjust, adjudicate, and report upon all claims arising out of Indian depredations, and for other purposes; which was read a first and second time, referred to the Select Committee on Indian Depredation Claims, and ordered to be printed.

BRANCH MINT, DENVER, COLO.

Mr. SYMES also introduced a bill (H. R. 3303) to provide for coinage at the branch mint at Denver, Colo.; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

FREE AND UNLIMITED COINAGE OF THE SILVER DOLLAR.

Mr. SYMES also introduced a bill (H. R. 3304) to provide for the free and unlimited coinage of the silver dollar; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

REAL ESTATE IN THE TERRITORIES.

Mr. SYMES also introduced a bill (H. R. 3305) to amend an act entitled "An act to restrict the ownership of real estate in the Territories to American citizens," etc., approved March 3, 1887; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

FORESTS ON PUBLIC DOMAIN.

Mr. SYMES (by request) also introduced a bill (H. R. 3306) for the protection and the administration of the forests on the public domain; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PROTECTION OF AMERICAN MANUFACTURERS.

Mr. VANCE introduced a bill (H. R. 3307) to prevent frauds on American manufacturers; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

AMENDMENT OF PENSION LAWS.

Mr. RUSSELL, of Connecticut, introduced a bill (H. R. 3308) granting pensions to the widows and minor children of all soldiers, sailors, and marines holding an honorable discharge from the service of the United States in the war of the rebellion; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PENSIONS FOR LOST EYE-SIGHT.

Mr. RUSSELL, of Connecticut, also (by request) introduced a bill (H. R. 3309) to increase the pensions of soldiers, sailors, and marines who have lost the sight of an eye in the service of the United States in the war of the rebellion; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PUBLIC BUILDING, PENSACOLA.

Mr. DAVIDSON, of Florida, introduced a bill (H. R. 3310) providing for the completion of the public building in the city of Pensacola, Fla., as originally designed; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

NATIONAL CEMETERY, PENSACOLA.

Mr. DAVIDSON, of Florida, also introduced a bill (H. R. 3311) making an appropriation for the construction of a macadamized road to the national cemetery near Pensacola, Fla.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

NORTHERN JUDICIAL DISTRICT OF GEORGIA.

Mr. BARNES introduced a bill (H. R. 3312) to transfer certain counties from the southern judicial district to the northern district in the State of Georgia, and to divide the northern district in said State into two, to be known as the western and eastern divisions of said district, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ALLEGED VIOLATION OF INTERNAL-REVENUE LAWS.

Mr. STEWART, of Georgia, introduced a bill (H. R. 3313) requiring the judges of district courts to appoint commissioners in each county of their districts, and requiring marshals and other arresting officers to procure warrants before making arrests in certain cases for alleged violation of the internal-revenue laws, and directing that persons arrested be carried before the commissioner of the county in which the arrest may be made, and providing a penalty for illegal arrests and illegal seizures of property, and for other purposes; which was referred to the Committee on the Judiciary, and ordered to be printed.

UNITED STATES COURT-HOUSE, ATLANTA.

Mr. STEWART, of Georgia, also introduced a bill (H. R. 3314) to enlarge and make repairs upon the United States court-house and post-office building in Atlanta, Ga., and to appropriate money therefor; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

UNITED STATES PRISON.

Mr. STEWART, of Georgia, also introduced a bill (H. R. 3315) for the erection of a United States prison, and for the imprisonment of United States prisoners, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CUSTOMS ON INTERNAL-REVENUE LAWS.

Mr. CANDLER introduced a bill (H. R. 3316) to repeal sections 3412 and 3413 of the Revised Statutes and part of sections 19 and 20 of an act amending customs and internal-revenue laws, approved February 8, 1875; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

BUREAU OF ADULTERATION.

Mr. CRISP (by request) introduced a bill (H. R. 3317) to establish in the Department of the Treasury a bureau of adulteration and to provide for the maintenance thereof, and to regulate and prohibit the importation, manufacture, and sale of adulterated articles of food or drugs; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PERMISSIBLE MARKS ON MAIL MATTER.

Mr. BLOUNT introduced a bill (H. R. 3318) relating to permissible marks, printing, or writing upon second, third, and fourth class matter, and to amend the twenty-second and twenty-third sections of an act entitled "An act making appropriations for the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes;" which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

POST-OFFICE BUILDINGS.

Mr. BLOUNT also introduced a bill (H. R. 3319) to provide for post-office buildings; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

LOTTERY ADVERTISEMENTS.

Mr. BLOUNT also introduced a bill (H. R. 3320) to amend section 3894 of the Revised Statutes of the United States, relating to the transmission through the mails of lottery, gift-enterprise, and other circulars, and for excluding from the mails newspapers and periodicals containing advertisements of the same; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

SECTION 3891 OF THE REVISED STATUTES OF THE UNITED STATES.

Mr. BLOUNT also introduced a bill (H. R. 3321) to amend section 3891 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

AUDITING OF POST-OFFICE EXPENDITURES.

Mr. BLOUNT also introduced a bill (H. R. 3322) providing that all expenditures in the Post-Office Department shall be passed upon by a comptroller and auditor, as are all other expenditures in the Treasury Department; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

STATUTES IN RELATION TO MAIL MATTER.

Mr. BLOUNT also introduced a bill (H. R. 3323) to amend the statutes in relation to mail matter; which was read a first and second time,

referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

LOTTERY ADVERTISEMENTS.

Mr. BLOUNT also introduced a bill (H. R. 3324) to prohibit the mailing of newspapers and other publications containing lottery advertisements, and prescribing a penalty for the violation of the same; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

COMMITTEE ON VENTILATION AND ACOUSTICS.

Mr. LANDES submitted a resolution to authorize the Committee on Ventilation and Acoustics to employ a clerk; which was referred to the Committee on Accounts.

AMENDMENTS TO BILLS.

Mr. LANDES also submitted a resolution to permit certain amendments to bills when under consideration; which was referred to the Committee on Rules.

RELIEF OF SOLDIERS.

Mr. LANDES also introduced a bill (H. R. 3325) for the relief of certain volunteer soldiers; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

COMMITTEE ON LABOR STRIKES.

Mr. LAWLER submitted a resolution for the appointment of a select committee to institute investigations into the causes and effects underlying and pertaining to the existing labor strikes, and called for the reading of the resolution.

The resolution was read, and was referred to the Committee on Rules.

Mr. LAWLER. I ask unanimous consent that the resolution may be printed in the CONGRESSIONAL RECORD.

The SPEAKER *pro tempore* (Mr. HATCH). The Chair will recognize the gentleman from Illinois to make that request as soon as the call is over. The request is not in order at this time.

PATENTS.

Mr. ROWELL introduced a bill (H. R. 3326) to regulate the use of patent rights; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

AID TO FREE COMMON SCHOOLS, ETC.

Mr. ROWELL also introduced a bill (H. R. 3327) granting aid for the establishment of free common schools and for the professional education of public-school teachers; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

ROCK CREEK PARK.

Mr. ROWELL also introduced a bill (H. R. 3328) to authorize the commissioners of the District of Columbia to condemn land on Rock Creek for the purposes of a park, to be called Rock Creek Park; which was read a first and second time, referred to the Committeee on the District of Columbia, and ordered to be printed.

SUBDIVISION OF LAND IN THE DISTRICT.

Mr. ROWELL also introduced a bill (H. R. 3329) to regulate the subdivision of land within the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

WASHINGTON CABLE RAILWAY.

Mr. ROWELL also introduced a bill (H. R. 3330) to incorporate the Washington Cable Electric Railway of the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

TELEGRAPH OPERATORS DURING THE WAR.

Mr. DUNHAM introduced a bill (H. R. 3331) for the relief of telegraph operators during the war; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

BANKRUPT AND RECEIVERS' ESTATES.

Mr. DUNHAM also introduced a bill (H. R. 3332) for the redistribution of unclaimed money in bankrupt and receivers' estates; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CHICAGO WATER-WORKS.

Mr. DUNHAM also introduced a bill (H. R. 3333) to authorize the city of Chicago to erect a crib in Lake Michigan for water-works purposes; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

OFFICIAL CORRESPONDENCE WITH DEPARTMENTS.

Mr. SPRINGER introduced a bill (H. R. 3334) concerning official correspondence with the Departments of the Government; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

PENSIONS FOR SOLDIERS IN THE BLACK HAWK WAR.

Mr. SPRINGER also introduced a bill (H. R. 3335) granting pensions to soldiers of the Black Hawk war, and their widows; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

PROMOTIONS IN THE MILITARY SERVICE.

Mr. SPRINGER also introduced a bill (H. R. 3336) to facilitate promotions by retiring from active service officers of the Army who served in the war of the rebellion as general officers of volunteers; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

CLERK FOR COMMITTEE ON THE TERRITORIES.

Mr. SPRINGER also offered the following resolution; which was read, and referred to the Committee on Accounts:

*Resolved*, That the Committee on the Territories be allowed an annual clerk, to be paid out of the contingent fund of the House until June 30, 1888, at the rate of $2,000 per annum; and that the Committee on Appropriations are hereby instructed to make provision for such clerk at the rate of $2,000 per annum for the fiscal year ending June 30, 1889.

PROCEEDINGS IN COURTS IN THE TERRITORIES.

Mr. SPRINGER also introduced a bill (H. R. 3337) requiring all proceedings and papers in United States courts in the Territories to be in the English language; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

PROHIBITION OF POLYGAMY.

Mr. SPRINGER also introduced a joint resolution (H. Res. 49) proposing an amendment to the Constitution of the United States prohibiting polygamy; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

FORFEITURE OF LAND GRANTS.

Mr. PAYSON introduced a bill (H. R. 3338) to forfeit certain lands granted by Congress to the State of Wisconsin to aid in the construction of railroads; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

RESTORATION OF PUBLIC LANDS.

Mr. PAYSON also introduced a bill (H. R. 3339) to restore all lands held in indemnity limits for railroad and wagon-road companies, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

COMMON SCHOOLS.

Mr. OWEN introduced a bill (H. R. 3340) to aid in the establishment and temporary support of common schools; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

CLAIMS OF INDIANA AGAINST THE UNITED STATES.

Mr. BROWNE, of Indiana, introduced a bill (H. R. 3341) to pay the State of Indiana certain sums of money, and making an appropriation therefor; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

SECTION 3020, REVISED STATUTES.

Mr. BROWNE, of Indiana, also introduced a bill (H. R. 3342) to amend section 3020 of the Revised Statutes referring to drawback duty on manufactured tin; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

DISTRICT OF COLUMBIA VOLUNTEERS.

Mr. JOHNSTON, of Indiana, introduced a bill (H. R. 3343) to provide for the payment of a bounty to District of Columbia volunteers; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

HOMESTEADS FOR UNION SOLDIERS AND THEIR WIDOWS.

Mr. JOHNSTON, of Indiana, also introduced a bill (H. R. 3344) granting homesteads to Union soldiers of the late war, and to their widows; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PENSIONS FOR UNION SOLDIERS.

Mr. JOHNSTON, of Indiana, also introduced a bill (H. R. 3345) granting a pension to all United States soldiers of the war of the rebellion, and for other purposes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

RELIEF OF SOLDIERS CHARGED WITH DESERTION.

Mr. CHEADLE introduced a bill (H. R. 3346) to relieve certain soldiers from the charge of desertion; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

EXTENSION OF PENSION LAWS.

Mr. CHEADLE also introduced a bill (H. R. 3347) extending the provisions of the pension laws in certain cases; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PENSIONS FOR SPECIAL DISABILITIES.

Mr. CHEADLE also introduced a bill (H. R. 3348) to extend the benefits of the act approved March 3, 1879, and of the act of March 3,

1885, to certain pensioners whose disabilities are caused by amputation, and increasing the rate therefor, and for other purposes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SECTION 4700, REVISED STATUTES.

Mr. CHEADLE also introduced a bill (H. R. 3349) to amend section 4700 of the Revised Statutes, relating to invalid pensions; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ARREARS OF PENSIONS.

Mr. CHEADLE also introduced a bill (H. R. 3350) to amend section 2 of an act making appropriations for the payment of arrears of pensions granted by act of Congress approved January 25, 1879, and for other purposes, approved March 3, 1879; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JUDGMENTS IN UNITED STATES COURTS.

Mr. HOLMES introduced a bill (H. R. 3351) providing for the manner of establishing liens against property on judgments rendered in the courts of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PACIFIC RAILROADS.

Mr. ANDERSON, of Iowa, submitted the following resolution; which was referred to the Committee on Pacific Railroads:

Whereas it appears from the report of the Pacific Railroad Commissioners appointed under the act of Congress approved March 3, 1887, that the Pacific railroads, through their management, officers, and boards of directors, have for years constantly and persistently refused to comply with the acts of Congress approved July 1, 1862, July 2, 1864, March 3, 1873, and May 8, 1878; and

Whereas it appears from said report that in addition to the defiant refusal of said companies to comply with said acts of Congress, the officers and managers thereof have squandered large sums out of their gross earnings in extravagant and unprofitable enterprises and in the payment of interest and subsidies forbidden by said acts of Congress, and have divided among themselves, in violation of law, enormous sums of money, amounting to hundreds of millions of dollars, in defraud of the Government and of the people of the United States; and

Whereas the directors of said companies have since the passage of the act approved March 3, 1873, divided among themselves and other pretended stockholders and creditors large sums of money as dividends and subsidies, which were not from the actual net earnings of said roads, but from moneys which should have been applied in liquidation of the indebtedness of said roads to the United States; and

Whereas said companies have since the passage of said acts of Congress issued new stock, mortgages, pledges, and other incumbrances without the consent of Congress, thus squandering the funds of said companies, impairing their credit, and destroying the value of the United States lien upon the same; and

Whereas it appears from said report that said companies, in order to avoid their just obligations to the Government, have unduly and fraudulently increased their indebtedness greatly in excess of the amount actually expended, and in turn have levied excessive charges upon the people tributary to said lines to pay interest and dividends upon said fictitious and fraudulent indebtedness; and

Whereas the act approved May 7, 1878, provides that if said railroad companies shall fail to perform all and singular the requirements of said act and of all other acts relating to said companies, such failure shall operate as a forfeiture of all the rights, privileges, grants, and franchises derived or obtained by said companies from the United States; and

Whereas said last-named act provides that it shall be the duty of the Attorney-General of the United States to cause such forfeiture to be judicially enforced; and

Whereas it appears from said report of the Commissioners that the said Pacific railroad companies have by their unlawful acts aforesaid and by other and divers unlawful transactions, forfeited all their rights, privileges, grants, and franchises: Therefore,

*Be it resolved*, That the Attorney-General of the United States be, and he is hereby, directed to report to this House what steps, if any, have been taken by him to secure a judicial enforcement of said forfeiture, and if none have been taken, that he inform this House his reasons for not proceeding as directed by law.

COINAGE OF SILVER DOLLARS.

Mr. WEAVER introduced a bill (H. R. 3352) to provide for the free and unrestricted coinage of silver dollars; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

PUBLIC BUILDING, KANSAS CITY, KANS.

Mr. FUNSTON introduced a bill (H. R. 3353) for the erection of a public building at Kansas City, Kans.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PENSIONS.

Mr. MORRILL introduced a bill (H. R. 3354) granting pensions to all dependent widows and minors of officers and enlisted men of the late war of the rebellion; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

Mr. MORRILL also introduced a bill (H. R. 3355) granting pensions to all persons who served three months in the Army during the war of the rebellion who are now dependent; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

LEAVE OF ABSENCE FOR HOMESTEAD SETTLERS, ETC.

Mr. TURNER, of Kansas, introduced a bill (H. R. 3356) granting to homestead and pre-emption settlers leave of absence from their claims; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

Mr. PETERS introduced a bill (H. R. 3357) granting to homestead and pre-emption settlers leave of absence from their claims; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

DISTRIBUTION OF INDIAN PROPERTY.

Mr. PERKINS introduced a bill (H. R. 3358) to provide for a revision of a distribution of the "invested and other common property" of the confederated Peoria, Kaskaskia, Wea, and Piankeshaw Indians, made under the treaty of 1867, and for other purposes; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

RIGHT OF WAY THROUGH INDIAN TERRITORY.

Mr. PERKINS also introduced a bill (H. R. 3359) to grant a right of way to the Kansas City and Pacific Railroad Company through the Indian Territory, and for other purposes; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

CIVIL SERVICE.

Mr. LAFFOON introduced a bill (H. R. 3360) to amend an act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883; which was read a first and second time, referred to the Committee on Reform in the Civil Service, and ordered to be printed.

TERMS OF COURT IN KENTUCKY.

Mr. LAFFOON also introduced a bill (H. R. 3361) to provide for holding terms of the circuit and district courts of the United States for the district of Kentucky at Owensborough, in said district, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

REFUND OF INCOME TAXES.

Mr. LAFFOON also introduced a bill (H. R. 3362) to refund certain income taxes illegally collected; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

CONGRESSIONAL ELECTIONS.

Mr. LAFFOON also introduced a bill (H. R. 3363) to repeal certain sections of the Revised Statutes relating to Congressional elections; which was read a first and second time, referred to the Committee on the Election of President, Vice-President, and Representatives in Congress, and ordered to be printed.

SECTION 5198 OF THE REVISED STATUTES.

Mr. LAFFOON also introduced a bill (H. R. 3364) to amend section 5198 of the Revised Statutes relating to national banks; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

SECTION 4414 OF THE REVISED STATUTES.

Mr. STONE, of Kentucky, introduced a bill (H. R. 3365) to amend section 4414 of the Revised Statutes; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

COLLECTION OF ABANDONED PROPERTY, ETC.

Mr. STONE, of Kentucky, also introduced a bill (H. R. 3366) authorizing the Court of Claims to adjudicate certain claims arising under the provisions of the act of March 12, 1863, entitled "An act to provide for the collection of abandoned property and for the prevention of frauds in insurrectionary districts within the United States;" which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

COMMISSIONERS OF CLAIMS.

Mr. STONE, of Kentucky, also introduced a bill (H. R. 3367) to authorize the President to appoint three commissioners of claims; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

DEPARTMENT OF AGRICULTURE AND LABOR.

Mr. McCREARY introduced a bill (H. R. 3368) to create an executive department to be known as the department of agriculture and labor; which was read a first and second time, referred to the Committee on Agriculture, and ordered to be printed.

INTEREST-BEARING BONDS OF THE UNITED STATES.

Mr. McCREARY also introduced a bill (H. R. 3369) to authorize the Secretary of the Treasury, with the approval of the President, to purchase with the surplus money in the Treasury of the United States interest-bearing bonds and cancel them; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

IMPROVING PUBLIC BUILDING AT LOUISVILLE, KY.

Mr. CARUTH introduced a bill (H. R. 3370) to provide for building an annex to and improving the public building in Louisville, Ky.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

BUREAU OF ETHNOLOGY.

Mr. CARUTH also introduced a joint resolution (H. Res. 50) providing for printing matter forwarded by the Bureau of Ethnology relating to researches and discoveries connected with the study of the North American Indians; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

GEOLOGICAL SURVEY.

Mr. CARUTH also introduced a joint resolution (H. Res. 51) providing for printing additional copies of the eighth and ninth annual reports of the Director of the United States Geological Survey; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

BUREAU OF ETHNOLOGY.

Mr. CARUTH also introduced a joint resolution (H. Res. 52) providing for printing the eighth and ninth annual reports of the Director of the Bureau of Ethnology; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

CIVIL SERVICE OF THE UNITED STATES.

Mr. TAULBEE introduced a bill (H. R. 3371) to repeal an act entitled "An act to regulate and improve the civil service of the United States," and all acts and parts of acts amendatory thereto; which was read a first and second time, referred to the Committee on Reform in the Civil Service, and ordered to be printed.

Mr. BLAND. As it is evident we can not finish this call of States for some time, I ask unanimous consent it be continued to-morrow after the reading of the Journal.

ORDER OF BUSINESS.

Mr. BLAND. I move that the House take a recess until to-morrow at 11 o'clock.

Mr. RANDALL. Let us get through with the call of States first.

The motion of Mr. BLAND was not agreed to.

FOG-SIGNAL, SOUTH PASS JETTIES.

Mr. WILKINSON introduced a bill (H. R. 3372) to establish a fog-signal on the South Pass jetties at Port Eads, La.; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PUBLIC BUILDING, NEW ORLEANS.

Mr. WILKINSON also introduced a bill (H. R. 3373) for the erection of a public building at New Orleans, La.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

LIFE-SAVING STATION, NEW ORLEANS.

Mr. WILKINSON also introduced a bill (H. R. 3374) to establish a life-saving station on the Mississippi River at New Orleans, La.; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

SECTION 3480, REVISED STATUTES.

Mr. ROBERTSON introduced a bill (H. R. 3375) to repeal section 3480 of the Revised Statutes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PORT OF NEW ORLEANS.

Mr. LAGAN introduced a bill (H. R. 3376) to extend the limits of the port of New Orleans; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

MARYLAND AND DELAWARE FREE SHIP-CANAL.

Mr. RAYNER introduced a bill (H. R. 3377) to provide for the construction of the Maryland and Delaware free ship-canal as a means of military and naval defense and for commercial purposes; which was read a first and second time, referred to the Committee on Railways and Canals, and ordered to be printed.

BRONZE DOORS, CAPITOL.

Mr. ROCKWELL introduced a joint resolution (H. Res. 53) to provide for the completion of bronze doors for the south wing of the Capitol; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

RIGHT OF WAY, INDIAN TERRITORY.

Mr. ALLEN, of Massachusetts, introduced a bill (H. R. 3378) granting rights of way for the construction and operation of railroads across the Indian Territory or Indian reservations; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

CUSTOM-HOUSE, BOSTON.

Mr. MORSE introduced a bill (H. R. 3379) asking an appropriation for the enlargement of the custom-house at Boston, Mass.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

CORPORATION SURETIES IN CERTAIN CASES.

Mr. MORSE also introduced a bill (H. R. 3380) to authorize certain corporations to be sureties in cases within the jurisdiction of Federal courts and departments; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

OWNERSHIP OF REAL ESTATE IN THE TERRITORIES.

Mr. MORSE also introduced a bill (H. R. 3381) to amend and define section 1 of an act approved March 3, 1887, entitled "An act to restrict the ownership of real estate in the Territories to American citizens, etc.;" which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

Mr. MORSE. As the law stands, should not the Committee on the Territories have charge of this bill? Originally the bill was reported from that committee, and this is only a simple amendment to the original bill.

The SPEAKER *pro tempore*. The Clerk will again report the title of the bill.

The title was again read.

Mr. SPRINGER. A similar bill was referred, I think, by the Speaker of the House to the Committee on the Territories a few days ago.

The SPEAKER *pro tempore*. The bill will be referred to the Committee on the Public Lands, as stated, unless the gentleman desires to make some motion.

Mr. MORSE. I have no preference in the matter.

INTERNAL-REVENUE TAXES ERRONEOUSLY PAID.

Mr. MORSE also introduced a joint resolution (H. Res. 54) to provide for the recovery of internal-revenue taxes and penalties erroneously assessed and paid in certain cases; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

COMMISSIONERS OF EDUCATION AND LABOR.

Mr. LONG introduced a bill (H. R. 3382) fixing the salaries of the Commissioners of Education and Labor at $5,000 each per annum; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

INDIAN APPROPRIATION BILL OF 1885.

Mr. CUTCHEON introduced a bill (H. R. 3383) to amend section 9 of the act entitled "An act making appropriations for the current and contingent expenses of the Indian Department," etc., approved March 3, 1885; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

BOARD OF PUBLIC BUILDINGS.

Mr. CUTCHEON also introduced a bill (H. R. 3384) to create a board of public buildings and to provide for the erection of a public building in cities of less than 100,000 inhabitants; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

MANUFACTURE, ETC., OF INTOXICATING LIQUORS, DISTRICT OF COLUMBIA.

Mr. CUTCHEON also introduced a bill (H. R. 3385) to provide for the prohibition of the manufacture and sale of intoxicating liquor as a beverage in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

REVISION OF PENSION LAWS.

Mr. CUTCHEON also introduced a bill (H. R. 3386) to create a commission on revision of the pension laws; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CIVIL SERVICE.

Mr. CUTCHEON also introduced a bill (H. R. 3387) to reform the civil service, and to preserve the constitutional distinction between legislative and executive duties, by the organization of the bureau of civil appointments; which was read a first and second time, referred to the Committee on Reform in the Civil Service, and ordered to be printed.

LIFE-SAVING SERVICE.

Mr. CUTCHEON also introduced a bill (H. R. 3388) to amend the act of June 18, 1878, entitled "An act to organize the Life-Saving Service;" which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

AID TO COMMON SCHOOLS.

Mr. CUTCHEON also introduced a bill (H. R. 3389) to aid in the establishment and temporary support of common schools; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

DUTY ON SUGAR.

Mr. O'DONNELL introduced a bill (H. R. 3390) to repeal the duty on sugar, and provide for the payment of a bounty for the cultivation of sugar in the United States of America; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

CLAIMS OF POTTAWATOMIE INDIANS.

Mr. O'DONNELL also introduced a bill (H. R. 3391) providing for the settlement of the claims of the Pottawatomie Indians of Michigan and Indiana, including the Pottawatomies of Calhoun County, Michigan, as per treaty stipulations existing with said bands; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

PUBLIC BUILDING AT JACKSON, MICH.

Mr. O'DONNELL also introduced a bill (H. R. 3392) to provide for the construction of a public building at Jackson, in the State of Michigan; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SUNDRY CIVIL ACT FOR 1867.

Mr. BURROWS introduced a bill (H. R. 3393) to amend section 10 of an act entitled "An act making appropriations for the sundry civil expenses of the Government for the year ending June 30, 1867, and for other purposes," approved July 28, 1866; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

RELIEF OF COMMISSIONED OFFICERS.

Mr. LIND introduced a bill (H. R. 3394) for the relief of certain commissioned officers who served more than three years in the war of the rebellion; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

HASTINGS AND DAKOTA RAILROAD COMPANY.

Mr. LIND also submitted the following resolution; which was read and referred to the Committee on the Public Lands:

Whereas Congress by an act entitled "An act making an additional grant of lands to the State of Minnesota, etc.," approved July 4, 1866, made a grant of lands to said State for the benefit of the Hastings and Dakota Railroad Company, a corporation created under the laws of the State of Minnesota, which act provides that if the line proposed to be aided by the grant was not constructed within ten years of its acceptance the lands granted by said act and not patented should revert to the United States; and

Whereas said company failed to construct said line within the time limited by said act, and such failure has not been waived by Congress; and

Whereas the supreme court of the State of Minnesota has, upon the relation of the Hon. John W. Hahn, attorney-general of said State, against said railroad company, by its decision made and filed in said court on the 22d day of December, 1886, adjudged the charter of the said Hastings and Dakota Railroad Company forfeited, and said corporation dissolved, on the ground that the said corporation in the month of January, 1880, sold and conveyed its road and franchise, and ceased to exercise the business for which it was created; and

Whereas the Interior Department has nevertheless caused to be certified to the State for the benefit of said company over one hundred and forty thousand acres of land since it ceased to exist as a railroad company, and there are still selections pending in the Interior Department for nearly twelve thousand acres of land claimed by such defunct corporation, all of which lands are largely occupied by bona fide settlers claiming them under the land laws of the United States: Therefore,

*Resolved*, That the honorable Secretary of the Interior be, and he is hereby, requested and directed to refrain from certifying to the State of Minnesota for the benefit of the said Hastings and Dakota Railroad Company until further action is taken by this House in the premises.

Also, that the honorable Attorney-General of the United States be, and he is hereby, directed to report to the House with all due speed upon the proceedings had and taken in the supreme court of the State of Minnesota for the forfeiture and dissolution of the said Hastings and Dakota Railroad Company, and also why suit has not been brought to cancel the certifications issued to said State for lands for the benefit of said corporation since January, 1880, and also to report upon any other matter relative to the status of such lands which may aid the House in determining upon the proper action to be taken for the protection of the settlers on said lands.

PENSION ARREARS.

Mr. NELSON introduced a bill (H. R. 3395) granting arrears in certain cases pensioned by special acts; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

EVIDENCE IN PENSION CASES.

Mr. MACDONALD introduced a bill (H. R. 3396) to prescribe and define evidence in the case of certain Union soldiers and the widows and orphans of the same; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SECTION 4693, REVISED STATUTES.

Mr. MACDONALD also introduced a bill (H. R. 3397) to amend paragraph 3 of section 4693 of the Revised Statutes of the United States, and for other purposes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

HOMESTEADS.

Mr. MACDONALD also introduced a bill (H. R. 3398) for the relief of applicants for homesteads in certain cases; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

NATURALIZATION.

Mr. MACDONALD also introduced a bill (H. R. 3399) to amend sections 2166 and 2172 of the Revised Statutes of the United States, relating to naturalization; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC BUILDING AT WINONA, MINN.

Mr. WILSON, of Minnesota, introduced a bill (H. R. 3400) to increase the appropriation for the erection of a public building at Winona, Minn.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

POST-OFFICE BUILDING AT ST. PAUL, MINN.

Mr. RICE introduced a bill (H. R. 3401) for the erection of a post-office building at St. Paul, Minn.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SUPPLIES FURNISHED SIOUX OR DAKOTA INDIANS.

Mr. RICE also introduced a bill (H. R. 3402) to authorize the Secretary of the Interior to apply the unexpended balance of the appropriations made by the act entitled "An act to authorize the Secretary of the Interior to ascertain the amounts due citizens of the United States for supplies furnished the Sioux or Dakota Indians subsequent to June 1, 1861, and prior to the massacre of August, 1862, and providing for the payment thereof," approved March 3, 1885; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

TIME FOR THE ANNUAL MEETING OF CONGRESS.

Mr. STOCKDALE introduced a bill (H. R. 3403) appointing the first Monday of October in each year as the day on which Congress shall meet; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

REGULATION OF COMMERCE.

Mr. GLOVER introduced a bill (H. R. 3404) to amend an act entitled "An act to regulate commerce," approved February 4, 1887; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PROTECTION OF MECHANICS AND LABORERS.

Mr. O'NEILL, of Missouri, introduced a bill (H. R. 3405) to protect mechanics, laborers, and servants in their wages; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

CONVICT LABOR.

Mr. O'NEILL, of Missouri, also introduced a bill (H. R. 3406) to prevent the product of convict labor from being furnished to or for the use of any department of the Government, and to prevent the product of convict labor from being used upon public buildings or other public works; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

CLAIMS FOR ADDITIONAL BOUNTY.

Mr. O'NEILL, of Missouri, also introduced a bill (H.R. 3407) to extend the time for filing claims for additional bounty under the act of July 28, 1866; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

THE DEPARTMENT OF AGRICULTURE.

Mr. HATCH introduced a bill (H. R. 3408) to enlarge the powers and duties of the Department of Agriculture, and to create an executive department to be known as the department of agriculture and labor; which was read a first and second time, referred to the Committee on Agriculture, and ordered to be printed.

THE BUREAU OF ANIMAL INDUSTRY.

Mr. HATCH also introduced a bill (H. R. 3409) to amend an act entitled "An act for the establishment of a bureau of animal industry, and for other purposes," approved May 29, 1884; which was read a first and second time, referred to the Committee on Agriculture, and ordered to be printed.

PRESERVATION OF WOODS AND FORESTS.

Mr. HATCH also introduced a bill (H. R. 3410) for the preservation of the woods and forests of the national domain adjacent to the sources of the navigable rivers and their affluents in the United States; which was read a first and second time, referred to the Committee on Agriculture, and ordered to be printed.

SALE OF LEAF-TOBACCO AT RETAIL.

Mr. HATCH also introduced a bill (H. R. 3411) to repeal so much of the sixth clause of section 3244 of the Revised Statutes of the United States as prohibits farmers and planters from selling leaf-tobacco at retail directly to consumers without the payment of a special tax, and to allow farmers and planters to sell leaf-tobacco of their own production to other persons than manufacturers of tobacco without a special tax; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

FREE SALT.

Mr. HATCH also introduced a bill (H. R. 3412) to provide for the importation of salt free of duty; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

UNITED STATES JUDICIAL DISTRICTS IN MISSOURI.

Mr. HUTTON introduced a bill (H. R. 3413) to amend an act dividing the State of Missouri into judicial districts; which was read a

first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PAY OF INSANE ARMY OFFICERS.

Mr. HUTTON also introduced a bill (H. R. 3414) to regulate the pay of insane officers of the Army and Navy; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

EXPENDITURES IN THE POST-OFFICE DEPARTMENT.

Mr. CLARDY introduced a bill (R. H. 3415) requiring all expenditures of the Post-Office Department to be passed upon by a comptroller; which was read a first and second time, referred to the Committee on Expenditures in the Post-Office Department, and ordered to be printed.

REGULATION OF IMMIGRATION.

Mr. CLARDY also introduced a bill (H. R. 3416) to regulate immigration; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

JUDGMENTS IN UNITED STATES COURTS.

Mr. LAIRD introduced a bill (H. R. 3417) requiring transcripts of judgments obtained in United States courts to be filed with county officers having charge of judgment records in certain cases; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

JUDGE'S CHARGES IN UNITED STATES COURTS.

Mr. LAIRD also introduced a bill (H. R. 3418) to provide that judges of the United States circuit and district courts shall reduce their instructions to juries to writing in all States wherein by the laws thereof State judges are required so to do; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SALES OF REAL ESTATE UNDER ORDERS OF UNITED STATES COURTS.

Mr. LAIRD also introduced a bill (H. R. 3419) providing that notice of the sale of real estate sold under the order, judgment, or decree of a United States court shall be given in the county and State where the property is located, and that the property, after notice, be there sold; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ATTORNEY'S FEES IN SUITS FOR FORECLOSURE.

Mr. LAIRD also introduced a bill (H. R. 3420) providing that no judgment for attorney's fees shall hereafter be recovered in suits brought in the courts of the United States for the foreclosure of mortgages on real or personal estate, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC BUILDING, HASTINGS, NEBR.

Mr. LAIRD also introduced a bill (H. R. 3421) for the erection of a public building at Hastings, Nebr.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ACQUISITION OF PROPERTY BY ALIENS.

Mr. LAIRD also introduced a bill (H. R. 3422) to prevent the acquisition of property by aliens, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SECTION 5258, REVISED STATUTES.

Mr. LAIRD also introduced a bill (H. R. 3423) to amend section 5258 of the Revised Statutes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SECTION 1225, REVISED STATUTES.

Mr. LAIRD also introduced a bill (H. R. 3424) to amend section 1225 of the Revised Statutes relating to details of army officers to educational institutions, and for other purposes; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

ISLANDS IN THE PLATTE RIVER, NEBRASKA.

Mr. LAIRD also introduced a bill (H. R. 3425) to provide for the sale of islands in the Platte River in Nebraska, containing less than 80 acres of land; which was read a first and second time, referred to the Commitee on the Public Lands, and ordered to be printed.

EFFICIENCY OF THE INFANTRY SERVICE.

Mr. LAIRD also introduced a bill (H. R. 3426) to increase the efficiency of the infantry branch of the Army; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

FORFEITURE OF LAND GRANTS.

Mr. LAIRD also introduced a bill (H. R. 3427) forfeiting to the United States all lands heretofore granted by Congress in aid of the construction of railroad and telegraph lines upon which the costs of surveying, selecting, and conveying have not been paid as required by law; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

RAILROAD LAND GRANTS.

Mr. LAIRD also introduced a joint resolution (H. Res. 55) directing the Secretary of the Interior to require all land-grant railroads to file a release of lands covered by the terms of their grant before taking other lands in lieu thereof, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PENSIONS FOR PRISONERS OF WAR.

Mr. LAIRD also introduced a bill (H. R. 3428) for pensioning prisoners of war who were confined in Confederate military prisons during the war of the rebellion; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ARREARS OF PENSIONS.

Mr. LAIRD also introduced a bill (H. R. 3429) to remove the limitation in the payment of arrears of pensions; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PROOF IN PENSION CASES.

Mr. LAIRD also introduced a bill (H. R. 3430) regulating the proof required in certain pension cases, and for other purposes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ARREARS-OF-PENSIONS ACT.

Mr. LAIRD also introduced a bill (H. R. 3431) to amend section 2 of chapter 187 United States Statutes at Large, 1877 to 1879, entitled "An act making appropriations for the payment of the arrears of pension granted by act of Congress approved January 25, 1879, and for other purposes;" which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PENSION CERTIFICATES.

Mr. LAIRD also introduced a bill (H. R. 3432) requiring that certain laws and parts of laws shall be printed on the pension certificates of invalid pensioners for the information of the holders thereof, and for other purposes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

VETERAN BOUNTY.

Mr. LAIRD also introduced a bill (H. R. 3433) for the relief of certain officers and soldiers of the volunteer army, and for other purposes; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PENSIONS.

Mr. LAIRD also introduced a bill (H. R. 3434) granting to honorably discharged soldiers, sailors, and marines of the war of the rebellion increased pension for loss of hearing; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SILVER MEDALS FOR UNION SOLDIERS.

Mr. McSHANE introduced a joint resolution of the Legislature of the State of Nebraska, requesting that the soldiers of the late war who served in the Federal Army be granted a silver medal; which was referred to the Committee on Military Affairs, and ordered to be printed.

ORDER OF BUSINESS.

Mr. SPRINGER. It is evident that we can not complete the call of States to-day, and as the weather outside is very inclement, I desire to move an adjournment, with the understanding that unanimous consent be given to-morrow for the continuation of this call.

Mr. RANDALL. This proposition comes from a gentleman whose State has been called. There are some of us who would be glad to remain here in order to introduce our propositions.

Mr. SPRINGER. Perhaps the gentleman is not aware that the weather outside is very stormy.

The SPEAKER. Does the gentleman from Illinois move that the House adjourn?

Mr. SPRINGER. Yes, sir.

Mr. HATCH. Pending that motion I ask unanimous consent that to-morrow, immediately after the reading of the Journal, the call of States be continued until completed.

Mr. RANDALL. That would modify the difficulty, of course; but pending these propositions I ask unanimous consent to have printed, for the use of the House, the deficiency bill, which will be reported to-morrow from the Appropriations Committee, a bill embracing deficiency appropriations which failed to become a law at the last session of Congress.

The SPEAKER. If there be no objection, the Committee on Appropriations will have leave to have the bill printed.

There being no objection, it was ordered accordingly.

The SPEAKER. The gentleman from Missouri [Mr. HATCH] asks unanimous consent that to-morrow, immediately after the reading of the Journal, the call of States and Territories for the introduction of bills be continued. Is there objection? The Chair hears none, and it is so ordered.

PORTRAITS OF EX-SPEAKERS.

Mr. LONG. I ask unanimous consent that the resolution which I send to the desk may be adopted now.

The Clerk read as follows:

*Resolved*, That Thursday, January 19, at 3 o'clock p. m., be set apart for the presentation to the House of Representatives of portraitsof ex-Speakers Sedgwick, Varnum, and Banks by the Commonwealth of Massachusetts, and that upon that occasion the committee of the executive council of that State be admitted to the floor.

There being no objection, the resolution was considered, and adopted.

Mr. LONG moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PRINTING FOR APPROPRIATIONS COMMITTEE, ETC.

Mr. RANDALL. I ask consent to submit for adoption at this time two resolutions which relate to business of the Committee on Appropriations, and which it is customary for the House to adopt.

The Clerk read as follows:

*Resolved*, That the Committee on Appropriations be authorized to have printed and bound all documents for the use of the said committee that they may deem necessary in connection with subjects in relation to appropriations being considered or to be considered by the said committee during the said Congress.

There being no objection, the resolution was considered, and adopted.

The following resolution, also submitted by Mr. RANDALL, was read:

*Resolved*, That the Committee on Appropriations and its subcommittees have leave to sit during the sessions of the House for the present session.

There being no objection, the resolution was considered, and adopted.

REDUCTION OF INDIAN RESERVATIONS, ETC.

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a communication of 30th of December, 1887, from the Secretary of the Interior, submitting, with accompanying papers, two additional reports from the commission appointed to conduct negotiations with certain tribes and bands of Indians for reduction of reservations, etc., under the provisions of the act of May 15, 1886 (24 Statutes, 44), providing therefor.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 9, 1888.

INTERNATIONAL MERIDIAN CONFERENCE.

The SPEAKER also laid before the House the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a report from the Secretary of State, recommending that this Government take action to approve the resolutions of the Washington International Meridian Conference, held in October, 1884, in favor of fixing a prime meridian and a universal day, and to invite the powers with whom this country has diplomatic relations to accede to the same.

GROVER CLEVELAND.

EXECUTIVE MANSION,
*Washington, January* 9, 1888.

SECURITY OF LIFE AND PROPERTY AT SEA.

The SPEAKER also laid before the House the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a communication from the Secretary of State relative to the requests which have been received from various maritime associations and chambers of commerce of this country, asking that measures be taken to convoke an international conference at Washington of representatives of all maritime nations to devise measures for the greater security of life and property at sea. I commend this important subject to the favorable consideration of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION,
*Washington, January* 9, 1888.

PROTECTION OF SUBMARINE CABLES.

The SPEAKER also laid before the House the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a report of the Secretary of State relative to the legislation required to carry into effect the international convention of March 14, 1884, for the protection of submarine cables, to which this country is a party.

GROVER CLEVELAND.

EXECUTIVE MANSION,
*Washington, January* 9, 1888.

The motion of Mr. SPRINGER that the House adjourn was agreed to; and accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned.

PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred, as indicated below:

By Mr. FORNEY: A bill (H. R. 3435) for the relief of Alfred Hedberg—to the Committee on Military Affairs.

By Mr. WHEELER: A bill (H. R. 3436) for the relief of Richard Facion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3437) granting an increase of pension to Anthony Williams—to the Committee on Invalid Pensions.

By Mr. DUNN: A bill (H. R. 3438) for the relief of Mary E. Whitehead—to the Committee on War Claims.

Also, a bill (H. R. 3439) for the relief of Elizabeth B. Higgins, Joel Higgins, and Brand Higgins—to the Committee on War Claims.

By Mr. ROGERS: A bill (H. R. 3440) granting a pension to Michael Dellhofer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3441) declaratory of the meaning of the act entitled "An act for the relief of Maria Syphax"—to the Committee on the Judiciary.

By Mr. VANDEVER: A bill (H. R. 3442) for the relief of J. R. Dunkelberger—to the Committee on Claims.

Also, a bill (H. R. 3443) for an increase of pension of Jesse Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3444) granting a pension to Mrs. Mary L. Branch—to the Committee on Pensions.

By Mr. MORROW: A bill (H. R. 3445) referring the claim of Robert W. Dunbar to the Court of Claims—to the Committee on Claims.

By Mr. SYMES: A bill (H. R. 3446) granting an increase of pension to Lieut. Col. Henry E. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3447) for the relief of David Flinchpaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3448) for the relief of John Leonard—to the Committee on Military Affairs.

By Mr. VANCE: A bill (H. R. 3449) to remove the charge of desertion against William Kenyon—to the Committee on Military Affairs.

Also, a bill (H. R. 3450) to remove the charge of desertion against Thomas Morrison—to the Committee on Military Affairs.

Also, a bill (H. R. 3451) to remove the charge of desertion against Thomas Conroy, deceased—to the Committee on Military Affairs.

By Mr. FRENCH: A bill (H. R. 3452) for the relief of Mrs. Eunice S. Nichols—to the Committee on Invalid Pensions.

By Mr. C. A. RUSSELL: A bill (H. R. 3453) for the relief of George O. Donnell—to the Committee on War Claims.

Also, a bill (H. R. 3454) for the relief of Nancy E. Day, administratrix of the estate of James L. Day, deceased—to the Committee on Claims.

Also, a bill (H. R. 3455) granting an increase of pension to John M. Maynard—to the Committee on Invalid Pensions.

By Mr. GRANGER: A bill (H. R. 3456) granting a pension to Charles F. Blackman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3457) granting a pension to Elizabeth Louis—to the Committee on Invalid Pensions.

By Mr. R. H. M. DAVIDSON: A bill (H. R. 3458) for the relief of Cyprian T. Jenkins—to the Committee on Claims.

Also, a bill (H. R. 3459) for the relief of the legal representatives of Joseph Sierra, deceased—to the Committee on Claims.

Also, a bill (H. R. 3460) for the relief of Alexander Mosely, executor of William D. Mosely—to the Committee on Claims.

Also, a bill (H. R. 3461) for the relief of John Dunn—to the Committee on War Claims.

Also, a bill (H. R. 3462) for the relief of Hernian Ruge—to the Committee on Claims.

Also, a bill (H. R. 3463) to provide for the payment of the legal representatives of Arvah Hopkins of the rent of certain property in Tallahassee, Fla., for the use of the Army—to the Committee on War Claims.

By Mr. GRIMES: A bill (H. R. 3464) for the relief of C. M. Bethune—to the Committee on Claims.

By Mr. NORWOOD: A bill (H. R. 3465) for the relief of the heirs of Joseph V. Connerat—to the Committee on War Claims.

Also, a bill (H. R. 3466) for the relief of Thomas A. McLaughlin—to the Committee on Claims.

Also, a bill (H. R. 3467) for the relief of Jacob Cohen—to the Committee on War Claims.

By Mr. BLOUNT: A bill (H. R. 3468) for the relief of Robert M. Jackson—to the Committee on War Claims.

Also, a bill (H. R. 3469) providing for the payment of $450 to pay W. S. Brantley, executor of J. H. Brantley, for damages to property by United States troops in 1865—to the Committee on War Claims.

By Mr. J. D. STEWART: A bill (H. R. 3470) to authorize the construction of bridges over the rivers St. Mary's, Satella, Little Satella, and Crooked, in the States of Georgia and Florida—to the Committee on Commerce.

By Mr. CLEMENTS: A bill (H. R. 3471) for the relief of the First Baptist Church of Cartersville, Ga.—to the Committee on War Claims.

By Mr. CANDLER: A bill (H. R. 3472) for the relief of Dicy D. Fowler—to the Committee on Military Affairs.

Also, a bill (H. R. 3473) to perfect the military record of James T. Hughes—to the Committee on Military Affairs.

Also, a bill (H. R. 3474) for the relief of Dicy D. Fowler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3475) for the relief of Wesley Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3476) for the relief of Newton Coker—to the Committee on Pensions.

Also, a bill (H. R. 3477) for the relief of Jasper W. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3478) for the relief of Sanford A. Pinyan—to the Committee on Military Affairs.

By Mr. BARNES: A bill (H. R. 3479) for the relief of John B. Roberts—to the Committee on Claims.

Also, a bill (H. R. 3480) for the relief of John D. Munnerlyn—to the Committee on Claims.

Also, a bill (H. R. 3481) granting a pension to Noah Johnson—to the Committee on Invalid Pensions.

By Mr. J. D. STEWART: A bill (H. R. 3482) for the relief of John J. Hart—to the Committee on War Claims.

By Mr. TOWNSHEND: A bill (H. R. 3483) for the relief of William Carroll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3484) for the relief of the heirs of Hiram W. Hubbard, deceased—to the Committee on Claims.

Also, a bill (H. R. 3485) for the relief of Sarah A. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3486) for the relief of William A. Phipps—to the Committee on Military Affairs.

By Mr. LANE: A bill (H. R. 3487) granting a pension to Allen Austin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3488) granting a pension to Mary Dull—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3489) granting a pension to Benjamin C. Bright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3490) granting a pension to James M. Berry—to the Committee on Invalid Pensions.

By Mr. TAULBEE (by request): A bill (H. R. 3491) changing the name of the Real Estate Title Insurance Company of the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

By Mr. ROWELL: A bill (H. R. 3492) granting a pension to Benjamin F. Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3493) for the relief of John Sullivan—to the Committee on War Claims.

Also, a bill (H. R. 3494) for the relief of John F. Alsup—to the Committee on War Claims.

Also, a bill (H. R. 3495) for the relief of Harriet E. Enlow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3496) for the relief of W. C. Scanland—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 3497) granting a pension to Caleb A. Huff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3498) for the relief of John B. Huber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3499) for the relief of Jefferson Dunn—to the Committee on War Claims.

Also, a bill (H. R. 3500) for the relief of James S. Clark & Co.—to the Committee on War Claims.

By Mr. DUNHAM: A bill (H. R. 3501) to remove the charge of desertion against Henry Conrad Bending—to the Committee on Military Affairs.

Also, a bill (H. R. 3502) for the relief of Mary A. McClain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3503) for the relief of Henry Baumann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3504) for the relief of John German—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3505) for the relief of the North Chicago Rolling Mill Company—to the Committee on Claims.

Also, a bill (H. R. 3506) for the relief of King & Wood—to the Committee on Claims.

Also, a bill (H. R. 3507) granting a pension to James Curran—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3508) for the relief of William G. Galloway, late captain Fifteenth, United States Army—to the Committee on Military Affairs.

Also, a bill (H. R. 3509) granting a pension to Harriet I. Peabody—to the Committee on Invalid Pensions.

By Mr. T. J. HENDERSON: A bill (H. R. 3510) granting an increase of pension to John W. Barrett—to the Committee on Invalid Pensions.

By Mr. PLUMB: A bill (H. R. 3511) for the relief of Jacob A. Henry—to the Committee on War Claims.

By Mr. G. A. ANDERSON: A bill (H. R. 3512) granting a pension to Anthony Shafer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3513) for the relief of Curtis Austin—to the Committee on Military Affairs.

Also, a bill (H. R. 3514) for the relief of McCager Pullam—to the Committee on Military Affairs.

By Mr. ADAMS: A bill (H. R. 3515) to donate condemned cast-iron cannon and cannon shot to the St. Boniface Union Soldiers and Sailors' Memorial Association, of Lake View, Ill.—to the Committee on Military Affairs.

By Mr. G. A. ANDERSON: A bill (H. R. 3516) granting a pension to Mary Turnbough—to the Committee on Invalid Pensions.

By Mr. ADAMS: A bill (H. R. 3517) granting a pension to Sarah E. Brashear—to the Committee on Invalid Pensions.

By Mr. A. J. HOPKINS: A bill (H. R. 3518) granting a pension to Mary Wilson—to the Committee on Invalid Pensions.

By Mr. HITT: A bill (H. R. 3519) for the relief of David R. Linton—to the Committee on Military Affairs.

By Mr. CANNON; A bill (H. R. 3520) granting a pension to Christopher Rudisill—to the Committee on Invalid Pensions.

By Mr. GEST: A bill (H. R. 3521) granting a pension to Manuel Garcia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3522) granting a pension to Magnus H. T. Evers, of Moline, Ill.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3523) to authorize the construction of a bridge across the Missouri River and to establish it as a post-road—to the Committee on Commerce.

Also, a bill (H. R. 3524) to authorize the construction of a bridge across the Mississippi River at or near the city of Oquawka, in the State of Illinois, and to establish it as a post-road—to the Committee on Commerce.

By Mr. CHEADLE: A bill (H. R. 3525) to remove the charge of desertion against William J. Kline—to the Committee on Military Affairs.

Also, a bill (H. R. 3526) for the relief of Jeremiah McCool—to the Committee on Military Affairs.

By Mr. J. T. JOHNSTON: A bill (H. R. 3527) to increase the pension of James A. Newton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3528) for the relief of Samuel C. Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3529) for the relief of Johnson Van Sickle—to the Committee on Military Affairs.

Also, a bill (H. R. 3530) for the relief of Robert B. Dunlap—to the Committee on Military Affairs.

By Mr. T. M. BROWNE: A bill (H. R. 3531) granting a pension to John A. Hunt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3532) granting a pension to Henry Sloan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3533) donating four condemned cannon to Sol. Meredith Post Grand Army of the Republic, at Richmond, Ind.—to the Committee on Military Affairs.

By Mr. HOLMAN: A bill (H. R. 3534) granting a pension to Robert B. McCune—to the Committee on Invalid Pensions.

By Mr. SHIVELY: A bill (H. R. 3535) granting a pension to William H. Brewer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3536) granting a pension to Simon Haines—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3537) granting a pension to Cullen W. Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3538) granting a pension to John Sessler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3539) granting a pension to Michael E. Bricker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3540) granting a pension to Joseph Zimmerman—to the Committee on Invalid Pensions.

By Mr. J. B. WHITE: A bill (H. R. 3541) to provide for the restoration of Anna M. Thiele to the pension-rolls—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3542) for the relief of George Alcott—to the Committee on Military Affairs.

By Mr. CHEADLE: A bill (H. R. 3543) granting a pension to George W. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3544) granting a pension to Joseph W. McConnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3545) to remove the charge of desertion against John Milroy, and authorizing his honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 3546) for the relief of H. M. Sailors—to the Committee on Military Affairs.

Also, a bill (H. R. 3547) for the relief of Thomas C. Workman—to the Committee on Military Affairs.

Also, a bill (H. R. 3548) for the relief of Mary Altum—to the Committee on Invalid Pensions.

By Mr. OWEN: A bill (H. R. 3549) granting a pension to John Clifford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3550) for the erection of a public building at Logansport, Ind.—to the Committee on Public Buildings and Grounds.

By Mr. MATSON: A bill (H. R. 3551) for the relief of Nathaniel Crane—to the Committee on Military Affairs.

Also, a bill (H. R. 3552) for the relief of Charles A. Larkin—to the Committee on Military Affairs.

Also, a bill (H. R. 3553) granting a pension to James Spaulding—to the Committee on Invalid Pensions.

By Mr. MORROW: A bill (H. R. 3554) granting a pension to Catharine Black—to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 3555) for the relief of Albert Schindler—to the Committee on Military Affairs.

Also, a bill (H. R. 3556) for the relief of John Schierling, administrator of the estate of Gallus Kerchner, deceased—to the Committee on Claims.

By Mr. LAWLER: A bill (H. R. 3557) for the relief of C. C. Roberts—to the Committee on Military Affairs.

Also, a bill (H. R. 3558) for the relief of Peter Clark—to the Committee on Military Affairs.

Also, a bill (H. R. 3559) for the relief of John Coyle, alias James Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 3560) for the relief of William Walters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3561) for the relief of Mary A. Mitchell—to the Committee on Pensions.

Also, a bill (H. R. 3562) for the relief of Michael J. Doyle—to the Committee on Military Affairs.

Also, a bill (H. R. 3563) for the relief of John Donnelly—to the Committee on Military Affairs.

Also, a bill (H. R. 3564) for the relief of Bridget O'Riley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3565) for the relief of John Marks—to the Committee on Military Affairs.

Also, a bill (H. R. 3566) for the relief of Catherine O'Malley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3567) for the relief of Charles G. Minnick—to the Committee on Pensions.

Also, a bill (H. R. 3568) for the relief of B. S. Van Buren—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3569) for the relief of Thomas Breen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3570) for the relief of Mary Kaylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3571) for the relief of George E. Sanford—to the Committee on Military Affairs.

Also, a bill (H. R. 3572) for the relief of Ann M. English—to the Committee on Claims.

Also, a bill (H. R. 3573) for the relief of Mrs. Ellen Kehoe—to the Committee on War Claims.

Also, a bill (H. R. 3574) to increase the pension of John Seeger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3575) granting an increase of pension to James M. Callam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3576) to increase the pension of Matthew O'Reagan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3577) granting a pension to Elizabeth Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3578) granting a pension to Phillip Curran—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3579) granting a pension to Ellen Shea—to the Committee on Invalid Pensions.

By Mr. LYMAN: A bill (H. R. 3580) for the relief of the pilot and crew of the steamer Planter—to the Committee on War Claims.

Also, a bill (H. R. 3581) granting a pension to Jason F. Colwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3582) granting a pension to Paul Wiese—to the Committee on Invalid Pensions.

By Mr. J. A. ANDERSON: A bill (H. R. 3583) granting a pension to Thomas Dennis—to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 3584) for the relief of the Ballard Pavement Company—to the Committee on Claims.

By Mr. A. R. ANDERSON: A bill (H. R. 3585) granting a pension to Sarah J. Boles—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 3586) granting a pension to Fred. Piehan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3587) granting arrears of pension to John B. Ryndes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3588) granting a condemned cannon and carriage to Abernethy Post, No. 48, Grand Army of the Republic, West Union, Iowa—to the Committee on Military Affairs.

By Mr. STRUBLE: A bill (H. R. 3589) granting a pension to John Boles, father of George Boles, deceased, late of Company H, One hundred and twenty-second Ohio Volunteers—to the Committee on Invalid Pensions.

By Mr. CONGER: A bill (H. R. 3590) donating condemned ordnance for monumental purposes to Grand Army of the Republic Post of Dallas County, Iowa—to the Committee on Military Affairs.

By Mr. HOLMES: A bill (H. R. 3591) granting a pension to Mary E. Ridley—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 3592) granting a pension to Rudolph Morand—to the Committee on Pensions.

Also, a bill (H. R. 3593) granting a pension to Huldah A. Dow—to the Committee on Pensions.

By Mr. GEAR: A bill (H. R. 3594) granting a pension to John P. Gingride—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3595) for the relief of C. M. Stinson—to the Committee on War Claims.

Also, a bill (H. R. 3596) granting a pension to Jesse Knouse—to the Committee on Invalid Pensions.

By Mr. MORRILL: A bill (H. R. 3597) for the relief of Michael Jordan—to the Committee on Claims.

Also, a bill (H. R. 3598) for the removal of the charge of desertion from the record of Francis H. Daly—to the Committee on Military Affairs.

Also, a bill (H. R. 3599) for the relief of John W. Benedict—to the Committee on Pensions.

By Mr. FUNSTON: A bill (H. R. 3600) to remove charges of desertion against James M. Bell—to the Committee on Military Affairs.

Also, a bill (H. R. 3601) granting a pension to William Dorman—to the Committee on Pensions.

Also, a bill (H. R. 3602) to remove the charges of desertion against Henry H. Bone—to the Committee on Military Affairs.

Also, a bill (H. R. 3603) to increase the pension of Maxwell Carroll—to the Committee on Pensions.

By Mr. PERKINS: A bill (H. R. 3604) granting an honorable discharge to A. R. Hartzell, and for other purposes—to the Committee on Military Affairs.

Also, a bill (H. R. 3605) to relieve Benjamin F. Smith of the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 3606) granting an increase of pension to Hugh McHugh, of Independence, Kans.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3607) to relieve James A. Nolan of the charge of desertion—to the Committee on Military Affairs.

By Mr. E. J. TURNER: A bill (H. R. 3608) to grant an increase of pension to William E. Prince—to the Committee on Pensions.

Also, a bill (H. R. 3609) for the relief of Elizabeth Hamilton—to the Committee on Pensions.

Also, a bill (H. R. 3610) to grant a pension to William Thields—to the Committee on Pensions.

Also, a bill (H. R. 3611) to grant a pension to William Lutz—to the Committee on Pensions.

By Mr. RYAN: A bill (H. R. 3612) for the relief of J. A. McCreary, late of the United States Navy—to the Committee on War Claims.

Also, a bill (H. R. 3613) for the relief of Joseph Casson—to the Committee on the Public Lands.

Also, a bill (H. R. 3614) for the relief of William Names—to the Committee on Military Affairs.

Also, a bill (H. R. 3615) for the relief of Doctor Lewellen and Anthony G. Davis—to the Select Committee on Indian Depredation Claims.

By Mr. LAFFOON: A bill (H. R. 3616) for the relief of C. H. Bush—to the Committee on War Claims.

Also, a bill (H. R. 3617) for the relief of John C. Adams, administrator of Joseph Adams, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3618) for the relief of Omar S. Brown—to the Committee on War Claims.

Also, a bill (H. R. 3619) for the relief of John G. Bailey—to the Committee on War Claims.

Also, a bill (H. R. 3620) for the relief of James J. Lipscomb—to the Committee on War Claims.

Also, a bill (H. R. 3621) for the relief of Lafayette Elder—to the Committee on War Claims.

Also, a bill (H. R. 3622) for the relief of George W. Smith—to the Committee on War Claims.

Also, a bill (H. R. 3623) for the relief of James M. Chandler—to the Committee on War Claims.

Also, a bill (H. R. 3624) for the relief of George W. Riddle—to the Committee on War Claims.

Also, a bill (H. R. 3625) for the relief of Matthew Roy—to the Committee on War Claims.

Also, a bill (H. R. 3626) for the relief of A. Hildebrand—to the Committee on War Claims.

Also, a bill (H. R. 3627) for the relief of John Anderson—to the Committee on War Claims.

Also, a bill (H. R. 3628) for the relief of Francis M. Nisbet—to the Committee on War Claims.

Also, a bill (H. R. 3629) granting an increase of pension to James H. Husk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3630) for the relief of T. W. Crabtree—to the Committee on War Claims.

Also, a bill (H. R. 3631) for the relief of the Christian Church of Henderson, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 3632) for the relief of Gano Henry, sr.—to the Committee on War Claims.

Also, a bill (H. R. 3633) for the relief of L. Harned—to the Committee on War Claims.

Also, a bill (H. R. 3634) for the relief of Samuel Drabelle—to the Committee on War Claims.

Also, a bill (H. R. 3635) for the relief of J. W. Givens—to the Committee on War Claims.

Also, a bill (H. R. 3636) for the relief of the heirs of Martin Webb, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3637) for the relief of Houston L. Taylor—to the Committee on Claims.

Also, a bill (H. R. 3638) for the relief of Abram G. Hoyt—to the Committee on Claims.

Also, a bill (H. R. 3639) for the relief of John S. Chisum—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3640) for the relief of the legal representatives of Alexander H. Brown, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3641) for the relief of the heirs of James W. Wilkins, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3642) for the relief of the heirs of Philip Prather, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3643) for the relief of James B. Evans—to the Committee on War Claims.

Also, a bill (H. R. 3644) for the relief of Frank L. Hall—to the Committee on War Claims.

Also, a bill (H. R. 3645) for the relief of H. B. Matthews—to the Committee on War Claims.

Also, a bill (H. R. 3646) for the relief of B. P. Howard, administrator of Finley McGrew, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3647) granting a pension to Greenbury Lynch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3648) for the relief of W. A. Easten—to the Committee on War Claims.

Also, a bill (H. R. 3649) for the relief of Charles Hale—to the Committee on War Claims.

Also, a bill (H. R. 3650) granting a pension to James M. McKinney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3651) granting a pension to Robert Ray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3652) for the relief of Doctor George W. Noel—to the Committee on War Claims.

Also, a bill (H. R. 3653) for the relief of O. S. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3654) for the relief of the heirs of Paschal Rouse—to the Committee on War Claims.

Also, a bill (H. R. 3655) for the relief of George M. Priest's heirs—to the Committee on War Claims.

Also, a bill (H. R. 3656) for the relief of Francis Millet—to the Committee on War Claims.

Also, a bill (H. R. 3657) for the relief of John C. Whitlock, administrator—to the Committee on War Claims.

Also, a bill (H. R. 3658) for the relief of Ben. Harrison—to the Committee on War Claims.

Also, a bill (H. R. 3659) for the relief of George W. Smith—to the Committee on War Claims.

Also, a bill (H. R. 3660) granting a pension to Christopher H. Mathewson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3661) for the relief of John W. Alves—to the Committee on War Claims.

Also, a bill (H. R. 3662) for the relief of James R. Rash—to the Committee on Claims.

Also, a bill (H. R. 3663) for the relief of James O. Knox—to the Committee on War Claims.

Also, a bill (H. R. 3664) for the relief of W. M. Able—to the Committee on War Claims.

Also, a bill (H. R. 3665) for the benefit of J. C. Rudd—to the Committee on Claims.

Also, a bill (H. R. 3666) granting a pension to Charles R. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3667) for the relief of William H. Porter—to the Committee on Pensions.

Also, a bill (H. R. 3668) granting a pension to Johanna Statten—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3669) for the relief of Greenberry Sutton's heirs—to the Committee on War Claims.

By Mr. STONE, of Kentucky: A bill (H. R. 3670) for the relief of A. W. Pollard—to the Committee on War Claims.

Also, a bill (H. R. 3671) granting a pension to Robert C. Boyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3672) granting a pension to J. A. McCadden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3673) granting a pension to Christina Delany, widow of Francis Delany—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3674) for the relief of Mrs. Mary G. Foster—to the Committee on War Claims.

Also, a bill (H. R. 3675) for the relief of B. H. Stovall—to the Committee on Claims.

Also, a bill (H. R. 3676) for the relief of H. R. Mitchell—to the Committee on War Claims.

Also, a bill (H. R. 3677) for the relief of Cassandra S. Price—to the Committee on War Claims.

By Mr. CARUTH: A bill (H. R. 3678) for the relief of D. C. Buford—to the Committee on War Claims.

Also, a bill (H. R. 3679) granting a pension to Priscilla Prime—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3680) restoring the pension of Mrs. Catharine Sonne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3681) granting a pension to Carter W. Tiller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3682) to pension Emily Goodall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3683) granting a pension to Lona S. Fitzgerald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3684) for the relief of Theophilus Fisk Mills—to the Committee on Claims.

By Mr. G. M. THOMAS: A bill (H. R. 3685) for the relief of P. O. Collins—to the Committee on War Claims.

Also, a bill (H. R. 3686) for the relief of the administrators *de bonis non* and sureties of W. W. Weedon, deceased—to the Committee on Claims.

Also, a bill (H. R. 3687) for the relief of Thomas K. Ball—to the Committee on War Claims.

Also, a bill (H. R. 3688) for the relief of Amanda Jacobs, of Olive Hill, Carter County, Kentucky—to the Committee on Pensions.

Also, a bill (H. R. 3689) for the relief of John Fren Stewart, guardian of the minor children of James Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3690) granting a pension to Penelope Morton, widow of Lieut. James Morton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3691) for the relief of Sarah T. Duke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3692) granting a pension to Jennison Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3693) for the benefit of Lilburn E. Taber, Smoky Valley, Carter County, Kentucky—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3694) for the relief of Bath County, Kentucky—to the Committee on War Claims.

By Mr. LAFFOON: A bill (H. R. 3695) for the relief of Lucie A. Jameson—to the Committee on War Claims.

Also, a bill (H. R. 3696) for the relief of R. C. Jameson—to the Committee on War Claims.

By Mr. TAULBEE: A bill (H. R. 3697) for the relief of Patrick Cook—to the Committee on the District of Columbia.

By Mr. W. C. P. BRECKINRIDGE: A bill (H. R. 3698) to incorporate the American Association of the Red Cross—to the Committee on the Judiciary.

Also, a bill (H. R. 3699) for the benefit of Richard H. Taylor—to the Committee on Pensions.

By Mr. McCREARY: A bill (H. R. 3700) for the relief of James F. Edwards—to the Committee on War Claims.

Also, a bill (H. R. 3701) granting a pension to Abraham Schanks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3702) for the relief of the estate of Thornton Meriwether, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3703) for the relief of Benjamin F. Withers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3704) for the relief of David Martin, of Shelby County, Kentucky—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3705) for the relief of George Wood Meriwether—to the Committee on War Claims.

By Mr. FINLEY: A bill (H. R. 3706) granting a pension to Henry C. Richardson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3707) for the relief of Jonathan C. Huffman—to the Committee on Military Affairs.

Also, a bill (H. R. 3708) for the relief of P. H. Bridgewater—to the Committee on Military Affairs.

Also, a bill (H. R. 3709) for the benefit of Rosa Graves—to the Committee on Military Affairs.

Also, a bill (H. R. 3710) granting a pension to Samuel Piercy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3711) granting a pension to Harriet V. Stockton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3712) increasing the pension of Milton Judd—to the Committee on Pensions.

Also, a bill (H. R. 3713) for the benefit of Carter Lawson—to the Committee on the Post-Office and Post-Roads.

By Mr. BLANCHARD: A bill (H. R. 3714) for the relief of Charles A. Pierson—to the Committee on War Claims.

Also, a bill (H. R. 3715) for the relief of the State National Bank of New Orleans, formerly Louisiana State Bank—to the Committee on Claims.

By Mr. LAGAN: A bill (H. R. 3716) for the relief of the heirs of the late Lucien Goyaux, of Louisiana—to the Committee on War Claims.

Also, a bill (H. R. 3717) for the relief the Citizens' Bank of Louisiana—to the Committee on War Claims.

Also, a bill (H. R. 3718) for the relief of the widow and legal representatives of the late Joseph R. Shannon, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3719) for the relief of the estate of George S. Denison—to the Committee on Claims.

By Mr. WILKINSON: A bill (H. R. 3720) for the relief of the heirs of the late Joseph R. Shannon—to the Committee on War Claims.

Also, a bill (H. R. 3721) authorizing the President to appoint William English an officer in the regular Army of the United States—to the Committee on Military Affairs.

By Mr. DINGLEY: A bill (H. R. 3722) for the relief of Jennie D. Rice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3723) for the relief of the administratrix of the estate of George W. Lawrence—to the Committee on War Claims.

By Mr. SHAW: A bill (H. R. 3724) for the relief of Amanda J. Kerby, formerly Amanda J. Miller—to the Committee on War Claims.

Also, a bill (H. R. 3725) for the relief of William L. W. Seabrook—to the Committee on Claims.

Also, a bill (H. R. 3726) for the relief of Albert Greenleaf—to the Committee on Claims.

Also, a bill (H. R. 3727) for the relief of William P. Gorsuch—to the Committee on War Claims.

Also, a bill (H. R. 3728) for the relief of Cyrus Gault—to the Committee on War Claims.

Also, a bill (H. R. 3729) for the relief of Henry B. Streavig—to the Committee on War Claims.

Also, a bill (H. R. 3730) for the relief of Samuel Swope—to the Committee on War Claims.

Also, a bill (H. R. 3731) for the relief of Joab Brown—to the Committee on War Claims.

Also, a bill (H. R. 3732) for the relief of the heirs of the late Francis I. Wheeler—to the Committee on War Claims.

Also, a bill (H. R. 3733) for the relief of Emanuel Mackley—to the Committee on War Claims.

Also, a bill (H. R. 3734) for the relief of the heirs of Henry Leef, deceased, owner of the bark Mary Teresa, illegally seized by Alexander H. Tyler, consul of the United States at Bahia, Brazil—to the Committee on Claims.

Also, a bill (H. R. 3735) granting a pension to Eliza Shreeve—to the Committee on Invalid Pensions.

By Mr. COMPTON: A bill (H. R. 3736) for the relief of the heirs of James E. S. Holliday—to the Committee on War Claims.

Also, a bill (H. R. 3737) for the relief of the holders of the District of Columbia special-assessment lien certificates, and for other purposes—to the Committee on the District of Columbia.

By Mr. RUSK: A bill (H. R. 3738) for the relief of the North German Lloyd Steamship Company—to the Committee on Claims.

By Mr. RUSK: A bill (H. R. 3739) for the relief of Charles H. Dexter—to the Committee on War Claims.

Also, a bill (H. R. 3740) for the relief of the crew of the United States steamship Wyoming—to the Committee on War Claims.

Also, a bill (H. R. 3741) granting a pension to Sarah A. Crone—to the Committee on Pensions.

Also, a bill (H. R. 3742) to increase the pension of Mrs. M. R. Colony—to the Committee on Invalid Pensions.

By Mr. McCOMAS: A bill (H. R. 3743) for the relief of Thomas P. Morgan, jr.—to the Committee on Claims.

By Mr. RAYNER: A bill (H. R. 3744) for the relief of Mrs. Sarah H. Wood—to the Committee on War Claims.

By Mr. J. E. RUSSELL: A bill (H. R. 3745) granting a pension to Mary O'Neill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3746) granting a pension to Stephen Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3747) for the relief of George F. Rider—to the Committee on Claims.

By Mr. COLLINS: A bill (H. R. 3748) for the relief of Edmund M. Phelan—to the Committee on Claims.

By Mr. LONG: A bill (H. R. 3749) for the relief of Frank Baker—to the Committee on Claims.

By Mr. BURNETT: A bill (H. R. 3750) for the relief of Daniel B. Washburn—to the Committee on Claims.

By Mr. C. H. ALLEN: A bill (H. R. 3751) granting a pension to Egbert Dart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3752) granting a pension to Eliza J. Webb-Holt—to the Committee on Invalid Pensions.

By Mr. MORSE: A bill (H. R. 3753) granting a pension to Alfred Bloxam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3754) for the relief of Capt. Amos C. Weeden—to the Committee on Military Affairs.

Also, a bill (H. R. 3755) for the relief of Joseph Richardson—to the Committee on Invalid Pensions.

By Mr. CHIPMAN: A bill (H. R. 3756) for the relief of Frederick Carlisle—to the Committee on the Judiciary.

By Mr. BREWER: A bill (H. R. 3757) for the relief of Catherine Vealy—to the Committee on Military Affairs.

By Mr. O'DONNELL: A bill (H. R. 3758) for the relief of the legal heirs of Fidus Livermore, deceased—to the Committee on War Claims.

By Mr. BURROWS: A bill (H. R. 3759) for the relief of Louis Merrill—to the Committee on Invalid Pensions.

By Mr. FISHER: A bill (H. R. 3760) for the relief of Betsy Whiteside—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3761) granting a pension to Lovina A. Marsh—to the Committee on Invalid Pensions.

By Mr. NELSON: A bill (H. R. 3762) granting a pension to Nicholas Schmitt—to the Committee on Invalid Pensions.

By Mr. MacDONALD: A bill (H. R. 3763) granting a pension to William H. Derking—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3764) for the relief of Mrs. Delilah Whipps—to the Committee on Pensions.

By Mr. LIND: A bill (H. R. 3765) for the relief of James Devine—to the Committee on Claims.

Also, a bill (H. R. 3766) for the relief of William Pfaender—to the Committee on War Claims.

Also, a bill (H. R. 3767) for the relief of Thomas George—to the Select Committee on Indian Depredation Claims.

By Mr. THOMAS WILSON: A bill (H. R. 3768) for the relief of H. K. Belding—to the Committee on Claims.

Also, a bill (H. R. 3769) for the relief of William R. Tubbs—to the Committee on the Public Lands.

Also, a bill (H. R. 3770) for the relief of George M. Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3771) for the relief of Emma B. Streeter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3772) granting a pension to Perry D. Martin—to the Committee on Invalid Pensions.

By Mr. CATCHINGS: A bill (H. R. 3773) for the relief of the heirs of the late G. W. Grant—to the Committee on War Claims.

Also, a bill (H. R. 3774) for the relief of James C. Newman—to the Committee on War Claims.

By Mr. STOCKDALE: A bill (H. R. 3775) for the relief of Jane Jones—to the Committee on War Claims.

Also, a bill (H. R. 3776) for the relief of Mary M. St. John—to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 3777) granting a pension to Elizabeth C. Graham—to the Committee on Invalid Pensions.

By Mr. HUTTON: A bill (H. R. 3778) for the relief of Edward S. Armstrong—to the Committee on Claims.

Also, a bill (H. R. 3779) for the relief of John H. Faulconer—to the Committee on War Claims.

Also, a bill (H. R. 3780) for the relief of Martha Howell—to the Committee on War Claims.

Also, a bill (H. R. 3781) for the relief of E. F. Mathews—to the Committee on War Claims.

Also, a bill (H. R. 3782) for the relief of Mary Craddock—to the Committee on War Claims.

Also, a bill (H. R. 3783) for the relief of Henderson C. Leach—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3784) granting a pension to James Rainey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3785) to increase the pension of Alfred Barnes—to the Committee on Pensions.

By Mr. WALKER (by request): A bill (H. R. 3786) granting a pension to John Dryman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3787) for the relief of John M. Dale—to the Committee on Military Affairs.

By Mr. MANSUR: A bill (H. R. 3788) for the relief of Margaret H. Maupin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3789) for the relief O. P. Phillips—to the Committee on War Claims.

Also, a bill (H. R. 3790) for the relief of James H. Wyatt—to the Committee on War Claims.

Also, a bill (H. R. 3791) for the relief of M. S. Elkins—to the Committee on Claims.

Also, a bill (H. R. 3792) removing the charge of desertion against John Van Jossen—to the Committee on Military Affairs.

By Mr. HEARD: A bill (H. R. 3793) for the relief of Benjamin S. Fraker—to the Committee on War Claims.

Also, a bill (H. R. 3794) granting a pension to Elisha Kennedy—to the Committee on Pensions.

By Mr. MANSUR: A bill (H. R. 3795) removing the charge of desertion against James S. Pipes—to the Committee on Military Affairs.

Also, a bill (H. R. 3796) to purchase of the widow and children of the late General James Shields certain swords—to the Committee on Military Affairs.

Also, a bill (H. R. 3797) granting a pension to Frederick C. Conrads—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3798) granting a pension to William C. Wood—to the Committee on Invalid Pensions.

By Mr. WADE: A bill (H. R. 3799) restoring to the pension-roll the name of James Watson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3800) granting a pension to Mary A. Baker—to the Committee on Invalid Pensions.

By Mr. STONE, of Missouri: A bill (H. R. 3801) granting a pension to Nelson J. Crook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3802) granting a pension to William J. Scarborough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3803) for the relief of Harrison L. Mitchell—to the Committee on War Claims.

Also, a bill (H. R. 3804) for the relief of the estate of John Caldwell, deceased—to the Committee on War Claims.

By Mr. HATCH: A bill (H. R. 3805) for the relief of James Price—to the Committee on War Claims.

By Mr. CLARDY: A bill (H. R. 3806) for the relief of Charles P. Chouteau, survivor of Chouteau, Harrison & Valle—to the Committee on Claims.

Also, a bill (H. R. 3807) for the relief of the Iron Mountain Bank of St. Louis, Mo.—to the Committee on Claims.

Also, a bill (H. R. 3808) for the relief of Lewis J. Cundiff—to the Committee on War Claims.

Also, a bill (H. R. 3809) for the relief of Robert Zahn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3810) for the relief of John L. Cunningham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3811) for the relief of Paul McStay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3812) granting a pension to Isaac Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3813) granting a pension to Elizabeth W. Adair—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3814) to purchase of the widow and children of the late General James Shields certain swords—to the Committee on Military Affairs.

By Mr. WARNER: A bill (H. R. 3815) to place the name of Christina Essler on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3816) granting a pension to Mary M. Black—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3817) to remove the charge of desertion from the record of John N. A. Ereno—to the Committee on Military Affairs.

Also, a bill (H. R. 3818) to remove the charge of desertion from the record of Shephard Mize—to the Committee on Military Affairs.

Also, a bill (H. R. 3819) for the relief of John J. Hughes—to the Committee on War Claims.

Also, a bill (H. R. 3820) to increase the pension of Mrs. Apolline A. Blair—to the Committee on Invalid Pensions.

By Mr. LAIRD: A bill (H. R. 3821) to remove the charge of desertion from the military record of P. Dunphy—to the Committee on Military Affairs.

Also, a bill (H. R. 3822) to reimburse George S. Fisher for losses sustained by a fire in Japan, November 26, 1866—to the Committee on Foreign Affairs.

Also, a bill (H. R. 3823) to rerate the pension of Stephen C. Monroe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3824) for the relief of Bvt. Maj. Gen. Henry J. Hunt, colonel, retired, of the United States Army—to the Committee on Military Affairs.

Also, a bill (H. R. 3825) for the relief of David L. Brainard and others—to the Committee on Military Affairs.

Also, a bill (H. R. 3826) for the relief of Benjamin F. Brumer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3827) for the relief of George S. Comstock—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 3828) for the relief of Charles H. Holt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3829) for the relief of Wesley Montgomery—to the Committee on Private Land Claims.

Also, a bill (H. R. 3830) for the relief of W. H. Tibbits—to the Committee on Private Land Claims.

Also, a bill (H. R. 3831) for the relief of James Bainter—to the Committee on Indian Affairs.

Also, a bill (H. R. 3832) for the relief of James Pace—to the Committee on Military Affairs.

Also, a bill (H. R. 3833) granting a pension to D. J. Raddick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3834) granting a pension to Daniel Nickkiser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3835) granting a pension to Jonathan Cope—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3836) granting a pension to Hiram Bateman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3837) granting a pension to William T. Dodge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3838) granting a pension to Jonathan H. Cline—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3839) granting a pension to Mrs. Hettie K. Painter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3840) granting a pension to Hezekiah B. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3841) granting a pension to Archibald F. Coon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3842) granting a pension to William T. Dodge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3843) granting a pension to Virgil A. Jones—to the Committee on Invalid Pensions.

By Mr. McSHANE: A bill (H. R. 3844) granting an increase of pension to Wilson C. Moles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3845) granting a pension to G. R. Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3846) granting a pension to Edward Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3847) granting a pension to James H. Prickett—to the Committee on Invalid Pensions.

By Mr. DORSEY: A bill (H. R. 3848) to restore to the pension-roll the name of Hiram G. D. Squire—to the Committee on Invalid Pensions.

By Mr. McKINNEY: A bill (H. R. 3849) granting a pension to Mrs. Martha M. Bagley—to the Committee on Invalid Pensions.

By Mr. GALLINGER: A bill (H. R. 3850) granting a pension to Moses F. Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3851) granting a pension to Mrs. Mary Johnston—to the Committee on Invalid Pensions.

By Mr. BUCHANAN: A bill (H. R. 3852) granting a pension to Charles Everingham—to the Committee on Invalid Pensions.

By Mr. LEHLBACH: A bill (H. R. 3853) for the relief of Jacob Surerus and William H. Behrens—to the Committee on Patents.

Also, a bill (H. R. 3854) for the relief of Margaret Callanan—to the Committee on Invalid Pensions.

By Mr. T. J. CAMPBELL: A bill (H. R. 3855) for the relief of Richard Oulahan—to the Committee on Military Affairs.

By Mr. MERRIMAN: A bill (H. R. 3856) for the relief of Minthorne Tompkins, deceased, and others—to the Committee on Ways and Means.

Also, a bill (H. R. 3857) for the relief of William H. Robertson and Edward L. Hedden—to the Committee on Ways and Means.

By Mr. DAVENPORT: A bill (H. R. 3858) for the relief of Charles L. Heniup—to the Committee on Claims.

Also, a bill (H. R. 3859) for the relief of the Sone and Fleming Manufacturing Company, limited, of the city of New York—to the Committee on Claims.

Also, a bill (H. R. 3860) for the relief of Hyland C. Kirk and others, assignees of Addison C. Fletcher—to the Committee on Claims.

Also, a bill (H. R. 3861) for the relief of George A. Holt—to the Committee on Pensions.

Also, a bill (H. R. 3862) granting a pension to William R. King—to the Committee on Pensions.

Also, a bill (H. R. 3863) for the relief of Susan Buchanan—to the Committee on Pensions.

Also, a bill (H. R. 3864) granting a pension to Sophia A. Freeland—to the Committee on Pensions.

Also, a bill (H. R. 3865) granting a pension to Sarah E. Beeman—to the Committee on Pensions.

By Mr. MOFFITT: A bill (H. R. 3866) granting a pension to Madore Sweeney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3867) granting a pension to Laura Averill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3868) granting a pension to Cynthia Witherell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3869) granting arrears of pension to William J. Carlisle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3870) granting a pension to Albert Nevin—to the Committee on Invalid Pensions.

By Mr. FLOOD: A bill (H. R. 3871) granting a pension to Leyar Hoyancamp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3872) granting a pension to James Safely—to the Committee on Pensions.

Also, a bill (H. R. 3873) granting a pension to Esther A. Brown—to the Committee on Pensions.

Also, a bill (H. R. 3874) granting a pension to Ann E. Goodrich—to the Committee on Pensions.

Also, a bill (H. R. 3875) for the relief of Patrick Daley—to the Committee on Pensions.

Also, a bill (H. R. 3876) for the relief of Jeremiah Rumsey—to the Committee on Pensions.

By Mr. TRACEY: A bill (H. R. 3877) for the relief of Dr. Daniel Wasserbach—to the Committee on Claims.

By Mr. COX: A bill (H. R. 3878) for the relief of Richard Atkinson—to the Committee on War Claims.

By Mr. FARQUHAR: A bill (H. R. 3879) for the relief of James and William Crooks, of Canada—to the Committee on Foreign Affairs.

Also, a bill (H. R. 3880) for the relief of Margaret Poland, administratrix—to the Committee on War Claims.

By Mr. GREENMAN: A bill (H. R. 3881) for the relief of James E. Atkins—to the Committee on Military Affairs.

Also, a bill (H. R. 3882) for the relief of Augusta Lewis—to the Committee on Military Affairs.

Also, a bill (H. R. 3883) for the relief of James C. Shanley—to the Committee on Military Affairs.

Also, a bill (H. R. 3884) for the relief of George R. Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 3885) granting a pension to Mary E. Donahue—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3886) granting a pension to Richard Bothwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3887) granting a pension to Ellen A. Beckett—to the Committee on Invalid Pensions.

By Mr. NUTTING: A bill (H. R. 3888) granting a pension to Mary H. Stacy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3889) granting a pension to Bridget Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3890) granting a pension to Frederick Gale—to the Committee on Invalid Pensions.

By Mr. STAHLNECKER: A bill (H. R. 3891) granting a pension to Elizabeth Coles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3892) granting a pension to Caroline A. Groshon—to the Committee on Pensions.

By Mr. S. V. WHITE: A bill (H. R. 3893) for the relief of the legal representative of Maj. William Kendall—to the Committee on Claims.

By Mr. STAHLNECKER: A bill (H. R. 3894) for the relief of Samuel Schiffer, sole survivor of the firm of Schiffer & Co.—to the Committee on War Claims.

Also, a bill (H. R. 3895) for the relief of Edward Harris—to the Committee on Claims.

Also, a bill (H. R. 3896) for the relief of Henry Osterheld—to the Committee on War Claims.

By Mr. CUMMINGS: A bill (H. R. 3897) for the relief of the widow of Lieut. Col. M. W. Burns—to the Committee on Invalid Pensions.

By Mr. BACON: A bill (H. R. 3898) granting increase of pension to James H. Reeve—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3899) to authorize the President to appoint, with the advice and consent of the Senate, John Rigney a sergeant in the Army, to be made second lieutenant—to the Committee on Military Affairs.

By Mr. CUMMINGS: A bill (H. R. 3900) to remove charge of desertion from military record of Kasimer Seiler—to the Committee on Military Affairs.

By Mr. BLISS: A bill (H. R. 3901) for the relief of Margaretha Sussman—to the Committee on Pensions.

By Mr. SIMMONS: A bill (H. R. 3902) for the relief of Sophia B. Moore—to the Committee on War Claims.

Also, a bill (H. R. 3903) for the relief of John D. Thorne—to the Committee on War Claims.

By Mr. COWLES: A bill (H. R. 3904) granting a pension to Charlotte Pruit—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3905) for relief of James Mahoney—to the Committee on War Claims.

By Mr. J. S. HENDERSON: A bill (H. R. 3906) granting a pension to Joicy Richwine—to the Committee on Invalid Pensions.

By Mr. NICHOLS: A bill (H. R. 3907) for the relief of Mrs. Carrie E. Hopkins, widow of Moses A. Hopkins—to the Committee on Claims.

Also, a bill (H. R. 3908) increasing the pension of Jesse L. Garrett—to the Committee on Invalid Pensions.

By Mr. McKINNEY: A bill (H. R. 3909) granting a pension to George Cox—to the Committee on Invalid Pensions.

By Mr. KENNEDY: A bill (H. R. 3910) granting a pension to Abbie L. Cunningham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3911) granting pension to James R. Bell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3912) granting a pension to Elizabeth A. Jones—to the Committee on Invalid Pensions.

By Mr. WICKHAM: A bill (H. R. 3913) a granting pension to Mrs. Catharine Peterson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3914) granting a pension to Valentine Selanders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3915) to remove the charge of desertion from the record of Samuel Cole—to the Committee on Military Affairs.

By Mr. CROUSE: A bill (H. R. 3916) granting a pension to Jacob Wolf—to the Committee on Invalid Pensions.

By Mr. WILKINS: A bill (H. R. 3917) for the relief of Nathan R. Belt—to the Committee on Military Affairs.

Also, a bill (H. R. 3918) for the relief of Anna B. Kerr—to the Committee on Invalid Pensions.

By Mr. BOOTHMAN: A bill (H. R. 3919) for the relief of Francis McKinney—to the Committee on Military Affairs.

Also, a bill (H. R. 3920) to relieve Peter Moog, late private Company B, Sixty-eighth Ohio Volunteer Infantry, from charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 3921) granting a pension to Charles H. Milbourn—to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 3922) to place the name of Casper Seibel on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3923) to place the name of Frederic Ronicke on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3924) to place the name of John Miller on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3925) to pension Joel M. Berry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3926) granting a pension to Jay Marshall—to the Committee on Invalid Pensions.

By Mr. BUTTERWORTH: A bill (H. R. 3927) for the relief of Sarah K. McLean—to the Committee on Military Affairs.

Also, a bill (H. R. 3928) for the relief of Francis Duffy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3929) granting a pension to Elizabeth Bauer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3930) granting a pension to Catharine Greybing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3931) granting a pension to Elizabeth Johns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3932) granting a pension to Mary A. Fitzpatrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3933) for the relief of John Wybrant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3934) for the relief of Albert Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3935) granting a pension to Mary Stoll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3936) granting a pension to George W. Roger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3937) for the relief of Catherine Millen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3938) granting a pension to Elizabeth Waltz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3939) for the relief of William Elder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3940) granting a pension to Frank Gray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3941) granting a pension to Francis Daum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3942) granting a pension to Morgantha Hirschbuhler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3943) for the relief of the heirs of Edward M. Shield—to the Committee on Claims.

Also, a bill (H. R. 3944) for the relief of Robert Clarke & Co.—to the Committee on Claims.

Also, a bill (H. R. 3945) for the relief of Samuel Paxton—to the Committee on Claims.

Also, a bill (H. R. 3946) for the relief of Faran & McLean—to the Committee on Claims.

Also, a bill (H. R. 3947) for the relief of Jeremiah Darling—to the Committee on Claims.

Also, a bill (H. R. 3948) for the relief of the legal representatives of Edward A. Smith—to the Committee on Claims.

Also, a bill (H. R. 3949) for the relief of James Levy & Brother—to the Committee on Claims.

Also, a bill (H. R. 3950) for the relief of E. G. Carpenter—to the Committee on Claims.

Also, a bill (H. R. 3951) for the relief of Robert Carter—to the Committee on War Claims.

Also, a bill (H. R. 3952) for the relief of William Beard—to the Committee on War Claims.

Also, a bill (H. R. 3953) for the relief of John Reid—to the Committee on War Claims.

Also, a bill (H. R. 3954) for the relief of Jacob S. Lowry and George A. Gray—to the Committee on War Claims.

Also, a bill (H. R. 3955) for the relief of A. G. Collins—to the Committee on War Claims.

Also, a (bill H. R. 3956) for the relief of Alexander Swift & Co., partners, and Alexander Swift & Co. and the Niles Works—to the Committee on War Claims.

Also, a bill (H. R. 3957) for the relief of Peter March, Thomas J. Wright, administrator, and others—to the Committee on War Claims.

By Mr. SENEY: A bill (H. R. 3958) for the relief of James J. Johnston—to the Committee on Patents.

By Mr. A. C. THOMPSON: A bill (H. R. 3959) granting a pension to Dolly Blazer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3960) granting a pension to John A. Martindale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3961) to increase the pension of George W. Williams—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: A bill (H. R. 3962) granting a pension to Charles H. Light—to the Committee on Invalid Pensions.

By Mr. FORAN: A bill (H. R. 3963) to remove the charge of deser-

tion from the naval record of John Murtuck—to the Committee on Naval Affairs.

Also, a bill (H. R. 3964) to remove the charge of desertion from the naval record of Owen McCaffrey—to the Committee on Naval Affairs.

Also, a bill (H. R. 3965) granting a pension to Ann Kinney—to the Committee on Pensions.

Also, a bill (H. R. 3966) to remove the charge of desertion from the military record of Silas C. Taylor—to the Committee on Military Affairs.

Also, a bill (H. R. 3967) to remove the charge of desertion from Michael Shannon—to the Committee on Military Affairs.

Also, a bill (H. R. 3968) to remove the charge of desertion from Nicholas Moser—to the Committee on Military Affairs.

Also, a bill (H. R. 3969) to remove the charge of desertion from the military record of Frank Ludwig—to the Committee on Military Affairs.

Also, a bill (H. R. 3970) to remove the charge of desertion from John Johnson—to the Committee on Military Affairs.

Also, a bill (H. R. 3971) to remove the charge of desertion from the military record of William C. Jones—to the Committee on Military Affairs.

Also, a bill (H. R. 3972) to remove the charge of desertion from the record of Charles Herberth—to the Committee on Military Affairs.

Also, a bill (H. R. 3973) to remove the charge of desertion from the military record of Michael Clancy—to the Committee on Military Affairs.

Also, a bill (H. R. 3974) to remove the charge of desertion from Andrew Brown—to the Committee of Military Affairs.

Also, a bill (H. R. 3975) for the relief of E. E. Caldwell—to the Committee on War Claims.

Also, a bill (H. R. 3976) for the relief of Henry Weatherwax—to the Committee on War Claims.

Also, a bill (H. R. 3977) granting arrears of pension to August Pietsch—to the Committee on War Claims.

Also, a bill (H. R. 3978) granting arrears of pensions to Miriam Gazeley—to the Committee on War Claims.

Also, a bill (H. R. 3979) granting arrears of pension to Thomas M. Fitch—to the Committee on War Claims.

Also, a bill (H. R. 3980) for the relief of E. E. Caldwell—to the Committee on War Claims.

Also, a bill (H. R. 3981) for the relief of Robert Peterson and William H. Cross—to the Committee on Claims.

Also, a bill (H. R. 3982) for the relief of Thomas Jones, jr.—to the Committee on Claims.

Also, a bill (H. R. 3983) granting accrued pension to M. J. Shelp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3984) for the relief of J. Schriber & Co.—to the Committee on Claims.

Also, a bill (H. R. 3985) granting a pension to Mary Stewart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3986) granting a pension to Bridget Shanley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3987) granting a pension to Amelia T. Seywert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3988) granting arrears of pension to Henry Schoder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3989) granting accrued arrears of increased and additional pension to Mary Schyllander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3990) granting arrears of pension to Martin Ruppender—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3991) granting a pension to Rhoda A. Robberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3992) granting a pension to Sarah Rendell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3993) granting a pension to William B. Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3994) granting a pension to Frank Rabiska—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3995) granting a pension to John Pendleton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3996) granting a pension to Capt. J. K. O'Reilly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3997) granting an increase of pension to George A. McKay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3998) granting a pension to Joseph Means—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3999) granting arrears of pension to Margaretha Klein—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4000) granting arrears of pension to Louise Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4001) granting arrears of pension to Charles Hagemann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4002) for the relief of Mary E. Hopkins—to the Committee on Naval Affairs.

Also, a bill (H. R. 4003) granting a pension to Edward Herbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4004) granting a pension to Alonzo S. Gardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4005) granting a pension to Louisa Gott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4006) granting a pension to Charles Good—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4007) granting a pension to Mrs. C. Conley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4008) granting arrears of widow's pension and accrued husband's pension to Ellen Crosby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4009) granting a pension to Thomas H. Barrett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4010) granting arrears of pension to Surgeon Henry Z. Gill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4011) granting a pension to Clara Sterling—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 4012) to pay Green Arnold, of La Grande, Oregon, $7,596.80 for Indian depredations committed—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 4013) granting a pension to John Walters alias Jacob Kuntz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4014) granting a pension to Sims J. Ely—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4015) for the relief of Chauncey M. Lockwood or his legal representatives—to the Committee on Claims.

By Mr. OSBORNE: A bill (H. R. 4016) granting a pension to Elizabeth Deckerd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4017) for the relief of Charles Morrow—to the Committee on War Claims.

Also, a bill (H. R. 4018) granting a pension to Ellen Decker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4019) granting a pension to Rachel T. Abbott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4020) for the relief of Assistant Engineer Howard D. Potts, United States Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 4021) for the relief of Abram G. Hoyt—to the Committee on Claims.

Also, a bill (H. R. 4022) to amend the military record of A. H. Rush—to the Committee on Military Affairs.

Also, a bill (H. R. 4023) for the relief of J. D. Golden—to the Committee on Military Affairs.

By Mr. HARMER: A bill (H. R. 4024) for the relief of Peter Woll & Sons—to the Committee on Ways and Means.

By Mr. BINGHAM: A bill (H. R. 4025) for the relief of Reaney, Son & Archbold—to the Committee on War Claims.

Also, a bill (H. R. 4026) to promote Commodore Louis C. Sartori, now on the retired-list of the Navy, to be a rear-admiral on said list, in accordance with his original position on the Navy Register—to the Committee on Naval Affairs.

Also, a bill (H. R. 4027) authorizing the President of the United States to appoint William F. Pratt, late a second assistant engineer in the United States Navy, upon the retired-list of the Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 4028) to muster Edward G. Pendleton as captain of infantry into the service of the United States and to pay him for his services from August 31, 1861, to July 10, 1864—to the Committee on Military Affairs.

Also, a bill (H. R. 4029) removing the charge of desertion against John Connell—to the Committee on Military Affairs.

Also, a bill (H. R. 4030) removing a charge of desertion against Charles Lowther—to the Committee on Military Affairs.

Also, a bill (H. R. 4031) for the relief of Jabez Burchard—to the Committee on Claims.

Also, a bill (H. R. 4032) for the relief of Henry Herman—to the Committee on Claims.

Also, a bill (H. R. 4033) granting a pension to John Leide—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3034) granting a pension to Mary McCusker and Catharine McCusker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4035) granting a pension to Elizabeth L. Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4036) granting a pension to William Ruhe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4037) granting a pension to Theresia Fichter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4038) granting a pension to Victor, Gertrude, Margaret, and Helen, minor children of Lieut. George B. McGuire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4039) granting a pension to Mary A. Pfeiffer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4040) granting a pension to Sarah Poole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4041) granting a pension to Hannah Deritt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4042) granting a pension to Isabella Hays—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4043) granting a pension to Edith M. Rodgers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4044) granting arrears of pension to Letitia Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4045) granting an increase of pension to Eliza G. McGrath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4046) granting a pension to Sarah Harper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4047) granting a pension to Sarah Vantine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4048) granting a pension to Earl D. Percy—to the Committee on Invalid Pensions.

By Mr. ATKINSON: A bill (H. R. 4049) granting a pension to Lottie E. Dietrich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4050) granting a pension to Lawrence Gross—to the Committee on Invalid Pensions,

Also, a bill (H. R. 4051) granting a pension to Sarah J. Eyster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4052) granting a pension to Frederick Wardecker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4053) granting a pension to Cornelius Wetzler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4054) granting a pension to William Sweger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4055) granting a pension to Emma V. Heine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4056) authorizing the Secretary of War to cause the removal of the body of W. M. Miller from Fort Robinson, Nebraska, to Snyder County, Pennsylvania—to the Committee on Military Affairs.

Also, a bill (H. R. 4057) to restore Wentz C. Miller to the rank of first lieutenant in the Fourth United States Cavalry, and place him upon the retired-list—to the Committee on Military Affairs.

By Mr. MAISH: A bill (H. R. 4058) for the relief of Valentine Sauppe—to the Committee on War Claims.

By Mr. DARLINGTON: A bill (H. R. 4059) granting a pension to J. Howard Slaymaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4060) granting a pension to Joseph Hugler—to the Committee on Invalid Pensions.

By Mr. BOUND: A bill (H. R. 4061) granting a pension to Daniel Batdorff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4062) granting a pension to Charles F. Urban—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4063) granting a pension to Mary J. Decker—to the Committee on Invalid Pensions.

By Mr. HALL: A bill (H. R. 4064) for the relief of David H. Russell—to the Committee on Military Affairs.

Also, a bill (H. R. 4065) granting a pension to Levi E. Tenney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4066) to increase the pension of James Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4067) granting a pension to Albert K. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4068) granting a pension to William Koonce—to the Committee on Invalid Pensions.

By Mr. JACKSON (by request): A bill (H. R. 4069) granting an increase of pension to Elnathan Meade—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4070) for the relief of Edwin J. Bogert—to the Committee on Claims.

By Mr. McCORMICK: A bill (H. R. 4071) to remove the charge of desertion against Abram Smith—to the Committee on Military Affairs.

By Mr. BAYNE: A bill (H. R. 4072) granting an increase of pension to Kate Q. Dalzell—to the Committee on Invalid Pensions.

By Mr. LYNCH: A bill (H. R. 4073) granting a pension to Thomas O. Robinson—to the Committee on Invalid Pensions.

By Mr. HARMER: A bill (H. R. 4074) granting an increase of pension to Emma Biddle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4075) granting a pension to William N. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4076) for the relief of the sufferers by the wreck of the United States steamer Ashuelot—to the Committee on Naval Affairs.

By Mr. SCULL: A bill (H. R. 4077) for the relief of Benjamin F. Jamison—to the Committee on Claims.

Also, a bill (H. R. 4078) granting a pension to John D. M. Armbrust—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4079) granting a pension to Abraham Howard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4080) granting a pension to William Swift—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4081) granting an increase of pension to Adam Dennis—to the Committee on Invalid Pensions.

By Mr. OATES: A bill (H. R. 4082) for the relief of the Agricultural and Mechanical College of Alabama—to the Committee on Military Affairs.

By Mr. DALZELL: A bill (H. R. 4083) granting a pension to John Vogle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4084) granting a pension to Leonard Pfarr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4085) to remove the charge of desertion from the record of Allen S. Thatcher—to the Committee on Military Affairs.

By Mr. PERRY: A bill (H. R. 4086) for the relief of Theodore Dehon—to the Committee on War Claims.

By Mr. WHITTHORNE: A bill (H. R. 4087) for the relief of Samuel Hein—to the Committee on Claims.

By Mr. ENLOE: A bill (H. R. 4088) for the relief of George Hicks—to the Committee on War Claims.

By Mr. HOUK: A bill (H. R. 4089) for the relief of George Turner—to the Committee on War Claims.

Also, a bill (H. R. 4090) for the relief of Warham Easley—to the Committee on War Claims.

Also, a bill (H. R. 4091) for the relief of James W. Harvey, as assignee of Joseph Parkins—to the Committee on Claims.

By Mr. NEAL: A bill (H. R. 4092) for the relief of Mrs. Sophia Richardson and J. A. Richardson—to the Committee on Claims.

Also, a bill (H. R. 4093) granting a pension to Thomas R. Elliott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4094) for the relief of Jacob Holzknecht—to the Committee on Military Affairs.

By Mr. HARE: A bill (H. R. 4095) for the relief of Calvin T. Hazlewood—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 4096) for the relief of Frederick Brown—to the Committee on Military Affairs.

By Mr. J. W. STEWART: A bill (H. R. 4097) to restore to the pension-roll the name of William C. Wait—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4098) granting a pension to Eliza Trefren—to the Committee on Invalid Pensions.

By Mr. GROUT: A bill (H. R. 4099) for the relief of George W. Saulpaw—to the Committee on War Claims.

Also, a bill (H. R. 4100) granting a pension to Martha B. Perry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4101) granting a pension to Martha Giddings, formerly Martha Priest—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4102) granting a pension to Mary A. Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4103) granting a pension to Edna M. Hildreth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4104) granting a pension to Mahala Dexter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4105) granting a pension to Margie D. Garvin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4106) granting a pension to Olive Wallace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4107) granting a pension to Laura D. Pierce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4108) granting a pension to Lucinda Belcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4109) granting a pension to Richard Hinch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4110) granting a pension to Mehitable Wheeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4111) for the relief of Chester L. Lewis—to the Committee on Military Affairs.

Also, a bill (H. R. 4112) for the relief of George W. Bolton, alias Charles Andrews—to the Committee on Military Affairs.

Also, a bill (H. R. 4113) for the relief of Louis Garon—to the Committee on Military Affairs.

Also, a bill (H. R. 4114) for the relief of Andrew Burgess, John Hall, and William T. Roundtree—to the Committee on Claims.

Also, a bill (H. R. 4115) for the relief of David Ward—to the Committee on Claims.

By Mr. SNYDER: A bill (H. R. 4116) for the relief of Urias Buskirk—to the Committee on War Claims.

By Mr. T. H. B. BROWNE: A bill (H. R. 4117) for the relief of Bennet Fentress—to the Committee on War Claims.

Also, a bill (H. R. 4118) granting a pension to Mary O'Day—to the Committee on Invalid Pensions.

By Mr. WISE: A bill (H. R. 4119) for the relief of the legal representatives of Matthew Smith—to the Committee on Private Land Claims.

By Mr. GOFF: A bill (H. R. 4120) for the relief of Elijah King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4121) for the relief of Calvin Means—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4122) to increase the pension of Endsley H. Kerans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4123) for the relief of Elizabeth Crouse—to the Committee on War Claims.

Also, a bill (H. R. 4124) for the relief of Charles M. Coen—to the Committee on War Claims.

Also, a bill (H. R. 4125) for the relief of Mary J. Cunningham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4126) for the relief of Riley H. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4127) for the relief of Elmer H. Fetty—to the Committee on Military Affairs.

Also, a bill (H. R. 4128) for the relief of William B. Lynch—to the Committee on War Claims.

Also, a bill (H. R. 4129) for the relief of B. F. Shuttleworth & Brother—to the Committee on War Claims.

Also, a bill (H. R. 4130) for the relief of Catharine E. Lurty—to the Committee on War Claims.

Also, a bill (H. R. 4131) granting relief to William C. McCroskey, and for other purposes—to the Committee on Military Affairs.

Also, a bill (H. R. 4132) for the relief of William Dillon—to the Committee on War Claims.

Also, a bill (H. R. 4133) for the relief of Thomas H. Norton and James McLean—to the Committee on Claims.

Also, a bill (H. R. 4134) for the relief of H. W. Phillips, Clark Hanes, and John Beam—to the Committee on War Claims.

Also, a bill (H. R. 4135) for the relief of George A. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4136) for the relief of Benjamin F. Batten—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4137) for the relief of John W. Kennedy—to the Committee on Claims.

Also, a bill (H. R. 4138) for the relief of Abraham Shriver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4139) for the relief of D. M. Bailey, administrator of Minter Bailey, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4140) for the relief of William I. Moore—to the Committee on Naval Affairs.

Also, a bill (H. R. 4141) for the relief of Isaac Bloss—to the Committee on War Claims.

Also, a bill H. R. 4142) for the relief of Louisa A. A. Hays—to the Committee on War Claims.

Also, a bill (H. R. 4143) for the relief of Henry P. McMaster—to the Committee on Military Affairs.

Also, a bill (H. R. 4144) for the relief of Riley H. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4145) for the relief of Alexander Shock—to the Committee on War Claims.

Also, a bill (H. R. 4146) for the relief of Nicholas Mick—to the Committee on War Claims.

Also, a bill (H. R. 4147) for the relief of William I. Godfrey—to the Committee on War Claims.

Also, a bill (H. R. 4148) for the relief of Andrew S. Core—to the Committee on War Claims.

Also, a bill (H. R. 4149) for the relief of Joel Harvey—to the Committee on War Claims.

Also, a bill (H. R. 4150) granting an increase of pension and arrears to Sanford Conant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4151) increasing the pension of Joseph A. J. Lightburn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4152) granting an increase of pension to Robert S. Northcott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4153) granting an increase of pension to Granville Brake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4154) granting a pension to Benjamin Gill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4155) granting a pension to Harriet Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4156) granting a pension to David C. Garman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4157) granting a pension to William B. Fox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4158) granting a pension to George W. Teter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4159) granting a pension to Cornelius Kendall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4160) granting a pension to James C. Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4161) granting a pension to William H. Kirby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4162) granting a pension to Andrew T. Sheline—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4163) granting a pension to Samuel M. Fetty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4164) granting a pension to Nicholas C. Rohrbough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4165) granting a pension to James A. Demastus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4166) granting a pension to David K. Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4167) granting a pension to the widow and children of Patrick Kearney, deceased—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4168) granting a pension to John Nay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4169) granting a pension to Samuel K. Lemasters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4170) granting a pension to Reuben Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4171) granting a pension to Elias Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4172) granting a pension to David F. Fletcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4173) granting a pension to James J. Ferrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4174) granting a pension to Harriet Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4175) granting a pension to Daniel M. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4176) granting a pension to Emanuel Francis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4177) granting a pension to Robert Sutor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4178) granting a pension to Aaron Hayward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4179) granting a pension to Asa Moneypenny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4180) granting a pension to Nathaniel P. Lee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4181) granting a pension to Patrick Holland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4182) granting a pension to Elizabeth Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4183) granting a pension to Taylor Richmond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4184) granting a pension to John W. Dowler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4185) granting a pension to Margaret Meyers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4186) granting a pension to John Houchin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4187) granting a pension to C. A. Reeder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4188) granting a pension to James Bryner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4189) granting a pension to Thomas M. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4190) granting a pension to George W. Teter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4191) granting a pension to Charles Weinrich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4192) granting a pension to George W. Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4193) granting a pension to John M. Kinney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4194) increasing the pension of Richard Melitz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4195) for the relief of William Elliott—to the Committee on War Claims.

Also, a bill (H. R. 4196) for the relief of Allie V. Kelly—to the Committee on War Claims.

Also, a bill (H. R. 4197) for the relief of John K. Botsford—to the Committee on War Claims.

By Mr. BOWDEN: A bill (H. R. 4198) for the relief of Adolphus Goddin—to the Committee on War Claims.

By Mr. LEE: A bill (H. R. 4199) for the relief of Sewell B. Corbett—to the Committee on War Claims.

Also, a bill (H. R. 4200) for the relief of Attie Lewis—to the Committee on War Claims.

By Mr. GAINES: A bill (H. R. 4201) for the relief of J. R. Jones—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 4202) for the relief of R. B. Baptiste—to the Committee on the Post-Office and Post-Roads.

By Mr. LA FOLLETTE: A bill (H. R. 4203) granting a pension to the widow of Adam Shrake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4204) for the relief of James H. Van Wagenen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4205) for the relief of Ole Steensland—to the Committee on Invalid Pensions.

By Mr. GUENTHER: A bill (H. R. 4206) to remove the charge of desertion from the military record of Henry V. Davenport—to the Committee on Military Affairs.

Also, a bill (H. R. 4207) granting a pension to James Lucas—to the Committee on Invalid Pensions.

By Mr. CASWELL: A bill (H. R. 4208) for the relief of Hector F. Phelps—to the Committee on Military Affairs.

Also, a bill (H. R. 4209) for the relief of Ann Annis—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 4210) for the relief of Catharine Brennan—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 4211) for the relief of Charles W. Faust—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 4212) for the relief of William Wall and his heirs—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 4213) for the relief of James Lee—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 4214) referring the claim of John Burns against the United States to the Court of Claims—to the Committee on Claims.

Also (by request), a bill (H. R. 4215) for the relief of John Whittaker—to the Committee on Claims.

Also (by request), a bill (H. R. 4216) for the relief of the widow and children as heirs at law of Jacob L. W. Doxtater, deceased—to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 4217) for the relief of Rosa Walker, widow of Dabney Walker—to the Committee on War Claims.

Also (by request), a bill (H. R. 4218) for the relief of Malinda Grimes—to the Committee on War Claims.

Also (by request), a bill (H. R. 4219) for the relief of Richard Everson—to the Committee on War Claims.

Also (by request), a bill (H. R. 4220) for the relief of D. G. and D. A. Sanford—to the Select Committee on Indian Depredation Claims.

Also (by request), a bill (H. R. 4221) for the relief of John Lang—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 4222) for the relief of Mary Ann Harry—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 4223) referring the claim of William T. Duvall against the United States to the Court of Claims—to the Committee on Claims.

Also (by request), a bill (H. R. 4224) for the relief of John S. Tyler—to the Committee on Claims.

Also (by request), a bill (H. R. 4225) for the relief of William Sweeney and other employés of the Census Office, Interior Department—to the Committee on Claims.

By Mr. O. B. THOMAS: A bill (H. R. 4226) granting a pension to Rebecca Aylesworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4227) granting a pension to Mary Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4228) granting a pension to Theodore F. Hart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4229) to relieve Henry V. Klock from the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 4230) to relieve Samuel W. Hoyt from the charge of desertion—to the Committee on Military Affairs.

By Mr. HENRY SMITH: A bill (H. R. 4231) granting an increase of pension to John Farrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4232) granting a pension to James Preston—to the Committee on Invalid Pensions.

By Mr. GIFFORD: A bill (H. R. 4233) granting a pension to Frederick Vollrath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4234) granting a pension to Joseph B. Walters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4235) granting a pension to Emma S. Free—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4236) granting an increase of pension to Silas Corzath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4237) for the relief of John Moran—to the Committee on Military Affairs.

By Mr. DUBOIS: A bill (H. R. 4238) for the relief of William H. Rhett—to the Committee on Claims.

Also, a bill (H. R. 4239) for the relief of P. H. Winston—to the Committee on the Judiciary.

By Mr. VOORHEES: A bill (H. R. 4240) for the relief of Mrs. C. P. Culver—to the Committee on Claims.

Also, a bill (H. R. 4241) for the relief of John O'Keane—to the Committee on Claims.

Also, a bill (H. R. 4242) for the relief of Jacob Kuntz, alias John Walters—to the Committee on Claims.

Also, a bill (H. R. 4243) for the relief of George Hazzard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4244) for the relief of Albert Taylor—to the Committee on Military Affairs.

Also, a bill (H. R. 4245) for the relief of Thomas Redmond—to the Committee on Pensions.

By Mr. CAREY: A bill (H. R. 4246) for the relief of Robert H. Montgomery—to the Committee on Military Affairs.

Also, a bill (H. R. 4247) for the relief of John Hunton—to the Committee on Private Land Claims.

Also, a bill (H. R. 4248) for the relief of certain settlers in the Wind River Valley, Wyoming Territory—to the Committee on Claims.

By Mr. C. R. BRECKINRIDGE: A bill (H. R. 4249) for the relief of Ray Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4250) for the relief of Manley B. Edmonson—to the Committee on Military Affairs.

Also, a bill (H. R. 4251) for the relief of the estate of Benjamin F. Richardson—to the Committee on War Claims.

Also, a bill (H. R. 4252) for the relief of Lizzie E. McCord, administratrix of Moses S. McCord, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4253) for the relief of the estate of Isaac W. Talkington, deceased—to the Committee on the Public Lands.

By Mr. JONES: A bill (H. R. 4254) to remit the forfeiture of the British bark Viscount Canning, and to refund the proceeds of the sale thereof to her owners, Edward D. Morris and C. R. Morris—to the Committee on Claims.

Also, a bill (H. R. 4255) to appropriate $2,000 to reimburse certain employés who lost their property by the destruction of the station at Trinity Shoal, Gulf of Mexico, off the coast of Louisiana—to the Committee on Claims.

Also, a bill (H. R. 4256) for the relief of Leslie E. Brooks—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 4257) for the relief of Hannah J. Jones, executrix—to the Committee on Foreign Affairs.

By Mr. WHEELER: A bill (H. R. 4258) to correct an error made by the register and receiver of the land office at Huntsville, Ala.—to the Committee on the Public Lands.

By Mr. DUNN: A bill (H. R. 4259) for the relief of Pleasant Bumpass—to the Committee on War Claims.

By Mr. MORROW: A bill (H. R. 4260) for the relief of John Williams—to the Committee on Claims.

By Mr. FELIX CAMPBELL: A bill (H. R. 4261) for the relief of Martin V. Rowland—to the Committee on Military Affairs.

By Mr. C. R. BRECKINRIDGE: A bill (H. R. 4262) for the relief of Gibson Morrison—to the Committee on Invalid Pensions.

By Mr. OATES: A bill (H. R. 4263) for the relief of the legal personal representatives of Henry H. Sibley, deceased—to the Committee on War Claims.

By Mr. BACON: A bill (H. R. 4264) for the relief of Edgar Brodhead—to the Committee on Naval Affairs.

By Mr. NUTTING: A bill (H. R. 4265) for the relief of Mary E. Walker, M. D.—to the Committee on War Claims.

By Mr. BUTLER: A bill (H. R. 4266) for the relief of Dr. David Bell—to the Committee on Claims.

Also, a bill (H. R. 4267) for the relief of the estate of James Allen, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4268) for the relief of L. H. and R. E. Goodwin—to the Committee on War Claims.

Also, a bill (H. R. 4269) granting a pension to Robert Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4270) granting a pension to William C. Tilly—to the Committee on Invalid Pensions.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. ADAMS: Petition of Sarah E. Brashear, widow of James Foster, for a pension—to the Committee on Invalid Pensions.

Also, memorial of the city of Lake View, Ill., relative to free delivery of letters—to the Committee on the Post-Office and Post-Roads.

By Mr. C. H. ALLEN: Petition of Egbert Dart, for an original pension—to the Committee on Invalid Pensions.

Also, petition of A. F. French and others, for relief of Eliza J. Webb Holt—to the Committee on Invalid Pensions.

By Mr. A. R. ANDERSON: Petition of Sarah J. Boles, for a widow's pension—to the Committee on Invalid Pensions.

By Mr. C. L. ANDERSON: Petition of Catherine M. Mosely, of Robertson County, and of James Carroll, of Yazoo County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. G. A. ANDERSON: Petition of Mary Turnbaugh, for a special-act pension—to the Committee on Invalid Pensions.

Also, petition of McCager Pullam, for relief—to the Committee on Military Affairs.

Also, petition of John H. Garnett and 34 others, citizens of Illinois, for a pension for J. F. Joseph—to the Committee on Invalid Pensions.

Also, petition of C. F. Perry and others, of Quincy, Ill., for a law requiring all goods made by convict labor to be marked "convict labor"—to the Committee on Labor.

By Mr. J. A. ANDERSON: Petition of 40 citizens of Cloud County, Kansas, for extending patent law so as to cover a principle—to the Committee on Patents.

By Mr. BACON: Petition of Margaretha Noll, and of Justina Forbes, for widow's pensions—to the Committee on Invalid Pensions.

Also (by request), memorial for the relief of Flora Adams Darling—to the Committee on War Claims.

By Mr. BAKER: Petition of the Grand Division of the Sons of Temperance for a constitutional prohibitional amendment—to the Committee on the Judiciary.

Also, petition of the same for a national committee of inquiry on the liquor traffic—to the Committee on the Alcoholic Liquor Traffic.

By Mr. BARNES: Petition of Noah Johnson for an original pension—to the Committee on Invalid Pensions.

Also, a bill making an appropriation to improve the Savannah River above Augusta, Ga.—to the Committee on Rivers and Harbors.

Also, a bill to improve the Savannah River between Augusta and Savannah, Ga.—to the Committee on Rivers and Harbors.

By Mr. BLANCHARD: Papers, memorials, etc., relating to the national cemetery at Pineville, La., to accompany House bill 1481—to the Committee on Military Affairs.

Also, papers relating to the case of Gertrude K. Lyford for increase of pension—to the Committee on Invalid Pensions.

Also, petition of J. J. Metoger, of Natchitoches Parish, Louisiana, for reference of claim to Court of Claims—to the Committee on War Claims.

By Mr. BLISS: Petition of Margaretta Sussman, widow of Michael Sussman, for a special-act pension—to the Committee on Invalid Pensions.

Also, memorial of Josephine T. Zarorke, for relief—to the Committee on Private Land Claims.

By Mr. BLOUNT: Petition of Thomas J. Sanders, of Robert M. Jackson, of Robert P. Gilmore, and of Mrs. Sarah A. Lord, of Georgia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, petition of S. R. Jaques and others, of Macon, Ga., to place salt on the free-list—to the Committee on Ways and Means.

Also, papers in the case of Robert M. Jackson—to the Committee on War Claims.

By Mr. BOOTHMAN: Petition of Peter Mooz, for correction of record—to the Committee on Military Affairs.

Also, petition of E. F. Weeks and 137 others, of Defiance County, Ohio, for a law relative to contract-labor made goods—to the Committee on Labor.

Also, petition of W. H. Lazenby, asking that certain payments due under the experiment-station bill of 1886-'87, be placed in the deficiency bill—to the Committee on Appropriations.

By Mr. BOUND: Petition of Mary J. Decker, for a pension—to the Committee on Invalid Pensions.

Also, petition of Charles F. Urban, for an original pension—to the Committee on Invalid Pensions.

By Mr. BOWDEN: Papers in the case James B. Mitchell, of John S. Braxton, and of James E. Hozier, for relief—to the Committee on Claims.

By Mr. BREWER (by request): Petition of Catherine Vealy, for relief—to the Committee on Military Affairs.

By Mr. BRYCE: Petition of Ann Leddy, widow of Thomas Leddy, for a pension—to the Committee on Invalid Pensions.

By Mr. BURNETT (by request): Petition of J. B. Lambert and others, in regard to contract work—to the Committee on Public Buildings and Grounds.

Also, petition of J. W. Furman and others, for a national system of telegraphy—to the Committee on the Post-Office and Post-Roads.

By Mr. BURROWS: Petition against the admission of Utah as a State with polygamy—to the Committee on the Territories.

By Mr. BUTLER: Petition of Alfred H. Brown, of Washington County; of Joseph A. Tally, administrator of Nancy H. Rayl, of Hamblin County; of David N. Heath, of Grainger County, and of J. D. Long, of Grainger County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, memorial of the Choctaw natives, for relief—to the Committee on Appropriations.

Also, petition of James Shropshire, of James Dennison, of Mary A. Paugle, of Hamblin County, Tennessee; of Amelia Linn, of Grainger County; of John Holt, of Sullivan County; of Jacob Johnson, administrator, of Hawkins County, Tennessee, for reference of claims to Court of Claims—to the Committee on War Claims.

By Mr. BUTTERWORTH: Petition of William Sinclair, Thomas Morrison, and 3,500 others, merchants, dealers in and consumers of lard, praying for the passage of a law defining lard, and taxing all adulterations and deleterious compounds of lard—to the Committee on Agriculture.

By Mr. FELIX CAMPBELL: Petition of Martin V. Rowland, for relief—to the Committee on Military Affairs.

By Mr. T. J. CAMPBELL: Petition of R. Hoe & Co., of New York City, for refunding money paid under certain rulings of the Post-Office Department, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. CASWELL: Petition of Alpheus P. Stephenson, for removal of charge of desertion—to the Committee on Military Affairs.

By Mr. CHIPMAN: Papers in the case of Lieut. T. W. Lord, and of H. F. Brownson—to the Committee on Military Affairs.

Also, petition of Mrs. Eunice Triples—to the Committee on Military Affairs.

Also, petition of S. S. Hasbrouck and others, relating to certain unearned or forfeited railroad lands—to the Committee on the Public Lands.

By Mr. COLLINS: Papers in the case of Edmund M. Phelan, of Boston, Mass., for relief—to the Committee on Claims.

By Mr. DALZELL: Petition of citizens of Wall, of Remington, and of Epton, Allegheny County, Pennsylvania.

By Mr. DAVENPORT: Petition of cigar-makers of Hornellsville, N. Y., relative to change in the internal-revenue laws—to the Committee on Ways and Means.

Also, petition of citizens of Seneca Castle, N. Y., against the admission of Utah with polygamy—to the Committee on the Territories.

By Mr. DINGLEY: Petition of the Grand Lodge of Good Templars of the World, for an amendment to the Constitution prohibiting the importation and manufacture of intoxicating liquors—to the Committee on the Judiciary.

Also, remonstrance of John Dinsmore and 200 others, against the admission of Utah as a State—to the Committee on the Territories.

By Mr. DORSEY: Petition of William S. Hall, for special-act pension—to the Committee on Invalid Pensions.

Also, joint resolution of the Legislature of Nebraska, for the repeal of the arrears limit for pensions, and for other purposes—to the Committee on Invalid Pensions.

Also, memorial and joint resolution of the same, requesting that silver medals be given to the soldiers of the Union Army—to the Committee on Invalid Pensions.

Also, petitions of citizens of Omaha; of Overton; of Washington County; of Dodge County; of Omaha, and of A. W. Wells and others, of Nebraska, against the admission of Utah—to the Committee on the Territories.

By Mr. DUBOIS: Remonstrance of 3,500 citizens of Idaho Territory, against any division of said Territory—to the Committee on the Territories.

By Mr. DUNHAM: Petition of Harriet J. Peabody, for a special-act pension—to the Committee on Invalid Pensions.

Also, resolution of Local Assembly No. 9298, Knights of Labor, for a postal telegraph bill—to the Committee on the Post-Office and Post-Roads.

By Mr. DUNN: Petition of E. L. Sembler, widow of John R. Sembler, deceased; and of heirs of R. H. Thompson, of St. Francis County; of George B. Peters; and of Betty Otley Anderson, heir of Walter Otey, deceased, of Lee County; of Sallie G. Ford, administratrix, and of Frank Rhodes, of Phillips County; of Mary A. Pollen, administratrix of William H. Pollen, of Crittenden County; of Pleasant Bumpass, and of Charles F. Morris, of Arkansas, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. ENLOE: Petition of Benjamin Barr and of M. A. Crittenden, of Madison County; of Mrs. James A. Henry, of Henderson County; of Martha T. Wade, of McNairy County; of J. A. J. Perry, administrator, of Hardin County, and of Henry Melton, of Chester County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, petition of S. B. Person, administrator of Benjamin R. Person, deceased, of Madison County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. ERMENTROUT: Memorial of Henry Clews, in favor of modifying the 25 per cent. reserve limit of national banks—to the Committee on Banking and Currency.

By Mr. FELTON: Petition of fruit-growers of California, for relief—to the Committee on Agriculture.

By Mr. FISHER: Petition of A. W. Comstock and 30 other manufacturers, asking for an appropriation for Thunder Bay River, Michigan—to the Committee on Rivers and Harbors.

By Mr. FLOOD: Petition of Ransford Chapman, for additional pension—to the Committee on Invalid Pensions.

Also, petition of Harmon O. Chambers, for increase of pension—to the Committee on Invalid Pensions.

Also, petition of C. K. Jeuree, for bounty—to the Committee on Invalid Pensions.

By Mr. FORNEY: Petition of citizens of Marshall, Blount, Etowah, Cherokee, and De Kalb Counties, Alabama, for opening certain lands to homestead entry—to the Committee on the Public Lands.

By Mr. FRENCH: Petition of citizens of New Haven, Conn., and others, for an appropriation for improvement of New Haven Harbor—to the Committee on Rivers and Harbors.

By Mr. FUNSTON: Petition of E. H. Topping, for amendment to pension law—to the Committee on Invalid Pensions.

By Mr. GAINES: Petition of E. H. Stamback, for certain appropriations for river improvements—to the Committee on Rivers and Harbors.

Also, papers in the claim of John W. Eppes, of Prince George County, Virginia—to the Committee on War Claims.

By Mr. GALLINGER: Papers in the pension claim of Albert G. Fifield, and of Mary C. Knight—to the Committee on Invalid Pensions.

Also, papers to accompany bill for the relief of Joseph Freschl—to the Committee on War Claims.

Also, papers to accompany bill for relief of Grovenor A. Curtice—to the Committee on Claims.

Also, petition of Lorenzo D. Whitcher, for a special-act pension—to the Committee on Invalid Pensions.

Also, petition for relief of Charles D. Purington—to the Committee on Military Affairs.

Also, resolutions of the State Grange of New Hampshire, urging that the Commissioner of Agriculture be made a Cabinet officer, etc.—to the Committee on Agriculture.

By Mr. GEAR: Petition of Jesse Knouse for a special-act pension—to the Committee on Invalid Pensions.

Also, petition of Rev. Charles Little and 41 others, against the admission of Utah—to the Committee on the Territories.

By Mr. GIFFORD: Petition of Fred. Vollrath, for a special-act pension—to the Committee on Invalid Pensions.

Also, petition of John Moran, for removal of charge of desertion—to the Committee on Military Affairs.

Also, petition of Thomas Mullen and others, for a pension to Zachariah Brown, late of Company B, Thiry-ninth Regiment Iowa Volunteers—to the Committee on Invalid Pensions.

By Mr. GLASS: Petition of Wilkins W. Waggoner, for relief—to the Committee on War Claims.

By Mr. GOFF: Petition and papers in the case of Allie V. Kelly and others—to the Committee on War Claims.

Also, petition of Jesse Shaver, of Braxton County, West Virginia, for relief—to the Committee on War Claims.

Also, petition of E. C. Warner and others, of West Virginia, for the relief of Mary V. McClain—to the Committee on Invalid Pensions.

Also, petition of James Brymer, for special-act pension—to the Committee on Invalid Pensions.

Also, petition of Thomas M. Harris, for a pension—to the Committee on Invalid Pensions.

Also, petition of Harriet Murphy for a special-act pension—to the Committee on Invalid Pensions.

Also, petition of Daniel J. Riblet, of Harrison County, West Virginia, for increase of pension—to the Committee on Invalid Pensions.

Also, petition of Benjamin Gill for special-act pension—to the Committee on Invalid Pensions.

By Mr. GRIMES: A bill to appropriate money to improve the navigation of the Chattahoochee River—to the Committee on Rivers and Harbors.

By Mr. GROUT: Remonstrance of J. Fassett and 66 others, citizens of Bridgewater, and of Rev. Alfred Stearns and 29 others, citizens of Westminster, Vt.—to the Committee on the Territories.

By Mr. HAUGEN: Petition of Frank Sigerist, for removal of charge of desertion—to the Committee on Military Affairs.

By Mr. HERMANN: Petition of Hiram Smith, of Daniel P. Barnes, of Israel B. Nichols, of John P. Ladds, and of Andrew Clarno and others, for relief—to the Committee on Indian Depredation Claims.

By Mr. HITT: Petition of David R. Linton, for removal of charge of desertion—to the Committee on Military Affairs.

Also, petition of R. H. McClellan and 5 others, citizens of Galena, Ill., for a law to prevent the adulteration of lard—to the Committee on Agriculture.

By Mr. HOLMES: Petition of M. R. Whelan and 181 others, citizens of Emmett County, Iowa, for a pension to Mary E. Ridley—to the Committee on Invalid Pensions.

Also, petition and resolutions of Isaac Matson Post No. 365, Grand Army of the Republic, of Iowa, for a pension to Mary E. Ridley—to the Committee on Invalid Pensions.

By Mr. HOUK: Petition of A. A. Waugh; of William R. Humbard; of M. A. Jacobs, administrator of Samuel Jacobs; of David P. Hume; of B. M. Brouner, executor of J. R. Brouner; of William Tillet, administrator, of Jefferson County, and of J. B. Devieux, of Knox County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, papers in the case of John W. Duncan for relief—to the Committee on War Claims.

By Mr. HOVEY: Petition of S. D. Eaton and 17 others, asking for pensions for all honorably-discharged soldiers and sailors of the late war—to the Committee on Invalid Pensions.

By Mr. JACKSON: Petition of Elizabeth Denger, for a special-act pension—to the Committee on Invalid Pensions.

By Mr. J. T. JOHNSTON: Petition of William Travis and others, of Centreport, Clay County, Indiana, for amendment of the postal laws, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. JOSEPH: Petition of citizens of New Mexico, for the removal of the Jicarilla Apaches from the Amargo reservation in New Mexico to the Indian Territory—to the Committee on Indian Affairs.

By Mr. KEAN: Petition of ex-Union soldiers of New Jersey for pensions for ex-prisoners of war—to the Committee on Invalid Pensions.

By Mr. LAFFOON: Petition of Greenberry Sutton, for relief—to the Committee on War Claims.

Also, petition of William W. Caldwell, for removal of charge of desertion—to the Committee on Military Affairs.

Also, petition of Johanna Statten, for pension—to the Committee on Invalid Pensions.

By Mr. LAIRD: Joint resolution of the Legislature of Nebraska, for the repeal of the arrears-of-pension act, and for other purposes—to the Committee on Invalid Pensions.

Also, joint resolution of same, for a law granting a silver medal to every honorably discharged Union soldier, sailor, or marine—to the Committee on Invalid Pensions.

Also, memorial of the Nebraska Dairymen's Association, for the eradication of pleuro-pneumonia—to the Committee on Agriculture.

By Mr. LANHAM: Petition and papers for the relief of Benjamin Martin—to the Committee on War Claims.

Also, papers relating to the claim of Juan S. Hart—to the Committee on Claims.

Also, petition of citizens of Palo, Pinto County, Texas, for a system of national telegraphy—to the Committee on the Post-Office and Post-Roads.

By Mr. LATHAM: Petition of citizens of Beaufort County, and of J. L. Rogerson and others, asking for an appropriation of $5,000 for removing obstructions from the mouth of McKay's Creek, North Carolina—to the Committee on Rivers and Harbors.

By Mr. LAWLER: Papers in the case of John S. Marks, to remove the charge of desertion—to the Committee on Military Affairs.

By Mr. LONG: Petition of National Division of Sons of Temperance of America, for co-operation with the British Government for the suppression of the traffic in intoxicating liquors in the Western Pacific Islands—to the Committee on Alcoholic Liquor Traffic.

Also, petition of A. L. Murdock and 12 others, and of Morse Brothers and Elijah A. Morse, of Canton, Mass., for postal legislation—to the Committee on the Post-Office and Post-Roads.

Also, petition of Elizabeth Nott, for a special-act pension—to the Committee on Invalid Pensions.

By Mr. LYMAN: Papers relating to the claims of William Anderson, and of Mrs. Harriet N. Campbell—to the Committee on War Claims.

Also, papers in support of the bill for relief of William McGrath—to the Committee on Invalid Pensions.

Also, affidavits in support of the pension claim of William Randall—to the Committee on Invalid Pensions.

Also, resolutions of the Iowa State Improved Stock Breeders' Association, in regard to pleuro-pneumonia, etc.—to the Committee on Agriculture.

Also, petition of Sarah E. Myers and of Eliza Boyd, for pensions—to the Committee on Invalid Pensions.

Also, papers in the case of William Reed and of Wilson B. George, for relief—to the Committee on Military Affairs.

Also, papers in the case of Ransom L. Hains—to the Committee on War Claims.

By Mr. NEAL: Petition of S. H. Richards, of Monroe County, and of William H. Hammond, of McMinn County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, petition of the widow of Humphrey B. Heywood, of Bradley County, Tennessee, for reference of her claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Thomas R. Elliott, for special-act pension—to the Committee on Invalid Pensions.

By Mr. NELSON: Petition of the common council of Duluth, Minn., for an appropriation to improve certain waterways—to the Committee on Railways and Canals.

Also, petition of certain ex-Union soldiers, for relief—to the Committee on Invalid Pensions.

Also, petition of A. F. Hovey, of St. Vincent, Minn., for amendment of section 2733 of the Revised Statutes—to the Committee on the Judiciary.

Also, petition of the Letter-Carriers' Association of St. Paul, Minn., for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. NEWTON: Petitions of Ellen Schriegelman; of Victoria Noland, administratrix of Joseph Noland; of W. P. Towne, administrator, and of Luke Madden, of Louisiana, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. NUTTING: Petition of citizens of New York State, for the improvement of the mouth of Salmon River, in Oswego County, New York—to the Committee on Rivers and Harbors.

Also, petition of citizens of New York State, for the establishment of a system of telegraphy for the United States—to the Committee on the Post-Office and Post-Roads.

By Mr. OSBORNE: Petition of Elizabeth D. Eckard, for a widow's pension—to the Committee on Invalid Pensions.

By Mr. OUTHWAITE: Petition of Emma Smith, for a widow's pension—to the Committee on Invalid Pensions.

By Mr. McSHANE: Petition of T. P. Renshaw and others, against the admission of Utah with polygamy—to the Committee on the Territories.

By Mr. MATSON: Petition of Susanna Maloney, for a pension—to the Committee on Invalid Pensions.

Also, petition of soldiers for relief, with reasons, of James Chambers—to the Committee on Invalid Pensions.

By Mr. MORGAN: Petition of heirs of Mary Chamberlin, deceased, of De Soto County; of R. Petrea, widow of Daniel Petrea, of Panala County; of John Price, of LaFayette County; of Bettie D. Anderson and E. J. Dougherty, of Tate County, and of Littleton Stokes, of Tippah County, Mississippi, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. MORSE: Petition of Lee Higginson & Co. and others, for refund of internal-revenue taxes—to the Committee on Ways and Means.

By Mr. RANDALL: Petition of the heirs of Jacob Cramer, for relief—to the Committee on Private Land Claims.

Also, a memorial of Thomas U. Walter, praying compensation for sundry claims as architect—to the Committee on Claims.

By Mr. REED: Petition of E. L. Littlefield and others, for a breakwater in Portland (Me.) Harbor—to the Committee on Rivers and Harbors.

By Mr. RICE: Memorial of the Legislature of Minnesota, asking for an appropriation of $25,000 for making a survey for a canal connecting Lake Superior with the St. Croix River—to the Committee on Railways and Canals.

By Mr. ROBERTSON: Petition of Sylvester McClain, for a pension—to the Committee on Pensions.

By Mr. ROCKWELL: Petition for the appointment of matrons at the prisons, jails, stations, etc., in the District of Columbia—to the Committee on the District of Columbia.

By Mr. ROGERS: Petition of Michael Dollhofer, for a special-act pension—to the Committee on Invalid Pensions.

Also, petition of Eli G. Collier, of Yell County; of Sophinia Wood, widow of J. M. Wood, of Crawford County, and of J. L. Cannon, executor of Alanson Cannon, deceased, of Rutherford County, Arkansas, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. ROMEIS: Petition of Lydia Calhoun, for pension—to the Committee on Invalid Pensions.

By Mr. RUSSELL: Petition of John M. Maynard for increase of pension—to the Committee on Invalid Pensions.

Also, petition of the Brown Cotton Gin Company and others, of New London, Conn., for refunding certain moneys to postmasters, and for other purposes—to the Committee on the Post-Office and Post-Roads.

By Mr. SENEY: Memorial of Hanson & Co. and others, against the removal of existing duty on lumber—to the Committee on Ways and Means.

By Mr. SCULL: Petition of John D. M. Armbruse for an original pension—to the Committee on Invalid Pensions.

By Mr. STAHLNECKER: Petition of Margaret Z. Austin, widow of Thomas Austin, asking to be placed upon the pension-roll—to the Committee on Invalid Pensions.

Also, petition of the Chamber of Commerce and Mass Convention of West Superior, Wis., requesting appropriation for the harbor of Superior—to the Committee on Rivers and Harbors.

Also, petition of watchmen of the State, War, and Navy Departments, asking increase of their salary—to the Committee on Appropriations.

By Mr. STOCKDALE: Petitions of the citizens of Jones County, Mississippi, for compensation for military services during the late war between the States—to the Committee on War Claims.

By Mr. J. W. STEWART: Memorial of O. H. Alexander, Fred H. Horsford, *et al.*, for reduction of postage on merchandise—to the Committee on the Post-Office and Post-Roads.

Also, memorial of the committee of the Association of the Bar of the city of New York, in relation to the salaries of judges of the Federal courts in the State of New York, and resolutions of that body upon the same subject—to the Committee on the Judiciary.

By Mr. STOCKDALE: Petition of Willis Carter, of Adams County; of Mary Butler, deceased, late of Amite County; of M. Jackson, executrix of William Jenkins, late of Amite County; of Jane Williams, of H. Sprich, of Amite County; of Lymon Carley, of Marion County, Mississippi, for reference of their claims to the Court of Claims under the provisions of the "Bowman act"—to the Committee on War Claims.

By Mr. STONE, of Kentucky: Papers relating to the claim of Samuel Shultz, of La Fayette County, Mississippi—to the Committee on War Claims.

By Mr. SYMES: Petition for the establishment of a land office at Sterling, Colo.—to the Committee on the Public Lands.

Also, resolutions Denver Chamber of Commerce, in favor of existing duties on wool—to the Committee on Ways and Means.

Also, resolution of Weld County Wool Growers' Association, against the repeal of duties on wool—to the Committee on Ways and Means.

Also, resolution of the Denver Chamber of Commerce against the customs duties on lead—to the Committee on Ways and Means.

Also, for erection of coin and bullion vault at Denver—to the Committee on Public Buildings and Grounds.

Also, memorial of Denver Chamber of Commerce, asking for the establishment of a custom-house at Denver, Colo.—to the Committee on Public Buildings and Grounds.

Also, memorials of the General Assembly of the State of Colorado against the repeal of the oleomargarine law—to the Committee on Agriculture.

Also, for the establishment of grass experiment stations in Colorado—to the Committee on Agriculture.

Also, for the establishment of experiment stations in connection with colleges—to the Committee on Agriculture.

Also, for appropriation to extirpate pleuro-pneumonia and contagious diseases—to the Committee on Agriculture.

Also, resolutions and memorials for the removal of the Indians beyond the boundary of the State of Colorado—to the Committee on Indian Affairs.

By Mr. J. D. TAYLOR: Petition of the society of Good Templars relative to the appointment of a national commission to investigate the liquor traffic, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of same for a constitutional amendment prohibiting the manufacture or sale of intoxicating liquors—to the Committee on the Judiciary.

By Mr. TAULBEE (by request): Petition for the relief of William Wheeler Hubbell—to the Committee on Claims.

By Mr. G. M. THOMAS: Petition for the relief of Silas Blythe—to the Committee on Invalid Pensions.

By Mr. A. C. THOMPSON: Papers in the case of Thomas D. Meares, administrator—to the Committee on War Claims.

By Mr. T. L. THOMPSON: Memorial of Jonathan D. Stevens in relation to the survey of the bay of Suisun, California—to the Committee on Rivers and Harbors.

Also, memorial of the Chamber of Commerce of Eureka, Cal.—to the Committee on Rivers and Harbors.

By Mr. TILLMAN: Concurrent resolution of the Legislature of South Carolina, for the repeal of the act of March 3, 1865, taxing banks chartered by the States—to the Committee on Banking and Currency.

By Mr. TOWNSHEND: Petition of Elizabeth Burnett, for a pension—to the Committee on Invalid Pensions.

Also, petition of John Milican, for a pension—to the Committee on Pensions.

By Mr. TRACEY: Papers in the case of Daniel Wasserback, for relief—to the Committee on Claims.

By Mr. VOORHEES: Petition of Basil Norris and 37 others, for the relief of Thomas Redmond—to the Committee on Invalid Pensions.

Also, papers relating to the pension claim of Thomas Redmond—to the Committee on Invalid Pensions.

Also, memorial of the board of county commissioners of Skagit County, Washington Territory, for permission to construct and maintain certain draw-bridges—to the Committee on Commerce.

Also, memorial of the Columbia Waterway Association—to the Committee on Rivers and Harbors.

By Mr. WADE: Petition of James Watson, for relief—to the Committee on Invalid Pensions.

Also, petition of Mary A. Baker, for a widow's pension—to the Committee on Invalid Pensions.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. C. L. ANDERSON: Of William Coleman and 114 others, of Walnut Grove, Leake County, Mississippi.

By Mr. BARRY: Citizens of Sarepta, Calhoun County, Mississippi.

By Mr. BLANCHARD: Of J. J. M. Godwin and 49 others, of Louisiana; of M. S. Antony and 54 others, of Louisiana.

By Mr. BLOUNT: Of J. S. Schofield & Son, of Macon, Ga.

By Mr. BOUND: Of citizens of Iowa, Lebanon County, and of Malta, Northumberland County, Pennsylvania.

By Mr. J. R. BROWN: Of W. M. Carter and 17 others, of Trout Dale; of Elk Creek, Grayson County, Virginia; of Arno; of Lipton, Carroll County; of Posey, Floyd County; of Mountain Valley, Henry County; of High Peak; of Bonbrook; of Hardy's Fords; of Kennett, Franklin County; of Malmaison; of Shockoe; of Ray, Pittsylvania County; of Port Haywood, Mathews County; of Elijah; of Ballard, Patrick County; of Dodson, Va., and of citizens of Virginia.

By Mr. T. H. B. BROWNE: Of James L. Raulens and others, of Gatewood, Spottsylvania County; of W. H. Sanford and others, of Westmoreland County, Virginia.

By Mr. BROWER: Of citizens of Good Will, Forsyth County; of Moriah, Person County; of Olive Hill, Person County; of Stokes County; of citizens of Person County, North Carolina.

Br Mr. BUNNELL: Of citizens of Black, Bradford County; of citizens of Riggs, Bradford County; of citizens of Jackson Valley, Susquehanna County; of Rush Four-Corners, Susquehanna County; of Pierceville, Wyoming County; of Mountain Lake, Bradford County, Pennsylvania.

By Mr. BURROWS: Of 25 citizens of Van Buren County; of 24 citizens of Van Buren County; of 23 citizens of Van Buren County.

By Mr. BUTLER: Of citizens of Hilton County, Tennessee; of Leesburgh, Tenn.; of Hide, Tenn.

By Mr. CLARDY: Of William Turner and 46 others, of Missouri; of R. H. Barber and 51 others, of Missouri.

By Mr. COBB: Of W. H. Trusell and others, of Cowpens, Ala.

By Mr. CROUSE: Of Ebenezer Lewis and 49 others, of Krumroy, Summit County, Ohio.

By Mr. DARLINGTON: Of citizens and others, of Willow Dale, of Marlborough, and of Goshenville, Chester County, Pennsylvania.

By Mr. FINLEY: Of citizens of Casey County and of Wayne County, Kentucky.

By Mr. GAINES: Thirty-six petitions containing the names of J. R. Jolly and 3,000 others, citizens of the Fourth Congressional district of Virginia.

By Mr. GALLINGER: Of Daniel Ridder and 31 others, of New Hampshire; of Amos Wardwell and 28 others, of New Hampshire; of C. C. Craig and 28 others, of Quincy, N. H.

By Mr. GLASS: Of citizens and others of Tibbs, and of citizens and others of Keeling, Haywood County, Tennessee.

By Mr. GOFF: Of G. W. Cox and others, of Gilmer County; of Albert J. West and others, of Marshall County; of O. C. Haney and others, of Wetzel County; of Bud Cain and others, of Marshall County; of W. H. Riffel and others, of Braxton County; of N. Shefland, of Marshall County; of C. M. Darnold and others, of Doddridge County; of T. F. McIntire and others, of Doddridge County; of William A. Phillips and others, of Doddridge County; of James B. Nichols and others, of Wetzel County; of J. C. Cameron and others, of Hancock County, West Virginia; of J. M. Robey and others, of Harrison County; of John Crider and others, of Marshall County; of A. N. Duncan and others, of Harrison County; of Z. T. Allen and others, of Marshall County; of A. A. Daly and others, of Tyler County; of Tommie Geer and others, of Hancock County; of William Horner and others, of Harrison County; of J. N. Fling and others, of Gilmer County; of W. E. Le Masten and others, of Tyler County; of William North and others, of Ohio County; of A. S. Westfall and others, of Gilmer County; of John Wilson and others, of Gilmer County; of J. C. Fulks and others, of Branton County; of W. J. Bailey and others, of Lewis County, and of G. W. Hoskinson and others, of Marshall County, West Virginia.

By Mr. GRIMES: Of A. M. Carter and S. A. Baldwin and others, citizens of Taylor County, and of H. D. Floyd and others, of O'Neal Mills, of Troupe County, Georgia.

By Mr. GROSVENOR: Of L. C. Murphy and 27 others, of Dyersville; of H. A. Wilcox and 28 others, of Abbetu; of E. L. Cross and 40 others, of Apple Grove, Meigs County, Ohio; of Hugh Daugherty and 31 others, of Woodyards; of T. W. Chulfand and 42 others, of Hull's, Athens County; of Levi Bigler and 53 others, of Aak; of Charles Prunter and 111 others, of Cameron; of S. W. Polen and 15 others, of Aitch; of O. F. Cime and 15 others, of Faulton, Monroe County; of J. S. Vanraley and 35 others, of Dunbar; of Lula Snyder and 17 others, of Roods; of T. W. Belts and 32 others, of Wood Grove; of T. W. H. Edwards and 73 others, of Ware; of T. C. Richardson and 65 others, of Deucher; of Edward Burwin and 65 others, of Decaturville, Washington County, Ohio.

By Mr. HEARD: Of citizens of Morgan County, Missouri.

By Mr. HERBERT: Of citizens of Crenshaw County, Alabama.

By Mr. HOGG: Of J. J. Payne and 40 others, of Maxwell, Pleasant County; of Robert Rose and 66 others, of Gilkerson, Wayne County; of A. M. Kessels and 20 others, of West Virginia; of G. W. Starcher and 20 others, of West Virginia; of C. H. Davis and 40 others, of Kenna, Jackson County; of L. A. Ruder and 50 others, of Gandersville, Roane County; of E. L. Nichols and 38 others, of Ogdin; of B. Brown and 39 others, of Loudell; of G. A. Buckner, of Leachtown; and of W. C. Render and 60 others, of New England, Wood County, West Virginia.

By Mr. HOUK: Of citizens and others, of Seaton; of citizens and others, of Cloyds Creek; of citizens and others, of Alleghany Springs; of citizens and others, of Paint Creek; of citizens and others, of Disco; of citizens and others, of Chilhowee; of citizens and others, of Ting; of citizens and others, of Gamble Store; of citizens and others, of Big Gully, Blount County; of citizens and others, of Leadvale, Jefferson County; of citizens and others, at Whetstone, Morgan County; of citizens and others, of Granton; of citizens and others, of Chumlea; of citizens and others, of Pedigo; of citizens of Flenneken, Knox County, Tennessee; of citizens and others, of Emerts Cave; of citizens and others, of Cox, Sevier County, Tennessee; of citizens and others, of Anderson Valley; of citizens and others, of Church River, Anderson County, Tennessee; of citizens and others, of Pine Mountain; of citizens and others, of Whitman; of citizens and others, of Terkvale, Campbell County; of citizens and others, of Sharps Chapel; of citizens and others, of Loy's Cross-Roads, Union County; of citizens and others, of D'Armend, Roane County; and of Norma, Scott County, Tennessee.

By Mr. HOWARD: Of citizens of Clark County, Indiana.

By Mr. JACKSON: Of citizens of Fernbell, Beaver County, Pennsylvania.

By Mr. LAFFOON: Of citizens of Philpot, of Utility, and of Whalen, Ky.

By Mr. LANHAM: Of sundry citizens of the Eleventh district of Texas.

By Mr. LATHAM: Of citizens and others, of Woodville, Perquimans County; of Amora, Beaufort County; of Cornpeake, Gates County; of Mama Harbor, North Carolina; of Morehead City and of Cedar Point, Carteret County, North Carolina.

By Mr. LEE: Of Daniel Werner and 38 others, of Morrisonville, Loudoun County, Virginia.

Also, of citizens of Morrisonville and of Arcola, Loudoun County, Virginia.

By Mr. LYNCH: Of citizens of Wallisville, Lackawanna County, Pennsylvania.

By Mr. McCREARY: Of citizens and others, of Kentucky; of Gilbert Reynolds and others, of Kentucky.

By Mr. McCLAMMY: Of citizens of Edge, Bladen County; of Branch's Store, Duplin County; of Ellis, Bladen County.

By Mr. McCORMICK: Of 95 citizens of the Sixteenth district of Pennsylvania; of 60 others, citizens of Mawrglen, Lycoming County; of 31 citizens of Indian Creek, McKean County; of 35 citizens of Cherry Flats, Tioga County; of 25 citizens of Ayer's Hill; of 70 citizens of White's Corners, and of 37 citizens of Honeoye, Potter County, Pennsylvania.

By Mr. MILLIKEN: Of George W. Graves and others, of Maine.

By Mr. MILLS: Of citizens of Harrison, McLennan County, Texas.

By Mr. MORGAN: Of M. E. Buttmerman and others, of Mount Pleasant; of R. P. Ferguson, of Dallas; of L. S. Bonne and others, of Denmark; of J. W. Hutron and others, of Liberty Hill, La Fayette County, Mississippi, and of Panola County, Mississippi.

By Mr. NEAL: Of J. M. Clenderson and others, citizens of Safley, Warren County; of D. J. Rogers and others, of Dunlap, Sequatchie County; of J. W. Allen and others, of Harrison, James County; of D. B. Beeklen and others, of Chable, Polk County; of C. T. Healey and others, of Mountainville; of John Lindsay and others, of Povo, and of William Oliver and others, of Coker Creek, Monroe County, Tennessee.

By Mr. NEWTON: Of citizens and others, of Oakland, of St. Joseph, of Cheniere, of Union Parish, of Tensas Parish, of Vidalia, of Lamar, and of Catahoula Parish, Louisiana.

By Mr. NICHOLS: Of citizens of Orange County; of Alamance County; and of J. C. Crabtree, and others, of North Carolina.

By Mr. OATES: Of E. L. Warren and 44 others, of Clintonville, Coffee County, Alabama; of P. P. Strickland and 41 others, of Strickland, Dale County; of G. G. Sallers and 22 others, of Fort Mitchell, Russell County; of G. C. Coleman and 39 others, of Noblin, Geneva County; of W. L. Nisbett and 52 others, of Oswicloss, Ala.; of John L. Armstrong and 45 others, of Warnicle, Geneva County, Alabama.

By Mr. PATTON: Of 56 citizens of Tillmore; of 46 citizens of Housville, Centre County; of 47 citizens of Carroll County, and of 46 citizens of Barr, Mifflin County, Pennsylvania.

By Mr. RICHARDSON: Of Hugh Kerr and 75 others, of Rutherford County; of W. M. Robinson and 40 others, of Coffee County, Tennessee.

By Mr. ROGERS: Of citizens of Saline County; of Pauline, Ark., and of W. M. Reed and others.

By Mr. ROMEIS: Of J. M. Minkler and 40 others, of Ashmont, Erie County, Ohio.

By Mr. C. A. RUSSELL: Of Gresham P. Douglass and others, of Campbell's Mills, New London County, Connecticut.

By Mr. SCULL: Of citizens of Eldorado, Blair County, Pennsylvania.

By Mr. J. W. STEWART: Of E. D. Baker and others, of Essex Junction, Chittenden County; of James Washburn and others, of Vermont; of L. M. Rice, of Vermont; of D. D. Wells and others, of Vermont; of C. D. Abell, of Vermont; and of W. D. Sherman and others, of Vermont.

By Mr. STONE, of Kentucky: Of citizens and others, of Kentucky.

By Mr. TILLMAN: Of citizens and others, of Davidson, of Robertsville, of Stafford, of Gretha, Hampton County; of Hawthorne, of Jackson Station, of Sigma, of Cathwood, Aiken County; of Bells, Colleton County; and of citizens and others, of South Carolina; and of Fruit Hill, of Lenoir, and of Denny, Edgefield County, South Carolina.

By Mr. A. C. THOMPSON: Of John Bennington and others, of Shell, Adams County, Ohio.

By Mr. H. G. TURNER: Of W. W. Parrish and others, of Ava, Berrien County, Georgia.

By Mr. WHEELER: Of James T. Bartee and others, of Alabama.

By Mr. WHITTHORNE: Of J. R. Bass and others, of Giles County; of W. L. Richelz and others, of Wayne County; of Harvey Holt and others, of Giles County; of C. W. Graves and others, of Lawrence County; of W. H. Flanigan and others, of Lewis County; of R. P. Pigg and others, of Maury County; of C. S. Miller and others, of Williamson County, Tennessee.

By Mr. WILKINS: Of J. Phillips and 40 others, of Licking County; of William Perfect and 40 others, of Licking County; of George E. Nichols and 40 others, of Licking County; of Joseph Trainer and 40 others, of Muskingum County, Ohio.

By Mr. WISE: Of citizens of Rockbridge County; of A. J. Bradley and others, of Providence, New Kent County; of A. B. Hall and others, of Beaver Dam Mills, Hanover County; of W. W. Byrd and others, of Verdon, Hanover County.

By Mr. YARDLEY: Of citizens of Bucks County, and of Montgomery County, Pennsylvania.

By Mr. YOST: Of citizens of Spout Springs; of Folly Mills; of Poplar; of Ashby, and of Sun Rise, Va.

## SENATE.

### TUESDAY, *January* 10, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

INTERNATIONAL MARITIME CONFERENCE.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a communication from the Secretary of State relative to the requests which have been received from various maritime associations and chambers of commerce of this country, asking that measures be taken to convoke an international conference at Washington of representatives of all maritime nations to devise measures for the greater security of life and property at sea. I commend this important subject to the favorable consideration of Congress.

GROVER CLEVELAND.

EXECUTIVE MANSION,
*Washington, January* 9, 1888.

A PRIME MERIDIAN AND UNIVERSAL DAY.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a report from the Secretary of State, recommending that this Government take action to approve the resolutions of the Washington International Meridian Conference, held in October, 1884, in favor of fixing a prime meridian and a universal day, and to invite the powers with whom this country has diplomatic relations to accede to the same.

GROVER CLEVELAND.

EXECUTIVE MANSION,
*Washington, January* 9, 1888.

REDUCTION OF INDIAN RESERVATIONS.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a communication of 30th of December, 1887, from the Secretary of the Interior, submitting, with accompanying papers, two additional reports from the commission appointed to conduct negotiations with certain tribes and bands of Indians for reduction of reservations, etc., under the provisions of the act of May 15, 1886 (24 Statutes, 44), providing therefor.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 9, 1888.

PROTECTION OF SUBMARINE CABLES.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a report from the Secretary of State relative to the legislation required to carry into effect the international convention of March 14, 1884, for the protection of submarine cables, to which this country is a party.

GROVER CLEVELAND.

EXECUTIVE MANSION,
*Washington, January* 9, 1888.

CONSTITUTIONAL CENTENNIAL AND DISCOVERY OF AMERICA.

The PRESIDENT *pro tempore* laid before the Senate the following communication from the New Orleans (La.) Maritime Association; which was read, and referred to the Select Committee on the Centennial of the Constitution and the Discovery of America:

[New Orleans Maritime Association. A. K. Miller, president; A. J. R. Landauer, vice-president; L. La Combe, secretary.]

NEW ORLEANS, *December* 31, 1887.

SIR: I have the honor of transmitting you copy of the following resolutions unanimously adopted by this association at a meeting held in their exchange on 27th instant, namely:

"Whereas it is proposed to celebrate at the city of Washington, in 1889, the centennial anniversary of constitutional government in the Western Hemisphere, as a joint tribute by the several American Republics to the Constitution of the parent Republic, the United States; and

"Whereas it is also proposed to hold at our national capital, in 1892, an international celebration of the discovery of America by Columbus, and an exposition of the antiquities, arts, history, and industries of the three Americas is intended to be permanent: Be it therefore

"*Resolved*, That the New Orleans Maritime Association heartily favors this movement towards more intimate commercial and social relations between the several sister nations of the three Americas, and commends it to the people of the United States as a matter of great practical importance in promoting friendly intercourse; and further

"*Resolved*, That the secretary be directed to transmit a copy of these resolutions to the President of the United States, to the President of the Senate, and to the Speaker of the House of Representatives."

Respectfully,

L. LA COMBE,
*Secretary.*

Hon. J. J. INGALLS,
*President of the United States Senate, Washington, D. C.*

The PRESIDENT *pro tempore* laid before the Senate the following communication from the Merchants' Exchange and Board of Trade of Portland, Me.; which was read, and referred to the Select Committee on the Centennial of the Constitution and the Discovery of America:

[Merchants' Exchange and Board of Trade, 26 Exchange street. Jos. W. Blabon, president; M. N. Rich, secretary.]

PORTLAND, ME., *January* 5, 1888.

*To the President of the Senate:*

At a meeting of the directors of the Board of Trade of Portland, Me., held this day, the following was unanimously adopted:

"Whereas it is proposed to hold at the national capital, in 1889, a joint celebration by the sixteen American Republics in honor of the centennial anniversary of the inauguration of constitutional government upon the Western Hemisphere; also, to hold at the national capital, in 1892, a world's exposition in honor of the four hundredth anniversary of the discovery of America by Columbus, which exposition of the history, arts, and industries of the three Americas is intended to be permanent:

"*Resolved*, That the Board of Trade of Portland, Me., heartily favors this movement toward more intimate relations between the several sister nations of the three Americas, and commends it to the people of the United States as a matter of great practical importance.

"*Resolved*, That the secretary be instructed to send copies of these resolutions to the President of the United States, to the President of the Senate, and to the Speaker of the United States House of Representatives."

Attest: M. N. RICH,
[SEAL.] *Secretary.*

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented the petition of Lewis Maish and other Union ex-prisoners of war, of Minneapolis, Minn., praying for the enactment of certain legislation in behalf of dependents of their class; which was referred to the Committee on Pensions.

Mr. SHERMAN presented resolutions adopted by the Zanesville (Ohio) Typographical Union, No. 199, favoring a restoration of wages at the Government Printing Office to what they have formerly been; which were referred to the Committee on Printing.

Mr. CULLOM presented a petition of citizens of Illinois, praying for the passage of the bill to prohibit the manufacture and sale of alcoholic liquors in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. CULLOM. I present a petition of citizens of Illinois, calling the attention of Congress to the growing evil of employing convict labor in various trades, thus throwing operatives out of employment and making unproductive long-established industries, and also calling attention to the character of legislation necessary to prevent the evils spoken of. I move the reference of the petition to the Committee on Education and Labor.

The motion was agreed to.

Mr. PADDOCK presented 8 memorials, signed by J. B. Brazleton, J. D. Howry, J. H. Halderman, Perry Walker, W. R. McCandless, Thomas L. Sexton, James S. Church, and 500 other citizens of Nebraska, remonstrating against the admission of Utah as a State so long as the civil power of that Territory remains under the control of the Mormon Church; which were referred to the Committee on Territories.

He also presented a petition of citizens of the Second and Third Congressional districts of Nebraska, praying for the passage of the bill for the prohibition of the liquor traffic in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. ALLISON presented the petition of Josephine Suffesynska Jarocka, of Washington, D. C., praying compensation for a claim she has against the Government as a relative of Count Casimir Pulaski; which was referred to the Committee on Foreign Relations.

He also presented a petition of citizens of the Second, Third, and Sixth Congressional districts of Iowa, praying for the passage of a bill for the prohibition of the liquor traffic in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented the petition of Maurice Quimby, of Agency, Iowa, praying for the removal of the charge of desertion against him in the War Department; which was referred to the Committee on Military Affairs.

Mr. FARWELL presented a petition of citizens of Illinois, praying for the passage of the bill for the prohibition of the sale and manufacture of liquor in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. QUAY presented the petition of Jacob Rohn, late private of Company A, Eleventh Regiment Pennsylvania Volunteers, praying for the removal of the charge of desertion from his military record; which was referred to the Committee on Military Affairs.

He also presented the petition of George W. Townsend, of Philadelphia, Pa., praying for the purchase and adoption by Congress of the Wherewithal Seven Word System of education; which was referred to the Committee on Education and Labor.

He also presented a petition of citizens of Philadelphia, Pa., praying for the repeal of certain restrictions upon the mailing of third and fourth class matter imposed by the Post-Office Department; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of the Pennsylvania State Temperance Union, praying for the submission to the several States of a constitutional amendment prohibiting the manufacture of alcoholic liquors as a beverage; which was referred to the Committee on Education and Labor.

He also presented the petition of the State Temperance Union of Pennsylvania, praying for the appointment of a national commission to inves-

tigate the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

He also presented a petition of citizens of the Eleventh, Seventeenth, Twenty-fourth, and Twenty-seventh Congressional districts of Pennsylvania, praying for the passage of the bill for the prohibition of the manufacture and sale of alcoholic liquors in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. EDMUNDS. I find on my desk a petition or petitions from people who I have no doubt are respectable, in this District and elsewhere, praying for the prohibition of the traffic in alcoholic drinks in the District of Columbia, which I pray may be referred to the Committee on the District of Columbia, and I will add that I hope the committee will report a bill accordingly.

The PRESIDENT *pro tempore*. The petitions will be referred to the Committee on the District of Columbia.

Mr. GORMAN presented the petition of Annie Slater, of Laurel, Md., praying to be allowed a pension for her services as an Army nurse; which was referred to the Committee on Pensions.

Mr. McPHERSON presented a petition of citizens of the First, Second, Third, Fourth, and Sixth Congressional districts of New Jersey, praying for the passage of a bill for the prohibition of the manufacture and sale of intoxicating liquors in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. MANDERSON. I present a petition numerously signed by citizens of Plattsmouth, Nebr., praying for the erection of a public building at that point. I move that the petition be referred to the Committee on Public Buildings and Grounds.

The motion was agreed to.

Mr. BLAIR. I have received from Boston, dated January 7, 1888, the following resolution, adopted by the directors of the American Institution of Instruction:

Whereas it appears by the last census that more than 6,000,000 of persons in the United States are illiterate; and whereas this number from immigration and the great lack of educational means is yearly increasing:

*Resolved*, That the board of directors of the American Institution of Instruction, in annual meeting assembled, respectfully urges upon Congress the enactment of a bill providing national aid to common schools.

Very respectfully yours,

J. MILTON HALL,
*President of the American Institution of Instruction.*

The resolution is transmitted in a letter from Hon. E. C. Carrigan, an eminent instructor and educator of New England, in which he speaks of this institution as the oldest organization of its kind, and one of the most influential, if not the most influential, educational association in the country. The directors are all leading educators in New England and in other States. As the bill is before the Senate, I move that the petition lie on the table.

The motion was agreed to.

Mr. HOAR presented the petition of Harriette R. Shattuck, president, and other officers and members of the National Woman's Suffrage Association of Massachusetts, praying for an amendment to the Constitution of the United States prohibiting States from disfranchising citizens on account of sex; which was referred to the Select Committee on Woman Suffrage.

Mr. CALL presented a petition of 130 citizens of the Second Congressional district of Florida, praying for the passage of a bill prohibiting the alcoholic liquor traffic in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. PLUMB presented a petition of citizens of Kansas, praying for the submission to the several States of an amendment to the Constitution of the United States prohibiting the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

He also presented a petition of citizens of Kansas, praying for the appointment of a national commission of inquiry in relation to the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

Mr. CAMERON presented a resolution of the Chamber of Commerce of Pittsburgh, Pa., recommending certain legislation relative to the reduction of the surplus in the national Treasury; which was referred to the Committee on Finance.

Mr. HAWLEY presented the memorial of Rev. S. McCall and 25 others, of Moodus, Conn., remonstrating against the admission of Utah into the Union so long as the local civil power remains in the hands of the Mormon priesthood; which was referred to the Committee on Territories.

Mr. HAMPTON presented a petition of citizens of South Carolina, praying an appropriation for the improvement of the Congaree River, South Carolina; which was referred to the Committee on Commerce.

REPORTS OF COMMITTEES.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 547) for the relief of George W. Bolton, alias Charles Andrews, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 768) for the relief of Orin R. McDaniel, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 254) to amend article 103 of the Rules and Articles of War, reported it with an amendment, and submitted a report thereon.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the petition of Mary Gammel, widow of Andrew Gammel, praying to be allowed a pension, submitted a report thereon, accompanied by a bill (S. 1298) granting a pension to Mary Gammel; which was read twice by its title.

Mr. SPOONER, from the Committee on Claims, to whom was referred the bill (S. 969) for the relief of Mrs. Louisa Jackman, and the legal representatives of Mrs. Martha Vaughn, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

Mr. PADDOCK, from the Committee on Pensions, to whom was referred the bill (S. 300) granting a pension to Miss Juliet G. Howe, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 39) to grant an increase of pension to Frederick Beno, reported it without amendment, and submitted a report thereon.

Mr. FAULKNER, from the Committee on Pensions, to whom was referred the bill (S. 303) granting a pension to Mattie Graziani, of Covington, Ky., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 306) granting a pension to John H. Foster, of Newport, Ky., submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the petition of General Lewis Gove Brown, praying to be allowed a pension of $100 a month, submitted an adverse report thereon, and the committee were discharged from the further consideration of the petition.

He also, from the same committee, to whom was referred the bill (S. 128) for the relief of sailors and marines in the United States naval homes, asked to be discharged from its further consideration, and that it be referred to the Committee on Naval Affairs; which was agreed to.

He also, from the Committee on Pensions, to whom was referred the petition of George Park, praying for a pension, submitted a report thereon, accompanied by a bill (S. 1299) granting a pension to George Park; which was read twice by its title.

He also, from the same committee, to whom was referred the petition of Cordelia R. Jones, widow of Theodore Jones, late private Company G, Twenty-eighth Illinois Volunteers, submitted a report thereon, accompanied by a bill (S. 1300) granting a pension to Cordelia R. Jones; which was read twice by its title.

Mr. HAMPTON, from the Committee on Military Affairs, to whom was referred the bill (S. 1063) for the relief of the heirs or legal representative of Robert J. Baugness, deceased, reported it without amendment, and submitted a report thereon.

GOVERNMENT POSTAL TELEGRAPH.

Mr. SAWYER. I am instructed by the Committee on Post-Offices and Post-Roads, to whom was referred a resolution submitted by the Senator from South Carolina [Mr. BUTLER], December 12, 1887, to report it adversely, and recommend its indefinite postponement.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read as follows:

*Resolved*, That a select committee of five Senators, to be appointed by the President of the Senate, be directed to inquire into the advisability and practicability of establishing and maintaining a Government postal telegraph, with power to report by bill or otherwise.

The PRESIDENT *pro tempore*. If there be no objection, the committee will be discharged from the further consideration of the resolution.

Mr. HARRIS. The resolution had better be indefinitely postponed, had it not?

The PRESIDENT *pro tempore*. The Chair understood the recommendation of the committee to be, that it be discharged from the further consideration of the resolution.

Mr. HARRIS. That leaves the resolution pending. It may as well be indefinitely postponed.

The PRESIDENT *pro tempore*. The Senator from Tennessee suggests that the resolution reported adversely by the Committee on Post-Offices and Post-Roads be indefinitely postponed.

Mr. EDMUNDS. I have not any objection to that as the present action of the Senate, because all the bills relating to the subject have gone to the Committee on Post-Offices and Post-Roads; but I should not wish it to be understood as a determination of the Senate for a future session that the propriety of a special inquiry into that business had been decided adversely. With that explanation, I have not the least objection to the resolution being indefinitely postponed.

The PRESIDENT *pro tempore*. If there be no objection, the resolution will be indefinitely postponed. The Chair hears none, and it is so ordered.

BILLS INTRODUCED.

Mr. VOORHEES introduced a bill (S. 1301) relating to national banking associations; which was read twice by its title, and referred

to the Committee on Finance; and the accompanying document from the Treasury Department was ordered to be printed.

Mr. TELLER introduced a bill (S. 1302) granting the right of way to the Denver and Rio Grande Railroad Company across the United States military reservation for the cantonment on the Uncompahgre River, in the State of Colorado; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1303) to grant the Rio Grande Pacific Railway Company the right of way through the Uncompahgre and Uintah reservations in the Territory of Utah, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1304) to equalize the allowances for office expenses at Presidential post-offices; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. EDMUNDS introduced a bill (S. 1305) to incorporate the Maritime Canal Company of Nicaragua; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. PLUMB introduced a bill (S. 1306) to define the status and for the relief of the heirs or legal representatives of certain recruits for the Fourteenth Kansas Cavalry Volunteers, who were killed at Lawrence, Kans., August 21, 1863, by guerrillas; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. CULLOM introduced a bill (S. 1307) to increase the pension of Washington T. Otey; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1308) granting a pension to James M. Berry; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALLISON introduced a bill (S. 1309) granting a pension to Hiram Bateman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1310) for the relief of Mary Heron; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1311) granting an increase of pension to Samuel J. Murphy, of Marengo, Iowa; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1312) to remove the charge of desertion from the military record of Moses J. Teeter; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. SHERMAN (by request) introduced a bill (S. 1313) for the relief of the estate of Edwin E. Saunders, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1314) granting an increase of pension to Benjamin M. Fisher; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HAWLEY introduced a bill (S. 1315) for the relief of Waterman Clift, Robert May, and James M. Shackelford; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. CHANDLER introduced a bill (S. 1316) for the final settlement of the claims of the State of New Hampshire for the reimbursement of national bounties advanced to recruits mustered into the service of the United States under the President's call of October, 1863; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1317) for the relief of Frances McNeil Potter; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CAMERON introduced a bill (S. 1318) for the erection of a public building at Altoona, Pa.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

Mr. GORMAN introduced a bill (S. 1319) granting a pension to Annie Slater; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1320) granting a pension to Catherine M. Lee; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MANDERSON introduced a bill (S. 1321) providing for the erection of a public building at the city of Plattsmouth, Nebr., and for other purposes; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1322) providing for the erection of a public building at the city of Hastings, Nebr.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1323) to confer brevet promotion on officers of the United States Army particularly distinguished by heroic action in Indian warfare, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. MITCHELL introduced a bill (S. 1324) providing for an additional associate justice of the supreme court of Wyoming, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1325) for the relief of John McKernan; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1326) granting certain lands to the Territory of Wyoming for public purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. FAULKNER introduced a bill (S. 1327) to relieve Ludwig Ruprecht of the charge of desertion; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. McPHERSON introduced a bill (S. 1328) for the relief of Betts, Nichols & Co.; which was read twice by its title, and referred to the Committee on Finance.

He also (by request) introduced a bill (S. 1329) granting a pension to Alfred E. Gathercole; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1330) granting a pension to Maria Gardner; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TURPIE introduced a bill (S. 1331) for the relief of John Fletcher; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. BLODGETT (by request) introduced a bill (S. 1332) granting a pension to Peter James; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SPOONER (by request) introduced a bill (S. 1333) for the erection of a public building at Cheyenne, Wyo.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. QUAY introduced a bill (S. 1334) for the protection of fisheries on the Atlantic coast; which was read twice by its title, and referred to the Committee on Fisheries.

He also (by request) introduced a bill (S. 1335) to authorize the governmental purchase of the new educational method as a free gift to the people of the United States; which was read twice by its title, and referred to the Committee on Education and Labor.

He also introduced a bill (S. 1336) for the removal of the charge of desertion from the military record of Jacob Rohn; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1337) granting a pension to Charles Barkefelt; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1338) granting an increase of pension to Kate Q. Dalzell; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1339) granting a pension to Joseph H. Stuchell; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1340) granting a pension to Elizabeth Sirwell; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1341) authorizing an increase of pensions in certain cases, and for other purposes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1342) to extend permissible printing on the envelopes, wrappers, labels, or tags inclosing or transmitting mailable matter of the third and fourth classes, and for other purposes; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. HALE introduced a bill (S. 1343) granting a pension to Cordelia Emery; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MORGAN introduced a bill (S. 1344) for the relief of the Selma and Meridian Railroad Company; which was read twice by its title, and referred to the Committee on Claims.

Mr. STEWART introduced a bill (S. 1345) to establish a national university for the education of teachers; which was read twice by its title, and referred to the Committee on Education and Labor.

Mr. JONES, of Arkansas, introduced a bill (S. 1346) to authorize the Choctaw Coal and Railway Company to construct and operate a railway through the Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. McPHERSON introduced a bill (S. 1347) for the relief of army and navy purchasers of Government lands in South Carolina, and of cash purchasers of Government lots in the abandoned city of Port Royal, on St. Helena Island; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 1348) granting an increase of pension to Mrs. Elizabeth B. Dyer; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BROWN introduced a joint resolution (S. R. 29) authorizing the appointment of a delegate to the Fourth International Prison Congress, to meet at St. Petersburg in the year 1890; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Foreign Relations.

JACKSON, (MISS.,) MUNICIPAL ELECTION.

Mr. CHANDLER submitted the following resolution; which was read:

*Resolved*, That the Committee on the Judiciary be instructed to inquire into the suppression of the votes of the colored citizens of Jackson, Miss., at the recent municipal election in that city, and into the alleged participation in such suppression by the United States district attorney and by a deputy collector of internal revenue and a deputy United States marshal; and to report the facts to the Senate.

The PRESIDENT *pro tempore*. The resolution will lie over under the rule.

RETURN OF DIRECT TAX.

The PRESIDENT *pro tempore*. If there be no further concurrent or other resolutions the morning business is closed, and the Chief Clerk will report the first bill on the Calendar.

The bill (S. 139) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861, was announced as first in order upon the Calendar.

Mr. SHERMAN. The Senator from Vermont [Mr. MORRILL] is not well to-day. He has charge of the bill, but I think there will be no objection in the Senate to its passage. A similar bill has passed the Senate several times, and as the Senator from Vermont is not present I will ask that the bill be taken up and disposed of.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

*Be it enacted, etc.*, That it shall be the duty of the Secretary of the Treasury to credit to each State and Territory of the United States, and the District of Columbia, a sum equal to all collections made from said States and Territories and the District of Columbia under the act of Congress approved August 5, 1861, and the amendatory acts thereto.

SEC. 2. That all moneys still due to the United States on the quota of direct tax apportioned by section 8 of the act of Congress approved August 5, 1861, are hereby remitted and relinquished.

SEC. 3. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to reimburse each State, Territory, and the District of Columbia for all money found due to them under the provisions of this act; and the Treasurer of the United States is hereby directed to pay the same to the governors of the States and Territories, and to the commissioners of the District of Columbia: *Provided*, That where the sums, or any part thereof, credited to any State, Territory, or the District of Columbia, have been collected from the citizens thereof, either directly or by sale of property, such sums shall be held in trust by such State, Territory, or the District of Columbia for the benefit of those of its citizens from whom they were collected, or their legal representatives.

Mr. BERRY. I offer an amendment to the bill.

The PRESIDENT *pro tempore*. The amendment offered by the Senator from Arkansas will be read.

The CHIEF CLERK. It is proposed to add as a new section the following:

SEC. 4. That where the sums or any part thereof credited to any State, Territory, or the District of Columbia have been collected from the citizens thereof, either directly or by sale of property, such sums so collected from the citizens shall be paid to the governors of the States and Territories and to the commissioners of the District of Columbia, to be held in trust as aforesaid, notwithstanding the State, Territory, or District of Columbia in which such citizens resided at the time of the collection of such tax is indebted to the Government of the United States; and no part of the money herein appropriated for the benefit of citizens from whom such tax was collected shall be withheld by the Treasurer of the United States because of the indebtedness of any State, Territory, or District of Columbia to the United States.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Arkansas.

Mr. SHERMAN. This amendment would create very grave embarrassment in the execution of the bill, and I trust the Senator from Arkansas after he hears my statement will withdraw it.

In some cases the direct tax, when levied, was collected from citizens; especially, I believe, in South Carolina; the property was sold. The bill provides that the whole of the money collected in any way, either from citizens or from States, either by voluntary payment or by enforced payment, shall be refunded to the States. As a matter of course, if the money was collected from a citizen the State would then become trustee for the citizen and bound to do what was equitable and right as the custodian of his money. That is sufficiently guarded and protected by the bill as it stands.

The bill has been carefully framed in the Treasury Department. It will be easily executed, as it deals only with the States. The tax was levied upon the States. On the other hand, if the amendment is adopted the Government would become the trustee for a great number of individuals, while the State ought to deal with those individuals. The tax was apportioned among the States, and the State ought to deal with the individual. If in that way injustice has been done to the individual, the State ought to repair that injustice, because it was the neglect or failure of the State which caused the sacrifice of the property of the citizen.

That is all I desire to say. I have no objection to the amendment except what I have stated.

Mr. BERRY. I think the Senator from Ohio misapprehends the effect of the amendment. It is not proposed to make the Government pay this money directly to the parties entitled to it. The amendment allows it to be paid over to the governors of the States, as suggested by the bill, to be held in trust for the individuals to whom it belongs.

The object and purpose of the amendment is to make it absolutely definite and certain that the Treasury officials can not withhold this money, which is due to individuals, on account of the State being indebted to the General Government. It may be argued that it could not be so withheld without the amendment, but the first section of the bill says that the States shall be credited with this money.

The Treasury officials have heretofore withheld money that was due to the States on account of the 5 per cent. fund and on account of indemnity for swamp lands, because the Treasury officials held that this direct tax was a charge against the States. The Supreme Court in a recent case, in the State of Louisiana *vs.* The United States, decided that it was not a charge against the States, but that it belongs to individuals. The bill recognizes that fact, and the object of my amendment is to prevent the Treasury officials from withholding this money, which goes to individuals, because they claim that a State is indebted to the General Government.

The Government of the United States holds certain bonds of my own State. They are held by the Government. They were held in trust for the Smithsonian Institution and also for certain Indian tribes. The Government has paid the interest on those bonds. While that is true, the State of Arkansas has a claim against the Government in a large amount for the 5 per cent. fund, for indemnity for swamp lands, for indemnity for certain school lands, and other claims, which we are seeking to offset against this claim which the Government holds against the State. We have been trying for years to get a settlement with the officers of the Government. We have tried to pass a bill through Congress authorizing a settlement. We have a bill pending now before the Committee on Public Lands which will settle this matter between the State and the General Government.

All I ask is the adoption of this amendment so as to make it certain that the Government can not withhold this money, which belongs to individuals and does not belong to States, because it is claimed that the State owes the General Government. That is the purpose of the amendment. If the amendment is adopted the money will be paid over to the governors, as proposed by the bill, for it makes no change in that regard whatever. It only makes absolutely certain what the Senator from Ohio says is the intention of the bill.

Mr. SHERMAN. I will ask the Senator from Arkansas if he is aware that his amendment has ever been submitted to the Treasury Department or to any officer of the Government?

Mr. BERRY. No, sir. The amendment was offered by me several days ago, and was ordered to be printed. It has been lying on the table since the bill was reported back. It was never submitted to any one.

Mr. SHERMAN. All I can say is that when we are considering a measure of this kind, involving large considerations, I do not like to be called upon suddenly to pass on such an amendment. If the Senate are willing to adopt it, if they understand it better than I do, very well. I think the bill ought to pass; the bill ought to pass now; and I hope the Senator from Arkansas will allow it to pass, and let the amendment be made in the other House, if possible.

Mr. BERRY. No, sir; I insist on the amendment.

Mr. SHERMAN. The amendment was never submitted to the Committee on Finance.

Mr. BERRY. If the Senator will allow me——

The PRESIDENT *pro tempore*. According to the rule under which the Senate is acting a Senator is entitled to speak but once on any question, and for five minutes. If it is the desire of the Senate to have that rule enforced, the Chair will enforce it. Otherwise the debate will be regarded as continuous at the pleasure of the Senate.

Mr. SHERMAN. I will take the judgment of the Senate upon the question. The amendment has been read.

Mr. BECK. Mr. President, I only desire to say that although the Senator from Arkansas submitted his amendment some time before the holiday recess, the Committee on Finance did not meet any more to act upon it. The Senator from Vermont [Mr. MORRILL] has had charge of the bill. As far as the committee could talk about it informally, we thought the amendment was going too far, and, as the Senator from Ohio [Mr. SHERMAN] suggested, perhaps holding the Government responsible as trustee for this money, while under our bill, as presented, whatever money was received originally would be paid over direct to the governors of the States, and the individuals could then bring the matter before their governors in the respective States, and such regulations would be made as would do justice among them.

The committee, as I have said, talked about it informally and opposed the amendment, thinking it would be an obstacle in the way of a final settlement and perhaps involve the United States. I know that members of the committee who spoke about it were afraid that the amendment would perhaps have that effect, whereas if the money is paid according to the bill as originally presented it will all go to the States, and legislation at home will regulate the just rights of individuals. There is the place where we thought it should be settled, and not hold either the United States or the Treasury officials responsible, or complicate them by any of these private settlements.

Mr. BERRY. Mr. President——

The PRESIDENT *pro tempore*. The Chair can not recognize the Senator from Arkansas under the rule without unanimous consent.

Mr. BERRY. I was going to ask unanimous consent to say a few words.

The PRESIDENT *pro tempore*. Is there objection to the Senator from Arkansas proceeding? The Chair hears none.

Mr. BERRY. If the Senator from Kentucky and the Senator from Ohio will read the amendment they will see that it does not have the effect which they say it has. The only change it makes is that it does not allow the Treasury officials here to withhold the money because a State is claimed to be indebted to the United States. With the original bill, or with the amendment adopted, in either case, the money is paid over to the governor of the States, to be held in trust for the individuals to whom it belongs.

The Senator from Kentucky is mistaken when he says my amendment would make the Government a trustee for the individuals. The bill provides that it shall be paid to the governors of the States, to be held in trust for the individuals, and the only purpose of the amendment is to prevent the Treasury officials here from withholding money which belongs to individuals, because the officials may claim that a State is indebted to the United States. That is the purpose of the amendment. I do not know that the Treasury officials would have any right to withhold it without the amendment. In fact, I think they would not; but if the amendment is adopted it is absolutely certain that they can not withhold it, whereas there would be a plausible reason why they might withhold it if the amendment was not adopted.

As I said, there is one provision of the bill which says the money shall be held in trust. I think the courts would hold that therefore it could not be offset against the debt due from a State; but if that be true, then the amendment can do no injury, because it only makes that certain which it is claimed by the friends of the bill is the effect of the measure as it stands.

Mr. SHERMAN. With the leave of the Senate, I desire to say that upon examining the amendment I find that it makes the State the trustee of the person, and therefore I have no special objection to it. The amendment does not make the United States the trustee. I ask that the amendment be read again, and then, so far as I am concerned, I shall waive any objection to it.

The PRESIDENT *pro tempore*. The amendment will be read again.

The SECRETARY. It is proposed to add as an additional section to the bill the following:

SEC. 4. That where the sums or any part thereof credited to any State, Territory, or the District of Columbia have been collected from the citizens thereof, either directly or by sale of property, such sums so collected from the citizens shall be paid to the governors of the States and Territories and to the Commissioners of the District of Columbia, to be held in trust as aforesaid, notwithstanding the State, Territory, or District of Columbia in which such citizens resided at the time of the collection of such tax is indebted to the Government of the United States; and no part of the money herein appropriated for the benefit of citizens from whom such tax was collected shall be withheld by the Treasurer of the United States because of the indebtedness of any State, Territory, or District of Columbia to the United States.

Mr. SHERMAN. I have no objection to the amendment unless other Senators have.

Mr. SAULSBURY. Mr. President, I am opposed to both the bill and the amendment. I am opposed to collecting money from the people of the United States and paying it back to the States. I believe myself that every dollar in the public Treasury ought to remain there, and that it should not be distributed, if there is any power in Congress to distribute it back to the States of the Union.

The so-called distribution of the surplus fund in 1836, by general consent, was not a distribution, but a loan to the States, because it was then considered that there was no constitutional power to distribute money out of the Treasury of the United States among the several States.

But this bill proposes to take some $15,000,000 collected from 1861 to 1865 and to return it to the States. In some of the States the amount demanded by the Government was assumed and paid by the States, and in other States the Government of the United States collected it through its own processes out of the people. When you return it to the States it is not paid to the persons. The owners of real estate in the several States from whom the Government collected it paid the money, and this is a distribution of money not to the people of the several States, but to the States. For one I am opposed to it. I am opposed to any depletion of the Treasury in order to keep up the high protective tariff under which we live. Every dollar we fritter away out of the Treasury furnishes an argument for continuing the high taxes now laid upon the people of the country.

If I were to consult my own interest I would favor the bill, because I paid a part of the direct tax, but I am speaking against my individual interest and in favor of what I believe is the interest of the whole country when I say that this money should remain in the Treasury.

I hope the bill will not pass, but my observation here for the last seventeen years has taught me that when there is money connected with a bill, and the people of the States are to be favored by an appropriation from the public Treasury, it seems perfectly useless to interpose objections to it. However, I wish to put myself upon record here as being opposed to this process of distribution of the funds now in the Treasury.

Mr. PLUMB. I think that I have heard only imperfectly the remarks of the Senator from Arkansas, but it seems to me that the last part of his amendment is a rather important provision and one that is not in the line of the general purpose of the bill. Why, for instance, should any transaction of the several States with the General Government which does not relate to the imposition or the collection of this war tax be made the subject of legislation in connection with the bill, unless we have all the facts before us in each particular case?

The State of Arkansas has some deal with the General Government on account of some bonds which the Government bought for the Smithsonian Institution, I think, and which that State heretofore does not seem to have been entirely able to discharge and pay. It has set up some claim against the General Government for swamp lands, etc., of which I say nothing, except that there is a controversy and the State usti fies itself in defaulting on the bonds by reason of the fact that it owns some land which it has not been able to get possession of; and there may be other States in the same predicament. It is entering upon a pretty wide field of investigation to attempt to say now that this money should be paid back, notwithstanding the various claims which have been made. Why should this measure be embarrassed in any way by any suggestion or hint of some deal of that kind existing between the States and the General Government in regard to a subject-matter entirely different?

So far as I am concerned, I do not care whether the bill passes or not. The amount which the State of Kansas will get from it is trifling. What the General Government ought really to do is to disburse the total sum of this money upon the basis of present population. But the committee adopted the other rule, of giving it back to the States exactly as it received it from them.

While the State of Kansas will get nothing of consequence out of it, I have no objection to the passage of the bill; but if it is to be made an omnibus, which is to carry a lot of other things, then I shall object to it.

The PRESIDENT *pro tempore*. The pending question is on the amendment offered by the Senator from Arkansas.

Mr. MCPHERSON. In committee I voted for the bill, which was introduced in the Senate by the Senator from Vermont [Mr. MORRILL]. I had no knowledge of the amendment offered by the Senator from Arkansas at that time. It was not before the committee, I believe.

Mr. BERRY. No, sir; it was not.

Mr. MCPHERSON. No consideration was given to it by the committee.

Mr. BECK. No; of course not.

Mr. MCPHERSON. I can not support the amendment, and for the reasons which I shall state.

The loyal Northern States were called upon at a particular time, in a great emergency in the affairs of the Government, to contribute a certain sum of money towards Government support. A direct tax was levied upon the people of those States. It was a tax levied upon the property of the respective States. The Southern States, I believe, did not pay any portion of it, with perhaps one or two exceptions.

Mr. BERRY. The Senator is mistaken.

Mr. MCPHERSON. The State of South Carolina, I know, did pay some of it, but the circumstances under which that was paid were very peculiar. Lands in the State of South Carolina were sold for the payment of this tax. Those lands were purchased very largely by army and navy purchasers. The lands were afterwards sold, and the money which was paid in by army and navy purchasers has been lost by them. Suppose, for instance, that the money is paid back to the State of South Carolina, in all I think some two hundred and odd thousand dollars, and the amount of money realized from the sale of lands upon which the Army and Navy purchasers had paid something like sixty thousand dollars, and they have lost their land, because the land was afterwards sold by some kind of an understanding between the National Government and the State of South Carolina, their money is lost and the land is lost to them. With this amendment you make the State of South Carolina a trustee of this fund, to be paid back as the equities may appear. I am only raising this as an illustration. That money must needs all remain in the State treasury until the equities are made apparent. It involves litigation which will last for years and years, and in the end the money can never be equitably distributed.

Mr. BERRY. Will the Senator allow me to interrupt him for a moment?

Mr. MCPHERSON. Certainly.

Mr. BERRY. There is no difference whatever in regard to the State being made a trustee for the benefit of the individual in the original bill and in the amendment. The objection which the Senator is urging to the amendment applies with equal force to the bill for which he says he voted in committee, because each measure makes the State the trustee for the individual, as was admitted by the Senator from Ohio a few moments ago.

Mr. MCPHERSON. When the State becomes a trustee to the extent the amendment of the Senator from Arkansas provides, then it will require, of course, some machinery to be put into effect by the State to determine the equities.

Now, take the case of my own State. This tax was levied upon the property of the State as other taxes are levied and paid. The property has changed hands. The owners of 1861 are not the owners of to-day. Yet the industry, the profits, the rentals accruing from that property were paid by the then occupants of the property. Now, what would you do? Would you make the State a trustee to the extent of ascer-

taining who the owner was at that time, who perhaps is dead, whose heirs have perhaps left the State? I submit that it is practically impossible to undertake to distribute this fund in any such way. The only method by which the people can receive the benefit is to pay it into the State treasury and let it be used for the benefit of the people of the entire State, whether they are the same people who paid the tax or not. In no other way can full justice be done.

If you take this money out of the public treasury it then becomes a tax upon the Southern States, who pay no part of it, in the sense that it does upon the people of my State. Any money taken from the Federal Treasury to-day which can be used, which belongs to the people of all the States, is of course a contribution by them, a tax upon them, if you please, if I may so use the term, paying back the money that the loyal States paid in at a time of great national peril and great national trial, it being a requisition made directly upon them, as the Senator from Delaware [Mr. GRAY] suggests to me, to meet an emergency——

The PRESIDENT *pro tempore*. The Senator's time is exhausted, and he can proceed only by unanimous consent.

Mr. MCPHERSON. I do not think I shall seek to occupy further time.

The PRESIDENT *pro tempore*. Is the Senate ready for the question on the amendment proposed by the Senator from Arkansas?

Mr. CHANDLER. Mr. President, I desire to be informed by the committee which reported this bill precisely the effect of it. As I understand, a direct tax of $20,000,000 was imposed in 1861, and each State was allowed to assume and pay its share of that $20,000,000 of taxation, if it did so within a certain period; and if it did not, then the machinery of the General Government was put in operation to collect the tax within each State directly from the real estate of the citizens of that State. Most of the States assumed their burden and paid their quota; other States, notably the Southern States, did not assume their burden, and the General Government went on under a system of general tax collection and took the property of individuals and sold it and put the money which was received therefrom into the Treasury of the United States.

Now, the question I wish to have answered is, whether the bill is to credit to each State, not only the money which the State paid from its own treasury into the Treasury of the United States, but is also to pay into the State treasury an amount of money equal to that which the United States collected directly from individuals or by a forcible seizure of their property within the State? As I read the bill, that is its intention. It provides for paying a sum equal to "all collections made from said States and Territories," that is, either from the State or Territory or within the State or Territory.

I understand the conclusion to which the committee have come and the proposition on which the Senate is to vote to be this, that wherever a State neglected or refused to assume the burden of this tax, and the General Government, ignoring the State entirely, taxed the property of individuals and collected from it their proportion of the tax imposed upon the State, the United States will pay into the State treasury the amount of money which was collected from such individuals and tell the persons from whom it was collected to hunt the State for the amount.

It seems to me that it is worthy of consideration whether this Government, after it has reached out its strong arm and taken the money or the property of individuals, and has held the proceeds all these years, and now wishes to give the amount back to them, does its full duty when it turns it over to the treasurer of the State and tells the individuals to hunt the government of the State in order to extract the money from its treasury. It occurs to me that this Government, if it goes into this business of refunding at all, ought to go down into the Southern States and find the tax-payers from whom it collected the money, or their heirs, and give them back their dues, and not turn it over in bulk to the State and leave the individuals to see whether they can extract it from the State treasury.

It may be said that the State can provide the machinery for paying back this money to individuals more readily than the United States can. I do not so understand the case. It seems to me that if there is difficulty in ascertaining to what individuals this money should be refunded, the United States, through the Court of Claims, or through such a tribunal as it may create, is quite as capable of executing this trust for the benefit of the individuals as are the States who have had nothing to do with the collection of the money.

The PRESIDENT *pro tempore*. The question is on the amendment offered by the Senator from Arkansas [Mr. BERRY].

Mr. BERRY. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MITCHELL (when Mr. DOLPH'S name was called). I desire to announce that my colleague [Mr. DOLPH] is paired.

Mr. PUGH (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS]. I do not know how he would vote if present.

Mr. REAGAN (when his name was called). I am paired with the Senator from New York [Mr. HISCOCK] generally.

The roll-call was concluded.

Mr. CALL. My colleague [Mr. PASCO] is paired with some one, I do not know whom. He is absent, however necessarily.

Mr. SPOONER (after having voted in the negative). I inquire whether the Senator from Mississippi [Mr. WALTHALL] has voted.

The PRESIDENT *pro tempore*. The Senator from Mississippi has not voted.

Mr. SPOONER. I am paired generally with the Senator from Mississippi [Mr. WALTHALL] but I do not know how he would vote on this question. I should vote "nay" if at liberty to do so.

Mr. GEORGE. My colleague, [Mr. WALTHALL] is detained from the Senate by illness.

Mr. CULLOM. The Senator from Rhode Island [Mr. CHACE] is paired with the Senator from Maryland [Mr. WILSON].

The result was announced—yeas 14, nays 37; as follows:

YEAS—14.

| | | | |
|---|---|---|---|
| Bate, | Daniel, | Hearst, | Turpie, |
| Berry, | Faulkner, | Jones of Arkansas, | Voorhees. |
| Call, | George, | Quay, | |
| Coke, | Hampton, | Ransom, | |

NAYS—37.

| | | | |
|---|---|---|---|
| Allison, | Cockrell, | Hawley, | Plumb, |
| Beck, | Cullom, | Hoar, | Saulsbury, |
| Blackburn, | Dawes, | Ingalls, | Sherman, |
| Blair, | Evarts, | McPherson, | Stanford, |
| Blodgett, | Farwell, | Manderson, | Stewart, |
| Bowen, | Frye, | Mitchell, | Stockbridge, |
| Brown, | Gorman, | Morgan, | Teller. |
| Butler, | Gray, | Paddock, | |
| Cameron, | Hale, | Payne, | |
| Chandler, | Harris, | Platt, | |

ABSENT—25.

| | | | |
|---|---|---|---|
| Aldrich, | Gibson, | Pugh, | Vest, |
| Chace, | Hiscock, | Reagan, | Walthall, |
| Colquitt, | Jones of Nevada, | Riddleberger, | Wilson of Iowa, |
| Davis, | Kenna, | Sabin, | Wilson of Md. |
| Dolph, | Morrill, | Sawyer, | |
| Edmunds, | Palmer, | Spooner, | |
| Eustis, | Pasco, | Vance, | |

So the amendment was rejected.

The bill was reported to the Senate without amendment and ordered to be engrossed for a third reading, and was read the third time.

Mr. BERRY. Mr. President, the bill proposes, as I understand it, to take from the Treasury of the United States $15,000,000. A portion of this money was collected from the several States and a large portion of it collected directly from individuals. The bill says that so much of it as was collected from individuals shall be paid over to the authorities of the States to be held by them in trust for those individuals.

I offered an amendment which said that the General Government should not withhold this money which belonged to those individuals because the State owed money to the General Government. The Senate voted down that amendment. The bill as it now stands and the vote of the Senate on that amendment propose where the United States has a claim against a State to offset that claim against the claims that individuals have against the General Government. Wherever the officers of the Treasury think that any State is indebted to the General Government, under this bill the money which does not belong to the State but to individuals can be withheld because of the fact that that State is claimed to be indebted to the General Government.

The Senator from Kansas referred to a debt said to be due by the State of Arkansas; and it would be inferred by his remarks that the State of Arkansas desired a recognition of her claim. The amendment simply said that this money due to individuals should not be withheld because this Government claims that Arkansas is indebted to her.

I stated in the former remarks I made that the General Government did have a claim against Arkansas. Arkansas also has a large claim against the General Government, growing out of the 5 per cent. fund, growing out of the indemnity for swamp lands, and growing out of other claims to indemnity for other lands. So it is proposed to offset one against the other. But I can see no justice whatever in taking $15,000,000 that the bill says is due to individuals and saying that the Treasury officers may withhold that fund—not that which belongs to the States, but may withhold that which belongs to individuals in the States. As was said by the Senator from New Hampshire [Mr. CHANDLER], if it belongs to these individuals, it belongs to them; and by what rule of equity, I would ask, would this great Government withhold money belonging to an individual because it claimed that the State in which the individual lived is indebted to the General Government?

Therefore, Mr. President, with the amendment voted down, I for one do not think the bill is just, and I hope that it may not pass.

Mr. BECK. Mr. President, only one word. The whole theory of the bill presented by the Finance Committee was based on the fact that all direct taxes must be uniform throughout the United States. The tax was levied on the States, and the States received a rebate of 15 per cent. of the amount because they did pay it within the time limited, and the table in my hand, which I will ask to make part of the RECORD, shows the fact. Many of the Southern States paid a part, some paid very little, and some paid a good deal. Arkansas' portion was $261,000, and she has paid $184,000, so that there is only $77,000 remaining, and I hope the Government will be just enough to pay that to the men who advanced it.

Mr. BERRY. Allow me to interrupt the Senator. The Senator says

that he hopes the Government will be willing to pay it to the men who paid that tax. If you will allow it to go to the governor of Arkansas, the individuals will get it; but you voted down the amendment which prohibited this Government from holding that here, not because the individuals were indebted to the Government, but because the State in which they lived was indebted to the General Government. You say the United States should hold that money. If you allow it to go to the governor of the State of Arkansas, you need have no fear but that the individuals to whom it belongs will get it.

Mr. BECK. One hundred and eighty-four thousand dollars out of the $2 ,1,000 will go to the governor of Arkansas. The statement which I submit, to be made part of the RECORD, shows how fair this bill is. All is refunded to the States that did pay, because there is no uniformity unless this is done. It was thought improper and impolitic at this late day to separate the money paid by individuals in the Southern States, and therefore in order to secure justice among all the States, all that was left was to pay the money back to those States which did pay the Government the amount they actually paid, allowing the 15 per cent. of course.

*Statement of the condition of the direct-tax accounts of the several States and Territories and the District of Columbia, under acts of August 5, 1861, and June 7, 1862, as appears from the books of the Register of the Treasury to date.*

| 15 per cent. allowance. | State or Territory. | Amount imposed. | Amount collected. | Balance due United States. |
|---|---|---|---|---|
| ..... | Alabama | $529,313.33 | $18,285.03 | $511,028.30 |
| ..... | Arkansas | 261,886.00 | 184,082.18 | 77,803.82 |
| (*) | California | 254,538.67 | 254,538.67 | ..... |
| ..... | Colorado | 22,905.33 | 22,189.96 | 715.37 |
| $46,232.10 | Connecticut | 308,214.00 | 261,981.90 | ..... |
| ..... | Dakota | 3,241.33 | 3,241.33 | ..... |
| †4,350.50 | Delaware | 74,683.33 | 70,332.83 | ..... |
| ..... | District of Columbia | 49,437.33 | 49,437.33 | ..... |
| ..... | Florida | 77,522.67 | 43,529.81 | 33,992.86 |
| ..... | Georgia | 584,367.33 | 106,963.17 | 477,404.16 |
| 171,982.70 | Illinois | 1,146,551.33 | 974,568.63 | ..... |
| 135,731.30 | Indiana | 904,875.33 | 769,144.03 | ..... |
| 67,813.20 | Iowa | 452,088.00 | 384,274.80 | ..... |
| (*) | Kansas | 71,743.33 | 71,743.33 | ..... |
| 107,054.30 | Kentucky | 713,695.33 | 606,641.03 | ..... |
| ..... | Louisiana | 385,886.67 | 268,515.12 | 117,371.55 |
| 63,123.90 | Maine | 420,826.00 | 357,702.10 | ..... |
| 65,523.50 | Maryland | 436,823.33 | 371,299.83 | ..... |
| 123,687.19 | Massachusetts | 824,581.33 | 700,894.14 | ..... |
| 75,264.50 | Michigan | 501,763.33 | 426,498.83 | ..... |
| 16,278.60 | Minnesota | 108,524.00 | 92,245.40 | ..... |
| ..... | Mississippi | 413,084.67 | 101,717.04 | 311,367.63 |
| 114,169.10 | Missouri | 761,127.33 | 646,958.23 | ..... |
| ..... | Nebraska ‡ | 19,312.00 | 19,312.00 | ..... |
| (*) | Nevada | 4,592.67 | 4,592.67 | ..... |
| 32,761.00 | New Hampshire | 218,406.67 | 185,645.67 | ..... |
| 67,519.17 | New Jersey | 450,134.00 | 382,614.83 | ..... |
| ..... | New Mexico § | 62,648.00 | 62,648.00 | ..... |
| 390,587.81 | New York | 2,603,918.67 | 2,213,330.86 | ..... |
| ..... | North Carolina | 576,194.67 | 386,194.45 | 190,000.22 |
| 235,063.40 | Ohio | 1,567,089.33 | 1,332,025.93 | ..... |
| (*) | Oregon | 35,140.67 | 35,140.67 | ..... |
| 292,007.90 | Pennsylvania | 1,946,719.33 | 1,654,711.43 | ..... |
| 17,544.56 | Rhode Island | 116,963.67 | 99,419.11 | ..... |
| ..... | Tennessee | 669,498.00 | 387,734.31 | 281,763.69 |
| ..... | Texas | 355,106.67 | 130,008.06 | 225,098.61 |
| ..... | Utah | 26,982.00 | ..... | 26,982.00 |
| 31,660.20 | Vermont | 211,068.00 | 179,407.80 | ..... |
| ..... | Virginia ‖ | 729,071.02 | 515,569.72 | 213,501.30 |
| 27,172.72 | West Virginia ‖ | 208,479.65 | 181,306.93 | ..... |
| ..... | Washington | 7,755.33 | 4,268.16 | 3,487.17 |
| 39,346.43 | Wisconsin | 519,688.67 | 454,944.84 | 25,397.40 |
| ..... | South Carolina | 363,570.67 | 377,961.30 | (¶) |

* Payments made on account, 15 per cent. allowance for cost of assuming collection, namely:

| | |
|---|---|
| To California, September 10, 1884, deficiency act July 7, 1884 | $31,583.26 |
| To Kansas, August 23, 1882, deficiency act August 5, 1882 | 10,761.50 |
| To Nevada, September 3, 1884, deficiency act July 7, 1884 | 688.90 |
| To Oregon, September 16, 1884, deficiency act July 7, 1884 | 5,271.10 |

† In part on compromise.

‡ Nebraska:

| | |
|---|---|
| Amount collected | $4,281.60 |
| Amount allowed by First Comptroller of Treasury, March 27, 1884, under act August 7, 1882 | 15,030.40 |
| | 19,312.00 |

§ New Mexico:

| | |
|---|---|
| Amount allowed by First Comptroller of Treasury, March 27, 1884, under act July 1, 1862 | 62,648.00 |

‖ Sec. 1, J. R. February 25, 1867, authorized the Secretary of the Treasury to transfer $208,479.65 of the amount originally imposed on Virginia to the State of West Virginia.

¶ Balance due State.

ROS. A. FISH, *Assistant Register.*

TREASURY DEPARTMENT,
*Register's Office, March 22, 1886.*

On the 4th of February, 1887, when this bill was up before and very fully discussed, the Senator from Vermont [Mr. MORRILL] having charge of it then, as will be seen in volume 18, part 2, CONGRESSIONAL RECORD, Forty-ninth Congress, second session, page 1340, presented a very full report signed by Hon. Charles J. Folger, when Secretary of the Treasury, on which the bill was based, which report I shall ask to have put into the RECORD, so that it may be seen by the country and by the other House, if the bill goes there. After full discussion then on the exact bill as now framed, the only amendment put on the bill as originally reported being an amendment offered by myself to pay the money to the governors of the respective States and Territories and the Commissioners of the District of Columbia, so as to avoid all question of agents and private individuals setting up rights, on the call of the yeas and nays the bill was passed by a vote of 53 to 1. The honorable Senator from Nebraska [Mr. Van Wyck] voted in the negative, when every other Senator present, 53, as recorded on page 1546, voted for the passage of the bill.

That is all I have to say.

LETTER OF SECRETARY FOLGER.

TREASURY DEPARTMENT, *June 14, 1884.*

SIR: I have the honor of acknowledging the receipt from you of H. R. bill No. 110, entitled "A bill to adjust certain accounts between the United States and the several States and Territories and the District of Columbia."

This bill relates to the direct tax of $20,000,000 annually laid upon the United States, and apportioned to the States, the Territories, and the District of Columbia, under the act of Congress passed August 5, 1861 (12 Stat. at Large, page 294). The purpose of the bill is to relieve and discharge from further liability for that tax those States and Territories which have not paid the portion thereof apportioned to them respectively; and to repay, out of any money in the Treasury not otherwise appropriated, to those States and Territories which have paid any portion the sums by them respectively paid. Though by the act above cited this tax was made an annual one, an attempt to collect it for more than one year has never been made. By that attempt there were collected about $15,000,000, principally from the States which did not seek to go out of the Union, and there were left uncollected about $5,000,000, principally in the States which did seek to go out of the Union. The sum uncollected remains a charge against those States, and for the purpose of this letter it may be assumed that it is a valid and enforceable charge. It is plain, however, that no legislator at this day would propose to raise revenue by a tax of that kind. There is no need of resorting to such method.

The revenues of the Government, from sources not so extraordinary, and collectible by means and appliances not so objectionable as those involved therein, are ample for its purposes. They are, indeed, superabundant, and the concern of statesmen is rather how they may be reduced than how they may be increased. The Government, then, needs not the money to be got by enforcing this tax. At the same time it is plain that to enforce it would put a grievous burden upon the people of the States which are in default in payment. It needs no array of facts to show this. Congress in one if not both branches has this session considered the proposition of large pecuniary aid to these people to help them place and keep up common schools, and the Senate has passed a bill therefor. If there be need for that succor, there would be harm in enforcing this charge. It is to be considered, too, that while taxes are seldom looked upon with favor, this would be specially objectionable. The purpose for which it was laid can but be remembered with distaste. It can scarcely be expected that there would be cheerful aid from the State authorities in the enforcement of it. It may be doubted whether there would be any. Indeed, it would, without further legislation, have to be enforced by the machinery provided by the act under which it was laid. This would call for the appointment of numerous Federal officials who would go among the people as obnoxious exactors. I think it must be conceded that there is, and ever will be, great reluctance to ever setting about the collection of this tax. That it never had great favor is shown by the fact that it was never put in force but one year. In practical effect, then, the law for it is obsolete. Why, then, should there remain this unenforced liability, a menace to the people, the enforcement of which is called for by no public need nor by any public opinion?

In my judgment the people and the property of the States in default should be relieved and discharged from it.

But to give such relief and discharge would be to put an inequality of burden upon the States which paid unless they in turn were in some way relieved. This the bill proposes to do by repaying to them the sums received from them. Assuming that the tax was lawful, and the collection as far as made was warranted, this, apart from the circumstances, would be a proposition to donate to the States surplus moneys of the United States, a proposition which I should not favor. But as connected with the proposition to discharge from onerous and needless liability one portion of the people, it takes on a different character; it is presented as an adjustment between different bodies of the people, and is worthy of acceptation. Indeed, it would be unjust to the people of the loyal States to release the people of the once insurrectionary States from their liability without refunding to the former the sums paid by them, and there are analogies in the legislation of Congress.

Acts have been passed refunding to States moneys raised by them for the raising, arming, and equipping of troops for the Army of the United States in the civil war, and for making other refunds of like character. The purpose of laying this direct tax was to aid in the ultimate payment of the extraordinary expenses of the Government caused by the civil war. The raising, arming, and equipping of troops by the States served to keep down those expenses for the time. It was a voluntary act upon the part of the States. There is no violation of principle or fundamental law in repaying to the States from the funds of the United States the cost thereof. The purpose and effect of this bill is not so unlike in nature to that as not also to be freed from the objections to a bald distribution among the States of what are called the surplus revenues of the United States.

Under the peculiar facts of the case, and as it is not likely to become a precedent for other disposals of Federal moneys, my judgment is that the proposed measure is a good one. It is true that exactly equal justice can not be done in carrying out the proposition of the bill. Thus, in some of the Southern States, the tax was to some extent enforced. Tax sales were made of pieces of real estate, in instances, for less than the value of them. Only the surplus of purchase-money over the tax and charges has been available to the owners, and they have lost the difference between that and the total of the purchase-money and between the purchase-money and the real value. On the other hand, in most, if not all, of the Northern States the payment to the United States of the tax was assumed by the State government, which collected the amount of its own people in its own tax levy. Of course, in the changes of citizenship and of ownership of taxable property, while a repayment into the State treasury will tend to reduce the amount of State tax, it will not inure to the benefit of some of those who, in 1861, were tax-payers. But these failures of full and general compensation in dealing with transactions so long past must ensue, and are not to be potentially urged against proposed measures which, in the main, do work equal benefits.

I also inclose herewith a communication to me from the First Comptroller of the Treasury, which presents views in accord with some of those expressed by me, and gives tables of value, and a draught of a bill; and to this communication I ask attention.

Very respectfully,

CHAS. J. FOLGER, *Secretary.*

Hon. A. J. WARNER,
*Chairman Subcommittee of Committee on Claims,*
*House of Representatives.*

Mr. SAULSBURY. I desire to say in that connection that I voted for the bill at that time without having fully considered the subject; but I am satisfied on reflection that there is no power in Congress properly and constitutionally to take money out of the public Treasury, from whatever source it may have come to the public Treasury, and distribute it for any purpose among the several States of this Union. Being satisfied that it is my duty not to vote for a measure violative of the Constitution, I have deemed it proper now, when the bill comes up a second time, to record my vote against it.

Mr. President, it is proposed to release to the several States any portion of the tax imposed upon them which has not been paid. Some States have paid in full. I believe some of the Northern States have not paid in full all the tax imposed upon them. You propose to remit that part which they have not paid, while other States have paid their full quota under the act of 1861. My State paid its quota. It was collected by the Federal Government from the property owners in the State, because, in the judgment of the State, that was the better mode. The tax might have been assumed by the State and collected by it from the people, and the money so raised paid into the Treasury; but every dollar of it was collected by Federal agents.

I have made my objection to the bill. When I voted for it before, I had not considered the subject. Since then I have looked into the question as to the right of the Government to distribute money from the Treasury amongst the States for any purpose. I deny it; and therefore I wish to record my vote against the passage of the bill.

Mr. GRAY. Mr. President, if my recollection is correct as to the manner in which the money now sought to be refunded by this bill came into the Federal Treasury, it was by means of a requisition made by the Federal Government upon the States for a quota of the direct tax apportioned among the States according to population, in obedience to the constitutional requirement in that behalf. The States were dealt with as States, the State governments in some cases paying the quota required out of the money then in their treasuries and in others providing the machinery to collect the tax in their own way. Its burdens were apportioned upon the people of the several States so as to suit the convenience of those people as it appeared to the Legislatures of the several States.

Now, having dealt with the States, having received the money on a requisition directly made upon the States, it seems to me that the Federal Government, in seeking to return this tax which it is now able to to return, and which it is equitable should be returned to the States, should restore it through the channel and to the source through which and from which it came. So it seems to me that it would be entirely consonant with the manner in which the tax was received by the Federal Government that we should deal directly with the States, restore their respective quotas to the treasuries of the States, and leave it with the States to deal with the money as a fund as shall seem best to them, just as it was left to the States to collect the tax in the manner that seemed advisable to them.

We certainly can trust the States to deal with their own people, the governments of the States being directly responsible and much closer to the people than the Federal Government can be. I therefore shall move that this bill be amended by striking out all after the word "Columbia" in line 8 of section 3.

Mr. EDMUNDS. No amendment is now in order.

The PRESIDENT *pro tempore*. An amendment is not now permissible.

Mr. GRAY. I do not understand the Chair.

The PRESIDENT *pro tempore*. The bill is not now open to amendment, having passed to its third reading.

Mr. GRAY. Then I give notice that at the proper stage I will offer that amendment.

The PRESIDENT *pro tempore*. The stage of amendment has been passed.

Mr. EDMUNDS. The only way the Senator can reach that is to move to reconsider the vote by which the third reading was ordered; and that being reconsidered he can then move his amendment.

Mr. HOAR. I hope that will be done by unanimous consent. No Senator certainly wants to cut off the opportunity to amend the bill.

Mr. GRAY. I ask unanimous consent.

The PRESIDENT *pro tempore*. The Senator from Delaware asks unanimous consent that the action of the Senate by which the bill was ordered to a third reading may be reconsidered. Is there objection? The Chair hears none, and that will be regarded as ordered.

Mr. GRAY. I now offer the amendment, in section 3, line 8, after the word "Columbia," to strike out the following proviso:

*Provided*, That where the sums, or any part thereof, credited to any State, Territory, or the District of Columbia have been collected from the citizens thereof, either directly or by sale of property, such sums shall be held in trust by such State, Territory, or the District of Columbia for the benefit of those of its citizens from whom they were collected, or their legal representatives.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Delaware [Mr. GRAY].

Mr. SHERMAN. Lest it might be taken as conceded, I beg leave to call the attention of the Senate for a moment to the importance of this declaration.

If this money is paid to the States there will be an implied trust that the State shall hold it for the benefit of the persons who originally paid the money. If there would necessarily be an implied trust, would it not be better to make it specifically an expressed trust, so that any person may appeal to the proper tribunal, if the State gets the money back and the State becomes a trustee for him?

The statement was made by the Senator from New Hampshire [Mr. CHANDLER] that perhaps the duty of the Government was to follow this money back to the persons who paid it; but if he had studied this question as much as I have, he would have found that there are thousands of people who paid this tax dead, many probably without heirs. There is no doubt that any State intrusted with this money, receiving it as a trust on an expressly declared condition, would undertake to reimburse its own citizens for this tax so far as it could.

The bill was carefully prepared with that view, to pay the money to the State, making the State the trustee; so that any person who claimed the money as the *cestui que* trust would have a right to appeal to the courts. There were only two States, I think, where such claimants exist, one Arkansas, and the other South Carolina. In South Carolina more money was collected than the tax. How that came about I do not know, but the result was that there is a balance now due to the State of South Carolina. As I understand, they have already made some provision for this excess. At all events, if this money is paid to South Carolina, the amount that was paid in excess of the amount really apportioned to them would be received by them as a trust fund to be dealt with by them, and if they did not deal according to justice and equity, of course there should be some mode of appealing to the courts, although that probably might be difficult. At all events, the bill declares an express trust in favor of the persons who paid the money. The bill has been carefully prepared at the Treasury Department. I have the report of the First Comptroller on the subject before me, together with a communication of all these claims. I have also the recommendation of Mr. Folger when Secretary of the Treasury, with a statement of the account with all the States. This bill was prepared at the Treasury Department, no doubt by the First Comptroller, who stated the account.

In some of the States the tax was partially collected by an assessment on lands, as in Arkansas and South Carolina, but most of the Southern States never paid any portion of it. North Carolina, I think, paid a part of it, and perhaps other States paid a part of it. I trust the amendment proposed will not be adopted *nem. con.*, but, on the other hand, that the express declaration of trust will be left to stand.

Mr. GRAY. Mr. President, I appreciate entirely, I think, the desire of the Senator from Ohio to accomplish the restoration of these taxes to the very pockets out of which they came; but I think it was shown by the Senator from New Hampshire very clearly that after the lapse of twenty-odd years it will be a matter of impossibility to track and find out the executors and the heirs of the men and the women who paid these taxes, and restore to them or divide among the heirs in proper proportion their share of what was paid by their testators or intestates. Therefore, I think that the striking out of this proviso will leave the fund unincumbered in the treasuries of the States, and will relieve the States from an awkward and inconvenient trust that will hamper them, and perhaps keep this fund lying idle in their treasuries for all time.

Mr. HARRIS. Will the Senator allow me to ask him a question?

Mr. GRAY. Yes, sir.

Mr. HARRIS. If any one or more of the citizens of a State, by any process, paid a proportion of this direct tax into the Treasury of the United States, is it his purpose to return that money to the State in which the citizens lived, free of all trust and all right of the person who paid the tax to receive his money?

Mr. GRAY. Oh, no. Mr. President, I have no purpose to accomplish anything that would be so inequitable as that. I only say that if we impose this on this fund it will be in a condition that will keep the fund in the State treasury perhaps for an indefinite number of years. I am willing that the States should have the largest liberty in dealing with it; and their responsibility to their own citizens and to those from whom this money was taken will sit quite as heavily on the conscience of those who control the organism of the State as it can possibly be incumbent on the authorities of the United States. It may be a convenient thing, where it is impossible to follow out and ascertain who were the parties who paid all this money, that this fund should be in such a condition that it may be used for some purpose in which the State and its people have a general interest. If they can relieve taxation, if they can increase their school fund with that part of these moneys that they are not able to restore to the original tax-payers, the people of the State may get the benefit of the refunding in that way. I do not want the fund hampered by an inconvenient and awkward condition that may prevent its realization if the bill is passed in the shape in which it is.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Delaware [Mr. GRAY].

Mr. EDMUNDS. Let the amendment be again read.

The PRESIDENT *pro tempore*. The Senator from Delaware moves to strike out the proviso in the third section, which will be read.

The CHIEF CLERK. In section 3, line 8, after the word "Columbia," it is proposed to strike out:

*Provided*, That where the sums, or any part thereof, credited to any State, Territory, or the District of Columbia have been collected from the citizens thereof, either directly or by sale of property, such sums shall be held in trust

by such State, Territory, or the District of Columbia for the benefit of those of its citizens from whom they were collected, or their legal representatives.

Mr. CHANDLER. It seems to me that it would be only an aggravation of the evil which I conceive to lurk in this bill to proceed—on account of the inconveniences which would be found in returning this money to the individuals or the heirs of individuals from whom the United States took it—to enact that their rights shall be confiscated for the benefit of the State in which they happened to live. I believe that I have studied this subject as much in time past as has the honorable Senator from Ohio. I find that the provisions for the direct tax, which was imposed in 1861, begin with section 8 of the act of August 5, 1861, entitled "An act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes." The eighth section is as follows:

That a direct tax of $20,000,000 be, and is hereby, annually laid upon the United States, and the same shall be, and is hereby, apportioned to the States, respectively, in manner following.

Then follows the apportionment to each State, as required by the Constitution, which provides how direct taxes shall be apportioned among the States. The next section, section 9, provides—

That for the purpose of assessing the above tax and collecting the same, the President of the United States be, and he is hereby, authorized to divide, respectively, the States and Territories of the United States and the District of Columbia into convenient collection districts, and to nominate and, by and with the advice of the Senate, to appoint an assessor and a collector for each such district.

Then follow sections 10, 11, 12, 13, 14, 15, 16, and so on, nearly ten pages of the statute-book, containing provisions for the collection of this tax directly from the property of the individual, and not until section 53 is the provision to be found—

That any State or Territory and the District of Columbia may lawfully assume, assess, collect, and pay into the Treasury of the United States the direct tax, or its quota thereof, imposed by this act.

It is clear from the act that the provision that the States might pay the tax was only an incidental and ultimate provision, while the act, to begin with, sets up a complete system of internal-revenue machinery for the purpose of collecting the tax directly from the property of individuals. Where a State assumed and paid the tax, the money should undoubtedly be refunded to the State; but where the State did nothing about the tax and had nothing to do with it, but the General Government went on and collected it from individuals by seizing and selling their lands, and now in order to equalize this burden among all the United States the tax is to be refunded, it is gravely proposed to take the money that was collected under this machinery from each individual and transmit it to the State where he happened to live and tell him to go to the State treasury and call for it. Mr. President, it would be equally as just if we had collected from individuals ordinary internal-revenue taxes for the last twenty-five years which ought not to have been exacted, and had decided that we would return the amounts which we had collected, to send those amounts to the treasury of the State where the parties live and tell them to go to that State treasury to make their claims!

The PRESIDENT *pro tempore*. The Senator's time has expired.

Mr. EDMUNDS. I hope the Senator will be allowed to go on.

The PRESIDENT *pro tempore*. The Senator from Vermont suggests that the Senator from New Hampshire be allowed to proceed, notwithstanding the rule. The Chair hears no objection.

Mr. CHANDLER. I wish to say only one thing further. The Senator from Ohio has spoken of the difficulty of refunding this money because these claims are more than twenty years old. If we choose to refund it we can find through the machinery of the Federal Government, through the Court of Claims, or through some other tribunal, the men from whom these taxes were collected, and if they are dead we can find their heirs quite as easily and as expeditiously as the States can find them, and quite as easily and expeditiously as we can find the claimants for damages by the French spoliations.

Mr. HARRIS. Will the Senator allow me to ask him a question? In the event that his suggestion shall be adopted, and the Federal Government shall fail to find the heirs or representatives of the persons who paid this money, then that residue would be left in the Treasury of the United States, would it not? Is it not better, if it is to be refunded at all, that it shall go to the State in which the people who paid the money resided at the time of payment?

Mr. CHANDLER. Mr. President, I can not conceive of any such State right as that; under which, if the General Government collected the tax of an individual and found that it had collected it unjustly and wanted to refund it to him, it should hand it over to the State in which he happened to live!

Mr. EDMUNDS. Mr. President, before the vote is taken on this amendment proposing to strike out, and for fear that a vote not to strike out may operate as declaring that the words shall stand as they are in the bill, I move to amend the paragraph proposed to be stricken out by inserting, in line 11 of section 3, after the word "collected," the first part of the word being on the preceding line, the words "by the United States;" so that it will read: "have been collected by the United States from the citizens thereof."

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Vermont [Mr. EDMUNDS].

Mr. EDMUNDS. My motive for the amendment is to make it perfectly clear and literally correct, that the money which we propose the State shall hold in trust is that which has been collected directly by the power of the United States from her citizens or inhabitants, for all of this money was collected from the inhabitants of the States and got into the Treasury by collecting it from their inhabitants. Therefore, in order to guard against any possible misconstruction (which it is much easier to do in passing a law than it is afterwards in the courts), I make that motion. If that is agreed to, I shall move to put in the word "inhabitants" after "citizens" where it occurs, so that mere citizenship of the State as distinguished from inhabitancy shall not be the only test. If a man happens to be a citizen of another State or an alien and resided in that State, and was called upon in respect of his property or otherwise to pay, if we refund at all it ought to be refunded to him as well as to the man who was a citizen of the State.

Mr. GRAY. I will accept the amendment of the Senator from Vermont to the amendment offered by myself. I think it is right.

The PRESIDENT *pro tempore*. The question must be decided by the Senate.

Mr. GRAY. I beg pardon. My motion was to strike out.

Mr. EDMUNDS. My motion is to perfect the paragraph before the vote is taken on the motion to strike out, so that if the paragraph stands it will have these words in.

Mr. GRAY. Very well.

Mr. HARRIS. Let the amendment proposed by the Senator from Vermont be read.

The PRESIDENT *pro tempore*. It will be read.

The CHIEF CLERK. In the proviso proposed to be stricken out, in line 11, section 3, after the word "collected," it is moved to insert the words "by the United States;" so as to read:

That where the sums or any part thereof credited to any State, Territory, or District of Columbia, have been collected by the United States from the citizens thereof, etc.

Mr. GRAY. I withdraw the amendment offered by me so that the amendment offered by the Senator from Vermont, modifying the proviso, may be adopted.

Mr. SAULSBURY. If I understand the effect of the amendment of the Senator from Vermont, it is that where the Government of the United States itself has collected the money the State government shall hold it in trust for the individuals from whom it was collected.

Mr. EDMUNDS. That is the fact, because as it reads now literally—I do not say that a court would so hold, but there would be some danger of it—every part of this money which a State like Vermont paid out of its own treasury had been raised by taxation and collected from its citizens. Now it will be for the State, as that was got by a general and just tax under the laws of Vermont, it will be for the State Legislature itself to say what it will do with this money when it comes. It does not make any difference whether it pays it back to the citizens who probably were all taxed on an equality, or whether it is used for purposes for which they would otherwise have to be taxed. My point is simply to provide a trust for the persons who directly through the intervention of the Government of the United States were compelled to pay this money.

Mr. BUTLER. If the Senator from Vermont will pardon me, that was exactly the state of things that occurred in South Carolina. As he will remember, the citizens of certain counties paid the entire tax, which was very inequitable and unfair and unjust. I have been trying to get reimbursement for the citizens who paid that tax because of the jurisdiction of the United States Government over them. It is eminently proper that that fund should be held in trust to reimburse the people who paid the tax.

Mr. EDMUNDS. I am only trying to make it perfectly clear that it applies to them and not to the general tax-payer, as in Vermont, who according to his property supplied the treasury, and the State itself paid it.

Mr. SHERMAN. I see no objection to the amendment of the Senator from Vermont, because it only makes clear what is the intention now.

Mr. HARRIS. It simply makes clear what the bill as it stands evidently means.

Mr. SHERMAN. I hope it will be adopted.

The PRESIDENT *pro tempore*. The question is upon the amendment proposed by the Senator from Vermont [Mr. EDMUNDS].

The amendment was agreed to.

Mr. EDMUNDS. Now I move to amend, on the same theory, in line 11 of section 3, by inserting, after the word "citizens," the words "or inhabitants;" so as to read, in describing the money, as having been collected "by the United States from the citizens or inhabitants thereof." I do not see the justice of making the test of citizenship on the question of a man having been compelled to pay this money. I take it the amendment will not be objected to by anybody.

The PRESIDENT *pro tempore*. The question is upon the amendment of the Senator from Vermont [Mr. EDMUNDS].

The amendment was agreed to.

Mr. EDMUNDS. In line 14 of the same section, after the word "citizens," I move to insert "or inhabitants."

The PRESIDENT *pro tempore*. The question is upon the amendment proposed by the Senator from Vermont [Mr. EDMUNDS].

The amendment was agreed to.

Mr. EDMUNDS. Now I move to further amend the proviso by adding to it these words:

All claims under the trust hereby created shall be filed with the governor of each State or Territory or the commissioners of the District of Columbia, respectively, within six years next after the passage of this act; and all claims not so filed shall be forever barred, and the money attributable thereto shall belong to such State, Territory, or District of Columbia, respectively, as the case may be.

The point of this is to meet the objection—and there is force in it—of the interminable difficulty of having the State forever made trustee without any power herself in honor to wind it up. Therefore I propose that all claimants to this fund shall within six years make themselves known by filing their claims with the chief officer of the State or Territory or District, and if they do not, all the money that would have belonged to them shall belong to the general treasury, and so wind up the trust.

The PRESIDENT *pro tempore*. The amendment will be read.

The Chief Clerk read the amendment of Mr. EDMUNDS.

Mr. SHERMAN. I trust the Senator from Vermont will not undertake to fix a statute of limitations here, and a limitation on a trust. I have no great objection to that if it is deemed important; but when we are paying back this money to the States it seems to me we ought to leave to them the regulation of the mode and manner of the distribution of the trust, assuming, as a matter of course, that they have the same interest to protect the rights and obligations due to their own citizens as we have.

Mr. EDMUNDS. I should entirely agree with my friend from Ohio if the States had the power to do that thing; but, as I understand the law of trusts, the trustee has no power, of his own motion, to wind up and terminate the trust or fix any statute of limitations at all; and therefore it was to provide by act of Congress, the only power creating the trust, for determining how it shall be terminated and wound up. I propose to provide that it shall be wound up as to claimants who do not file their claims with the governor within six years. If I thought, as the Senator appears to consider, that the States would have power to make a provision of that kind, this amendment would not be necessary, but I think they have not.

Mr. CHANDLER. I should like to ask the Senator from Vermont or the Senator from Ohio, who have endeavored to perfect this provision declaring a trust in behalf of the citizens and inhabitants of the several States, what provision they wish to make for those persons who were not citizens or inhabitants, but non-residents, owning property within the State or Territory or District, and whose real estate was sold by the tax-gatherers of the United States in order to enforce the collection of the tax.

By section 13 of the act of 1861 it is provided—

That the said direct tax laid by this act shall be assessed and laid on the value of all lands and lots of ground, with their improvements and dwelling-houses.

The United States have collected this money off the property, and it seems that we are asked to declare a trust in favor of citizens and of inhabitants of the State where the collection was made; but it occurs to me to say that if a citizen of Vermont or New Hampshire owned any of the sea islands of South Carolina, and his property was taken away from him to pay this tax, and the General Government has concluded to refund it to the State and declare a trust in the State, it should declare it in favor of the owners of the land and not of the citizens or inhabitants of the State. It seems to me that the bill is not sufficiently perfected in that regard.

The PRESIDENT *pro tempore*. The hour of 2 o'clock having arrived, the Senate resumes the consideration of the unfinished business of yesterday, being the bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. HOAR. I wish to suggest an amendment to the pending bill, which I have no doubt will be accepted. I will move to add in line 11 of section 3, after the word "thereof," the words "or any other person;" and in the thirteenth and fourteenth lines, to strike out the words "of its citizens" and insert instead thereof the word "persons;" so as to read:

Have been collected by the United States from the citizens thereof or any other person, either directly or by sale of property, such sums shall be held in trust by such State, Territory, or the District of Columbia for the benefit of those persons from whom they were collected or their legal representatives.

I think that will remove the difficulty of the Senator from New Hampshire.

The PRESIDENT *pro tempore*. The Senator from Maryland [Mr. WILSON] is entitled to the floor on the unfinished business.

Mr. EDMUNDS. Before the Senator proceeds, I hope there may be an order that the two last amendments may be printed.

The PRESIDENT *pro tempore*. That order will be made, if there be no objection.

## AID TO COMMON SCHOOLS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. WILSON, of Maryland. Mr. President, a distinguished citizen of Pennsylvania, a member of the Federal convention which framed our present Constitution, after an observation for twenty-five years of its practical operation, used this deeply significant language:

But, after all, what does it signify that men should have a written constitution, containing unequivocal provisions and limitations? The legislative lion will not be entangled in the meshes of a logical net. The legislature will always make the power which it wishes to exercise, unless it be so organized as to contain within itself the sufficient check. Attempts to restrain it from outrage by other means will only render it more outrageous. The idea of binding legislators by oaths is puerile. Having sworn to exercise the powers granted according to their true intent and meaning, they will, when they feel a desire to go further, avoid the shame, if not the guilt, of perjury, by swearing the true intent and meaning to be, according to their comprehension, that which suits their purpose.

Sir, I would not presume to make any personal application of these burning words to any legislator or legislators in this high presence; but at least they are profoundly suggestive of the little force and effect due to legislative precedents, when passed, as they often are, under the promptings of controlling interests or of intense political passions. And I will venture to go one step further in the practical application of these gloomy views of Gouverneur Morris, and declare that in my humble opinion no debate which has ever occurred in the United States Senate, apart from the turbulent times of war or of reconstruction, have more clearly illustrated the weakness of paper constitutions or the remorseless power of construction when invoked by partisan passion, by a seeming public necessity, or by sectional greed, than those which the measure now before us has again and again provoked in this hall.

Mr. President, that man would seem to be an extreme latitudinarian, incapable of being reasoned with on such subjects, who would deny that this is a government of limited powers, which would have never been formed at all unless its framers and the people who adopted it had understood such to be its nature. It would further seem that any man must shut his eyes to light and knowledge who does not know that every debate in the Federal convention of 1787, every debate in every State convention upon the adoption of our Constitution, every decision in our Supreme Court upon the extent of the powers thereby granted, and a solemn amendment to that instrument, adopted by the very people who framed it to prevent any misconstruction, show beyond the possibility of a mistake that this Government has no powers besides those expressed in that instrument and such implied powers as are necessary and proper to carry out those especially granted.

The Supreme Court, which can alone authoritatively interpret the Constitution, has declared that instrument to be distinctively one for "the enumeration and not for the definition" of the powers granted. It has further told us "that in all its provisions the Constitution looks to an indestructible Union, composed of indestructible States." It has emphatically decided "that the General Government and the States are separate and distinct sovereignties, acting separately and independently of each other within their respective spheres. The former in its appropriate sphere is supreme; but the States, within the limits of the powers not granted, are as independent of the General Government as that Government, within its sphere, is independent of the States." But how, I ask, can the Constitution be distinctively an instrument for the enumeration of granted powers, if, in addition, the General Government holds a vast mass of undefined and undefinable powers under the so-called "general welfare" clause? And how could its framers have intended the States to be indestructible if through the words "to provide for the general-welfare" they gave to the General Government a great corrosive power which could at its pleasure eat into and consume the very vitals of State rights and interests? How could they have imagined they were creating State sovereignties as independent in their spheres as the General Government within its sphere whilst they were arming that General Government with the right to break down all barriers and absorb all subjects of legislation which it should deem to involve the general welfare?

And yet, sir, in spite of every difficulty and obstacle in the way of their construction, whether presented by historical evidence, by judicial decisions, or by illogical results, Senators have gravely argued in debates upon this bill that because all republican government is founded upon the intelligence of the people, this Government has "the right to educate every child within the national jurisdiction." This position a learned Senator has taken, though he knows and acknowledges that there is not the slightest hint in the Constitution of an intention to grant this Government any such power; though he knows that from 1789 down to the moment when an inspiration fell upon him to introduce this bill, the subject of education in the States was everywhere, at all times, and among all our people, understood to be peculiarly within the province of the States, and that an attempt even now on the part of Congress to usurp the right to go into New Hampshire and take charge of her public schools would be more than likely to provoke a rebellion among her hardy sons; and although he knows that under colonial or State governments that degree of intelligence and virtue was developed which sufficed to frame and adopt those State and Federal institutions which have been the bulwark of our greatness and the admiration of the world; and that our forefathers had, therefore, no just ground for the belief that it was necessary or expedient to commit to Federal power what local institutions had so happily been able to evolve.

It is hard, therefore, to conceive how any fair-minded man, unwarped by partisan prejudice or by a blinding, sentimental philanthropy, can for a moment conclude that the framers of that Constitution ever intended to repose the care of public education in the General Government. And if they did not, we fail to understand that political morality which would misinterpret that instrument against the intentions of its framers. Can such a result be reached but by assuming, to use the language of Gouverneur Morris, "the true intent and meaning of the Constitution to be that which suits their purpose?"

Another able and prominent Senator, sir, laughing at all labored attempts to reach the true meaning of the Constitution by well-known rules of construction, aided by all the possible lights of historical evidence, has declared the true method of construction to be that "of the practical statesman, who recognizes that in the changing processes of a nation's life the application of preconceived theories and ideas is impracticable, and that he is wisest who adapts himself to measures that are momentarily fitting," and that the true principle is "to so interpret the Constitution as to render effectual the will of a majority of the people." It requires no argument to demonstrate that this would be a virtual blotting out of the Constitution, and the inauguration in its stead of a pure and simple Congressional Government, more imperial even than the Parliament of Great Britain itself.

Leading Senators on the other side of this Chamber, sir, have further expressed the view that Congress is not only empowered to appropriate money raised by taxation to public schools within the States, but also "to direct where it shall go and how it shall be expended." To direct how it shall be expended in the States can only mean to enact legislative provisions regulating and controlling State systems of education. If Congress has the constitutional right to do this in one single respect, it has the right to do it in all. Congress has no half-way, emasculated powers. If we have the right, in providing for the public welfare, to take one step in controlling a State with respect to its school system, we not only have the right from beginning to end, but *à fortiori*, acting under a full constitutional power over the subject-matter, we have the right to assume complete and independent management of education within the State, and to establish an entire Federal system to the exclusion of all State interference. Such is the canker lurking in this system of construction, which would be found sooner or later to consume every vital right and power reserved to the States.

Mr. President, it is to me a source of supreme wonder how any man, in the light of our constitutional history and in full view of the structure of the Constitution itself, can come to the conclusion that these famous words, "to provide for the general welfare," can be considered as indefinitely amplifying the powers of Congress. In all the debates in the conventions, Federal and State, in which that instrument was discussed, I have found nothing to justify and everything to repel such a construction. In the State conventions, its enemies, it is true, opposed it upon the ground that the consolidationists might use these words as a short road to the engrossment of all power. Its friends—men who were members of the Federal convention—indignantly repelled the idea that the words in question were intended to be thus used or could be tortured into any such destructive meaning. If such could have been the purpose of the framers of the Constitution, then, instead of being the wise, sagacious men whom we have ever delighted to honor, they would have been the veriest bunglers who ever strove to construct an organic law. They labored arduously to build a symmetrical government, clothed with a few enumerated powers, such as the good of the whole country required to be reposed in its central organ, with the great mass reserved to the States; but, after all, they only succeeded in building a house of cards, which the first breath of Congressional construction, lodged in that central government, could blow to tatters. From such a perversion of the facts of history and of the plain deductions of reason we turn away with dread, humbly hoping that the American people will never accept a construction of their fundamental law so destructive and revolutionizing.

Mr. President, alarmed at the ruinous consequences sure to flow from these extreme theories, many members of this body, some on the other side of the Chamber, but the most of them on this, hold to the doctrine that Congress has the power, derived from the taxing clause, to levy taxes and to appropriate the money thus raised towards sustaining public schools in the States, but it is utterly powerless in any manner to shape, direct, or control such systems of education. This theory is sought to be maintained under the same so-called "general-welfare clause," and under various precedents furnished by acts of Congress, the rule appearing to be that when Congress has passed a law appropriating money for which no other authority can be found in the Constitution, and which is of such a character that it can not be reviewed by the Supreme Court, to refer it to this india-rubber clause, and then to use it as a precedent for any other exercise of power which Congress chooses to assume.

Mr. President, looking at this question in an *à priori* point of view, it would seem very strange to say that a government can tax its people and appropriate money thus raised to purposes not only outside of its own sphere of jurisdiction but also conceded to be entirely within the spheres of separate and independent sovereignties. The vesting of such a truncated power in Congress is in contravention of the well-known political maxim, familiar to the framers of the Constitution, "that every power ought to be commensurate with its object."

From the same *à priori* point of view, it would seem even more unreasonable that a government of enumerated and limited powers, so all along declared to be by statesmen and judges of the John Marshall school, who were anything but strict constructionists, should be clothed with the tremendous power of taxing the people for purposes as far beyond those specified powers as the discretion of Congress can carry them, and (looking at some of the precedents quoted by the supporters of this theory) for purposes as broad as the globe and as wide as humanity itself. It is almost inconceivable that our forefathers, sensitively jealous as they were of a great overshadowing, central government, and filled with that grand and now growing idea of home rule as the great conservator of liberty and the most effectual check upon central absolutism, whilst carefully enumerating the special powers granted to the General Government, should have committed the fatal mistake of granting to Congress an unlimited power of taxation, not only for the purposes for which that government was formed, but for all purposes for which Congress, in its alleged omnipotence as to this most vital of all its functions, might choose to exercise it.

The *à priori* improbability of such an intention on the part of the founders of our Government becomes vastly greater when we reflect that they were wise and practical statesmen, who ever had before their eyes the fact that their ancestors had fought their most memorable contests for liberty over this very question of arbitrary and unlimited taxation, and were themselves greatly exercised, as the debates in their conventions will show, lest like evils and dangers should afflict their country in its coming history. Sir, it seems to me it would almost amount to a charge of self-stultification against the framers of our Constitution to suppose that the very men who a few years before absolutely refused to grant to the confederate Government the least shadow of authority to raise money by taxation, even for their most urgent needs, intended to grant to the new Government any such boundless power of taxation for the purposes of both General and State governments, as this theory assumes. Not a hint of any such power was ever breathed in any of their conventions; and it is not too much to say that, in the temper of the people's mind at that time upon this subject of taxation, if the Constitution had been so understood it would have never been adopted.

Mr. President, let us now look at this subject of the power of Congress to appropriate money raised by taxation, in the light of rules of construction based upon reason as well as law, and then let us look at the precedents by which the measure before us is sought to be justified.

Every Senator will concede that one of the main objects in founding the present Constitution was to give to the Government the power of taxation, so as to render it directly self-sustaining. To this end it is declared that "Congress shall have power to lay and collect taxes, duties, imposts, and excises." If the language of the clause had stopped here, inasmuch as the Government was meant to be one of enumerated powers, no one could have well denied the right of appropriation to the purposes specially set forth in the Constitution—especially in view of the subsequent grant of authority to Congress to pass all laws necessary and proper for carrying into execution the granted powers. There could not have been then any necessity for an express grant of power to appropriate the proceeds of taxation to such purposes, whilst there was a sound reason for providing that no rescript of the President or of any executive or other officer should unlock the door of the Treasury. Hence the wisdom of that provision that "no money shall be drawn from the Treasury but in consequence of appropriations made by law."

A fuller negative pregnant could not have been framed. Here is at once a denial to all other authorities and a full recognition in Congress of the power to appropriate the public money. There being, then, an implied power of appropriation, and one also clearly expressed in the Constitution, there is manifestly no need to resort for any such grant as President Monroe and his followers have done to the far-fetched and inappropriate words subjoined to the taxing clause, to wit, "to pay the debts and to provide for the common defense and general welfare."

In addition, sir, to the reason that these words are inapt and unnecessary for any such purpose, they have been held by all schools of constructionists to mean something more and different. One school, whose views have already been discussed, and whom I would call the extreme legislative school, have held them not only to enlarge the sphere of taxation and appropriation, but also of legislation. Another, whom I shall call the extreme appropriation school, have construed these words to confer a broader power of taxation and appropriation than Congress without them would have possessed. Whilst others have held that if they operate in any other way than as a mere summary of the special powers about to be granted, it is only as an injunction upon Congress to restrain the exercise of those powers to such objects as may be of a general and not a mere local benefit. If they be words of enlargement at all, it seems to me to be a logical necessity that they shall be construed to reach as far in that direction as their natural import will carry them. If they mean that Congress shall have the power to tax and provide for purposes other than those expressly enumerated in the Constitution, it

seems to me to be the dictate of reason and common sense that they must mean that Congress shall assume full and complete jurisdiction over such enlarged scope of legislative power.

The maxim *noscitur à sociis*, which is one of common sense as well as of law, must apply if such a theory be assumed. In four other clauses of this same eighth section of the first article of the Constitution—those which relate to counterfeiting, to a navy, and to calling forth and organizing the militia—the words "to provide for" are used to confer full powers of legislation. And it would seem unreasonable to construe the same words in the same section (if they can be rightfully rendered into the meaning that "Congress shall have the power to provide for the public schools in the States") as simply meaning that Congress shall have the right to appropriate money for such schools, and there be compelled to stop. Besides, if we look at the terms of the grant, it is to tax the people "to pay the debts and provide for the common defense and general welfare." Now, in order to adjust and pay the debts of the United States, which are subsequently in express terms assumed, Congress could of course pass all laws necessary to that end. To provide for the common defense, for which Congress is clothed with ample powers, it can pass all laws necessary for that great end. And then by a reasonable and natural parity of reasoning, whatever Congress is authorized to do under this assumed grant of power for the public welfare, if, for instance, it be to provide for public schools in the States, it must be empowered to do in all the fullness of its scope and in all the multiplicity of its details.

If Congress can constitutionally apply money in its Treasury to provide for the support of public schools in the States, it can take charge of them, and to the extent it shall do this it displaces the power of the State and becomes supreme over the subject. And to such an issue, if we enter upon the course of legislation which this bill, if it becomes a law, will inaugurate, will we surely come.

But, Mr. President, the difficulties in the way of our friends who adopt this extreme appropriation creed do not merely consist in the fact that if the words so often quoted are construed to enlarge the powers of Congress they naturally and logically lead to a vastly wider meaning than they are willing to accept, but the further obstacle arises in their way, that they can not reasonably construe these words to mean nothing more than a simple power to appropriate money.

Their own paraphrase of the language of this clause is this, that "Congress shall have power to lay taxes, etc., to pay the debts and provide for the common defense and for all such objects, not elsewhere provided for in the Constitution, as they shall deem of general and not local, national and not State benefit;" or, to apply the principle to the case in hand, "to provide for public schools in the States." If their theory of construction be correct, these last words are just as fully and effectually in the Constitution as if they were therein written. Now, their position, at least as sometimes enunciated, not only requires them to extract from these words a simple power of appropriating money, or, in other words, to grope through the Constitution to find a power which is elsewhere in that instrument staring them in the face; but, unless they claim the right to expunge words from their own paraphrase, it requires them also to draw the power "to tax the people to provide for public schools in the States."

Sir, this would be vastly more than a power of appropriation. It would be a new, substantive, and vital power to tax the people to provide for an object nowhere else in the Constitution subjected to Congressional legislation. It could be in no respect less an original power than that of "providing for a navy." And if such be, as it must be, the case, whether we consider the nature of the object or the language in which the grant is couched, then the subsequent grant of power "to pass all laws necessary and proper for carrying into effect the aforegoing powers" must attach itself to this grant, and Congress is empowered to enact any and all legislation necessary to create and sustain a national system of education in the States to the exclusion of all existing State systems.

And, Mr. President, upon the theory of this appropriation school, is not this a just and reasonable conclusion? I contend it is unreasonable to suppose that Congress is clothed with authority to provide for public schools in the States, and should be at the same time utterly powerless to take a single step towards accomplishing this great object; that Congress can pile up the people's money for the purpose of educating their children, but can do nothing towards utilizing this treasure till they can find some agency outside the sphere of the General Government which can be coaxed, bribed, or coerced to take and apply it. Such a power would indeed look like a ridiculous waste of political energy, of which wise and practical statesmen would hardly have been the authors.

But the anomaly becomes the more glaring when we reflect that ours is a dual system of government, one of a general and one of a local character, in which the local sovereignty is armed with plenary power to establish schools, enact all rules and regulations concerning them, and to raise by taxation all money necessary for their support. It ought not to require a Judge Marshall or a Judge Cooley or any other of our ablest jurists to inform us that in a system like ours, in which each half is clothed with its own peculiar subjects of jurisdiction, and in which what is not granted to the General Government is reserved to the local, and in which what belongs to the State is its right as absolutely as any power granted to the General Government belongs exclusively to it, "State expenses are not to be borne by Federal taxation, nor Federal expenses by State taxation, because in neither case would the taxation be levied by the government upon whose public the burden of expense properly rests"—as sound a reason as ever man gave for any proposition.

Sir, it seems to me that it would be difficult to imagine anything further removed from the spirit, aims, and objects of the founders of this Government than to make it the great alms-giver of the money wrung from the people by taxation, and to turn the States into almoners of the bounty of Congress. Beyond question, such a jumble of powers and duties would have never been created except by the clearest terms. It is utterly unfair to infer it from words which, in order to arrive at any such construction, must be wrested from their historic meaning and undoubted application in the Articles of Confederation, and from that restraining sense which their collocation in the clause plainly shows they were intended to bear. Mr. Madison, as wise and honest a witness as could be produced, with every means of knowledge, has testified that these words were borrowed from the antecedent chart of government, because they had always been considered to be meaningless as a grant of power and only indicative of the general purposes for which the granted powers should be used; and not a single witness has been produced to contradict his convincing statement.

Mr. President, the argument that the theory of the extreme legislative school will lead to extreme and absurd results does not properly belong to those who draw from the same words just as much of original and substantive power as suits their purpose, and there arbitrarily stop. The *argumentum ab inconvenienti*, or the *reductio ad absurdum*, is not theirs to use, but rather belongs to those who hold that the words in question are in no sense argumentative of the powers of Congress. For, in the first place, the theory of this extreme appropriation school logically leads (as we have shown) to the same unrestricted legislative power. And, in the second place, as in the one case (according to their own reasoning) no bounds can be set to the power of Congress to legislate upon every subject which may in their opinion conduce to the public welfare, so, in the other, who can draw a line beyond which money may not be appropriated for purposes deemed promotive of the public good? No one has ever yet attempted to fix any boundary but by the use of phrases identical in meaning with that of "the general welfare."

The same vagueness, the same difficulty of being reduced to any definite limits, is inseparable from their famous formula of purposes, "general and not local, National and not State." Adopt whichever construction you please, that of the extreme legislative or appropriation school, and it is the plainest deduction of common sense that the discretion of Congress is the only limit of power. And with respect to the appropriation theory, the history of the past, as illustrated by the very precedent cited in these debates by the supporters of this doctrine, plainly shows that such discretion practically means Congressional will and pleasure, and that its exercise will surely launch us upon a boundless, shoreless sea of expenditures, involving as well objects not specially connected with the sphere of the States as any or all of those governmental agencies peculiarly confided to their care, by the granting of pecuniary aid to which Congress may think it will promote the general welfare.

How utterly vain and idle, then, seems the limitation which Mr. Monroe, at the conclusion of his famous argument on this subject, feels the necessity of attempting to place upon the exercise of this power of appropriation, when he says that "each government (State and National) should look to the great and essential purposes for which it was instituted, and confine itself to such purposes." Who will say, on this side of the Chamber, that the power and duty of providing for schools within the States is not imposed upon their governments? Even Mr. Blaine, in his "Twenty Years of Congress," distinctly makes this declaration. And still Senators, who accept Mr. Monroe's views, are asking the General Government "to look to" a great and leading purpose for which they concede the State governments were intended to provide, and for which it must result that the central government was not instituted.

Mr. President, the only argument left to this appropriation school is, that their construction is the safer one, inasmuch as it does not directly involve the assumption of that stretch of legislative power which would destroy the autonomy of the States. But the "last ditch" of this school of constructionists is, we contend, equally indefensible. It does not meet, it only seeks to parry the argument. They can not help admitting that their doctrine is theoretically open and practically liable to the widest latitude of application, and is therefore subject to the same logical difficulties as that of the extreme legislative school, but is only less dangerous in its consequences.

But, sir, even this last position is far from being a certain result. It requires but little discrimination to see that there will naturally exist a much greater disinclination to exercise the apparently more dangerous and directly revolutionary power. However much men may laugh and jeer at State rights, and profess to hold that a State has no rights which the General Government is bound to respect, I do not believe there is an intelligent man to be found who has been reared under our institu-

tions, and who has been wont to owe the protection of his life, liberty, and property to the State of his birth or adoption, who does not feel in his inmost heart the necessity and the wisdom of perpetually guarding to the home governments all those powers which he knows that his forefathers wisely and anxiously intended should be lodged in them as a sacred trust, and all that complex machinery which it was intended should be their embodiment.

Whatever at times may be the temptation to trench upon these reserved rights, under the seductive influences of partisanship, of a presumed passing necessity, or of a blinding humanitarianism, there will be a natural and an ever-recurring tendency to preserve the true boundaries in direct legislation between the State and Federal powers; and I feel assured that as we recede from the extreme views of both North and South, before, during, and since the late civil war, and from the extreme measures which such views on both sides have naturally engendered, this conservative sentiment will increase, and the beauty and symmetry of our system of government will be more and more loyally maintained.

But not so, sir, will it be with this insidious system of appropriating money by the General Government to exclusively State purposes. This pretended bestowal of gifts, this doling out of alms by Congress to the States, in aid of powers and consequent duties intended alone to be exercised by them, it will ever be argued, can work no harm, as it leaves to the States their autonomy unimpaired, and only asks them to become the recipients of the bounty of a rich and beneficent Government. It is and will be contended that there can be no dislocation of our political system through this extraordinary and unnatural process of the raising of money by one government for the purposes of another. To me this seems but a siren cry. Sir, do we not forget that, especially in the sphere of government, money is power? It not only constitutes the sinews of war, but it alone can set and keep in motion the wheels of government. And do not those Senators on this side of the Chamber who are enamored with this specious plan of Federal appropriations for schools in their States even now see that many of their colleagues on the other side, in voting for such appropriations, sturdily and (upon a kindred hypothesis to their own) with a strong show of reason claim the power of Congress by law to control and direct the expenditure of this money within their States?

And knowing the growing, grasping nature of political power, when once it gets a foothold, do they not see that if this system of appropriations to their schools goes into practical exercise the claimants of this enlarged power of legislation will have a strong vantage-ground upon which to plant their batteries in their assaults upon all constitutional restraint? Surely we must all see the danger if the States are taught to lean upon the General Government for the means to sustain themselves in the discharge of the functions especially committed to their care, that the power which furnishes the coveted supplies will naturally and inevitably claim and exercise the right to control their expenditure. Let us not contract our view to the passing pecuniary advantage which seems likely to accrue to us; but let us look at the grave consequences sure to spring from the adoption of a system of which this bill is but the beginning.

Who is simple enough to believe that this Federal aid to schools within the States will cease with the limit of eight years appointed by this bill? Every one must know that but little can be done in that brief time towards dispelling this cloud of illiteracy. Every one knows that these $79,000,000 will only serve to enlarge the school systems in the South, and to render Federal aid still more essential to their maintenance. If the Representatives of the South in Congress ask and receive this aid at the hands of the North, soon will come up a louder demand for still larger and longer continued appropriations. Larger and still larger demands will come from Congress in the shape of conditions precedent to the continuance and enlargement of these grants, until the whole school systems of the South will pass under the control of Federal power, to be molded as the people of the controlling section see fit. And doubtless these appropriations will be granted with no stinted hand. The money power in the North is even now the controlling influence. That power will readily appropriate tens of millions of dollars per annum, raised by duties upon imports, for Southern schools, when for every dollar they grant they will recoup at least three for the benefit of their protected industries.

Oh, it is a beautiful exhibition of magnanimity and generosity on the one part, and of a simple thankful reception on the other of largesses, taken from the recipient by the one hand of the giver, to be returned as alms by the other hand, to which still sticks a handsome percentage as the reward of his labor of love.

Sir, the people of the Southern States do not seem to comprehend the nature of this bill. They seem to think that the Federal Government, by some magical formula, can create out of nothing this great sum of $79,000,000, and is going to pour it into their laps without cost or charge to the happy recipients. If they will look at this subject in a purely selfish light, let us for a moment so regard it.

They shut their eyes to the fact that the collection of this money upon any fair reckoning will cost the people of the most favored State quite as much as they will receive. They forget that this fund will have to be raised in the proportion of about two-thirds from customs duties to about one-third from internal or excise taxes. The best informed statisticians declare, and I fully believe, that, so far as it is raised from duties on imports, for every dollar that goes into the Treasury at least three will go into the pockets of the manufacturers; so that if $200,000,000 are collected upon importations under the tariff, some $600,000,000 at least will annually go into the hands of this favored class. This becomes apparent when you remember that our last census reports, with a moderate allowance for the increment since 1880, show the annual value of our home manufactures to be $6,000,000,000, and that if we put at only 10 per cent. the average increase of the cost of these home products caused by our war tariff it will make the people of this country pay to the producers of these manufactures at least $600,000,000 per annum, which is just three times as much as goes into the people's Treasury.

Now let me illustrate the operation of this bill by the case of my own State. According to a calculation, made by one of the most painstaking and best-informed Senators in this body, and incorporated in one of his speeches during the first session of the last Congress, Maryland would receive in the eight years, as her quota of the $79,000,000, the sum of $1,666,442, and would pay in the same time into the Treasury $1,308,920. Of this last-mentioned sum she would pay the two-thirds in the shape of customs duties, and, as just shown, she would pay, as a tribute to the manufacturers, three times what she pays into the Treasury in the shape of customs dues. Now, the two-thirds of what she thus pays into the Treasury is two-thirds of $1,308,920, or $872,614. Three times this sum equals $2,617,842, the amount of tribute paid, which must be added to $1,308,920, the amount actually paid into the Treasury; whereby we get the vast sum of $3,490,456 as the real cost of this educational experiment to the people of Maryland, or $1,824,014 during the eight years more than we would receive.

Mr. BLAIR. I understood the Senator to assume that there is a per capita tax——

Mr. WILSON, of Maryland. I am referring to the amount allotted to the States.

Mr. BLAIR. But the Senator speaks of the collection into the Treasury originally as if by a per capita tax.

Mr. WILSON, of Maryland. The money comes from a tax on what the people wear and use. The people of each State pay a portion of the money.

Mr. BLAIR. Every State in the Union pays out on taxation, and gets a part back under this bill.

Mr. WILSON, of Maryland. I say that in the case of tariff duties, independent of the amount paid by the consumer to the Treasury, there is another amount that goes to the manufacturer.

Mr. BLAIR. With reference to the particular bill the Senator said the country paid in the form of taxation twice as much as the aggregate the State would get back.

Mr. WILSON, of Maryland. That it paid three times as much.

Mr. BLAIR. That is an argument against the tariff rather than against this bill, I suppose.

Mr. WILSON, of Maryland. Against both.

Or if we concede, for the sake of the argument, what is not true in fact, that our tariff with its average duty of about 47 per cent. ad valorem only adds the very small average increase of 5 per cent. to the cost of home manufactures to the people of our country (a postulate which we think the most purblind protectionist can not deny), then for every dollar the people of Maryland would pay into the Treasury through customs duties they would pay in the way of such tribute one and one-half dollars; and carrying out the calculation on this basis in the same way as before, we find that Maryland would pay $951,366 more than she would receive in the eight years. If any portion of the people of my State will shut their eyes to this result, because they do not personally pay over this money in the name of a tax to an officer sitting in the receipt of customs, but prefer the self-delusion involved in receiving as a gift less money than they actually pay, it will not be my fault. I can not vote for a measure which will not only not bring them any pecuniary gain, but will at the same time most insidiously and dangerously tend to disrupt and overthrow our true system of government as founded by our forefathers, and deemed by them essential to our liberties.

For, Mr. President, never was a measure introduced into any legislative body more incongruous with the professed purpose and declared belief of many of its advocates. We want no better illustration than this bill affords us that the General Government will never make these grants of money to the South for school purposes without imposing conditions which virtually amount to the right to control them. Right here, in this first attempt to appropriate for the maintenance of public schools in the States money raised by Federal taxation, with a full disclaimer on the part of the supporters of the bill of an intention to shape or control State school systems, we find the baldest attempts to dictate to the States how their systems shall be ordered and regulated. It first provides that a given number of millions of dollars shall be distributed among the States for the support of common schools upon the basis of illiteracy. If it had stopped there it would have been such a bill as its advocates on this side of the Chamber alone claim the power to enact. But the bill further proceeds to prescribe a course of studies as a condition to the enjoyment of this pretended bounty.

Now, it is a clear deduction of the simplest logic that if we have the power to prescribe any condition of the kind, no matter what it may be, we have the same right to impose as many and as onerous ones as we please. It will be no answer to say that the course of study thus prescribed is one with which all the States either have complied or can readily comply. The radical error, the dangerous and upheaving assumption, consists in arrogating the right to insist upon any such condition at all. I hold it to be not only a hardship upon my State but an insult and a fraud upon its people to tax them upon the pretext of a mere right to appropriate the money thus raised for the benefit of their schools, and then to say to them, "If you do not conform your school legislation to the will of Congress in any respect, you shall be debarred from all benefit of the fund which your own contributions have helped to form." For it is undeniably true in respect even to this subject of studies that if it is competent for you to prescribe a course of studies of the simplest kind, you have the same right to prescribe another of any other grade, or, in other words, you can take entire charge of that branch of school legislation, giving the State the alternative of conforming to your will or of losing all claim to any share in the apportionment.

Another section provides that unless a State raises by home taxation as much money as she will receive under this act she shall forfeit the difference between what she does raise and the amount of her apportionment. Thus, in view of the fact that the amount to be raised under a Federal law is absolutely a matter of Congressional discretion, the principle is announced that a State must adapt her legislation to the will of Congress in the exercise of her sovereign power of taxation or suffer a *pro tanto* forfeiture as a penalty for her disobedience.

Another section forbids the appropriation of any part of the $77,000,000 allotted to a State for school purposes towards the building of school-houses, which are even now in many of the Southern States a palpable general necessity in the furtherance of education. It renders the erection of still more school-houses throughout some of these States absolutely essential to the proper fruition of this money, but it imposes upon them the necessity of further State taxation for such buildings, or upon failure to comply with this command of Congress makes them forfeit all right to any share of this common fund.

But another section of this bill does appropriate $2,000,000 for aiding in the erection of school-houses, but it minutely provides where and how this money shall be expended. It can only be used in sparsely populated districts in the erection of such buildings, the very plans of which must even come from Washington, and upon the further conditions that no more than $150 shall be paid out of this fund for any one house, and never more than one-half of the whole cost in any case. Thus again the State must conform its legislation to the will of Congress, as well in respect to her sovereign power of taxation as to the details of practical work, or her claim to any share of this theoretically common fund will entirely lapse. And thus this bill, which professes to be a mere innocent, harmless gift of money in aid of education, is on the one hand running over with commands that a State shall do this, or shall not do that, or on the other is bristling with threats of forfeitures, thus boldly denominated in the bill, for a failure to comply with its arbitrary edicts. Let no Senator say, who votes for this measure, that he is not fully committed to the doctrine that Congress in appropriating money in aid of State education can absolutely and without restraint control and direct the States, aye, and enforce its commands, too, as to how they shall shape their legislation upon this branch of exclusive State jurisdiction. That vicious principle is the very life-blood of this measure, and the deadly germ will soon dangerously multiply itself, as these debates show evil precedents are sure to do.

Mr. BLAIR. I should like to ask the Senator to have the kindness to read the entire section of the bill leaving the choice to the States to accept or not.

Mr. WILSON, of Maryland. I have read it.

Mr. BLAIR. Has he noticed the provision that leaves the State entirely free to accept or not?

Mr. WILSON, of Maryland. I know the words of the bill. It makes my State pay its quota of the tax, and then says it shall receive so much on compliance with the conditions of the bill.

Mr. BLAIR. Precisely; but assuming the right of the General Government to collect taxes, the money being in the Treasury and the property of the United States and not of the States; assuming that it is there, that it is legally there, and that the money is therefore the property of the United States, then the United States in its discretion may appropriate the funds upon condition, just as it might appropriate any other sum of money for any purpose upon conditions, and make use of the State as an instrumentality to promote the general welfare. Does the Senator in that respect say that the bill impairs the rights of the States?

Mr. WILSON, of Maryland. The bill assumes that Congress has power to tax the people and apply the money so raised for the benefit of State schools; and we have not got to say, finding this money in the Treasury, what we have the power to do—we must go back, further to illumine the matter, and say that this bill expects the people to put the money in the Treasury that it may be applied in this way.

Mr. BLAIR. On that point I should like to ask the Senator if he concedes the general, broad proposition that the republican form of government is necessarily founded on the intelligence of the governed, that is of the people at large? Does he concede that proposition?

Mr. WILSON, of Maryland. I do, as an abstract proposition.

Mr. BLAIR. Then, conceding it as an abstract proposition, I ask him the further question, if the National Government, whether it be a government of enumerated or limited powers, limited in the matter of number, is not one republican in form, as well as the State government? Is not that the theory of our institutions?

If, then, the National Government is a government republican in form, and the State, as a State government, is a government republican in form, and the National Government by the consent of the State conferred in the Constitution has the duty imposed upon it not only to see that it is republican in form, but to guaranty like republican forms of government to the State—if, I say, the National Government has the duty of self-preservation and of preserving the governments of the States alike imposed upon it, and intelligence be lacking, is it not the duty of the National Government to see that that intelligence be furnished to the citizens in common, alike citizens of the State and of the National Government? I ask the Senator to answer that position. It has never been answered in this debate.

Mr. WILSON, of Maryland. Mr. President, the question is, where does the Constitution repose the power? That is the question.

Mr. REAGAN. Will the Senator allow me to state——

Mr. BLAIR. It is a matter of indifference to me who answers that question. No Senator has answered it yet since the debate began on this bill.

Mr. REAGAN. I do not know that I answered it in the form the Senator put it; but he omits to recollect——

Mr. BLAIR. Before the Senator goes on, allow me to ask him if he admits the general proposition conceded by the Senator from Maryland?

Mr. REAGAN. I do not know what that general proposition is. But the Senator omits to remember that the Government was founded on the consent of the people; and his theory assumes that the people are incapable of self-government, and that they must be governed by a power superior to themselves.

Mr. BLAIR. The Government may not have been formed on that proposition; but it was based on the idea that the people should have the opportunity to prepare themselves by the necessary intelligence for the discharge of the duties of citizenship both in their Federal and State capacity. If they have not sufficient knowledge or development to act the part of sovereigns they must be qualified for it.

I ask the Senator from Texas, or the Senator from Maryland, or the Senator from any State in this Union to answer the question I have put every time when this constitutional doctrine has been discussed, namely, if the National Government be a government republican in form, and it has imposed upon it the duty to guaranty a government republican in form to the State, and the State neglects to educate the child, and the parent neglects to educate the child, and the child, the sovereign, becomes an ignoramus, and thereby by your own proposition incapable of self-government, is or is not the duty imposed on the nation in that case of last resort to educate the child?

I have admitted in all the debate, I have admitted in the report, that the National Government should undertake this duty only in the last resort. If the parent fails, if the State fails, and republican government consequently fails all through this land, if the States are disorganized and the country desolated, may not the National Government interfere, so far as its republican form is concerned? I ask, then, if it be not within the power of this great nation, clothed by the express provisions of the Constitution with the preservation of a republican form of government, and if it be not its duty to see that its citizens, alike its own and those of the State, be permitted to be intelligent so that there shall be governments republican in form in both State and nation?

Mr. WILSON, of Maryland. I neither admit the gentleman's proposition of law, nor do I admit that the States have failed nor that they are going to fail in their duty to their people.

Mr. BLAIR. The question is, what has been done?

The PRESIDENT *pro tempore*. Does the Senator from Maryland yield?

Mr. WILSON, of Maryland. If the fact were conceded I know the States can provide for the contingency, and the Congress of the United States has not the power under the Constitution. The principles of the Constitution do not allow the General Government to interfere in this matter.

Mr. BLAIR. Then the higher law comes in.

Mr. WILSON, of Maryland. The Constitution is the highest law for us in our legislative actions.

Again, another section provides that no money shall be paid to any State which shall have not provided a system of free common-school education for all its children of school age without distinction of race or color, either in the raising or in the distribution of school revenues, or in the school facilities afforded. It thus legislatively imposes upon a State the heavy punishment of an immense forfeiture, for making a distinction between the races, and constitutes an executive officer of the Government judge, jury, and executioner of the sentence. I

ask Senators whom it most concerns, what hinders the majority of this body from imposing the further condition, that the States shall provide for mixed schools? Allow the underlying principle of this bill, and what hinders them from trebling the amount of taxation imposed by this bill, and then coolly saying to the State of Mississippi that her people shall have no share of their own hard-earned money unless they consent to educate white children and black in the same schoolhouses and in the same classes by the same teachers?

The answer must be, nothing but the at present politic forbearance of that majority. The mutterings of the storm have already been heard in the distance. Surely it would be safer not to launch out upon the sea. We have seen what are the fruits of this new and revolutionary system of legislation in the green tree; what shall we have a right to expect in the dry?

Now, Mr. President, let us not be told that Congress does not actually establish any school system in a State by direct legislation, but only enacts conditions to which we must conform or lose all benefit of the fund which we help to place in the common treasury. Such a law, it is plain, will prove a direct and powerful agency towards coercing States into just such law-making as Congress chooses to impose upon them.

It would be an entering wedge to the control of State systems of education to be driven home by the resistless influences of great and much-coveted appropriations on the one hand, and of heavy penalties upon the other. If it were in the power of a State to escape taxation whilst rejecting all benefit of such a law, there would be little practical hardship. But she must pay her quota of taxation, and then, if she does not bow the knee to Federal dictation, she is driven away like a whipped child from the feast which she has herself helped to prepare. Sir, if the representatives of the States and of the people once succumb to this species of legislation, then, indeed, will they lie prostrate at the feet of Federal power, and be reduced to the most disgraceful of all subjections, based in equal degrees upon the ignoble motives of greed and fear.

Now, sir, I ask Senators, especially on this side of the Chamber, if a more insidious or dangerous system of legislation ever has been or can be devised? Can one more insulting or degrading to a great and sovereign State be conceived, than that which claims and exercises the mighty power of taxation over the people of that State for school purposes within its limits, and then sternly tells them that they must practically so adjust their theoretically sovereign power over this delicate subject as to meet the views of the great Colossus at Washington, or they shall forfeit all share of the money thus forced from their pockets? Could any law be more tyrannical, more thoroughly imbued with the spirit of absolutism than that which claims the right to tax you, and then to shut you out from all benefit of your own money unless you conform to the will of the taxing power, which at the same time disclaims all right to control that governmental agency with respect to which it is seeking to coerce you? If the manly, straightforward claim of Congressional power to directly legislate on the subject of education in the States were claimed and exercised, then such a law would either operate by virtue of its own inherent authority, or the courts could pronounce it invalid as a usurpation. In this natural and healthy mode of legislation there could be no room for an attempt to bribe or terrorize over a State through a law which can only operate through the assent and co-operation of the State thus illegitimately obtained, and which, if it does, in this, the only possible way, become operative, can in no conceivable mode be reviewed by the courts.

Finally, sir, the crowning feature of inconsistency and unreasonableness in this species of legislation is this: that it professes to be predicated upon a power in Congress to tax the people to promote the general welfare through the instrumentality of State educational systems, and then claims the right practically to dictate to a State how it shall order its own system, conceded to be within its own peculiar province, or, if obedience be refused, excludes it from all participation in that general welfare, the promotion of which is its only claim to the exercise of any such power. Sir, to my mind this arrogation of power to appropriate money out of the Federal Treasury for the benefit of State institutions is, to the last degree, abnormal, illogical, and dangerous. In the very nature of things, unlike donations of public lands or their proceeds, it is limitless, both in amount and in duration, so long as the people of the country have property or labor to be taxed. It naturally and irresistibly leads to the exercise of illegal and usurped power; and if it should be now begun it will inevitably become a fixed policy, aggregating to itself more and more of control over the States, until it degenerates into a cancerous growth which will impair the manhood and self-reliance of our people, destroy the symmetry of our government, and end in the virtual paralysis of home rule, that vital element in our republican system.

For these reasons, Mr. President, drawn from the very nature of our Government, from the natural meaning of the words in question, and from the revolutionary consequences of giving an enlarging sense to their meaning, I am firmly convinced that the construction of neither the extreme legislative nor appropriation school is admissible, but that the only true and safe theory is that these words are restrictive in their meaning, and simply declare that Congress, in all its legislation by which money raised by taxation is to be applied, should exercise the powers specifically granted to it, either in discharging the debts of the Government, or in providing for the common defense, or in caring for the welfare, not of local, partial, or sectional interests, but of the whole country, for whose welfare the Constitution and Government were formed.

But, sir, the advocates of this practically unlimited power of appropriation appeal with an air of triumph to various precedents in our legislative history as the bulwark of their theory; and we strongly suspect that some Senators who have most powerfully wielded this argument have boldly quoted precedents which they have been wont to condemn as unconstitutional and void, as they certainly have adduced others for which abundant warrant can be elsewhere found in the Constitution and in judicial decisions thereon. The records of Congressional appropriations have been searched with a minute and exhaustive scrutiny, and every such act for which no other sanction can be found has been promptly referred to this claim of the indefinite right to appropriate money.

No matter how earnestly and powerfully the ablest and best men of the country may have protested against any particular act as utterly without constitutional sanction; no matter though a similar act may have been at other times and by other statesmen disallowed as beyond the power of Congress; no matter how plainly any act may have been the product of a presumed political necessity, or the impulse of political passion, or the prompting of compassion toward starving humanity; no matter how wide may have been the departure from all possible connection with the general welfare, as soon as such an act is exhumed it is urged as a precedent for the right of Congress to appropriate the public money for any purpose which may strike its fancy. Every roll of the ball down hill is used to give it increased momentum, and to drag the Constitution, which they wind around it, down into the bog of limitless Congressional power, until at last the fact that Congress may have granted a few thousands of dollars to alleviate the wants of a few sufferers from an earthquake in South America, or to apply the balm of charity to a few storm-stricken or plague-smitten people in some county or two in this great Union, is gravely used to enforce the momentous, far-reaching, revolutionizing proposition that Congress can tax the American people to the tune of countless millions for the support of the State institutions of public schools, and in making appropriations for such purposes can whip the States into a legislative compliance with their will or tyranically rob them of all participation in this grand movement in behalf of the general welfare.

And now, Mr. President, what is the proposition of constitutional law, in support of which precedents are to be found? It is this and nothing else, that Congress has the right to raise money by taxation for the purpose of appropriating it in aid of public schools in the States, which are confessedly nothing but purely State institutions. I aver that, in the whole course of our legislative history, there has been no precedent of the exercise of any such power. If there has been, let it be produced. If during the course of a whole century of our existence as one people, no such precedent can be found, notwithstanding the great needs and loud calls for governmental aid to popular education from first to last, then I earnestly insist that this fact amounts to an original, continuous, and unbroken consensus of the people and of their representatives in Congress, that no such power exists. The whole history of this country is a standing precedent against any such claim.

President after President has recommended the grant of aid to education, so far as the power existed to do so, generally accompanying such recommendation by a suggestion that a change be made in the organic law to reach the desired result. But never, so far as I know, was any measure ever formulated and urged in Congress, looking to any such end by the grant of money raised by taxation, until years after our unhappy civil war ended; and I doubt very much whether it would have even then been done if its author had not been caught in the torrent, which, ever since that war, and as a natural recoil from the one extreme of secession, has been rushing towards the other extreme of imperialism.

But, Mr. President, whilst the universally prevalent sentiment and policy of the country and of its legislators have been against the appropriation of money raised by taxation to public schools in the States, we all know that it has been the common sentiment and practice of our people and their legislators to devote large sections of their public lands to such purposes, from the beginning down to the present time. Legislators, statesmen, jurists, commentators upon constitutional law, all men of the widest reputation, have agreed that the public lands could rightfully be donated by Congress to our public schools; whilst few indeed, till these latter days, have been the men of note who have practically contended for a like power of granting tax-raised money. I contend, then, that it is neither fair nor logical to infer from the series of acts donating public lands a like power to grant money to public schools. If Congress had ever claimed the power to make such grants it would have been little short of a miracle not to have once exercised it during nearly a whole hundred years, with the subject of education ever before them, and demands for aid ever coming up to them. This virtual disclaimer on the part of Congress of the right to appropriate the people's money to public schools, I say again, is equivalent to a continuous precedent against its exercise.

But, Mr. President, the want of analogy between the appropriation of money raised by taxation and donations of public lands can be further shown by reference to the distinct clauses in the Constitution upon which they depend, and which I contend are different in their origin, scope, and application. In their origin they bore no kind of connection or relation with one another. The original public lands were mostly ceded to the confederated States, with a power and duty in Congress, as their agent and trustee, to dispose of them for the common benefit of the States. But every one knows that the confederate government had not the least power to raise a dollar by taxation, nor in fact had it any power of appropriation in any proper sense of the word. It was made a great land-owner by these deeds of cession; and by the trust powers thereby conferred alone had authority to sell these lands, or to dispose of them by grant among the States, only preserving the equity of equality of benefit in all their acts. The confederate government exercised these powers of disposition, and must have done so without any reference to any power of taxation or appropriation, to which they were entire strangers. It must have made such dispositions of the public lands as a great trustee of an immense landed estate, which it held in trust to dispose of for the common benefit of all the States as in its best judgment the common benefit of all should require.

In this attitude of affairs the present Constitution was formed and this Government went into operation. In not one syllable did the new Constitution alter the character of the ownership of these lands or of the trusts with which they had been impressed. It recognized the ownership of the confederate States, which had rested entirely upon the deeds of cession, and gave it, in the new government, the impregnable basis of constitutional sanction. It gives us not the slightest hint of any intention to alter, modify, or in any manner affect the trusts by such deeds created, but, on the contrary, uses language intended to perpetuate them. Upon every principle of law, equity, and justice the new Government took these lands impressed with the trusts imposed by the grantors in those deeds, and as those trusts had been understood and acted upon by the old trustee. And under and according to those trusts as thus understood has the Federal Government ever since administered this property. And again I say that, as originally, under the old system, the power to dispose of these lands had no connection with or analogy to any power of taxation or appropriation of money thus raised, so there is not the slightest shadow of ground for the effort under the new system to establish any such relation. The taxing clause, on the other hand, conferred an entirely new power to enable the new Government to raise revenue for the express purposes for which it was created. The territory clause conferred the authority to hold and administer the public lands according to the trusts which came with them, which trusts had received a practical meaning and application among the parties to the original contract. So that we see from the plain history of the two clauses that they were of different origin, and should be, and have been, as we have just seen, continued wide apart in their scope and application.

But, sir, those who think as I do on this subject are always met with the objection that this reasoning can not apply to the lands subsequently acquired by treaty from France, Spain, and Mexico. To those who stand so sturdily upon the doctrine of precedents we might reply that the frequent, continued, and universal practice of the Government in disposing of all our public lands, without distinction as to the time or mode of acquisition, plants the right to do so upon an impregnable basis. But we do not intend to stop at thus commending to the lips of Senators their own chalice. We insist that whether the power of Congress to dispose of these later acquisitions of territory depends upon the territorial clause, or whether it results from the power to acquire territory by treaty, conquest, or purchase, in either case such power of disposition is plenary and only qualified by the duty to see that such disposition equitably and fairly conduces to the common benefit of all the beneficiaries.

If we refer such power to the clause authorizing Congress to dispose of the territory, as is done by a majority of the decisions of the Supreme Court, then Senators on the other side of this question do not seem to deny the existence of this power, but only contend that it equally applies to "other property," and that these words also include money in the Treasury of the country. I have found no commentator on the Constitution to whom it has occurred to construe these words in any such sense. I think it will be found that never, till the debates upon this measure created the exigency, was it ever contended in or out of Congress that this phrase applied to money. The words "dispose of" are not apt words to express the control of Congress over money in the Treasury. Their proper meaning is to sell, barter, or give away. They peculiarly indicate the authority of Congress over visible, tangible property, such as lands and movable personal property. And such is the meaning given to these words by the Supreme Court in the case of Dred Scott *vs.* Sandford, where they are made to signify such property as "ships, guns, arms, munitions of war," and other specific articles of property.

Moreover, sir, these words not only fail to properly describe the power to apply public money to public uses, but before the Constitution reaches the territorial clause in question it has already in its first article disposed of the subject of money by giving Congress, in the most suitable language possible, the power "to appropriate" money in the Treasury by law. When its framers reached this fourth article other subjects than money were in their minds. The rights or liabilities of citizens or persons in States, the powers of admitting new States, and of disposing of the public lands as preparatory to the formation of new political communities in due time to become States—these were the subjects then engaging their attention. And whilst conveying to Congress the power to deal with such property, with a view to that brevity so distinctive of this instrument, it embraced in three words, within the same provisions, property not before or elsewhere mentioned, to wit, specific movable property, such as that enumerated by the Supreme Court. Money, therefore, by no reasonable intendment is included in this clause; but it does confer plenary power of disposition over the public lands, if human language can be made to do so.

And such, sir, will be the conclusion if we suppose that the power of disposition over these more recently acquired lands and the government of the Territories formed out of them alone inure to Congress through the power to acquire them, according to the opinion of the Supreme Court in the Dred Scott case. The power to acquire, to become a great proprietor of lands, would seem even more naturally to carry with it a full power of disposition over them, subject to a just regard to the common benefits of the States and the people, than it implies and confers, as the court in that case declares it does, all such powers of legislation over persons and property in such Territory as are not inconsistent with the Constitution.

The courts have treated this disposing power as plenary. Even in the Dred Scott case, whilst seeking to hedge around with restraints the political power of Congress over citizens and their property in the Territories, they nowhere seek to qualify this power of disposition over the wild lands. On the contrary, in some of the opinions the power of Congress over them is in terms declared to be "plenary." And if there be any subject upon which Congress has, from first to last, acted with an unrestrained discretion, it is with regard to all our public lands; and it is now too late to question such power of disposition, if, indeed, any one desires to do so, so long as their acts are characterized by equity and fair dealing.

Nor, sir, does the disposition of these lands in aid of education in the States, even if alone referred to the power to acquire them, furnish any analogy by which to justify the appropriation to public schools of money raised by taxation.

The one act is that of a great land-owner disposing of its property lawfully acquired through the treaty-making power out of great reasons of public policy, and for the common good of the States and the people; the other act involves the taking of the property of the people by taxation for the direct support of the Government.

The one act concerns the disposition of a large amount of public property, acquired for great public purposes, and as a mere incident to an express power in the Constitution, and, according to the doctrine of the court in the Dred Scott case, unaffected by a single line or word in that instrument in the nature of an express provision as to its management, and therefore necessarily left to the discretion of Congress as to the mode in which it shall be applied to the benefit of the people; the other act is the exercise of the expressly granted power of taxation, which in its very nature is unsusceptible of being attended by any implied powers, and which the appropriation school can only amplify in its meaning by giving an enlarging sense at one time to words which at another they say are intended to have a restraining effect. Nor does it make any difference, as is so often urged, if in the acquisition of such lands public money has been expended. Such accessions of territory might be made without the spending of a dollar, but it would make no difference in the powers of Congress over them.

Sir, when these great annexations of territory had been made, I presume the last consideration of the Government or of the people was that of gaining a resource for revenue. And if such was their aim, our history has shown how vain was their expectation. No, sir; great reasons of state, the ambition to extend the area and sources of our national power and greatness, the addition of great commonwealths to the galaxy of States, the desire to secure a more eligible and defensible frontier, the necessity to secure great prospective centers of commerce on the Gulf or on the Pacific, these and like motives impelled our people to so vastly enlarge our national domain. And when public money has been expended in aid of such acquisitions, it has not been applied as a fund to be returned to defray the ordinary expenses of government, but as a mere incident in the execution of a treaty made by the President and the Senate, which is expressly ordained to be the supreme law of the land, and to complete the exercise of a power fully reposed in these branches of our Government.

And if lands are thus acquired under the doctrine as announced in the Dred Scott case, the Government takes and manages them, not under any power in the Constitution to appropriate money, or even to dispose of lands as therein prescribed, but because the ownership thus devolved upon it renders it absolutely necessary for Congress to dispose of the lands and to govern the people living thereon as their discretion shall lead them to think best for the interests of the whole country, subject only to such restraints as the Constitution may impose with reference to the rights of the citizen over his person and property.

Whatever view, then, we take of the power to dispose of the public

lands, whether it be referred to the territorial or to the treaty-making clause, it is as plenary as the power of a trustee can be, who is bound to have an honest regard to the common interests of his beneficiaries. And the acts of such trustee in disposing of such lands, as has been done in almost every possible way, are not to be made precedents for like appropriations of tax-raised money, for there is no affinity nor parallelism between the two exercises of power nor with respect to the grounds upon which they respectively rest.

Mr. President, in piling up their precedents in favor of this bill, Senators have thrown in for good count many which clearly rest upon other clauses of the Constitution and can not with any fairness be impressed into their service. The acquisition of Louisiana and other territories, according to them, can only be justified upon their general-welfare clause, although the Senators who helped to make and the Representatives who voted the money for the treaties under which they were acquired thought they were acting under the treaty-making power, and although the Supreme Court in three or four cases has affirmed the power as properly resting upon that basis. They seek also to drive us to this same house of refuge when we grant extra pay to our employés, although it seems very reasonable to the ordinary mind that if we have the right to employ officials to do certain work for the Senate we not only necessarily have the right to fix their compensation, but after the work is done we have equal power with any other employer to add to the original stipulated compensation what we think just and proper. If we have not, I would like to hear the argument formulated which would repose our right to increase the pay of a few officials of the Senate upon the ground that "it provides for the general welfare of the United States."

Again, sir, I never supposed that any Senator could have any difficulty over the right of Congress "to exercise exclusive legislation in all cases whatsoever" over the District of Columbia, even to the extent of establishing a great library worthy of Congress and of the seat of government for 60,000,000 of people, or of erecting monuments therein to the memory of the Father of his Country, or of other illustrious dead. Nor could I doubt the power of Congress to grant pensions to men disabled in the Army or Navy service, even after a war is over, and without any previous express contract. I believe that such laws, as well as those erecting monuments to great and heroic commanders, have a tendency to cultivate a wholesome military spirit, and to greatly aid Congress in executing its power "to raise and support armies."

The Constitution only enumerates the powers granted to the Government, but does not attempt the vain task of defining everything that can be done under any one of them. That depends upon the consideration whether the proposed act reasonably and effectively tends to accomplish the end which the power is designed to reach. Without doing violence to the Constitution, but in full consonance with its provisions, especially as construed by the Supreme Court, many other acts of Congress which have been cited in these debates as only referable to the so-called "general-welfare" clause, may be fully justified, particularly under the commercial clause, and especially so far as it relates to foreign commerce, which the Supreme Court has decided to be "coextensive with the subject of commerce itself, and may be exercised to its utmost extent, and acknowledges no limitations other than are prescribed in the Constitution."

But, Mr. President, doubtless many other acts have been cited for which no sanction can be found in the Constitution, and probably least of all in a "general-welfare clause," if such a one could really be discovered in that instrument. Very many of them, to use the words of an old Revolutionary patriot, can only be properly cited to illustrate "the enormities towards which precedents travel." Congress has the ability, rightfully or wrongfully, to expend the people's money whenever and for whatsoever it pleases. But I am not one of those who believe that Congress, like an English king, can do no wrong. Beyond question, Congress has spent millions of money in modes and for purposes not only utterly wasteful, but without any constitutional warrant. Having the ability and with no tribunal to restrain them, it would have been a miracle, indeed, if they had not done so. And it seems to me a dangerous and not a very patriotic act for a statesman of distinction to stand up in this Senate and quote many of these acts as done in the promotion of the general welfare, and thus attempt to implant in the Constitution a manufactured power, from which they would be as far removed as pole from pole.

Mr. President, the great mass of the precedents which have been cited in these debates have no bearing upon or relation to any of the institutions especially belonging to the States, and therefore they do not tend to disturb or impair their autonomy. Such acts cannot be properly quoted as precedents for any thing except that Congress will rightfully or wrongfully spend the people's money. They in no degree trench upon any right reserved to or duty incumbent on the State; and even if they could be justified under the Constitution, they could not logically or fairly, upon any principle of analogical reasoning, be used to justify another act of Congress which would in any manner or degree usurp the functions of a State government over one of its undoubted branches of jurisdiction. The force of analogical reasoning depends upon the similarity of the cases reasoned from to the case to be drawn within an asserted rule. And here the utter dissimilarity in leading facts and conditions divests the reasoning of all legitimate force.

Mr. President, there are other precedents often quoted, upon which I would like to comment, but I have not the time nor you the patience for any further discussion by me of this subject. I will conclude by affirming that there could be no greater misnomer than to term this a bill to promote the general welfare. I charge, and I think I have proved, that its real spirit and direct tendency, if it shall ever become a law, will do more to overthrow the balances of our Constitution, to undo the noble work of the heroes and sages, of what I fear we with a mere lip service term an honored past, and to turn this center of government into an imperial Rome and the dwarfed and paralyzed States into subject provinces, than any measure which the direst enemy of our country could devise. And that man's mind, it seems to me, must have become thoroughly un-Americanized, who would not regard this as an evil of enormous magnitude.

And all this fearful strain is to be put upon our institutions in the name and in the behalf of our African fellow-citizens. Sir, is it not time that the shadow of the Dark Continent should cease to project itself further and further over our people and their institutions? It seems to me that in this instance the startling and dangerous departure is all the more to be deprecated, as it is altogether unnecessary. I do not deny, but on the contrary I insist, that the colored children of the South should be educated as rapidly as it is wise and expedient to do so. But I believe that the task had better be left where the Constitution places it, with the States where these people live. I believe the Southern people can accomplish this task without any extraneous aid if their energies are not deadened by being taught to look for outside help. In any event, that aid is not so great as may be supposed.

I can not for a moment admit that the vast and cumbrous machinery of this bill, taxing the people of the country $79,000,000, and then distributing it, in part, to States that confessedly do not need it, and to other States as though they were subject provinces, is at all needful to accomplish the desired end. If the Northern people are willing to effect all that this bill can do for the benefit of the colored people, and without rendering themselves liable to the charge of speculating upon their own benevolence, let them agree to pass an act appropriating, in just proportions, to the Southern States a liberal share of the public lands, in aid of what the white people, in the midst of the wreck of their earthly fortunes, have been and are so nobly doing for the cause of education, both among blacks and whites; and let this be done, not merely for eight years, but so long as the exigency of the case may require. This will enable the Southern people to educate the colored children just as fast as that branch of the great problem will admit of solution, even if the annual apportionment should be less as compared with that under this bill.

Let these donations be unconditionally given. The public mind in the South is so awakened with respect to the deep necessity of general education that there is no danger of any misapplication of such donations of public lands. And Congress would at any time have it in its power to repeal and forsake the whole system, if any State should prove recreant to its trust. Such a law would strip this question, as multitudes of our people view it, of all constitutional difficulty, put us in the line of general accepted precedents, and would divest the Government of that parental attitude, in which this bill presents it, of holding out tempting sweets in one hand and a threatening rod in the other, lest its refractory children should lapse into rebellion against its despotic will.

Mr. President, powerful arguments have been made by able journals of the country, and also by the Senators from Texas and Missouri, to prove that the Southern States are fully able and are showing their ability to master the difficulties of this question without any aid from Congress at all. Facts apparently well authenticated by responsible officials, State and Federal, show that the Senator from New Hampshire has taken from his palette colors that are entirely too black to paint his frightful cloud of illiteracy, so far as it affects the proper view of this question. He has chosen to gather his statistics from early *post-bellum* days, just after slavery had been made to empty its vast flood of ignorance into the stream of American citizenship, and when the volume of that flood had been largely increased by multitudes of white children whom the utter disorganization of schools during and after the war had unhappily left to grow up in ignorance. Then for a gloomy period illiteracy was on the increase; but for years past, under the rapid development of public schools, it has steadily and largely decreased. Reliable statistics show that the ratios of children enrolled in schools, of average daily attendance, and of length of school year in days, in many of the Southern States, is either equal or nearly equal to those of New Hampshire, and in all are making such progress that if her Senator whose name this bill bears does not stir up his people they will soon be themselves comparative laggards in the race.

I just now said that I was in favor of educating the colored children of the South as rapidly as it is expedient and safe to do so. Those who look on from a distance may wonder why it should not be done as rapidly as money can be made to accomplish the task. Sir, as there is no royal road to learning, so there is no short-hand method of transforming a rude, unlettered, naturally indolent, and morally weak-natured race of people into fully developed citizens, competent for the discharge of their high functions. Most assuredly it can not be done by a too rapid development of the mental side of their nature, without

somewhat of a corresponding advance in the other sides of the moral and the industrial. Such a course would only cause a race of people whose circumstances, as a rule, render it absolutely imperative for them to live by manual labor, to despise and neglect labor, and to be turned into miserable lazzaroni instead of useful citizens.

In the name of all that is sacred and just, let them be educated, but let them at the same time be practically taught that habits of industry and thrift are the great and absolutely requisite levers by which a landless and moneyless race is to be lifted up in the scale of humanity This can never be done so long as they and their parents are taught, as this bill has been made to teach them, that the elements of an education are the be-all and end-all of citizenship.

Sir, there is not a State in the South in which colored children have not at this time by far better educational facilities than the masses of the people in any State of this Union had in the early days of the Republic. And who does not know that under that old system, when children went to school for a few months in the year, during which their help was not required on the farm or in the workshop, and manfully labored at home when work was to be done, were reared hundreds of thousands of the best, ablest, and most useful men of our country in every vocation of life?

And such being the case, if ever there was a line of policy at any time or among any people, to which the maxim of *festina lente* fully applied, in my opinion it is this of the education of the colored children of the South. The end of that policy is good citizenship, an end which those who have had an opportunity to observe on the spot, if they are candid, will concede may be seriously obstructed by too great haste in only one line of advance.

Sir, I shall be most grievously misunderstood if, from these closing remarks, I shall be regarded as other than a firm and abiding friend and advocate of educating our colored youth. Any Southern man who does not, from his inmost heart, desire such an end, is an enemy of his country, and especially of the section in which he lives. I only view the question in a practical point of view, natural to a man who lives on the spot where the work is to be done. The Senator from New Hampshire, in the fullness of a large and generous heart, views it from his Northern hills in the light of a burning sentimental philanthropy, which flames the higher in proportion to his distance from the scene of action.

Mr. COKE obtained the floor.

Mr. HARRIS. I ask the Senator from Texas if he will yield to a motion to proceed to the consideration of executive business?

The PRESIDENT *pro tempore*. Does the Senator yield for that purpose?

Mr. COKE. I will yield for that purpose.

Mr. HARRIS. I move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. The Senator from Tennessee moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eighteen minutes spent in executive session the doors were reopened, and (at 4 o'clock and 6 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 11, 1888, at 12 o'clock m.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate January 5, 1888.*

James S. Cooper, to be postmaster at Mount Gilead, in the county of Morrow and State of Ohio.

James W. Deer, to be postmaster at Washington Court-House, in the county of Fayette and State of Ohio.

Francis M. Hagan, to be postmaster at Springfield, in the county of Clarke and State of Ohio.

Stephen Potter, to be postmaster at Delaware, in the county of Delaware and State of Ohio.

Benjamin F. Meyers, to be postmaster at Harrisburg, in the county of Dauphin and State of Pennsylvania.

Joshua S. Leiby, to be postmaster at Newport, in the county of Perry and State of Pennsylvania.

John G. Vandevoort, to be postmaster at Wellston, in the county of Jackson and State of Ohio.

*Executive nominations confirmed by the Senate January 10, 1888.*

John F. Kelly, to be postmaster at Jersey City, in the county of Hudson and State of New Jersey.

# HOUSE OF REPRESENTATIVES.

## TUESDAY, *January* 10, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

Mr. DOCKERY. I ask unanimous consent to dispense with the reading of so much of the Journal as relates to the introduction and reference of bills.

There was no objection, and it was so ordered.

The remainder of the Journal was read and approved.

### CORRECTION.

Mr. DOCKERY. Mr. Speaker, I ask to make a correction of the RECORD. In the discussion of the proposition pending before the House on yesterday to allow each member a clerk I find on page 330 of the RECORD that some of the remarks of the gentleman from Florida [Mr. DOUGHERTY] are credited to me. While I sympathize somewhat with the position assumed by the gentleman, I should vote against the measure if reported from the committee, as it would probably cost me less to employ my own stenographer for such purposes than to undertake to explain such a vote to my constituents. [Laughter.]

The SPEAKER. The correction will be made.

### BRIDGES ACROSS THE ILLINOIS AND CALUMET RIVERS.

The SPEAKER laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, a report concerning the present condition of bridges across the Illinois and Calumet Rivers, Illinois and Indiana; which was referred to the Committee on Commerce.

### JOSHUA EVERHARD.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury in relation to the claim of Joshua Everhard, and recommending that so much of the act of March 3, 1887, as made an appropriation therefor be repealed; which was referred to the Committee on Appropriations, and ordered to be printed.

### REPORT OF BOARD OF MANAGERS, NATIONAL SOLDIERS' HOME.

The SPEAKER also laid before the House a letter from the president of the Board of Managers of the National Home for Disabled Volunteer Soldiers, transmitting the report of the board for the year ended June 30, 1887; which was referred to the Committee on Military Affairs, and ordered to be printed.

### WITHDRAWAL OF PAPERS.

Mr. ALLEN, of Massachusetts, by unanimous consent, was granted leave to withdraw from the files of the House papers in the case of Michael Flynn, an applicant for pension, there being no adverse report.

Mr. SNYDER was also granted leave to withdraw papers filed with the claim of Meredith Wells against the United States, without leaving certified copies.

### REGENTS SMITHSONIAN INSTITUTION.

The SPEAKER announced the appointment of Mr. WHEELER and Mr. PHELPS as Regents of the Smithsonian Institution.

### PRINTING FOR COMMITTEE ON NAVAL AFFAIRS.

Mr. HERBERT. Mr. Speaker, I ask unanimous consent to submit for present consideration a resolution in relation to printing for the Committee on Naval Affairs. The same resolution was passed in the last Congress.

The Clerk read as follows:

*Resolved*, That the Committee on Naval Affairs be authorized to have printed and bound the documents necessary for the use of the said committee in connection with subjects considered, or to be considered, by the said committee during the present Congress.

There being no objection, the resolution was considered and agreed to.

Mr. HERBERT moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

### RALPH T. MOSES.

Mr. COX, by unanimous consent, submitted the following resolution; which was read, and referred to the Committee on Accounts:

*Resolved*, That the Doorkeeper be authorized to employ Ralph T. Moses as assistant folder in the seal room of the House, at a compensation of $2.50 per diem for the present session, to be paid out of the contingent fund of the House. Compensation to take effect from December 5, 1887.

### PRINTING FOR COMMITTEE ON WAYS AND MEANS.

Mr. BRECKINRIDGE, of Arkansas. Mr. Speaker, I am directed by the Committee on Ways and Means to ask unanimous consent to adopt the resolution I send to the desk, providing for the necessary printing to be done for that committee.

The resolution was read, as follows:

*Resolved*, That the Committee on Ways and Means be authorized to have printed and bound such papers and documents for the use of said committee as it may be necessary, in connection with subjects considered by the committee during the present Congress.

There being no objection, the resolution was considered and agreed to.

Mr. BRECKINRIDGE, of Arkansas, moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

### SPECIAL DEFICIENCY BILL.

Mr. BURNES, from the Committee on Appropriations, reported a bill (H. R. 4271) making appropriations to supply deficiencies in the appro-

priations for the fiscal year ended June 30, 1887, and for prior years, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. ROGERS. I reserve all points of order upon that bill.

ORDER OF BUSINESS.

The SPEAKER. Under the order of the House made yesterday, the Chair will now continue the call of States and Territories for the introduction and reference of bills and joint resolutions.

STANDARD SILVER DOLLAR.

Mr. WOODBURN introduced a bill (H. R. 4272) to amend an act entitled "An act to authorize the coinage of the standard silver dollar, and to restore its legal tender, directing the purchase of not less than $4,000,000 worth of silver bullion per month, and the coinage of the same into silver dollars;" which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

AMENDMENT OF PENSION LAWS.

Mr. McKINNEY introduced a bill (H. R. 4273) in amendment of the pension laws; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PUBLIC BUILDING AT NASHUA, N. H.

Mr. GALLINGER introduced a bill (H. R. 4274) to provide for the erection of a public building in the city of Nashua, in the State of New Hampshire; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

REDUCTION OF INTERNAL REVENUE.

Mr. GALLINGER also introduced a bill (H. R. 4275) to amend the act entitled "An act to reduce internal-revenue taxation, and for other purposes," approved March 3, 1883; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PUBLIC BUILDING AT KEENE, N. H.

Mr. GALLINGER also introduced a bill (H. R. 4276) to provide for the erection of a public building in the city of Keene, in the State of New Hampshire; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ALLOWANCE OF APPEALS UNDER PENSION LAWS.

Mr. GALLINGER also introduced a bill (H. R. 4277) to allow appeals in cases arising under the pension laws of the United States; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PROMOTION OF INDUSTRY, ETC.

Mr. GALLINGER also introduced a bill (H. R. 4278) to promote industry, commerce, and ship-building; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PROTECTION OF PUBLIC SERVICE.

Mr. GALLINGER also introduced a bill (H. R. 4279) for the protection of the public service; which was read a first and second time, referred to the Committee on Reform in the Civil Service, and ordered to be printed.

UNITED STATES COURTS, NEW JERSEY.

Mr. BUCHANAN submitted the following resolution; which was read, and referred to the Committee on Expenditures in the Department of Justice:

Whereas the appropriation for carrying on the United States courts in the district of New Jersey is at the end of six months of the current year entirely exhausted: Therefore,

*Resolved*, That the Department of Justice be, and hereby is, required to report forthwith to this House the reason for such exhaustion, and the dates and amounts of the payments from said appropriation, and whether or not said appropriation was sufficient for properly carrying on said courts for the whole of the current year.

COURT OF CLAIMS.

Mr. WARNER (by Mr. BUCHANAN) introduced a bill (H. R. 4280) conferring jurisdiction upon the Court of Claims to investigate private and domestic claims and demands, other than war claims, against the United States; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

DISPOSITION OF SURPLUS.

Mr. BLISS introduced a bill (H. R. 4281) to dispose of surplus moneys in the Treasury of the United States, and to prevent the accumulation thereof; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

SECURITY OF LIFE AND PROPERTY.

Mr. BLISS (by request) also introduced a bill (H. R. 4282) to provide for the better security of life and property on the high seas and navigable waters of the United States; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

ECKINGTON AND SOLDIERS' HOME RAILWAY COMPANY.

Mr. BLISS (by request) also introduced a bill (H. R. 4283) to incorporate the Eckington and Soldiers' Home Railway Company of the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

FRUIT BRANDY.

Mr. BACON introduced a bill (H. R. 4284) to amend an act entitled "An act relating to the production of fruit brandy and to punish frauds connected with the same," approved March 3, 1877; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

MONUMENT AT STONY POINT, N. Y.

Mr. BACON also introduced a joint resolution (H. Res. 69) authorizing the Secretary of War to erect at Stony Point, N. Y., a monument; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

THIRTEENTH REGIMENT NEW YORK VOLUNTEERS.

Mr. BAKER, of New York, introduced a bill (H. R. 4285) for the relief of certain members of Companies G and K, Thirteenth Regiment New York Volunteers; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

NEW YORK CUSTOM-HOUSE.

Mr. TIMOTHY J. CAMPBELL introduced a bill (H. R. 4286) for the improvement and remodeling of the custom-house in New York City; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

EFFICIENCY OF THE NAVY.

Mr. NUTTING introduced a bill (H. R. 4287) to increase the efficiency of the Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

LAKES ERIE AND ONTARIO.

Mr. NUTTING also introduced a bill (H. R. 4288) to create navigable ways between Lake Erie and Lake Ontario, in the State of New York; which was read a first and second time, referred to the Committee on Railways and Canals, and ordered to be printed.

LICENSING RAILWAY CONDUCTORS.

Mr. CUMMINGS introduced a bill (H. R. 4289) to provide for licensing conductors on certain railways within the United States; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

OBSTRUCTIONS IN NEW YORK HARBOR.

Mr. COX introduced a bill (H. R. 4290) to prevent obstructive and injurious deposits within the harbor and adjacent waters of New York City, by dumping or otherwise, and to punish and prevent such offenses, and making other provisions in connection therewith; which was read a first and second time, referred to the Committee on Rivers and Harbors, and ordered to be printed.

FINLEY'S STORM-TRACK CHARTS.

Mr. COX also introduced a joint resolution (H. Res. 58) providing for the printing of 4,500 copies of Finley's storm-track charts of the North Atlantic Ocean; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

PUBLIC BUILDING, ONEONTA, N. Y.

Mr. WILBER introduced a bill (H. R. 4291) for the erection of a public building at Oneonta, N. Y.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

RELIEF OF SOLDIERS AND SAILORS AND THEIR WIDOWS.

Mr. WILBER also introduced a bill (H. R. 4292) for the relief of soldiers, sailors, and their widows, of the late war of the rebellion; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

REFUNDING OF NATIONAL DEBT.

Mr. WHITE, of New York, introduced a bill (H. R. 4293) to authorize the refunding of the national debt into a uniform consolidated bond; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

IMPROVEMENT OF CHANNEL AT SANDY HOOK.

Mr. COCKRAN introduced a bill (H. R. 4294) to provide for the appointment of a commission for the purpose of deepening the channel at Sandy Hook, New York Harbor, and for other purposes; which was read a first and second time, referred to the Committee on Rivers and Harbors, and ordered to be printed.

THE CIVIL-SERVICE ACT.

Mr. COCKRAN also introduced a bill (H. R. 4295) to repeal chapter 27 of the laws of the second session of the Forty-seventh Congress, being "An act to regulate and improve the civil service of the United States;" which was read a first and second time, referred to the Committee on Reform in the Civil Service, and ordered to be printed.

THE POUGHKEEPSIE BRIDGE COMPANY.

Mr. COCKRAN also introduced a joint resolution (H. Res. 59) directing the Attorney-General to bring suit against the Poughkeepsie Bridge Company; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PENSIONS.

Mr. MERRIMAN introduced a bill (H. R. 4296) granting pensions for services in the Army and Navy of the United States during the war of the rebellion; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

GUN FACTORY, WATERVLIET ARSENAL.

Mr. TRACEY introduced a bill (H. R. 4297) to provide for the erection of an Army gun factory at the Watervliet arsenal, and for other purposes; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

GRADE OF COMMANDER IN THE NAVY.

Mr. TRACEY (by request) also introduced a bill (H. R. 4298) touching the grade of commander in the Navy, and to correct an error in relation to an appointment therein; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

SECTION 4414, REVISED STATUTES.

Mr. TRACEY also introduced a bill (H. R. 4299) amending section 4414 of the Revised Statutes of the United States, fixing the compensation of inspectors of hulls and boilers in the several districts of the United States; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

REGISTER OF VOLUNTEER NAVY.

Mr. STAHLNECKER introduced a joint resolution (H. Res. 60) to authorize the compilation and printing of a register of the volunteer navy; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

THE CIVIL SERVICE.

Mr. HENDERSON, of North Carolina, introduced a bill (H. R. 4300) to provide for the apportionment of appointments to the public service among the several Congressional districts upon the basis of population; which was read a first and second time, referred to the Committee on Reform in the Civil Service, and ordered to be printed.

TERMS OF OFFICE, CIVIL SERVICE.

Mr. HENDERSON, of North Carolina, also introduced a bill (H. R. 4301) to prescribe a term of office for persons employed in the civil service; which was read a first and second time, referred to the Committee on Reform in the Civil Service, and ordered to be printed.

AMENDMENT OF INTERNAL-REVENUE LAWS.

Mr. HENDERSON, of North Carolina, also introduced a bill (H. R. 4302) to amend the internal-revenue laws, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

Mr. HENDERSON, of North Carolina, also introduced a bill (H. R. 4303) to modify the internal-revenue system of legislation, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

AMENDMENT OF POSTAL LAWS.

Mr. NICHOLS introduced a bill (H. R. 4304) to amend the postal laws; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

REPEAL OF INTERNAL-REVENUE LAWS.

Mr. NICHOLS also introduced a bill (H. R. 4305) to repeal the internal-revenue laws, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PUBLIC BUILDING, FAYETTEVILLE, N. C.

Mr. McCLAMMY introduced a bill (H. R. 4306) to provide for the erection of a public building at Fayetteville, N. C.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ROAD TO NATIONAL CEMETERY NEAR WILMINGTON, N. C.

Mr. McCLAMMY also introduced a bill (H. R. 4307) to provide for the construction of a macadamized road to the national cemetery near Wilmington, N. C., and for other purposes; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

COMPENSATION OF DISTRICT ATTORNEYS, ETC.

Mr. COWLES introduced a bill (H. R. 4308) to abolish fees and perquisites of United States district attorneys, marshals, clerks, commissioners, and deputy marshals, and provide salaries for the same; which was read a first and second time, referred to the Committee on Expenditures in the Department of Justice, and ordered to be printed.

INTERNAL-REVENUE TAXATION.

Mr. COWLES also introduced a bill (H. R. 4309) to repeal internal-revenue license taxes on sale of distilled spirits and to prevent frivolous prosecutions in Federal courts; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

FREE DISTILLATION OF BRANDY FROM FRUIT.

Mr. COWLES also introduced a bill (H. R. 4310) to allow the free distillation of brandy from fruit; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PREVENTION OF DESTRUCTION OF STILLS, ETC.

Mr. COWLES also introduced a bill (H. R. 4311) to prevent the destruction of stills, tubs, furnaces, etc., used in the distillation of grain or fruit, and to make the same a misdemeanor; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

SALARIES FOR INTERNAL-REVENUE COLLECTORS.

Mr. COWLES also introduced a bill (H. R. 4312) to provide salaries for collectors of internal revenue and repeal the law allowing fees, commissions, and allowances to the same; which was read a first and second time, referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

PENSIONS.

Mr. COWLES also introduced a bill (H. R. 4313) granting a pension to the soldiers engaged in the removal of the Cherokee Indians; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

INTERNAL-REVENUE TAXATION.

Mr. COWLES also introduced a bill (H. R. 4314) to abolish the internal-revenue system and repeal the tax on distilled spirits; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

RELIEF OF INTERNAL-REVENUE EMPLOYÉS.

Mr. ROWLAND introduced a bill (H. R. 4315) for the relief of certain gaugers and other internal-revenue employés who have been assigned to duty and have rendered service before the date of their qualification; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

ADDITIONAL LIFE-SAVING STATIONS.

Mr. LATHAM introduced a bill (H. R. 4316) to establish additional life-saving stations; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

LIGHT-HOUSE, DIAMOND SHOAL, NORTH CAROLINA.

Mr. LATHAM also introduced a bill (H. R. 4317) making an appropriation for the erection of a light-house on or near Diamond Shoal, off Cape Hatteras, North Carolina; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PUBLIC BUILDING AT NEW BERNE, N. C.

Mr. SIMMONS introduced a bill (H. R. 4318) to provide for the erection of a public building at the city of New Berne, N. C.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

REFUNDING MONEY TO NORTH CAROLINA.

Mr. SIMMONS also introduced a bill (H. R. 4319) to refund to the State of North Carolina certain moneys therein named; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

ROAD TO NATIONAL CEMETERY NEAR NEW BERNE, N. C.

Mr. SIMMONS also introduced a bill (H. R. 4320) to authorize the construction of a graveled or macadamized road from the city of New Berne, N. C., to the national cemetery near said city; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PUBLIC BUILDING AT TIFFIN, OHIO.

Mr. SENEY introduced a bill (H. R. 4321) to erect a public building at Tiffin, Ohio; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING AT FINDLAY, OHIO.

Mr. SENEY also introduced a bill (H. R. 4322) to erect a public building at Findlay, Ohio; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING AT AKRON, OHIO.

Mr. CROUSE introduced a bill (H. R. 4323) for the erection of a public building at Akron, Ohio; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

LARD.

Mr. BUTTERWORTH (by Mr. BROWN, of Ohio) introduced a bill (H. R. 4324) defining lard, also imposing a tax upon and regulating the

manufacture, sale, importation, and exportation of lard; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

ENLISTMENT UNDER ASSUMED NAMES.

Mr. BUTTERWORTH also (by Mr. BROWN, of Ohio) introduced a bill (H. R. 4325) for the relief of ex-soldiers and ex-sailors who enlisted in the Army or Navy while minors under assumed names, and served faithfully according to the terms of enlistment; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

SPRING GROVE CEMETERY, CINCINNATI, OHIO.

Mr. BUTTERWORTH also (by Mr. BROWN, of Ohio) introduced a bill (H. R. 4326) to authorize the Secretary of War to purchase 10 acres of ground of the Spring Grove Cemetery Association, of Cincinnati, Ohio, for enlarging the national cemetery in Spring Grove Cemetery, at Cincinnati, Ohio, and making an appropriation therefor; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

BRIDGES OVER MUSKINGUM RIVER, OHIO.

Mr. GROSVENOR introduced a bill (H. R. 4327) regulating the construction of bridges over the Muskingum River in Ohio; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

RESERVE OF NATIONAL BANKS.

Mr. WILKINS introduced a bill (H. R. 4328) to amend section 5191 of the Revised Statutes, relative to the reserve of national banks designated as Government depositories; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

PURCHASE OF UNITED STATES BONDS.

Mr. WILKINS also introduced a joint resolution (H. Res. 61) authorizing the Secretary of the Treasury to apply the surplus in the Treasury to the purchase of United States bonds; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

The resolution was read, as follows:

Whereas section 2 of the sundry civil appropriation bill approved March 3, 1881, gives the Secretary of the Treasury authority to enter the markets and purchase bonds of the United States; and

Whereas a suspicion is entertained that the authority conveyed in this section was temporary and limited: To give emphasis and certainty thereto, therefore,

*Be it resolved by the Senate and House of Representatives*, That the Secretary of the Treasury may at any time apply the surplus money in the Treasury not otherwise appropriated, or so much thereof as he may consider proper, to the purchase or redemption of United States bonds: *Provided*, That the bonds so purchased or redeemed shall constitute no part of the sinking fund, but shall be canceled.

NATIONAL-BANK LOANS.

Mr. JOSEPH D. TAYLOR introduced a bill (H. R. 4329) to authorize national banks in cities, towns, and villages whose population is less than 20,000 inhabitants to make loans to the extent of one-half of their capital and surplus upon mortgage of real estate, and providing that national banks whose capital does not exceed $150,000 shall be entitled to receive circulating notes, equal in amount to 90 per cent. of the market value of the bonds deposited as security therefor, and not less in amount than the par value thereof; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

DUTY ON WOOL.

Mr. JOSEPH D. TAYLOR also introduced a bill (H. R. 4330) to restore the rates of duty on imported wool, worsted and woolen goods, and on worsted and woolen yarns; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

FORFEITURE OF WAGON-ROAD GRANTS.

Mr. HERMANN introduced a bill (H. R. 4331) providing, in certain cases, for the forfeiture of wagon-road grants in the State of Oregon by suits in the United States courts in the name of the United States; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

RESTORED LANDS.

Mr. HERMANN also introduced a bill (H. R. 4332) authorizing entry of restored lands in odd-numbered sections within railway and wagon-road land grants to settlers thereon at $1.25 per acre, and for repayment to purchasers prior to restoration of lands in even sections of money paid thereon to the United States in excess of $1.25 per acre; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

ANNULMENT OF PATENTS.

Mr. HERMANN also introduced a bill (H. R. 4333) providing for the bringing of suit in the United States courts for the annulment of patents of wagon-road land grants in the State of Oregon, pursuant to memorial of the Legislature of the State of Oregon; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PUBLIC BUILDING, SCRANTON, PA.

Mr. LYNCH introduced a bill (H. R. 4334) to amend an act entitled "An act to authorize the purchase of a site and the erection of a suitable building for a post-office and other Government offices in the city of Scranton, Pa.," approved July 27, 1882; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PERMISSIBLE PRINTING ON ENVELOPES, WRAPPERS, ETC.

Mr. BINGHAM introduced a bill (H. R. 4335) to extend permissible printing on the envelopes wrappers, labels, or tags inclosing or transmitting mailable matter of the third and fourth classes; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

SECOND-CLASS MAIL MATTER.

Mr. BINGHAM also introduced a bill (H. R. 4336) regulating rates of postage on second-class mail matter at letter-carrier offices; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

PENSION FOR DEAFNESS.

Mr. BINGHAM also introduced a bill (H. R. 4337) to increase pension for deafness; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

NAVAL HOMES.

Mr. BINGHAM also introduced a bill (H. R. 4338) for the relief of sailors and marines in the United States naval homes; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

ARREARS OF PENSION.

Mr. BINGHAM also introduced a bill (H. R. 4339) to grant arrears of pension in certain cases; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

AMENDMENT OF PENSION LAWS.

Mr. BINGHAM also introduced a bill (H. R. 4340) to increase the pension of soldiers and sailors of the war of the rebellion who have lost both arms or feet, etc., and to pay the same monthly; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PURCHASE OF NEW EDUCATIONAL METHOD.

Mr. BINGHAM (by request) also introduced a bill (H. R. 4341) to authorize the governmental purchase of the new educational method as a free gift to the people of the United States; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

DISCONTINUANCE OF COINAGE OF THREE-CENT PIECE.

Mr. MAISH introduced a bill (H. R. 4342) to discontinue the coinage of the three-cent piece; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

ARREARS OF PENSION.

Mr. McCORMICK introduced a bill (H. R. 4343) to grant arrears of pension in certain cases; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

AMENDMENT OF PENSION LAWS.

Mr. McCORMICK also introduced a bill (H. R. 4344) to grant pensions to soldiers and sailors of the Army and Navy of the United States engaged in the war of the rebellion, and for other purposes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

TRUST COMPANIES IN DISTRICT OF COLUMBIA.

Mr. DALZELL introduced a bill (H. R. 4345) to amend chapter 18 of the Revised Statutes of the United States relating to the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

EQUALIZATION OF PAY, ETC.

Mr. BUNNELL introduced a bill (H. R. 4346) authorizing the payment to soldiers and sailors who served the United States in the war for the Union the difference existing in the par value of gold coin, the compensation authorized by law, at the time of their service, and the depreciated currency actually received by them; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

WIDOWS' PENSIONS.

Mr. RANDALL introduced a bill (H. R. 4347) for the relief of widows of soldiers and sailors; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BRIG. GEN. WILLIAM LEE DAVIDSON.

Mr. RANDALL also introduced a bill (H. R. 4348) to provide for the

erection of a monument to the memory of Brig. Gen. William Lee Davidson; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

APPOINTMENT OF CERTAIN ENSIGNS.

Mr. HARMER introduced a bill (H. R. 4349) to authorize the President to appoint annually two enlisted men of the United States naval service to the grade of ensign in the line of promotion in the United States Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

OUTFIT OF CLOTHING TO BOYS OR APPRENTICES, U. S. NAVY.

Mr. HARMER also introduced a bill (H. R. 4350) to authorize the granting of an outfit of clothing to boys or apprentices enlisted in the United States Navy to serve until they shall become twenty-one years of age; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

DEPOSIT OF SEAMEN'S SAVINGS.

Mr. HARMER also introduced a bill (H. R. 4351) to provide for the deposit of the savings of seamen of the United States Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

ALIENS HONORABLY DISCHARGED FROM THE MILITARY SERVICE.

Mr. HARMER also introduced a bill (H. R. 4352) to amend section 2166 of the Revised Statutes relative to aliens honorably discharged from the military service; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

TEMPORARY HOME FOR CERTAIN PERSONS.

Mr. HARMER also introduced a bill (H. R. 4353) to provide a temporary home for certain persons discharged from the United States Navy; which was read a first and secondi time, referred to the Committee on Naval Affairs, and ordered to be printed.

OATHS ADMINISTERED BY NAVAL OFFICERS.

Mr. HARMER also introduced a bill (H. R. 4353) to authorize the commissioned officers of the United States Navy to administer oaths in connection with the enlistment of persons for the naval service; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

RETIRED-LIST FOR PRIVATES, ETC.

Mr. HARMER also introduced a bill (H. R. 4355) to amend an act entitled "An act to authorize a retired-list for privates and non-commissioned officers of the United States Army who have served for a period of thirty years or upwards," approved February 14, 1885; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

INCREASE OF PENSION.

Mr. HARMER also introduced a bill (H. R. 4356) to increase the pensions of those who have lost eyes, limbs, or the use of them, are totally helpless, are deaf, and for other purposes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PUBLIC BUILDING, ALLENTOWN, PA.

Mr. SOWDEN introduced a bill (H. R. 4357) to erect a public building at Allentown, Pa.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING, CHARLESTON, S. C.

Mr. DIBBLE introduced a bill (H. R. 4358) to increase the limit of cost for the public building in course of erection at Charleston, S. C.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SIGNAL OFFICE BUILDING, WASHINGTON.

Mr. DIBBLE also introduced a bill (H. R. 4359) for the purchase of a site, including the building thereon, also for the erection of the necessary store-houses for the use of the Chief Signal Officer of the Army, at the city of Washington, D. C.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

AMENDMENT OF RULE XXVI.

Mr. HEMPHILL submitted a resolution to amend Rule XXVI of the House; which was referred to the Committee on Rules.

DISTRICT POLICE COURT, ETC.

Mr. HEMPHILL (by request) also introduced a bill (H. R. 4360) to abolish the police court and office of the justice of the peace in and for the District of Columbia, and for other purposes; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

DISTRICT MUNICIPAL LAWS.

Mr. HEMPHILL also introduced a bill (H. R. 4361) to provide for the examination, etc., of certain manuscript volumes of the municipal laws of the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

MERCHANT MARINE.

Mr. ELLIOTT introduced a bill (H. R. 4362) to amend an act entitled "An act relating to vessels not propelled by sails or internal motive power of their own, and for other purposes," approved June 30, 1879; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

RAILROAD ACCIDENTS.

Mr. TILLMAN introduced a bill (H. R. 4363) to prevent the destruction of human life by fire in railroad accidents; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PURCHASE OF BONDS.

Mr. TILLMAN also introduced a bill (H. R. 4364) to limit the premium above par at which the Secretary of the Treasury may purchase bonds for the sinking fund or for cancellation; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

ARSENAL AT COLUMBIA, TENN.

Mr. WHITTHORNE introduced a bill (H. R. 4365) to authorize the construction of an arsenal for the manufacture of ordnance and ordnance stores for the use of the Government of the United States, at Columbia, Tenn.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

RETIREMENT OF NAVAL OFFICERS.

Mr. WHITTHORNE (by request) also introduced a bill (H. R. 4366) to authorize the voluntary retirement of certain officers of the United States Navy who have rendered conspicuous services in battle; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

ROAD TO THE NATIONAL CEMETERY, KNOXVILLE, TENN.

Mr. HOUK introduced a bill (H. R. 4367) to authorize the construction of a macadamized road to the national cemetery at Knoxville, Tenn.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

REPORT OF COMMISSIONER OF LABOR.

Mr. RICHARDSON introduced a joint resolution (H. Res. 62) providing for printing the annual report of the Commissioner of Labor; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

ANNUAL CLERK, PRINTING COMMITTEE.

Mr. RICHARDSON also submitted a resolution to allow the Committee on Printing an annual clerk; which was referred to the Committee on Accounts.

PURCHASERS OF PATENTED ARTICLES.

Mr. GLASS introduced a bill (H. R. 4368) to protect innocent purchasers of patented articles, and for other purposes; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

AID TO COMMON SCHOOLS.

Mr. PHELAN introduced a joint resolution (H. Res. 63) proposing an amendment to the Constitution of the United States empowering Congress to grant aid to common-school systems of the several States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

Mr. PHELAN also submitted a resolution to print and distribute extra copies of a joint resolution to amend the Constitution, empowering Congress to grant aid to public schools; which was referred to the Committee on Printing.

FREE-DELIVERY SYSTEM.

Mr. PHELAN also introduced a bill (H. R. 4370) to amend the postal laws by extending the free-delivery system to monthly periodicals; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

PENSION TO TEAMSTERS.

Mr. PHELAN also introduced a bill (H. R. 4371) to amend the pension laws by placing on the pension-rolls teamsters who were in active service during the Mexican war; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

ROAD TO MEMPHIS NATIONAL CEMETERY.

Mr. PHELAN also introduced a bill (H. R. 4372) to provide for the construction of a macadamized road from the city of Memphis, in the State of Tennessee, to the national cemetery near said city; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

DEALERS IN COUNTERFEIT MONEY.

Mr. ENLOE introduced a bill (H. R. 4373) to punish dealers and pretended dealers in counterfeit money and other fraudulent devices

for using the United States mails; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

AID TO COMMON SCHOOLS.

Mr. ENLOE also introduced a bill (H. R. 4374) to appropriate and set apart the proceeds of the sales of the public lands annually to the aid of common schools free from Federal supervision or control; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

ASSISTANT CLERK TO COMMITTEE ON CLAIMS.

Mr. LANHAM submitted the following resolution; which was read, and referred to the Committee on Accounts:

*Resolved*, That the Committee on Claims be authorized during this session only, until further ordered by the House, to employ an assistant clerk to be paid out of the contingent fund of the House at the rate of $6 per day.

DISPUTED BOUNDARY BETWEEN THE UNITED STATES AND TEXAS.

Mr. LANHAM also introduced a bill (H. R. 4375) to create a board of arbitration to settle and determine the controversy between the United States and the State of Texas, relating to certain territory by them respectively claimed; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC BUILDING, DALLAS, TEX.

Mr. ABBOTT introduced a bill (H. R. 4376) making an appropriation to complete and furnish the Federal court house and post-office building in the city of Dallas, Tex.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

POSTAL MONEY-ORDER SYSTEM.

Mr. GROUT introduced a bill (H. R. 4377) relating to the postal money-order system; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

POLYGAMY.

Mr. STEWART, of Vermont, introduced a joint resolution (H. Res. 64) for the amendment of the Constitution of the United States in regard to polygamy and polygamous association or cohabitation between the sexes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

EXPENSES OF UNITED STATES JUDGES.

Mr. STEWART, of Vermont, also introduced a bill (H. R. 4378) to regulate the salaries and expenses of the United States circuit judges of the second judicial circuit; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SALARIES OF JUDGES OF DISTRICT COURTS.

Mr. STEWART, of Vermont, also introduced a bill (H. R. 4379) to regulate the salaries of the judges of the district courts of the United States within the State of New York; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ARREST AND SURRENDER OF FUGITIVES.

Mr. STEWART, of Vermont, also introduced a bill (H. R. 4380) to regulate proceedings between the States for the arrest, detention, and surrender of fugitives from justice; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

EQUESTRIAN STATUE OF ZACHARY TAYLOR.

Mr. WISE introduced a bill (H. R. 4381) for the erection of an equestrian statue of ex-President Zachary Taylor; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

PUBLIC BUILDING, MANCHESTER, VA.

Mr. WISE also introduced a bill (H. R. 4382) to provide for the erection of a public building in the city of Manchester, Va.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

GLEASON'S HORSE-TAMING SYSTEM.

Mr. WISE (by request) also introduced a bill (H. R. 4383) to request Prof. O. R. Gleason to write a book embracing his entire system of "training and educating horses, the science of horse-shoeing," etc., and that Congress purchase and publish said book for Government use and the improvement of the military service, United States Army; also, to employ Prof. O. R. Gleason to teach his system as laid down in his book, and to perform such other duties as may be hereafter named; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

RESTORATION OF PENSIONS.

Mr. LEE introduced a bill (H. R. 4384) to restore pensions in certain cases; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

WIDOWS OF KEEPERS AND SURFMEN.

Mr. THOMAS H. B. BROWNE introduced a bill (H. R. 4385) to provide for the widows of keepers and surfmen who lose their lives while on duty in the Life-Saving Service; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

ADDITIONAL LIFE-SAVING STATIONS IN VIRGINIA.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 4386) establishing additional life-saving stations on the seacoast of the United States in Virginia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

QUARANTINE STATION AT CAPE CHARLES.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 4387) to establish a permanent quarantine station at or near Cape Charles, Virginia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PAY OF LIFE-SAVING CAPTAINS AND CREWS.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 4388) to pay captains and crews of the Life-Saving Service during summer months; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

TELEGRAPH TO CHINCOTEAGUE INLET.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 4389) to extend the Government telegraph line at Chincoteague Inlet, Virginia, along the seacoast to connect with the Government cable at Cape Charles, Virginia, and for signal stations along the same; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PUBLIC BUILDING AT NEWPORT NEWS, VA.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 4390) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Yorktown, Va., and making an appropriation therefor; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

APPROACHES TO NATIONAL CEMETERY, DANVILLE, VA.

Mr. JOHN R. BROWN introduced a bill (H. R. 4391) to provide for continuing the grading and paving of the approaches to the national cemetery near Danville, Va.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

TAX ON TOBACCO.

Mr. JOHN R. BROWN also introduced a bill (H. R. 4392) to repeal the internal tax on tobacco, and to provide for a rebate; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

TAXATION OF TOBACCO AND FRUIT BRANDY.

Mr. HOPKINS, of Virginia, introduced a bill (H. R. 4393) to repeal the laws known as the internal-revenue laws so far as they relate to tobacco and fruit brandy; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

POPLAR GROVE CEMETERY, VIRGINIA.

Mr. GAINES introduced a bill (H. R. 4394) making an appropriation to construct a road from Petersburgh, Va. to Poplar Grove Cemetery, in Dinwiddie County, Virginia; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

HEALTH REPORT, DISTRICT OF COLUMBIA.

Mr. SNYDER introduced a joint resolution (H. Res. 65) authorizing the printing of 2,500 extra copies of the report of the health officer of the District of Columbia; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

WEST VIRGINIA TROOPS IN LATE WAR.

Mr. GOFF introduced a bill (H. R. 4395) for the relief of West Virginia troops acting under authority of the governor of said State during the late war; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CLAIMS AGAINST UNITED STATES.

Mr. GOFF also introduced a bill (H. R. 4396) to authorize the re-examination of certain claims against the United States; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

PROMOTIONS IN THE NAVY.

Mr. GOFF also introduced a bill (H. R. 4397) to regulate promotions in the Navy, and for other purposes; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

REPEAL OF TOBACCO TAX.

Mr. GOFF also introduced a bill (H. R. 4398) to repeal all internal-revenue taxes upon domestic tobacco in all forms, and upon the dealers therein; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

WEST VIRGINIA CLAIMS.

Mr. GOFF also introduced a bill (H. R. 4399) to recognize and pay certain claims due by the State of West Virginia to citizens thereof for services rendered the United States in the late war, and which are properly chargeable to the United States; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

DUTIABLE GOODS, WHEELING, W. VA.

Mr. GOFF also introduced a bill (H. R. 4400) extending the provisions of the act of June 10, 1880, in relation to the transportation of dutiable goods, to the port of Wheeling, W. Va.; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

RELIEF OF SAILORS AND MARINES.

Mr. GOFF also introduced a bill (H. R. 4401) for the relief of certain sailors and marines of the late war; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

PENSIONS.

Mr. THOMAS, of Wisconsin, introduced a bill (H. R. 4402) to amend the pension laws by increasing the pension of soldiers and sailors who have lost an arm or leg in the service; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

Mr. THOMAS, of Wisconsin, also introduced a bill (H. R. 4403) to amend section 2 of an act of Congress entitled "An act granting pensions to the soldiers and sailors of the Mexican war, and for other purposes," approved January 29, 1887; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

IMPORTS FALSELY STAMPED.

Mr. GUENTHER introduced a bill (H. R. 4404) to prohibit the importation of articles of foreign manufacture bearing a stamp, mark, or imprint conveying the impression that such articles are of American manufacture; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

FRAUDULENT CLAIMS AGAINST FOREIGN GOVERNMENTS.

Mr. GUENTHER also introduced a bill (H. R. 4405) to prevent and punish the prosecution, under the protection of the United States, of fraudulent claims against foreign governments; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

INVESTIGATION OF TRADE COMBINATIONS.

Mr. GUENTHER also introduced a bill (H. R. 4406) to create a commission for the investigation of combinations having for their object the enhancement of the prices of articles of interstate commerce in violation of the laws of trade, and for other purposes; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

TITLE 33, REVISED STATUTES.

Mr. CASWELL introduced a bill (H. R. 4407) to amend title 33 of the Revised Statutes as amended by chapter 121 of the laws approved March 3, 1883; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

DUTIES ON TOBACCO.

Mr. LA FOLLETTE introduced a bill (H. R. 4408) to amend the second paragraph of Schedule F, chapter 121, laws of 1883, relating to the duties upon tobacco; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

WEIGHT OF MAIL PACKAGES.

Mr. LA FOLLETTE also introduced a bill (H. R. 4409) to amend the Revised Statutes relative to the weight of mail packages; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

DEPOSITORS IN NATIONAL BANKS.

Mr. LA FOLLETTE also introduced a bill (H. R. 4410) to protect depositors in national banks, and to punish any officer of such bank who receives a deposit when said bank is insolvent; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

HELPLESS SOLDIERS AND SAILORS.

Mr. LA FOLLETTE also introduced a bill (H. R. 4411) to amend chapter 236 of the laws of 1880, relating to certain pensioned soldiers and sailors who are utterly helpless from injuries received or disease contracted while in the United States service; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SOLDIERS AND SAILORS CONFINED IN CONFEDERATE PRISONS.

Mr. LA FOLLETTE also introduced a bill (H. R. 4412) granting pensions and a certain per diem to disabled soldiers and sailors of the war for the Union, who were confined in so-called Confederate prisons, and also granting a certain per diem to the widows of any such soldiers and sailors as died in said prisons; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

DISABLED SOLDIERS AND SAILORS.

Mr. LA FOLLETTE also introduced a bill (H. R. 4413) granting pensions to disabled soldiers and sailors of the National Army in the war for the Union; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PER DIEM EMPLOYÉS OF THE UNITED STATES GOVERNMENT.

Mr. SMITH, of Wisconsin, introduced a bill (H. R. 4414) to regulate the compensation of per diem employés of the United States Government; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

PRIVATE LAND CLAIMS, NEW MEXICO AND ARIZONA.

Mr. SMITH, of Arizona, introduced a bill (H. R. 4415) to promote the speedy settlement of private land claims in New Mexico and Arizona; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

EL PASO DE LOS ALGODONES GRANT, ARIZONA.

Mr. SMITH, of Arizona, also introduced a bill (H. R. 4416) forfeiting the El Paso de los Algodones grant in Arizona and restoring same to the public domain; which was read a first and second time, referred to the Committee on Private Land Claims, and ordered to be printed.

UNORGANIZED COUNTIES IN THE TERRITORIES.

Mr. GIFFORD introduced a bill (H. R. 4417) for the annexation of unorganized counties in the Territories to judicial districts when the Legislature is not in session; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

ASSOCIATE JUSTICES OF THE SUPREME COURT, DAKOTA.

Mr. GIFFORD also introduced a bill (H. R. 4418) to increase the number of associate justices of the supreme court of the Territory of Dakota, and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

PUBLIC BUILDING, SIOUX FALLS, DAK.

Mr. GIFFORD also introduced a bill (H. R. 4419) for the erection of a public building at Sioux Falls, Dak.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

MUNICIPALITIES IN THE TERRITORIES.

Mr. GIFFORD also introduced a bill (H. R. 4420) relieving municipalities in the Territories in certain cases; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

FREE BRIDGE AT GRAND FORKS, DAK.

Mr. GIFFORD also introduced a bill (H. R. 4421) granting to the city of Grand Forks, Dak., the right to build two free bridges at said city across the Red River; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

FORT ELLIS MILITARY RESERVATION.

Mr. TOOLE introduced a bill (H. R. 4422) to dispose of the Fort Ellis military reservation, in Montana, under the homestead law; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

MILITARY POST AT SANTA FÉ.

Mr. JOSEPH introduced a joint resolution (H. Res. 66) authorizing and directing the Secretary of War to enlarge the military post at Santa Fé, N. Mex., and appropriating $200,000 for that purpose; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

LEGISLATIVE ASSEMBLY OF NEW MEXICO.

Mr. JOSEPH also introduced a bill (H. R. 4423) relating to certain acts of the twenty-seventh Legislative Assembly of the Territory of New Mexico; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

MESILLA VALLEY CANAL COMPANY.

Mr. JOSEPH also introduced a bill (H. R. 4424) authorizing the Mesilla Valley Canal, Land, and Improvement Company to divert water from the Rio Grande inside the limits of the Fort Selden military reservation for irrigation and other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

CONFIRMING CERTAIN LANDS TO ALBUQUERQUE, N. MEX.

Mr. JOSEPH also introduced a bill (H. R. 4425) to confirm the title to certain lands to the town of Albuquerque, N. Mex.; which was read a first and second time, referred to the Committee on Private Land Claims, and ordered to be printed.

COMPENSATION OF UNITED STATES DISTRICT ATTORNEYS.

Mr. JOSEPH also introduced a bill (H. R. 4426) fixing the compensa-

tion of United States district attorneys, and for other purposes; which was read a first and second time, referred to the Committee on Expenditures in the Department of Justice, and ordered to be printed.

FEES AND COSTS OF CLERKS, MARSHALS, ETC.

Mr. JOSEPH also introduced a bill (H. R. 4427) to extend the act of Congress entitled "An act to regulate the fees and costs to be allowed clerks, marshals, and attorneys of the circuit and district courts of the United States, and for other purposes," approved February 26, 1853, and section 837 of the Revised Statutes of the United States, to the Territories of New Mexico and Arizona; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

ADMISSION OF UTAH.

Mr. CAINE introduced a bill (H. R. 4428) for the admission of the State of Utah into the Union on an equal footing with the original States; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

ANNEXATION OF A PORTION OF IDAHO TO WASHINGTON TERRITORY.

Mr. VOORHEES introduced a bill (H. R. 4429) to annex a portion of the Territory of Idaho to Washington Territory; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

PROPOSED STATE OF WASHINGTON.

Mr. VOORHEES also introduced a bill (H. R. 4430) to provide for the formation and admission into the Union of the State of Washington, and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

PROPOSED NEW STATES.

Mr. VOORHEES also introduced a bill (H. R. 4431) to provide for the formation and admission into the Union of the States of Washington, Dakota, Montana, and New Mexico, and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

NORTHERN PACIFIC RAILROAD LAND GRANTS.

Mr. VOORHEES also introduced a bill (H. R. 4432) to declare forfeited certain lands granted to aid in the construction of the Northern Pacific Railroad, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

RESTORATION OF CERTAIN LANDS.

Mr. VOORHEES also introduced a bill (H. R. 4433) to relieve from reservation certain lands heretofore withdrawn for railroad purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

SETTLERS WITHIN RAILROAD LAND-GRANT LIMITS.

Mr. VOORHEES also introduced a bill (H. R. 4434) for the relief of settlers within the limits of railroad land grants; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

REDUCTION OF PRICE OF CERTAIN AGRICULTURAL LANDS.

Mr. VOORHEES also introduced a bill (H. R. 4435) for the reduction of price of agricultural lands within the limits of the grant of lands to the Northern Pacific Railroad Company, exclusive of lands granted to said company, to the minimum price of $1.25 per acre, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

ATTENDANCE OF WITNESSES, LAND OFFICES.

Mr. VOORHEES also introduced a bill (H. R. 4436) authorizing registers and receivers of United States land offices to enforce the attendance of witnesses in their respective districts; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PROTECTION OF SETTLERS, PUBLIC LANDS.

Mr. VOORHEES also introduced a bill (H. R. 4437) for the protection of settlers upon certain public lands of the United States; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

NEW HOMESTEAD ENTRIES.

Mr. VOORHEES also introduced a bill (H. R. 4438) permitting all persons who have lost their homestead rights to make new entries; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

ADDITIONAL HOMESTEAD RIGHTS.

Mr. VOORHEES also introduced a bill (H. R. 4439) to amend the act of March 3, 1879, granting additional rights to homestead settlers within railroad limits; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

INDEMNITY FOR SCHOOL SECTIONS, WASHINGTON TERRITORY.

Mr. VOORHEES also introduced a bill (H. R. 4440) to provide indemnity for school sections in Washington Territory sold as mineral lands, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

SETTLERS ON SCHOOL LANDS, WASHINGTON TERRITORY.

Mr. VOORHEES also introduced a bill (H. R. 4441) for the relief of certain settlers upon school lands in Washington Territory; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

ADDITIONAL ASSOCIATE JUSTICE, WASHINGTON TERRITORY.

Mr. VOORHEES also introduced a bill (H. R. 4442) to provide for one additional associate justice of the supreme court of Washington Territory, and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

CIVIL SERVICE, ETC.

Mr. VOORHEES also introduced a bill (H. R. 4443) to promote the faithful administration of the public trusts, and to secure more efficient civil-service reform, and for other purposes; which was read a first and second time, referred to the Committee on Reform in the Civil Service, and ordered to be printed.

POLYGAMY.

Mr. VOORHEES also introduced a joint resolution (H. Res. 67) proposing an amendment to the Constitution of the United States prohibiting polygamy; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

TAXATION RAILROAD PROPERTY, WASHINGTON TERRITORY.

Mr. VOORHEES also introduced a bill (H. R. 4444) to provide for the taxation of railroad property in Washington Territory; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

MILITARY MEADOW RESERVE, WASHINGTON TERRITORY.

Mr. VOORHEES also introduced a bill (H. R. 4445) to restore the abandoned military meadow reserve in Walla Walla County, Washington Territory, to the public domain, and to dispose of the same to settlers thereon; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

EXTENSION OF BOUNTY-LAND LAW.

Mr. VOORHEES also introduced a bill (H. R. 4446) to amend section 2427 of the Revised Statutes, so as to extend the benefits of the bounty-land law to the volunteers who served in the Oregon and Washington Indian war of 1855 and 1856; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

ARMS LOANED BY WASHINGTON TERRITORY.

Mr. VOORHEES also introduced a bill (H. R. 4447) to credit the Territory of Washington on the books of the Ordnance Department with the sum of $12,387.57 for arms and cartridges loaned to the State of Oregon; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

SUBPORT OF ENTRY AT SEMIAHMOO.

Mr. VOORHEES also introduced a joint resolution (H. Res. 70) authorizing the Secretary of the Treasury to establish a subport of entry and a port of call at Semiahmoo, Wash.; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

CHINESE IMMIGRATION.

Mr. VOORHEES also introduced a bill (H. R. 4448) prohibiting the immigration of Chinese into the United States; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

PUBLIC BUILDING AT PORT TOWNSEND.

Mr. VOORHEES also presented a memorial of the Legislative Assembly of Washington Territory, praying for an additional appropriation for the completion of the public building at Port Townsend; which was referred to the Committee on Public Buildings and Grounds.

LIGHT-HOUSE AT GRAY'S HARBOR, WASHINGTON TERRITORY.

Mr. VOORHEES also introduced a bill (H. R. 4449) making an appropriation for establishing a first order light-house and fog-signal at Gray's Harbor, Washington Territory; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

SUPREME COURT OF WYOMING.

Mr. CAREY introduced a bill (H. R. 4450) providing for an additional associate justice of the supreme court of Wyoming, and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

PUBLIC BUILDING AT CHEYENNE, WYO.

Mr. CAREY also introduced a bill (H. R. 4451) for the erection of a public building at Cheyenne, Wyo.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

YELLOWSTONE PUBLIC PARK.

Mr. CAREY also introduced a bill (H. R. 4452) to amend sections 2474 and 2475 of the Revised Statutes of the United States, setting apart a certain tract of land lying near the headwaters of the Yellowstone River as a public park; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

SALE OF DESERT LANDS.

Mr. CAREY also introduced a bill (H. R. 4453) to amend an act entitled "An act to provide for the sale of desert lands in certain States and Territories;" which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

WYOMING LEGISLATURE.

Mr. CAREY also introduced a bill (H. R. 4454) to fix the number of the council and house of representatives of the Territory of Wyoming, and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

PROBATE COURTS IN WYOMING.

Mr. CAREY also introduced a bill (H. R. 4455) to enlarge the jurisdiction of the probate courts in Wyoming Territory; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

GRANT OF LANDS TO WYOMING.

Mr. CAREY also introduced a bill (H. R. 4456) granting certain lands to the Territory of Wyoming for public purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

WATER-WORKS OF FORT D. A. RUSSELL, WYOMING.

Mr. CAREY also introduced a bill (H. R. 4457) providing for the completion of the water-works of Fort D. A. Russell, Wyoming Territory; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

BRIDGE ACROSS BIG WIND RIVER, WYOMING.

Mr. CAREY also introduced a bill (H. R. 4458) for the construction of a bridge across the Big Wind River, on the Shoshone Indian reservation, in the Territory of Wyoming; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

LAND OFFICES IN WYOMING.

Mr. CAREY also introduced a bill (H. R. 4459) to establish two additional land offices in the Territory of Wyoming; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER. The call of States and Territories has been completed. If there be no objection, the Chair will now recognize gentlemen who were not in their seats when their States were called.

There was no objection.

FORT RILEY MILITARY RESERVATION.

Mr. ANDERSON, of Kansas, introduced a bill (H. R. 4460) granting right of way to the Junction City and Fort Riley Street Railway Company into and upon the Fort Riley military reservation, in the State of Kansas, and for other purposes; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PUBLIC BUILDING AT BRUNSWICK, GA.

Mr. NORWOOD introduced a bill (H. R. 4461) for the erection of a custom-house and post-office building at Brunswick, Ga.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING AT SAVANNAH, GA.

Mr. NORWOOD also introduced a bill (H. R. 4462) to authorize the condemnation of land for the site of a public building in the city of Savannah, Ga.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING AT ATCHISON, KANS.

Mr. MORRILL introduced a bill (H. R. 4463) to provide for the erection of a public building for the use of the post-office and Government offices at the city of Atchison, Kans.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING AT MALONE, N. Y.

Mr. MOFFITT introduced a bill (H. R. 4464) for the erection of a public building at Malone, N. Y.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PAY OF NAVAL ENSIGNS.

Mr. HAYDEN introduced a bill (H. R. 4465) to regulate the pay of ensigns of the United States Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

OWNERSHIP OF REAL ESTATE IN TERRITORIES.

Mr. DUBOIS introduced a bill (H. R. 4466) to amend an act entitled "An act to restrict the ownership of real estate in the Territories to American citizens," etc., approved March 3, 1887; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC BUILDING AT BAR HARBOR, ME.

Mr. MILLIKEN introduced a bill (H. R. 4467) for the erection of a public building at Bar Harbor, Me.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

INTERNAL-REVENUE AND TARIFF TAXES.

Mr. MILLIKEN also introduced a bill (H. R. 4468) to reduce the internal-revenue and tariff taxes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

WAGON-BRIDGE ACROSS MISSOURI RIVER.

Mr. STRUBLE introduced a bill (H. R. 4469) authorizing the construction of a high wagon-bridge across the Missouri River at or near Sioux City, Iowa; which was read a first and second time, referred to the Committee Commerce, and ordered to be printed.

JURISDICTION OF UNITED STATES DISTRICT JUDGES IN ALABAMA.

Mr. OATES introduced a bill (H. R. 4470) to regulate the jurisdiction of the United States district judges and of the courts over which they preside in the State of Alabama; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

MINT AT ST. LOUIS, MO.

Mr. BLAND introduced a bill (H. R. 4471) to establish a mint of the United States at St. Louis, Mo.; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

PUBLIC BUILDING, HELENA, ARK.

Mr. DUNN introduced a bill (H. R. 4472) for a public building at Helena, Ark.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PRINTING THE PRESIDENT'S ANNUAL MESSAGE.

Mr. BRECKINRIDGE, of Kentucky, introduced the following resolution; which was read, and referred to the Committee on Printing:

*Resolved*, That there be printed 20,000 copies of the President's last annual message for the use of the House.

PUBLIC LANDS IN ALABAMA.

Mr. BANKHEAD introduced a bill (H. R. 4473) to amend an act entitled "An act to exclude the public lands in Alabama from the operation of the laws relating to mineral lands," approved March 3, 1883, and to extend the provisions of said act, and the amendments thereto, to the public lands in the States of Mississippi, Arkansas, Louisiana, and Florida; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

TAXES ON TOBACCO.

Mr. McMILLIN introduced a bill (H. R. 4474) to repeal the taxes on manufactured chewing and smoking tobacco, and on dealers therein, and on wholesale and retail dealers in leaf-tobacco; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

POST-ROADS.

Mr. CUTCHEON introduced a bill (H. R. 4475) to amend section 7 of the act entitled "An act establishing post-roads, and for other purposes," approved March 3, 1877; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

CLERK FOR COMMITTEE ON PRIVATE LAND CLAIMS.

Mr. McCREARY offered the following resolution; which was read, referred to the Committee on Accounts, and ordered to be printed:

*Resolved*, That the Committee on Private Land Claims be allowed a clerk, to be paid out of the contingent fund of the House until June 30, 1888, at the rate of $2,000 per annum; and that the Committee on Appropriations be, and is hereby, instructed to provide for an annual clerk to the Committee on Private Land Claims for the next fiscal year in the legislative, executive, and judicial bill, at the rate of $2,000 per annum.

REMOVAL OF CHARGE OF DESERTION.

Mr. STONE, of Missouri, introduced a bill (H. R. 4476) to amend section 1 of an act entitled "An act to remove the charge of desertion from the rolls and records in the office of the Adjutant-General of the Army against certain soldiers," approved May 17, 1886; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PAY FOR EMPLOYÉS IN FOLDING-ROOM.

Mr. LAWLER offered the following resolution; which was read, referred to the Committee on Accounts, and ordered to be printed:

*Resolved*, That the Committee on Appropriations be directed to provide in one of their appropriation bills to pay Charles Brererton $158 for services per-

formed in the folding-room as folder, by direction of the Doorkeeper, for which he has not been paid.

To pay Howard A. Wiltberger $75 for forty-five days' service at $60 per month performed as a folder in the folding-room, by direction of the Doorkeeper, for which he has not been paid.

REFUND OF EXCESSIVE DUTIES.

Mr. COX introduced a bill (H. R. 4477) to refund excessive duties caused by extraordinary overvaluation of the Austrian florin in the year 1878; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

ALCOHOLIC LIQUOR TRAFFIC.

Mr. BREWER introduced a bill (H. R. 4478) providing for the appointment of a commission on the subject of the alcoholic liquor traffic; which was read a first and second time, referred to the Committee on the Alcoholic Liquor Traffic, and ordered to be printed.

INVESTIGATION OF LABOR TROUBLES.

Mr. LAWLER asked and obtained unanimous consent that the following resolution offered by him yesterday should be printed in the RECORD:

Whereas labor strikes are occurring in various sections of the country, and mechanics, artisans, and laborers, skilled and unskilled, according to statements in the daily press, are restless and dissatisfied, and banding together for mutual protection against the alleged wrongs to which labor is being subjected at the hands of corporate capital; and

Whereas it is a matter of grave concern to the general welfare that our laborers, artisans, and mechanics should remain contented, and, if necessary, enjoy some redress for grievances, if any such grievances exist: Therefore,

*Be it resolved*, That a select committee of seven Representatives be appointed by the Speaker, to consist of four of the majority and three of the minority, whose duty it shall be to immediately institute investigation into the causes and facts underlying and appertaining to the existing labor strikes; that said select committee, or any subcommittee thereof, shall sit at Washington or proceed elsewhere, if in their judgment the same shall be necessary for the purposes of this investigation, and that said committee, or subcommittee thereof, shall have power to issue subpœnas, administer oaths, and send for persons and papers, examine witnesses, and to employ a stenographer or stenographers and such other clerical assistance as they may deem necessary, and the expenses thereof shall be paid out of the contingent fund of the House of Representatives, said committee to report the evidence taken to the House, together with such conclusions and recommendations thereupon as said committee may deem proper, and more especially to report what legislation, if any, is needed to apply a remedy or ameliorate the condition of the laboring classes in the relations of employers and employed.

ORDER OF BUSINESS.

The SPEAKER. If there be no further bills or resolutions, the Chair will proceed, under the rule, to call standing and select committees for reports.

Mr. MILLS. I move that the House now adjourn.

Mr. DUNN. I am directed by the Committee on Merchant Marine and Fisheries to make a report.

Mr. MILLS. I withdraw the motion to adjourn.

COMMISSIONER OF FISH AND FISHERIES.

Mr. DUNN, by unanimous consent, reported back with a favorable recommendation the bill (S. 261) to amend the law concerning the Commissioner of Fish and Fisheries; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

CIRCULATING NOTES FOR NATIONAL BANKING ASSOCIATIONS.

Mr. WILKINS, by unanimous consent, from the Committee on Banking and Currency, reported back with a favorable recommendation the bill (H. R. 1733) to provide for the issue of circulating notes to national banking associations; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

Mr. ROGERS. Mr. Speaker, I desire that we have the regular order.

Mr. TOWNSHEND. I understand that the regular order is the call of committees.

Mr. ROGERS. The object of my demand is that the committees be called in their order.

The SPEAKER. The regular order is the motion to adjourn, unless the gentleman from Texas [Mr. MILLS] withdraws it.

Mr. MILLS. I do so.

The SPEAKER proceeded to call the committees for reports.

ABRAM C. MYERS.

Mr. CULBERSON, from the Committee on the Judiciary, reported back favorably joint resolution (S. R. 6) for the removal of all political disabilities imposed by the fourteenth amendment to the Constitution of the United States upon Abram C. Myers; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM W. MACKALL.

Mr. CULBERSON also, from the Committee on the Judiciary, reported back favorably the bill (H. R. 3) to remove the political disabilities of William W. Mackall, of Virginia; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

ROBBERY IN THE INDIAN TERRITORY.

Mr. ROGERS, from the Committee on the Judiciary, reported back with amendments the bill (H. R. 1213) to punish robbery and horse-stealing in the Indian Territory; which was referred to the House Calendar, and the accompanying report ordered to be printed.

FORT BROWN RESERVATION, TEXAS.

Mr. TOWNSHEND, from the Committee on Military Affairs, reported back with amendments House resolution in regard to Fort Brown reservation, Texas; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

The call of committees was continued and concluded, no further reports being presented.

Mr. MILLS. I move that the House now adjourn.

The motion was agreed to; and accordingly (at 1 o'clock and 50 minutes p. m.) the House adjourned.

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PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred, as indicated below:

By Mr. MCRAE: A bill (H. R. 4479) to pay Aaron Friedheim the rebate due him under the act of March 3, A. D. 1883—to the Committee on Claims.

Also, a bill (H. R. 4480) to authorize the reissue of certain United States currency to Thomas C. Simpson, of Arkansas—to the Committee on Banking and Currency.

Also, a bill (H. R. 4481) for the relief of the estate of William Moss, deceased—to the Committee on Claims.

Also, a bill (H. R. 4482) for the relief of S. H. Pearce—to the Committee on Claims.

Also, a bill (H. R. 4483) for the relief of M. W. Locke, deceased—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 4484) for the relief of R. R. Tinsley—to the Committee on the Post-Office and Post-Roads.

By Mr. PEEL: A bill (H. R. 4485) to incorporate the Central Cable Railway Company of the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 4486) granting a pension to Elizabeth Boydston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4487) to enable the Secretary of the Interior to pay certain creditors of the Pottawatomie Indians out of the funds of said Indians—to the Committee on Indian Affairs.

Also, a bill (H. R. 4488) to enable the Secretary of the Interior to carry out and perform the treaty obligations of the United States with the Pottawatomie tribe of Indians—to the Committee on Indian Affairs.

By Mr. MORROW: A bill (H. R. 4489) for the relief of J. M. Hogan—to the Committee on Claims.

By Mr. BIGGS: A bill (H. R. 4490) for the relief of J. M. Hogan—to the Select Committee on Indian Depredation Claims.

By Mr. MORROW: A bill (H. R. 4491) granting a pension to Rosanna Robey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4492) granting a pension to Ellen Nightingale—to the Committee on Invalid Pensions.

By Mr. SYMES: A bill (H. R. 4493) for the relief of Kansas and New Mexico Land and Cattle Company, limited—to the Committee on Claims.

By Mr. C. A. RUSSELL: A bill (H. R. 4494) granting an increase of pension to George W. Blake—to the Committee on Invalid Pensions.

By Mr. HITT: A bill (H. R. 4495) granting a pension to Elias E. Peterson— to the Committee on Invalid Pensions.

By Mr. LANDES: A bill (H. R. 4496) to authorize and empower the Mount Carmel Development Company to draw water from the Wabash River or its tributaries in the county of Wabash and State of Illinois—to the Committee on Rivers and Harbors.

By Mr. MATSON: A bill (H. R. 4497) for the relief of Frances Haymaker—to the Committee on Invalid Pensions.

By Mr. STEELE: A bill (H. R. 4498) granting a pension to Alfred Cover—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4499) granting an increase of pension to Jasper N. Cooper—to the Committee on Invalid Pensions.

By Mr. CHEADLE: A bill (H. R. 4500) granting a pension to Melvin Seward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4501) granting a pension to Jesse M. Stilwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4502) to correct the muster of Lewis C. Keeler, and authorizing money due him paid to his mother, Rebecca Keeler, and pensioning his mother—to the Committee on Military Affairs.

By Mr. SHIVELY: A bill (H. R. 4503) for the relief of Eli Hull—to the Committee on Military Affairs.

By Mr. HOVEY: A bill (H. R. 4504) granting a pension to Nancy Baldwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4505) granting a pension to Vincent Bowlin—to the Committee on Invalid Pensions.

By Mr. J. T. JOHNSTON: A bill (H. R. 4506) granting an increase of pension to Frederick Hutton—to the Committee on Invalid Pensions.

By Mr. GEAR: A bill (H. R. 4507) for the relief of L. J. F. Jaeger—to the Committee on War Claims.

By Mr. A. R. ANDERSON: A bill (H. R. 4508) for the relief of Ransom L. Harris—to the Committee on War Claims.

By Mr. HAYES: A bill (H. R. 4509) for the relief of Charles Max Wittig—to the Committee on Military Affairs.

Also, a bill (H. R. 4510) granting a pension to Thomas Fagan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4511) granting a pension to Fritz Roddewig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4512) directing the Secretary of War to amend the record of Prentice Holmes—to the Committee on Military Affairs.

Also, a bill (H. R. 4513) directing the Secretary of War to amend the record of W. H. DeFreest—to the Committee on Military Affairs.

Also, a bill (H. R. 4514) to authorize the construction of a bridge over the Mississippi River at Clinton, Iowa—to the Committee on Commerce.

By Mr. PETERS: A bill (H. R. 4515) for the relief of Jesse W. Williams—to the Committee on Military Affairs.

By Mr. PERKINS: A bill (H. R. 4516) granting a pension to Mrs. Delilah Agard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4517) for the relief of Emanuel Klauser—to the Committee on Military Affairs.

By Mr. J. A. ANDERSON: A bill (H. R. 4518) for the relief of William P. Madden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4519) to grant a pension to William J. Miller—to the Committee on Invalid Pensions.

By Mr. TAULBEE: A bill (H. R. 4520) for the relief of Patrick Cook—to the Committee on the District of Columbia.

By Mr. McCREARY: A bill (H. R. 4521) for the relief of the Selma and Meridian Railroad Company—to the Committee on Claims.

By Mr. FINLEY: A bill (H. R. 4522) to appoint Charles V. Petteys and William T. Ousley assistant surgeons on the retired-list of the United States Army—to the Committee on Military Affairs.

By Mr. STONE, of Kentucky: A bill (H. R. 4523) for the relief of the estate of William Emmert—to the Committee on War Claims.

Also, a bill (H. R. 4524) for the relief of Samuel Shultz—to the Committee on War Claims.

Also, a bill (H. R. 4525) granting a pension to Mary F. Watts—to the Committee on Pensions.

By Mr. WILKINSON: A bill (H. R. 4526) for the relief of Mrs. Eliza E. Hebert, widow of Jules J. Hebert, deceased—to the Committee on War Claims.

By Mr. MILLIKEN: A bill (H. R. 4527) granting a pension to Ephraim Reynold—to the Committee on Invalid Pensions.

By Mr. RAYNER: A bill (H. R. 4528) for the relief of the Continental Fire Insurance Company, the Eagle Fire Insurance Company, the City Fire Insurance Company, and the Commercial Mutual Insurance Company, all of New York City; the Western National Bank, the Merchants' National Bank, and the Maryland Fire Insurance Company, of Baltimore, Md.—to the Committee on Claims.

By Mr. RUSK: A bill (H. R. 4529) granting a pension to Minnie C. Boucher—to the Committee on Invalid Pensions.

By Mr. COMPTON (by request): A bill (H. R. 4530) for the relief of Mary E. Fields—to the Committee on Military Affairs.

By Mr. RAYNER: A bill (H. R. 4531) for the relief of the Chesapeake Bank, of Baltimore, Md.—to the Committee on Claims.

By Mr. MORSE: A bill (H. R. 4532) granting a pension to Elizabeth Payson Wentworth—to the Committee on Invalid Pensions.

By Mr. BUNNELL: A bill (H. R. 4533) for the relief of Leman D. Forrest—to the Committee on Military Affairs.

Also, a bill (H. R. 4534) for the relief of Emily G. Mills—to the Committee on Pensions.

Also, a bill (H. R. 4535) for the relief of Charles H. Shippey—to the Committee on Military Affairs.

Also, a bill (H. R. 4536) for the relief of George B. Capwell—to the Committee on Military Affairs.

Also, a bill (H. R. 4537) for the relief of Maurice Hogan—to the Committee on Military Affairs.

Also, a bill (H. R. 4538) for the relief of Wooster Manderville—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4539) for the relief of Joseph W. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4540) granting a pension to John Lord—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4541) granting a pension to Hiram Pedrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4542) granting a pension to Henry D. Wheeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4543) granting a pension to David Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4544) granting a pension to James D. Hunter—to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 4545) authorizing the Secretary of the Treasury to state and settle the account of James M. Wilbur with the United States, and to pay said Wilbur such sum of money as may be due him thereon—to the Committee on Claims.

By Mr. COLLINS: A joint resolution (H. Res. 56) authorizing the use and improvement of Castle Island, in Boston Harbor—to the Committee on Public Buildings and Grounds.

By Mr. HAYDEN: A bill (H. R. 4546) restoring to the pension-roll Andrew Gillan—to the Committee on Invalid Pensions.

By Mr. ROCKWELL: A bill (H. R. 4547) granting a pension to William J. Lombard—to the Committee on Invalid Pensions.

By Mr. C. H. ALLEN: A bill (H. R. 4548) for the relief of James Williams—to the Committee on Invalid Pensions.

By Mr. BREWER: A bill (H. R. 4549) for the relief of Francis B. Fritz—to the Committee on Military Affairs.

By Mr. NELSON: A bill (H. R. 4550) granting a pension to Chloe Quiggle, widow of Phillip Quiggle—to the Committee on Invalid Pensions.

By Mr. THOMAS WILSON: A bill (H. R. 4551) for the relief of James Healy—to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 4552) for the relief of James W. Saunders—to the Committee on Claims.

By Mr. HEARD: A bill (H. R. 4553) for the relief of Francis Marion Hunter—to the Committee on Invalid Pensions.

By Mr BLAND: A bill (H. R. 4554) for the relief of the heirs of Preston Beck, jr.—to the Committee on Claims.

By Mr. MANSUR: A bill (H. R. 4555) for the relief of Daniel McBride—to the Committee on Claims.

By Mr. DOCKERY: A bill (H. R. 4556) to confirm New Madrid location survey No. 2889, and to provide for issue of patent therefor—to the Committee on Private Land Claims.

By Mr. WALKER: A bill (H. R. 4557) for the relief of George F. Chilton—to the Committee on the Post-Office and Post-Roads.

By Mr. HATCH: A bill (H. R. 4558) for the relief of Henry J. Hewitt—to the Committee on War Claims.

By Mr. DORSEY: A bill (H. R. 4559) granting a pension to Samuel Galyean—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4560) granting a pension to Harris Fulford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4561) for the relief of Henry N. Deaver—to the Committee on Military Affairs.

By Mr. LAIRD: A bill (H. R. 4562) for the relief of Thomas Fletcher Foley, alias Thomas Fletcher—to the Committee on Military Affairs.

By Mr. McKINNEY: A bill (H. R. 4563) directing the Secretary of the Treasury to refund money wrongfully paid for duties on imports by Daniel Marcy—to the Committee on Claims.

By Mr. GALLINGER (by request): A bill (H. R. 4564) granting a pension to Reuben C. Philbrick—to the Committee on Invalid Pensions.

By Mr. HIRES: A bill (H. R. 4565) granting a pension to William Gruff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4566) granting a pension to William P. Marsh—to the Committee on Invalid Pensions.

By Mr. MOFFITT: A bill (H. R. 4567) granting a pension to Moses Harris—to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 4568) for the relief of Hugo Wedeles—to the Select Committee on Indian Depredation Claims.

By Mr. SHERMAN: A bill (H. R. 4569) for the relief of Lester E. Clark—to the Committee on Military Affairs.

Also, a bill (H. R. 4570) for the relief of Willian Harris—to the Committee on Military Affairs.

Also, a bill (H. R. 4571) granting a pension to Jacob Shear—to the Committee on Pensions.

By Mr. BLISS: A bill (H. R. 4572) for the relief of Franz and Charles Huning and others—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 4573) to provide for the adjustment of the accounts of Edwin A. Merritt—to the Committee on Claims.

By Mr. COCKRAN: A bill (H. R. 4574) for the relief of Henry Moore—to the Committee on Military Affairs.

By Mr. TRACEY: A bill (H. R. 4575) granting a pension to Michael Hargain—to the Committee on Invalid Pensions.

By Mr. GREENMAN: A bill (H. R. 4576) granting a pension to Albert Moses—to the Committee on Invalid Pensions.

By Mr. WALKER (by request): A bill (H. R. 4577) granting a pension to Newton Wilson—to the Committee on Invalid Pensions.

By Mr. NUTTING: A bill (H. R. 4578) granting a pension to Eveline M. Alexander, widow of Bvt. Brig. Gen. Andrew J. Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4579) granting a pension to Mary G. Crocker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4580) granting a pension to Farnaren Ball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4581) for the relief of Thomas Mathews and others—to the Committee on Ways and Means.

By Mr. T. J. CAMPBELL: A bill (H. R. 4582) for the relief of C. Kaemerling and others—to the Committee on Naval Affairs.

By Mr. SAWYER: A bill (H. R. 4583) for the relief of Warren L. Peck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4584) granting a pension to Mary A. Wicks—to the Committee on Invalid Pensions.

By Mr. COWLES: A bill (H. R. 4585) granting a pension to W. T. Land—to the Committee on Invalid Pensions.

By Mr. BRUMM: A bill (H. R. 4586) granting a pension to Longstaff Middleton—to the Committee on Invalid Pensions.

By Mr. BOOTHMAN: A bill (H. R. 4587) for the relief of Jonathan Allspaugh—to the Committee on Military Affairs.

Also, a bill (H. R. 4588) for the relief of Darius Sibert—to the Committee on Military Affairs.

By Mr. C. E. BROWN: A bill (H. R. 4589) granting a pension to Andrew Gnopf—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4590) granting a pension to Jacob Fry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4591) granting a pension to Maria Beiser—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: A bill (H. R. 4592) to correct the muster of Robert C. Berry—to the Committee on Military Affairs.

Also, a bill (H. R. 4593) granting a pension to Mrs. Catharine Cox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4594) granting a pension to Mrs. Alice A. Cunningham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4595) granting a pension to James L. Marsh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4596) granting a pension to William Lowe—to the Committee on Invalid Pensions.

By Mr. COOPER: A bill (H. R. 4597) granting a pension to Lucinda Phifer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4598) granting a pension to Harrison Wagner—to the Committee on Invalid Pensions.

By Mr. BUTTERWORTH: A bill (H. R. 4599) authorizing and directing the Secretary of the Treasury to pay the city of Cincinnati, Ohio, one-half the cost of constructing pavements in front of the United States custom-house in said city and making an appropriation therefor—to the Committee on Claims.

By Mr. SCOTT: A bill (H. R. 4600) granting an increase of pension to Rosalie Bleeker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4601) to amend the naval record of Nicholas Leuschen, Peter Leuschen, and Loth Possum—to the Committee on Naval Affairs.

By Mr. HARMER (by request): A bill (H. R. 4602) for the relief of William H. Young—to the Committee on War Claims.

By Mr. HIESTAND: A bill (H. R. 4603) to refund to Joseph B. Burkholder the sum of $330—to the Committee on Claims.

By Mr. MAISH: A bill (H. R. 4604) to increase the pension of Annie Gibson Yates—to the Committee on Invalid Pensions.

By Mr. COOPER: A bill (H. R. 4605) granting a pension to Abraham B. Stricker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4606) granting a pension to Cynthia A. Butler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4607) granting a pension to David Sparrow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4608) for the relief of Samuel Engle—to the Committee on Military Affairs.

By Mr. BINGHAM: A bill (H. R. 4609) for the relief of the Pennsylvania Railroad Company, and other claimants—to the Committee on Appropriations.

By Mr. BAYNE (by request): A bill (H. R. 4610) granting a pension to John D. Reed—to the Committee on Invalid Pensions.

By Mr. ERMENTROUT: A bill (H. R. 4611) authorizing the President, by and with the advice of the Senate, to confer commissions by brevet in certain cases—to the Committee on Military Affairs.

By Mr. RANDALL: A bill (H. R. 4612) for the relief of Daniel O. Sullivan—to the Committee on Claims.

By Mr. LYNCH: A bill (H. R. 4613) granting a pension to Isaac Kishbough—to the Committee on Invalid Pensions.

By Mr. McMILLIN: A bill (H. R. 4614) for the relief of Lewis T. White—to the Committee on War Claims.

By Mr. HOUK: A bill (H. R. 4615) for the relief of Eliza McIntyre, administratrix of Robert McIntyre—to the Committee on War Claims.

By Mr. BUTLER: A bill (H. R. 4616) for the relief of Samuel Hicks—to the Committee on War Claims.

Also, a bill (H. R. 4617) granting a pension to Margaret Mathers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4618) granting a pension to W. H. Obrin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4619) restoring to the pension-roll Eloy Madron—to the Committee on Invalid Pensions.

By Mr. PHELAN: A bill (H. R. 4620) for the relief of J. W. Jefferson—to the Committee on War Claims.

Also, a bill (H. R. 4621) for the relief of the heirs or legal representatives of Claiborne De Loach, deceased—to the Committee on Claims.

Also, a bill (H. R. 4622) for the relief of F. Louis Morat—to the Committee on War Claims.

Also, a bill (H. R. 4623) for the relief of A. L. Davis—to the Committee on Claims.

By Mr. SAYERS: A bill (H. R. 4624) for the relief of the estate of John W. Whitfield—to the Committee on Claims.

By Mr. J. W. STEWART: A bill (H. R. 4625) for the relief of Alexander Wilkie—to the Committee on Military Affairs.

By Mr. YOST: A bill (H. R. 4626) for the relief of Mary B. Kirby—to the Committee on Pensions.

By Mr. GOFF: A bill (H. R. 4627) to relieve certain soldiers from the charge of desertion—to the Committee on Military Affairs.

By Mr. T. H. B. BROWNE: A bill (H. R. 4628) for the relief of the sufferers by the wreck of the United States steamer Tallapoosa—to the Committee on Claims.

Also, a bill (H. R. 4629) for the relief of Samuel A. Morehead—to the Committee on Claims.

Also, a bill (H. R. 4630) for the relief of certain citizens of Northampton County, Virginia—to the Committee on War Claims.

By Mr. WISE: A bill (H. R. 4631) to authorize the Court of Claims to take jurisdiction of and adjudge the claim of the Piedmont Railroad Company—to the Committee on Claims.

By Mr. CLARK: A bill (H. R. 4632) granting a pension to Archibald D. Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4633) granting a pension to Morris T. Mantor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4634) granting a pension to Henry Carpenter—to the Committee on Invalid Pensions.

By Mr. FELTON: A bill (H. R. 4635) granting a pension to Charles B. Sears—to the Committee on Invalid Pensions.

By Mr. GIFFORD: A bill (H. R. 4636) for the relief of Seneca D. Marble—to the Committee on Military Affairs.

By Mr. WILLIAM WHITING: A bill (H. R. 4637) to remove the charge of desertion from John B. Webber—to the Committee on Military Affairs.

By Mr. STOCKDALE: A bill (H. R. 4638) for the relief of Right Rev. F. Jausseus, bishop of Natchez—to the Committee on War Claims.

By Mr. RAYNER: A bill (H. R. 4639) for the relief of Rachel Walcott—to the Committee on Claims.

Also, a bill (H. R. 4640) for the relief of the heirs of Thomas W. Middleton—to the Committee on the Public Lands.

By Mr. PERKINS: A bill (H. R. 4641) for the relief of Frederick N. Perkins—to the Committee on Military Affairs.

By Mr. BUNNELL: A bill (H. R. 4642) granting a pension to Jacob Mayer—to the Committee on Invalid Pensions.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. H. ALLEN: Petition of James Williams, for invalid pension—to the Committee on Invalid Pensions.

By Mr. C. L. ANDERSON: Papers in the claims of Dr. James Carroll, of Yazoo County, and of W. A. Moore, of Scott County, Mississippi—to the Committee on War Claims.

By Mr. C. S. BAKER: Petition in behalf of the bill for the relief of certain members of Companies G and K, Thirteenth Regiment New York Volunteers—to the Committee on Military Affairs.

By Mr. BANKHEAD: Petition of John Mullan, for relief—to the Committee on War Claims.

Also, petition of David M. Davis, of Alabama, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. BAYNE: Petition of John D. Reed, for an original pension—to the Committee on Invalid Pensions.

Also, petition of the Chamber of Commerce of Pittsburgh, Pa., for an appropriation for the signal office at that place—to the Committee on Appropriations.

Also, petition of the same, relative to the reduction of the surplus in the Treasury—to the Committee on Ways and Means.

By Mr. BLANCHARD: Petition of Thomas J. Hickman, executor of E. Blanchard, of Grant Parish, Louisiana, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. BLISS: Petition of citizens of Brooklyn, N. Y., for the issuing of fractional currency—to the Committee on Banking and Currency.

By Mr. BOOTHMAN: Petition of Jonathan Allspaugh and of Darius Sibert, for removal of charge of desertion—to the Committee on Military Affairs.

By Mr. BOUND: Petition of divers citizens of Shamokin, Pa., for the establishment of a system of national telegraphy—to the Committee on the Post-Office and Post-Roads.

By Mr. BOWDEN: Papers in the claim of Adolphus Goddin, of James City County, Virginia—to the Committee on War Claims.

By Mr. BREWER: Petition of Franklin B. Fritz, for relief—to the Committee on Military Affairs.

By Mr. J. R. BROWN: Petition of T. A. Walker and others, asking for the passage of the Blair bill—to the Committee on Education.

By Mr. BRUMM: Petition of Longstaff Middleton, for original pension—to the Committee on Invalid Pensions.

By Mr. BUNNELL: Petition of citizens of Washington Territory, against the reduction of the tariff on lumber—to the Committee on Ways and Means.

Also, resolutions of Southworth Post No. 222, Grand Army of the Republic, for the passage of a service pension bill—to the Committee on Invalid Pensions.

Also, memorial of Charles Gallagher, for relief—to the Committee on Claims.

Also, resolutions of the Legislature of Pennsylvania, for a bill to refund to the States and Territories and District of Columbia the tax collected under the act of August 5, 1861—to the Committee on the Post-Office and Post-Roads.

By Mr. BURNES: Petition of Palestine Broughton, for an original pension—to the Committee on Invalid Pensions.

Also, memorial of the trustees of the Young Woman's Christian Home, for relief—to the Committee on the District of Columbia.

By Mr. BURNETT: Petition of J. W. Fanman and others, of Marlborough, Mass., for a system of national telegraphy—to the Committee on the Post-Office and Post-Roads.

Also, petition of N. B. Douglass and others, of Sherborn, Mass., for reduction in postage—to the Committee on the Post-Office and Post-Roads.

By Mr. BUTLER: Petition of Eloy Madron, for restoration to the pension-roll—to the Committee on Invalid Pensions.

By Mr. CASWELL: Petition of James Lee, for removal of charge of desertion—to the Committee on Military Affairs.

By Mr. CATCHINGS: Petition of Dr. John W. King, of Warren County, Mississippi, to be allowed to sue in Court of Claims for proceeds of his cotton—to the Committee on War Claims.

Also, petition of heirs of John L. Hebron, and of S. D. Clark, heir of A. T. Clark, of Warren County, Mississippi, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. CHEADLE: Petition of 2,500 Good Templars, on temperance—to the Committee on the Alcoholic Liquor Traffic.

By Mr. CHIPMAN: Petition of Austin Blair and others, for granting a pension to the widow of General James B. Ricketts—to the Committee on Invalid Pensions.

By Mr. COMPTON (by request): Petition of Mary E. Fields, for relief—to the Committee on Military Affairs.

By Mr. CONGER: Papers to accompany House bill 154, for relief of Cynthia J. Carlton, and House bill 152, for relief of Theresa Gueliet—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for relief of Robert McNutt, and House bill 156, for relief of W. D. Clark—to the Committee on Military Affairs.

Also, papers to accompany House bill 2213, for relief of Tellissa W. Wilson—to the Committee on War Claims.

By Mr. COX: Petition of Hugo Wedeles, for payment of Indian depredation claim—to the Committee on Indian Depredation Claims.

By Mr. CUTCHEON: Petition of citizens of Muskegon County, Michigan, in favor of a postal telegraph—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Grand Traverse County, Michigan, for amendment to the patent laws—to the Committee on Patents.

By Mr. DUBOIS: Remonstrance of 1,100 citizens of Idaho Territory, against any division of said Territory—to the Committee on the Territories.

By Mr. DUNN: Papers in the claims of Walter L. Otey, of Sallie G. Ford, and of Frank Rhodes, of Phillips County; of Pleasant H. Thompson, of St. Francis County, and of John R. Semblen, of Forest City, Ark.—to the Committee on War Claims.

By Mr. ENLOE: Petition of Henry F. Bridges, of Huntingdon, Tenn., for increase of pension—to the Committee on Invalid Pensions.

Also, papers in the claim of James A. Henry, of Henderson County, and of Henry Melton, of Henderson County, Tennessee—to the Committee on War Claims.

By Mr. FARQUHAR: Petition of 1,495 business men and citizens of Buffalo, N. Y., for the erection of a new post-office building in that city—to the Committee on Public Buildings and Grounds.

By Mr. FELTON: Petition of Charles B. Sears, for original pension—to the Committee on Invalid Pensions.

By Mr. FORAN: Petition of E. E. Caldwell, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. FORNEY: Papers in the claim of George P. Plowman, of Talladega County, Alabama.

By Mr. FUNSTON: Petition of William Dorman, for an original pension—to the Committee on Invalid Pensions.

By Mr. GALLINGER: Petition of Reuben C. Philbrick, for an original pension—to the Committee on Invalid Pensions.

By Mr. GEAR: Petition of James A. Mitchell, for a pension—to the Committee on Invalid Pensions.

By Mr. GIFFORD: Petition of Seneca D. Marble, for relief—to the Committee on Military Affairs.

By Mr. GROSVENOR: Petition of James L. Marsh for an original pension—to the Committee on Invalid Pensions.

Also, memorial in favor of a pension for Catherine Fox—to the Committee on Invalid Pensions.

Also, petition of H. E. Soule and many others, of Wilkesville, Ohio, for the passage of a bill granting a pension to William Lowe—to the Committee on Invalid Pensions.

Also, memorial of Robert C. Berry, late lieutenant Company H, Seventy-seventh Ohio Infantry, for relief—to the Committee on Military Affairs.

Also, memorial for a pension to Mrs. Alice A. Cunningham—to the Committee on Invalid Pensions.

Also, memorial for a pension to Gaston Winters—to the Committee on Invalid Pensions.

By Mr. HAYDEN: Petition of Andrew Gillan, for a special act of relief—to the Committee on Invalid Pensions.

By Mr. HAYES: Petition of Charles M. Wittig, for relief—to the Committee on Military Affairs.

By Mr. HEMPHILL: Petition of G. S. Hubbard and 70 others, asking for an additional day for the District of Columbia—to the Committee on Rules.

By Mr. T. J. HENDERSON: Petition of John W. Barrett, late of Company I, Eighty-ninth Regiment Illinois Volunteer Infantry, for an increase of pension—to the Committee on Invalid Pensions.

By Mr. HITT: Petition of Elias E. Peterson, for an original pension—to the Committee on Invalid Pensions.

By Mr. HOUK: Petition of B. R. Hackney, for reference of his claim—to the Committee on War Claims.

By Mr. HOVEY: Petition of Vincent Bowlin, and of Nancy Baldwin, for pensions—to the Committee on Invalid Pensions.

Also, petition of William F. Gardner and 16 others, and of Clinton Jackson and 29 others, asking pensions for all honorably discharged soldiers of the late war—to the Committee on Invalid Pensions.

By Mr. HUDD: Petition for a preliminary survey of the harbor at Centreville, Manitowoc County, Wisconsin—to the Committee on Rivers and Harbors.

By Mr. J. T. JOHNSTON: Petition of Johson Van Sickle, and of Robert B. Dunlap, for removal of charges of desertion—to the Committee on Military Affairs.

By Mr. JONES: Papers in the case of the Mobile Marine Dock Company—to the Committee on War Claims.

Also, papers in the case of the creditors of the Deposit Savings Association of Mobile, Ala.—to the Committee on Claims.

By Mr. KETCHAM: Paper in the case of the Merchants' National Bank of Poughkeepsie, N. Y., for relief—to the Committee on Banking and Currency.

Also, papers relating to the claim of Charles Stobsbury—to the Committee on Claims.

By Mr. McCULLOGH: Two remonstrances of citizens of the Twenty-first district of Pennsylvania, against the admission of Utah as a State—to the Committee on the Territories.

By Mr. McRAE: Petition of Nancy Riddle and of W. P. Barton, of Clark County, Arkansas, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, papers in the claim of John W. Barton and of Nancy Riddle, of Clark County, Arkansas—to the Committee on War Claims.

By Mr. MILLIKEN: Petition of Sallie Delling, for a pension—to the Committee on Invalid Pensions.

Also, petition of George P. Haven, for removal of charge of desertion—to the Committee on Military Affairs.

By Mr. MORGAN: Papers in the claims of Mary Chamberlain, of De Soto County; of Littleton Stokes, of Union County; of Daniel Petrea, of Panola County, and of John Price, of La Fayette County, Mississippi—to the Committee on War Claims.

Also, petition of John C. Julian, of Mississippi, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. MORROW: Petition of A. J. Barnes, for relief, to accompany House bill 643—to the Committee on Claims.

Also, petition of Catharine Black, for a widow's pension—to the Committee on Invalid Pensions.

Also, resolutions of the State Viticultural Commissioners of California, concerning the duty on imported brandies, and other matters—to the Committee on Ways and Means.

Also, petition of Ellen Nightingale, for a pension—to the Committee on Invalid Pensions.

Also, petition of Rosanna Roby, for a pension—to the Committee on Invalid Pensions.

By Mr. MORSE: Petition of Joseph Richardson and of Alfred Bloxham, for pensions—to the Committee on Invalid Pensions.

By Mr. NEWTON: A bill appropriating $2,500 for the improvement or Bayou Bartholomew, in Louisiana and Arkansas—to the Committee on Rivers and Harbors.

Also, a bill appropriating $20,000 for the improvement of Bœuf River, in Louisiana—to the Committee on Rivers and Harbors.

By Mr. PATTON: Petition of 48 citizens of the Twentieth district of Pennsylvania, against the admission of Utah as a State—to the Committee on the Territories.

By Mr. PEEL: Petition for the relief of J. W. Parish—to the Committee on Claims.

By Mr. PERKINS: Petition of Oliver M. Farrand, for relief—to the Committee on Indian Affairs.

Also, petition of Margaret A. Rush, for restoration to pension-rolls—to the Committee on Invalid Pensions.

By Mr. PERRY: Petition of citizens of South Carolina, in reference to the improvement of the Congaree River—to the Committee on Rivers and Harbors.

By Mr. PETERS: Petition of Jesse W. Williams, for relief—to the Committee on Military Affairs.

Also, affidavits in support of the bill (H. R. 241) for relief of John Summers—to the Committee on Military Affairs.

Also, resolution of Judson Kilpatrick Post, No. 36, Grand Army of the Republic, of Newton, Kans., favoring a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of H. C. Dauntless and 295 others, citizens of Kiowa County, Kansas, favoring a postal telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. PHELAN: Petition of John W. Koen, administrator, of Shelby County, and of Charles W. Rich, and of James H. Cocke and F. A. Mayo, executors of Thomas R. Cocke, of Fayette County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. PLUMB: Petition of O. R. Adams and 29 others, business men and firms of Marseilles, Ill., for the sending of business cards to be sent through the mails on letter envelopes and circulars—to the Committee on the Post-Office and Post-Roads.

By Mr. RANDALL: Petition of Daniel O. Sullivan, for relief—to the Committee on Claims.

Also, petition of Louisa S. Guthrie, widow and executrix of Capt. John J. Guthrie, for relief—to the Committee on Naval Affairs.

By Mr. ROBERTSON: Petition of Dr. James Ray, administrator of Dr. George Hill of St. Landry Parish, Louisiana, for relief—to the Committee on War Claims.

By Mr. ROCKWELL: Petition of William J. Lambard, for an original pension—to the Committee on Invalid Pensions.

By Mr. ROGERS: Papers in the claim of Eli G. Collier, of Yell County, and of James M. Wood, of Crawford County, Arkansas—to the Committee on War Claims.

By Mr. ROMEIS: Petition of Lydia Calhoun, asking to be restored to the pension-roll—to the Committee on Invalid Pensions.

By Mr. SAWYER: Petition of Mary A. Wicks for a special pension—to the Committee on Invalid Pensions.

By Mr. SCOTT: Petition of Rosalie Bleecker, widow of John Van B. Bleecker, paymaster United States Navy, for increase of pension—to the Committee on Invalid Pensions.

By Mr. SCULL: Petition of citizens of Bedford County, Pennsylvania, in favor of the reissue of fractional currency—to the Committee on Banking and Currency.

By Mr. SENEY: Petition of William Smith and 96 others, citizens of Hancock County, Ohio, for a telegraph system under Government control—to the Committee on the Post-Office and Post-Roads.

Also, petition of J. M. Allen and 55 others, citizens of Putnam County, Ohio, for a pension to William A. Brown—to the Committee on Invalid Pensions.

Also, petition of J. A. Valentine and 84 others, citizens of Hancock County, Ohio, for a system of national telegraphy—to the Committee on the Post-Office and Post-Roads.

Also, memorial of Dr. S. T. Weirick for increase in pay of contract surgeons in the United States Army—to the Committee on Military Affairs.

Also, memorial of citizens of Wise, respecting land grants—to the Committee on the Public Lands.

By Mr. SHIVELY: Petition of T. Weed and 11 others, citizens of Westville, Ind., in behalf of Lydia Wright, widow of John A. Wright—to the Committee on Invalid Pensions.

By Mr. SPRINGER: Memorial of the Chamber of Commerce of Grand Forks, Dak., for the passage of an act to permit a bridge to be built across Red River, and for other purposes—to the Committee on the Territories.

Also, memorial of the same for an additional associate justice for that Territory—to the Committee on the Territories.

By Mr. STAHLNECKER: Petition and papers in the case of Samuel Schiffer, of New York, for relief—to the Committee on War Claims.

By Mr. STEELE: Petition of E. D. Pirce, of Pennville, Ind., for compensation for services covering a period of thirty-five years—to the Committee on Claims.

By Mr. J. W. STEWART: Petition of Eliza Trefred, for a special-act pension—to the Committee on Invalid Pensions.

By Mr. STONE, of Kentucky: Papers in the case of Nicholas Dailey—to the Committee on Military Affairs.

By Mr. SYMES: Petition of F. A. Laird, for a pension—to the Committee on Invalid Pensions.

By Mr. TRACEY: Petition of Mrs. C. A. Urquhart, New York, for relief—to the Committee on War Claims.

By Mr. WALKER: Petition of John Dryman, for original pension—to the Committee on Invalid Pensions.

Also, petition of John M. Dale, for removal of charge of desertion—to the Committee on Military Affairs.

Also, petition of Newton Wilson, for an original pension—to the Committee on Invalid Pensions.

By Mr. WHITTHORNE: Petition of J. H. Cook, of Giles County, Tennessee, for relief—to the Committee on War Claims.

By Mr. WILKINS: Petition of Nathan R. Belt, for removal of charge of desertion—to the Committee on Military Affairs.

Also, petition of Rev. T. W. Howe and 50 others, citizens of Pataskala, Licking County, Ohio, relative to the Sunday law—to the Committee on the Post-Office and Post-Roads.

By Mr. WILKINSON: Petition of Jane M. Anderson, tutrix of minor children of John M. Farrell, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. WISE: Petition for the relief of per diem employés of navy-yards and stations—to the Committee on Naval Affairs.

Also, petition asking that salt be placed on the free-list—to the Committee on Ways and Means.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. ABBOTT: Of Mr. Cony and 24 others, of Dallas County, Texas.

By Mr. C. L. ANDERSON: Of R. W. Wilson and 68 others, of Leake County, Mississippi.

By Mr. BANKHEAD: Of W. R. Jones and 6 others, of Alabama; of S. H. Williams and others, of Alabama; of H. Cullpeper and 47 others; of H. G. Amerson and 50 others, and of A. A. Daniel and others, of Ramsey; of James Mills and 54 others, Sipsey Turnpike, and of L. M. Allen and 22 others, of Allen's Factory, Ala.

By Mr. BARRY: Of A. C. Harris and others, of Sabougla, Calhoun County, Mississippi.

By Mr. BAYNE: Of citizens of Culmersville, Allegheny County, Pennsylvania.

By Mr. BOUND: Of citizens of Hickory, North County, Pennsylvania.

By Mr. BROWER: Of citizens of Mill Creek and of Allenville, Person County; and of Oak Hill, Granville County, North Carolina.

By Mr. BRUMM: Of citizens and others, of Raven Run; of Hepler, Schuylkill, Pa.

By Mr. BUNNELL: Of citizens and others, of Leona, Bradford County, Pennsylvania.

By Mr. CARLETON: Of Dawson Williams and others, of Madison County, Georgia.

By Mr. COBB: Of J. G. Failey and others, of Verbena, Ala.

By Mr. COOPER: Of Henry Shope and 72 others, of Jumbo, Hardin County; and of L. Gates and 42 others, of Pulaskiville, Morrow County, Ohio.

By Mr. COWLES: Of citizens of Watauga Falls, of Aho, of Penly, of Herton, of Mast, and of Deerfield, Watauga County; of Creston, of Berlin, of Nathan's Creek, and of Grassy Creek, Ashe County; of King's Creek, and Collettsville, Caldwell County; of Chambers, Burke County; of Byrd, Wilkes County; of Gray, Alleghany County; of Old Furnace, Gaston County; of Swangs, Cleveland County; and of R. F. Sachey and others, North Carolina.

By Mr. DOCKERY: Of 10 citizens of Clinton County, Missouri.

By Mr. ENLOE: Of R. C. Cotham and 39 others, of Denson's Landing; of W. T. Daniels and 46 others, of Tom's Creek, Perry County; of D. H. Smith and 51 others, of Roxie, Carroll County; of T. L. Simmons and 66 others, of Mixie, Carroll County; of Wm. Francisco and 31 others, of Bilbrey, Carroll County; of J. C. Springer and 40 others, of Gravel Hill, McNairy County; of A. D. Barrett and 70 others, of Montezuma, Chester County; of Thos. B. Tidwell and 48 others, of Gillis' Mills, Hardin County; of M. L. Crow and 48 others, of Pickwick, Hardin County; of A. J. Crouch and 40 others, of Mount Vista, Henry County; of E. D. Sneed and 42 others, of Law, Henderson County, and of J. C. Fincher and 45 others, of Crucier, Henderson County, Tennessee.

Also, of W. J. Hurst and 30 others, of Hurst, and of James C. McConnell and 37 others, of Stantonville, McNairy County; of J. N. Penick and 65 others, of Crider, Carroll County; and of R. R. Burch and 65 others, of Morgan, Henderson County, Tennessee.

By Mr. GRANGER: Of S. C. Beckley and others, of Ruben M. Linsly and others, of Fairfield County; of J. P. Walton and others; of Henry L. Howe and others; of Almon J. Beach and others; of Oliver D. Taylor and others; of E. Simmons and others; of L. H. Buley and others; of Henry Sedgwicks and others, and F. H. Griswold and others, of Connecticut.

By Mr. GRIMES: Of John H. Taylor and M. J. Hunter and others, of Troupe County, and of H. C. Allen and W. C. Brown and others, of State Line, Heard County, Georgia.

By Mr. GROUT: Of C. P. Hollister and 57 others, of North Montpelier, Vt.

By Mr. GROSVENOR: Of F. C. Richardson and 65 others, of Edward Bairum and 65 others, of J. S. Vamlay and 31 others, of Lula Snyder and 17 others, and of W. H. Edmonson and 73 others, of Washington County; of Hugh Daugherty and 31 others, of Woodyards, Athens

County; of T. W. Betts and 32 others, of Morgan County, and of T. N. Chalf and 42 others, of Hull's, Athens County, Ohio.

By Mr. HATCH: Of citizens of Chariton, Mo.

By Mr. HERBERT: Of Josiah Snider and 30 others, of Little Oak, Ala.

By Mr. JACKSON: Of citizens and others of Lovi, Beaver County, Pennsylvania.

By Mr. McCLAMMY: Of citizens of Argyle, of Blocker's, of Ryle's Landing, of Taylor's Bridge, of Giles' Mills, of Waycross, N. C.; of postmasters at Red Hill, Locust Hill, Sloop Point, Topsail, Stump Sound, and Snead's Ferry, N. C.; of citizens of Maple Hill, of Hawley's Store, N. C.

By Mr. McCULLOGH: Of citizens of Ceylon, Greene County, Pennsylvania.

By Mr. McKINLEY: Of citizens of Signal, Columbiana County; of Richville, Stark County, Ohio.

By Mr. McRAE: Of citizens of Rock Creek, of Brocktown, of Mountain Fork, of Stephens, of Minneola, and of Willow, Ark.

Also, of citizens of Picken, Ark.

By Mr. MILLIKEN: Of A. C. Milliken and others, of Trenton, Me.

By Mr. O'FERRALL: Of Gravel Springs, Frederick County; of Arkton, Rockingham County, Virginia.

By Mr. PEEL: Of Wiley's Cove, Searcy County, and of Fallsville, Newton County, Arkansas.

Also, of citizens of Cassville, Newton County; of citizens of Swain, Newton County, Arkansas.

By Mr. PERRY: Of citizens of Dorroh, S. C.; of Power, of Cross Anchor, of T. B. Franks and others, of Perry Cantrell and others, of S. W. Farr and others, of W. F. Jones and others, of B. F. Bobo and others; of citizens of Somford, S. C.; of John M. Spencer; of citizens of Trueman, S. C.; of Alston, S. C.; of W. B. Sevain and others, of Cross Hill; of Switzer, of John B. Shockley and others, of P. P. Yarborough and others, of Spartanburgh County, South Carolina.

By Mr. PETERS: Of J. Buckley and 43 others, of Lawson; and of E. J. Purcell and 8 others, of Conductor, Kans.

By Mr. RICHARDSON: Of J. C. Lincon and 50 others, of Molino, Tenn.; of F. M. Carlton and 75 others, of Rockvale, Rutherford County; and of G. W. Reilly and 50 others, of Elk River, Franklin County, Tennessee.

By Mr. ROGERS: Of citizens and others, of Avilla, Saline County, Arkansas.

By Mr. SENEY: Of Benjamin J. Bright and 48 others, of Seneca County, Ohio.

By Mr. VANDEVER: Of many citizens of San Diego, Cal.

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## SENATE.

### WEDNESDAY, *January* 11, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

#### EXPENSES OF INTERSTATE COMMERCE COMMISSION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Acting Secretary of the Interior, transmitting a report from the secretary and disbursing agent of the Interstate Commerce Commission showing the disbursements for all purposes since the organization of the Commission, together with a memorandum of outstanding and unpaid obligations; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

#### PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented resolutions adopted by the city council of Wilmington, Del., favoring the establishment of a permanent exposition in honor of the four hundredth anniversary of the discovery of America by Christopher Columbus; which was referred to the Select Committee on the Centennial of the Constitution and the Discovery of America.

He also presented resolutions adopted by the Board of Trade of Zanesville, Ohio, favoring the proposed world's exposition in honor of the fourth centenary of the discovery of America by Christopher Columbus; which were referred to the Select Committee on the Centennial of the Constitution and the Discovery of America.

Mr. HOAR presented the petition of Jeannie Stone, widow of General Charles P. Stone, praying to be granted a pension, and a petition of citizens of Massachusetts, Connecticut, New York, and Pennsylvania in support of her petition; which were referred to the Committee on Pensions.

Mr. VEST presented a petition of citizens of the First, Fourth, and Twelfth Congressional districts of Missouri, praying for the passage of the bill for the prohibition of the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. VOORHEES presented a petition of citizens of the Eighth, Twelfth, and Thirteenth Congressional districts of Indiana, praying for the passage of the bill for the prohibition of the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. SHERMAN presented a petition of one-armed and one-legged ex-soldiers of Newark, N. J., praying for the passage of Senate bill 913, to grant arrears of pensions in certain cases; which was referred to the Committee on Military Affairs.

Mr. SABIN presented a resolution adopted by the Chamber of Commerce of St. Paul, Minn., favoring the expedition of the fast mail from the East to the Northwest in its transfer at Chicago so as to obviate the present unnecessary delay of two hours; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a resolution adopted by the St. Paul (Minn.) Chamber of Commerce, favoring the creation of an independent collection district with port of entry and residence of collector at St. Paul; which was referred to the Committee on Commerce.

He also presented a petition of 180 citizens of the First and Fifth Congressional districts of Minnesota, praying for the passage of the bill for the prohibition of the alcoholic liquor traffic in the District of Columbia; which was referred to the Committee on the District of Columbia.

#### REPORTS OF COMMITTEES.

Mr. HOAR, from the Committee on Claims, to whom was referred the bill (S. 495) for the relief of Albert H. Emory, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 396) for the relief of Sarah E. E. Perine, widow and administratrix of William Perine, deceased, reported it without amendment, and submitted a report thereon.

Mr. JONES, of Arkansas, from the Committee on Claims, to whom was referred the bill (S. 660) for the relief of Charles Murphy, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 4) for the relief of Nathaniel McKay and the executors of Donald McKay, reported it without amendment, and submitted a report thereon.

Mr. SPOONER, from the Committee on Claims, to whom was referred the bill (S. 1071) for the relief of A. B. Norton, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 388) for the relief of L. B. Townsend, Louis S. Lovell, W. C. Page, Alonzo Sessions, Hampton Rich, Harvey Harter, Benjamin Harter, and Peter Hackett, reported it without amendment, and submitted a report thereon.

Mr. QUAY, from the Committee on Claims, to whom was referred the bill (S. 178) for the relief of William B. Groff, of Newport, R. I., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 309) for the relief of R. G. Huston & Co., reported it without amendment, and submitted a report thereon.

Mr. FAULKNER, from the Committee on Claims, to whom was referred the bill (S. 102) for the relief of Lucinda McGuire, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 77) for the relief of Lucinda McGuire, reported adversely thereon, and the bill was postponed indefinitely.

Mr. DAVIS, from the Committee on Pensions, submitted a supplemental report to accompany the report from that committee heretofore submitted on the bill (S. 257) granting a pension to Mary S. Logan; which was ordered to be printed.

Mr. CAMERON, from the Committee on Naval Affairs, to whom was referred the bill (S. 348) for a public building for a marine hospital at Gallipolis, Ohio, asked to be discharged from its further consideration, and that it be referred to the Committee on Public Buildings and Grounds; which was agreed to.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 570) for the relief of P. B. Sinnott, late Indian agent at Grand Ronde agency, State of Oregon, reported it without amendment, and submitted a report thereon.

Mr. SHERMAN, from the Committee on Foreign Relations, asked to be discharged from the further consideration of a letter of the Secretary of State, addressed to the chairman of that committee, in regard to the desire of the Government of Spain that currants and raisins should pay the same duty in the United States, and that it be referred to the Committee on Finance; which was agreed to.

#### BILLS INTRODUCED.

Mr. COKE introduced a bill (S. 1349) for the relief of John Mellifont and Ellen Riordon; which was read twice by its title, and referred to the Committee on Claims.

Mr. MANDERSON introduced a bill (S. 1350) to establish two additional land offices in the Territory of Wyoming; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1351) to enlarge the jurisdiction of the

probate courts in Wyoming Territory; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 1352) to provide for a minimum invalid pension of $8 per month; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CAMERON (by request) introduced a bill (S. 1353) for the relief of the legal representatives of Peter Lyle, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DOLPH introduced a bill (S. 1354) granting a pension to Helen Randolph; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FARWELL introduced a bill (S. 1355) for the relief of James Gilbert; which was read twice by its title, and referred to the Committee on Claims.

Mr. TELLER introduced a bill (S. 1356) for the relief of the heirs of Miguel Salinas; which was read twice by its title, and referred to the Committee on Claims.

Mr. DAVIS introduced a bill (S. 1357) granting a pension to Mary Bowen; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1358) granting a pension to James H. Barbour; which was read twice by its title, and referred to the Committee on Pensions.

Mr. EVARTS introduced a bill (S. 1359) for the relief of Mary A. Doud; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SABIN (by request) introduced a bill (S. 1360) for the increase of pensions for the loss of an eye; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DAWES introduced a bill (S. 1361) to provide for the reduction of the Round Valley Indian reservation in the State of California, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CULLOM (by request) introduced a bill (S. 1362) to facilitate promotions by retiring from active service officers of the Army who served in the war of the rebellion as general officers of volunteers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SHERMAN (by request) introduced a bill (S. 1363) for the relief of John A. Lynch; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. QUAY introduced a bill (S. 1364) to declare the sense of an act entitled "An act to reimburse the State of Pennsylvania for moneys advanced Government for war purposes," and to authorize a re-examination of the settlement made by the Secretary of War thereunder; which was read twice by its title, and referred to the Committee on Finance.

Mr. RIDDLEBERGER introduced a bill (S. 1365) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Yorktown, Va., and making appropriation therefor; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. BLAIR introduced a bill (S. 1366) to regulate the compensation of watchmen in the War, State, and Navy Departments of the Government; which was read twice by its title.

Mr. BLAIR. I also present a memorial to accompany the bill, signed by a committee in behalf of the employés of those Departments, which I am requested to have referred, with the bill, to the Committee on Education and Labor. I move the reference of the bill and accompanying papers to that committee.

The motion was agreed to.

Mr. EVARTS introduced a bill (S. 1367) to amend section 2805 of the Revised Statutes of the United States, so as to allow oaths to be administered by notaries public; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. VANCE introduced a bill (S. 1368) for the relief of the widow of Lieut. John F. Stewart; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. SAULSBURY introduced a joint resolution (S. R. 30) relating to international coinage; which was read twice by its title, and ordered to lie on the table.

### DISTRICT STREET-RAILWAY TAXES.

Mr. SPOONER submitted the following resolution; which was read:

*Resolved*, That the Committee on the District of Columbia be, and it is hereby, directed to inquire whether the street-railway corporations of the District are paying a fair proportion of taxes, regard being had to the value of their franchise and property and the amount of their earnings; and also whether a just tax upon the gross earnings of said companies is not, in the public interest, preferable to the present system of valuing and taxing such property.

And the said committee may, in prosecuting such inquiry, send for persons and papers, administer oaths, and employ a stenographer; said committee to report by bill or otherwise.

The PRESIDENT *pro tempore*. Does the Senator from Wisconsin ask for the present consideration of the resolution?

Mr. HOAR. I suggest to my honorable friend from Wisconsin that under the rule such a resolution has to go to the Committee on Contingent Expenses, to be reported by them.

Mr. SPOONER. I do not hear the Senator.

Mr. HOAR. I understand that a resolution which involves the payment of money from the contingent fund of the Senate requires to be submitted to the Committee on Contingent Expenses before its final passage.

The PRESIDENT *pro tempore*. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, under the rules.

### PACIFIC RAILWAY COMMISSION REPORT.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the President be requested to transmit to the Senate the report of the commissioners appointed by him under the provisions of chapter 345 of the Statutes of the second session of the Forty-ninth Congress, entitled "An act authorizing an investigation of the books, accounts, and methods of railroads which have received aid from the United States, and for other purposes."

### DISTRICT PUBLIC SCHOOLS.

Mr. BLAIR submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the commissioners of the District of Columbia be, and they are hereby, directed to report to the Senate a list of the names of all the teachers employed in the public schools of the District of Columbia, giving in connection with each teacher the following facts:

1. The grade of school in which now employed.
2. Length of service in the grade of school in which now employed.
3. Length of service in the public schools of the District of Columbia.
4. Present salary.
5. Increase in salary the present school year.
6. What salary the teacher would be entitled to receive under the schedule of salaries in force prior to its repeal by the establishment of the present schedule by an order of the commissioners dated July 1, 1886.

Also to report the amount expended and to be expended during the present fiscal year for the purpose of industrial education in said public schools, distinguishing the amounts so expended respectively in white and in colored schools; and giving in detail the names of the teachers, janitors, and other employés, the salary of each, the place where employed, the kind of instruction given by each teacher, the buildings rented and the rent paid per annum for each, the cost of fitting up each building, including the cost of tools and apparatus, the cost of materials and supplies for each school, the number of pupils in each school, and the number of hours per week each pupil receives instruction.

### TRAVIS'S PORTRAIT OF LINCOLN.

Mr. VOORHEES submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Committee on the Library are instructed to inquire into the advisability of the purchase of the life-size portrait of Abraham Lincoln, painted by the late W. F. Travis in the winter of 1864-'65.

### SCHOOL LAND GRANTS TO STATES.

Mr. BUTLER submitted the following resolution; which was read:

*Resolved*, First. That the Secretary of the Interior is hereby directed to report to the Senate the number of acres of public land granted by the United States Government to the respective States to which grants of land have been made for school purposes; that said report be made by States.

Second. That he also report the number of acres of public land that would be necessary to place those States which have never received such grants upon an equal footing with the States to which such grants have been made.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. HAWLEY. The information called for in the first branch of the resolution can all be found in the book known as The Public Domain, compiled by a committee appointed a few years ago.

Mr. BUTLER. Yes, but I prefer to have it in an official form from the Department.

The resolution was agreed to.

### CONDITION OF THE CIVIL SERVICE.

Mr. HALE. I desire to call up a resolution submitted by me before the holiday recess, for the purpose of submitting some remarks upon it.

The PRESIDENT *pro tempore*. Is there further morning business? If not, the order of morning business is closed. The Senator from Maine moves that the Senate proceed to the consideration of a resolution which will be read by the Chief Clerk.

The Chief Clerk read the resolution submitted by Mr. HALE December 12, 1887, as follows:

Whereas sections 11 and 14 of "An act to regulate and improve the civil service of the United States," approved January 16, 1883, provide as follows:

"SEC. 11. That no Senator, or Representative, or Territorial Delegate of the Congress, or Senator, Representative, or Delegate elect, or any officer or employé of either of said Houses, and no executive, judicial, military, or naval officer of the United States, and no clerk or employé of any department, branch, or bureau of the executive, judicial, or military, or naval service of the United States, shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution, for any political purpose whatever, from any officer, clerk, or employé of the United States, or any department, branch, or bureau thereof, or from any person receiving any salary or compensation from moneys derived from the Treasury of the United States.

"SEC. 14. That no officer, clerk, or other person in the service of the United States shall, directly or indirectly, give or hand over to any other officer, clerk, or person in the service of the United States, or to any Senator or member of the House of Representatives, or Territorial Delegate, any money or other valuable thing on account of or to be applied to the promotion of any political object whatever."

And whereas the spirit of said act has been interpreted by the President and by the Commissioners of the Civil Service Commission charged with its execution as forbidding all officers of the General Government from offensively participating in political conventions and elections, the President, in his order ad-

dressed to the heads of the Departments in the service of the General Government, dated July 14, 1886, setting forth his reasons for the same, as follows:

"EXECUTIVE MANSION, *Washington, July* 14, 1886.

"*To the Heads of the Departments in the service of the General Government:*

"I deem this a proper time to especially warn all subordinates in the several Departments and all office-holders under the General Government against the use of their official positions in attempts to control political movements in their localities. Office-holders are the agents of the people—not their masters. Not only is their time and labor due to the Government, but they should scrupulously avoid in their political action, as well as in the discharge of their official duty, offending by a display of obtrusive partisanship their neighbors who have relations with them as public officials. They should also constantly remember that their party friends from whom they have received preferment have not invested them with the power of arbitrarily managing their political affairs. They have no right as office-holders to dictate the political action of their party associates or to throttle freedom of action within party lines by methods and practices which pervert every useful and justifiable purpose of party organization.

"The influence of Federal office-holders should not be felt in the manipulation of political primary meetings and nominating conventions. The use by these officials of their positions to compass their selection as delegates to political conventions is indecent and unfair, and proper regard for the proprieties and requirements of official place will also prevent their assuming the active conduct of political campaigns. Individual interest and activity in political affairs are by no means condemned. Office-holders are neither disfranchised nor forbidden the exercise of political privileges, but their privileges are not enlarged, nor is their duty to party increased to pernicious activity by office-holding. A just discrimination in this regard between the things a citizen may properly do and the purposes for which a public office should not be used is easy, in the light of a correct appreciation of the relation between the people and those intrusted with official place and a consideration of the necessity under our form of government of political action free from official coercion. You are requested to communicate the substance of these views to those for whose guidance they are intended.

"GROVER CLEVELAND."

And Commissioner Oberly, in his letter to the Illinois Democratic Association, dated September 29, 1887, interpreting the statute as follows:

"Now, does it not follow that officers, clerks, and other persons in the service of the United States, who are organized for political purposes, and who by initiation fees, dues, and contributions defray the expenses of this organization, are violating sections 11 and 14 of the civil-service act? They are giving—they are handing over—to officers, clerks, or other persons in the service of the United States, and these persons, acting as officers of the association, as the representatives of the associated officers, clerks, and other persons in the service of the United States, are receiving money for political purposes, money to be applied to the promotion of political objects."

And whereas it is alleged that, notwithstanding the provisions of said act, and notwithstanding the interpretation placed upon the same by the authorities as above quoted, numerous Federal officers, appointed by the present Administration, have unduly and offensively exhibited a pernicious activity both in nominating conventions and in the elections following: Therefore,

*Resolved*, That a select committee, to consist of seven Senators, be, and the same is hereby, constituted and appointed, whose duty it shall be to examine fully into the present condition of the civil service in all branches of the Government, to ascertain whether the appointments in said service have been based upon merit and qualifications or have been distributed as partisan favors; and further to fully examine and report as to the offensive participation of officers and employés of the General Government in political conventions and elections.

Said committee is hereby authorized to employ a clerk and stenographer, and shall have power to administer oaths, send for persons and papers; to sit in Washington or such other places as may be necessary, and to conduct its investigations through subcommittees, the expenses of the same to be paid from the contingent fund of the Senate; and a full report of its proceedings shall be made to the Senate at as early a day as is practicable.

The PRESIDENT *pro tempore*. The question is on the motion to proceed to the consideration of the resolution.

The motion was agreed to.

Mr. COCKRELL. I intended to offer an amendment to the resolution. I will not offer it at this time, as the Senator from Maine, I see, desires to make some remarks upon the resolution. I did not know that that was the intention for which it was called up.

Mr. HALE. I will do whatever is agreeable to the Senator.

Mr. COCKRELL. I shall not offer the amendment at this time.

The PRESIDENT *pro tempore*. The Senator from Maine has the floor.

Mr. HALE. This resolution, Mr. President, has been offered with the sincere purpose of securing such an investigation as will disclose to Congress and to the American people the present condition of the civil service of the Government, and the performances of high and low officials in that service, as bearing upon a subject which, of late years, has assumed in our politics a position of considerable importance.

Since the establishment of the Government of the United States the extent of its civil service has kept pace with the remarkable growth of the country in territory, wealth, and population. All the old Departments have become swollen to an extent never dreamed of by the fathers, and new Departments have been created to meet the wants of the people in doing business with their Government. A hundred questions are passed upon every week by the Federal officials, touching the rights of citizens, the subjects of which had no being when the Government was inaugurated. In the customs, in the public lands, in patents, in the post-office, in the Territories, and in our foreign relations a hundred men are needed to-day to do the work which was formerly done by two or three clerks. All the great business of the internal revenue is a new creation, and the Pension Bureau is a little world of affairs in itself.

With all this has come a vast increase of responsibility, resting primarily upon the head of the Government and upon those who are called by him to preside over the different Departments.

The extent and power of patronage have increased, to the alarm of many thoughtful men. As the years have gone by the American people have seen different changes of administration, and generally the rule has been that each administration during the last fifty years has filled the offices with its political friends. When Abraham Lincoln took the oath of office on the 4th day of March, 1861, I venture to say that the proverbial hunting for a needle in a hay-stack would have been a no more futile effort than would have been the search for a Republican holding office under the General Government. The Democratic party stood as the exponent of the proposition that "to the victors belong the spoils."

During the eventful years that rested with their solemn responsibilities upon Mr. Lincoln's shoulders the vast concerns in which his administration became involved led to an equally vast increase in nearly every branch of the service, and to fill these new places, as well as the old ones, Mr. Lincoln's administration looked to the loyal population of the country in making its appointments. The test was not so much politics as loyalty, and Republicans and war Democrats received appointment and promotion both in the field and in the civil service of the Government. Not a few of these beneficiaries so selected have within the last three years been turned out, in many cases to the charities of a cold world, to make places for those who neither had in the war nor now have any sympathy with the cause that Mr. Lincoln so faithfully represented.

During the time that has elapsed since the war the Republican party has held the reins, with the exception of the few years of Andrew Johnson's troubled and fractious administration, and, with the exception of those years, most appointments in the civil service have been of persons in political sympathy with the administration.

We have all seen that in late years it became a grievance and a scandal in the minds of many sincere, earnest, and patriotic men that appointments should be so made. Civil-service-reform associations took up the subject in all parts of the country and discussed it and formulated their views, demanding reform, which were submitted to the President and to Congress, and to the legislative and executive branches of the governments in different States.

Inseparably connected with this agitation, and, perhaps, in a large degree accounting for the growing sentiment behind it, was the alleged offensive participation of men holding Federal office in the politics of the country. The men and the associations who brought forward this grievance and who abhorred this scandal declared that not only the elections but the primaries and the caucuses which selected candidates to be supported by the different parties were under the manipulation and control of those who were generally known as and called "office-holders." It was proclaimed everywhere by those who urged the reform, and the cry was taken up by Democratic newspapers and orators, that the vast army of men holding office, numbering near a hundred thousand, stood as a menace, and might at any time stifle the expression of the people's voice when a change of administration should be honestly demanded.

Late Republican administrations have recognized the force of this sentiment, and General Grant and President Hayes, during their respective administrations, sought to conform as far as might be with the reasonable demands of this agitation, and during the second session of the Forty-seventh Congress, in 1883, a Republican Congress enacted the statute from which I have quoted in my resolution, which statute was approved by a Republican President and became the law of the land.

President Arthur honestly and faithfully set the machinery of this statute to work, and in all the appointments to the classes covered by its provisions strictly followed its directions. The comparison that I would suggest between President Arthur's course in this matter and the course of his successor is that President Arthur, as in all things in which he engaged, made no proclamation of his superior virtue in starting out, but contented himself with modestly and earnestly doing his duty under the law. He was not clapped and applauded, but none the less he was a practical and earnest civil-service reformer. I have not heard the contrary asserted or claimed. In transmitting the report of the Civil Service Commissioners, February 28, 1884, to Congress he says:

Upon the good result which this law has already accomplished I congratulate Congress and the people, and I avow my conviction that it will henceforth prove to be of still more signal benefit to the public service.

The Republican party, which President Arthur represented, was content to see the operation of the civil-service-reform statute carried out through the land. A noticeable change took place in the construction of its party organizations, both in national and State politics, and all men holding office under the Government or connected in any way with its executive or legislative departments disappeared from its national, State, and local committees, and the management of its organizations through such committees passed into other hands. Like the acts of President Arthur, this was done with no flourish of trumpets, but simply as a tribute of obedience to the spirit of the law which had been enacted.

I have not yet seen any recognition of this action of the leaders of the Republican party from any of the organizations which assume to represent civil-service reform throughout the country.

It is but fair to say for the persons who constituted the civil service

of the Federal Government at the time when the statute was enacted that in a vast majority of cases no complaint was made against them; they attended to their duties faithfully; they were good citizens, appreciated by their neighbors and friends. The administration of the Government through their labors had been conducted under one party for nearly twenty-five years with unexampled success. The percentage of deficits, of defalcations and embezzlements and losses to the Government in all its vast transactions had steadily decreased, so that under the last Republican administration the rate of the losses was so small as compared with the corresponding rate in the last Democratic administration that the general charges of inefficiency and corruption were listened to by no well-informed man. It is worth the while here for me to read the tables showing the rates of such losses during the last forty years:

*Ratios of Democratic defalcations compared with Republican honesty.*

| Administration. | Period of service. | Total. | | | Total. | | | Recapitulations. | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | | Receipts. | Losses. | Loss on $1,000. | Disbursements. | Losses. | Loss on $1,000. | Amount involved. | Total losses. | Loss on $1,000. |
| | *Years.* | | | | | | | | | |
| Washington | 8 | $56,448,721 | $210,551 | $3.72 | $55,426,822 | $38,497 | $0.69 | $112,560,503 | $250,970 | $2.22 |
| Adams | 4 | 46,085,418 | 42,249 | .91 | 43,811,926 | 190,950 | 4.35 | 90,733,611 | 335,411 | 2.59 |
| Jefferson | 8 | 108,238,977 | 287,260 | 2.65 | 107,686,311 | 303,834 | 2.82 | 219,072,736 | 603,467 | 2.75 |
| Madison | 8 | 266,246,514 | 294,975 | 1.10 | 255,105,106 | 1,855,446 | 7.27 | 526,764,049 | 2,191,660 | 4.16 |
| Monroe | 8 | 178,649,964 | 629,946 | 3.52 | 188,437,779 | 2,492,535 | 13.22 | 376,328,274 | 3,229,787 | 8.58 |
| Adams | 4 | 97,818,054 | 332,953 | 3.40 | 97,264,000 | 513,829 | 5.28 | 201,488,077 | 885,374 | 4.39 |
| Jackson | 8 | 255,182,775 | 1,412,387 | 5.53 | 223,546,049 | 2,306,236 | 10.31 | 500,081,747 | 3,761,111 | 7.52 |
| Van Buren | 4 | 129,948,548 | 392,328 | 3.01 | 137,094,438 | 2,899,653 | 21.15 | 285,337,949 | 3,343,792 | 11.71 |
| Harrison, Tyler | 4 | 116,736,004 | 429,981 | 3.68 | 109,187,401 | 1,133,242 | 10.37 | 244,590,156 | 1,565,903 | 6.40 |
| Polk | 4 | 201,857,508 | 18,109 | .08 | 205,194,700 | 1,712,169 | 8.34 | 423,913,687 | 1,732,851 | 4.08 |
| Taylor, Fillmore | 4 | 211,908,612 | 276,270 | 1.30 | 194,370,493 | 1,485,192 | 7.64 | 432,861,676 | 1,814,409 | 4.19 |
| Pierce | 4 | 282,179,829 | 213,001 | .75 | 285,638,875 | 1,674,852 | 5.86 | 608,257,815 | 2,167,982 | 3.56 |
| Buchanan | 4 | 312,359,679 | 194,003 | .62 | 328,183,268 | 2,292,825 | 6.98 | 697,500,870 | 2,659,107 | 3.81 |
| Lincoln | 4 | 4,670,460,137 | 508,593 | .70 | 4,667,457,921 | 6,599,022 | 1.41 | 9,386,637,144 | 7,200,984 | .76 |
| Johnson | 4 | 4,042,316,438 | 2,562,721 | .63 | 3,891,576,259 | 1,889,641 | .48 | 8,014,908,984 | 4,619,599 | .57 |
| Grant | 8 | 5,318,698,324 | 1,189,139 | .22 | 5,287,604,645 | 1,138,541 | .21 | 10,842,922,583 | 2,622,478 | .24 |
| Hayes | 2 | 1,728,979,907 | None. | None. | 1,557,034,964 | 1,383 | .00 | 3,353,629,855 | 2,676 | 1/10 mill. |
| | | 18,024,115,418 | 8,994,375 | .49 | 17,634,620,963 | 28,527,857 | 1.61 | 36,317,639,725 | 38,887,568 | 1.07 |
| Prior to June 30, 1861 | | 2,263,660,610 | 4,734,020 | 2.09 | 2,230,947,173 | 18,899,268 | 8.47 | 4,719,481,157 | 24,441,829 | 5.17 |
| July 1, 1861, to June 30, 1879 | | 15,760,454,807 | 4,260,355 | .27 | 15,403,673,790 | 9,628,589 | .62 | 31,598,158,567 | 14,445,739 | .46 |

In the great work of the Internal-Revenue Bureau, the astonishing, unexampled spectacle was presented of more than one hundred millions of dollars being collected yearly for seven years, through an army of employés numbering more than five thousand, every dollar of which had been turned into the United States Treasury, not even one cent being lost to the Government.

In the national election in 1884 both parties recognized, in their platforms, civil-service reform. The Republican declaration was straightforward and explicit; that of the Democrats, evasive and meaningless. Here are the two:

[From the Republican platform.]

Reform of the civil service, auspiciously begun under Republican administration, should be completed by the further extension of the reform system, already established by law, to all the grades of the service to which it is applicable. The spirit and purpose of the reform should be observed in all executive appointments, and all laws at variance with the objects of existing reform legislation should be repealed to the end that the dangers to free institutions which lurk in the power of official patronage may be wisely and effectively avoided.

[From the Democratic platform.]

We favor honest civil-service reform.

But as the canvass progressed it was seen that a considerable number of men, who had previously affiliated with the Republican party, were bent upon opposing its candidate, and it gradually became apparent that these men were not only opposing Mr. Blaine and urging their friends to oppose him, but looking about for reasons that would justify them in supporting his opponent, Mr. Cleveland.

The Democratic candidate was not slow to recognize this, and in his letter of acceptance, dated August 18, 1884, he takes occasion to express his belief that the misuse of patronage in the selection of officials who make it their business to interfere improperly in elections should be prevented, even at the expense of an amendment to the Constitution disqualifying the President for re-election. I quote from the letter:

When we consider the patronage of this great office, the allurements of power, the temptation to retain public places once gained, and, more than all, the availability a party finds in an incumbent when a horde of office-holders with a zeal born of benefit received and fostered by the hope of favors yet to come stand ready to aid with money and trained political service, we recognize in the eligibility of the President for re-election a most serious danger to that calm, deliberate, and intelligent political action which must characterize a government by the people.

Warming to his subject, Governor Cleveland, a little further on in the same letter, announced his views as follows:

The people pay the wages of the public employés, and they are entitled to the fair and honest work which the money thus paid should command. It is the duty of those intrusted with the management of these affairs to see that such public service is forthcoming. The selection and retention of subordinates in Government employment should depend upon their ascertained fitness and the value of their work, and they should be neither expected nor allowed to do questionable party service. The interests of the people will be better protected; the estimate of public labor and duty will be immensely improved; public employment will be open to all who can demonstrate their fitness to enter it. The unseemly scramble for place under the Government, with the consequent importunity which embitters official life, will cease, and the public departments will not be filled with those who conceive it to be their first duty to aid the party to which they owe their places instead of rendering patient and honest return to the people.

These utterances are clear and distinct, and may be presumed to have had their effect. The seceders from the Republican party voted the Democratic ticket, and in the close States their numbers were sufficient to decide the result, and Governor Cleveland was elected President. If anybody doubts the moving consideration which impelled this seceding vote in the direction of the Democratic candidate, he has only to read the declarations of the leaders in the civil-service-reform movement made many times since the election.

I am now approaching, Mr. President, the consideration of the course of President Cleveland's administration, elected upon the statements and pledges which I have just quoted. These statements and pledges, in connection with subsequent utterances made by the President, are the foundation for the declaration of Mr. George William Curtis in his address to the annual meeting of the National Civil Service Reform League, held at Newport August 3, 1886, that "President Cleveland is identified in the public mind with the cause of reform."

Subsequent to the election, and previous to his inauguration, on December 25, 1884, Mr. Cleveland, in a letter to Hon. George William Curtis, among other things, enunciates the following propositions as covering his views:

I am not unmindful of the fact to which you refer, that many of our citizens fear that the recent party change in the national Executive may demonstrate that the abuses which have grown up in the civil service are ineradicable. I know that they are deeply rooted and that the spoils system has been supposed to be intimately related to success in the maintenance of party organization, and I am not sure that all those who profess to be the friends of this reform will stand firmly among its advocates when they find it obstructing their way to patronage and place. But fully appreciating the trust committed to my charge, no such consideration shall cause a relaxation on my part of an earnest effort to enforce this law.

If I were addressing none but party friends, I should deem it entirely proper to remind them that, though the coming administration is to be Democratic, a due regard for the people's interest does not permit faithful party work to be always rewarded by appointment to office; and to say to them that while Democrats may expect all proper consideration, selections for office, not embraced within the civil-service rules, will be based upon sufficient inquiry as to fitness, instituted by those charged with that duty, rather than upon persistent importunity or self-solicited recommendations on behalf of candidates for appointment.

In his inaugural address delivered March 4, 1885, the President makes the following declarations of his views as to reform:

The people demand reform in the administration of the Government and the application of business principles to public affairs. As a means to this end, civil-service reform should be in good faith indorsed. Our citizens have the right to protection from the incompetency of public employés who hold their places solely as the reward of partisan service, and from the corrupting influence of those who promise and the vicious methods of those who expect such rewards;

and those who worthily seek employment have the right to insist that merit and competency shall be recognized instead of party subserviency or the surrender of honest political belief.

Searching through the President's first annual message to Congress, delivered December 8, 1885, one finds, just before its conclusion, the following reform sentences:

I am inclined to think that there is no sentiment more general in the minds of the people of our country than a conviction of the correctness of the principle upon which the law enforcing civil-service reform is based.

Experience in its administration will probably suggest amendment of the methods of its execution, but I venture to hope that we shall never again be remitted to the system which distributes public positions purely as rewards for partisan service. Doubts may well be entertained whether our Government could survive the strain of a continuation of this system, which upon every change of administration inspires an immense army of claimants for office to lay siege to the patronage of the Government, engrossing the time of public officers with their importunities, spreading abroad the contagion of their disappointment, and filling the air with the tumult of their discontent.

The allurements of an immense number of offices and places exhibited to the voters of the land, and the promise of their bestowal in recognition of partisan activity, debauch the suffrage and rob political action of its thoughtful and deliberative character. The evil would increase with the multiplication of offices consequent upon our extension, and the mania for office-holding, growing from its indulgence, would pervade our population so generally that patriotic purpose, the support of principle, the desire for the public good, and solicitude for the nation's welfare would be nearly banished from the activity of our party contests and cause them to degenerate into ignoble, selfish, and disgraceful struggles for the possession of office and public place.

Civil-service reform enforced by law came none too soon to check the progress of demoralization.

One of its effects, not enough regarded, is the freedom it brings to the political action of those conservative and sober men who, in fear of the confusion and risk attending an arbitrary and sudden change in all the public offices with a change of party rule, cast their ballots against such a change.

Previous to this, on September 11, 1885, in his letter accepting the resignation of Mr. Eaton, the Civil Service Commissioner, the President took occasion to say:

I believe in civil-service reform and its application in the most practicable form attainable, among other reasons because it opens the door for the rich and the poor alike to a participation in public place-holding.

You will agree with me, I think, that the support which has been given to the present Administration in its efforts to preserve and advance this reform by a party restored to power after an exclusion for many years from participation in the places attached to the public service, confronted with a new system precluding the redistribution of such places in its interest, called upon to surrender advantages which a perverted partisanship had taught the American people belonged to success, and perturbed with the suspicion, always raised in such an emergency, that their rights in the conduct of this reform had not been scrupulously regarded, should receive due acknowledgment, and should confirm our belief that there is a sentiment among the people better than a desire to hold office, and a patriotic impulse upon which may safely rest the integrity of our institutions and the strength and perpetuity of our Government.

In a personal interview published in the Boston Herald January 30, 1885, the President makes the following epigrammatic utterances:

No, I have tried to be true to my own pledges and the pledges of my party. We both promised to divorce the offices of the country from being used for party service. I have held to my promise, and I mean to hold to it.

Also the following:

What I understand by civil-service reform, as I am carrying it out, is that the office-holders shall be divorced from politics while they fill their positions under this Government. This rule I have meant to stand by.

Here, Mr. President, we have an administration pledged as strongly as words can pledge it to the cause of civil-service reform. It was an administration elected, as Mr. Curtis has said, because of such pledges and the faith that was based upon them. To the vision of the reformer a brighter and better day was dawning in American politics. Appointments to office were to be made on the Jeffersonian plan of fitness and character. There were to be no more sweeping removals. Nobody was to behold the spectacle of a horde of hungry office-seekers besieging the capital upon a change of administration. The affairs of the Government were to be conducted upon business principles. The office-holders were to be "the servants of the people and not their masters." They were to be "divorced from politics." They were not to seek to control conventions and elections. We were to have a "pure, non-partisan civil service."

Let us now see, Mr. President, how these high-sounding pledges have been kept. Mr. Curtis declares that they attracted a sufficient number of independent voters to the standard of the Democratic party to elect its President. If this be so it is worth the while to bring to the minds of these "independent" men and to the attention of the country the real condition of affairs since the Democratic party, after gaining possession of the Government through the pledges of its candidate, came into full power.

Before going to this, Mr. President, I wish it distinctly understood that in any arraignment which I may make of the present Administration touching its appointments and the participation of civil officers of the Government under it in politics I am uttering no complaint in the interests of Republicans who have been removed from Federal offices. These men have made no complaint, and will make none. In common with other Senators upon this side of the Chamber, I have made no attempt to retain them in office. Indeed, Mr. President, notwithstanding the platform of the Democratic party and the declarations and pledges of its candidate, I have never expected much less than a clean sweep at the hands of the Democratic party; for if there is anything that the leaders of that party and its masses believe in and mean to maintain it is the doctrine that "to the victors belong the spoils;" and, Mr. President, it was not only that Mr. Cleveland was elected President in November, 1884; but what was of much more importance to the country, the Democratic party, which Mr. Curtis declared was both "hungry and thirsty for office," was set up in power.

The man is blind who does not see to-day that the spirit of that party upon the question of the distribution of the "spoils" is as powerful, as controlling, as dominant as it ever was in the days of Polk or Pierce or Buchanan. This is what, as we have all seen, has brought the President and party leaders together. This is what has made Senators, who two years ago denounced and derided the President because of his "impracticable civil-service reform theories," his advocates and apostles to-day. It is not that they have yielded, but that he has yielded.

Whatever may have been the President's intention in the beginning, however honestly he may have intended to carry out his many declarations for reform, the pressure from his party has been too great; the spoilsmen have captured the Administration, and now their talk is of nothing but the renomination and re-election of the President.

If the fond dream ever possessed the mind of the civil-service reformer that under President Cleveland the Democratic party was to be transformed into a civil-service-reform party, that reformer has seen the baseless fabric of his dream vanish in a rude awakening.

I invite the attention of these gentlemen to the following table, which was carefully made up to June 11, 1887, more than six months ago, from figures furnished by the Department, as showing how sweeping had been the change in all of the departments of the Government up to that date:

| Offices. | Places filled by Cleveland. | Whole number of places. |
|---|---|---|
| Presidential postmasters (estimated) | 2,000 | 2,359 |
| Fourth-class postmasters (estimated) | 40,000 | 52,609 |
| Foreign ministers | 32 | 33 |
| Secretaries of legation | 16 | 21 |
| Consuls | 138 | 219 |
| Collectors of customs | 100 | 111 |
| Surveyors of customs | 33 | 33 |
| Naval officers of customs | 6 | 6 |
| Appraisers, all grades | 34 | 36 |
| Superintendents of mints and assayers | 11 | 13 |
| Assistant treasurers at subtreasuries | 9 | 9 |
| Collectors of internal revenue | 84 | 85 |
| Inspectors of steam-vessels | 8 | 11 |
| District attorneys | 65 | 70 |
| Marshals | 64 | 70 |
| Territorial judges | 22 | 30 |
| Territorial governors | 9 | 9 |
| Pension agents | 16 | 18 |
| Surveyors-general | 16 | 16 |
| Local land officers | 190 | 224 |
| Indian inspectors and special agents | 9 | 10 |
| Indian agents | 51 | 59 |
| Special agents, General Land Office | 79 | 83 |
| Total | 42,992 | 56,134 |

Mr. SAULSBURY. Allow me to ask whether those changes were all removals?

Mr. HALE. The Senator will take notice that I am speaking of changes. I am coming afterwards to speak of the method of the changes.

At the time to which this table comes the present Administration had been a little more than two years in power.

The best comment, Mr. President, upon this remarkable table that I can make is to quote the editorial headings of a leading Democratic newspaper, when it exultingly published this sweeping list. Here they are: "The civil service;" "Practical exclusion of Republicans from employment under the National Government;" "Only a small class of public servants protected by the Pendleton act;" "The changes effected with as little derangement of business as possible;" "Spoilsmen not satisfied."

Not "satisfied," Mr. President, till they should have secured possession of the small fraction of offices remaining in Republican hands in June last. Since that time a large portion of the places represented by this small fraction have been filled by Democrats, and I hope in a few days to have the figures which will show how almost complete and exhaustive have been the changes.

This showing, Mr. President, is most amazing. I was not aware of the extent of the change till I looked up the figures; the country has not known or appreciated it. Certain incidents connected with these changes are startling. It can not be said in defense of the President and his party that in most cases the changes were made because of the expiration of the terms of the incumbents or of their resignations. In a very great majority of all these cases, probably nineteen-twentieths of all, the civil officers removed held under no fixed tenure of office, being removable at the pleasure of the President. So far as resignations go, they have been comparatively few, and, in nine cases out of ten, have been extorted under the threat of removal.

In the great Bureau of Internal Revenue, out of eighty-five collect-

ors eighty-four had been removed on June 11, and the other, I believe, has gone since. Not one of these held under a fixed term of office which had expired. The same is true of that large number of officials who are employed in the Indian service as inspectors, in the Land Office, in the Pension Office, in the mints, and in the judiciary of the Territories.

It is true of that great army of small officials who are known as fourth-class postmasters; and this class and its treatment deserve some special comment. This class includes the postmasters in the smaller towns and villages and cross-roads throughout all the States and Territories. They represent, more than any other class, the men whose official duties bring them into direct relation and communication with the people. They are, in most cases, poorly paid, and do their own work. Scarcely one of these places can be called a sinecure, and yet such has been the greed of the local Democratic politician for some kind of office that, out of fifty-two thousand six hundred and nine places in this class, forty thousand, as near as the estimate can be made, or as the Postmaster-General, in his report, makes it, between thirty-six and thirty-seven thousand, had been removed up to the early part of last June. I do not believe to-day, Mr. President, that ten thousand of the old incumbents in this class remain in office. What is more to the point, I do not believe that out of those that are left three thousand are Republicans, or that, from all those that have been newly appointed, one hundred are Republicans. The Nasbys and the Bascoms and the Gavits of the Democratic party have been put into these places by this civil-service-reform administration.

No man can say, out of this vast mass of patronage, how many local Democratic strikers, who have come to Washington seeking high places in the Government and have gradually beheld their hopes fading, have seen their application strained down from one grade to another till at last they have rested content as a fourth-class Democratic reform postmaster in a grocery in some country corner.

I commend this list to the special attention of the gentlemen of the civil-service-reform associations who still cling to the fond hope that Mr. Cleveland is a reform President. Not one of these removals could have taken place if he had forbidden it. Indeed, between the adjournment of Congress and his departure for the Adirondack Mountains the President appointed two hundred and fifty-three postmasters, of whom but one was appointed to succeed himself and ninety-one were appointed to succeed postmasters who were removed.

The difference between word and deed is clearly shown in the case of Secretary Lamar, who took occasion in April last to commend John C. Calhoun for his opposition to the spoils system, and to congratulate himself upon belonging to an Administration that was engaged in carrying out the policy that Calhoun advocated.

The stern facts are that in the service over which Mr. Lamar has presided every Territorial governor has been removed; sixteen out of eighteen pension agents; every single surveyor-general; four-fifths of the local land officers; nine-tenths of the inspectors and special agents of the Indian service; fifty-one out of fifty-nine Indian agents; seventy-nine out of eighty-three special agents of the General Land Office, and more than two-thirds of the special examiners of the Pension Office. But Secretary Lamar to-day stands on record as against the spoils system, and takes high rank as a reformer.

If I were not consuming too much time, Mr. President, I could select from the figures which are before me other Departments of the Government, not covered by the table which I have presented, showing this conquering march of the Democratic party in pursuit of the offices.

In all the Departments in Washington are found able and honest men, who have given their lives to the service of the Government. They have begun as clerks in the lower grades and have been steadily promoted until they have at last reached the highest places to which they may reasonably aspire. They were found, when the reform Democratic administration came into power, as chief clerks and chiefs of divisions. They made the eyes and ears of the Departments, and, one would suppose, should be considered as almost indispensable. In the Treasury Department there are seventy-nine chief clerks and chiefs of divisions, and up to June, 1887, sixty-six of these seventy-nine had been changed. In not more than a half a dozen cases the person appointed was a promoted clerk. The introduction into this force was almost entirely from the outside. Every deputy auditor, deputy comptroller, and deputy commissioner of internal revenue has been changed. In many cases chiefs of divisions have been reduced in grade, and new men, from the outside world, of the Democratic party, have been appointed. In more than one case the head of a division has been reduced to a lower clerkship and the Democratic politician has been appointed in his place, and the old incumbent, in his reduced grade and at his reduced pay, is performing all his old work, and the new incumbent does practically nothing. But this is civil-service reform.

Mr. President, there is but one thing about this showing that can be offensive to my friends on the other side of the Chamber whose constituents are following them in frantic pursuit for the offices. There are still here and there a few places worth the holding remaining in the hands of Republicans who, instead of "fixing conventions" and mustering the voters at the polls, are attending to the duties of their office; but these cases I must remind my friends are few and all the while becoming less and less.

My friend from Kentucky [Mr. BECK] has seen to it that out of thirty-nine Presidential post-offices in his State but one holds over. I am not sure that he, perhaps the "late postmaster" at Somerset, has not gone.

My brilliant friend from Missouri [Mr. VEST], in association with his indefatigable colleague [Mr. COCKRELL], has looked to it that out of seventy-nine Presidential post-offices in his State seventy-five were changed. Either of these Senators can tell better than I whether since October 28, to which time my figures come down, either of the other four has been allowed to stay.

The Senator from Maryland [Mr. GORMAN], who marshals his party in the national elections, has been a little more forbearing in his treatment of the post-offices, for, in late October, I find that four of these places remained unchanged. Possibly this may have been in view of the coming election; since when reform may have exhausted itself by completing the sweep. But he has looked more carefully after the Federal offices under the Secretary of the Treasury, as every Presidential appointment, from collectors of the ports down to local appraisers, has been changed with the exception of the collector of customs at Annapolis.

My friend from North Carolina [Mr. RANSOM], who will have all the Presidential postmasters in his State, as I hope, in his Senatorial race next year, has quietly proceeded to have every one of them changed, at which none of us, of late, have heard any grumblings from his colleague [Mr. VANCE] as to the impracticable theories of the Administration.

South Carolina, out of eighteen Presidential post-offices, had in October but one holding over, and all of the customs and internal-revenue officers in that State are new.

Louisiana has twelve Presidential post-offices, all being new appointees.

Indiana, under the charge of the eloquent Democratic Senator from that State [Mr. VOORHEES], has not been forgotten, and out of eighty-seven Presidential post-offices only those at Crown Point, Goshen, and Union City remained in October unchanged.

The Florida Senators must be surprised to learn that one Republican postmaster was left at Eustis, out of seventeen Presidential post-offices. I commend this accidental escape to their immediate attention.

How it has happened that in Delaware, with but six Presidential post-offices, a Republican postmaster still holds at Newark is an anomalous condition yet to be explained.

In the Northern States where there are no Democratic Senators and but few Representatives in the other branch of Congress, somebody has been equally effective in the cause of reform.

Colorado has twenty-eight Presidential post-offices, only two of which remained unchanged in October.

Iowa has one hundred and twenty-four Presidential post-offices, and of these seven remained unchanged.

Kansas has one hundred and ten Presidential post-offices, and out of these the postmasters at Augusta, Cawker City, Frankfort, Hays City, Humboldt, and Lindsborg have escaped the ax.

In my own State, out of thirty Presidential post-offices, five remained unchanged at the date already given.

In Massachusetts the Democratic party has maintained an indifferent, and indeed sullen, attitude toward the Administration, because of the fact that out of one hundred and twenty-six Presidential post-offices twenty-three, up to the date of the last election, remained in the hands of Republicans.

In Michigan, out of one hundred and six Presidential post-offices, fourteen remain.

In Minnesota, out of fifty-one, six remain.

In Nebraska, out of seventy, six remain.

In New Hampshire two Republicans, out of thirty-two Presidential post-offices, remain as spared monuments of mercy.

In New York, out of two hundred and nineteen Presidential post-offices, forty-seven remain in Republican hands, or did previous to the last election.

This is not so bad a showing, after all, in the cause of reform, and for the further satisfaction of my friends upon the other side of the Chamber, and for the encouragement of the average Democratic politician in the country, I am glad to be able to say that the Administration has lost no vigor in this work of removal. Indeed, wherever an examination has been made, showing the rate of changes from month to month, it has been discovered that although the number of removals to be made is less the percentage of change is constantly increasing.

The Civil Service Record, of Boston, a good authority upon this subject, not long ago investigated the unclassified service in the Interior Department, and reports the rapidity with which the changes have been made, as follows: "On October 1, 1886, the percentage of changes was 71; on January 1, 1887, the percentage was 78½; on July 1, 1887, the percentage was 90."

At this rate it can be easily seen that the remaining small percentage will soon be removed. The cry of "Kill, kill," as in the massacre of St. Bartholomew's day, grows louder as the number of victims increases.

Mr. GRAY. Will the Senator allow me to ask him a question?

Mr. HALE. Certainly.

Mr. GRAY. I ask whether in the statement as to Presidential post-

offices the Senator allows for the number of new appointees by reason of the expiration of term? I know that in my own State, where there are but a small number of Presidential post-offices, every one of the changes was made to fill a vacancy caused by the expiration of the term of office.

Mr. HALE. There are tables which show that. Every Senator can see for himself, as to Presidential post-offices running for four years of time as their term of office, that in two years of an administration, upon the doctrine of averages, the term of one-half might expire. I have been giving the record in these States where, instead of one-half of the number of postmasters being changed, the proportion ranges from five-sixths to nineteen-twentieths, or to a complete change, so that whatever may be the fact in Delaware—and that I did not comment on—the Senator himself must see that removals accelerate these changes beyond what would naturally occur on the doctrine of averages.

Mr. GRAY. I do not understand that the Senator insists that the President has done wrong in filling post-offices which became vacant by the expiration of the term of the incumbent.

Mr. HALE. I have said before that I did not claim that all of these changes had been by removals; but a significant fact attending the pledges and promises of this civil-service-reform Administration is that as the terms have expired not one in five hundred of the old incumbents has been reappointed. It goes without saying, and nobody raises a question, that their successors will always be Democrats, notwithstanding the President has said that he will not encourage a horde of office-seekers to besiege the Departments of the Government and his door for rewards for partisan work.

I have just given the instance, which the Senator did not hear, that in the little space of time between the adjournment of Congress and the Presidential visit to the Adirondack Mountains, out of two hundred and fifty-three Presidential appointments that were made ninety-one were to fill offices vacated by removals, and only one of a man to succeed himself.

Mr. GRAY. What officers were they?

Mr. HALE. Postmasters.

Let us now, Mr. President, turn to the other side of this subject of reform in the civil service, that which relates to the offensive participation of office-holders in politics. That this should not be permitted in any well-regulated civil service goes without saying. The President saw this clearly, and his utterances in relation to it are as clear and distinct as they were upon appointments and removals.

I have already quoted from his letter of acceptance, in which he deprecated the existence of "a horde of office-holders, with a zeal born of benefit received, and fostered by the hope of favors yet to come, who stand ready to aid with money and trained political services" the party to which they belong. And we have seen further his declarations, after assuming his high office, of the things which he believed to constitute a true civil-service reform, namely:

**The separation of the offices from politics, the non-participation of office-holders in elections and conventions.**

During the first year of the President's administration, and as the time approached for the campaign which preceded the State and Congressional elections in 1886, it was discovered that things were going on in the Democratic party very much after its old fashion. The men in office were "manipulating conventions," "fixing nominations," and taking upon themselves the conduct of the campaign generally. So apparent was this in Maryland, in Indiana, in Kentucky, in New York, in Pennsylvania, and in other contested States, that a voice of complaint was heard, not from the Democrats, who desired this condition of things, nor from the Republicans, who expected it, but from the "Independents," who had contributed to the President's election, and who now were fain to admit that matters were not going to suit them.

The President was ready, as usual, with letters of assurances and with proclamations tending to appease the discontent of his "Independent" allies.

The statute which I have recited in the resolution upon which I am speaking is definitive and explicit in its terms, and its passage by a Republican Congress and approval by a Republican President, as I have said, was followed by a complete change in the organization of the party, all men holding Federal office disappearing from its committees and staff of political workers.

On the 14th day of July, 1886, the President issued his famous order from the Executive Mansion in Washington, "To the heads of the Departments in the service of the General Government." As this whole proclamation has been read from the desk of the Secretary, I will not here take up the time of the Senate by repeating it. In it the President declares that his purpose is "to warn all subordinates in the several Departments and all office-holders under the General Government, against the use of their official positions in attempts to control political movements in their localities." In it he declares that "office-holders are the agents of the people—not their masters." In it he warns Federal officials against "offending, by a display of obtrusive partisanship, their neighbors who have relations with them as public officials." In it he declares that "they have no right as office-holders to dictate the political action of their party associates." In it he declares that the duty of the office-holder to his party is not "increased to pernicious activity by office-holding."

These plain declarations of the President form a policy under which, if properly followed, the civil service of the country would indeed be divorced from politics. The Independents felt this, and, taking new courage from the President's declarations, and forgetting how far the performance had fallen short of his promises in appointments and removals, still clung, in many cases, to the Democratic organization.

The Civil Service Commissioners, or at least two of them, interpreted the statute in accordance with the President's instruction, and this added weight to the Executive direction. But the leaders and the masses of the Democratic party felt by this time that they clearly understood the situation, and at this point begins to be clearly marked the change of tone among these leaders in their comments upon the President. They realized fully that in view of coming elections the party must ride two horses; that the President was to steadily maintain in all his public declarations the cause of civil-service reform, with the view of retaining the support of the Independents; but that, as in the case of appointments and removals, no real obstruction was to be placed in the way of any and every office-holder participating, whenever he chose, in caucuses and conventions and in the elections which followed.

Whether the advantages to be derived from this double presentation first became clearly discernible to the President's eye or to the eyes of his party leaders is not a matter of importance. The beauties of the situation, to a party which had straddled and presented two fronts upon almost every great question before the people, were at once apparent, and the President and his party, while speaking in different voices, were at once reconciled and came to bed together.

The conventions in the different States and in the Congressional districts at once fell under the old management, and were conducted as in the palmy days of Democracy, previous to the war.

In the Indiana election, in November, 1886, the participation of Federal office-holders in the primaries and subsequently in the election raised a scandal of which papers in that State, at the time and afterwards, were full. In the closely-contested districts these men left their business and their homes and devoted themselves to securing the nomination and election of the members to whom they had owed their appointments. In the Matson district, in the Holman district, and especially in the Fort Wayne district the intrusion of Federal office-holders into every stage of the canvass previous to the nominating conventions and elections was so offensive that honest people revolted and defeated the Democratic candidate. Whoever will read the testimony offered in the Lowry-White contested-election case will find ample proof of this statement.

When 1887 came round the President's declarations and proclamations were treated as waste-paper, and the President himself seems by this time to have fallen into such harmony with the spirit of his party that he not only acquiesced in this wholesale disregard of his previously expressed sentiments and directions, but himself joined in the movement. His most intimate friends, both in and out of office, took charge of the conduct of conventions and elections in the year which was considered as having so close a bearing in its results upon the great coming battle of 1888.

At the Saratoga meeting of the Democratic State committee of New York, when the preliminaries of what then looked like the dawning contest between the national Administration and the State administration were to be settled, Deputy Collector John A. Mason and Second Auditor William F. Creed, of the New York custom-house, were most prominent and active.

At the Pennsylvania State convention more than forty of the Federal officials of that State appeared to marshal the forces of the Administration. The names of some of these have been furnished me as taken from a Democratic newspaper: E. J. Bigler, collector of internal revenue; D. O. Barr, surveyor of the port of Pittsburgh; McVey and Ryan, special Treasury agents; Fletcher, chief clerk in a bureau of the Navy Department; Glozier, hull inspector; Guss, oleomargarine inspector; Chester and Warren and Bancroft, from the Philadelphia mint, and many others.

In Baltimore the naval officer, the appointment clerk, Higgins, and Indian Inspector Thomas, Customs Agent Mahon, Postmaster Brown and his assistant, United States marshal and deputies, deputy collector of internal revenue, and a host of clerks, inspectors, and janitors monopolized the direction of the entire campaign.

I might go on and give like instances in other States, but I leave that to be more fully brought out by the committee which I hope will take this matter in charge.

Mr. HAWLEY. May I make an inquiry?

Mr. HALE. Certainly.

Mr. HAWLEY. Is the Senator certain that these men have not been indignantly and virtuously removed?

Mr. HALE. Not only have I yet to learn of a removal for such action, but I have yet to learn of any censure being visited upon one of these men. I do not know of a case where the President has put his strong hand upon these men and made it seen that he meant to perform what he had promised. In fact, so gross was the violation of every

principle of reform and of the President's directions and pledges that even the Evening Post declared that "this playing fast and loose with orders and promises, which the President is now permitting among those around him, will be used in the campaign with terrible effect."

But the President has not hesitated to deal deadly blows at reform with his own hand. A remarkable manifestation of the desire of the people for a practical reform in the selection of important officers was shown in the city of New York previous to the last election. Public suspicion had for a long time rested upon officials in the municipal government, and had at last demanded and secured an investigation, which disclosed the most corrupt and shocking practices on the part of municipal officials, implicating them and well-known parties outside in extensive schemes involving corruption and bribery.

The PRESIDENT *pro tempore*. The hour of 2 o'clock having arrived, the Senate resumes the consideration of the unfinished business.

Mr. CULLOM. I hope the Senator from Maine will be allowed to go on.

Mr. COCKRELL. I ask that the Senator from Maine be permitted to conclude his speech.

The PRESIDENT *pro tempore*. Is there objection to the unfinished business being informally laid aside, that the Senator from Maine may proceed? The Chair hears none.

Mr. HALE. Public indignation, expressed through almost the entire press of New York, was aroused, the intervention of the courts was sought, and from time to time trials of the accused had proceeded in some cases to conviction of the criminals. The work was by no means completed, and as the time for the election of a district attorney who should represent the State and the public in the conduct of these trials came near a pronounced and general movement grew up in favor of the selection of Mr. Delancy Nicoll, an able and brilliant young Democratic lawyer, who had found thrown upon him, as an assistant in the district attorney's office, the burden of largely managing and conducting the hitherto successful prosecution of these cases.

Nobody claimed that the movement for Mr. Nicoll had its origin in any party preference. It came from the people, and the demand was taken up by the newspapers. With few exceptions the Republican, Democratic, and Independent press demanded the nomination and election of Mr. Nicoll in the interest of reform and good government. He was nominated by different independent organizations, indorsed by all of the civil-service-reform associations and newspapers, and, although a Democrat, accepted generally by the Republicans.

Here was a plain, spontaneous, earnest, honest movement on the part of the people in the direction of reform. It would seem to have been political wit on the part of the Democratic managers in New York City to have accepted this movement and to have joined in the election of a man who had always been a Democrat, but whose character and services were so high that good men demanded generally that he should be retained in the public service. But, as I have said, long before this the Democratic leaders had found that in the practical management of politics they were in the saddle, and the nominating conventions of the two branches of the New York Democracy joined in rejecting Mr. Nicoll and in setting up as his opponent an old-fashioned, worn, bruised, and battered New York City politician, whose personal character was not high, and who had been a crony of and a beneficiary at the hands of Tweed in the worst days of New York City's corruptions.

The business men of New York, the Independents, the Reformers, and Republicans generally accepted the issue, and a contest almost unequaled in intensity and bitterness ensued. Here, Senators, was the opportunity for the President not only to say but to do something for reform. If, in accordance with his declarations in favor of non-interference of Federal office-holders in elections, he had, including himself as the head of all Federal official life, determined to keep aloof from the contest, he still might in many ways have breathed expressions giving aid and comfort to the men in New York City who were fighting against thieves and robbers and bribe-takers and bribe-givers in the interest of good government. All of the so-called Reform element in New York City that had hitherto adhered to the President looked to him for some such expression. How bitterly were they disappointed! The President was now completely in the hands of the party leaders in New York, whose stern rule had always been to support regular nominations and to shoot down bolters and deserters.

While the contest was at its thickest, and men everywhere throughout the country turned their eyes expectantly upon the result, and when the battle had become one of national importance, and when the issues were, seemingly, well-nigh evenly balanced, a great Tammany Hall ratification meeting was held in the interest of Mr. Fellows, the Tammany Hall and County Democratic candidate for district attorney in opposition to Mr. Nicoll. I have before me a full report of the proceedings of this meeting and of the parties who participated therein. Their names have not been found upon the lists of any civil-service-reform association heretofore made known to the public. General John Cochrane called the meeting to order; Congressman S. S. COX presided. State Senator Raines, of Monroe, was followed by the candidate, Colonel Fellows, and Hon. Charles A. Dana, editor of The Sun. Speeches were also made by George Blair and Congressman WILLIAM MCADOO, of New Jersey. The following letter was read:

It will be impossible for me to comply with your courteous invitation to meet with those who propose to ratify to-morrow evening the nomination of the united Democracy. With a hearty wish that every candidate on your excellent ticket may be triumphantly elected,

I am, yours, very truly,

GROVER CLEVELAND.

Mr. VEST. I beg the Senator's pardon.

The PRESIDENT *pro tempore*. Does the Senator from Maine yield to the Senator from Missouri?

Mr. HALE. I wish he would let me finish.

Mr. VEST. Certainly.

Mr. HALE. However, I will yield to the Senator.

Mr. VEST. I did not propose to say a word, but the Senator has attacked a gentleman with whom my personal and political relations are such that I should esteem myself a dastard if I did not say what I propose to say now.

The Senator has spoken of Col. John R. Fellows as an old New York politician with a character none too high, to quote his own language, and he has not intimated, but has charged, in so many words, that his candidacy was in the interest of corrupt men and corrupt objects in the city of New York.

Now, Mr. President, I want to ask that Senator—for this surpasses the bounds of political debate and enters upon that of personal character—I want to ask him here, publicly, if Mr. Nicoll, the opponent of Colonel Fellows, whom he has eulogized here to-day as the representative of reform and honesty, did not in the heat of that contest address a letter to Colonel Fellows, and authorize its publication in all the newspapers of New York City, in which he stated that he had been associated with Colonel Fellows in the prosecution of Sharp and the other men who were alleged to be criminals, and that as a gentleman he took that occasion to say publicly that no man at the New York bar stood higher than Col. John R. Fellows, and that he took that occasion to testify that in those prosecutions Colonel Fellows had done all that could be done by any man of the same ability? Yet, in the face of that letter, Colonel Fellows is denounced here to-day as a participant in the criminal intents of those men, some of whom are fugitives from justice, and others are in the State penitentiary.

Mr. HALE. I have no knowledge personally of either of the candidates in that most important contest.

Mr. VEST. I ask if that letter was not published? If not, I will have it read in the Senate.

Mr. HALE. I have no doubt whatever about the letter; there were many incidents in that campaign upon one side and the other. One thing came out clearly, and that was that whatever personal attachment might have been felt for the Tammany and County Democracy candidate on the part of friends who had known him in late years and in earlier years, he had been connected by close personal ties and had been the beneficiary of contributions at the hands of Tweed in the time which I have before characterized as the worst of New York's corrupt days; that he was old in political service; that, as I have said, his character stood none too high. I repeat that the impression which I received from reading the papers upon both sides at that time justified me in that remark, without intending any assault upon Colonel Fellows. But I do not propose to leave it there. If the Senator had not interrupted me I was going on further to give testimony from parties in New York about the effect of the indorsement by the President of this man upon men who were honestly fighting for good government. Let me continue the reading where I was interrupted. I have read the letter of Grover Cleveland.

The report of the meeting further says that Governor Hill wrote that a previous engagement prevented his attendance, and said a good word for the Democratic State and local tickets, and that William M. Springer, of Illinois, telegraphed to Colonel Fellows that he hoped that he would be elected, as did also Senator GORMAN, of Maryland.

The "Reformers," Mr. President, were out in great force that night. The extent of the President's contribution in money to the election of the New York ticket I am not aware of. It has been stated to have been in the form of a check for $1,000, and I have never seen the statement denied.

Of this attitude of the President Mr. Carl Schurz said, only a few days later:

What malignant enemy of President Cleveland was it that induced Mr. Cooper to extort from him that most unfortunate letter intermeddling in New York City politics on the side of the typical "dead-beat"—

I was careful to use no such language as this—

as a candidate for an office which is the guardian of the public honor?

I leave the Senator from Missouri to deal with Mr. Carl Schurz in the selection he has made of the terms that he applies to the candidate whom the Reformers were striving to beat. I do not select a vocabulary of such words as these, because I know nothing whatever about Colonel Fellows. The Senator must settle with Mr. Schurz, who has lived for years in New York, who has been in sympathy with him and his party, and who to-day, for aught I know, still represents the feeling of adherence to President Cleveland as a reformer.

Mr. VEST. Will the Senator permit me to interrupt him?

The PRESIDENT *pro tempore*. Does the Senator from Maine yield to the Senator from Missouri?

Mr. HALE. Yes, sir.

Mr. VEST. The Senator has certainly seen, whether a professional

lawyer or not, that when one puts a witness upon the stand he must indorse his general character for truth and veracity, in a political sense certainly. Now he brings forward Mr. Schurz as a witness in this case. If what Mr. Schurz says about Colonel Fellows is entitled to any credibility, to any weight whatever, what weight is to be given to what he has said of the party to which the Senator belongs and all of its leaders?

I am not responsible for what Mr. Schurz has said. The State of Missouri, of which he and myself were once citizens at the same time, has passed upon Mr. Schurz politically, and I was never his friend in any sense of the term. When the Senator from Maine produces Mr. Schurz here as a witness he must take all his declarations; and he has never said one-half as much against Colonel Fellows as he has said against all the distinguished leaders of the Republican party.

Mr. HALE. I am not here espousing or defending the record of Mr. Carl Schurz.

Mr. VEST. Then the Senator ought not to put him on the stand as a witness.

Mr. HALE. Wait a moment; as a lawyer I have gone into the other side, into their camp, and from their array of witnesses I have put him upon the stand; and the Senator, who is a good lawyer, knows that no court ever holds that a party calling up a witness under such circumstances and conditions is responsible for the record of that witness who is extracted from the array that the other side has set up. That is how I am quoting Mr. Carl Schurz.

Mr. VEST. Is not Mr. Carl Schurz a Republican?

Mr. HALE. I have seen nothing to indicate it for a number of years.

Mr. VEST. I positively and distinctly affirm that he is not a Democrat.

Mr. HALE. Well, Mr. President, if acting in association with the Democratic party, writing and talking in favor of its candidate, if voting for it on election day, and advocating all its cardinal propositions and doctrines do not make a man a Democrat, then the Senator from Missouri must furnish a list of qualifications which we will all declare at once entitle a man to full fellowship in that party. The Senator has had a good deal of Mr. Carl Schurz in the last few years, and is very likely to have still more of him, notwithstanding his repudiation of him now. At any rate, Mr. Schurz was entitled to speak upon this canvass, and upon the issue, and upon the candidates. Now let me read what he says:

What malignant enemy of President Cleveland was it that induced Mr. Cooper—

He referred to Mayor Cooper, the old mayor—

to extort from him that most unfortunate letter intermeddling in New York city politics on the side of the typical "dead-beat" as a candidate for an office which is the guardian of the public honor? If the President had had a true friend in your councils that friend would have strained every nerve to confirm his disinclination to descend from the high dignity of his office; that friend would not have failed to remind him of 1882, when the meddling of the national administration with New York State politics resulted in the most sweeping opposition victory on record; that friend would have struggled to the bitter end against the publication of the President's letter after the new revelations concerning Mr. Fellows's career, in ignorance of which, I have no doubt, that letter was written, and after learning which I trust he would wish it never had been written.

I shall say nothing in extenuation of the fact that the President permitted himself to be so misused. But certain it is that the bitterest enemies of the President and of the Democratic party could not have dealt them a more vicious blow. For more than thirty years I have been an attentive observer of political events, and never, never have I witnessed more wanton recklessness of party leaders, sacrificing the interests and good name of a great municipality, the character of a national administration, as well as the interests of their party and cause, to their blundering folly or their small selfishness.

To set at rest in Mr. Schurz's mind the question which he raises as to the President's interference being deliberate and determined I read the following letter, which likewise appeared and was used in this remarkable campaign:

NEW YORK, *November* 4.

Ex-Mayor Edward Cooper has received the following letter from President Cleveland:

"EXECUTIVE MANSION, *Washington, November* 2, 1887.

"MY DEAR SIR: I do not think the newspaper clippings you send and now before me amount to enough to even raise a doubt concerning my desire for the success of both the State and the New York local tickets in the coming election. You know that I am very much inclined to abstain from any interference with New York City campaigns, fully believing the people of that city to be quite competent to manage their affairs. It surely ought not to be considered any interference, however, when I say in reply to your letter that the newspaper extracts which you inclose totally misrepresent my wishes and hopes in regard to the fate of your Democratic local ticket. I shall be very much pleased to see it entirely successful. I know nothing which, if I were a voter in New York, would prevent my support of Mr. Fellows's candidacy without the least misgivings as to his fitness and with considerable personal satisfaction. Please present my congratulations to Mr. Hewitt upon his excellent letter published this morning.

"Yours, very truly,

"GROVER CLEVELAND.

"Hon. EDWARD COOPER."

In Massachusetts, where removals from office, though numerous and covering nearly all the important appointments, were not so sweeping as in other States, dissatisfaction existed in the Democratic party, which plainly manifested itself in the State convention. The President's appointments were criticised, the retention of a few Republicans in office was denounced, the platform was made to suit the spoilsmen, and instead of renominating Mr. Andrew, who had to some extent represented the Reformers, in heading the Democratic ticket last year ex-Congressman Lovering was set up in his place, and the convention adjourned with a howl against reform and with the avowed purpose of getting along without and snubbing the Reformers. So plain was the purpose and the bias of the Democratic party in the State that hundreds, perhaps thousands, of the so-called Independents who had voted the Democratic ticket in the last Presidential election determined to withhold their votes from Mr. Lovering, and in the end many of those votes were cast for Governor Ames, his competitor.

The President did not fail here to add to the discomfiture of his Independent allies. When Collector Saltonstall, who visited Washington a few days previous to the elections, where he had several interviews with the President, returned to Boston, he declared in an interview, which gave great hopes to the Democratic politicians of Massachusetts, that he had in his interviews with the President found him "to be a very close observer of events and thoroughly informed concerning the issues of the campaign in the State." He said that "the President spoke in terms of praise of Mr. Lovering, whom he considered a perfectly honest man, who would make a good governor, and he hoped to see him elected;" and he declared that—

Notwithstanding the attack in the Worcester convention upon the Federal management of offices in Massachusetts, he had no doubt that the Massachusetts Democracy were in full accord with himself and his administration, and he hoped this might be proven by a majority the next Tuesday in favor of Mr. Lovering.

It is to the credit of the Massachusetts Independents that this indorsement by the President of candidate Lovering availed little; but nothing could have more plainly shown the entire abandonment on the part of the President of the positions he had previously taken in favor of divorcing the civil service of the Government from politics.

Mr. President, I decline to go further in this direction. No observations of mine are needed upon such a showing. Peter Bayne, in his new Life of Martin Luther, after describing the slaughter and destruction of the peasants' army at the hands of the armed horsemen who rode in upon them, says that "upon some things all comment is drowned in tears." If it were not for the sadder consideration of broken promises and pledges that had come to naught, though made from the highest place in the land, all comment upon the record which I have tried fairly, though succeeding but inadequately, to give would be drowned in derision.

There is nobody, Mr. President, who is pleased with this situation. There is nobody that enjoys such an exposure. The Senator from Missouri, the Senator from Kentucky, the Senator from Maryland do not enjoy it, because at the bottom of their hearts they believe that the old-fashioned Democratic way, without the pretension of anything to the contrary, is the best way of conducting a government.

Mr. Schurz, and Mr. Curtis, and Mr. Dorman B. Eaton, and the select body of Independents who are ranked with them in sentiment upon this subject do not enjoy this. Not one of these men who possesses ordinary discernment can fail to see that the whole course of this Administration on this subject has been a delusion and a sham. With them the searching question that each man must put to himself will now be, "How long shall I be constrained to minister to and uphold this delusion, this sham?"

The President himself, who, I am bound to believe, is not a born hypocrite, does not enjoy this condition. His only satisfaction must be that he is getting more clearly in line with his party and its leaders and the sentiments of its masses, and that in the time to come he will be called on to make no more professions.

Another subject closely connected with this question and specially provided for in the statute is that of assessments for political purposes imposed upon the officers, clerks, and employés of the Government. The whole course of the Republican party upon this was thoroughly gone over in the debate which arose here in the Forty-seventh Congress, in which the distinguished gentleman now our minister at the German court, then a prominent member of this body and the author of the Pendleton civil-service bill, took part.

In that debate the course of the Republican party was most fully justified, and it was shown clearly that whatever contributions had been made by officials, clerks, and employés of the Government toward maintaining the organization and conducting the campaigns of the party had been voluntary, and that no exactions had been laid and no threats or coercion resorted to to enforce contributions. The amount derived from all these sources in a single year was small compared with the entire expenses involved in a political campaign. But, Mr. President, a great hue and cry was raised throughout the country because of these voluntary contributions, and in the last years of the Republican administration they sank to almost nothing. The law was regarded and respected. The present Administration stood pledged to resist and destroy this evil equally with its pledges which I have adverted to in other directions.

I am consuming more time, Mr. President, than I ever intended in the present discussion of this subject, and my only comment upon the attitude of the Administration on this phase of the subject which I am discussing shall be to read the following:

[Washington Post, November 1, 1887.]

AMONG THE DEMOCRATS—MONEY FOR THE NEW YORK CAMPAIGN.

A representative of the New York State Democratic committee opened headquarters for the receipt of contributions for the New York campaign in the rooms of the Columbia Democratic Club, at No. 419 Tenth street, yesterday. A

large number of contributions were received, the first of which came from a young lady in the Government Printing Office signing herself "Sincerely a Democrat." The office will be opened to-day at 4 o'clock, and remain open during the evening.

The following communication, which I read, appeared in the Washington Republican of November 8, 1887. I have never seen any denial of the facts as therein given:

CIVIL-SERVICE REFORM.

EDITOR NATIONAL REPUBLICAN: The following is a true copy of a receipt for money solicited from the employés of the Government Printing Office, with the understanding that the names of the parties contributing would be furnished the head of the office for favorable consideration:

NEW YORK, 10, 31, 1887.

Received from —— —— fifty cents contribution to the New York Democratic State Committee.

$0.50. EDWARD MURPHY, Jr., *Chairman.*
G. P. O. Per C. V. H.

The Government Printing Office was thoroughly canvassed. The cashier of the office went to every person entitled to vote in New York, and made it apparent to them that they must go home and vote, and on their return furnish the name of the precinct in which they voted.

Never in the history of the office has there been such a complete system of obtaining money from both men and women for political purposes, and that in a manner that left no doubt in the minds of the employés that if the request was not complied with their places would be filled by others.

The argument used to obtain money was about as follows: "If Grover Cleveland, President of the United States, could contribute $7,000, certainly a poor woman could pay 50 cents."

WASHINGTON, *November* 7.

From all this, Mr. President, something now ought to be plainly and clearly seen by every man who is not stone-blind. The political value to the Democratic party of the cry of "Civil-service reform" has, in the minds of the leaders of that party, ceased to be worth estimating. In all matters pertaining to the organization and management of the party and its conduct in political campaigns no further attention will be paid to this. The primaries, the caucuses, the conventions, and the conduct of elections will all go on in the old-fashioned Democratic way. The penetrating and controlling influence of the Administration upon the management of the party, both in Congress and in the broad battle-field before the American people, will be as marked, as dominant, as ever before. Wielding this influence, marking the paths of the party, shaping its course, breaking down opposition, enforcing discipline, deriding and defying protest will be found the immense mass of Federal office-holders throughout the entire land, as obedient to the orders of the Administration as the janizaries who do the bidding of an eastern despot. Some faint further note may possibly from time to time be heard in the form of a homily issued from the White House, descanting upon the merits of a civil-service reform, which the leaders of the Democratic party have never believed in, which faint note will be drowned in the partisan roar that is heard all along the line of that party.

This year, Mr. President, the land will rock in the furious conflict through which will be settled all the issues involved in the next Presidential election. I stand here now to declare my belief and to predict that, in the desperate effort which the Democratic party will make to retain possession of the Government, no means or appliances that have ever been used in the long years past by that party will be left unresorted to.

Intimidation, outrage, and murder will, if needed, again open a bloody grave, in which will be entombed anew the free ballot at the South. The vast army of office-holders will be marshaled in the conflict, and will be seen, and heard, and felt everywhere. Nor will it stop here. Every piece of work performed by contract under the Government will be levied upon for political contribution, and every man who performs labor, under these contracts, will be sternly called upon to add his ballot to the labor he performs as an offset to the wages he receives. No public building will be raised in the country whose work-shop will not be found the recruiting ground for the Democratic party. No war-ship will be built from whose yard will not issue, upon election day, its stream of Democratic voters.

I have, Mr. President, already seen this illustrated in my own State. In the post-office building which is now being built at Augusta, the capital of Maine, when the foundations had been laid in readiness for the structure to be imposed, as in all other like cases for years past, proposals were made for the furnishing of material and the erection of the building upon due schedule and invitation from the Department having charge of the work. Bids were made by several well-known and responsible contractors, and when it was discovered that the lowest bid was from a firm engaged in the granite business, at whose head was a prominent Republican, the Democrats of Augusta petitioned the Department to reject all bids and to allow the work to be done by the Government, which, through its agent, should employ and pay the men; and, for the first time in the whole course of the business of erecting public buildings for the General Government, this was assented to and this course adopted by the Department.

It is not a great matter, sir; but I venture to say that the laboring-man of Augusta who will not vote the Democratic ticket next year will have as little chance for employment upon the public building there as he would if he were an inmate of the State's prison.

The Secretary of the Navy is about laying the keel of two great war-ships to be built in two of the navy-yards under his management. Whether he takes personal part in it or not, it will be seen to that every man who is given employment in the building of those ships contributes not only his labor but his vote for retaining in power the present Administration.

There is no device, no plan of campaign, resorted to by the Democratic party in the days of Polk, and Pierce, and Buchanan, to retain control of the National Government, that will not be resorted to this year.

I turn back to a volume lying before me and read the testimony that was taken as to the practices of Democracy in the last years of the administration of President Buchanan. In raising funds for the party, with which to fight its political battles, no possible place of resource was left unvisited or untaxed. The clerks in Departments, the tide-waiters by the sea, the light-keepers along the coast, the postmasters, were all inexorably doomed. The navy-yards were a unit for the party. The contractors were assessed and reassessed and assessed again.

The exposure of the corruptions attending the naval contracts of Live Oak Swift helped, no little, to swell the avalanche of public sentiment that at last swept the Democratic party out of power.

Mr. President, no matter what has been written and proclaimed by the head of the present Administration, no matter what may be hereafter written and proclaimed from that source, these things which have been are the things which will be, and in the management and practices of the Democratic party there will be found no new thing under the sun.

In the mean time, Mr. President, it is a fair question to ask, Where will the Independents be?

The PRESIDENT *pro tempore.* The Senate resumes the consideration of the unfinished business.

Mr. BUTLER. I should like to have read, in connection with what has fallen from the honorable Senator from Maine, a letter contained in the report of a committee which I hold in my hand. I send it to the desk to be read in connection with the remarks just made.

The PRESIDENT *pro tempore.* The paper will be read, if there be no objection.

The Chief Clerk read as follows:

[The circular is addressed "Mr. W. A. Richardson, P. O., Providence, R. I." and accompanied by an envelope addressed "Sidney F. Austin, esq., treasurer Republican Cong. Committee, German-American National Bank, Washington, D. C.," and is as follows:]

EUGENE HALE, *Chairman.*
GEO. C. GORHAM, *Secretary.*

*Executive Committee:*
Hon. Wm. B. Allison.
Hon. Stephen W. Dorsey.
Hon. Blanche K. Bruce.
Hon. Horace F. Page.
Hon. Charles Foster.
Hon. Jacob M. Campbell.
Hon. Jay A. Hubbell.
Hon. Charles H. Joyce.
Hon. Frank Hiscock.

HEADQUARTERS

OF THE

REPUBLICAN CONGRESSIONAL COMMITTEE,
[1878]

1319 *F Street, northwest, Washington, D. C.*

WASHINGTON, D. C., *May 27th*, 1878.

SIR: This committee, charged with laboring for the success of the Republican cause in the coming campaign for the election of members of Congress, call with confidence upon you, as a Republican, for such a contribution in money as you may feel willing to make, hoping that it may not be less than $10. The committee deem it proper, in thus appealing to Republicans generally, to inform those who happen to be in Federal employ that there will be no objection in any official quarter to such voluntary contribution.

The importance of the pending struggle can not easily be exaggerated. That the Senate is to be Democratic after the 4th of March, 1879, is very nearly a certainty. In view of this, the election of a Democratic House of Representatives would precipitate upon the country dangerous agitations, which would inevitably add to present distresses. Foremost among their schemes the opposition already announce their intention to attempt the revolutionary expulsion of the President from his office.

If, by the presentation of three candidates for the Presidency in 1880, the people should fail to choose, the House must elect—each State delegation casting one vote.

From what is now known, and with the growing dissensions in the camp of the enemy, the committee have good reason to enter upon their work with courage.

Please make prompt and favorable response to this letter, and remit at once, by draft or postal money-order, to "Sidney F. Austin, esq., treasurer, etc., German-American National Bank, Washington, D. C."

By order of the committee:

GEO. C. GORHAM, *Secretary.*

Mr. HALE. I only wish to say as to that letter that I agreed to it with great readiness, and I am ready to indorse it at any time; but it was almost ten years ago; and it was a letter which directly and explicitly excluded any idea of extorting contributions. Everything that came into that campaign fund ten years ago, before the agitation on the subject of civil-service reform, came in voluntarily. The contributions were not great; and they were only expended for the legitimate purposes of the campaign, and nobody then was pretending to be representing a great civil-service-reform party, as some are now doing.

Mr. BUTLER. I do not like to take the time of the Senator from Texas, who is entitled to the floor, by asking to have read, in connection with that letter, a letter from the President of the United States to the Secretary of the Treasury on the subject of civil-service reform. I should also like to make some extracts from the testimony contained in the

report embodying that letter; but I will not take the time of the Senator from Texas.

The PRESIDENT *pro tempore*. The Senator from Texas is entitled to the floor on the unfinished business.

AID TO COMMON SCHOOLS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. COKE. Mr. President, I oppose this bill because it is palpably and grossly violative of the Constitution, and because as a measure of policy it is unwise and inexpedient. The common schools of the States of this Union I hold to be solely and exclusively under the jurisdiction and control of the several States, and outside of and foreign to the jurisdiction of the National Government. The proposition of this bill is, as its title and provisions import, "to aid in the establishment and support of common schools" in the States and Territories, and for this purpose it appropriates $77,000,000, to be raised by Federal taxation, and expended over a period of eight years, under the control and subject to the supervision and direction of Federal officials. If this bill becomes a law it will be an insidious, but none the less certain seizure of the subject of education in the States to be controlled, regulated, and administered under Federal jurisdiction, whenever it may be the pleasure of the National Government to take charge of it. A brief reference to the provisions of the bill will establish this clearly. I read sections 4 and 6:

SEC. 4. That no State or Territory shall receive any money under this act until the governor thereof shall file with the Secretary of the Interior a statement, certified by him, showing the common-school system in force in such State or Territory; the amount of money expended therein during the last preceding school year in the support of common schools, not including expenditures for the rent, repair, or erection of school-houses; whether any discrimination is made in the raising or distributing of the common-school revenues or in the common-school facilities afforded between the white and colored children therein, and, so far as is practicable, the sources from which such revenues were derived; the manner in which the same were apportioned to the use of the common schools; the number of white and colored children in each county or parish and city between the ages of ten and twenty-one years, both inclusive, as given by the census of 1880, and the number of children, white and colored, of such school age attending school; the number of schools in operation in each county or parish and city, white and colored; the school term for each class; the number of teachers employed, white and colored, male and female, and the average compensation paid such teachers; the average attendance in each class, and the length of the school term. No money shall be paid out under this act to any State or Territory that shall not have provided by law a system of free common schools for all of its children of school age, without distinction of race or color, either in the raising or distributing of school revenues or in the school facilities afforded: *Provided*, That separate schools for white and colored children shall not be considered a violation of this condition. The Secretary of the Interior shall certify to the Secretary of the Treasury the States and Territories which he finds to be entitled to share in the benefits of this act and also the amount due to each.

SEC. 6. That the instruction in the common schools wherein these moneys shall be expended shall include the art of reading, writing, and speaking the English language, arithmetic, geography, history of the United States, and such other branches of useful knowledge as may be taught under local laws; and copies of all school-books authorized by the school boards, or other authorities of the respective States and Territories, and used in the schools of the same, shall be filed with the Secretary of the Interior.

Section 10 forbids the erection of school-houses or the payment of rent out of this fund. Sections 4 and 12 define various grounds on which the Secretary of the Interior may declare forfeitures of the rights of the several States in the fund.

Section 16 appropriates an additional sum of $2,000,000 for the construction of school-houses, to be built in accordance with plans to be furnished on application to the Bureau of Education at Washington, provided that not more than $150 shall be paid toward the cost of any one house; expenditures of moneys under this bill by the States to be fully reported by them to the Secretary of the Interior annually.

Section 1 provides that in order to receive the benefits of this act, each State shall by bill or resolution of its Legislature accept the provisions of the same, and if any State shall fail to accept by such bill or resolution, that the share of such State shall be divided among those accepting. It is obvious that the purpose of the bill is not alone to provide aid for the common schools, but to follow the money and see to its application, and prescribe the methods, instrumentalities, etc., through which it shall be expended. It prescribes certain branches of study to be pursued in the schools. It asserts the right to supervise the selection of the text-books to be used, for what other conclusion can be drawn from the requirement of section 6, that "copies of all school-books" authorized to be used in the common schools of the respective States shall be filed with the Secretary of the Interior?

It requires a full and detailed report from each State annually of the administration and operation of the common schools, and of the mode and manner of expenditure not only of the money to be furnished under this bill but of all furnished by the State, and a failure to make this report subjects the State to the penalty of forfeiture of its share in the fund. The Secretary of the Interior is invested with autocratic power in the administration of this fund, and may bring any State in the Union to his feet in order to avert the judgment of forfeiture he is authorized for many causes to pronounce. That official is also authorized to hear and determine charges against the several States, which under the provisions of this bill may be arraigned before him by any single individual or collection of individuals who may choose to prefer a charge. The bill does not define what shall be the amount or quality of interest or title the United States Government shall own in the school-houses the two million building fund shall assist in constructing, but can it be doubted that to the extent this fund defrays the cost of the school-houses the Government will claim a corresponding interest and title?

These provisions and others to be found in the bill show conclusively the intention and animus and legal effect of the bill, if it passes, to be not to stop with handing over the money to the States and Territories, to be administered by them in their own way in accordance with the requirements of their respective school systems, but to assume jurisdiction over the common schools of all the States, take hold of them, participate in their administration, and place them under the supervision and greatly under the control of the Secretary of the Interior. The desires and intentions of leading Republican Senators and their estimate of the meaning and signification of this bill have never been concealed. The construction I have given the bill is fully in line with the views they have expressed on the subject. Who voices the sentiment of the Republican party more thoroughly or with greater fidelity than the distinguished Senator from Ohio [Mr. SHERMAN], and who has a better right to speak for it than he? I read from a speech made by that Senator in a former debate on this same bill:

If the United States have the right to appropriate the money, they have the right to say upon what conditions the money shall be expended. If they say we will aid the South, or the Southern States, to educate their illiterate children, then the United States have the power and right to set out the principles and conditions or limitations of that grant. The greater includes the less; and if the power is given to make these appropriations at all, the power is also given to say for whose benefit the money shall be expended, how it shall be expended, where and when, and how apportioned, and for what purposes. This is as clear a proposition as can be shown in Euclid or any other mathematical work.

The power to appropriate money in aid of common schools in the States carries with it the power, says the Senator from Ohio, to follow the money, see to its application, and prescribe the methods and instrumentalities of its expenditure and disbursement. What does all this mean but that the National Government, if it has the power to appropriate the money, has also the power to control and regulate and administer the schools so far as the expenditure of this money is concerned? That the Senator's proposition is correct can not for one moment be doubted.

On the same line I read from a speech of Mr. Bayard made in the same debate:

In a public newspaper of large influence, ably and intelligently conducted, of which one of the proprietors, and perhaps one of the editors, is one of our most honored associates in this body, I mean the senior Senator from Rhode Island (Mr. Anthony) I find a careful editorial on the subject of this bill, which I commend to the consideration of the Senate. After discussing the Blair bill, as it is called, after the distinguished Senator who presents it for the consideration of the Senate, the writer says:

"The more honest, as the more truthful way of putting it, would, perhaps, be to say that the necessity has arisen from the exercise of ultra-constitutional, but necessary authority, and that it is a logical consequence of the emancipation and enfranchisement of the negro, these being the inevitable results of the war of the rebellion. It is not at all irrelevant, however, to inquire whether the means will secure the end. The committee finds that five-twelfths of the school population of the country are growing up in ignorance of the English alphabet; that in eighty-six cities, containing a school population of over 2,000,000, over one-third of the children never enter a school room. New York City has 114,000 children not enrolled at all, and of a school population of 385,000 there is an average attendance of only 132,000. Some of our New England villages exhibit statistics which are simply appalling. The South excuses herself on account of emancipation and poverty; the North explains herself by the inundation of a foreign population. Whatever the causes, and they are clear enough, the facts are to be admitted and faced. The prevailing sentiment is that the State shall no longer be responsible for the education of her children, but they shall be educated by the National Government, the State doing so much as Congress shall require. This is to be understood, however: when the Federal Government undertakes this business, as of right and duty it has assumed, and the States have conceded that it has full and sovereign authority, it will be bound to look out for the 'general welfare' in this behalf, according to its best judgment and highest wisdom. The schools must conform to its idea of virtue and its standard of education."

Mr. President, I concur in the result stated by this writer. * * * But I believe that the logical results of this bill, should it become a law, are fairly stated, and that if those who consider that it is wise and right, that it is justifiable in them as members of the Government, and subject to the oath to support the Constitution, if they shall consider it wise and right to accept this appropriation in the form and manner in which it has been tendered, let them consider fairly that it is done in disregard of that mode of preserving liberty and promoting the general welfare, which was ordained by the founders of this Government, in the charter which they have left for our guidance.

This extract from Senator Anthony's paper, expressive of the views he entertained, and indorsed by Mr. Bayard in his speech against this bill, as a correct and logical exposition of the effect and results of its passage, shows so plainly that it can not be misunderstood the meaning and signification attached to the bill by Senator Anthony. It is unnecessary to consume time with other quotations to the same effect from speeches of Republican party leaders, for, with a possible occasional exception, it is well known that all of them entertain the views quoted from Senators SHERMAN and Anthony. The views of the Republican supporters of this bill, and the arguments they have made in advocacy of it, possess at least the merit of consistency, and from their standpoint are logical. They believe in a strong, paternal government. They doubt the capacity of the people of the States to manage their domestic concerns, and especially their common schools. They believe the people of the State are not willing to tax themselves at

home sufficiently to maintain a good system of common schools, and that Congress, knowing so much better what is needed in the States than the people and State Legislatures do, should take the matter in hand and regulate it. They see no constitutional objection to this course, and besides being favorable to a high protective tariff, which necessarily piles up a vast surplus beyond the needs of the Government in the Treasury, they find in measures of this character the means of expending it and perpetuating a high tariff. Hence it is that we have before us a bill embodying the Republican idea of unlimited power in the National Government in the levy and collection of taxes, and equally unlimited power of appropriation; a bill which utterly ignores the difference between matters of State and of national jurisdiction, and boldly seizes and proposes to control and administer a great subject heretofore universally conceded to be within the sole and exclusive jurisdiction of the States. It is true the bill provides that no State shall receive its benefits, unless by legislative bill or resolution they are accepted with the attending conditions, the share of non-consenting States in the appropriation to be divided among those which shall accept.

Taxation under the Constitution must be uniform. The people of all the States must be taxed alike, and bear the burden of raising the money alike, whether the States of which they are citizens consent to accept the benefits of this bill or not. So it is apparent that the States are not free agents, and have not a free choice in determining whether or not they will accept the provisions of the bill. If any State shall decline to consent to an invasion of her jurisdiction in the mode proposed by this bill, a penalty amounting to the full sum paid by her people in raising the seventy-seven millions appropriated by the bill is laid upon her for the contumacy. The provisions of the bill are coercive upon the States. They must accept or be punished for refusal by a heavy fine in the shape of taxation from which they are to derive no benefit. The freedom of choice, the unconstrained exercise of volition and discretion necessary to valid consent, are utterly wanting. But if every State in the Union should consent freely, voluntarily, and without compulsion to the terms of the bill, if the common schools of the State are exclusively within State jurisdiction, and outside that of the National Government, as I hold them to be, and as the Democratic supporters of this bill admit, this consent could not and would not rightfully confer jurisdiction over them on the National Government.

The powers of Congress can not be enlarged by the consent of the States, nor can those of the States be diminished by the action of Congress. An amendment to the Constitution alone can make these changes. The States can not consent to a usurpation of their powers by Congress any more than Congress can rightfully go into the reserved domain of the States. The powers granted to Congress and those reserved to the States are absolutely fixed by the Constitution beyond the reach or control of either, except by amendment of the Constitution in the mode required in that instrument. What the Constitution has ordained shall be kept separate and apart and distinct can not be mixed and mingled, even by the joint action and consent of both Congress and the States. To hold otherwise would be to confess that the Constitution may be nullified by collusion between Congress and the States, or changed without amendment in the mode prescribed by the Constitution. A Congressional majority through methods of this character would be omnipotent and the Constitution become a dead letter.

I therefore hold, Mr. President, that the so-called option tendered to the States in this bill to accept or not its benefits, viewed from any standpoint whatever, fails to relieve it, if passed, of the character of a naked trespass upon the rights and a direct and open usurpation of the powers of the States in respect to their common schools. If the common schools are under the sole and exclusive jurisdiction of the States, as they have universally heretofore been held to be, and are generally now admitted to be, I hold it to be an indisputable proposition that the National Government has no constitutional power to tax the people for their support. In other words, I maintain that the power does not exist in Congress to levy and collect taxes from the people for the purpose of raising money to be expended on objects outside of the national jurisdiction. Taxation and appropriation, to be legitimate and constitutional, must be for a public purpose, a purpose which it is the right and duty of the particular Government which collects and expends the money to effectuate.

Says Judge Cooley, in his great work on Constitutional Limitations:

> The purpose must in every instance pertain to the sovereignty with which the tax originates; it must be something within its jurisdiction so as to justify its making provision for it.

Again, in the same paragraph, and on the same subject, he says:

> State expenses are not to be provided for by Federal taxation, nor Federal expenses by State taxation, because in neither case would the taxation be levied by the Government upon whose public the burden of the expenses properly rests. To provide for such expenses would consequently not be a purpose in which the people taxed would be legally interested.

The same learned author declares that the object of all taxation is to raise revenue, and that "the burden would not be taxation if revenue were not the purpose." What is revenue? It is money raised by taxation for the support of the Government, to enable the Government to carry out and execute its proper constitutional functions, powers, and duties. If it is raised for any other purpose, or to be expended on objects not within the jurisdiction or the fair scope of the powers of the Government, the process of raising it, says Judge Cooley, is not taxation, but confiscation. These are elementary legal principles, over which there is no dispute or controversy. All lawyers and judges concur in their correctness. This bill tested by these principles is unconstitutional, from caption to conclusion. Is it proposed by this bill, which appropriates $79,000,000 to be raised by taxation, to execute any of the powers, or discharge any of the functions, or operate on any subject within the jurisdiction of this Government? It is not; on the contrary, the money is to be expended on the common schools, confessedly outside of the jurisdiction and powers of the National Government, and exclusively within those of the States.

If Congress can raise by taxation money to be expended on objects outside of the national jurisdiction, then the power of Congress to tax the people and appropriate money is as boundless as the world. There is no limit to it. If a due execution of the proper powers and an enforcement of the jurisdiction of the Government do not fix and prescribe the limits of the taxing power, nothing else does, and the power is without limit as long as a dollar is left in the pockets of the people. If Congress possesses this all-absorbing, unlimited, and universal taxing and appropriating power in order to provide for the "common defense and general welfare," as claimed by the advocates of this bill, why did the framers of the Constitution, in Article I, section 8 of that instrument, enumerate and define the specific purposes for which Congress should lay and collect taxes. It was utterly superfluous to do this under that construction of the "general-welfare" clause. Mr. Madison, in an extract from one of his speeches read by me in a former debate on this bill, in a few words exposed the absurdity of the construction contended for. He said:

> There are consequences still more extensive, which, as they follow clearly from the doctrine combated, must either be admitted or the doctrine must be given up. If Congress can employ money indefinitely to the general welfare, and are the sole and supreme judges of the general welfare, they may take the care of religion into their own hands; they may appoint teachers in every State, county, and parish, and pay them out of their public treasury; they may take into their own hands the education of children, establishing in like manner schools throughout the Union; they may assume the provision for the poor; they may undertake the regulation of all roads other than post-roads; in short, everything, from the highest object of State legislation down to the most minute objects of police, would be thrown under the power of Congress; for every object I have mentioned would admit of the application of money, and might be called, if Congress pleased, provisions for the general welfare.

The consequences portrayed by Mr. Madison, as resulting inevitably from the only construction of the "general-welfare" clause upon which this bill can be justified, he says, "must either be admitted or the doctrine must be given up," and he groups them in the declaration that such a construction would throw under the power of Congress every subject of State concern, from the highest object of State legislation down to the most minute objects of police. Unlimited power to tax, coupled with unlimited power of appropriation, is the theory of this bill, and it can not stand for one moment on any other. The proposition that Congress is the sole judge of what the general welfare requires, and the discretion of Congress the sole limit upon the power of Congress to tax the people and appropriate money for the promotion of the "general welfare," will place every dollar's worth of property in this country under the dominion of Congress without a single limitation upon the power of Congress to tax it not self-imposed.

Judge Miller as the organ of the court, delivering the opinion of the Supreme Court of the United States in the noted Topeka case reported in 20th Wallace, discussing the taxing power, said:

> It may well be doubted, if a man is to hold all he is accustomed to call his own, all in which he has placed his happiness, under the unlimited dominion of others, whether it is not wiser that this power should be exercised by one man than by many. The theory of our Government, State and National, is opposed to the unlimited deposit of power anywhere.

The same learned judge, in the opinion I have just read from, discussing and denying the unlimited power of taxation and appropriation, also said:

> It must be conceded that there are such rights in every free government beyond the control of the State. A government which recognized no such rights, which held the lives, the liberty, and the property of its citizens subject at all times to the absolute disposition and unlimited control of even the most democratic depository of power is, after all, but a despotism. It is true it is a despotism of the many, of the majority, if you choose to call it so, but it is none the less a despotism.

It does seem that language so strong and warning so impressive ought to be heeded. The acceptance of this bill, if it passes, by the Legislatures of all or a majority of the States will have all the moral effect of an amendment to the Constitution in that it will stamp upon that instrument the construction claimed for it by the friends of the bill, involving the consequences so graphically detailed by Mr. Madison, from whom I have just read, and which will strike down at one blow all the barriers erected by the fathers of the Republic for the protection of the States in the sole and exclusive right to manage and control in their own way their domestic concerns. No more far-reaching or revolutionary measure was ever before seriously considered in Congress.

I grant that the power to appropriate money already in the Treasury is necessarily unlimited, except by the moral obligation resting upon our lawmakers to be economical and to confine its expenditure to le-

gitimate constitutional purposes, and concede that instances may be shown in which money in the Treasury has been appropriated by Congress for purposes not entirely in accord with this view, but affirm with entire confidence that in the rare cases where it has been done the debates show it to have been done with extreme reluctance, under extraordinary pressure, and frequently under circumstances where feeling and sentiment were admitted by the actors to have dominated judgment and reason; and the amounts appropriated in such instances have always been so small as to be comparatively insignificant. It is also worthy of special emphasis here that in none of these cases, all of which have been industriously hunted up and paraded as precedents in former debates on this bill and are familiar to the Senate, has an appropriation been made and applied in a way to trench upon or invade the prerogatives of a State or State jurisdiction over domestic concerns, as is done in this bill. Not one of them in the remotest degree touched the rights or the acknowledged jurisdiction of the States.

The history of Federal legislation shows no instance where a system of taxation and appropriations has been deliberately formulated, involving the raising and expenditure of money on objects confessedly outside of and beyond the national jurisdiction. This bill is absolutely without precedent, as it is without constitutional sanction for its support.

The friends of this bill, in order to escape the force of the argument against the power of Congress to tax the people to raise money to be expended outside of the national jurisdiction or to be given away in the form of donations, have laid great stress on the fact that the National Government since its foundation has been making donations of public lands to States for educational purposes, and these grants or gifts have been cited and held up as precedents for what they call the donations made to the States in this bill. They say, if the Government can give land, which is worth money, it can give the money. The answer to this is obvious and conclusive. Section 3 of Article IV of the Constitution reads thus:

> The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

This clause has been the subject of repeated discussion and construction in the Supreme Court of the United States, in acts of Congress, and speeches of leading statesmen, and by the various commentators on the Constitution of the United States, and there is an absolute concurrence of opinion among all of them, unbroken by a single dissent, so far as I have been able to find, that it invests Congress with an absolute, plenary, and uncontrolled ownership and power of disposal over the public lands. The term "other property" occurring in the same clause has in the same way been held to refer to the ships, arms, and munitions of war, which at the time of the adoption of the Constitution belonged to the State sovereignties.

I read from Kent's Commentaries on this subject. He says:

> Congress have the exclusive right of pre-emption to all Indian lands lying in the Territories of the United States. This was so decided in the case of Johnson *vs.* McIntosh. Upon the doctrine of the court in that case, and in that of Fletcher *vs.* Peck, the United States own the soil as well as the jurisdiction of the immense tracts of unpatented lands included within their Territories, and of all the productive funds which those lands may hereafter create. The title is in the United States by the treaty of peace with Great Britain, and by subsequent cessions from France and Spain, and by cessions from the individual States, and the Indians have only the right of occupancy, and the United States possess the legal title subject to that occupancy, and with an absolute and exclusive right to extinguish the Indian title of occupancy by either conquest or purchase.

Again, says the same author:

> The Constitution gave to Congress the power to dispose of and to make all needful rules and regulations respecting the territory or other property belonging to the United States, and to admit new States into the Union. Since the Constitution was formed the value and efficacy of this power have been magnified to an incalculable extent by the purchase of Louisiana and Florida, and under the doctrine contained in the cases I have referred to Congress have a large and magnificent portion of territory under their absolute control and disposal.

I now read from Judge Story's Commentaries on the same subject:

> The power of Congress over the public territory is clearly exclusive and universal, and their legislation is subject to no control, but is absolute and unlimited, unless so far as it is affected by stipulations in the cessions or by the ordinance of 1787, under which any part of it has been settled.

Again, says Judge Story:

> In the view of this doctrine, what is to be thought of the recent purchases of Louisiana and Florida? If there was danger before, how mightily must it be increased by the accession of such a vast extent of territory and such a vast increase of resources? Hitherto the experience of the country has justified no alarms on this subject from such a source. On the other hand, the public lands hold out, after the discharge of the national debt, ample revenues to be devoted to the cause of education and to sound learning, and to internal improvements, without trenching upon the property or embarrassing the pursuits of the people by burdensome taxation. The constitutional objection to the appropriation of the other revenues of the Government to such objects has not been supposed to apply to an appropriation of the proceeds of the public lands.

I call especial attention to the last sentence in this extract from Story's Commentaries, where he says: "The constitutional objection to the appropriation of the other revenues of the Government to such objects has not been supposed to apply to an appropriation of the proceeds of the public lands." Congress having absolute power of disposal over the public lands, conferred by express grant of the Constitution, has made donations of them to colleges and schools, to railroad corporations, to actual settlers, to immigrant foreigners, to soldiers and sailors as bounty, has promoted timber culture by donations of them, has sold them for money, has created reservations for Indians on them, and, indeed, has disposed of them in every way that lands can be disposed of, and nobody questions the power of Congress thus to dispose of them.

In accepting donations of land for educational purposes the States have simply taken what Congress had a constitutional right to give. No implication of a right in the National Government to take charge of the schools of the States can arise from such donations, whereas Congress having no power to tax the people except to raise revenue for the support of the Government, and to execute the powers and enforce the jurisdiction of the Government, can not appropriate the revenues thus raised by taxation to the support of common schools in the States, except upon the assumption that the common schools are within the jurisdiction of the National Government, whose duty it is to provide for them. Those who support this bill are estopped from denying the jurisdiction of the National Government over the common schools, because without such jurisdiction there is no power in Congress to raise money by taxation and appropriate it for their support, as is done in this bill.

No such conclusion or consequence arises from a donation of land, because there is no such jurisdictional limitation on the power to appropriate or dispose of land which belongs to the Government as exists on the power to appropriate money taken out of the pockets of the people by taxation. I am now and have always been willing to vote for donations of public lands, or the proceeds of sale of the public lands, to the States for educational purposes; not on the terms and conditions prescribed in this bill, because they assert for the National Government a power and control over the common schools, their administration and current management, utterly inconsistent with the exclusive jurisdiction possessed by the States under the Constitution over them, but as pure and simple donations to be used by the States in their own way in carrying on in the mode which to them may seem best the school systems established and maintained by themselves.

Wherever the power of the National Government can rightfully be exerted it is supreme and paramount. This power can be exerted nowhere and on no subject unless the field of its exercise is within the legitimate jurisdiction of the National Government. The power of the States is subordinate and must yield to this superior power whenever and wherever it is met. The partial support and control of the common schools of the States by the National Government provided for in this bill carries with it a clear, absolute confession by those who support it that the subject is within the National jurisdiction, and, being so, that the National Government in its discretion may, if it chooses, occupy the entire field, take full charge and control of and wholly maintain and support and administer the common schools of the States.

If the duty rests upon the National Government to take hold of this subject, "and save the life of the nation" by "extirpating illiteracy," as the friends of this bill claim, they must remember that if there be such duty, there must be a corresponding power, for without the power there could be no obligation of duty, and the power existing, and being necessarily paramount and supreme, that the State jurisdiction must retire before it and yield the entire educational field to the national authority whenever it is claimed. The passage of this bill will bring this conclusion as inevitably as logic can do it, and its acceptance by the States will be the longest stride toward a centralized, consolidated, paternal Government ever taken since the Constitution was adopted. It is to be hoped that the good sense and patriotism of the people of this country will reject the glittering bribe it offers and avert the calamity of its passage.

I oppose this bill, Mr. President, not only because of its unconstitutional interference with a subject belonging to the sole and exclusive jurisdiction of the States, and will establish a construction of the Constitution which, in the language of Mr. Madison, will throw under the power of Congress every subject of State concern "from the highest object of State legislation down to the most minute objects of police," to the utter overthrow of the theory of a dual government, an indissoluble union of indestructible States, with the jurisdiction, powers, and duties of each clearly defined and closely guarded, on which our Constitution is built, but because as a measure of policy it is unwise and inexpedient, hurtful to the cause of education, and full of mischief as a factor in the politics of the country, into which it will plunge the common-school systems of the States.

The argument in support of the expediency of this bill is predicated mainly upon the census returns of 1880, which show 5,715,395 illiterates over ten years of age in the sixteen old slave States.

These figures are harped upon unceasingly by the friends of this bill, but they do not allude to the fact that of this number 2,961,371 are adult whites and blacks over twenty-one years of age, who of course, being beyond the school age, should not be estimated in making provision for the "extirpation of illiteracy." The number who might possibly be benefited are the illiterates between ten and twenty-one years of age, who numbered, according to this report, 1,754,024. When from this number is deducted, as should be done, say one-fifth, to represent those who, between the ages of seventeen and twenty-one, would never have attended a school, we have in 1880, when this report was

made, 1,371,220 curable illiterates. This analysis gives some little idea of the extent of the exaggeration which has been indulged in by the advocates of this bill.

Since 1880 the most marked and remarkable feature in the almost phenomenal development and progress of the South has been the growth and improvement of the common schools of that section. These have outstripped all the other evidences of advancement, and are to-day under the influence of a public sentiment more keenly alive than ever before to their importance, having a more rapid growth in excellence and extent than at any former time. So far as illiteracy in the South is curable it is safe to say that it is rapidly decreasing under the beneficent influence of a constantly improving system of common schools, and that in a few years it will substantially disappear, if these schools are not interfered with.

I have before me a pamphlet issued from the office of the New York Evening Post, containing a number of able editorials which have appeared in the Post, from one of which I read. Says the writer:

Less than 5 per cent. of all the inhabitants above the age of ten years in Maine, New Hampshire, or Vermont in either 1870 or 1880 were unable to read, and yet the official records show that the average length of the school year between 1860 and 1870 was only 119 days in Vermont, 99 in Maine, and 97 in New Hampshire, while in eight of the sixteen old slave States schools are now open 100 or more days, and in only three States less than 75 days.

If schools like these kept down illiteracy to 5 per cent. in those States, may we not reasonably hope with our schools to reach the same results, especially in view of the following statement, which I read from the same pamphlet:

For example, South Carolina and Tennessee increased the amount devoted to this purpose (common schools) between 1880 and 1884 by nearly 33 per cent.; Georgia, Alabama, Missouri, Virginia, and West Virginia almost 40 per cent., and Arkansas and Texas considerably more than 100 per cent.

The States of the South being agricultural and sparsely settled, can not, of course, show such results in their schools as densely populated and wealthy States, such as Massachusetts and some others, can show; but although their common schools were commenced only about twenty years ago, they will bear favorable comparison with the schools of Maine, New Hampshire, and Vermont, which, like them, are also agricultural States, whose school systems, however, have been in existence for three-quarters of a century.

Our schools are growing, extending, and improving, not stationary as in many of the other States. The great mass of illiteracy in the South is among the adult negroes who can not be reached, but the generation growing up, white and black, are being educated in some States perhaps better than in others, but are being educated under a constantly improving system of schools in all the States. This is being done in the good old way—by local taxation self-imposed by the people. A system of schools thus planted and nourished into vigorous growth sends its roots deep into the soil, and becomes self-supporting through the creation of a sustaining public sentiment which enjoys and appreciates its beneficent results.

Already the pamphlet before me, from which I have just read, shows that more than two-thirds of all children of school age attend school in Delaware, West Virginia, Missouri, Florida, and Texas; almost two-thirds in South Carolina, Mississippi, and Tennessee, and more than half in Maryland, Virginia, North Carolina, Georgia, Alabama, and Arkansas. Such results in twenty years, considering the impoverished condition of the South when its school systems were begun, fully justify the tribute of Dr. Mayo, the philanthropist and educator, that "no people in human history have made an effort so remarkable, all circumstances considered, as the people of the South have done during the past fifteen years, and in what they have already done for the schooling of their children," and that of General Armstrong, principal of the Hampton Normal and Agricultural Institute, in one of his late reports, that "the educational progressive movement at the South is, I believe, the most marvelous and the grandest fact or feature in this century of American life."

The people who, under the most adverse circumstances, have accomplished such results and earned such encomiums from such sources may certainly be trusted to perfect their schools and extend their benefits as rapidly as is consistent with healthy growth.

Still later statistics, which I read from a copy of the Nation now before me, are even more satisfactory:

The latest reports of the superintendents of education in the Southern States teem with proofs that outside help is not needed, a few of which must be cited. The average length of the school year in Virginia is already nearly six months, and the superintendent recommends as perfectly practicable a further extension through the increase of local assessments. In West Virginia the average length is nearly five months, and the superintendent urges an increase, remarking that "the additional tax for two months would scarcely be felt." In Tennessee the superintendent reported that "our public-school system is growing in favor with the people," and the Legislature justified his statement by more than doubling the school tax within a month after the Blair bill lapsed by the expiration of the Forty-ninth Congress, while the counties in their turn are doubling the local fund raised for education. In Alabama the superintendent recites the growth of the system within four years from 4,624 schools, with 177,428 pupils and a school fund of $392,904, to 5,595 schools, with 252,967 pupils and a school fund of $523,353; he says that "our educational facilities must be increased to keep abreast with the material prosperity of the State," and adds that "all know there has been a gratifying increase in the resources of the State during the past few years, which requires an increase in the annual appropriation for schools." In Arkansas the superintendent reports that "we are making rapid progress in our educational interests, and in a few more years Arkansas will stand side by side with the most favored of her sister States in the educational advantages she offers to her children"—a statement which is certainly warranted by the increase between 1883 and 1886 from 2,462 teachers, 112,233 pupils, and $479,471 expenditure, to 3,691 teachers, 175,935 pupils, and $866,892 expenditure. In Georgia the superintendent reported an increase within four years of pupils from 244,197 to 309,594, and of expenditure from $498,533 to $723,161, while he showed once more that a small increase in the tax, which could be laid "without unduly burdening the people," would enable the State to keep the schools in operation for six months of the year. In Florida the superintendent reports that the amount expended upon schools has risen within four years from $133,260 to $400,000, while the school year falls only a few days short of New Hampshire and Maine. In Texas the superintendent reports a steady and rapid advance in the cause of popular education, and insists that "the school term throughout the State should not be less than seven months."

A good common-school system is the growth of time. One can not be sprung into existence perfect with any amount of money. Trained teachers are the great educational need in the South. The normal schools are slowly supplying this necessity. Without trained teachers good schools are impossible. The money resources of the South are ample for the supply of good teachers, and as this supply increases the fund for the support of the schools will increase. The two will grow together.

Mr. President, this method of building up and maintaining our public schools is in line with the traditions of our people, the theory of our Government, and promises the grandest results in the future. It nurtures a feeling of self-reliance, of individuality, and of self-respect. Ultimate success in the near future is assured by our achievements in the past, and when it is reached through the unaided efforts of the people of the States, the people will be stronger, the States will be more powerful, and the Union more invincible and enduring.

Mr. President, if this bill becomes law it will be the beginning of the end of State jurisdiction over common schools. The theory of this bill, that at the end of eight years aid will no longer be needed, is all wrong. From the first year that it goes into effect, if it ever does, relaxation of effort on the part of the people and the State governments will ensue, and will grow to the end, until it will be found, at the end of eight years, that aid will be more necessary than it has ever yet been supposed to be. When it is found that the United States Government will, if the States will not, maintain the schools, the Government of the United States will have it to do, and will take charge of them and administer and maintain them. Then will be seen the consummate folly of having, by means of this measure, arrested and crushed out the magnificently energetic spirit and enthusiasm of the people in the cause of popular education—a spirit which to-day elicits the applause and commands the admiration of the world.

Why the necessity for doing this thing? Is it more economical for the National Government to administer the common schools? The appropriation in this bill is called a donation, a gift, but the money is to be taxed out of the people; the very people to whom the so-called donation is to be made are to pay it first to the tax-gatherer, who is to pay it into the Treasury, whence, less the heavy cost of collection, it is to be returned. Would it not be more economical for the people, at a much less cost, to tax themselves at home, retain their money at home, and manage their schools through home instrumentalities?

This appropriation is no donation. The promise of the bill, if it is submissively accepted by the States, is to return the money taxed out of the people, if not forfeited in one of the various modes provided for that purpose, with a large per cent. off, but in the operation the States are to lose and the National Government gain power and jurisdiction over the common schools.

A gentleman in South Carolina, whose name I regret not to have, condenses the argument against the expediency of the bill in a nutshell. He says:

You know my deep interest in the public-school system. Hence I am opposed to national aid. You can not plaster the South with this system. It is a growth, and its certain and healthy growth can only be secured by each community providing for its own schools. The Blair bill is simply, in another form, the old hallucination, "forty acres and a mule," which has caused more briers and sassafras bushes to grow in Southern fields than all else.

The high tariff, the great surplus which flows from it, and a determination to perpetuate that tariff and invent some means of getting rid of its surplus product is the prolific parent of this and other measures of monstrous extravagance.

But, Mr. President, this is not all. With the passage of this bill our common schools will become matters of national interest and consideration, and legitimate subjects of party declaration and resolution in political platforms and debate in party canvasses. In other words, the common schools will become an element in party politics, and will always be the prolific source of supply to the demagogue of material for fomenting for political effect trouble between the races in the South. They will be an issue in every canvass, and will be the most potent means of inciting anew and keeping alive race issues now being so happily solved under State jurisdiction.

Mr. President, having, in the long and exhaustive debates twice before had in the Senate over this bill, more than once on the floor of the Senate declared my opposition to it, and the reasons therefor at length, I have, nevertheless, in view of the overshadowing importance of the bill, and its far-reaching consequences, deemed it my duty again to protest against it.

Mr. GRAY obtained the floor.

Mr. BUTLER. As I understand that it will be more agreeable to the Senator from Delaware to proceed to-morrow, I move that the Senate do now adjourn.

The motion was agreed to; and (at 3 o'clock and 44 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 12, 1888, at 12 o'clock m.

## HOUSE OF REPRESENTATIVES.

### WEDNESDAY, *January* 11, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Clerk proceeded to read the Journal of yesterday.

Mr. ROGERS. I ask unanimous consent that the reading of so much of the Journal as relates to the introduction and reference of bills and resolutions be dispensed with.

The SPEAKER. If there be no objection, that order will be made.

There being no objection, it was ordered accordingly.

The residue of the Journal was then read and approved.

REIMBURSEMENT OF COLOROW AND OTHER INDIANS.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Interior of an appropriation to reimburse Colorow and other Indians for losses sustained in 1887; which was referred to the Committee on Indian Affairs, and ordered to be printed.

SUPPLEMENTAL ESTIMATES OF ATTORNEY-GENERAL.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Attorney-General of an appropriation for the support, maintenance, and transportation of District of Columbia convicts, for criminal statistics, and for procuring information concerning penal institutions; which was referred to the Committee on Appropriations, and ordered to be printed.

BUILDING FOR ENGRAVING AND PRINTING BUREAU.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Chief of the Bureau of Engraving and Printing of an appropriation for the erection of a necessary outhouse for the use of that bureau; which was referred to the Committee on Appropriations, and ordered to be printed.

WOMEN'S SILK-CULTURE ASSOCIATION.

The SPEAKER also laid before the House a letter from the Commissioner of Agriculture, transmitting the annual report of the Women's Silk-Culture Association of the United States; which was referred to the Committee on Agriculture, and ordered to be printed.

ACCOUNTS OF INTERSTATE COMMERCE COMMISSION.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Interior, transmitting a statement of the disbursing agent of the Interstate Commerce Commission of disbursements by and outstanding obligations against the commission; which was referred to the Committee on Appropriations, and ordered to be printed.

TILE FLOOR IN LABORATORY, BUREAU OF THE MINT.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting estimate from the Director of the Mint of an appropriation for an encaustic floor in the laboratory, Bureau of the Mint; which was referred to the Committee on Appropriations, and ordered to be printed.

DEFICIENCIES.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting estimates from the Secretary of State of deficiencies in appropriations for 1887 and prior years; which was referred to the Committee on Appropriations, and ordered to be printed.

PRINTING FOR FOREIGN AFFAIRS COMMITTEE.

Mr. BELMONT, by unanimous consent, presented the following resolution; which was adopted:

*Resolved*, That the Committee on Foreign Affairs be authorized to have printed and bound for its use such documents as it may deem necessary in connection with subjects referred to it during the present Congress.

Mr. BELMONT moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

RESTRICTION OF OWNERSHIP OF REAL ESTATE IN THE TERRITORIES.

Mr. BELMONT, by unanimous consent, introduced a bill (H. R. 4756) to amend an act to restrict the ownership of real estate in the Territories to American citizens, etc., approved March 3, 1887; which was read a first and second time.

Mr. BELMONT. I move its reference to the Committee on the Public Lands.

The SPEAKER. That would seem to go to the Committee on the District of Columbia. It covers alone the District of Columbia.

Mr. BELMONT. I ask, then, that it be referred to that committee.

The motion was agreed to; and the bill was ordered to be printed.

REFUND OF DIRECT TAX.

Mr. FULLER (by request) introduced a bill (H. R. 4757) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

AMENDMENT OF REVISED STATUTES.

Mr. FULLER (by request) also introduced a bill (H. R. 4758) to amend section 3847, Revised Statutes United States, 1878, Title XLVI, chapter 1; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER proceeded to call the select and standing committees for reports.

Mr. TOWNSHEND. I did not hear the Committee on Military Affairs called.

The SPEAKER. It was called.

CAPTURED FLAGS, ETC.

Mr. TOWNSHEND. I am directed by the Committee on Military Affairs to report back a resolution in regard to captured flags, and to move its reference to the House Calendar.

The motion was agreed to.

Mr. TOWNSHEND. I am also directed to report back a resolution in relation to war records, and to move its reference to the House Calendar.

The motion was agreed to.

The SPEAKER. Under the rules the House will now proceed to the consideration of public bills for an hour.

Mr. MILLS. I ask unanimous consent to dispense with it for this morning, and move to go into the Committee of the Whole House on the state of the Union for reference of the President's annual message.

Mr. REED. I understand a report has been made from the Committee on Military Affairs in reference to a privileged matter which should not have been submitted during this hour. My colleague [Mr. BOUTELLE] is absent on account of sickness, and I ask the gentleman from Illinois to withdraw his report for the present.

Mr. TOWNSHEND. I did not understand it was a privileged matter.

The SPEAKER. It is, except during the hour when committees are called for reports. It must go to the Calendar if reported during that hour. Outside of that hour it is privileged.

Mr. TOWNSHEND. I withdraw both reports.

The SPEAKER. The Chair hears no objection, and they will be withdrawn.

REFERENCE OF PRESIDENT'S MESSAGE.

Mr. MILLS. I move that the House resolve itself into the Committee of the Whole on the state of the Union for reference of the President's message.

The motion was agreed to; and the House accordingly resolved itself into the Committee of the Whole on the state of the Union, Mr. MCCREARY in the chair.

Mr. MILLS. Mr. Chairman, it has been the usual practice to distribute the President's message to the different committees of the House in accordance with the subjects treated in the message. In the message to the present Congress there is but one subject, and that pertains to the business of the Committee on Ways and Means. For that reason the resolution has been presented in its present shape, and I ask its adoption.

The resolution was agreed to.

Mr. MILLS. I move that the committee now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. MCCREARY reported that the Committee of the Whole House on the state of the Union, having had under consideration the President's message, had directed him to report back a resolution providing for its reference to the Committee on Ways and Means.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

*Resolved*, That the annual message of the President of the United States to the two Houses of Congress be referred to the Committee on Ways and Means.

The resolution was adopted.

Mr. MILLS moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER. The Chair will state that there is no Calendar except the Private Calendar printed so far, and the Chair is unable therefore to lay before the House the business under the rule in its regular

order. There were in fact no reports from committees until yesterday afternoon.

Mr. REED. Let us take up the private bills, then.

Mr. BURROWS. If there is no business before the House I move that we adjourn.

The SPEAKER. The Chair is advised that the Committee on Appropriations is in consultation, and possibly may desire the House to go into Committee of the Whole to take up the deficiency bill. The Chair will be informed in a few moments.

Mr. BURROWS. I withdraw the motion.

PRINTING FOR COMMITTEES.

Mr. SPRINGER. I ask unanimous consent for the present consideration of the resolution I send to the desk.

The SPEAKER. The resolution will be read subject to objection.

The Clerk read as follows:

*Resolved*, That the Committee on the Territories be authorized to have printed and bound such papers and documents for the use of said committee as may be necessary, in connection with the subjects considered by the committee during the present Congress.

Mr. SPRINGER. This is offered in pursuance of the unanimous request of the committee to-day.

Mr. HOLMAN. I suggest to the gentleman from Illinois to allow that to be amended to apply also to the Committee on the Public Lands. It is indispensable that printing should be done for that committee also.

Mr. SPRINGER. I have no objection to the amendment.

The SPEAKER. The first question is, will the House consider the resolution of the gentleman from Illinois at this time?

There was no objection.

Mr. HOLMAN. I then offer the amendment I have suggested.

Mr. REED. What is it?

The SPEAKER. The gentleman from Indiana moves to amend by adding also the Committee on the Public Lands to the resolution.

Mr. REED. Why not add all the committees at once?

The amendment of Mr. HOLMAN was agreed to.

Mr. HATCH. I offer to amend by adding the Committee on Agriculture.

Mr. REED. That is right. Put them all in, and then let us reject the whole lot.

The amendment of Mr. HATCH was agreed to.

Mr. BLOUNT. I move to amend by inserting "the Post-Office and Post-Roads."

Mr. SPRINGER. I accept that.

The SPEAKER. Is there objection to the amendment of the gentleman from Georgia?

Mr. WILLIAMS. What is this proposition?

Mr. BROWNE, of Indiana. It is a proposition to reduce the revenues.

The amendment of Mr. BLOUNT was agreed to.

Mr. CULBERSON. I move to insert the Judiciary Committee.

There being no objection, the amendment was agreed to.

Mr. SPRINGER. I move the previous question now on the resolution and amendments.

Mr. NELSON. I ask that the Committee on Indian Affairs be inserted first.

Mr. SPRINGER. Very well; I will accept that.

The amendment was agreed to.

Mr. SPRINGER. I now demand the previous question.

Mr. BUCHANAN. Let me first make a further amendment.

Mr. SPRINGER. I can not yield further.

Mr. BUCHANAN. Then we will vote down the previous question.

The question was taken on ordering the previous question; and on a division there were—ayes 95, noes 108.

So the previous question was not ordered.

Mr. BUCHANAN. I move now, in the absence of the chairman of the Committee on Labor, to insert the same privilege for that committee.

The amendment was agreed to.

Mr. LAIRD. I do not see the chairman of the Military Committee present, and move to amend by inserting that committee.

The amendment was agreed to.

Mr. BREWER. I move to amend by inserting the Committee on the District of Columbia also.

The question was taken; and on a division there were—ayes 97, noes 115.

So the amendment was rejected.

Mr. SPRINGER. I now demand the previous question.

Mr. RANDALL. I hope the previous question will not be ordered. This proposition has never had the consideration of a committee of this House, which it certainly should have before it is enacted into law.

The SPEAKER. That does not prevent a motion to refer.

Mr. RANDALL. With a view to have a proper committee of the House investigate the subject fully, I move that it be committed to the Committee on Printing, with leave to report at any time.

Mr. HOLMAN. Would it not be better to refer it to the Committee on Rules?

Mr. RANDALL. I think not. The Committee on Printing is preferable, because it can give an estimate.

Mr. HOLMAN. I have no preference.

Mr. RANDALL. I do not understand the gentleman from Illinois to object.

Mr. SPRINGER. I do not.

The SPEAKER. Pending the demand for the previous question, the gentleman from Pennsylvania moves to refer this subject to the Committee on Printing.

Mr. RANDALL. With leave.

The SPEAKER. That can only be done by unanimous consent. The Chair thinks, however, that this is privileged under the rules of the House, relating, as it does, to the business of the House.

Mr. BLOUNT. I would like to ask if the Committee on Appropriations have not this same order?

Mr. RANDALL. They have; but so have all the committees which are charged with the preparation of appropriation bills, including the Post-Office Committee. But the gentleman from Georgia will notice that this is a new plan of giving this privilege to all the committees, because if it is to be extended to those mentioned here, it had better go to all. But at least it should be considered by a proper committee of the House before action is taken.

Mr. BLOUNT. The only reason why I asked the question was that the gentleman from Pennsylvania suggested that the committee might furnish an estimate, and I thought he might appreciate the idea that it might be very difficult to form an estimate.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania to refer the resolution to the Committee on Printing.

The motion was agreed to.

CLAIMS ALLOWED.

Mr. RANDALL. I desire to submit a resolution under the consent of the Committee on Appropriations. When it has been read I will state the object of it.

The Clerk read as follows:

*Resolved*, That the Secretary of the Treasury be directed to transmit to the House a schedule of all claims allowed by the accounting officers of the Treasury under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act approved June 20, 1874, since the allowance of those which are embraced in House Executive Documents numbered 19 and 31, Fiftieth Congress, first session.

Mr. RANDALL. I will state the object of the resolution. It is to expedite the payment of claims due to various claimants by the Government under provision of existing law. It embraces the following subjects: Pay of two and three year volunteers; bounty to volunteers and their widows; bounty under the act of July 28, 1866; commutation of rations to prisoners of war in Confederate prisons; for horses lost in the military service; compensation to postmasters readjusted under the act of March 3, 1883. The effect is to bring to the attention of Congress immediately all these classes of claims.

Mr. HENDERSON, of Iowa. I desire to say just a word in this connection.

Mr. RANDALL. I yield to the gentleman from Iowa.

Mr. HENDERSON, of Iowa. This resolution is all right; but there should be an estimate made in advance for this class of cases, and an appropriation should be made in advance that would cover this class of cases, so that they would not have to be held back until included in appropriation bills. I desire to call the attention of the House to that suggestion now, in the hope that we may reach a reform in that regard, so that all these claims that come from the different auditing offices may be estimated for, and so that they may be paid as they are allowed by the different auditing officers of the Government.

Mr. RANDALL. For myself I can only say that the plan suggested by the gentleman from Iowa was formerly in practice, and was changed by the House, whether advantageously or not Congress can determine by its future course.

Mr. HENDERSON, of Iowa. Do I understand the gentleman from Pennsylvania to say that the plan suggested by me is wholly impracticable?

Mr. RANDALL. I did not say that at all. I said the plan was formerly in practice.

Mr. REED. Is the gentleman from Pennsylvania to give us an opportunity to vote on that in the appropriation bill by proposing an appropriation to pay future decisions?

Mr. RANDALL. I do not think the gentleman from Pennsylvania has the power to prevent the vote being taken.

Mr. REED. I have found the gentleman from Pennsylvania very often has the power. [Laughter.]

Mr. RANDALL. I ask the previous question.

The SPEAKER. Is there objection to the consideration of the resolution?

Mr. PETERS. I desire to ask the gentleman from Iowa——

The SPEAKER. The Chair desires to know if there is objection to the present consideration of the resolution. The Chair hears none. The gentleman from Kansas is recognized.

Mr. PETERS. I desire to ask the gentleman from Iowa [Mr. HENDERSON] a question. Is it not a fact that in the deficiency bill which

has been reported to the House there are a large number of claims therein appropriated for which were found to be due by officers of the Government more than a year ago?

Mr. HENDERSON, of Iowa. I understand that to be true.

Mr. PETERS. I give as an instance the item on page 57 of the bill:

For bounty to volunteers and their widows and legal heirs, 1871 and prior years, $283,956.56.

Mr. HENDERSON, of Iowa. In reply to the gentleman from Kansas I will say the auditing officers of the Government are constantly allowing claims in advance of our ability to appropriate for them or in advance of their being appropriated for in fact.

In my opinion that system should be remedied, no matter what the practice of the House has been, so that if these sums are allowed by the auditing officers the money should be appropriated.

The resolution was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCOOK, its Secretary, informed the House that the Senate had passed a bill (S. 154) for the erection of a public building at Milwaukee, Wis.; in which the concurrence of the House was requested.

URGENT DEFICIENCY BILL.

Mr. BURNES. I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of appropriation bills.

The motion was agreed to.

The House accordingly resolved itself into the Committee of the Whole House on the state of the Union (Mr. COX in the chair).

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill which the Clerk will read.

The Clerk commenced to read the title of the bill.

Mr. BURROWS (interrupting). At what time would it be in order to have the report read?

The CHAIRMAN. The Clerk is now reading the bill by its title.

The Clerk read the title of the bill, as follows:

A bill (H. R. 4271) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1887, and for prior years, and for other purposes.

Mr. BURNES. I ask unanimous consent to dispense with the first and formal reading of the bill.

There was no objection.

Mr. BURNES. It will be remembered that the general deficiency bill at the last session of Congress was perfected and passed through both Houses of Congress, but for some cause it failed to receive the Executive sanction.

The Committee on Appropriations, after conference with others who were engaged in the preparation and perfecting of the general deficiency bill of last year, came to the conclusion to adhere to the text of the bill which in the last session of the Forty-ninth Congress received the sanction of both the House and Senate and of the House and Senate conference committees.

That much work having been done, completed, agreed upon by the committees of the two Houses, it was deemed best not to disturb it now, nor reopen the controversies concerning which both Houses had finally agreed.

If the House will concur in this view and pass this bill, members may rest assured that it will be speedily followed by the usual urgent deficiency bill, in which every urgent public necessity can be provided for. Such a bill can be prepared, I am confident, within the next ten days or two weeks, and reported for consideration to the House. If these suggestions should prove satisfactory an immense amount of labor which we have once before performed will not have to be repeated. In the bill now under consideration we have adhered closely, and I believe entirely, to the text of the bill of the last year. Nothing new has been introduced. I hope that nothing new will be introduced, because if introduced in this body it will be introduced elsewhere, and this bill, which ought to have been a law last year, may linger for months, to the delay of payments justly due to thousands of our citizens.

I hope therefore, and I am authorized to express the hope on the part of the Committee on Appropriations, that unless the matter be urgent, unless it be extremely urgent, no gentleman will attempt to ingraft upon this bill any new item that may properly be left to wait for the forthcoming urgent deficiency bill, to which allusion has been made. Then, also, the general deficiency bill will of course follow after the urgent deficiency bill; so that there will be two early occasions upon which everything can be provided for that ought to be provided for. With these words of explanation I submit the matter to the Committee of the Whole House.

Mr. CANNON. Will my friend yield to me for a moment?

Mr. BURNES. I yield to the gentleman from Illinois [Mr. CANNON].

Mr. ROGERS. Mr. Chairman, I desire to make an inquiry of the gentleman from Missouri [Mr. BURNES]. I wish to ask whether this provision in the middle of the twenty-seventh page is not new legislation. I understood him to say that there was nothing new in this bill.

Mr. BURNES. No new appropriation. In answer to my friend from Arkansas I will say that the provision he alludes to is not a new appropriation; it is a limitation upon an appropriation. It is a provision which the Attorney-General of the United States has suggested to the committee as a matter of great moment, intended to save large sums of money now being unjustly withheld or diverted from the Treasury.

Mr. ROGERS. It is not, however, in the old bill.

Mr. BURNES. It is not in the old bill.

Mr. ROGERS. Will the gentleman explain to the House the object of this provision? I have not had an opportunity of examining it at all.

Mr. BURNES. The object of the limitation is this: We are advised by the Attorney-General that a controversy has arisen between the Department of Justice and certain clerks in several of the circuit and district courts of the United States with regard to certain fees which those clerks refuse to recognize as any part of the official fees of their offices. I will instance cases of habeas corpus, arising perhaps more frequently in California than in any other portion of the country. Fees are charged there and elsewhere in cases of naturalization and in habeas corpus cases, which, as I am informed, go exclusively into the pockets of the clerks. It is believed by the Department of Justice that those are official fees, and the Attorney-General desires authority for the Department to refuse to approve bills in favor of such clerks until those fees, which he regards as official fees, shall be reported and accounted for.

Mr. BROWNE, of Indiana. He simply desires that they shall be included in the emolument returns of the office.

Mr. BURNES. That is it. They refuse to include them in their emolument returns.

Mr. CANNON. Mr. Chairman, I desire to say only a few words about this bill. The gentleman from Missouri in charge of the bill [Mr. BURNES] has substantially covered the ground. I think it is the desire of both sides of the committee that this bill shall pass substantially as it is, and pass speedily. As the gentleman from Missouri has well said, it was agreed upon in conference, with many items that are now omitted, just at the close of the last session of Congress. I do not think it would be profitable to occupy much time in an inquiry as to why this bill, or a bill similar to this, failed in the last Congress. Sufficient is it to say that in perhaps the last hour before the Congress expired there was an agreement in conference upon the bill, but there was not time to write out that agreement and submit it to the House and the Senate, and have it adopted and signed by the President.

Much criticism was indulged in at the time by this side of the House because of the delay in presenting the bill originally, and I believe that even more criticism was indulged in by the then other side of the House on account of the same delay. The truth is that the items contained in part in this bill appropriated moneys that were due to creditors of the United States, many, many hundreds of them, in sums of from $5 to $1,000, those creditors being widely distributed throughout the length and breadth of the country. Many of the sums had been owing to these creditors for from twenty to twenty-five years. In several hundred cases they were moneys due to private soldiers, a part of the pay or bounty that had been owing them for over twenty years. This bill carries all those items which were due up to the time it was agreed upon last March.

The gentleman from Iowa [Mr. HENDERSON] was wise, I think, in the question he propounded to the chairman of the Committee on Appropriations a few minutes ago, suggesting the propriety of an amendment of the law so as to make permanent appropriations to pay these claims as they are audited by the officers of the Government.

The gentleman from Pennsylvania well said in reply that formerly such was the case; and I was very glad indeed that he did not at this time give notice of any objection to the re-enactment of that permanent appropriation. The history of that permanent appropriation is that prior to the Forty-fourth Congress (which was the first Democratic Congress subsequent to the commencement of the war) there was a permanent appropriation for these purposes, and that as the claims were audited the money was promptly paid from the Treasury. But under the lead of the gentleman from Pennsylvania, then upon this committee, and others, that law was repealed; and from that time to this—from 1875 to the present time—there has been an annual appropriation for this purpose.

I do not wish to take further time in explanation of this bill. I think perhaps our time would be better taken up in passing it promptly and letting these creditors of the Government receive the poor pittance to which they are entitled; for many of them, as we all know from letters which we have received, are absolutely suffering for want of these small appropriations, which might enable them to "keep the wolf from the door."

Mr. LAIRD. I would like to ask the gentleman from Illinois [Mr. CANNON] a question. I understand from the public prints that this committee has stricken from the present bill an item of half a million dollars for the Post-Office Department. Now, in my State and in the States of Kansas and Michigan about 3,000 miles of railroad have been built during the year just closed; and upon those lines of travel there is either no postal service or the service furnished is indifferent. I therefore ask whether the omission from this bill of the item to which

I have referred will affect the condition of the postal service in our western country.

Mr. CANNON. I will say to the gentleman from Nebraska that the bill as agreed upon in conference, and which failed in the last Congress, carried appropriations to the amount of $4,750,000; this bill carries $3,950,000—$800,000, in round numbers, less than the former bill.

As to the postal service, it is true that this bill does not include items which were in that bill intended for the service of the last fiscal year, which expired on the 30th of June, 1887; and they are not included for the reason that if we should give the money now it could not be expended. I grant you that the money ought to have been given last March, and we ought to have had more efficient postal service in many portions of the country, as we would have had if that money had been given. But as it was not appropriated, the time in which the service could be performed has passed, so that it is not necessary to give it now.

Mr. LAIRD. When was the bill reported from the committee to the House?

Mr. CANNON. This bill was reported yesterday.

Mr. LAIRD. I mean the original bill in the last session of Congress.

Mr. CANNON. My recollection is that it was reported five or six days before the expiration of the Congress, and that many of the appropriation bills were presented for the first time in the House within the ten days immediately preceding the expiration of the Congress.

Mr. PETERS. Is it not a fact that this bill did not reach the President until fifteen minutes before the adjournment of the last Congress?

Mr. CANNON. This bill never reached the President.

Mr. PETERS. I mean the deficiency bill of the last session.

Mr. CANNON. That deficiency bill never reached the President; the conference report, though agreed upon, was never written up, and was never adopted by the two Houses.

Mr. GROSVENOR. The difference, I understand, between the amount of this bill and that carried by the deficiency bill of the last session is over one million and three-quarters.

Mr. CANNON. No, sir; $800,000.

Mr. GROSVENOR. I think the difference is $1,800,000.

Mr. CANNON. I do not see how the gentleman reaches that result.

Mr. GROSVENOR. According to the figures I have here, this bill embraces appropriations of $2,951,000, against almost $5,000,000 embraced in the bill of the last session.

Mr. CANNON. We took as the basis of this bill the matters agreed on in the conference report.

Mr. GROSVENOR. What I want to know is, what are the items which were in the last deficiency bill and which are omitted from this bill, and why are they omitted?

Mr. CANNON. The gentleman, as I understand, is laboring under a mistake. The conference report agreed upon in fact between the conferees of the two Houses was never presented to either House; but that conference report is in existence. We took that report as the basis of this bill; and we have made this bill accord with it, omitting matters for which appropriations, if now made, could not be expended. In other words, as the fiscal year expired without money having been appropriated for certain items, the money was not, of course, expended, and thereby the public service suffered; but the time for the expenditure of that money has passed, and no good could be done by appropriating for those items now.

Mr. MORROW. Will the gentleman allow me a question?

Mr. CANNON. Certainly.

Mr. MORROW. Were not the services performed as intended by the original bill?

Mr. CANNON. The original deficiency bill of last March?

Mr. MORROW. Yes, sir.

Mr. CANNON. In many instances the services were not performed, and could not be without a violation of law.

Mr. MORROW. Do the differences here relate simply to those services which were not performed?

Mr. CANNON. Substantially so.

Mr. BURNES. Mr. Chairman, I had not anticipated the remarks which have just been made by my friend from Illinois [Mr. CANNON], nor perhaps the inquiry of the gentleman from Nebraska [Mr. LAIRD]; but, after what has been said, I feel sure it is my duty to remark in reply that there has been a great misunderstanding of the facts relating to the subjects which have been under consideration by those gentlemen.

This deficiency bill in the last Congress was passed through the House of Representatives before some of the other general appropriation bills, before some of the most important appropriation bills that go through this House, went to the Senate of the United States. The same time, therefore, was given for its consideration elsewhere that was given for the consideration of other appropriation bills. Not only that, sir, but when there was a fear that the Post-Office service, to which allusion has been made, would not be provided for, that the payments to the honored soldiery of the country for lost horses and for bounty and back pay would not be made, I had the honor, taking the responsibility largely upon myself, but acting in accord with many of my colleagues on the committee, to state the circumstances to the House and introduce a bill, under a motion to suspend the rules and pass the same, which I now ask the Clerk to read.

The Clerk read as follows:

URGENT DEFICIENCY BILL.

Mr. BURNES. I move to suspend the rules and pass the bill which I send to the Clerk's desk.

The Clerk read as follows:

"A bill to provide for certain of the most urgent deficiencies in the appropriations for the service of the Government for the fiscal year ending June 30, 1887, and for other purposes.

"*Be it enacted, etc.*, That the following sums, or so much thereof as may be necessary, be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the objects hereinafter expressed for the service of the fiscal year ending June 30, 1887, and for other purposes, namely:

"Post-Office Department:

"Postal service: For the extension of the free-delivery service, under the act of January 3, 1887, to an estimated number of seventy-five offices, $55,000.

"For salaries for clerks in post-offices left unprovided for by the act of June 29, 1886, consolidating money-order clerks with others, $250,000.

"For manufacture of adhesive postage and special-delivery stamps, $5,000.

"For manufacture of stamped envelopes, newspaper-wrappers, and letter-sheets, $137,000.

"For manufacture of registered-package, tag, official, and dead-letter envelopes, $10,000.

"For transportation of the United States mails and for foreign closed mails, $50,000.

"Treasury Department:

"Silver certificates and legal-tender notes: For printing and finishing additional silver certificates and legal-tender notes of the denominations of one and two dollars, to be expended as follows: Under the Bureau of Engraving and Printing, for compensation of employés, $5,500; for plate-printing, $14,000; for materials and miscellaneous expenses, $3,700; under the office of the Treasurer of the United States, for materials needed in sealing and separating United States securities, $500; for salaries for additional pressmen, feeders, and separators, $3,300; in all $27,000; and the number of plate-printers and printers' assistants may, on the passage of this act, be increased to the number provided for in the sundry civil appropriation act for the fiscal year ending June 30, 1888.

"JUDICIAL.

"Fees of jurors: For fees of jurors, United States courts, $50,000.

"Fees of witnesses: For fees of witnesses attending United States courts, other than courts of United States commissioners, $135,000.

"For fees of witnesses in attendance before United States commissioners, $65,000.

"Support of prisoners: For support of prisoners United States courts, $40,000.

"Expenses of Territorial courts in Utah: For expenses of Territorial courts in Utah, $5,000.

"For the payment of a portion of the claim certified to be due by the several accounting officers of the Treasury Department, and which have been certified to Congress and fully set forth in House Executive Documents numbered 49 and 180 and Senate Executive Document numbered 110, Forty-ninth Congress, second session, there is appropriated as follows:

"For all of the claims under 'Pay of two and three year volunteers,' 1871 and prior years, $250,979.08.

"For all of the claims under 'Bounty to volunteers and their widows and legal heirs,' 1871 and prior years, $284,750.22.

"For all of the claims under 'Bounty act of July 28, 1866,' 1880 and prior years, $51,218.56.

"For all of the claims under 'Pay, etc., of the Army,' 1884 and prior years, $14,052.37.

"For all of the claims under 'Commutation of rations of prisoners of war in rebel States, and to sailors on furlough prior to July 1, 1884,' $19,093.19.

"For all of the claims under 'Horses and other property lost in the military service prior to July 1, 1884,' $114,163.65."

Mr. BURNES. I wish to call especial attention of the Committee and of the country to the fact that neither the Appropriations Committee of the House of Representatives nor the House itself was in default with regard to the presentation or passage of a proper bill for the purposes stated. In proof of it I have had that record read, in order that every gentleman might see how earnestly the House, at least, endeavored to provide for every important interest alluded to in this debate. That bill was passed through the House in ample time to have been fully enacted and made a law.

Sir, I have no word of censure to utter against any gentleman on the other side of the House as to his course on that occasion, because we all united in the tendering of this important measure to the Senate for the benefit of the soldiers; for the purpose of enabling the courts to continue their sessions throughout the year 1887; for the purpose of paying these post-office obligations; providing for the postal service and the extension of the free delivery, including the issue of the legal-tender notes of small denominations, to which my friend from Iowa [Mr. WEAVER] had given valuable assistance and close attention. All these things, I say, were provided for in that bill which was sent in due season elsewhere.

Mr. MILLIKEN. Will the gentleman yield for one question?

Mr. BURNES. Not now, but in a moment. This bill, when it left this House left it freighted with the hopes and expectations of every member that it at least would be enacted into a law. Not one item in that bill was ever objected to by any gentleman either in the conference or upon this floor. Each and every item had the sanction of every one. But notwithstanding all this it was never even considered at the other end of this Capitol, and of course failed to become a law.

It is significant in this connection that the general appropriation bill providing for the executive, legislative, and judicial expenses of the Government for the fiscal year 1888 passed the House after the general deficiency bill had gone through and had been sent to the Senate. It seems there was time enough for that bill to become a law, perhaps because it provided for the payment of our own salaries and those of others. [Laughter.]

Mr. MILLIKEN. Is it not true these bills, near the close of the short

session, were dumped all together upon the Senate, so that it was possible to examine only the most important? Was it not obliged to leave this or some other bill unexamined?

Mr. BURNES. I beg to say to my friend from Maine the usual practice in the Senate is supposed to be to commence the consideration of appropriations in the committee of that body just so soon as the estimates are received, and they come to each House at the same time, so that when the House bills come to them the whole matter will have been studied and understood, so that the work of the committee after the receipt of the bills will be brief and easy. Besides, the Senate committee have the advantage of the work, reports, and debates in the House, which are generally very complete and exhaustive on all important subjects.

Mr. MILLIKEN. But is it not true that they can not all be examined at the same time?

Mr. BURNES. I have already answered the gentleman, I think, but I will simply answer his interrogatory in the affirmative.

A word more. I am not making a general defense of the policy pursued in these matters, although I am prepared to do so on any proper and necessary occasion. While I blame no one here or elsewhere, yet I must state some facts of which the country seems to be ignorant. Now, while there was time to pass the executive, legislative, and judicial appropriation bill, and to have it approved by the President, yet it seems there was neither time to complete nor to have approved the general deficiency bill, nor the special bill we sent to the Senate. While there was not time to pass those bills, it seems there was time enough to take one special item out of the general deficiency bill which failed, and pass it in the shape of a joint resolution through both Houses and send it to the President for his approval. This bill, read in your hearing a moment ago, could not be passed, we are told, but one of the other provisions contained in the bill which failed could be taken out, returned to the House, and sent to the President in time to become the law.

Mr. MILLIKEN. What item does the gentleman refer to?

Mr. BURNES. To the appropriation of $25,000 to pay the expenses of certain Senate committees which were incurred in the discharge of some public or outside duty.

Mr. MILLIKEN. What committees?

Mr. BURNES. Committees of the Senate.

Mr. MILLIKEN. Did not this bill go to the Senate as late as the 1st of March, and did not Congress adjourn on the 4th of March?

Mr. BURNES. I believe Congress did adjourn on the 4th of March. The record will show when the bill went to the Senate. It went there before the legislative, executive, and judicial appropriation bill did.

When this bill, with all these appropriations for the postal service, for the benefit of the soldiers, to relieve the courts, went to the Senate, its consideration was objected to by the Senator from Vermont, and yet when a joint resolution containing a provision taken from the deficiency bill then pending, and appropriating $25,000 for the payment of the expenses of certain committees of that body, was presented in the Senate, the Senator from Vermont, after demanding its reading, interposed no objection to its consideration and it became a law.

I do not care about saying anything unkind, and I will not say anything unkind of any one. I see no need of any unpleasantness in this matter. I know we all here did our duty. If the committee did not report the bills to the House in time, my distinguished friend from Illinois [Mr. CANNON] is as much to blame as any one of us, because we are often indebted to him for his activity and the intelligence and respectability which he lends to the subcommittee on the deficiency bill. [Laughter.] Neither he nor my friend from Maryland [Mr. MCCOMAS] ever fails us.

Mr. HENDERSON, of Iowa. I would like, with the permission of my friend from Missouri, to make a few remarks on this subject.

Mr. BURNES. I will yield to my colleague on the committee with pleasure.

Mr. HENDERSON, of Iowa. Mr. Chairman, I do not appreciate that it is the duty of any man to sit silent here after a bill is brought in at such a late day in the session that it can not be fully considered and passed and receive the Executive approval, and then have a gentleman of the distinguished character and ability of my friend from Missouri lecture this side of the House for any failure on its part in that respect.

The record shows, Mr. Chairman, that this deficiency bill was passed by the House of Representatives on the 1st day of last March, just three days before the adjournment of Congress, having been in the hands and under the control of a majority of this House up to that late hour. It passed the House and was sent over to the other end of the Capitol to be considered. It was reported to the Senate and referred to the Committee on Appropriations of that body. I take it that no gentleman will deny the right and duty of the Senate Committee on Appropriations to investigate the items of that bill, which had been held back until the dying hours of the Forty-ninth Congress. That committee considered and reported the bill back to the Senate on the 3d day of March, thus doing in two days' time what it took our Committee on Appropriations practically the three months of the session to accomplish. The Senate then passed the bill on the morning of the 4th of March, the day of adjournment. It will be borne in mind that we were working day and night at the last of the Congress. Then commenced the various conferences upon the appropriation bills.

Now, Mr. Chairman, it will not do for a claim to come from the other side of the House that they can strip that bill of matters of controversy, and force upon the country only those things in the bill about which no controversy could possibly arise, and thus eliminate the elements of the bill which did not meet the approval of the majority of this Chamber.

I say, sir, that if criticism must come, let it come against that custom which has prevailed here of holding appropriation bills back and back, and holding them back again, until it is impossible for the other branch of the National Legislature to give them consideration. It will not do to sustain such a policy as that, and then have the Republican members on this floor arraigned because they do not accept an omnibus proposition which dropped a great many other features of the bill. I do not think that is a proper presentation of the case before this House or the country.

The fact is, Mr. Chairman, that these appropriation bills might all be brought into this Chamber sooner than they are; and although I am a member of that committee, I say it, and challenge contradiction of any member thereof. If members of the Appropriations Committee would put the industry and energy and work into the appropriation bills early in the session that we have to do towards the close of it, full discussion, investigation, and light might be brought to each and all of these bills, and every member of this body enabled to give intelligent votes upon them. As it is, I submit that this is a proper occasion to condemn the custom which prevails in bringing these bills in at a late hour, and we might as well "talk out in meeting" upon that question now. I care not for what is known as the courtesy of the committee. As a member of that committee, I denounce the custom here and now; and it is due to the members of this body that it should be corrected.

Mr. MILLIKEN. Let me ask the gentleman a question.

Mr. HENDERSON, of Iowa. In a few moments. I am reflecting, sir, upon no individual member. Far be it from me to reflect upon my friend from Missouri, who has charge of the present bill—a gentleman for whom I entertain the highest respect and the warmest friendship. But we are all responsible; and I was glad to see the gentleman from Kentucky [Mr. MCCREARY] introduce an amendment to the rules to bring this matter to the front and compel speedy action.

They say you can not mandamus a committee. Well, if you can not mandamus a committee then I would damn the committee [laughter] with public sentiment and let the committee stand in default, if it must be, before the judgment of their colleagues and the criticisms of the country.

I now yield for a question to my friend from Maine.

Mr. MILLIKEN. Inasmuch as my friend from Iowa seems to be talking out in meeting, I would ask him to inform the House what is the purpose of the Committee on Appropriations in holding these bills back until near the close of the session and then dumping them upon the House.

Mr. HENDERSON, of Iowa. I discuss facts, and I do not enter into the methods or motives of men. Let the facts be known to the country, and the intelligence of the American people will not fail to supply the motives.

Mr. MILLIKEN. I did not know but that, as my friend from Iowa had started in upon the subject, he was going to give us the whole apocalypse of the question.

Mr. HENDERSON, of Iowa. No; my friend from Maine will always be swift enough to determine for himself the motives that influence members upon this floor.

Mr. BURNES. I yield five minutes to the gentleman from Nebraska [Mr. LAIRD].

Mr. LAIRD. I have no disposition to split hairs with gentlemen of the Appropriations Committee as to the question upon whose shoulders the grave responsibility of the defeat of this measure in the last Congress should properly rest. But before the House shall pass upon the question of ordering by a proposed rule some sort of limitation upon the action of the Committee on Appropriations, I beg to call its attention to a few items which concern the Western section of this country particularly. Some $800,000, perhaps less, say half a million, was estimated as the anticipated expense of the postal service in the trans-Missouri country. There have been constructed in the States of Kansas and Nebraska in the past year enough miles of railway to have absorbed this half million or $800,000—about 3,000 miles of railway. To-day members from that section are being appealed to by letter and petition from citizens of that country for some sort of adequate mail accommodations. The Government can not let the contracts for the railroads, or at least can not supply the money when the contracts shall be let. It has no money to carry on the offices, to provide the clerk-hire, the rent, the fuel, and other expenses of carrying on this branch of the business of the Government.

Something like a half a million of dollars, by the failure of this bill, was taken from the pockets of men whose claims had been adjudicated by the auditing officers of the Government, and something like $300,-

000 to $500,000 was taken from the exchequer of the Department of Justice, and so witnesses were compelled to pay their own expenses and traverse that country or the acceptance of the service of the writ was refused, and justice, so far as the administration of it was concerned, languished there.

Mr. BURNES. I wish to suggest to my friend from Nebraska [Mr. LAIRD] that there was nothing in the bill with regard to the transportation of the mails.

Mr. LAIRD. I understand there was nothing in the bill for transportation of the mails, but there was for postal-clerk hire.

If I remember aright it was very near the close of that session when the gentlemen of the Appropriations Committee brought in the legislative, executive, and judicial appropriation bill. It was on the 1st of March——

Mr. BURNES. It was on the 3d day of February.

Mr. LAIRD. The bill was reported on the 3d day of February, and passed this House on the 1st of March.

Mr. BURNES. The record shows that that bill was reported on the 3d day of February, and it was subject to any motion of the gentleman from Nebraska to call it up. [Cries of "Oh, no!"]

Mr. LAIRD. The committee had it under its control. It was whispered about that it would be necessary to suspend the rules to pass the great appropriation bill of the Government. There was an attempt to gag it down the throats of the House under a suspension of the rules. Every gentleman remembers that it was whispered about that, in order to get that appropriation bill, containing a million and a half dollars, appropriated in violation of the rules, it would have to be crammed down our throats in that way; and that was the reason why it was not passed sooner, because you had to give it consideration under the rules.

Mr. REED. Perhaps it is easier for a member who did not belong to the Committee on Appropriations to make the appropriate remarks upon this occasion. The candor of the gentleman from Missouri [Mr. BURNES], which just now enabled him to inform the gentleman from Nebraska that any member could undertake charge of this bill when before the House, has not permitted him to state what was the actual condition of affairs connected with this deficiency bill which passed the House under a suspension of the rules.

A general deficiency bill had been passed by the House, and was in conference between the Senate and the House. There were disputes with regard to important matters—disputes which the gentleman from Missouri and his colleagues were unwilling to settle. They were equally unwilling to go before the country with the large number of items which are in this bill unsettled, unless they could make in the presence of the country an apparent movement to settle them. That gentleman having delayed day after day to come to any conclusion in the conference committee on these subjects, and being unwilling to face the country with the rejection of the bills, adopted this arrangement for passing those things which he and his colleagues agreed to and avoiding the things which members in the other branch of the Legislature wished to pass; he adopted this arrangement under the stress of the last days of the session; in other words, instead of being an attempt to pay soldiers what was due to them, it was an attempt to avoid the appearance of being unwilling to pay them. It was an arrangement to avoid a difficulty, instead of a disposition to appropriate for the honest debts of the Government; and enough has been brought out here to-day to enable us to call upon this House to be on the watch hereafter, to see that the legitimate appropriations which are due to pay the debts of the Government shall not be kept away from the creditors of the Government.

The fact has been brought out here that a Democratic House changed the law whereby appropriations were made in advance, so that upon the decisions of the Auditors and their judgments rendered in favor of payment, under the law of the land these claims could be paid, and to-day we are all of us in receipt of letters from men whose claims have been adjudicated months ago, claims which, although they were adjudicated only months ago, were due years and years ago, and have not yet been paid because the Committee on Appropriations have not provided the proper appropriations to enable the Government officers to pay these debts as fast as they are ascertained to be due. And this in the face of abundant money in the Treasury; this in the face of a surplus which we seem to be unable to find out what to do with. I should not allude to this matter if it was merely ancient history, for I am satisfied that the country cares very little about things which are a year old; but it is because of the opportunity to give a warning for the future that I take this occasion to express to the House the actual situation of affairs. A bill had been passed; it was in the conference committee. Gentlemen on the other side were unwilling to pass upon these matters, and sought to avoid it by presenting us, in the last days of the session, with many items which there was no opportunity for the other branch of Congress to consider; yet now they present themselves to the country as the original and urgent movers, and our side as those who were obstructionists, and who prevented these honest debts from being paid. I must say that this seems to me to exceed even the regular courage of the gentleman from Missouri. [Laughter.]

The CHAIRMAN. The gentleman from Missouri has eight minutes of his time remaining. To whom does he yield?

Mr. BURNES. I will first occupy five minutes myself.

Mr. Chairman, I trust it is not necessary at this day that the question of candor between the gentleman from Maine [Mr. REED] and myself should be considered. I have never impugned his candor; he seems to impugn mine. Now, I simply place my assertion against his, and I say that, with all his prophetic vision, with all his wondrous judgment, with all his immense power, he has not divined aright the motives which actuated me or those who served with me on the Appropriations Committee. This for that, and that may settle it. But, sir, if it be necessary to antagonize candor with candor, or the want of it with the want of it, I would ask the gentleman from Maine who it was that repealed the law with regard to the payment of these claims due to soldiers? Was it a Democratic or a Republican Congress? How did that law get changed? Even the Republicans of the country saw that, under a law which authorized a clerk in a Department to audit these claims, innumerable frauds would spring up, and they repealed that law in the Forty-third Congress, in 1874. This for that also.

Mr. CANNON. The gentleman desires to be accurate, I am sure?

Mr. BURNES. I do, sir.

Mr. CANNON. The permanent appropriation that had been made for the payment of these claims was repealed, and the practice changed in the Forty-fourth Congress.

Mr. REED. I relied upon the statement of the gentleman from Illinois [Mr. CANNON], who is generally accurate.

Mr. BURNES. My friend from Illinois is mistaken. The repeal was made in the Forty-third Congress. But, no matter about that.

Mr. REED. It is a very serious matter.

Mr. BURNES. But even this I do not impute to the gentleman from Maine [Mr. REED] as indicating a want of candor, because the House knows that he is the soul of candor, especially on political propositions. [Laughter.] I attribute it to him rather as a mere act of forgetfulness. It was so easy to assume that this had been done by a Democratic House that it was thought well to consider that it was so done, and so, in that way, without consulting the record, the gentleman has involved himself in this little difficulty.

I now yield my remaining three minutes to the gentleman from Pennsylvania [Mr. RANDALL].

Mr. RANDALL. Mr. Chairman, for the purposes of this discussion I will not inquire which side of the House had to do with the repeal of the law which permitted appropriations in advance, in bulk, for the payment of these claims by the auditing officers without review by Congress. The repeal of that law was a right step to take, and the Republican majority, if it originated the change, are to be commended. It had come to be a matter of criticism and scandal that the Government was paying money out of the Treasury in this way and making the auditing officers of the Department practically the legislators of the country instead of the two Houses of Congress.

As to this deficiency bill, I would like to take away the mask and present the real, or other side of the case.

The gentleman from Maine [Mr. REED] tells us that a number of soldiers' claims were not paid in consequence of the difficulty in securing an agreement between the two Houses in the conference. That may be true, but, as one of the members of that House, I desire to commend the conferees on the part of the House for their stubborn refusal to permit the carrying through Congress, on the back of the claims of soldiers, of two immense claims, one being the Choctaw claim, amounting to nearly $3,000,000, and the other the Pacific railroads claims, of about two millions; and, if I may be allowed to speak of the reasons why this deficiency bill failed, I could state it was because those two claims were insisted on by the Senate, which caused such delay in its passage through that body as to make its enrollment impossible before the final adjournment.

I want to say a word in addition. I am quite accustomed to this constant scolding which the Committee on Appropriations receives. As one of the members of that committee I have come to be absolutely patient and submissive in this particular. But I feel it my duty here to-day to say that there never has been any member of either side of the House on any Committee on Appropriations on which I have served who has been guilty of an improper motive in retarding appropriation bills; nor have I known any occasion when those bills ever were retarded through a motive other than that which was proper and honorable.

More than once there have come to my notice criticisms directed against some member of the Committee on Appropriations as having used these appropriation bills as a means of preventing legislation on revenue subjects. I wish to say that the rules of the House gave precedence, and still do so, to revenue measures over appropriation bills; so that, in order to have secured consideration of any revenue measure at any time, it was only necessary that a majority vote should bring into operation the rules of the House on the subject. I look this matter right in the face. The reason why revenue measures have not been considered heretofore has been because those which have been reported did not command the support of the majority of the House. That was the sole reason. Do not place the blame on the Committee on Appropriations. It may be attributed to some of the individuals who have occupied places on that committee.

I have felt it proper, Mr. Chairman, to make this statement. I have made it once or twice before; but as this subject is again under discussion I want to say deliberately that at no time, so far as I know, was there ever an improper motive in connection with the management of the business of the Appropriations Committee.

Mr. BURNES. I ask unanimous consent to have read the fifth section of an act approved June 20, 1874, this provision being known as the "covering in act," of which Mr. Garfield was the author.

The CHAIRMAN. The time of the gentleman from Missouri having expired, he asks unanimous consent that this section of the law be read. The Chair hears no objection.

The Clerk read as follows:

SEC. 5. That from and after the 1st day of July, 1874, and of each year thereafter, the Secretary of the Treasury shall cause all unexpended balances of appropriations which shall have remained upon the books of the Treasury for two fiscal years to be carried to the surplus fund and covered into the Treasury: *Provided*, That this provision shall not apply to permanent specific appropriations, appropriations for rivers and harbors, light-houses, fortifications, public buildings, or the pay of the Navy and Marine corps; but the appropriations named in this proviso shall continue available until otherwise ordered by Congress, and this provision shall not apply to any unexpended balance of the appropriation made by the act approved December 21, 1871, for expenses that may be incurred under articles 1 to 9 of the treaty with Great Britain concluded May 8, 1871, which balance the act approved March 3, 1873, authorized to be expended to enable the President to fulfill the stipulations contained in the twentieth, twenty-second, twenty-third, twenty-fourth, and twenty-fifth articles of said treaty: *And provided further*, That this section shall not operate to prevent the fulfillment of contracts existing at the date of the passage of this act; and the Secretary of the Treasury shall, at the beginning of each session, report to Congress, with his annual estimates, any balances of appropriations for specific objects affected by this section that may need to be reappropriated.

Mr. REED. That did not prevent any Congress from making the proper appropriations, and the next Congress, which was Democratic, did not do so.

Mr. BURNES. Under that law the Treasury Department certified these balances for appropriation and repudiated what seemed to have been sanctioned merely as a practice of the Department up to that time. Under the lead of that distinguished man, then a member from Ohio, Mr. Garfield, whose name is associated with this provision (for he brought in the measure), that law was passed to remedy the difficulty. Under that law these estimates, since the passage of that law, have been made and these claims reported to us.

Mr. CANNON. According to my recollection, I am satisfied that the law which the gentleman has had read did not repeal the permanent appropriation which had been made prior to that time for the payment of this particular class of claims.

Mr. BLOUNT. I will ask the gentleman what has been the construction of the Treasury Department from the time of the passage of that act as illustrated in sending in estimates?

Mr. CANNON. I will say to the gentleman that, according to my recollection, estimates are sent in, and these appropriations are required to be made by virtue of legislation had during the Forty-fourth Congress.

Mr. BURNES. My friend from Illinois will allow me to say that if this is not the law under which we get these estimates and make these appropriations, it is his duty or the duty of the distinguished gentleman from Maine [Mr. REED] to show us what law we have with regard to that matter. I say that the law has been so recognized by every Republican and Democratic administration from that day to this. I challenge gentlemen to prove the contrary by citing some other provision of law.

Mr. CANNON. That is the gentleman's assertion.

Mr. BURNES. From a Republican administration the estimates came in under that law at the first session of the Forty-fourth Congress, a Democratic Congress.

Mr. CANNON. I say again I am satisfied the gentleman is mistaken. But suppose that to be true, does the gentleman approve of the law?

Mr. BURNES. Yes, sir; I approve of it from the center of my heart.

Mr. CANNON. Right there, then, we have at least an issue. I do not approve it touching this class of claims.

Mr. BURNES. I am satisfied the name of General Garfield is not as influential on the other side as it used to be.

Mr. CANNON. The gentleman abounds in general statements. He seeks now to cover the weakness of his position by invoking the memory of Garfield. Garfield was but a man after all, but an eminent one. I admired him when he was a member of this House and voted for him for President. Possibly I can not now commend him that he is dead as strongly as the gentleman from Missouri, yet I stood by him much more closely when he was living than did the gentleman from Missouri. [Laughter and applause.]

Mr. HENDERSON, of Iowa. Will the gentleman permit me to ask him a question?

Mr. CANNON. Certainly, but allow me to finish this first. I state again my recollection, as I have not examined it for some time, that the legislation making permanent appropriation to pay soldiers of the late war, providing for the payment of such claims as were audited, was repealed by the Forty-fourth Congress. I may be mistaken about that, but I believe——

Mr. BLOUNT rose.

Mr. CANNON. Allow me to complete my sentence before I yield. I may be mistaken; I have been mistaken frequently. I am not mistaken in one thing, however, and that is, from that time to this I have time and again sought to have that law re-enacted or enacted anew, if that will suit the gentleman better, making a permanent appropriation for the payment of this class of claims as they are audited. Whether the gentleman is right or I am right I stand here to-day and will stand here and so will this side of the House—I think I can speak for it in this instance—throughout the balance of this Congress ready to change the existing law so as to give each creditor of the class referred to the money promptly which the Democratic auditing officers of the Treasury, officers belonging to the gentleman's own party, find to be due to him. But the gentleman from Missouri says he will not unite with me in such legislation. Therefore the question as to who is to blame for the repeal cuts no figure. The only question is, shall these claimants be paid peaceably?

Mr. HENDERSON, of Iowa. Will the gentleman allow me to ask a question?

Mr. CANNON. Certainly.

Mr. HENDERSON, of Iowa. Is it not true that not one of these accounts has been thrown out of the Appropriations Committee in the last three Congresses?

Mr. CANNON. No.

Mr. HENDERSON, of Iowa. Is not that true?

Mr. CANNON. No; it is not true. During the first session of the Forty-eighth Congress the gentleman from Missouri [Mr. BURNES] had charge of a similar deficiency bill, and in preparation of the same he ran his pencil through one-half of this class of claims. When I made an effort and moved an amendment in the Committee of the Whole House to provide for them, he opposed it; hour after hour and day after day he fought against putting them into the bill. He was sustained by his side of the House and the appropriation was not made for them during that session.

Mr. HENDERSON, of Iowa. Have they not been appropriated for since?

Mr. CANNON. Oh, yes; they were appropriated for the next session, but not for over a year after they were audited, and twenty years after they were in fact due.

Mr. HENDERSON, of Iowa. That is what I wish to bring to the attention of the House; that if fraud has been committed, the present system works delay and does not expose that fraud. That is what I wish to get before the House.

Mr. BURNES rose.

Mr. CANNON. I will yield to the gentleman such time as he wishes, holding the floor myself.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois as having the floor for one hour.

Mr. CANNON. Certainly. I now yield to the gentleman from Missouri as much time as he wishes.

Mr. BURNES. I rise for the purpose of correcting a statement of my esteemed friend from Illinois, and I am quite sure he wishes to be accurate in what he says.

Mr. CANNON. Certainly.

Mr. BURNES. I assert, and it is assertion against assertion, the record shows that since I have been on the committee more than $100,000 of improper claims in the judgment of the Committee on Appropriations have been detected and rejected.

Mr. CANNON. This class of claims?

Mr. BURNES. Claims for horses lost in the service.

Mr. CANNON. For horses claimed to have been lost in the service?

Mr. BURNES. Yes, under that title——

Mr. CANNON. The gentleman does not want a wrong impression to go to the country.

Mr. BURNES. I do not.

Mr. CANNON. And he and I can not afford to seek to obscure the fact with general statements. I ask him again if every claim that has been certified for horses lost, in fact—lost by individuals—in the class of claims to which he refers, has not been appropriated for?

Mr. BURNES. Every claim certified up for one horse, or perhaps for two horses, lost by soldiers, has been found correct and appropriated for. But the gentleman will understand me: every item of that class audited by the same Department, sent up in the same document, holding a place alongside of meritorious claims, has not been paid.

Mr. CANNON. But those items were not for horses, in fact?

Mr. BURNES. No, they were not for horses.

Mr. CANNON. That is just it.

Mr. BURNES. The gentleman from Illinois remembers the cases, I am sure. They aggregated nearly $100,000, and were certified to Congress along with individual claims of soldiers for horses lost in the service, and under the general title of "horses and other property lost in the military service." Upon investigation and examination of the papers in the cases it was developed that the allowances were in fact to certain insurance companies for steamboats destroyed while in the service of the Government. The insurance companies having made good the losses to the owners, sought to hold the Government liable to them for their losses, and obtained a settlement by the accounting officers of the Treasury to that effect.

The Committee on Appropriations and the House did not regard these claims as just, notwithstanding the Treasury settlement, and refused to appropriate for them. Mr. Maynard, recently Second Comptroller of the Treasury, re-examined these cases and reported against them during the last Congress in House, Executive Document 210, Forty-ninth Congress, second session, thus justifying the action of the committee and the House in refusing the appropriation.

Mr. CANNON. Resuming the floor for a moment only, Mr. Chairman, I desire to say that it is true, whether right or wrong, that the Committee on Appropriations has failed to recommend—and I want to be entirely frank about this—some items that have been certified from the Treasury Department for transportation. But it is not true, according to my recollection, that they have failed in the end to recommend appropriations for every item claimed of the class of which I have been speaking.

Now, sir, having said that much, I want to add one thing in reply to what was said by the gentleman from Pennsylvania [Mr. RANDALL]. He said that the true matter at issue, which caused the failure of the deficiency bill at the close of the last Congress, was the matter touching certain claims known, one of them as the "Choctaw claim," and the other as the "Pacific railway claims." I believe these items were in controversy in the conference. I believe the Senate receded upon both items, at least I did not find them in the conference report as it was written up. But let that be as it may, the gentleman can stand, if he chooses, upon that ground. Let us examine the question.

What was the Choctaw claim? This Congress, or another Congress, the one before the last, a Democratic House and a Republican Senate, passed a bill allowing the Choctaw Nation to go into the courts of the United States—the Court of Claims—and establish a claim they had presented, if they could, a claim that had been due for nearly two generations, as they alleged.

The Choctaw Nation did go into the Court of Claims; an appeal was prosecuted from the findings of the Court of Claims to the Supreme Court of the United States, and the Supreme Court, after a full hearing, ordered judgment to be rendered by the Court of Claims in favor of the Choctaw Nation for something over $2,000,000. That finding stands as an unpaid judgment of the Court of Claims, approved and directed by the Supreme Court of the United States, to this day. It has been unpaid and bears interest.

Now, then, it is true that the House committee refused to allow an item appropriating for that judgment. The Treasury full of money; the Democratic party and its Executive not knowing how to get rid of it, as they say; yet here is a claim in this condition of affairs bearing interest—a judgment of the highest court of the land—which is not included in the appropriation bill.

I yield now to the gentleman from Maryland.

Mr. McCOMAS. Mr. Chairman, I wish to add only a word to the subject under discussion. The House has not been considering the bill we are about to pass, but we have been talking for nearly two hours about the bill we ought to have passed last year and are all sorry we did not pass.

Various reasons are given here why that bill did not pass, and therefore I shall not depart from the thread of the discussion to assign any reasons why this bill should pass. It is in substance the same, as has been said, which was agreed upon by the conference committee in the closing hours of the last Congress.

Gentlemen on this side of the House tell the new Congress that this bill and other bills failed to pass in the last Congress because of the fault of the Senate. Other gentlemen say that it was the fault of the Committee on Appropriations in this House. We have heard and will hear again this sort of talk time and again during the session as a substitute for some resolute plan and policy of settling the problem of the surplus advocated by a united Democratic majority. Gentlemen who have in vain urged upon their fellow-Democrats, upon the majority of this House, a proposition which uniformly failed to command a majority of the governing body here, raise every now and then a vigorous cry against the great Pennsylvanian [Mr. RANDALL], and proclaim him as terrible as an army with banners, and more potent than forty, or even eighty, Democratic majority in this House. They have commenced again their habit of holding him up as an excuse for not passing a revenue bill. But the gentleman from Pennsylvania [Mr. RANDALL] has, in a sentence, disposed of that pretext when he says that by a majority vote of this House at any day, in either preceding Congress, the majority could have taken up a measure for the lessening of surplus revenue. The labor and business interests of this country will no longer excuse the majority for doing nothing by their own helplessness and discord.

Why, Mr. Speaker, while these gentlemen were talking I recurred to a list of the appropriation bills of last session and their stages of progression through this House. I do not mean to inflict it on the members here by reading it. It is a significant fact that while there were in the last short session of the Forty-ninth Congress but forty-eight working days there were on the Calendar a dozen appropriation bills at one time—that this Democratic House, with 40 majority, for twenty-three days out of the forty-eight did not consider or attempt to consider a single one of the appropriation bills in the last short session.

This Fiftieth Congress is now here. We have now reached the 11th of January. More than thirty days of this Congress have passed, and no bill of a public nature has been passed; no business has been done by this House or by the Democratic majority in this body. The bottom trouble in this House in the last Congress, in the one before that, and it seems that it will be the same in the coming history of this House—the bottom trouble is with the Democratic majority, which is inert and helpless, rather than with any committee, and the leaders seek to hide the incapacity of the Democratic House for affirmative legislation by specially berating the Appropriations Committee. It is the same old scape-goat for the same old sin of business incapacity.

As a member of the Appropriations Committee, I am frank to say that former appropriation bills and all appropriation bills ought to be more rapidly put before the House; but in fact in the last session for twenty-three days the House refused to consider a single appropriation bill; and now more than thirty days have passed of this Congress, and nothing has been done. To find a scape-goat may be pleasant to the feelings of members and individual constituencies, but the burden is really on the majority of this House itself by reason of its incapacity to speedily and orderly consider the business.

What was the cause last year of these bills being piled on the Calendar? It was not only that they came in too slow, but even more that this House considered them all too slow, so that six of the appropriation bills were passed in the last hours of the session, most of them under a suspension of the rules, some of them enrolled at a late hour on the very last day.

My distinguished friend from Missouri [Mr. BURNES] on the 3d of March introduced a bill which was read late in the night-time, within a few hours of adjournment. I then predicted on this floor, and there was no credit due me for the prophecy, that that bill could not possibly pass; and it did die because it came in on the last day, and of course could not have any consideration by the Senators, already overwhelmed with our belated appropriation bills which this Democratic House had dumped on their heads.

When we take up in this Congress this appropriation bill we find that the contested items of the Choctaw claim and the Pacific railroads claim—and I, as one member on this side of the House, along with many of my fellows, strenuously opposed then and oppose now these Pacific railway claims—we find that those items are omitted.

The gentleman from Pennsylvania [Mr. RANDALL] errs, therefore, when he says these claims delayed the passage of the deficiency bill. Those were not the things which prevented the passage of the bill by the Senate. It was the long delay of the Appropriations Committee, added to the chronic, and, it seems to me, the characteristic delay of a Democratic majority, and when, on the morning of the 4th of March, our conference committee, of which I was a member, had agreed upon a bill which omitted these very items, the last circumstance of delay was that the President of this nation had departed from the custom of all who had gone before him, and had notified Congress and the conferences that he was too high to follow the path trodden by Washington, Jefferson, Lincoln, and Grant, for in advance he refused to come to the Capitol, and when he did surrender, it was too late for the clerk to enroll and for the President to sign the bill. It was the combined delay of the Democratic Appropriations Committee of the Democratic majority in this House, and again in control here, and, as the final capstone, the delay of the President himself, ill judged and too slowly retrieved at mid day on March 4, 1887, which caused all this confusion in the Departments, now loudly complained of by the failure of this deficiency bill for 1887, now about to pass in 1888. Now, let us take up this bill, so that the Departments and courts crippled for a whole year, so that the soldiers and other claimants here provided for may get the money long due them. Let us do this and talk no more about it.

Mr. BURNES. I now call for the reading of the bill by paragraphs.

The Clerk proceeded to read the bill, and read the following:

ENGRAVING AND PRINTING.

Silver certificates and legal-tender notes: For printing and finishing additional silver certificates and legal-tender notes of the denominations of one and two dollars, during the fiscal year ending June 30, 1888, to be expended as follows: Under the Bureau of Engraving and Printing, for compensation of employés, $6,000; for plate-printing, $28,000; for materials and miscellaneous expenses, $12,000; under the office of the Treasurer of the United States, for materials needed in sealing and separating United States securities, $500; for salaries for additional pressmen, feeders, and separators, $3,300; in all, $49,800; and the number of plate-printers and printers' assistants may, on the passage of this act, be increased to the number provided for in the sundry civil appropriation act for the fiscal year ending June 30, 1888.

Mr. BURNES. On information received directly from the Treasury Department and from the Bureau of Printing and Engraving, I am instructed by the committee to offer the amendment which I send to the desk.

The Clerk read as follows:

On page 4 strike out all after "dollars," in line 11, down to and including line 15, and in lieu thereof insert:

"And the number of plate-printers and plate-printers' assistants may, by direction of the Secretary of the Treasury, be increased to two hundred and two hundred and thirty, respectively."

Mr. BURNES. I wish to say only with regard to this proposition, that the necessity for engraving larger amounts than usual of internal-revenue certificates has made it necessary to give the Bureau of Printing

and Engraving an additional force; increasing it from one hundred and eighty-seven and one hundred and eighty-eight to the numbers stated, two hundred and two hundred and thirty.

Mr. RANDALL. I desire to add, also, that the estimates by this bureau were given in full in the original act.

Mr. REED. The gentleman from Missouri [Mr. BURNES] cited a law which I would like to have him explain as to its bearings. I made the statement that the Democratic House of the Forty-fourth Congress was responsible for the change which was made. It is true that I made that statement upon the authority of the gentleman from Illinois. The gentleman from Missouri in reply has read a statute which he says prevents the line of action that I suggested ought to be continued. I shall quote from that statute a single sentence, omitting the provisos, which have no bearing upon this question. I expressed my opinion with regard to it as soon as I heard it read; but it was met with some incredulity on the part of the gentleman from Missouri, and it is possible his incredulity may be well founded.

But upon examination of the statute I am utterly unable to see how it can prevent Congress from doing what I have suggested. The language of the statute is that "from and after the 1st day of July, 1874, and of each year thereafter the Secretary of the Treasury shall cause all unexpended balances of appropriations which shall have remained upon the books of the Treasury for two fiscal years to be carried to the surplus fund and covered into the Treasury." Now, how it is possible for that provision to prevent this House from appropriating a sum to be applied to the payment of these debts as they are adjudicated by the officers of the Government I am unable to see. We appropriate in every Congress sums to be expended in payment for printing, the amount of which can not be accurately calculated in advance, and so for many other purposes of the Government. How this law prevents such action on the part of Congress I am quite unable to see, and I hope the gentleman will explain it, because if I have stated the law incorrectly, no matter how good authority I may have had, it is my duty to withdraw the statement.

Mr. BURNES. As a matter of course, Mr. Chairman, it is competent for Congress to do that which the gentleman suggests, but it is scarcely profitable for him and myself now to discuss this question of law further than we have discussed it. I simply speak from experience and observation when I say that under this law the Treasury Department has been making these estimates for special annual appropriations. I know of no other law under which, in either the Forty-fourth or the Forty-fifth Congress, such estimates were made, and I apprehend that the gentleman will find it has been under the construction put upon this statute, which we need not now discuss. If the construction is wrong, then the gentleman is right. If the construction is right, then I am right; but I think we had probably better examine this law question "off horseback."

Mr. REED. Mr. Chairman, it is of very little consequence, of course, whether I have made an error upon a given subject or not, but it is of some consequence whether I have stated to the House what is not so, having the means of information. Now, it seems to me, and I submit to the House, that this act was intended for a particular purpose, which I will state. I speak solely from the language of the act, because it was passed before my time here. I think the purpose was to prevent the use by the officers of the Government of unexpended balances of appropriations actually made, and to cause the appropriation of a year to be confined to the year. If, under that use of unexpended balances, the Treasury Department was in the habit of paying claims like these, and they were cut off from that righteous and proper work—for there can be no more proper and righteous act than to pay the debts of the Government, ascertained by the proper tribunals—if, I say, the Department officials were cut off by this act from using unexpended balances for that purpose, it then became the duty of the first Congress under which this act was in operation to provide for the changed condition of things; in other words, to make direct, estimated appropriations for paying the debts of the Government upon precisely the same basis and in the same manner that estimates and appropriations are made to pay the approaching contingent printing expenses of the Government. If that be so, the situation remains precisely where I said it was, and the argument which I addressed to the House loses none of its force.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Missouri, which the Clerk will read.

The Clerk read as follows:

On page 4, strike out all after "dollars," in line 11, down to and including line 15, and insert "and the number of plate printers and plate printers' assistants may, by direction of the Secretary of the Treasury, be increased to two hundred and two hundred and thirty, respectively."

The amendment was agreed to.

The Clerk read as follows:

Mail depredations and post-office inspectors: For fees to United States marshals, attorneys, and the necessary incidental expenses connected therewith, $1,104.50, being a deficiency for the fiscal year 1886.

Mr. VANDEVER. I desire to offer an amendment to that paragraph, which I send to the desk.

The amendment was read, as follows:

Insert, after line 23, page 25:

"For defraying expenses and accrued deficiencies in the mail service at post-offices in Southern California, as the Postmaster-General may direct, for the year ending June 30, 1887, $100,000."

Mr. BURNES. Mr. Chairman, I make the point of order against that amendment, that it is not the subject of any estimate and does not come before us in any regular way. We do not know officially that there is any such deficiency. It does not so appear, nor does it appear that there is any law for this service.

The CHAIRMAN. The Chair will hear the gentleman from California [Mr. VANDEVER] on the point of order.

Mr. VANDEVER. Mr. Chairman, I fail to see the point of order suggested by the gentleman from Missouri, but I desire to say that I regard this case as somewhat exceptional. It is a proposition to provide for a deficiency which exists in the postal service in certain portions of Southern California, where the population has been pouring in at such an unprecedented rate that since the last regular appropriation for postal service there the work has quadrupled in every one of the leading post-offices, and to-day the receipts from those offices are four times in excess of the expenditures. In Los Angeles, in Santiago, in Pasadena, in San Luis Obispo, in half a dozen of the larger places in Southern California the inadequacy of the postal service constitutes to-day an almost insufferable grievance. If you go any day to any one of those post-offices you will find long lines of persons standing from morning until night waiting their turn to receive their mail matter, and sometimes, after remaining there for hours, they are turned away with the statement that there is still a large amount of mail matter that has not been distributed.

To some extent that has been the case for years, so that down to the close of the fiscal year 1887 the postmasters of those post-offices were obliged to pay out of their own salaries for competent assistants, and the people of the locality were obliged to supplement the allowances made in the regular appropriation bills for that service by moneys subscribed to pay the cost of additional clerk-hire. The gas bills, the water bills, and other necessary expenses of those offices have gone unliquidated to this day, and the Postmaster-General informs me that he has no fund at his disposal to pay them. Nor has he any fund at his disposal under the appropriation for the fiscal year ending June 30, 1887, that will enable him to meet these necessary expenses, and it is with his assent and approval that I make this proposition in the House to-day. There has been no opportunity of presenting this matter to the committee. In fact, as to the post-office at Santiago, when the new postmaster came into office there he found a large mass of mail matter that had accumulated and come over to him from the previous postmaster. In order to get rid of this vast accumulation of mail matter he loaded it upon wagons; and four wagon-loads of it were hauled to the dump in the bay, this course being necessary in order to make room in the office for the handling of the current mails.

This is the condition of the public service in that portion of the country. I trust, therefore, that the gentleman from Missouri will not object to the insertion of the provision I have submitted inasmuch as it proposes to cover the expenses which have already been necessarily incurred, and to permit the Postmaster-General in his discretion to apply the remedy. Of course it will be necessary to present this subject in the regular appropriation bill or in the deficiency bill which may be presented hereafter; but this is an appropriate time for calling the attention of this House to the inefficency of the postal service in that region. The present condition of affairs in these post-offices in Southern California is not due, I am free to say, to any fault of the Post-Office Department, but is owing to the failure of Congress to foresee the increased appropriations which would be required by reason of the great influx of population into that country, which is almost phenomenal, as any gentleman who has recently visited Southern California can not fail to appreciate. I think there are gentlemen on this floor who from their own personal observation can corroborate the statements I now make. I therefore ask the gentleman from Missouri to consent to the insertion of this amendment in the present bill, so as to provide for a great public necessity and give to the people of Southern California the postal conveniences to which they are entitled.

Mr. CASWELL. I move to amend the amendment by striking out the last word.

The CHAIRMAN. The pending question is upon the point of order raised by the gentleman from Missouri [Mr. BURNES].

Mr. CASWELL. I hope the gentleman will allow me a moment to make an explanation.

Mr. BURNES. I yield to the gentleman, reserving the point of order.

Mr. CASWELL. Mr. Chairman, I simply want to corroborate by my testimony the statements which have been made by the gentleman from California [Mr. VANDEVER]. Just previous to the beginning of this session I visited the portion of country to which he has referred and witnessed the condition of things which he has detailed. In the city of San Diego I was obliged to wait five days for the distribution of mail matter which I should have received on the day of its arrival. I found the citizens of that place were contributing $5 and $10 a month each in order to assist in supplying the needed clerk-hire for transacting the business of that post-office. Such was the condition of affairs coming under my direct observation that I felt compelled as a disinterested party to write to the Postmaster-General informing him of the im-

mense amount of mail matter which was piled in the middle of the floor at that office awaiting distribution, and not distributed promptly because of the insufficient clerical force. I was informed by the postmaster that he expended every dollar of his salary in hiring clerks to distribute the mail matter, and that the office was then earning at the rate of $37,000 a year; yet he was allowed only the trifling sum of $2,300 for clerk-hire.

There is no necessity for such a state of things; and if this House understood the true situation of affairs, not only in San Diego, but in Pasadena, Los Angeles, and at other points in Southern California, an appropriation would be immediately made in this urgency deficiency bill to give those offices the force which the public business requires. I am informed that fifty thousand people have recently gone into the southern portion of California, so that post-offices which were previously well supplied with clerical force are now inundated with the influx of mail matter which follows this immigration. There is an urgent demand that we should make an appropriation to supply the necessary service for these offices.

Mr. STRUBLE. With the indulgence of the gentleman from Missouri [Mr. BURNES], I would like to say a word.

The CHAIRMAN. A point of order is pending.

Mr. STRUBLE. I would like to be heard on the same basis of courtesy which has been extended to other gentlemen.

Mr. BURNES. Reserving the point of order, I have no objection to the gentleman proceeding.

Mr. STRUBLE. Mr. Chairman, from the town and vicinity in which I live have gone to Southern California during the last year about twenty of our prominent citizens, and within the last thirty days I have received from a number of them a telegram, and from a representative man among them two letters, presenting to me the state of the postal business at one place, Pasadena, and appealing to me to confer with the gentleman from California in front of me [Mr. VANDEVER], in order to effect, if possible, by application to the Post-Office Department, an arrangement whereby the inconveniences which the public now suffer at that office may be remedied by an order of the Department.

It seems to me, sir, it ought not to be expected that the citizens of any community in this country should put their hands in their pockets in order to assist in paying necessary expenses pertaining to the administration of the Post-Office Department in any part of the country; the Government with its immense surplus is amply able to pay such and to relieve an existing emergency. There are thousands of people congregating in these cities—many as permanent residents, others for temporary sojourn—and why should not the Congress of the United States, upon such a presentation as has been made to-day, recognize the emergency of the situation and deal fairly and liberally with that section of country? They are certainly entitled to send and receive mail promptly and without such delays as they are now suffering, or any individual contribution to such unusual expense as may be necessary to facilitate ordinary mail conveniences. I hope my friend from Missouri will not insist upon his point of order, but allow the House, upon the statements of fact made by the gentleman from California [Mr. VANDEVER] and the gentleman from Wisconsin [Mr. CASWELL] to vote upon the proposition which the gentleman from California has submitted.

Mr. BURNES. I would not insist on the point of order if it were not so clearly apparent that it would be impossible for us to remedy the grievances complained of without assistance from the Post-Office Department, without official estimates and information, and without due consideration of the subject in the committee. I trust, therefore, I shall be excused for insisting on the point of order.

Mr. BUCHANAN. I ask the gentleman from Missouri to yield to me for the purpose of asking a question.

Mr. BURNES. Certainly.

Mr. BUCHANAN. I wish to inquire of the chairman of the Subcommittee on Appropriations this question: whether the point is made that this amendment is subject to the point of order simply because it has not been submitted to the committee, and if so, under what rule is it made?

Mr. BURNES. I will answer my esteemed friend from New Jersey that we have a general law providing for the regulation of this entire service, and this amendment, if adopted, would have the effect to extend the existing method of appropriating money under that law. It is not in order because it is not in accordance with the present law, but, on the contrary, is in direct conflict with it, and in making new law——

The CHAIRMAN. The Chair is constrained to sustain the point of order, as the amendment is not a deficiency within the legislative meaning of that term. There is no estimate for it, nor any law contemplating such action. The amendment is therefore ruled out.

The Clerk proceeded with the reading of the bill.

Mr. ROGERS. I wish to call attention of the House to the fact we find in the appropriation bill of last year some provisions which were under consideration by the last House not included in this bill. For instance, there was an item of $50,000 for fees and expenses of marshals, with a proviso, which I do not find in this bill. Why is it left out of the present bill? What necessity was there for that appropriation then which does not exist now? I inquire as a matter of information simply.

Mr. BURNES. I will answer the gentleman from Arkansas. Since that bill was under consideration by the last House the Department has sent in new estimates, including only those which experience has demonstrated to be now necessary to carry out the law and provide for the exigencies of the public service. We have, of course, followed the estimates and recommendations of the Department in that regard.

Mr. ROGERS. What provision is there in this bill as a substitute for the one contained in the bill of last year, and to which I have referred?

Mr. BURNES. There is no provision made in this bill, because there was no estimate or recommendation under that head.

Mr. ROGERS. Do I understand the estimates upon which this bill is based take the place of the estimates upon which the previous bill was made up?

Mr. BURNES. This bill was intended to cover every important item in the other bill under the estimates of the Department. It only omits such items which, by the lapse of time or for other reasons satisfactory to the Department, have not been estimated for.

Mr. ROGERS. That is not sufficiently explicit. This bill does not touch the subject at all of the appropriation to which I have referred, of $50,000 for fees and expenses of marshals, included in the bill of the last House. Now, why is that omitted while other provisions of the bill last year are included? Why should that be omitted while forty other provisions of the last bill are included? Why does this bill strike that out and leave the others in?

Mr. BURNES. According to the estimates of the Treasury Department it did not seem to be required, and therefore was omitted.

Mr. ROGERS. I think you are mistaken as to that.

Mr. BURNES. We are advised there is money enough in the hands of the United States marshals for all purposes, and it only requires the marshaling of the assets they have on hand to pay everything which may be due. Some marshals have too much, others too little, and when matters come to be adjusted no deficiency will exist for which appropriation is needed. Therefore, perhaps, no estimate has been made at this session and no provision has been included in this bill. It has been nearly a year since the bill was under consideration in the last House, and since then settlements have been made.

I will read, for the information of the gentleman from Missouri, the letter of the Secretary of the Treasury inclosing the estimates and recommendations upon which the present bill is founded:

TREASURY DEPARTMENT, *December* 21, 1887.

SIR: I have the honor to transmit herewith revised estimates of deficiencies in appropriations required by the various Departments of the Government to complete the service of the fiscal year ended June 30, 1887, and of prior years, for which no provision was made by the Forty-ninth Congress, amounting to $5,580,978.

Respectfully, yours,

C. S. FAIRCHILD,
*Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Mr. ROGERS. Where did you get the basis for the item in the former bill?

Mr. BURNES. From the estimate submitted during the last year.

Mr. ROGERS. Why do you strike it out of this bill when it was included in the last bill?

Mr. BURNES. Because no estimate came for it to us this year, and we naturally inferred that in adjusting the estimates and allowances to the various marshals the sums found due by the Government in 1886 had been satisfied and paid.

Mr. RANDALL. Since then, the Department having repossessed itself of balances on hand, had been able to pay what was due. As no appropriation was required on this account, of course the Department submitted no estimate to the committee for any.

Mr. BURNES. And as no estimate or recommendation was made by the Department, we have not included any appropriation in this bill.

Mr. ROGERS. I ask the gentleman from Missouri why it is that this bill does not include many items embraced in the bill of last year? Does it not omit one-half of the items embraced in the bill of a year ago?

Mr. BURNES. No, I think not.

Mr. ROGERS. I have one observation to make, with the permission of my friend from Missouri. We had the same explanation made to us last year about this marshaling of assets. I took occasion then to go to the Treasury Department and make some inquiries.

I undertake to say, as a matter of fact, if you could go out and institute suits to recover balances in the hands of defaulting marshals you would not get much. I take it we are not to look to recover amounts due by defaulting marshals for the purpose of providing for the expenses of the Government. I know from practical experience of them that defaulting marshals and their securities are wholly worthless, and that the Government will never recover from them anything while the sun rises and sets. So I do not think the gentleman's explanation is of the slightest value or use in the discussion of this question.

What I wish to know, if possible, is whether the Committee on Ap-

propriations has received any information from the Department of Justice or the Treasury Department, which has not been embraced in this report, to show why the provision of the last bill was not included in the present bill. If it was necessary then, and has not been provided for since, it occurs to me this same item should go into the present bill. In my judgment we have not sufficiently explicit information upon which to act.

Mr. RANDALL. The Department not having sent in an estimate for that item at the present session of Congress, and not having made any recommendation in that behalf, as it has done in other instances, the committee have naturally concluded it was not required.

Mr. ROGERS. I think the gentleman is mistaken. Of course I have not had the opportunity, not seeing the bill until this morning, to compare the items embraced, but from a cursory examination, hastily made, I think the gentleman will find many items in this bill not included in the report of the Secretary of the Treasury. Therefore I made the inquiry why one is included and another is left out. Unless they have some information extraneous to this report, I am not prepared, under the circumstances, to pass the matter, as it occurs to me we should have some reasonable explanation why certain provisions are omitted from this bill while others included in the last bill are again included in this.

The Clerk read as follows:

That no part of any appropriation made for judicial expenses of the United States shall be paid or in any way allowed to any civil officer who has neglected or shall neglect to make his emolument return under section 833, Revised Statutes, in such manner as the Attorney-General shall direct; and the Attorney-General is hereby forbidden to approve for payment any account of such officer for fees and earnings, unless he is satisfied that the officer has faithfully accounted in his emolument return for all official earnings of whatever form or character that he thinks should be included in the return, and that for making dockets and indexes, taxing costs, and all other services on the trial, argument, or hearing of a question of personal privilege wherein a decision is rendered the fee shall be $3.

Mr. COLLINS. Mr. Chairman, I make the point of order upon this provision that it is new legislation, not only in reference to several existing provisions of law, but it is in violation of the rules of the House.

Mr. BURNES. I ask my friend from Massachusetts to reserve the point of order until the proviso is perfected.

Mr. COLLINS. Very well.

Mr. BURNES. In lines 16 and 17 of this provision I am instructed to move to strike out the words "he thinks," and insert in lieu thereof "the Attorney-General may determine."

Mr. RANDALL. There is no objection to that.

The amendment was agreed to.

The CHAIRMAN. Does the gentleman insist upon his point of order?

Mr. COLLINS. I do.

Mr. Chairman, I do not think the adoption of the amendment alters the essence of the proviso or so changes it as to modify the objection I have already made to it. The statute provides very plainly what the attorneys, marshals, commissioners, and other civil officers shall do and how they shall make their returns to the Department; and these various statutes have been interpreted by every court in the Union.

Now, this proposed provision not only does not relate to any statutes now in force, but it proposes to change them fundamentally; and in addition to changing the statutes it vests in the Attorney-General the power in his discretion or caprice, if you will, to determine what the law is.

The most dangerous power, I believe, that can be vested in any executive officer of the Govenment is to permit him to determine not only what is the law, but what are the facts. It is not that these officers, according to this provision, shall be obliged to make returns according to law, but if this be adopted they are obliged to make them in such manner as the Attorney-General shall direct; and not only that, but the Attorney-General shall determine other questions bearing upon the execution of their duties before their returns can be received according to law. His direction is to be according to his caprice, his judgment, or his understanding, and not as the law directs.

Now, this may be a very good provision, but if it be good to incorporate it into the statute as a change of law, it should be done in a proper way—deliberately, carefully considered—every element, both as to law and to fact, taken into consideration. That has not been done here, and if this provision be not in violation of the rules of this House, forbidding the interjection of any legislation changing existing law in an appropriation bill, then the rule is meaningless and is absolutely without avail.

Mr. KERR. Let me ask if the same objection will not apply to the last clause in the fourteenth line on page 5?

Mr. RYAN. It is too late to make that point now as we have passed beyond it.

The CHAIRMAN. The Chair will state that it is too late to go back to that provision. It could only be done by unanimous consent.

Mr. BURNES. I can only offer in opposition to the position taken by the distinguished gentleman from Massachusetts the statement that this appropriates certain money for the payment of certain Government officers; and the provision which he calls in question is simply a limitation put upon the appropriation. I am certainly apprised of the fact that the point has been sometimes in the past determined here that it was competent for the House or Committee of the Whole to put a limitation upon an appropriation of money, because it was a proper thing that the Congress which provided the appropriation should also say how it should be expended even if it involved a repeal of an existing statute.

The necessity for this proviso has been made manifest to the Attorney-General, and this provision was sent to the committee by him. He says that great losses of public money are occurring because of the want of such a provision of law, and that if this proviso is incorporated into the bill it would compel the clerks of courts to account for certain moneys they received.

One thing more only. I do not wish to argue the merits of the question at all. My friend from Massachusetts alludes to the action or possible action of the Attorney-General as likely to be capricious, or, at least, that this places it within his power to have officers conform to his own will. I call the gentleman's attention to the fact that that is the trouble in this case exactly that is designed to be remedied here.

But it is not applicable to the Attorney-General, but in many cases to the judges of the district and circuit courts of the United States. These fees which are claimed by the clerks as private fees, and which are not accounted for, are in many cases going to clerks who bear the most intimate relations, either by blood or marriage, with the judges themselves. Hence the necessity for it. I do not care particularly, however, myself.

Mr. COLLINS. Mr. Chairman, this is not merely a limitation of this appropriation, but if the committee will suffer me to call its attention a little closer to the language, I assert that it is a repeal of existing law and is not confined to this appropriation under the deficiency bill. If it becomes a part of this bill and passes into law it becomes a permanent provision of law.

It starts out by saying that no part of any appropriation made for judicial expenses—no matter when made, now or hereafter—shall be applicable to pay men who have earned their fees according to law, if the Attorney-General does not think it ought to be done. Now, if that is not a permanent change of law I must confess I do not understand the meaning of English words. I shall not undertake to argue the merits of the question. There may be, or there may not be, merit in the change; but the Judiciary Committee is the one to take up and ascertain the mischiefs to be remedied and the statute to be applied, if it be necessary to apply any. This is not the way to make law here, and the rules of the House prohibit it.

Mr. RYAN. This legislation does not merely operate as a limitation upon the expenditure of the moneys appropriated by this bill. You will observe that the language is:

That no part of any appropriation made for judicial expenses of the United States shall be paid, etc.

It applies to all appropriations now being made or that may be made hereafter. It is, in other words, permanent law, and goes into the statute-book as permanent law, and, as has been stated, it repeals provisions of existing law.

The law provides at present what fees shall be returned in the emolument returns of certain officers. This provides that all civil officers shall make the returns provided for in section 833 of the Revised Statutes. Another provision of law, section 834, excepts certain civil officers to a certain extent from the operation of that section, and to that extent this is a repealing proposition. Besides, it clothes the Attorney-General with the power of determining for himself what ought to be contained in an emolument return, regardless of the decision of any court in the United States. No matter what the courts may have decided on the subject, no matter what they have determined ought to be in the emolument return of an officer, still, notwithstanding such decision, this proposition clothes the Attorney-General with the power of overruling the court and determining for himself what ought to be and what ought not to be in that return. It is subject to the caprice of an Attorney-General, who may make it more or who may make it less. He may determine that the emolument return shall contain compensation for certain services or that it may not, and in that way regulate for himself what shall go to make up the maximum of the compensation that an officer shall receive and the amount that he shall return into the Treasury of the United States.

It makes his caprice a law, and his caprice may be one thing one day and another thing another day; but if his digestion will enable him to maintain uniformity in that respect his successor may rule very differently upon it, so that there shall be no permanent rule whatever.

Mr. RANDALL. Let me suggest to the gentleman from Kansas, whether he fairly states the attitude of the Attorney-General? The Attorney-General places this enactment upon the ground that every dollar of emolument received for any purpose whatever by an officer of the court shall be reported to the Attorney-General.

Mr. RYAN. I will say in reply to the remark by the gentleman from Pennsylvania that the courts of the country have already decided what ought to go into an emolument return, and it is the duty of the Attorney-General simply to respect the law. You undertake to legislate here that he shall not respect the law, but be a law unto himself.

Mr. RANDALL. What we want to provide, if we can get an opportunity, is that every dollar which is taken by an officer of the court as an emolument shall be reported to the Government of the United States.

Mr. RYAN. I have no doubt that is the object; and if that is the object, as it certainly is——

Mr. RANDALL. You approve of it?

Mr. RYAN. Yes. I will approve it when it goes before the Judiciary Committee and is properly considered, so that it does not do more than we want to do or less than we want to do. I will favor it if it has that object, and that alone, in view. But if that be the purpose, then there is no question at all about the duty of the Chair in this matter, for then it is admitted this paragraph does repeal existing law.

I want also to call the attention of the Chair to the last clause of the proposition, which provides $3 as compensation for certain services. There is no law to-day for that service, so that here is unquestionably new legislation in violation of the rules of the House.

The CHAIRMAN. By Rule XXI, third section, it is provided:

Nor shall any provision changing existing law be in order in any general appropriation bill, or any amendment thereto.

The Chair holds that though this may be a limitation on the expenditure, nevertheless it is in the nature of new legislation in some respects, and changes existing law very materially in other respects. Therefore the Chair sustains the point of order made by the gentleman from Massachusetts. The Chair understands the point of order to be made on the whole paragraph.

Mr. COLLINS. Yes; from line 7 to line 20, inclusive.

The Clerk read the following paragraph:

That the Clerk of the House be, and he hereby is, authorized to pay to Edwin L. Jewell the salary provided for in the legislative, executive, and judicial appropriation act approved July 31, 1886, for one assistant index clerk during the session and three months after its close, from December 6, 1886, to January 15, 1887.

Mr. GAY. I offer the amendment which I send to the desk.

The Clerk read as follows:

In line 8 of page 36, insert, after the word "to," the words "the heirs of;" so that it will read: "pay to the heirs of Edwin L. Jewell."

The amendment was agreed to.

The Clerk read the following paragraph:

To pay the sum of $71.25 each to J. A. Patterson, John T. Whitaker, W. E. Miller, and John Talbert; $21.75 each to John A. Bayly and A. M. Sprague; $21 to R. W. Simmons; $6.75 each to Russell Barnes and A. R. Hilton; and $4.50 to J. R. Francis, for services performed by them as employés of the Government Printing Office; in all, $367.50.

Mr. BURNES. I am instructed by the Committee on Appropriations to move the insertion at this place of a provision which was in the original bill and which was left out in the preparation of this bill.

The Clerk read as follows:

FOX AND WISCONSIN RIVERS IMPROVEMENT.

For payment of judgments and awards recovered against the United States for flowage damages caused by the improvement of the Fox and Wisconsin Rivers, in the State of Wisconsin, and reported to Congress by the Attorney-General in Senate Executive Document 94, Forty-ninth Congress, second session, as follows: John Glatz, $112.50; Andreas Haesly, $422; Rufus Lane, $200; R. C. Ernst, $325; Mary Young, $662.66; E. B. Fisk, $458.33; William McLaren, $336.66; Frederick Nable, $698; Henry Kuhn, $450; Eliza Clark, $350; Emily L. Stickney, $300; Henry Kempf, $250; John Kien, $317.33; Robert Buckstaff, $650; Charles Morgan, $805.83; Caroline Mitchell, Nellie Mitchell, Mary Blackman, Alice Mitchell, and Emma Mitchell, heirs of Samuel Mitchell, deceased, $341.66; Sarah P. Locke, $631.66; T. A. Rogers, $511; N. Naumer, $582.50; Nelson Allen, $462.50; William B. Knapp, $691.67; John Gores, $436.66; G. A. Randall, $280; Charles Kalbus, $516.66; F. C. Arnold, $475; Balthazar Gallatine, $426.66; Charles Rohr, $591.66; Carl Derber, $400; George Rogers, $2,440; Commodore Rogers, $1,480; Martha E. Roberts, $2,233.33; D. L. Libbey, $2,196.96; Henry C. Westphal, $350; L. C. Potter, $310; John Ryf, $1,375; J. E. La Grange, $1,290.66; W. H. Ternouth, $470; Pauline Schaffer, substituted for August Schaffer, $90; Frederick Webber, $75; Fred. Malchow and John F. Brown, $400; Ferdinand Fiester, $150; Ed. M. Brainerd, $725; August Beduhn, $311.66; P. C. Callup, $450; Wilhelmine Naffin, $453.33; John R. Wheeler, $443.33; George M. F. Arnold, $358.33; Hugh Gear, $483.33; Mary Dickinson, $625; A. Ackermann, $315.25; Robert Jaenicke, $462.50; A. Merton, $500; Regina Laescher, $200; Lorenz Kenzel, $150; John Scheer, $100; Robert Petzhold, $560; Orson Angell, $840; Charles E. Angell, $250; Nelson Shepperd, Catherine Shepperd, and Walter Shepperd, by his guardian *ad litem*, Nelson Shepperd, $300; Thomas Davis, $616.66; Theodore Grubbe, $1,300; Francis Weyerhurst, $400; Lucas M. Miller, $5,332; Frederick Malchow, $140; Ludwig Malchow, $300; Gottlieb Doehmel, $1,210; Eric B. Sternau, $682; Mahala Sturtevant, $1,000; Charles Robinson, $344; Patrick Quilty, $100; G. W. Washburn, $900; the Island Park Association and Gabe Bouck, $1,144.72; Peter McCourt, $350; August Porath, $480; John Winchlag, $210; John Behrand, $100; John Leonard, $625; Mary E. Wright, $1,300; William E. Mills, $660; Ed. L. Mathewson, $3,945; George W. Merritt, executor of the last will and testament of Eliza Merritt, deceased, $784; Sedate D. Paddleford, $2,400; John Sturm, $745; John Schroeder, $744; Hansuma S. Bangs, as administratrix of the estate of Alexander Bangs, $1,140; A. S. Trow, $750; George Allanson, substituted for J. D. Harris, $160; Mary W. Stow, $2,764.80; Benjamin F. Moore, $4,542.61; Heman Hodgkin, $2,858.66; Ann White, $742; Joseph Kinsman, $4,963.97; D. D. Trelevan, surviving executor of last will and testament of T. J. Wood, deceased, $1,466.49; Richard B. Charles, $960; William R. Tallmadge, as executor of the last will and testament of William R. Tallmadge and Sarah J. Tallmadge, deceased, $320; Gustavus A. Benson and Henry A. Geisse, trustees of the estate of F. William Geisse, $524; James Whitton, $682; Dennis Ryan, $318; Nicholas Krebsbach, $417.90; Peter Krebsbach, $417.90; Mirton F. Mosher, as administrator of the estate of Jeremiah Mosher, deceased, $1,477.52; L. H. Bishop, Luke W. Bishop, Lucerne Bishop, Lucretia Bishop, Louisa M. Bishop, and Lafayette Bishop, $857; James A. Fisher, $1,260.33; Ezra Peebles, $604.45; J. C. Robbins, $769.55; Cynthia B. Ripley, $232.12; Isaiah B. Rifenbach, $1,149.82; Valentine Mingel, $1,465.88; Alexander W. Stow and Randall A. Stow, $3,000; Marcellus Ayers, $150; Harvey D. St. John, $600; Theodore Herling, $300; Antoinette Herling, $75; W. H. Miller, as administrator of the estate of William Miller, deceased, and I. Newton Miller, $3,379.20; John S. McDonald, $640; Ralph O. Fox and Edward McCaffrey, $107.20; James Rockafellow, $133.38; Catherine Stilwell, $439.45; Frances E. Aldrich, $120.70; George Ennis and Samuel Ennis, $600; Martha J. Rundell, $73.20; Joseph Yates, $300; R. S. Harrington, $125; Henry B. Basing, $50; in all, $100,024.53.

*Provided*, That the United States Government shall not be held liable for damages heretofore or now caused by the overflow of the lands or other property of any person in the prosecution or maintenance by the United States Government of any of the works of improvement of the Fox and Wisconsin Rivers, in the State of Wisconsin, unless the action or proceeding to ascertain and determine the amount for which compensation is now legally owing for the damages occasioned by such overflow, and as contemplated by the act of Congress approved March 3, 1875, entitled "An act to aid in the improvement of the Fox and Wisconsin Rivers, in the State of Wisconsin," shall have been or shall be commenced as provided in said act, and the acts amendatory thereof, prior to the passage of this act; and all claims and causes of action now existing upon which no proceeding has been already or shall be taken within the time last specified to enforce the same shall be forever barred. And the said act approved March 3, 1875, be, and the same is hereby, repealed, but no action or proceeding which shall be pending shall be in any way affected by this repeal: *Provided, however*, That appeals on the part of the United States to the courts from the awards and determinations of any such commission shall proceed in the same manner as though said act had not been repealed.

To pay amount of judgment in favor of Charles Sweany for flowage damages caused by the improvement of the Fox and Wisconsin Rivers, in the State of Wisconsin, certified by the Attorney-General in House Executive Document No. 207, Forty-ninth Congress, first session, $1,067.09, being in addition to the sum of $114.65 appropriated for costs on appeal to the superior court in the deficiency appropriation act approved August 4, 1886.

To pay the amounts due the several commissioners to ascertain flowage damages caused by the improvement of the Fox and Wisconsin Rivers, in the State of Wisconsin, as follows: To Commissioner J. V. Swetting, $1,173.25; to Commissioner J. C. Burdick, $1,440.95; to Commissioner J. C. Thompson, $882.60; to Commissioner G. H. Buckstaff, $332.60; to Commissioner E. M. Wadsworth, $255.15; to Commissioner G. H. Read, $257.30; to Commissioner J. C. Burdick, $1,564; to Commissioner J. V. Swetting, $1,564; to Commissioner B. L. Cornish, $1,485; to Commissioner G. H. Buckstaff, $1,485; in all, $10,539.85.

Mr. RANDALL. Mr. Chairman, it is proper to say that there is an earnest minority of the Committee on Appropriations against this amendment. I need hardly go over the history of these claims, but I shall, as briefly as possible, state the main points which have given them a semblance of equity before the Congress of the United States. The Fox and Wisconsin Improvement Company originally secured a grant of land and proceeded to sell it and realize upon it and to enter on this improvement. Subsequently, from whatever motive I need not inquire, it was for the interest of that corporation to throw the completion of this great work upon the Government of the United States, and the Government has since appropriated, and there has been expended, nearly two millions and a half of money for that improvement.

But when the corporation handed back to the Government the privilege—to speak ironically—of completing this great work, they reserved to themselves the right to the rentals. I am advised that those rentals have not been excessive, but there are some of us here who have always resisted, upon principle, as we think, the payment of damages. The corporation left to the United States the completion of the work, reserving to themselves, in part, the rentals received from those improvements; but they also left to the United States the payment of damages resulting from overflows caused by the improvements. There is, in a moderate degree, merit in the proposition contained in the amendments, for it is proposed now to repeal the act of 1875 under which these claims have been adjudicated, and I hope some gentleman on this floor will tell us, before we are asked to vote for this appropriation, when these claims for damages are to cease, and whether the repealing clause contained in this proposition will protect the United States from any further indebtedness or further claim for damages of this character. After I have heard some gentleman enlighten us upon that subject I may have more to say in connection with these claims.

Mr. GUENTHER. Mr. Chairman, I wish to say to the gentleman from Pennsylvania, in response to his question, that since the first appropriation to pay these damages was made, in the first session of the Forty-ninth Congress, no more awards have been made. I was this morning before the Committee on Appropriations, and I showed there that one hundred and twenty-three cases, aggregating about $375,000, had been rejected by the commission that has the power to award these damages. I hold in my hand a letter which has just been handed to me by Senator SAWYER, a letter from the United States district attorney, dated January 7, 1888, in which he says:

I have just returned from Oshkosh, where we have been taking testimony in those flowage cases. The commissioners have got to a full understanding of these claims, and are fearless in the discharge of their duty, as evidenced by a report which I sent you along about the 1st of December last. Out of 121 awards of "no damages," the claimants in 83 of them, aggregating claims to the amount of $265,115, have not appealed from the awards of the commissioners. Thirty-eight only, aggregating $93,283 claimed, have been appealed. I don't think that in any of these the awards of the commissioners of "no damages" will be disturbed. The other cases pending—and there are quite a large number of them—will be "knocked out," as they ought to be. We have got to the bottom facts of these claims, and are working at them, as usual, day and night, to prevent any unjust claimant from getting "something for nothing;" but you know all about it already.

That is about the gist of the letter.

Mr. RANDALL. I suggest to the gentleman that he incorporate in his remarks all of the letter that relates to this question.

Mr. GUENTHER. I will do so. The writer proceeds, as follows:

I think it would be advisable to put that amendment which I sent you on the bill, cutting off claims from and after the passage of the appropriation bill, or what was embraced in the old deficiency bill. January 1, 1888, I made a full report to the Attorney-General of the condition of each and every claim pending and undetermined up to the 1st day of January, 1888, except those that were in the deficiency bill last session, and wrote him quite a lengthy letter in relation thereto, explaining everything. I also called his attention to ex-clerk of the court Smith's account embraced in that bill, which has been paid by the claimants, or those who received their award by the appropriation of August 4, 1886, which you want to see is knocked out from the deficiency bill. I also called Mr. Garland's attention to the urgent necessity of paying the commissioners'

bills, not only those which had been heretofore certified up and embraced in the deficiency bill, but also their bills of last year up to January 1, 1888, which I certified up to December 1, 1887, and which they earned during the past year. You know how they have worked, and so do I, having done nothing else during the past year, and then could not keep up with the demands of hungry claimants, who have shared, and will share, the fate, or a great majority of them, at least, of their "no damage" fellows.

The remainder of the letter relates to other matters.

Mr. RANDALL. Only one word further. I desire it understood that so far as I in my representative relation am concerned I vote against the payment of these claims; but I highly approve that portion of the amendment which proposes to "knock out," in the language of the gentleman from Wisconsin——

Mr. GUENTHER. I beg the gentleman's pardon. That is not my language, but the language of the United States district attorney.

Mr. RANDALL. Well, then, I approve highly that part of the amendment which, while providing for these claims, proposes, in the language of a law officer of the Government, to "knock out" everything else of a like character.

Mr. BURNES. Mr. Chairman, I feel it due to myself to say that I share with the honored chairman of our committee [Mr. RANDALL] all possible prejudices against these items of appropriation which have just been read——

Mr. RANDALL. The gentleman is mistaken; I have no "prejudices."

Mr. BURNES. "Hostility" is the better word. I will not speak of the gentleman's "prejudices," because he is not a man of prejudice; but he has hostility sometimes. I share his hostility to these items of appropriation. I would no more vote for them than I would vote to tear down this Capitol, but for the fact that I believe, as I am advised by my esteemed friend from Wisconsin [Mr. GUENTHER] and other gentlemen more familiar with the facts than myself, that this is a most fortunate way out of a very unpleasant and unprofitable difficulty.

By the act of March 3, 1875—and there are many gentlemen probably now on the floor who are not familiar with the history of this transaction—jurisdiction was given to a State court in Wisconsin to appoint commissioners and *ad libitum* to award damages to everybody who might claim to have suffered injury from the overflow of the Fox and Wisconsin Rivers by reason of the construction of some public works, constructed no doubt for the benefit in the main of private individuals. But many gentlemen here who feel an interest in this matter have read that statute, have looked through the records which have come to us from the courts, and remember the fight which was made in this House last year on this question when the distinguished gentleman, General Bragg, then a member from Wisconsin came down that aisle and carried the House with him upon this proposition.

In view of all the circumstances, and with the knowledge that the Senate stands now upon this question as it stood then, that both Houses have been compelled, we may say, to agree to these appropriations, I am willing now to acquiesce, solely for the purpose of wiping out that legislation of 1875, which has involved us in this trouble. I take this position in view of the statements made in the committee by these distinguished gentlemen that if appropriations are made to pay these awards and judgments, the original act being at the same time repealed, we need not fear any further calls upon us to pay damages for those overflows, while, if the law should continue to stand, we may be involved in suits for damages from year to year, which I have heard through the newspapers are likely to amount to $2,000,000.

Mr. GUENTHER. That is a highly exaggerated statement.

Mr. BURNES. That, I am informed by the gentleman from Wisconsin, is a highly exaggerated statement on the part of the papers——

Mr. McMILLIN. If I understand, then, the position of the gentleman from Missouri, he is willing to agree to this proposition to pay $100,000, in order to buy peace on this question.

Mr. BURNES. Substantially to pay $100,000, in order to get rid of obligations which otherwise may cost us something like $2,000,000.

Mr. McMILLIN. And on that ground to pay claims which the Government does not in justice owe?

Mr. BURNES. I can not go quite that far, for the reason——

Mr. McMILLIN. In the discussion last year, as I think the gentleman will remember, he went that far; and I am satisfied he was right in doing so.

Mr. BURNES. It is simply a question of the meaning of words.

I desire to say there is neither equity, nor justice, nor any sort of merit in these claims, but for the fact that they have met the approval of the courts under the law of 1875. In consequence of the action of the courts, I feel that, although there is neither merit nor justice in the broad sense of the term in these claims, there is imposed upon us a legal obligation which, sooner or later, we shall probably have to meet; and I think it better to meet it in this way, and at the same time get rid of the original law, than to take the chances of the claims which may otherwise be presented hereafter.

Mr. McMILLIN. The gentleman will permit me to ask this question: When the act to which he has referred was passed, was it not understood that the final question of payment or non-payment of these claims was reserved for the consideration of Congress, and does not the duty of sifting these claims and deciding upon their justice rest upon us to-day to the same extent as if that act had not been passed?

Several MEMBERS. Oh, no.

Mr. BURNES. I think not. The law gave the right of appeal to the Government, but not the power to refuse payment of the sums which might be found due. That is our condition. We are helpless.

Mr. McMILLIN. Has any appeal been prosecuted?

Mr. GUENTHER. Appeals have been taken in some cases.

Mr. McMILLIN. To the Supreme Court?

Mr. GUENTHER. Yes, sir.

Mr. RANDALL. I do not know whether any cases have been finally determined upon the appeal; but the appeal, as I understand, is now pending; and there is a reservation here that this provision shall not interfere with the appeal by the Government.

Mr. McMILLIN. But it will be too late for the appeal to do any good after we have allowed these people to obtain the money. If they secure the money while we take an appeal, they no doubt have good reason to be satisfied with the situation.

Mr. GUENTHER. I wish to call the attention of the gentleman from Tennessee [Mr. McMILLIN] to what the Attorney-General of the United States says in regard to this matter:

> These awards and judgments are final, and the liability of the United States for the amount of each is established in conformity to law.

That is what your Attorney-General says in a communication to the Senate of the United States, dated February 18, 1887. Now, how can you get around this obligation? If your Attorney-General says the liability of the United States is established, how can an honest Government refuse payment of these awards and judgments?

Mr. McMILLIN. I agree with the gentleman from Missouri [Mr. BURNES] that these works were originally constructed for private purposes——

Mr. GUENTHER. That has no bearing on this question of damages.

Mr. McMILLIN. Not satisfied with having the Government build dams for private purposes, individuals have flooded us with claims for damages.

Mr. GUENTHER. These works were not built for private purposes, but to improve the navigation of those two rivers.

Mr. McMILLIN. I have no doubt the allegation was that the work was for public purposes; but no man has been discriminating enough to see the public good that has resulted.

Mr. GUENTHER. Oh, yes; I live there, and know something about the public benefit from these improvements.

The CHAIRMAN. The five minutes of the gentleman from Missouri [Mr. BURNES] have expired. The Chair recognizes the gentleman from Iowa [Mr. HENDERSON].

Mr. HENDERSON, of Iowa. I desire to say, Mr. Chairman, that a court, in pursuance of law, was appointed to adjudicate these claims.

Mr. GUENTHER. By act of Congress?

Mr. HENDERSON, of Iowa. They have been adjudicated.

Mr. GUENTHER. By act of Congress?

Mr. HENDERSON, of Iowa. Yes, by act of Congress. They stand as the judgment of the court. They are drawing interest. The time for filing any further cases has passed. Where appeals have been taken the Government got the worst of it, and damages were increased, showing the original amounts were thought reasonable. And no more appeals were attempted.

Mr. McMILLIN rose.

Mr. HENDERSON, of Iowa. Now if Tennessee will suppress itself for a moment—— [Laughter and applause.]

Mr. McMILLIN. Tennessee will take care of itself. [Renewed laughter and applause.]

Mr. HENDERSON, of Iowa. I wish to take care of myself. I appreciate the activity and vigilance of the gentleman from Tennessee as the watch-dog of the Treasury since we sent brother HOLMAN to the Committee on the Public Lands. [Laughter.] I say these claims are only for the amount awarded. Nothing is put in for interest, nothing for cost. The justice of it has been determined, and no power lies in Congress to repudiate that determination. Now what is there to do but pay them?

In addition we put up the bars so that no other claim can hereafter be brought against the Government of a similar character.

Mr. RANDALL. Let me ask the gentleman from Iowa whether that is not too broad a statement.

Mr. HENDERSON, of Iowa. To what extent?

Mr. RANDALL. That nobody else can come in after we repeal the act.

Mr. HENDERSON, of Iowa. No; for we provide a bar should be put up.

Mr. McMILLIN. Will the gentleman permit me to ask him a question?

Mr. HENDERSON, of Iowa. Yes, with great pleasure.

Mr. McMILLIN. If these claims are just, upon what ground can you justify the Government in putting up any bars to prevent their being determined and paid? Will the gentleman answer that question?

Mr. HENDERSON, of Iowa. With great pleasure I will answer the gentleman from Tennessee. Representatives from the State of Wisconsin appeared before our committee and said the rest of these claims, amounting to one hundred and twenty-three, had been condemned by

the commission, and in order to guard the Treasury they themselves asked this bar be put up. Now this is a simple matter, and there need be no agitation about it

[Here the hammer fell.]

The question recurred on Mr. BURNES's amendment.

The committee divided; and there were—ayes 159, noes 83.

So the amendment was agreed to.

The Clerk proceeded with the reading of the bill.

Mr. WHITE, of New York. I move to add the following, to come in as an additional section:

The Clerk read as follows:

SEC. —. That on each and every item by which money is appropriated to any individual or individuals named in the foregoing sections of this bill there shall be paid to the several respective payees therein named, interest at the rate of 6 per cent. per annum from the 4th day of March in the year of our Lord one thousand eight hundred and eighty-seven, to the date of the passage of this bill, and the amount of said interest is hereby appropriated, payable out of any money in the Treasury not otherwise appropriated.

Mr. BURNES. I make the point of order on that amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BURNES. The law now regulates the rate of interest to be allowed on judgments, but there is no law authorizing interest on claims adjudged by the accounting officers of the Treasury. For that reason it is not in order.

Mr. WHITE, of New York. Mr. Chairman, the amendment I have offered, as will be seen, proposes to allow interest upon the claims reported in this bill from the 4th of March last. The law regulates the amount of interest which shall be paid on such awards, and that means nothing unless provision is specifically made by statute.

On the general question, sir, as to whether interest is to be paid or not, I have only to say that to a freshman in this school there have been many revelations made to-day in respect to the way the public business was or was not done in the last term of Congress, and there might have been grave question as to which side was responsible for the delay and failure to pass a general deficiency bill. But one thing is certain, and that is, that it was not the fault of the creditors of this Government that they were not paid. If these parties stood in the position of debtors instead of creditors to the United States Government, it would follow them for the amount claimed with interest at 6 per cent. from that time on, even to the extent of taking their property by process of law at the hands of a United States marshal. Now, it seems to me that even-handed justice, to say nothing of honesty, requires that this Government in its sovereignty should do of its own free will just what it requires the citizen to do by the act of the judiciary.

I therefore offer the amendment that to each of the individual payees mentioned in the foregoing sections of this bill there shall be appropriated 6 per cent. interest on the amounts found due them from the 4th day of March, 1887, on which day the bill failed, certainly not by reason of the neglect of the creditors of the country, in order that justice may be done.

The CHAIRMAN. The Chair understands that there is no existing law as to the payment of interest except in reference to the judgments of the Court of Claims. If that be correct the amendment of the gentleman from New York is not in order, as it establishes interest for other judgments than those rendered by the Court of Claims.

Mr. WHITE, of New York. I wish to ask the Chair if that is a constitutional provision or one of law?

The CHAIRMAN. The Chair understands it to be a provision of law—a rule of the House.

Mr. WHITE, of New York. Then, if it is a provision of law, let me ask if the same power that enacted it into a law has not the power to change it? Is it not in the power of Congress to pay interest?

The CHAIRMAN. It would be in the power of Congress, but not in this way upon an appropriation bill.

The Chair sustains the point of order.

The Clerk resumed and concluded the reading of the bill.

Mr. BURNES. I move that the committee now rise and report the bill and amendments to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. COX reported that the Committee of the Whole House on the state of the Union, having had under consideration the special deficiency bill, had directed him to report the same to the House with sundry amendments.

Mr. BURNES. I demand the previous question upon the amendments and upon ordering the bill to be engrossed and read a third time.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded upon any of the amendments?

Mr. RANDALL. I ask a separate vote on the amendment relating to the Fox and Wisconsin Rivers.

There being no separate vote demanded upon the remaining amendments, they were agreed to.

The SPEAKER. Does the gentleman from Pennsylvania desire to have the amendment read?

Mr. RANDALL. I do not wish to detain the House by having the amendment read again. It has just been read in the hearing of the committee, and I only ask a separate vote upon it.

The question being taken, the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. BURNES moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

And then, on motion of Mr. MILLS (at 4 o'clock and 29 minutes p. m.), the House adjourned.

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## PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred, as indicated below:

By Mr. MCRAE: A bill (H. R. 4643) to authorize the Choctaw Coal and Railway Company to construct and operate a railway through the Indian Territory, and for other purposes—to the Committee on Indian Affairs.

By Mr. FRENCH: A bill (H. R. 4644) for the relief of Joseph H. Wood—to the Committee on Military Affairs.

By Mr. CANDLER: A bill (H. R. 4645) for the relief of Valincia C. Hutchinson—to the Committee on Pensions.

Also, a bill (H. R. 4646) for the relief of Hannah Sims—to the Committee on Invalid Pensions.

By Mr. MASON: A bill (H. R. 4647) for the relief of Leonora W. Marshall and others—to the Committee on Claims.

By Mr. POST: A bill (H. R. 4648) granting a pension to Jemima Sterling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4649) granting a pension to Daniel Tanner—to the Committee on Invalid Pensions.

By Mr. STRUBLE: A bill (H. R. 4650) for the relief of Charles C. Penniman—to the Committee on Military Affairs.

By Mr. J. T. JOHNSTON: A bill (H. R. 4651) granting a pension to Hamilton Elliott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4652) granting a pension to Richard Butler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4653) granting a pension to Joanna Barry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4654) for the relief of Mrs. Louisa Jackman and the legal representatives of Mrs. Martha Vaughn—to the Committee on War Claims.

By Mr. SHIVELY: A bill (H. R. 4655) granting a pension to Mary J. Francis—to the Committee on Invalid Pensions.

By Mr. HOVEY: A bill (H. R. 4656) for the relief of Joseph D. McClure—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4657) granting a pension to Wilhelmine C. Druschel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4658) for the relief of Henry Gumberts, sr.—to the Committee on Claims.

By Mr. GEAR: A bill (H. R. 4659) for the relief of George M. Ochiltree—to the Committee on War Claims.

By Mr. A. R. ANDERSON: A bill (H. R. 4660) for the relief of James Morgan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4661) for the relief of Samuel Wheeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4662) to correct the military history of Joseph D. Lester—to the Committee on Military Affairs.

By Mr. CARUTH: A bill (H. R. 4663) for the relief of James Clark Smith—to the Committee on Claims.

Also, a bill (H. R. 4664) for the relief of James Trabue, Thornton Thatcher, Michael Callahan, and the widow of John Waters—to the Committee on Claims.

By Mr. FINLEY: A bill (H. R. 4665) for the relief of Anthony L. Woodson—to the Committee on Claims.

Also, a bill (H. R. 4666) for the relief of John W. Rowlitt—to the Committee on Claims.

By Mr. TAULBEE: A bill (H. R. 4667) for the relief of Weissinger & Bate, Edward Holbrook, and others—to the Committee on Claims.

By Mr. MILLIKEN: A bill (H. R. 4668) granting a pension to Emeline Knowles—to the Committee on Invalid Pensions.

By Mr. BOUTELLE: A bill (H. R. 4669) granting a pension to Mrs. Sarah Frost—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4670) granting a pension to Arthur D. and Alfred A. Lyford—to the Committee on Invalid Pensions.

By Mr. RUSK: A bill (H. R. 4671) for the relief of Commander George M. Bache, United States Navy (retired)—to the Committee on Naval Affairs.

By Mr. RAYNER: A bill (H. R. 4672) granting an increase of pension to Mrs. Emily M. Wyman—to the Committee on Pensions.

By Mr. FORD: A bill (H. R. 4673) for the relief of Thrintje Ver Mulen—to the Committee on Invalid Pensions.

By Mr. CUTCHEON: A bill (H. R. 4674) to remove the charge of

desertion from the military record of Reuben P. Lamb—to the Committee on Military Affairs.

By Mr. NELSON: A bill (H. R. 4675) for the relief of Charles A. Ruffee—to the Committee on Claims.

By Mr. MORGAN: A bill (H. R. 4676) for the relief of Sarah D. Herrod, of La Fayette County, Mississippi—to the Committee on War Claims.

By Mr. STONE, of Missouri: A bill (H. R. 4677) for the relief of Jesse M. Blue—to the Committee on War Claims.

By Mr. HUTTON: A bill (H. R. 4678) for the relief of William I. Kinion—to the Committee on Invalid Pensions.

By Mr. HATCH: A bill (H. R. 4679) for the relief of William A. Dorner—to the Committee on Claims.

Also, a bill (H. R. 4680) authorizing the construction of a bridge across the Missouri River at some accessible point in the county of St. Charles, in the State of Missouri, below the city of St. Charles—to the Committee on Commerce.

By Mr. BLAND: A bill (H. R. 4681) for the relief of John W. Reid—to the Committee on Military Affairs.

Also, a bill (H. R. 4682) for the relief of Joseph Nopsinger—to the Committee on Military Affairs.

Also, a bill (H. R. 4683) for the relief of George Barron—to the Committee on War Claims.

Also, a bill (H. R. 4684) granting an increase of pension to Eben Taylor—to the Committee on Invalid Pensions.

By Mr. GALLINGER: A bill (H. R. 4685) granting a pension to Lizzie F. Reed—to the Committee on Invalid Pensions.

By Mr. BUCHANAN: A bill (H. R. 4686) granting a pension to Mrs. Mary Reed—to the Committee on Invalid Pensions.

By Mr. DE LANO: A bill (H. R. 4687) granting a pension to Celia L. Jennings—to the Committee on Invalid Pensions.

By Mr. MERRIMAN: A bill (H. R. 4688) granting a pension to Amelia Ferguson—to the Committee on Invalid Pensions.

By Mr. FLOOD: A bill (H. R. 4689) granting a pension to Electa D. Bloomer—to the Committee on Invalid Pensions.

By Mr. FARQUHAR: A bill (H. R. 4690) granting a pension to Jennie Kent—to the Committee on Invalid Pensions.

By Mr. S. T. HOPKINS: A bill (H. R. 4691) for the relief of John P. Hageman—to the Committee on Foreign Affairs.

By Mr. BELDEN: A bill (H. R. 4692) for the relief of Capt. Henry S. Pratt—to the Committee on Military Affairs.

By Mr. BELMONT: A bill (H. R. 4693) for the relief of Margaret Madden—to the Committee on Invalid Pensions.

By Mr. NICHOLS: A bill (H. R. 4694) to remove the political disabilities of Paul F. Faison—to the Committee on the Judiciary.

By Mr. T. D. JOHNSTON: A bill (H. R. 4695) to place the name of Eason Pate on the muster-rolls Company M, Eighth Tennessee Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 4696) for the relief of W. B. Ferguson and Fred. C. Fisher—to the Committee on Indian Affairs.

Also, a bill (H. R. 4697) to place the name of Cornelia C. Hughes on the pension-rolls—to the Committee on Invalid Pensions.

By Mr. ROWLAND: A bill (H. R. 4698) for the relief of C. J. Cowles—to the Committee on Claims.

Also, a bill (H. R. 4699) for the relief of George B. Hanna—to the Committee on Claims.

By Mr. BOOTHMAN: A bill (H. R. 4700) to restore the name of Henry J. Barton to the pension-roll—to the Committee on Invalid Pensions.

By Mr. WILKINS: A bill (H. R. 4701) granting a pension to Linus Fessenden—to the Committee on Invalid Pensions.

By Mr. C. E. BROWN: A bill (H. R. 4702) for the relief of R. G. Huston & Co.—to the Committee on Claims.

By Mr. E. B. TAYLOR: A bill (H. R. 4703) granting an increase of pension to Thomas J. Gray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4704) granting a pension to George L. Riker—to the Committee on Invalid Pensions.

By Mr. A. C. THOMPSON: A bill (H. R. 4705) granting a pension to Mary A. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4706) for the relief of Thomas H. Norton and James McLean—to the Committee on Claims.

Also, a bill (H. R. 4707) granting a pension to Rebecca Strait—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4708) for the relief of David Viers—to the Committee on Military Affairs.

By Mr. HERMANN: A bill (H. R. 4709) to pension William W. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4710) to pension John T. Kyniston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4711) for the relief of R. G. Combs and others—to the Committee on Claims.

Also, a bill (H. R. 4712) for the relief of Chauncy M. Lockwood or his legal representatives—to the Committee on Claims.

By Mr. HARMER: A bill (H. R. 4713) for the relief of Capt. Martin Hammer—to the Committee on War Claims.

Also, a bill (H. R. 4714) granting a pension to Col. Ambrose A. Lechler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4715) granting a pension to Anna Matheson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4716) granting a pension to Margaret Stewart—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 4717) granting a pension to Alexander H. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4718) granting a pension to William Ruhe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4719) granting a pension to Joseph H. Mason—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4720) granting a pension to Emma I. Reynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4721) granting a pension to William Mackenzie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4722) granting a pension to Isabella Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4723) to increase the pension of Sarah B. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4724) restoring the name of Benjamin Strang, deceased, to the pension-roll, and granting a pension to Patience Strang, widow of Benjamin Strang, late private of Company F, Ninety-first Regiment Pennsylvania Volunteers—to the Committee on Invalid Pensions.

By Mr. SCULL: A bill (H. R. 4725) restoring to the pension-roll Charles Hoover—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4726) granting a pension to Elizabeth A. Keith—to the Committee on Invalid Pensions.

By Mr. BRUMM: A bill (H. R. 4727) granting a pension to Edward Carl—to the Committee on Invalid Pensions.

By Mr. HIESTAND: A bill (H. R. 4728) granting a pension to Israel Alexander—to the Committee on Invalid Pensions.

By Mr. KELLEY: A bill (H. R. 4729) for the relief of Mary E. Davis—to the Committee on Invalid Pensions.

By Mr. NEAL: A bill (H. R. 4730) for the relief of William J. Plank—to the Committee on War Claims.

Also, a bill (H. R. 4731) for the relief of John Masoner, assignee of Isaac Masoner—to the Committee on War Claims.

By Mr. SAYERS: A bill (H. R. 4732) for the relief of Edward Braden and Job W. Angus—to the Committee on Claims.

By Mr. J. W. STEWART: A bill (H. R. 4733) for the relief of Phœbe S. Robinson—to the Committee on Invalid Pensions.

By Mr. W. L. WILSON: A bill (H. R. 4734) for the relief of Walter F. Halleck—to the Committee on Military Affairs.

By Mr. McRAE: A bill (H. R. 4735) for the relief of Douglas Chapman—to the Committee on Invalid Pensions.

By Mr. GALLINGER: A bill (H. R. 4736) for the relief of Laban Heath & Co.—to the Committee on Claims.

By Mr. CONGER: A bill (H. R. 4737) granting a pension to Micah French—to the Committee on Pensions.

By Mr. T. L. THOMPSON: A bill (H. R. 4738) granting a pension to T. J. Hurlbut—to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 4739) for the relief of Calvin Chears—to the Committee on War Claims.

Also, a bill (H. R. 4740) for the relief of Samuel Gibbons and Emily Gibbons—to the Committee on War Claims.

By Mr. OUTHWAITE: A bill (H. R. 4741) for the relief of William H. Huls—to the Committee on Invalid Pensions.

By Mr. HARMER: A bill (H. R. 4742) granting a pension to Anna Matheson—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 4743) granting pensions to Ada Piatt, Leota Piatt, and Jessie Piatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4744) granting an increase of pension to Joseph Huff—to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 4745) for the relief of Hayden Reynolds, Newton, Jasper County, Iowa—to the Committee on Invalid Pensions.

By Mr. ATKINSON: A bill (H. R. 4746) granting a pension to David D. Mentzer—to the Committee on Invalid Pensions.

By Mr. YARDLEY: A bill (H. R. 4747) for the relief of James A. Dumbolton—to the Committee on Naval Affairs.

Also, a bill (H. R. 4748) granting a pension to Henry Feustermacker—to the Committee on Invalid Pensions.

By Mr. WICKHAM: A bill (H. R. 4749) granting an honorable discharge to John McFarland—to the Committee on Military Affairs.

By Mr. J. W. STEWART: A bill (H. R. 4750) for the relief of John Farrell—to the Committee on Invalid Pensions.

By Mr. G. A. ANDERSON: A bill (H. R. 4751) to increase the pension of Alexander Hall—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 4752) for the relief of Joseph B. Hull—to the Committee on Naval Affairs.

By Mr. DE LANO: A bill (H. R. 4753) for the relief of Mary C. Henderson—to the Committee on Claims.

Also, a bill (H. R. 4754) granting a pension to Ann E. Day—to the Committee on Invalid Pensions.

By Mr. C. L. ANDERSON: A bill (H. R. 4755) for the relief of Susan V. Hedderman—to the Committee on War Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. E. P. ALLEN: Petition of D. L. Quirk, Hemphill, Batcheder & Co., and others, of Ypsilanti, Mich., for favorable action on Senate bill to prevent fraud in the sale of lard—to the Committee on Agriculture.

By Mr. C. L. ANDERSON: Petition of Ira A. Sprouce, of Robert B. A. Meador, of T. M. Patrick, of Wright A. Moore, of Moses H. Luck, of Robert H. Bustin, of Scott County, and of Susan Day, late Boyd, administratrix of Corolinus Boyd, Newton County, and of James B. Box, of Newton County, Mississippi, for referrence of their claim to the Court of Claims—to the Committee on War Claims.

By Mr. ATKINSON: Petition of Daniel D. Mentzer, for an original pension—to the Committee on Invalid Pensions.

By Mr. BELMONT: Petition of W. Schaus, for the remission of duty on works of art—to the Committee on Ways and Means.

Also, petition of Margaret Madden, widow of Christopher Madden, for a pension—to the Committee on Invalid Pensions.

Also, petition of Mrs. Fanny A. Boyd, for an increase of pension—to the Committee on Invalid Pensions.

Also, petition of Adolph Olwie, late sergeant Company G, Ninety-fifth New York Volunteers, for a pension—to the Committee on Invalid Pensions.

Also, letter from Secretary of State indorsing dispatch of United States minister at Madrid in regard to discriminating duty against Spanish raisins and currants—to the Committee on Ways and Means.

By Mr. BLAND: Petition of Eben Taylor, for increase of pension—to the Committee on Invalid Pensions.

By Mr. BOOTHMAN: Petition of C. F. Lewis and 80 others, citizens of Weston, Wood County, Ohio, for restoring Henry J. Barton, late of Company I, One hundred and forty-fourth Regiment Ohio Volunteers, to the pension-rolls—to the Committee on Invalid Pensions.

By Mr. BOUTELLE: Petition for increase of pension for S. Boliver Wiggins, late lieutenant Company B, Twelfth Regiment Maine Volunteers—to the Committee on Invalid Pensions.

By Mr. BRUMM: Petition of Edwin Carl, for an original pension—to the Committee on Invalid Pensions.

By Mr. BUCHANAN: Petition in reference to granting a pension to Mrs. Mary Reed—to the Committee on Invalid Pensions.

Also, petition of William Van Brunt, for special-act pension—to the Committee on Invalid Pensions.

By Mr. BUTLER: Papers in the case of David N. Heath, of Granger County, and of Nancy H. Rayl, of Hamblen County, Tennessee.

By Mr. CLEMENTS: Petition of Newton White, of Walker County, and of John H. Hedford, of Catoosa County, Georgia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. A. C. DAVIDSON: Petitions of Elizabeth Neel, of Dallas County, and of Jeremiah Johnson, of Dallas County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. DE LANO: Petition of Ann E. Day, for a pension—to the Committee on Invalid Pensions.

By Mr. DIBBLE (by request): Petition of Hiram C. Rucher, and of Mathias J. Rucher, of Lexington County, South Carolina, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. DINGLEY: Petition of Sons of Temperance, representing 85,000 members, for a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors as a beverage—to the Committee on the Judiciary.

By Mr. DUBOIS: Protest of 4,500 citizens of Idaho Territory, against any division of said Territory—to the Committee on the Territories.

Also, protest of the governor, chief-justice, United States marshal, attorney-general, and all Federal and Territorial officials of Idaho Territory, against any division of said Territory—to the Committee on the Territories.

Also, protest of 250 citizens of Kootenai County, Idaho, against joining Idaho to Washington Territory, or any other Territory—to the Committee on the Territories.

By Mr. ELLIOTT: Petition of William J. Verdier, administrator of Paul F. Chaplain, of Beaufort County, South Carolina, for relief—to the Committee on War Claims.

By Mr. ENLOE: Petition of Mrs. F. A. Lea, of Madison County, Tennessee, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. FARQUHAR: Preamble and resolutions of the Merchants' Exchange, of Buffalo, N. Y., favoring the enrollment of a naval militia—to the Committee on Naval Affairs.

By Mr. FISHER: Petition of William Gunnell and 50 others, for an act granting $13 per month to all who served in the late war for the entire time of service, less all bounty paid—to the Committee on Invalid Pensions.

By Mr. GAINES: Petition of Thomas Cocke, executor of Mrs. Martha Cocke of Prince George County, Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. GIFFORD: Memorial of the common council of Grand Forks, Dak., for the right to construct two free bridges across the Red River—to the Committee on Commerce.

By Mr. GLOVER: Memorial of citizens of St. Louis, Mo., asking that the duty be taken off of salt—to the Committee on Ways and Means.

By Mr. HALL: Remonstrance of citizens of Sharon, Pa., against the admission of Utah with polygamy—to the Committee on the Territories.

By Mr. HATCH: Petition of Charles P. Patterson, for amendment of the postal laws—to the Committee on the Post-Office and Post-Roads.

By Mr. D. B. HENDERSON: Paper from G. A. Stone, of Mount Pleasant, Iowa, in relation to national banking—to the Committee on Banking and Currency.

Also, paper from P. G. Freeman, of Independence, Iowa, in relation to oleomargarine act—to the Committee on Agriculture.

Also, petition from C. M. Wyth and 117 others, citizens of Cedar Falls, Iowa, for a national telegraph system, to be operated in connection with the postal service—to the Committee on the Post-Office and Post-Roads.

By Mr. HIESTAND: Petition of Israel Alexander, for an original pension—to the Committee on Invalid Pensions.

By Mr. HOVEY: Petition of Wilhelmina C. Druschel, for a widow's pension—to the Committee on Invalid Pensions.

By Mr. HOWARD: Petition of 150 citizens of Indiana, against the admission of Utah as a State—to the Committee on the Territories.

By Mr. JACKSON: Petition of Anna E. McKennon and 83 others, citizens of Washington County, Pennsylvania, against the admission of Utah as a State—to the Committee on the Territories.

By Mr. T. D. JOHNSTON: Petition of George W. Cole, of North Carolina, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. LAFFOON: Papers in the case of Joseph Adams—to the Committee on War Claims.

By Mr. LODGE: Petition of Charles Wilson and 2,845 others, citizens of Lynn, Mass., for a public building at Lynn—to the Committee on Public Buildings and Grounds.

By Mr. McCOMAS: Petition of Benjamin R. Pool, of Montgomery County, Indiana, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. MORGAN: Petition of John D. Baum, of James Keiger, administrator of James Glover, of C. P. Thorp, and of Michael F. Woods, of Marshall County, and of Sarah Campbell, administratrix of John G. Campbell, of De Soto County, Mississippi—to the Committee on War Claims.

Also papers in the claim of Bettie D. Anderson and Eliza J. Dougherty, of De Soto, Miss.—to the Committee on War Claims.

By Mr. MORROW: Petition of Robert W. Dunbar, of San Francisco, California, for relief—to the Committee on Claims.

By Mr. MORSE: Petition of citizens in behalf of Jeannie Stone, widow of General Charles P. Stone, for a pension—to the Committee on Invalid Pensions.

By Mr. NEAL: Petition of William J. Plank, late acting quartermaster Eighth Regiment Tennessee Volunteers, for relief—to the Committee on War Claims.

By Mr. OATES (by request): Petition of Henry Sterne, of Bullock County, Alabama, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. O'FERRALL: Petition of William C. Harrison, of Rockingham County, and of Thornton O. Wyndham, of Berryville, Clark County, Virginia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. PATTON: Petition of George Searles, for restoration and increase of pension—to the Committee on Invalid Pensions.

Also, petition of William J. Eyer, for an original pension—to the Committee on Invalid Pensions.

By Mr. PEEL: Petition of heirs of Isaac S. Conner, of Washington County, Arkansas, for reference of their claim to the Court of Claims—to the Committee on War Claims.

By Mr. PERKINS: Petition of Charles Dressel, late second lieutenant Company I, First Regiment, Kansas Volunteers, for certain relief—to the Committee on War Claims.

By Mr. PHELAN: Papers in the case of R. D. Jordan, guardian minor children of Clairborn Deloach, of Shelby County, Tennessee—to the Committee on War Claims.

By Mr. POST: Petition of Daniel Tanner, for a pension—to the Committee on Invalid Pensions.

Also, petition of Jemima Sterling, for a mother's pension—to the Committee on Invalid Pensions.

Also, petition of John Johnston and 26 others, citizens of Peoria, for a postal telegraph system—to the Committee on the Post-Office and Post-Roads.

By Mr. REED: Petition of Mrs. Mercy Knight, of New Gloucester, Me., for a pension—to the Committee on Invalid Pensions.

By Mr. ROGERS: Petition of J. D. Wilson, heir of Mary A. Wilson, of Sebastian County; and of H. P. and Rufus Regan, heirs of W. S. Regan, deceased, of Sebastian County, Arkansas, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. C. A. RUSSELL: Petition of George W. Rouse and 97 others, of Voluntown, New London County, Conn., for the repeal of the provision of the pension laws limiting time for making application—to the Committee on Invalid Pensions.

By Mr. SCULL: Petition of Charles Hoover, for a pension—to the Committee on Invalid Pensions.

Also, petition of Elizabeth A. Keith, for a pension—to the Committee on Invalid Pensions.

By Mr. SENEY: Petition of D. B. Shalee and 101 others, citizens of Hancock County, Ohio, for a national telegraph system—to the Committee on the Post-Office and Post-Roads.

By Mr. STEELE: Petition of numerous citizens of Red Key, Ind., for a pension for Elmira L. Williams—to the Committee on Invalid Pensions.

By Mr. J. W. STEWART: Petition of F. A. Morse and others, citizens of Vermont, for prohibition of the manufacture and sale of intoxicants in the District of Columbia—to the Committee on the District of Columbia.

By Mr. STONE, of Missouri: Testimony in support of bill for the relief of Jesse M. Blue—to the Committee on War Claims.

By Mr. TAYLOR: Petition of Thomas J. Gray, for an increase of pension—to the Committee on Invalid Pensions.

By Mr. TAULBEE: Petition for the relief of Joseph McSwain—to the Committee on Claims.

By Mr. A. C. THOMPSON: Petition of David Biers, for removal of charge of desertion—to the Committee on Military Affairs.

Also, petition of Rebecca Strait, for a widow's pension—to the Committee on Invalid Pensions.

By Mr. VANDEVER: Petition of citizens of San Luis Obispo, Cal., for an appropriation to improve their harbor—to the Committee on Rivers and Harbors.

By Mr. WALKER: Petition of Elizabeth Shirkey, of New Madrid, Mo., for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. WASHINGTON: Petition of G. E. and Catherine Parish, heirs of M. E. Parish, of Nashville, Tenn., for reference of their claim to the Court of Claims—to the Committee on War Claims.

By Mr. WEAVER: Petition of M. C. Wheat and 90 others, citizens of Jasper County, Iowa, for a national telegraph system in connection with the Post-Office Department—to the Committee on the Post-Office and Post-Roads.

Also, petition of T. M. Helm and 160 others, citizens of McCook, Nebr., favoring the Oklahoma bill, and opening said country to homestead settlement—to the Committee on the Territories.

By Mr. WEST: Petition of citizens of Saratoga County, New York, for amendment of the pension laws—to the Committee on Invalid Pensions.

By Mr. WHEELER: Petition of Absalom Coffey, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, papers in the case of Mary Ellen Laffold, of Dallas County, Alabama.

Also, petition of Mary J. Cameron, of L. C. Huckworth, of Jackson County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. J. R. WHITING: Memorial of George William H. Caslett and 162 others, citizens of the Seventh district of Michigan, for a national telegraph system in connection with the Post-Office Department—to the Committee on the Post-Office and Post-Roads.

By Mr. WHITTHORNE: Petition of M. V. Smith, widow of J. F. Smith; of John P. Madry, and of John P. Madry, administrator of Elizabeth Madry, of Giles County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WICKHAM: Petition of John McFarland, for the passage of a bill granting him an honorable discharge, with papers—to the Committee on Military Affairs.

By Mr. WILKINS: Resolutions of Zanesville (Ohio) Typographical Union, signed by T. V. Ment and others, committee, relative to the wages of employés in the Government Printing Office—to the Committee on Labor.

Also, petition of Lewis Fessenden, for a pension—to the Committee on Invalid Pensions.

By Mr. W. L. WILSON: Petition of James A. Watson, of Thomas West, and of Aryana Hughes, of Jefferson County, and of Joseph West, of Berkeley County, West Virginia, for reference of their claims to the Court of Claims.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. ATKINSON: Of citizens of Keatzerville; of Dutton and Neelyton, of New Franklin, and of Rowzersville, Pa.

By Mr. BOOTHMAN: Of William Bonner and 24 others, of West Hope, Henry County, and of D. W. Wallace and 35 others, of Roachton, Wood County, Ohio.

By Mr. BOUTELLE: Of citizens of Maine.

By Mr. BROWER: Of citizens of Culler, of McNeely, of Adelaide, and of Stoneville, N. C.

By Mr. T. H. B. BROWNE: Of S. B. Chapman and others, of Gloucester County; of T. C. Tull and others, of Accomac County; of J. C. Burton and others, of King and Queen County, and of Marlborough Balderson and others, of Westmoreland County, Virginia.

By Mr. CANDLER: Of citizens of Head's Ferry, Ga.; of Towns County, and of Rabun County, Georgia.

By Mr. CLARDY: Of J. G. Carty and 22 others, of Missouri.

By Mr. CROUSE: Of J. Curtiss and 47 others, of Medina County, Ohio.

By Mr. DARLINGTON: Of citizens of Guthrieville, Chester County, Pennsylvania.

By Mr. ERMENTROUT: Of citizens of Meckville, Berks County, Pennsylvania.

By Mr. GAINES: Of John Y. Richards, B. A. Roberts, and 254 others, citizens of the Fourth district of Virginia.

Also, of R. W. Meenlon and others, of the Fourth district of Virginia.

By Mr. GRIMES: Of R. L. Christopher and others, of Troupe County; H. J. Anderson and others, citizens of Vernon, Ga.

By Mr. GROUT: Of L. E. Simpleton and 57 others, of Vermont.

By Mr. HATCH: Of citizens and others, of Central City, Mo.

By Mr. S. I. HOPKINS: Of A. E. F. Price and others, of Montgomery County, Virginia.

By Mr. HOWARD: Of citizens of Creek Valley, Washington County, Indiana.

By Mr. JACKSON: Of citizens of Sparta, Washington County, Pennsylvania.

By Mr. T. D. JOHNSTON: Of S. O. Griffith, postmaster, and others, of Micaville; of C. L. Bailey and others, of Brummett's Creek; of John M. Anderson and others, of Paint Fork; of Thomas J. Payne and others, of Persimmon Creek; of W. W. Proffit and others, of Bald Creek; of A. P. Monday and others, of Aquone; J. R. Long and others, Tuscola; of J. C. Buchanan and others, of Frank; of Lina Venson and others, Pigeon River; of postmaster and others, of Verner; of postmaster at Starsburgh; of postmaster at Peace; of J. C. Griffin and others; of citizens of Myrtle, of Fair View, of Pink Bed; of Merritt Randolph and others; of John D. Patten and others, of South Poe; of W. R. Murray and others, Busbee; of J. C. Reener and others, of Elsie; of M. L. Hecke and others; of Wade Hollifield and others, Meca; of E. A. Rupell and others, of Lynch; of D. M. Duncan and others, Bee Log; of Roanis Mills, of Whittier; of S. B. Briggs, postmaster, and others, of Burrisville, N. C.; of D. L. Clements and others, Broad River; of Thomas Wilson and others, Bay Ridge; of Y. N. Seraney and others, of Nina; of M. J. Fox and others, of Flinty Branch; of John W. McFarland and others, of Poor's Ford; of S. J. Cummins and others, of Grassy Knob; of E. W. Logan and others, of Chimney Rock; of postmaster and others, Balsam Fork; of M. P. May and others, Flats; of J. A. Morrison and others, Etna; of Charles E. Bacon and others, of Grape Creek; of Emily Allen and others, Horseshoe; of Miss H. M. Henven and others, Denver; of T. M. Burgess, Cove Creek; of Stephen Waller, Big Laurel; of Joseph R. Bynum and others, Flat Creek; of T. H. Calhoun and others, Wayside; of Stone Mountain; of Uree; of M. C. Cole and others, New Found; of J. P. Thompson and others, Spear; of postmaster and others, of Dimsdale, N. C.; of Avery's Creek, of Poplar Grove; of R. W. King and others, of Delmont, of May Hill, N. C.; of Emma, N. C.; of Western, of Maxwell, N. C.; of W. G. Dotson and others, of Gypsey, N. C.; of Hollow Poplar, of Jupiter, of England Point, of Sylva, of Cullasaja, of Bondsville, of Pond post-office, of Hazel post-office, of Tuckaseigee, of East Le Port; of John H. Murray, of Boilston; of Edwards and others, of Ivy post-office; of J. R. Hyatt, Wolf Creek, N. C.; of J. C. Mull and others, of Congress Creek; of postmaster and others, of Stockville; of J. L. Gailes and others, Clotho; of J. M. Buchanan and others, Plain Tree; of M. B. McDaniel and others, of Butler; of E. M. Jones and others, of Foxville; of E. J. Sparks and others, Friedberg; of Mollie E. Jones and others, of Garnett; of postmaster at Hillgirt; of Harkins, of Jones, of Elk Park, of Dills, of postmaster at Cherryfield; of Wilmott, of Z. Young, postmaster, and others, Avery, N. C.; of Daniel F. Young and others, of Day Book; of W. L. Runeon, of Walnut Run; of J. R. Bancorn and others, of Armstrong; of postmaster at Sandy Marsh; of P. L. Pusley and others, Oscar post-office; of P. P. McLean and others, West's Mills; of C. J. Ferguson and others, Ferguson post-office; of L. M. Dillard and others, of Georgetown; of L. W. Peck and others, of Peck post-office; of T. J. Johnson and others, of Tusguntly; of Thomas L. Dillingham and others, of Dillughan, N. C.; also of M. C. Shope and others, of North Carolina; and of E. R. Treadway and others, of Bee Bald, N. C.

By Mr. KENNEDY: Of Daniel Campbell and others, of Northville; of W. H. Reflogal and others, of Mutual, Champaign County; of citizens and others, of Eagle City, and of Lawrenceville, Clark County, Ohio.

By Mr. LATHAM: Of citizens and others, of Tulls, Currituck County, North Carolina.

By Mr. McCLAMMY: Of citizens of Patterson's Bridge, and of Forkade, Moore County, and of Bolton, Columbus County, North Carolina.

By Mr. McCULLOGH: Of citizens of Manor Station, Westmoreland County, Pennsylvania.

Also, of citizens of Greene County, Pennsylvania.

By Mr. McRAE: Of citizens and others of Big Bend and of French Point, Ark.

By Mr. O'FERRALL: Of citizens of Happy Creek, Warren County, Virginia.

By Mr. PATTON: Of 69 citizens of Patchersonville, Pa.

By Mr. RANDALL: Of John Straley and others, of Trout Run, Lycoming County, Pennsylvania.

By Mr. REED: Of A. S. Holden and others, of Maine.

By Mr. SENEY: Of W. T. Sherman and 64 others, of Seneca County, Ohio.

By Mr. SHIVELY: Of J. D. Kibler and 47 others, of Oswego, Ind.

By Mr. CHARLES STEWART: Of sundry citizens of Grimes County, Texas.

By Mr. STONE, of Kentucky: Of citizens of Boydsville, Ky.

By Mr. H. G. TURNER: Of E. A. Milligan and others, of Moultrie, Ga.

By Mr. WASHINGTON: Of S. S. Woodwin and others, of Una, Davidson County; of Pleasant Mound, Montgomery County; of Ardee, Montgomery County; and of Weaver's Store, Stewart County, Tennessee; of S. S. Woodwin and others, of Tennessee.

By Mr. WHEELER: Of citizens and others, of Dug, Ala.; of J. W. Miller and others, and of J. K. Bolton and others, of Daily, Ala.

By Mr. WILKINS: Of E. W. Smith and 30 others, of Paint Valley, and of Carr O'Neal and 20 others, of East Greenwood, Ohio.

By Mr. YOST: Of citizens and others of Snake River, Alleghany County, Virginia.

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## SENATE.

### THURSDAY, *January* 12, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

#### EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of State, enumerating certain estimates of deficiencies in appropriations which it is desired shall be included in the deficiency bill now pending before Congress; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

#### PETITIONS AND MEMORIALS.

Mr. SHERMAN presented a petition of the Pork Packers' Association of Cincinnati, Ohio, praying for legislation to prevent the sale of adulterated lard as pure lard; which was referred to the Committee on Finance.

He also presented the petition of John McFarland, late private Company E, Sixty-fourth Regiment Ohio Volunteers, praying for an honorable discharge from the Army; which was referred to the Committee on Military Affairs.

Mr. HOAR. I present the petition of C. F. Hovey & Co.; Jordan, Marsh & Co., and various others, large importing merchants of Boston, praying that the provisions of section 977 of the bill to regulate the importation of foreign merchandise, etc., which prohibits them from having a right to judicial determination of the tariff classification of rates of duty, be not enacted. The bill has been reported, but the point which these gentlemen suggest is a very grave one, and I therefore move that the petition be referred to the Committee on Finance, instead of taking the usual course, under such circumstances, of lying on the table.

The motion was agreed to.

Mr. HOAR presented the petition of Rev. O. P. Gifford, D. D., Rev. Joseph Cook, D. D., and 153 other clergymen of various denominations, of Boston, Mass., and vicinity, praying for the passage of the Blair educational bill; which was ordered to lie on the table.

Mr. HOAR. I present a vote of the Evangelical Alliance, now in session in Boston, passed January 9, 1888, unanimously petitioning the Congress of the United States to pass the Blair bill, providing Federal aid to common schools. This is certified by Rev. George S. Chadbourn, D. D., president of the association, and Rev. N. B. Jones, secretary. I move that the petition lie on the table.

The motion was agreed to.

Mr. TELLER presented the petition of Anne Lucas, of Washington, D. C., praying for the payment to her of $156 claimed to be due her for services rendered the Government during the war; which was referred to the Committee on Claims.

He also presented the petition of John B. Wolff, of Washington, D. C., praying that an investigation be had in the case of the rejected pension claim of Capt. A. W. Hicks, late of the Mississippi ram fleet; which was referred to the Committee on Pensions.

He also presented the petition of John B. Wolff, of Washington, D. C., praying for the payment to Mrs. M. A. Krechman of a sum claimed to be due her for board and lodging furnished certain Cherokee Indians in the year 1876; which was referred to the Committee on Indian Affairs.

He also presented resolutions adopted by the Denver (Colo.) Chamber of Commerce and Board of Trade, praying that an appropriation be made for the erection of a building for Government purposes in the city of Denver; which were referred to the Committee on Public Buildings and Grounds.

Mr. SAWYER presented the petition of H. P. De Graaf, president of the Bowery National Bank; Peck, Martin & Co.; Brick Union India Rubber Company, W. S. Vermilyea, treasurer, and 304 other business men and capitalists of New York City, praying that Congress at this session authorize the Secretary of War to contract with Charles Stoughton and his associates for the entire work of improving Harlem River, New York; which was referred to the Committee on Commerce.

Mr. PLATT. I present the petition of H. B. Sargent and others, of New Haven, Conn., and the petition of C. Rogers & Bros., of Meriden, Conn., praying that the law prohibiting advertisements on third and fourth class mail matter be abolished.

In presenting these petitions I desire to say that I do not think the law as it now stands prohibits any printing upon third-class matter on the envelope which contains it. I think in that respect the Postmaster-General has not correctly interpreted the law, and that the difficulty which business men have experienced arises, so far as third-class matter is concerned, not from any fault of the law, but from an incorrect interpretation of it by the Postmaster-General.

I move that the petitions be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

Mr. PLATT presented the petition of B. S. Hinman and others, praying that seeds, plants, bulbs, and scions be classed as third-class mail matter; also, that the limit of weight of these articles be made 8 pounds; also, that money-orders for $5 or less be issued for 3 cents; that postal-notes be abolished, and that fractional paper currency be issued for use in the mails; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of H. C. Miles and others, citizens of Milford, Conn., praying that fractional currency be issued and postal-notes abolished; which was referred to the Committee on Finance.

He also presented a petition of 73 citizens of the District of Columbia, praying for the passage of the bill prohibiting the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. BLACKBURN. I present a petition of citizens of Frankfort, Ky., and as it relates to the jurisdiction of Federal courts, I move that it be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. CULLOM presented a petition of 24 citizens of Samoth, Massac County, Illinois, praying that Hugh B. Glass, a citizen of that county, be granted an increase of pension; which was referred to the Committee on Pensions.

Mr. QUAY presented resolutions adopted at a meeting of citizens of Altoona, Pa., favoring the erection of a public building in that place; which were referred to the Committee on Public Buildings and Grounds.

Mr. BECK presented the petition of W. J. Moberley, late first lieutenant Fourth Regiment United States Cavalry, praying to be allowed a sum claimed to be due him on account of unpaid rations and salary; which was referred to the Committee on Military Affairs.

Mr. SABIN presented a resolution adopted by the State Grange of Minnesota, remonstrating against any modification of the present oleomargarine law, and against the repeal of the tax on that article; which was referred to the Committee on Agriculture and Forestry.

Mr. HARRIS presented the petition of G. B. McMahan and other citizens of Sevier County, Tennessee, praying that increased compensation be allowed fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. HARRIS. I present a petition, numerously signed by citizens of the Eighth Congressional district of Tennessee, and another, numerously signed by citizens of the Fifth Congressional district of Tennessee, asking for the passage of a bill prohibiting the manufacture, sale, and importation of alcoholic beverages in the District of Columbia. I move their reference to the Committee on the District of Columbia.

The motion was agreed to.

Mr. BERRY presented a petition of 69 citizens of the Sixth Congressional district of Arkansas, praying for the passage of the bill to prohibit the alcoholic liquor traffic in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. CALL presented the petition of Fernando I. Moreno, of Key West, Fla., praying to be allowed compensation for certain services he alleges were rendered by him to the Government in 1860; which was referred to the Committee on Claims.

Mr. HAMPTON presented the petition of the Woman's Christian State Temperance Union of South Carolina, praying for a submission to the States of an amendment to the Constitution of the United States prohibiting the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

Mr. PLATT presented a petition of 52 citizens of Anacostia, D. C., praying for the passage of the bill prohibiting the alcoholic liquor traffic in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. HAWLEY presented the petition of Mrs. Elizabeth G. Elder, widow of the late Lieut. Col. Samuel G. Elder, praying to be allowed an increase of pension; which was referred to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 23) to authorize Dallas City to construct a bridge across the Columbia River, in the State of Oregon and Territory of Washington, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 322) to authorize the Southwest Arkansas and Indian Territory Railroad to build a bridge across the Ouachita River, in Arkansas, reported it with amendments.

Mr. DAWES, from the Committee on Indian Affairs, to whom was referred the bill (S. 1227) authorizing the appointment of a superintendent of Indian schools and prescribing his duties, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 358) to authorize the sale of timber on certain lands reserved for the use of the Menomonee tribe of Indians in the State of Wisconsin, reported it with an amendment.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 45) for the relief of Col. James C. Duane, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 498) for the relief of Frank Della Terre and Susan F. Della Terre, heirs of Peter Della Terre, deceased, reported it without amendment, and submitted a report thereon.

Mr. MANDERSON, from the Committee on Military Affairs, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 180) for the relief of Washington L. Parvin and Henry A. Greene;

A bill (S. 927) for the relief of David L. Brainard and others;

A bill (S. 670) to increase the efficiency of the infantry branch of the Army; and

A bill (S. 939) for the relief of Robert H. Montgomery.

Mr. HAMPTON, from the Committee on Military Affairs, to whom was referred the bill (S. 1003) granting the right of way to the Duluth and Manitoba Railroad Company across the Fort Pembina military reservation, in Dakota Territory, reported it without amendment, and submitted a report thereon.

MISSOURI RIVER BRIDGE.

Mr. VEST. I am authorized by the Committee on Commerce, to whom was referred the bill (S. 274) authorizing the construction of a bridge across the Missouri River at some accessible point in the county of St. Charles, in the State of Missouri, below the city of St. Charles, to report it favorably with sundry amendments.

I ask for the present consideration of the bill, because there are peculiar reasons why it should be at once acted upon. I call the attention of the Senator from Iowa [Mr. ALLISON] to the report I now make from the Committee on Commerce. I believe he is interested in the bill, as the company that proposes to construct the bridge is an Iowa company. The company are ready to commence the construction of the bridge, but the whole process of construction by the company is stopped until this matter can be disposed of. For that reason I ask for the immediate consideration of the bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill; which was read.

The PRESIDENT *pro tempore*. The amendments reported by the Committee on Commerce will be stated in their order.

The first amendment was in section 2, line 19, after the word "location," to strike out the words "to the bottom chord of the bridge" and insert "to the lowest point of the superstructure;" so as to make the proviso read:

*Provided*, That if the said bridge shall be made with unbroken and continuous spans, it shall have three or more channel spans, and shall not be of less elevation in any case than 50 feet above high-water mark, as understood at the point of location, to the lowest point of the superstructure, nor shall the spans of said bridge be less than 300 feet in length, and the piers of said bridge shall be parallel with the current of said river, and the main span shall be over the main channel of the river, and not less than 300 feet in length.

The amendment was agreed to.

The next amendment was, in section 3, line 17, after the word "in," to strike out the words "which district and State" and insert the words "whose jurisdiction;" so as to make the section read:

That the Secretary of War is hereby authorized and directed, upon receiving such plan and map and other information, and upon being satisfied that a bridge built on such plan and with such accessory works and at such locality will conform to the prescribed conditions of this act, to notify the company that he approves the same; and upon receiving such notification the said company may proceed to an erection of said bridge, conforming strictly to the approved plan and location; and should any change be made in the plan of the bridge or said accessory works, during the progress of the work thereon, such change shall be subject likewise to the approval of the Secretary of War, and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, caused or alleged to be caused by said bridge, the case may be brought into the circuit court of the United States of the eastern district of the State of Missouri, in whose jurisdiction any portion of said obstruction or bridge may be located.

The amendment was agreed to.

The next amendment was in section 4, line 10, after the word "privileges," to strike out the word "or" and insert "of;" so as to read:

And said bridge shall enjoy the rights and privileges of other post-routes in the United States.

The amendment was agreed to.

The PRESIDENT *pro tempore*. This completes the amendments reported by the committee.

The CHIEF CLERK. In section 1, at the end of line 10, the word "and" is duplicated.

The PRESIDENT *pro tempore*. The superfluous word will be stricken out.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DANIEL B. LUCAS.

Mr. HOAR, from the Committee on Privileges and Elections, reported the following resolution, and moved its reference to the Committee to Audit and Control the Contingent Expenses of the Senate; which was agreed to:

*Resolved*, That there be paid to Daniel B. Lucas, of West Virginia, out of the contingent fund of the Senate, as compensation for expenses incurred in contesting the seat of Hon. CHARLES J. FAULKNER in the United States Senate, $1,000, the same to be in full for all claim for such expenses, and also for any claim to salary as Senator.

BILLS INTRODUCED.

Mr. CAMERON (by request) introduced a bill (S. 1369) for the relief of Joseph B. Hull, commodore United States Navy (retired); which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1370) for the relief of Assistant Engineer Howard D. Potts, United States Navy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1371) for the relief of Alfred Hedberg; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALLISON introduced a bill (S. 1372) granting an increase of pension to Maria Hunter; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1373) granting a pension to William B. Barnes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1374) for the relief of Mrs. Mary Williams; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FARWELL introduced a bill (S. 1375) for the relief of Gallatin, Bureau, and other counties in the State of Illinois; which was read twice by its title, and referred to the Committee on Claims.

Mr. TURPIE introduced a bill (S. 1376) for the relief of John W. Blake; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. HOAR introduced a bill (S. 1377) for the relief of Henry Pickett, of Washington, D. C.; which was read twice by its title.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Claims.

Mr. HOAR. The bill proposes to grant relief to a person who served the United States as a teamster, was exposed to military danger, and received an accident which made him totally blind. I suppose it should go to the Committee on Pensions, and not to the Committee on Claims, as it is a gratuity and not a right.

The PRESIDENT *pro tempore*. The Chair understood the indorsement on the bill to be "the Committee on Claims." It will be referred to the Committee on Pensions.

Mr. PLATT introduced a bill (S. 1378) directing the prosecution of inquiries by the Commissioner of Fish and Fisheries in respect to the destruction of oysters in the natural oyster-beds lying within the waters and jurisdiction of the United States by star-fish, etc., and making an appropriation for such purpose; which was read twice by its title, and referred to the Committee on Fisheries.

Mr. DOLPH introduced a bill (S. 1379) to increase the pay of chaplains in the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CULLOM introduced a bill (S. 1380) to amend sections 1847, 1852, 1857, 1862, and 1885 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 1381) for the relief of purchasers and other grantees of the United States of certain swamp and overflowed lands, and to reimburse and indemnify certain States; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1382) granting a pension to Mrs. Catherine Ferguson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1383) granting a pension to Isabella W. Addudell; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1384) granting a pension to Margaret J. Cash; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 1385) granting a pension to Hezekiah Cardwell; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1386) to regulate the practice and proceedings in the Patent Office, and to amend existing laws; which was read twice by its title, and referred to the Committee on Patents.

Mr. COCKRELL. I present a petition to accompany the bill, which I ask may be printed and referred, with the bill, to the Committee on Patents. The petition is a very short one, and it will take but a few lines of print.

The PRESIDENT *pro tempore*. The bill will be referred, with the accompanying petition, to the Committee on Patents, and an order to print the petition will be made if there be no objection.

Mr. BLACKBURN introduced a bill (S. 1387) authorizing the appointment of James S. Jouett to a first lieutenancy of cavalry in the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MITCHELL introduced a bill (S. 1388) for the relief of W. L. Adams, of Oregon; which was read twice by its title, and referred to the Committee on Claims.

Mr. REAGAN. I desire to introduce several bills, and I wish to have it noted that I introduce all of them by request. I hardly know to what committee they should be referred. They propose to make compensation for depredations committed by Navajo Indians.

The PRESIDENT *pro tempore*. Such bills have usually been referred to the Committee on Indian Affairs.

Mr. REAGAN. Very well.

The bills were severally read twice by their titles, and referred to the Committee on Indian Affairs, as follows:

A bill (S. 1389) for the relief of José Pablo Madrid, of San Miguel County, New Mexico;

A bill (S. 1390) for the relief of Juan José Nieto, of San Miguel County, New Mexico;

A bill (S. 1391) for the relief of the legal representatives of José de Jesus Lujan, of Mora County, New Mexico;

A bill (S. 1392) for the relief of Apollinario Almanzar, of San Miguel County, New Mexico;

A bill (S. 1393) for the relief of Ignacio Sanchez y Ortiz, of San Miguel County, New Mexico;

A bill (S. 1394) for the relief of the legal representatives of Dolores Butierrez, deceased, of San Miguel County, New Mexico; and

A bill (S. 1395) for the relief of the legal representatives of Augustin Gonzales, deceased, of San Miguel County, New Mexico.

Mr. MORGAN introduced a bill (S. 1396) to extend the provisions of section 4631, Title LVI, Prize, of the Revised Statutes, and of the act of June 8, 1874, in relation to prize-money, to fleet officers; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. BECK introduced a bill (S. 1397) for the relief of A. L. Shotwell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. BLACKBURN introduced a bill (S. 1398) to prohibit book-making, pool-selling, or gambling on races within the cities of Washington and Georgetown; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CULLOM introduced a bill (S. 1399) for the relief of the State of Illinois; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. SAWYER introduced a bill (S. 1400) to remove the charge of desertion from the military record of John W. Penwarden; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1401) to remove the charge of desertion from the military record of D. Thomas Andrews; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1402) to remove the charge of desertion from the military record of A. M. Stratton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. QUAY introduced a bill (S. 1403) granting a pension to Daniel Shack; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BLACKBURN introduced a joint resolution (S. R. 31) for the relief of the personal representative of William R. Brick; which was read twice by its title, and referred to the Committee on Claims.

Mr. SAWYER introduced a joint resolution (S. R. 32) authorizing and requiring the Secretary of War to contract for the improvement of Harlem River navigation; which was read twice by its title, and referred to the Committee on Commerce.

### SPANISH-AMERICAN CLAIMS.

Mr. HISCOCK submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the President be, and he is hereby, requested, if in his judgment it be not inconsistent with the public interests, to communicate to the Senate the names of all persons who recovered judgments before the late Spanish-American Claims Commission provided by the convention with Spain of February 12, 1871; the form of the said judgments, *i. e.*, whether in terms in the name of claimants in each case, or in that of the United States, as against Spain; the amount of each judgment; the respective dates of payment by Spain; the amounts paid to the respective claimants by the Secretary of State, with the dates thereof; the amount reserved in each case, and the duration of such reserve; whether the same was invested in United States or other securities, and the total increment thereon arising from such investment; the ratable proportion of such increment to the amounts reserved from each claimant; and the reasons, if any, why the said increment has not been paid to the respective claimants.

### WITHDRAWAL OF PAPERS.

On motion of Mr. WILSON, of Maryland, it was

*Ordered*, That Richard L. Rotchford have leeve to withdraw the papers in his case from the files of the Senate.

### JACKSON (MISS.) MUNICIPAL ELECTION.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a resolution coming over from a former day, to which he calls the attention of the Senator from New Hampshire [Mr. CHANDLER].

The resolution submitted by Mr. CHANDLER January 10, 1888, was read, as follows:

*Resolved*, That the Committee on the Judiciary be instructed to inquire into the suppression of the votes of the colored citizens of Jackson, Miss., at the recent municipal election in that city, and into the alleged participation in such suppression by the United States district attorney and by a deputy collector of internal revenue and a deputy United States marshal; and to report the facts to the Senate.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

Mr. CHANDLER. Mr. President, I offered this resolution partly in consequence of the reception of a telegram from Jackson, Miss., dated January 7, addressed to myself, as follows:

We respectfully ask that a Senate committee be appointed and sent here to investigate the recent occurrences here in reference to our municipal election and the disfranchisement of the colored vote thereat. The facts can be fully proven by the testimony of the best men of both political parties.

I have not asked in the resolution that power be given to the committee to send for persons and papers, because I apprehend it may be found that the facts already upon the records of the Department of Justice will be sufficient for the committee, with such information as they may obtain, without sending for persons and papers. If, however, this should prove not to be the case, I should desire that power be given to the committee to make a complete investigation.

I have asked that the Committee on the Judiciary be requested to make this investigation, because the inquiry will involve the participation in the suppression of the colored vote of a United States district attorney and a deputy United States marshal.

I only desire to briefly bring to the attention of the Senate the information which has come to me which seems to justify and require the inquiry proposed, and I think I can best state that information by causing to be read letters which I have received, and which concisely state the occurrences that call for the resolution.

The PRESIDENT *pro tempore*. The Chief Clerk will read the letters, if there be no objection.

The Chief Clerk read as follows:

JACKSON, MISS., *December* 29, 1887.

DEAR SIR: We are here, in Jackson, Miss., just now going through a revolution somewhat Mexican in its characteristics. The following are the facts: We have had a mayor here, McGill, in office for fourteen years past, who is a Republican, and have had, as nearly every one agrees, a most excellent city government. The city election is held on the first Monday of January next. No opposing candidate had offered, and he was about to be unanimously re-elected, when on Christmas eve a difficulty arose between some young white men and a negro butcher in the city, in which the negro and one of the young white men were almost instantly killed. The opponents of the city administration instantly seized upon this, and called a little meeting for Monday night, which adjourned to Tuesday night, when a much larger meeting was held, at which William Henry, a son-in-law of Governor Lowry, was nominated, resolutions were passed, and a committee of one hundred were appointed *who should see that the election was carried*. The chairman of this committee was Mr. J. B. Harris, the United States district attorney of the southern district of Mississippi, who made a blood-and-thunder speech, in which he advocated the forcible prevention of the negroes voting, and stated that he was willing to lay down his life to accomplish it, if necessary.

Matters at length became so warm that the colored people, at a meeting held by them, decided not to vote, and issued a notice to that effect. McGill then made the other party a proposition to settle it by the votes of the white voters. This was declined by Henry. Then a subcommittee of the committee of one hundred made a proposition that it be decided by a primary election, at which should be allowed to vote not the registered white voters of the city, but all white men resident in the city eligible to register and vote. This would let in many fraudulent votes, and McGill consequently declined. He afterwards agreed to go into a primary at which the white registered voters only should vote; but this was declined, and the election will be held on Monday next, and, I presume, will be decided entirely on white votes, as I do not think the negroes will attempt to vote, and the Henry party are loud in their declarations that they will not allow them to do so.

The men most prominent in these moves are R. H. Henry, the State printer, John and Ed. Martin, of the New Mississippian, and R. E. Wilson, a brother-in-law of Henry. Wilson is the deputy United States internal-revenue col-

lector for this district. He has been training with the crowd, but has been openly using his best endeavors for a peaceable and quiet election. Mr. Harris, the district attorney, however, has been foremost in fomenting the whole trouble. I send you copies of papers containing the proceedings, "the bloody manifesto," and the notice of the negroes, and will send you more to-morrow.

Yours, respectfully,

——— ———.

JACKSON, MISS., *December* 31, 1887.

DEAR SIR: I send you by this mail all further literature of the local campaign going on here which I have been able to gather up, consisting of to-day's and yesterday's Advertiser, yesterday's New Mississippian, and three Democratic hand-bills. They are somewhat frightened at what they have been doing, and are now hard at work to make the Democratic party back them up, and seem to be succeeding pretty well. "Private" John Allen addresses them to-night. They were expecting to have a general demonstration to-night, but the inclement weather has prevented. They are getting frightened somewhat at the prospect of being prosecuted by a Democratic Department of Justice, under the fifteenth amendment enforcement act, with which I have been threatening them. I have had the amendment and the act published in the Advertiser, which will be out in the morning. I have also been after the Federal officials who have been engaged in it—J. B. Harris, the district attorney; R. E. Wilson, the collector of internal revenue, and Samuel Livingston, the resident deputy United States marshal. The marshal himself, W. L. Dinkins, does not reside here, has not been here, and knows nothing about it. In my former letter I wrote you that I thought Wilson was training with them to restrain them. On further investigation I find this is not so, but that he is as determined as any one of them. He and Livingston are both of the committee of one hundred.

Now, can not you push them up to noticing the conduct of these officials? Here is a district attorney chairman of a revolutionary conspiracy, the members of which it is his sworn duty to prosecute. Surely the Democratic party, I should think, can not afford to tolerate such actions on the part of their office-holders and continue them in office. There should be some quick removals and some vigorous prosecutions for what has been done, and if the Administration will not do it the country should know it, and I think would find some one who would at the next election.

The negroes are leaving town fast, most of them temporarily, until after the election, some for all time, disgusted at the measures which have been taken. We are going to make a bold fight with the white vote, and with a fair hope of success. If they try any bulldozing on white men you will hear of some one being hurt.

Yours, respectfully,

——— ———.

JACKSON, MISS., *January* 3, 1888.

DEAR SIR: McGill ran the race through and was defeated by a majority of 93 out of about 360 votes polled. None but whites voted. The registered negro vote is about 340, none of which voted. Of these at least 300 would have voted for McGill, as would at least 75 of the white men who did not vote for him, but who were, as they openly themselves state, whipped in to vote for Henry in one way and another. Oliver Clifton, the editor of the Clarion, who, at the business men's meeting last week, in a speech denounced the proceedings of the Henry faction as revolutionary, yesterday openly announced his intention to vote for McGill, and did so, and was thereupon immediately deposed from the editorship of the paper by Colonel Power, its publisher. Clifton is also clerk of the supreme court, and they are to-day trying to contrive some way to get him out of that position. He is firm and defiant, and has made a noble record for himself. The newspaper reporters are commencing to quietly gather in, and the country will have the full story shortly. The local reporters are all in the Henry faction, and keep the truth well concealed. At the election one negro attempted to vote, but was fired out of the room in short order.

At one of the last of the Henry meetings our circuit judge made a very inflammatory speech. Knowing that the judge would give him no show whatever, McGill will not take any steps to contest, and anything that is done about it will have to be done either in the United States court under the fifteenth amendment act (which they are very much afraid of), or before a Senate committee (the prospect of which they do not relish at all).

I would suggest that you send a committee down here immediately, before things cool.

Yours, respectfully,

——— ———.

Mr. JONES, of Arkansas. Will the Senator from New Hampshire yield a moment to have a telegram read in this same connection from the Attorney-General to the district attorney, to whom the letter relates?

Mr. CHANDLER. I decline to yield, Mr. President.

The PRESIDENT *pro tempore* The Senator from New Hampshire declines to yield.

Mr. CHANDLER. In addition, I have a telegram dated January 2, from the same person who wrote the letters, stating:

Henry elected by 93 majority. Only whites voted. One negro offered to vote and was put out.

The letters which have been read distinctly state who were the Federal officers engaged in this business. I repeat their names for distinctness. J. B. Harris, district attorney. He was on the committee of one hundred appointed at the Democratic meeting referred to. He heads a letter, December 29, to McGill, proposing a settlement of the controversy by a primary election in which only whites shall participate. R. E. Wilson is the deputy collector of internal revenue. He was on the committee calling the mayoralty caucus, and was also on the committee which reported the so-called White-Line resolutions of December 27. Samuel Livingston, the deputy United States marshal, was on the committee calling the mayoralty caucus, and was also on the committee on the White-Line resolutions of December 27.

The manifesto which first conveyed to the colored people of Jackson, Miss., the notice that they would not be allowed to vote, I have in my hand. At the head is displayed an engraving [exhibiting] of a couple of pistols, a couple of shotguns, and a powder-flask. It is printed in red ink. I ask the Chief Clerk to read this notice to the negroes of Jackson.

The PRESIDENT *pro tempore*. The paper will be read.

The Chief Clerk read as follows:

A BLAST FROM THE YOUTH.

THE YOUNG MEN OF JACKSON UTTER THEIR ULTIMATUM.

Monday night at the second meeting of the Young White Men's League of Jackson, which comprises almost every white man of Jackson from nineteen to twenty-nine years of age, unanimously passed the following resolutions, with the order that a thousand copies be printed and distributed as soon as a nomination was made:

"We, the young white men of Jackson, having seen one of our number coldly, cruelly, and hellishly murdered in the dark by a negro bully set on by a negro policeman of this negro-cursed city, do hereby resolve, in solemn and awful earnestness, that the corrupt, Radical, negro government of our city should, must, and shall be wiped out, cost what it may.

"We have earnestly believed in peace and law and order, and we hope now that this government of negro butchers may peacefully yield to defeat, but we want no peace bought at the price of our manhood and of our companion's blood.

"Driven by no sudden passion or blind impulse, but actuated by a firm and deliberate sense of the duty we owe to ourselves and to our race, we hereby warn the negroes that if any one of their race attempts to run for office in the approaching municipal election, he does so at his supremest peril, and we further warn any and all negroes of this city against attempting, at their utmost hazard, by vote or influence to foist on us again this black and damnable machine miscalled a government of our city.

"And we call upon all the young men of our city and surrounding country who do not sanction the fiendish murder of a white boy by a negro bully—upon all who love the white race better than they love negro assassins—upon all who have courage in their hearts or manhood in their souls to bitterly remember the blood of the murdered McWillie Mitchell from now until the election day, and sweep away this infamy of government with its black and brutish hands stained and wet with blood of a brave and noble boy."

Mr. CHANDLER. Following up that manifesto a meeting was called on the 27th of December of the Democracy. The call is headed:

DEMOCRACY!

There will be a meeting at the house of representatives to-night, at 7.30 p. m., for the purpose of nominating a Democratic candidate for mayor, and taking such other action as the situation demands.

R. E. WILSON,
D. P. PORTER,
THOS. P. BARR,
JOHN T. TAPLEY,
S. LIVINGSTON,
L. BRAME,
E. O. RYAN,
FRANK JOHNSTON,
*Committee.*

DECEMBER 27, 1887.

Wilson was deputy collector of internal revenue, Livingston the deputy marshal. I have a subsequent call for a meeting in the State house of representatives on December 29, which contains the resolutions passed at the meeting of December 27. This hand-bill is headed "Democratic White-Line resolutions."

DEMOCRATIC WHITE-LINE RESOLUTIONS!

Adopted by the Democratic convention at Jackson, Tuesday night, December 27, 1887.

Mr. Chairman: Your committee on resolutions ask to present the following:

Whereas the Democracy of this city, recognizing the just reproach upon them for so long suffering a Republican administration in the capital city of a Democratic State, and having determined to no longer submit thereto: Therefore,

*Be it resolved by the Democrats of the city of Jackson, in mass-meeting assembled,* That we to-night nominate candidates for mayor and aldermen, and hereby avow our purpose to elect them.

*Resolved*, That, in general terms, we assert that the present city government has been inefficient, unsatisfactory, and objectionable; and especially has its police department been inefficient in the protection of both life and property, and we refer to the occurrences of the past few days in proof thereof.

*Resolved*, That the chairman of this meeting appoint a committee of one hundred to see that the ticket is elected.

*Resolved*, That all citizens of Jackson, without regard to past political affiliations, are invited to co-operate in the election of the candidates nominated by this meeting.

R. E. WILSON,
SAM'L LIVINGSTON,
D. P. PORTER,
JOHN T. TAPLEY,
THOS. P. BARR,
FRANK JOHNSTON,
L. BRAME,
*Committee.*

Let every Democrat of Jackson attend the Democratic meeting at house of representatives to-night, December 29.

And here is the call for the meeting of Democrats of December 29:

COME OUT, DEMOCRATS.

Hon. John Allen,
Col. S. M. Meek,
Hon. James T. Harrison,
Hon. C. B. Mitchell,
Hon. A. J. McLaurin,
General J. H. Sharp,
Maj. Patrick Henry,

and others will address you at the house of representatives to-night at 8 o'clock. Be present, and hear what these distinguished Democrats have to say about the municipal ticket as nominated by the Democratic convention.

As the result of all these preparations for the suppression of the negro vote, as stated in the letters of my informant which were read by the Secretary, the colored voters of the city decided that it would be unsafe for them to participate in the election, and a meeting was held on the evening of December 28 at which the following resolutions were passed:

A MEETING OF THE COLORED VOTERS.

At a meeting of the colored citizens of Jackson, held in West Jackson on

Wednesday evening, December 28, 1887, the following resolutions were unanimously adopted:

Whereas the colored people have been reliably informed that the Democratic club or committee of Jackson have invited Democrats from various other places and adjoining counties to be here on election day for the purpose of preventing the colored voters from voting or participating in the city election next Monday, January 2, 1888: Therefore,

*Be it resolved*, That in the interest of peace and harmony and the protection of life and property, that the colored people refrain from voting or in any way participating in said election.

*Resolved further*, That the colored candidates for aldermen are hereby withdrawn.

ELIJAH ROBINSON, *Chairman.*

H. T. RISHER, *Secretary.*

I also read from the Memphis Avalanche of December 31 the following resolutions, which were passed at the meeting of Democrats on December 29:

*Resolved*, That this convention having received the assurance that hereafter no negro aldermen or negro policemen will be a part of the city government, and that in the election to be held on Monday next none but white men will vote, negroes having voluntarily agreed to stay away from the polls: Therefore,

*Be it resolved*, The Democracy of the city of Jackson pledges that, so far as it can govern, the election shall be fairly and peaceably conducted.

I do not desire, Mr. President, to prolong the exhibition of the many incidental reasons proceeding from the newspapers of Jackson, published about this time, which induced the negroes to realize that it would be necessary for them to stay away from the polls. I wish, in addition to what I have stated, only to call the attention of the Senate to the ostensible cause for this decision at the capital city of the Democratic State of Mississippi that there should be no participation in the municipal election of any but white voters, and the reasons why the election should be carried solely by the votes of white men, although the candidate for mayor of the Republicans was a white man, had been mayor for years, and, I think, had been a Confederate soldier.

I find that the Daily Mississippian of the 30th of December thought it advisable to state the reasons why the Democracy of Jackson had seen fit to deliberately predetermine the abstention of the negro voters from the polls at the approaching municipal election. The article is headed:

MURDER OF M'WILLIE MITCHELL—WORK OF A NEGRO DESPERADO.

Set on by a radical negro policeman—How he stole up behind his victim in the dark and severed his throat.

Never before have we seen the white men of Jackson so filled with a stern and fearful indignation as they now are over the dastardly murder of McWillie Mitchell.

The bloody story, as we have learned it, is briefly thus: A large number of young men, including the best there are in Jackson, were enjoying themselves Saturday night marching around blowing tin bugles. As they went down President street they passed the burly negro bully, Bob Whitesides, who was half drunk, and manifested a disposition not to have any white men around him making a fuss, and began cursing the crowd.

McWillie Mitchell took Percy Gambrell's pistol from his (Percy's) overcoat pocket and told the negro if he cursed him he would kill him. They were then near Newman's corner, on President street, and the negro turned and left, going to Hayne's butcher shop.

The white boys thought it was all over, and all started away, the others having turned the corner up Pearl street considerably ahead of Mitchell and Gambrell.

Young Gambrell stopped a moment with his face towards the street, and the negro, who had armed himself with a tremendous butcher-knife, came out and passed rapidly by Percy, at his back, on to where Mitchell was walking slowly along, some 12 feet beyond him.

When Percy heard the negro walking, and turned his head, he was just reaching Mitchell. As Percy rushed towards them the negro grasped Mitchell from behind, pinioning his arms with his own left arm, and with his right began making terrible slashes in his throat.

Percy Gambrell rushed upon them, and grasping the wrist of the negro's right arm, tore them apart. The negro began endeavoring to cut Gambrell, and though his wrist was held, succeeded in making two deep gashes in his right hand.

Mitchell had fallen to his knees, and three shots were fired into the negro in an instant; the first shot straight through his bowels, another through his right lung, and another through his thigh.

The pistol was right against him, and around each bullet hole there was a larger hole burned some distance in the flesh.

Then the negro groaned and made a death struggle, and all three fell together in a bloody heap on the sidewalk, the knife striking into young Mitchell again.

Percy swung onto the arm of the negro, and putting his foot on the wrist got the knife from his death-clutch, while the pistol fell on the sidewalk. Three other negroes, including Julius Allen, one of our Radical negro policemen, surrounded the scene of battle, and seemed about to attack Percy. Finally some whites came upon the scene.

The negro continued to groan, and soon expired without saying anything. Mitchell was lifted to his feet, and with the help of a man at each side partly walked and was partly carried to Ledbetter's drug store, where he soon expired.

It is charged by the enemies of Gambrell that he was the one who did the shooting, but before he died Mitchell stated in the presence of several witnesses that he did the shooting himself, and asked if the negro was dead.

And it is the universal sentiment of the white men (that is, the real white men of Jackson) that if Gambrell did do the shooting, he was justified perfectly and completely in morals as in law.

I leave that statement without further comment, and the Senate can judge whether or not the occurrence thus narrated in the Mississippian as the excuse for this deliberate decision that the Constitution of the United States should be violated in one of its most important provisions at the approaching municipal election was justified.

I submit, Mr. President, that this question, although it affects only for the time being a municipal election in the city of Jackson, is one of national importance. The country this year is to enter upon a Presidential election, an election which is to decide the Presidency and also the complexion of the National House of Representatives. In that election at least 12,000,000 voters, representing 60,000,000 of American people, will be entitled to participate. Amongst those voters are probably a million and a half of black men, representing six or seven millions of their own race; and it is an important question whether or not this million and a half of black men are to be allowed to vote or are not to be allowed to vote.

It is a matter that concerns those of our citizens who desire to protect the tariff whether the question is to be settled, so far as the House of Representatives and the Presidency are concerned, by a fair vote of all those who are entitled under the Constitution to vote, or is to be settled with a million and a half of those voters disfranchised in pursuance of this policy which we have seen deliberately adopted in the capital of the State of Mississippi, which State seeks to-day to furnish an associate justice of the Supreme Court of the United States to aid in passing upon the validity of the constitutional amendments.

Mr. RIDDLEBERGER. Mr. President, there can be no longer any concealment as to the purpose of the debate that has been commenced here in open session, any more than there can be a misunderstanding of statements made by Senators on this floor as to what they did or did not intend to do in reference to matters that can alone be considered properly in executive session. The Senator from New Hampshire [Mr. CHANDLER] has no more concealed his purpose than the Senator from Ohio [Mr. SHERMAN] did when he wrote to a club in his State. He has no more concealed his purpose than the Senator who presides over this body [Mr. INGALLS], and I know he did not intend to conceal anything. If it be allowable to have this kind of debate in open session, then it becomes me, sir, to say that I will vote for Lamar. That is the entirety of it, sir. No man ever made a greater mistake than he who contends that there is a universal purpose to suppress the negro vote in the South. Let the man who will vote for the Democracy of the South do so if he wishes, and he will find that we have a Republican party there that does not subsist on the misrepresentation of others.

Mr. President, if the Senate will agree to-day that this shall be an open debate no man will be more glad of it than I. But we have had open sessions debating every day what was peculiarly executive business. We can have a chance, in my judgment, this day in this session to settle the matter, notwithstanding all the allegations that have been made. But I do want, if there must be asseveration made in open session, that it shall be subject to denial in open session. I have not forgotten that this gentleman was my political foe when he was here; but he was confirmed for a high position in the executive government. I propose that gentlemen who are opposed to his confirmation shall open the doors and let us have a full, free, and fair debate, or that they will make no more speeches which lead up to the confirmation or rejection of Mr. Lamar.

Mr. WALTHALL. Mr. President, I do not rise for the purpose of offering any objection to the proposed investigation. On the contrary, so far as I am concerned, I not only desire but I am extremely anxious that the pending resolution should be passed by those whose views of the constitutional powers of this body are different from my own.

If the proposition were to investigate a mere town election in the State of New Hampshire by the Senate of the United States, I should vigorously oppose it; but I court the fullest investigation of the alleged occurrences at Jackson, Miss.; but I do protest against any prejudgment of the case.

I desire, instead of mere anonymous communications, that the motives and the provocations, the grievances and the surroundings of the people at Jackson, along with their actions, shall be laid bare before the country, and that the verdict of the country may be had upon them.

Mr. President, we must assume, whatever the fact may be, that the real object of this resolution is to ascertain the actual facts of the matter to which it relates, and to have them reported for the information of the Senate. When that is done there may be something before the Senate for discussion which relates in some way to the subject-matter of this resolution. But, sir, in advance of the very report which the resolution calls for, and in the absence of the very facts which the resolution professes to seek to elicit, the discussion of the matter here can serve no other purpose, if, indeed, any other be intended, than to affect other questions and other interests which are not embraced in the resolution.

Therefore, sir, though at the proper time there is much that I may say on this subject, I propose to defer the discussion of it until the coming in of the report which the resolution calls for shall furnish an appropriate occasion for such discussion.

Mr. JONES, of Arkansas. I came in a few moments ago, just as the Secretary was reading anonymous letters which I thought conveyed some sort of criticism, or a suggestion of criticism, on the present Administration with regard to the action of some Federal officers in Jackson, Miss. I supposed at the time that the object of having those letters read was perhaps to present *all* the facts for the consideration of the Senate, and not for the purpose of presenting a one-sided or distorted view of the case to accomplish partisan purposes. Conceiving that to be the purpose of reading the papers at the desk, I asked permission of the Senator who then occupied the floor to have read at the desk, in connection with those letters which seemed to reflect on the Administration, a telegram sent by the Attorney-General of the United States to the district attorney at Jackson, Miss., which was refused by that Senator. I

had no purpose of entering into this discussion, or of undertaking to throw any light upon it other than what this telegram showed.

The suggestion afterwards made by the Senator that there was a Presidential election to come off some time during this year, and the idea that there might be some great public excitement and a necessity for all this talk being thrown in for the purpose of exciting prejudices and blackening the fair name of a State and people, had not occurred to me at the time. But for the purpose of making the record complete, and that the Senate may understand what action was taken by the Administration as soon as the rumor reached the executive officers of the Government, I send to the desk that telegram, which I ask to have read.

The PRESIDENT *pro tempore*. The paper will be read, if there be no objection.

The Chief Clerk read as follows:

WASHINGTON, D. C., *January* 3, 1888.

I notice in the papers you are mentioned particularly as participating in political meetings recently at Jackson to suppress the colored vote in that city and to prevent colored people from running for office, by violence and intimidation. Report fully to me at once the whole proceeding and your connection with it.

A. H. GARLAND,
*Attorney-General.*

J. B. HARRIS, Esq.,
*United States District Attorney, Jackson, Miss.*

Mr. JONES, of Arkansas. My only purpose in having the telegram read is that the country and the Senate shall know in connection with the anonymous letters that have been read to the Senate what steps have been taken by the Administration in ascertaining the facts of the case.

Mr. GEORGE. Mr. President, I have no desire now to enter into a discussion of the matters involved in this resolution. I have up to this time, since I have been a member of this body, endeavored, so far as I could do so, to avoid sectional debate. My first impulse when this resolution was introduced was to let it pass, as I knew it would pass, without any debate on my part. I believe now that I shall not vote against the resolution. I believe I would vote for it, if it were not for an insuperable objection in my mind, and that is, that it embraces matters entirely without the competency or jurisdiction of this body.

If the resolution were confined to an investigation of the conduct of the two Federal officials named in it, I would vote for it; but as it goes beyond that and undertakes to draw within the jurisdiction of this body a municipal election, over which we have no control, I feel that I ought to ask the privilege of the Senate, as I can not vote for it and do not desire to vote against it, that I be excused from voting at all.

I will make only one remark, Mr. President, about the state of facts which are the subject of inquiry. The Senator from New Hampshire seems to be very well satisfied as to the facts which he seeks to elicit by his resolution of inquiry. I do not understand the facts as fully possibly as he seems to, though I understand them somewhat differently.

I do not propose to go into the facts now, except to call the attention of the Senate and the country to one or two important circumstances disclosed by the papers presented by the Senator; and those facts are that for fourteen years a Republican municipal administration has existed in the city of Jackson without difficulty, without protest, except a silent protest, without any violent method being used for the purpose of overturning it; that up to Christmas eve, the election for the mayoralty being set for the first Monday in January, there was no regular party opposition to the Republican ticket, the people acquiescing in its election, or at least being content to make no regular contest about it; that on Christmas eve an occurrence took place which stirred the blood, excited the passions, and caused fears and apprehensions in the community, which resulted in the proceedings about which we are asked to inquire.

I desire the Senate and the country to understand, therefore, that whatever of irregularity, whatever of irritation and passion may have been exhibited was the result of that occurrence. The people were quiet, the Democrats were quiet, the white people were quiet. The white people had submitted to this administration for fourteen years, and whatever transpired which has excited the feelings of Senators took place only after an occurrence which deeply stirred the passions of the people, the murder of a reputable, popular, respectable young man, in the presence of a police officer of the city, who by some it was supposed abetted it, and it is agreed, I believe, on all sides, he took no steps to prevent it. Now, I am not going to say that a brutal murder of any sort justifies any irregular steps in violation of law, if any such has occurred, but I will say that a murder of that sort, perpetrated under the circumstances connected with this one, is well calculated to excite passion and to produce irregular and illegal action.

With these remarks, Mr. President, and asking the Senate to excuse me for not voting on this resolution, because in my opinion it contains matter over which this body has no jurisdiction, I leave further discussion until the facts shall be fully investigated.

Mr. CHANDLER. Mr. President, in order to quiet the apprehension of Senators who may hesitate to vote for or against the resolution because they think that the Government of the United States has nothing to do with a municipal election in Jackson, Miss., I will take occasion to read an amendment to the Constitution of the United States which is somewhat in danger in these days and in this year 1888 of being forgotten. The fifteenth amendment is:

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

I conceive that it is a proper matter of investigation for the Senate of the United States whenever at any election within any State the right of any man to vote is denied because he is black. Whenever that right shall be denied or the right of any citizen to vote for any cause denied at an election in any city or town of New Hampshire, as the Senator has suggested might be the case, I shall be found ready to vote for investigation, and shall believe in the jurisdiction to investigate. So I hold that this investigation should be made irrespective of the participation in that election of the Federal officers whose names I have given; but that any Senator should hesitate to vote for a resolution to investigate the question whether a district attorney appointed by the United States to enforce law and enforce the Constitution has deliberately engaged in an attempt to violate law and destroy the Constitution is a wonder to me.

Mr. President, I find I have here, bearing upon those aggravating circumstances to which the Senator from Mississippi who last spoke alluded, which are the excuse or the apology or the alleged justification for the determination by the white Democrats of Jackson that the negroes of Jackson should not vote, an account which I desire to read. The paper is the Brandon Republican, published at Brandon, Miss., on the 5th of January, 1888. It is, however, a Democratic paper, and it gives an account of the events which the Senator has set up here as the cause of the singular proceeding which took place on the 2d of January, in Jackson, the capital city of a Democratic State. It is headed:

JACKSON.

Drunkenness, Rowdyism, Fighting, Shooting, Cutting, and Killing—Municipal Election—McGill Defeated for Mayor.

From Christmas eve up to Monday last Jackson was one seething pool of excitement. Though a prohibition town, almost the entire male population got drunk Christmas eve, if reports be true. "Little brown jugs" came in from all directions, for whites and blacks, old and young. Prohibitionists and anti-Prohibitionists. Armed with tin horns, triangles, tamborines, French harps, tin cans, fire-crackers, Roman candles, torpedoes, pistols, and everything else that would make a noise, the young men paraded the streets, yelled like Indians, threw bricks through plate-glass doors and windows, smashed show-cases, threw goods into the muddy streets, and played the devil generally.

McWillie Mitchell, a young man who was universally beloved, and in company with Percy Gambrell, proprietor of the State temperance organ, and a brother of Roderick Dhu Gambrell, deceased, got into a difficulty with a negro named Whiteside, which ended in the death of Mitchell and Whiteside and the severe cutting of Gambrell. Two negroes got into a fight and one was very severely cut. A young man named Nettles, who was drunk, was run over and killed by the cars, and at least twenty fist fights were reported.

The killing of young Mitchell by a colored desperado created intense excitement against the colored population, and also against the city authorities, and as an election for mayor and aldermen was to come off on the 2d of January and there were no candidates in the field against the old mayor and board of aldermen, a meeting was called and a full Democratic ticket nominated, headed by General William Henry for mayor. A committee of one hundred was appointed to carry the election, and that committee adopted some very rash and unfortunate resolutions. When these resolutions were published, the negroes held a meeting, withdrew their candidates for aldermen, and resolved not to attempt to vote. The colored fire company then met, dissolved organization, and offered their property for sale, declaring that they would never go to another fire. On Sunday night a large number of the negroes left the city, and none attempted to vote on Monday. General Henry was elected by a majority of 93 votes, and all the Democratic candidates for aldermen, except Clingham, were elected. The Democratic victory was complete, but we fear it was a dearly bought victory, as the unfortunate resolutions adopted by the committee of one hundred, and published in the city papers, will be used with great effect by our northern Republican enemies. McGill had held the office of mayor a long time, and in some respects made a good officer. General Henry is a young gentleman of sterling qualities, and we believe he will make an acceptable mayor.

The PRESIDENT *pro tempore*. Will the Senate agree to the resolution?

Mr. VEST. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. GEORGE. I ask that I may be excused from voting.

The PRESIDENT *pro tempore*. The Senator from Mississippi asks to be excused from voting on this resolution. Is there objection? The Chair hears none. He is excused.

Mr. WALTHALL. I pray the same courtesy.

The PRESIDENT *pro tempore*. The Senator will be excused, if there be no objection.

Mr. BUTLER. I simply want to state that I shall vote against the resolution because I think the Senate has no more to do with that than it has with any other town election. I think from the newspaper extracts read by the Senator from New Hampshire the State of Mississippi has taken care of the matter quite sufficiently, and I do not want to interfere with that State.

The Secretary proceeded to call the roll.

Mr. MORGAN (when his name was called). On this question I am paired with the Senator from New York [Mr. EVARTS]. If he were present, I should vote "nay."

Mr. CALL (when Mr. PASCO's name was called). My colleague [Mr. PASCO] is paired generally. If he were here, he would vote "nay."

Mr. CULLOM. The Senator from Iowa [Mr. WILSON] is paired with the Senator from Florida [Mr. PASCO].

Mr. PAYNE (when his name was called). I am paired on all party questions with the Senator from Vermont [Mr. MORRILL]. If he were here, I should vote "nay."

Mr. PUGH (when his name was called). I am paired on all political questions with the Senator from Vermont [Mr. EDMUNDS]. I suppose, if present, he would vote in the affirmative on this resolution, and I should vote in the negative.

Mr. SABIN (when his name was called). On all political questions I am paired with the Senator from West Virginia [Mr. KENNA]. Were he here, I should vote "yea."

Mr. WILSON, of Maryland (when his name was called). I am paired with the Senator from Rhode Island [Mr. CHACE]. If he were present, I should vote "nay."

The roll-call was concluded.

Mr. ALLISON. My colleague [Mr. WILSON, of Iowa] is paired with the Senator from Florida [Mr. PASCO].

Mr. FRYE. I am paired with the Senator from Maryland [Mr. GORMAN] on all political questions, and as this seems to be one I shall not vote.

Mr. MORGAN. The Senator from New York [Mr. EVARTS] having come in, I vote "nay."

Mr. FARWELL (after having voted in the affirmative). My colleague [Mr. CULLOM] has paired me, and I withdraw my vote.

The PRESIDENT *pro tempore*. The Senator's vote will be withdrawn.

The result was announced—yeas 29, nays 23; as follows:

YEAS—29.

| | | | |
|---|---|---|---|
| Allison, | Dolph, | Mitchell, | Spooner, |
| Blair, | Evarts, | Paddock, | Stanford, |
| Bowen, | Hale, | Palmer, | Stewart, |
| Cameron, | Hawley, | Platt, | Stockbridge, |
| Chandler, | Hiscock, | Plumb, | Teller. |
| Cullom, | Hoar, | Quay, | |
| Davis, | Ingalls, | Sawyer, | |
| Dawes, | Manderson, | Sherman, | |

NAYS—23.

| | | | |
|---|---|---|---|
| Bate, | Call, | Harris, | Reagan, |
| Beck, | Coke, | Hearst, | Riddleberger, |
| Berry, | Daniel, | Jones of Arkansas, | Saulsbury, |
| Blackburn, | Faulkner, | McPherson, | Vance, |
| Brown, | Gray, | Morgan, | Vest. |
| Butler, | Hampton, | Ransom, | |

ABSENT—24.

| | | | |
|---|---|---|---|
| Aldrich, | Eustis, | Jones of Nevada, | Sabin, |
| Blodgett, | Farwell, | Kenna, | Turpie, |
| Chace, | Frye, | Morrill, | Voorhees, |
| Cockrell, | George, | Pasco, | Walthall, |
| Colquitt, | Gibson, | Payne, | Wilson of Iowa, |
| Edmunds, | Gorman, | Pugh, | Wilson of Md. |

So the resolution was agreed to.

INTERNAL-REVENUE LAWS.

Mr. VANCE. I desire to give notice that to-morrow morning, or as soon thereafter as may suit the convenience of the Senate, I shall ask indulgence to call up the resolution submitted by the Senator from Georgia [Mr. BROWN] January 4, in order that I may address a few remarks to it.

COMING OF CHINESE.

The PRESIDENT *pro tempore*. Is there further morning business? If none, the order of morning business is closed.

Mr. MITCHELL. I move that the Senate proceed to the consideration of Senate bill 582.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 582) abrogating all treaties heretofore made and now operative between the United States Government and the Chinese Empire in so far as they, or any of them, provide for, recognize, or permit the coming of Chinese to the United States, and in so far as they, or any of them, inhibit the United States from absolutely prohibiting the coming of Chinese to the United States; and repealing all acts of Congress in so far as they, or any of them, recognize or permit the coming of Chinese to the United States; and absolutely prohibiting the coming of Chinese to the United States, excepting only diplomatic, consular, and other officers, and prohibiting the landing of any Chinese therein, excepting only such diplomatic and other officers.

Mr. MITCHELL. Mr. President, whatever doubts may have existed heretofore in any unprejudiced American mind in reference to the imperative necessity and absolute propriety of some plain, unambiguous, and positive provision, either by treaty or legislative enactment, whereby all Chinese persons of whatever citizenship, save and except perhaps government officials, should be forever excluded from entering this country, whether here formerly or not, should, by the history of Chinese affairs on the Pacific coast for the past three years, as well also as by the alarming increase of the arrivals of various classes of undesirable immigration at all our principal ports during the same period, be forever dissipated.

African slavery was a curse from the beginning; a dark blot on the Constitution; a detested stain on our statute-book; a constantly threatening cloud in our national firmament for a period of more than half a century. The speculative benefits it promised fed the cupidity and avarice of men. It evoked a social, monetary, and political power that grew strong, aggressive, defiant, and finally involved our nation in civil war. Blood flowed like water, and millions of treasure were consumed. A ghastly sacrifice of a million human lives swelled the awful aggregate of the terrible cost, and slavery and the slave power perished. Nations like individuals should learn wisdom from experience. The sacrifices of one generation should stand as the great historic lessons to guide aright those who succeed. These sacrifices in the past for the preservation of human liberty and free government should be the mute but eloquent instructors of the generations that follow.

Our soil is again polluted with the curse of human slavery. The domestic tranquillity, the public peace, the general welfare are again menaced in a double form, not by our own people through a permissive government, not this time by a domestic, but a foreign foe, who not only seek to occupy this country as the locusts occupied Egypt, but also aim to establish, and who have established within our borders, without our consent, in violation of our fundamental law, in defiance of municipal regulation, in direct antagonism to right, justice, order, and decency, a system of human bondage, more detestable, more degrading, more blighting, and more destructive, morally, socially, physically, and politically, than was ever that of African slavery in its palmiest days.

Professing to proceed under the solemn guaranties of treaty stipulations, these representatives of over 450,000,000 people, with all the sagacity, shrewdness, and perseverance, as well as ability, that characterize their leaders and masters, are gradually and rapidly possessing themselves of this country, bringing with them their systems of laws, their own imperial customs, their own peculiar vices, their own pagan institutions, and the chief corner-stone of all which, as has been and is now being abundantly demonstrated, is the very worst form of human servitude. All their impurities and disgusting criminalities, including all those offenses known to the American criminal calendar, and many others of a nature too depraved and disgusting to find mention in either the moral or political codes of civilized men, they seek to establish here. Already they have established an *imperium in imperio* in our very midst.

To enable them to carry out their evasions of law, to defeat justice, to establish and perpetuate crime, to destroy innocence, to canonize prostitution, to defy the executive officers of the Government, to deceive and hoodwink courts of justice; in a word, in order to enable them to cheat and swindle the Government in every essential particular, perjury is a crowning virtue, while hypocrisy, deception, and fraud are instrumentalities in constant use.

Yet, notwithstanding all this, we must be told from year to year, in Congress and elsewhere, that we are powerless as a nation to put an end to this prodigious evil, because, forsooth, in order to do this it may to some extent perhaps become necessary to modify our treaty stipulations with China.

Mr. President, rather than to permit this oriental octopus to fasten its disgusting and poisonous tentacles upon us more firmly than they already are, it were better that every line of treaty stipulation with the Chinese Empire that obstructs the way should be swept from the statute-book. All will concede, however, and none have denied, that the proper course to be attempted first in reference to this matter was for this Government to have made an earnest, honest effort to secure, if possible, by friendly negotiation, such modification of existing treaties with China as would forever exclude further Chinese from coming to this country, as well those now here who may voluntarily leave as those who have never been here, with the exceptions before stated. And in view of the concessions heretofore made by that Empire in reference to the restriction of Chinese immigration, it is not a matter of much doubt that this Government, if the proper effort had been made at the proper time—an effort characterized by that earnestness and good faith that its importance demanded—could have secured such modification of existing treaties. At least such modification doubtless could have been secured as would have prevented the return to this country of such as were formerly here, or who may hereafter leave the United States.

But has this been done? What effort has been made by the Administration in power, or those preceding it, for that matter, to secure this end? What steps have been taken by the President or Secretary of State toward negotiations with the Chinese Government having in view such a result? We hear rumors of treaties with Russia having reference to the extradition of political offenders; with England in reference to certain classes of offenders against the laws of the respective countries; we hear of commissions sitting in high council week after week, and month after month, over certain disputed questions relating to our fishery interests; we have a renewal of treaty stipulations with Hawaii covering certain commercial and political matters of some importance, it is true; but in reference to this most herculean of all gigantic evils that is being imposed upon and impressed upon us, from the shores of Asia, this evil, which embraces within it explosives more deadly than dynamite, an evil that depresses labor, corrupts morals, debases youth, makes merchandise of personal freedom and female virtue, mocks at justice,

defies law, dwarfs enterprise, obstructs development, chains personal liberty, destroys personal freedom, menaces the public peace, invades domestic tranquillity, endangers the public welfare, converts whole sections of beautiful American cities—the homes of civilized, cultivated, and refined people—into squalid, wretched, crime-smitten, and leprous-spotted habitations of the lowest and most debased classes of the pagan Mongol—in reference to all this, in reference to ridding this country of such an evil, for the purpose of saving it from a deadly assault upon its most vital parts, and securing it from becoming the pest-house and criminal receptacle of pagan and debauched people of a tabooed race, numbering one-half the population of the globe, the Administration, so far as we are advised at present, has made no effort whatever.

The PRESIDING OFFICER (Mr. MANDERSON in the chair). The Senator will suspend. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business; on which the Chair recognizes the Senator from Delaware [Mr. GRAY] as entitled to the floor.

Mr. STEWART. I hope, by unanimous consent, the pending measure will be laid aside temporarily, so that the Senator from Oregon [Mr. MITCHELL] may finish his speech.

Mr. GRAY. I have no objection to that.

The PRESIDING OFFICER. The Senator from Nevada asks unanimous consent that the unfinished business be laid aside temporarily, and that the Senate proceed with the consideration of the bill on which the Senator from Oregon is addressing it. Is there objection? The Chair hears none.

Mr. MITCHELL. Nor is this all, Mr. President. During the proceedings of the last Congress, when the question of the adoption of some measure looking to the absolute exclusion of Chinese was pending here, it was given out in Administration circles that negotiations were pending, and that there was a strong probability that a treaty would be consummated between the two Governments which would exclude absolutely the coming of Chinese in the future, with certain exceptions, to which we all agree; but as at present informed, not only no such treaty has been consummated, but no effort apparently to secure one has been made. In other words, the Eastern idea has prevailed; and engrossed with minor affairs, it seems the Administration has not yet awakened to the importance of the subject or the magnitude, in a national point of view, of the questions involved.

The advance, Mr. President, being made by the Mongolian armies of Asia on and over American States and Territories, cities, towns, and hamlets, although not yet perhaps sufficiently large to justify the assertion of the existence of present multitudinous invasion, is nevertheless, when critically viewed, of a character to excite the deepest apprehension as to the future. When, fifteen years ago, the subject of the propriety of restricting Chinese immigration was first seriously brought to the attention of Congress by Senators and Representatives from the Pacific coast, there was only here and there a nomadic Chinaman to be found in any city or town east of the Rocky Mountains.

Then this species of objectionable foreign immigration was located mostly in the States of California, Oregon, and Nevada, and in the Territories of Washington, Idaho, and Arizona; but how is it to-day? Gradually and almost imperceptibly, like the coming of a cold wave or the rising of the tide, they have crossed the Great American Desert, the Rocky Mountains, the Missouri and the Mississippi Rivers, and the Alleghany Mountains, and to-day there is scarcely a city, town, or hamlet, either large or small, not excepting the capital of the nation, in which there are not more or less, and in many of them a very considerable number of Chinese persons, employed in part in competition not only with honest white labor, but also with the thieves and outlaws of these various places in the practice of all the different artifices and devices so well understood and so successfully practiced by the criminal portion of this peculiar and objectionable race.

There are to-day in the city of New York alone 2,175 Chinese laundries, to say nothing of the innumerable opium joints, gambling dens, brothels, and other sinks of vice and iniquity in that modern Bedlam, carried on by Chinese. There are nearly as many more in the city of Brooklyn, on the other side of the East River. These people take out of New York and Brooklyn alone annually $1,000,000 in money. There are to-day, according to the best estimates, over 300,000 Chinese, all told, in this country. There are, it is believed, notwithstanding reports to the contrary, as many as 150,000, perhaps more, in the State of California, 30,000 in Oregon, 10,000 in Washington Territory, 5,000 in Montana and Idaho, to say nothing of those scattered over all portions of the country.

INCREASED FACILITIES FOR INVASION.

But the facilities for celerity of invasion have been vastly multiplied within the past year by the completion of the Canadian Pacific Railroad along the entire distance of our northern frontier, and the placing of a subsidized line of British steamers between its western terminus at Vancouver, in British Columbia, and Hong-Kong. At present the only real impediment or restriction in the way of Chinese entering the Canadian provinces in unlimited numbers is a head tax of $50 per capita. This amount is a mere bagatelle to the Chinese slave-dealers, the immensely wealthy Chinese Six Companies of San Francisco, and others equally influential and financially strong in China engaged in the slave-trade. Therefore, even should the head-tax law remain on the statute-book of the Dominion Government, it may be said there would be really no serious restriction upon Chinese immigration to that country; but already the same influences that have established steamer and railway connection between Canada and China and which are looking forward to this great passenger traffic from China over this line in the future, are moving for the repeal of the Canadian head tax. Already the bill for the repeal has passed one branch of the Canadian parliament, and it is likely to pass the other this winter.

And then what will inevitably be the result? Hundreds of thousands of Chinese will, by way of the British line of steamers and the Canadian Pacific Railway, reach British Columbia and other sections of our northern frontier. They will be scattered all along the boundary line, but their ultimate destination will be the United States. Like water from a sieve they will be showered upon us from every conceivable point on Puget Sound, and all along the line from Victoria to Halifax. As against such an invasion as we will be then subjected to, what will restriction acts as construed by our Federal courts amount to? What would they avail in such a case, even should the construction of existing laws given by the judges not prevail finally, and that given by the collector of customs in San Francisco be affirmed as the correct interpretation?

As the means of travel between nations and across empires are improved, as the cost of travel is materially diminished, just in the same ratio is the danger which threatens this country through a superabundance of undesirable immigration increased. If it is true, and history affirms the fact, that long prior to the invention of the steam-engine, centuries before steamships and railways had an existence, nations were invaded, peoples overrun, principalities destroyed, not by any superior intelligence or military skill, but solely by reason of the force of numbers, how much more likely are such things to occur in the present life of nations when through the instrumentality of steam, and electricity, and all the allied powers of scientific achievement, oceans are bridged with palatial homes, distances between the empires, kingdoms, and republics of earth, Christian and pagan, free and despotic, enlightened and barbarous, are annihilated, and all these are brought into immediate physical union; and when the continents of earth and the islands of the seas, the various hemispheres and the different zone belts of the earth, with their strangely complex, diverse, and non-homogeneous and non-assimilating millions, are brought into immediate and dangerous contact!

FORMER CHINESE INVASIONS UNDER TAMERLANE AND OTHER GREAT PAGAN LEADERS.

If the Chinese pagans, led on by the great Mongolian leader, Timur, or Tamerlane, over five long centuries ago, overwhelmed the principalities and peoples along the Tigris, the Euphrates, the Volga, the Ganges, and the Nile, and left a track of desolation through Russia, and Turkey, and Egypt, and India, which required centuries to efface; if the Chinese five hundred years ago proved themselves, under great leaders like Tamerlane, to be conquerors of vast extents of territory, and victorious over innumerable strong and intelligent principalities from the Tigris to Moscow and from Moscow to the shores of the Ganges, what may not with reason be feared from them and their countless millions in the future. Russia has felt the terrible shock of Chinese invasion, and to rally and fully recover from which it required the vigorous assertion of all her energies for centuries after. The present Czar of all the Russias is not unmindful of the great dangers to surrounding nations from vast numbers of Chinese invaders, if he is correctly reported. It is stated he recently declared that "the greatest danger to the western world existed in the Chinese Empire. It only needed," said he, "another Tamerlane to set in motion another invasion, comprising perhaps twenty million of the hardier races of Northern China, to overwhelm Europe, not by their military strength or skill, but by mere force of numbers. If twenty million," said he, "were not enough to do the work, then twenty million more might follow, drawn from a population that is to all intents and purposes numberless."

Those who believe, or who profess to believe, that the Chinese have lost or abandoned their idea of conquest and invasion of adjacent states are wild of the mark. Their attempt within the last year to absorb Corea, although futile so far, is ample evidence to the contrary. It is an open secret that the Chinese representative at Seoul, the Corean capital, within the last few months laid a conspiracy to depose the king, which included in its diabolical plans riots, bloodshed, and, if need be, covert assassination; which involved, moreover, incendiarism as a pretext for starting the riot, which was, when consummated, to be laid at the door of the Corean king. The premises to be fired were those of the ex-regent, the king's father, who has a large and influential following in Corea, but which is arrayed against the king because of their hatred of the present queen, whom it is said the ex-regent hates with a cordiality that is refreshing. Soldiers were sent to be drilled at Kangwha, to be commanded by the Chinese representative, who were to be conveniently near the palace when the riot broke out, and who were to be used ostensibly to put down the riot, but in reality to enable the Chinese to get possession of the person of the king for the purpose of carrying him off in the same manner they did the king's father three years ago, and then in the midst of this anarchy and confusion to de-

clare the king's young brother heir-apparent and appoint the ex-regent regent until his majority, which would have enabled the Chinese to absorb Corea without opposition, or at least with the assent of the governing power, as the ex-regent seems to be in favor of the Chinese programme.

Papers covering this plan were actually drawn up by the Chinese representative at Corea, to be submitted to the head of the Chinese Government, and all that prevented this wicked scheme from being carried into execution was the loyalty of Prince Min Yong, a cousin of the queen, and the alertness and diplomacy of the representatives of the Corean king at Seoul.

WHAT EFFORT HAS BEEN MADE TO SECURE A MODIFICATION OF TREATIES SO AS TO ABSOLUTELY PROHIBIT FURTHER IMMIGRATION—THE TREATY-MAKING POWER AND CONGRESS BOTH DERELICT.

But recurring to the failure of the President and Secretary of State to negotiate a new treaty, it may well be remarked that the whole responsibility of failure upon the part of the United States up to the present time to meet this great question in a manner commensurate with its magnitude and befitting the wisdom and dignity of the Republic and the protection and preservation of all its vast interests does not rest wholly with the treaty-making power. Neither the Congress nor either of the two great political parties of the country can escape a large share of just responsibility upon this important subject.

For the reluctant, careless, dilatory, and absolutely inefficient manner in which the question of Chinese immigration has been treated by Congress there is not to be found, either on the score of comity between nations, upon the grounds of exalted statesmanship, upon the principles of the individual rights of man, personal liberty, or the doctrine of the right of expatriation, either shadow of excuse or semblance of palliation.

The voice of the people of the Pacific coast, who, irrespective of party, creed, or sect, and as the unified voice of many men, are now, and have been for years past, in favor of the absolute exclusion of further Chinese immigration to this country, has been and is stifled and, in a great measure, suppressed in both branches of Congress. It has been smothered in committees; it has been virtually treated with little less than contemptuous scorn; *first*, by failing by proper, courteous, but emphatic and unmistakable expression by resolution or otherwise, to indicate to the President and Secretary of State the desirability of immediate and earnest efforts upon the part of the Administration to secure by negotiation such modification of our treaties with China as will forever hereafter exclude the coming of Chinese to this country, whether coming for the first time, or seeking to return on the ground of prior residence, or on the false pretense of prior residence; and, *second*, by omitting, on the failure of the treaty-making power to secure such modification of treaties, to strike at the heart of this great evil with all the incisive force and effect of legislative enactment and Congressional power by the passage of an act of *absolute exclusion*, and thus to this extent, whatever may be the consequences, abrogate, if necessary, the provisions of existing treaties between the United States and the Chinese Empire which now stand in the way.

That there may be no ground for assuming that the criticisms just suggested are not well founded it may be proper to attract attention to certain historical facts and circumstances. So long as there was any probability that the modification of our treaties with China could or would be secured, it was of course not deemed wise by any one to strike down any treaty stipulation by an act of Congress. Common prudence, wise statesmanship, and justice to all would indicate this much. Although the attention of the President of the United States and the Secretary of State had, prior to February 11, 1886, been frequently attracted, not only to the absolute inefficiency of the present legislation as a means of enforcing treaty stipulations in reference to Chinese immigration, but also to the state of public opinion on the Pacific coast at least, which demanded in earnest and unmistakable terms a modification of our treaties so as to absolutely exclude the coming of Chinese in the future as the only *real* remedy for this great evil, no effort apparently had been made to secure such treaty modification.

Then it was, in obedience to what was believed, and which fact has since been absolutely demonstrated, was the earnest desire of at least 95 per cent. of the people of the Pacific coast, irrespective of party, I presented to the Senate the absolute exclusion bill now under discussion. Scarcely had this bill been referred to the Committee on Foreign Relations when it was given out semi-officially, not only that negotiations had been entered upon by the Executive with the Chinese minister at Washington, with a view of securing a modification of existing treaties, so as to exclude the coming of Chinese in the future, with certain exceptions as to government officials, students, etc., to which no objection would be made by any one, but also that there was every reasonable probability to believe that if Congress would not be too aggressive such modification of our treaties would be secured at an early day.

These assurances, doubtless, induced the Committee on Foreign Relations to hesitate and proceed with moderation. Consequently, on April 29, 1886, that committee, through its chairman, the distinguished Senator from Ohio [Mr. SHERMAN], reported a bill to the Senate entitled "A bill supplemental to and amendatory of 'An act to execute certain treaty stipulations relating to Chinese,' approved May 6, 1882, as amended by an act to amend said act, approved July 5, 1884." This bill passed the Senate June 1, 1886, during the first session of the Forty-ninth Congress, and was sent to the House of Representatives and referred, as the record shows, to the Committee on Foreign Affairs of that body, where it was soon cold in the icy sleep of death. In so far, however, as any good it would have accomplished had it become a law, its efficiency in that appropriate tomb is quite as effective as it would have been had it become a part and parcel of the legislation of the country.

This bill, as will be seen by its careful examination in the light of the decision of the Supreme Court of the United States *in re* Cheow Heong (112 U. S., 540), and the history of Chinese affairs in the San Francisco Federal courts during the past three years in the matter of hearings on habeas corpus, and of the serious and radical conflict of opinion between these judges and the executive officers of the Government, was a mere inefficient attempt, futile in every particular, and wholly barren of any good, to provide more stringent means of identification of such Chinese persons as were in this country on the 17th day of November, 1880, or who came here prior to August 5, 1882, and who were about to depart subsequent to the date of such bill becoming a law, and who might wish to return. And while that bill did, in its fourth section, provide, as does the existing law, that the return certificate for which it provided should be the *only* evidence of the right of any Chinese laborer to return to and re-enter the United States, it provided in the ninth section as follows:

> But the provisions of this act shall not preclude a judicial inquiry into, and a determination of, the right of any person to come into the United States.

Here, therefore, was a step backwards, as neither the act of 1882 nor the amendment thereto of 1884 contained any such provision.

Moreover, that piece of legislation did not apply to or affect any Chinese persons whomsoever, excepting only such as might depart from this country *after* that bill should become a law. The truth is, the Senate bill to which allusion has just been made, so far from giving further security against Chinese immigration was, in fact, an *affirmative extension of privileges to Chinese*, a modification of existing legislation *favorable to the claims of Chinese seeking to return on pretense of prior residence*. It in terms did that which most assuredly is not done in terms or by necessary implication by existing law; it recognized the right upon the part of such Chinese to the writ of habeas corpus, while under existing legislation, if such right exists at all, it does not attach by reason of any provision of existing Chinese legislation, but solely from the general statute on the subject of the writ of habeas corpus.

But waiving for the moment, promising to return to it before closing, a discussion of the defects and ambiguities in existing legislation looking solely to the restriction of Chinese immigration within the provisions of the treaty, and the conflict of opinion as to its proper construction waged between the executive officials of the Government and the Federal courts in California with so much earnestness and ability, and with no small degree of acrimony on both sides, leading up to the very verge of collision of authority in the execution of the law, I desire to conclude what may very properly be said in reference to the absolutely careless, indifferent, and neglectful manner in which both the Administration and Congress have dealt with this subject.

The report having been given out, as stated, that the Administration was desirous of securing a modification of existing treaties, so as to exclude the coming of Chinese in the future, as a means of support in that direction, and for the purpose of encouraging and sustaining the Administration in what I believed to be a move in the right direction, and one dictated by a high order of statesmanship, I, on May 12, 1886, presented to the Senate a concurrent resolution, which on my motion was referred to the Committee on Foreign Relations. That resolution was as follows:

> Whereas the experience of the past has fully demonstrated the fact, viewed from whatever standpoint, that further Chinese immigration to the United States is undesirable, and that the best interests of this country, of modern civilization, of the Chinese themselves, the vindication and integrity of free labor, and its just protection from the degrading labor of Asiatic coolyism, the preservation of domestic peace, and the promotion of the general welfare, demand the absolute prohibition in the future of the coming of Chinese to the United States, excepting only duly commissioned diplomats and other government officials, and their necessary body-servants and attendants: Therefore,
>
> *Resolved by the Senate (the House concurring)*, That it is the sense of the American Congress that it is advisable that negotiations should be entered into with the Chinese Government without delay by the proper executive officers of the United States Government with a view of securing such modification of the existing treaties with China as will either in terms absolutely prohibit, or authorize the United States to absolutely prohibit, in the future the coming of Chinese to any port or place within the United States, excepting only duly accredited diplomatic, consular, and other government officials and their necessary body-servants and attendants, and excepting further only those driven into or seeking any port or place of shelter within the United States by or on account of storm or shipwreck.

That resolution was, by the Committee on Foreign Relations of this body, treated as though it never had been. It was never considered nor acted on by that committee so far as the Senate is advised. The committee gave no sign, either by action on that resolution or in any other manner whatever, that it was favorable to or against the absolute exclusion of Chinese, either by a modification of our treaty or through any other means or instrumentality, although there were on the records of that committee, or, if not actually before that committee, certainly be-

fore Congress with the full knowledge of every member of that committee, petitions respectfully and with great earnestness and ability praying for such action, signed *by over one hundred thousand men*, including many, in fact nearly all, of the most distinguished and leading citizens of this Republic residing in the States and Territories of the Pacific coast; and although there was also before that committee one of the ablest memorials ever draughted in these United States or elsewhere upon the subject of Chinese immigration, specifying fully and in detail its great evils and the dangers it involved to the general peace and public welfare of this country, and unanimously adopted by the ablest and most thoroughly representative convention ever held in the State of California, composed of the leading representative men of that State of both political parties, held at Sacramento on the 11th day of March, 1886, and *strongly urging the passage of this very bill.* Notwithstanding all this the committee remained silent as the grave on this subject, except as to the bill to which I have attracted attention.

It was in obedience to these respectful and earnest demands that I, as one of the representatives in this body from that section, called upon the distinguished Committee on Foreign Relations of the Senate in what I then thought, and still believe, was a dignified, entirely proper, and respectful manner, for some expression of opinion from that committee on this important subject in favor of a modification of our treaties with the Chinese Empire, looking to the strangulation by negotiation of an evil then and now threatening this country, and which, unless it is strangled, will in time, and at no distant day, involve this country in more serious convulsions and misfortunes than did ever that of African slavery.

Why, in the presence of such a demand from one great section of this country, did that distinguished committee remain silent? What objection could there be to either that honorable committee, this Senate, as a co-ordinate branch of the treaty-making power, or of the Congress expressing an opinion one way or the other on this important question? Simple courtesy, it seemed to me, required that a demand of this character, in the form of a memorial from such a representative body and by petitions signed by over one hundred thousand law-abiding citizens, should have received some recognition. If that honorable committee, or a majority of it, held to the opinion that no modification of our existing treaties with China was either necessary or desirable, if the judgment of this important mouthpiece of the Senate upon subjects relating to immigration was opposed to the exclusion of Chinese either by treaty or otherwise, then why not say so, and by an adverse report give this Senate and the House of Representatives an opportunity to either concur in or dissent from such judgment, and thus give the people of the Pacific coast, so vitally interested in this question, so thoroughly aroused in reference to it, to understand precisely where Congress stands upon this subject?

It will not do, Mr. President, to say that a suggestion of this character to the Executive in a respectful and dignified form would be either indelicate or discourteous or in any sense improper. The records of the Senate since its organization are full of precedents. It may have been, probably was, somewhat presumptuous in one not a member of the committee to have suggested it, but the fact that such committee had then no representation from the Pacific coast may, to some extent, palliate the offense. I am glad to know that the experiment has been repeated at the present session by the distinguished Senator from Nevada [Mr. STEWART], who on Monday last, the 9th instant, introduced a similar resolution. I trust the committee will give it that consideration its importance demands.

But what has been the result? Notwithstanding the fact that all legislation looking either to more adequate and severe restrictive measures, or absolute exclusion, was defeated during the Forty-ninth Congress, mainly through statements emanating apparently directly and authoritatively from the Secretary of State, that a treaty was under consideration and would undoubtedly be negotiated, which would go further, perhaps, in the direction of exclusion than would probably any legislation under existing treaties that could receive the assent of the two Houses and the Executive, and notwithstanding this same argument was used most effectively in Congress to secure the passage of the Chinese Warm Springs indemnity, giving the Chinese Government $150,000 out of the national Treasury, which bill, by the way, was promptly and enthusiastically reported favorably from the Committee on Foreign Relations of this body and passed by both Houses of Congress, it is a fact that no sooner had the Forty-ninth Congress adjourned than all talk about a new treaty immediately ceased, and the country from that day until the present has not heard a single word or intimation in that direction.

But not only so. It now transpires, so far as one may judge from existing facts and past performances, that all this report about pending negotiations during the last Congress, and which was used so effectively for the purposes suggested, was not of course exactly false in the ordinary acceptation of that term, but simply a piece of well-planned diplomacy, having in view the accomplishment of two purposes: first, the defeat of legislation affecting Chinese immigration, and, second, the passage of the Chinese indemnity act. The diplomatic ruse, whether originating in the fertile and able brain of the Chinese minister at Washington, or in that of some of his associates and friends, patrons at his sumptuous and generous dinner-table, and whereby our distinguished and able Secretary of State was overreached and Congress hoodwinked, it is now quite immaterial to inquire.

It is enough to know all legislation in the interest of the people of this country in connection with Chinese affairs was defeated, while the enterprising Chinese Empire, through its able and highly diplomatic minister at Washington, pockets the snug little sum of $150,000 in cash of the people's money taken directly in coin from the people's Treasury, and uses it for what purposes no one knows, save the few dollars recently so diplomatically returned by the Chinese minister to the Treasury of the United States simply for the purpose of constructing a cunning diplomatic hook upon which to hang arguments and appeals in the future in the interest of the Chinese Empire and its subjects in this country.

This, then, being the state of the case, and inasmuch as it has been truthfully stated recently by Judge Hagar, collector of the port of San Francisco, and which assertion has been verified in a thousand ways in the past few years, "that the restriction act as now administered is an utter failure," I have ventured to once more present for the consideration of the Senate the pending bill, which provides in plain, unambiguous, positive, and unmistakable terms for the abrogation of all treaties heretofore made and now operative between the United States Government and the Chinese Empire in so far as they, or any of them, provide for, recognize, or permit the coming of the Chinese to the United States, and in so far as they, or any of them, inhibit the United States from absolutely prohibiting the coming of Chinese to the United States, excepting only diplomatic, consular, and other officers, and prohibiting the landing of any Chinese therein, excepting only such diplomatic and other officers.

HAS CONGRESS THE POWER TO ABROGATE A TREATY, AND IS IT NOT ITS DUTY TO DO SO WHENEVER SUCH TREATY OR ANY OF ITS PROVISIONS BECOMES PERNICIOUS TO THE STATE?

And this leads me to consider this double or compound question: First, has Congress the power, by an act of Congress, to abrogate the provisions of an existing treaty with a foreign government; and, second, is it not the duty of Congress to do so whenever it is clearly apparent that such provisions are prejudicial or pernicious to the state?

It is occasionally suggested by leading journalists and jurists claiming to be learned, from whom better opinions should be expected, that Congress has not the power to abrogate or repeal the provisions of a treaty. This is an entirely mistaken notion, and no jurist, either on the bench or off, would now risk his reputation as such by asserting such a doctrine. When this bill was under consideration in the last Congress I took occasion to discuss this constitutional question at some length, and I now beg to incorporate into my remarks what I then said on that subject.

And in this connection I assert it as a fact that the doctrine that a subsequent act of Congress in so far as it conflicts with the provisions of a prior treaty with a foreign power or an Indian tribe abrogates the treaty to that extent, is one that has received the unqualified sanction of every department of this Government, legislative, executive, administrative, and judicial, and no man but an ignoramus in the profession, and I might perhaps say with propriety in every other respect as well, would expose himself or his paper to ridicule by asserting to the contrary.

True, article 6 of the Constitution provides that—

"This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land."

Even though the doctrine that a subsequent statute in direct conflict with a prior statute, whether purporting to repeal the former, or that otherwise operates as such repeal, could not be properly applied to a case of a subsequent statute coming in direct conflict with a prior treaty, the contention can be successfully maintained, and has been time out of mind, that for certain great purposes for which the Constitution was ordained and established by the people of the United States, such as the common defense and general welfare, including the power to declare war; to regulate commerce with foreign nations and among the several States; to levy and collect taxes, duties, imposts, and excises; to coin money and regulate the value thereof; to raise and support armies; to borrow money on the credit of the United States; to establish a uniform rule of naturalization; to promote the progress of science and useful arts; to provide and maintain a navy; and in fact all the powers vested in Congress by the Constitution, the powers so vested can not be taken away, impaired, or in any manner abridged by the Executive and the Senate in pursuance of the exercise of the treaty-making power.

The supreme right on the part of the Government to exercise at all times and under all circumstances through the Congress any power delegated to it by the Constitution, and the exercise of which in its judgment may become necessary to the vindication of the great rights which pertain to the common defense and the general welfare, stands pre-eminent above and beyond the reach or assailment of any other power, whether executive, judicial, or administrative; and the treaty-making power, although guarantied by the Constitution, is limited and subordinated to the exercise by Congress of those supreme powers necessary to the execution of the general purposes specified, for which the Constitution was ordained, and the right to exercise which are by the terms of the Constitution, specifically or inferentially granted to Congress.

Story in his Commentaries on the Constitution, volume 3, section 1502, makes the following statement:

"The treaty-making power is necessarily and obviously subordinate to the fundamental laws and constitution of the state, and it can not change the form of the Government or annihilate its constitutional powers."

Story in his Commentaries on the Constitution again in section 1508, volume 2, in speaking of the treaty-making power, remarks as follows:

"The power to make treaties is by the Constitution general, and of course it embraces all sorts of treaties—for peace or war, for commerce or territory, for allowance or succors, for indemnity for injuries or payment of debts, for the recognition and enforcement of principles of public law, and for any other purposes which the policy or interests of independent sovereigns may decide in their intercourse with each other. But though the power is thus general and unrestrained, it is not to be so construed as to destroy the fundamental law of the state.

"A power given by the Constitution can not be construed to authorize a destruction of other powers given in the same instrument. It must be construed, therefore, in subordination to it, and can not supersede or interfere with any other of its fundamental provisions. Each is equally obligatory and of paramount authority within its scope, and no one embraces a right to annihilate any other. A treaty to change the organization of the Government or annihilate its sovereignty, to overturn its republican form, or to deprive it of its constitutional powers, would be void, because it would destroy what it was designed merely to fulfill—the will of the people."

Inasmuch, therefore, as the Congress has by virtue of an express grant in the Constitution the "power to regulate commerce with foreign nations," and inasmuch as the Burlingame treaty is in all its essential particulars nothing more nor less than a regulation of commerce between the United States and China, and as an act of Congress inhibiting the coming of Chinese to this country and absolutely excluding them from it would be the exercise of the power to regulate commerce with foreign nations, it therefore follows that the making of the treaty did not, and constitutionally could not, in any manner or in any respect, impair the power of Congress to pass a prohibitory act whenever in its judgment it became necessary to do this; and to hold that the Burlingame treaty and the treaty supplementary thereto should be construed as an inhibition on the power of Congress to pass a prohibitory law, would be simply to declare that the treaty itself was absolutely void, because in such a case the effect of the treaty would be to deprive Congress of its constitutional power.

But the doctrine that a subsequent act of Congress abrogates a prior treaty in so far as it conflicts with its provisions is one that has been recognized in this Government since the matter was first discussed or the question raised nearly ninety years ago; and it has received the sanction of every department of the Government—legislative, executive, administrative, and judicial—commencing with its exercise by Congress, when on July 7, 1798, an act of Congress was passed abrogating our treaties with France. That act declared among other things as follows:

"That the United States are of right freed and exonerated from the stipulations of the treaties and of the consular convention heretofore concluded between the United States and France; and that the same shall not henceforth be regarded as legally obligatory on the Government of the United States or citizens of the United States."

But not only so. The Department of Justice has through its Attorneys-General, at different times, proclaimed this doctrine in unqualified terms. Attorney-General Crittenden (see Opinions Attorneys-General, volume 5, page 345), in discussing the question of conflict between a prior treaty and a subsequent act of Congress with reference to the Florida claims, uses the following language:

"An act of Congress is as much a supreme law of the land as a treaty. They are placed on the same footing, and no preference or superiority is given to the one or the other. The last expression of the lawgiving power must prevail; and just for the same reason and on the same principle that a subsequent act must prevail and have effect, though inconsistent with a prior act, so must an act of Congress have effect though inconsistent with a prior treaty."

Again, Attorney-General Akerman, as late as the year 1870, in the case of the Choctaw Indians (see Opinions Attorneys-General, volume 13, page 357), said:

"There is nothing in the Constitution which assigns different ranks to treaties and to statutes; both the one and the other, when not inconsistent with the Constitution, seem to stand upon the same level and to be of equal validity; and as in the case of all laws emanating from an equal authority, the earlier in date yields to the later."

But not only so. Repeatedly has the Federal judiciary through its circuit and supreme courts, without reserve, doubt, or qualification of the doctrine, held that the power to abrogate a treaty with a foreign power, as well as with the Indian tribes, does not rest exclusively with the Executive and the Senate, but does reside in the Congress. The court, in Taylor *vs.* Martin (2 Curtis's Circuit Court Reports, 454), in discussing this subject, uses the following language:

"It is impossible to maintain that under our Constitution the President and the Senate exclusively possess the power to modify or repeal a law found in a treaty. If this were true no change in a treaty could be made without the consent of some foreign government. That the Constitution was designed to place our country in this helpless condition is a supposition wholly inadmissible. It is not only inconsistent with the necessities of a nation, but negatived by the express words of the Constitution. That gives to Congress, in so many words, power to declare war, an act which *ipso facto* repeals all treaties inconsistent with a state of war. It can not, therefore, be admitted that the only method of escape from a treaty is by the consent of the other party to it or a declaration of war.

"To refuse to execute a treaty for reasons which approve themselves to the conscientious judgment of a nation is a matter of the utmost gravity, but the power to do so is a prerogative of which no nation can be deprived without deeply affecting its independence. That the people of the United States have deprived their Government of this power I do not believe; that it must reside somewhere and be applicable to all cases I am convinced, and I feel no doubt that it belongs to Congress."

But the Supreme Court of the United States, the supreme arbiter in all questions of this character, finally settled the doctrine beyond the power of future controversy in this country in the case known as "The Cherokee Tobacco case," reported in 11 Wallace, page 616. The court in that case (opinion by Mr. Justice Swayne) uses the following language:

"The effect of treaties and of acts of Congress, when in conflict, is not settled by the Constitution. But the question is not involved in any doubt as to its proper solution. The treaty may supersede a prior act of Congress (2 Peters, 314), and an act of Congress may supersede a prior treaty (2 Curtis, 454; 1 Woolworth, 155).

"In the cases referred to these principles were applied to treaties with foreign nations. Treaties with Indian nations can not be more obligatory. They have no higher sanctity, and no greater inviolability or immunity from legislative invasion can be claimed for them. The act of Congress must prevail as if the treaty were not an element to be considered. If a wrong has been done the power of redress is with Congress, not with the judiciary."

This doctrine, so well settled that it is a matter of amazement that any one, much less the constitutional expounders of great metropolitan journals, should assert to the contrary, was fully recognized by President Hayes in his veto message of March 1, 1879, wherein he gave his reasons for withholding his approval of the bill passed by both Houses of that Congress restricting the immigration of Chinese to the United States; although on the ground of policy solely he vetoed the bill, he in terms recognized the power of Congress to abrogate the Burlingame treaty in these words:

"The authority of Congress to terminate a treaty with a foreign power, by expressing the will of the nation no longer to adhere to it, is as free from controversy under our Constitution as is the further proposition that the power of making new treaties or modifying existing treaties is not lodged by the Constitution in Congress, but in the President, by and with the advice and consent of the Senate, as shown by the concurrence of two-thirds of that body."

A further declaration is made in this message:

"A denunciation of any treaty by any government is confessedly justifiable only upon some reason, both of the highest justice and of the highest necessity."

And in this connection it may not be out of place to attract attention to the fact that in the passage of the bill in the Forty-fifth Congress abrogating the Burlingame treaty the two Houses of Congress by a most decided vote declared not only in favor of the power of Congress to abrogate a treaty with a foreign power, but did actually in that particular instance, in so far as the Congress could do it in the absence of executive approval, absolutely abrogate, set aside, and repeal the Burlingame treaty. The vote on the passage of that bill was in the House of Representatives 155 yeas, 72 nays, not voting 61, and most of whom were paired.

But not only so. A doctrine akin to this has been recognized time and time again by Congress in the passage of revenue laws. In 1857 the United States entered into a treaty with Denmark in which there was a provision to the effect that "no higher or other duties shall be imposed on the importation into the United States of any article, the produce or manufacture of the dominion of the treaty-making power, than are or should be payable on like articles, being the produce or manufacture of any other foreign country."

Subsequently, in 1875, the United States entered into a treaty with the Hawaiian Islands in which certain products were admitted free of duty, and it was insisted upon the part of the exporters in Denmark that by virtue of the provision in the Danish treaty similar products to those admitted under the Hawaiian treaty should come in free of duty, but the circuit court for the southern district of New York held as follows:

"The stipulation in a treaty with a foreign power to the effect that no higher or other duties shall be imposed on the importation into the United States of any article, the produce or manufacture of the dominion of the treaty-making power, than are or shall be payable on the like articles the produce or manufacture of any other foreign country, does not prevent Congress from passing an act exempting from duty like products and manufactures imported from any particular foreign dominion it may see fit."

And although we have similar provisions to that contained in our treaty with Denmark, in our treaties with Prussia, Sweden and Norway, the Two Sicilies, Portugal, Nicaragua, Hayti, Honduras, and Italy, yet none of these provisions in these several treaties has ever stood in the way of Congress enacting such tariff laws as were deemed necessary and proper.

In fact, the national House of Representatives so long ago as on the 7th day of April, 1796, adopted a resolution declaring that when a treaty depended for the execution of any of its stipulations on an act of Congress, it was the right and duty of the House to deliberate on the expediency or inexpediency of carrying such treaty into effect. And though it is a fact that President Washington in his message of 30th of March, 1796, denied this right on the part of the House of Representatives, it has been exercised time and time again during all the administrations of the past.

It is true a doctrine contrary to that which has become firmly settled in this country as applicable to treaties between certain nations, and to which the United States is not a party, has sometime been asserted but not maintained by these foreign nations; as, for instance, the congress of Paris in 1856, in which Great Britain, France, Prussia, Sardinia, and Freiburg were represented by ministers plenipotentiary, declared it to be an essential principle of the law of nations that "none of them can liberate itself from the engagements of a treaty nor modify the stipulations thereof unless with the consent of the contracting parties by means of an amicable understanding."

But this doctrine has never received the sanction of either the executive, administrative, or judicial authorities of this country; nor has the doctrine been practically acted upon, carried out, or enforced by any of the governments represented in that congress; but, on the contrary, a notable example of an entire repudiation of this doctrine by Great Britain is to be found in the passage by the British Parliament of the act of 1870 abrogating in part our extradition treaty with that Government of 1842. And it may as well be remembered by those who are so punctilious upon the subject of interference with treaty stipulations that Great Britain in the passage of that act did so without making any inquiries whatever of the Government of the United States, and without soliciting its consent, and without giving any notice whatever of its intention to modify the provisions of the extradition treaty by an act of Parliament.

During the discussion of the Chinese question in the Senate in May, 1876, this very question as to the power of Congress to abrogate a treaty came up and was alluded to as follows:

"Mr. OGLESBY. I should like to ask the honorable Senator from Vermont, as I do not know myself, whether any conflict exists or not on the point concerning which I am about to inquire. Suppose under the treaty-making power a treaty should be made with China which should contain certain specific regulations upon this very question, and it should be duly ratified by the Senate, and a law of Congress under the power to regulate commerce with foreign nations should be passed upon the same subject, general but internal in its application, and yet in conflict with the terms of the treaty, I should be obliged to the Senator from Vermont to state if he knows whether there has been any determination by the Supreme Court as to how that conflict would be regarded under the Constitution of the United States. Would the law passed by Congress regulating commerce in conflict with a treaty upon that subject prevail or would the treaty prevail?

"Mr. EDMUNDS. As I understand it, the Supreme Court of the United States has two or three times (but once is enough, it being a unanimous opinion) determined that under the Constitution, just as it reads, the laws passed by Congress and treaties are both of them equally the supreme law of the land, any law or regulation of a State to the contrary notwithstanding. I do not quote the words, but that is the substance. Now, that being the state of the Constitution, the Supreme Court has decided unanimously more than once, and I think upon perfectly impregnable grounds, that, if a law is in conflict with a treaty that existed when the law was made, the treaty, to the extent that the law does conflict with it, is abrogated by the general sovereign power of the nation. Whether that abrogation would be an act of injustice or of war, or whatever it might be called, toward the foreign nation with whom we had the treaty, is a question with which, of course, the courts have nothing to do. On the other hand, if a law as a commercial regulation, to say nothing about the right of the House of Representatives to originate revenue bills and tariff bills—waiving all that—if a law about the introduction of persons should be passed, and afterward the President and the Senate should conclude a treaty with a foreign power which conflicted with the law, then in the same way the treaty would override the law and abrogate the law to that extent. In other words, the last act of the sovereign power exercised in either way under the Constitution, being a complete exercise of sovereign power, would prevail."

But, again, in 1879, when the act abrogating the Burlingame treaty was finally passed through both Houses of Congress, Senator Thurman, of Ohio, expressed his views upon this question as follows:

"It has been said," referring to the prohibition of Chinese immigration, "that it can only be done by the negotiation of a new treaty. I do not know that that proposition has been distinctly advocated upon this floor; but if it does lurk in the mind of any Senator I beg him to listen to the very few observations I have to make upon it.

"To me it seems perfectly clear that the proposition can not for a moment be sustained, and that it would be ruinous to this country, or to any country, to hold that a treaty can only be put an end to by the negotiation of another, for that would put you completely at the mercy of the party with whom you had negotiated the treaty. Take, for instance, this very case. If we can only put an end to this treaty by negotiating a new treaty with China, then it is in the power of China, by refusing to negotiate a new treaty or such a one as we desire, to hold us to this treaty, however detrimental to our interests it may be.

"Mr. HAMLIN. Will the Senator allow me to ask him if he knows of any one who holds that doctrine?

"Mr. THURMAN. I said I did not know; but it has been said and it has been

argued, and the Senator from Maine knows very well that when he and I were members of the other House, in the celebrated Oregon discussion, it was stoutly maintained then that the convention with Great Britain, known as the Oregon convention, could not be put an end to by an act of Congress.

"Mr. President, I said that the very necessity of the case requires that this power should reside in Congress. It must reside somewhere, and it must reside in that department of the Government which can judge for itself, irrespective of what any foreign power may say. The very existence of the Government itself might depend upon the exercise of this power. It is very true that if we were, without cause, to put an end to a treaty and thereby prejudice the other party to it, we should, in morals and according to the law of nations, be responsible in damages for such abrogation; but still the power to do so exists in every party to a treaty. In the nature of things it must be so. Treaties are like partnerships. There is no such thing as an indissoluble partnership; there is no such thing as an indissoluble treaty. Either party may declare it abrogated, being responsible if it abrogates it without due cause; but the treaty itself is at an end. And that Congress is the right department of the Government to put an end to it follows, as a matter of course, if it be admitted that there is some other mode of putting an end to it than by the negotiation of a new treaty. If it does not belong solely to the treaty-making part of the Government to put an end to it by the negotiation of a new treaty, then, *ex necessitate*, it must belong to the legislative department of the Government, and this is perfectly consistent with the declaration of the Constitution in article 6:

"'This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land.'

"A treaty is a law according to the Constitution, and its modification or its abrogation belongs to that department of the Government which makes and unmakes laws.

"Mr. President, in pursuance of this view we have again and again modified, or even abrogated, or put an end to treaties. The most notable case—one that excited this country very greatly at the time it happened—was the action of Congress in 1798 in regard to the treaties made with France, including that celebrated treaty of the Revolution with France, to which we owed so much in achieving our independence. In 1798, by act approved July 7, Congress declared as follows:

"'*Be it enacted by the Senate and House of Representatives in Congress assembled*, That the United States are of right free and exonerated from the stipulations of the treaties and of the consular convention heretofore concluded between the United States and France, and that the same shall not henceforth be regarded as legally obligatory on the Government or citizens of the United States.'

Senator Thurman, proceeding, further said:

"There was a treaty abrogated expressly by act of Congress, and on the question of power it does not in the least militate against this exercise of power by Congress that the preamble to this act sets forth divers causes why the treaties ought to be abrogated, and alleges breaches of the treaty on the part of France; because, whether there was cause or not cause to abrogate that treaty, if the Congress had no power to abrogate it, if the power to abrogate it resided with the treaty-making portion of the Government, then, no matter what was the cause, Congress had no right to pass that law. But it was not so regarded then. Congress did pass that law; and we have again and again since, and notably in our treaties with the Indian tribes, modified or even put an end to them, according to our own opinion of what was right and proper; and that we have that power in the opinion of the Supreme Court of the United States has been conclusively shown by the Senator who last spoke on this bill."

Mr. Justice Field, in the case of the Chinese laborer from Hong-Kong, decided by him in the United States circuit court of the ninth circuit, September 24, 1883, in discussing this very question, said:

"It will not be presumed, in the absence of clear language to that purport, that Congress intended to disregard the requirements of a treaty with a foreign government, or to abrogate any of its clauses. At the same time, an act of Congress must be construed according to its manifest intent, and, so far as the courts are concerned, must be enforced. A treaty is in nature a contract between two nations, and by writers on public law is generally so treated, and not as having of itself the force of a legislative act. The Constitution of the United States, however, places both treaties and laws made in pursuance thereof in the same category, and declares them to be the supreme law of the land. It does not give to either a paramount authority over the other. So far as a treaty operates by its own force without legislation, it is to be regarded by the courts as equivalent to a legislative act, but nothing further. If the subject to which it relates be one upon which Congress can also act, that body may modify its provisions or supersede them entirely. The immigration of foreigners to the United States and the conditions upon which they shall be permitted to remain are appropriate subjects of legislation, as well as of treaty stipulation. No treaty can deprive Congress of its power in that respect. As said by Mr. Justice Curtis in Taylor *vs.* Morton: 'Inasmuch as treaties must continue as part of our municipal law, be obeyed by the people, applied by the judiciary, and executed by the President while they continue unrepealed, and inasmuch as the power of repealing these municipal laws must reside somewhere, and nobody other than Congress possesses it, then legislative power is applicable to such laws whenever they relate to subjects which the Constitution has placed under that legislative power.' (2 Curtis C. C. Reports, 459.)"

Mr. Justice Field in discussing this question in Chew Heong *vs.* The United States, *supra*, uses this language:

If, however, the act of Congress be in conflict with the treaty upon the immigration of Chinese laborers, it must control as being the last expression of the sovereign will of the country. * * * If the treaty relates to a subject within the powers of Congress and operates by its own force, it can only be regarded by the courts as equivalent to a legislative act. Congress may, as with an ordinary statute, modify its provisions, or supersede them altogether. The immigration of foreigners to this country, and the conditions upon which they shall be permitted to come or remain, are proper subjects both of legislation and of treaty stipulation. The power of Congress, however, over the subject can neither be taken away nor impaired by any treaty.

IS THE TREATY PERNICIOUS TO THE STATE, PREJUDICIAL TO ITS BEST INTERESTS, AND SHOULD IT BE ABROGATED?

The power of Congress, therefore, to abrogate these treaties being beyond question, the next proposition to which I desire to attract attention is this: Do the admitted facts, read and known by all men, either demand or justify its exercise in the manner proposed by this bill? I insist, without fear of successful contradiction, that they not only justify but imperatively demand it. And in this connection I concede that the abrogation of a treaty with a foreign power by Congressional enactment should never be attempted, much less consummated, except for the gravest, most satisfactory, and conclusive reasons. But if from its inception it has been, or has for any reason since become, either contrary to the fundamental law, prejudical to the state, or in its operation or effect pernicious to the commonwealth, and in its tendencies violative of the public peace or subversive of public justice, then no higher duty could possibly devolve on the American Congress than that of striking it down and wiping it out, either on account of its illegality or because it was from its inception, or has become, a vicious enemy of the state. Indeed, writers on international law agree in the declaration that a treaty that is prejudicial or pernicious to the state is absolutely void, just as a treaty is that is in conflict with the fundamental law. Vattel, in his Laws of Nations, section 228, in discussing this subject, says:

"Every treaty prejudicial to the state or contrary to her fundamental laws being in its own nature void, the oath that may have been added to such treaty is void likewise and falls to the ground together with the covenant which it was intended to confirm."

And continuing further he says:

"A treaty pernicious to the state is null and not at all obligatory."

And further, page 259:

"Though a simple injury or disadvantage in a treaty is not sufficient to render it invalid, the case is not the same with those inconveniences that lead to the ruin of the state."

While Grotius, the great author of international law, states the following rule:

"The natural law, by which every nation is bound to maintain its own existence, is not abdicated by treaty."

In this connection I shall assume that it is conceded by over 95 per cent. of all intelligent, reasoning men of mature years in the United States who have given to this subject any consideration, whatever may be their opinion as to the abstract right of the proposition as to whether their coming should be absolutely excluded by law, that the presence of Chinese in this country is an evil colossal in character, insidious in its operations, pernicious in effect, provocative of dissension and strife, the corruptor of public and private morals, a blight upon American labor, an obstruction to the rightful demands of honest toil, a disturber of the public peace, a restraint on desirable European immigration, a common enemy of the toiling millions of our land, a gradually and rapidly expanding and fearful menace to the best interests of our Republic, and a poisonous cup to the lips of Christian civilization.

Whatever may be the sentiment on this subject east of the Rocky Mountains, where the shadows of this great scourge have as yet comparatively so lightly fallen, there is among the people west of the Rocky Mountains but one sentiment, but one mind, but one judgment on this great and all-absorbing question, if we may except an occasional mercenary journal whose venal proprietors attach more value to the patronage of the Chinese Six Companies than they do to the rights of the masses of the people or the best interests of the State, or an occasional corporation whose interest is to degrade labor, cheapen the price of honest toil, and obtain the services of the laboring man at the lowest possible price.

As bearing upon this question of unanimity of opinion on the Pacific coast in opposition to Chinese immigration, it may be well to remember that eight years ago, through the action of the Legislature of the State of California, the question was submitted to a vote of the people of that State. The whole vote cast was 155,521—a full vote. Of these 154,638 were cast in opposition to Chinese immigration, while only 883 votes were cast in favor of it. And it is an unquestionable fact that public opinion on this question in the infected districts—and by this is meant the whole Pacific coast, including, as I believe, also the State of Colorado and the Territories of New Mexico, Wyoming, Montana, and Dakota—has ever since been becoming more solidified, more robust, more aggressive, and is now more determined and emphatic than ever before.

To-day there is but one voice on the Pacific coast on this question, coming alike from the field and the workshop, the bench and the bar, the rostrum and the pulpit, while the press, irrespective of party, with but an occasional exception, as stated, is indefatigable and able not only in its attacks on the dreadful invasion, but also in insisting that the real remedy is that proposed by the bill I have presented. As evidence of my statement in this regard, I attract attention to the following editorials and extracts from some of the leading journals of San Francisco, that have fallen under my notice the past few days.

Mr. President, I also, when this bill was under consideration in the Senate in the first session of the Forty-ninth Congress, cited various articles from the leading journals of the Pacific coast, showing clearly the state of public opinion at that time in reference to this whole subject. I now reproduce these articles, as follows:

I find in the San Francisco Evening Post of the 15th instant the following report of a pulpit discourse recently delivered in that city by the celebrated Congregational divine, Rev. Dr. Barrows:

"At the First Congregational Church last evening Rev. C. D. Barrows, the pastor, delivered a strong anti-Chinese sermon, in which he favored adopting any legal measure for expelling the Mongolian from this country. He said the time had come when the pulpit could no longer be silent, but must show equal interest with the press in affairs of this character. Self-protection was always justifiable, and if so in individuals why not in communities? Invasion, he remarked, was not immigration. If one invites a stranger to share a meal, and he proposes not only to take his portion, but that of the family and turn them out of doors, should the host submit? There was no question that the Chinese were usurping our rights, and the laws human and divine entitled us to protect ourselves. The speaker declared that justice must not be forgotten, and defied the philosopher or missionary to prove by the Bible that there was any justice in the present state of affairs. The Chinese should be removed in accordance with justice, and there should be no more such immigration. Religious people made a great mistake when they thought that the only thing to do with the Chinese here is to Christianize them. In conclusion, he stated that there was a necessity to readjust the national policy, and that we must make our country one of reunited States, and not the home of vagabonds."

The Evening Post comments editorially in the same issue, as follows:

"Two weeks ago Rev. John Gray preached in the same strain at the Episcopal Church of the Advent. Neither of the reverend gentlemen said anything novel upon the theme which engaged his eloquence—for, indeed, no one can say anything new upon so well worn a subject—but the fact that two clergymen belonging to denominations so respectable, numerous, and influential should seize the present occasion to speak out so boldly and intelligently upon the Chinese question is noteworthy and gratifying. There has been a great advance within the past ten years in the position of the Pacific coast pulpit on this subject. Time was when here, as elsewhere throughout the country, it was thought that the pro-Chinese view was necessarily the Christian view. The argument ran thus: As it is the duty of Christians to convert the heathen, everything that facilitates this work is to be encouraged; Chinese who are brought to this country come directly under Christian influences—therefore, Chinese immigration should be approved. Long experience has shown, however, that it is no easier to convert the Chinaman here than on his native soil, and it has also become painfully apparent that whatever benefit, spiritual or other, the Chinese may derive from being in America, nobody else gains any permanent advantage. It has been seen that the presence of the Chinese means poverty, suffering, and moral and religious blight to many of our own race.

"The church view of the Chinese question has, therefore, broadened so as to take in the souls of whites as well as of Mongolians, and the result is that many clergymen are now among the most earnest advocates of exclusion. The religious press of the coast is almost as outspoken as the secular in its antagonism to coolyism. Of late the Occident, the Presbyterian organ, has been doing good missionary work in enlightening its pious contemporaries of the East as to the evils, material and spiritual, which accompany the advent of the picturesque heathen from Asia into American communities. It is significant of the changed attitude of the church that the anti-Chinese convention held re-

cently at San José selected a Baptist clergyman of that city as its agent and representative to travel through the State and organize anti-cooly clubs.

"How can our esteemed contemporaries of the East reconcile these facts with their theory that hostility to the Chinese is confined on the Pacific coast to the ignorant and the vicious? We should like to see the sermons of Dr. Barrows and Rev. Mr. Gray printed in pamphlet form and sent to every newspaper office in the Union—especially to every religious newspaper office."

The San Francisco Evening Post in its issue of the 12th instant, in referring to the introduction of the bill now under discussion, speaks editorially as follows:

"THE MITCHELL BILL.

"Senator MITCHELL, of Oregon, has introduced a Chinese bill of a much more thorough character than any that has yet been offered by a responsible statesman. It abrogates all existing treaties with China so far as they hamper the United States in dealing with immigration; forbids the entry of any Chinese persons except government officials and their servants; provides punishment for any master of a vessel who brings Chinese in violation of the law; prohibits the naturalization of Chinese, and makes due provision for the execution of the act. No chance is left for the courts to nullify the law. The prohibition of immigration, with the one exception named, is absolute. In express terms, it applies to all persons of Chinese race, whether subjects of the Chinese Empire or not. The amiable witness, who appears with mechanical regularity to swear that the petitioner once lived on 'Dupon' stiee',' would, under this measure, find his occupation gone, for previous residence is not recognized by the bill.

"As to the justice of this proposed act there can not be two opinions on the Pacific coast. It is precisely what the Post has been recommending for months, and what will have to come, sooner or later."

The Daily Evening Bulletin of the same issue said, among other things, in its leading editorial, the following:

"SENATOR MITCHELL'S PROPOSITION.

"Senator MITCHELL, of Oregon, has introduced a bill in the Senate to abrogate all treaties which give the Chinese the right to enter this country and then effectually exclude them. There is not much doubt but that is a step which will have to be taken sooner or later. The movement against the coolies which is now so general throughout the Pacific coast goes by different names. As a matter of fact it is merely a popular effort more determined than anything that has yet been attempted to shake off Mongolianism. Its object is nothing more than the full and complete re-Americanization of the Pacific States and Territories, which are about the only areas not well filled up in the United States at this time. It might as well be understood by all those who give any thought to the subject, East or West, that this movement is not going to come to a halt, or that there is not going to be a reaction of any consequence. The conflict is as irrepressible as that between free and slave labor formerly in the South. It will proceed until the only logical solution possible under the circumstances is reached—that is to say, the absolute, complete, and eternal exclusion of the servile and disturbing Chinese element. If there is not legislation wise and broad to facilitate and guide the movement, it will, before long, assume another more ultra and less manageable form.

"To Senator MITCHELL'S proposition, therefore, Congress will in time have to come. No doubt the wisest thing to do is to accept and enforce it now."

The San Francisco Morning Call of the 13th instant said editorially in reference to this question and this particular measure:

"MITCHELL'S ANTI-CHINESE BILL.

"Senator MITCHELL has begun where other anti-Chinese legislators will end. The present Congress may not be prepared for the bill Mr. MITCHELL has presented, but the next Congress will be. The people of the United States appear to have made up their minds that Chinese immigration must be stopped, the only question now being as to the necessity of an act of legislation which abrogates existing treaties. The Mitchell bill will be opposed in Congress on the ground that it is a discourtesy to the State Department to give notice of the abrogation of a treaty through Congressional action. It will be held by some that the State Department should exhaust diplomatic resources in the effort to obtain such a treaty as we want before Congress shall declare a treaty abrogated. It seems to us, however, that time enough has been wasted in waiting for the State Department to act. There is much reason to doubt if that Department is intensely interested in keeping Chinese out of the country. It is certain that the Treasury Department has construed the present law to admit Chinese in transit without assuming the duty of ascertaining if the Chinese so admitted left the country as they reported their intention to do.

"In various ways the Departments have done much to render the present law ineffective. There is some excuse, in consequence, if Congress, representing the people, takes the task of getting rid of Chinese into its own hands. Nine years ago, in the early part of Mr. Hayes's administration, an exclusion law was passed which did not pretend to conform to existing treaties. The President vetoed it on the ground that it would be discourteous to China to announce through Congress the abrogation of a treaty. Under the stimulant of this Congressional act the State Department set its intellectual forces at work, and in the course of time the treaty of 1880 was agreed upon. By that treaty we agreed to allow all Chinese then in the country to go and come at pleasure. The go-and-come clause in the treaty has proved fatal to its usefulness. The 'go' was all right, but the 'come' was a mistake. Senator MITCHELL'S bill eliminates the word 'come' wherever it occurs. The facilities for going are not in the least impaired, but we do not want any one Chinaman to go but once. The Call has frequently expressed the belief that the present act might be made effective by literal construction and rigid enforcement.

"But the courts say that literal construction violates the spirit of the treaty. Rather than violate the spirit of the treaty the courts have so construed the act that it serves but little purpose. It increases the cost of landing Chinese in the country, but it does not apparently materially diminish the number landed. Now, if we must disregard the treaty, let us do so in an open and manly way. Let us say to the Chinese Government that on and after a certain date no Chinese laborers will be allowed to land in the United States. The stupendous folly of permitting a Chinaman to return and repeat his raid should be openly renounced. Provision can be made for the migration of recognized merchants whose business requires an occasional trip to China. But when a Chinese laborer goes he should be denied the privilege to return. The Call favors all legislation which will strengthen the present law. If the Morrow bill can be passed and the Mitchell bill can not, let us have the Morrow bill. If it does not work better than the present law, Congress will be ready for the Mitchell bill before its fiftieth session expires."

The Call, in another recent editorial, said:

"MAKE IT TIGHT.

"A Washington dispatch says it is thought that all the anti-Chinese legislation the Pacific coast desires will be conceded by Congress. The anti-Chinese legislation which the Pacific coast especially desires is an enactment which will keep Chinese out of the country. Our experience convinces us that this can only be done by the enactment of a law forbidding Chinese laborers to return at all. When they go, let them stay. So long as we undertake to provide for the return of the Chinese laborers, so long will fresh Chinese be sent in the place of those departed. We do not ignore the provision in the last treaty which allows Chinese then in the country to go and come of their own accord. It is, however, within the constitutional power of Congress to notify the Chinese Government that this provision of the treaty can not be observed without abandonment of the purpose for which the treaty was made. We have tried during four years a restriction law which carefully observed the provisions of the treaty. Between Department decisions and judicial decisions, all intended to carry out the spirit as well as the letter of the treaty, this law has been made ineffective. We now want a law that can not be construed away. The bill Representative MORROW has introduced limits the time within which a Chinese laborer may remain in China without forfeiting the right to return to two years. This is a disregard of the treaty, which makes no limit at all. An air-tight and water-proof Chinese exclusion law is what the Pacific coast now desires."

The Chronicle, in discussing the pending bill editorially, said:

"He [MITCHELL] has gone further than the most strenuous opponents of the Chinese have thus far gone, but it is just as well for Congress to face it now. MITCHELL will doubtless furnish reasons to justify the legislation he proposes, and show that the trade with China is not worth considering."

But the San Francisco Daily Evening Bulletin, returning to the subject in its issue of the 15th, publishes the following editorial under the head of

"THE RISING TIDE OF PUBLIC OPINION.

"If Senator MITCHELL'S bill, with some modifications, or any other bill having a like purpose in view, can be passed, the Chinese question will be solved for all time. That bill rises fully to the gravity of the case. If the question of our relations with China were broadly and ably presented, there is not much doubt that his proposition will become the law of the land. Mr. MORROW'S bill was introduced early in the session. It went as far as it was thought it was possible to go at that time. But since then the Chinese question has undergone an entire change on the Pacific coast. One whole stage in the natural process of its solution has been jumped over. There was no one who favored MORROW'S bill who did not know that at some future time some other and more ultra measure would have to be adopted. By the act of the people in every city and town of importance on the whole coast the question has been advanced one step on the calendar, so to speak.

"Revolutions never go backward. A social, moral, industrial, hygienic, financial, and ethnological revolution is now in progress in California and the other States and Territories of the Pacific. The general and, in many respects, lawful uprising of our people has stripped the question of the falsehoods by which it was surrounded. It is not the revolt of one class against another, however justifiable, but of a unanimous people determined to prevent the further defilement of this fair land by a heathen horde. It is Americanism asserting itself against the debased and servile Mongolism of Asia. For the time being the Pacific coast is fighting on the forepost of civilization. The movement is one which will occupy a greater space in history than the small souls who are now seeking to dwarf or divert it for gain imagine possible. It will rank second in the great moral and philanthropic movements of the epoch. The overthrow of black slavery was the first. The extinction of the more subtile coolyism of the present day is the second.

"Senator MITCHELL'S bill is necessarily more in accord with the rising tide of popular determination to extirpate the Chinese evil once for all than any previous measure. There ought, in the present condition of things, to be no trouble about accepting it. There is no reciprocity at all in our dealings with China. We have received no reciprocal advantages. The case can be summed up in a few words: We enjoy no more rights in China than any other civilized nation; but our country alone has been opened up for the traffic of the man-dealers of Canton. That traffic is openly carried on with Cuba, Brazil, and Asia, and is sanctioned by treaty. Here it is cloaked and disguised because our laws forbid forced labor. Some people do not believe that the Chinese are held to service and labor in the United States because they do not see them driven about in gangs.

"The chains which bind these slaves are invisible. They were forged out of their religion and their civil polity. The relatives of the Chinese peon are mortgaged at his home for the faithful performance of his contract. If he fail they are sold into slavery. He goes about apparently as a freeman, but his acts show the collar on his neck. Expensive lawyers are hired to represent coolies in the efforts to evade the restriction law, but in nothing else. Coolies move in obedience to orders issued by a central authority. They can not leave the country without the permission of their owners. If they attempt to do so they are removed from the steamer under trumped-up charges of felony. By cutting the Gordian knot as proposed by Senator MITCHELL we bring this slave incursion to an end. There is no reason to believe that such a summary method of proceeding will result in commercial loss of any kind. Even if it did, every consideration of patriotism, morals, philanthropy, and civilization would require that the sacrifice should be made. But China has too good a thing in the trade with the United States to relinquish it. Besides, we are masters of the situation. By discriminating duties on tea and silk we can build up Japan at the expense of China.

"Nor is there any necessity for diplomatic delay. No nation is bound to continue a treaty that is working it a constant and manifest injury. Great Britain did not ask permission when it modified by act of Parliament the extradition treaty which it had with us. It was enough for it that, in its opinion, that treaty was doing violence to some of the principles upon which its government was founded. No permanent, satisfactory arrangement can be made whereby certain classes of a people of whom we know but little, and of whose language we are all ignorant, are to be admitted and certain others excluded. The exigencies of the Burlingame treaty, when the object was to adhere to the letter of that one-sided document, required that some such arrangement should be set up, but for the reasons stated it can never be made to work. There will always be fraud and imposition in the administration of any law of that kind. It is by far preferable that an end should be made of the whole business right off. The Chinese can not be admitted to this country. There are millions of them standing ready to overwhelm us if the gates are not finally and firmly shut."

But the sentiment expressed in these editorials and on the bill under discussion is not confined by any means to the Pacific coast, and as a sample I attract attention to the following editorial found in the Philadelphia Press in its issue of the 11th instant:

"POTTERING WITH A GRAVE QUESTION.

"The anti-Chinese outbreak at Seattle, Wash., is the first exhibition only of a hostility which has long been growing. During a year past there has been a manifest increase in the aversion to this class of immigrants on the Pacific slope, and the determination to be rid of them is now much stronger than ever. A trial of nearly four years of the restriction act has shown that it is little better than a rope of sand as a bulwark against the Mongolians. The frauds that can be practiced under it are numerous, and the wily Chinese were not slow to find the loopholes and to take advantage of them. The knowledge of these facts has aroused the people of the Pacific slope as they were never aroused before on the subject. Numerous meetings have been held to interchange opinions on the question, and two State conventions have been called to insure united action in dealing with the evil. One convention will assemble in Portland, Oregon, next Saturday, while the other will meet in San Francisco March 10.

"These events ought to impress upon Congress the necessity for taking this matter into serious consideration at once. The legislation of the past has been mere pottering and was enacted evidently in the hope that the question would settle itself in time. This, however, it has not done, and to-day the situation is more grave than ever. The great shame of the whole business is that it has been viewed more in its political aspects than in any other light. As the great

majority of the members of Congress reside on this side of the Rocky Mountains and have no personal knowledge of the subject, they have taken that view of it which was likely to benefit their party most. Meanwhile the evil has gone on increasing. Instead of diminishing under the restriction act, the number of Chinese is believed to have steadily increased. According to the census of 1880 there were 73,548 Mongolian immigrants in California, 9,472 in Oregon, 3,166 in Washington Territory, and 104,000 in the whole country. California now estimates its Chinese population at 75,000, and the other States and the Territories in that vicinity admit no decrease. The frauds practiced on the custom-house officials and the ease in crossing the British Columbia border will account for this increase.

"It is evident that some other policy must be tried. It is unjust to one of the fairest portions of the country for the rest of the nation to sit by supinely and see its prosperity retarded, its labor demoralized, and its people contaminated and refuse relief."

It will no longer do, therefore, to urge here or elsewhere in all this broad land that it is the irresponsible hoodlum element of the West only that is inveighing against Chinese immigration and crying out against their infectious, demoralizing, and pernicious presence.

This cry, always unfounded in facts, has in the face of events past and now transpiring become obsolete. The voice of honest labor, the intelligent demand of vital industries, the piteous wail of indigent toil—struggling for life in the unequal and unfair contest of competitive trial with the servile labor of Asia, transplanted, unfortunately, as it has been in American soil with all its tragic train of degradation, its ruinous tendencies, its debasing practices, its revolting customs, and nameless crimes, are practically a unit on this great question in dignifying the movement on the Pacific coast in opposition to the Chinese as one in the interest of the general welfare, the conservation of public peace, the preservation of domestic tranquillity, the unfettering of public and private justice, and the vindication of the rights of American labor on American soil.

In view of the fact that the discussions of this question in Congress during the past fifteen or twenty years, and of the investigations that have been made under the direction of the two Houses of Congress, and the reports that have from time to time been submitted, with volume after volume of accompanying testimony, whereby have been spread upon the CONGRESSIONAL RECORD and before Congressional eyes evidence without limit and in its character overwhelming and conclusive, showing in all its horrid phases and in its real, abhorrent character the evil nature, the contaminating tendencies, and horrible results of Mongolian life and habits on American soil, it would seem superfluous to waste the time of the Senate in a repetition of the disgusting facts or in rehearsing the many arguments that have been made bearing upon this great question.

THE UNITED STATES CAN NOT BE CHARGED WITH BAD FAITH, SHOULD UNDER EXISTING CIRCUMSTANCES THE TREATIES BE ABROGATED BY ACT OF CONGRESS.

But returning to the proposition as to the right, and not only the right, but, under all the circumstances of the case, the absolute duty upon the part of the United States to strike down at once and forever, and without further hesitation or delay, every barrier in existing treaties that interferes in the slightest degree with the absolute exclusion of Chinese from this country in the future, it may be said that the Chinese Empire has in divers respects willfully, and without any cause or excuse, violated material provisions of existing treaties, both by commission and omission, but more especially by omission, in not performing their several requirements, and therefore, according to every respectable writer on public law, according to the decisions of all respectable courts, the United States is justified in doing precisely what is proposed to be done by the pending bill, without being subjected in the slightest possible degree to the charge of Punic faith. Although the Burlingame treaty provides in terms for like privileges, immunities, and exceptions on both sides to our people going to or residing in China, and to its people coming to reside here, is it not a fact that our people residing in China are absolutely denied the rights and privileges guaranteed by such provisions of the treaty?

No American citizen—

As was stated by Mr. Justice Field in his able dissenting opinion in Chew Heong *vs.* The United States, 112 U. S., page 567—

can enjoy in China, except at certain designated ports, any valuable privileges, immunities, or exemptions. He can trade at those ports, but nowhere else. He can not go into the interior of the country and buy or sell there or engage in manufactures of any kind. A residence there would be unsafe, and the crowded millions of her people render it impossible for him to engage in any business of any kind among them. * * * Reciprocity in benefits between the two countries in that respect has never existed. There is not, and never has been, any "mutual" advantage in the migration or emigration of the citizens or subjects, respectively, from one country to the other, which the treaty, in cordially recognizing, assumes to exist.

But not only so. By the Burlingame treaty everything in the shape of emigration, except that which was entirely voluntary, was denounced and reprobated. And not only so, but by the provisions of that treaty the Chinese Empire covenanted to pass laws making it a penal offense for a citizen of the United States or Chinese subject to take Chinese subjects to the United States without their free and voluntary consent. Mr. Justice Field, in referring to this provision of the treaty, remarks in the case referred to:

In the face of this explicit provision large numbers of them, more than one-half of all who have come to the United States, have been brought under what is termed the contract system; that is, a contract for their labor. In one sense they come freely, because they come pursuant to contract, but they are not the free immigrants whose coming the treaty contemplates, and for whose protection the treaty provides. They are for the time the bond-thralls of the contractor—his cooly slaves. The United States had already legislated to prevent the transportation by their citizens of coolies from China to any foreign port; but no law has ever been passed by China to prevent its subjects, thus bound, from being taken to the United States.

Mr. Justice Field in further discussing this important question in Chew Heong *vs.* The United States, before referred to, further remarks, as follows:

The consideration, therefore, for allowing free emigration from China to this country has failed, and it may be affirmed with much justice that by reason of this failure there would have been no breach of faith towards China had the stipulation on our part been disregarded by the legislation of Congress. If the treaty had stipulated for the like admission to each country of the goods of the other, and China excluded our goods, or her condition was such that they could not be landed, it would seem that no one could pretend that the stipulation on our part to receive her goods would continue obligatory. It can not make any difference that the stipulations relate to emigrants instead of goods. So of any other mutual stipulations; when on one side they are not observed, or become incapable of enforcement, they cease to be binding on the other. And surely it could never have been contemplated that an unlimited immigration of Chinese, with all the privileges of subjects of the most favored nation, should be continued without receiving corresponding benefits for which the treaty stipulated.

While, therefore, Mr. Justice Field, in the dissenting opinion referred to, held, with the majority of the court, that the restriction laws were within the provisions of the treaty, although giving to them a different construction and application from that given by the majority of the court, he held, nevertheless, that even had such legislation not been within the provisions of the treaty, but antagonistic to the same, in so far as to exclude further immigration to this country absolutely, that even in such an event the power of Congress to do so would be unquestioned, and not only so, but that such an act under existing circumstances of the various violations of the treaty upon the part of China could not justly subject the United States to a charge of bad faith or of unwarrantably violating the provisions of a treaty with a friendly power.

While the majority of the court in that case did not discuss this latter proposition, they conceded in the strongest possible manner, as all jurists must concede, that as to the power of Congress to repeal a treaty by an act of legislation there could be no kind of question.

THE RESTRICTION ACTS AN UTTER FAILURE.

That the present Chinese restriction acts, as at present administered, are worse than a pretense, is conceded by all familiar with their operations. And why is this so? What is the difficulty aside from the fundamental objection that must stand good now, and at all times, against mere restriction acts of all kinds as a real remedy for the evil complained of? It may be summed up briefly in these words: By the terms of the treaty of November 17, 1880, and of the restriction act of May 6, 1882, and the act amendatory thereof of July 5, 1884, considered, as they must be, in *pari materia*, as construed by the Supreme Court of the United States, it is provided that all Chinese persons who were in the United States at the date of such treaty, November 17, 1880, or who came here within six months after the date of the approval of the restriction act of May 6, 1882, which leads up to August 5, 1882, were permitted to depart from and return to the United States at their discretion. The amendatory act of May 6, 1882, as amended by the act of July 5, 1884, while recognizing the right of Chinese who were in this country prior to August 5, 1882, to go and come of their own free will and accord, provided that the certificate provided for in the acts of 1882 and 1884 to be issued to Chinese departing from this country should be the *only* evidence considered in determining the question as to their right to return.

A conflict of opinion at once arose. The executive officers of the Government insisted this provision was retroactive and applied as well to such Chinese persons as were here at the date of the treaty or who came subsequent to the treaty and departed from this country prior to August 5, 1882, as to all others. On the other hand, it was contended that as to such Chinese persons as were here at the date of the treaty, November 17, 1880, and departed from this country prior to the date of the restriction act, or within ninety days thereafter, or who came here subsequent to the treaty and prior to August 5, 1882, and departed prior to the latter date, the provision of the act of 1884 providing that the certificate should be the *only* evidence of their right to return did *not* apply.

This was the first serious conflict of opinion as to the proper construction of the treaty and the restriction acts of 1882 and 1884. This controverted point was brought before the courts for solution *in re* Chew Heong on habeas corpus. This cause was heard in the first instance before Mr. Justice Field, of the Supreme Court of the United States, United States Circuit Judge Sawyer, of the ninth circuit, and United States District Judges Hoffman, of the district of California, and Sabin, of the district of Nevada, sitting in banc in San Francisco. Mr. Justice Field held in that case, and sustained his position with his usual great ability and learning, *first*, that the provisions of the treaty of November 17, 1880, guarantying to certain classes the right to go and come of their own free will and accord should be construed to apply only to those here at the date of the treaty *who afterwards continued their residence in this country* and who may during such residence desire to be *temporarily* absent, and that in such view of the case there was no conflict between the provisions of the treaty and the provisions of the restriction acts; and, *second*, that the provision of the act of May 6, 1882, as amended by the act of July 5, 1884, providing that the certificate of departure should be the *only* evidence of the right of a Chinese person to return, applied as well to those who were here at the date of the treaty, and who had left the country prior to the date of the passage of the restriction act, as to those who departed subsequently. Mr. Justice Field further maintained that conceding that his construction of this provision of the treaty was not correct, that then there was in such event a direct conflict between the treaty and the act of Congress, and

the act being the last expression of the sovereign will on the subject operated as a repeal of the provisions of the treaty *pro tanto*. The circuit and district judges dissented, however, from these views. This case is fully reported in 10 Sawyer, 361. On certificate of division of opinion among the judges to the Supreme Court of the United States, a majority of that court (Mr. Justice Field and Mr. Justice Bradley dissenting), in 112 U. S., 536, opinion by Mr. Justice Harlan, affirmed the view in the main held by the circuit and district judges.

So now it is unquestionably the law of the land, as settled by a majority of the justices of the highest judicial tribunal in the country, that all such Chinese persons as were here on November 17, 1880, the date of the treaty, or who came here prior to the date of the passage of the restriction act of May 6, 1882, and who prior to this latter date had departed from the United States by sea, have the right guarantied by both treaty and statute to return to the United States at pleasure on a proper showing to the satisfaction of the collector by any competent evidence of the fact of prior residence within the time specified, and that as to such Chinese persons the provision in the act of 1884, to the effect that the certificate shall be the *only* evidence of their right to return, does not apply.

The effect of this final decision of the Supreme Court upon this important controverted question, it will be observed, was to open at once a wide door to the perpetration of the most tremendous frauds upon the law, upon the part of the Chinese or those interested in their coming to the United States. The records disclose the fact that nearly 13,000 Chinese who were in this country on November 17, 1880, had left it through the port of San Francisco alone prior to the passage of the restriction act of May 6, 1882, the exact number being, as shown by the steamship passenger-lists, 12,726. Under this decision, therefore, of the Supreme Court of the United States all these, as well as all citizens of Chinese parentage, irrespective of the question as to when they left this country, are under the treaty, the restriction acts, and the fourteenth amendment to the Constitution of the United States entitled to return at will, provided they can prove the fact of prior residence or citizenship, as stated, to the satisfaction of the collector, or the court in the event that the writ of habeas corpus can be held to properly issue in such a case, irrespective of the question as to whether they can or can not produce the certificate required by the restriction acts.

Conceding then this to be the present law of the case, and having been so declared by the final judicial arbiter of the land it must be accepted as such, all will rightly agree that the efficacy of the restriction acts is *absolutely destroyed* by this judicial construction. As to whether this construction is in truth and in fact the proper construction of this legislation and the one that should have been applied to it, it is immaterial now to inquire.

It is, however, enough for us to know, first, that Mr. Justice Field and Mr. Justice Bradley both dissented from this view in opinions of great ability, which fact in and of itself is sufficient evidence that there is at least serious cause to question the correctness of the construction given by the majority of the court; and, second, that it is very evident that Congress in the passage of the act of 1884, however far short it may have fallen in giving proper legal expression to it, *intended* that no Chinese person, whenever residence here first attached, who sought to enter this country under a plea of prior residence should be permitted to do so, *except on presentation of the return certificate provided in the restriction acts.*

But the controversy as to the proper effect of, and the manner in which the restriction acts should be administered did not end here. A more serious conflict impended, and has for over three years last past been waged with great ability and no inconsiderable amount of feeling between the Federal courts in California and the collector and other customs officers of the port of San Francisco. The vital question at issue now in this conflict of jurisdiction is as to whether the right to the writ of habeas corpus *and bail* attaches in favor of a Chinese person seeking to enter this country under claim of prior residence, and who departed from the United States previous to August 5, 1882. It is insisted by the collector of the port, and with much reason, as it occurs to me, that he alone is the sole judge under the restriction acts as to the right of a Chinese person to enter this country. On the contrary, a different view has been taken by the United States judges, and that view has been maintained by them with much earnestness and ability also, and it has been the practice of the Federal courts in California to extend not only the right of the writ of habeas corpus but also that of *bail* to all Chinese persons arriving at the port of San Francisco and who may be temporarily detained on shipboard pending an investigation by the collector of the port as to their right to enter the United States, or after his decision against their right to enter, whenever complaint has been made by such Chinese persons of unlawful restraint of their liberty.

In maintaining his position the collector of the port has insisted, and still insists, as I understand it, with much earnestness and vigor, first, that the question as to the right of a Chinese person to enter this country is one to be determined exclusively by the executive officers of the Government, and that the writ of habeas corpus can not rightfully issue in any such case, and even conceding that it may rightfully issue in such a case, that it does not follow that the person so claiming to be restrained of his liberty shall be *entitled to bail;* and it is said in this connection with much force, that if all seeking to return, whether under any real claim of right or not, should be brought before the court on habeas corpus and then before a hearing admitted to bail, that then, in each and every such event, such persons might, by simply forfeiting their bail to appear in court, remain in this country not only in absolute violation of the law and of the treaty, but also without having the question as to their right to return adjudicated or passed upon either by the collector or court, or any other administrative, executive, or judicial power.

And this view of the case is illustrated by the suggestion that under such a rule all the prisoners in the California penitentiary by the complaint of unlawful restraint of their liberty might be brought before the court on habeas corpus and set at large on bail. While, therefore, having the very highest regard for the personal integrity and great judicial learning of Circuit Judge Sawyer and District Judges Hoffman and Sabin, I can not agree, for one, until the matter has finally been determined at least by the Supreme Court of the United States, that a Chinese person brought before the court under the circumstances indicated on a writ of habeas corpus, even conceding the very doubtful power of the court to issue the writ in such a case, is entitled to bail. And it is with me, as at present advised, a matter of the gravest doubt as to whether the courts have the right or power on a writ of habeas corpus to pass upon the question of fact as to whether a particular Chinese person has had a prior residence in this country, and departed from it prior to August 5, 1882, and on such finding permit such person to enter the United States; the more especially if in the same case the collector of customs has previously decided to the contrary.

May it not be insisted with reason that the question as to the right of a Chinese person to enter this country, under the treaty and restriction acts, is a political and not a judicial question? That the determination of this question is one that belongs to the executive authority exclusively, and not the judicial; that to the collector of the port as the immediate and direct representative of the Executive in respect of the execution of this great function belongs exclusively this right and duty, under the treaty and law, and not to the judiciary, to determine the questions arising under the treaty and the restriction acts, as to what Chinese persons shall or shall not enter our jurisdiction and become denizens of our country, and subject to our laws; and until this question, in one sense quasi-political, has been determined by the collector of customs, and the person in question has actually been admitted to our jurisdiction, he is not and can not be entitled to the benefit or protection of our laws, or any of them; and hence may it not with force be insisted that the statutory right to the writ of habeas corpus can not in such a case attach in his favor? He can not, in other words, may it not be said, be unlawfully restrained of his liberty, within the meaning of the statute relating to habeas corpus, until he has been admitted to our jurisdiction, to a territory covered by our laws, in such a manner as will cause the right of the writ to attach in his favor.

In such case the petitioner must necessarily rest his case, as to unlawful restraint of his liberty, on the sole ground that he is an alien, that he is not a denizen of the United States, but that he is by treaty stipulation, entitled to enter this country, and the only restraint of liberty of which he can complain, is the refusal upon the part of the executive officers of the Government, representing in one sense the political power of the Government, and to whom by special mention is committed the jurisdiction of determining who shall or who shall not enter the territory of the United States, to permit him to enter our country. The treaty between the Chinese Empire and the United States looking to the restriction of Chinese immigration, and the restriction acts of Congress, are, taken together, great political measures, intended to limit the coming to our shores of a class of immigration deemed inimical to the public peace and general welfare. For the purpose of the proper execution of these measures, a special jurisdiction is established, a special tribunal is designated. The questions to be determined are not in their essential natures judicial, but executive. Hence their decisions are reposed, not in the judiciary, but in the executive, represented by the collector of customs, and from his decisions there is no provision in the law for either review or appeal. His decisions, therefore, under the law, must, whether right or wrong, necessarily be final and conclusive on all concerned, and on every question involved, whether of fact or law.

The question involved in this conflict of opinion and of jurisdiction has not yet been decided by the Supreme Court of the United States. A case is, however, now pending in that court, and I believe has been submitted, that of Jung Ah Lung, in which this very question is involved. Should a majority of that court sustain the position assumed by the circuit and district judges, as, in view of their previous decisions in cognate questions, they very probably will, then it is safe to say the existing legislation on the subject of restriction of Chinese immigration is an *absolutely dead letter upon the statute-books, a sublime pretense, a stupid make-believe, a legislative delusion, and a snare.* In other words, it will then be by established law, as it is now amid the whirlpool of continued controversy, an absolutely inefficient and worthless enactment; and not only so, but a piece of legislation that can not under such a decision of the court be amended so as to be effectual and at the same time keep within the limits of the treaty. Therefore the only

remedy is that proposed by the pending bill, and, as heretofore, the false report given out as to the probability of a new treaty was used to defeat legislation on this important subject in the Forty-ninth Congress, the pendency in the Supreme Court of the United States of the habeas corpus case of Jung Ah Lung is being used by the same parties, and with the same practical effect now, to delay and perhaps finally defeat all appropriate and effective legislation on this subject at the present session of Congress.

But in any event, and however this controversy may be ultimately determined in the Supreme Court of the United States, the very fact of the existence of such a wide difference of opinion as to the construction and administration of existing law, is the most effective argument that could possibly be adduced in favor of the imbecility of mere restriction acts, of the absolute impotency of such measures to meet and cope in an efficient and effective manner with this great evil, and of the unquestionable propriety and absolute necessity of such legislation as will forever exclude in unambiguous and unmistakable terms the coming of Chinese to this country in the future, as well those who had been here and returned, as those who are seeking to enter the United States for the first time.

The universally conceded high character of the judges of the Federal courts who have dealt with this topic, and of the present collector of customs at the port of San Francisco, as well personally as jurists of acknowledged ability and large experience, and the fact of such radical diversity of opinion between them as to the proper construction of the restriction acts, and the manner in which they should be administered, but adds another powerful argument in opposition to measures merely restrictive in their character, and in favor of the only real and effective remedy equal to this great emergency that is upon us, namely, that of *absolute exclusion*.

THE CHINESE SLAVE-TRAFFIC AND THE MANNER IN WHICH THE RESTRICTION ACTS ARE AVOIDED.

That a slave-trade in Chinese women for immoral purposes, more abominable than was ever that of the African slave-traffic, has been for years past and is now being carried on between China and San Francisco and on the Pacific coast generally has been demonstrated by the most conclusive proofs. In recent investigations at San Francisco numerous written slave contracts have come to light and been published; also various villainous papers, evidencing the perjury and subornation of perjury that are resorted to for the purpose of evading the restriction acts.

I have a few sample copies—a number of specimens—of these which I will read and incorporate into my remarks. They are as follows:

A SPECIMEN CONTRACT REQUIRED BY DEALERS IN FEMALE SLAVES.

This is to certify that I, Lin Choy, am indebted to my creditors for passage money, board, etc., and finding no means to pay my indebtedness, I came to Mrs. Chow Quai and borrowed $562.50, and agreed to work for her four years and a half as a common woman. No interest to be charged, and the said sum to be considered paid at the expiration of said period. Then Lin Choy is to be considered free, and is allowed to marry any one she may choose. Mrs. Chow Quai has no more control of her after that time. But if before that time Lin Choy tries to desert from Chow Quai, Chow Quai shall have the power to sell Lin Choy forever, and Lin Choy shall not make any complaint. If Lin Choy should be sick over fifteen days, one month shall be added to her period, and if sick less than fifteen days no charge will be made. If she contracts before one hundred days any disease of leprosy, her former master or mistress shall be held responsible. If Lin Choy should die before the expiration of the specified time, Chow Quai shall have to take the risk.

The $562.50 is paid this day, and the receipt is hereby acknowledged. This agreement shall be the proof of this contract.

Signed in duplicate.

LIN CHOY.
[With her finger-mark.]

Dated the 3d day, 6th month, and 12th year of Kwong Sui.
JULY 3, 1886.

The following account, published in the San Francisco Call, one of the leading journals of San Francisco, in its issue of December 6 last, tells the terrible story in part. It is as follows:

Slave traffic.—Wong Ah Hung's papers reveal some startling facts.—Chinese contracts which force women into lives of slavery.—How the restriction act is evaded.—What it costs to land a Chinaman.—Valuable evidence.—A tell-tale letter.

Among the passengers who arrived in this city from China on the Oceanic, November 17, was a wealthy Chinese merchant named Wong Ah Hung. He had long been suspected by the customs officers of being implicated in the female slave trade, and on his arrival what baggage he had was seized. A trunkful of the most important documents yet discovered by the customs authorities was found. These valuable papers were gradually translated, under the direction of Deputy Collector Scott, by four men, and have now been completed. Before the contents of the papers were entirely disclosed enough evidence was gathered about this merchant's business to warrant the United States jury finding an indictment against him for unlawfully importing slaves for immoral purposes.

The translations of the captured documents have progressed slowly in consequence of their great number and the tedious nature of the work, which, however, has been done carefully.

SYSTEMATIC FRAUD DISCLOSED.

The papers disclose the systematic methods resorted to in evading the requirements of the restriction act, and show that in the face of the most careful efforts on the part of the customs officers fraudulent Chinese succeed in passing into the country on purchased certificates.

Not less interesting is the disclosure which is made as to the manner in which "guaranty-letter" men, without a shadow of right, resort to the courts to effect a landing.

The material that Deputy Collector Scott has gathered is the most important thus far uncovered, and will go a long way toward convincing the Federal judges that they are being constantly imposed upon by the Mongolian flesh traffickers.

Deputy Collector Henry H. Scott yesterday morning transmitted to Collector Hager a report of the work thus far accomplished, which is the most complete *exposé* of the Chinese slave-trade yet made. The full text of the report is appended:

DEPUTY SCOTT'S REPORT.

"In accordance with your instructions to search the baggage and persons of all Chinese arriving at this port suspected of being connected with the slave ring for documentary evidence of their complicity in the business, I caused diligent search to be made of the baggage and persons of the female passengers on the steamship City of Peking, from Hong-Kong on the 26th ultimo, and of the male passengers suspected of being engaged in the traffic in women for immoral purposes; and I herewith submit translations of the seized documents, which convey some idea of the enormity of the slave-trade.

"In the baggage of Lee Ming Hing, a Chinese merchant, holding merchant's certificate No. 1023, the papers marked Exhibit 1 were found. They contain four instructions, marked 1 to 4, for girls who arrive on the same steamer with him; also a general letter (No. 5), applicable to all the letters of instruction, giving the names of persons who, they say, returned with them to China in certain steamers. One paper (No. 6) contains the name of seven other girls in his charge for whom no letters of instruction were found. There are also two letters of goods purchased for women (Nos. 23 and 24), and three memoranda (21, 22, and 25), No. 21 showing the purchase and sale of two girls in 1884 and profit therefrom, and No. 22 showing the expenses incident to their landing. No. 25 exhibits the purchase price and expense of bringing girls from Hong-Kong to San Francisco in March, April, and May of 1883, the amount set opposite each month at that time, and the price and expense of landing a Chinese woman."

PAPERS DISCOVERED.

"These last three transactions (21, 22, and 25) were taken from his personal account-book in his own name. Another paper was found on him containing questions on the climatic and other features of this city, and everything likely to be asked by the examining officers and the court, with answers to the same. This man, it is known, has made repeated trips to China during the past year, and from envelopes found in his possession addressed to Lee Shuey, a notorious slave-dealer and broker, there is no doubt that he is one of the leaders of the ring.

"The papers marked 'Exhibit 2' were on a woman, Chue Ching Shue, holding custom-house certificate 55,669. Paper No. 8 of this exhibit is an account of money paid for six girls. No. 9 is a letter informing her grandmother of the remittance of a draft for the purchase of 'nice young girls.' No. 10 speaks of a party having called to look at a girl, and probably has some bearing on the contents of No. 9. Nos. 11, 12, 13, 14, 15, 16, 17, and 19 are bills of women's clothing."

A GUARANTY RECOMMENDATION.

"Exhibit 3 was taken from a Chinaman without a certificate, whose name on the passenger list is Pang Wong Kue. It appears to be a letter written to him in China from his brother here, who evidently had passed through the guaranty-letter process and was recommending that mode of entry, which advice had been accepted, as the man is here on a guaranty letter. A perusal of this letter will furnish some idea of the way the courts are being imposed upon by the cooly dealers.

"The remaining papers are being translated, and when ready will be handed to you.

"I take this opportunity to pay a well-deserved compliment to the officers of the Chinese bureau, A. J. Ruddell, the officer in charge; A. A. Bailey, W. P. Johnson, and Interpreter J. E. Kipp, to whose zealousness in carrying out your instructions on this and other occasions is due, in a great measure, the unearthing of the mysteries of the slave-trade and the many startling revelations recently made."

THE EXHIBITS.

Accompanying this letter are the three exhibits referred to. Exhibit 1 is as follows:

"No. 1.—Chow Tai Dow, born in Colusia. My mother is living in San Francisco now. When I was thirteen years of age I went to China with my father, mother, and sister on the 23d day of the third month, in the seventh year of Kwong Sui. My father's name was Chow Ah Lee. My mother's name was Chun Shee (fat girl). She has returned to San Francisco now. My father died three years ago. I am nineteen years of age. My mother sent me $67 for me, and $53.50 for my sister, to come to San Francisco. My sister's name is Choy Hee. When she was six years of age she went to China. She is now twelve years of age, and returned with me to San Francisco.

"No. 2.—My name is Lee See. Went to China at the age of twenty-two. I am now twenty-eight. My husband's name is Chun Ah Lee. He is a business man; a merchant. My youngest sister, Tong Ho, went with me when she was four years of age. She is now ten. We were born in Portland, Oregon. My father died in Portland, Oregon. Came to San Francisco from Portland in three days. My mother, myself, and my sister went to China on the thirteenth day of the seventh month, in the seventh year of Kwong Sui, by the steamship Tokio. There was also with us a man, Wong San Tick. My mother died in the second month of last year. If Tong Hee should be asked some questions she should say she went to China with her mother and sister, and when she was four years of age. She is now returning."

DOCUMENTS OF INSTRUCTION.

"No. 3.—My name is Chun Kum Fung. I was born in San Rafael. My father's name is Chun Choy. I went to China with my mother at the age of nine years, in the fifth year of Kwong Sui, by the city of Peking. My mother died in China three years ago. I am seventeen years old now and coming back to San Francisco to my father.

"No. 4.—My name is Chow Ngon Fung; was born in Sacramento. When I came down to San Francisco on the rail-car I arrived early in the morning. In the first year of Kwong Sui my father, mother, and myself went to China by steamer. My father's name is Chow Mow. My mother's name is Cheng Shee. When I went to China I was twelve years old; now I am twenty-four."

HOW CHINESE ARE LANDED.

"No. 5.—When your case comes up in court and questions are asked, say that when you went to China who was with you—who went down with you to the steamer. After you answer in court you have to find out from the company on such a day, month, and year the steamer left, and the name of the man who was then on the Belgic. He is named How Kung Suen. On the seventeenth day of the second month of the seventh year of Kwong Sui the Belgic left; on the twenty-third of the third month of the seventh year of Kwong Sui the Gaelic went to China, and How Loi Shew was a passenger, also Chow Pak Cheong. On the seventeenth day of the eighth month of the seventh year of Kwong Sui the Oceanic went to China, and Se Toe Chun was a passenger. On the thirteenth day of the seventh month of the seventh year of Kwong Sui the steamship Tokio sailed for China, and Wong Lan Yick was a passenger. On the thirtieth day of the seventh month of the seventh year of Kwong Sui, the Belgic returned to San Francisco, and Wong Loi was a passenger. On the seventh day, fourth month, seventh year of Kwong Sui, the Oceanic returned to San Francisco, and Tam Ah You was a passenger. All the above statements you will find in the book of Shew Hing Company.

"HOW PAK SHUN.

"No. 6.—Lee See, age 27; Lee Tung Hee, age 10; Chun Kum Tung, age 17; Koong Tai Yow, age 19; Chow Ngon Fung, age 24; Chow Choi Hee, age 12; Chun Ah Yee, age —."

MONEY PAID FOR GIRLS.

"No. 21.—Tai Choy and Chun Ting each paid $540 for two girls, or $1,080. They sold them for $1,410, and made a profit of $330.

"No. 22.—(No date)—December 1, 1887:

| | |
|---|---|
| Paid to Quan Hoy (bondsman) | $30.00 |
| Paid counsel fees | 5.00 |
| Paid for visiting jail | 10.00 |
| Paid Ah Shew | 2.50 |
| Paid Ng Fook (carriage) | 3.00 |
| Paid Ah Choy for services | 2.00 |
| Paid for coffee, etc | 1.25 |
| Paid in counsel room | .50 |
| Total | 54.25 |
| Owe counsel for fees (not paid) | 15.00 |
| Owe Ng Fook to visit the jail (not paid) | 5.00 |

"There is some more Chinese writing which is indistinct, but Lee Kan, the custom-house interpreter, says it does not appear to be of any importance.

"No. 23.—Mrs. Sam Ong bought of Shew, Lun & Co., Hong-Kong:

| | |
|---|---|
| One light silk woman's coat | $6.35 |
| Two silk women's coats | 5.80 |
| One gray silk woman's jacket | 7.49 |
| Two cotton women's coats | 4.70 |
| One cotton woman's coat | 1.30 |
| One dark blue woolen woman's coat | 8.60 |
| One yellow silk bed cover | 10.60 |
| One cotton bed cover | 3.45 |
| Two dark blue silk women's trousers | 9.00 |
| One deep blue silk woman's coat | 2.10 |
| One gray woolen woman's coat | 4.25 |
| One blue raw silk woman's coat | 3.05 |
| Two pairs raw silk trousers | 2.50 |
| Two dark blue woolen coats | 13.20 |
| Two white woolen coats | 7.51 |
| Two pairs white silk trousers | 4.60 |
| Two pairs white silk trousers | 7.30 |
| Two blue silk coats | 6.50 |
| One raw silk woman's coat | 5.70 |
| Two gray woolen women's coats | 6.40 |
| Total | 120.45 |

"No. 24 is a bill for similar goods, bought of Kwong Wah Loong, in Hong-Kong, by Lee Yick Sun. The amount is $224.80.

"No. 25:

| | |
|---|---|
| March, 1885. Cash paid for Keng Chee | $1,685 |
| April, 1885. Paid for Ah Neg | 1,120 |
| March, 1885. Paid for Kum Chai | 1,695 |
| April, 1885. Paid for Ah Yuit | 1,100 |
| May, 1885. Paid for Chin Lin | 1,080 |

THE SECOND EXHIBIT.

Exhibit 2 consists of papers taken from Chue Chung Chee, who is thirty-five years old, and holds ticket 137 on the City of Peking, which arrived on August 13, 1887. The papers are as follows:

"No. 8.—Money paid for the following girls:

| | |
|---|---|
| For Ah Poi | $300.00 |
| For Ah Fung | 500.00 |
| For Tuck Hay | 100.00 |
| For Sun Choy | 350.00 |
| For Ah Ho | 436.00 |
| For Fung Choy | 160.00 |
| Total | 1,846.00 |
| Taken away from the account | 10.90 |
| Balance | 1,835.10 |
| Paid for sundry articles | 40.70 |
| Total | 1,875.80 |
| Received | 2,000.00 |
| Must refund | 124.20 |

WANTS A NICE GIRL.

"No. 9.—Certificate 55069.

"TO SUI YOUK AND GRANDMOTHER: I hope you arrived in China safely and are enjoying good health. I now send you by this mail a draft for $300, local currency, through the firm of Chun Tuck Wing & Co. I send this money to the care of grandmother for you. When you receive this money I want you to buy me a nice young girl—want a nice-looking one. If the money is insufficient, you please pay the balance for me.

"We are all well here. Liu Ho stops with Ah Chuck now. I have heard of Sun Low disposing of a girl for $900. I think the price will be agreeable.

"P. S.—Sun Low and Tam Fan send their compliments to you and hope you are all well. Tam Fan's disease is a carbuncle (or abscess) and is a little better; attended by a distinguished physician.

"CHUE NG (writer),
"For Tam Fan and Sun Low.

"Date, sixth day, seventh month, thirteenth year of Kwong Sui [August 23, 1887].

"No. 10.—Certificate 55069.

"Ah Kew is at Hong-Kong. Lai Kum has seen her and her youngest sister. She thinks that her sister suits her. She comes to talk about the price, and Lai Kum agrees to pay all the expenses of passage and to send her to San Francisco.

"[Not signed.]

"No. 11.—Certificate 55069. Miss Ah Choy bought of Tuck Lum Yee Kee:

| | |
|---|---|
| One black woman's cloak | $2.80 |
| One woman's trousers | 4.80 |
| Total | 7.60 |

"Stamped paid. Date, twelfth day, ninth month, thirteenth year of Kwong Sui [October 27, 1887].

"No. 12.—Certificate 55069. Mrs. Lin Oi, bought of Lun Lee Kee:

| | |
|---|---|
| One woman's green silk coat | $7.50 |
| One woman's blue silk dress | 12.00 |
| One woman's pair blue silk trousers | 5.20 |
| Two woman's gray silk undershirts | 10.00 |
| One woman's summer silk coat | 4.60 |
| Two woman's red cloth coats | 1.90 |
| One woman's black cloth coat | 2.20 |
| Total | 49.40 |

"Exhibits 13, 14, 15, 16, 17, 18, and 19 consist of similar bills to those just given, ranging in amount from $19 to $321.18."

IMPORTANT EVIDENCE.

By far the most important of all the evidence captured is that contained in Exhibit 3, which is an explanation of the methods adopted by the Chinese to effect their landing in this country.

The letter is dated twentieth day, fifth month, thirteenth year of Kwong Sui (July 9, 1887), and is annexed.

"MY DEAR BROTHERS, SAI CHING AND SAI SUM: Since I left you I have arrived safely on the ninth day of the fifth month (June 28), and I have landed all right. Sai Wo and Fun Wing are luckily landed. In my opinion I think the white men (officers at the custom-house) are strict and not strict. If the certificate appears to be all right, and the description on the same tallies with the man presenting the same, he is easily landed and no questions are asked. If any discrepancy appears in the description the officers are very particular in asking questions and making the examination."

THE CUSTOMS EXAMINATION.

"They (the officers) try them by showing pieces of American money and asking them the value of the same and what they are called. If the certificate (is made or issued at the port of San Francisco) shows that the applicant was formerly a resident of this city, the officer will ask what street and number of the house he formerly lived in. But if the certificate shows that the applicant resided in another place the officers will ask questions about that place. They will ask how you came from that place, how much fare you paid, and other questions concerning the location and situation of that place.

"If the answers are not correct, they will refuse to land the applicant. There were over sixty men with me on the same ship who bought their certificates in Hong-Kong. Forty of them were luckily landed, and the other twenty were refused a landing. They had to get out writs of habeas corpus, and during the time they were released on bonds they try to get others to substitute themselves in their places."

USE OF SUBSTITUTES.

"The substitutes, being familiar with the questions that are likely to be asked, readily answer the questions propounded in court, and consequently they are immediately landed. These twenty men were obliged to go into court because the description of their certificates did not tally with those presenting them.

"There are about ten men on the ship who claimed prior residence. After I was landed I found out that they were obliged to proceed in the same manner as I was told before leaving Hong-Kong. They proved by the Chinese companies' books that they left here for China in 1881. It cost each one of them $100 for lawyers' and brokers' fees before they were landed. The Chinese brokers agreed to land each man for $100. I think it is best to pay $170 for a full guaranty in Hong-Kong. If they are not landed the money will be refunded."

BEST PLAN TO LAND WOMEN.

"Those who come without guaranty letters will lose their passage money both ways if not landed here. The best plan to land women is to claim they were born here, and returned to China in 1881 with their parents. When they return here they have to get out a writ of habeas corpus, and then can be easily landed. It costs about $50 or $60 to land each child.

"Ting Lun, one of my friends, told me if any of my acquaintances should go to China to send some sort of a guaranty paper to bring my brother, Chee Choy, here. I told Ting Lun to hurry up and get the paper ready to send back for my brother. I wish him to come with Chum Yue Mue, but he is afraid that Chum Yue Mue has already started before the paper can get there, and he will then be disappointed. However, Ting Lun says he will make out some sort of a paper ready for him to come. I don't know what plan Ting Lun is going to get up."

PURCHASE OF CERTIFICATES.

"If both of you make up your minds to come, you better buy certificates. Get certificates with the correct measure and description of marks, and learn the questions to answer, and learn the streets of the city in Chinatown, and the "house" and number of the street; and if you buy the certificate stating you lived in the country, you must learn how much the fare is, and what kind of work you did there, and learn some English words.

"When you come, have courage and don't be afraid, then the officers will not be suspicious nor detect you. Be cautious and you will be passed and landed, and save you one year's trouble. In case you do not get landed, we will try the best we can to assist you, but I can not tell exactly what the cost will be. If your statement in court is good the cost will be a good deal less; but if your statement is bad it will cost more. If you come you had better come by the new company's steamer. (O. & O. S. S. Co.) The old company is too strict."

SAMPLE AMERICAN COINS.

"I now send you $10, and I also send you $1 in small denominations, and you better learn this—what the half dollar is, what the quarter dollar, ten cents, and five cents are in English, so you will know when the officers ask you. If you have not money enough to come you go to Sai Yung and he will advance you money on my account and I will remit it to him.

"I (myself) and Sai Wo will go back to the ship and work as part of the crew.

"Lai Jim Choy, Chun Kow Ling, and Chun Leong did not have satisfactory descriptions or measure. The first one spent $300, and the other two $100 each to get landed.

"When you come to Hong-Kong you better write to me before you start, so I can get ready for you when you arrive. If you don't come this year I will send you some money for your expenses to come next year.

"I will help you all I can on account of a brother's affection.

"Your brother,

"WONG SAI CHOW."

Chinese contracts.

SOME VALUABLE EVIDENCE OF THE CHINESE SLAVE-TRADE.

During the past week Deputy Collector Scott and his officers have been deeply engaged in seeking further information about the slave-trade. At present Mr. Scott has in detention over fifty women, from whom considerable evidence of a documentary character has been obtained relative to the importation of females for immoral purposes. These have been translated, a number of them proving to be contracts which have been entered into by the females. The amount of money paid for them is stated, and their course of action, including minor details, is disclosed.

The girls, by these contracts, for a sum of money, bind themselves for four years, and covenant that for every fifteen days of sickness they will serve an additional month. A number of other conditions are attached to these contracts. When this evidence is offered in court it will probably surprise the Federal officials to an astonishing degree.

For the present the customs officials are attempting to prevent the importation of women, and when they shall succeed in this, attention will be bestowed upon the males who are swarming into the country upon the previous-residence plea.

Some startling evidence of Chinese depravity is held in reserve by the officials and will be disclosed on the trial.

Another account, as follows, appeared in the Call in its issue of November 23 last:

Traffic in women.—Damaging evidence found in Fong Chun Shee's box.—Customs officers obtain confessions from three Chinese women on the Belgic who were sold to slavery.

The increasing efforts of Deputy Collector Scott to stop the infamous traffic in Chinese women brought to this country for immoral purposes have succeeded in stemming the human tide of female immigration to some extent already. But the indefatigable customs officer is not satisfied with the results thus far obtained, and has expressed a determination to prosecute his labors until the nefarious trade ceases altogether.

The efforts of officials have been redoubled since the testimony of Consul Bee, in the United States district court, was given, strongly corroborating the oft-asserted but little-heeded statements of the customs authorities.

Another gratifying encouragement has been given to the collector and assistants by Judge Hoffman, who has awakened to the gross frauds which are daily being perpetrated by the Chinese upon the courts, and decided to lend every aid in his power to circumvent the outrageous proceedings of the Chinese slave ring.

A FEMALE AGENT CAUGHT.

One of the many wretches engaged in procuring recruits for the female portion of the Chinese colony is Fong Chun Shee. She is not in the business for herself, but acts in the interests of the ring. Several months ago she went to China for the purpose of purchasing a lot of girls.

She succeeded in buying a number of unusually fine specimens of Celestial beauty and arrived with her charges on the 17th instant by the Belgic. The number of these is not known.

On the same vessel were two other intermediators, and all three received orders from a Chinaman who, it will be remembered, was described by Mr. Handy, a passenger by the same steamer, as the owner of all the girls. The statement of Mr. Handy has been fully substantiated by the confessions of three of the girls.

A RICH FIND.

When the customs officers boarded the Belgic, on her entry into port, a box claimed by Fong Chun Shee was seized. In this were found a number of letters of instructions which had evidently been used for the purpose of coaching. These were translated, and on Monday proved more than serviceable. In addition to the letters there were documents conveying a complete description of this city and vicinity.

After some trouble the girls whose names were mentioned in the letters were found. One of these was Chun Sing Gum, a pretty little dame. She told the officers that she was born in this city twenty-two years ago, was a seamstress by occupation, and had resided over Sam Choy's on Dupont street. The date of her departure for China, she said, was October 24, 1881, by the Tokio. She could not speak English. Further questioning brought out the fact of her marriage in China in her eighteenth year, which was two years after her return. Her husband's name was Low Ah Yee. At present he was in New York.

When the photograph of Fong Chun Shee and the statements found in the box were shown to her, she began to cry and pleaded that if she spoke the truth she would be killed. After a time she made the following confession to Interpreter Kipp:

THE CONFESSION.

"I was born in China, and never was in this country (San Francisco) before. This woman (Fong Chun Shee), ticket No. 260, bought me. I do not know how much she paid for me. She bought me from my mother. Please do not arrest this woman, as I will be killed sure. I was bought in Hong-Kong, my home. I will be killed now if ever I go back to China."

For the purpose of procuring corroborative evidence, Rev. F. J. Masters, of the Methodist Chinese Mission, obtained another statement from the woman. It reads:

"My name is Chun Sing Gum. I was born in China, in Canton. I am twenty-two years old. Came to Hong-Kong when I was five years old. My own mother took me down to Hong-Kong. I lived there with her till I came to California. The woman in the photograph (Fong Chun Shee) bought me from my mother and brought me over. I have never been in California before. I have no certificate. No one taught me on board the steamer. I want to go back to my own mother in Hong-Kong. I know where she lives. Let no one go with me."

Lee Sing Choy was another bewitching female who arrived on the transparent guaranty-letter route. She was told to say that she was twenty-three, had resided on Dupont street, and was a seamstress. The time of her departure was set down as November 8, 1881, but she could not remember when she first arrived in the United States, but recollected that her parents brought her when she was five years old. She could not speak English, and lived on Washington alley with her parents before being married. This event occurred in this city March 27, 1880. Her husband's name is Kong Ah He, and he is connected with the Gum Kuk Uen Hong restaurant on Jackson street."

CONFRONTED WITH THE LETTER.

Interpreter Kipp read these instructions to the woman, who broke down completely, and wept piteously, believing her life in danger. She finally consented to tell her story, and said:

"I never was in this country before. This woman (Fong Chun Shee) ticket No. 260, bought me and paid $625 for me at Ho Lou, China, and taught me the instructions in this letter (No. 1). Please do not arrest this woman, for if you do I will be killed. I will die sure. My fate is sealed now."

To Dr. Masters she stated:

"My name is Lee Sing Choy. I was born in Canton on Honam (on the south side of the river) in the Lun Chee Lee street. I am twenty-three years old. I was only a little thing when my mother died. I don't remember my mother's name. My father's name was Lee Shun Cheong. He died the year before last. Before my mother died she sold me because she was poor and wanted money. I passed hands, and then the woman in the photograph (I don't know her name), she bought me and brought me over to this country. She paid $620 for me to my adopted mother. I had no certificate, for I had never been in this country before.

"The woman in the photo is my mistress. She taught me what to say and taught me to say what was written in the paper marked No. 1. I want to go back to China on this steamer. I want to get back to my friends. I am not afraid of any one. When once I get back to China I can find my friends myself."

THE THIRD GIRL'S STATEMENT.

The same process was gone through with the third female. She stated that she had been born in China, was a seamstress, and resided at 714 Dupont street with San Gum Wah. She left this country July 11, 1881, on the Belgic. Her father, Chun Ah Dai, bought her ticket. He is a shoemaker, employed by Kwong Sam Lung & Co. In 1878 she first arrived in the United States.

Continuing she said: "I was married in San Francisco to Fung Ah Sam, who has an interest in San Gum Wah & Co.'s. My parents are both dead in China. I was sixteen years old when I was married."

When confronted with the proofs of her perversity she set up a howl, and between her sobs and moans she made this confession to Interpreter Kipp:

"I never was in this country before. My mother sold me in China, but I do not know for how much. My mother told me that I was to go to America, but where I do not know, with this woman Fong Chun Shee, who taught me, etc. All that I have said in the above statement is not true. My mother took me from Heongshan, my home in China, to Hong-Kong, where I was sold."

AN ADDITIONAL CONFESSION.

In addition to this, the woman made the following confession to Rev. Mr. Masters:

"My name is Chow Ming Chee; I was born in China, but do not know where; I am twenty-three years old; my parents are dead; my mother sold me to be a slave girl; I was a slave girl in Canton for two years; my mistress sold me to a woman who handed me over to the woman in the photograph to bring to California; I do not know how much was paid; my mistress paid for my ticket; I had no certificate, for I have never been here before; a man on board this steamer taught me what to say on my arrival; while teaching me his hand held a paper; I do not want to go back to China; I want to remain here in California; I do not know what the woman wants of me who brought me over; I am under her orders."

As soon as the facts detailed above were ascertained the three women were separated from the others on board the steamer. Every assurance was given them of entire protection pending their return to China.

The woman Fong Chun Shee has been detained on the ship by the customs officers and will be arrested for importing these women in violation of the law and for questionable purposes.

The Call, speaking editorially on this subject, in its issue of December 7 last, says—and all the leading San Francisco journals are equally outspoken and emphatic on this question, and all unite in insisting that absolute exclusion and not restriction is the only real remedy for the great evil. The Call says:

CALL A HALT.

It is time that Colonel Bee should point out to the Chinese merchants of this city the necessity of calling a halt among their countrymen. They are trying American patience about as far as it will bear.

The unfortunate girl Kwok Ah Sip has been rescued from the life of infamy to which she was destined and will be sent back to China. But the examination of the baggage of the passengers who arrived in the City of Peking establishes the fact that her case was only one of many and that an elaborate system is in force for the purchase of young girls in China. The girls are purchased either directly from their parents in China or from some one who obtained them from their parents. The price appears to vary from $400 to $600. For this sum, which the girl does not touch, she covenants to serve in a house of prostitution for four years and a month extra for every fortnight she is laid up by illness. On her arrival here she is taught to swear that she was born here and went to China on a visit, in proof whereof she produces a certificate purchased in Hong-Kong. Witnesses are forthcoming to testify that they knew her here. The girl is supplied with a smattering of information regarding our money, our streets, and our climate, to corroborate her theory that she was born here. It illustrates the terrorism with which contracts are enforced among the Chinese that hardly any of the girls evince a tendency to rebel against their doom.

The men who furnished the money for the infamous traffic are known, and so are the women who keep the establishments to which the Chinese girls are consigned. They ought to be punished with the utmost severity which the law allows. Nor should the steamship companies which transport these slaves from Hong-Kong to this port be allowed to escape. It is intolerable that a company which is asking Congress for a subsidy should be earning dividends by the wholesale transportation of these Chinese females.

But this is not all. The strife which is pending between two Chinese clans bids fair to reproduce in this city the vendettas of Corsica. On Wednesday last a member of the See Yup clan was killed by a Leong over a tan game. The See Yups determined on vengeance, and a day or two afterward they killed by mistake one Lee Way, who was taken for a Leong. When they discovered their error they shot at and nearly killed Leong Chee. It is understood that they are not satisfied, as Leong Chee was not killed outright. They propose to go on with the vendetta until a Leong really bites the dust, and meanwhile the Leongs propose to avenge the attempts made by their enemies.

Any intelligent Chinaman must realize the effect of such conduct as this. We can not tolerate the deliberate nullification of our laws by a race whom the people of this State have deliberately declared to be unfit immigrants. The worst that could be said against the Chinese by the most prejudiced of their enemies will not hurt them as much as the *exposé* of the Chinese prostitute business or the strife of the hostile Chinese clans. There is no argument left for them to urge, no plea in mitigation. The facts are beyond excuse.

And again, another editorial reads as follows:

IN THE RIGHT DIRECTION.

Congressman MORROW states that the California delegation will ask Congress to pass a bill which will provide for the abrogation of that portion of the Burlingame treaty which permits the entrance of Chinamen into America. This is a step in the right direction; but it would not have great practical results unless the clause in the Angell-Swift treaty which permits Chinese in the country when the treaty was signed to go and come at will is also repealed. Mr. MORROW says that the bill he introduced last winter providing that Chinese who have been absent more than two years should not be readmitted would greatly reduce the number who could come in fraudulently, either on bogus certificates or under the prior-residence plea. Of course there would be some advantage in limiting the period of a Chinaman's absence without forfeiture of his right to return. But the courts would doubtless find as much difficulty in determining the period of a Chinaman's absence as they now have in arriving at the truth of his representations that he has been in the country before. The Chinese unfortunately are a people who have no regard for truth. They approach our courts with the idea in their minds that there is no harm in trying to deceive them. Their experience has taught them that perjury could be committed with impunity. The case of the Chinese cigar manufacturer who swore that an applicant to land under the habeas corpus process had been in his employ, when it was afterward shown that the applicant had never been in the country, is but one among many. This Chinese business man committed flat perjury under Judge Sawyer's nose, but the judge did not grant a warrant for his arrest. The Call would suggest to Mr. MORROW and others of the California delegation that there is but one bill that covers the ground. The Chinese, with the aid of the courts, will get round any bill *but an absolute exclusion bill.*

The Portland (Oregon) Daily News, in its issue of January 5, remarks as follows editorially:

EXCLUSION OF CHINESE.

The bill for the exclusion of Chinese, introduced in the Congress now in session by Senator MITCHELL, of Oregon, was published in the News yesterday morning. It is worthy of careful perusal. It will, if passed into a law, effectually exclude from the United States the Chinese. This is the thing that is wanted. The Federal courts can not twist it into practical evasion, as the Federal courts in San Francisco have done with the present restriction law, which is now, through the practice of these courts, of no value or force whatever. Sen-

ator MITCHELL's bill does not trifle with the important question. It provides definitely for the exclusion of the hordes from China; not restriction. The particular classes of Chinese who may be permitted to come are specifically mentioned, and only these shall be permitted. This exactly meets the wishes and wants of the people of the Pacific coast. It will receive the approbation of the people of the States across the continent who know of or contemplate the harm and danger which Chinese inpouring has upon our country—theirs the same as ours. The bill ought to be passed.

At a mass-meeting held at Metropolitan Hall in San Francisco late last month, not a mass-meeting of hoodlums or anarchists or cranks, but of leading representative men of the city and State, presided over and addressed by Mr. Pond, present mayor of the city, letters from the governor of the State and other distinguished citizens being received, and enthusiastically read, Governor Waterman stating in his letter that the "danger [referring to the Chinese] is only equaled or surpassed by that from an influx of anarchists or socialists," and stirring addresses from leading orators delivered, a series of resolutions were unanimously adopted. They read as follows:

Whereas the people of the Pacific coast have repeatedly petitioned the Congress of the United States for relief from an evil which for years has sapped our life's blood, undermined our prosperity, and spread a most demoralizing influence in our communities; and

Whereas this evil consists of the presence in our midst of a people distinct in their civilization, un-American in their habits and customs, in dress, religion, and language, as entirely distinct as it is possible for two peoples to be—one hoary with age, the other a youth full of life and hope; one a democrat, the other a slave—a people whose mode of living enables them to successfully compete against any other human labor, displacing, therefore, and ruining all who come in contact with them; and

Whereas as a result of this competition low wages must prevail, preventing a civilized people from living in comfort, respectably rearing their families, giving their children a proper education, making them good citizens and providing for themselves in old age; and

Whereas this competition furthermore deprives thousands of our people of legitimate employment, and robs our children of an opportunity of earning an honest living, driving many of them to crime and shame; and

Whereas the present laws respecting the admission of these people (the Chinese) passed as a compliance to our many petitions, are so inefficient as to not materially impede their admission and to open wide the doors to fraudulent and corrupt practices, making the intent of the law a mere sham; and

Whereas the class of Chinese thus admitted, contrary to the intent of our existing laws, consists largely of coolies imported substantially as slaves, of criminals of the most vicious and brutal kind, and of prostitutes or young women sold into slavery to become such; and

Whereas the absolute disregard of these heathen for any law, oath, truth, or decency keeps our own judiciary from having any hold on them, while they maintain a system of jurisprudence of their own among us, enforcing their own illegal edicts by blackmail and murder, and resorting to every device and trickery that their low cunning is possible of devising to frustrate and resist the successful prosecution of their criminals in our own courts; and

Whereas their gambling hells, opium joints, and dens of iniquity and vice serve to entice our boys and girls, prompted by inducements too great to resist, offered by the wily heathen, while our laws seem powerless to suppress them, and yet the entire taxes paid by the Chinese population are insufficient to cover the cost of maintaining the Chinese prisoners of the State; and

Whereas the resources of the Pacific coast are so great that millions may be furnished homes where now there are but thousands, but by reason of this terrible Asiatic curse our progress is retarded, our development checked, our industries dwarfed and a healthy increase of our American population discouraged, while at the same time our very free and liberal institutions are menaced by the unwholesome and corrupt influences at work by these people, who are determined to maintain the foothold they now have in this country: Be it, therefore,

*Resolved by the citizens of San Francisco in mass-meeting assembled*, That the Congress of the United States is hereby respectfully and urgently requested to at once either so modify the existing laws on Chinese immigration or else to enact such new laws as shall most effectually "exclude" the Chinese from any entrance whatever in the United States.

*Resolved*, That we consider "exclusion" the only practical remedy, the present restriction laws having presented no bar to their entrance.

*Resolved*, That a copy of this preamble and these resolutions, to be signed by the chairman and secretary of this meeting, be transmitted to the President of the United States, to the President of the United States Senate, and the Speaker of the House of Representatives.

Men hold up their hands in holy horror at the suggestion that we must not under any circumstances legislate in such a manner as to interfere in the slightest degree with any of the provisions of existing treaties between the United States and the Chinese Empire. It is said to do so is a deliberate insult to a friendly power with whom we are on terms of amity and peace. It is said, moreover, to do so is to turn aside from an important trade, from a growing commerce which we are now reaping, as it is said, from this source. We are told, furthermore, that we have a right to look in the near future to China as a market for our surplus wheat; that the Chinese will soon become a wheat-eating people. Answering the last suggestion first, I venture to suggest in the first place that the Chinese never will in all human probability become a flour-eating people to any extent whatever. Certainly not so long as rice and vegetables continue to grow, and fish continue to swim. But in the second place, should they do so, then following along with the same advancement in the line of civilized life China, like its neighbor, India, would become a great wheat-growing country, so that so far, in such an event, from China becoming a market for the surplus wheat of the Pacific coast, or elsewhere, it will only be a coadjutor with India, and Russia and other European countries, in glutting the wheat markets of the world, and thus, instead of being a benefit to our wheat-producing people, will in the end be a positive injury.

And as to our commerce with China, what does it amount to? The balances are all against us, and the benefits are all with China.

I hold in my hand a statistical statement showing the kind, qualities, and values of the imports into the United States from, and the exports of the United States to, China during the year ending June 30, 1885, which I ask the permission of the Senate to incorporate in my remarks without stopping to read it.

*Statement showing the quantities and values of imports into the United States from and the exports from the United States to China during the year ending June 30, 1885.*

IMPORTS.

| Articles. | Quantities. | Values. |
|---|---|---|
| FREE OF DUTY. | | |
| Chemicals, drugs, and dyes, not elsewhere specified | | $124,534 |
| Coffee.....pounds | 254,051 | 26,872 |
| Farinaceous substances, and preparations of, not elsewhere specified | | 65,698 |
| Hair, not elsewhere specified | | 65,366 |
| Hides and skins, other than fur-skins | | 388,544 |
| Silk, unmanufactured: | | |
| Cocoons.....pounds | 2,098 | 1,256 |
| Raw, or as reeled from the cocoon.....pounds | 1,030,580 | 3,199,851 |
| Waste.....pounds | 13,420 | 10,711 |
| Spices, unground | | 42,860 |
| Tea.....pounds | 35,895,835 | 8,038,896 |
| Wood, unmanufactured, not elsewhere specified | | 33,429 |
| All other free articles | | 92,761 |
| Total free of duty | | 12,050,768 |
| SUBJECT TO DUTY. | | |
| Chemicals, drugs, dyes, and medicines, not elsewhere specified: | | |
| Opium, crude.....pounds | 5,501 | 21,311 |
| Opium, prepared for smoking.....pounds | 21,402 | 182,186 |
| All other | | 27,740 |
| Cotton, manufactures of | | 128,752 |
| Earthen, stone, and china ware | | 53,662 |
| Fish, not elsewhere specified | | 57,075 |
| Furs, dressed on the skin, and manufactures of fur | | 221,956 |
| Hats, bonnets, and hoods, and materials for | | 979,869 |
| Oils, vegetable, fixed, or expressed, other than olive.....gallons | 399,428 | 188,880 |
| Provisions, meat products | | 42,742 |
| Rice, not elsewhere specified.....pounds | 28,363,652 | 723,974 |
| Rice, granulated, or rice meal.....pounds | 358,039 | 9,141 |
| Silk, manufactures of | | 618,696 |
| Spirits, distilled, and spirituous compounds, proof-gallons | 81,170 | 27,608 |
| Sugar, brown (not above No. 13).....pounds | 1,888,406 | 44,341 |
| Tobacco, manufactures of | | 42,763 |
| Vegetables: | | |
| Pickles and sauces | | 37,903 |
| All other | | 45,231 |
| Wood, and manufactures of | | 28,930 |
| Wool, and manufactures of: | | |
| Unmanufactured.....pounds | 1,141,604 | 102,757 |
| Manufactures of | | 28,960 |
| All other dutiable articles | | 641,844 |
| Total subject to duty | | 4,241,401 |
| Total imports of merchandise | | 16,292,169 |
| Total imports of gold and silver coin and bullion | | 1,529 |
| Total imports | | 16,293,698 |

EXPORTS.

| Articles. | Quantities. | Values. |
|---|---|---|
| Books, maps, engravings, and other printed matter | | $26,445 |
| Breadstuffs: | | |
| Wheat, flour.....barrels | 7,060 | 35,734 |
| All other | | 4,784 |
| Clocks and parts of | | 51,819 |
| Cotton, manufactures of: | | |
| Colored.....yards | 74,446 | 4,644 |
| Uncolored.....yards | 51,216,132 | 3,400,339 |
| All other | | 9,531 |
| Gunpowder and other explosives | | 419,361 |
| Iron and steel, manufactures of: | | |
| Fire-arms | | 768,076 |
| All other | | 38,329 |
| Oils: Mineral, refined.....gallons | 15,421,400 | 1,455,234 |
| Provisions, comprising meat and dairy products | | 35,977 |
| Wood, and manufactures of | | 25,667 |
| All other articles | | 120,238 |
| Total exports of domestic merchandise | | 6,396,178 |
| Total exports of foreign merchandise | | 322 |
| Total exports | | 6,396,500 |

From this statement, it will be seen that the whole amount of merchandise imported from China to the United States during this period amounted in value to the sum of $16,292,169, of which amount only about one-fourth, or $4,241,401, was subject to duty, the balance being on the free-list; while the sum total of our exports to China on domestic commodoties during the same time was $6,396,178, our total exports of foreign merchandise but $322, making our total exports $6,396,500.

The port of San Francisco alone exported merchandise to all foreign countries during the year ending June 30, 1885, more than six times the amount in value than did all the ports of the United States, San Francisco included, export to China during the same period, her exports of merchandise for that year being $38,115,624, while the port of Portland, Oregon, the next nearest port of consequence to China, if we may except Astoria, Oregon, exported in all that year merchandise within $2,000,000 of the amount sent to China by all the ports of the United States, San Francisco and Portland included.

Nor has our export trade with China increased, but on the contrary largely decreased, during the past few years under the operation of the Burlingame treaty. Our total exports to China for the year ending June 30, 1885, were less by nearly $500,000 than they were seven years ago. In that year, ending June 30, 1878, they were $6,867,255, and our exports to China during the year ending June 30, 1885, were less by $1,968,036 than they were in 1881, and, small as it is, less than double that when the Burlingame treaty was ratified. But, not only so, it requires a drain of our gold and silver of nearly $10,000,000 annually to square our account with China, to say nothing of the immense drain of many millions annually sent out of the country through the operations of the Chinese.

But another consideration of immense importance must not be lost sight of in the consideration of this question. Prior to the existence of the Burlingame treaty Americans on the Pacific coast and elsewhere within the limits of the United States carried on whatever trade we had with China and received the benefit of it. How is it to-day? Over 95 per cent. of the whole trade is monopolized and carried on by Chinese. The chimera, therefore, in reference to our great commerce with China and its alleged immense importance to this country can not delude much longer, and when put in the balance against the great evils that are resulting to this country and to our people from the presence of the Chinese, it should not be considered for one moment, even though the effect of the abrogation of the treaty might be to deprive us wholly of this trade, which, as I have endeavored to show, it most certainly will not; for, even conceding the importance of that trade and the desirability of retaining it, China will never close her ports against it, treaty or no treaty. The advantages are too greatly in her favor; the profits are all on her side of the ledger. The benefits inuring from it are in favor of China and not of the United States.

With Great Britain her account stands quite differently. England is not compelled to go down in her exchequer every year to the tune of many millions as have we in order to settle a balance of trade with China. Her opium from India alone very nearly pays for the Chinese products purchased by her.

It was proclaimed with a flourish of trumpets when the Burlingame treaty was consummated that a new market for our surplus wheat was to be opened up to the producers of this country; that the rice-eating millions of China would at once become a bread-eating people. But what is the result? Eighteen years have passed away and our annual total exports of breadstuffs to China, including wheat and flour, are of the value of less than $40,000, the exact amount for the year ending June 30, 1885, being $35,734—a mere bagatelle. And so with our provisions, comprising meats and dairy products; $35,977 in value is the sum of all they purchased from us in the last year.

In fact, if we may except the two products of uncolored cotton manufactures, the value of our exports of which to China during the year 1885 was $3,400,339, or considerably over one-half of all our exports to that country, and refined petroleum, amounting to $1,455,234, our export trade with China amounts to absolutely nothing; while from her free-list she, through her importations, is permitted to enter into competition with our producers of hides and skins, chemicals, drugs, and dyes, unmanufactured rare woods, hair, and other of our productions.

But again, recurring to the immense drain of specie from our country involved in this trade, I submit the following statement from the Bureau of Statistics, Treasury Department, showing the value of the foreign trade with China and Hong-Kong and our annual total exports of gold and silver to China during the fifteen years, including 1885:

*Value of the foreign trade of the United States with China and Hong-Kong.*

| Year ending June 30— | Exports. | | Total exports. | Imports. | Total imports and exports. |
|---|---|---|---|---|---|
| | Domestic. | Foreign. | | | |
| MERCHANDISE. | | | | | |
| 1870 | $3,051,616 | $64,765 | $3,116,381 | $14,565,527 | $17,681,908 |
| 1871 | 2,041,836 | 28,996 | 2,070,832 | 20,064,365 | 22,135,197 |
| 1872 | 2,915,465 | 21,370 | 2,936,835 | 26,752,835 | 29,689,670 |
| 1873 | 2,547,095 | 8,895 | 2,555,970 | 27,191,759 | 29,747,729 |
| 1874 | 2,078,565 | 55,096 | 2,133,661 | 18,568,940 | 20,702,601 |
| 1875 | 3,551,038 | 15,710 | 3,566,748 | 14,676,416 | 18,243,164 |
| 1876 | 4,715,115 | 14,777 | 4,729,892 | 12,847,633 | 17,577,525 |
| 1877 | 4,903,075 | 34,631 | 4,937,706 | 12,301,684 | 17,239,390 |
| 1878 | 6,850,231 | 16,324 | 6,867,255 | 18,120,483 | 24,987,738 |
| 1879 | 5,930,954 | 11,245 | 5,942,199 | 18,084,694 | 24,026,893 |
| 1880 | 3,974,447 | 4,328 | 3,978,775 | 24,020,707 | 27,999,482 |
| 1881 | 8,361,949 | 2,585 | 8,364,534 | 24,717,557 | 33,082,091 |
| 1882 | 9,106,902 | 16,978 | 9,123,880 | 22,638,433 | 31,762,313 |
| 1883 | 7,845,753 | 12,328 | 7,858,081 | 22,060,225 | 29,918,306 |
| 1884 | 7,705,022 | 5,405 | 7,710,427 | 17,121,373 | 24,831,800 |
| 1885 | 6,396,178 | 322 | 6,396,500 | 16,292,169 | 22,688,669 |

*Value of the foreign trade of the United States with China and Hong-Kong*—Continued.

| Year ending June 30— | Exports. | | Total exports. | Imports. | Total imports and exports. |
|---|---|---|---|---|---|
| | Domestic. | Foreign. | | | |
| GOLD AND SILVER. | | | | | |
| 1870 | $3,309,547 | $2,554,138 | $5,923,685 | $62,960 | $5,986,645 |
| 1871 | 1,878,380 | 1,693,267 | 3,571,647 | 1,950 | 3,573,597 |
| 1872 | 4,799,470 | 1,199,865 | 5,999,335 | 700 | 6,000,035 |
| 1873 | 4,789,608 | 2,364,941 | 7,154,549 | 181 | 7,154,730 |
| 1874 | 6,621,400 | 2,759,641 | 9,381,041 | 39,772 | 9,420,813 |
| 1875 | 5,210,966 | 1,392,403 | 6,603,369 | 6,840 | 6,610,209 |
| 1876 | 5,842,947 | 2,086,642 | 7,929,589 | 6,908 | 7,936,497 |
| 1877 | 12,255,259 | 3,175,606 | 15,430,865 | 10,952 | 15,441,817 |
| 1878 | 13,200,925 | 3,011,650 | 16,212,575 | 7,559 | 16,220,134 |
| 1879 | 4,413,618 | 3,017,744 | 7,431,362 | 134,635 | 7,565,997 |
| 1880 | 4,282,381 | 2,230,442 | 6,512,823 | 90,991 | 6,603,814 |
| 1881 | 1,367,034 | 2,111,568 | 3,478,602 | 41,179 | 3,519,781 |
| 1882 | 2,307,620 | 2,142,590 | 4,450,210 | 36,005 | 4,486,215 |
| 1883 | 4,168,736 | 2,971,744 | 7,140,480 | 192,801 | 7,333,281 |
| 1884 | 4,936,985 | 4,404,574 | 9,341,559 | 5,260 | 9,346,819 |
| 1885 | 5,188,705 | 9,384,528 | 14,573,233 | 1,529 | 14,574,762 |

From this it will be seen we have in that time sent to China in gold and silver to balance our account $131,134,815. In the four years and seven months ending July 31, 1879, we exported from San Francisco alone, to China, specie to the amount of $49,848,918. This immense sum of over $131,000,000 in gold and silver is in small part the tax that has been levied on the white labor of the Pacific coast and handed over to the Mongols of Asia. But to this add not less than from $75,000 to $100,000 per day that is daily being absorbed by the laboring Chinese of the Pacific coast, and only a very small fraction of which finds its way back into American life and industries, and the balance of which, amounting to untold millions, is sent out of the country, and then some adequate conception may be had of the enormously bad bargain this country struck with China when the Burlingame treaty was made.

RESTRICTION ACTS DO NOT RESTRICT.

It is now, Mr. President, nearly six years since Congress passed the first act having for its purpose the restriction of Chinese immigration to this country, and what has been the result? Commencing with the year 1852, when the first Chinese immigration of any consequence entered this country, and ending with and including the year 1880, or at least up to November 17 of that year, the date of the treaty, in all a period of twenty-eight years ten months and seventeen days, the average number of Chinese arrivals annually at the port of San Francisco alone was 8,772, or a monthly average of about 731, or a total during that period of 253,085; whereas in the six years and seven months and thirteen days commencing with November 17, 1880, the date of our treaty with China having for its main purpose the restriction of Chinese immigration, and ending with June 30, 1887, the average number of arrivals annually at the port of San Francisco has been 12,414, or an average monthly installment during that period of 1,034 and a fraction, aggregating in that period of restriction by treaty and restriction acts 82,229, or an excess in that time of average monthly arrivals over that of the preceding years mentioned of 303, an excess annually over the arrivals of previous years of 3,636, or nearly 50 per cent.

But not only so. How has it been since the restriction act of 1882 went into operation? From August 5, 1882, to June 30, 1887, a period of four years ten months and twenty-five days, the whole number of arrivals at that port by steamer alone was 36,564, or a yearly average of 7,462 and a monthly average of 621 and a fraction, being an annual number of arrivals of only 170 less and an average monthly arrival of only about 14 less than the arrivals for the three years of 1877, 1878, and 1879, the three years prior to the date of the treaty. The average annual arrivals at that port by steamer during those three years immediately prior to the adoption of restriction measures were 7,633, or an aggregate of 22,898 in those three years.

But the folly and inefficiency of the restriction acts have been demonstrated beyond all question during the past two years in various ways, and especially by the increased number of Chinese in this country. Never in the history of Chinese immigration to this country, with a single exception, not excepting the year 1852, when 20,076 arrived at the port of San Francisco, or 1875, when 18,021 came, has the average number of arrivals of Chinese by steamer at the port of San Francisco been so great as in the first six months of the year 1887. According to the steamer passenger-list the arrivals at the port of San Francisco for the six months ending June 30, 1887, were 11,147, or at the rate of 22,294 annually, or 1,857 and a fraction per month. Never but once before in the history of Chinese immigration to the United States was this class of immigration so large, and it is a fact not to be forgotten that *that* exception included a period since the existence of our latest treaty with the Chinese Empire and covered the time from November 17, 1880, the date of such treaty, to August 5, 1882, a period of one year, eight months, and eighteen days, when the arrivals by steamer alone at San Francisco reached 45,665, or an average of about 2,225 per month.

But not only so. In these figures no account whatever is taken of hundreds and thousands in the aggregate that enter at other ports of the Pacific either lawfully or by being smuggled into this country by the scores

and hundreds from the Canadian provinces along the line of the Canadian Pacific and across the waters of Puget Sound from British Columbia. And still another fact must be taken into account, and that is that vessels on the route between San Francisco and China ports are as a rule manned by Chinese crews, many of whom are constantly deserting and remaining in this country; in fact, that is one way in which hundreds and perhaps thousands constantly evade the law and violate the treaty; none of these are included in the figures just given. It is a fact, moreover, asserted by the customs officers at the port of San Francisco, that it is in but the fewest number of cases that Chinese departing from San Francisco do not secure return certificates, and it is a notorious fact that these certificates are sold by the wholesale in the Chinese market for an average of about $40 for each certificate; and it is a further fact, of the arrivals during the past couple of years and at present, more came without than with certificates, and are permitted to enter this country on habeas corpus on a showing of testimony, mainly and of necessity of a Chinese character, of prior residence and departure prior to the 5th of August, 1882, and under which the most tremendous frauds have been committed through the wholesale perjury and artifice of the Chinese, whereby the courts have been cruelly imposed upon and justice thwarted.

It must therefore be remembered that the rate of arrivals from China in San Francisco annually has never been so large as since the date when the United States sought by treaty to restrict this class of immigration, thereby conclusively proving that restriction treaties do not restrict, and restriction acts, so far from restricting, have actually increased Chinese immigration to this country.

The testimony of Hon. F. A. Bee, the Chinese consul at San Francisco, ought to have weight on this question as to the effect of restriction acts. He is reported in the San Francisco journals as having testified in a recent Chinese investigation in that city, that "within the last six months more Chinese women had arrived, and been landed by the courts as previous residents, than ever departed between 1849 and 1887;" and furthermore "that all the women brought into this country were brought here for immoral purposes."

THE LABOR QUESTION; THE GREAT ISSUE IN THE NEXT PRESIDENTIAL CONTEST.

Recent events indicate in unmistakable terms that the great overshadowing issue in the next Presidential campaign is as to whether the principle of protection to American labor and American industries shall be maintained in the administration of the affairs of this Government, or whether it shall be abandoned and the laboring and industrial classes of America shall be compelled to enter a competitive and forlorn race with the cheaply-fed, low-priced labor, not only of Europeans on European soil, but what is infinitely worse, that of Asiatic labor also, on our own shores.

All New England is in convulsions with fear lest some interference with the existing tariff laws shall cripple the manufacturing industries of that great section of the country, and the alarm is sounded by the declaration that there are one thousand million dollars of capital invested in manufacturing establishments in New England, that nearly 600,000 (584,495) wage-workers earned in 1880 over $200,000,000 ($200,054,-194.70), and the appeal is made to these nearly 600,000 employés in these words: "Do you want to have your earnings put upon an European basis and cut down more than one-half by free trade?"

I tell our friends from New England, or rather the six hundred thousand wage-workers of that section, as well as the laboring classes generally in every State and Territory of the American Union, not only in New England, but throughout the length and breadth of this broad land, that there is a more destructive element menacing them than free trade, although that is full of danger. By the latter it is true they will be brought in ruinous competition to a certain extent with the servile labor of Europe on foreign soil, and hence it is a state of affairs to be dreaded and avoided; but there is an impending danger threatening the wage-workers of this country more to be feared, more to be dreaded, more to be shunned than the low wages paid by European nations in foreign lands.

That danger is the actual presence in this country, at our own doors, in the factories, at the furnaces and forges, the looms and spindles, in the mines and vineyards, in the laundries and shops, in the hotels and boarding-houses, in the kitchens and dining-rooms of men of moderate means, as well as in those of the palaces of the millionaires, and in every department of manual labor, of millions of the cheaply fed and still cheaper paid serfs of Asia. That is a competition whose evil effects will not be shared, as in the former case, in the same proportion by capital and labor, but is one that must be borne silently, exclusively, alone by the laboring classes of this country. The capital of the country, the great manufacturing establishments, the powerful corporations of the land, who always purchase labor at the lowest possible figure, may not suffer so much from the actual introduction into this country of cheap labor when it can thus be secured by them and utilized in their own interest, in their own workshops, and in their own factories, but to the laboring classes the blow is terrible.

Free trade may, and doubtless will, reduce the price of wages in this country, while the introduction of the slave labor of China will absolutely paralyze and effectually destroy the interests of the laboring man. If, as stated very truthfully, recently, by Senator FRYE, in a very able speech in Boston, "free trade would simply drag wages in this country down to European wages," what, I would inquire of that eminent Senator, would be the effect on wages in this country by the introduction *here*, not merely of the *products* of this European cheap labor, but what is infinitely worse, the *actual servile labor on our own soil, in our own shops and factories*, brought in sharp and direct and ruinous competition with the labor of this country, of the cheaply clothed, cheaply fed, low-priced rice-eating Asians?

If the low-paid labor of the Italian, the German, the Frenchman, the Belgian, in lands across the seas where the products of that labor alone are to affect us here, is to be dreaded by the American wage-worker, then that of the still lower-priced labor of the more cheaply fed Mongolian in our very midst is to be forever shunned as absolutely destructive of the rights of the American laborer.

The following table, giving the rates of wages paid whites and Chinese respectively in the city of San Francisco, in the various employments mentioned, will give a pretty clear idea of the effect of the introduction into this country of Chinese labor in reducing to ruinously low rates the wages of the American laborer. It is as follows:

| Occupation. | White. | Chinese. |
|---|---|---|
| Bakers (country only) per week | $8 to $15 | $3 to $9 |
| Cigar-makers: | | |
| Per 1,000 | 8 to 17 | 4 to 6 |
| Weekly wages—average | 10 to 12 | 6 to 7 |
| Weekly wages—girls | 10 to 12 | ..... |
| Weekly wages—boys | 4 to 6 | ..... |
| Cooks: | | |
| City, per month | 55 | 20 |
| Country, per month | 55 | 25 |
| Kitchen help, per month | 20 | 12 |
| Confectioners (country only), per month | 45 | 22 |
| Clothing: | | |
| Men's shirts, etc., per week | 6 to 10 | 5 to 8 |
| Women's underwear, per week | 5 to 8 | 4 to 7 |
| Tweed suits, etc., per week | 18 to 20 | 9 to 13 |
| Coat-makers, per week | 18 to 24 | 9 to 15 |
| Trousers-makers, per week | 14 to 18 | 8 to 12 |
| Harness-makers, per week | 9 to 18 | 5 to 11 |
| Paper-bag makers, per week | 5 to 12 | 3 to 9 |
| Paper-box makers, per week | 6 to 15 | 4 to 12 |
| Shoe-makers: | | |
| Lasters, per week | 11 | 8 |
| Fitters, per week | 15 | 11 |
| Machinists, per week | 14 to 25 | 9 to 17 |
| Nailers, per week | 12 | 9 |
| Trimmers, per week | 17 | 12 |
| Girls, per week | 7 | ..... |
| Boys, per week | 5 | ..... |

Permit the present immigration of Chinese to go on as it has been going on ever since the passage of the restriction acts, increasing both in numbers and in baseness of character, and it will not be long until every department of labor in every city and hamlet on the Pacific coast at least, if not elsewhere, will be monopolized and controlled by the Chinese laborer, and the wages of the white wage-worker will be regulated, fixed, and controlled by Asiatic prices.

Hon. John S. Hager, formerly a member of this Senate from the State of California, and now collector of the port at San Francisco, in a letter recently addressed to the Hon. W. W. MORROW, a member of the House of Representatives from that State, concludes as follows:

There is a prevailing impression that the objections among our people to Chinese immigration are based solely on ethnological and physiological grounds; but, as you well understand, this does not correctly present the question. There may be a race prejudice against the servile labor class, but this does not extend to those who come among us for purposes of trade and commerce, nor is it the controlling influence.

It is the opinion of many that next to the African slave-trade this so-called Chinese immigration is the most important event that has shadowed our political horizon. It is not the immigration of a people seeking a home in a new land; it is the gradual introduction from an inexhaustible source of supply of servile labor imported, owned, controlled, and directed by powerful and wealthy Chinese companies. China might spare from her vast population millions of her people without experiencing the sensation of a vacuum; and if the importation of this laboring class be unchecked they will come and continue to come. In laws, habits, dress, religion, and language they are a distinct people; unaffiliating, unassimilating, they are not of us and never will be. They are always Chinamen, never Americans. They can live cheaper, clothe themselves cheaper, and in the fields of labor our people can not compete with them; they underbid our race.

The Six Companies located in this city are ready to supply by contract one or one thousand or more of these laborers for any employment wherever labor is wanted. In rewarding labor, as capital generally gravitates towards the infinitesimal in compensation, the Chinaman will have the preference. If the importation of this servile class is unchecked, it remains to be disclosed in the future which, on this coast, will be the numerically preponderating race—the Mongolian or the Caucasian.

As you are aware, the Chinese question is not with us a party question, but public sentiment being uniform, it is to be hoped the delegation from the Pacific coast, with like unanimity and by harmonious action, will be able to accomplish some beneficial legislation that may be satisfactory to our entire people.

Mr. President, the honorable Senator from Massachusetts [Mr. HOAR], in a very interesting and able speech made by him at the Home Market Club banquet, Hotel Vendome, Boston, on October 19 last, upon the general subject of the tariff, and especially on the subject of protection to New England homes, and in which he discussed ably and truth-

fully the evil effects of cheap European labor on the interests of the laboring man of New England, used these eloquent and truthful words:

I should not myself, for one, think this a matter of the greatest public importance if it affected merely, or affected chiefly, the interests of the gentlemen whom I see about this table. I take it you could get your living in comfort somehow if every Massachusetts factory were to be closed to-morrow. But to me it is a question of the very life of the American people. It is a question whether henceforth and in the future the American home shall be overrun and supplanted by the squalid population whom my honorable friend has so eloquently described. We do not care to emulate England, or France, or Germany in any of the things which make up their glory. They may have the glory of war and of peace. They may have the splendors of art, and architecture, and music. I do not care for the galleries which Raphael or Angelo have adorned. I do not care that domes shall rise here which Wren has builded. I do not care for the music of Handel or Beethoven. But I do mean that health shall paint with her roses the cheeks of the factory girl. I do mean that we shall improve the architecture of the people's dwellings. I do mean that we shall, if we can, hear the music of children's voices in the well-paid workman's home. When you determine the question whether you shall pay a shilling or $2 a day to a workman, you are not dealing with the condition of a serf; you are fixing the salary of your monarch. If these men can be educated and be happy, can dwell in comfortable homes, can know the pleasure of church, and of lecture, and of town meeting, and of social gatherings, the American Republic will go on in its pathway of honor and of glory. But if European policies, European principles, European examples, European wages shall ever come here, you may not lose your capital—it will be but a trifle—but the American Republic will go down.

I tell the distinguished Senator from Massachusetts who uttered these eloquent, truthful, and prophetic words, and who heretofore, I regret to say, has given no aid or comfort in this Chamber to those protesting against the invasion of this country by Chinese laborers, he might in that same speech have added with equal truth, and with that sublime eloquence of which he is so distinguished a master, that if *Asiatic* policies, *Asiatic* principles, *Asiatic* examples, *Asiatic* wages, shall ever come here, then, while capitalists may not lose their capital, the American Republic will go down.

Mr. President, I move that the bill be referred to the Committee on Foreign Relations.

Mr. STEWART. If I can have unanimous consent, I should like to have an opportunity to make a few remarks on this subject.

The PRESIDING OFFICER (Mr. SPOONER in the chair). The bill will lie on the table for the present.

Mr. MITCHELL. I understand that the Senator from Nevada has asked unanimous consent of the Senate to supplement what I have said by a few remarks, if agreeable to the Senator from Delaware [Mr. GRAY], who has the floor on the unfinished business.

Mr. COCKRELL. The Senator from Nevada [Mr. STEWART] wishes to make some remarks on the pending question at this time, I believe.

The PRESIDING OFFICER. If the Senator from Nevada will suspend for a few minutes, the Chair will lay before the Senate a message from the President of the United States.

Mr. STEWART. Very well.

INTERNATIONAL EXHIBITION AT PARIS IN 1889.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a report from the Secretary of State in relation to the invitation from the Government of France to this Government to participate in the international exhibition which is to be held at Paris in 1889.

GROVER CLEVELAND.

EXECUTIVE MANSION,
*Washington, January 12, 1888.*

PROPOSED ADJOURNMENT TO MONDAY.

Mr. HOAR. I move that when the Senate adjourns to-day, it adjourn to meet on Monday next.

Mr. HARRIS. I desire to suggest to the Senator from Massachusetts that there are some matters which I think it important the Senate should look to to-morrow. There are several Senators on this side, I know, who greatly prefer that the Senate should meet to-morrow instead of adjourning over.

Mr. HOAR. I have no choice about it, except I know that there is a great deal of committee work required to be done; and I know that some Senators have made arrangements for committee meetings to-morrow and Saturday. I thought probably the public business would go on better by adjourning over. However, I shall not make any question if there is any doubt in the minds of Senators.

The PRESIDING OFFICER. Is the Senate ready for the question on agreeing to the motion of the Senator from Massachusetts?

Mr. HOAR. I withdraw the motion.

The PRESIDING OFFICER. The motion is withdrawn.

COMING OF CHINESE.

The PRESIDING OFFICER. If there is no objection, the consideration of the bill which has been before the Senate will be resumed, and the Chair will recognize the Senator from Nevada [Mr. STEWART].

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 582) abrogating all treaties heretofore made and now operative between the United States Government and the Chinese Empire in so far as they, or any of them, provide for, recognize, or permit the coming of Chinese to the United States, and in so far as they, or any of them, inhibit the United States from absolutely prohibiting the coming of Chinese to the United States; and repealing all acts of Congress in so far as they, or any of them, recognize or permit the coming of Chinese to the United States; and absolutely prohibiting the coming of Chinese to the United States, excepting only diplomatic, consular, and other officers, and prohibiting the landing of any Chinese therein, excepting only such diplomatic and other officers.

Mr. STEWART. Mr. President, the question of Chinese immigration is much broader than any of us supposed years ago. It is now about forty years since the Chinese commenced emigrating to the Pacific coast. They first attracted the attention of our people on account of their peculiar appearance and habits, but at that time occasioned very little inconvenience, because there was then room for all, and they confined themselves principally to the placer mines, which had already been worked over by the whites. We were then wholly ignorant of the real character of the race that was invading our country. They were peaceable and quiet, and had not then obtruded themselves into the industrial pursuits of our people. The population of our coast at that time consisted almost exclusively of adult males, who were engaged in mining and furnishing supplies to miners. For this reason the Chinese did not interfere with the institutions of our people. Since then they have gradually and persistently obtruded themselves into every pursuit in life. We find them in the mines, in the vineyards, in the fields, on the railroads, in our kitchens, doing every description of household work and supplanting and excluding white men and white women from employment and the means of a livelihood. We find them in every workshop and manufactory; the tailors, the shoemakers, the cigar-makers, the manufacturers of every variety of clothing, for both males and females, are supplanted by them. The white man, the white woman, the white girl, and the white boy are driven by them from every industry.

I have no feeling of resentment against the Chinese. I have always been in favor of treating them kindly while they are here. I have met the opposition of my own people in defending the Chinese from violence which naturally arises from race hatred and prejudice.

But I have long since seen that we can not live with the Chinese. Seventeen years ago last July the question arose in this Senate Chamber as to whether the Chinese should be naturalized. It was a fierce and protracted discussion; it continued over the 4th of July; and after the subject was fully discussed, the Senate almost unanimously decided that it would not allow them to become citizens, while in the beginning of the discussion Senators were nearly unanimous the other way. Since that time I have had an opportunity to observe the Chinese and to reflect upon the question, and I find that it is an all-important and a new question, so far as the people of the United States are concerned; but so far as our race is concerned it is but the renewal of the conflict which commenced at the earliest period of history.

It is a curious fact that the races of Western Europe have never been able to wrest one acre of ground from the Asiatics, while the Asiatics have always been advancing upon the Europeans. They have several times invaded Europe and supplanted large sections of its population, but Europeans have never supplanted the inhabitants of Asia at any point. The descendants of the armies of Genghis Khan and Tamerlane are still in Europe. The descendants of the vast hordes of Huns who overran Europe centuries ago still occupy the lands they gained by conquest. Ten millions of Turks remain in Europe in possession of the lands they acquired by arms from the Christians.

Great Britain has overrun 250,000,000 Asiatics, but she has yet to acquire the first farm in Asia. The natives are there. She may overrun them with her armies, but she can not supplant them. Englishmen can not live among them. There are less than 250,000 Englishmen in all Asia. After more than a century of conquest and dominion, she has been unable to colonize a single village in all India. France has tried the experiment in Cochin-China with the same result. Other powers of Europe have vainly attempted to plant colonies in Asia, but none of them have succeeded. Wherever the Asiatic has acquired possession he holds the fort, so far as occupying the soil and excluding the races of Western Europe is concerned.

Mr. HOAR. May I inquire of the Senator if what he says applies to the Moors in Spain?

Mr. STEWART. The Moors in Spain were nearly all slaughtered before they were driven out, but they were of the Caucasian race, not the Mongolian.

Mr. HOAR. They were Asiatics.

Mr. STEWART. They came from Circassia. They did not belong to the Asiatic race.

Mr. TELLER. They were not Mongolians.

Mr. STEWART. No, they were not Mongolians. If they had been Mongolians the Spaniards would have been forced to kill them all to rid the soil of their presence. The Mongolians would not have left even to save their own lives. Their dogged perseverance in holding to their possessions and remaining where they have once located, surpasses the comprehension of the tenacious and persevering Anglo-Saxon. If China had been in the condition she now is in, if she had been waked up, if she had known of modern means of transportation before this continent was discovered by Western Europeans we should never have been here.

On the Pacific coast, wherever the Chinaman goes there our civilization stops; there can be no such thing as school-houses or churches in their presence. All that you see that is beautiful in your New England homes, or your Southern homes, vanishes before the Chinese. It is impossible for our race to live upon the same allowance that they live on. We never can be reduced to the standard of food on which they subsist.

It is impossible for our race to labor as incessantly as they do. Their habits of industry are the inheritance of all the ages. There are more than three times as many of them as there are of the white race, perhaps four times; the census has not been accurately taken. Their persistence in maintaining existence, their tenacity of life, their industry so far surpass ours that wherever they come we must go. I do not pretend to say that China has capacity to conquer us with arms. That is impossible; but if you will open the doors and let the Chinese come they will supplant the people of this country, occupy it and take it as absolutely as the Hindoos hold Hindostan, notwithstanding the English rule.

If allowed to come the Chinese will be the laborers of this country, and the laborers must be the people who occupy the soil.

In every neighborhood where they have gone on the Pacific coast the Chinese have driven the whites before them. In towns, in parts of towns which they occupy, they exclude the whites—by their habits, by the contrast between their civilization and ours, by their industry, and by everything that separates a people and makes it impossible for them to commingle together.

I say that opening our gates to Mongolian immigration means nothing more and nothing less than the occupancy of this country by Chinese. You already find them in every town in the United States. You can hardly pass through a town and not see signs of Chinese washhouses. They will do all your washing, and they will do all your manufacturing, and they will do all your work so much cheaper and live on so much less than white people that competition with them is impossible.

I do not wish to injure the Chinese; I am not unfriendly to them, because I do admire a race which has as old a civilization as they have and which has produced such philosophers as Confucius. Those who lead and control China are as strong as any men on earth, intellectually, I mean.

I recollect meeting General Grant in San Francisco after his tour around the world. Whatever may be said of him, there are few men who ever lived who saw what was transpiring around them more clearly than he did. I inquired of the general what was the most remarkable characteristic of all the people he had met on his travels. He said that the superiority of the Chinese as traders over all others was astonishing; that no race could compete with them in the East where they were engaged in business; that even the Jew, with his sagacity for trade, was forced to abandon every field where he came in competition with the Chinese.

A race of men of that kind can not be supplanted. I do not relate this anecdote in disparagement of the Jew; his superiority in trade must be admired by the Gentile, who is compelled to do his bidding. I do not want to place my race in competition not only with the servile labor of the cooly slave, but with the overreaching avarice and patient cunning of the wily Chinese. The Mongolians already occupy two-thirds of the globe, and number two-thirds of the people.

Wherever they come in peaceable competition with the white race they must prevail. If we open our country to them, with our rate of wages, our laborers can not exist. The only way that the people of Western Europe can maintain themselves against Asia is by superior physical power and the use of arms. They can not maintain themselves on the field of industry, they can not supplant Asiatics, but will be supplanted by them everywhere. That is my experience from a careful observation of these people for the last forty years.

I have offered a resolution calling on the President of the United States to negotiate a treaty with China excluding Chinese altogether, except embassadors and diplomatic agents and merchants engaged in foreign trade. I am a little doubtful about making even that concession. If a treaty of that kind can not be negotiated, if China refuses to treat, the resolution will give them notice that we intend to legislate. There is no use in discussing our power to legislate without China's consent; we have that power, and I believe it to be an imperative duty to legislate, and to legislate effectually, so as to exclude them from coming. They will come in some way; no restriction act can keep them out. We must also make a treaty with Great Britain, so that the Chinese can not come into the United States through British Columbia, and also one with Mexico, so that they shall not come into this country from the south. The United States must take this matter in hand and preserve this continent to white men. We have possession, and we ought not to give it up. We can do it peaceably now.

I can give you an illustration which every farmer will understand. You might as well try to fatten cattle in a sheep pasture as to raise white men where Chinese live. The Chinese will live while the whites starve, as the sheep will live while the cattle perish. It is possible for us to prevent the calamity of Chinese immigration without doing any harm, without having unfriendly relations with China. We must state to them frankly the reasons why we can not live together. We must tell them that their institutions are so different from our institutions, their habits so different from our habits, that it is impossible for us to tolerate them. Every nation and individual has the right of self-protection. Self-defense is among the first laws of nature; and if the Anglo-Saxon race does not protect itself from the Chinese by force, it will perish by starvation and become extinct.

I had no conception originally of the power of the Chinese race to overrun and destroy, which is now demonstrated on the Pacific coast See the towns they occupy, see the plague spots where they are, and behold civilization absolutely blotted out. Would you subject any portion of this country to such degradation? Would you thus give it up?

I say it is the duty of Congress to pass at an early day an absolute exclusion act. I shall vote for the bill of the Senator from Oregon. We have tried various means and find that nothing else will do, and in an emergency like this where there is so much at stake it will not do to parley with the question. We must act at once. I shall on all proper occasions ask leave of the Senate to press this matter until we get rid of the Chinese, and have them not only excluded from our ports, but have them prevented from invading the country through either British Columbia or Mexico. This continent must forever remain dedicated to the Anglo-Saxon race.

The PRESIDING OFFICER (Mr. CULLOM in the chair). The question is on the motion to refer the bill to the Committee on Foreign Relations.

The motion was agreed to.

Mr. STEWART. I ask leave also to refer the concurrent resolution in relation to the admission of Chinese, submitted by me on the 9th instant, to the Committee on Foreign Relations.

The PRESIDING OFFICER. The Senator from Nevada moves that the resolution submitted by him be referred to the Committee on Foreign Relations.

The motion was agreed to; and the following resolution, submitted by Mr. STEWART on the 9th instant, was referred to the Committee on Foreign Relations:

*Resolved by the Senate (the House of Representatives concurring)*, That the President of the United States be requested, at the earliest practical moment, to negotiate a treaty with the Emperor of China containing a provision that no Chinese shall enter the United States except embassadors and others engaged in the diplomatic service of the Chinese Empire and merchants engaged in trade between the United States and foreign countries, and providing further that the United States shall be at liberty to ascertain, by such officers or tribunals as Congress may designate, whether Chinese offering to enter the United States are of the excepted classes.

EXECUTIVE SESSION.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. Before putting that motion the Chair will lay before the Senate the unfinished business, which is the bill (S. 371) to aid in the establishment and temporary support of common schools. The Senator from Iowa moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirty-eight minutes spent in executive session the doors were reopened, and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 13, 1888, at 12 o'clock m.

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## NOMINATIONS.

*Executive nominations received by the Senate the 12th day of January*, 1888.

COINER OF THE MINT.

Henry Leffmann, of Pennsylvania, to be coiner of the mint of the United States at Philadelphia, in the State of Pennsylvania, in the place of William S. Steel, removed.

SURVEYOR-GENERAL OF NEVADA.

Charles W. Irish, of Nevada, to be surveyor-general of Nevada, in the place of C. C. Powning, removed.

The nomination of Charles W. Irish, of *Iowa City, Iowa*, to the above-named office, which was delivered to the Senate on the 4th instant, is hereby withdrawn.

CONSULAR.

Joseph Black, of Cleveland, Ohio, to be consul of the United States at Buda-Pesth, *vice* Henry Sterne, recalled.

George Osgood Prince, a citizen of the United States, and late vice-consul-general at St. Petersburg, to be consul of the United States at Moscow, to fill a vacancy.

POSTMASTER.

Joseph Haussler, to be postmaster at Hoosick Falls, in the county of Rensselaer and State of New York, in the place of Anna L. Chapman, whose commission expired January 7, 1888.

ENVOY EXTRAORDINARY.

Edward S. Bragg, of Wisconsin, to be envoy extraordinary and minister plenipotentiary of the United States to Mexico, in the place of Thomas C. Manning, deceased.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate, January 9, 1888.*

COMMISSIONER OF PATENTS.

Benton J. Hall, of Burlington, Iowa, to be Commissioner of Patents.

APPRAISER OF MERCHANDISE.

Frank G. Hoyne, of Illinois, to be appraiser of merchandise in the district of Chicago and State of Illinois.

UNITED STATES CONSUL.

R. W. Loughery, of Marshall, Tex., to be consul of the United States at Acapulco.

POSTMASTERS.

Louisa T. Long, to be postmaster at Greenville, in the county of Butler and State of Alabama.

Mary L. Clay, to be postmaster at Huntsville, in the county of Madison and State of Alabama.

Maurice B. Throckmorton, to be postmaster at Birmingham, in the county of Jefferson and State of Alabama.

William N. Conoley, to be postmaster at Tampa, in the county of Hillsborough and State of Florida.

Henry Gailard, to be postmaster at St. Augustine, in the county of St. John's and State of Florida.

John J. Harris, to be postmaster at Sanford, in the county of Orange and State of Florida.

James De Laney, to be postmaster at Orlando, in the county of Orange and State of Florida.

David C. Lee, to be postmaster at Kissimmee, in the county of Orange and State of Florida.

John C. Luning, to be postmaster at Leesburgh, in the county of Sumter and State of Florida.

Horace A. Tanner, to be postmaster at De Land, in the county of Volusia and State of Florida.

Cyrus J. Carle, to be postmaster at Clinton, in the county of De Witt and State of Illinois.

Allison M. Cavan, to be postmaster at El Paso, in the county of Woodford and State of Illinois.

George W. Nott, to be postmaster at New Orleans, in the parish of Orleans and State of Louisiana.

S. Wright McCollum, to be postmaster at Lockport, in the county of Niagara and State of New York.

Gustav Dangelcisen, to be postmaster at Bellevue, in the county of Huron and State of Ohio.

Charles E. Kinder, to be postmaster at Miamisburgh, in the county of Montgomery and State of Ohio.

Joseph L. Deaton, to be postmaster at Pocahontas, in the county of Tazewell and State of Virginia.

John S. Grayson, to be postmaster at Luray, in the county of Page and State of Virginia.

William F. Fisher, to be postmaster at Liberty, in the county of Bedford and State of Virginia.

Samuel B. McKinney, to be postmaster at Farmville, in the county of Prince Edward and State of Virginia.

Morris S. McCoy, to be postmaster at Polo, in the county of Ogle and State of Illinois.

David L. Young, to be postmaster at Winona, in the county of Montgomery and State of Mississippi.

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# HOUSE OF REPRESENTATIVES.

## THURSDAY, *January* 12, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

REVISION OF TARIFF LAWS.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting copies of correspondence relating to the revision of the tariff laws; which was referred to the Committee on Ways and Means, and ordered to be printed.

SPRING CREEK, NEW YORK.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, a report upon the preliminary examination of Spring Creek, New York; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

REPORT UPON MISSISSIPPI RIVER IMPROVEMENTS.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with a letter from the president of the Mississippi River Commission, plate 2 of the illustrations of Captain Leach's report upon the works at Memphis to accompany the report of the Mississippi River Commission from July 1 to November 1, 1887; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

SENATE BILL REFERRED.

The SPEAKER also laid before the House the bill (S. 154) for the erection of a public building at Milwaukee, Wis.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

NICHOLAS LOCHBOELER.

On motion of Mr. DALZELL, by unanimous consent, leave was given to withdraw from the files of the House the papers in the case of Nicholas Lochboeler, without leaving copies thereof.

CONSTITUTION OF UTAH.

On motion of Mr. CAINE, by unanimous consent, the constitution and memorial adopted by the late constitutional convention of Utah, which accompanied the bill for the admission of the State of Utah into the Union, was ordered to be printed as a document, and referred to the Committee on the Territories.

ORDER OF BUSINESS.

The SPEAKER. The Chair will now proceed to call the standing and select committees of the House for reports.

ROBERT JOHNSTON.

Mr. CULBERSON, from the Committee on the Judiciary, reported a bill (H. R. 4811) for the relief of Robert Johnston, of the State of New York; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

L. A. MORRIS.

Mr. ROGERS, from the Committee on the Judiciary, reported back with a favorable recommendation the bill (H. R. 76) for the relief of L. A. Morris; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PRESENTATION OF CLAIMS AGAINST THE UNITED STATES.

Mr. CASWELL, from the Committee on the Judiciary, reported back with an adverse recommendation the bill (H. R. 1346) limiting the time for the presentation and payment of claims against the United States; which was laid upon the table, and the accompanying report ordered to be printed.

PERMISSIBLE MARKS ON POSTAL MATTER.

Mr. BLOUNT, from the Committee on the Post-Office and Post-Roads, reported back with amendments the bill (H. R. 3318) relating to permissible marks, printing or writing, on second, third, and fourth class matter, and to amend the twenty-second and twenty-third sections of an act entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes;" which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

Mr. BLOUNT. I ask leave to present the written report hereafter.

There was no objection.

ORDER OF BUSINESS.

The SPEAKER. The Chair under the rules will call the committees for one hour for the consideration of bills heretofore reported.

ROBBERY AND HORSE-STEALING IN THE INDIAN TERRITORY.

Mr. ROGERS. I call up for consideration the bill (H. R. 1213) to punish robbery and horse-stealing in the Indian Territory which was reported the day before yesterday by the Committee on the Judiciary.

The bill was read, as follows:

*Be it enacted, etc.*, That any person hereafter convicted in the United States courts having jurisdiction over the Indian Territory or parts thereof, of stealing any horse, mare, gelding, filly, foal, ass, or mule, when said theft is committed in the Indian Territory, shall be punished by a fine of not more than $1,000, or by imprisonment not more than five years, or by both such fine and imprisonment, at the discretion of the court.

SEC. 2. That any person hereafter convicted of any robbery in the Indian Territory shall be punished by a fine of not exceeding $1,000, or imprisonment not exceeding ten years, or both, at the discretion of the court: *Provided*, That this act shall not be so construed as to apply to any offense committed by one Indian upon the person or property of another Indian, or so as to repeal any former act in relation to robbing the mails or robbing any person of property belonging to the United States: *And provided further*, That this act shall not affect or apply to any prosecution now pending, or the prosecution of any offense already committed.

SEC. 3. That all acts and parts of acts inconsistent with this act are hereby repealed; but said act shall remain in force for the punishment of all persons who have heretofore been guilty of the crime of larceny in the Indian Territory.

Mr. ROGERS. I send to the Clerk's desk the report which I think will be sufficiently explanatory of the purposes of the bill.

The report (by Mr. ROGERS) was read, as follows:

The Committee on the Judiciary, having had under consideration House bill 1213, report the same back with the following amendments, and recommend its passage:

1. Insert after the word "mule," in line 6 of the first section of the bill, the words "or other domestic animal."

2. Strike out the word "five," in line 8, same section, and insert in lieu thereof the word "fifteen."

3. Insert after the word "robbery," in line 2 of the second section, the words "or burglary;" and in line 4 of said section strike out the word "ten" and insert in lieu thereof the word "fifteen."

The committee find that section 5356 of the Revised Statutes of the United

States prescribes the punishment for larceny. The maximum punishment is $1,000 fine and one year's imprisonment. This has been found inadequate to suppress larceny in the Indian Territory. The States surrounding that country have found it necessary to inflict much severer punishment—the maximum punishment in one State, and perhaps others, being fifteen years' imprisonment in the penitentiary. The result is, the thief follows his vocation in the Territory. It is believed the passage of this bill will go far toward deterring his operations in that country.

There are statutes of the United States punishing the robbing of the mails and the robbing of persons of property belonging to the United States, and also in a few other instances robbery is punishable under existing law. It is not intended by this bill to interfere in any way with any existing statutes relating to the crime of robbery.

There is no statute punishing robbery in the Indian country except as stated. This crime is not unfrequently committed in that country. Sometimes the railroad trains are stopped and the railroad companies and express companies and passengers robbed, and the perpetrators can only be punished under the general statute for larceny, the maximum punishment for which is $1,000 fine and one year's imprisonment. This punishment the committee think incommensurate with the character of offenses stated. The surrounding States have found it necessary to punish this offense much more severely, and the committee think a severer punishment should be inflicted for this class of crimes committed in the Indian Territory, where lawless and bad men have congregated in great numbers.

The committee have been unable to find any statute punishing the crime of burglary in the Indian Territory, and have therefore recommended an amendment of the second section of the bill, so as to embrace that offense and inflict an appropriate punishment therefor.

The committee also recommend amending the title of the bill by striking out the words "and horse-stealing," and inserting in lieu thereof the words "burglary and larceny."

Mr. ROGERS. I have discovered since the Clerk read the bill that it is not the print containing the amendments reported by the committee; but the amendments are so simple that I think there will be no difficulty in having them considered at this time.

The SPEAKER. The bill which has been read is the bill as originally introduced by the gentleman from Arkansas. The bill as reported by the committee has not yet been received from the printing office.

Mr. ROGERS. I presume we can get along with this print. The amendments are indicated in the report which has been read.

The SPEAKER. By consent the gentleman can proceed in that way and offer the amendments in the House. The gentleman from Arkansas asks unanimous consent to proceed with the consideration of this bill, stating that he will propose in the House the amendments reported by the committee.

There was no objection.

Mr. ROGERS. I ask, then, that after the word "mule," in line 6 of the first section of the bill, the words "or other domestic animal" be inserted, in conformity with the recommendation of the report.

The SPEAKER. If there be no objection, those words will be incorporated in the bill.

There was no objection.

Mr. ROGERS. I move to amend by striking out the word "five," in line 8, and inserting in lieu thereof the word "fifteen."

The amendment was agreed to.

Mr. BROWNE, of Indiana. Mr. Speaker, I would be pleased to know something of the significance of these amendments as we pass along. I understand that the effect of the one just adopted is to strike out five years as the maximum punishment and insert fifteen.

Mr. ROGERS. Yes, fifteen years as the maximum; no minimum being fixed.

Now, Mr. Speaker, I move to insert in line 2 of section 2, after the word "robbery," the words "or burglary;" which will make the section embrace the crime of burglary as well as that of robbery.

The amendment was agreed to.

Mr. ROGERS. Also, in line 4 of section 2, I move to strike out the word "ten" and insert in lieu thereof "fifteen;" making the maximum punishment fifteen years, there being no minimum fixed.

The amendment was agreed to.

Mr. ROGERS. That, Mr. Speaker, embraces all the amendments of the committee, and now, unless some gentleman desires to discuss it, I move the passage of the bill.

Mr. HOLMAN. I ask that the bill as amended be reported to the House.

The bill as amended was read, as follows:

*Be it enacted, etc.*, That any person hereafter convicted in the United States courts having jurisdiction over the Indian Territory or parts thereof, of stealing any horse, mare, gelding, filly, foal, ass, mule, or other domestic animal, when said theft is committed in the Indian Territory, shall be punished by a fine of not more than $1,000, or by imprisonment not more than fifteen years, or by both such fine and imprisonment, at the discretion of the court.

SEC. 2. That any person hereafter convicted of any robbery or burglary in the Indian Territory shall be punished by a fine of not exceeding $1,000, or imprisonment not exceeding fifteen years, or both, at the discretion of the court: *Provided*, That this act shall not be so construed as to apply to any offense committed by one Indian upon the person or property of another Indian, or so as to repeal any former act in relation to robbing the mails or robbing any person of property belonging to the United States: *And provided further*, That this act shall not affect or apply to any prosecution now pending, or the prosecution of any offense already committed.

SEC. 3. That all acts and parts of acts inconsistent with this act are hereby repealed; but said act shall remain in force for the punishment of all persons who have heretofore been guilty of the crime of larceny in the Indian Territory.

Mr. WEAVER. I wish to ask the gentleman from Arkansas a question. By the use of the words "or other domestic animals," is it intended that imprisonment for fifteen years shall be the punishment for stealing a cat, for instance, or a dog? [Laughter.]

Mr. ROGERS. No, not necessarily a cat or a dog; but a pig, of course. That is a domestic animal.

Mr. WEAVER. So is a cat.

Mr. BROWNE, of Indiana. I desire to make an inquiry of the gentleman from Arkansas. Why is it that the act is not made operative as to a crime committed by one Indian against another? I suppose there must be some good reason for it, but I confess I do not know what it is.

Mr. ROGERS. I supposed everybody understood that under the existing treaties and laws of the United States the Federal courts do not take jurisdiction of any offense committed by one Indian against either the person or property of another Indian. That is the reason for the proposition. This bill is not intended to extend the jurisdiction of the Federal courts so as to interfere in any way with the Indian government or with the enforcement of their own laws. It is designed to apply only where an offense is committed by an Indian upon the person or property of a white man, or by a white man upon an Indian, or a negro, who is not a citizen of the Territory.

Mr. BROWNE, of Indiana. Well, I have learned something that I would not have known if I had not made the inquiry.

Mr. ROGERS. I supposed that was generally known.

The SPEAKER. The Chair would suggest to the gentleman from Arkansas that perhaps the committee intended also to strike out the word "or" before the word "mule" in the first section.

Mr. ROGERS. Yes, sir; and I move that that amendment be made.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time.

Mr. PERKINS. I did not hear this bill read, and therefore I ask the gentleman what is the maximum punishment fixed by the bill.

Mr. ROGERS. The maximum punishment is imprisonment for fifteen years; but no minimum is fixed.

Mr. PERKINS. No minimum?

Mr. ROGERS. No; that matter is left discretionary with the court.

The question being taken, the bill was passed.

The SPEAKER. If there be no objection, the title of the bill will be amended, as recommended by the committee.

There being no objection, the title of the bill was amended so as to read: "A bill to punish robbery, burglary, and larceny in the Indian Territory."

Mr. ROGERS moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

## NATIONAL-BANK CIRCULATION.

Mr. WILKINS (when the Committee on Banking and Currency was called) said: I am directed by the Committee on Banking and Currency to call up for consideration House bill No. 1733, reported to the House a day or two ago.

Mr. BLAND. I want to reserve a point of order on that bill.

Mr. WEAVER. I will ask whether there is a report accompanying the bill? If so, I call for its reading.

The SPEAKER. The gentleman from Ohio [Mr. WILKINS], on behalf of the Committee on Banking and Currency, calls up for consideration, under the rule, a bill the title of which will be read.

The Clerk read as follows:

A bill (H. R. 1733) to provide for the issue of circulating notes to national banking associations.

Mr. WEAVER. I wish to raise a point of order, but before doing so I would like to hear the reading of the report, if there is one.

The SPEAKER. The gentleman will state his point of order.

Mr. WEAVER. My point is that no such report as is contemplated by the rules of the House has been made upon this bill.

Mr. WILKINS. Let the report be read.

The Clerk read as follows:

Mr. WILKINS, from the Committee on Banking and Currency, submitted the following report, to accompany bill H. R. 1733:

"The Committee on Banking and Currency, to which was referred House bill No. 1733, report the same back, and recommend its passage."

Mr. WEAVER. I make the point that this is not such a report as is contemplated by the rules. Rule XVIII provides, in clause 2, that—

No bill, petition, memorial, or resolution referred to a committee, or reported therefrom for printing or recommitment, shall be brought back into the House on a motion to reconsider; and all bills, petitions, memorials, or resolutions reported from a committee shall be accompanied by reports in writing, which shall be printed.

Clause 2 of Rule XXIV provides:

On all days other than Monday as soon as the business on the Speaker's table has been disposed of, and on all Mondays (except the first and third in each month) after the call of States and Territories, there shall be a morning hour for reports from committees, which shall be appropriately referred and printed, and a copy thereof mailed by the Public Printer to each Member and Delegate.

Now, sir, the rules contemplate, I submit, that every bill on being reported shall be accompanied by a statement on the part of the committee of the provisions of the bill, with their scope and effect. A mere recommendation that the bill pass does not satisfy the requirements of

the rule. Here is a bill the possible effect of which will be to increase the national-banking circulation more than $400,000,000.

Several MEMBERS. Oh, no.

Mr. WEAVER. Yes, I am speaking advisedly. The certain effect of the bill will be to increase that circulation $20,000,000 beyond the present amount of bonds deposited to secure the circulation of the national banks. These banks will have the right to increase their circulation to a maximum corresponding with the amount of their capital stock paid in. The aggregate amount that they have paid in is $500,000,000; and if this bill should pass, the banks are to have the right to increase their circulation to the par value of their bonds, provided this does not exceed the amount of capital stock paid in. This may lead, as the Comptroller of the Currency says, to a possible increase of the national-bank circulation to the extent of over $400,000,000 beyond the present amount.

A bill of this vast importance is hurried in here without any printed report having been distributed among members, and before we have had an opportunity to inquire into the effect of the measure should it become a law. My point of order is that this bill is not accompanied by a carefully considered and intelligible report such as the gravity of the bill and the plain requirements of the rule demand.

Mr. BLAND. I make the point of order that this bill should receive its first consideration in Committee of the Whole.

Mr. WILKINS. I am quite willing to submit both points of order to the decision of the Chair without discussion.

The SPEAKER. The gentleman from Missouri [Mr. BLAND] is entitled to the floor.

Mr. BLAND. Under clause 3 of Rule XXIII it is required that "all motions or propositions involving a tax or charge upon the people" shall be first considered in Committee of the Whole. It is very true that this bill does not make a direct appropriation; but it does provide that the Comptroller of the Currency shall issue to these banks circulating notes which may increase their circulation up to the par value of the bonds deposited by them. The increased amount of notes which will thus be issued to these banking associations is, I submit, in a fair and reasonable sense, an appropriation of Government money; for the bonds of the Government are held as security for the circulation of these institutions, and these bonds are a tax upon the people. These national-bank notes are redeemable in legal-tender notes, and the Government is responsible for the redemption of the legal-tender notes. Therefore, there is in this case, under a fair construction of the rule, a tax upon the people. A bill of such character, involving the issue of a large amount of circulating notes, so that practically there is an appropriation of money, resulting under the law in a tax upon the people of the country, ought, within the spirit of the rules, to be considered in Committee of the Whole, where it can be properly discussed and amended.

Yesterday this bill had not been printed. I sent for a copy of it, and all I could get was the bill printed at the last session of Congress. It is only this moment that printed copies of the bill are furnished to members of the House.

It seems to me that we should have some opportunity of considering this matter, within the spirit and rule of the House, in Committee of the Whole; and I make that point of order.

Mr. WILKINS. Mr. Speaker, this bill does not contemplate the appropriation of any money out of the Treasury; and at the suggestion of gentlemen around me I submit the question to the Speaker of the House without further discussion.

The SPEAKER. As to the point of order made by the gentleman from Iowa [Mr. WEAVER], the Chair can only say what has been frequently said before upon similar points, that it is not within the province of the Chair to decide upon the sufficiency of a report made by a committee of the House. All that the rule requires is that a report shall be submitted in writing, without specifying the nature of the report, and if that provision of the rule is complied with the Chair must entertain the report.

The argument of the gentleman from Iowa may be a very proper one to address to the House itself upon a motion to recommit the bill for a report containing further and more specific information. But the gentleman will see at once that if the Chair should undertake to decide such questions, the reception of all reports would depend upon the judgment of the Chair as to whether they were full or sufficiently explanatory of the measure to which they referred. So that point of order must be overruled.

The point of order made by the gentleman from Missouri [Mr. BLAND] is also overruled. This bill does not make an appropriation or require any appropriation of money, as the Chair understands it; and, as heretofore decided, unless the bill itself does make an appropriation or necessarily require an appropriation to be made in order to execute its provisions, it does not come within the provision of the rule which requires its first consideration in Committee of the Whole House on the state of the Union. This bill simply gives to the national banks, as the Chair understands it, the privilege of issuing circulation to the amount of the par value of their bonds. Whether they will or will not make such issue of additional circulation depends upon their own judgment, to be exercised hereafter.

Mr. ANDERSON, of Kansas. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDERSON, of Kansas. I desire to know whether it is in order at this time to move to recommit the bill to the Committee on Banking and Currency, with instructions to present a report setting forth the effect of the bill, its intent and purposes, and the reasons for its passage.

The SPEAKER. That will be in order whenever the gentleman from Ohio shall have relinquished the floor. Under the practice of the House the gentleman is entitled to the floor in the first instance, having made the report and called up the bill.

Mr. WEAVER. I desire at the proper time to make that motion.

The SPEAKER. It will be in order.

Mr. ANDERSON, of Kansas. I wish to give notice that the motion will be made.

Mr. WILKINS. Mr. Speaker, during the Forty-eighth Congress I had the honor to introduce this measure. It went to the Committee on Banking and Currency, and was reported back to the House. In the Forty-ninth Congress this measure was again introduced, went to the same committee, and came back on a report from the committee and was considered in the House.

It may not be improper for me to say that the same measure passed the Senate of the United States, introduced originally by a Democratic member of great ability, and was advocated by him up to its final passage.

This proposition contains but a single clause. It provides that the circulation of the national banks may be increased from 90 per cent., which is the present law, up to the par value of the bonds deposited to secure their circulation. It is such a simple proposition that it did not seem to me or to the committee to be necessary to make any more elaborate or further report to reach the ordinary intelligence of the average member of Congress.

The gentleman from Missouri [Mr. BLAND] and the gentleman from Iowa [Mr. WEAVER] both know, I hope, the importance of the passage of a such a measure. Believing that they know it, I am constrained to regard their objections this morning as rather in the nature of factious opposition than otherwise.

But I repeat, sir, if the measure becomes a law it increases the circulation of the national banks, if they see fit to avail themselves of its provisions, only to the extent of 10 per cent.

There are deposited in the national Treasury to-day one hundred and eighty-nine millions of Government bonds to secure the circulation of $167,000,000. If this shall become a law, then, Mr. Speaker, the currency of the national banks will be increased to the extent of the difference between these two sums, and no more.

I have no desire to take up the time of the House this morning with further discussion of the bill, and I am in hopes that we can reach a vote upon it without delay. I would like to know, therefore, who rises upon the other side in opposition.

Mr. BRUMM. I give notice to the gentleman that I rise for that purpose.

Mr. COX. Let me ask the gentleman from Ohio if he can give the exact amount of the increase in circulation if his measure shall be adopted.

Mr. WILKINS. It would be an increase of the difference between $189,083,100 and $167,283,343, or in round numbers $21,799,000.

Mr. WEAVER. Let me ask the gentleman a question.

Mr. WILKINS. With pleasure.

Mr. WEAVER. The gentleman intimates that he would like to know something about whether there is to be opposition to this bill. I say to him most emphatically that there will be, and that we want time. I would like to know how much time he is willing to accord before the debate proceeds further.

Mr. WILKINS. I am quite willing to accord all the time necessary for a full ventilation of the opinions of the gentleman from Iowa. I turned to the other side of the House, hoping that if objection came at all it would be from over there.

Mr. BAKER, of New York. You turned to the wrong side.

Mr. WILKINS. I rather think so, but the gentleman from Pennsylvania [Mr. BRUMM] has emphatically stated his opposition.

The SPEAKER. To whom does the gentleman from Ohio [Mr. WILKINS] yield?

Mr. DINGLEY. Before the gentleman from Ohio yields the floor I suggest to him, as a number of gentlemen desire to speak, that some arrangement be reached now as to the extent of the debate.

Mr. WILKINS. I was for that reason asked the question.

The SPEAKER. To whom does the gentleman yield?

Mr. WILKINS. I do not yield the floor.

The SPEAKER. The gentleman has a right to occupy the floor for one hour, and under the practice of the House has the right to yield part of that time, if he sees proper, to other gentlemen.

Mr. WILKINS. No gentleman has indicated his desire to speak on the pending proposition.

Mr. DINGLEY. I simply desire to call attention to the parliamentary situation. Under the rule this committee would occupy the remainder of the hour to-day, and another hour to-morrow; and after that, if not disposed of, the bill would go on the Calendar of unfinished busi-

ness. But so long as the House has no other business before it at the present time, it appears to me we would expedite matters by coming to an agreement by which the debate might run on, and at a certain hour this afternoon or to-morrow the previous question should be considered as ordered.

Mr. WEAVER. I prefer not to make any agreement until we test the sense of the House on a motion to recommit.

Mr. DINGLEY. All right, then.

Mr. WILKINS. If no gentleman desires to speak on this question, I move the previous question.

Mr. ANDERSON, of Kansas. That will not do.

Mr. WILKINS. I yield to the gentleman from Kansas as much time as he chooses to indicate. Will ten minutes be sufficient?

Mr. ANDERSON, of Kansas. I prefer to have my time in my own right. If the gentleman from Ohio wishes to explain the bill and tell the House the necessity for bringing in this measure at this time he has the right now to do that. I wish to oppose the bill, and do not desire to use up the gentleman's time.

Mr. WILKINS. I demand the previous question.

Mr. BRUMM. I hope the gentleman will not insist on that.

Mr. WILKINS. I yield to the gentleman from Pennsylvania [Mr. BRUMM].

Mr. BRUMM. I do not want the gentleman to yield to me. I prefer taking time in my own right. As a member of the committee I claim I have that right, and I see no necessity for this hurried and impetuous action. This is a matter of vital importance to the people of this country, and one that ought to be considered immediately, and I certainly hope there will be no effort made to gag members on this question by calling the previous question. I insist upon my hour in my own time.

Mr. WILKINS. There is no desire to gag any member of this House who desires to speak on this question. I will ask unanimous consent that the discussion of this measure go on until 4 o'clock to-day.

Mr. BLAND and Mr. WEAVER objected.

Mr. WILKINS. Then I insist on the demand for the previous question.

Mr. DINGLEY. Let the discussion go on to-day, and the question will then come up again to-morrow under the rule.

Mr. WILKINS. I ask unanimous consent that the discussion shall proceed to-day through the entire day.

Objection was made.

Mr. WILKINS. I demand the previous question.

Mr. WEAVER. I move to recommit the bill, and upon that motion I move the previous question; and I call for the yeas and nays on the motion to recommit.

Mr. BLAND. Is it in order to move to recommit with instructions?

The SPEAKER. It is.

Mr. BLAND. Then I desire to amend the motion to recommit.

The SPEAKER. But the gentleman from Iowa has demanded the previous question on his motion to recommit, which cuts off all amendment.

Mr. WEAVER. I will yield to the gentleman from Missouri to allow him to offer his amendment.

Mr. SPRINGER. I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SPRINGER. Rule XVII provides:

> It shall be in order, pending the motion for or after the previous question shall have been ordered on its passage, for the Speaker to entertain and submit a motion to commit, with or without instructions, to a standing or select committee.

The motion for the previous question made by the gentleman from Ohio [Mr. WILKINS] is not on the passage, but on the engrossment and third reading of the bill.

The SPEAKER. The gentleman from Illinois [Mr. SPRINGER] is correct. The Chair had failed to make the distinction between the demand for the previous question on the engrossment and third reading and the demand for the previous question on the passage of the bill. The motion now is for the previous question on ordering the bill to be engrossed and read a third time; and it is not in order under the rules of the House at that stage to move to recommit. The question is now on ordering the previous question on the engrossment and third reading of the bill.

The affirmative vote was taken, being—ayes 113.

Mr. DINGLEY. I think the question is not understood on account of so much confusion prevailing.

The SPEAKER. The Chair has already stated the question twice, but will again state it. The question is on the demand by the gentleman from Ohio for the previous question on ordering the bill to be engrossed and read a third time.

Mr. DINGLEY. Allow me to say at this point that there is an honest desire on the part of several gentlemen to occupy some time in the discussion of this measure. The gentleman from Ohio, I think, will accomplish his object better by allowing the discussion to run for some time.

Mr. WILKINS. I have been quite willing to agree to any reasonable proposition having that object in view.

Mr. MCMILLIN. While the vote is being taken debate is not in order. I call for the regular order.

The negative vote being taken, there were—noes 59.

Mr. BRUMM. I call for tellers.

Tellers were not ordered, 28 members voting therefor—not one-fifth of a quorum.

Mr. BRUMM. I call for the yeas and nays.

The yeas and nays were ordered, 45 members voting in the affirmative.

Mr. BLAND. Is it in order now to move to recommit?

The SPEAKER. It is not. The question is on ordering the bill to be engrossed and read a third time, and upon that the gentleman from Ohio [Mr. WILKINS] demands the previous question. This vote is to be taken upon ordering the previous question. The Clerk will call the roll.

Mr. BLAND. I move that the House do now adjourn.

The question was taken; and the Speaker declared that the noes seemed to have it.

Mr. BLAND called for a division.

The House divided; and there were—ayes 55, noes 132.

Mr. BLAND. I demand tellers.

The question was taken upon ordering tellers; and they were refused—only 26 members voting in favor thereof.

Mr. BRUMM. I call for the yeas and nays.

The question was taken on ordering the yeas and nays; and they were refused—only 20 members voting in the affirmative.

Mr. WEAVER. I demand tellers on ordering the yeas and nays.

The question was taken; and tellers were refused—only 18 members voting in the affirmative.

Mr. WEAVER. I move that the House do now adjourn.

The SPEAKER. That is the motion now pending. [Laughter.] Tellers are refused; the yeas and nays are refused; the vote on the motion to adjourn is, ayes 55, noes 132; the noes have it, and the House refuses to adjourn.

Mr. BLAND. I move that when the House adjourns to-day, it adjourn to meet on Saturday next.

The question was taken on Mr. BLAND'S motion; and the Speaker declared that the noes seemed to have it.

Mr. BLAND. I ask for a division.

The House divided; and there were—ayes 34, noes 114.

Mr. WEAVER. No quorum.

The SPEAKER. The point being made that no quorum has voted, the Chair will appoint the gentleman from Missouri [Mr. BLAND], and the gentleman from Ohio, [Mr. WILKINS] to act as tellers.

The House again divided; and the tellers reported—ayes 3, noes 161.

So the motion was not agreed to.

Mr. BLAND. I move that the House take a recess until 2 o'clock.

The question was taken on the motion for a recess; and the Speaker declared that the noes seemed to have it.

Mr. WILKINS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILKINS. Is it in order to withdraw the demand for the previous question?

The SPEAKER. If the order made by the House directing the yeas and nays to be called is set aside, rescinded, or reconsidered, the gentleman can withdraw his demand; but the House has taken possession of the question, and ordered the yeas and nays.

Mr. BRUMM. If the gentleman from Ohio will permit me, I think I can make a suggestion which may possibly facilitate this matter. I do not think there is a disposition on the part of what seems to be the minority here now, the opponents of this bill, to prevent a vote being taken upon it. The disposition is simply to have a fair discussion of the bill and an agreement to have a yea-and-nay vote upon it, and, while I am not prepared to make any proposition to-day, I think that there will be no difficulty to-morrow in arriving at a conclusion that will be fair to both sides, if the gentleman will allow the matter to lie over until that time.

The SPEAKER. The hour will expire in one minute. This matter will come up to-morrow during the morning hour, and in the mean time gentlemen may come to an understanding. Does the gentleman from Missouri [Mr. BLAND] withdraw his motion for a recess?

Mr. BLAND. I withdraw it.

The SPEAKER. There is no unfinished business.

Mr. SPRINGER. Has the hour expired?

The SPEAKER. The hour has expired, and unless there be some motion to go into Committee of the Whole House on the state of the Union, the next business in order is the consideration of bills on the House Calendar.

## WAR RECORDS.

Mr. TOWNSHEND. Mr. Speaker, I rise to make a privileged report. I am instructed by the Committee on Military Affairs to report back with amendments the resolution referred to that committee some days ago with reference to the compilation, etc., of the war records. I send the report to the Clerk's desk, and ask that it be read.

The report was read, as follows:

The Committee on Military Affairs, to whom was referred the resolution call-

ing upon the Secretary of War for information in relation to the war records, respectfully report the same back, and recommend its adoption with the following amendments:

1. Strike out the word "directed" and insert in lieu thereof the word "requested."

2. Insert after the words "lately involved in the rebellion" the words "or any other State."

3. Strike out the word "trophies" and insert in lieu thereof the word "colors."

4. Add after the citation of the States these words: "Looking to the preservation of said property as provided by law."

Mr. TOWNSHEND. Unless some gentleman desires to discuss the resolution or the amendments——

The SPEAKER. The resolution has not yet been read.

Mr. TOWNSHEND. I ask the Clerk to read the resolution.

The Clerk read, as follows:

*Resolved*, That the Secretary of War be, and he is hereby, directed to transmit to the House a full statement of the plan and scope of the compilation of the official records of the war of the rebellion, specifying particularly all changes, if any, made or contemplated, either in the arrangement or subject-matters to be published, in the plan adopted by the Secretary of War while the publication of these records was in charge of the late Lieut. Col. R. M. Scott; and that the said Secretary be directed to further transmit copies of all official correspondence and orders relating to permitting or refusing access to such portions of the war records as have been selected for publication under the law of Congress providing for their publication.

Mr. TOWNSHEND. I now ask the Clerk to read the amendments proposed by the committee.

The SPEAKER. Those amendments have already been reported.

Mr. TOWNSHEND. In order that the House may understand their effect, I ask that they be read again.

The amendments as embraced in the report of the committee were again read.

Mr. TOWNSHEND. Mr. Speaker, unless some one desires to discuss this resolution or the proposed amendments, I move the previous question.

The previous question was ordered.

The SPEAKER. Under the rule, thirty minutes are allowed for debate; fifteen minutes in support of the proposition and fifteen minutes in opposition.

Mr. TOWNSHEND. I have no wish to make any remarks in reference to the resolution or amendments, and unless some other member desires discussion I call for a vote.

The SPEAKER. If no gentleman desires to speak, the Chair will put the question. [A pause.] The first question is upon the amendments. Is a separate vote demanded on any of them? In the absence of such demand, the question will be taken upon the amendments in gross.

The amendments were agreed to.

The resolution as amended was adopted.

Mr. TOWNSHEND moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

### MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries.

### CAPTURED BATTLE-FLAGS, ETC.

Mr. TOWNSHEND. I desire to submit from the Committee on Military Affairs another privileged report.

The Clerk read as follows:

The Committee on Military Affairs, to whom was referred the resolution calling upon the Secretary of War for information relating to the flags, standards, and trophies under his charge, respectfully report the same back and recommend that it be adopted with the following amendments:——

Mr. TOWNSHEND. I ask that the Clerk read the resolution before reading the amendments, so that the effect of the amendments may be better understood.

The Clerk read as follows:

*Resolved*, That the Secretary of War be, and he is hereby, directed to inform this House whether it is true that the flags, standards, and trophies captured from the enemies of the United States have been removed from the place where they were displayed, as required by law, and have since been concealed from the public; and, if so, when, by what authority, and for what reason said flags and trophies have been withdrawn from public inspection.

Also, that he inform the House whether any propositions have been at any time made, by persons in authority under the United States Government, for the surrender or delivery of any portion of said flags and trophies to any official or person in any of the States lately involved in the rebellion, and, if so, by whose order, by what authority, and for what reason such propositions to surrender these sacred trophies of the valor of the nation's defenders were made.

Also, that he inform the House whether it is true, as alleged, that a portion of said flags and trophies were actually surrendered and delivered to persons having no right to their possession, before the countermanding order of the President was issued; and, if so, to furnish a list, and description of the property of the United States thus surrendered, with the names of the person or persons responsible for the delivery, and of those who received said property.

Also, that the Secretary furnish the House with a full descriptive list of all the flags, banners, and trophies that have been placed in the custody of the War Department, with information as to what measures, if any, have been taken to comply with the requirements and obvious intent of sections 218, 423, 1554, and 1555 of the Revised Statutes.

The following amendments reccommended by the committee were read:

First. Strike out the word "directed" and insert in lieu thereof the word "requested."

Second. Insert after the words "lately involved in the rebellion" the words "or any other State."

Third. Strike out the word "trophies" and insert in lieu thereof the word "colors."

Fourth. Add after the citation of statutes these words, "looking to the preservation of said property as provided by law."

Mr. TOWNSHEND. Mr. Speaker——

Mr. BOUTELLE. This resolution has been reported without material modifications. I have no desire to make any remarks at this time on the merits of the resolution, but I trust the chairman of the committee will allow me to say a few words in regard to the amendments.

Mr. TOWNSHEND. How much time does the gentleman desire?

Mr. BOUTELLE. Two or three minutes.

Mr. TOWNSHEND. I yield to the gentleman from Maine.

Mr. BOUTELLE. Mr. Speaker, the first amendment reported by the committee proposes to change the phraseology of that portion of the resolution which calls for this information, by striking out the word "directed" and inserting the word "requested." On this point I wish to say that in framing the resolution I had no desire to make the wording especially imperative or to depart from the customary phraseology of the House in resolutions of this kind. I consulted what I believed to be the uniform precedents of this body and the Senate in making requisitions upon the various heads of Departments for information.

Without going into any elaborate citations, I may say that I have here references taken at random from the proceedings of the last session of the Forty-ninth Congress, embracing ten or fifteen cases in which, by resolutions of the House calling for information, the head of the Department has been "directed" to furnish such information.

I will detain the House only by referring to one I have here. In the House of Representatives, on the 21st of December, 1885, Mr. Morrison, of Illinois, chairman of the Ways and Means Committee, and the leader of the majority side of the House, asked unanimous consent that a resolution be now considered by the House in these words:

*Resolved*, That the Secretary of the Treasury be, and hereby is, directed to transmit to this House such information as he possesses, including copies of all official documents and correspondence on file in his Department, relating to importations from Bohemia of certain glasswares.

I cite that as an illustration to show that the leader of the Democratic side of the House certainly would not be likely to go out of his way to employ an unusual method of calling for information.

I cite further the fact that in the exhaustive report of the Senate Judiciary Committee, made February 17, 1886, in the celebrated dispute between the Senate and the Executive in regard to the production of certain executive documents, the only contention made on the part of the minority was that the Senate had no right to demand the production of documents in possession of the President himself; but so far as the public archives were concerned and documents in the various Departments, there was no contention on either side against the right of either branch of Congress to demand their production. On that point those eminent lawyers composing the Senate Judiciary Committee say in the majority report:

The early Journals of the Senate show a great number of instances of direction to the heads of Departments, as of course, to furnish papers and reports of all sorts, both executive and legislative.

But they make the distinction of requesting the Executive and commanding the heads of Departments. Each House of Congress, from the early days until now, in calling for papers and other information, has followed that formula, as is shown by instances innumerable. I leave that point with these brief citations of the usage of Congress.

I am not at all tenacious about phraseology. If the House chooses to request the Secretary instead of using the ordinary phraseology, it is perfectly satisfactory to me. I have been led to believe that these forms and phrases which have come to us through the precedents of years had some meaning and were based on a deliberate conception of the relative positions of the different branches of the Government and its officers, and I am firm in the belief that the proper phraseology of the House of Representatives of the United States in requiring the production of public documents of this Government, or information in regard to public affairs from the heads of Departments, is to "direct," as always has been done.

In regard to the next amendment, which is the substitution of the word "colors" for "trophies," of course that is immaterial.

A further amendment provides that the inquiry shall be extended beyond the original terms of the resolution, which required information as to any proposition to return flags or colors captured from the enemies of the United States to any persons representing any of the States lately involved in rebellion, so as to include the inquiry whether any flags or colors had been returned to anybody in "any other State." I have no objection to that, although, Mr. Speaker, I may be permitted to say it has no point of bearing on the purpose of the original resolution. No troops from any of those "other States," to which reference is made in this amendment, ever had any colors, standards, or banners captured from them as enemies of the United States. In those "other States" the troops were organized into regiments under State classifications and titles, as the First Maine, Tenth Massachusetts, and Fourth Michigan Volunteers, etc., and as they brought their own banners when they were mustered into the United States service, they carried their banners with them when they went home to be mustered out after having aided in

suppressing the rebellion. No banners or trophies could have been captured from them as enemies of the United States.

I presume, therefore, that the only purpose of this amendment may possibly be to call into prominence the fact which has been alleged in some of the newspapers, that in some instances where troops from the loyal States had their colors captured from them on the field of battle by rebel organizations, and afterwards the Army of the United States, or some portion of it, captured such rebel organization with its banners, and also with the Union banners they held as trophies, and brought them to Washington, that in some of those instances, requests from loyal regiments in the North—regiments whose organization has been still kept up—regiments recognized to-day as part of the militia of the United States as they were when they enlisted—that on the request of persons connected with those regiments, the Secretary of War or some other official has returned to such regiments of loyal soldiers the colors which they bore into battle in defense of the Union, and which had been captured from them on the field by the enemies of the United States, and afterwards recaptured from those enemies of the United States and sent to Washington.

Now, if the Committee on Military Affairs, or any portion of the members of the House, think that the citation of any possible instances where banners have thus been returned to Union troops who originally carried them in defense of the Government is pertinent to this inquiry, relating solely to propositions to transfer the banners and colors captured from the armed enemies of the United States back to persons claiming to be the representatives of those military organizations which were at the time enemies of the United States, I do not think that I shall care to antagonize it.

With this brief explanation I desire to say to my friends on this side of the House, and to gentlemen on both sides of the House, that I am very glad to find that the Committee on Military Affairs by reporting back with unanimous vote this resolution, without substantial modifications, have so fully vindicated the belief I expressed when I introduced and asked immediate action upon the resolution, that there really would be no serious objection upon either side of the House to its adoption.

Mr. COX. Mr. Speaker, with the permission of the gentleman from Illinois [Mr. TOWNSHEND], I beg to say to the gentleman from Maine [Mr. BOUTELLE] and to the House, that I have no doubt he is in the main correct as to the form of expression ordinarily used in such resolutions. It has always been the custom, in the phraseology of resolutions of this character, when addressed to the head of a Department, to use the word "directed," but when such a resolution is addressed to the President of the United States we employ the word "requested." I never could see any special reason for adhering to that form when asking information of the Departments. True, the heads of Departments are the clerks of the President—his subordinates—for the transaction of the operations of the Government. But we, as a body representing the people, are possibly somewhat superior to the mere Cabinet officer, and perhaps we do not treat him with the same deference as we treat a co-ordinate branch, to wit, the Executive. I think there would be no objection possibly to the use of either word in connection with such a resolution; but I am told by the gentleman from Illinois [Mr. TOWNSHEND], chairman of the Committee on Military Affairs, that the committee has made a unanimous report, and perhaps it could not now be amended in that respect without a new meeting of the committee and further delay.

Having made that unanimous report which so pleases my friend from Maine, I am glad to know that we have unanimity at last in this business; for it indicates that there has been a "growth in grace" towards all our States, North and South, in relation to our late troubles, or rather our remote troubles, for they are now remote. So we ought to congratulate ourselves and the country that a resolution of this character, which touches the public sensibilities so greatly, has been arrived at, and has received even the appreciation of my friend from Maine.

Mr. BOUTELLE. If my friend from New York will permit me to reciprocate his very pleasant expressions, I will only emphasize them by saying that I am sorry the gentleman did not take the same position a few days ago, when I requested immediate action upon this matter.

Mr. COX. But the gentleman from Maine will recollect that he was entirely out of order, as he generally is. [Laughter.]

Mr. TOWNSHEND. Mr. Speaker, in behalf of the Committee on Military Affairs I desire to say that the action of that committee was entirely unanimous upon all the amendments to this resolution. The reason the first amendment was adopted was because there was no apprehension in the mind of any member of the committee that the Secretary of War would be disinclined to answer promptly and fully any of the inquiries addressed to him by this resolution, and therefore, as a matter of taste, every member of the committee felt that it was better to use the more courteous term "requested" in lieu of the more imperative and commanding term "directed."

It was also thought by some members of the committee that the House alone has no power to compel any Cabinet officer or a co-ordinate branch of the Government to respond to any inquiry. They are of the opinion that you can not direct or compel a Cabinet officer except by an act of Congress, which, of course, requires the co-operation and approval of the Senate at least. As this resolution simply addresses inquiry to the head of a Department in a co-ordinate branch of the Government, it was deemed proper by every member of the committee, Republican as well as Democrat, that a more courteous term should be used than the one employed in the original resolution.

Now as to the second amendment. The resolution, as it was sent to the committee, confined the inquiry to the action of persons or officials in States which had lately been involved in the rebellion. The committee, by a unanimous vote, without one single discordant voice, either Democrat or Republican, deemed it perfectly proper and right that the inquiry should be broadened so as to ascertain whether persons or officials in any State, North or South, had asked for or obtained the custody of any of the captured flags, standards, or colors which, under the law, are required to be preserved in the War Department at Washington.

The third amendment was adopted for this reason: The language of the original resolution requires the Secretary of War to furnish "information as to what measures, if any, have been taken to comply with the requirements and obvious intent of sections 218, 228, 1554, and 1555 of the Revised Statutes." The amendment offered by the committee is to the effect that the words be added "in so far as it relates to the preservation of these flags, etc."

This was done because, upon an examination of these sections, it was seen that but one of them relates to the War Department. The others relate alone to the Navy Department and to matters over which the Secretary of War has no control, and who it can not be assumed is as well prepared to advise us as the Secretary of the Navy. In order that we might adhere as much as possible to the language of the gentleman from Maine as expressed in the original resolution—for we desired that he shall solely enjoy the fame and origin of the language of this resolution—it was suggested that we make the modification in the form I have quoted and therefore obviate the necessity for striking out the sections of the statute mentioned, although they have no relation whatever to the question before the House, which is an inquiry addressed to the Secretary of War.

Mr. Speaker, it will be premature to discuss the merits of this resolution in advance of the answer of the Secretary of War. I shall therefore refrain from saying anything whatever in regard to its merits until the answer of the Secretary of War has been received.

Mr. BOUTELLE. Will the gentleman permit me a word in regard to the statutes which have been referred to?

Mr. TOWNSHEND. I hope the gentleman will be brief. I merely want to economize time.

Mr. BOUTELLE. Only a moment. I am perfectly well aware and was so when I drew the resolution, that three of those statutes referred to were not directed specifically to the Secretary of War; and if the gentleman will examine the resolution he will see that it asks the Secretary of War what measures have been taken to comply with the requirements and "obvious intent" of sections so and so.

The statutes are these: The first two are in the organic acts creating the War and Navy Departments. Those require the Secretary of War and the Secretary of the Navy to collect all flags, standards, and colors captured by the Army and the Navy, respectively, from the enemies of the United States. Those are in the original acts creating those Departments.

Farther on in the Statutes—sections 1554, I think, and 1555—there are provisions, first, that the Secretary of the Navy shall cause to be collected and transmitted to the national capital all standards and colors captured from the enemies of the United States by the Navy; and section 1555 requires the President of the United States to cause those colors to be properly displayed at some place at the seat of government.

Now, there is no specific provision of that nature addressed by a statute to the Secretary of War. But I included those in my resolution because it did not seem to me that the War Department or the Committee on Military Affairs would desire to plead that the plain and clear intent of the instruction of Congress to the Secretary of the Navy in regard to the proper disposition of trophies captured in battle by one of the great branches of the military arm would not properly apply in its intent and spirit to the War Department in its dealing with the same subject.

Mr. TOWNSHEND. I move the adoption of the amendments.

The SPEAKER. Are separate votes demanded on the amendments?

No separate vote was demanded.

The amendments were agreed to; and the resolution as amended was adopted.

Mr. TOWNSHEND moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid upon the table.

The latter motion was agreed to.

### DISTRIBUTION OF CONGRESSIONAL RECORD.

Mr. GROSVENOR. I rise to a question of privilege. I offer for present consideration the resolution which I send to the desk.

The Clerk read as follows:

*Resolved*, That the standing committee of this House on printing be requested to inquire into the reasons, if any exist, why the daily CONGRESSIONAL RECORD

is not furnished to members at an earlier hour, and report their finding in the premises to the House.

The resolution was adopted.

Mr. GROSVENOR moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid upon the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. DUNN. I ask the Chair if it is now in order to move to go into Committee of the Whole House on the state of the Union for the purpose of considering bills on that Calendar?

The SPEAKER. It is.

Mr. DUNN. I make that motion.

Mr. SPRINGER. Will the gentleman please state his object?

Mr. DUNN. My object is to call up for consideration the bill relating to a Commissioner of Fish and Fisheries; the Senate bill No. 261.

The motion was agreed to.

COMMISSIONER OF FISH AND FISHERIES.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the purpose of considering bills on the Calendar of that committee. The Clerk will report the first bill.

The first bill on the Calendar was read, as follows:

A bill (S. 261) to amend the law concerning the Commissioner of Fish and Fisheries.

*Be it enacted*, etc., That section 4395 of the Revised Statutes of the United States be, and the same is hereby, amended to read as follows:

"That there shall be appointed by the President, by and with the advice and consent of the Senate, a person of scientific and practical acquaintance with the fish and fisheries to be a Commissioner of Fish and Fisheries, and he shall receive a salary of $5,000 a year, and he shall be removable at the pleasure of the President. Said Commissioner shall not hold any other office or employment under the authority of the United States or any State."

The report (by Mr. DUNN) was read, as follows:

The Committee on the Merchant Marine and Fisheries, to whom was referred the bill (S. 261) entitled "An act to amend the law concerning the Commissioner of Fish and Fisheries," have considered the same and report it back to the House without amendment, and recommend its passage without delay.

The United States Fish Commission was established by act of February 9, 1871, which provided for the appointment, by the President, with the consent of the Senate, of a Commissioner of Fish and Fisheries from among the civil officers or employés of the Government, who shall serve without additional salary. The act contemplated simply an investigation "with the view of ascertaining whether any, and what diminution in the number of food-fishes" had taken place, and also what "protective, prohibitory, or precautionary measures should be adopted, and report upon the same to Congress."

The act of March 3 of the same year, to provide for deficiencies, etc., appropriated $6,000 for the expenses of the inquiry ordered.

Professor Spencer F. Baird, then assistant secretary of the Smithsonian Institution, and an employé of the Government, he having charge of the National Museum, was appointed Commissioner. He prosecuted the inquiries with so much zeal, energy, and ability that the act of 1871 was re-enacted, and the deficiency bill of May 18, 1872, made an additional appropriation of $3,500 to continue the inquiry and $500 for the preparation of illustrations, tables, and report.

So impressed was Congress with the wisdom of Professor Baird's recommendations, based on the investigations he had made into the condition of our fisheries, that the act of June 10, 1872, contained an appropriation of $5,000 to continue those investigations during the fiscal year, and $15,000 was provided "for the introduction of shad into the waters of the Pacific States, the Gulf States, and of the Mississippi Valley; and of salmon, whitefish, and other useful food-fishes into the waters of the United States to which they are best adapted." Each succeeding year appropriations have been increased as the work was extended under the wise and successful management of the Commissioner.

The act limiting the appointment of the Commissioner to a detail of some one at the time in the employ of the Government appears to have contemplated only an inquiry occupying perhaps a few summer months.

At the time of the selection of Professor Baird his duties under his salaried position were comparatively light, as he was charged with the administration, under the Secretary, of the Museum, which was in those days contained in the small space which could be allowed in the Smithsonian building. Under Professor Baird's masterly, wise, and energetic management, both the Fish Commission and the National Museum have grown to large proportions, so that at his death the work of the Fish Commission had developed from an inquiry in 1871, on an appropriation of $5,000, to the production, transportation, and distribution of over 100,000,000 young fish, and the administration of some sixteen hatching and rearing stations: two in Maine, at Grand Lake Stream and Bucksport; two in Massachusetts, at Gloucester and Wood's Holl; two in Michigan, at Northville and Alpena; one at Duluth; one on the Columbia River; two in California, on the Sacramento; one on the Susquehanna, at Havre de Grace; one at the mouth of the Potomac; two within the city of Washington; one at Fort Washington, and one at Wytheville, Va., besides the administration of scientific investigations and fish hatching done by three steam and one sailing vessel, and of three transporting cars specially designed to transfer fish from one end of the country to the other.

The National Museum has had a corresponding expansion, for in addition to the hall of the Smithsonian, which held the collections in 1871, and whose administration cost $20,000, a building covering 3½ acres has been built and equipped, and it has been found necessary to appropriate $168,000 for their care this year.

The necessity arose for husbanding and increasing our food resources, and Professor Baird created and expanded the Fish Commission, and although the act of 1871 may have been prudent and a wise measure at the time it was enacted, and although the work of the Fish Commission as well as that of the Museum was well done by him, perhaps at sacrifice of some years of his valuable and honored life, it is to be doubted if, at the time of his appointment as Fish Commissioner, the Smithsonian, the National Museum, and the Fish Commission had been of their present magnitude, Congress would have provided for their conduct being placed even on his broad shoulders, and the work of three assigned to his well-trained and cultivated intellect.

The work of the Fish Commission has become so extensive, and the results so important to the country, that it should be made, as this bill proposes, the sole object of the Commissioner—it should occupy all his time. This bill, therefore, while giving the President the greatest latitude in making his choice, takes away the limitation that that choice shall be confined to those who may be otherwise employed by the Government. This bill repeals the provision of the act of 1871, which requires that the now important and all-engrossing duties of the Fish Commissioner shall be performed at the expense of some other department and some other appropriation.

Under the present law the Commissioner must either hold a sinecure, receive a Government salary which he does not earn, or he must neglect duties for which he is paid in order that he might perform others for which he is not paid; or perhaps, as in the case of Professor Baird, devote hours which nature demands for rest and recreation to Government work without compensation. The first two alternatives are neither right nor proper, and the Government is not so impecunious or needy that we should ask for it or accept such gratuitous services.

The rate of salary named in the bill is the same as has been fixed for and paid to the assistant commissioner for years.

With a Commissioner charged, as his sole duty, with the work of the Fish Commission there will be no further need for an assistant commissioner. The bill, therefore, does not contemplate any additional expense. The further details of the administration will be looked to when the appropriation bills are made up.

It is best not to incumber the present bill with other matter than the provision for the head of the Commission, as it is of the first importance that a permanent head of the Commission should be provided for at once. As soon as the new Commissioner provided for by this act shall have been appointed and installed, he can be called before the committees of the House, and if further legislation be needed it can be predicated on his reports, and after a revision of any projects for the prosecution of the work which he may submit.

Mr. DUNN. I do not know of anything that I can add to the explanation given in the report if members have attended to the reading of it. The simple question is whether the Fish Commission shall be retained and given a thorough business organization, with a distinctive, independent, and responsible head to it, or whether it shall be abandoned.

I presume that members generally know that it originated at the instance of Professor Baird in the institution of a mere inquiry in 1871, and that it has grown now to be one of the most important bureaus of the Government in the estimation of a great many thoughtful and considerate people. Appropriations have been made from year to year and placed at the disposal practically of Professor Baird almost without limitation, and I believe during most of the time without detailed report as to the manner of their expenditure, so great was the confidence which Congress and the country had in his wisdom and in his integrity, and the results have justified that confidence.

But Professor Baird is dead, and there is now no practical head to that bureau. And it is thought wise and to be best that an independent head be created, in order that the bureau may be administered on a basis of responsibility, as the other departments or bureaus of the Government are and should be.

Mr. OATES. Will the gentleman from Arkansas permit me a question?

Mr. DUNN. Yes, sir.

Mr. OATES. Will the gentleman inform us what authority Congress has for legislation creating this bureau?

Mr. DUNN. Well, Mr. Chairman, that is a very large question, undoubtedly, in the estimation of my friend from Alabama; but it seems that Congress created this bureau in 1871, and has maintained it since. It was perhaps unfortunate that my friend from Alabama was not here just then to intercept it; but we have the bureau in existence, and it is for Congress to determine now not whether it will create such a bureau, but whether or not it will retain it. Really, time would fail me to undertake to go into a general disquisition as to the exact authority of Congress to do or not to do a great many things which it has done in the past.

Mr. OATES. Will the gentleman answer another question?

Mr. DUNN. If I can.

Mr. OATES. Was not the origin of this bureau merely a resolution authorizing the detail of an officer of the Government to inquire into the destruction of fish along the coast?

Mr. DUNN. Yes, sir; that was its origin, as is stated in the report of the committee. Inquiry made under that authority led to the making of the appropriations by Congress from time to time for the creation of hatching-stations, for the construction and equipment of vessels, for the construction and maintenance of railway cars to transport spawn and young fish, and distribute them over the country, and for doing all the things that the Fish Commission has done. There has been created and brought into existence a plant costing the Government perhaps more than a quarter million dollars, possibly a half million. We now have sixteen hatching-stations, several vessels with their equipments, and some railway cars constructed for the express purpose of transporting spawn and young fish to different parts of the country, where they are deposited in the water for development and propagation. That is the situation. The bureau is now actually in existence. Heretofore the appropriations have been intrusted to Professor Baird, but, unfortunately for science and the good of mankind, Professor Baird is no longer alive, and it now devolves upon the Government to put that bureau upon a business basis or else to abandon it. It is not believed that there is any strong sentiment in the country in favor of abandoning it, because everybody is aware of the great benefits that have resulted from its establishment.

Mr. STEELE. Can the gentleman inform us whether Professor Baird's successor has been appointed?

Mr. DUNN. There has been designated an officer to take charge of that bureau temporarily, Professor Goode, who is now away on leave of absence, I believe. By reference of the question to the Solicitor-Gen-

eral, it was found that the assistant commissioner, who had been really the administrative officer of the Government, was not eligible for appointment to the position of Commissioner.

Mr. STEELE. Is Professor Baird's successor at the head of the Smithsonian Institution?

Mr. DUNN. Professor Goode?

Mr. STEELE. Yes.

Mr. DUNN. I can not answer that question. Professor Baird, I believe, was one of the secretaries of the Institution.

Mr. COX. Professor Goode is assistant secretary of the Smithsonian Institution, but he will probably be compelled to resign by reason of ill health.

Mr. STEELE. Professor Baird's successor, if appointed, will receive $8,000?

Mr. DUNN. Oh, no.

Mr. STEELE. Professor Baird received that.

Mr. DUNN. Professor Baird received nothing as Fish Commissioner.

Mr. STEELE. But in connection with the Smithsonian Institution he received $8,000.

Mr. DUNN. He received $8,000 for performing the duties of that office and of two others.

Mr. COX. But not from the Government.

Mr. DUNN. Not from the Government.

Mr. STEELE. I want to ask the gentleman from Arkansas whether, within his knowledge, the President of the United States has canvassed the country to find a man who can perform the duties which Professor Baird performed as Secretary of the Smithsonian Institution and as Fish Commissioner.

Mr. DUNN. I must respectfully refer the gentleman to the President himself. The question would not be a respectful one for me to ask, and I must decline to make the inquiry, and, in the absence of any information on the subject, I can not undertake to answer the gentleman's question.

Mr. STEELE. Do you not think it would be possible for the President to find a suitable successor to Professor Baird?

Mr. DUNN. I have never doubted the President's ability to discharge all the duties devolving upon him by law as Chief Executive with great ability and great benefit to the country.

Mr. STEELE. As I understand it now, the party of "economy and reform" propose to pay $13,000 to some one for performing the same duties that were performed by Professor Baird for $8,000.

Mr. DUNN. The gentleman is greatly in error. I sympathize with him, and I shall be patient in enlightening him. [Laughter.] The Government has never paid one dollar as a salary to any person for acting as Fish Commissioner.

Mr. STEELE. Professor Baird did that work in addition to his other duties?

Mr. DUNN. Yes; Professor Baird was a great naturalist and scientist and an enthusiast about this particular matter. He rendered the Government a very valuable service as a labor of love, and his labors produced such valuable results that it is now deemed wise for Congress to preserve and extend them by preserving this bureau and leaving the President to find a fit successor to carry on Professor Baird's work.

Mr. STEELE. Would it not be economy to defer this matter for awhile in order to see whether a successor can not be found to perform the same duty that Professor Baird did and for the same pay?

Mr. DUNN. The President will scarcely "search" for a Commissioner, for he is authorized to appoint one.

Mr. STEELE. He has already made a designation, as I understand.

Mr. WILSON, of West Virginia. The gentleman from Arkansas [Mr. DUNN] yields to me for a few moments.

As to the question of the gentleman from Indiana [Mr. STEELE], I will simply make this explanation, that the salary of Professor Baird was never paid out of the Treasury or by the Government of the United States. As Secretary of the Smithsonian Institution, elected by the regents of that Institution, not appointed by the President, he was paid out of the income of the Institution. He was designated as the head of the Fish Commission, and for his services in that capacity he received no salary whatever.

Professor Baird's successor as secretary of the Smithsonian Institution has been selected by the regents, and is performing his duties. This Fish Commission has grown to such an extent that the administrative work requires an executive officer at the head of it. It will be no longer proper to devolve the duties of the head of this commission upon an officer paid out of a private fund, and who, having been selected for his high scientific abilities and attainments, can not properly be required to give to the administrative duties of an office like this the time and attention which they demand, and who is not expected to have the special qualifications which would fit him for work of this character.

While on the floor I will say only one other word with reference to the appointment of a head for this commission. By the language of the bill it is provided, I observe, that the President shall appoint as Commissioner of Fish and Fisheries a person of scientific and practical acquaintance with the fish and fisheries of the coast. The gentleman from Arkansas [Mr. DUNN] informs me that this language has been modified so as to include the inland waters of the country. With the respect which I have for Professor Baird's memory and which I had for him while he was living, I would be the last man to make any criticism upon the past management of the Fish Commission; but I think there is danger that the scientific side of this question may be given a prominence not designed by Congress in the establishment of this commission. I do not understand that the appropriations made by Congress for this work, amounting to several hundred thousand dollars per annum, and increasing from year to year, are given for the purpose of investigations in natural history. In my view, the work of this commission is designed to be economic and practical, looking to an increase of the food supply in the fisheries of the United States. The practical and economic side of the work of this commission is the one which should have prominence, and the scientific work should be only an adjunct. I think the danger to be apprehended in the future, especially if we should have a purely scientific man at the head of this commission, is that he will consider the appropriations given by Congress as designed rather for the purpose of conducting scientific experiments and investigations than to be applied to the actual economic work contemplated by Congress in the creation of the commission.

Mr. HOPKINS, of Illinois. Does not the gentleman's argument apply more to the question of the appointment which may be made by the President than to the phraseology of the bill?

Mr. WILSON, of West Virginia. I am not objecting to the phraseology of the bill, for it includes both terms—"scientific" and "practical."

Mr. HOPKINS, of Illinois. Of course the appointee must have some special knowledge with reference to the subjects intrusted to the commission.

Mr. WILSON, of West Virginia. If I were going to write the bill I would give the word "practical" preference over the other.

Mr. DUNN. I yield to my colleague on the committee, the gentleman from California [Mr. FELTON].

Mr. FELTON. I wish to state for the information of gentlemen here that while Professor Baird received no salary other than that paid from the funds of the Smithsonian Institution——

Mr. STEELE. A salary of $8,000.

Mr. FELTON. He had an assistant who performed, under the supervision of the professor, most of the duties connected with the work of the Fish Commission, and this assistant was paid for his services $5,000 per annum. It is now proposed to dispense with this assistant and to put at the head of this commission some competent gentleman who will receive the salary of $5,000. Consequently there will be no increased expenditure in the matter of salaries for conducting the work of the commission. This work having grown to such magnitude as to justify the creation of a distinct bureau with an official head, it is important that this officer should give to the work of the commission his entire time, instead of attending to matters connected with two or three different institutions. There will be no increase of salary and no additional expenditure of money.

Mr. STEELE. Does the gentleman refer to Mr. Ferguson?

Mr. FELTON. I do refer to Mr. Ferguson, a gentleman as to whom Professor Baird is upon record as saying that there was not in the United States a man who was his equal in knowledge of these fish industries.

Mr. COX. Mr. Chairman, I think I can answer satisfactorily the queries which have been propounded on the other side. I would not obtrude myself in connection with this matter but for some relation which I had in the early days to the Smithsonian Institution and my regard for the gentlemen who have been associated through that Institution with the Fish Commission.

Professor Baird, as we all know, became, after the death of Professor Henry, the Secretary of the Smithsonian Institution. He received a salary, but not from the Government. He was a beneficiary under the will of an Englishman—James Smithson. When we undertook, through the agency of the Government, to investigate the propagation of food-fishes in America, a measure was passed by Congress on the 9th of February, 1871, authorizing the President to appoint, for the purpose of taking charge of this work, some one connected either with the Smithsonian Institution or with the Government. Professor Baird at that time was connected with the Government National Museum. He was an employé of the Government. Being an enthusiast in relation to the propagation of food-fishes, having a thorough scientific training, he entered upon these researches *con amore*. He was selected by the President to undertake it. He undertook it without pay.

The pay he received as Secretary was perhaps adequate for his running expenses as a citizen of Washington, in such an eminent position, but he died a comparatively poor man, and his family, consisting of an infirm wife and an infirm daughter, are living in a house which they must sell or give up, unless they are more or less supported from some other source than remained to him at his death. After all his gratuitous and beneficent services for the Government, they must yield up that comfort which they enjoyed while the husband and father was serving the Government. But of that I may speak on another and more fitting occasion.

I do not wish to discuss the question whether there is any necessity for this bureau. It exists. The only question now is, whether we shall sustain it in its present efficiency.

Professor Baird inaugurated the inquiry to which I have adverted, in 1871. He continued his service until the last year, when he died. On his decease Professor Goode was called to take his place. He was and is in frail health. He had been an assistant to Professor Baird and has been receiving $5,000 as such assistant fish commissioner. Professor Goode, at the express request of the President, took charge of this trust temporarily, as understood. He is not able to keep up his relation with the Smithsonian, and the Museum, and with the Fish Commission also; so that he is likely to resign that position as Fish Commissioner.

Now the question comes up, whether we shall continue this bureau. It does not call on us to pay any more money out of the Treasury as salary than has been paid to the assistant commissioner. This was well stated by the gentleman. We propose to give the same sum to the officer created under this act, as was paid to the assistant, namely, $5,000.

This business of propagating our food-fishes is well appreciated by the people all over our country. Since Professor Baird began this work there has been sent out by tank, cans, and otherwise, throughout the land, from Texas to Maine, and from the Columbia River to the St. John's, one hundred millions of young fish, or spawn, for the propagation of this food.

The report of Professor Goode (House Miscellaneous Document No. 39) to the present Congress shows the cost during the last fiscal year of the production, transportation, and distribution of these hundred millions from their sixteen hatching and rearing stations. The propagation expenses were $130,000, the cost of fish-ponds and distribution was $45,000; and the same sum for vessels engaged in the service. There are existing other appliances for the forwarding of this extensive and humane object, which I will not now dwell upon.

The time has almost come prophesied by Professor Huxley, when an acre of water will almost produce as much food for the support of human life as an acre of land.

The science of fish propagation is one of the marvels of our time. It is one of the miracles of physical culture. We have understood, appreciated, and encouraged by law this wonderful multiplication of food-fishes.

If I am permitted to refer modestly to my travels, I will say that when I was coasting around Norway a scientist informed me—pointing out over the Arctic Ocean, which we were inspecting—that there had been the year before a shoal of codfish near the Lofoden Islands 1 mile in superficial extent, containing one hundred and fifty millions of cod; and that those codfish had fed on four hundred and twenty millions of herring. There is no limit to the wonderful infinitude of these finny creatures of the deep.

Professor Baird saw with generous vision this result of natural law. Although I believe the invention or discovery of this remarkable fecundity and mode of propagation in fish was made at an earlier date than 1871, still he utilized it. To be just in this connection, I may remark that before Professor Baird undertook this service, Dr. Garlick, an Ohio man, discovered the process. His is not a happy name, but his discovery was felicity itself to millions. Is it not a curious fact that Ohio always seems to be a little ahead of other States in certain affairs—political or otherwise? [Laughter.] Excuse my seeming forwardness in speaking of Ohio products, for I was born there myself. [Laughter.]

Nevertheless, Mr. Chairman, there never was an interest in this country so cared for by the Government as this of fish. Our first efforts, at least in New England, began with fish. When our ancestors—I refer to New England where I was educated—when our ancestors went to King James for a charter to go across seas and colonize Massachusetts, the king asked the Puritans, "What is your object? What do you intend?" Their answer was, "To worship God and catch fish!" [Laughter.] Then the king rejoined, "I give you the charter. Fore Gad! it is the Apostles' own calling!" [Renewed laughter.]

Why, sir, even in the early churches of New England the early and pious Puritans used to sing:

Ye monsters of the bubbling deep,
Your Maker's name upraise;
Up from the sands ye codlings peep,
And wag your tails always.

[Laughter and applause.]

So that in early New England the cure and care of fish was concomitant with commerce, liberty, and sanctity. In later times New England has obtained Congressional enactments giving free salt for her fish, while the miserable man in Chicago can not get free salt for his pork. [Laughter.] Congress has always had a kindly word for the fishermen. For many decades it gave bounties at so much per cod. These fishermen have not become less tenacious of their rights since the bounty ceased. They are a power in numbers and influence. They number a million or more of men constantly engaged in their hardy and hazardous occupation. Their calling is associated at the present time with some curious wriggling in diplomacy. [Laughter.] But wherever they are, and wherever they adventure, they should be cared for by the fostering arm of the Government.

The main object of this bill, sir, is not to assist the fishermen so much as the consumers of fish. It would send out the seed broadcast, that food harvests may grow in all the waters of this land. I trust there will be nothing done here to impair the usefulness of this bureau. I trust, as this bill takes no money out of the Treasury, that no further objection will be made to its passage; that the President may be able to select a good practical man of science and energy, whether he be a Democrat or not, to occupy and honor the position. I am not sure but that there may be found some good scientific Democrat in this country to administer this office. [Laughter.] All the sciences cannot be monopolized by the Republican party. There may be a Democrat discovered with the qualities of a good scientific fisherman. The President will find him. The President himself is somewhat of an expert in that line. [Laughter.] At all events let us by this enactment enable him to select the right man for the position. So far as I am individually concerned I am not over eager whether he selects a Democrat or a Republican to carry out the humane and beneficent provisions proposed by this bill reported by my honored friend from Arkansas [Mr. DUNN], to whom I tender my thanks for the privilege of these desultory remarks. [Applause.]

Mr. DUNN. Mr. Chairman, I trust that the committee is now in the humor to rise and report this bill to the House; and I make that motion unless some other gentleman desires to be heard upon it.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill S. 261, had directed him to report the same to the House without amendment.

The bill was ordered to a third reading; and being read the third time, was passed.

Mr. DUNN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

### PROPOSED INTERNATIONAL EXPOSITION, PARIS.

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Committee on Foreign Affairs, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a report from the Secretary of State in relation to the invitation from the Government of France to this Government to participate in the international exposition which is to be held at Paris in 1889.

GROVER CLEVELAND.

WASHINGTON, *January* 12, 1888.

And then, on motion of Mr. MILLS (at 2 o'clock and 25 minutes p. m.), the House adjourned.

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### PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred, as indicated below:

By Mr. McRAE: A bill (H. R. 4759) authorizing the Little Rock and Alexandria Railway Company to build certain bridges in the State of Arkansas—to the Committee on Commerce.

By Mr. CRISP: A bill (H. R. 4760) for the relief of Mary E. Forrester and Alexander B. Duncan—to the Committee on Claims.

By Mr. OWEN: A bill (H. R. 4761) granting a pension to Samuel Price—to the Committee on Invalid Pensions.

By Mr. CHEADLE: A bill (H. R. 4762) granting a pension to Benjamin F. Howard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4763) to grant a pension to Joseph Van Arsdel—to the Committee on Invalid Pensions.

By Mr. GEAR: A bill (H. R. 4764) granting a pension to Mary Hollis—to the Committee on Pensions.

Also, a bill (H. R. 4765) for the relief of G. W. McAdams—to the Committee on Claims.

By Mr. STONE, of Kentucky: A bill (H. R. 4766) for the relief of John H. Harris—to the Committee on War Claims.

Also, a bill (H. R. 4767) for the relief of W. H. Vaughan—to the Committee on War Claims.

By Mr. G. M. THOMAS: A bill (H. R. 4768) for the relief of James Mahaffey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4769) granting a pension to Amanda F. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4770) for the relief of Franklin White—to the Committee on Invalid Pensions.

By Mr. CARUTH: A bill (H. R. 4771) for the relief of the Southern Exposition at Louisville, Ky.—to the Committee on Ways and Means.

By Mr. RUSK: A bill (H. R. 4772) for the relief of Patrick H. Philbin—to the Committee on Naval Affairs.

By Mr. LONG: A bill (H. R. 4773) for the relief of John Griffitt—to the Committee on Claims.

By Mr. FORD: A bill (H. R. 4774) granting a pension to Mathew H. Reynolds—to the Committee on Invalid Pensions.

By Mr. RICE: A bill (H. R. 4775) for the relief of Abbie Sharp, formerly Abbie Gardner—to the Select Committee on Indian Depredation Claims.

By Mr. HOOKER: A bill (H. R. 4776) referring the petition, etc., of George T. Swan, administrator, for cotton seized to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 4777) in reference to the restoration of James S. Jouett to military service in the Army of the United States—to the Committee on Military Affairs.

By Mr. MANSUR: A bill (H. R. 4778) for the relief of James S. McGee—to the Committee on Claims.

By Mr. PHELPS: A bill (H. R. 4779) granting a pension to John L. Conklin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4780) to remove the charge of desertion from the record of John Fitzpatrick—to the Committee on Military Affairs.

Also, a bill (H. R. 4781) granting a pension to Wealtha Young—to the Committee on Invalid Pensions.

By Mr. CUMMINGS: A bill (H. R. 4782) for the relief of the Sisters of the Holy Cross in the city of Washington, D. C.—to the Committee on the District of Columbia.

By Mr. MOFFITT: A bill (H. R. 4783) granting a pension to Henry Reynolds—to the Committee on Invalid Pensions.

By Mr. WEBER: A bill (H. R. 4784) granting a pension to Richard Toll—to the Committee on Invalid Pensions.

By Mr. FARQUHAR: A bill (H. R. 4785) granting a pension to Rosanna K. Griffin—to the Committee on Invalid Pensions.

By Mr. COCKRAN: A bill (H. R. 4786) granting to the Billings, Clark's Fork and Cooke City Railroad Company the right of way through the Crow Indian reservation—to the Committee on Indian Affairs.

By Mr. WEBER: A bill (H. R. 4787) for the relief of Daniel Hawes, dependent father of Lieut. Edward S. Hawes—to the Committee on Invalid Pensions.

By Mr. BACON: A bill (H. R. 4788) granting an increase of pension to William Winans—to the Committee on Invalid Pensions.

By Mr. COOPER: A bill (H. R. 4789) for the relief of George W. Sampson and Benjamin Henricks, of Austin, Tex.—to the Committee on Claims.

By Mr. McKINLEY: A bill (H. R. 4790) to remove the charge of desertion from the military record of A. R. Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 4791) granting a pension to Archibald Downey—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 4792) to pension J. W. Porter—to the Committee on Pensions.

By Mr. OSBORNE: A bill (H. R. 4793) for the relief of Francis J. Conlan—to the Committee on Military Affairs.

By Mr. BAYNE: A bill (H. R. 4794) for the relief of John Montgomery—to the Committee on War Claims.

By Mr. CHARLES O'NEILL: A bill (H. R. 4795) for the relief of Kate A. Cronin—to the Committee on Military Affairs.

Also, a bill (H. R. 4796) to increase the pension of Mrs. Mary Von Kusserow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4797) granting a pension to Caroline Motz—to the Committee on Invalid Pensions.

By Mr. MAISH: A bill (H. R. 4798) for the relief of Thornton Smith—to the Committee on Military Affairs.

By Mr. McCORMICK: A bill (H. R. 4799) granting a pension to William A. Harper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4800) granting a pension to Margaret O'Connor—to the Committee on Invalid Pensions.

By Mr. CHARLES O'NEILL: A bill (H. R. 4801) granting a pension to Georgianna Showers—to the Committee on Invalid Pensions.

By Mr. PATTON: A bill (H. R. 4802) granting a pension to James Kreps—to the Committee on Invalid Pensions.

By Mr. RANDALL: A bill (H. R. 4803) for the relief of Bird L. Fletcher—to the Committee on Military Affairs.

Also, a bill (H. R. 4804) for the relief of Matilda Caldwell, late Matilda Sparks—to the Committee on Invalid Pensions.

By Mr. ABBOTT: A bill (H. R. 4805) for the relief of A. B. Norton—to the Committee on Claims.

By Mr. BOWDEN: A bill (H. R. 4806) granting a pension to Joshua Pritlow—to the Committee on Pensions.

By Mr. WASHINGTON: A bill (H. R. 4807) for the relief of R. N. Drake—to the Committee on Claims.

Also, a bill (H. R. 4808) for the relief of I. Kropp, administrator of Christian Kropp, deceased—to the Committee on Claims.

By Mr. BUTLER: A bill (H. R. 4809) for the relief of James White and the legal representatives of William White, deceased—to the Committee on War Claims.

By Mr. WASHINGTON: A bill (H. R. 4810) for the relief of James Groves of Robertson County, Tennessee—to the Committee on War Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BUCHANAN: Memorial of Joseph Francis in behalf of the Life-Saving Service—to the Committee on Commerce.

By Mr. CANDLER: Petition of John J. Jones; of James E. Covington, administrator of Nathaniel J. Cook; and of Winfield S. Edwards, administrator of William A. Edwards, of Georgia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. CANNON: Petition of D. A. Ward and others, of Camargo, Ill., for the issue of fractional currency—to the Committee on Banking and Currency.

By Mr. CATCHINGS: Petition of Mrs. Mary Deen, of Bolivar County, Mississippi, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. CLEMENTS: Papers in the claim of John H. Wedford, of Catoosa County, and of Newton White, of Walker County, Georgia—to the Committee on War Claims.

By Mr. COLLINS: Petition of Mrs. Walton K. Knowlten *née* Mary A. McKeever, daughter of Charles McKeever, for a pension—to the Committee on Pensions.

By Mr. COMPTON: Papers in the case of Thomas R. Johnson, administrator—to the Committee on War Claims.

Also, petition of F. R. Reitch, Lizzie V. Boyle and others for relief—to the Committee on War Claims.

By Mr. COX: Papers in the case of Richard Atkinson—to the Committee on War Claims.

By Mr. CUTCHEON: Resolutions of the National Sheep Breeders' Association, in reference to the duty on wool—to the Committee on Ways and Means.

By Mr. A. C. DAVIDSON: Papers in the claim of Jeremiah Johnson, and of Mrs. Elizabeth Nell, of Dallas County, Alabama—to the Committee on War Claims.

By Mr. DIBBLE: Papers in the claim of Hiram C. Rucker, and of Mathias J. Rucker, of Lexington County, South Carolina—to the Committee on Claims.

By Mr. DINGLEY: Petition of A. M. Penley and others, of Auburn, Me., for a law requiring all contractors on Government work to pay their workmen at least once in two weeks—to the Committee on Labor.

By Mr. DORSEY: Petition of purchasers of land of Omaha Indian reservation in Nebraska, for extension of time—to the Committee on Indian Affairs.

By Mr. FORNEY: Memorial of citizens of Marshall County, Alabama, praying that the grant of lands to the Tennessee and Coosa Railroad Company be not forfeited—to the Committee on the Public Lands.

Also, papers in the case of Sam Noble—to the Committee on the Judiciary.

By Mr. FRENCH: Petition of F. Mansfield and others, of New Haven, Conn., for an appropriation to remove shoal in the Quinnipac River—to the Committee on Rivers and Harbors.

By Mr. FUNSTON: Petition of 86 citizens of the Second district of Kansas, for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. GALLINGER: Papers to accompany House bill 3850, granting a pension to Moses F. Jackson—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: Petition of the gold and silver beaters of the United States, for increase of duty on certain articles—to the Committee on Ways and Means.

By Mr. HAYES: Petition in relation to compensation of letter-carriers—to the Committee on the Post-Office and Post-Roads.

Also, petition of Rudolph Morand, for a pension—to the Committee on Invalid Pensions.

Also, petition of Huldah A. Dorr, for a widow's pension—to the Committee on Invalid Pensions.

By Mr. D. B. HENDERSON: Petition of citizens of Independence, Iowa, for a special act granting a pension to Sarah M. Jewell—to the Committee on Invalid Pensions.

By Mr. T. J. HENDERSON: Petition of the Farmers' Alliance, of Tiskilwa, Bureau County, Illinois, for the reduction of the revenue and favoring the placing on the free-list of lumber, salt, sugar, coal, wool, and copper, and protesting against the removal of taxes on liquors and tobacco, or any part of the same—to the Committee on Ways and Means.

By Mr. HOOKER: Papers in the case of Wiley N. Nabors, administrator of William Lasley, of Itawamba County; of Anna Hunt, of Jefferson County; of Henry Baden, of Pike County; of Andrew Kremen, of Tishomingo County; of Mrs. Sarah Cagle, of Charles Weil, and of Benjamin M. D. Mason, of Rankin County; of Jacob Suratt, and of Joseph C. Spright, of Tippah County; of C. L. Kidd, Mrs. Kingson and daughter, of Thomas Kidd, of Thomas Kidd, executor of Samuel R. Bolls; of Joseph J. Drumgoole, and of John M. H. Martin, of Hinds County; of James A. Mahom, of Hardin Patterson, of Zachariah Belue, of Jefferson Burnett, of Richard H. Willett, and of Mrs. Mary A. Harris, of Tishomingo County; and of Rowena Clarke, and of William Whitaker, of Warren County; of Dury Couch, of James Morrison, of

William M. Rowles, of Drury Robertson, of J. R. Nunnery, heir of Thomas Nunnery, and of William T. Lamb, of La Fayette County; of John McKinne, of Emanuel County; of Phil Davis and of John White, of Chickasaw County; of John T. Bill, of D. A. Browder, and of James H. Leigh, of Panola County; of J. A. Parker and of Harriet Langston, of Union County; of John Jones, of Alcorn County; of Mrs. Temperance J. Herd, of Newton County; of Albert and Mary E. Jones, of Kossuth; of Antonet Walsh, of Warren County; of Susan S. Merrill, of Lee County; of William S. Bunch, of Caldwell County; of Jacob C. Peebles, of Adams County; of Christopher Burton, of Tallahatchee County; of Martha R. Blanton, of Washington County; of Mrs. M. R. Poll, widow of Miguel Poll, of Jackson County; of Charles Kramer, and of F. W. Volkening, of Clarke County; of John Young, of B. R. Boydstum, administrator of H. U. Kerr, of William Taliafero, of Samuel H. Miller, and of Hettie E. Ladd, of Yalobusha County; of Thomas Ryan, of L. G. Aldrich, executor of L. D. Aldrich, of Natchez; of John R. McAlpine, of Tenor Brabay, of Elizabeth McArthur, of Georgia A. Doyle, of James H. Maury, of Mrs. Sidney Farding, administratrix of Richard Farding, and of Mrs. Anna M. Ragsdale, and of Margaret D. Leonard, widow of Alexander Leonard, of Claiborne County; and of John A. Browning, of Taylor's Depot; of Benjamin F. Shelby, executor of Levi Shelby, and of Edward Jack, of Rankin County, Mississippi.

By Mr. S. I. HOPKINS: Petition of J. E. Hudduston and others, citizens of Virginia, for the passage of the Colquitt bill for the suppression of the traffic in intoxicating liquors in the District of Columbia—to the Committee on the District of Columbia.

By Mr. JACKSON: Petition of E. W. Lubendorf and 32 others, citizens of the Twenty-fourth district of Pennsylvania, against the admission of Utah as a State—to the Committee on the Territories.

By Mr. McRAE: Petition of William Crabtree, of Lafayette County, Arkansas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. McMILLIN: Papers in the claim of Benjamin F. Misis, of Davidson County, Tennessee—to the Committee on War Claims.

By Mr. MERRIMAN: Petition to provide for the reimbursement of costs and expenses in certain judicial proceedings, and for the relief of George C. Ellison—to the Committee on Claims.

By Mr. MORSE: Petition of 14 citizens of Nantucket, Mass., for an appropriation for the maintenance and repair of the military telegraph line on the Atlantic coast of the United States—to the Committee on Appropriations.

By Mr. NEAL: A bill making an appropriation of $500,000 for the improvement of the Tennessee River below Chattanooga, and for the completion of improvements at Muscle Shoals—to the Committee on Rivers and Harbors.

Also, a bill making an appropriation of $2,500 to continue the improvement in the Hiwassee River, Tennessee—to the Committee on Rivers and Harbors.

Also, a bill making an appropriation of $30,000 to continue improvements in the Tennessee River above Chattanooga, Tenn.—to the Committee on Rivers and Harbors.

Also, a bill to appropriate $5,000 to continue improvements in the Little Tennessee River—to the Committee on Rivers and Harbors.

By Mr. O'FERRALL: Petition of Rohr & Brothers and others, praying that salt be placed on the free-list—to the Committee on Ways and Means.

By Mr. CHARLES O'NEILL: Petition of Georgiana Showers, for a pension—to the Committee on Invalid Pensions.

Also, petition of Kate H. Cronin, for removal of charge of desertion—to the Committee on Military Affairs.

Also, remonstrance of citizens of the Second district of Pennsylvania against the admission of Utah as a State, with polygamy—to the Committee on the Territories.

Also, petition for the appointment of a national commission to inquire into the alcoholic liquor traffic, and report—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Caroline Motz, widow of John Motz, for a pension—to the Committee on Invalid Pensions.

Also, petition of Mrs. Mary Von Kusserow, for an increase of her pension—to the Committee on Invalid Pensions.

Also, papers in the claim of John A. Wagner, and of Bryson & Son, of Philadelphia, for relief—to the Committee on Claims.

Also, petition of Mary Beers, widow of Robert B. Beers, Company A, Seventieth Pennsylvania Volunteers, for a pension—to the Committee on Invalid Pensions.

By Mr. PEEL: Papers in the claim of Isaac S. Conner, of Arkansas—to the Committee on War Claims.

By Mr. PHELAN: Papers in the case of D. W. and Minnie H. Glassie, and J. C. Nash; of Thomas Chadwell, administrator; of Cummings, Doyle & Co., and Doyle & Co.; and of Mary C. Buchanan, administratrix of A. H. Buchanan—to the Committee on War Claims.

By Mr. PHELPS: Petition of the Woman's Christian Union, of Plainfield, N. J., for the better legal protection of young girls—to the Committee on the Judiciary.

By Mr. REED: Petition of Hannah H. Latham for restoration to the pension-rolls—to the Committee on Invalid Pensions.

By Mr. SAYERS: Resolutions of the Falls County (Texas) Farmers' Alliance, for a distribution of the surplus to secure a more adequate circulating medium—to the Committee on Ways and Means.

By Mr. SCOTT: Petition and affidavits to accompany House bill 4061—to the Committee on Naval Affairs.

By Mr. J. W. STEWART: Memorial in favor of law equalizing extradition of fugitives from justice—to the Committee on Foreign Affairs.

Also, petition of M. A. Everest and 30 others, citizens of Addison, Vt., relative to pension laws—to the Committee on Invalid Pensions.

By Mr. STONE, of Kentucky: Papers in the case of Agnes and Maria De Leon, heirs of Rebecca L. De Leon—to the Committee on War Claims.

By Mr. G. M. THOMAS: Petition of the Lewis County (Kentucky) Ex-Prisoners of War Association, for certain pension legislation—to the Committee on Invalid Pensions.

Also, petition of Thomas H. Bruce, for relief—to the Committee on Invalid Pensions.

By Mr. VANDEVER: Petition of citizens of the Sixth district of California, for the establishment of Government postal telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. WHEELER: Papers in the claim of Daniel Cameron, and of Lydia C. Hackworth, of Jackson County, Alabama—to the Committee on War Claims.

Also, petitions of Samuel E. Young, of Samuel Hendrix, of Sarah Townsley, administratrix of Stephen Townsley, deceased, of Lauderdale County; and of S. P. Woodall, and of P. W. Barber, administratrix of James Campbell, of Jackson County, Alabama, for reference of their claim to the Court of Claims—to the Committee on War Claims.

By Mr. WHITTHORNE: Papers in the claim of John P. Madry and of Elizabeth Madry, of Giles County; of Andrew H. Russell, of Lincoln County; and of D. B. Stamps, of Franklin County, Tennessee—to the Committee on War Claims.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. BLANCHARD: Of E. V. Deblieux and others, of Willow Post-Office; of J. C. Brown and others, of Louisiana; of J. W. Hutchins and 52 others, of Louisiana.

By Mr. BOWDEN: Of citizens of Silverton, Southampton County, Virginia.

By Mr. BROWER: Of citizens of the Fifth Congressional district, North Carolina; of citizens of Danville, Person County, and of citizens of the Fifth Congressional district of North Carolina.

By Mr. T. H. B. BROWNE: Of citizens of Lucians, Floyd County; of citizens of Oneil, Floyd County; of citizens of Moores Mill, Henry County; of citizens of Stanley, Henry County; of citizens of Beanford, Floyd County; of citizens of Morotock, Pittsylvania County; of citizens of Meadows of Dan, Patrick County; of citizens of Farkiln, Patrick County; of citizens of Cabell, Carroll County; of citizens of Junta, Franklin County; of citizens of Fallville, Grayson County; of citizens of Red Planis, Franklin County; of citizens of Guizot, Franklin County, Virginia.

By Mr. BUTLER: Of citizens of Fullen's, Greene County; also a petition of the citizens of Hopson, Carter County; of citizens of Chimney Top, Hawkins County; of citizens of Hypatia, Claiborne County; of citizens of Jarmine, Grainger County; of citizens of Midway; also of citizens of Douglass Shed; of Iron, Johnson County; of citizens of Ampo, Grainger County; of Shady, Johnson County; of citizens of Powder Spring Gap, Grainger County; of citizens of High Heath; of citizens of Brownsborough, Washington County; of citizens of Van Hill, Hawkins County; of citizens of Maltsberger, Greene County; of citizens of Nellie, Washington County; of citizens of Free Hill, Washington County; of citizens of Fry, Hawkins County; and of citizens of Surgoinsville, Hawkins County, Tennessee.

Also, of citizens of Wahoo, Sullivan County; of citizens of Swanay, Greene County; of citizens of Pilot Knob, Greene County, Tennessee.

By Mr. CANDLER: Of citizens of Cherokee County, Georgia; of citizens of Banks County; of citizens of Banks County, Georgia.

By Mr. CANNON: Of citizens of Camargo, Douglas County, Illinois.

By Mr. COOPER: Of citizens of Bennington, Morrow County, Ohio.

By Mr. CROUSE: Of F. E. Barger and 45 others, of Abbeyville, Medina County, Ohio.

By Mr. GRIMES: Of R. L. Christopher and other citizens of Troup County, and of H. L. Henderson, W. H. Dickerson, and other citizens of Vernon, Ga.

Also, of B. C. Jones, W. R. Lord, and other citizens of Troup County, Georgia.

By Mr. GROSVENOR: Of citizens of Bingham, Monroe County, Ohio; of citizens of Green River, Monroe County, Ohio; of citizens of Federal, Athens County; of citizens of Ward, Washington County; and of citizens of Irish Ridge, Monroe County, Ohio.

By Mr. HOWARD: Of citizens and others of Jackson County, Indiana.

By Mr. T. D. JOHNSTON: Of citizens of Yellow Creek, Graham County, and of citizens of Wampler, Yancey County, North Carolina.

By Mr. McRAE: Of citizens of New London, Union County; of citizens of Jordan Brook, and of citizens of Arkansas.

By Mr. O'FERRALL: Of citizens of post-office at Beagley, Greene County, Virginia.

By Mr. OUTHWAITE: Of Albert Weare and others, of Rockbridge, Hocking County, Ohio.

By Mr. ROWLAND: Of citizens of Dry's Mill, Cabarrus County; also, of citizens of Norwood, Stanley County, North Carolina.

By Mr. STONE, of Missouri: Of Josephus Freeman and others, citizens of Missouri.

By Mr. YOST: Of citizens of Valley Centre, Highland County, Virginia.

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## SENATE.

### FRIDAY, *January* 13, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

THE JOURNAL.

The Journal of yesterday's proceedings was read.

Mr. STEWART. There is a slight inaccuracy in the Journal. Yesterday I reported the bill (S. 498) for the relief of Frank De La Terre and Susan F. De La Terre, heirs of Peter De La Terre, deceased, with an amendment in the nature of a substitute. That fact is not noted in the Journal.

The PRESIDENT *pro tempore*. The correction suggested by the Senator from Nevada will be made. If there be no further correction or amendment, the Journal will stand approved as read.

ANNUAL REPORT OF PUBLIC PRINTER.

The PRESIDENT *pro tempore* laid before the Senate the following communication from the Public Printer; which was read, and, with the accompanying report, referred to the Committee on Printing:

GOVERNMENT PRINTING OFFICE,
*Washington, D. C., January* 12, 1888.

SIR: In obedience to statute, I herewith transmit to Congress the annual report of this office for the fiscal year ending June 30, 1887.

Respectfully, yours,

TH. E. BENEDICT, *Public Printer.*

Hon. J. J. INGALLS,
*President of the Senate pro tempore.*

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented resolutions adopted by the city council of Springfield, Ohio, and resolutions adopted by the Baltimore (Md.) Corn and Flour Exchange, in favor of the world's exposition in honor of the four hundredth anniversary of the discovery of America by Christopher Columbus; which were referred to the Special Committee on the Centennial of the Constitution and the Discovery of America.

He also presented a petition of 35 citizens of the Fourth Congressional district of Kansas, and a petition of 87 citizens of the Second Congressional district of Kansas, praying for the passage of a bill to prohibit the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. SHERMAN presented resolutions adopted at a meeting of the Toledo (Ohio) Association of Union ex-Prisoners of War, favoring the passage of some measure for their relief; which were referred to the Committee on Pensions.

Mr. ALLISON presented the petition of Stephen D. Redfield, of Vinton, Benton County, Missouri, praying to be allowed an increase of pension; which was referred to the Committee on Pensions.

Mr. MANDERSON presented a petition of citizens of Seward County, Nebraska, praying for the passage of an amendment of the postal laws concerning the transmission of seeds, bulbs, etc.; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the gold and silver beaters of the United States, praying for relief, in consideration of the deplorable condition of their trade, suggesting as a remedy that an increased duty be levied on gold leaf, bronze, etc.; which was referred to the Committee on Finance.

Mr. CULLOM. I present a petition of gold and silver beaters of the United States, similar to the one just presented by the Senator from Nebraska, which I move be referred to the Committee on Finance.

The motion was agreed to.

Mr. CULLOM presented resolutions adopted by the board of supervisors of Bureau County, Illinois, favoring the passage of certain legislation concerning swamp lands; which were referred to the Committee on Public Lands.

Mr. PLATT presented a petition of the officers of the Woman's Christian Temperance Union of Connecticut, praying for a national commission of inquiry in reference to the alcoholic liquor trade; which was referred to the Committee on Education and Labor.

He also presented a petition of the officers of the Woman's Christian Temperance Union of Connecticut, praying for the submission to the States of a national prohibitory constitutional amendment; which was referred to the Committee on Education and Labor.

Mr. JONES, of Arkansas, presented a petition of officers of the Woman's Christian Temperance Union of Arkansas, praying for the appointment of a board to investigate the alcoholic liquor traffic, its relations to crime, pauperism, etc., in the United States; which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of Arkansas, praying for the submission to the States of a constitutional amendment to prohibit the sale and manufacture of alcoholic liquors; which was referred to the Committee on Education and Labor.

Mr. QUAY presented the petition of George W. Stare and 56 other citizens of Emigsville, York County, Pennsylvania, praying for the enactment of the bill providing temporary aid for common schools; which was ordered to lie on the table.

Mr. BLAIR presented a petition of the Woman's Christian Temperance Union of North Carolina, praying for the submission to the States of a constitutional amendment prohibiting the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

Mr. HAMPTON presented a petition of gold and silver beaters of the United States, praying for relief in consideration of the deplorable condition of their trade, with a view to the adoption of a remedy by an increased duty on gold leaf, bronze, or Dutch metal, in leaf and powder; which was referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. SABIN, from the Committee on Railroads, to whom was referred the bill (S. 512) granting the right of way and other privileges to the Southern Street Railway and Improvement Company, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

TREASURY ACCOUNTS.

Mr. MANDERSON. There came to the Committee on Printing a communication from the Treasurer of the United States, transmitting copies of the accounts rendered to and settled with the First Comptroller of the Treasury, in pursuance of section 311 of the Revised Statutes. I am instructed by that committee to report back the communication, with the accompanying papers, with the recommendation that the accompanying papers be not printed. They are very voluminous, and we can see that no good purpose would be subserved by their printing.

The PRESIDENT *pro tempore*. The report will be agreed to, if there be no objection.

BILLS INTRODUCED.

Mr. FARWELL introduced a bill (S. 1404) to authorize the construction of a bridge across the Missouri River, and to establish it as a post-road; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1405) to authorize the construction of a bridge across the Mississippi River at or near the city of Oquawka, in the State of Illinois, and to establish it as a post-road; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1406) to amend an act to provide for the ascertainment of the market value of certain property in the city of Chicago, and to authorize the Secretary of the Treasury to sell and convey said property, approved May 27, 1886; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. GRAY introduced a bill (S. 1407) for the relief of Sallie Carroll; which was read twice by its title, and referred to the Committee on Claims.

Mr. FAULKNER introduced a bill (S. 1408) to authorize the Independent Automatic Portable Gas Works of Washington, D. C., to construct gas works, lay down pipes, manufacture and sell gas, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1409) providing for the payment of the amounts due the employés in, and the contractors who furnished castings to, the United States Armory at Harper's Ferry, Va., from January 1, 1861, to April 19, 1861, inclusive; which was read twice by its title, and referred to the Committee on Claims.

Mr. BLODGETT introduced a bill (S. 1410) for the relief of Mary Reed; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1411) for the relief of Margaret Engenock; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BLAIR introduced a bill (S. 1412) granting increase of pension to Mary B. Hook; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STEWART introduced a bill (S. 1413) to increase the pension of James Coey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 1414) granting a pension to Sedgwick H. Gold; which was read twice by its title, and referred to the Committee on Pensions.

Mr. QUAY introduced a bill (S. 1415) for the removal of the charge of desertion from the military record of Charles L. Ballis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. JONES, of Arkansas, introduced a bill (S. 1416) for the relief of Harriet A. Womack, administratrix; which was read twice by its title, and referred to the Committee on Claims.

Mr. ALLISON introduced a bill (S. 1417) for the relief of Mrs. Jane Ismon; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1418) granting a pension to David Peterson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1419) for the relief of Samuel G. Smyth; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads.

Mr. DANIEL introduced a bill (S. 1420) to extend the act of Congress entitled "An act to regulate the fees and costs to be allowed clerks, marshals, and attorneys of the circuit and district courts of the United States, and for other purposes," approved February 26, 1853, and section 837 of the Revised Statutes of the United States, to the Territories of New Mexico and Arizona; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 1421) for the relief of A. F. and N. C. St. John; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1422) to provide for paying certain advances made to the United States by the States of Maryland and Virginia; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1423) authorizing the President to appoint William English an officer in the regular Army of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HISCOCK introduced a bill (S. 1424) to amend the act of August 4, 1886, entitled "An act to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service;" which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1425) to amend section 2931 of the Revised Statutes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1426) for the relief of William H. Young; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1427) granting an increase of pension to Elnathan Meade; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALDRICH introduced a bill (S. 1428) to authorize the appointment of a hydrographer and assistant hydrographer of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. TURPIE introduced a bill (S. 1429) granting a pension to Jane B. Dunn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PLUMB introduced a bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. CALL introduced a bill (S. 1431) making an appropriation for the erection of a light-house at Boca Grande Pass, Charlotte Harbor, Florida; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1432) for the removal of all political disabilities imposed by the fourteenth amendment to the Constitution of the United States upon William S. Walker; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. MORGAN introduced a joint resolution (S. R. 33) to provide for a settlement of the controversy between the United States and the State of Texas relative to the claim of said State to the territory known as Greer County, and for other purposes; which was read twice by its title, and referred to the Committee on Territories.

### AMENDMENT TO URGENT DEFICIENCY BILL.

Mr. SHERMAN submitted an amendment intended to be proposed by him to the urgent deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

### PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. CAMERON, it was

*Ordered*, That the petition and papers in the case of Joseph G. Swank be taken from the files of the Senate and referred to the Committee on Military Affairs, there having been no adverse report in the case.

On motion of Mr. CULLOM, it was

*Ordered*, That the petition of Isabella W. Adduddell and the accompanying papers be taken from the files of the Senate and referred to the Committee on Pensions, no adverse report having been made thereon.

*Ordered*, That the papers in the case of Caroline F. Ferguson be taken from the files of the Senate and referred to the Committee on Pensions, no adverse report having been made thereon.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the bill (S. 261) to amend the law concerning the Commissioner of Fish and Fisheries.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 1213) to punish robbery, burglary, and larceny in the Indian Territory; and

A bill (H. R. 4271) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1887, and for prior years, and for other purposes.

### RETURN OF DIRECT TAX.

The PRESIDENT *pro tempore*. Is there further morning business? If there be none, the morning business is closed, and the Chief Clerk will report the first bill on the Calendar of General Orders.

The bill (S. 139) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861, was announced as first in order, and the Senate resumed its consideration.

Mr. SHERMAN. I ask for a vote on the pending amendment. I trust Senators are ready to vote on it.

The PRESIDENT *pro tempore*. The pending amendment will be stated.

The CHIEF CLERK. In section 3, line 11, after the word "thereof," it is proposed to insert "or any other person," so as to read:

*Provided*, That where the sums, or any part thereof, credited to any State, Territory, or the District of Columbia have been collected by the United States from the citizens or inhabitants thereof, or any other person, either directly or by sale of property, such sums shall be held in trust by such State, Territory, or the District of Columbia.

Mr. SHERMAN. While I do not wish to occupy any time, I desire to state to the Senate again that this bill was carefully prepared by the First Comptroller of the Treasury some years ago. It has twice, I think, passed this body just as it stands. Every word has been carefully studied by the Committee on Finance in all its details. The amendments which were put on the bill the other day I do not think are necessary. Still they are amendments I object to merely because they are surplusage.

It seems to me that it would be better for the Senate to take the bill precisely as it stood, precisely as it has passed this body before, and as it was framed by the Comptroller who has to pass upon these accounts and to execute the law, and as it has been recommended by two or three Secretaries of the Treasury. Still I can not say anything against the amendment proposed by the Senator from Vermont except that it is surplusage; it does not seem to be necessary.

This money is to be deposited with the States in trust, where it has been paid by private individuals, for the States to pay back to them the money. As a matter of course we are to assume that the State as a trustee would carefully perform that trust. It is a trust for the benefit of their own people, and we have no right to assume that any State in this Union would do an injustice to its citizens in the distribution of the money.

Mr. HARRIS. I will ask the Senator from Ohio if the amendment now under consideration does not simply express what we construe the bill to mean without the expression?

Mr. SHERMAN. Undoubtedly. The amendment simply declares what is the actual result of the language used in the bill.

Mr. HARRIS. Then I would prefer that we adopt the amendment.

Mr. SHERMAN. I said that I would not delay the Senate on the matter; but I merely make the suggestion so as to avoid such amendments on a bill which has been so carefully prepared.

Mr. GRAY. I ask that the amendment be again read.

The PRESIDENT *pro tempore*. The amendment will be again read.

The CHIEF CLERK. In section 3, line 11, after the word "thereof," it is proposed to insert "or any other person;" so as to read:

*Provided*, That where the sums, or any part thereof, credited to any State, Territory, or the District of Columbia, have been collected by the United States from the citizens or inhabitants thereof, or any other person, either directly or by sale of property, such sums shall be held in trust by such State, Territory, or the District of Columbia.

Mr. VOORHEES. I desire to say that, as a member of the Committee on Finance, I agreed to the bill in charge of the Senator from Ohio, and I agree with him that it accomplishes the purpose we desire; but as some Senators have a doubt whether it does or not, I voted the other day for this amendment, and I think it just as well to adopt it. Although I have no strong conviction that it is absolutely necessary, it will relieve the doubts of many, and it can do no harm and may do good.

Mr. BERRY. I think the Senator from Indiana is under the impression that the amendment now pending is one on which a vote was taken the other day. That is a mistake. I desire to offer an amendment to the bill.

The PRESIDENT *pro tempore*. The Senator's amendment is not

now in order, an amendment in the second degree being pending. The question recurs on the amendment just read at the desk.

Mr. HALE. I do not know who offered the amendment that has just been read, but I should be glad to have the Senator, whoever he may be, explain just what he intends as the effect of it.

The PRESIDENT *pro tempore*. The amendment was proposed by the Senator from Massachusetts [Mr. HOAR], the Chair understands.

Mr. HARRIS. No; the amendment was proposed, I think, by the Senator from Vermont [Mr. EDMUNDS], who is not now present.

The PRESIDENT *pro tempore*. If so, the Chair was misinformed by the clerks.

Mr. HARRIS. I think the obvious intent and purpose of the amendment is that the funds paid to the governors of the States or Territories, if originally collected from individuals and not paid by the States or Territories, shall be held in trust by the governor of the State for the benefit of the persons who actually paid it. That is the intent and purpose of the amendment, and I think it fully accomplishes its purpose.

Mr. HALE. But what particular force, let me ask the Senator from Tennessee, is there in the words of the amendment "or any other persons?" What "other persons" could be comprehended?

Mr. SHERMAN. It refers to persons owning property in but living outside of the State where the tax was collected.

Mr. SPOONER. Land in the State might be owned by a citizen of the State, or an inhabitant of the State, or a non-resident of the State. A non-resident may have paid the tax, and it should be refunded to him as well as to a citizen of the State.

Mr. HALE. Does not the bill as originally drawn cover that?

Mr. SPOONER. No, sir; it does not.

Mr. SHERMAN. We think it does, but others think not.

Mr. HARRIS. There is one class of persons, I will state to the Senator from Maine, that would not be included by the words "citizen or inhabitant." If the property of a non-resident of a State had been sold he would be a person not included by these other terms. The whole object of the measure is that the money, when paid to the governor of a State, shall be held in trust for the benefit of the persons who actually paid the tax.

Mr. HALE. I see the force of the last suggestion of the Senator from Tennessee. The words added by the amendment might be needed to include a non-resident.

Mr. CHANDLER. I inquire whether in case this amendment is adopted, it will be in order to move to strike out the whole proviso and insert other matter?

Mr. SHERMAN. Undoubtedly.

Mr. CHANDLER. I desire to move such an amendment at the proper time.

Mr. HALE. It will be in order after the proviso is perfected.

Mr. HARRIS. The Senator from New Hampshire asks a parliamentary question of the Chair.

Mr. CHANDLER. I ask whether after the proviso has been perfected it will then be in order to move to strike it entirely out and insert a substitute?

The PRESIDENT *pro tempore*. The amendment of the Senator from Delaware [Mr. GRAY], if the Chair correctly remembers, was to strike out the proviso.

Mr. HARRIS. That motion was withdrawn.

The PRESIDENT *pro tempore*. But under the rule the part proposed to be stricken out is always subject to amendment before that motion is put.

Mr. HARRIS. But the motion to strike out was withdrawn.

The PRESIDENT *pro tempore*. The Senator from Delaware said he was willing to withdraw it. The Chair does not understand that it was withdrawn.

Mr. HARRIS. I understood him to withdraw it. However, the Senator is present and can say whether he withdrew his motion.

Mr. GRAY. I think I withdrew the motion for the purpose of allowing the proviso to be perfected.

The PRESIDENT *pro tempore*. It was not necessary that the Senator from Delaware should withdraw his motion in order to allow the proviso to be perfected. The Chair therefore understood it was not withdrawn.

Mr. GRAY. I was content with the proviso after it had been amended by the suggestions of the Senator from Vermont [Mr. EDMUNDS], so that I was willing to withdraw the motion to strike it out.

Mr. CHANDLER. I should like to send to the Secretary's desk an amendment which I desire to propose, and have it read for information.

The PRESIDENT *pro tempore*. The proposed amendment will be read for information.

The CHIEF CLERK. Amend section 1 by inserting, in line 6, after the word "from," the words "the treasuries of."

Amend section 3 by striking out the proviso beginning in line 8 and inserting the following:

SEC. 4. All moneys assessed as a part of said direct tax and collected by the United States from individuals, either directly or by sale of property, shall be refunded to such individuals or their lawful representatives who may bring suit therefor in the Court of Claims.

Mr. CHANDLER. I now move to recommit the bill, if that motion is in order.

The PRESIDENT *pro tempore*. The Senator from New Hampshire moves to recommit the bill to the Committee on Finance.

Mr. CHANDLER. Mr. President, it may be somewhat sacrilegious to venture to criticise the provisions of a bill which has hitherto passed the Senate or a bill which has been approved by two Secretaries of the Treasury. Nevertheless, bills are not immaculate, and they may possibly be improved by a careful consideration of them.

I find that the case is much worse than I supposed the other day when this subject was under consideration. Of course, I know very well that as there is something in the bill for every State in the Union, it would be very difficult to prevent its passage, if I desired to prevent it, which I do not; and it would be very difficult also to interpose any objections which would materially delay the passage of the bill, which I do not desire to do; but I do wish that the Senate should understand exactly what is proposed to be done.

I find that there has been collected of the direct tax imposed by the act of 1861 from the following States the sums I shall read:

| | |
|---|---|
| Alabama | $18,285.03 |
| Arkansas | 184,082.18 |
| Florida | 43,529.81 |
| Georgia | 106,963.17 |
| Louisiana | 268,515.12 |
| Mississippi | 101,717.04 |
| North Carolina | 336,194.45 |
| South Carolina | 377,961.30 |
| Tennessee | 387,734.31 |
| Texas | 130,038.06 |
| Virginia | 515,569.72 |
| Making the sum of | 2,520,560.19 |

which the Government of the United States, through the direct-tax commissioners, has taken directly from individuals, either by forcing them to pay it in money, or by selling their real estate in order to compel its payment. This sum of money has been exacted from private citizens through the agency of Federal officials collecting the money directly and without the intervention of the State in any way or manner.

I submit that while it is just and right, in order to equalize the burdens of this direct tax, to release to the States the sums which they have failed to pay, and to refund to the treasuries of the States the moneys which were taken from those treasuries and paid into the United States Treasury, it is not wise or expedient to pay into those treasuries of the States moneys which never came from them, but which the Government of the United States exacted from individuals.

I take occasion to warn the Senate that this bill will prove a Pandora's box; that if it passes and this money is paid over to the States, and the individuals to whom it belongs go to the States and make demand for it and do not succeed in getting satisfaction, they will come to Washington, to the National Government, to the Congress of the United States, and demand that the governmental organization which took the money from them and has now declared a trust in their favor for that money shall pay it to them, and not send them to the States to collect it.

Only one idea more, Mr. President, and that is this, that all the evidence upon which these individuals will be able to collect this $2,500,000 is on file in the Treasury Department in Washington. I undertake to say that there is not within the States one particle of evidence, one single record of any kind whatever to show the individuals in those States what money they are entitled to receive back from the Government as a part of the direct tax. It is all here in national custody. The books and accounts of the direct-tax commissioners were brought to Washington; they are now at the Treasury Department; and yet it is proposed to send these individuals to South Carolina, to Virginia, to Arkansas, to Tennessee, and to seven other States to make demand for this money from their State treasuries, and to require them to come back again from those States to the Treasury Department to get the evidence upon which their claim is based, and then to take it to the States and get their money, if that evidence is satisfactory to the State authorities.

The PRESIDENT *pro tempore*. The Senator's time has expired.

Mr. SAULSBURY. Mr. President, I hope the motion to recommit the bill will prevail; and I should be glad, if it is recommitted, that the committee would take into consideration the propriety of appropriating this amount of money to the States which paid it for the improvement of the rivers and harbors in those States.

I do not believe that we have the right to take money out of the public Treasury and pay it back to the States or to the individuals who paid the tax. Such was the doctrine held in 1836. Not a single Senator at that time on the floor of the Senate believed that without a constitutional amendment we could make such an appropriation of the public money; and hence the Congress of that day passed an act depositing with the States the surplus revenue at that time, because they did not believe there was power to distribute it among the States.

I concur in what the Senator from New Hampshire has said, that if this money is given to the States in trust for the parties who paid it, it will lead to great trouble in all the States. In my own State the

tax was collected by Federal authority; not a dollar of it was paid by the State. It was collected by the collector of internal revenue under Federal assessments. The Federal assessments were doubtless made up from our local assessments, but the tax was levied by Federal machinery, the records of which are now in the Treasury Department, and it was collected by the collector of internal revenue. Now, if you send that money back to be given to the individuals who paid it, it will lead to complications in my State as well as in every State which paid the tax.

The reason why my State did not pay the tax at that time was because it had no money on hand, and we had a considerable war debt which we had created for the relief of persons who were drafted into the service and did not want to go, and for bounties to soldiers who did want to go. Therefore we did not have any money in the State treasury at the time, and we did not see proper to issue bonds to raise the money, so we let the Federal machinery collect this tax.

I hope if the bill is recommitted to the committee, they will take into deliberate consideration the question as to whether we have the right to appropriate money out of the public Treasury for any such purpose. It is not the money which was paid by the individuals. That was paid and expended twenty years ago. It is not the money held in reserve in the Treasury for the persons who paid it, but it is proposed to take out money paid by the whole people, paid by men who were not the holders of real estate, and take that money paid into the Treasury by everybody and give it back for the benefit of the persons who were the holders of real estate.

I hope that the bill will be recommitted and that the matter will be properly considered before it is brought to a final vote.

Mr. SHERMAN. Mr. President, Senators seem to forget the main object of this bill. The direct tax was levied at the beginning of the war. Under the Constitution it was apportioned among the States according to the population, and each State was charged with its proper apportionment according to representation. The amount stands as a debt against the State. Most of the States, under the law of Congress, assumed the payment of the debt without having the tax collected from the people. They paid it and were allowed a discount of 15 per cent. Now there is a controversy and a continual source of irritation between the several States and the National Government in regard to this tax. Whenever any money in the course of business inures to the benefit of a State, it is not paid to the State, but it is placed to the credit of this charge. This is a source of irritation. Perhaps the money is due to an individual rather than the State, the State being a mere trustee. These complicated accounts between the State and the General Government have been the source of infinite antagonism and trouble.

Mr. SAULSBURY. Will the Senator allow me to ask him in that connection——

Mr. SHERMAN. I have but five minutes, but I will answer the question. What is it?

Mr. SAULSBURY. I understood the Senator from Ohio to say that this tax was on the States. I do not know of any provision of the Constitution that allows the Federal Government to assess a tax on a State. It was a direct tax upon the holders of real estate, apportioned among the States according to the population of each State.

Mr. SHERMAN. I did not say anything to the contrary. I simply said that this tax was apportioned among the States, to use the language of the Constitution, according to representation.

Mr. CHANDLER. Will the Senator object to my asking a question?

Mr. SHERMAN. I have only five minutes.

Mr. CHANDLER. The Senator said that it became a debt of the State when it was apportioned.

Mr. SHERMAN. I again repeat that this law contained a provision that each State might assume its proportion, that is, the proportion allotted to it by the Constitution, on certain terms which allowed the State a rebate of 15 per cent., and some States did assume it under that law—nearly all the loyal States, as they were then called, did assume it; but the whole amount was charged against the people of the several States where it was not thus assumed by the States, and this stands on the books as a disturbing element, as a disturbing controversy, interfering with the friendly relations between the States and the United States.

It has been the desire, I believe, of every one connected with the Treasury Department since that time to get rid of these accounts, and the only way in which it can be done is to refund to the States the amount they had actually paid, not including the 15 per cent., give to those States the money which they had paid confessedly out of the treasuries of the several States that paid it, and to give to the States whose citizens had been called upon to contribute in the ordinary course of the collection of taxes under the direct-tax-commissioners act the money collected from their people, whether real-estate owners or not.

The only point in controversy between the Senator from New Hampshire and myself is this: Shall we allow those States whose citizens have paid a portion of this tax to assume the control, the custody, and the management and disbursement of this money? The committee thought, in the first place, that there is no obligation on the part of the United States to pay back this money to any one. Nobody has contended that the United States is indebted either to these States or to the citizens who paid the tax; it is simply a voluntary movement on the part of the United States to pay back this money out of the Treasury, to place that which has been paid by the States themselves in the treasuries of the States, and to pay to the States whose citizens have contributed toward this direct tax the amount that they have paid, leaving it to the States to say whether or not this payment to the State whose citizens have paid a portion of the money creates a trust or an obligation which they will be bound to provide for and see to the distribution of.

Now, sir, to require the United States to hold this money in its Treasury until all this trust is settled by the United States would be simply to defeat the object of this bill, which is intended to be a peace-offering to settle controversy in regard to this money; and therefore the money paid by these citizens is proposed to be paid back to the States, with the expectation that each State will do justly and honestly and properly by its citizens.

There is no obligation against the Government or against a State to pay back to the particular individual the tax paid by him—not the slightest legal obligation, scarcely a moral obligation; but that is a question for the State to determine. Some of its citizens have paid this tax and some have not. To the extent that that creates an obligation on the State in receiving this money to its citizens, it is in the nature of a trust or duty; no obligation, however, because the money was legally paid and each citizen only paid his share of the tax levied under the act of the United States through the direct-tax commissioners.

I think, therefore, that this proposition, which has been submitted by several Administrations, to close these Treasury accounts, leaving to each State the proper application of this money, ought to be adopted. As a matter of course, where the State has paid the money it will be reimbursed in gross and the fund will go into the treasury of the State, being paid to the governor or proper executive officer of the State. Where the tax was paid by individuals, then it is for the State itself to determine whether it will undertake to do equal and exact justice by paying back to each individual the amount so paid.

As to the records spoken of, as a matter of course these are public records, just as public to the people of any State as they are to the people of the United States, for they are all the same thing. To speak of the records of the United States as being Government records, as being beyond the reach of any State or the power of any State to get them in order to carry out its equitable obligation, is a misnomer. The governor of any State may go to any office in the United States, any Government office anywhere, and on a proper showing demand and receive a copy of these papers. Indeed they are all in print; they are all the reports of the direct-tax commissioners. These are public records, open and accessible to every citizen of the United States or every citizen of the Southern States who paid this money. There is no difficulty in getting at the proof. The only question is whether we shall keep this account open on the Treasury books until the last claimant shall have come forward and demanded his part of it, and undertake, ourselves, through our organization, to deal out justice between the individuals of these several States.

It seems to me that is a task imposed on the Treasury Department as difficult and much more difficult even than to collect the tax in the first place. It was a very difficult and expensive operation. We can not do it.

Then, besides, the great body of these people are dead; their estates have been settled. How will you get at it, and what will you do with this money that has been collected from the people of these States?

It will be seen that if there is any surplus after the States have provided for those who are living, the balance should go to the people of each State, because they have a greater claim upon it than the whole people of the United States. Therefore this distribution which has been wisely made and proposed in order to settle these accounts and distribute this money, it seems to me, is as fair as it can be made.

As a matter of course, if the proposition of the Senator from New Hampshire is adopted and the bill recommitted, the Committee on Finance will regard it as an instruction to provide that the United States shall become the trustee for the payment of money that it does not owe, that it should undertake to deal out all these little sums of money, from 5 cents to $5 or $50, to the people of the different States, and then without any provision being made for the disposition of the balance, which can not be called for, because twenty-five years have swept away a whole generation, and in undertaking to carry out this trust we shall be called upon to deal with the dead, the buried, their children and widows, a task that is utterly impossible for the United States to undertake.

The PRESIDENT *pro tempore*. The Senator's time has expired.

Mr. HAWLEY. The Senator has not removed the difficulty in my mind. I will take for illustration the State of Pennsylvania, which paid its whole quota, say a million and a half of dollars, to the General Government, the government of the State assuming the obligation in behalf of its citizens. That sum was collected by general taxation, as a matter of course. It is a simple transaction, so far as Pennsylvania is concerned, to give back the million and a half. In that way the account with Pennsylvania is satisfactorily closed.

But suppose Pennsylvania were in this condition: that her people were in insurrection, that she had no State government that we could treat with, and we, by reaching certain of her citizens individually, had collected $200,000 of the money? The proposition of the Senator is, in a case like that, to begin by throwing a doubt upon the legal obligation—or denying *in toto* the obligation—to repay anybody anything, and saying that the whole thing is very difficult to deal with, and proceed to put it off on somebody else. He would say, "Very well; give Pennsylvania the $200,000, but with the intimation that she need not try to pay any individual unless she chooses." If she did not choose the result would be that a mere fraction of the people of Pennsylvania would have paid $200,000 toward a State obligation of $1,500,000, and would be without remedy, though the United States had professed its desire to repay them.

It seems to me in a case like that, we having all the evidence, having the account here, the names and sums all upon our books, the proper thing would be, if we are going to take up the equitable obligation, to say to individual tax-payers, "You are persons whom we caught when we could not find the State; we will pay you directly from our own books here if you present your claim within six years, and if you do not we will then give the balance left over to your State." That is the safe and equitable way. The Senator acknowledges the difficulty of settling these accounts, but he turns the trust over to the States with the intimation that they need not pay anybody anything, and though they have not a page of accounts to govern them in paying.

Mr. HARRIS. Mr. President, I wish to say particularly to my friend from Delaware that the question presented by this bill is not that of donating a surplus in the Treasury to States or people. In 1861 an act was passed imposing a tax of $20,000,000 upon the real estate of the citizens of the various States and Territories of the United States. There remains unpaid of that tax by the people of the several States and Territories the sum of $2,646,314.42. That act authorized the various States to assume the payment of this tax, and gave to the State that did assume and pay it a discount of 15 per cent. for such payment.

Now, I would ask my friend from Delaware what he proposes? Most of the States assumed and paid the entire amount of the tax imposed, but a portion of them failed to assume it, and their citizens were compelled to pay a given amount of the tax so imposed. But a balance remains due and unpaid of two million six hundred and odd thousand dollars, as I stated a moment since. Does the Senator from Delaware propose that we shall proceed now, with an overflowing Treasury, to compel the payment of that $2,646,314; or does he propose that it shall be remitted, notwithstanding the fact that other States have paid the assessment in full?

One or the other of these alternatives, it seems to me, the Senator is brought to. He must either compel the payment of the balance remaining unpaid and due, or, if it be remitted, he must permit the State, at least, to be the trustee for those who paid. This bill is simply in effect a repeal of the law that imposed this tax that has been partially but not completely executed. It remits the unpaid tax, and it refunds to the States who paid the amount they so paid under that act, and proposes, through the several States and Territories, to return the money received to the citizens where the citizens have paid it.

In respect to my own State, the assessment amounted to six hundred and sixty-nine thousand and some odd dollars. The citizens of that State have been compelled to pay and have paid $392,904.48, leaving a balance of that assessment of $277,493.52. This bill proposes to remit that unpaid balance, to pay into the hands of the governor of the State the amount already paid, and to give it to him in trust for the benefit of the citizens who were compelled to pay and who did pay it. That is all of it. It is a repeal of the act imposing this tax, refunding to the States and refunding to the people who have partially paid the tax and relinquishing the balance to the States.

Mr. SAULSBURY. I suppose the Senator from Tennessee is aware that there is no power in the General Government to collect any apportionment of that tax which has not been paid. There is a limitation, I understand, in the act itself. Those unpaid balances were in the Southern States, and I say to the Senator from Tennessee that the assessment was made on the property in those States, because the Constitution of the United States requires that all direct taxes, as well as other taxes, shall be apportioned equally among the people.

Mr. SHERMAN. Mr. President——

The PRESIDENT *pro tempore*. Does the Senator from Delaware yield?

Mr. SHERMAN. Only for a moment. I wish to inform the Senator from Delaware that it is being collected constantly. Whenever any money is due to the State of Delaware, for instance, it is charged on this account, and that is one of the troubles involved in this matter. The law requires that now.

Mr. SAULSBURY. I ask the Senator from Ohio if he does not know that the Supreme Court of the United States, on this very question, has held that the General Government had no right to set up that tax against any claim which a State had against the General Government, for the reason that there was no tax levied upon the State, but upon individuals in the State? The Supreme Court has so held.

Mr. SHERMAN. I know that, but still the act of Congress requires to be done just what I say.

Mr. SAULSBURY. That may be, for I am aware that it has been done by the Treasury officials. The valid claims of those States that were in default in the payment of the tax have been set off against this tax, and valid claims which they had against the Treasury have been refused payment on this account. But that question has been brought to the attention of the Supreme Court, and that court has decided that it can not be done. So, then, to the Senator from Tennessee I say, first, there is no tax against the Southern States, because under the operation of the law no such tax can be to-day collected in those States that did not pay, and the Federal Government has to-day no power to collect it under the law of 1861.

Mr. HARRIS. Will the Senator from Delaware allow me to say to him that in every instance where, by act of Congress or by decision of the accounting officers of the Treasury, there is an amount of money due to any one of the States of this Union, no matter on what account, and there remains a balance of this tax unpaid by that State or its citizens, the Treasury has held and holds to-day that the claim of the State should be set off against the amount of the tax, and no money is paid to any of the States upon any such allowance of a claim.

Mr. SAULSBURY. I am aware that that has been the practice of the Treasury officials; but that very question has been tried in the Supreme Court, and that court, the highest court in the land, has decided the question, and if the Treasury officers to-day are pursuing that practice towards the Southern States they are doing it in violation of law and contrary to the decision of the Supreme Court of the United States.

So, then, while there may be a nominal relinquishment by this bill of taxes to the States that were in default, there is in fact no remission of any tax, because under the operation of the act of 1861 itself the Government has now no right to collect it. Every Southern State that has a claim against the Treasury of the United States may resist, and successfully resist by appeal to the courts, any attempt to set off the assessment of 1861 against it.

Now, Mr. President, I for one would be glad, if there is a disposition to take this money out of the Treasury and divide it among the States, that it should be done under some power which Congress has. Make appropriations of these amounts respectively to the States for purposes of improvement of rivers and harbors, if you please——

Mr. HARRIS. I would be glad to ask the Senator if he proposes to compel the collection of the balances that stand against the land of the people of these States?

Mr. SAULSBURY. I do not propose it. I prefer to let it remain in the Treasury, where it is.

Mr. HARRIS. Does not the Senator know that the Constitution requires that this tax shall be equally apportioned, and does the Senator intend to acquiesce in this unequal adjustment of the question, where the majority of the States have paid every dollar of the taxation, and where the minority of them have fallen short to the extent of $2,600,000?

Mr. SAULSBURY. I would say that, in my opinion, in 1861, when that tax was levied, there was not the most distant idea that there would be any portion of the money collected unless there was an adjustment in a very short time of the difficulties existing between the Southern States and the Northern States. It is true the apportionment was made on the Southern States as on others at that time, because the Constitution required that all taxation should be equal. That being the expectation at that time, as I have no question it was, I should think it not at all inequitable now that the Government, if it had the power to remit that taxation, should do so, because it was not expected to be paid. Everybody knows the condition of affairs in the country at that time.

But my especial objection to the proposed measure is that, in my opinion, there is no constitutional warrant for taking the money paid by the people into the public Treasury and using it for distribution among the several States of this Union or among the people of the several States of this Union. It is, in fact, a new policy started in this country.

In 1836 this very question was discussed, not in this Chamber at that time, but in the old Senate Chamber—thoroughly discussed. Mr. Calhoun expressed himself on that question. General Jackson, in his messages of 1829 and 1830, called the attention of Congress to the necessity of providing some mode to get clear of the surplus, but suggested that there must be a constitutional amendment. Mr. Calhoun introduced a bill to provide for an amendment to the Constitution to meet the contingency; but under the tariff compromise of 1832 it became apparent that the revenue would be cut down, so that there would probably be no surplus, and consequently Mr. Calhoun's bill was not acted upon. Finally——

The PRESIDENT *pro tempore*. The time of the Senator from Delaware has expired.

Mr. HALE. Mr. President——

Mr. SAULSBURY. I should like to finish my sentence.

The PRESIDENT *pro tempore*. The Senator will proceed, if there be no objection. The Chair hears none.

Mr. SAULSBURY. After full discussion Congress came to the conclusion that there was no constitutional warrant for a distribution among the States, but adopted the plan of a deposit with the States on certificate to be issued by the State governments to return the money when called for. Those certificates were made, on the motion of Mr. Tallmadge, of New York, to be enforced by the Treasury without recourse to Congress whenever the money should be needed by the United States. These certificates are in the Treasury to-day, and if the Secretary of the Treasury thought proper, thought there was a pressure on the Treasury, he could realize on them. Of course he will never do it. Nobody expects him to do it; nobody wants him to do it. That was the condition of affairs in 1836, but we have gone away from that. The Constitution has not the same respect to-day in the Senate of the United States that it had at that time. Whenever an appeal is made for an appropriation of money, the Constitution is obliterated to the extent of the amount of the appropriation of money.

Mr. HALE. Mr. President, the Senator from Ohio, who has charge of this bill, just as he took his seat adverted to certain conditions which to me disclose the weakness of the committee's bill. In speaking of the claimants, those representing the property taken by the Government to secure the collection of this tax, he said that naturally many of them had disappeared, they had died, they had removed, the tooth of time had eaten them away; and the Senator said that in such case, after the State had been made a trustee of the fund returned to it by the general Treasury, after the State had paid the claims of those living, of those existing and presenting their claims to the State authorities, the balance should go to the States.

I ask why? Here was an act levying a tax directly upon the property of the citizens. As a matter of convenience it was declared that the States might assume it, and most of them did assume it, and as has been said by the Senator from Connecticut [Mr. HAWLEY] there is no difficulty in dealing with such a case. Another State, for one reason or another, declines and refuses to assume it either in whole or in part, and the Government sets its machinery at work to collect the tax or a portion of it of A, B, C, and D, has got their money in the Treasury and holds it now, and the theory of the bill is that, whatever the legal obligation, restoration should be made.

Mr. President, I fail to see why the State which declined or refused to assume this tax as a State and allowed its citizens to suffer, should be put in the same attitude here as the State that did assume and pay the tax from its treasury and relieve its citizens. There is no reason, if there is an overplus after these private claims have been paid, why the State treasury should be increased one dollar from the National Government; and, as I have said, that discloses the fatal weakness of the bill.

Now, sir, to me it is plain and clear that in the cases where the States assumed the collection of the tax and depleted their treasuries to that extent, the Government should deal with them and should restore the money actually or in accounts; but in cases where there is a claim, a good claim, by the individual for property that has been taken, I deny the right; I deny that it is reputable for this Government to undertake to discharge itself of its obligation by setting up statehood as a trusteeship. The Government ought to deal directly with the individual.

Pass this bill and the amount going to each State goes at once to its governor; but can any citizen of that State support his claim against that State over which that governor presides, without legislation on the part of the State prescribing the processes and giving limitations and making it difficult perhaps to secure an allowance? In the mean time the money has gone; and when at last it is seen that one-half of all these claims, one-half of all these payments either by money or land taken have been destroyed by time, then why should the State that declined to assume this tax receive the benefit of the fund and retain it in its treasury or expend it for other purposes? No, sir; the place for the balance is not in the State treasury to be expended for other purposes, but is in the United States Treasury, until proper personal application is made from the parties who have suffered.

Mr. RIDDLEBERGER. Mr. President, I move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. The Senator from Virginia moves that the Senate do now proceed to the consideration of executive business.

Mr. SHERMAN. I hope not; let us get through with this bill.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Virginia.

The question being put, it was declared that the negative appeared to prevail.

Mr. RIDDLEBERGER. I shall insist to the point of asking for the yeas and nays.

The PRESIDENT *pro tempore*. The Senator from Virginia asks for the yeas and nays.

The yeas and nays were not ordered.

Mr. CALL. I ask the Senator from Virginia to withdraw that motion for a little while, say half an hour.

Mr. RIDDLEBERGER. I had the floor when I made the motion, and it is not a debatable motion, so I understand; but I will say that I did understand the Senate of the United States to agree yesterday that there should be, after 1 o'clock to-day, an executive session. The motion was made to postpone the consideration of executive business until Monday and it was beaten.

The PRESIDENT *pro tempore*. The Chair would suggest to the Senator from Virginia that the motion is not debatable.

Mr. RIDDLEBERGER. I ask pardon of the Chair while I make this statement.

The PRESIDENT *pro tempore*. The Chair must suggest that the motion is not debatable, and the Senator can proceed only by unanimous consent. Is there objection to the Senator from Virginia proceeding to debate his motion to proceed to the consideration of executive business? The Chair hears none.

Mr. RIDDLEBERGER. I only ask for the yeas and nays on this motion.

The PRESIDENT *pro tempore*. The Senator from Virginia asks for the yeas and nays on the motion to proceed to the consideration of executive business. Is the demand sustained by one-fifth of the Senators present?

The question being put on seconding the call for the yeas and nays, it was declared that a sufficient number were apparently not up.

Mr. RIDDLEBERGER. I wish the Chair would count and see.

The PRESIDENT *pro tempore*. The Chief Clerk will count.

A count was made.

The PRESIDENT *pro tempore*. A sufficient number rising, the yeas and nays are ordered.

The Secretary proceeded to call the roll.

Mr. BLAIR (when his name was called). On this motion I am paired with the Senator from Georgia [Mr. COLQUITT].

Mr. CALL (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR]. I do not know how he would vote if present.

Mr. PAYNE (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

The roll-call was concluded.

Mr. BERRY. Has the Senator from Oregon [Mr. MITCHELL] voted?

The PRESIDENT *pro tempore*. The Senator from Oregon has not voted.

Mr. BERRY. If at liberty, I would vote "yea;" but I am paired with him.

Mr. CULLOM. The Senator from Iowa [Mr. WILSON] is paired with the Senator from Florida [Mr. PASCO].

Mr. WALTHALL. Has a pair with the Senator from Alabama [Mr. PUGH] been announced?

The PRESIDENT *pro tempore*. The Chair is informed that no pair with the Senator from Alabama has been announced.

Mr. WALTHALL. I wish to state that I have a note from him saying that he is confined at home by illness.

Mr. CULLOM. I believe the Senator from Alabama [Mr. PUGH] is paired with the Senator from New York [Mr. EVARTS].

Mr. RIDDLEBERGER. I make the point that there is no pair to be announced after the roll-call by the Secretary, and my friend from Illinois [Mr. CULLOM] had already announced pairs when the affirmative vote was taken. I think that that was not in order, and certainly no pair made by my friend can now be in order after the roll-call.

The result was announced—yeas 26, nays 26; as follows:

YEAS—26.

| | | | |
|---|---|---|---|
| Bate, | Farwell, | Jones of Arkansas, | Turpie, |
| Beck, | Faulkner, | McPherson, | Vance, |
| Blackburn, | George, | Palmer, | Vest, |
| Blodgett, | Gorman, | Ransom, | Voorhees, |
| Brown, | Gray, | Reagan, | Walthall. |
| Cockrell, | Hampton, | Riddleberger, | |
| Coke, | Harris, | Saulsbury, | |

NAYS—26.

| | | | |
|---|---|---|---|
| Aldrich, | Cullom, | Ingalls, | Sawyer, |
| Allison, | Davis, | Manderson, | Sherman, |
| Blair, | Dolph, | Paddock, | Spooner, |
| Bowen, | Frye, | Platt, | Stockbridge, |
| Cameron, | Hale, | Plumb, | Teller. |
| Chace, | Hawley, | Quay, | |
| Chandler, | Hiscock, | Sabin, | |

ABSENT—24.

| | | | |
|---|---|---|---|
| Berry, | Edmunds, | Jones of Nevada, | Payne, |
| Butler, | Eustis, | Kenna, | Pugh, |
| Call, | Evarts, | Mitchell, | Stanford, |
| Colquitt, | Gibson, | Morgan, | Stewart, |
| Daniel, | Hearst, | Morrill, | Wilson of Iowa, |
| Dawes, | Hoar, | Pasco, | Wilson of Md. |

So the motion was not agreed to.

Mr. RIDDLEBERGER. Now, Mr. President, I ask the Chair to say whether the pair announced after the affirmative vote by the Senator from Illinois was in order?

Mr. CALL. Mr. President, I see no ground of public policy why this bill should be passed by the Senate. The Supreme Court has decided in the case of the United States *vs.* Louisiana:

That act imposed an annual direct tax of twenty millions "upon the United States," and apportioned it to the several States of the Union. It directed that the tax should "be assessed and laid on the value of all lands and lots of ground, with their improvements and dwelling-houses." It was assessed and laid upon the real property of private individuals in the States. Public property of the

States and of the United States was exempt from the tax. * * * The provisions of the act are inconsistent with any theory of the obligation of the States to pay the sums levied.

The court in its opinion further declares:

The liability was upon the individual land-owners within her limits.

That the State had no obligation, never paid any money by virtue of this law. She was permitted to assume it, and did assume it. The tax when paid by individuals was paid under the law, and the law exhausted itself in two years by its own limitation. The United States bought the property sold under the law, or individuals bought it. The citizens of the State did not buy it; as a general rule speculators bought it. I have here a list of the names of purchasers, and in the large majority of instances they were men buying a tax title on speculation. What became of it? They either compromised with the owners or sold the property under the tax title; and the United States, where it acquired valid title, still has the title to the property bought at the direct-tax sales in all cases where it has neither been released nor redeemed.

Now, there is no ground whatever in anything that has been alleged for the passage of this bill. The Senator from Tennessee says, shall this tax be enforced? The answer is, there is no law to enforce it. The law exhausted itself in two years after its passage. The lien on property was limited to two years. It created no liability on individuals thereafter and provided no means for enforcing it, and it never had any obligation on the States. We have been dealing with this question upon fictitious and imaginary grounds which ought not to have been stated in the Senate. There never was an obligation on the States under the law. As the Supreme Court states, it could not be imposed on States. In the apportionment of direct taxes under the Constitution, to which the Senator from Tennessee refers, there is no obligation upon the States. The apportionment is between the States according to population, meaning, of course, that the tax rests upon the people, and is a direct tax on them by the United States, apportioned between them to secure equality.

Now, upon what ground of public policy, because people in the insurrectionary States failed to pay their portion of the tax which was required by the excise laws during the war, could the matter now be reopened? Why should that be a ground for now collecting from these States this great sum? Why, you should refund the whole taxation paid by the Northern people during that period of time, if the reasons on which this bill is founded are correct.

If such a law be passed as suggested by the Senator from Ohio, because the States are charged with this money on the books of the Treasury Department, and in the settlements between the States heretofore sums of money have been withheld belonging to the States, it is easier to correct that method of keeping the books of the Treasury Department than it is to tax the people of this country fifteen or twenty million dollars to be refunded to the tax-payers of the last generation. There is nothing in that argument, and it remains true that this law never was an obligation on the States, but it was a voluntary assumption by them; and the law executed and exhausted itself within the two years to which its force and effect was limited by its provisions. Then upon what ground of public policy shall we restore to the tax-payers, or the people, or the State, the extra amount of taxation paid by them because of the failure of the Southern States to pay their proportion in the prosecution of the war?

That is a proposition utterly untenable and impracticable, and yet that is the proposition upon which this bill is based, for the other ground stated is entirely unreal.

You can not equalize the burdens of the war period. Why attempt it? It is nothing but a scheme to pay back the money imposed for the prosecution of the war to the extent of this direct tax, and why should that money be returned any more than any other money paid by the people of the Northern States in excess of their proportion during the time when the war was flagrant and it was impossible for the people of the Southern States to have contributed their portion to the prosecution of the war, which was an obligation upon them equally with the others under the Constitution as it is now interpreted and as it was settled by the war?

I will add to my remarks, without troubling the Senate to read them, some extracts from the opinion of the Supreme Court in the case of the United States *vs.* Louisiana, decided at the October term, 1887. While I do not acknowledge that the Supreme Court has a right to say to Congress what it shall or shall not do, yet it is a correct interpretation of the law manifestly, and, therefore, is of force in a consideration of this direct-tax law and the extent of its present obligation. The law has expired by its own terms, and nothing remains but the question whether the money collected under it should be returned to the people who paid it, and for this there is no reason more than for any other tax collected during the war.

OPINION OF SUPREME COURT.

Nor do we regard the unpaid portion of the direct tax laid by the act of Congress of August 5, 1861, which was apportioned to Louisiana, as constituting any debt to the United States by the State in her political and corporate character, which can be set off against her demands. (12 Stat., 292, chap. 45.) That act imposed an annual direct tax of twenty millions "upon the United States," and apportioned it to the several States of the Union. It directed that the tax should "be assessed and laid on the value of all lands and lots of ground, with their improvements and dwelling houses." (Sec. 13.) It was assessed and laid upon the real property of private individuals in the States. Public property of the States and of the United States was exempted from the tax. Its apportionment was merely a designation of the amount which was to be levied upon and collected from this property of individuals in the several States, respectively. The provisions of the act are inconsistent with any theory of the obligation of the States to pay the sums levied. It provides for the appointment of officers to assess the property to the different holders, and to collect the tax, and directs with minute detail the proceedings to be taken to enforce the collection, either by a distraint and sale of the personal property of the owners, or, that failing, by a sale of the real property taxed. It allows, it is true, the different States to assume the amounts apportioned to them, respectively, and to collect the same in their own way by their own officers. Many of the States did thus assume the amounts, and in such cases it may well be considered that for the sums assumed they became debtors to the United States, and, so far as any portion of those sums has not been paid, that they still remain debtors. But, unless such assumption was had, no liability attached to any State in her political and corporate character. The liability was upon the individual land-owners within her limits. The act declares that the amount of the taxes assessed "shall be and remain a lien upon all lands and other real estate of the individuals who may be assessed for the same during two years after the time it shall annually become due and payable." (Sec. 33.) Louisiana never assumed the payment of taxes apportioned to her, or of any portion of them. She allowed the Government to proceed by its officers to collect the tax from the property-holders. The amount apportioned to her was $\$$385,886.67; the amount collected from the owners of land was $\$$314,500.84; leaving only a balance of $\$$71,385.83. It is not for us to suggest in what way this balance may be collected. After the war, the Secretary of the Treasury was authorized to suspend the collection of the tax in any of the States previously declared in insurrection, until January, 1868, and subsequently this authority was extended to January, 1869. (14 Stat., 331, sec. 14; 15 Stats., 260, chap. 69.) The Secretary acted upon this authority, and suspended the collection. It is stated that, since 1869, no attempts have been made by the executive department to enforce its collection in those States. Be that as it may, it is enough for the disposition of the present case that the unpaid balance of the tax apportioned to Louisiana constitutes no debt on the part of the State in her political and corporate character to the United States.

*Statement of the condition of the direct-tax accounts of the several States and Territories and the District of Columbia, under acts of August 5, 1861, and June 7, 1862.*

| State or Territory. | Amount imposed. | Amount paid. | Fifteen per cent. allowance. | Balance due United States. |
|---|---|---|---|---|
| Alabama | $529,313.33 | $8,491.46 | | $520,821.87 |
| Arkansas | 261,886.00 | 184,082.18 | | 77,803.82 |
| California | 254,538.67 | 247,941.13 | | 6,597.54 |
| Colorado | 22,905.33 | 1,516.89 | | 21,388.44 |
| Connecticut | 308,214.00 | 261,987.90 | $46,232.10 | |
| Dakota | 3,241.33 | | | 3,241.33 |
| Delaware | 74,683.33 | 74,683.33 | *4,350.50 | |
| District of Columbia | 49,437.33 | 49,437.33 | | |
| Florida | 77,522.67 | 43,529.81 | | 33,992.86 |
| Georgia | 584,367.33 | 71,407.75 | | 512,959.58 |
| Illinois | 1,146,551.33 | 974,568.63 | 171,982.70 | |
| Indiana | 904,875.33 | 769,144.03 | 135,731.30 | |
| Iowa | 452,088.00 | 384,274.80 | 67,813.20 | |
| Kansas | 71,743.33 | 71,743.33 | | |
| Kentucky | 713,695.33 | 606,641.03 | 107,054.30 | |
| Louisiana | 385,886.67 | 268,515.12 | | 117,371.55 |
| Maine | 420,826.00 | 357,702.10 | 63,123.90 | |
| Maryland | 436,823.33 | 371,290.83 | 65,523.50 | |
| Massachusetts | 824,581.33 | 700,894 14 | 123,687.19 | |
| Michigan | 501,763.33 | 726,498.83 | 75,264.50 | |
| Minnesota | 108,424.00 | 92,245.40 | 16,278.60 | |
| Mississippi | 413,084.67 | 74,742.57 | | 338,342.10 |
| Missouri | 761,127.33 | 646,958.23 | 411,869.10 | |
| Nebraska | 19,312.00 | 19,312.00 | (†) | |
| Nevada | 4,592.67 | 4,592.67 | | |
| New Hampshire | 218,406.67 | 185,645.67 | 32,761.00 | |
| New Jersey | 450,134.00 | 382,614.83 | 67,519.17 | |
| New Mexico | 62,648.00 | 62,648.00 | (‡) | |
| New York | 2,603,918.67 | 2,213,33).86 | 390,587.81 | |
| North Carolina | 576,194.67 | 386,194.45 | | 190,000.22 |
| Ohio | 1,567,089.33 | 1,332,025.93 | 235,063.40 | |
| Oregon | 35,140.67 | 35,140.67 | | |
| Pennsylvania | 1,946,719.33 | 1,654,711.43 | 292,007,90 | |
| Rhode Island | 116,963.67 | 99,419.11 | 17,544.56 | |
| Tennessee | 669,498.00 | 387,722.06 | | 281,475.94 |
| Texas | 355,106.67 | 130,008,06 | | 225,098.61 |
| Utah | 26,982.00 | | | 26,982.00 |
| Vermont | 211,068.00 | 179,407.80 | 31,660.20 | |
| Virginia | $729,071.02 | 515,569.72 | | 213,501.30 |
| West Virginia | $208,479.65 | 181,306.93 | 27,172.72 | |
| Washington | 7,755.33 | 4,268.16 | | 3,487.17 |
| Wisconsin | 519,688.67 | 429,196.68 | 39,346.43 | 51,145.56 |
| South Carolina | 363,570.67 | 377,961.30 | ‖14,390.63 | |

* Included on compromise.

† Nebraska:

| | |
|---|---|
| Amount collected | $4,281.60 |
| Amount allowed by act of August 7, 1882 (22 Stat., p. 314) | 15,030.40 |
| | 19,312.00 |

‡ New Mexico:

| | |
|---|---|
| Amount allowed by act of July 1, 1862 (12 Stat., p. 489) | 62,648.00 |

§ Joint resolution February 25, 1867, authorized the Secretary of the Treasury to transfer $208,479.65 to the amount originally appropriated to Virginia to the State of West Virginia.

‖ Overpaid.

TREASURY DEPARTMENT, *March* 29, 1884.

The PRESIDENT *pro tempore*. The Senator's time has expired, under the rule.

Mr. CALL. I will not trespass further on the Senate.

Mr. RIDDLEBERGER. Remarks having intervened, I presume it is now in order, under the rule, to again move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. The Senator from Virginia moves

that the Senate do now proceed to the consideration of executive business. [Putting the question.] The "noes" appear to have it.

Mr. RIDDLEBERGER. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BERRY (when his name was called). I am paired with the Senator from Oregon [Mr. MITCHELL].

Mr. CALL (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR]. I am informed that he would vote "nay."

While on the floor I desire to announce the pair of my colleague [Mr. PASCO] with the Senator from Iowa [Mr. WILSON].

Mr. PAYNE (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. SABIN (when his name was called). I am paired with the Senator from West Virginia [Mr. KENNA].

The roll-call was concluded.

Mr. HAMPTON. I should like to ask whether the Senator from Pennsylvania [Mr. CAMERON] has voted?

Mr. CAMERON. I did vote.

Mr. HAMPTON. I thought the Senator was paired with my colleague [Mr. BUTLER].

Mr. CAMERON. I have no recollection of having paired with him on this question. I did pair with him on party questions. If that pair applies to this motion, I shall withdraw my vote.

Mr. CULLOM. The Senator from Vermont [Mr. EDMUNDS] is paired with the Senator from Alabama [Mr. PUGH]. The Senator from New York [Mr. EVARTS] is paired with the other Senator from Alabama [Mr. MORGAN]. The Senator from Iowa [Mr. WILSON] is paired with the Senator from Florida [Mr. PASCO]. The Senator from Nevada [Mr. JONES] is generally, as I understand, paired with the Senator from California [Mr. HEARST]. I do not see either of them here.

Mr. PADDOCK. There was that understanding between the Senator from Nevada and the Senator from California; I have knowledge of that fact.

Mr. RIDDLEBERGER. I ask the Senator from Illinois, as he made his statement very generally, is the Senator from Nevada [Mr. JONES] paired with the Senator from California [Mr. HEARST]? Otherwise those votes stand off. I should like the Senator to state explicitly.

Mr. CULLOM. I have only announced what I have understood to be the case, that when one of those Senators is absent the other usually declines to vote, if it is a party question. In this case neither of these gentlemen is present so far as I know. I simply announce it as a fact to go into the RECORD, without affecting the vote.

Mr. BERRY. As the Senator from Oregon [Mr. MITCHELL] has voted, I vote "yea."

Mr. MITCHELL. I have to say that yesterday the Senator from Arkansas [Mr. BERRY] and myself were paired for that day.

The result was announced—yeas 26, nays 27; as follows:

YEAS—26.

| | | | |
|---|---|---|---|
| Bate, | Coke, | Harris, | Vance, |
| Beck, | Colquitt, | Jones of Arkansas, | Vest, |
| Berry, | Daniel, | McPherson, | Voorhees, |
| Blackburn, | Faulkner, | Ransom, | Walthall, |
| Blodgett, | George, | Reagan, | Wilson of Md. |
| Brown, | Gray, | Riddleberger, | |
| Cockrell, | Hampton, | Saulsbury, | |

NAYS—27.

| | | | |
|---|---|---|---|
| Aldrich, | Cullom, | Ingalls, | Quay, |
| Allison, | Davis, | Manderson, | Sawyer, |
| Blair, | Dolph, | Mitchell, | Sherman, |
| Bowen, | Frye, | Paddock, | Spooner, |
| Cameron, | Hale, | Palmer, | Stockbridge, |
| Chace, | Hawley, | Platt, | Teller. |
| Chandler, | Hiscock, | Plumb, | |

ABSENT—23.

| | | | |
|---|---|---|---|
| Butler, | Farwell, | Kenna, | Sabin, |
| Call, | Gibson, | Morgan, | Stanford, |
| Dawes, | Gorman, | Morrill, | Stewart, |
| Edmunds, | Hearst, | Pasco, | Turpie, |
| Eustis, | Hoar, | Payne, | Wilson of Iowa. |
| Evarts, | Jones of Nevada, | Pugh, | |

So the Senate refused to proceed to the consideration of executive business.

Mr. VANCE. I gave notice yesterday that I should ask the consent of the Senate this morning, during the morning hour, to submit some remarks to the Senate on the resolutions of the Senator from Georgia [Mr. BROWN]. I believe this would be an acceptable time to be heard on that question; and if so, I ask that the pending order be laid aside for the purpose of my proceeding with my remarks.

The PRESIDENT *pro tempore*. The Senator from North Carolina asks unanimous consent that the pending order be dispensed with, and that the Senate proceed with the consideration of the resolutions submitted by the Senator from Georgia.

Mr. SHERMAN. The pending bill retaining its place on the Calendar, I suppose.

The PRESIDENT *pro tempore*. That will be the order.

Mr. SHERMAN. Very well.

The PRESIDENT *pro tempore*. The Chair hears no objection, and the resolutions offered by the Senator from Georgia will be read.

### DEFICIENCIES IN APPROPRIATIONS.

The bill (H. R. 4271) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1887, and for prior years, and for other purposes, was read twice by its title, and, on motion of Mr. HALE, referred to the Committee on Appropriations.

### ADJOURNMENT TO MONDAY.

Mr. CULLOM. I move that when the Senate adjourn to-day it be to meet on Monday next.

The motion was agreed to.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a bill (H. R. 3318) relating to permissible marks, printing or writing, upon second, third, and fourth class matter, and to amend the twenty-second and twenty-third sections of an act entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes;" in which the concurrence of the Senate was requested.

### INTERNAL-REVENUE TAXATION.

The Senate proceeded to consider the resolutions submitted by Mr. BROWN January 4, 1888, relative to internal-revenue taxation.

Mr. VANCE Mr. President, the issue has at last been made up for the American people. It has been tendered by the President of the United States as the accredited head of the Democratic party. I have long desired to see it; and to see it in such a shape as could not be evaded. The contest must now be fought out squarely and the question decided unequivocally on its merits. That question is, shall taxation be enforced for the support of the Government or for the enrichment of individuals? Shall money be collected from the people for public purposes or for private use?

In the situation in which we find ourselves there can be invented no respectable hypothesis which shall present any other phase of the question. The revenues of the Government are largely in excess of its expenditures, therefore those who oppose a reduction of the revenues openly declare that the power of taxation is given to the government of a free people for the purpose of putting money in the pockets of all such as can secure the necessary legislation, at the expense of all such as can not help themselves; and those who reluctantly admit the necessity of reduction propose to do so upon those objects of taxation which yield pure revenue and retain it on those which for the most part yield private wealth. The difference is only in degree; the principle is the same, that A shall be taxed to support B, and A in turn must look for recompense to the generosity of B and the unlimited mercy of God.

In vain is the effort to fix the responsibility for this surplus on a Democratic administration, as was attempted by the Senator from Ohio. The truth will not be put down, that the imposition of war taxes by the Republican party in times of peace, not for the needs of the Government, but for the greed of the protected classes, has brought this surplus into the Treasury; and it is asking too much of the business common sense of the country to expect people to believe it was the President's duty, under a doubtful authority, to pay a premium of 25 to 30 per cent. on the undue public debt to avoid all occasion for reducing taxation and lessening manufacturers' profits. That would have been neither wise nor honest to the people. Now there can be no dodging, and the thing to be done is to reduce this taxation until there shall be nothing left in the Treasury beyond the requirements of the Government. Nearly all agree that this must be done, but the question is, where shall we begin? For the most part the propositions of the Democratic members of this body, following the lead of the President, are to begin and end with the tariff. The Republicans, on the other hand, propose to begin by reducing in part internal-revenue taxes, and by adding to the free-list those things coming from abroad which can not be produced in this country and which do not compete with our own manufacturers. I prefer to begin with both the internal revenue and the tariff on the necessaries of life. So far as they affect my people there is cause of complaint against each as to the tax itself, but far more as to the method of collection, against the revenue taxes. So great offense has this system given to the people of North Carolina that they have again and again, through their accredited political agencies, demanded its total repeal. In vindication of the reasonableness of that expression of their will, I propose before dealing with the more universal evil of the present tariff, to give some of the grounds on which their demand is based.

It will be remembered that under the old Articles of Confederation, which preceded the Constitution, all taxation for the support of the Government was to be levied and collected by the States, in such manner and upon such objects as they saw fit. The apportionment of these taxes among the States was made the duty of Congress by the eighth article; and that was all Congress had to do with taxation, except that the States were forbidden to enforce any customs duties which might interfere with any treaty made with foreign powers. I believe it is admitted that the defective arrangement for securing sufficient revenue was the main cause for the effort "to form a more perfect union," which resulted in the Constitution, and the chief of these defects was the absence of the power to levy customs duties. When this power was

conferred by the Constitution and surrendered by the States it was objected by many at the time that by granting to Congress the right to levy direct and excise taxes also, the States would be left helpless as being excluded from the usual sources of revenue. Some of the ablest papers of Mr. Hamilton in the Federalist were devoted to combating this idea, and to showing that whilst it was absolutely necessary that Congress should have all taxing power to enable the common Government to avail itself in cases of emergency of the utmost resources of the country, yet in regard to everything but customs duties the power of the States to levy and collect taxes was coexistent and coequal with that of the Government. He admitted, indeed, that whilst there was no repugnancy in the coequal power, there might possibly be in its exercise. That is, one government might tax a given article to an extent that would render it "inexpedient" for the other to tax it at all. This, of course, would enable the General Government to practically deprive the States of revenue from any objects of taxation it might see proper to tax to such extent.

To quiet all such apprehensions Mr. Hamilton declared that "we must for a long time depend for the means of revenue chiefly on such [customs] duties. The genius of the people will illy brook the inquisitive and peremptory spirit of excise laws." On all sides similar assurances were given by the advocates of the Constitution; and it appears to have been conceded that, as well because of the unpopularity of such a system as because of its restriction of the field of taxation by the States, the General Government would rely mainly on customs duties as the source of its revenues, and would resort to excise duties and direct taxation only in extraordinary emergencies. Accordingly, such has been the course of taxation in our history. The first excise taxes were levied in 1791, to meet the war debt of the struggle for independence. Before 1805 the necessity for their continuance had ceased, and Mr. Jefferson, in his second inaugural address, said:

> The suppression of unnecessary offices, of useless establishments and expenses, enabled us to discontinue our internal taxes. These, covering our land with officers and opening our doors to their intrusions, had already begun that process of domiciliary vexation which, once entered, is scarcely to be restrained from reaching successively every article of produce and property.

In order to meet the extraordinary expenses of the war of 1812–'15 excise taxes were again resorted to, which were again reduced, and repealed, finally, within a few years after the close of the war which occasioned them. From that time until 1862, a period of more than forty years, no excise taxes were levied. Then was begun that enormous system of tariff and internal taxation which has had no parallel in all modern history, which drew from the people within ten years the incredible sum of $3,739,136,870, or an average of $374,000,000 per annum. And though we are now in the twenty-third year since the war closed, and the necessity for extraordinary taxation which closed with it, yet no part of the tariff taxes have been reduced to any considerable degree, but, on the contrary, many have been increased; and while many items have been relieved from internal taxation, the chief objects, spirits and tobacco, have been retained, and the proceeds of income therefrom are almost equal to the average of war times!

Now why should not this tax be repealed? The emergency which called it into existence has long since passed away. It is a violation of the popular understanding that excise taxes shall be resorted to only in emergencies, to say, as the Senator from Alabama said, that the war debt still remains, in part, and therefore the tax must remain. At that rate it never could be repealed during this generation. The test is not, have we had a war, or any other great emergency? but do we need to resort to this odious system any longer? The answer furnished by the Treasury Department is that we do not. In round numbers, and approximately, the surplus coming into the Treasury is just about equal to the receipts from internal taxation. So that if those taxes were abolished to-morrow not another dollar would be required to replace them for the ordinary purposes of the Government.

The increase in population would naturally bring increase of consumption, and, of course, of revenue also. It is not necessary that we should at any time keep a surplus in the Treasury, however slight. Unless there be an abnormal increase of our expenditures, the growth of population and wealth will always keep our receipts ahead of them.

The dislike to these taxes evinced by Hamilton, Madison, Jefferson, and the other great fathers was not an ungrounded prejudice. They gave voice to the public sentiment then, and the same voice seeks to be heard to-day, and, sooner or later, will be heard. I beg to assure Senators that there is more in these complaints than the money which is collected. It involves other and far more important results, much as that money is to a poor people. It involves the right of a man to do what he may please with his own within the bounds of the law of liberty. It involves the right of a farmer to sell the lawful products of his lawful labor to any purchaser who may offer him the highest price. It involves the right of the husbandman to utilize the fruit of his orchards which is rotting upon the ground. It involves the still more momentous question whether the poor man's cabin be indeed his castle, protected from intrusion by organic law and sacred tradition, or whether it may be broken open and ransacked at any hour of the day or night by a petty official dressed in a little brief authority in search of tribute for an overflowing Treasury. It involves the question of a large portion of the people of this country being subjected to that "domiciliary vexation" mentioned by Jefferson, the "inquisitive and peremptory spirit of excise laws" deprecated by Hamilton, in a time of profound peace, without any emergency calling for such invasions of their rights. I claim, sir, that the longer continuance of these taxes, with the oppressive and undemocratic methods of collecting them, is a needless outrage upon a free people. I claim that American citizens have the right to demand that the taxes which they are required to pay should be levied only for the support of their Government, adjusted upon principles of equity and fairness, and should be collected by methods most in conformity with liberty and least offensive to their sensibilities.

The good people whom I represent care little or nothing for the tax on spirits and tobacco; they would cheerfully pay it, and more, if they could be spared the oppressive and vexatious methods and machinery of its collection. Make the tax a reasonable one on spirits and assess it upon the capacity of the licensed distilleries, leaving a margin for revenue to the States from the same source, and I am quite sure all complaints will cease in North Carolina. It is easy to sneer at these complaints and call those who make them "moonshiners." I submit that it would be more statesmanlike to listen to them, and more manly to give an argument when freemen ask redress, than to call them names.

Here I am met by the suggestion that if the internal taxes be repealed or reduced it will force an increase, or at least prevent a reduction, of the tariff duties; and the question is triumphantly asked, "Do you prefer free whisky to free blankets?" Generally this appears to the questioner so unanswerable as to end the argument. It only appears so, however, to those who have not examined the present tariff laws in detail, and who are unacquainted with its practical operations. There is much more to be said. Were the question one in reality between cheap whisky and tobacco and cheap articles of prime necessity, a Christian man could not hesitate one moment as to his choice. But it is not so by any means.

In the first place, as I have said, should the entire internal tax be removed, the revenue accruing from other sources would suffice for ordinary expenditures. Not another dollar would be required.

The PRESIDING OFFICER (Mr. PLATT in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business of yesterday, being the bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. GRAY. I ask that it be laid aside temporarily, that the Senator from North Carolina [Mr. VANCE] may proceed.

The PRESIDING OFFICER. There being no objection, that course will be taken.

Mr. VANCE. But granting that there would be a deficit, the way to raise that sum would be to lessen, not increase, the tariff duties. Does any one seriously doubt that? Surely there is no fact more clearly established in political economy than that as to the great mass of items of human wants the lessening of the price will increase the consumption and consequently the importations of the things consumed. This, of course, will increase the sum total of duties received; and this increase will continue the lower you place duties until the revenue point is passed.

The duties on many articles of general use are now practically prohibitory, and of course they must be lowered to produce revenue. A few articles will serve to illustrate this.

There is no one thing of prime necessity in more universal use than blankets. Of all sorts and sizes there were imported in the year 1887 as follows: 7,570 pounds; worth $3,886.52; duty thereon, $2,789.25, the average duty being 71.62 per cent. I have no later statistics of the amount made and sold in the United States than the census of 1880; naturally the quantity made and sold in 1887 would be much larger. In 1880 there were produced in the United States 1,083,617 pairs and 1,114,827 single blankets. Estimating the foreign blankets at five pounds to the pair, would give about 1,500 pairs, on which the Treasury received $2,785.29, as against about 1,500,000 pairs made and consumed here, the duty on which went into the pockets of the manufacturers, though paid by the people all the same.

Of flannels there were imported of all qualities in 1887, 219,334 pounds; value $185,203; duty paid, $129,624, being an average of 70 per cent. In 1880 there were made and sold in the United States 70,923,196 pounds; worth at an average 60 cents per pound—$42,553,917.60. On this a heavy duty was paid by the people, but the Treasury got only $129,624.

In the article of hats made of wool the discrepancy between imports and domestic manufacture is still more marked.

In 1887 there were imported into the United States 3,273 pounds wool hats; value, $6,594.98; duty paid, $3,561.77, being at the rate of 54 per cent.

In 1880 the number of wool hats made and sold in the United States was 1,391,862 dozens, worth, at an average of 60 cents per pound, $2,783,664.

Small as was the reduction on wool by the act of 1883, the increase of duties received on wool itself and four articles of its manufacture in three years was $11,465,503, under that law.

And so with many other items in the tariff lists; but these will suffice as illustrations of my position. No sane man can suppose that more revenue could be obtained from these articles by increasing the

duties thereon. Common sense teaches that the only way to do that would be to lower the duties to the point where the importers could afford to compete. The proposition is too plain to require elaboration. It will hold good as to every item on the dutiable list on which the duty is now above revenue point. It can not be otherwise. I respectfully suggest that Senators who favor an indefinite continuance of excise taxes should spare us their taunts that those of us who favor a modification or repeal of the system prefer free whisky and tobacco to free blankets, clothing, and other necessaries. It is a false clamor. We have high internal taxes now, but no free blankets. The duty on them is prohibitory. It could be no worse if internal taxes were abolished. So it is with nearly every article of prime necessity. I challenge Senators to point out any considerable item in the whole dutiable schedule from which increased revenue could be raised by increasing the duties.

If proof of this were really required, I need furnish none other than extracts from various protection journals demanding that revenues be reduced by raising the tariff so that it would prohibit.

Such being the fact, it is not correct to say that the repeal of internal-revenue taxes would force an increase or prevent reduction of tariff taxes. On the contrary, I firmly believe that their repeal would tend to force a reduction of tariff duties to secure the needed revenue. And I further believe that so long as these taxes remain, furnishing over one-third of the revenues of the Government, the protectionists will keep the duties on woolen goods, metals, and other necessaries so high as to yield little or no revenue. They will, in fact, put in their pockets annually from their profits on those items a sum equal to the internal taxes. Virtually that tax is levied for their benefit. Hence the shrewd protection leaders oppose the repeal of internal taxes, and I suspect the sincerity of those who profess to favor it. They are profuse with their intimations of favor for the simple purpose of creating dissensions and diversions in the ranks of the low-tariff people of the South, who desire at the same time relief from the vexations of the internal-revenue system. That sincerity will be tested when a vote is reached on a proposition to repeal or reduce, and I shall be only too glad to find myself mistaken. They know as certainly as they know anything that but for the one hundred and eighteen millions of the internal taxes they could not resist for one day the popular demand for reduction. Their object, even when sincere, is only to reduce revenue. My object is to reduce taxation also, as well as to distribute it with more equity between producers and consumers and between rich and poor. This never will be done so long as the internal taxes remain, in my opinion.

Of all the excuses, however, for refusing to repeal or reduce internal-revenue taxes the one least entitled to respect is that which affects to treat the tax on spirits as a moral agent. Several Senators, among them the Senator from Ohio, have intimated quite a readiness to remove the tax on tobacco, but hang back on the other branch of the proposition with vague intimations of eminent temperance virtues latent within the tax. I must decline to participate in the effort to create so cheap a reputation for Christian virtue.

The Government of the United States has nothing whatever to do with such a matter. The restraints upon the manufacture and sale of ardent spirits wholly pertain to the police powers of the State; and the advisability of the adoption of sumptuary laws, partially or altogether prohibitory, is to be determined by their discretion alone. Even if we did possess such power here I should doubt the propriety of the Government legalizing a traffic which people think to be injurious and wicked and making itself a partner and participator in that wickedness. As a man of ordinary prudence and friend of temperance, I should always be suspicious of a temperance movement which met the unanimous approbation of the great whisky ring of the United States, as does this present excise law. Whenever the distillers of the land sit in the amen corner of the congregation, applauding the temperance lecturer, and meekly insist on being taxed for their own suppression, I must confess to some degree of doubt as to the saving efficacy of the scheme thus indorsed by saint and sinner. I am happy to see that many leading temperance people of the country take the same view and decline the unholy alliance.

The inequalities of the present tariff duties and their discriminations in favor of the rich and against the poor, in favor of the luxuries and against the necessaries of life, are such as should condemn the scheme in the estimation of all just men. How the party which inaugurated and continues these outrages upon justice and fair dealing in matters of taxation has been able to sustain itself and its work so long in power, is a mystery to the ordinary understanding. It can only be solved by recurring to the fact that these duties were mostly enacted in a period of war, and that since that war ended they have industriously kept alive its bitter memories, behind and under cover of which they have done their nefarious work, artfully distracting public attention by sectional appeals from the fact that they were permitting favored classes to form a partnership with the Government in the taxation of the other classes, and were dividing the proceeds at the rate of one dollar to the Government and four for themselves.

Let us look at the articles taxed by this tariff, first in groups, and then examine those groups in detail.

IMPORTS IN 1887.

| | |
|---|---|
| First. Woolen goods: Total woolen goods | $44,235,244 |
| Duty paid thereon | 29,729,717 |

Being an average of 67.21 per cent.

| | |
|---|---|
| Second. Silk goods | $31,264,276 |
| Duty paid thereon | 15,540,300 |

Being an average of 49 per cent.

Here it will be seen that goods of wool, which are the principal wear of the poor, are taxed about 18.25 per cent. more than goods of silk, which are almost exclusively the wear of the rich.

Now let us see what difference is made in this tariff between the raw material from which the two kinds of goods are manufactured. In 1887 there were imported of all kinds wools to the value of $16,351,369, on which a duty was paid of $5,899,816, being an average of 36.8 per cent. In the same year there were imported raw silk, cocoons, etc., to the value of $19,640,397, on which was paid no duty whatever. Thus we see that whilst the raw material for the manufacture of clothing for the poor and the great mass of the people was taxed over 36 per cent., the raw material for the manufacture of silks, for the use of the rich, is permitted to come in free.

SUGAR AND ITS MANUFACTURES.

| | |
|---|---|
| Imported in 1887, in value | $68,882,884 |
| Tax paid on the same | 56,507,405 |

Being a duty of 82 per cent.

SALT.

| | |
|---|---|
| Imported in the year 1887 to the value of | $1,455,585 |
| Duty paid on the same | 676,865 |

Being in even numbers 50 per cent.

LEATHER AND ITS PRODUCTS.

| | |
|---|---|
| Imported in 1887 to the value of | $10,933,569 |
| Duty paid thereon | 3,286,862 |

Being at the rate of 30 per cent.

HATS, BONNETS, STRAW GOODS, WILLOW, GRASS, ETC.

| | |
|---|---|
| Amount imported | $4,902,911 |
| Duty paid thereon | 1,051,609 |

A rate of 21 per cent., being 9 per cent. less for fancy straw goods than for the leather which protects the feet.

IRON AND STEEL.

| | |
|---|---|
| Amount imported in 1887 | $50,618,985 |
| Duty paid thereon | 20,713,293 |

Being an average of 41 per cent.

JEWELRY AND PRECIOUS STONES.

| | |
|---|---|
| Amount imported in 1887 | $10,981,191 |
| Duty paid thereon | 1,102,300 |

Being a duty of 10½ per cent.

This shows, whatever be the excuse for it, that iron and steel, without which no industry can move, and which are an absolute necessity of life, are made to pay four times as much as the adornments of the rich.

GLASS AND GLASSWARE.

| | |
|---|---|
| Amount imported in 1887 | $7,301,329 |
| Duty paid thereon | 4,510,312 |

Being a tax of 59 per cent.

FUR GOODS.

| | |
|---|---|
| Amount imported in 1887 | $4,544,265 |
| Duty paid thereon | 926,217 |

Being a little over 20 per cent., and one-third of the duty upon the glassware, which constitutes an article of prime necessity.

EARTHEN, STONE, AND CHINA WARE.

| | |
|---|---|
| Amount imported in 1887 | $5,708,093 |
| Duty paid thereon | 3,251,881 |

Being a tax of 57 per cent.

FRUITS AND NUTS.

| | |
|---|---|
| Amount imported in 1887 | $15,088,073 |
| Duty paid thereon | 4,210,098 |

Being at the rate of 27 per cent.

By this it will be seen that the common stone and earthen ware in the poor man's cottage paid more than double the tax upon the fruits and nuts which formed the dessert on the rich man's dinner table.

COTTON GOODS.

| | |
|---|---|
| Amount imported in 1887 | $29,150,058 |
| Duty paid thereon | 11,710,718 |

Being a duty of 40 per cent.

FANCY ARTICLES.

| | |
|---|---|
| Amount imported in 1887 | $7,185,908 |
| Duty paid thereon | 2,949,360 |

Being 41 per cent.

CHEMICALS.

| | |
|---|---|
| Amount imported in 1887 | $13,285,825 |
| Duty paid thereon | 4,654,165 |

Being a duty of 35 per cent.

FLAX, HEMP, JUTE, AND THEIR MANUFACTURES.

| | |
|---|---|
| Amount imported in 1887 | $33,807,282 |
| Duty paid thereon | 9,497,981 |

Being 28 per cent.

SPICES OF ALL KINDS.

| | |
|---|---|
| Amount imported in 1887 | $3,315,964 |
| Duty paid thereon | None. |

NUTS, BANANAS, COCOA, PINE-APPLES, OLIVES, ETC.

| | |
|---|---|
| Amount imported in 1887 | $4,767,628 |
| Duty paid thereon | None. |

In the foregoing the discriminations of the tariff against the common necessities of life and articles most in use by the poor would be made still more apparent if stated more in detail. For example, the average price on wools is put at 36 per cent., whereas the duty on clothing wools is fully 56 per cent.; the average being reduced by the lesser duty on carpet wools. The clothing wools being used for the raiment of the mass of the people; the carpet wools being designed principally for the service of the rich.

The tax upon wool is evidently designed for the purpose of making a necessity dear, whilst the tax on raw silk serves to make a luxury cheap. The impolicy as well as the injustice of it would seem to be evident when wool and leather goods are contrasted. Everything considered, perhaps no country has cheaper or better leather goods than ours, and yet the duty is but 30 per cent., with the raw material free. The home market is more nearly possessed by our own manufacturers in this article than any other, our exports being fully equal to our imports. But in the case of woolen goods, where the raw material is heavily taxed and the duty on the manufactured articles is double that of leather, our exports are next to nothing and our imports are more than one-third of our whole consumption.

Whilst this grouping shows conclusively a discrimination against the necessaries of life in bulk by a considerable average per cent. of duty, when we come to examine the separate items of each group it will be seen that these discriminations against the poor amount to positive inhumanity. In almost every department and almost without exception the things used by them are made to pay the highest duty. Let us look at some of the items:

| | Per cent. |
|---|---|
| Wool hats: | |
| Valued at 40 cents per pound and under | 75.00 |
| Valued at from 40 to 60 cents per pound | 73.00 |
| Valued at from 60 to 80 cents per pound | 66.00 |
| Valued at above 80 cents per pound | 52.00 |

As the article rises in value it decreases in duty or tax.

| | |
|---|---|
| Knit goods: | |
| Worth not exceeding 30 cents per pound | 88.33½ |
| Worth from 30 to 40 cents per pound | 65.20 |
| Worth from 40 to 60 cents per pound | 69.00 |
| Valued at 80 cents per pound and upwards | 62.00 |
| Woolen shawls: | |
| Valued at 80 cents per pound and under | 88.50 |
| Valued above 80 cents per pound | 65.50 |
| Woolen goods, dress goods, etc.: | |
| Valued at 80 cents per pound or under | 88.80 |
| Worth over 80 cents per pound | 64.46 |
| Worsted, alpaca, and so on: | |
| Valued at 30 cents per pound or under | 76.50 |
| Worth from 30 to 40 cents per pound | 69.33½ |
| Worth from 40 to 60 cents per pound | 68.25 |
| Flannels: | |
| Cheapest, valued at 30 cents or under per pound | 73.42 |
| Valued from 30 to 40 cents per pound | 66.20 |
| Valued at above 60 cents and not exceeding 80 cents per pound | 67.05 |
| Women's and children's dress goods, Italian cloths, etc.: | |
| Worth 20 cents per square yard or under | 67.89 |
| All above 20 cents per square yard | 59.00 |
| All woolen goods or mixtures of alpaca and other material: | |
| Weighing 4 ounces or less per square yard | 83.00 |
| Weighing over 4 ounces per square yard | 69.68 |
| Blankets: | |
| Worth 30 cents per pound or under | 79.66 |
| Worth from 30 to 40 cents per pound | 63.85 |
| All worth above 80 cents per pound | 70.00 |

Whilst the woolen shawl of the poor woman is taxed 88 per cent., the silk shawl of her wealthier sister is taxed only 50 per cent.

Whilst the cheap alpaca of the laborer's wife is taxed 83 per cent., the silk or velvet dress of his employer's wife and the laces and ribbons with which it is trimmed are taxed but 50 per cent.

Whilst the plow-boy's coarse wool hat is taxed 75 per cent., the shining silk beaver of the dude is taxed only 50 per cent.

When the overworked banker or merchant refreshes himself with a pint of sparkling champagne he pays a tax of 50 per cent. thereon, and when the tired drayman comforts himself with a glass of beer at the close of the day he pays a tax of 63 per cent. thereon. In the matter of strong spirits it is still worse. If the poor man drinks foreign whisky he pays a tax of 394 per cent., if domestic whisky about 400 per cent.; whilst the wealthier man can drink French brandy with a tax of only 81 per cent.

Files are taxed 56 per cent.; trace-chains, 47 per cent.; horseshoe-nails, 76 per cent.; whilst sporting fire-arms, pistols, etc., are taxed only 35 per cent., and iron rails continue to pay 93 per cent. and steel rails 84.

| | Per cent. |
|---|---|
| Window-glass: | |
| Cylinder, crown, and common window, unpolished, not exceeding 10 by 15 inches square | 60.71 |
| Above and not exceeding 16 by 24 square | 93.11 |
| Cylinder and crown, polished, unsilvered: | |
| 10 by 15 | 7.28 |
| Not exceeding 16 by 24 | 16.79 |
| Plate-glass, rough: | |
| Not exceeding 10 by 15 inches square | 14.16 |
| Not exceeding 16 by 24 inches square | 23.88 |
| Plate-glass, polished, unsilvered: | |
| 10 by 15 inches square | 17.39 |
| 16 by 24 inches square | 20.15 |
| Plate-glass, polished and silvered: | |
| 10 by 15 inches square | 10.85 |
| 16 by 24 inches square | 18.44 |

Comment upon a system of taxation which makes the owner of a cottage pay 93 per cent. on the modest, unpolished panes which give sunlight to his hearth and lets off the owner of the mansion with 20 per cent. on the polished plate-glass which admits his sunlight, is totally uncalled for in a land of either Christianity or common sense. Truly has the wise man said, "The destruction of the poor is their poverty." These discriminations against the cheap goods of the poor are to be found all through the schedules, and time would fail me to point them out. Let the examples given suffice.

And yet the Senator from Ohio, in his elaborate speech, on the 4th instant, used the following language:

> After deducting the free-list, we import goods of the value of $450,000,000, upon which we levy duties. Shall this be a uniform rate? We say no; but by a careful discrimination and classification of rates depending upon the nature and quality of the goods, who are to be the consumers, and the effect the rate proposed will have upon domestic industry; we therefore say that articles of voluntary use, of luxury, ornament, or appetite, not in common use among the people, and which are purchased almost exclusively by the wealthy, should bear a high rate of taxation—the highest rate that experience shows can be collected without excluding them or inducing smuggling. This is founded upon the admitted maxim of political economy that taxes should be assessed upon those best able to pay.

When we look at these beautiful words and flowing sentences rippling sweetly with the virtues of charity, patriotism, and the milk of human kindness, and then look at the fact that by this same tariff the poor woman's woolen shawl and alpaca dress pay nearly twice as much duty as the silk and satin of the rich man's wife, and the plow-boy's wool hat almost twice as much as the dandy's silk beaver, and the common window-glass of the cottage pays five times as much as the plate-glass of the mansion, we can form some judgment of the value of mere words, and we may conclude without looking into the schedule that empty declamation at least is on the free-list.

No wonder that the Senator favors putting everything on the free-list that can not be produced here by reason of climate, declaring, as he does, that because they do not come into competition with domestic industry "a tax upon them would be simply a burden without any redeeming benefit." That is to say, that a tax paid into the Treasury, and which is not divided with the manufacturers, is of no benefit whatever. In other words, it is no benefit to a people to support their Government alone, the "redeeming benefit" of taxation being the support of a privileged class.

Such is the tariff or schedule of customs taxes imposed upon the American people, which its authors and supporters propose to continue without regard to the necessities of the Government. Yielding, as it does, very little revenue in proportion to the magnitude of the tax by reason of its prohibitory character, they propose to let it stand upon all the necessaries of life, and to reduce revenue without reducing taxes by adding to the free-list only those articles the duty on which is pure revenue, or nearly so, and goes into the Treasury. As to those items of prime necessity which, coming from abroad, compete with our manufactures here, and the duty upon which, more or less, goes into their pockets, and not to the Treasury, they refuse to touch them. They put this on the ground of the preservation of American industries, alleging that to reduce duties on any of these items would destroy every industry engaged in the manufacture of them, and all who are dependent thereon.

The Senator from Ohio, as the leader of his party, blows the usual signal trumpet of distress and rings the annual alarm bell that American industries are about to perish and labor is about to be pauperized on this continent because a Democratic President recommends a reduction of the tariff in the face of an annual surplus of more than one hundred millions, and advises that that money should be left in the hands of the people who earned it and who sorely need it, by reducing taxation. That distinguished Senator thinks evidently that the class of our fellow-citizens engaged in manufactures which come in competition with similar articles of foreign make are alone entitled to the first care and consideration of this Government, though they be not more than a tenth of the entire population; that for them, and them alone, laws are to be made, governments are to be administered, and taxation levied and collected. The President's proposition being that no taxation shall be levied except for the use of the Government eco-

nomically administered, the converse is the proposition of the Senator from Ohio—that taxation shall only be levied for the support of manufacturers; and their necessities, real or pretended, shall be the measure of the taxes imposed by the American Congress. No sophistry can avoid this.

The excuse given always for high customs taxes has been that in the long run, if the productions of the foreigner were kept out, domestic competition would become so great as to bring down prices to their normal figures. But as the natural laws of political economy were not allowed free scope by these tariff restrictions in the exclusion of foreign competition, so they are not allowed their natural tendencies in the domestic competition. Vast combinations or conspiracies against public policy have been formed among the manufacturers to keep up prices. They are denominated trusts, wherein all the manufacturers of a given article pledge themselves to sell not below a minimum price. To enforce the stipulations of these trusts, oaths are exacted from all salesmen and proprietors, and fines and penalties are imposed. Each member of the trust is required to contribute an amount of money in proportion to the extent of his business, to be forfeited and confiscated in case he is found guilty at any time, without consent of the combination, of selling below the minimum price. This price is always regulated by the tariff, and is kept as high as the tariff will permit. In the face of all this, which is and should be indictable at common law as a conspiracy against the public, these shameless cormorants appear before the Congress of the United States and demand that these tariff duties be maintained in the name of American industry and American labor, behind which they may conspire to plunder the American people.

Mr. President, the whole scheme of the present tariff is wrong, unjust, unfair, and unconstitutional. The central theory of it is iniquity, supported, as it needs must be in the fitness of things, by false logic and false assertions of facts. I am opposed to its arrangements out and out. I shall vote to put nothing more on the free-list the tax on which is pure revenue. I shall strive earnestly to reduce taxation on the necessaries of life, discriminating only against luxuries and in favor of the helpless and unprotected.

Mr. BLAIR. I call for the regular order, the unfinished business.

The PRESIDING OFFICER. The Chair will present some House bills for reference.

HOUSE BILLS REFERRED.

The bill (H. R. 1213) to punish robbery, burglary, and larceny in the Indian Territory was read twice by its title, and referred to the Committee on Indian Affairs.

The bill (H. R. 3318) relating to permissible marks, printing or writing, upon second, third, and fourth class matter, and to amend the twenty-second and twenty-third sections of an act entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes," was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

AMENDMENT TO A BILL.

Mr. STEWART submitted an amendment intended to be proposed by him to the bill (S. 1216) providing for the investment of certain funds in the Treasury; which was referred to the Committee on Finance, and ordered to be printed.

AID TO COMMON SCHOOLS.

Mr. BLAIR. I ask that the consideration of the unfinished business be resumed.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 371) to aid in the establishment and temporary support of common schools.

The PRESIDING OFFICER. The Senator from Delaware [Mr. GRAY] is entitled to the floor on this bill.

Mr. GRAY. Mr. President, to talk about the Constitution of the United States, its limitations, and the obligations that it imposes upon Senators and Members of Congress would seem to be a natural, a highly proper, and a constantly recurring duty, and yet, sir, I know from my short experience in this body that it is a thing at which some Senators, I fear too many on both sides of this Chamber, shrug their shoulders and show impatience. But I think I can appeal to some at least of those of the same political faith with myself, nay, I think I can appeal to all Senators who regard the obligation of the oath they have taken, when a measure like the one now pending before the Senate is proposed and urged with zeal and ability, and, I must admit, with great sincerity by the gentlemen who are advocating it; I say I think I can hopefully appeal for a candid consideration of the objections that lie on the surface to its passage.

When we hear in this Chamber this new power that is sought to be ingrafted upon the Constitution of our country, advocated, enlarged upon, and referred to as the fruitful source of legislation, I mean the power of money that has been discovered by these interpreters of the Constitution within the four corners of that sacred instrument; when we hear on this floor that the Congress of the United States, nay, that one branch thereof, the Senate of the United States, is invested with power to go into the States and investigate the results of a municipal election, then I say it is time for those who profess to be the friends of the Constitution to examine anew the tenets of their faith and bring to the test of the obligations they have taken upon themselves this or any other measure in which it is proposed that the Federal Government shall concern itself with the functions reserved to the States.

Mr. President, I should content myself with a silent vote against the passage of this bill, resting my justification on the reasons given by me nearly two years ago, when this bill or one similar in its provisions was before the Senate, were it not that the persistence with which it is again urged, and the renewal, Congress after Congress, of what seems to me an attempt to break over the lines of partition between State and Federal authority established by our constitutional scheme of government, demand renewed protest at least from those who believe that the maintenance of those lines is essential to the permanence of our free institutions.

I do not know, Mr. President, that it matters much to some Senators whether constitutional warrant be found for this legislation or not. They believe in a law higher than the Constitution, and, of course, I doubt not their sincerity, they are relieved from any scruples on that score. *Salus populi suprema lex*, or some other vague and general phrase, satisfies their conscience, and it is always possible for them to conjure up sentimental fears for the safety of the Republic. But to those who recognize the supreme obligations of the Constitution and are governed by its requirements, I address myself when I ask where within this instrument do you find the sanction for Congress, as the depository of the legislative power therein granted, to enter upon this field of legislation.

This matter of education and the common schools is confessedly one belonging to the States, as much so as their roads and highways, their penitentiaries, asylums, corporations, or other institutions which concern their organized societies and are within the purview of that great mass of reserved powers not granted to the Federal Government. This I believe will be denied by no one. The Senator from New Hampshire and those who sympathize with him and the higher-law school to which he belongs, boldly avow that the General Government has the inherent power to enter upon the discharge of any of the functions of the State which Congress may think are not performed, or not properly performed by the States, when the public safety or general welfare demands that it should do so. As these phrases, "public safety" and "general-welfare," are not capable of precise definition, this is of course tantamount to saying that Congress may enter upon the domain of State activities and duties whenever in its discretion it sees fit to do so. In other words, that the Constitution, with its carefully enumerated powers, granted by the States, and its express reservation to the States and the people of powers not granted, is only after all a provisional scheme of government, and the Congress which it created can at any time supersede its provisions and assume powers reserved to the States at its pleasure. A doctrine so monstrous as this is overthrown by its own statement, and needs no argument for its refutation.

But looking at the Constitution itself, the whole scheme of government that it establishes, in its spirit and genius, to what provision can you refer the legislation proposed in this bill? In its essential features, it is the undertaking to supply to the States out of the taxes laid upon the people by the Federal Government annually a sum of money to be applied to the maintenance of common schools therein, upon the condition that the States accept the trust, shall not discriminate in their schools between white and blacks, file their acceptance with the Secretary of the Interior, that their governors shall make annual statements to the Secretary of the Interior showing in detail the application of the money, the amount raised by the State, the number of children, white and black, attending the schools, compensation of teachers, length of school terms, etc., and file copies of all school-books authorized by State boards of instruction with the Secretary of the Interior for examination and approval.

Mr. GEORGE. Mr. President——

The PRESIDING OFFICER (Mr. PLATT in the chair). Does the Senator from Delaware yield to the Senator from Mississippi?

Mr. GRAY. Certainly.

Mr. GEORGE. I suggest that the Senator is mistaken in his supposition that there is any approval of any Federal officers provided for in the bill.

Mr. GRAY. I do not find in the bill any express phrase that the Secretary of the Interior is required to approve, but I do find as a condition precedent to the employment of any of this bounty for school purposes in a State that the school-books authorized by State boards of instruction shall be submitted to the Secretary of the Interior.

Mr. GEORGE. And no action of his is contemplated.

Mr. GRAY. No action of his, as I said a moment ago, is expressly provided for in the bill.

Mr. GEORGE. Nor by implication.

Mr. GRAY. I take issue with the Senator there, and I ask why this provision is in the bill at all, why these books or copies of them are to be sent from the State of Texas and from the most remote parts of this Union, to be filed here in the office of the Secretary of the Interior, unless it was meant to accomplish something which the advocates of the bill have at heart?

Mr. GEORGE. Will you allow me to answer?

Mr. GRAY. Yes, sir.

Mr. GEORGE. My answer to that question is, that that provision in the bill was inserted in it by the Senate against my vote. I see no motive in putting it in the bill, and I will add that I see no special harm in it.

Mr. GRAY. Then the Senator so far agrees with me that he has found this provision of the bill objectionable. I am glad that there is something in the bill that will plant a thorn in the pillow of the Senator from Mississippi. I am his friend, but I wish him to take no comfort from the provisions of this bill.

Mr. GEORGE. I think I can manage to get along with the bill without the sympathy of the Senator from Delaware.

Mr. GRAY. I have no doubt of that. But to resume the line of the remarks that I was making when I was interrupted——

Mr. BLAIR. Will the Senator allow me to interrupt him just there?

Mr. GRAY. In one moment.

Mr. BLAIR. It is in direct connection with what he has said.

Mr. GRAY. In one moment. To resume the line of remarks I was making when I was interrupted, I say that these conditions or these terms of the general condition precedent that is imposed upon the States before they can enjoy this bounty, do make this bill something more than a mere gift of money to the States.

Mr. BLAIR. I only wish to state that the requirement of filing with the Secretary of the Interior all the school-books used by the States in their common schools was inserted upon the motion of an opponent of the bill, and was not in the original bill or thought of or suggested by any of its friends. It was inserted on the motion of a violent enemy of the bill.

Mr. GRAY. What was the purpose of the amendment, may I ask?

Mr. BLAIR. There was nothing on that point whatever in the original bill itself. It was inserted on the motion of the Senator from Kansas [Mr. PLUMB], and found its way into the bill contrary to the suggestions of any friend of the bill, so far as I know.

Mr. GRAY. It is sufficient for my purpose that I find it in the bill that is proposed to be passed, and is advocated by the Senator from New Hampshire and the Senator from Mississippi. In pursuing the inquiry as to what the purpose of that provision was and is, I should like to know what action should be taken by Congress when the Secretary of the Interior reports to this body that the history of the United States used in the common schools of the State of Alabama or the State of Texas described with the bias and natural affection that those people have for their own blood and kindred the great struggle through which we passed twenty years ago, and did not refuse the meed of praise that all the world is willing to pay to brave men fighting for a mistaken cause—I would ask the Senator from New Hampshire whether he will sit quiet and content that the youth of the South shall learn from such books the lessons that they teach——

Mr. BLAIR rose.

Mr. GRAY. I beg not to be interrupted now.

Mr. BLAIR. I thought the Senator asked me a question.

Mr. GRAY. I will yield in a moment. Or if, forsooth, they find in some of those lately rebellious States that the assassination of the martyred President, Mr. Lincoln, is ascribed in a history of the United States to so-called rebel leaders, as I have seen it ascribed in a school-book in common use throughout the States of the North, I ask whether when that book is discarded on account of the falsehood that it teaches, the State board of a Southern State is to receive the commendation of the Senator from New Hampshire? It may or may not receive it, but it is one of those questions which can be thrown in here by any report of the Secretary of the Interior, and the yeasty waves of sectional debate will run high here many and many a time, if this bill passes, over just such questions as that.

Mr. GEORGE. Will the Senator allow me to interrupt him just there?

Mr. GRAY. Certainly.

Mr. GEORGE. I have found it to be a very safe rule of conduct in all my life never to cross a bridge until I got to it, and never to trouble myself about difficulties which have not arisen. Whenever an improper school-book is attempted to be forced upon the people of Mississippi under this or any other measure, it will be time enough to take steps against that measure when the evil is threatened or done.

Mr. GRAY. No, no; that is just the point to which I would direct the attention of Senators. I will show further on, I think to the satisfaction of some, that one year or two years hence, when the poison of this bill has been instilled into the veins of the people who have received this money, it will be too late to take the backward step. *Nulla vestigia retrorsum.*

Here in this bill, with these conditions plainly written upon its face, is a proposal, I submit, to participate not only in the support but in the management and control of the common-school system of the States. It is idle to say that it is only a gift of money with conditions attached to the gift, which may be accepted or not by the States. It is undoubtedly the assumption by the Federal Government of a concern in and a care over an institution that belongs to the State exclusively, and with reference to which we seek in vain in the Constitution for any grant of legislative power.

The friends of the bill on this side of the Chamber, I know, refer to the eighth section of the first article of the Constitution, and claim that the first clause of that section is a sufficient warrant for the proposed legislation. What is that clause?

> The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare.

I do not waste time in showing, for it has been shown abundantly already, that the words "to provide for the common defense and general welfare" do not confer a general or specific power in Congress to provide for the common defense and general welfare, but only——

Mr. GEORGE. No Democrat who sustains the bill contends that they do.

Mr. GRAY. I am just saying that very thing—that no one contends, if that language is universal enough to suit the Senator from Mississippi; but that the words merely indicate the object or intent with which the power to tax was conferred. Mr. Jefferson early pointed out that the clause was equivalent to, and should be read, "Congress shall have power to lay and collect taxes, etc., in order to provide for the common defense and general welfare of the United States," and Mr. Justice Story, in his Commentaries, as every other commentator and court since then, has adopted this very obvious construction. In that, I suppose, the Senator from Mississippi will agree with me. At section 906 Judge Story says:

> If the clause "to pay the debts and provide for the common defense and general welfare of the United States" is construed to be an independent and substantive grant of power it not only renders wholly unimportant and unnecessary the subsequent enumeration of specific powers, but it plainly extends far beyond them and creates a general authority in Congress to pass all laws which they may deem for the common defense and general welfare. Under such circumstances the Constitution would practically create an unlimited national government. The enumerated powers would tend to embarrass and confuse, since they would only give rise to doubts as to the true extent of the general power or of the enumerated powers.

Story calls it a limitation on an otherwise general power to tax. I think that it is more consonant with the structure of the sentence and with the plain natural meaning of the whole section, which contains specific grants of power to Congress, to say that these words declare the general intention in the minds of the framers of the Constitution when they conferred this power upon Congress. They had established a Federal Government, giving to it certain enumerated and specified powers relinquished by the States, and which concern the common defense and general welfare. It was an obvious thing that the taxing power, so necessary and important, but still subordinate and ancillary to the other legislative powers, should be fully given to the legislative body upon which they were conferred.

I call attention to the essential character of this taxing power. It differs from all the other powers conferred upon Congress. It is not a power to be exercised for its own sake. If there were no other powers enumerated there would have been no taxing power. In its nature it is a subordinate, incidental, ancilliary power. I say that it was an obvious thing that the taxing power, so necessary and important, but still subordinate to the other legislative powers, should be fully given to the legislative body upon which those other powers were conferred, and it was so done with the declared intent to provide thereby for the common defense and general welfare, which necessarily depended upon the efficient and plenary exercise of the great powers of government which had been granted. How did the convention that framed the Constitution undertake to provide for the common defense and general welfare? They tell us; we are not left to speculate about it, for in the preamble to the instrument itself they say that in order to "provide for the common defense" and "promote the general welfare" we do "ordain and establish this Constitution," with its enumerated and specified and limited powers.

Mr. GEORGE. That is an interpolation. That is not in the preamble.

Mr. GRAY. What is not in the preamble?

Mr. GEORGE. The phrase, "with its enumerated and specified powers."

Mr. GRAY. I did not say it was. I think the Senator is barking up the wrong tree when he accuses me of interpolating anything into the preamble of the Constitution.

Mr. GEORGE. Did you not quote the preamble as saying, "we do ordain and establish this Constitution, with its enumerated and specified powers"?

Mr. GRAY. I did not, nor did I use language that would justify the Senator's remark.

Mr. GEORGE. Then I withdraw what I said about it. I simply meant to say that those words are not in the preamble.

Mr. GRAY. I said that the preamble to the Constitution declared its purpose to "provide for the common defense" and "promote the general welfare" by ordaining and establishing "this Constitution of the United States of America," adding in my own words, with all its enumerated powers, specified and limited as we find them in that instrument. That is the mode which our fathers took to provide for the common defense and promote the general welfare, that nothing should be left for construction in the emergency when it arose, but that by plain and specific grants of power, written down in that instrument

beforehand, there should be for each emergency as it arose the constitutional rule which was to govern.

Mr. BLAIR. Will the Senator allow me to ask him a question? Suppose the fathers had ordained this instrument and inserted within it the various enumerated powers, and had omitted to provide thus for the existence of a government; and suppose the clause in the tenth section of the first article had been omitted entirely, which in express terms specifies the power of taxation. If the Constitution had been identical with its present language, save only that clause being omitted, would there then have been any power whatever of taxation, or would the Government have fallen for the lack of an express provision to exercise the vitalizing power of raising money to carry the Government into effect?

Mr. GRAY. It has become a trite saying that the fathers builded more wisely than they knew. The hypothesis of the Senator from New Hampshire would have us assume that they might have built with more ignorance and with more stupid want of perception of the needs of civilized government than was ever shown, or could be shown, by any body of intelligent men who could come together for such a purpose.

Mr. BLAIR. Will the Senator then say that the British Government, which has no written constitution, has no inherent power for the reason that there is no written constitution; or is the power of taxation, the power to carry other powers conferred into effect, necessarily implied by reason of the express provision of enumeration of those other powers?

Mr. GRAY. The question of the Senator from New Hampshire only illustrates the difficulty of arguing with that school of politics which makes the Constitution of the United States subordinate to a law higher than is found written within its four corners. There is no more comparison to be made between the British constitution and the Constitution of the United States than is ever to be made between things which are utterly dissimilar.

Mr. BLAIR. Will the Senator allow me to interrupt him?

Mr. GRAY. Certainly.

Mr. BLAIR. I wish merely to disclaim that I belong to the "higher-law" school of politicians, or statesmen, or citizens, or whatever classification of individuals you choose to adopt. I hold that the power which is claimed to be exercised or which will be exercised if the bill becomes a law is within the express provisions of the Constitution itself, not in written words, but as a necessary and inevitable implication from the written powers which are given in their aggregate; for the Constitution is ordained and established as a whole, and if there were no power of taxation conferred in express terms, necessarily the power of taxation would be implied, and implied for all those purposes which are indispensable to the existence of the Government itself.

Mr. GRAY. That will be the argument of the gentleman when he comes to advocate the bill. It is rather beside the argument which I am making at this point. It is almost too general and not specific enough to the point I am making for an answer.

Mr. BLAIR. The Senator has not answered my question. However, I do not wish to press it.

Mr. GRAY. I do not understand that the Senator asked me a question. I understood that he was making a speech.

Mr. BLAIR. Not at all. I asked a question, which the Senator, I understand, has evaded.

Mr. GRAY. Not at all.

Mr. BLAIR. I thought he evaded it.

Mr. GRAY. No; I did not.

Mr. BLAIR. Very likely it was for the reason that I did not make my question understood. I asked him, had the Constitution contained no clause expressly, that is, in written language, conferring the power of taxation, whether there would have been no power of taxation in the Government of the United States?

Mr. REAGAN. Will the Senator from Delaware allow me to say a word?

Mr. GRAY. In one moment.

Mr. BLAIR. If the Senator from Delaware can not answer, then I suggest that the Senator from Texas be allowed to do so.

Mr. GRAY. I will say to the Senator from New Hampshire that his question is founded upon the hypothesis that there was no specific grant of power of taxation conferred by the instrument we call the Constitution of the United States, and he asks whether in that case there would not have been an implied power to tax. I am not prepared to say that where the enumerated powers of legislation are specific, direct, concerning matters of government which require the expenditure of money, there might not have been an implication that would convey the power of taxation. I am not prepared to say; I am only answering for myself; but I think that to answer the question makes nothing for the position of the Senator from New Hampshire. We are talking about the specific powers conferred upon Congress. I have tried to show that the power of taxation, expressed as it is, differs from all the other powers conferred in that section, and that it is a subordinate power, incident to the other powers, and ancillary, to use the phrase of the books, to their exercise, and is a power which would never stand alone. Imagine a constitution of government which gave the power to tax and no other power in written words! Taxes are not a thing to be desired in themselves. As they are possessed by government they are only to be exercised for the carrying into effect of those other great governmental powers which concern the happiness and welfare of the citizens of the country.

Mr. REAGAN. Mr. President——

Mr. BLAIR. With the Senator's consent, I will still hold him to answer my question.

Mr. GRAY. I have yielded to the Senator from Texas.

Mr. REAGAN. I desire to call attention to the fact that the hypothetical question presented by the Senator from New Hampshire contemplates a government where there is no grant of power for taxation, and he offers as an illustration the British Government. That government has no written constitution and it exercises all the legislative powers which the needs of the country call for. In our Government we have written constitutions and dual governments, with powers delegated to the General Government by the written Constitution and with certain rights reserved to the people which are not delegated at all. So there is no analogy between the hypothetical case presented by the Senator from New Hampshire and the case which the Senator from Delaware is discussing.

Mr. BLAIR. Will the Senator from Delaware allow me to reply to the Senator from Texas?

Mr. GRAY. Yes, sir.

Mr. BLAIR. I understand the answer of the Senator from Texas to the question which I propounded to the Senator from Delaware to be equivalent to saying that unless in the Constitution of the United States which provides in writing for a government, there shall be a written provision granting the power of taxation, the Government of the United States would have no such power. Do I correctly understand the Senator from Texas?

Mr. REAGAN. I have not assumed to pass upon that question at all.

Mr. BLAIR. If the Senator does not assume to pass upon that question, he certainly does not answer it. If he can not answer the question, that is another thing, as the Senator from South Carolina [Mr. BUTLER] suggests to me.

Mr. REAGAN. If I did answer it I do not know what application it would have either to the bill before the Senate or to the question now being discussed.

Mr. BLAIR. I will endeavor to show some application——

Mr. GRAY. I beg the Senator's pardon. The time is advancing and I do not want to trespass on the patience of the Senate.

Mr. BLAIR. If the question can not be answered, I will waive it.

Mr. GRAY. I ask the Senator's pardon. I mean no disrespect to him, but perhaps I can not answer satisfactorily a question which seems to be absurd. I do not think that the Senator and I would ever agree as to the nature of this dual Government of ours. I rather apprehend that we argue from different standpoints; that he does not recognize the settled doctrine that the Federal Government is a government of limited and enumerated powers, while the government of each State, or its people, has the great residuum of powers; that to find a power in the National Legislature you must go to the Constitution and see where is the specific grant; while when you go to the Legislature of the State and ask for legislative power, you go to the State constitution and see if there is any restraint, see whether the power is expressly denied to the Legislature. In the States we exercise all the legislative powers that are not expressly prohibited. In this Federal Government we exercise only those which are granted, differing in that respect from the States, which exercise all legislative powers that are not prohibited.

Mr. BLAIR. Will the Senator allow me to ask him if there were no written provision in the Constitution granting the power of taxation to the General Government, would there be any such power?

Mr. GRAY. I answered that question a while ago. I stated I was not prepared to say that when a Constitution like that of the United States confers specific enumerated powers of legislation and also grants all powers necessary to carry into effect those which are granted, there might not have been a power of taxation incidental to the exercise of the governmental powers that would be inefficient without it; but it makes nothing for the position of the Senator from New Hampshire, because that only admits that the taxing power would be incidental and attendant upon the great powers of government, as I contend that it is here, whether an express grant or not.

This power was added to the great governmental powers and is a subordinate power, granted with the declared intent to provide thereby for the common defense and general welfare, which necessarily depended upon the efficient and plenary exercise of the great powers of government intrusted to Congress by this section. If the power to lay and collect taxes, etc., had been given without more, no one, I think, who brought an unbiased mind to consider this section, would for a moment contend that the power to tax was other than I have stated.

If there had been in the Constitution but the simple phrase "the Congress may lay and collect taxes, duties, imposts, and excises," no one would contend, I think, that the power to tax was other than I have stated, an ancillary and attendant power, one subordinate to and limited by the other powers.

The power to tax never existed in any civilized government, cer-

tainly in no American government, except with reference to the powers and jurisdiction of that government. The statement, therefore, of the general intent with which the taxing power is conferred can not enlarge that power, which is shown by its nature to be incidental and subordinate, because even the most latitudinarian constructionists admit that these words are qualifications and limitations on the power. They are a renewed and express injunction upon Congress that in exercising this ancillary power of taxation, so important and so delicate, with reference to subjects within their jurisdiction, they shall keep carefully in view the "general welfare of the United States"—that is, of the Government, the organized body-politic created by the Constitution. It is this portion of the general welfare which is committed to its keeping.

The words "the United States" are used throughout the Constitution to denote the body-politic or governmental organism. In this same section Congress is empowered "to borrow money on the credit of the United States." "The United States shall guaranty to every State in this Union a republican form of government." "This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, under the authority of the United States, shall be the supreme law of the land;" so that the phrase "the United States" is used throughout this Constitution in lieu of the corporate name and style of "the United States of America."

It is, therefore, with reference to that part of the general welfare which is committed to the keeping of the Government of the United States, and with reference to that part alone, that Congress may, under this section, lay and collect taxes.

Here it may be instructive to refer again to that admirable exposition of this subject made by Judge Cooley in his work on taxation. It has been already read several times in the Senate, and I will only detain Senators by a phrase or two, which carries out my contention that when you speak of the "common defense and general welfare of the United States" you are speaking of the general welfare of the body-politic that is described by that phrase.

Mr. TELLER. And not of the people?

Mr. GRAY. Yes, sir; and not of the people, except so far as the welfare of the people is wrapped up in the welfare of the Government they created. That is my answer to the Senator from Colorado.

Mr. GEORGE. Will the Senator allow me to interrupt him?

Mr. GRAY. One moment, until I read the extract I was about to commence.

In considering—

Says Judge Cooley—

the legality of the purpose of any particular tax, a question of first importance must always concern the grade of the government which assumes to levy it. The "public" that is concerned in a legal sense in any matter of government is the public the particular government has been provided for; and the "public purpose" for which that government may tax is one which concerns its own people, and not some other people having a government of its own, for whose wants taxes are laid. There may, therefore, be—

I call the attention of the Senator from Colorado to Judge Cooley's language—

There may, therefore, be a public purpose as regards the Federal Union, which would not be such as a basis for State taxation, and there may be a public purpose which would uphold State taxation, but not the taxation which its municipalities would be at liberty to vote and collect.

Though the powers granted to Congress are limited in number and specific, they are all plenary, and all paramount and exclusive, when exercised by Congress, of power on the part of the State relating to the same subject-matter. If they have the power to lay and collect a tax for any purpose that they think necessary for the public welfare, the power and the purpose must go together, they can not be divorced, and that purpose can not be interfered with by any lawful authority in the States. There are no imperfect or incomplete powers placed in the hand of the Federal Government. It can not lay a tax without a purpose, and if that purpose be one lawfully within the domain of Federal power it may proceed to its accomplishment over every obstacle, and march through the length and breadth of your States to enforce it.

It is not necessary to say anything further as to that remarkalbe "power of appropriation" which, originating with Mr. Monroe, though inconsistent with all the teachings of his life, has been nursed into a power of such formidable proportions as to threaten to destroy all the landmarks of constitutional government. This indeed would be a solvent of all the limitations which restrain the exercise of unlimited power. Against this poison let us again and again apply ourselves to the antidote supplied by those words of wisdom and of warning uttered by Mr. Madison in the debate on the fishing bounty bill so soon after the adoption of the Constitution by the convention in which he sat as a conspicuous and laborious member. Speaking of this general-welfare phrase, he says:

Taking these terms as an abstract and indefinite grant of power, they comprise all the objects of legislative regulations, as well such as fall under the judiciary article in the Constitution as those falling immediately under the legislative article, and if the partial enumeration of objects in the legislative article does not, as these gentlemen contend, limit the general power, neither will it be limited by the partial enumeration of objects in the judiciary article.

There are consequences, sir, still more extensive, which, as they follow clearly from the doctrine combated, must either be admitted, or the doctrine must be given up. If Congress can employ money indefinitely to the general welfare, and are the sole and supreme judges of the general welfare, they may take the care of religion into their own hands; they may appoint teachers in every State, county, and parish, and pay them out of their public Treasury; they may take into their own hands the education of children, establishing in like manner schools throughout the Union; they may assume the provision for the poor; they may undertake the regulation of all roads other than post-roads; in short, everything, from the highest object of State legislation down to the most minute object of police, would be thrown under the power of Congress; for every object I have mentioned would admit of the application of money, and might be called, if Congress pleased, provisions for the general welfare.

The partition of powers between the Federal and State governments was made with distinct and broad lines of demarkation. Congress can not enter the domain of powers reserved to the States, and prohibited to it, by force. I think the Senator from New Hampshire will agree to that. Neither can it enter the prohibited domain by buying its way there. There is no power in this Federal governmental agent to bargain with the States for a surrender of any of their reserved powers and functions. States can not, by consenting, or failing to resist, confer power when there was none before. Only in one way can the States authorize this new purpose of taxation in the General Government, and that is by ratifying an amendment to the Constitution when properly submitted to them by Congress in the mode pointed out by the Constitution itself.

To show how the view I have taken of the object and effect of this phrase "to provide for the common defense and general welfare" consists with the views of those who framed the Constitution, I will read what is given us by Mr. Madison of the history of its incorporation in the convention very briefly, but sufficient to throw very much light, I think, upon the intention that was in the minds of the framers of the instrument when that phraseology was adopted. I read from volume 5 of Elliott's Debates after the Constitution substantially in its present outline had been agreed upon and when a committee of style had been appointed. I find that on August 25, 1787,

Mr. Sherman—

A member of that convention—

thought it necessary to connect with the clause to lay taxes, duties, etc., an express provision for the object of the old debts—

I should preface what I am going to read by the remark that the sketch of the Constitution as practically agreed upon had simply the power "to lay and collect taxes, duties, imposts, and excises," without more.

Mr. Sherman thought it necessary to connect with the clause for laying taxes, duties, etc., an express provision for the object of the old debts, etc., and moved to add to the first clause of article 7, section 1, "for the payment of said debts, and for the defraying the expenses that shall be incurred for the common defense and general welfare."

The proposition was rejected on the ground that it was not necessary, that it added nothing to the meaning of the grant of power to lay and collect taxes, that the implication went with it and followed that power wherever it was attempted to be exercised, and governed its application. That proposition was rejected on the ground I have stated. The committee on style was then appointed and ten days after Mr. Sherman had suggested this addition to the taxing power clause—

Mr. Brearly, from the committee of eleven, made a further partial report, as follows:

"The committee of eleven, to whom sundry resolutions, etc., were referred on the 31st of August, report that, in their opinion, the following additions and alterations should be made to the report before the convention, namely:

"1. The first clause of article 7, section 1, to read as follows: 'The Legislature shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defense and general welfare of the United States.'"

And that was adopted. So, then, the inference is very plain, I think, that the gentlemen who composed that convention considered this phrase, "to pay the debts and provide for the common defense and general welfare of the United States," as exactly equivalent to the language of Mr. Sherman, that it was to pay the debts and defray the expenses incurred for the common defense and general welfare.

Now, I wish to add to this the high authority of the great Chief-Justice, in the case of Gibbon *vs.* Ogden, where he uses the language I shall read. Chief-Justice Marshall, in that celebrated case, speaking of this very clause, that Congress is authorized to levy and collect taxes to pay the debts and provide for the common defense and general welfare of the United States, says:

Nor is the exercise of that power by the States an exercise of any portion of the power that is granted to the United States. In imposing taxes for State purposes they are not doing what Congress is empowered to do. Congress is not empowered to tax for those purposes which are within the exclusive province of the States. (Gibbon *vs.* Ogden, 9 Wheaton, page 199.)

I request the gentlemen on the other side of this question to make their contention with Chief-Justice Marshall.

Aside from the question of the constitutionality of the bill, the policy of such a measure is vicious in the extreme, violative of the best traditions of our history, and full of danger to those principles of home rule and local self-government which have found their highest development and best expression in the rights of the States. What truth has been so clearly established during the last century, a century of such enormous political activities, as that the greatest measure of liberty and the highest types of citizenship and civilization are achieved and maintained by self-government, by a distribution of

power and its responsibilities among the people of comparatively small communities? This is the goal of the aspirations of the wisest political philosophers everywhere. What have the centralized governments of the world to show in the way of results that concern human happiness and well-being, enormous as the exhibition of their power and resources has been, to compare with the achievements that have been wrought out on this continent under our American system of home rule? European governments have recognized the beneficence of the principle, and have tried to realize for themselves its advantages by grants of local, municipal, and communal power, but they have fallen short of a full fruition of its blessings from the fact that the right was bestowed from above, and the *nexus* of dependence was still preserved.

The happy accident in our history of the separate colonies and the independent States has made the difference for us. Our local rights and statehood were not conferred by a central government, but that Government is the creation of the States whose common agent it is. Our local rights are our birthright. They can not be taken away nor be impaired nor diminished by any paramount authority. Force might put them in abeyance, but could not destroy them. It remains to be seen whether they will be surrendered, as the Senator from Texas said the other day, for a mess of pottage.

And so it is that on this continent grew up a new political philosophy whose maxims have for a hundred years been household words: "The Federal Government is one of specified and granted powers." "All powers not granted are reserved to the States and the people." No mystery about this. This philosophy is not the tradition of schoolmen, but the common possession and priceless inheritance of the people.

Who shall estimate the value of the results of this system? Who shall measure the extent of the development among the people of intelligence, character, and manhood, or the educating force which the experience and practice for more than a century of the civic virtues of self-control, self-help, and self-respect have exercised?

Here is an educating influence that this bill ignores, and tends to destroy, to which we owe the best fruits of government by the people that ever resulted in blessing mankind. Indeed, I do not go too far when I say that we owe the common-school system itself to this principle of local self-government. Where on the face of the earth is there such a system of common schools as has grown up in the several States of the Union under the fostering care, under the life-giving influence of the free institutions that are cherished and nurtured and protected by the system of local self-government?

It had no precedent in older civilizations. This common-school system born in one small State, it might have been strangled in its birth had it depended upon a consensus of all the States. Fostered by the intelligence, independence, and patriotism of the separate States, it grew by their generous rivalry and competition among themselves, each stimulated in the pathway of progress by the achievements of a sister Commonwealth, until in all the States the system of public education is firmly established upon the solid foundation of self-interest and State pride. The forces which created it will sustain, nourish, and enlarge it, until the most backward State will have stepped to the side of her most advanced sister. With these splendid results of local self-government, why should the Congress of the United States step forward to meddle in a matter that is not within the domain of Federal power? Why should it be believed, in the face of the facts of our history, that this great work can be helped or promoted by Congressional interference.

If the people of the States find that the money necessary for the support of the school system will be provided in large measure out of the Federal Treasury, without effort on their part, will they not lose some of the interest which responsibility and the necessity of endeavor and self-sacrifice tend to create? And with the loss of that interest, and the absence of motive for endeavor and self-sacrifice, will there not be a relaxation of the energy and civic courage which have heretofore characterized the citizenship of the State? Surely there is ground to fear this result. We are dealing with the forces by which human nature is influenced and affected. Like causes will produce like effects, and we are not without experience and warning as to the effect produced by conditions similar to those that would obtain if this bill should become a law.

The New York Evening Post in one of its exceedingly able discussions of the bill cites an episode in the history of Connecticut which is worth producing here. I ask that the Secretary read what I have marked in the paper which I send to the desk.

The PRESIDENT *pro tempore*. The paper will be read, if there be no objection.

The Chief Clerk read as follows:

One fact counts for more than a volume of theorizing, and it is therefore most fortunate that the demoralizing influence of outside school funds can be conclusively demonstrated from the experience of one of the oldest States in the Union. When Connecticut sold her Western Reserve lands, the proceeds were devoted to a school fund, in the expectation that this assistance would serve materially to elevate the standard of public education. The fund proved quite productive, the income during the early part of this century varying from $70,000 to $100,000 a year, which was a large sum of money for a small State in those days, when the cost of maintaining schools was so much less than now.

Before they had this outside income the people of Connecticut supported their schools entirely by taxation, just as the people of the South are doing now. What was the effect of receiving this assistance? The answer shall be furnished by Mr. C. D. Hine, secretary of the State board of education, who is recognized as an authority in the matters of which he speaks. In response to a request from the Evening Post for a succinct statement of the facts, Mr. Hine writes:

"The school fund derived from the sale of western lands yielded an income last year of $120,855, which amounts to 80 cents for each person of the school age. The average expense of educating each of these persons throughout the State is $10.31, so that the fund now furnishes about 8 per cent. of the total cost. In those towns and cities where the people insist upon good schools no reliance is placed upon these permanent funds. Indeed, the history of our State shows conclusively that at the time when the fund was most productive, yielding $1.40 or $1.50 for each person of the school age, and when towns depended upon it, as they generally did, for the support of their schools, the schools themselves were poor and short. In fact this was the darkest period of our educational experience. A very striking deterioration took place as soon as the fund became productive, and the income began to be distributed. Before that period schools had been maintained at least six months, and at most nearly the whole year, according to the size of the district. After, and not long after, this new source of income was opened the usual length of schools was reduced to only three months, or just the time that this fund would maintain the schools. The sums which came as gratuities relieved the people of responsibility and deadened their interest, until the schools were continued only so long as the charity lasted. Happily, the danger from this direction is passed and can not return. The fund has probably reached its greatest productiveness, and the per capita will constantly decrease. The public schools must draw their sustenance from the people who are directly or indirectly benefited by them."

The Blair bill simply proposes to do for the whole South what the Western Reserve fund did for Connecticut. Human nature is much the same everywhere, and if one were to try differentiating it, he certainly would not find the Southern character less likely to be demoralized by subsidies than the Northern. The men who had this fund set apart for the benefit of Connecticut's schools undoubtedly thought that they were doing the State a great service; but it has proved a curse, and the people are now congratulated that "the danger from this direction is passed," because the growth of population has forced them to tax themselves in order to educate their children.

Mr. GRAY. Senators of the South, representatives of the States to whom the greatest share of this largess will come, I beg you to heed the warning. Does your knowledge of human nature, your experience in life, instruct you that there is any reasonable hope that the people of your States, after eight years of demoralizing dependency upon this golden stream from the National Treasury, will declare again for their independence, or will thrust away the hand that feeds them if it be still held out? The distinguished Senator from New Hampshire, who has so persistently and ably and sincerely pressed this bill, has beliefs in regard to the right and duty of the General Government in relation to this subject of education which differ widely from those entertained on this side of the Chamber, and are startling enough to us now. Hear what he says in his report accompanying a similar bill in the last Congress. It has been quoted before, but I will recur to a sentence or two from it again:

Still again. The whole people of the United States, that is to say, the nation, by the primary act of the masses and by the act of their State governments, have commanded in the written terms of the constitutional law of the land that "the United States shall guaranty to every State in this Union a republican form of government." How is that obligation to be fulfilled? Must its performance await revolution, and must destruction precede preservation? Is it a guaranty of possession to stand by while war and tempest obliterate, and then endeavor to restore? Is reconstruction the only or is it the better way in which the obligation to guaranty a government republican in form to the States of this Union can be discharged? Is not the ounce of prevention still worth the pound of cure? Does not the duty to guaranty imply the right to prevent and to preserve even more strongly than to restore? Prevention might be possible when restoration would prove to be impossible.

It is a conceded proposition that where a duty—

And the Senator has argued that the duty is imposed on Congress—

where a duty is imposed all the power necessary to its performance is conferred, and the choice of means, so far as there is no prohibition, goes with the power.

If all this be so, what doubt can there be, not only of the power but also of the absolute duty of the National Government to perform its obligation of guaranty in the only effective way in which it is possible? When does the obligation to guaranty attach? Did it not commence with the adoption of the Constitution, and is it not continuous in its operation? Does it not attach as a right in the Territories, which are inchoate States? Does it not follow every movement of the concurrent life of the nation and of the States, and enter into all their constitutional and inseparable relations?

Mr. President, it is upon grounds like these, it is upon the assertion of a power in Congress such as I have read from the report of the Senator from New Hampshire, that this bill is advocated and pressed. It is claimed not only that this gift, on condition, may be made, but it is claimed by him and by the committee, by leaders of their party, by men high in reputation, of recognized and deserved position, that this duty implies the power to enter a State and impose upon it, whether it will or not, just such a scheme of education as may be prescribed by the peculiar notions of the public demand entertained by the Senator from New Hampshire and his associates. I beg gentlemen on this side who are willing to take from those who are willing to give this bounty of the Government, to take heed when once they have become successful, whether this claim of power will not grow and grow until it overshadows all others.

The Senator from Massachusetts [Mr. HOAR] did not dissent from this view. On the other hand, he used language which I will not now detain the Senate by reading from the CONGRESSIONAL RECORD, stating that he did not stand upon the general-welfare clause. He said in substance, though of course I am not giving his very words, "I do not stand upon any refined construction of the general-welfare clause; I claim that here is a great national danger that overshadows the land, and there must be power in any government to meet it and overthrow it." What a position! Does it not distinctly set up for the observance

of the people of your States this great higher law through which they would have all powers surrendered to the National Government? I know you [the Senator from Mississippi] repudiate it. I do not do you the injustice of saying that you are bound by such an assertion and claim of power, but as I said before—and pardon me if I again use the language of warning—beware lest the benefaction, as it appears to you now, received under an assertion and claim of power like this, may not grow into a curse instead of a blessing.

Mr. GEORGE. Does the Senator mean to say as to the Democratic Senators who repudiate that view of the Constitution and find in that instrument ample ground on other reasons for supporting the bill, that because he finds these extraordinary and objectionable grounds we are to abandon our support? In other words, does the Senator mean to say that when we are on a good sound vessel whose prow is directed to a proper port, we should abandon the vessel because a part of the crew insist that they have a right to take it to some other port to which it is not directed?

Mr. GRAY. Mr. President, it is dangerous to deal in metaphors and figures of speech in the presence of what one knows to be a great public danger. When such a disposition is manifested by part of the crew, it is unwise to embark on such a voyage. I did not mean that the Senator or those who agree with him, either now or hereafter, will give their consent to this doctrine, but I do repeat that it is dangerous to admit within your States a Trojan horse so filled with the destructive elements that this bill contains, on any plea that you repudiate that doctrine.

Mr. GEORGE. I should like to see several Trojan horses come into the State of Mississippi, with a million dollars apiece in their bellies.

Mr. GRAY. I have no doubt of it. The Senator would like to have the dollars expended, as has been said over and over again on this floor, but if this new power that has been discovered in the Constitution, and which I have called the money power, is to become recognized as properly belonging to our scheme of Government, then I doubt not that the Senators will have more occasions than they think to exercise their powers of resistance to gifts that are accompanied with degrading conditions, but of which no refusal will be allowed or taken.

Mr. GEORGE. Does the Senator deny that the power to appropriate money by the General Government outside of the subsequent limitations of the power—I use the word "subsequent" to designate what follows the first clause—is not now followed in the settled practice of this Government, the practice of every day and every Congress?

Mr. GRAY. Mr. President, I do deny that there is any settled practice while there is a constant protest against that practice. I deny that there is any precedent established by the former history of this country, which we here to-day have the right to protest against, that can be referred to as authority binding upon my conscience or upon yours.

Mr. GEORGE. Is not money appropriated to maintain the Geological Survey?

Mr. GRAY. I might name a great many things in that category that the Senator refers to with so much unction; but whether I choose to answer such instances in detail or not does not affect the argument I am now making.

There are others who entertain the views I am combating, distinguished, earnest, and influential members of this body, and of the same political faith as the Senator from New Hampshire. He is not singular by any means in the beliefs he entertains. I referred awhile ago to the position taken by the distinguished Senator from Massachusetts [Mr. HOAR] in the debate in the Congress to which the report of the Senator from New Hampshire from which I have read a choice sentence or two was made. I have adverted to the fact that the Senator from Massachusetts did not dissent from the propositions of that report, and used language which I could not quote exactly, as I could not lay my hand on the record; but I have it now, and here is what the distinguished Senator said:

> If it be a matter of national concern to provide by national authority that the American people shall be fit in intelligence for a republican government; if we have the right, as we have the right to defend this Constitution in war, to defend it against the greater danger of ignorance in cases where the local instrumentalities, through their own misfortune or through theirown fault, are unable to do it, then this bill is an exertion by national authority of a proper national constitutional function.

It is hardly necessary to remark that when a duty is imposed by the Constitution on the General Government its exercise does not require the assent of the States. My design in citing the opinion of these distinguished Senators and leaders of their party is not now to combat their views or denounce the doctrine of the old Federalist school to which they belong, but to call attention to the danger that lies in the acceptance by the States, from such a quarter, of the aid offered in this bill. There are conditions accompanying the gift, as it is called, which are sufficient now to hand over the practical control of the schools to the Federal Government, but are there any so fond as to believe that when once a foothold is obtained by Federal power for the management of this important function of the State, that new demands will not be made upon the States to surrender more completely their schools to the supervision and control of the Government?

And this demand may come long before the expiration of the eight years provided for in this bill. It may come next year or the year after. What moral tonic do Senators propose to administer to their people that will enable them to resist the debilitating effects of pecuniary dependence? The temptation will again and again be presented to the people of the States as their powers of resistance become enfeebled. If we find the blandishments of the money power of this great central Government, rich in the spoils of unnecessary and unjust taxation of the people, so alluring now, what will be their potency when presented to peoples debauched with their own gold and enervated by the habit of dependence? No, sir; they will be powerless to refuse the imposition of new conditions to their further enjoyment of this rich subsidy, which will have been coming without effort or sacrifice on their part.

A new Congress will more easily than now buy a new surrender, a further abdication of the functions of the State. And I venture to predict that before five years have rolled away we will have a complicated Federal school system in all the States, with superintendents of education in each State appointed here in Washington, the teachers appointed or their appointments supervised by Federal authority, schoolbooks prescribed, and all the features of Prussian bureau government fully developed.

*Obsta principiis* is a maxim as wise as it is ancient. Oppose the beginnings of this new crusade under the old Federalist banner against the rights of the States. Do not trust to the specious and ingenious reasoning which has discovered a power of appropriation as a distinct and substantive grant of power to Congress. Let us listen rather to the teaching of Jefferson, who from the shades of Monticello on June 16, 1817, with the ripened judgment of a mind unclouded by ambition or passion, for his long career of public service was then all behind him, wrote thus to Albert Gallatin:

> You will have learned that an act for internal improvement, after passing both Houses, was negatived by the President. The act was founded, avowedly, on the principle that the phrase in the Constitution which authorizes Congress "to lay taxes to pay the debts and provide for the general welfare," was an extension of the powers specifically enumerated to whatever would promote the general welfare; and this, you know, was the Federal doctrine. Whereas our tenet ever was, and, indeed, it is almost the only landmark which now divides the Federalists from the Republicans, that Congress had not unlimited powers to provide for the general welfare, but were restrained to those specifically enumerated, and that, as it was never meant they should provide for that welfare but by the exercise of the enumerated powers, so it could not have been meant they should raise money for purposes which the enumeration did not place under their action.

That was Mr. Jefferson's opinion on the power of appropriation which has been so much refined about in this argument.

Mr. BLAIR. What is the date of that?

Mr. GRAY. June 16, 1817. Mr. Jefferson never for a moment entertained the idea that there was any power in the Constitution to do such a thing as this bill contemplates.

But the advocates of the bill say that it is demanded by the startling and alarming condition of illiteracy obtaining in the old slave States; that it is necessary "to preserve the nation;" that the power to pass this bill is the power of self-preservation and the right to save the life of the nation.

How absurd is all this in the face of the facts? Those States have grown from thirteen to thirty-eight, and population has increased from three to fifty millions, and wealth in a greater proportion, until we are the foremost nation in the world in power, intelligence, and natural resources. With this remarkable growth the common-school system of the several States has kept pace. That generous rivalry and competition among the States to which we owe so much, of which I spoke awhile ago, has produced this result. The States most backward are advancing to the front, and illiteracy, even where most prevalent on account of the newly-enfranchised slaves, is rapidly disappearing. Where, then, is this appalling danger which is to fright us from propriety and sense of constitutional obligation?

The lately seceded States have passed through the darkest period of their depression, and are now building up their waste places and displaying powers of recuperation that are the admiration of the world. All the functions of statehood are again in active operation. Thrown back on their own resources, they have asserted the highest qualities of American citizenship and are working out their own salvation, and will continue to work it out if let alone. The great principle of local self-government as displayed in the States of this Union, has never failed to vindicate itself, and we need not to fear that it ever will fail to do so.

What are the facts which are the excuse for all these hysterical and exaggerated statements of dangers that menace our future? Why, simply that the census shows that in the late slave States, owing to the enfranchisement of the colored people, mostly those who had been slaves, an enormous mass of illiteracy was thrust into political power. This was the real danger that menaced our future twenty years ago. And gentlemen who are advocating this bill might well then have paused and appreciated the danger, and delayed the conferrence of the suffrage until this illiteracy was removed. But that burden was placed on those States, and the party in power did not so much as touch it with its little finger. Happily, and thank God, that danger is largely passed. The adults who came out of the old state of things compose the mass of illiterates, and for them this bill has and can have no provision. That percentage of illiteracy is passing away with the generation that was on the stage fifteen or twenty years ago, and the illiterates

whom this bill will affect are those who will always be with us North and South alike—I mean the children between the ages of five or six and eighteen or twenty. Does any Senator pretend to say that there is any alarming disproportion between the Northern and Southern States as to the illiteracy of the children? In the nature of things it can not be. And the figures obtainable prove that it is not so. I submit the tables prepared by the heads of the educational department in certain States, at the instance of the New York Evening Post. These show the percentage of school population enrolled as scholars in each of the States named, and the percentage of average daily attendance.

| States. | Per cent. enrolled. | Average daily attendance. | Length of school year in days. | Amount expended per pupil. |
|---|---|---|---|---|
| Maine | 69 | 68 | 104 | $7.75 |
| New Hampshire | 64 | 71 | 100 | 9.63 |
| Vermont | 72 | 68 | 126 | 8.37 |
| Delaware | 77 | 61 | 157 | 6.88 |
| Maryland | 55 | 51 | 182 | 10.09 |
| Virginia | 52 | 57 | 120 | 4.59 |
| West Virginia | 73 | 61 | 100 | 5.99 |
| Missouri | 68 | 75 | 113 | 8.13 |
| Texas | 79 | ..... | 100 | 6.78 |
| Florida | 93 | 73 | 90 | 5.37 |
| Tennessee | 61 | 59 | 78 | 2.73 |
| Minnesota | 62 | 45 | 112 | 12.63 |
| Kansas | 74 | 68 | 115 | 9.50 |
| Nebraska | 66 | 60 | 120 | 13.39 |
| Alabama | 56 | 62 | 83 | 2.30 |
| Mississippi | 60 | 58 | 77½ | 3.01 |
| South Carolina | 63 | 69 | 70 | 2.41 |
| North Carolina | 56 | 62 | 62 | 2.12 |
| Georgia | 57 | 66 | 65 | 2.12 |
| Kentucky | 49 | 63 | 102 | 2.48 |
| Arkansas | 48 | ..... | ..... | 3.67 |
| Louisiana | 19 | 69 | 102 | 4.24 |
| Maine, 1860-'70 | 60 | 78 | 99 | 5.05 |
| New Hampshire, 1860-'70 | 85 | 65 | 97 | 4.01 |
| Vermont, 1860-'70 | 78 | 64 | 119 | 5.06 |

So there is not enough difference to talk about between the percentages of children of school age who attend school North and South. Indeed, the percentage of children of school age enrolled in the State of Florida, 93, is far above that of any Northern State. We are now dealing with the only class who can be reached by this bill, not with illiterate adults, most of them born in slavery and passing away with the generation to which they belong, and hopelessly beyond the reach of any educational system, State or national. Yet it is this class of adult illiterates which swells the census reports, and on which is based the proportion that is to govern the distribution of this magnificent appropriation out of the common Treasury to and among the States.

What warrant in the Constitution, in fair dealing, or in precedent for thus taxing the people of one State for the benefit of another? Why should money be taken from the people of Maine or Massachusetts or Minnesota to be given to the people of Texas to cure an illiteracy of the children of that State not greater in proportion to population than exists in the States just named?

Taking States nearly equal in population, we find that the aggregate of the sums appropriated by this bill for eight years will at the end of that period have been distributed thus: West Virginia, with a population of 618,457, will get $1,057,893, and Maine, with a population of 648,936, only $274,708. Georgia, with a population of 1,542,180, will get $6,448,482, while Michigan, with a population of 1,636,937, will get only $789,592. Minnesota, with a population of nearly 800,000, gets only $428,000, while South Carolina, with a population of 990,000, will get $4,582,792.

I would call the attention of Southern men to the fact, which was made so plain by the Senator from Maryland [Mr. WILSON], that for every dollar received by them under this bill, they will have to pay two in the shape of indirect taxes. Florida, with a population of 269,493, gets $993,548, while Rhode Island, with a population of 276,531, gets $307,210, and Vermont, with a population of 332,286, gets only $196,236. And yet Florida, as shown by the table to which I have referred, has 93 per cent. of her children of school age enrolled, and 73 per cent. average attendance—a higher ratio than either of the other States. And, to display the inequity of the proposition still further, I quote from the last message of Governor Perry, of Florida, to the State Legislature, which convened in April last. After stating that the public debt had been decreased by $126,800 during the past two years, and that the taxable property had during the same period increased from $60,000,000 to $76,641,409, he goes on to say:

The cause of education and public schools in our State has kept pace with, if not outrun, our material progress.

Again he says that—

In the matter of public schools Florida is fast taking rank with some of the foremost States.

All hail to Florida! I honor her noble sons and daughters who are willing to endure the sacrifice and make the exertion to accomplish these magnificent results. They do not need any help. They have asserted their self-reliance and manhood, and illustrated anew the capacity of our American system of local self-government to answer its great ends, and shame and confusion be on the efforts to take one leaf from her well-earned crown of American statehood.

But what of the States of Vermont and Rhode Island, with nearly equal population, who get of this just about one-ninth or one-eighth as much as Florida, who bear their own burdens of taxation for the education of their own children? On what just ground shall these toiling masses be asked to contribute of their hard-earned dollars to support a school system for the children of Florida? Is this an equal administration of the great powers of this Government, or one that is demanded by any considerations of justice? Is it such a dealing with the common funds of all the people as they all and singular have the right to demand? Is it not forbidden by those principles which control the relation of the States to the Federal Government, and a violation of the fundamental maxims that in our American systems at least lie at the foundation of all just taxing laws?

We are the trustees of an express trust, and have no right to thus prefer one *cestui que trust* to another.

The financial ability of those Southern States to meet and grapple successfully with the question of education has been, I submit, misrepresented. They are making, as all know, marvelous growth in material prosperity, and the new generation that has come on since the war have felt the stimulus of necessity and have seized with rare energy and courage the opportunities that the abundant natural resources of their States have presented. They have, indeed, "set their faces toward the morning," and the new South, with the lusty strength of a young giant, has responded to the quickening impulse of restored freedom and local self-government, so long in abeyance.

What more magnificent illustration of the beneficence of this great American principle? Pause, and pause long, I beseech you, before you thrust these States back from the high and gloriously-earned plane of self-sufficient statehood to the enervating vassalage of pecuniary dependence. Look at the facts and say whether there is anything in the work done and being done on an increasing scale by these States in the support of common schools to justify this extraordinary and extra-constitutional measure.

In support of the general position I am taking, I read the following article from the New York Evening Post:

The vital question is whether the South is now herself educating her children so that they will not be illiterates when they grow up. Advocates of the Blair bill always insist that it is not, because the South does not have as good schools as cities in the North have. The Evening Post has pointed out that the proper comparison is with thinly settled agricultural States, like Maine, New Hampshire, and Vermont, and has shown that illiteracy has been avoided in these New England States by a school system no better than that which many Southern States already have, and which the others will soon have at their present rate of progress. It was a great surprise to Northern people when we demonstrated that a number of Southern States keep their children in school more days in the year than New Hampshire does hers; but the truth is at last accepted, even by New Hampshire, and the Concord Monitor, last April, told its readers that "New Hampshire has less schooling than Delaware, Maryland, Virginia, West Virginia, or Missouri"—to which it should have added Texas and Kentucky, while Florida and two or three others are within a few days of the New Hampshire average. In like manner the Monitor might have shown that a larger percentage of the children of school age are enrolled in the public schools of some Southern States than in New Hampshire, while even South Carolina, which has the largest proportion of negroes, falls only a trifle behind New Hampshire in this respect.

I refer Senators also to the significant statements of General S. C. Armstrong, which I read from the Lynchburgh Virginian of January 9:

A CHANGE OF FRONT.

General S. C. Armstrong, principal of the Hampton Normal and Agricultural Institute, who was formerly an earnest advocate of the Blair educational bill, has changed his opinion as to the practicability of Federal aid to education in the South, and now comes out against the proposition. In his nineteenth annual report of the operations of the Hampton School, General Armstrong says:

"Many have looked to Government aid as the only relief. I long had that feeling, but since the marvelous educational progress of Virginia and other Southern States, my opinion has changed. The argument for national educational aid for the ex-slave States has unquestionably weakened. * * *

"I believe that two millions, or perhaps more, of our negro population have still very inadequate school privileges, are wretchedly taught, if at all, and are suffering terribly from mental and moral darkness, helpless victims of others' avarice and of their own ignorance. We should hasten to help them. Can it be done? National aid is certainly of doubtful wisdom, if it must extend to all for the sake of reaching these, for it might do more harm than good. I do not believe in the "Blair bill" as a wholesome measure, and indeed do not see how the needed aid can now be given, the crying evils remedied, by any national measure. Every year, however, will brighten the outlook. The educational progressive movement at the South is, I believe, the most marvelous and the grandest fact or feature in this century of American life."

As showing also the effect on reflective minds of the longer consideration of the policy of this measure, I ask to have read the following letter from A. P. Marble, superintendent of the public schools in Worcester, Mass.:

Massachusetts and the Blair bill.—A leading educator declares that the people do not favor the scheme.

*To the Editor of the Evening Post:*

SIR: I was at first favorable to national aid to Southern schools in some form, but the more I watched the educational sentiment and the activity of the new South, and the more I reflected upon the history of assistance from large funds—instance, the pernicious effect of the Connecticut Western Reserve school fund—the more I came to doubt the wisdom of Federal aid.

In the first place, the people of the South have awakened to the necessity of public education; and they are at work actively and successfully in the right direction. It is only through this public, active interest that a good system of schools can be either established or maintained.

Secondly, the people of the Southern States are as able to establish their schools as any of the new Western States have been, or are to-day, and as well able also as any of the older States were at the beginning. The argument that those States formerly slave are poorer than they were before the war, by the value of the slave, is fallacious, since a free man is worth more, and not less, than a slave to any community.

Thirdly, I feel sure that a large distribution of money from the surplus in the Treasury would not all find its way into the school rooms, but would be to a large extent frittered away in the course of the distribution; and that instead of a healty emulation to see who will do best in establishing schools of their own, and thus attracting business and population, as they do in the West and are doing in the South, there will arise a pernicious strife to see who can gobble up the largest share of the loaves and fishes.

Lastly, I oppose this move, as I do other innovations of similar injurious character, on the general principle that in this country it is the duty and the privilege of the individual to provide for himself and take care of himself; and it is not the duty of the Government to act the fond parent towards the people of this country. If the people can not take care of themselves, and if the Government must then take care of them, we reduce ourselves to an absurdity, since the Government is nothing but the expression of the people's will.

There is no foundation for the statement that the people of Massachusetts favor this bill. They have never expressed themselves. People actively interested in the measure have indeed secured the passage of "resolutions" committing, apparently, large bodies of influential citizens in its favor. This is so only in appearance. To illustrate: The Massachusetts Teachers' Association met in the fall of 1886. This subject was not discussed by the 800 or 1,000 members at all. But at a meeting of the directors the last day, near the close of the meeting, when all but a dozen or twenty had left the hall, some one introduced a resolution in favor of national aid. Objection was made that the subject had not been discussed, and that the few remaining members were not authorized to act in this matter for the association. I have forgotten whether or not the resolution was adopted. If so, it represents nothing but the hasty opinion of a majority of a dozen or two of men.

Last Saturday there was a meeting of the directors of the American Institute of Instruction, a New England body of great antiquity. An indorsing resolution was introduced and lost by a vote of 16 to 11. Subsequently, after a large part of the membership had gone home, it was brought up again and carried against a vigorous protest. This resolution will doubtless be paraded to do duty as the expression of the American Institute of Instruction. That body has not spoken at all; for the directors, even if they had been unanimous, have not been authorized to act in this matter; and what they may say carries with it only the weight which the movers have as individuals.

The department of superintendence of the National Educational Association, composed of State, county, and city superintendents from, generally, three-fourths of the States in the Union, met in Washington last February. This subject was assigned to an evening discussion. The programme was made out, and all the time was occupied by the speakers—selected in advance because they approved the measure in almost, if not quite, every case. No free expression of opinion was had. But at the close, in a promiscuous audience, the resolution was presented and declared adopted. There is no other evidence that it expressed the opinion of the members of that body.

No one has the right to say that the teachers of Massachusetts favor the Blair bill, or any other bill on that subject. And the people of the State have not expressed themselves on the question.

Yours truly,

A. P. MARBLE.

OFFICE OF SUPERINTENDENT OF PUBLIC SCHOOLS,
*Worcester, Mass., January 9.*

Let us not hear after this showing anything more of the extraordinary emergency arising from the inability of the Southern States to deal with the illiteracy of their people. I do not believe that the self-respecting and intelligent people of those States would hear without a blush the appeals *in formâ pauperis* made in their behalf.

Mr. President, there is in truth and reality no occasion for all this talk about the safety of the Republic being menaced by either the illiteracy of the Southern States or their helpless poverty. Southern Senators, I know, would resent these imputations on their States did they not believe that their people demanded of them not to stand in the way of this magnificent subsidy.

No, sir; the real danger lies in another quarter. It is the harmony of our dual system of government and the experiment of self-government by the States that are really menaced by a danger which threatens all alike—the States that pay as well as those that receive.

Mr. President, I believe myself to be as good a friend of education and the common schools as the Senator from New Hampshire. They have grown up and expanded under the benign influence of our systems of local self-government as they have done nowhere else in the world. While educating the mental faculties they have also taught the responsibilities and duties of citizenship by the efforts and sacrifices necessary to their support. They are valued because they are attained by effort and sacrifice. Who shall say that a hardier manhood and a higher conception of citizenship have not been the result of leaving this matter to the States?

Let it so remain. Teach the children the history of their country, and imbue them with the spirit of her institutions. Let this Constitution be carried in the memory of every child that goes out from the portals of a common school. Let him be taught that the Government that it establishes is as strong in its limitations as it is in its powers; that the structure reared by our fathers, that has withstood the shock of foreign war and the tempest of civil strife, will survive to protect them and their children's children so long, and only so long, as they are true to the principles on which it is founded, and the genius of its structure.

Mr. BLAIR. Mr. President, I do not design, of course, at this time to enter upon any reply to the Senator from Delaware, or to any other Senator who has addressed this body against the bill under consideration. I wish merely to place on record the statement of fact that the Southern States contain more than 20,000,000 people, more than one-third of the population of this country. The latest, and, so far as I can judge, the most reliable, statistics of the amount of expenditure in the whole country for the support of the public schools fixes that amount at about $102,000,000, of which $17,000,000 is the highest estimate I have seen as being expended in the Southern States, where over 20,000,000 of the 60,000,000 of our population reside. In regard to the other statistics from the New York Evening Post, presented by the Senator, I shall at the proper time have something to offer.

Mr. HARRIS. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 30 minutes p. m.) the Senate adjourned until Monday, January 16, 1888, at 12 o'clock m.

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## HOUSE OF REPRESENTATIVES.

### FRIDAY, *January* 13, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

UNITED STATES MARSHAL, ALASKA.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Attorney-General of an appropriation to pay Barton Atkins, United States marshal of Alaska, for expenses incurred in guarding the Chinese quarters in Juneau, Alaska; which was referred to the Committee on Appropriations, and ordered to be printed.

ROBERT F. ARNOLD.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Attorney-General of an estimate to pay Robert F. Arnold for services in prosecuting mail-robbers in the district court at Graham, Tex.; which was referred to the Committee on Appropriations, and ordered to be printed.

BUREAU OF LABOR.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a communication from the Commissioner of Labor, submitting an increased estimate of appropriations for rent of buildings for that bureau for the fiscal year 1889; which was referred to the Committee on Appropriations, and ordered to be printed.

NEWTON M'COY.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Attorney-General of an appropriation to pay Newton McCoy for services and expenses as counsel for the United States in the prosecution of fraudulent timber-land entries; which was referred to the Committee on Appropriations, and ordered to be printed.

UNITED STATES CONSUL, MANILA.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting, with inclosures, an estimate of the Secretary of State for salary to the consul of the United States at Manila, Philippine Islands, and for clerk-hire at the same post; which was referred to the Committee on Foreign Affairs, and ordered to be printed.

AGRICULTURAL-EXPERIMENT STATIONS.

Mr. HATCH, from the Committee on Agriculture, reported a bill (H. R. 4881) making an appropriation to carry into effect the provisions of an act approved March 2, 1887, entitled "An act to establish agricultural-experiment stations in connection with the colleges established in the several States under the provisions of the act approved July 2, 1862, and of acts supplementary thereto;" which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying papers, ordered to be printed.

Mr. HATCH. I will state, Mr. Speaker, that if this bill shall come back to-morrow from the Government Printing Office, I will ask the House to go into Committee of the Whole for its consideration immediately after the reading of the Journal.

Mr. ROGERS. I do not know what the bill is, but reserve all points of order upon it.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. FRENCH until Monday, on account of important business.

DUTY ON SCIENTIFIC AND EDUCATIONAL BOOKS.

Mr. WASHINGTON. I ask unanimous consent to present a petition of the faculty of Vanderbilt University, Nashville, Tenn., asking that the import duty be taken off all scientific and educational books. I ask that the petition be read, and that it be printed in the RECORD.

The SPEAKER. The petition will be read, after which the Chair will ask for objections.

The petition was read.

The SPEAKER. Is there objection?

Mr. BURROWS. Why should not this petition take the usual course of petitions, and go into the petition-box? I object.

ORDER OF BUSINESS.

Mr. LANHAM. I call for the regular order.

The SPEAKER. The regular order is the call of committees for reports of bills of a private nature.

BENJAMIN M. SIMPSON.

Mr. WHEELER, from the Committee on the Public Lands, reported back with a favorable recommendation the bill (H. R. 48) for the relief of Benjamin M. Simpson; which was referred to the Committee of the Whole House on the Private Calandar, and, with the accompanying report, ordered to be printed.

SALE OF INDIAN LANDS IN KANSAS.

Mr. PERKINS, from the Committee on Indian Affairs, reported back with amendments the bill (H. R. 1406) to provide for the sale of certain Indian lands in Kansas.

The SPEAKER. This is a public bill, but if there be no objection the report will be received.

There was no objection; and the bill was referred to the House Calendar, and, with the amendments and accompanying report, ordered to be printed.

CHARLOTTE CAROLINE HACKLEMAN.

Mr. MATSON, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 120) for the relief of Charlotte Caroline Hackleman; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY C. KNIGHT.

Mr. GALLINGER, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 440) granting a pension to Mary C. Knight; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. ELIZA L. MACE.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 263) granting a pension to Mrs. Eliza L. Mace; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. P. L. WARD.

Mr. GAINES, from the Committee on War Claims, reported back with a favorable recommendation the bill (H. R. 611) for the relief of Mrs. P. L. Ward, widow and executrix of William Ward, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

FOURTH REGIMENT IOWA INFANTRY.

Mr. THOMAS, of Wisconsin, from the Committee on War Claims, reported back with a favorable recommendation the bill (H. R. 1387) for the relief of volunteers of the Fourth Regiment of Iowa Infantry; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

STEPHEN M. HONEYCUTT.

Mr. BROWER, from the Committee on War Claims, reported back with a favorable recommendation the bill (H. R. 481) for the relief of Stephen M. Honeycutt; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LEVI JONES.

Mr. BROWER also, from the Committee on War Claims, reported back with a favorable recommendation the bill (H. R. 482) for the relief of Levi Jones; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER. The call of committees for reports of a private nature is completed.

Mr. LANHAM. I move that the House resolve itself into Committee of the Whole House for the consideration of bills on the Private Calendar.

Mr. BLOUNT. Will the gentleman from Texas yield to me for a moment? I wish to ask unanimous consent to allow the consideration at this time of the bill relating to permissible marks, printing or writing, upon second, third, and fourth class mail matter.

Mr. LANHAM. Is the bill likely to create discussion?

Mr. BLOUNT. I think not. It is unanimously reported by the Committee on the Post-Office and Post-Roads. Its passage is desired by the Department, and I trust the gentleman from Texas will allow it to come up for consideration at this time.

Mr. LANHAM. I yield for that purpose.

The SPEAKER. The gentleman from Texas withdraws his motion for the present, and the gentleman from Georgia [Mr. BLOUNT] asks unanimous consent to take up for consideration at this time the bill the title of which will be read.

PERMISSIBLE MARKS ON POSTAL MATTER.

The Clerk read as follows:

A bill (H. R. 3318) relating to permissible marks, printing or writing, upon second, third, and fourth class matter, and to amend the twenty-second and twenty-third sections of an act entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1889, and for other purposes."

Mr. BAYNE. I wish to inquire how much time the consideration of this bill will take.

Mr. BLOUNT. I can not answer that question. It is a bill recommended by the Department and unanimously reported by the committee. I have no doubt the gentleman from Pennsylvania has considered it as we all have, and I think it will not take up much time.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none, and the Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That mailable matter of the second class shall contain no writing, print, or sign thereon or therein in addition to the original print, except as herein provided, to wit, the name and address of the person to whom the matter shall be sent; index figures of subscription book, either printed or written; the printed title of the publication and the place of its publication; the printed or written name and address, without addition of advertisement, of the publisher or sender, or both, and written or printed words or figures, or both, indicating the date on which the subscription to such matter will end; the correction of any typographical error; a mark, except by written or printed words, to designate a word or passage to which it is desired to call attention; the words "sample copy," when the matter is sent as such; the words "marked copy," when the matter contains a marked item or article; and publishers or news agents may inclose in their publications bills, receipts, and orders for subscription thereto, but the same shall be in such form as to convey no other information than the name, place of publication, subscription price of the publication to which they refer, and the subscription due thereon. Upon matter of the third class, or upon the wrapper inclosing the same, the sender may write his own name, occupation, and residence or business address, preceded by the word "from," and may make marks other than by written or printed words to call attention to any word or passage in the text, and may correct any typographical errors. There may be placed upon the blank leaves or cover of any book or printed matter of the third class a simple manuscript dedication or inscription not of the nature of a personal correspondence. Upon the wrapper of third-class matter may be printed any matter mailable as third class, but there must be left on the address side or face a space or face of at least 3½ inches in length and 2½ inches in width on which nothing shall be placed but the name and address of the person to whom the matter is sent. With a package of fourth-class matter, prepaid at the proper rate for that class, the sender may inclose any mailable third-class matter, and may write upon the wrapper or cover thereof, or tag or label accompanying the same, his name, occupation, residence or business address, preceded by the word "from," or may print thereon the same, and any printed matter not in the nature of a personal correspondence, but there must be left on the address side or face of the package a space of at least 3½ inches in length and 2½ inches in width in which nothing shall be placed but the address of the person to whom the matter is sent. In all cases directions for delivery, forwarding, or return shall be deemed part of the address.

SEC. 2. That matter of the second, third, or fourth class containing any writing or printing in addition to the original matter, other than as authorized in the preceding section, shall not be admitted to the mails, nor delivered, except upon payment of postage for matter of the first class, deducting therefrom any amount which may have been prepaid by stamps affixed; and any person who shall conceal or inclose any matter of a higher class in that of a lower class, and deposit or cause the same to be deposited for conveyance by mail, at a less rate than would be charged for both such higher and lower class matter, shall for every such offense be liable to a penalty of $10.

The SPEAKER. The bill is reported with amendments which the Clerk will read.

The Clerk read as follows:

In section 1, line 24, after the word "wrapper," add the words "or envelope."

In the same line, after the word "same," add the words "or the tag or label attached thereto."

In line 33, after the word "wrapper," add the words "or envelope."

In the same line, after the word "matter," add the words "or the tag or label attached thereto."

In line 35, strike out the words "or face."

In line 36, after the word "space," insert the words "sufficient for a legible address and necessary stamps;" and strike out the words "or face of at least 3½ inches in length and 2½ inches in width, on which nothing shall be placed but the name and address of the person to whom the matter is sent."

In line 45, after the word "from," insert "and any marks, numbers, names, or letters for purpose of description."

In line 49, after the word "space," insert the words "sufficient for a legible address and necessary stamps;" and strike out these words: "of at least 3½ inches in length and 2½ inches in width, in which nothing shall be placed but the address of the person to whom the matter is sent."

In line 53, after the word "for," insert the word "transit."

In line 54, after the word "address," insert the words "and the Postmaster-General shall prescribe suitable regulations for carrying this section into effect."

In section 2, line 7, after the word "affixed," insert the words "unless by direction of the Postmaster-General such postage shall be remitted."

Mr. BLOUNT. Mr. Speaker, I send to the Clerk's desk to have read to the House sections 22 and 23 of the act which prescribes the writing, printing, and other marks which may be placed upon mail matter of the second, third, and fourth classes. After the House shall have heard those sections read it will be easier to explain the reasons for this bill.

The Clerk read as follows:

SEC. 22. That mailable matter of the second class shall contain no writing, print, mark, or sign, thereon or therein, in addition to the original print, except as herein provided, to wit, the name and address of the person to whom the matter shall be sent, and index figures of subscription book, either written or printed, the printed title of the publication, the printed name and address of the publisher or sender of the same, and written or printed words or figures, or both, indicating the date on which the subscription to such matter will end.

Upon matter of the third class, or upon the wrapper inclosing the same, the sender may write his own name or address thereon, with the word "from" above and preceding the same, and in either case may make simple marks intended to designate a word or passage of the text to which it is desired to call attention. There may be placed upon the cover or blank leaves of any book or any printed matter of the third class a simple manuscript dedication or inscription that does not partake of the nature of a personal correspondence. Upon any package of matter of the fourth class the sender may write or print his own name and address, preceded by the word "from," and there may also be written or printed the number and names of the articles inclosed; and the sender thereof may write or print upon or attach to any such articles, by tag or label, a mark, number, name, or letter for the purpose of identification.

SEC. 23. That matter of the second, third, or fourth class containing any writing or printing other than indicated in the preceding section, or made in the manner other than therein indicated, shall not be delivered except upon the payment of postage for matter of the first class, deducting therefrom any amount which may have been prepaid by stamps affixed to such matter; and any person who shall conceal or inclose any matter of a higher class, and deposit or cause the same to be deposited for conveyance by mail, at a less rate than would be charged for both such higher and lower class matter, shall, for every such offense, be liable to a penalty of $10: *Provided, however*, That nothing herein contained shall be so construed as to prevent publishers of the second class and news agents from inclosing in their publications, bills, receipts, and orders for subscription thereto; but such bills, receipts, and orders shall be in such form as to convey no other information than the name, location, and subscription price of the publication or publications to which they refer.

Mr. BLOUNT. The House will observe the terms of the statute and will see that there is great particularity in prescribing what may be put upon the wrappers and envelopes of second, third, and fourth class matter and what may be placed therein. There have been heretofore regulations in conflict with the statute. There have been practices in conflict with it. It did not, however, lie in the power of a Department recognizing the authority of law over it to provide relief for any cases of hardship which had been ignored by the law-making power. I wish at this point to call attention to the definition of the several classes of matter to which this bill relates. Matter of the second class, which is entitled to the pound rate, consists of newspapers or periodicals sent from offices of publication or by news agents for distribution to subscribers, or for sale. The cheap rate of 1 cent a pound is charged in such cases. When otherwise transmitted, matter of this class must pay at the rate of 1 cent for four ounces. Matter of the third class comprises documents, circulars, printed matter, proof sheets and accompanying manuscript copy, and the rate is 1 cent for two ounces or 8 cents for one pound. Matter of the fourth class is all such as is admissible to the mails and not within the other classes; chiefly goods, merchandise, and samples of goods. The rate for this class of matter is 1 cent per ounce or 16 cents per pound. It will be observed, Mr. Speaker, that second-class matter is carried at an exceedingly low rate, and that exact conformity to the provisions of the statute in relation to such matter was absolutely necessary in order to avoid a large reduction of revenue.

In reference to the inclosure of any third-class matter in matter of the fourth class, it is observed by the Postmaster-General that there can be no objection to this, because the matter inclosed would thereby pay a higher rate. Still it appears that by the express terms of the statute this is not now allowable. So likewise in regard to merchandise, advertisements and directions for use printed on the same are not allowable under the statute. The Postmaster-General, commenting upon this, says:

The law appears to go upon the theory that advertisements ought not to be permitted upon third or fourth class parcels. I am not able to discern any sound objection to this privilege, if the advertisement be so limited as to leave a sufficient space for the address, for post-marking and rating, and for reforwarding or return addresses. Such printing adds nothing of burden to the mails, and can not be thought to limit their employment otherwise. More probably it increases it.

In reference to violations of the statute, however, he says:

It appears that envelopes have been frequently printed by those who habitually send circulars or merchandise samples, with advertisements ranging from simple additions to the sender's name descriptive of his business pursuits, to very elaborate representations, sometimes pictorially illustrated; and that wrappers of merchandise samples occasionally bore printed communications as explicit in direction as could be desirable in a written personal communication to accompany them, and such as would dispense with necessity for any other first-class correspondence in that connection.

Here is where the complaint comes:

The suspension of the use of these prepared envelopes and wrappers rendered them temporarily valueless for their objects, and caused much annoyance and irritation with those who had been in the practice of using them.

This "practice of using them" is, by reference to the statute, clearly unlawful.

Appeals from postmasters to the Department have presented almost every aspect of these cases. Some are exceedingly trivial in so far as real importance attaches to the added matter, but many are obviously abuses, and between the two extremes the range of transgression extends over innumerable different instances. The majority of wrappers appear very harmless, and no injury to the revenue or the service can be likely to result from their use. With few exceptions all would have been admitted if any rightful power to dispense with the statute were vested in the Department. The want of it has been somewhat painful, because it would have relieved substantially all complaint could the use of only such envelopes and wrappers as had been already prepared have been authorized, the public generally manifesting no unwillingness to comply with the requirements of the law. No such authority could be discovered, nor any line be drawn other than that drawn by the explicit statute, and the Department has been compelled to inaction, except to relieve from penalties in some proper cases.

With the view of meeting these objections, the original bill contained several provisions to which I will call attention; and to these, amendments, which are printed in italics, have been added by the committee.

In line 8 of the bill the words "and the place of its publication," are an addition to the statute. In line 9, after the word "printed" have been inserted the words "or written." After the word "address," in the same line, there have been inserted the words "without addition of advertisement." In lines 12 and 13, the words "the correction of any typographical error" have been inserted. In lines 15 and 16 there has been this insertion, "the words 'sample copy' when the matter is sent as such." The practice of placing upon this class of matters the words "sample copy" has grown up under a regulation of the Department, but is contrary to the statute; and it has been thought proper by the Department that these words should be inserted in order that there may be no room for criticism on this point. The same remark may be made in regard to this addition, "the words 'marked copy' when the matter contains a marked item or article."

In line 24 the words "or envelope" are an addition made by the committee to the bill. In lines 24 and 25 the words "or tag or label attached thereto" are an amendment of the committee. This modification is in the nature of an addition to the privileges allowed under the existing law. In lines 25 and 26 the words "occupation and residence or business address" have been added. Heretofore the sender has been allowed simply to write his own name and address.

In line 29 there have been added the words "and may correct any typographical errors." This has been a matter of practice, but without authority of law. In lines 33 to 36 the following provision is new:

Upon the wrapper or envelope of third-class matter or the tag or label attached thereto may be printed any matter mailable as third-class, but there must be left on the address side a space sufficient for a legible address and necessary stamps.

The following, in lines 40 to 44 inclusive, is also new:

With a package of fourth-class matter prepaid at the proper rate for that class, the sender may inclose any mailable third-class matter, and may write upon the wrapper or cover thereof, or tag or label accompanying the same, his name, occupation, residence, or business address.

In lines 45 and 46 there have been inserted the words "and any marks, numbers, names, or letters for purpose of description." This is an amendment to the bill as originally introduced, but corresponds with the existing law. The words immediately following, "or may print thereon the same or any printed matter not in the nature of a personal correspondence," are also new.

Further on we have an addition in this clause:

But there must be left on the address side or face of the package a space sufficient for a legible address and necessary stamps.

The original bill, it will be observed, proposed to fix by law the space allowed for this purpose, which was to be determined with reference to the size of the packages in which merchandise might be contained. The committee thought it best to insert this provision, allowing the matter to be regulated by the Postmaster-General.

In lines 54 to 56 the committee have amended the bill by inserting these words:

And the Postmaster-General shall prescribe suitable regulations for carrying this section into effect.

This is designed to cover the whole subject of space.

Section 2, which has been read, contains an amendment to this effect: That where mail-matter has been improperly inserted under cover, the effect of which would be to defraud the Government, it may be delivered to the person to whom it is addressed upon payment by him in stamps at the highest rate. In the following terms there is a provision for remission in certain cases:

Unless by direction of the Postmaster-General such postage shall be remitted.

This, sir, covers, as I understand it, the whole ground of complaint throughout the country. It places the legislation in accord with the practice before the recent rulings. Unless some gentleman desires to be heard, I shall ask the previous question on the bill and amendments. Does the gentleman from Pennsylvania desire to be heard?

Mr. BINGHAM. A few words.

Mr. BLOUNT. How long?

Mr. BINGHAM. Five minutes.

Mr. BLOUNT. I will yield the gentleman five minutes of my time.

Mr. DINGLEY. I was not able to catch, from the reading of the bill, exactly what it does provide. I desire, therefore, to ask the gentleman whether by this bill, which relates to the sending of fourth-class matter, the sender is allowed to write his name and address on the wrapper.

Mr. LONG. The bill is printed.

Mr. DINGLEY. I have not yet received a copy of it.

Mr. BLOUNT. What is the gentleman's question?

Mr. DINGLEY. I desire to ask whether by this bill the sender of fourth-class matter is allowed to write on the wrapper his name, residence, and business.

Mr. BLOUNT. Oh, yes.

Mr. DINGLEY. There is no question about that.

Mr. BLOUNT. Not at all. The sender is permitted to write his name, address, and business.

Mr. BINGHAM. Mr. Speaker, I am sure had the remarks of the gentleman from Georgia [Mr. BLOUNT] in charge of the bill been heard on this side of the House there would be no necessity for any further discussion of this proposed legislation. While I take exception to the

ruling of the Department under the statute of 1879, I wish to say that the Postmaster-General, at the first opportunity, in presenting his report to Congress, certified his willingness from his standpoint of consideration to broaden and widen the legislation covering the second, third, and fourth class mail-matter. The proposition made in this bill is simply to have the effect of meeting the requirements of every business firm to send through the mails second, third, and fourth class matter; not only to write the name and address, but also the indication of the profession, occupation, or business of the sender.

The amendments of the gentleman from Georgia, contained in this bill, will also cover all the matter which, under the ruling of the Postmaster-General, has either been subjected to fine or rejected from the mail. The law now allows the indication upon the envelope, tag, or label of the name and address of the sender. This law broadens it, and allows the profession, occupation, and the business, and the indication of the contents of a third or fourth-class bundle or package.

This bill comes recommended by the Postmaster-General after careful revision of the law by the law officer of the Department. It embodies the substance of the bills presented by other gentlemen representing large constituencies who have felt the severity of the judgment of the Department. It comes with the unanimous consent of your Committee on the Post-Office and Post-Roads, and will cover the demand of every interest which seems to have been severely affected by the decision of the Postmaster-General. Therefore I hope the bill will pass without further debate.

Mr. NORWOOD. I desire to suggest an amendment to my colleague, to insert the word "knowingly" in the second section after the word "shall" and before the word "conceal." As it is, you impose penalty for a mistake where the party may not intend any violation of the law.

Mr. BLOUNT. Does my colleague suggest an amendment?

Mr. NORWOOD. Yes; I move to insert the word "knowingly" in the second section; so it will read: "no person who shall knowingly conceal or inclose any matter of a higher class in that of a lower," etc.

Mr. BLOUNT. I see no objection to my colleague's amendment.

Mr. NORWOOD. As the bill now stands, any one who may unwittingly inclose any matter which ought not to be inclosed is made subject to the penalty here provided.

Mr. PETERS. That is provided for by the words in the bill, leaving such matters to the discretion of the Postmaster-General.

Mr. BLOUNT. I have no objection to taking a vote on my colleague's amendment, if he desires to have it voted on.

Mr. NORWOOD. Yes, I desire to have a vote on it.

Mr. BLOUNT. I demand the previous question.

The amendments of the committee were severally agreed to.

The question next recurred on the amendment of Mr. NORWOOD; and it was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. BLOUNT moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. LANHAM. I now renew my motion that the House resolve itself into Committee of the Whole for the purpose of considering bills on the Private Calendar.

Mr. SPRINGER. Before that motion is submitted I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SPRINGER. As our Calendar is paged it contains two lists of private bills. One of these contains the bills coming over from the last Congress, reported from the Court of Claims under the provisions of the Bowman act, and the other such bills as are reported from the committees of the House at this session. What I wish to inquire is, which class of bills will take precedence?

The SPEAKER. The bills will be taken up in the order in which they appear on the Calendar.

Under the provisions of what is known as the Bowman act, all reports from the Court of Claims upon matters referred to that court by the committees of the House, and not disposed of, are continued from Congress to Congress, and go over, standing first, as a matter of course, on the Calendar.

Mr. SPRINGER. But as the Calendar is printed the bills reported from the different committees of the House are put first.

The SPEAKER. Then the Calendar is wrong. These bills which came over from the last Congress will take precedence.

Mr. RICHARDSON. I think the gentleman from Illinois is mistaken in saying that they come first. They are printed upon one page of the Calendar; but those which came over from the Forty-ninth Congress are under a separate heading on another page.

Mr. SPRINGER. That is true; but I always read a book from left to right. [Laughter.]

The SPEAKER. On page 5 of the Calendar, as printed, the bills reported from committees of the House at the present session appear in the order in which they were reported to the House, and on page 6 will be found the bills which come over from the last Congress. This order of paging should be reversed. The reports which come over from the last Congress should be first considered.

The question is on the motion of the gentleman from Texas.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House, Mr. HATCH in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the consideration of bills upon the Private Calendar. The Clerk will read the title of the first bill.

The Clerk read as follows:

A bill (H. R. 4956), Forty-ninth Congress, first session, to carry out the findings of the Court of Claims in the case of James H. Ayres.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, directed to pay to James H. Ayres, of Baltimore, Md., $945, being the amount due him upon a contract with the United States for expenses incurred in carrying out the same, as found by the Court of Claims.

Mr. SPRINGER. I would like to have the report of the Committee on Claims of the last session, together with the views of the minority, read on that bill.

The report (by Mr. SHAW) was read, as follows:

This case was, during the Forty-eighth Congress, referred by resolution of the House of Representatives, March 28, 1884, to the Court of Claims for a finding of facts under the act of March 3, 1883, commonly called the Bowman act. On the 11th of December, 1885, the court transmitted its findings of fact to the House, from which the following facts appear:

In the spring of 1862 a light-boat, belonging to the United States, and under the control of the Light-House Board, lay stranded at Lynnhaven Bay, about 160 miles south of Baltimore.

James H. Ayres, the claimant, and a resident of Baltimore, was a rigger and the owner and captain of the Exchange, a schooner of 75 tons burden, duly enrolled.

W. J. Newman was the acting engineer in charge of the light-house district, which embraced Chesapeake Bay and its tributaries, including Lynnhaven Bay.

Said Newman attempted to contract with several parties to go down to Lynnhaven Bay and remove from the beach the stranded light-boat. The lowest terms offered by others than the claimant amounted to $2,000.

He finally contracted with the claimant to undertake the work for $1,500.

In making this contract he represented to the claimant that the bottom where the light-boat was stranded was hard, and it was upon this representation that the claimant entered into the contract at that price.

The claimant collected the necessary apparatus, hired six riggers at $3 a day, and four other men at $1, sailed down to Lynnhaven Bay, and entered upon the work. The bottom, instead of being hard, as represented, was found to be composed of quicksand, in which the light-boat was deeply embedded. This quicksand was constantly moved about by the action of the waves and tides, and the labor of days was often obliterated in a single night. After working diligently for a long time they were compelled to give up the undertaking. The quicksand bottom was the cause of the failure.

Including the time occupied in going and returning, the claimant and his men were engaged upon the undertaking about three weeks.

During this period the claimant's daily expenses were as follows:

| | |
|---|---|
| Pay of six riggers, at $3 a day | $18 |
| Four other men, at $1 a day | 4 |
| Services of claimant, each day | 3 |
| Services of schooner and apparatus, each day | 20 |
| Total per day | 45 |

Making a total expense for twenty-one days of $945.

On these findings there is clearly no doubt that the claimant is fully entitled in equity and justice to be reimbursed the expenses actually incurred by him in the work in question. The object of the contract made by the engineer in charge of the district with this claimant was simply to preserve the public property by getting this light-boat from its stranded position into a place of safety. These light-boats are floating light-houses, quite as important in their positions to the safety of navigation as are the more permanent and expensive ones. The absence of any one of them from its accustomed and known position may occasion the destruction of thousands of dollars' worth of property and of any number of human lives, perhaps in a single night. It is of the last importance, therefore, to the safety of navigation that prompt measures be taken to place them in position when they have been disturbed or removed from their proper places. At no time was this of greater importance than in 1862, when the transactions in question occurred, at a time when it was extremely necessary for the numerous vessels engaged in the public service to have proper beacon-lights to guide them on their way. This claimant, it appears by the findings of the court, entered into a contract on terms 25 per cent. lower than anybody else could be induced to undertake the work; took the most prompt and vigorous measures at his own expense, for which he has hitherto remained without reimbursement, for carrying it out, and in every reasonable human probability would have succeeded in doing all he undertook to do but for the facts having been misrepresented to him (no doubt innocently) by the engineer. For a failure to perform the contract under such circumstances no possible fault can attach to the claimant. The contract was for the Government; it was made for a just and proper purpose, and there should be no hesitation in repaying to this claimant his actual expenses incurred in his effort to execute it. It would be unworthy the character of a great and generous Government, which has been so promptly and energetically served at a time of necessity, to refuse repayment of money thus advanced for its interest.

A copy of the findings of the Court of Claims is appended to this report.

Your committee therefore report back the bill H. R. 4956, and recommend that the same do pass.

[House Mis. Doc. No. 17, Forty-ninth Congress, first session.]

*Letter from the assistant clerk of the Court of Claims, transmitting a copy of the order and findings of that court in the case of James H. Ayres against the United States.*

UNITED STATES COURT OF CLAIMS.

JAMES H. AYRES } vs. THE UNITED STATES. } Congressional Case No. 79.

CLERK'S OFFICE, *Washington, December* 11, 1885.

SIR: Pursuant to the order of the court, I transmit herewith a certified copy of the said order and of the findings of fact by the court in the aforesaid cause,

which case was referred to this court by the House of Representatives under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
*Assistant Clerk Court of Claims.*

Hon. JOHN G. CARLISLE,
*Speaker House of Representatives.*

IN THE COURT OF CLAIMS.

JAMES H. AYRES vs. THE UNITED STATES. } Congressional Case No. 7[illegible].

At a Court of Claims, held in the city of Washington on the 27th day of April, A. D. 1885, in the cause aforesaid, the court filed findings of fact, and it was ordered that a copy, duly certified, be reported to the Speaker of the House of Representatives, together with a copy of this order.

By the court.

COURT OF CLAIMS.

JAMES H. AYRES vs. THE UNITED STATES. } Congressional Case No. 79.

This case was transmitted to the Court of Claims by the authority of the House of Representatives, as appears by the following resolution, adopted March 28, 1884:

Mr. Holman submitted the following resolution; which was agreed to:

*Resolved*, That the pending bill be referred to the Court of Claims, under the act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883.

FINDINGS OF FACT.

This case having been heard by the court (George A. King appearing for the claimant, and the Attorney-General, by his assistant, F. H. Howe, for the defense and protection of the interests of the United States), the court, from the evidence, finds the facts to be as follows:

I.

In the spring of 1862 a light-boat, belonging to the United States and under the control of the Light-House Board, lay stranded at Lynnhaven Bay, about 160 miles south of Baltimore.

James H. Ayres, the claimant, and a resident of Baltimore, was a rigger and the owner and captain of the Exchange, a schooner of 75 tons burden, duly enrolled.

W. J. Newman was the acting engineer in charge of the light-house district which embraced Chesapeake Bay and its tributaries, including Lynnhaven Bay.

II.

Said Newman attempted to contract with several parties to go down to Lynnhaven Bay and remove from the beach the stranded light-boat. The lowest terms offered by others than the claimant amounted to $2,000.

He finally contracted with the claimant to undertake the work for $1,500.

In making this contract he represented to the claimant that the bottom where the light-boat was stranded was hard, and it was upon this representation that the claimant entered into the contract at that price.

III.

The claimant collected the necessary apparatus, hired six riggers at $3 a day and four other men at $1, sailed down to Lynnhaven Bay, and entered upon the work. The bottom, instead of being hard, as represented, was found to be composed of quicksand, in which the light-boat was deeply embedded. This quicksand was constantly moved about by the action of the waves and tides, and the labor of days was often obliterated in a single night. After working diligently for a long time they were compelled to give up the undertaking. The quicksand bottom was the cause of the failure.

IV.

Including the time occupied in going and returning, the claimant and his men were engaged upon the undertaking about three weeks.

During this period the claimants' daily expenses were as follows:

| | |
|---|---|
| Pay of six riggers, at $3 a day | $18 |
| Four other men, at $1 a day | 4 |
| Services of claimant, each day | 3 |
| Services of schooner and apparatus, each day | 20 |
| Total per day | 45 |

Making a total expense for twenty-one days of $945.

*Ordered*, That the clerk of the court transmit to the Speaker of the House of Representatives a duly certified copy of these findings of fact and of this order.

COURT OF CLAIMS,
*Washington, D. C.:*

I certify that the forgoing are true transcripts of record.

Test this 11th day of December, 1885.

[SEAL.]

JOHN RANDOLPH,
*Assistant Clerk Court of Claims.*

VIEWS OF THE MINORITY.

This case has been before the Court of Claims for its findings of fact. The only finding of that court upon which any pretense of obligation on the part of the Government to pay this claim can be based is, that Acting Engineer Newman, representing the Government, "in making the contract, represented to the claimant that the bottom where the light-boat was stranded was hard, and it was upon this representation that the claimant entered into the contract at that price," and that "the bottom, instead of being hard, as represented, was found to be composed of quicksand, in which the light-boat was deeply embedded," which quicksand prevented the claimant from carrying out his contract. It does not appear but that the claimant had ample opportunity to examine the bottom for himself; certainly such examination was open to him. But if he relied upon this representation, and was deceived by it, and was the victim of a fraudulent representation made by the Government official, he had the right upon discovering the fraud, as he must have done, had any existed, upon arriving with his men upon the ground, to at once abandon the work. He chose not to do this, but, affirming his contract, kept on with his work for twenty-one days, and then abandoned the undertaking. Had he succeeded, and at a profit, no one doubts that it would have been the last of the matter. He took his chances, and lost.

Mr. SHAW. Mr. Chairman, I do not know that I can add anything to the facts beyond those which are embodied in the report accompanying this claim and which has just been read.

The claimant undertook this contract, or was induced to undertake it, upon the representation of Mr. Newman, the Government engineer in charge. He represented that the bottom where this boat was stranded was solid. It turned out to be composed of quicksand, whereby, as the report says, "the labor of days was obliterated in a single night."

The claim was referred to the Court of Claims in the Forty-eighth Congress for a finding of the facts, which findings were reported by that court to Congress for consideration.

If the gentleman from New Jersey, who signs the minority report, desires time, I shall be glad to yield to him.

Mr. BUCHANAN. I would like to have five or ten minutes, and a short time also for the gentleman from Missouri [Mr. WARNER], who also signed the minority report.

Mr. SHAW. I yield to the gentleman ten minutes.

Mr. BUCHANAN. Mr. Chairman, the case before us is simply this: A Government vessel stranded; proposals for floating her were advertised for, and the claimant was the successful bidder. He entered into the contract with the Government to float this vessel for a compensation of $1,500. He did not succeed in his undertaking. He abandoned the project, left the vessel lying where he found her, and comes to Congress for his compensation for such abandonment.

He comes up before the Court of Claims, and the only allegation which that court finds to be true in the case, or that looks at all towards any equitable obligation on the part of the Government to pay one penny to the claimant, is founded upon the fact that the Government engineer represented to him that the stranded vessel rested upon a solid bottom, whereas in fact she rested upon a quicksand.

The moment that man went there to execute his contract it was possible for him to ascertain whether that representation of the Government engineer was or was not correct. When he began to carry out his contract, or his attempt to carry it out, he could ascertain by five minutes' examination whether the bottom was hard sand or quicksand. He kept on at the work for some time, and then abandoned it, and the bill that is brought in here, which he desires the United States Government to pay, is for the service of wreckers, for the service of other men, for his own services at $3 per day, and for the services of a schooner and apparatus at the rate of $20 per day. He not only failed in his undertaking, but he desires the Government of the United States to pay him for that faliure.

The minority of the committee, in submitting its views, uses the following words:

> It does not appear but that the claimant had ample opportunity to examine the bottom for himself; certainly such examination was open to him. But if he relied upon this representation, and was deceived by it, and was the victim of a fraudulent representation made by the Government official, he had the right upon discovering the fraud, as he must have done had any existed, upon arriving with his men upon the ground, to at once abandon the work. He chose not to do this, but, affirming his contract, kept on with his work for twenty-one days, and then abandoned the undertaking.

He chose not to do this, but, proceeding to carry out his contract, kept on with his work for twenty-one days, and there is no pretense but what the bottom was just as much of a quicksand on the first day as it was on the twenty-first.

Mr. LONG. Is there any recommendation from the Department about this?

Mr. BUCHANAN. None whatever, and the Court of Claims only find the facts; and the minority of the committee say further that had he succeeded and had a profit no one doubts that would have been the last of the matter. He took his chances and lost—no, he lost so far as the Department was concerned, but he did not lose his chance to come into this House and endeavor through the medium of Congress to have the Government pay him for work he failed in doing.

Mr. LONG. Did the Government derive any benefit?

Mr. BUCHANAN. The Government derived no benefit whatever. He left the vessel stranded as hard as on the day he undertook to remove her. His attempt was an utter and absolute failure in every respect; just as complete as I hope his attempt to obtain compensation from Congress will be. How much time have I remaining?

The CHAIRMAN. The gentleman has five minutes of his time remaining.

Mr. BUCHANAN. I reserve that time.

Mr. SHAW. I yield five minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. This bill involves only a small amount, less than $1,000—$900. If it were not for the important principle involved I would not offer any opposition at all to the bill, for I have no doubt this gentleman did sustain the losses which are specified in it. But there was a public work here to be performed; advertisements were made, he put in his bid, and when he came to do the work he found the conditions were not as he supposed they were, to wit, he supposed the ground upon which this boat was stranded was hard clay and could be easily removed; on the contrary, he found it was quicksand, and as fast as he removed it it was washed back to the same place again. He worked twenty-one days under these conditions and then gave up his contract and abandoned the work entirely. He now wants the Government to pay $45 a day, which was the amount of his actual expenses during the time he was endeavoring to carry out his contract.

I believe the whole contract amounted to $1,500. If the claimant had succeeded in doing what he contracted to do the Government would have paid him $1,500. He failed to do any good to the Government,

and now he desires the Government to pay him about $900 for failing in his contract.

If there was anything in the work which it was not possible for the contractor to know for himself the Government ought to reimburse him; but as this was a matter that he ought to have discovered before he put in his bid, or which he ought to have discovered immediately after he began the work, it seems to me the Government ought not to reimburse him. He must have discovered the first day he began this work that the bottom was quicksand. Notwithstanding this discovery he proceeded in carrying on the work for twenty-one days; and he states in his application that the sand was replaced by the waves about as fast as he could remove it, so that he was carrying the dirt up a hill and it was immediately washed down again.

According to his own statement he ought to have discovered the absolute certainty of failure a little sooner, at least; but he kept on, persisting for twenty-one days, and wants to be paid about $900 for failure to carry out his contract. As a member of the Committee on Claims in the last Congress I had intended to unite with the minority in this report, but by some inadvertence I failed to sign the papers.

Mr. SHAW. The gentleman from Illinois [Mr. SPRINGER] states that the claimant in this case asked the Government to pay him $900 for having failed to perform his contract. It seems to me that he ought to have gone a little further than that, and that he ought to have inquired into the cause of the failure before determining the equities in the case. This claimant failed, it is true, but he failed, in the language of the Court of Claims in their findings of fact, because the bottom where the light-boat was stranded was represented to him by the agent of the Government to be hard, and when he got there he found it to be composed of quicksand.

The place where this boat was stranded was about 160 miles from Baltimore, where the claimant resided, and he was at considerable expense in going to the place. I am not a sufficient expert in these matters to determine how long it would have required after his arrival on the ground to determine whether the bottom was quicksand or solid, as was represented to him. If no representations as to that had been made to him by agents of the Government, and the bottom had been represented to him as it was, he would not have failed in his contract and he would have been entitled to his $1,500 in pursuance of it. It seems to me on every principle of justice, when an agent of the United States Government authorized by law to make contracts of this character represents that a bottom is of a certain character, or, in other words, represents a certain state of facts, and a contract is based on such representations and they turn out to be misrepresentations, and the party making the contract loses because of these misrepresentations, the United States Government is bound by every rule of justice and equity to reimburse him.

Now, Mr. Chairman, if no other gentleman desires to be heard upon this question, I move that the bill be laid aside with a favorable recommendation.

Mr. BUCHANAN. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. WARNER].

Mr. WARNER. Mr. Chairman, I am one of those who believe that in matters of contract the Government should act precisely upon the same principle as an honest citizen would act; that it should pay its honest debts, and if professing to have superior knowledge of the facts in any given matter it has made misrepresentations, and another party had entered into a contract relying upon the truth of these representations, the facts not being open to his inspection, then, as a matter of justice and right, the Government should pay to that citizen the damages that he has sustained by reason of the false representations made to him. It seems to me, Mr. Chairman, that that is a matter of justice and equity, and certainly it is a principle that is recognized by the law as between citizen and citizen.

But I submit, sir, that in this case there is no finding of the Court of Claims, there is no statement which authorizes this House to find that the engineer did represent to this claimant that he had such knowledge as to the character of the bottom where this boat was stranded, nor does it appear that the claimant himself was ignorant of the character of the bottom. It is true, sir, that he went there and that he worked twenty-one days and expended, as he claims, $945; but I claim, Mr. Chairman, that there is nothing in the finding of the court which makes the Government liable in this case, as one citizen would be liable to another, and I think we should be governed by that principle. I am aware, sir, of the difficulties that beset claimants, and I fully sympathize with parties who have claims against the General Government. Usually they might as well have a claim against a pauper as to attempt to get their pay out of the surplus in the Treasury, especially after a claim has become a stale one; but while that is true, it does not justify us in paying a claim like this, which, as I conceive, has no valid foundation in law or in equity.

Mr. SHAW. I now yield five minutes to my colleague [Mr. RAYNER].

Mr. RAYNER. Mr. Chairman, if this was a case between individuals there would be no difficulty whatever about the individual who has been misled or defrauded recovering against the other party, but the trouble with this case is that it is the claim of an individual against the Government. If this claimant had made a contract with an individual, based upon false or erroneous statements made by that individual, and had gone to work to execute his contract, he would certainly have a right in law and in morals to recover back the money that he had expended in pursuance of the contract.

Mr. HOPKINS, of Illinois. Is not the gentleman wrong in his proposition of law?

Mr. RAYNER. I think not.

Mr. HOPKINS, of Illinois. Before a man can be held responsible for misrepresentations, must it not be shown that they were such as to mislead a party acting with reasonable care and prudence in the premises?

Mr. RAYNER. It must.

Mr. HOPKINS, of Illinois. Was not your statement broader than that?

Mr. RAYNER. Not at all; because the party in this case acted with all the prudence that any reasonable man could be expected to exercise. The engineer was in charge of the district where this vessel was stranded; he was a Government officer, the agent of the Government; he made this erroneous statement in his character as the agent of the Government. It was his duty as engineer to examine the bottom and to find out whether it was hard or was of quicksand; he did examine it, or at least he ought to have done so, and whether he did or not, he reported to this poor man that the bottom was hard, and upon the basis of that report, or that statement, by an officer of the Government, this man went to work and expended his money. Now, I say that comes within the general principle of law that unless there has been some gross negligence on the part of the party who has suffered he is entitled to recover.

Mr. WARNER. Will the gentleman permit a question?

Mr. RAYNER. I will.

Mr. WARNER. Do I understand the gentleman to lay it down as a proposition of law that it was the duty of the engineer to have examined this bottom? Does he take that ground in view of the facts found by the Court of Claims, the only facts before this House? There is nothing here to show that this party went to work relying upon the representations of the engineer, nothing to show that he had not as much knowledge of the nature of the bottom there as the engineer had.

Mr. RAYNER. I think the gentleman does not draw the distinction between a proposition of law and a proposition of fact. What I say as to the duty of the engineer is not a proposition of law. That is a presumption of fact. When a private party is invited to make a contract of this character, and the Government engineer in his official capacity makes a statement to him that the bottom where the boat is stranded is solid and is not quicksand, the party has a right to rely upon that statement.

Mr. BUCHANAN. Will the gentleman answer a question?

Mr. RAYNER. I will.

Mr. BUCHANAN. Does he believe that when a man is engaged in pulling off a vessel under such circumstances it will take him twenty-one days to find out whether the bottom is hard or soft?

Mr. RAYNER. I do not; but it may have taken him so many days to determine positively whether the boat could be lifted. There is nothing in the report of the minority to show this House that he could have found out before the expiration of twenty-one days whether he could relieve the vessel or not. Where is there anything in the report to show that he did not stop at the first moment when he ought to have stopped?

I come back now to my original proposition—that if this was a case between individuals there would be no trouble about it. If A makes a contract with B, and makes either a false or an erroneous statement, upon the basis of which B goes to work; if, as a matter of fact, that statement is found to be fraudulent or misleading, A can recover the money he has spent or the value of the work that he has done in pursuance of the contract. While I am as much opposed as any man upon this floor to opening the flood-gates of the Treasury to all these private claims, I do hold that the Government ought to be put precisely in the same position as an individual, and that if this claimant would be entitled to recover against an individual he should have the same right of recovery against the Government.

Mr. GALLINGER. Mr. Chairman, as a member of the Committee on Claims of the Forty-ninth Congress, I have a very distinct recollection of the facts of this case; and I joined with the majority in reporting it favorably. It will be understood by the House that this case has been referred to the Court of Claims for the ascertainment of facts, and that that court has made a report.

The Court of Claims found certain facts which it thought worth while to report to this House. The first fact was that a light-ship belonging to the Government was stranded. Next, that the parties who put in bids for the work of lifting this light-ship from its stranded position, asked, for the most part, the sum of $2,000; but the claimant under this bill proposed to do it for $1,500. The Court of Claims found, further, that this claimant in making his bid for $1,500—a less amount than that for which any other man offered to do the work—did so upon a distinct representation by the Government engineer that where the vessel was stranded the bottom was hard. It was upon this understand-

ing that he undertook to do the work for the sum named by him. It further appears that with this understanding in his mind this poor man collected the necessary apparatus, hired six riggers at $3 a day, and four other men, and sailed down to Lynnhaven Bay for the purpose of carrying out the contract which he had made with the Government.

Now, this man, having put himself to very considerable expense, having visited the light-ship where it was stranded, acting upon the representations which had been made to him by the agent of the Government, undertook to carry out his contract, and found unquestionably that he had a much harder job than he had contemplated. The gentleman from New Jersey [Mr. BUCHANAN] says that this man could have ascertained in a single hour whether the bottom was hard or soft. I do not know how that may be. I do not live on the seacoast, and am not acquainted with these matters. But the fact remains that the claimant had expended a considerable amount of money; and if he had abandoned his contract he would have been compelled to come to Congress for relief. But, as has been remarked by the gentleman who preceded me [Mr. RAYNER], this claimant felt that, notwithstanding the Government agent had made a misrepresentation, he might, in pursuance of his contract, succeed in floating the ship from its stranded position. Acting in good faith, he undertook to carry out his contract; but eventually found that the misrepresentation made to him by the agent of the Government was such that he could not possibly float the ship.

Now, I am not a lawyer; I am not versed in the technicalities which some gentlemen always thrust upon the House in the discussion of a question of this kind. I do not know whether this man has, in strict accordance with law, a claim against this Government; but I do say that, upon the basis of common justice and common sense, no man in this House ought to hesitate to vote the pittance of $900 to this contractor, who in good faith undertook to carry out the contract he had made with the Government. I submit that this claim ought to be paid, and no man, it seems to me, who wants to do simple justice to a poor man who is a claimant against this Government, ought to cast his vote against the bill. I hope, when the vote comes to be taken, the House will be practically unanimous in saying that this claimant shall receive the amount which is justly his due, the Court of Claims having examined his vouchers and found that the exact sum named in the bill was actually expended in pursuance of the contract with the Government.

The CHAIRMAN. The question is, Shall this bill be laid aside to be reported to the House with a recommendation that it pass?

The question being put, it was decided in the affirmative.

### MESSAGE FROM THE SENATE.

The committee rose informally, when a message from the Senate of the United States, by Mr. MCCOOK, its Secretary, announced that the Senate had passed a bill of the following title, in which the concurrence of the House was requested:

A bill (S. 274) authorizing the construction of a bridge across the Missouri River at some accessible point in the county of St. Charles, in the State of Missouri, below the city of St. Charles.

The Committee of the Whole resumed its session.

### OWNERS OF STEAMER I. N. BUNTON.

The next business on the Private Calendar was the bill (H. R. 7211) referring the claim of the owners of the steamer I. N. Bunton to the Court of Claims.

The bill was read, as follows:

*Be it enacted, etc.*, That the claim of the legal owner or owners of the steamer I. N. Bunton, her cargo, freight, tow, and personal effects, alleged to have been sunk by collision with the pier of the Davis Island Dam, in the Ohio River, on or about the 2d day of January, 1884, be referred to the Court of Claims as a court of admiralty jurisdiction, to hear and determine the same to judgment, with the right of appeal as in other cases: *Provided*, That no suit shall be brought under the provisions of this act after six months from the date of the passage thereof.

Mr. LANHAM. The facts connected with this bill are very fully stated in the findings of the Court of Claims——

Mr. DINGLEY. Has the report been read?

The CHAIRMAN. It has not. Does the gentleman ask for the reading?

Mr. LANHAM. The findings of the Court of Claims give a very succinct statement of this case.

Mr. DINGLEY. I would like to hear the report read.

Mr. SPRINGER. Let the report be first read, and then the findings of the court.

The CHAIRMAN. Does the gentleman from Texas [Mr. LANHAM] yield for that purpose?

Mr. LANHAM. I do.

Mr. BAYNE. In the findings of the court as appended to the report of the committee there is a misprint.

Mr. LANHAM. With reference to the insurance?

Mr. BAYNE. I have here a certified copy of the findings of the court, and when the report of the committee shall have been read I ask that this certified copy of the findings of the court be read instead of that appended to the report, which is in some particulars inaccurate.

The CHAIRMAN. If there be no objection, that course will be pursued. The gentleman from Pennsylvania [Mr. BAYNE] will please send the document to the Clerk's desk.

The report (by Mr. LANHAM), together with the findings of the Court of Claims, was read as follows:

The Committee on Claims, to whom were referred, on December 9, 1885, the petition and papers in the case of Joseph Walton & Co., having considered the same, respectfully report as follows:

This case was originally brought before the House in the Forty-eighth Congress by a bill introduced on the 4th of February, 1884, which was accompanied by a memorial of the claimants. The Committee on Claims in that Congress referred the case to the Court of Claims, under the act of March 3, 1883, 22 Statutes at Large, page 485, commonly called the Bowman act. That court, after hearing the case upon the evidence, made and transmitted, on February 3, 1885, a finding of facts, which is annexed to this report and made a part thereof, and which substantially may be condensed as follows:

On the evening of January 1, 1884, the steamer I. N. Bunton, belonging to the claimants, having on board a full complement of officers, a double crew, and a duly licensed, experienced pilot, about 10 o'clock started down the river from near Pittsburgh. The night was dark and foggy, the water high, and there was considerable ice flowing. Soon after midnight the steamer, with her tow of three coal-boats, approached the Government works at Davis Island Dam, the construction of which is fully explained in the findings of the court, and a diagram whereof is annexed to this report. The part specially material to the present inquiry is a pier called the North Pier, constituting a portion of the work, and situated about in the middle of the river, and which was at the time of the accident about 3 feet out of water. This pier had previously to the time of the accident been uniformly kept lighted, but on the night in question the light was omitted, and the court specially finds that the omission was caused by the oversight or neglect of the officers and employés of the Government. A sharp lookout was kept for the lights, which were supposed to be there, as they had always been before. The absence of a light on the North Pier deceived the officers of the boat, so that they kept her too far to the south, and by reason of this mistake, caused by the unaccustomed absence of the light, the boat struck the piling just above the pier, swung to the left, and collided with the pier next south, crushing a hole in her hull and causing a total wreck of the steamer, which caught fire, burned to the water's edge, and then sunk. Two of the coal-boats, with their cargo, were lost, and the third drifted down the river and sunk, but was subsequently raised and saved. Four lives were lost—the chief engineer, cook, and two deck-hands. The property was not insured.

The claimants, in their memorial and bill originally presented, claimed that their losses amounted to $32,000, and the findings of the Court of Claims fully sustain this claim to its entire amount, and, indeed, foot up $185 more.

With reference to the question of the responsibility for the accident, the court found as follows:

"The loss was not caused by any fault, negligence, or want of skill on the part of the claimants, their officers or employés, but was attributable to the gross negligence of the officers or employés of the defendants in omitting to place a light on the North Pier of the dam at Davis Island."

As the negligence is found by the Court of Claims to be all on the side of the Government, the claimant would be clearly entitled to recover were his contest with a private citizen or corporation. The question is therefore presented whether his right is affected by the fact that the offending party is the Government.

The non-existence of a judicial remedy does not affect the right. The existence of a right as against the Government in cases of tort is fully recognized by that distinguished jurist, Judge Cooley, who, in his work on Torts, says (page 122):

"Even the State or General Government may be guilty of individual wrongs, for while each is a sovereign it is a corporation also, and as such is capable of doing wrongful acts. The difficulty here is with the remedy, not with the right. No sovereignty is subject to suits except with its own consent. But either this consent is given by general law or some tribunal is established with power to hear all just claims; or, if neither of these is done, the tort remains, and it is always to be presumed that the legislative authority will make the proper provision for redress when its attention is directed to the injury."

Cases of governmental tort can not generally be found reported, because jurisdiction has not been granted to courts to afford a remedy in such cases. In one case, however, a question of governmental marine tort came before the Supreme Court, by whom the right of recovery against the Government was maintained, and a remedy under the peculiar circumstances of the case was afforded. It appeared in the case of the Siren (7 Wall., 152) that the Siren was a captured vessel in charge of a prize crew on the way to Boston for condemnation, and that while passing through Hell Gate she sunk the sloop Harper. On reaching Boston the United States filed a libel against the Siren as a prize, and the owners of the Harper claimed the right to have their damages paid out of the proceeds of the sale of the vessel. The Supreme Court said (page 155):

"For the damages occasioned by collision of vessels at sea a claim is created against the vessel in fault in favor of the injured party. This claim may be enforced in the admiralty by a proceeding *in rem*, except where the vessel is the property of the United States. In such case the claim exists equally as if the vessel belonged to a private citizen, but for reasons of public policy already stated can not be enforced by direct proceedings against the vessel. It stands in that respect like a claim against the Government, incapable of enforcement without its consent, and unavailable for any purpose."

The court therefore allowed the damages claimed, and ordered them assessed and paid out of the proceeds of the offending vessel, the Siren, thus fully establishing the principle of governmental liability for marine collisions.

Congress has steadily recognized the same principle. A large number of special acts have been passed recognizing the duty of the Government to reimburse private citizens for losses sustained by collisions on the high seas or inland waters when the Government vessel was at fault and when no negligence could be imputed to the claimants. We here give a summary of these, which, however, is in all probability not a complete one:

"1. An act for the relief of T. H. Holderness, owner of the British ship Duke of Edinburgh, approved January 27, 1873 (17 Stat. L., p. 717). This act appropriated to reimburse the owner of that vessel for injuries received by collision with the United States steamer General McPherson.

"2. A resolution referring to the Court of Claims claims against the United States for the loss of the schooner William Carlton, approved March 3, 1871 (16 Stat. L., p. 705). This act referred to that court the claim of the owners of said schooner, her cargo, etc., for loss by collision with the United States ram Stonewall on November 23, 1865. That court rendered judgment in favor of the claimants against the Government for $28,526.85. (10 Court of Claims Reports, p. 485.)

"3. An act referring the claim of the owners of the schooner Ada A. Andrews to the Court of Claims, approved June 20, 1874 (18 Stat. L., p. 201). Judgment against the United States was rendered by the Court of Claims for $28,809.35. (12 Court of Claims Reports, p. 480.)

"4. An act referring the claim of the owners of the schooner Flight to the Court of Claims, approved January 12, 1877 (19 Stat. L., p. 503). The claimants recovered $3,975. (14 Court of Claims Reports, p. 425.)

"5. An act granting jurisdiction and authority to the Court of Claims in the

case of the schooner Don Pedro, approved March 3, 1879 (20 Stat. L., p. 482). Judgment for claimants for $7,709.60. (19 Court of Claims Reports, p. 684.)

"6. An act for the relief of George R. Dennis, of Maryland, approved June 10, 1878 (20 Stat. L., p. 540). This act directed the Secretary of the Treasury to pay to George R. Dennis $2,393.66 for damages sustained by him by the Government steamer General Meigs running into his schooner William J. Dennis.

"7. The sundry civil appropriation act of August 7, 1882 (22 Stat. L., p. 324), appropriated for two cases of similar character, one of them being 'to pay to Isaac A. Sylvester, for the losses and damages sustained by him on account of the collision of the United States sloop of war Lancaster with the drill-platform and sloop Derry, at Gangway Rock, Portsmouth, N. H., $2,000, in full satisfaction thereof.'

"8. The sundry civil appropriation act of 1883 appropriated $19,957 to reimburse the Potomac Steam-boat Company for a collision in Hampton Roads with a United States naval tug.

"9. Three similar claims, aggregating $14,237.92, were appropriated for in the sundry civil appropriation act approved March 3, 1885 (23 Stat. L., p. 496)."

It is difficult to draw any distinction between these cases and this one. If this pier had been a floating object, its mismanagement would have subjected the Government to responsibility to the injured citizen. Is he to be told that because it was affixed to the earth his damages are to go unredressed? If any such distinction as this can be suggested, it seems to be without foundation in reason.

In the case of Philadelphia, Wilmington and Baltimore Railroad Company *vs.* Philadelphia and Havre de Grace Steam Towboat Company (23 Howard, p. 209), the jurisdiction of the admiralty courts was sustained, and a railroad company held liable for injury to a steam-boat by the negligent driving of piles in the bed of a river in such a manner as to obstruct navigation. And in the more recent case of Leathers *vs.* Blessing (105 U. S. Reports, p. 626), the jurisdiction of admiralty to decree damages was sustained, although the vessel in fault was stationary and moored to her wharf.

Now, if in cases just mentioned damages occasioned to vessels by objects negligently placed in the water and adhering to the earth, or damages done by vessels in a fixed and stationary position, were held to be grounds for the exercise of admiralty jurisdiction, and no distinction was made between such a case and one of injury caused by a moving vessel, by parity of reasoning it would appear that such a case as this should be determined on principles of admiralty jurisdiction, and under the same rules governing cases of collision between vessels. As, upon the authority of the numerous precedents above cited, the Government would be held liable if a public vessel in motion caused an injury by unexcused mismanagement, so ought the Government also to be held equally liable when it injures the citizen by means of an object in the water affixed to the soil.

A municipal corporation is the nearest body to the State in its constitution and purposes. Like the State, its existence and acts are solely for the public good; like the State, it can act only through its servants. But it is agreed that a municipal corporation is always liable for damages occasioned by negligence of its servants or agents. Dillon (Municipal Corporations, section 963) says:

"The rule of law is a general one that the superior or employer must answer civilly for the negligence or want of skill of his agent or servant in the course or line of his employment by which another is injured. Municipal corporations, under the conditions herein stated, fall within the operation of this rule of law, and are liable accordingly to civil actions for damages when the requisite elements of liability exist."

See also Wharton on Negligence, section 190, and Wood on Master and Servant, section 457.

In Barnes *vs.* The District of Columbia (91 U. S., 549) the Supreme Court of the United States say (page 551):

"The authorities establishing the contrary doctrine, that a city is responsible for its mere negligence, are so numerous and so well considered that the law must be deemed to be settled in accordance with them."

Authorities are there cited in full. The case of Mersey Docks *vs.* Gibbs (L. R., 1 H. L., 93) is the leading English case upon this subject.

We do not see how there can be drawn any valid line distinguishing in this respect between municipal corporations and the State or the United States, so far as the right is concerned. The only distinction is as to the remedy. All governments exist solely for public benefit. A municipal corporation, equally with a sovereign State, is absolutely necessary for the public good. That public good is best served in either case by a strict care for the rights of every citizen. If he is wronged by one, he can compel compensation; if wronged by the other, the duty of the State is to freely render recompense. A State and a municipal corporation each can act only through its servants. The one must answer for their negligence; can the other escape the same liability to the detriment of innocent sufferers?

In the case of Langford *vs.* The United States (101 U. S., 341), the Supreme Court say (pages 342, 343) that the maxim that "the king can do no wrong" can have no place in our system of government.

"We do not understand that, either in reference to the Government of the United States or of the several States, or any of their officers, the English maxim has an existence in this country."

Whether the Government is liable generally for torts is a question which may well be laid out of discussion in the present case. The principle on which liability in cases of marine collision is sustained is simply that of the responsibility of a property-owner for the management and use of his property—simply a practical application of the sound maxim, *Sic utere tuo ut alienum non laedas*. We might well adopt, with reference to the General Government, the language of the Supreme Court of the United States in a recent case:

"The great principle of the common law, which is equally the teaching of Christian morality, so to use one's property as not to injure others, forbids any other application or use of the rights and powers conferred. (Baltimore and Potomac Railroad Company *vs.* Fifth Baptist Church, 108 U. S. Reports, p. 331)."

The same principle applied in the present case would seem to lead to a conclusion favorable to the claim.

The findings of the Court of Claims are annexed to this report, and made a part hereof.

While the equities in the case of these claimants appear to be very strong, and appeal to your committee with much force, your committee nevertheless believe that it would be more in accordance with the precedents established in other cases of perhaps equal justice (see the acts above cited from 16 Stats., p. 705; 18 Stats., p. 201; 19 Stats., p. 503, and 20 Stats., p. 483) to refer this case absolutely to the Court of Claims on the facts and the law than to pass an act for its payment. On such a reference that court can, if it sees proper, re-examine the facts, and upon the facts as finally found apply the law in the same manner as if the suit were in a court of ordinary admiralty jurisdiction.

Your committee therefore report the accompanying bill (H. R. 7211), entitled "A bill referring the claim of the owners of the steamer I. N. Bunton to the Court of Claims," and recommend that the same do pass.

COURT OF CLAIMS—CONGRESSIONAL CASE NO. 68.

JOSEPH WALTON AND ISAAC N. BUNTON VS. THE UNITED STATES.

*Findings of fact, filed February 9, 1885.*

This case, referred to the court by the Committee on Claims of the House of Representatives March 14, 1884, under the act of March 3, 1883, ch. 116 (22 Stat. L., 485), having been heard by the court, the Attorney-General, by his assistants, appearing for the defense and protection of the United States, as required by said act, the court, upon the evidence, finds the facts to be as follows:

I. In the year 1884 and previously the United States were constructing a dam and lock at Davis Island, on the Ohio River, about 5 miles below Pittsburgh, Pa. The lock was 700 feet in length, near the north bank of the river. The dam commenced 559 feet south of the lock wall and extended about 828 feet south to Davis Island. There was a pier at the north end of the dam, rising some 3 feet above the water. Between that pier and the lock wall was the channel. There were three other piers in the dam between the first pier and Davis Island.

II. The orders of the Government officers in charge of the work were that a light should be placed every night on the north pier, as well as lights at the east end of the lock wall. This was done uniformly up to January 1, 1884, when on the night of that day the light on the pier was omitted by oversight or neglect of some officer or employé of the defendants.

The workman whose duty it had been to place the light there had been discharged on the 31st of December, 1883, and that duty was neglected for the next two nights without any sufficient cause.

Such lights were necessary for the safety of navigation on the river at that point.

III. On the evening of January 1, 1884, the steamer I. N. Bunton, belonging to the claimants, having on board a full complement of officers, a double crew, and a duly licensed, experienced pilot, about 10 o'clock started down the river from near Pittsburgh. The night was dark and somewhat foggy. The water was high, and there was considerable flow of ice; she had in tow three coal-barges loaded with coal, all of which belonged to the claimants.

IV. Soon after midnight, approaching the works at Davis Island, a sharp lookout was kept for lights, which were supposed to be there, as they had been before. When within about 200 feet of the east end of the lock wall, as was supposed, the lights on that wall were first seen. But owing to the darkness and fogginess of the night it was not possible for the officers of the boat to determine the real distance of the wall.

They kept the boat to the south to avoid the lock wall, and not seeing nor knowing where the north pier was situated, by reason of there being no light upon it, the boat struck the piling just above that pier, swung to the left, and collided with the pier next south, crushing a hole in her hull and causing a total wreck of the steamer, which caught fire and burned to the water and sunk. Two of the coal-boats with their cargoes were lost, and the third coal-boat drifted down the river and sunk, but was subsequently raised and saved.

Four lives were lost, the chief engineer, cook, and two deck-hands. The property was not insured.

V. The loss was not caused by any fault, negligence, or want of skill on the part of the claimants, their officers or employés, but was attributable to the gross negligence of the officers or employés of the defendants in omitting to place a light on the north pier of the dam at Davis Island.

VI. The following are the losses to the claimants:

| | |
|---|---|
| Value of the steamer I. N. Bunton | $25,000 |
| Value of 50,000 bushels of coal, at 9 cents, and two coal-boats lost | 4,500 |
| Expenses of raising the third coal-boat | 1,110 |
| Detention of steamer Coal City, belonging to the claimants | 300 |
| Lighting and clothes for men who lost their clothes by the accident | 200 |
| Funeral expenses of the men lost | 75 |

Ordered by the court that a copy of the foregoing findings of fact, duly certified, be reported to the Committee on Claims of the House of Representatives, together with a copy of this order.

By the court.

FEBRUARY 8, 1885.

A true copy.

Test: this 12th day of January, A. D. 1888.

[SEAL.]

JOHN RANDOLPH,
*Assistant Clerk Court of Claims.*

Mr. LANHAM. Mr. Chairman, I desire to offer an amendment, to be acted on at the proper time. I move to strike out in line 8 of the bill the words "as a court of admiralty jurisdiction." I believe that under the general principles which should govern the Court of Claims its power would be sufficient without these words.

Mr. Chairman, extraordinary diligence has been observed on the part of the claimants in this case. The destruction of their property occurred on the 1st of January, 1884. On the 4th of February, 1884, a bill for their relief was introduced in this House. During that Congress the case was referred, by the Committee on Claims, to the Court of Claims; and in February, 1885, that court transmitted to Congress its findings of fact in the premises. Those who have listened to the reading of the report or who have examined the findings of the court in this case will have no difficulty in understanding all the facts and circumstances. That the property mentioned was destroyed is found by the court. Further, it is solemnly found by the court that the loss was not caused by any fault, negligence, or want of skill on the part of the claimants, their officers or employés, but was attributable to gross negligence of the officers or employés of the United States, in omitting to place a light on the north pier of the dam at Davis Island.

That is the essential finding of the Court of Claims, upon which we are called to act, and the principal reason which induced the committee to report the bill. Can the Government of the United States resist a suit upon a claim of this sort, when it is solemnly established that by its own agents or employés and their gross negligence the property of a citizen of the United States has been destroyed? Can the Government, sir, run rough-shod over a citizen by and through its agents and employés, and destroy his property and leave him remediless? In the presence of a great wrong and injury of that character, is there no redress for the citizen? Shall he not have his day in court?

Now, sir, the court having found that this was through the gross negligence of the authorities or employés of the United States, without any fault soever upon the part of the claimant, no contributory negligence, nothing of that sort, the court having found this to be the fact, and ascertained the amount of property destroyed, the question simply is, will Congress give to this claimant the right to present that claim in the Court of Claims, and confer jurisdiction upon that court to hear and determine the case to final judgment, with a right of appeal, as in other cases?

The committee in the conclusion of this report say this:

While the equities in the case of this claimant appear to be very strong, and appeal to your committee with much force, your committee believe that it would be more in accordance with the precedents established in other cases to refer this case absolutely to the Court of Claims on the facts and law, than to pass an act providing for its payment.

Now I admit, sir, that it is an important question, is the Government of the United States liable when, by reason of the gross negligence of its agents or employés, an injury is inflicted upon the property of the citizen, and in such an event shall the citizen be compelled to stand without a remedy? This bill proposes simply to send this matter back to the court from whence it came, the court that found these facts, and confer upon it authority to decide the question and to give to the United States or to the claimant the right of appeal. I believe that is right; that the case should be so referred, for judicial determination, and this bill ought to pass.

I have no desire to discuss the matter further at the present time, but will yield so much of my time as he may desire to the gentleman from Pennsylvania [Mr. BAYNE].

Mr. BAYNE. I will reserve my time until I hear if there is any opposition to the bill.

Mr. LANHAM. Then, if there be no desire to discuss the question, I shall ask that the bill be laid aside to be reported to the House.

Mr. DINGLEY. I ask the gentleman from Texas to yield to me for a few moments.

With the conclusions which the committee have reached in referring this case to the Court of Claims, with the right of appeal, for the purpose of determining the question of the liability on the part of the United States, I concur entirely. But I wish simply to express my dissent from certain views as to the liability of the Government that are expressed and set forth in the report of the committee, in order that there may be no conclusion reached that such was the unanimous judgment of Congress in regard to this subject.

This opens indeed a new and very important question of the liability of the Government; that is, its liability in case of damage done through the works which it has erected for the purpose of improving navigation.

Mr. LANHAM. Permit me to say that the liability of the Government is to be passed upon, by the terms of this bill, by the highest court in the land.

Mr. DINGLEY. I am aware of that; but I am expressing my dissent from certain arguments that are presented in the report.

If it is finally settled that the Government of the United States is responsible in damages for all injuries that may be inflicted on vessels in consequence of the neglect of the officers of the Government set to care for the works which it has erected to improve navigation, it seems to me that a large measure of liability will be opened. But I wish simply to express my dissent, as I have said, from the doctrine laid down in the report that there is a parallelism between the liability—the maritime liability—the liability of vessels coming into collision, and the liability for damage done to a vessel coming in contact with works erected by the Government for the improvement of a river or harbor.

It seems to me there is a wide distinction between the two cases, and I do not desire to argue the case now, but simply to express my dissent from that conclusion which is reached apparently in the argument submitted by the committee in its report. I concur fully in that view of the question which proposes to refer this to the Court of Claims, with the right of appeal, in order that the important question may be settled by the highest court of the land.

Mr. McADOO. I would like to ask the gentleman from Texas whether this work was constructed by contract or by Government employés?

Mr. LANHAM. I understand it was done by the Government and its own employés.

Mr. McADOO. Through a contract?

Mr. LANHAM. Just at this moment I am unable to answer. I will examine the report, and inform the gentleman.

Mr. McADOO. I wish you would ascertain, as I think it very important in connection with the pending question.

Mr. LANHAM. I will state to the gentleman that the court find that it was through the "gross negligence of the officers and employés of the defendant," which is the United States.

Mr. MCMILLIN rose.

Mr. LANHAM. I have not yielded the floor, but if the gentleman from Tennessee desires to be heard I will yield to him.

Mr. MCMILLIN. I prefer to take my own time.

Mr. LANHAM. How much time have I remaining?

The CHAIRMAN. The gentleman has forty-eight minutes.

Mr. LANHAM. Then I reserve the remainder of my time.

Mr. MCMILLIN. According to my conception of this case, Mr. Chairman, there is a great deal involved in this bill which ought to attract the serious consideration of the House before it is passed. This is one of the claims referred under the Bowman act to the Court of Claims for the purpose of ascertaining the facts concerning this transaction. It will not be insisted by any one that thereby the Government has become any more liable for this alleged damage. It is simply a tribunal organized to ascertain the facts by methods which the hurry of the business of the Congress of the United States will not permit us to adopt during the session.

Now, I have never seen the time when I believed the Government was liable on account of this damage; never since the case was referred to the Court of Claims for the ascertainment of the facts by a committee of which I was a member. I have never seen the time, I say, when I believed the Government could be justly made liable, and I agree with the gentleman from Maine [Mr. DINGLEY] we ought to enter our protest here against the decision taken in this report, that the Government is liable to these claimants.

What are the facts? A public work was being constructed on the Ohio River for the purpose of improving, as far as might be, the navigation of the river. The Government saw fit to hang out lights on the works pending their completion. Will it be said that that precaution on the part of the Government increased the Government's liabilities? Not by any sane man, I dare say.

Suppose you admit the liability of the Government, what follows? We have light-houses all around our coasts. We have lights on numbers of our rivers. If the position which is taken by gentlemen on the other side of this claim be correct, then the Government will be liable whenever it fails to keep its lights in such manner they can be seen by navigators. On the Ohio River lights have been placed for the purpose of aiding in the navigation. Now, suppose one of the men whose duty it is to hang out any of those lights fails in the performance of his duty, fails to discharge the obligation which the Government has placed on him, will it be insisted by any sane man that thereby the Government has incurred a liability which did not exist before it hung out any lights at all?

Mr. LANHAM rose.

Mr. MCMILLIN. You send it back to the Court of Claims after they have already given you information here as to the gross negligence of the Government. You might as well appropriate the money and have done with it. Suppose, among the light-houses in New York Harbor, for any cause that is attributable to the employés of the Government, one should fail to give the danger-signal, would it be claimed that a vessel going down on account of it is to be paid for out of the United States Treasury?

We are constructing locks and dams on various rivers of this continent. Now, who will insist, when these locks and dams are constructed to facilitate the navigation of our rivers, we have to pay for every accident because of neglect on the part of those engaged in their construction? I ask, who will hold any such doctrine? When once established we would have an end to the construction of works for the improvement of rivers and harbors.

When lights are hung out on the Tennessee and Ohio Rivers, and on many points of the Mississippi River, it will not be claimed by any man that the Government is liable because it has jurisdiction over those rivers. Not at all; but the Government in its magnanimity says, we will do what we can to increase the facilities for safe travel and navigation of those rivers, and for that purpose we will hang out signals. Is the Government, therefore, on account of that magnanimity to be mulcted in costs, and not only mulcted in costs for the vessel which goes down and the cargoes which are lost, but also for the losses of the men who happen to be upon them?

You proceed upon the theory here of no one being in fault on the ground of negligence but the Government, and yet the report of the Court of Claims in a general way states the fact that while the ice was floating in the river, rendering navigation dangerous, rather than tie up and lose a few hours, this man, who was running his own boat, attempted to pass through the channel, and in the attempt met with the loss for which damage is claimed. Are you going to pay for it? Are you going to pay for every case where a light goes out? Are you going to pay the damage incurred in all these cases? If so, your surplus will become beautifully less, and that very vexing and worrying question will cease to disturb Congress.

More than that, there were certain men's lives lost when this vessel went down. If we are liable for the loss of the vessel and for the loss of the cargo, we are also liable for that loss of life. If we are liable in consequential damages for the loss of the vessel, and also for the loss of two coal-boats for which claim is made, we are also liable in damages for these lives which were lost, and you may look to the next Congress to see the widows and orphans coming forward to make this, not only a property-insurance Government, but a life-insurance establishment. I protest against the liability. It does not exist, and to establish it is establishing a precedent that leads only to ruin.

Mr. BAYNE. I yield five minutes to the gentleman from New Jersey [Mr. BUCHANAN].

Mr. BUCHANAN. When this bill first came up for consideration in the Committee on Claims, I must say I regarded it with some disfavor. In the first place the fact was presented that the Government of the United States was improving the navigation of the Ohio River for the benefit of all parties transacting commerce on that river, and that one of those parties thus engaged in commerce on that river suffering from the beneficial act of the Government sought reclamation at the hands of the Government. But upon further consideration it seemed to me it was time that the liability of the Government in cases of this character should be settled by some competent tribunal.

So far as the report commits this House or the committee to the doctrine that the Government is liable, I dissent from it. So far as the re-

port is in favor of sending this question to a tribunal for decision, I am heartily in favor of it.

It has been said that this case has already been before the Court of Claims, and that the Court of Claims has decided in favor of the claimant. But the proposed action sends it to the Court of Claims with the right on the part of the Government, if the decision of that court be against the Government, to appeal to the Supreme Court of the United States, and that is the proper forum to settle questions of this character, in my judgment. Whether this man should be deprived of his property or not under the circumstances, when the facts are not disputed, it seems to me is purely a question of law; and as between the Supreme Court of the United States and the House of Representatives, I prefer the judgment of the Supreme Court of the United States every time. If the Supreme Court lay down a rule which in the judgment of the legislative branch of the Government is too broad and comprehensive, the remedy is still in the House's hands to limit that rule by a legislative enactment.

It seems to me, sir, that we ought always to be willing to send these claims to the tribunals which we ourselves have erected for the determination of questions of law.

Mr. BAYNE. I yield five minutes to the gentleman from Michigan [Mr. TARSNEY].

Mr. TARSNEY. I have paid particular attention to the reading of the report in this case and the remarks of the gentlemen who have preceded me, and for a particular reason. It so happens that for seven years of my life I filled the dangerous, the trying, and the arduous occupation of a marine engineer. I may fairly be presumed to know a little something of navigation trials and dangers.

I have read this report, and while I am not here to attempt to overrule the judgment of the Supreme Court of the United States before it is rendered, I am here as a Representative from the State of Michigan, and simply say, let us refer the case to the United States courts and put it on the line where it may get there, so that the highest judicial tribunal in this land can define the limits of responsibility on the part of the Government.

I do not, for my own part, know why the doctrine of *respondeat superior* should not apply in this case as in others. I am not here to decide. But having in mind the responsibility that the Government has assumed, I desire to say to my distinguished friend from Tennessee [Mr. MCMILLIN] that while the Government perhaps was under no obligation originally to improve our channels or build our light-houses, yet it assumed to do so, and it has placed upon our shores and upon our rivers its white and green and red lights for the purpose of guiding the mariner; and these lights are implicitly relied upon by the people who sail.

They find the light-house there. They look for it. They have looked through their glasses and they see another resembling it. Suppose the light on which they have a right to rely has gone out through the negligence of the Government employés; and suppose that ship to go on the breakers and life should be lost and property destroyed; tell me where the redress is, if you please, for those poor mariners who go down to their graves in the sea. And where is the redress for people who own that property?

I appeal to the House as a sailor and ask them to let this bill go back to the Court of Claims with the right of appeal, and let it go to this tribunal over here, and when they make their decision the people of the United States will obey it; and I reckon that it may differ from the judgment of some of the gentlemen on this floor to-day.

Mr. BAYNE. The statement of the gentleman from Tennessee [Mr. MCMILLIN] was misleading—unintenionally so, no doubt, but still it was a misleading statement. The purpose of this bill is not to pass upon the Government's liability for this loss, unless there be now existing law fastening that liability upon the Government. The bill proposed does not create an obligation on the part of the Government to pay this claim. It simply refers the facts to the Court of Claims that that court may enter judgment, if they believe that there is now existing law fastening upon the Government liability for this loss; and that in such an event the United States on the one hand or the claimant on the other may have the right to appeal to the Supreme Court of the United States to have this question settled.

I trust that my friend from Tennessee [Mr. MCMILLIN] with all his anxiety to preserve the Treasury from spoliation or from an effort on the part of citizens to recover money that is due to them, will not deny to these claimants the right to present their arguments, their facts, and their law, and to go into the Supreme Court and ascertain whether there be now any existing law by which they are entitled to recover from the Government for the losses which they have sustained.

The illustration presented by my friend from Michigan [Mr. TARSNEY] was not exactly pertinent to this case. This is not a question of a light-house on a river, as stated by him, and as stated by the gentleman from Tennessee [Mr. MCMILLIN]. Before this improvement in the Ohio was begun there was a free open channel for purposes of navigation. The vast quantities of coal that leave Pittsburgh and go to Louisville and Cincinnati and New Orleans and other cities along the Ohio and the lower Mississippi traversed that channel free and uninterrupted. The Government, in its endeavors to promote and facilitate the commerce of the country, chose to construct a dam about 4 miles below Pittsburgh. In constructing that work it placed piers out in the channel of the river. That dam was in progress of construction on the night of the 1st of January, 1884. This navigator of the river, with his boat and his fleet of coal-barges, started down the river; there had been lights kept on these piers and the other piers in the navigable channel before, and the boat had successfully passed those, but on this occasion the pier which projected farthest into the channel and which was most dangerous to navigation was not lighted, and when the claimant got down there with his boat and his barges they ran against the pier in consequence of the light not having been placed upon it. The boat was sunk with two of the barges, and four persons who were on the boat lost their lives. This case was referred to the Court of Claims; over forty witnesses were examined; over two hundred pages of closely printed testimony were taken.

Mr. LANHAM. And the Attorney-General was present, by his representative, to protect the interests of the United States.

Mr. BAYNE. And, as the gentleman suggests, the Attorney-General was present, through his representative, to protect the interests of the Government. The case was argued, and the Court of Claims reported the facts which have been read to the House. They reported the fact of the loss, that it occurred without any negligence whatever on the part of the claimant, and that it was the result of the gross neglect of the Government agents at that point. Now, the proposition of this bill is simply that the whole matter shall be referred back to the Court of Claims, in order that it may enter a judgment on the facts which it has already ascertained, or which it may see fit to further ascertain.

If the Attorney-General of the United States deems it important or necessary for the protection of the interests of the Government that, in the event of the decision of the court being in favor of the claimants, the case shall be taken to the Supreme Court of the United States, that may be done under the provisions of this bill, so that the Supreme Court can decide whether there be or be not existing law under which the Government can be held responsible. That is the whole case. I deem it proper to say on this occasion, as I have said in advocating the Bowman act and other acts in past years, that the Government of the United States ought to deal more justly with its citizens than it does. There is not a Government in Christendom, excepting only the despotic Government of Russia, which does not deal more fairly with its people than the Government of the United States. England, a monarchy, the empire of Germany, every Government of Europe, every Government of Christendom, excepting only the Russian, affords to its citizens an opportunity to seek redress for grievances against the Government as well as for grievances against their fellow-citizens, and when I find such a state of facts as in this case, where, if the parties to the transaction were private individuals, or if the transaction were between an individual and a private corporation, there is not a court in the country that would not grant the redress sought by the claimants; when I remember that the Government makes its laws, and exacts from the people strict obedience to those laws in their dealings with each other, yet refuses to obey its own laws or to be responsible to its citizens for wrongs done by its agents; when I remember these things I begin to feel a sense of shame for a Government whose boast it is that none other under the sun recognizes and protects so fully the rights of the people.

To-day in the despotic empire of Germany, in France, in monarchical England, in Switzerland, in every civilized country of the world, a citizen having a claim such as this to present may seek redress of his grievance in a tribunal established by the Government, in order that just claims of this character may be paid. I say it is greatly to the credit of these other governments of the world that they are ready to do unto the citizen as they require the citizen to do unto the government.

I hope, Mr. Chairman, that in the Congress of the United States the poor privilege at least will be accorded to citizens of the country of taking their cases to the Court of Claims in the first instance, with the right of appeal to the Supreme Court of the United States, in order to determine whether there is any law by which the Government is bound to compensate the citizen for loss sustained in consequence of gross negligence of the Government's servants.

I relinquish the floor to the gentleman who has so kindly yielded to me.

Mr. WILSON, of Minnesota. I would like to ask the gentleman a question.

Mr. BAYNE. I have no objection to answering it.

Mr. WILSON, of Minnesota. Do I understand the gentleman from Pennsylvania to say that there is any government in the world that allows a claim of this kind for the mere negligence of its officers to be presented against itself?

Mr. BAYNE. Yes, sir.

Mr. WILSON, of Minnesota. What government?

Mr. BAYNE. There have been cases in England decided to that effect.

Mr. WILSON, of Minnesota. What case?

Mr. BAYNE. I have reference to cases. I will turn to them in a few moments and furnish them to the gentleman.

Mr. LANHAM. Mr. Chairman, in response to the question raised

awhile ago by the gentleman from New Jersey, I wish to say that upon a re-examination of the findings of the Court of Claims, I discover this language:

In the year 1884, and previously, the United States were constructing a dam and lock at Davis Island, in the Ohio River, about 5 miles below Pittsburgh, Pa.

* * * * * * *

The orders of the Government officers in charge of the work were that a light should be placed every night on the north pier, as well as lights at the east end of the lock wall.

I assume from this that the work was being conducted by officers of the United States.

Now, in response to the suggestion of the gentleman from Tennessee, I wish to say that in the findings of fact by the Court of Claims there is no sort of adjudication upon the liability of the Government. The court simply finds a given state of facts. I do not know that it can be assumed that upon those facts the court would find the Government of the United States liable. The gentleman seems to believe that such would be the result. The whole purpose of this bill is merely to let this matter go through judicial channels and reach a decision by the highest court of the Government, so that there may be a distinct adjudication as to the question of responsibility on the part of the Government.

Mr. BAYNE. In reply to the gentleman from Minnesota [Mr. WILSON] who asked me to cite a case which had been decided in the English courts, I refer him to the case of The Athol, 1 W. Robinson, 382.

Mr. WILSON, of Minnesota. Was that an admiralty case?

Mr. BAYNE. Yes, sir; a case analogous in all respects to this, and the liability of the Government for the negligence of its officers was sustained.

Mr. LANHAM. If there be no desire for further discussion on this proposition, I ask that the bill be laid aside to be reported to the House with a favorable recommendation.

Mr. TURNER, of Georgia. Will the gentleman yield to me for a moment?

The CHAIRMAN. The gentleman from Tennessee [Mr. MCMILLIN] is entitled to the floor.

Mr. MCMILLIN. I yield to the gentleman from Georgia such time as he wants.

Mr. TURNER, of Georgia. Mr. Chairman, in support of the proposition which the gentleman from Tennessee has so lucidly presented to the House, I desire to cite an authority which is, I think, respectable among all lawyers. I read from Broom's Legal Maxims, page 62. In explaining the doctrine of *respondeat superior* this learned writer says:

The ordinary maxim *respondeat superior* has, then, no application to the Crown, for the Crown can not, in contemplation of law, command a wrongful act to be done. It may be stated, moreover, as a rule of the common law, that the Crown can not be prejudiced by the laches or acts of omission of any of its officers.

It is also laid down by the same authority that the individual who happens to have official relation to the Government may be personally liable to any one injured by his acts of negligence or omission, but not the Government that employs him. I think this is a fundamental doctrine which has been universally accepted.

Mr. LANHAM. May it not be safely inferred that the court which would pass upon this question would give due consideration to the authority cited by the gentleman from Georgia as well as all other legal principles bearing upon the case?

Mr. TURNER, of Georgia. In response to the last inquiry made by the gentleman from Texas, I wish to say that the high court to which reference has been made has now ample jurisdiction and abundant business to occupy it, and there is no propriety in submitting to it cases which it is no part of its proper province to determine.

Mr. MCMILLIN. I yield five minutes to the gentleman from Kentucky [Mr. TAULBEE].

Mr. TAULBEE. Mr. Chairman, my experience in matters of this kind inclines my mind to the conclusion that there is justice in the charge frequently made that the Congress of the United States as well as the courts and other officers of the Government are frequently derelict in reference to the payment of just claims. Upon any claim which leaves little doubt as to the propriety of its payment I would always cheerfully decide in favor of the claimant on the hypothesis that the people of the country are better able to bear the burdens for which the claimants are not altogether responsible than are individual claimants themselves.

But this case, in my judgment, presents to us certain peculiar considerations. It involves the determination of a policy upon which I doubt the propriety of our entering at this time. This bill proposes to refer this claim to the Court of Claims, conferring upon that court admiralty jurisdiction.

Mr. LANHAM. I will say to the gentleman from Kentucky, that I have offered an amendment to strike out that clause of the bill which proposes to confer upon the court admiralty jurisdiction.

Mr. TAULBEE. I had not caught that proposition. I shall be under obligations to the gentleman from Texas if he will inform us whether the Court of Claims upon the reference of this case under the pending bill would have the right to render judgment.

Mr. LANHAM. That is the purpose of it; that judgment shall be rendered, with a right of appeal.

Mr. TAULBEE. Then, Mr. Chairman, the effect of the bill will be the same, even with the gentleman's amendment; and the objection which I have to the bill as reported is applicable also to the bill as amended.

This bill proposes to refer this matter to the Court of Claims with the object of rendering judgment. The Court of Claims has already signified, by its report, what will be the result of its action on the final consideration of this case. The question must be determined by the House now whether or not we will hold the Government responsible for property destroyed by the Government, or through the neglect of its officers, in pursuance of the legitimate purposes of the Government. I dare say the passage of this bill will reopen to us the consideration of war claims which Congress invariably rejects, and the officers of the Government reject on the ground that the Government is not responsible for the destruction of property even in times of war when the emergencies are great and when the life of the nation is at stake; when armies must be moved and cities besieged in order to maintain the life of the nation.

Mr. BAYNE. I hope the gentleman will not consider it is settled when there are so many acts of Congress to the contrary.

Mr. TAULBEE. Granting that this tends to strengthen the precedent already established, as suggested by the gentleman from Pennsylvania [Mr. BAYNE], and that precedent when carried to its ultimatum must, as he knows, result in tearing open war claims the demands of which would exhaust the money in the Treasury and involve us in debt far greater than that which the Government now carries.

I have in my mind a case precisely parallel in point in my own district. During the Forty-ninth Congress the engineers of the United States were constructing a lock and dam on the Kentucky River in my district. The act authorizing the construction of that dam was at the earnest solicitation of the citizens where it is located. But under the plans of the engineers, even after the completion of the dam, persons transporting timber from above found it difficult to get by it. Many floats of timber were torn to pieces and destroyed, not because of any neglect on the part of the parties who were transporting this merchandise, but by reason of the construction of the dam.

Now, if this bill is passed it will be an incentive to the people of my district to charge up against the Government of the United States the thousands of dollars of loss they have sustained by reason of the Government undertaking to do that which it was asked to do.

I maintain it is our duty to adhere to the policy heretofore adopted by the Government in reference to paying by the Government for property destroyed by the Government for legitimate purposes, and that the cases which have been settled shall not be reopened and reconsidered. I insist that if the Government takes my property, takes it and converts it to its own use, I am entitled to compensation, and I deny to any gentleman on this floor a greater or swifter desire in bringing about the payment of such claims than I have myself.

Mr. BAYNE. You stated that you agreed to the doctrine that if the Government takes private property for public use it is obliged to pay for it. Do you not agree to the other maxim with that, that the Government shall use its own property so as not to endanger the property of others?

Mr. TAULBEE. I agree that it is correct in theory, that it is the duty of the Government to do it, and if the officers of the Government should promulgate a policy contrary to that, they would be subject to impeachment or prosecution.

[Here the hammer fell.]

Mr. MCMILLIN. I yield five minutes longer to the gentleman from Kentucky, if he desires it.

Mr. TAULBEE. Thank you.

Mr. LANHAM. Let me ask the gentleman from Kentucky if he is opposed to allowing an injured party a day in court in which to be heard?

Mr. TAULBEE. I certainly am not, when that day in court is had for the purpose of the ascertainment of such facts as will enable him to have full and fair justice.

Mr. LANHAM. What is the use in ascertaining the facts, as in this case, where they have been already ascertained and transmitted to us, without going a step further and allowing the courts to pass upon the question of liability?

Mr. TAULBEE. The most important use that I can conceive for putting the facts ascertained by the court before us is that the Government is not responsible, and upon those facts we may determine that proposition. If the Government had taken this vessel for the purpose of constructing the works upon the Ohio River, if it had converted it to its own use in the course of such construction, payment for the use of the vessel, or if destroyed by the Government during the time in which they used it, payment of the claim for the price of the vessel itself would have been a legitimate demand. But this bill presents a very different case. Here is a damage sustained by the claimants by reason of the dereliction of an officer of the Government. That dereliction is chargeable to that officer individually, in my judgment. It can not be put upon the same footing, or held as strong, as many cases presented to Congress from time to time where private property was

taken and destroyed by the Federal Army during the war to maintain the unity of the country.

Mr. LANHAM. If the individual is liable, would not the court decide that fact?

Mr. TAULBEE. I do not understand that this bill authorizes the Court of Claims to render judgment against the individual; but the only reasonable inference that the court can place upon the purpose of this Legislature, after the passage of this bill, is that it was our intention, in the event the Court of Claims believed the complainants to be entitled to pay for their vessel, that the court should render judgment against the United States as the defendant in this action. I think that is a fair construction of the bill, and I am opposed to its passage on that ground.

Now, Mr. Chairman, I would like to ask the gentleman having this bill in charge if the bill should pass here and become a law, and if his theory is correct, why it is that the friends of these men who were killed in this accident—and I believe there were five of them—why their friends have not a standing in court and the right of action against the Government because of the destruction of their lives, just as well as these parties have for the destruction of their property? I would like to find some gentleman willing and able to draw a distinction between the two cases.

If the damage had been brought about by some railroad corporation, that corporation would have been held responsible by the courts for the destruction of this property. If the lives of these men had been lost as the result of the act of that corporation, or an individual, that corporation or individual would have been responsible for the lives of the men when the property was destroyed. Now, I maintain that if the claimants are entitled to relief, the widows of the men who lost their lives are also entitled to damages by reason of it. I am unable to understand any distinction between the cases. I am unable to see how it is that the owners of this vessel are entitled to a standing in court, when the Government, by its authorized agents, gave no directions for any procedure in the premises which resulted in the destruction of the property.

For these reasons I feel constrained to vote against the passage of the bill.

Mr. SPRINGER. Mr. Chairman, I am opposed to the passage of this bill. It seems to me that its passage would be a marked departure from precedents heretofore prevailing in this House.

Mr. LANHAM. Will the gentleman allow a question?

Mr. SPRINGER. Certainly.

Mr. LANHAM. Did the gentleman from Illinois present any minority report to the report of the committee in this case?

Mr. SPRINGER. I did not.

Mr. LANHAM. Was it not the unanimous action of the committee?

Mr. SPRINGER. I have no recollection as to the case at all. I do not remember any report upon it.

Mr. LANHAM. I have a very distinct recollection of its being reported from the committee.

Mr. SPRINGER. I do not mean to say that the case was not reported from the committee. I know the case was before the committee, and possibly I was present when it was reported. But what I mean is that I have no distinct recollection of the facts.

Mr. LANHAM. On the contrary, and I do not know whether it is proper to state it or not, my recollection is clear that the gentleman was present when it was considered and reported.

Mr. SPRINGER. Very possibly I was. I do not remember.

Mr. OATES. You may have gotten new light since then, even if you had agreed to the report.

Mr. SPRINGER. My friend from Alabama suggests that there may be some new light. It is very possible that if I had agreed to the bill then I might find reason to change my opinion on receiving new light; and certainly the able arguments which have been presented here to-day ought, in any unprejudiced mind, to induce a change of sentiment, or an inference at least that the bill ought not to be passed. If in committee I had agreed to the bill, after the hearing to-day I think I should be strongly inclined to change my mind, even if formerly in favor of it.

Mr. BAYNE. May I ask the gentleman a question?

Mr. SPRINGER. I will yield for a question, but I would like to have an opportunity of beginning my remarks. [Laughter.]

Mr. BAYNE. I wish to ask whether the gentleman does not think there is a legal liability on the part of the Government to pay the claimants here?

Mr. SPRINGER. I think not.

Mr. BAYNE. Very well. Does this bill go a bit further than to leave the question to the Court of Claims first, and then to the Supreme Court, to ascertain whether there is such a law fixing the liability upon the Government? Does it go a step further?

Mr. SPRINGER. I understand it does, and I will show the gentleman wherein it does. I understand this to be a case sounding in tort, and it being a case sounding in tort, the Court of Claims has no jurisdiction of it and can not have unless jurisdiction is specially conferred.

The statute passed at the last session of Congress, reported from the Committee on the Judiciary by Mr. Tucker, contains this provision in regard to suits against the Government:

First. All claims founded upon the Constitution of the United States, or any law of Congress, except for pensions, or upon any regulation of an Executive Department, or upon any contract expressed or implied with the Government of the United States, or for damages, liquidated or unliquidated, in cases not sounding in tort, in respect of which claims the party would be entitled to redress against the United States, either in a court of law, equity, or admiralty, if the United States were suable.

All such claims shall be cognizable in the Court of Claims. The jurisdiction of the Court of Claims heretofore was as follows, and the gentleman will see the distinction the committee drew last session:

The Court of Claims shall have jurisdiction to hear and determine the following matters:

First. All claims founded upon any law of Congress, or upon any regulation of an Executive Department, or upon any contract, expressed or implied, with the Government of the United States, and all claims which may be referred to it by either House of Congress.

Now, the difference between these two statutes is, that the new statute enlarged the jurisdiction of the Court of Claims so as to extend the claim "for damages, liquidated or unliquidated, in cases not sounding in tort, in respect of which claims the party would be entitled to redress against the United States, either in a court of law, equity, or admiralty, if the United States were suable."

Those words were put in the new law. Now, if the proposition the gentleman maintains is correct, that this does not confer any more jurisdiction on the court than the court now has, then there is no necessity for the passage of this bill, because this statute gives the court jurisdiction of the case, and it is not yet barred by the statute of limitations, as the cause of action occurred on the 1st of January, 1884. Only four years up to this time have elapsed, and the case may be brought in the Court of Claims unless it be one sounding in tort; but if it be a case sounding in tort, the court can not have jurisdiction unless jurisdiction be specially conferred upon it.

Mr. BAYNE. This is merely giving the court jurisdiction?

Mr. SPRINGER. It gives the court jurisdiction in a case where it has not jurisdiction; and when it has jurisdiction it will merely have to determine whether the Government is liable or not. If that be the question, then the court would have jurisdiction conferred upon it for that purpose.

Mr. BAYNE. It must find the law.

Mr. SPRINGER. If it goes back to this law, the law says it has not this jurisdiction, because this is a case sounding in tort, and unless you amend this law the sending of the case to the Court of Claims will amount to nothing. But if you confer this special jurisdiction on the Court of Claims there will be a judgment in the case.

Mr. BAYNE. Is there anything in the Bowman act which makes the Government responsible for the torts of its agents?

Mr. SPRINGER. I am not speaking of that act, but of the act passed in the last Congress in which jurisdiction was conferred on the Court of Claims. The gentleman recognizes the fact that by the law as it is the court has no jurisdiction in this case. To give the court jurisdiction it is necessary to pass a special act. Where are you under the terms of the law of last session unless you give the court jurisdiction? The court would say this is a case sounding in tort, and therefore the court has no jurisdiction. This is the statutory limitation upon the liability of the Government in admiralty cases, passed after due reflection and deliberation by Congress, and if it had been the intention of Congress to make the Government liable in cases sounding in tort, as this bill does, that jurisdiction would have been given generally in the statute of last session; but not having been given generally, here is a proposition to give it specially; and the only effect of this statute will be to cause the court to take jurisdiction in a case in which it has no jurisdiction and to render judgment in a case sounding in tort, which it could not do without this special act.

Mr. BAYNE. Will the gentleman allow me to ask him a question?

Mr. SPRINGER. Yes, sir.

Mr. BAYNE. If this case be not one sounding in tort the court would have jurisdiction?

Mr. SPRINGER. It would under the statute I have read.

Mr. BAYNE. Next to the last paragraph, on page 4 of the committee's report, I find this:

Whether the Government is liable generally for torts is a question which may well be laid out of discussion in the present case. The principle on which liability in cases of marine collision is sustained is simply that of the responsibility of a property-owner for the management and use of his property—simply a practical application of the sound maxim, *Sic utere tuo ut alienum non laedas*. We might well adopt, with reference to the General Government, the language of the Supreme Court of the United States in a recent case:

"The great principle of the common law, which is equally the teaching of Christian morality, so to use one's property as not to injure others, forbids any other application or use of the rights and powers conferred. (Baltimore and Potomac Railroad Company vs. Fifth Baptish Church, 108 U. S. Reports, p. 331.)"

Now, the corollary is inevitable that if the Court of Claims had jurisdiction of this case, eliminating from it altogether the question of tort, it could have found a judgment, instead of making the return it did make of the facts, and the Court of Claims decides that very point.

Mr. McMILLIN. I yield all but one minute to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. I will ask the gentleman from Texas [Mr. LANHAM] to give me a little additional time.

Mr. LANHAM. I will yield to the gentleman.

Mr. BAYNE. I wish the gentleman from Illinois would answer what I have just said.

Mr. SPRINGER. I am going to do it. The gentleman concedes that, as the law now stands, the Court of Claims has not jurisdiction of this case?

Mr. BAYNE. I do not believe it has.

Mr. SPRINGER. The gentleman concedes that the Court of Claims has not jurisdiction. Now, this is a bill to confer jurisdiction and to confer it in a direction where, when Congress was dealing with the subject generally, it expressly said it would not confer jurisdiction. This bill proposes to confer jurisdiction in a direction in which Congress never has conferred it, namely, jurisdiction to hear and determine cases where the Government may be liable for the negligence of its agents in the carrying on of public works. That, as I have said, is a jurisdiction which never has been conferred by Congress upon any tribunal, and which ought not to be conferred. This Government has always recognized the English doctrine of *respondeat superior*, which has been cited by the gentleman from Georgia [Mr. TURNER], and when the bill was passed in the last session we went farther than we had ever gone before in the direction of making the Government liable, but we expressly excluded cases of this kind, so that now we are asked to make an exception to the general law, although we passed that general law for the express purpose of covering all these cases.

Mr. BAYNE. The gentleman does not wish to misrepresent the facts, I know, and certainly he can not intend to state that Congress has not passed a number of bills to pay for torts committed by the servants of the Government.

Mr. SPRINGER. I presume that Congress has passed a great many bills for the payment of money out of the Treasury by special appropriations and by conferring special jurisdiction. That is one of the things I have complained of ever since I have been in Congress. I think we ought to deal with these matters upon general principles. In the last session we did undertake to deal with this question in that way, and we fixed the principle of liability, and now here, in the very first session after that general law has gone into effect, we have presented to us a special act to take this case out of the general rule and allow the Government to be mulcted in damages in a direction where no general jurisdiction has ever heretofore been conferred upon any court.

I undertake to say that if the proposition were made here to-day to confer upon the Court of Claims, generally, the jurisdiction which this bill proposes to confer in this special case there would not be half a dozen gentlemen here who would vote for it.

Mr. BAYNE. There ought not to be half a dozen who would not.

Mr. SPRINGER. Then why did not the gentleman when we were considering the general bill at the last session move to strike out the words which denied this jurisdiction?

Mr. BAYNE. I did, sir. I tried my best to have them struck out.

Mr. SPRINGER. Then the gentleman understands that Congress at its last session refused the request generally which he now asks specially to have granted to his constituents. I think this business of special legislation ought to be curtailed instead of being enlarged. We were told by the honorable chairman of the Judiciary Committee last session that the bill we then passed was for the purpose of doing away in great measure with special legislation, but, instead of that, it seems to have invited special acts, such as have not heretofore been considered in this House. Instead of doing away with the special cases which were incumbering our dockets, it seems to have invited these appeals to confer jurisdiction where Congress has always expressly declined to confer it. I hope this bill will not be passed, because it opens up a line of legislation the end of which no man can foresee. If you begin with this case you must treat every other claimant in the same way hereafter, and agree to pay whatever damages may arise from the negligence of the agents of the Government.

Mr. MCMILLIN. I yield to the gentleman from West Virginia [Mr. HOGG], who desires to offer an amendment.

Mr. HOGG. I offer the amendment which I send to the desk.

The amendment was read, as follows:

Let the bill continue as follows, after the last line:

"*And provided further*, That the Court of Claims is hereby empowered to decide all questions of law and fact that may be presented by, or arise upon, any petition that may be filed in this case, and to decide whether the facts presented by such petition do in themselves constitute a legal claim or demand against the Government; and the liability of the Government is hereby expressly reserved by this act."

Mr. HOGG. Mr. Chairman, my object in offering this amendment is to enable the court to hear argument, and to consider more deliberately and thoroughly the very questions which we are considering here. With such an amendment I do not think the bill will be objectionable.

Mr. LANHAM. I now yield five minutes to the gentleman from Massachusetts [Mr. COLLINS].

Mr. COLLINS. When the discussion first arose I had the notion that the bill intended to appropriate the amount of money necessary to pay the loss incurred by these claimants, and in that form I should have been perfectly willing to vote for it. I belong to that class of men in the community, increasing in number I hope, who are not afraid of a precedent if the precedent rests upon principles of plain justice.

It is admitted in this case that if this pier had belonged to an individual, to a private corporation, to a municipal corporation, or to a county, there would be a plain remedy at law, and all the argument on the other side is that we, the great United States of America, should shield ourselves behind our sovereignty and refuse to pay the damage. State after State in this Union—England, from which we take our common law, has been gradually doing away with the principle that because the state is great and powerful she can inflict injury upon an individual and not be obliged to pay for it. We have modified the common law by allowing every person who has a claim sounding in contract to bring it before the courts of the United States. Is there any difference between taking a man's property for public purposes, paying him a just compensation therefor, and destroying his property and paying him for it? My friend from Georgia [Mr. TURNER] says that the doctrine of *respondeat superior* does not apply. That is true, but if it did apply in this case, you would not find this claimant coming to Congress for relief.

But it is because the hard, iron rule of the common law bars these people from a remedy that they come here asking justice from the body that has the power to change the law. When an individual or a corporation, private or municipal, would be obliged to grant redress I do not believe that the Government of the United States should stand back and say it will not give relief.

Mr. MCMILLIN. Will my friend from Massachusetts permit a question? Suppose that Wells, Fargo & Co. or the Adams Express Company should undertake to carry for an individual a package such as is generally carried in the mails, and should fail to deliver it. The gentleman will agree with me that the company would in such a case be liable. Now, if the Government fails to deliver a package through the Postal Department, is the Government liable?

Mr. COLLINS. In answer to the first point of my friend from Tennessee, I will simply say that there is no occasion for stating an undisputed proposition in so solemn a manner. As to the other branch of the gentleman's question, the Government of the United States in that case also shields itself behind its sovereignty and refuses——

Mr. MCMILLIN. Does it not justly do so?

Mr. COLLINS. That is a question which I shall be prepared to discuss with the gentleman from Tennessee, or any other gentleman, when it comes up. Let us take one case at a time.

Mr. MCMILLIN. I simply wished to see whether the gentleman would follow his premises to the absurdity to which they necessarily lead.

Mr. COLLINS. The gentleman's range of vision as to reaching "absurdities" is very different from mine. Mine may be either narrower or broader than his. But I do not allow my logic to carry me to any absurdity or to any meanness toward people who are injured by this Government or by an individual.

My friend from Illinois quotes law which is perfectly applicable to another state of facts. We are seeking to make a law to cover this case. I come from a State which is liberal enough and great enough to refuse to shield itself behind its sovereign power when it does injury to an individual. If the United States Government had seized this vessel and appropriated it as a part of the naval force of the country—had used it for Government purposes—the Government would have to pay for the vessel. Everybody concedes that. But the United States Government, by the negligence of its servants and agents, sends that boat to the bottom of the river or burns it to the water's edge, destroying at the same time human life. In such a case the Government ought to be responsible.

My friend from Tennessee says that perhaps the representatives of those people who were killed in that disaster—I will not say accident—owing to the culpable carelessness of the agents of the United States, might bring suit. In the name of God, why should they not? What right have the agents of the United States to be so culpably careless as to destroy not only property but human life? If this bill is establishing a precedent—and I do not believe it is—it is a precedent which rests upon plain principles of justice, which ought to be followed in every case where like circumstances arise.

[Here the hammer fell.]

Mr. SPRINGER. The gentleman will allow me to ask him one question. Upon the same principle which he advocates, would he favor a bill giving special jurisdiction to the Court of Claims, so as to allow the heirs or administrators of the deceased persons to whom he has referred to sue the Government?

Mr. COLLINS. I certainly would. The United States Government has no business to kill anybody except in war or in the punishment of crime.

[Here the hammer fell.]

Mr. LANHAM. I yield three minutes to the gentleman from Illinois [Mr. LANE].

Mr. LANE. Mr. Chairman, I have never in my life heard it maintained, even in the court of a justice of the peace, that the Government is liable for the neglect of its officers. A bridge may break while you are passing across it; a State or a county may be charged with the construction and maintenance of that bridge; its insecurity may have been known by the officer having the bridge under his charge, but in no such case has a State or a county ever been held liable. If the law imposed such liability, the State could not exist. The legal doctrine denying such liability has been well established in England for one hundred and fifty years, and it is recognized as law throughout the States of this Union.

In matters of this kind there is no parallel between the Government and individuals.

It seems to me as a business man that this is a very plain question. There is no dispute about the facts of this case. They are reported to this House by the Court of Claims. We are asked to refer the claim again to that court—for what? In order to obtain its opinion of the law! Is there any officer of this Government who has the right to advise this body as to its legal duties? This is a simple legal question. Is this claim just? If so, it should be allowed. We are the judges of the justice of this bill. If this claim is right, let it be allowed; if wrong, let it be rejected. Members here have no right, when their legal knowledge fails, to appeal to the Supreme Court for its decision upon a question of law.

The facts of the case are not disputed, and I insist no lawyer can claim for a single minute that the Government of the United States is liable for the neglect of its officers. In the very horn-books of the law the contrary doctrine is laid down. Whether just or unjust, that is the law.

The equity of the case is a different thing. If this is presented as an equitable claim upon some special reasons, then it is proper for the advocates of the bill to present their equitable grounds. But as a legal proposition it can not be claimed that the Government is liable for the neglect of its officers. It is not an insurer of property or life. Gentlemen fall into confusion in this matter. When, for example, a city under its charter assumes to do a thing, it must do it well. If it undertakes to light the streets it must light them properly. But the same considerations do not apply to a State or a county, nor to the General Government. If the United States Government undertakes to light the harbors or coasts of the country its action is altogether voluntary. Should there be a failure to do the work properly the party who suffers thereby may have an action against the officer who has refused to do his duty; but he can not bring suit against the Government. In such a case the Government can not be sued, because it is sovereign and independent. Hence, in this case the appeal of this party must be simply to the equitable judgment of this House. If a majority of the House should think that a sufficient equitable claim is presented, then the bill should be passed.

[Here the hammer fell.]

Mr. LANHAM. I suppose all the discussion which is desired has been had in opposition to this bill, but if any other gentleman wishes to be heard I will yield the floor to him.

Mr. BYNUM. I ask leave to offer an amendment.

Mr. LANHAM. I will yield for that purpose.

Mr. BYNUM. I submit the following amendment.

The Clerk read as follows:

Insert in line 7, after the word "eighty-four:"

"And the claims of the heirs and personal representatives of the persons whose lives were lost by reason of the loss and destruction of said steamer."

Mr. BUCHANAN. I make the point of order that the amendment is not germane. The parties to which it refers are not named in the bill. It relates to parties not here asking for anything. It adds another and distinct party. In other words, it is another claim, differing entirely from that included in the bill.

Mr. LANHAM. It is clearly not in order to unite two claims in one bill.

Mr. BYNUM. It is clearly in order to include in this bill claims on the part of those whose lives were lost at the time this steamer was sunk. I never heard it attempted before to decide another claim may not be included in a pending bill, and especially in the case of a man claiming damages growing out of the same transaction. If that were true, I apprehend no appropriation bill could be amended by adding another item, and the only amendment which could be made to it would be to increase or decrease the amount. But such has never been the ruling in this House on the question of order. The amendment is perfectly germane to the bill, as it arises out of the same transaction.

The CHAIRMAN. The Clerk will read a passage from the Digest.

The Clerk read as follows:

It is also out of order to ingraft on any bill for the relief of one individual a provision for the relief of another.

The CHAIRMAN. The Chair decides the amendment to be out of order.

Mr. HOGG. I move the following amendment.

The Clerk read as follows:

Let the bill continue as follows, from the end of the last line therein:

"*And provided further*, That the Court of Claims is hereby empowered to decide all questions of law and fact that may be presented by, or arise upon, any petition that may be filed in this case, and decide whether the facts presented by such petition do in themselves constitute a legal claim or demand against the Government; and the legal liability of the Government is hereby expressly reserved by this act."

The committee divided; and there were—ayes 55, noes 87.

Mr. MORGAN. No quorum has voted.

The Chair appointed as tellers Mr. MORGAN and Mr. LANHAM.

The committee again divided; and the tellers reported—ayes 66, noes 106.

So the amendment was rejected.

Mr. LANHAM. I move that the bill be laid aside to be reported to the House with the recommendation that it do pass.

Mr. BRECKINRIDGE, of Kentucky. I move that the bill be reported to the House with the recommendation that it be referred to the Committee on the Judiciary. The only question is the liability of the Government, as all the questions of fact have been obtained by the Government. That is purely a question of law. The tribunal established by Congress has ascertained what the facts in this case are, and the question of law which arises therein is, is the Government liable? Now it seems to me that the proper committee to take that question into consideration is the Committee on the Judiciary. It is an important precedent which we are about to establish, and which, I confess, I am not willing to establish without careful determination.

Mr. COLLINS. Is not the gentleman willing to trust the question to the Supreme Court?

Mr. BRECKINRIDGE, of Kentucky. Indubitably I agree with the gentleman, the Supreme Court of the United States is entirely competent to decide the question. But the precedent we are to establish is whether we will let this class of cases be sent to the Court of Claims to be appealed to the Supreme Court of the United States. It is a question for the Committee on the Judiciary, and therefore if that question is to arise, as we all know by the particular mode in which this particular class of cases goes to the Court of Claims is one which ordinarily does not give the Government a fair chance and a fair hearing, I wish it to be referred to that committee.

If it be true that this House ought to establish the precedent that the Government is in a certain sense an accident, fire, and marine insurance company on all the rivers and water-courses it undertakes to improve; that every time it undertakes to improve and make navigation better it thereby becomes the insurer against all accidents caused by the negligence of public officers, I prefer to have that, as a preliminary question, submitted to me after consideration by the Law Committee of the House.

Mr. BAYNE. Mr. Chairman, I hope that the amendment will not be adopted. To refer any private bill to the Judiciary Committee is a burial of it so deep that there is no hope for resurrection.

Mr. LANHAM. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LANHAM. Is this proposition debatable?

The CHAIRMAN. The Chair thinks it is.

Mr. BAYNE. I do not want to occupy the time of the committee by debating it. I only want to say that the Committee on Claims is composed of lawyers.

Mr. BRECKINRIDGE, of Kentucky. And very good ones.

A MEMBER. Better lawyers than the Judiciary?

Mr. BAYNE. Very good ones, I am sure, and capable of dealing with any such questions.

Mr. BRECKINRIDGE, of Kentucky. It is understood, of course, that we limit that to the present Committee on Claims, saying nothing of their predecessors in former Congresses. [Laughter.]

Mr. BAYNE. The present Committee on Claims took the same view precisely of it; and I think it is due to this claimant that he should have his case passed upon by the Court of Claims, and then the Government of the United States will be perfectly safe when its Attorney-General, if he wishes, can take it up to the Supreme Court to decide whether there is or is not a legal liability on the part of the Government. It will bring it to a judgment and conclusion; whereas the motion of my friend from Kentucky simply places it beyond hope of being reached during this Congress, and I hope he will withdraw it.

But I want to suggest another reason why his amendment, if adopted, would place this bill in a most anomalous position. This claim was reported from the Court of Claims and placed on the Calendar, and is now in a position where it has the right of consideration. If it goes to the Judiciary Committee and they ever make a report upon it, it falls away back and must take its chances at the bottom of the list for consideration.

Mr. BRECKINRIDGE, of Kentucky. I can not imagine that if it is referred to the Judiciary Committee it will be to bury it beyond the power of resurrection. That, however, is a question between the gentleman from Pennsylvania and the chairman of the Judiciary Committee and its members, as to whether they can be presumed to do their duty and report the bill back.

As to the anomalous condition in which it leaves the bill, I know of no remedy for that. It is rather an anomalous bill.

Mr. BAYNE. Many bills of a similar character have been passed before. I imagine, however, that they must have come from a different section of the country.

Mr. BRECKINRIDGE, of Kentucky. I do not know anything as to where this claim comes from. I do not know the geography of the bill. The law question involved is not a geographical question with me.

Mr. BAYNE. I wish it was not.

Mr. BRECKINRIDGE, of Kentucky. Law questions are not usually matters of geography.

Mr. STEWART, of Georgia. As the chairman of the Committee on the Judiciary seems to be out, I only wish to say, in response to what

the gentleman from Pennsylvania has said, that I am convinced all of that committee believe in the resurrection. [Laughter.]

Mr. WARNER. Under the rules of the House the Committee on Claims of the last House, as well as the Committee on Claims of the present House, is the committee charged with the jurisdiction of determining the legal questions involved in this claim.

Mr. SPRINGER. Let me say a word in regard to the pending amendment. This bill as it stands refers this case to the Court of Claims, to hear and determine the same to judgment, with the right of appeal as in other cases. If it passes the Court of Claims, and goes to the Supreme Court, they will understand, as they now understand, that it is to hear and determine a case to judgment, and that you have given jurisdiction over the subject.

Now, the committee refused to determine the question of limiting the liability of the Government a moment ago by refusing, by a decided vote, to accept an amendment proposed by the gentleman on the left [Mr. HOGG]; and the motion of the gentleman from Kentucky now is that the bill be referred to the Committee on the Judiciary, which committee will determine the legal question as to whether the United States is liable in a case of this kind, and it can determine that question as well as the Court of Claims or the Supreme Court. I therefore favor that amendment.

The CHAIRMAN. The question is on the amendment of the gentleman from Kentucky.

Mr. BUCHANAN. Will the gentleman from Illinois allow a question?

Mr. SPRINGER. Certainly, if I can have the floor for that purpose.

Mr. BUCHANAN. I wish to ask why the gentleman did not bring that proposition forward in the committee when this bill was under consideration?

Mr. SPRINGER. I explained that once before.

Mr. BUCHANAN. I happened to be out when that was explained. I am glad it was, and I hope it was explained satisfactorily.

Mr. SPRINGER. I was not present at all the meetings of the Committee on Claims last session.

Mr. BUCHANAN. But the gentleman was present when this bill was considered, as I happen to remember.

Mr. SPRINGER. If so, I have changed my opinion.

Mr. BUCHANAN. I am glad to know the gentleman is still learning. [Laughter.]

Mr. SPRINGER. Wise men change their opinions; some others never do. [Laughter.]

The CHAIRMAN. The question is on the motion of the gentleman from Kentucky that the bill be reported to the House with the recommendation that it be referred to the Committee on the Judiciary.

The question being taken, there were—ayes 98, noes 103.

Mr. HOLMAN. I call for tellers.

Tellers were ordered; and Mr. BRECKINRIDGE, of Kentucky, and Mr. LANHAM were appointed.

The committee again divided; and the tellers reported—ayes 96, noes 105.

So the motion was not agreed to.

The CHAIRMAN. The question is now on the motion submitted by the gentleman from Texas [Mr. LANHAM] that the bill as amended be laid aside and reported to the House with the recommendation that it do pass.

The question being taken, there were—ayes 108, noes 100.

Mr. SPRINGER called for tellers, but after a pause said: I withdraw the demand for tellers, and will ask for a vote in the House.

The motion of Mr. LANHAM was agreed to.

Mr. LANHAM. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. COX having taken the chair as Speaker *pro tempore*, Mr. HATCH reported that the Committee of the Whole House, having had under consideration bills on the Private Calendar, had instructed him to report back to the House sundry bills with various recommendations.

JAMES H. AYRES.

The first bill reported from the Committee of the Whole House was the bill (H. R. 4956 of last session) to carry out the findings of the Court of Claims in the case of James H. Ayres.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. SHAW moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

OWNERS OF STEAMER I. N. BUNTON.

The next bill reported from the Committee of the Whole House was the bill (H. R. 7211 of last Congress), referring the claims of the owners of the steamer I. N. Bunton to the Court of Claims. The bill was reported with the recommendation that it do pass with the following amendment:

In line 8, strike out the words "as a court of admiralty jurisdiction."

Mr. HOLMAN. I move that the House do now adjourn.

ADJOURNMENT OVER.

Mr. MILLS. Not for any purpose of filibustering, I desire to make the motion now that when the House adjourn to-day it will be to meet on Monday next.

Mr. HATCH. If gentlemen of the House appreciated the importance of the bill now on the Calendar, they would be willing to come here to-morrow to consider it. The Committee on Agriculture has been pressed from all sides to have it brought before the House.

Mr. MILLS. I think it will keep until Monday.

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from Texas [Mr. MILLS].

The question being taken, the Speaker *pro tempore* stated that the "ayes" seemed to have it.

Mr. HATCH. I call for a division.

The House divided; and there were—ayes 157, noes 91.

Mr. HATCH. I call for the yeas and nays.

Mr. BUCHANAN. I desire to make a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. BUCHANAN. Is not the assignment of the agricultural-experiment-stations bill for to-morrow?

Mr. HATCH. It is.

The SPEAKER *pro tempore*. The inquiry of the gentleman from New Jersey is not a parliamentary inquiry. The question is on ordering the yeas and nays.

The yeas and nays were ordered, 75 members voting therefor.

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from Texas that when the House adjourns to-day it be to meet on Monday next.

The question was taken; and there were—yeas 89, nays 154, not voting 80; as follows:

YEAS—89.

| | | | |
|---|---|---|---|
| Abbott, | Cockran, | Hutton, | Phelps, |
| Anderson, C. L. | Collins, | Jones, | Rayner, |
| Anderson, G. A. | Compton, | Kilgore, | Rogers, |
| Bacon, | Cox, | Laffoon, | Russell, J. E. |
| Bankhead, | Crisp, | Landes, | Scull, |
| Barnes, | Culberson, | Lane, | Shively, |
| Bingham, | Davidson, R. H. M. | Lanham, | Simmons, |
| Bliss, | De Lano, | Latham, | Smith, |
| Blount, | Dockery, | Lynch, | Springer, |
| Breckinridge, C. R. | Elliott, | Macdonald, | Steele, |
| Breckinridge, W. C. P. | Ermentrout, | Mansur, | Stewart, J. D. |
| Browne, T. M. | Felton, | Martin, | Taulbee, |
| Bryce, | Finley, | McAdoo, | Tillman, |
| Buckalew, | Forney, | McCreary, | Turner, H. G. |
| Butler, | Hall, | McMillin, | Weaver, |
| Bynum, | Hayes, | Mills, | Wheeler, |
| Candler, | Hiestand, | Oates, | White, J. B. |
| Cannon, | Hogg, | O'Neall, J. H. | White, S. V. |
| Caruth, | Holman, | Osborne, | Whitthorne, |
| Catchings, | Hooker, | Outhwaite, | Wilson, W. L. |
| Chipman, | Hovey, | Peel, | |
| Clements, | Howard, | Penington, | |
| Cobb, | Hudd, | Phelan, | |

NAYS—154.

| | | | |
|---|---|---|---|
| Adams, | Farquhar, | Long, | Ryan, |
| Allen, E. P. | Flood, | Lyman, | Sawyer, |
| Anderson, A. R. | Ford, | Mahoney, | Shaw, |
| Anderson, J. A. | Fuller, | Maish, | Sherman, |
| Arnold, | Funston, | Mason, | Snyder, |
| Atkinson, | Gaines, | McClammy, | Sowden, |
| Baker, C. S. | Gallinger, | McCormick, | Spooner, |
| Baker, Jehu | Gay, | McCullogh, | Stahlnecker, |
| Bayne, | Gear, | McKenna, | Stephenson, |
| Belden, | Gest, | McRae, | Stewart, Charles |
| Boothman, | Glass, | McShane, | Stewart, J. W. |
| Bound, | Glover, | Milliken, | Stockdale, |
| Boutelle, | Grimes, | Moffitt, | Stone of Ky. |
| Bowden, | Grosvenor, | Montgomery, | Stone of Mo. |
| Brewer, | Grout, | Moore, | Struble, |
| Browne, T. H. B. | Guenther, | Morgan, | Tarsney, |
| Brown, C. E. | Hare, | Morrill, | Thomas, G. M. |
| Buchanan, | Hatch, | Morrow, | Thomas, O. B. |
| Bunnell, | Haugen, | Neal, | Thompson, A. C. |
| Burnett, | Hayden, | Nelson, | Tracey, |
| Burrows, | Heard, | Newton, | Townshend, |
| Cheadle, | Hemphill, | Nutting, | Turner, E. J. |
| Clardy, | Henderson, D. B. | O'Ferrall, | Vance, |
| Clark, | Henderson, J. S. | Owen, | Wade, |
| Cogswell, | Henderson, T. J. | Perkins, | Walker, |
| Conger, | Hermann, | Perry, | Warner, |
| Cooper, | Hitt, | Peters, | Washington, |
| Cothran, | Holmes, | Pidcock, | Weber, |
| Cowles, | Hopkins, A. J | Plumb, | Whiting, J. R. |
| Crouse, | Hopkins, S. I. | Post, | Wickham, |
| Dalzell, | Houk, | Pugsley, | Wilber, |
| Dargan, | Jackson, | Reed, | Wilkins, |
| Darlington, | Johnston, J. T. | Rice, | Wilkinson, |
| Davidson, A. C. | Johnston, T. D. | Richardson, | Williams, |
| Davis, | Kerr, | Robertson, | Wilson, Thomas |
| Dingley, | La Follette, | Romeis, | Yardley, |
| Dorsey, | Lagan, | Rowell, | Yost. |
| Dunham, | Laird, | Rowland, | |
| Enloe, | Lind. | Russell, C. A. | |

NOT VOTING—80.

| | | | |
|---|---|---|---|
| Allen, C. H. | Brower, | Carleton, | Dunn, |
| Allen, J. M. | Brown, J. R. | Caswell, | Fisher, |
| Barry, | Brumm, | Crain, | Fitch, |
| Belmont, | Burnes, | Cummings, | Foran, |
| Biggs, | Butterworth, | Cutcheon, | French, |
| Blanchard, | Campbell, Felix | Davenport, | Gibson, |
| Bland, | Campbell, J. E. | Dibble, | Goff, |
| Bowen, | Campbell, T. J. | Dougherty, | Granger, |

| | | | |
|---|---|---|---|
| Greenman, | Lee, | O'Donnell, | Spinola, |
| Harmer, | Lehlbach, | O'Neill, Charles | Symes, |
| Herbert, | Lodge, | O'Neill, J. J. | Taylor, E. B. |
| Hires, | Maffett, | Parker, | Taylor, J. D. |
| Hopkins, S. T. | Matson, | Patton, | Thomas, J. R. |
| Hunter, | McComas, | Payson, | Thompson, T. L. |
| Kean, | McKinley, | Randall, | Vandever, |
| Kelley, | McKinney, | Rockwell, | West, |
| Kennedy, | Merriman, | Rusk, | Whiting, William |
| Ketcham, | Morse, | Sayers, | Wise, |
| Laidlaw, | Nichols, | Scott, | Woodburn, |
| Lawler, | Norwood, | Seney, | Yoder. |

So the motion was not agreed to.

The following-named members were announced as paired:

Mr. GREENMAN with Mr. GEST, until further notice.

Mr. TIMOTHY J. CAMPBELL with Mr. HOPKINS, of New York, until Monday.

Mr. BARRY with Mr. FITCH, for this day.

Mr. CAMPBELL, of Ohio, with Mr. WEST.

Mr. LAWLER with Mr. GOFF.

Mr. LAFFOON with Mr. JOSEPH D. TAYLOR.

Mr. FRENCH with Mr. THOMAS, of Illinois.

Mr. SENEY with Mr. KELLEY.

Mr. SCOTT with Mr. HUNTER.

Mr. COMPTON with Mr. BRUMM.

Mr. RANDALL with Mr. BUTTERWORTH.

Mr. HERBERT with Mr. O'NEILL, of Pennsylvania.

Mr. RUSK with Mr. ROCKWELL.

Mr. SPINOLA with Mr. MAFFETT.

Mr. ALLEN, of Mississippi, with Mr. ARNOLD.

Mr. MERRIMAN with Mr. KEAN.

Mr. KENNEDY with Mr. DIBBLE.

The result of the vote was then announced as above recorded.

Mr. MILLS. Mr. Speaker, during the day a number of gentlemen on both sides of the House came to me and asked whether there would be any business transacted to-morrow, intimating that they did not desire a session on Saturday. [Cries of "Regular order!" on the Republican side.] I inquired of other gentlemen whether they wished to have a session to-morrow——

Mr. STRUBLE. I make the point of order that the gentleman is out of order.

The SPEAKER *pro tempore*. The gentleman from Texas is out of order.

Mr. MILLS. Then, sir, I rise to a question of privilege.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. MILLS. I am going to state it now, as I was proceeding to do when I was interrupted. I gave my word to several gentlemen on both sides of the House, as far as I could give it, that there would be no meeting to-morrow. They supposed that, placed in the position I was, this House would follow me in the matter, and I only want to say now that I am not responsible for the refusal of the House to carry out the promise that I made. [Cries of "Regular order!"]

Mr. HATCH. The gentleman will do me the justice to say that he never mentioned that fact to me. I knew nothing about it.

Mr. MILLS. I did not understand that the House was expected to follow your lead in that matter.

Mr. HATCH. I trust the House will always follow me when I am right.

Mr. MILLS. With the aid of the gentlemen on the other side. [Derisive laughter on the Republican side.]

Mr. LANHAM. I move that the House do now adjourn.

The SPEAKER *pro tempore*. The gentleman from Texas [Mr. LANHAM] has moved that the House adjourn.

Mr. CRISP. I desire to submit a report.

Mr. LANHAM. I yield to the gentleman.

### CALIFORNIA CONTESTED ELECTION.

Mr. CRISP, from the Committee on Elections, submitted a report in the matter of A. E. Redstone claiming to have been elected a member of the House from the Fifth district of California; which was referred to the House Calendar.

Mr. MORROW. Will the gentleman from Texas permit me to make a report?

Mr. LANHAM. I yield for that purpose.

### INTERNATIONAL EXHIBITION AT MELBOURNE.

Mr. MORROW, from the Committee on Foreign Affairs, reported a joint resolution (H. R. 72) relating to the invitation of the British Government to the Government of the United States to participate in the international exhibition at Melbourne to celebrate the founding of New South Wales; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. LANHAM. I yield to the gentleman from Maryland [Mr. SHAW], who desires to submit a report.

### CONDUCTORS FOR HOUSE ELEVATOR.

Mr. SHAW, from the Committee on Accounts, reported back, with amendments, the following resolution:

*Resolved*, That the Speaker of the House of Representatives be, and he is hereby, authorized to appoint and employ two conductors for the new House elevator, at a salary of $1,100 each, to be paid out of the contingent fund of the House.

The amendment reported by the committee was read, as follows:

Add after the word "House," in line 8, the words "who shall be under the supervision and direction of the Architect of the Capitol."

Mr. SHAW. I ask the immediate consideration of this resolution.

The amendment reported by the committee was agreed to, and the resolution as amended adopted.

### ADJOURNMENT TILL MONDAY.

Mr. HATCH. Mr. Speaker, without consulting the friends of the measure which I had expected to bring up to-morrow, but in view of the statement made on the floor by the gentleman from Texas [Mr. MILLS], that the adjournment till to-morrow places him personally in an awkward position before members of the House, I ask unanimous consent to reconsider the vote by which the motion submitted by him was lost, and I hope the friends of the measure of which I have charge will vote for it.

Mr. MILLS. I object; and I now move that when the House adjourns to-day, it adjourn to meet on Monday next.

The SPEAKER *pro tempore* (having put the question) said: On the motion of the gentleman from Texas the ayes are 106 and the noes 118.

Mr. MILLS. I call for the yeas and nays.

The yeas and nays were ordered.

The question being taken, it was decided in the affirmative—yeas 116, nays 104, not voting 103; as follows:

YEAS—116.

| | | | |
|---|---|---|---|
| Abbott, | Dockery, | Lynch, | Rogers, |
| Anderson, C. L. | Elliott, | Macdonald, | Rowland, |
| Anderson, G. A. | Enloe, | Mahoney, | Russell, J. E. |
| Bacon, | Ermentrout, | Maish, | Shaw, |
| Bankhead, | Fisher, | Mansur, | Shively, |
| Barnes, | Ford, | Martin, | Simmons, |
| Blanchard, | Forney, | McAdoo, | Snyder, |
| Bliss, | Gay, | McClammy, | Sowden, |
| Blount, | Glass, | McCreary, | Stewart, Charles |
| Breckinridge, C. R. | Glover, | McMillin, | Stewart, J. D. |
| Breckinridge, WCP. | Hall, | McRae, | Stockdale, |
| Bryce, | Hare, | Mills, | Stone, W. J., Ky. |
| Buckalew, | Hatch, | Montgomery, | Tarsney, |
| Burnett, | Hayes, | Morgan, | Taulbee, |
| Bynum, | Hemphill, | Newton, | Tillman, |
| Candler, | Henderson, J. S. | Oates, | Tracey, |
| Caruth, | Henderson, T. J. | O'Ferrall, | Townshend, |
| Catchings, | Hogg, | O'Neall, J. H. | Turner, H. G. |
| Clardy, | Holman, | Osborne, | Vance, |
| Clements, | Hooker, | Outhwaite, | Walker, |
| Cobb, | Howard, | Peel, | Washington, |
| Cockran, | Hudd, | Penington, | Weaver, |
| Cothran, | Hutton, | Perry, | Wheeler, |
| Cowles, | Johnston, T. D. | Phelan, | White, J. B. |
| Cox, | Kilgore, | Pidcock, | Whiting, J. R. |
| Crisp, | Lane, | Rayner, | Wilkins, |
| Culberson, | Lanham, | Rice, | Wilkinson, |
| Davidson, A. C. | Latham, | Richardson, | Wilson, Thomas. |
| Davidson, R. H. M. | Lee, | Robertson, | Wilson, W. L. |

NAYS—104.

| | | | |
|---|---|---|---|
| Adams, | Conger, | Hitt, | Post, |
| Allen, E. P. | Cooper, | Holmes, | Pugsley, |
| Anderson, A. R. | Crouse, | Hopkins, A. J. | Reed, |
| Anderson, J. A. | Dalzell, | Hovey, | Romeis, |
| Arnold, | Davis, | Jackson, | Rowell, |
| Atkinson, | Delano, | Johnston, J. T. | Russell, C. A. |
| Baker, C. S. | Dingley, | Kerr, | Ryan, |
| Baker, Jehu, | Dorsey, | La Follette, | Sawyer, |
| Bayne, | Dunham, | Laird, | Scull, |
| Belden, | Farquhar, | Lind, | Sherman, |
| Boothman, | Finley, | Long, | Smith, |
| Bound, | Flood, | Lyman, | Spooner, |
| Boutelle, | Fuller, | McCormick, | Steele, |
| Bowden, | Funston, | McCullogh, | Stephenson, |
| Brewer, | Gaines, | McKenna, | Stewart, J. W. |
| Browne, T. H. B. | Gallinger, | McKinley, | Struble, |
| Brown, C. E. | Gear, | McShane, | Thomas, G. M. |
| Buchanan, | Gest, | Milliken, | Thomas, O. B. |
| Bunnell, | Grimes, | Moffitt, | Thompson, A. C. |
| Burrows, | Grosvenor, | Morrill, | Turner, E. J. |
| Butler, | Grout, | Morrow, | Wade, |
| Cannon, | Guenther, | Neal, | Warner, |
| Caswell, | Haugen, | Nelson, | Wickham, |
| Cheadle, | Hayden, | Nutting, | Wilber, |
| Clark, | Henderson, D. B. | Perkins, | Yardley, |
| Cogswell, | Hiestand, | Peters, | Yost. |

NOT VOTING—103.

| | | | |
|---|---|---|---|
| Allen, C. H. | Compton, | Herbert, | Mason, |
| Allen, J. M. | Crain, | Hermann, | Matson, |
| Barry, | Cummings, | Hires, | McComas, |
| Belmont, | Cutcheon, | Hopkins, S. I. | McKinney, |
| Biggs, | Dargan, | Hopkins, S. T. | Merriman, |
| Bingham, | Darlington, | Houck, | Moore, |
| Bland, | Davenport, | Hunter, | Morse, |
| Bowen, | Dibble, | Jones, | Nichols, |
| Brower, | Dougherty, | Kean, | Norwood, |
| Browne, T. M. | Dunn, | Kelley, | O'Donnell, |
| Brown, J. R. | Felton, | Kennedy, | O'Neill, Charles |
| Brumm, | Fitch, | Ketcham, | O'Neill, J. J. |
| Burnes, | Fonn, | Laffoon, | Owen, |
| Butterworth, | French, | Lagan, | Parker, |
| Campbell, Felix | Gibson, | Laidlaw, | Patton, |
| Campbell, J. E. | Goff, | Landes, | Payson, |
| Campbell, T. J. | Granger, | Lawler, | Phelps, |
| Carlton, | Greenman, | Lehlbach, | Plumb, |
| Chipman, | Harmer, | Lodge, | Randall, |
| Collins, | Heard, | Maffett, | Rockwell, |

| | | | |
|---|---|---|---|
| Rusk, | Stahlnecker, | Thompson, T. L. | Whitthorne, |
| Sayers, | Stone, W. J., Mo. | Vandever, | Williams, |
| Scott, | Symes, | Weber, | Wise, |
| Seney, | Taylor, E. B. | West, | Woodburn, |
| Spinola, | Taylor, J. D. | White, S. V. | Yoder. |
| Springer, | Thomas, J. R. | Whiting, William | |

So the motion was agreed to.

During the roll-call Mr. HATCH said: Mr. Speaker, I desire to say that in antagonizing the motion of the gentleman——

Mr. MILLS. Regular order.

Mr. HATCH. I ask to make an explanation.

Mr. MILLS. I object.

Mr. HATCH. I ask unanimous consent to make a single statement.

Mr. MILLS. I object.

Mr. HATCH. I ask, then, to change my vote from "no" to "ay." [Laughter and applause.]

Mr. CAMPBELL, of Pennsylvania. I ask to dispense with the reading of the names.

There was no objection; and it was ordered accordingly.

Mr. BUCHANAN. I am paired on political questions, and if this is considered to be of that nature I will withdraw my vote.

The following additional pairs were announced from the Clerk's desk:

Mr. SPRINGER with Mr. ALLEN, of Massachusetts, for the rest of the day.

Mr. STONE, of Missouri, with Mr. WILLIAMS, for the rest of the day.

Mr. STAHLNECKER with Mr. LAIDLAW, for the rest of the day.

Mr. WHITTHORNE with Mr. HOUK, for the rest of the day.

RUFUS FLETCHER.

On motion of Mr. HOUK, by unanimous consent, leave was granted to withdraw from the files of the House papers in the case of Rufus Fletcher without leaving copies.

JOHN M. HIGGINS.

Mr. STONE, of Kentucky, by unanimous consent, from the Committee on War Claims, reported back with a substitute a bill (H. R. 254) for the relief of John M. Higgins; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

A. GATES LEE.

Mr. STONE, of Kentucky, also, by unanimous consent, from the Committee on War Claims, reported a bill (H. R. 297) for the relief of A. Gates Lee, with a substitute; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ESTATE OF C. M. BRIGGS.

Mr. STONE, of Kentucky, also, by unanimous consent, from the Committee on War Claims, reported a bill (H. R. 4909) for the relief of the estate of C. M. Briggs, deceased; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

NATHANIEL M'KAY.

Mr. STONE, of Kentucky, also, by unanimous consent, from the Committee on War Claims, reported back favorably the bill (H. R. 2477) for the relief of Nathaniel McKay and the executors of Donald McKay; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SECOND-CLASS MAIL MATTER.

Mr. BLOUNT, by unanimous consent, introduced a bill (H. R. 4910) to amend section 14 of the act approved March 3, 1879, entitled "An act making appropriations for the service of the Post-Office Department for the year 1880, and for other purposes," and relating to second-class mail matter; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

PUBLIC BUILDING, ATLANTIC CITY, N. J.

On motion of Mr. BUCHANAN, by unanimous consent, the Committee on Commerce was discharged from the further consideration of a bill (H. R. 1639) for the erection of a public building at Atlantic City, N. J., and it was referred to the Committee on Public Buildings and Grounds.

And then, on motion of Mr. LANHAM (at 5 o'clock and 16 minutes p. m.), the House adjourned until Monday next.

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PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred, as indicated below:

By Mr. RYAN: A bill (H. R. 4812) to grant a pension to Squire Admin—to the Committee on Invalid Pensions.

By Mr. CANDLER: A bill (H. R. 4813) for the relief of Wesley Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4814) for the relief of Hiram A. Darnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4815) for the relief of G. D. Mullins—to the Committee on War Claims.

Also, a bill (H. R. 4816) for the relief of Robert McCutchen—to the Committee on War Claims.

Also, a bill (H. R. 4817) for the relief of George R. Mullins—to the Committee on War Claims.

Also, a bill (H. R. 4818) for the relief of Albert Moseley—to the Committee on War Claims.

By Mr. G. A. ANDERSON: A bill (H. R. 4819) granting a pension to Edward Durant—to the Committee on Invalid Pensions.

By Mr. SPRINGER: A bill (H. R. 4820) granting a pension to Ellen Kelly—to the Committee on Invalid Pensions.

By Mr. J. T. JOHNSTON: A bill (H. R. 4821) granting a pension to Mahlen Deckard—to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 4822) for the relief of Thomas Crawford—to the Committee on Military Affairs.

Also, a bill (H. R. 4823) granting a pension to John A. Dean—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4824) granting a pension to John W. Bussabarger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4825) granting a pension to Dorothea Rouff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4826) granting a pension to Alexander B. Bushnell—to the Committee on Pensions.

Also, a bill (H. R. 4827) granting a pension to William R. Robbins—to the Committee on Pensions.

Also, a bill (H. R. 4828) for the relief of Eli Miller—to the Committee on Claims.

Also, a bill (H. R. 4829) for the relief of James H. Meekin, of New Albany, Ind.—to the Committee on War Claims.

Also, a bill (H. R. 4830) for the relief of Mrs. M. L. Van Deventer—to the Committee on Patents.

By Mr. MATSON: A bill (H. R. 4831) granting a pension to Delilah Vandevender—to the Committee on Invalid Pensions.

By Mr. GEAR: A bill (H. R. 4832) authorizing the President to appoint Robert G. Smithers a captain—to the Committee on Military Affairs.

Also, a bill (H. R. 4833) granting a pension to Mary B. Stidger—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 4834) granting a pension to Jesse W. Ellis—to the Committee on Invalid Pensions.

By Mr. REED: A bill (H. R. 4835) for the relief of Everard Flynn—to the Committee on Invalid Pensions.

By Mr. McCOMAS: A bill (H. R. 4836) granting an increase of pension to Joseph White—to the Committee on Invalid Pensions.

By Mr. COLLINS: A bill (H. R. 4837) for the promotion and retirement of Lieut. Col. John Lloyd Broome, United States Marine Corps—to the Committee on Naval Affairs.

By Mr. J. E. RUSSELL: A bill (H. R. 4838) granting a pension to Emily A. Cook—to the Committee on Invalid Pensions.

By Mr. BURROWS: A bill (H. R. 4839) for the relief of Sarah E. Flowers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4840) for the relief of Parker I. Rhoads—to the Committee on Military Affairs.

By Mr. BUCHANAN: A bill (H. R. 4841) granting a pension to Margaret Engenock—to the Committee on Invalid Pensions.

By Mr. McADOO: A bill (H. R. 4842) to remove the political disabilities of George W. Harrison, of Hoboken, N. J.—to the Committee on the Judiciary.

Also, a bill (H. R. 4843) for the relief of Martin McNamara, alias Martin Mack—to the Committee on Military Affairs.

Also, a bill (H. R. 4844) for the relief of Betts, Nichols & Co.—to the Committee on Claims.

Also, a bill (H. R. 4845) granting a pension to Wilhelmina Kuhlmann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4846) for increase of pension of George Shelton—to the Committee on Invalid Pensions.

By Mr. S. V. WHITE: A bill (H. R. 4847) for the relief of Col. Jesse H. Strickland, Eighth Tennessee Cavalry—to the Committee on Military Affairs.

By Mr. KETCHAM: A bill (H. R. 4848) amending an act (H. R. 1073, Fiftieth Congress, first session) to rerate the pension of William J. Lee—to the Committee on Invalid Pensions.

By Mr. COCKRAN: A bill (H. R. 4849) granting a pension to Caroline Howard—to the Committee on Invalid Pensions.

By Mr. BACON: A bill (H. R. 4850) for the relief of Edgar Brodhead—to the Committee on Naval Affairs.

By Mr. SIMMONS: A bill (H. R. 4851) for the relief of Furnifold Mercer—to the Committee on War Claims.

Also, a bill (H. R. 4852) for the relief of Edward H. Barnum and Mary A. Russell—to the Committee on War Claims.

By Mr. SENEY: A bill (H. R. 4853) granting a pension to Jacob Newman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4854) granting a pension to Lena Bowman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4855) granting a pension to Jacob Newhard—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: A bill (H. R. 4856) for the relief of D. M. Sprague and William Tilton—to the Committee on War Claims.

Also, a bill (H. R. 4857) granting a pension to Joel R. Staneart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4858) to remove certain charges from the record of William Dawson—to the Committee on Military Affairs.

By Mr. WILLIAMS: A bill (H. R. 4859) to place the name of John M. Buxton on the pension-rolls—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4860) to place the name of Gothart Walter on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4861) to place the name of Mrs. Julia Hickey on the pension-roll—to the Committee on Pensions.

Also, a bill (H. R. 4862) to place the name of William G. Mentzer on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4863) to place the name of Daniel W. Lehman on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4864) to place the name of Jacob Behr on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4865) to place the name of William O'Keefe on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4866) to place the name of John B. Wendell on the pension-roll—to the Committee on Invalid Pensions.

By Mr. E. B. TAYLOR: A bill (H. R. 4867) granting a discharge to James M. Powell—to the Committee on Military Affairs.

By Mr. RANDALL: A bill (H. R. 4868) to place the name of Francis Killeen on the pension-roll of the United States—to the Committee on Invalid Pensions.

By Mr. TARSNEY: A joint resolution (H. Res. 71,) granting a gold medal to Capt. Charles de Arnaud.

By Mr. RANDALL: A bill (H. R. 4869) to place the name of William Killeen on the pension-roll—to the Committee on Invalid Pensions.

By Mr. LYNCH: A bill (H. R. 4870) for the relief of Francis J. Conlan—to the Committee on Military Affairs.

By Mr. CHARLES O'NEILL: A bill (H. R. 4871) granting a pension to Mary Beers—to the Committee on Invalid Pensions.

By Mr. J. W. STEWART: A bill (H. R. 4872) for the relief of Maria Smith—to the Committee on Invalid Pensions.

By Mr. LEE: A bill (H. R. 4873) for the relief of Mary E. Binns—to the Committee on War Claims.

By Mr. YOST: A bill (H. R. 4874) granting an increase of pension to David L. Pool—to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 4875) granting an increase of pension to Henry Carbino—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4876) granting a pension to Timothy C. Chase—to the Committee on Invalid Pensions.

By Mr. McCOMAS: A bill (H. R. 4877) to incorporate the Georgetown and Tennallytown Railway Company of the District of Columbia—to the Committee on the District of Columbia.

Mr. W. L. WILSON: A bill (H. R. 4878) granting a pension to Richard Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4879) granting a pension to Charles J. Fleming—to the Committee on Invalid Pensions.

By Mr. WILKINSON: A bill (H. R. 4880) for the relief of A. Cusimano & Co.—to the Committee on Ways and Means.

By Mr. WHEELER: A bill (H. R. 4882) for the relief of John W. McKee—to the Committee on War Claims.

Also, a bill (H. R. 4883) for the relief of Seaborn Fossett—to the Committee of Invalid Pensions.

Also, a bill (H. R. 4884) for the relief of Joseph Thibeaud—to the Committee on Pensions.

Also, a bill (H. R. 4885) for the relief of Mary E. Reed—to the Committee on War Claims.

By Mr. McRAE: A bill (H. R. 4886) for the relief of the estate of John P. Womack, deceased—to the Committee on War Claims.

By Mr. PETERS: A bill (H. R. 4887) granting a pension to Charles E. Scott—to the Committee on Invalid Pensions.

By Mr. STONE, of Missouri: A bill (H. R. 4888) granting a pension to F. E. H. Biller—to the Committee on Invalid Pensions.

By Mr. G. M. THOMAS: A bill (H. R. 4889) granting a pension to Isaac B. Fisher—to the Committee on Invalid Pensions.

By Mr. MILLIKEN: A bill (H. R. 4890) granting arrears of pension to George Andrews—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4891) granting a pension to Alpheus Dyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4892) granting a pension to Frank L. Berry—to the Committee on Invalid Pensions.

By Mr. DAVIS: A bill (H. R. 4893) for the relief of Capt. Francis A. Beuter—to the Committee on War Claims.

By Mr. WARNER: A bill (H. R. 4894) for the relief of Joseph W. Newland—to the Committee on War Claims.

By Mr. BREWER: A bill (H. R. 4895) to incorporate the Atlantic Trust and Deposit Company of the District of Columbia—to the Committee on the District of Columbia.

By Mr. WARNER: A bill (H. R. 4896) granting a pension to Mary E. Jordan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4897) granting a pension to Henry Wolfe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4898) for the relief of Joseph W. Newland—to the Committee on War Claims.

By Mr. BACON: A bill (H. R. 4899) for the relief of Edgar Brodhead—to the Committee on Naval Affairs.

By Mr. SPOONER: A bill (H. R. 4900) for the relief of Washington L. Parvin and Henry A. Greene—to the Committee on War Claims.

Also, a bill (H. R. 4901) for the relief of Joseph Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 4902) granting a pension to George W. Welden—to the Committee on Invalid Pensions.

By Mr. TILLMAN: A bill (H. R. 4903) granting a pension to Joseph Rosier—to the Committee on Pensions.

By Mr. PHELAN: A bill (H. R. 4904) for the relief of William S. McKnight and James W. Richardson—to the Committee on Claims.

By Mr. T. J. HENDERSON: A bill (H. R. 4905) granting an increase of pension to Truman Culver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4906) granting a pension to William Murray—to the Committee on Invalid Pensions.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. H. ALLEN: Petition of the gold-beaters of the United States, for increase of duty on certain articles—to the Committee on Ways and Means.

By Mr. C. L. ANDERSON: Papers in the claim of Vincent F. Fugate, of Yazoo County, Mississippi—to the Committee on War Claims.

By Mr. BARNES: Of citizens of Washington County; of Richmond County; of Jefferson County; of Laudersville and of Oconee, Washington County, Georgia.

By Mr. BOWDEN: Papers in the claim of Samuel C. Hull, of Frederick County, Virginia—to the Committee on War Claims.

By Mr. T. H. B. BROWNE: Petition of Beale Bros., and other citizens, for the improvement of Nomini Creek, Virginia—to the Committee on Rivers and Harbors.

Also, by request, petition of Moses B. Smart, of Augusta County, Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. BRYCE: Petition of gold and silver beaters of the United States, for an increased duty on certain articles—to the Committee on Ways and Means.

By Mr. BUCHANAN: Memorial from the adjutant-general of New Jersey, in behalf of Mrs. Margaret Engenock, of Trenton, N. J.—to the Committee on Invalid Pensions.

By Mr. BUNNELL: Petition of the gold and silver beaters of the United States, for an increased duty on certain articles—to the Committee on Ways and Means.

By Mr. BUTLER: Petition of gold and silver beaters of the United States, for increase of duty on certain articles—to the Committee on Ways and Means.

Also, petition of W. W. Kidwell, indorsed by Post No. 47, Grand Army of the Republic, of Tennessee and Georgia, for a pension—to the Committee on Invalid Pensions.

By Mr. BYNUM: Petition of Edward Ayers, of Company F, Fifty-first Regiment, Indiana, for a pension—to the Committee on Invalid Pensions.

By Mr. CARUTH: Papers in the cases of Thierman & Frost, of W. J. Tapp & Co., of David Merriweather, and of Chambers & Brown—to the Committee on Claims.

By Mr. DINGLEY: Petition of 126 citizens of the District of Columbia, for the passage of a law prohibiting the liquor traffic in the District—to the Committee on the District of Columbia.

By Mr. GALLINGER: Papers in the case of Barker Williams and others, for relief—to the Committee on Claims.

By Mr. GEAR: Papers to accompany House bill 2196, for the relief of S. B. Marshall—to the Committee on War Claims.

Also, affidavits and papers relating to House bill 4659, for the relief of G. M. Ocheltree—to the Committee on War Claims.

Also, affidavit in the case of Elisha Wilkins, for relief—to the Committee on Pensions.

Also, affidavits in the case of Jane Smallridge, for a pension—to the Committee on Invalid Pensions.

By Mr. GRANGER: A bill for the improvement of the harbor of Westport, Conn.—to the Committee on Rivers and Harbors.

By Mr. GROUT: Papers in the case of George W. Saulpan, for relief—to the Committee on War Claims.

By Mr. HARMER: Petition of the gold and silver beaters of the United States, for an increase of duty on certain articles—to the Committee on Ways and Means.

By Mr. HEARD: Petition of citizens of the District of Columbia, in favor of amending the act incorporating the National Safe Deposit Company, of said District—to the Committee on the District of Columbia.

Also, petition of Joseph W. Newland for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. HOOKER: Petition of Samuel B. Harris and of W. B. Coats, of Madison County, and of Maria C. Buie, of Jefferson County, Mississippi, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. S. I. HOPKINS: Papers in the claim of Martin Dubs—to the Committee on War Claims.

By Mr. JACKSON: Petition of Hon. Daniel Agnew and 28 others, citizens of Beaver, Pa., for prohibition in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of J. H. Boots and 32 others, citizens of Lawrence County, Pennsylvania, against the admission of Utah as a State—to the Committee on the Territories.

By Mr. LYMAN: Resolutions of Cigar Makers' International Union of America, against the removal of internal tax on cigars and tobacco—to the Committee on Ways and Means.

By Mr. McADOO: Memorial of importers of and dealers in tea of New York nd Jersey City, N. J., relative to duty on tea—to the Committee on Ways and Means.

By Mr. McCOMAS: Petition of Rebecca Welch, for relief—to the Committee on War Claims.

By Mr. MOFFITT: Four petitions of citizens of Clinton and Warren Counties, New York, relative to pensions—to the Committee on Invalid Pensions.

By Mr. PETERS: Resolutions of Bluff Alliance, No. 653, of Bluff, Kans., favoring the opening of Indian Territory on No Man's Land—to the Committee on the Public Lands.

By Mr. PHELAN: Petition of William L. Vance, of Memphis, Tenn., surviving partner of Tapp & Vance, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. PIDCOCK: Petition of 52 citizens of the Fourth district of Connecticut, for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. RICHARDSON: Petition of Andrew H. Russell, of Lincoln County, and of B. F. Smith, heir of Hannah Smith, of Franklin County, Tennessee, for reference of their claims to the Court of Caims—to the Committee on War Claims.

Also, petition of William A. Wood and of James A. Cooper, of Lincoln County; and of W. J. Stamps, administrator of D. B. Stamps, of Franklin County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. ROMEIS: Petition of Lydia Calhoun, for restoration to the pension-rolls—to the Committee on Invalid Pensions.

Also, petition of Archibald S. McNeill, of Richmond County, North Carolina, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. C. A. RUSSELL: Memorial of S. L. Blake and others, members of the First Church of Christ in New London, Conn., remonstrating against the admission of Utah as a State with polygamy—to the Committee on the Territories.

By Mr. SENEY: Petition of W. H. Gray and 25 others, citizens of Findlay, Ohio; for a Government system of telegraphy—to the Committee on the Post-Office and Post-Roads.

By Mr. SHAW: Petition of McCullough Iron Works, R. L. Thomas, and 185 citizens of Cecil County, and of Albert Constable and 98 others, citizens of Maryland, for an appropriation for dredging and deepening the channel of the North East River—to the Committee on Rivers and Harbors.

By Mr. SPOONER: Petition of Joseph Smith, for removal of the charge of desertion—to the Committee on Military Affairs.

By Mr. SPRINGER: Memorial of Ellen Kelly, widow of John Kelly, late of Company F, Ninetieth Illinois Regiment, for a pension—to the Committee on Invalid Pensions.

Also, resolutions of the board of supervisors of Bureau County, of Edgar County, and of Montgomery County, Illinois, for relief of purchasers of certain swamp and overflowed lands, etc.—to the Committee on the Public Lands.

By Mr. TILLMAN: Petition of Joseph Roseir, of Captain Tripp's company, Brisbane's regiment, South Carolina Volunteers in the Seminole war, for a pension—to the Committee on Pensions.

By Mr. WARNER: Petition of Henry Wolfe, for an original pension—to the Committee on Invalid Pensions.

By Mr. WASHINGTON: Petition of the faculty of Vanderbilt University, Nashville, Tenn., for removal of duty from all scientific and educational books—to the Committee on Ways and Means.

By Mr. WHEELER: Petition of Dr. George S. Simmons, of Lon S. Hardin, and of Silas F. Robinson, of Lauderdale County, and of Berry Davis, of Jackson County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WHITTHORNE: Petition of Rebecca Esselman and of widow of John A. Jackson, of Giles County; of administrator of Samuel H. Armstrong, of Maury County; of R. H. Ogilvie, of Maury County; of William Simonton, of Lawrence County; of widow of John T. McClanahan, of Hickman County, and of B. F. Roberts, of Williamson County, Tennessee—to the Committee on War Claims.

By Mr. WILLIAMS: Petition for special-act pension for John M. Buxtar, Company H, Thirty-third Regiment, New Jersey—to the Committee on Invalid Pensions.

By Mr. W. L. WILSON: Petition and papers of Charles J. Fleming, late Company A, Sixth West Virginia Infantry, for a pension—to the Committee on Invalid Pensions.

By Mr. YOST: Petition of Eakle & Jones and others, for the repeal of the duty on salt—to the Committee on Ways and Means.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. BROWER: Of citizens of Hay Stack, N. C.

By Mr. T. H. B. BROWNE: Of George M. Crittenden and others; of E. S. Vaughn and others, of Middlesex County, and of Walter W. Smith and others, of Caroline County, Virginia.

By Mr. J. R. BROWN: Of citizens of Lucians, Floyd County; of O'Neil, Floyd County; of Monroe's Mill, Henry County; of Stanly, Henry County; of Beauford, Floyd County; of Morotuck, Pittsylvania County; of Meadows of Dan, of Patrick County; of Franklin, Patrick County; of Cabell, Carroll County; of Junta, Franklin County; of Fallville, Grayson County; of Red Plains, Franklin County; and of Guizot, Franklin County, Virginia.

Also, of citizens of Gambetta, Carroll County, and of Charity, and of Woolwine, Patrick County, Virginia.

By Mr. J. E. CAMPBELL: Of citizens of Mount Pisgah, Clermont County, Ohio.

Also, of citizens of Warren County, Ohio.

By Mr. COOPER: Of Richard Davis and 62 others, citizens of Rush Creek, Ohio.

By Mr. DUNN: Of citizens of Highland, Sharp County, Arkansas.

Also, of W. H. Pearson and others, citizens of Arkansas.

By Mr. GLASS: Of citizens of Johnson's Grove, Tenn.

By Mr. GOFF: Of A. H. Brown and others, of Lewis County; and of G. M. Dye and others, of Harrison County, West Virginia.

By Mr. GRIMES: Of J. H. Green and others, of Evansville, Troup County, Georgia.

By Mr. GROSVENOR: Of J. S. Buskirk and 14 others, of Round Bottom; of J. R. Spencer and 25 others, of Stanleyville; of A. H. Eckelberry and 55 others, of Trail Run, Ohio.

By Mr. HALL: Of citizens of Greer, Butler County, Pennsylvania.

By Mr. T. D. JOHNSTON: Of citizens of Norton, and of A. R. Yelter and others, of Dysortville, N. C.

By Mr. McCLAMMY: Of citizens of Huntley, of Antonia, of Burgaw, of Bunn's Level, of Mingo, of Little Sugar Loaf, of Owensville, of Branch's Store, N. C., and of R. A. McIver and others, of North Carolina.

By Mr. McRAE: Of citizens of Nevada County, and of Polk County, Arkansas.

By Mr. NEAL: Of F. L. Shaw and others, of Servilla, Polk County, and of W. J. Fitsimmons, of Copeland, Polk County, Tennessee.

By Mr. NICHOLS: Of citizens of Nash County; of Wake County; of Johnston County, and of Maywood, N. C.

By Mr. PUGSLEY: Of citizens of Decatur, Brown County, Ohio.

By Mr. RICHARDSON: Of J. S. Sain and 60 others, citizens of Bedford County, Tennessee.

By Mr. ROWLAND: Of citizens of Price's Mill, Union County, and of Smith's Ford, Cabarrus County, North Carolina.

By Mr. SENEY: Petition of Edwin Snyder and 34 others, of Wood County, Ohio.

By Mr. TILLMAN: Of citizens of Elmwood, Edgefield County, South Carolina.

By Mr. A. C. THOMPSON: Of L. J. Wiseman and others, of Sherritts, Lawrence County, and of Leo, Jackson County, Ohio.

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## SENATE.

### MONDAY, *January* 16, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of the proceedings of Friday last was read and approved.

#### CHIPPEWA INDIAN SCHOOLS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of December 15, 1887, the letters, dispatches, reports, etc., of the Bureau of Indian Affairs relating to the business intrusted to Mrs. Charlotte M. Clark, as special agent to inspect the schools of the Chippewa Indians; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

#### PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented resolutions adopted by the mayor and general council of Mobile, Ala., the Buffalo (N. Y.) Busi-

ness Men's Association, the Kansas City (Mo.) Commercial Exchange, the Lynchburgh (Va.) Tobacco Association, and the Los Angeles (Cal.) Board of Trade, in favor of the proposed world's exposition to be held in Washington, D. C.; which were referred to the Select Committee on the Centennial of the Constitution and the Discovery of America.

Mr. PALMER presented the petition of Frank P. Baum and 30 other citizens of Benzie County, Michigan, praying for the passage of Senate bill 553, to regulate immigration; which was referred to the Committee on Foreign Relations.

He also presented the petition of Daniel D. Sanford and 30 other citizens of Hillsdale County, Michigan; the petition of G. A. Mosey and 54 other citizens of Barry County, Michigan; the petition of John McNitt and 59 other citizens of Muskegon and Ottawa Counties, Michigan; the petition of E. M. Johnson and 170 other citizens of Calhoun County, Michigan; the petition of David Sanders and 15 other citizens of Ingham County, Michigan, and the petition of J. T. Russell and 92 other citizens of Branch County, Michigan, praying that the patent laws be so amended as to protect innocent users of patented articles; which were referred to the Committee on Patents.

Mr. FARWELL presented the petition of Chancy M. Payne, late second lieutenant Company I, First Illinois Artillery, praying for certain legislation correcting his military record; which was referred to the Committee on Military Affairs.

Mr. DAVIS presented the petition of the city council and Chamber of Commerce of Grand Forks, Dakota Territory, praying for permission to build wagon bridges over the Red River of the North; which was referred to the Committee on Commerce.

He also presented the petition of the Chamber of Commerce of Grand Forks, Dakota Territory, praying for the division of the third judicial district of Dakota; which was referred to the Committee on Territories.

He also presented a petition of teachers and superintendents of North Dakota, praying for legislation to protect school lands in that Territory; which was referred to the Committee on Territories.

Mr. MANDERSON presented resolutions adopted by the Dairymen's Association of Nebraska in favor of an appropriation to eradicate pleuropneumonia and in favor of what is known as the Miller-Carey bill; which were referred to the Committee on Agriculture and Forestry.

Mr. HOAR presented the petition of Alden Speare, E. R. McPherson, and others, members of the Boston (Mass.) Chamber of Commerce, and of Scull & Bradley and other insurance companies, praying that an appropriation be made for the construction and maintenance of a submarine cable from Pasque Island to Gay Head, thus connecting Nantucket and Martha's Vineyard, Mass., with the mainland; which was referred to the Committee on Commerce.

Mr. BUTLER presented a petition signed by the speaker of the house of representatives and 112 other members, senators, and officers of the General Assembly of South Carolina, praying that an appropriation of money be made to improve the navigation of the Congaree River; which was referred to the Committee on Commerce.

He also presented a petition of the letter-carriers of Charleston, S. C., praying that increased compensation be allowed letter-carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented resolutions adopted by the board of health of Charleston, S. C., praying for the proper equipment of outer quarantine refuge stations; which were referred to the Committee on Epidemic Diseases.

Mr. BUTLER. I will read an extract from a letter from a citizen of Charleston, S. C.—it is a private letter, and therefore it is not necessary to give his name—calling attention to what he claims is an evil in the management of the Post-Office Department under the law:

I am requested to use whatever influence I may possess in having changed the present law which enables paper-back novels, blood-and-thunder stories, to be sent through the United States mails as second-class matter at 1 cent per pound, while all school, law, scientific, and religious books, Bibles, etc., are made to pay 8 cents per pound. Most of the novels sent at 1 cent per pound are said to be trashy and injurious reading. It is desired to make all pay alike, say 8 cents per pound. The objection to the existing laws appears to me to be well taken. If you agree with me in this respect, I should be glad to have you use your influence to bring about the desired change.

I read this in order that it may go into the RECORD, and I invite the attention of the Committee on Post-Offices and Post-Roads to it.

Mr. HALE. I present a memorial of the American Forestry Congress, indorsed and approved at the annual meeting of the Maine State Grange, which represents more than 15,000 patrons of husbandry, together with an accompanying bill.

I wish to say in regard to the bill that I have examined it and do not commit myself to all of its provisions. I think it ought to be in some respects recast; but the question of the preservation of our forests and the rapidly disappearing timber lands in every manner that it is proper for the General Government by legislation to interfere with the matter is a very serious one; and I hope that the Committee on Agriculture and Forestry will give the subject its early attention and endeavor to mature legislation to meet the wants of the case.

The PRESIDENT *pro tempore*. The bill will lie on the table until the order for the introduction of bills is reached, and the memorial will be referred to the Committee on Agriculture and Forestry.

Mr. SPOONER presented the memorial of A. O. Wright and others, of Wisconsin, remonstrating against the admission of Utah as a State so long as the local civil power of the Territory remains in the hands of the Mormon priesthood and the people evade or refuse obedience to the present laws of Congress against polygamy; which was referred to the Committee on Territories.

Mr. STEWART presented a memorial of citizens of Nevada, remonstrating against any reduction of the tariff on imported wool, or any legislation placing wool on the free-list; which was referred to the Committee on Finance.

Mr. CULLOM presented the petition of Avis J. Hockey, widow of William Hockey, late corporal of Company G, Eighteenth Regiment Illinois Volunteers, praying that her name be placed on the pension-roll; which was referred to the Committee on Pensions.

He also presented resolutions adopted by the board of supervisors of Montgomery County, Illinois, and resolutions adopted by the board of supervisors of Edgar County, Illinois, favoring the enactment of legislation now pending in relation to swamp lands; which were referred to the Committee on Public Lands.

Mr. BLAIR. I present the petition of the Knights of Labor, addressed to the Senate and House of Representatives, containing the memorial adopted at their last national assembly at Minneapolis, Minn., signed by T. V. Powderly, A. A. Carlton, William H. Bailey, Thomas B. McGuire, T. B. Barry, and Ira B. Aylsworth, and by J. W. Hayes, secretary of the general executive board.

In the resolution adopted by the national assembly, and authenticated to Congress by the executive board, they set forth at considerable length and with much minuteness strong and definite charges of incapacity, or worse, in the management of the Bureau of Engraving and Printing in the printing of the Government securities.

The petitioners also brought to me specimens of the recent work of the Government, some bank notes and silver certificates which had been in circulation but a very few months, and which had the appearance of having been in circulation for many years, looking, in fact, very much like the remnants we see occasionally of the circulation of the ancient State banks of twenty-five or fifty years ago.

They go on in this petition to specify the causes of complaint and to show wherein it has reference to the work of the Knights of Labor; and they also accompany the petition with a bill to be introduced and referred to the Committee on Finance; and they pray for an investigation.

I can not make a statement of the contents of the petition briefer than the petition itself, which comprises some 12 pages in type-writing; I therefore ask that it be printed in the RECORD, as the memorial of this organization, and that the accompanying bill and the petition be referred to the Committee on Finance.

The PRESIDENT *pro tempore*. The Senator from New Hampshire asks that the petition be printed in the RECORD. Is there objection?

Mr. HARRIS. I object.

Mr. BLAIR. Then I will take the petition and explain it more fully.

The general assembly passed first this resolution:

*Resolved by the General Assembly of the Knights of Labor*, That we demand that all Government securities, notes, bonds, checks, and stamps shall be printed in the highest style of the art of plate printing from hand-roller presses, so as to secure the Government and the public against loss by wear and counterfeiting; and the general assembly or any persons or committee appointed to represent the order before Congress are hereby directed to do all that is practicable to give effect to this resolution.

Then they proceed to pray for an investigation into the management of the Bureau of Engraving and Printing of the Treasury Department, and also for such legislation as will prevent the debasement of the currency notes, silver certificates, national-bank notes, internal-revenue stamps, and other Government obligations issued by that bureau; also that an investigation be made into the present method of supplying the Government with postage-stamps and postal-notes.

The petitioners set forth abuses which they understand and which they believe to be occurring in that bureau of the Government, and they are quite specific, occupying several pages.

They set forth other investigations which have taken place in the same bureau and the result, a law that has been enacted requiring certain specific things to be accomplished there, which requirements of law, they say, have been violated. They say, among other things——

Mr. HARRIS. I rise to a question of order.

The PRESIDENT *pro tempore*. The Senator from Tennessee will state his question of order.

Mr. HARRIS. I ask that the fourth clause of Rule VII be read by the Secretary. That will state my point of order a little more tersely than I can do.

The PRESIDENT *pro tempore*. The clause referred to will be read at the desk.

The Chief Clerk read as follows:

Before any petition or memorial shall be received, it shall be signed by the petitioner or memorialist, and a brief statement of its contents made by the Presiding Officer or Senator presenting it. But no petition or memorial or other paper signed by citizens or subjects of a foreign power shall be received, unless the same be transmitted to the Senate by the President.

Mr. BLAIR. The petitioners further state the remedies which they think should be applied, and they specify——

Mr. HARRIS. Does the Chair hold that a brief statement is being made of the contents of the petition?

UNIVERSITY OF MICHIGAN LIBRARY

Mr. BLAIR. I am making as brief a statement as possible. I have omitted to read the larger part of the petition, and I am nearly through. I think it would have been better to have had the whole of it printed.

The PRESIDENT *pro tempore*. The Senator from Tennessee having raised the point of order under the rule, he asks the opinion of the Chair. The uniform practice of the Senate has been to permit Senators to exercise practically their own discretion under the rules in the presentation of contents of petitions, and unless there is an evident abuse of discretion on the part of Senators the Chair would be unwilling to interfere. The Senator from New Hampshire will proceed in order.

Mr. BLAIR. I ask the Senator from Tennessee to withdraw his objection to the printing of the petition. It is comparatively brief and it is on a very important matter. I am really stating it quite as briefly as I can, and I am omitting more than I ought. Will the Senator withdraw his objection and let it be printed in full?

Mr. HARRIS. I cannot withdraw the objection. I think it probable I am in sympathy with the objects of the petition which the Senator is presenting, but I can not consent to have the CONGRESSIONAL RECORD lumbered up with every petition upon every subject, and at all lengths. We have gone very much too far in that direction already. I feel bound to insist upon my objection, and I expect to repeat the objection just as often as these applications are made.

Mr. BLAIR. Then I will proceed and do the best I can with it.

In requesting the investigation, the petitioners state:

First. That by printing the backs of the silver certificates on steam presses the note is inferior and discreditable to the Government.

Second. That the internal-revenue stamps printed on the steam printing-presses are greatly inferior; are not as good as many trade labels, and are a disgrace to the Government.

Third. That economy and not security is the primary object of the present management.

Fourth. That at the suggestion of the present chief the law has been so framed as to prevent the employment of a sufficient number of plate printers to perform the work of the bureau in the manner contemplated when the transfer of the entire work to the bureau was made.

Fifth. That the same law which limits the number of printers to be employed has enabled the chief to increase the steam printing-presses nearly threefold.

Sixth. That the steam printing-presses are not furnished by the owners of the patents, but the right to construct them is purchased by the Government. A royalty is also paid on every impression made.

Seventh. That the steam printing-presses are so easily put out of order that it requires the whole force of machinists to be employed in the effort to keep them in repair, to the neglect of other and more important work.

Eighth. That the Milligan press, the one most in use, has been condemned repeatedly.

Ninth. That an employé of the bureau who claimed to have made certain improvements on the said presses was required to furnish his drawings and specifications to the manufacturers, the owners of the patents reaping all the benefits and the Government being at all of the expense.

Tenth. That no expert with any regard for his reputation will hesitate to pronounce the work done by said presses as inferior.

Eleventh. That unless Congress interferes the attempt to force the steam printing-presses on the Government will succeed, and every kind of Government obligation will be printed on them, rapid, cheap work being substituted for good but more costly work.

They specify, to the number of some sixteen or eighteen, their causes of complaint and reasons for praying for a remedy.

I hope that this matter, which is, from my examination of it, of very serious importance, will receive the attention of the Committee on Finance. Certainly the work that was shown to me is of such inferior quality that an ordinary silver certificate would readily be taken for a counterfeit note after a few months of circulation.

The PRESIDENT *pro tempore*. The petition will be referred to the Committee on Finance.

Mr. BLAIR. It is accompanied by a bill.

The PRESIDENT *pro tempore*. The bill will lie on the table until that order is reached.

Mr. BROWN. I present the petition of Messrs. Hutchinson & Brother and a number of other druggists of the city of Atlanta, Ga., who beg to call attention to the fact that the present internal-revenue tax on alcohol which is used in the manufacture of medicines is a great hardship; that most of the drugs used by the poor and by everybody else are made in a great degree of alcohol, which is the menstruum or basis in use in making up drugs. They say, for instance, that alcohol which is 95 per cent. pure pays a tax of $1.70 per gallon, which is 22 cents per pint, and the menstruum of paregoric is just one-half alcohol. This would make the cost of the menstruum of a quart of paregoric 32 cents, while without the tax it would be only 6 cents, making 240 per cent. tax on paregoric, for instance, on account of the present tax on alcohol. The same, they say, is true of laudanum, Bateman drops, and most other tinctures used in prescriptions. In another class of tinctures, as tincture of capsicum, capsicum compound, spirits of camphor, and the like, there is even a larger proportion of alcohol. The petitioners say that the tax on alcohol is very oppressive on the people, and they ask that it be repealed.

The PRESIDENT *pro tempore*. The petition will be referred to the Committee on Finance.

Mr. BATE presented a petition of 30 citizens of Knoxville, Tenn., praying for legislation to prevent the spread of pleuro-pneumonia and other diseases among cattle; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of 49 citizens of Hermitage, Davidson County, Tennessee, praying that increased compensation be allowed fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. BOWEN presented a memorial of the Leadville (Colorado) Chamber of Commerce, remonstrating against the proposed removal of the present duty on lead ores; which was referred to the Committee on Finance.

Mr. QUAY presented a petition of tobacco manufacturers of the ninth internal-revenue district of Pennsylvania, praying for the abolition of the internal-revenue tax on cigars and cigarettes; which was referred to the Committee on Finance.

Mr. CAMERON presented additional papers to accompany the petition of Joseph G. Swank, of Columbia County, Pennsylvania, praying for legislation granting him certain relief; which were referred to the Committee on Military Affairs.

Mr. CHACE presented a petition of citizens of Rhode Island, praying for the passage of the bill for the prohibition of the liquor traffic in the District of Columbia; which was referred to the Committee on the District of Columbia.

### REPORTS OF COMMITTEES.

Mr. TELLER, from the Committee on Public Lands, to whom was referred the bill (S. 1157) to correct an error in the description of certain lands entered and patented to the city of Denver, in the State of Colorado, by authority of an act of Congress approved May 21, 1872, reported it without amendment.

Mr. SAWYER. I am directed by the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 3318) relating to permissible marks, printing or writing, upon second, third, and fourth class matter, and to amend the twenty-second and twenty-third sections of an act entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1889," and for other purposes, to report it without amendment. I ask unanimous consent that the bill may be considered at this time.

The PRESIDENT *pro tempore*. The Senator from Wisconsin asks that the bill reported by him may be now considered. Is there objection?

Mr. COCKRELL. Let it be read for information.

Mr. PLATT. I object.

The PRESIDENT *pro tempore*. The Senator from Connecticut objects, and the bill will be placed on the Calendar.

Mr. VEST, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 281) making an appropriation for the extension and enlargement of the United States custom-house at Kansas City, Mo., reported it with an amendment.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (S. 1377) for the relief of Henry Pickett, of Washington, D. C., asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

Mr. PADDOCK, from the Committee on Pensions, to whom was referred the bill (S. 434) granting a pension to Mrs. Hettie K. Painter, reported it without amendment, and submitted a report thereon.

### BILLS INTRODUCED.

Mr. EVARTS introduced a bill (S. 1433) to extend the time for the construction of a bridge across the Staten Island Sound, known as Arthur Kill; which was read twice by its title, and referred to the Committee on Commerce.

Mr. FAULKNER (by request) introduced a bill (S. 1434) to amend an act entitled "An act to incorporate the Capitol, North O Street and South Washington Railway Company," approved March 3, 1875; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. ALLISON introduced a bill (S. 1435) granting a pension to Emil Schattle; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1436) for the relief of James Farley; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CAMERON introduced a bill (S. 1437) for the relief of Reaney, Son & Archbold; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1438) to provide for the appointment of assistants to the chiefs of bureaus of the Navy Department; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. HARRIS introduced a bill (S. 1439) for the relief of the legal representatives of Henry S. French, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. STEWART introduced a bill (S. 1440) for the relief of W. C. Reed; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. HALE (by request) introduced a bill (S. 1441) providing for a naval reserve; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. PLATT introduced a bill (S. 1442) for the relief of C. A. Williams and others, owners of the schooner Era; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. BOWEN introduced a bill (S. 1443) for the relief of Newton Knight and others, citizens of Mississippi, therein named; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PALMER introduced a bill (S. 1444) to amend section 4414 of the Revised Statutes of the United States, fixing the compensation of inspectors of hulls and boilers in the several districts of the United States; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1445) for the relief of Emma H. Fish; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1446) for the relief of William A. Stockman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1447) granting a pension to Bridget Foley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 1448) for the establishment of a bureau to be known as the bureau of harbors and waterways, and for other purposes; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1449) for the improvement of the Kaskaskia River, in the State of Illinois; which was read twice by its title, and referred to the Committee on Commerce.

Mr. BERRY introduced a bill (S. 1450) for the relief of Levander Jenkins; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1451) for the relief of Elizabeth Damm; which was read twice by its title, and referred to the Committee on Claims.

Mr. DAVIS introduced a bill (S. 1452) to authorize the city of Duluth, Minn., to construct and maintain a bridge across the ship-canal and upon the Government piers of the same through Minnesota Point; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1453) to authorize the city of Duluth, St. Louis County, Minnesota, to construct and maintain a bridge across the Bay of Superior, between Minnesota Point and Rice's Point; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1454) to reimburse the city of Duluth, in the State of Minnesota, for moneys advanced by said city for the construction of the ship-canal through Minnesota Point and the dike across Superior Bay, in said State; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1455) for the relief of Mark Tomlinson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1456) granting pensions to officers of the Army, Navy, and Marine Corps, in certain cases; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CHACE introduced a bill (S. 1457) granting a pension to George W. Welden; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 1458) to amend an act entitled "An act authorizing the citizens of Colorado, Nevada, and the Territories to fell and remove timber on the public domain for mining and domestic purposes," approved June 3, 1878; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. DAWES introduced a bill (S. 1459) granting a pension to Florence Courtney Cochnower; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1460) for the relief of Walter D. Plowden; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BLAIR introduced a bill (S. 1461) to correct the military record of Michael Healy, late of Company C, Eighth New Hampshire Infantry Volunteers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1462) granting a pension to Ralph Waldo Emerson, son of the late Lewis C. Nason; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CHANDLER introduced a bill (S. 1463) to authorize an additional appointment on the retired-list of the Marine Corps; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1464) to alter the regulations enacted by the Legislature of the State of South Carolina which prescribe the times, places, and manner of holding elections within said State for Representatives in Congress; which was read twice by its title, and referred to the Committee on Privileges and Elections.

Mr. FARWELL introduced a bill (S. 1465) for the erection of a public building in the city of Chicago, Ill.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. HOAR introduced a bill (S. 1466) granting a pension to John Eckland; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. QUAY introduced a bill (S. 1467) for the relief of David B. McKibbin; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1468) granting a pension to John Stiles; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. EVARTS introduced a bill (S. 1469) for the relief of the settlers upon lands along the Des Moines River, above the Raccoon Forks, in the State of Iowa; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. SHERMAN (by request) introduced a bill (S. 1470) creating a commission to inquire into and report upon the material, industrial, and mental progress of the colored race since 1865, and making appropriations for the same; which was read twice by its title.

Mr. SHERMAN. Before the bill is referred I wish to say that it comes to me, as the papers show, from clergymen in the State of North Carolina, of the colored race, who take a very flattering view of their hopes and expectations, and of their progress in the last twenty years.

The papers which accompany the bill show that this is an honest and earnest effort made on behalf of the very best people of the colored race, to appeal to the white race, to their neighbors, for aid and assistance, not in money, but by such moral support as will enable them to advance their condition and become worthy citizens of the United States.

To express their ideas, the bill provides that the President of the United States shall appoint a commission of eminent persons of both races to examine into certain matters. In order to show the scope of it, I will read a single paragraph from a letter I have received:

> The whole country is interested about the negro's adaptation to the lofty forms of civilized life as the Republic of the New World epitomizes them. No Federal census embodying all phases of society can meet the purposes of this act. The negro is a part of the nation, with separate, distinct, and wholly dissimilar characteristics. He has but little social intercourse with his white fellow-countryman. There are no interchanges of strictly social amenities. There are few joint copartnerships in any vocation formed by black and white citizens. Intermarriage is under the ban of both races. Ecclesiastically there is no commingling. The negro has a world of his own. Into this world the nation does not often enter, while the nations are oblivious of its existence. He (the negro) lives to himself, marrying within race limitations, moving in his own social, industrial, and religious sphere—a sphere, by the way, peculiar by reason of past environments to the negro, and hardly realized in all its tremendous magnitude by the higher phases of American society.

The letter then proceeds to appeal for an impartial examination by a commission of men of both races, to be appointed by the President, to look into their condition, into the progress they have made, and into their ability to adapt themselves to the highest forms of civilization.

I introduce the bill with great pleasure, because I think such an investigation as that proposed, made in a non-partisan and non-sectarian view, without regard to contests of race, would be a benefit in instructing the people of the United States as to the condition and progress of seven million of our fellow-citizens.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Education and Labor.

Mr. BLAIR introduced a bill (S. 1471) to regulate the compensation of per-diem employés of the United States Government; which was read twice by its title, and referred to the Committee on Education and Labor.

He also introduced a bill (S. 1472) relating to the printing of Government securities, Treasury notes, national-bank notes, checks, drafts, and internal-revenue stamps; which was read twice by its title, and referred to the Committee on Finance.

Mr. PLUMB introduced a bill (S. 1473) to authorize the Chicago, Kansas and Western Railway Company to build its road across the Fort Hays military reservation; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. STANFORD introduced a bill (S. 1474) to grant an American register to the foreign-built bark Nordstjernen; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

Mr. DANIEL introduced a bill (S. 1475) for the relief of Arthur Connell; which was read twice by its title, and referred to the Committee on Claims.

Mr. HALE introduced a bill (S. 1476) for the protection and administration of the forests on the public domain; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. FARWELL introduced a joint resolution (S. R. 34) for the relief of Silas D. Baldwin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. CALL introduced a joint resolution (S. R. 35) appropriating $20,000 for the Subtropical Exposition at Jacksonville, Fla.; which was read twice by its title, and referred to the Committee on Appropriations.

Mr. HARRIS introduced a joint resolution (S. R. 36) authorizing the printing of 2,500 extra copies of the report of the health officer of the

District of Columbia; which was read twice by its title, and referred to the Committee on Printing.

Mr. HALE introduced a joint resolution (S. R. 37) to authorize the admission, duty free, of the products of certain North American provinces, which may have applied for admission into the Union; which was read twice by its title, and referred to the Committee on Finance.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. HARRIS submitted an amendment intended to be proposed by him to the special deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

REPORT OF COMMISSIONER OF EDUCATION.

Mr. PUGH submitted the following concurrent resolution; which, with the accompanying letter from the Commissioner of Education, was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring)*, That of the report of the Commissioner of Education for 1886-'87 there be printed 6,000 copies for the use of the Senate, 12,000 copies for the use of the House of Representatives, and 25,000 copies for distribution by the Commissioner.

WEIL AND LA ABRA CLAIM.

Mr. BROWN submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the President of the United States be requested, if not incompatible with the public interests, to communicate to the Senate, in addition to the information asked for in the Senate resolution of the 21st of December, 1887, relating to moneys remaining in the hands of the Secretary of State, paid in by the Government of Mexico upon or applicable to the awards in favor of Benjamin Weil and of La Abra Silver Mining Company, respectively, and of all correspondence between said Secretary and said two respective awardees, or between said Secretary and the respective attorneys of such awardees, in regard to the submission of said claims, respectively, to the Court of Claims, under the twelfth section of the act of Congress approved the 3d of March, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," and in regard to the payment by said Secretary of said moneys upon said awards, respectively.

PERSONAL EXPLANATION.

Mr. MITCHELL. Mr. President, I rise to a personal explanation. There has been an item of rather a jocular nature circulating around in the papers since last Thursday. I cut the slip I have in my hand from the New York World of its issue of Saturday last, though I think it was not published perhaps for the first time in that paper. I ask that it be read.

The PRESIDENT *pro tempore*. The article will be read at the desk, if there be no objection.

The Chief Clerk read as follows:

Senator GRAY, of Delaware, has not yet recovered from the surprise which overcame him Thursday afternoon. He was entitled to the floor of the Senate to deliver a speech on the Blair educational bill. His effort to fill a "long-felt want" was defeated by Senator MITCHELL, of Oregon, however, who politely asked Senator GRAY to grant him a few minutes that he might submit a few observations on the Chinese restriction bill. Senator GRAY courteously gave way, and MITCHELL talked for two hours and a half. Senator GRAY now thinks of introducing a bill restricting Senator MITCHELL from indulgence in sharp practice.

Mr. MITCHELL. Mr. President, so far as that item attributes to me any discourtesy on that occasion towards the Senator from Delaware [Mr. GRAY], and so far as it conveys the impression, as it does very clearly, that I resorted to some species of sharp practice in order to obtain possession of the floor to deliver a speech, I simply desire to denounce it in every essential particular as being absolutely false.

Moreover, the man who inspired that item, whoever he may be, is guilty of either a willful or an ignorant misrepresentation of facts. Whether the Senator from Delaware has recovered from any supposed surprise which he experienced at any act of omission or commission on my part upon that occasion I do not know. One thing, however, I do know, that when I addressed the Senate on that occasion, neither the Senator from Delaware nor any other Senator in this body was entitled to the floor as against myself. Nor is it true, as stated in the item, that before proceeding to make my speech I requested the Senator from Delaware to give me a few minutes, that I might submit a few observations, as stated in the item, upon the Chinese restriction act. I neither requested the Senator from Delaware nor any other member of this body to give me permission to address the Senate at that time; it was not necessary.

The facts, Mr. President, are simply these, as every Senator here knows: The unfinished business on that day was the Blair educational bill. That bill, under the rules of the Senate, was not in order in the Senate until 2 o'clock of that day, as every Senator knows. At that time, in case the bill had been taken up, the Senator from Delaware was entitled to the floor to speak to that bill.

On the 12th day of December I had introduced a bill relating to the exclusion of Chinese. I then asked that it might lie on the table, and I gave notice that at some convenient time at no distant day I should ask the Senate to proceed to its consideration for the purpose of enabling me to submit some remarks before it was referred to the appropriate committee.

On Monday last I again gave notice in open Senate that on Wednesday, at the conclusion of the morning business, I should ask the Senate to proceed to the consideration of the bill for the purpose of enabling me to submit some remarks in support of the measure before it was referred to the Committee on Foreign Relations. When Wednesday morning came, at the conclusion of the morning business, as I was about to rise, the Senator from Maine [Mr. HALE] rose and moved to proceed to the consideration of the resolution introduced by him on the same day that I had introduced my bill, and which had also laid upon the table. That resolution was taken up, and he proceeded to make a political speech, and a very good one. That speech continued until after 2 o'clock, when, of course, the regular order coming up, I made no effort to get up my bill.

On Thursday morning, the day referred to in this item, at the conclusion of the morning business, which was concluded at about half past 1 o'clock, I rose in my place without resorting to any sharp practice, and addressed the Chair. The Chair in its discretion recognized me, and I moved to proceed to the consideration of the bill; my motion prevailed, and it was taken up without a dissenting vote. I again addressed the Chair, and was recognized and proceeded to discuss the bill.

At that time neither the Senator from Delaware nor any other Senator was entitled to the floor as against me. The educational bill was not in order until 2 o'clock of that day. I had about half completed my speech when 2 o'clock arrived, when the educational bill was in order. Then the honorable Senator from Nevada [Mr. STEWART] rose in his place, and, as is the universal custom under such circumstances, asked the unanimous consent of the Senate that the regular order, the educational bill, should be laid temporarily aside to enable me to conclude my speech. To that request no objection was made by any member of the Senate. The Senator from Delaware could not have objected to that request unless he had been guilty of a discourtesy that was never known in this body, and a discourtesy which the honorable Senator from Delaware is not capable of committing. The regular order having been temporarily laid aside, I proceeded with my remarks and concluded, and then the unfinished business came up.

That is all there is to it, and all that there was of it. If there was any sharp practice in that, or any want of courtesy to the Senator from Delaware, or to anybody else, I fail to see where it comes in.

Mr. President, I am not in the habit of resorting to sharp practice in this body for the purpose of either obtaining the floor or retaining it after I have obtained it. While the item proceeds in a rather jocular vein, it contains a covert attack on me of a most contemptible nature, as I regard it, and I should be not only very much surprised, but very much pained if I should ever learn that it was inspired in any shape, manner, or form by any member of the Senate, and I am quite sure that no honorable member of the press would publish a thing of that kind against any member of the Senate unless he had been misinformed. That is all I have to say.

Mr. GRAY. Mr. President, I do not know that I am called upon to say anything except, if a disclaimer is necessary, to disclaim anything like a grievance against the Senator from Oregon.

I was entitled to the floor when the morning hour expired on the day on which the Senator spoke. He began during the morning hour and on its expiration went on with his speech by the permission of the Senate, and I was glad to extend to him the courtesy which he has correctly stated is a usual one. The Senator having the floor when the morning hour closed was allowed to go on and conclude; and it gave me great pleasure to listen to the Senator's speech. It was a very good speech, and I do not know that he gave us too much of a good thing, but I can assure the Senator that I have not the slightest knowledge of this article, nor have I had any connection with it, nor have I any suspicion as to who is the author of the paragraph he has just read. It seems to me rather like a little fun.

However, seriously, I only want to say that so far as I am concerned I have not the slightest grievance against the Senator from Oregon about the matter. He had a perfect right to avail himself of the courtesy of the Senate, or my courtesy, if you choose to put it so, and I shall be always glad to extend to him a like courtesy, if it is in my power to do so.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a bill (H. R. 4911) to carry out the findings of the Court of Claims in the case of James H. Ayres; in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 261) to amend the law concerning the Commissioner of Fish and Fisheries; and it was thereupon signed by the President *pro tempore*.

HOUSE BILL REFERRED.

The bill (H. R. 4911) to carry out the findings of the Court of Claims in the case of James H. Ayres, was read twice by its title, and referred to the Committee on Claims.

EXECUTIVE SESSION.

Mr. RIDDLEBERGER. If the business of the morning hour is over, I move that the Senate now proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. The Senator from Virginia moves that the Senate do now proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After three hours and thirty minutes spent in executive session, the doors were reopened, and (at 4 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 17, 1888, at 12 m.

## NOMINATIONS.

*Executive nominations received by the Senate the 16th day of January*, 1888.

COLLECTORS OF CUSTOMS.

John T. Hammond, of Maryland, to be collector of customs for the district of Annapolis, in the State of Maryland, to succeed Thomas Ireland, whose term of office will expire by limitation January 20, 1888.

Stephen A. Moreno, of Florida, to be collector of customs for the district of Pensacola, in the State of Florida, to succeed John J. McGuire, deceased.

ARMY PROMOTIONS.

Second Lieut. John F. McBlain, to be first lieutenant, February 11, 1887, *vice* Conline, promoted.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate, January* 10, 1888.

RECEIVERS OF PUBLIC MONEYS.

Joseph S. Swan, of Glenwood Springs, Colo., to be receiver of public moneys at Glenwood Springs, Colo.

Gould B. Blakely, of Sidney, Nebr., to be receiver of public moneys at Sidney, Nebr.

Albert W. Crites, of Plattsmouth, Nebr., to be receiver of public moneys at Chadron, Nebr.

John Treacy, of North Platte, Nebr., to be receiver of public moneys at North Platte, Nebr.

POSTMASTERS.

Edward J. Farlow, to be postmaster at Ashland, in the county of Jackson and State of Oregon.

John H. Firey, to be postmaster at Aberdeen, in the county of Brown and Territory of Dakota.

Fred. Puhler, to be postmaster at Ada, in the county of Norman and State of Minnesota.

John McCarthy, to be postmaster at Stillwater, in the county of Washington and State of Minnesota.

George W. Levis, to be postmaster at Black River Falls, in the county of Jackson and State of Wisconsin.

W. E. Lennan, to be postmaster at Hurley, in the county of Ashland and State of Wisconsin.

Felix C. Bennett, to be postmaster at Monroe, in the county of Green and State of Wisconsin.

*Executive nominations confirmed by the Senate January* 16, 1888.

ASSOCIATE JUSTICE SUPREME COURT.

Lucius Q. C. Lamar, of Mississippi, to be associate justice of the Supreme Court of the United States.

POSTMASTER-GENERAL.

Don M. Dickinson, of Michigan, to be Postmaster-General.

SECRETARY OF THE INTERIOR.

William F. Vilas, of Wisconsin, to be Secretary of the Interior.

# HOUSE OF REPRESENTATIVES.

## MONDAY, *January* 16, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Friday was read and approved.

IMPORTATION OF OPIUM.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, submitting a draught and recommending the passage of a bill to prohibit the importation of opium in certain forms; which was referred to the Committee on Ways and Means, and ordered to be printed.

DUTY ON LITHOGRAPHIC PRINTS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a communication from the counsel of the Manufacturing Lithographers' Association of the United States in relation to the duty on lithographic prints; which was referred to the Committee on Ways and Means.

JANITOR AMIDON SCHOOL-HOUSE, DISTRICT OF COLUMBIA.

The SPEAKER also laid before the House a letter from the president of the board of commissioners of the District of Columbia in relation to a clerical omission from the District of Columbia appropriation act of March 3, 1887, and asking that provision be made for the pay of a janitor for the Amidon school-house; which was referred to the Committee on Appropriations, and ordered to be printed.

DEFICIENCIES, TREASURY DEPARTMENT.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, submitting an estimate of appropriations to supply deficiencies for contingent expenses of the Treasury Department, freight, telegraphing, etc., for the current fiscal year; which was referred to the Committee on Appropriations, and ordered to be printed.

DEFICIENCY, POSTAL SERVICE.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting estimates of deficiencies in appropriations for the postal service for the fiscal years 1887 and 1888; which was referred to the Committee on Appropriations, and ordered to be printed.

EMPLOYÉS NAVY DEPARTMENT.

The SPEAKER also laid before the House a letter from the Secretary of the Navy, transmitting list of employés of that Department, showing their compensation and the time actually employed, stating that they have been usefully employed, and that the services of all are required for the prompt disposition of the public business; which was referred to the Committee on Expenditures in the Navy Department, and ordered to be printed.

SENATE BILL REFERRED.

The SPEAKER also laid before the House a bill of the following title; which was read a first and second time, and referred to the Committee on Commerce, namely:

A bill (S. 274) authorizing the construction of a bridge across the Missouri River at some accessible point in the county of St. Charles, in the State of Missouri, below the city of St. Charles.

AGNES AND MARIA DE LEON.

On motion of Mr. BROWNE, of Indiana, the Committee on Claims was discharged from the further consideration of the bill (H. R. 3121) for the relief of Agnes and Maria De Leon, and the same was referred to the Committee on War Claims.

The SPEAKER. The Chair will state that, under the rules of the House, when a bill is improperly referred through the petition-box, as in this case, the committee to which it is erroneously sent is authorized to make a proper indorsement and send it to the appropriate committee without the necessity of asking a formal order of the House.

In the present case the order will be made.

BILLS ON THE CALENDAR FROM THE COURT OF CLAIMS.

Mr. TAULBEE. Mr. Speaker, I desire to submit for immediate consideration a resolution.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

*Resolved*, That the Clerk of the House be, and he is hereby, authorized and directed to give to the bills now on the House Private Calendar and reported to the Forty-ninth Congress from the Court of Claims with its findings, as they are passed by the House, the number to which they would be entitled if introduced at the time of their passage, in lieu of the number they now bear; and that the bill numbered 4956, entitled "A bill to carry out the findings of the Court of Claims in the case of James H. Ayres," and passed by the House on Friday, January 13, 1888, be given the number 4911, in lieu of 4956.

Mr. TAULBEE. Mr. Speaker, the object of this resolution is to obviate——

Mr. NELSON. Mr. Speaker, I object. Let this go to the Committee on Rules.

Mr. TAULBEE. If the gentleman will hear me for a moment I think he will withdraw his objection. I think at all events this is a privileged resolution, and entitled to immediate consideration.

It is a resolution relating simply to the business of the House, and is intended to obviate a difficulty which the clerks find, arising by reason of the fact that bills reported from the Court of Claims in preceding Congresses, and now upon our Private Calendar, bear the same numbers they bore in the Forty-ninth Congress; and the bills introduced into this Congress must of necessity bear corresponding numbers, if we introduce enough bills to correspond with the numbers they bear. We thus have two sets of numbers.

The only object of the resolution is to change the numbers of the bills coming over from the Court of Claims and reported to the last Congress as they are passed, in order to obviate this perplexing difficulty into which the clerks find themselves driven. I do not think, in view of the object in view, that any gentleman will oppose it. It is asked by the clerks of the House and the officers whose business it is to keep these numbers in order, to avoid confusion. That being the only object of introducing the resolution, I trust it will commend itself to the House; and I ask an immediate vote upon it.

The SPEAKER. Does the gentleman withdraw his objection?

Mr. NELSON. I withdraw it.

Mr. ADAMS. I desire to ask the gentleman from Kentucky [Mr. TAULBEE] whether this motion relates to all bills which have been brought over in that anomalous way and placed upon the Calendar. My reason for asking the question is that I fear it may give rise to confusion if a particular resolution is adopted with regard to one bill when

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the difficulty which the gentleman refers to applies to all. I am myself of opinion that any member of this House may object to the position of any of those bills on the Calendar, because a statute of last Congress can not establish the rules for this Congress; and any of those bills might be referred to a committee as if it were just introduced.

But the gentleman from Kentucky will see that there being here a certain number of bills—about forty-five bills—brought over from the last Congress, and having the numbers, by accident perhaps, which they bore in that Congress, the entire number should be given, if they are to have a place on the Calendar of the Fiftieth Congress, a series of continuous numbers. They ought, perhaps, to have been numbered from 1 to 45, because they do, in fact, take precedence of any bill introduced in the Fiftieth Congress.

As I have said, I think it is by mere sufferance that this takes place. But if it takes place in regard to any of those bills it should take place in regard to every one of that class of bills.

Mr. TAULBEE. If the gentleman from Illinois had caught the reading of the resolution he would have known that it covers all the bills of that class on the Calendar. It does not give them a continuous series of numbers for the very reason that the gentleman states himself, and that is that when these bills are pending on the Calendar they may be subject to the point that they are referable to committees, and in that event they will not be given numbers until they are reported back from the committee. The resolution does not give them any status whatever on the Calendar other than that they now have. They are to be numbered only as they are passed, and then the bill is given the number to which it would be entitled if introduced at the time of its passage. I ask the previous question.

The SPEAKER. The question is on agreeing to the resolution offered by the gentleman from Kentucky.

The resolution was agreed to.

Mr. TAULBEE moved to reconsider the vote by which the resolution was agreed to; and also moved that the motion to reconsider be laid upon the table.

The latter motion was agreed to.

ROOMS FOR COMMITTEES.

Mr. WHITTHORNE. I submit the resolution which I send to the desk, and which, I think, presents a privileged question.

The Clerk read as follows:

*Resolved*, That the Committee on Accounts be, and is hereby, instructed to ascertain and report whether there are sufficient unoccupied rooms in the Capitol for the accommodation of the committees of the House, and if not, where and upon what terms the necessary rooms can be procured.

Mr. WHITTHORNE. If the House will allow me, I will make what is in the nature of a personal statement. As gentlemen are aware, I have been assigned to the chairmanship of a new committee. Upon appealing to the Speaker for an assignment of a room, and upon talking with the Architect of the Capitol, I have ascertained that no room is to be had either for my committee—if I may so call it—or for certain other committees. Hence it is impossible to organize not only that committee but several others.

Upon appealing to the Speaker, deeming it was within his functions to make this assignment, he, after a personal examination, suggested to me the adoption of the course presented in this resolution. I trust the House will give it, immediately, favorable action; otherwise very important committees of the House will be without the power of discharging the duties imposed upon them by the House. I ask for the immediate consideration of the resolution.

The SPEAKER. The resolution is privileged. The question is on agreeing to it.

The resolution was adopted.

Mr. WHITTHORNE moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ALLEGED DISCRIMINATIONS BY CANADIAN GOVERNMENT.

Mr. MCMILLIN. I present a privileged report from the Committee on Merchant Marine and Fisheries on a resolution referred to them.

The resolution referred to the committee is as follows:

*Resolved*, That the President be, and he hereby is, requested, if not incompatible with the public interests, to transmit to the House copies of any correspondence, reports, or other information in possession of any department of the executive in reference to alleged discriminations in tolls or charges by the Government of the Dominion of Canada against vessels or cargoes passing through the Welland Canal and destined for ports of the United States on the Great Lakes; and also in reference to any system of rebates by the Government of the Dominion of Canada whereby a less toll or charge is in effect imposed on cargoes for export passing through the Welland Canal when transported to the seaboard by the St. Lawrence River than when transported by routes through the United States.

The report of the committee was read, as follows:

The Committee on Merchant Marine and Fisheries, to whom was referred House resolution in reference to alleged discriminations in tolls or charges by the Government of the Dominion of Canada, having considered the same, respectfully report the same back with the recommendation that it pass with the following amendments:

In line 1 strike out the word "President" and insert the words "Secretary of the Treasury."

In line 4, after the word "in," insert the word "his."

In line 5 strike out the words "of any department of the executive."

Mr. MCMILLIN. We found on investigation that the information sought here was in the Treasury Department, and the amendments proposed confine the call to the Treasury Department for the purpose of making it more expeditious. We found that upon complaint being made proper correspondence was entered into on the part of the Government, and that the information is now being printed. I yield such time as he may desire to the gentleman from Maine [Mr. DINGLEY] who introduced the resolution.

Mr. DINGLEY. Mr. Speaker, inasmuch as this resolution of inquiry has been commented on by Canadian officials, and their comments have been printed in the newspapers of this country, it is fitting that I should take this opportunity to call the attention of the House and the country to their admissions and their defense.

In order that the House may understand the point at issue, I send to the Clerk a special dispatch from the capital of the Dominion of Canada, which embodies views so nearly identical with several other specials from the same capital that I am justified in concluding that it presents the position of Canadian officials. I will ask the Clerk to read the dispatch.

The Clerk read as follows:

[Special dispatch to the Boston Herald.]

OTTAWA, ONTARIO, *January* 5, 1888.

In explanation of the alleged discrimination in tolls by the Canadian Government against vessels passing through the Welland Canal destined for the United States lake ports, regarding which Mr. DINGLEY has introduced a resolution in Congress, a prominent official in the inland revenue department stated to your correspondent to-day that if Mr. DINGLEY took the trouble to study the twenty-seventh article of the Washington treaty he would find that no discrimination had been made.

The discrimination alleged to have been made is the result of the following order in council, under date of 28th March, 1887, and similar orders which have been passed every year for the past three years:

"For the forthcoming season of navigation, and no longer, the rate of toll to be paid for passage through Welland and St. Lawrence Canals only, of the undermentioned food products, when shipped for Montreal or any other Canadian port east of Montreal, is fixed at 2 cents per ton, namely, wheat, Indian corn, peas, barley, and rye."

This is a reduction from 20 to 2 cents a ton.

The object of the Dominion Government in promulgating this order was to encourage trade over the St. Lawrence route instead of allowing it to go to American ports. American vessels passing through the Welland and St. Lawrence Canals to Montreal would be entitled to the same rebate of tolls as Canadian vessels receive.

Mr. DINGLEY. I call the attention of the House to,

First, the admission that the Canadian Government imposes a toll of 20 cents per ton on vessels laden with grain passing through the Welland Canal and bound to lake ports in the United States, and only 2 cents per ton on such vessels bound to Montreal, Quebec, and foreign ports.

Second, the admission that this discrimination is made to encourage the movement of grain from Chicago and other western lake ports by Canadian transportation routes instead of American transportation routes.

Third, the claim that a "study"—I emphasize the word—a "study" of the twenty-seventh article of the treaty of Washington will show that "no discrimination has been made" against the United States in conflict with that article.

The clause of the twenty-seventh article of the treaty of Washington referred to, reads as follows:

The Government of Her Britannic Majesty engages to urge upon the Government of the Dominion of Canada to secure to the citizens of the United States the use of the Welland, St. Lawrence, and other canals in the Dominion on terms of equality with the inhabitants of the Dominion.

I do not propose to argue the question as to whether a toll of 20 cents per ton on vessels bound to a port of the United States and only 2 cents per ton on vessels bound to Montreal, Quebec, and foreign ports, does "secure to the citizens of the United States the use of the Welland Canal on terms of equality with the inhabitants of the Dominion of Canada," either in the letter or the spirit of the treaty.

The suggestion of the Canadian officials that there is no discrimination against the citizens of the United States, because the discrimination is not against American vessels as such, but against all vessels destined for American ports, must have required patient and persistent "study."

Imagine two neighbors, A and B, entering into an agreement by which B engages to allow A the use of the former's private way on equal terms with B for an equivalent. Having received his compensation, B proceeds to adopt a regulation that all persons passing over the way to his own house shall be free, but all persons passing over the way to A's house shall pay a toll of 10 cents per person. A remonstrates, but B replies, "This rule is not in violation of our agreement, as A can use the way on the same terms as I can. I can not pass over the way to A's house without paying a toll, and A can pass over the way to my house without payment of toll, in the same manner that I can."

How long, Mr. Speaker, would it take a court of justice to remind B that an engagement to allow A the use of the way on terms of equality with B carries with it the equal right to use the way to go to his house?

It certainly does not require much "study" for a fair-minded man to understand that the engagement of Canada to secure to the citizens

of the United States the use of the Welland Canal on terms of equality with the inhabitants of Canada carries with it the right to take the vessels and cargoes to ports of the United States on equal terms.

The United States gave the inhabitants of Canada, as compensation for the use of the Welland Canal, the privilege of using the Sault St. Marie Canal, at the foot of Lake Superior, on equal terms with the citizens of the United States. How have we performed our part of the reciprocal agreement?

The United States have permitted all vessels passing through the Sault St. Marie Canal and bound for Canada to do so without payment of any toll, because we allow our vessels going to our own ports to do so. If we had attempted to pass vessels bound to ports of the United States free of toll, and to charge vessels bound to Canadian ports a toll of twenty cents, would not the Canadian authorities have remonstrated—and justly, too—against such an infraction of the treaty? But I will not at this time pursue the subject further.

If the official information that shall be furnished to Congress in response to this resolution shows no further discrimination against the United States by the Dominion Government than what is already admitted by their officials—and it is alleged that the discrimination has gone further—I doubt not that the President will promptly call the attention of the British Government to this infraction of treaty obligations, and, if the discrimination is continued at the opening of navigation in the spring, will inform Congress, in order that such discrimination against the United States may receive appropriate attention.

Mr. BUCHANAN. Will the gentleman from Maine allow me a question? Is it not also a fact that to-day the Canadian Government refuses re-entry to Canadian goods transported over United States railways, hoping thereby to secure the entire carriage of those goods over Canadian railways?

Mr. DINGLEY. I understand such is the fact; but that matter is not embraced in this resolution.

I now yield the floor to the gentleman from Tennessee.

Mr. McMILLIN. I ask for a vote.

The SPEAKER. The first question is upon agreeing to the amendments proposed by the committee.

The amendments were agreed to.

The resolution as amended was adopted.

Mr. McMILLIN moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

### PRINTING OF PRESIDENT'S MESSAGE.

Mr. RICHARDSON, from the Committe on Printing, reported back without amendment a resolution; which was read, as follows:

*Resolved*, That there be printed 20,000 copies of the President's last annual message for the use of the House.

The report of the committee was read, as follows:

The resolution of the House that there be printed 20,000 copies of the President's last annual message for the use of the House has been considered by the committee; who have directed that the same be reported with a recommendation that it pass. The estimated cost of printing 20,000 copies with paper covers is $178.75. The approximate cost of printing previously estimated upon for Congress within the present fiscal year is $60,682.95.

Mr. RICHARDSON. I move the adoption of the resolution.

The resolution was adopted.

Mr. RICHARDSON moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

### DELAY IN FURNISHING CONGRESSIONAL RECORD.

Mr. RICHARDSON, from the Committee on Printing, submitted a report; which was read, as follows:

On the 12th instant this committee was directed to inquire into the reasons, if any exist, why the daily CONGRESSIONAL RECORD is not furnished to members at an earlier hour, and to report their findings in the premises to the House.

The committee forthwith caused a copy of the resolution in the case to be sent to the Public Printer and the Postmaster of the House, and invited these officers to answer the inquiry set forth therein.

The Public Printer appeared, made a verbal statement, and submitted also a written statement to the committee. The written statement is in the following words:

"GOVERNMENT PRINTING OFFICE,
"*Washington, D. C., January* 13, 1888.

"SIR: I have the honor to acknowledge the receipt at your hands under to-day's date, of the following resolution, adopted in the House on the 12th instant, to wit:

"'*Resolved*, That the standing committee of this House on printing be requested to inquire into the reasons, if any exist, why the daily CONGRESSIONAL RECORD is not furnished to members at an earlier hour, and report their finding in the premises to the House.'

"I am pleased to answer your request for information, so far as it is within my power, by the presentation of the following facts:

"The daily CONGRESSIONAL RECORD referred to I assume to be the morning delivery of the RECORD through the Washington city post-office. Since the meeting of Congress on December 5th last I understand that there have been two failures on the part of this office to deliver the RECORD at the city post-office in time for the usual morning delivery, on the part of said office, at the residence of members of the Senate and House. The failure in each instance was due to the fact that this office was embarrassed in the work on the RECORD by the late arrival or the difficult character of the copy received from the Clerk's desk of the House of Representatives, which rendered it a mechanical impossibility to issue it in the usual time. I understand that on one other occasion, January 12, the RECORD was not received in the morning mail by the members of the House. The failure in this case was not due to this office, as the issue of that day was delivered at the Washington post-office in ample time for proper distribution, as the correct delivery of the Senate copies that morning attest. I can not give the reason for this failure in the delivery of the House copies.

"I will add that this office has met every requirement within its power to secure the early and regular delivery of the RECORD.

"Most respectfully, yours,

"TH. E. BENEDICT,
"*Public Printer.*

"Hon. JAS. D. RICHARDSON,
"*Chairman Committee on Printing, House of Representatives.*"

The Postmaster of the House appeared before the committee and submitted the following answer:

"HOUSE OF REPRESENTATIVES UNITED STATES,
"*Washington, D. C., January* 14, 1888.

"During the present session of Congress the RECORD has failed to reach the members or the morning delivery on three occasions, two of which were on account of its failure to be delivered to this office in time for distribution, and once it was thrown at the usual place upon the platform at the city post-office at an early hour in the morning, before daylight; by accident it was covered over with mail sacks and not discovered until too late for the 7.30 delivery.

"The latter trouble has been remedied and will not occur again.

"I am, very respectfully,

"L. DALTON,
"*Postmaster House of Representatives.*

"Hon. J. D. RICHARDSON,
"*Chairman Committee on Printing.*"

The foregoing statement of the Public Printer indicating that possibly there might have been delay in forwarding material for publication in the RECORD, or some irregularity as to the copy or manuscript furnished, the committee called upon the Clerk for a statement. It was furnished in writing, and is as follows:

"CLERK'S OFFICE, HOUSE OF REPRESENTATIVES,
"*Washington, D. C., January* 14, 1888.

"SIR: The letter received by you from the Public Printer of the 13th instant, and referred to me, states that since the meeting of Congress on December 5 last there have been two failures on the part of the Government Printing Office to deliver the RECORD, and that the failure in each instance was due to the fact that that office was embarrassed by the late arrival and difficult character of the copy received from the Clerk of the House of Representatives, which rendered it a mechanical impossibility to issue it in the usual time.

"I presume that the two occasions referred to were January 4 and 9, respectively, upon which dates there were introduced of public and private bills 1,939 and 1,000.

"Under a rule recently adopted by the House, it becomes the duty of the Clerk to furnish to the Official Reporters a transcript of the bills of a private nature. This being an additional duty to that heretofore performed by the Clerk, it became necessary to detail clerks who had never performed that kind of duty to assist in preparing the copy. In doing so a number of sheets were written on both sides, which was not discovered in time to be corrected for that day's RECORD. The copy furnished by the Clerk was not of a difficult character, except as mentioned above. As far as this office is concerned, the delay could only have occurred from the lateness of the hour at which the copy was delivered, which was, respectively, on the two occasions mentioned, 11.30 p. m. and 1.30 a. m. The work was performed as rapidly as possible under the circumstances and the copy furnished to the Public Printer without unnecessary delay.

"I have the honor to be, very respectfully, your obedient servant,

"JNO. B. CLARK,
"*Clerk House of Representatives.*

"Hon. J. D. RICHARDSON,
"*Chairman Committee on Printing.*"

The committee are of opinion that the delay referred to is such as will of necessity sometimes occur, and is fully explained by the foregoing letters. The committee submit this report, and ask to be discharged from the further consideration of the subject or matter involved.

Mr. RICHARDSON. Mr. Speaker, I do not care to add anything to the report which has just been read. I believe it explains the delays which have occurred, and answers the inquiry proposed in the resolution referred to the Committee on Printing. This is a unanimous report of the committee, and we ask to be discharged from the further consideration of the subject.

Mr. HOPKINS, of Illinois. Mr. Speaker, if it be in order I move to recommit this report to the Committee on Printing, with instructions to make inquiry why there is such delay in the printing of bills, reports of committees, and communications from executive bureaus or Departments which are presented to this House. I am informed that over two thousand bills which have been introduced here have not yet been printed, and members of the House know the trouble we have had in regard to the printing of reports upon bills which have already been reported, the result of which has been that Representatives not belonging to the committee reporting a bill have been unable to obtain information necessary in determining what action they should take in the premises.

I understand also that the printing of reports from different bureaus of Departments, which have been sent to the Government Printing Office, has been delayed not only for weeks but for months. It is my fortune or misfortune to have been assigned to a place on the Committee on Merchant Marine and Fisheries, and hence I have some knowledge of the effect of this delay upon the business of that committee. The Commissioner of Navigation is required to make to Congress a report relating to American shipping. I understand that such a report was made by that officer nearly two months ago and that it has since been lying at the Government Printing Office; and I am credibly informed that even to-day not a line of it has been set up. We do not know when we can get that report; we do not know how much longer it is to be delayed.

Inasmuch as there is some dispute as to the cause of the delay in the furnishing of the RECORD, it seems to me it is best to enlarge the powers of the committee so that while inquiring in reference to the RECORD they may also ascertain for us why reports upon which members must

rely for their information connected with pending measures are so long delayed.

The SPEAKER. Will the gentleman from Illinois [Mr. HOPKINS] reduce his motion to writing, or shall the Chair state it?

Mr. RICHARDSON. Will it not suit the gentleman just as well to offer his proposition as an independent resolution without recommitting this report? If he will embody his inquiry in a separate proposition, the Committee on Printing will faithfully consider the subject and make prompt report.

Mr. SPRINGER. Will the gentleman from Tennessee yield to me for one moment?

Mr. RICHARDSON. Certainly.

Mr. SPRINGER. I think, Mr. Speaker, I can answer one of the inquiries of my colleague without the necessity of referring the matter to the Public Printer. Since this House reassembled on the 5th of this month, there have been introduced four thousand nine hundred and five bills, to say nothing of the large number of bills which have been introduced in the Senate. If members then will consider this enormous amount of work suddenly imposed upon the Public Printing Office, requiring them to print five thousand bills, they will understand the failure which may have occurred in reference to the furnishing of some other documents.

Mr. GROSVENOR. Will the gentleman from Illinois yield to me?

Mr. SPRINGER. Yes, for a question.

Mr. GROSVENOR. Do you happen to know of your own knowledge, or by report of others, whether bills introduced into this House and ordered to be printed have been printed at the Government Printing Office in the order in which they have been introduced, or whether the report is true that members have procured the printing of their bills and reports out of the order in which they were presented, and printed far in advance of others presented before them?

Mr. SPRINGER. I have no information on that subject, but I am willing the statement of the gentleman from Ohio shall come in and go for what it is worth. If the gentleman is satisfied, from the information which he has received, that any such thing has been done, I suggest he ask the gentleman from Tennessee to have an inquiry made on the subject.

Mr. MILLIKEN. What is the matter with the Public Printing Office, or with the Public Printer, that there has been such delay in furnishing these documents?

Mr. SPRINGER. I was trying to state what the difficulty was, and I will proceed to do so if gentlemen will not interrupt me further.

The SPEAKER. It is impossible to hear, there is so much conversation on the floor and in the rear of the seats.

Mr. SPRINGER. Now, Mr. Speaker, the difficulty of the Public Printing Office is just this: We have in one or two days imposed upon the Government Printing Office almost a month's work. That is the difficulty, and they can not be expected to get it out in the same time they would an ordinary amount of business, for there is no power conferred upon the Public Printer, when such a vast amount of work has been cast upon him, to go out into the city and employ an additional force of printers.

Mr. MILLIKEN. But has not that always occurred at the beginning of a long session of Congress? Even conceding that to be true, and that there is some excuse for delay in the printing of these bills, why is it we have not received documents ordered eleven months ago?

Mr. SPRINGER. Yes, these difficulties always occur at the beginning of a new Congress or a new session of Congress. I wish to say here now that I regard it as a great abuse to order the printing of such a large number of bills, private as well as public, costing thousands of dollars to the public Treasury.

Mr. MILLIKEN. Let me ask the gentleman from Illinois, who says we have imposed on the Public Printing Office the printing of thousands of bills and documents, whether the same thing does not occur at the beginning of every new session of Congress? And while such is the case, as he admits, I ask him whether there has ever before been such delay in printing bills and documents at the Government Printing Office?

Mr. SPRINGER. That has always occurred, so far as my recollection is concerned, at the beginning of every session.

Mr. MILLIKEN. Not since I have been a member of Congress.

Mr. SPRINGER. So far as I know those employed at the Government Printing Office have exerted themselves to the fullest extent to supply all the printing ordered by Congress.

Mr. MILLIKEN. Then why does not the Public Printer supply the bills and documents which have been ordered to be printed?

Mr. SPRINGER. There is such a thing as physical inability to supply at once what has been ordered to be printed in such vast numbers. I believe there is no body of men in this city who work more hours out of the twenty-four than the printers in the Public Printing Office. Since this Congress assembled they have been doing all men could do to keep up the printing which has been ordered by the two Houses of Congress. If there is anything wrong in the matter, I can say the proper remedy is here in the House. In the first place, we ought not to impose so much work upon the Public Printer. These thousands of bills and public documents cost the Government millions of dollars every year; and in my judgment if careful investigations were made—and I served one Congress on the Committee on Printing—it would be found at every session of Congress we have ordered printing costing millions of dollars in the aggregate which might have been dispensed with on a more careful consideration of the matter and that amount saved to the Treasury.

Mr. MILLIKEN. Why does not the gentleman, then, if he is satisfied in this regard, introduce that reform himself?

Mr. SPRINGER. I hope the gentleman from Maine, now that he has given his attention to the subject, will look into the matter himself.

Mr. GROSVENOR. Mr. Speaker, I introduced the original resolution of inquiry, but had no idea at the time that it would take so wide a range as it seems to be taking now under the proposed amendment of the gentleman from Illinois. I had no knowledge at the time that any other department of the printing of the House was in this sort of condition; and in presenting the resolution I only wanted to inquire, and if possible ascertain, why it was that we could not, or did not, get the copies of the CONGRESSIONAL RECORD in the morning at the proper time. I am bound to be satisfied with the report made by the Committee on Printing, because I have not any ground to dispute the conclusions reached by them.

I have this to say, however, that if, during the session of the present Congress up to this time, it has been found difficult or impossible for the Printing Office to furnish our official RECORD on two occasions, what may we reasonably anticipate will be the condition of things before the session closes? I judge of the efficiency of the present printing department of the Government by what I have seen of other administrations of that office. I have seen this House hold a session until 11 o'clock at night, and in the regular distribution of the mail in the morning the RECORD was there and perfect, containing all the proceedings up to the hour of adjournment. I regret, and look forward with a great deal of foreboding to, what is to come in the future.

Now the gentleman from Illinois [Mr. SPRINGER] states that the overwhelming number of bills introduced into the House at this session explains and defends the condition of affairs to be found in the Public Printing Office. I am not quite prepared to yield my judgment to his upon that subject. Looking back at the RECORD of the Forty-ninth Congress I find that there were quite as many and probably more bills introduced in that Congress during the same period than we have reached in the present session, and yet I have no recollection that there was any such delay, or any complaint such as we now find, and by reason of which the original resolution was presented.

But again, Mr. Speaker, in answer to the gentleman's statement, I hold in my hand a part of a very valuable and indispensable public document that, it is the theory of the Government at least, shall be furnished to Congress some time during the early part of the first session. I refer to the report of the engineers of the War Department for the year 1887.

Gentlemen can see all there is of it up to the present time. Here it is in my hand. Where the balance of it may be I have no knowledge. It may have been thrown upon some platform, and covered up with mail-bags too, as the RECORDS were. And there are only fifteen or twenty, as I understand it, advanced copies even of this part of it. About one-third or less, therefore, of the report has been furnished to the Committee on Rivers and Harbors instead of the whole document, as we had reason to expect. This portion refers also to an appendix. Appropriations are here recommended which are based upon certain other recommendations made in the appendix.

If anybody has seen that appendix he has had much more success in that direction than I have had. So we find the committee about to proceed to prepare a river and harbor bill without any information whatever; all its work to be done over again when hereafter, if ever, the opportunity comes when we are able to get the whole work in our hands. Two years ago not only was the whole report in the hands of the committee, but earlier than this we had time to have it bound and furnished for our use in committee.

I am not objecting to the report of the Committee on Printing. They have thoroughly investigated the subject, and the assurance is given to us that we shall have no more delay. That is as far as the scope of my resolution went, and it is an answer to the whole of it.

Mr. RICHARDSON. I now yield two minutes to the gentleman from Arkansas [Mr. ROGERS].

Mr. ROGERS. It is easy always to find fault, but we ought to deal honestly with ourselves as well as with public officers.

I am not an old member of the House of Representatives, but I have served in two previous Congresses. In the Forty-eighth Congress there was no change in the rules, and the introduction of bills came on in their regular order. The Public Printer had the right and opportunity to use all the holiday recess for the publication of the bills introduced before that date. He therefore had ample time for the accomplishment of that work, and I do not remember any serious complaints in that Congress, though I do remember there were some delays.

In the Forty-ninth Congress there was a complete change of the rules, and we debated them, as gentlemen will remember, day after day for a considerable time. But the bills were introduced before the rules were settled, and the result of that proceeding was inextricable confusion on the part of the officers of the House in regard to the printing

and reference of bills. In the Fiftieth Congress—the present Congress—we have also had under consideration the reformation of our rules, and to avoid the error into which we fell in the Forty-ninth Congress, by the introduction of bills before the adoption of the rules, we postponed their introduction, and therefore the Public Printer did not have the opportunity of using the holiday recess for printing them. So that upon the reconvening of Congress after the holidays this whole batch of bills is precipitated upon the Public Printer, and then gentlemen rise under these circumstances to condemn him because he can not do everything in a minute, as if the world was made in a minute.

Mr. Speaker, this is only a part and parcel of the arraignment of the Democratic party of which we heard so much before it came into power. The whole country was to go to the "demnition bow-wows" if the Democratic party ever got into power. Well, we got into power, and we have wagged along for a couple of years or more without any very serious complaints. The Treasury has not been raided; the soldiers have been taken care of; we have paid off the public debt; few defalcations, if any, have occurred, and the country seems to be entirely safe; but yet somebody is always ready to find some little thing or other to quarrel or complain about.

Mr. GROSVENOR. Will the gentleman allow me——

Mr. ROGERS. After I have got through.

Mr. GROSVENOR. I desire to ask the gentleman a question at that point.

Mr. ROGERS. I do not yield. I have but a little more to say, and I will then yield the floor.

We ought to deal fairly with the public officers. That is all I have to say about that. These gentlemen, if they want to investigate these officers, ought to do so in a manly sort of way. You have presented the resolution that brings before the House the subject now under discussion. You have got an answer to the resolution from the committee and can discuss it. That is a legitimate discussion. But do not take up for discussion things about which nobody has information, and put before the country a discussion of this kind without any opportunity having been offered for investigation.

There is a principle of common law which should obtain here as well as elsewhere—to give every man against whom a charge is brought his day in court. If any of these officers have been derelict in the discharge of their duties, introduce your resolution, investigate them, and if they are found to be subjects for condemnation you will always have my co-operation in doing what is right in the premises. But you can not get my co-operation if you attempt to condemn a man without first giving him a day in court.

Mr. RICHARDSON. I yield five minutes to the gentleman from New York [Mr. COX].

Mr. COX. If gentlemen would give proper consideration to this matter they would find out very speedily that the great trouble connected with this printing business is with the House of Representatives and its committees. The present Public Printer, in the last fiscal year, ending June, 1887, has disposed of a large amount of printing ordered by previous Congresses; and most of it ordered here improvidently, not merely by the vote of the majority of this House, but by the unanimous vote of this House. All sorts of printing have been sent to the Public Printing Office, scientific printing, printing about agriculture, printing of books of various kinds that come in competition with the work of private publishing houses. The great trouble is in printing enormous numbers of volumes, which in the end often find their place in the junk-shops of the country.

The present Printer has practiced economy. He deserves encomium, not reproach. We must accept his statement that the total expenditures of the office the last fiscal year were $2,500,076.35; in 1886, $2,762,560.07; in 1885, $2,634,469.71; in 1884, $3,056,067.51; in 1883, $2,888,374.92. This year he asks for $2,489,622.23. It is based on the most heedful estimates. Let us endeavor to aid his efforts, for he tells us that he has inherited documents yet to be printed from four former Congresses, $150,000 worth of which he completed the past year.

The Printer, in his last report—I have here a memorandum of the figures, although I do not have a copy of the report before me—states that while he has disposed of a large amount of printing that had accumulated in his office, he has saved the sum of $262,000 as compared with the cost of printing of the previous year and the sum of $555,000 as compared with the cost of printing of the fiscal year ending in June, 1884. If we expect more printing from him we must give him more money. Or if we do not give him more money we should begin the economy right in this House here. Whenever a motion comes up to print a number of copies of a report, or to enlarge the CONGRESSIONAL RECORD by the insertion of superfluities, then is the time for gentlemen on both sides to exercise their economy and thus relieve the Printer.

My friend from Illinois [Mr. SPRINGER], who was chairman of the Committee on Printing in a previous Congress, came in here with others this session and asked that an unlimited amount of printing be done for the Committee on Territories, including, I suppose, all the discussions before that committee connected with Utah and Dakota and Oklahoma.

A MEMBER. And "No Man's Land."

Mr. COX. Yes; and "No Man's Land," and all our outlying Territories. That would run us into an excess that no man can number. My friend, therefore, who was chairman of the Committee on Printing in a previous Congress, is himself more or less responsible. It is for the gentleman himself to call a halt. I have often heard him state that the remedy for this matter lies here in the House.

This proposition having been made on behalf of the Committee on Territories, a motion was offered here the other day to authorize the printing of everything that goes on before committees in case the committee required it. This, sir, is a thing unexampled. It would include all the debates before the committees and all the papers referred to them. It is in such propositions that the mischief begins, and the remedy should begin here. It was applied the other day on the motion of the distinguished gentleman from Pennsylvania, that all these motions were referred to the Printing Committee. That is the proper place for the consideration of these matters. But if you insist on the Public Printer printing large numbers of reports you will have to give him more money. But if you want economy begin here and now.

Mr. RICHARDSON rose.

The SPEAKER. The gentleman from Illinois [Mr. HOPKINS], whose motion is now under discussion, is entitled to the floor.

Mr. RICHARDSON. I wish to ask the gentleman whether he will agree to submit his motion as an independent resolution.

Mr. HOPKINS. I prefer to submit it as an amendment to the pending proposition.

The SPEAKER. The Clerk will report the motion made by the gentleman from Illinois.

The Clerk read as follows:

To recommit, with instructions to inquire the cause of the unusual delay in printing and furnishing to members and committees bills and reports of committees and communications from Departments and bureaus of the Government.

Mr. DUNN. I hope in connection with that the report will be read.

The SPEAKER. The report has been already read, but it may be again read.

Mr. HOPKINS. I desire to say in answer to the strictures of the gentleman from New York [Mr. COX] that however true his remarks may have been in regard to previous Public Printers, they can not apply to the present Public Printer. As I understand it, there was appropriated to that department all the money that was asked by the Public Printer. He had had experience in the department and had had an opportunity to make thorough investigation, and he applied for an appropriation which he said would be sufficient for all his purposes; therefore the fault instead of being with the House is with him. He should have known whether he had a sufficient force to furnish the House with the bills and reports at the proper time, and should have considered that in asking for an appropriation. So much in answer to that argument.

Now, in regard to the strictures of the gentleman from Arkansas [Mr. ROGERS]. I did not suppose that in presenting a resolution of this kind I was raising a political question. I supposed that the gentlemen upon the other side of the House were equally interested with the Republicans in having these bills and reports returned promptly, so that members of the House can proceed intelligently with the work of legislation. But the gentleman seems to think that this smacks of politics. I do not so understand it, Mr. Speaker. I understand that this is purely a matter of business, because I think that every member of this House who desires to discharge his duty intelligently and with fidelity is anxious that these reports shall be returned to the House as promptly as possible, that we may proceed to act upon the various measures pending before the House as they are brought up for consideration. The gentleman says that it is an easy matter to find fault; to that I reply that it seems equally easy for some gentlemen to make excuses.

The gentleman says that in the Forty-ninth Congress the reason there was no such delay as we are experiencing now was that we had a long debate in settling the question of rules, and that during that time the Public Printer had the opportunity to print the bills, etc., and return them to the House. The record, Mr. Speaker, is against the statement of the gentleman from Arkansas. I have before me the RECORD of the Forty-ninth Congress, which shows that the rules were settled and adopted upon the 18th day of December, and that the bills were not introduced until the 5th or 6th day of January. I was a member of the Forty-ninth Congress, and I, for one, can testify that we did not experience the inconveniences and delays in that Congress which we are now experiencing. Again, if all these arguments were good, so far as our bills and reports are concerned, still they would not apply to the departmental reports made to Congress from the heads of the different Departments.

Now, sir, I repeat what I said when I was first upon the floor, namely, that so far as the report from the Commissioner of Navigation is concerned, I am credibly informed that it has been in the hands of the Public Printer for weeks, if not for months, yet no action has been taken upon it, and I ask gentlemen how they can expect that the members of that committee can act intelligently upon the recommendations of the Department when those recommendations are kept back by the Public Printer in the manner I have indicated. It seems to me, Mr. Speaker, that it is highly proper that instead of approving of this report which

has been made by the Committee on Printing this morning, we should recommit it, as proposed in my motion, with instructions to make a wider and more extended inquiry into the causes of these delays, so that if the Public Printer has any adequate excuse, it may be received, and if, as the gentleman from New York [Mr. COX] says, the trouble is with the members of the House, that trouble may be corrected.

It is certainly in the interest of public economy that some action should be taken in this matter, so that we may get these bills and reports before us for use in our daily work here. I now ask the previous question upon my motion.

Mr. HENDERSON, of Illinois. Will my colleague withdraw that for a moment?

Mr. HOPKINS, of Illinois. I withdraw the demand for the previous question, and I yield five minutes to my colleague.

Mr. HENDERSON, of Illinois. Mr. Speaker, I want to say this: I served on the Committee on Commerce when it had jurisdiction over the subject of rivers and harbors, and I have also served on the Committee on Rivers and Harbors in the last two Congresses, and until the last session of Congress I do not remember that the committee was ever delayed in getting the engineers' reports so as to be prevented from getting on with its work. But at the last session of Congress we were obliged to have advance copies printed, and even then we suffered great inconvenience because they were not properly indexed; and now again, at this session, we find ourselves in the same condition. Out of four volumes of the reports we have only one stitched, not bound and not indexed. Now, sir, I know that these inconveniences have not existed heretofore until last winter, and there must be some serious fault somewhere. I am not prepared to say where it is; but either the Public Printer is incompetent or inefficient, or else there is some neglect about furnishing him with these reports and other documents, and we should inquire and find out where the fault is and have it corrected, for there can be no good excuse for the failure to supply these documents to the committees and to members as they have been supplied heretofore.

Mr. HOPKINS, of Illinois. I yield now to the gentleman from Louisiana [Mr. BLANCHARD].

Mr. BLANCHARD. Mr. Speaker, what has just been said by my colleague of the Committee on Rivers and Harbors [Mr. HENDERSON] is correct as to the delay in furnishing the reports of the engineers which are used by the Committee on Rivers and Harbors in making up its bills; but in making this statement I wish to do justice to the Public Printer. So far as the reports of 1887 are concerned, I am in a position to speak. I called upon the Public Printer and asked the reason for the delay in printing the reports for 1887; and from the explanation given me I am satisfied that the cause of this delay is the fact that the manuscript had not been received at the Public Printing Office as early as it should have been. For instance, the voluminous manuscript of the engineers' report relating to rivers and harbors, which will form four printed volumes, was not received at the Public Printing Office until late in November. Yet up to this time the Public Printer has had printed and has furnished to the Committee on Rivers and Harbors some 700 or 800 pages of that report.

Take another instance—the report of the Commission on the Mississippi River. That document did not reach the hands of the Public Printer until about ten days ago, yet the report is now needed in the Committee on Rivers and Harbors in connection with the work intrusted to them. So that, while there has been delay in printing these reports, and while it is true that the work of the committee is retarded by this delay, I am inclined to believe the fault does not lie at the door of the Public Printer.

Mr. HENDERSON, of Illinois. It certainly lies somewhere; and it is very proper that the matter should be investigated so that we may know where the fault does lie.

Mr. BLANCHARD. There should be legislation requiring the heads of Departments to get their reports into the hands of the Public Printer as early as September 1 or October 1 of each year.

Mr. HOPKINS, of Illinois. I yield five minutes to the gentleman from Arkansas.

Mr. DUNN. I wish simply to ask a question of the chairman of the Committee on Printing. I am satisfied there is some delay in printing which is inconveniencing this House; and I wish to ask that gentleman whether the rumor I have heard is true—that the Public Printer has alleged as a reason of the delay that large orders for printing have heretofore been made and that he feels bound to give those prior orders precedence over the current work of Congress.

Mr. RICHARDSON. I can not answer the gentleman's question. I know that the Public Printer is engaged in the execution of previous orders.

Mr. DUNN. I do not assert that such is the fact; I have heard such a rumor; and if the Printer is exercising his discretion in that way he is perhaps in error, because certainly printing connected with the current business of Congress ought to take priority of everything else.

Mr. COX. I think I can answer my friend from Arkansas [Mr. DUNN]. As a regent of the Smithsonian Institution I had occasion to inquire the other day in relation to the Smithsonian report for the year ending June 30, 1886. It had not been printed. I found out from the Public Printer that the reason he has not been able to print the report of the Smithsonian Institution and the National Museum for the last two years is, that he has been so thoroughly occupied in doing other work, including the current work of Congress. He has never neglected that current work; and by "current work" we understand bills and reports such as are necessary to assist us in the daily business of legislation. I think I can say, without any hesitation, for the Public Printer, that he never for one moment neglects to assist the House in its business, by performing as promptly as possible the ordinary work of his office.

Mr. HOPKINS, of Illinois. I now yield five minutes to the gentleman from Arkansas [Mr. ROGERS].

Mr. ROGERS. Mr. Speaker, the gentleman from Illinois [Mr. HOPKINS] was altogether mistaken if he supposed for a moment that I intended to use any language criticising in any way the resolution he has offered. I oppose the proposition simply because it ought to be presented as a separate and independent resolution, allowing the House to dispose of the pending report at once.

Mr. Speaker, either I was exceedingly unfortunate in expressing myself on another point or the gentleman totally misapprehended my language. I state now that in the Forty-ninth Congress the rules were under discussion for a considerable time, I do not remember how long; and in consequence the committees were not announced until after the holidays, while bills were introduced before the holidays. I hold in my hand the RECORD of the Forty-ninth Congress, which shows that the introduction of bills began on December 21, and those bills run through from page 365 to page 397 of the RECORD, there being perhaps hundreds or thousands of bills upon which the Public Printer could go to work during the holiday recess.

I rose to correct the wrong impression which my remarks seem to have created upon the mind of the gentleman from Illinois. I have one other observation to make. I do object to our debating these questions until we have learned who is the guilty party, if anybody is guilty. How can we tell now whether the Public Printer or the Engineer Department of the Army is at fault, or whether either is at fault, with reference to the engineers' report? Let a resolution for an investigation be adopted and investigation had, and if there is anything wrong in either quarter, let the responsibility be fixed intelligently and, after investigation, upon the party to whom it properly belongs. In such an effort as that gentlemen can always have my hearty co-operation, but do not attack the Public Printer without giving him a hearing.

Mr. HOPKINS, of Illinois. I yield five minutes to the gentleman from New York [Mr. FARQUHAR].

Mr. FARQUHAR. Mr. Speaker, having been a member of the Committee on Printing in the Forty-ninth Congress, I must take exception to the intimation which has been thrown out by the gentleman from New York [Mr. COX] that in the reports of the committee in that Congress and the action of the House upon them there was improvidence. I must say that the committee from the time of its appointment to the close of the Congress never passed on a single report connected with the Government or upon any printing designed for the benefit of the country at large without considering to a dollar the cost of the work and its utility. I recollect well that the committee on one occasion made a comparison of the work of that Congress with the work of the three preceding Congresses; and the gentleman who made the intimation to which I refer can find by reference to the report that the committee in its work was within all estimates and within all prior precedents. I say that much in vindication of the committee.

I do not stand here as a critic of the Public Printer. Many members on this floor know my feelings toward the present incumbent of that office. I simply want to say that while this resolution may now pass, it is but fair that the Committee on Printing should be allowed opportunity to consult with the Public Printer as to the orders for printing which came from the Forty-sixth, the Forty-seventh, the Forty-eighth, and the Forty-ninth Congresses, old orders which are now lying in the office of the Public Printer. Having served upon the Committee on Printing, I believe that there is any amount of "dead wood" (to use a common expression) the printing of which has been ordered by law; and if we are to investigate either the facilities of the Printing Office for doing its work or the administrative ability brought into operation in running that office, the Public Printer ought to have from the committee an intelligent *exposé* with regard to the necessity for all this printing which has heretofore been ordered. In regard to the matter of current public printing, the committee during the Forty-ninth Congress pursued the policy of pushing forward printing on any document that was necessary for the business of the House.

At no time did we order any printing during the short session of Congress to be done at the Public Printing Office which would get back into the document-room out of its place. What they are doing now I know not. I know one thing, however; during the time we were changing the rules of this House the Public Printer had the advantage of getting out of his hands and into the document-room a mass of private bills before a public bill was ordered to be printed. We relieved him so much.

Now, there are important reports before the committees, and not one of these is furnished. I wish to ask the gentlemen who are members

of the Committee on Rivers and Harbors whether the Engineers' Report, not of this year, but of last year, has been furnished to the Congress of the United States?

Mr. HENDERSON, of Illinois. It has not been furnished, as I understand it.

Mr. FARQUHAR. I am informed by the gentleman from Illinois that this report made two years ago has not been furnished.

Mr. HENDERSON, of Illinois. One year ago.

Mr. FARQUHAR. One year ago. Yet in this House the chairman of the Rivers and Harbors Committee of the Forty-ninth Congress (Mr. Willis) promised on this floor the report should be in the hands of every member before the 1st day of March of last year. Eleven months have gone, and there is no report to Congress yet. I wish to say the word "improvident" belongs there. That report is of no benefit to this Congress. Matters of interest concerning the whole lakes in five engineers' reports go into Volume III of this coming year's report (in the appendix), and no man can know—not General Duane himself, at the head of the corps can give an intelligent answer to any member of this House when he can be furnished with the report of his own local engineer.

I say this without criticising the Public Printer or the administrative ability of the office, but it is due to Congress that if the office is not able now to do the printing ordered it should be enlarged, or a standing rule should be adopted authorizing the Joint Committee on Public Printing of the two Houses to select the work that shall come first in being printed and supplied to the two Houses of Congress.

Mr. HOPKINS, of Illinois. How much time have I remaining?

The SPEAKER. The gentleman has thirty minutes of his time left.

Mr. HOPKINS, of Illinois. I will next yield to the gentleman from Tennessee [Mr. McMILLIN].

Mr. McMILLIN. Mr. Speaker, I ask the indulgence of the House for one moment in response to the inquiry made by the gentleman from Ohio [Mr. GROSVENOR], which goes to the very integrity of the conduct of the Public Printing Office. He made an inquiry as to whether bills were printed in the order in which they were introduced. The inference from his question was that there was some sort of favoritism in the order of printing at the Government Printing Office. Now, I have made inquiry of Mr. Benedict, the Public Printer, and am informed that it is the custom to print in the order in which bills are presented to the House, and against that I presume there will be no complaint. He conducts the office upon this fair business principle.

Next, in reply to what has been charged, that we are unusually late in getting the printed bills which have been introduced at this session of Congress, I wish to supplement what has been stated by the gentleman from Arkansas [Mr. ROGERS]. He has already shown the House that in the Forty-ninth Congress this work of printing was begun in December, thus giving longer time to the Public Printer. I wish to add the material statement, that whereas in the months of December and January at the first session of the Forty-ninth Congress we introduced 3,806 bills, we have introduced in the two weeks of this Congress during which we have been in session since the holidays 4,905 bills. Therefore, in two weeks of this session the Public Printer has had to deal with a thousand bills more ordered to be printed than during all the period between the 1st of December and middle of January in the Forty-ninth Congress.

I will add one other remark, that the Public Printing Office is not in default now for the first time. If gentlemen will go back and examine the question they will find these reports have often been more than a year in getting out. There is the Agricultural Report, for which the people are waiting with such feverish and impatient anxiety! [Laughter.] It is frequently a year before they are furnished to the members for distribution, and so far did the office get behind with their publication once since 1880 that two years' reports were printed in one volume.

Mr. MILLIKEN. But never have they been withheld so long as now.

Mr. McMILLIN. My friend from Maine is in error there. The delay in the Printing Office often occurs. There are many valuable things printed there, and so far as these are in the necessary line of good government I have no word or war against them. But I do raise my voice against the printing of so many useless productions. The Printing Office will continue to be behind with its work so long as Congress continues to dump such a mass of nonsense on the Public Printing Office to be printed, taxing the office to the utmost to get it out in time. The remedy is here, and that remedy lies in Congress refusing to order the printing of the thousands of volumes too often finding their way there, which none but a crank would write and none but a fool would read. [Laughter and applause.]

Mr. GROSVENOR. I do not know, Mr. Speaker, that I need to add anything further to what I said in the few remarks I submitted to the House a short time ago. I certainly should not rise now for that purpose had it not appeared to me that the gentleman from Arkansas [Mr. ROGERS] seems to have imbibed the opinion, or for some reason entertains the idea, that I was making a political attack upon the Public Printer, and he thereby felt justified in charging somebody with having dragged a political discussion into an *ex parte* inquiry or examination. I was very glad that the gentleman had an opportunity of making his political speech. I only wanted his attention for a single moment while he was speaking to submit a question, and thought it very unkind in him not to allow me to do so, as he could have put the answer in so admirably in that eloquent passage of his speech where he told us of the prosperity of the country, and the fact that no harm had come to it, either past, present, or presumably in the future, by reason of the inauguration of a Democratic administration. I wanted him to tell me, therefore, if I was right in concluding that he did not quite accord with the statement or sentiment that we received on the second day of our present session from an eminent Democratic authority, that there was hanging over the country a portentous cloud about to break in thunder-storms, earthquakes, financial disaster, and cyclones of commercial ruin. [Laughter and applause on the Republican side.]

That is all I wanted to say to him, and his statement would no doubt have sounded a great deal better in the form of an answer to a question addressed to him at that time, than for me to have to occupy the time of the House again to call his attention to it.

Now, I never thought that the resolution I offered would start up a political controversy. I tried to get some information not *ex parte*, for I asked that a committee of the House, the Committee on Printing, should investigate the matter referred to in the resolution, and they have done so. Will the honorable chairman of that committee say that this report is an *ex parte* one?

I only wanted that we should have before us the exact facts in regard to the matter, and in so far as the subject-matter of my resolution is concerned, I apprehend that we have got them. So far as the subject-matter of the proposed amendment is concerned, that is quite another point, and I do not understand that anybody on this side of the House desires any judgment or opinion of the House at this time against the Public Printer.

I wish to say this much further, as no one seems to have stated it: I do not understand that the question of the printing of these reports that come from the Departments is affected in any way by the number of bills which may be introduced in the House, and I do not understand that the printing of the CONGRESSIONAL RECORD is in any wise affected by the number of bills or the number of unprinted reports which may be in the office.

I understand that the force of the office, claimed to be adequate so far as the estimates are concerned for all such work, is subdivided, and that a portion of it occupies its entire time upon the RECORD work, another portion upon bills, and another upon such work as may come from the Departments, and so on. If that be true, it is no explanation or apology for the delay in printing the RECORD or the bills, because of a large amount of accumulated matter of other kinds in the hands of the Public Printer.

Mr. HOPKINS, of Illinois. I now yield three minutes to the gentleman from Michigan [Mr. CUTCHEON].

Mr. CUTCHEON. I have no interest in this resolution except that which is common and applies to all the members of the House. I hope, however, that the resolution of the gentleman from Illinois [Mr. HOPKINS] will prevail.

For my own part I would like to know what system, or want of system, prevails at the Public Printing Office in regard to the order in which bills sent from the House are printed. Upon the first bill day of the present session I introduced a number of bills, which went, I suppose, with others then introduced, to the Public Printer. Some of those bills were printed and have been in the document-room for a week or more, while another portion of them is not there yet. One of the bills, numbered 1559, has been wanting, and I have just sent to the document-room for a copy, but am unable to get it.

Last week I went and made a personal inquiry about it, and was told that it had not been received from the office, and yet at the same time I saw bills lying upon the table numbered between three and four thousand. I asked how it happened that my bills, which were below the number 1600 had not come up, while bills numbered in the neighborhood of 4000 had been received; and was told it was because those bills had been made special at the request of members introducing them. Now I desire to know the fact, if there is a way by which members can get their bills made special, so that I can avail myself of it and have mine made special so as to receive them in advance of other bills introduced at the same time. I saw to-day a great number of bills upon the table in the document-room numbered above 3000, while I am still unable to get mine, which are below 1600. I do not understand it, and want to be informed as to the reason; and therefore I would like to have the Public Printer answer the question of the gentleman from Illinois.

Another thing, sir, which concerns us all quite nearly. We have had several bills upon their passage here before the House; for instance, the special deficiency bill, the Fish Commission bill, and several private bills; but during this present session I have not been able to obtain access to a single report bearing upon any one of the bills brought up for our consideration. None of them have been sent up to the House or laid upon the desks of members before the bills to which they refer have been taken up for passage, and have therefore been unable to act upon those bills with that information which the reports are supposed to contain. It seems to me that the reports should, if anything, be

first printed and made special, so that the members may have the information they contain before being called upon to act upon bills to which they refer.

Having said this much, and, I trust, without political bias, seeking only an orderly and proper transaction of the public business of the House, I have nothing further to add, except that I hope the resolution will prevail.

Mr. HOPKINS, of Illinois. I yield three minutes to the gentleman from New York [Mr. COX].

Mr. COX. I think I owe somewhat of an explanation to my colleague from New York [Mr. FARQUHAR], who was on the Committee on Printing of last Congress. I referred to the gentleman from Illinois [Mr. SPRINGER], who was on the Committee on Printing in a previous Congress when there were larger expenditures for printing than in the last Congress. I do not intend to do any injustice to the gentleman from New York [Mr. FARQUHAR]. I stated there was a saving of more than $262,000 last year; and I am not sure but the business capacity and skill of my colleague had something to do with that saving. If he has followed out his ordinary business rules I have no doubt he has saved the country a large amount.

If gentlemen will look at our Congressional Manual they will see there, from page 418, running over to page 422, that by the law and by the rules here, this printing department is clogged with business, costing an enormous amount, running up into the millions for years past, and the remedy lies not, perhaps, with a resolution like this offered by the gentleman from Illinois [Mr. HOPKINS], but in the general overhauling of this whole printing business, cutting down useless printing authorized now by law, as to which our committee and the Public Printer have no discretion.

They are bound to print these things, and all the Committee on Printing can do is to look over the laws and make an estimate in the House accordingly.

Therefore, I have no fault to find with gentlemen who last session were on the Committee on Printing. But I trust if we enter on this matter it will be to overhaul the whole printing business, so as to save from one to two million dollars annually, now thrown away virtually in printing useless trash at the expense of the people of this country.

Mr. HOPKINS, of Illinois. I think it is apparent to the House now that no good excuse has been given thus far by the Public Printer for delay in printing the bills and reports and communications of Departments. I think the question has been sufficiently discussed, and I move the previous question.

The question being taken on the motion for the previous question, there were—ayes 80, noes 81.

Mr. HOPKINS, of Illinois. I call for the yeas and nays.

Mr. RICHARDSON. If the gentleman will withdraw the demand for the previous question, I think we are ready to take the vote.

Mr. HOPKINS, of Illinois. I call for the regular order.

The yeas and nays were ordered.

The Clerk began to call the roll, and had called the first name.

Mr. HOPKINS, of Illinois. If it will expedite the business, I ask unanimous consent that the yeas and nays be taken on the main motion.

Mr. RICHARDSON. I submitted that a moment ago, and the gentleman declined my request.

Mr. HOPKINS, of Illinois. I did not understand the gentleman's proposition.

The SPEAKER. If there be no objection, the vote will be taken on the motion of the gentleman from Illinois [Mr. HOPKINS] to recommit with instructions.

There was no objection.

Mr. McCREARY. I ask for the reading of the resolution of instructions.

The resolution was again read.

The SPEAKER. The Clerk will call the roll.

Mr. RICHARDSON. Will the gentleman yield to me for a moment? If he does so, I think it will obviate the necessity for calling the roll.

[Cries of "Regular order!"]

The question was taken; and there were—yeas 136, nays 140, not voting 47; as follows:

YEAS—136.

| | | | |
|---|---|---|---|
| Adams, | Brown, C. E. | Darlington, | Guenther, |
| Allen, C. H. | Brown, J. R. | Davis, | Harmer, |
| Allen, E. P. | Buchanan, | De Lano, | Haugen, |
| Anderson, J. A. | Bunnell, | Dingley, | Henderson, D. B. |
| Arnold, | Burrows, | Dorsey, | Henderson, T. J. |
| Atkinson, | Butler, | Dunham, | Hermann, |
| Baker, C. S. | Cannon, | Dunn, | Hires, |
| Baker, J. | Caswell, | Felton, | Hitt, |
| Bayne, | Cheadle, | Finley, | Holmes, |
| Belden, | Clark, | Flood, | Hopkins, A. J. |
| Bingham, | Cogswell, | Fuller, | Hopkins, S. T. |
| Boothman, | Conger, | Funston, | Hovey, |
| Bound, | Cooper, | Gaines, | Hunter, |
| Boutelle, | Cothran, | Gallinger, | Jackson, |
| Bowden, | Crain, | Gear, | Johnston, J. T. |
| Bowen, | Crouse, | Gest, | Kean, |
| Brewer, | Cutcheon, | Greenman, | Kennedy, |
| Brower, | Dalzell, | Grosvenor, | Kerr, |
| Browne, T. M. | Dargan, | Grout, | Ketcham. |
| Laidlaw, | Neal, | Pugsley, | Thomas, G. M. |
| Laird, | Nelson, | Reed, | Thomas, O. B. |
| Lehlbach, | Nichols, | Romeis, | Thompson, A. C. |
| Lodge, | Nutting, | Rowell, | Turner, E. J. |
| Long, | O'Donnell, | Ryan, | Vandever, |
| Lyman, | O'Neill, Charles | Scull, | Wade, |
| Mason, | Osborne, | Sherman, | Warner, |
| McComas, | Owen, | Smith, | Weber, |
| McCormick, | Parker, | Spooner, | West, |
| McCullogh, | Payson, | Steele, | White, J. B. |
| McKenna, | Perkins, | Stephenson, | White, S. V. |
| McKinley, | Peters, | Stewart, J. W. | Wickham, |
| Milliken, | Phelps, | Struble, | Wilber, |
| Moffitt, | Plumb, | Symes, | Williams, |
| Morrow, | Post, | Taylor, E. B. | Yardley. |

NAYS—140.

| | | | |
|---|---|---|---|
| Abbott, | Ermentrout, | Lee, | Rowland, |
| Anderson, C. L. | Fisher, | Lynch, | Rusk, |
| Anderson, G. A. | Ford, | Macdonald, | Sayers, |
| Bankhead, | Forney, | Maish, | Scott, |
| Barnes, | French, | Mansur, | Seney, |
| Biggs, | Gay, | Martin, | Shaw, |
| Blanchard, | Glass, | Matson, | Shively, |
| Bliss, | Glover, | McAdoo, | Simmons, |
| Blount, | Granger, | McClammy, | Snyder, |
| Breckinridge, C. R. | Grimes, | McCreary, | Sowden, |
| Breckinridge, WCP | Hall, | McKinney, | Springer, |
| Bryce, | Hare, | McMillin, | Stahlnecker, |
| Buckalew, | Hatch, | McRae, | Stewart, Charles |
| Burnett, | Hayes, | Merriman, | Stewart, J. D. |
| Campbell, T. J. | Hemphill, | Mills, | Stockdale, |
| Candler, | Henderson, J. S. | Montgomery, | Stone, Ky. |
| Carleton, | Herbert, | Moore, | Stone, Mo. |
| Caruth, | Hiestand, | Morgan, | Tarsney, |
| Chipman, | Hogg, | Morse, | Taulbee, |
| Clardy, | Holman, | Newton, | Tillman, |
| Cobb, | Hooker, | Norwood, | Tracey, |
| Cockran, | Hopkins, S. I. | Oates, | Townshend, |
| Collins, | Howard, | O'Ferrall, | Turner, H. G. |
| Compton, | Hudd, | O'Neall, J. H. | Walker, |
| Cowles, | Hutton, | O'Neill, J. J. | Washington, |
| Cox, | Johnston, T. D. | Outhwaite, | Weaver, |
| Crisp, | Jones, | Peel, | Wheeler, |
| Culberson, | Kilgore, | Penington, | Whiting, J. R. |
| Cummings, | Laffoon, | Perry, | Whitthorne, |
| Davidson, A. C. | Lagan, | Phelan, | Wilkins, |
| Davidson, R. H. M. | Landes, | Pidcock, | Wilkinson, |
| Dibble, | Lane, | Randall, | Wilson, Thomas |
| Dockery, | Lanham, | Richardson, | Wilson, W. L. |
| Dougherty, | Latham, | Robertson, | Wise, |
| Enloe, | Lawler, | Rogers, | Yoder. |

NOT VOTING—47.

| | | | |
|---|---|---|---|
| Allen, J. M. | Campbell, J. E. | Houk, | Russell, C. A. |
| Anderson, A. R. | Catchings, | Kelley, | Russell, J. E. |
| Bacon, | Clements, | La Follette, | Sawyer, |
| Barry, | Davenport, | Lind, | Spinola, |
| Belmont, | Elliott, | Maffett, | Taylor, J. D. |
| Bland, | Farquhar, | Mahoney, | Thomas, J. R. |
| Browne, T. H. B. | Fitch, | McShane, | Thompson, T. L. |
| Brumm, | Foran, | Morrill, | Vance, |
| Burnes, | Gibson, | Patton, | Whiting, William |
| Butterworth, | Goff, | Rayner, | Woodburn, |
| Bynum, | Hayden, | Rice, | Yost. |
| Campbell, Felix | Heard, | Rockwell, | |

So the motion was not agreed to.

The following-named members were announced as paired:

Mr. ELLIOTT with Mr. HAYDEN, for this day.

Mr. BYNUM with Mr. MORRILL.

Mr. THOMPSON, of California, with Mr. J. D. TAYLOR.

Mr. BACON with Mr. KELLEY.

Mr. RUSSELL, of Massachusetts, with Mr. GOFF.

Mr. SPINOLA with Mr. THOMAS, of Illinois.

Mr. PAYSON with Mr. BLAND.

Mr. BARRY with Mr. BUTTERWORTH.

Mr. MAHONEY with Mr. FITCH, for this day.

Mr. CAMPBELL, of Ohio, with Mr. SAWYER, on this vote.

The result of the vote was then announced as above recorded.

UNNECESSARY PRINTING.

Mr. RICHARDSON. I move the adoption of the report.

The question was taken, and the report was adopted.

Mr. RICHARDSON. Now, Mr. Speaker, I desire to offer a resolution, and ask its immediate consideration.

The SPEAKER. The resolution will be read, after which the Chair will ask for objections.

The Clerk read as follows:

*Resolved*, That the Committee on Printing be instructed to investigate what amount of delayed work in the shape of public documents of various kinds, and of all other matter, is in the Government Printing Office, which was ordered printed by former laws and now remains unpublished. The committee shall report to the House what documents and other matter deemed worthless by them are now remaining, and whether, in their opinion, the laws ordering such publication may not be repealed, and shall accompany their report with a bill or joint resolution repealing all laws or sections of laws ordering the publication of documents or other matter which may in their judgment be dispensed with.

The resolution was agreed to.

Mr. RICHARDSON moved to reconsider the vote by which the resolution was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER. This being Monday, the regular order is the call

of the States and Territories for bills and resolutions. Upon this call joint and concurrent resolutions and memorials from State and Territorial Legislatures are in order; also resolutions of inquiry addressed to heads of Departments.

COAST DEFENSES.

Mr. WHEELER introduced a bill (H. R. 4912) providing for certain works for coast defenses; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

COMMAND OF ENLISTED SOLDIERS.

Mr. WHEELER also introduced a bill (H. R. 4913) providing for the command of enlisted soldiers; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

Z. S. COOK.

Mr. DAVIDSON, of Alabama, introduced a bill (H. R. 4914) to increase the pension of Z. S. Cook; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

DISTRICT COURTS, ALABAMA.

Mr. DAVIDSON, of Alabama, also introduced a bill (H. R. 4915) in relation to district courts in the State of Alabama, and the judges of said courts; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

REPORT OF THE COMMISSIONER OF EDUCATION.

Mr. COBB introduced a concurrent resolution to provide for printing the report of the Commissioner of Education; which was read, and referred to the Committee on Printing.

ALIEN LANDHOLDERS.

Mr. OATES introduced a bill (H. R. 4916) to prohibit aliens from acquiring title to or owning lands within the United States of America; and asked that it be referred to the Committee on the Revision of the Laws.

Mr. PAYSON objected.

Mr. OATES moved to refer the bill to the Committee on the Revision of the Laws.

The motion was rejected; and the bill was referred to the Committee on the Judiciary.

FORFEITURE OF LAND GRANT.

Mr. HERBERT introduced a bill (H. R. 4917) to declare forfeited a grant of land in aid of the Girard and Mobile Railroad in Alabama; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

COURSE AT THE NAVAL ACADEMY.

Mr. HERBERT also introduced a bill (H. R. 4918) to regulate the course at the Naval Academy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

COURTS IN INDIAN TERRITORY.

Mr. PEEL (by request) introduced a bill (H. R. 4919) to create and establish United States district, Territorial, supreme, and other courts in the Indian Territory; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

UNITED STATES OFFICIALS, INDIAN TERRITORY.

Mr. ROGERS introduced a bill (H. R. 4920) for the protection of the officials of the United States in the Indian Territory; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

EMOLUMENT RETURNS.

Mr. ROGERS also introduced a bill (H. R. 4921) regulating the emolument returns of civil officers of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PROTECTION OF INDIAN LANDS.

Mr. ROGERS also introduced a bill (H. R. 4922) to protect lands belonging to Indians from unlawful grazing, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

EXPENDITURES OF WAR DEPARTMENT.

Mr. BRECKINRIDGE, of Arkansas, introduced a bill (H. R. 4923) to regulate certain expenditures in the War Department; which was read a first and second time, referred to the Committee on Expenditures in the War Department, and ordered to be printed.

CLASSIFICATION OF WOOLEN AND WORSTED GOODS.

Mr. BRECKINRIDGE, of Arkansas, also introduced a joint resolution (H. Res. 73) to regulate the classification of imports of woolen and worsted goods; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PUBLIC BUILDING AT SACRAMENTO, CAL.

Mr. McKENNA introduced a bill (H. R. 4924) to increase the appropriation for the erection of a public building at Sacramento, Cal.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING AT OAKLAND, CAL.

Mr. McKENNA also introduced a bill (H. R. 4925) to provide for the purchase of a site and the erection of a public building at Oakland, in the State of California; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING AT LOS ANGELES, CAL.

Mr. VANDEVER introduced a bill (H. R. 4926) for a supplemental appropriation for the erection of a public building at Los Angeles, Cal.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

INDEMNITY LANDS FOR COLORADO.

Mr. SYMES introduced a bill (H. R. 4927) to allow the State of Colorado to select indemnity lands; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

LAND GRANTS FOR RAILROADS.

Mr. SYMES also introduced a bill (H. R. 4928) to amend "An act to provide for the adjustment of land grants made by Congress to aid the construction of railroads, and for the forfeiture of unearned lands, and for other purposes," approved March 3, 1887; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

LAND IN DENVER FOR GRAND ARMY POSTS.

Mr. SYMES also introduced a bill (H. R. 4929) to authorize the Secretary of the Interior to lease certain real estate in the city of Denver to the Grand Army posts of said city; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

RAILWAY MAIL SERVICE.

Mr. BLOUNT introduced a bill (H. R. 4930) relating to railway mail service; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

FOURTH ASSISTANT POSTMASTER-GENERAL.

Mr. BLOUNT also introduced a bill (H. R. 4931) to provide a Fourth Assistant Postmaster-General in the Post-Office Department; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

COURT OF APPEALS.

Mr. SPRINGER (by request) introduced a bill (H. R. 4932) to establish a court of appeals; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

BOUNTIES TO WHEAT-GROWERS.

Mr. LANDES introduced a bill (H. R. 4933) to reduce the Treasury surplus and grant bounties to our wheat-growers, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

NATIONAL CEMETERY AT QUINCY, ILL.

Mr. ANDERSON, of Illinois, introduced a bill (H. R. 4934) establishing a national cemetery at Quincy, Ill.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

SALARY OF UNITED STATES JUDGE IN ILLINOIS.

Mr. HOPKINS, of Illinois, introduced a bill (H. R. 4935) to regulate the salary of the judge of the district court of the United States for the northern district of Illinois; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PURCHASERS OF SWAMP LANDS.

Mr. CANNON introduced a bill (H. R. 4936) for the relief of purchasers and other grantees of the United States of certain swamp and overflowed lands, and to reimburse and indemnify certain States; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

Mr. CANNON. I desire unanimous consent for the printing of three hundred extra copies of this bill.

The SPEAKER *pro tempore* (Mr. HATCH). The Chair will recognize the gentleman for that request after this call is concluded.

PUBLIC BUILDING AT EAST ST. LOUIS, ILL.

Mr. BAKER, of Illinois, introduced a bill (H. R. 4937) for the purchase of a site for and the erection of a public building at East St. Louis, Ill.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

GOVERNMENT PROPERTY IN CHICAGO.

Mr. MASON introduced a bill (H. R. 4938) to amend an act relating to Government property in Chicago; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

RETIREMENT OF UNITED STATES BONDS.

Mr. MASON also introduced a bill (H. R. 4939) to provide for the retirement of United States bonds before maturity; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

AMERICAN MINISTERS IN FOREIGN COURTS.

Mr. MASON also submitted the following resolution; which was referred to the Committee on Foreign Affairs:

Whereas it is said that the representatives of the United States, diplomatically considered, at the courts of the principal powers of the world occupy a very subordinate position, and that by reason thereof there is frequently serious delay in the transaction of the business of the United States of America and the citizens thereof at foreign courts; and

Whereas it is also alleged that such delay in the transaction of the business of the United States of America and its citizens is caused by the representatives of the United States being designated as "envoys extraordinary and ministers plenipotentiary" instead of "ambassadors," thereby putting them in the position of representing an inferior instead of a great power; and

Whereas the United States of America is entitled, on account of its standing among nations, to be represented, if it so desires, by ambassadors:

*Resolved*, That the Committee on Foreign Affairs be instructed to inquire into the state of affairs upon the points suggested, and to report its conclusion, by bill or otherwise, to the House of Representatives at an early date.

AMENDMENT OF ADMIRALTY LAW.

Mr. LAWLER introduced a bill (H. R. 4940) to amend the admiralty law; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC BUILDING IN CHICAGO.

Mr. LAWLER also introduced a bill (H. R. 4941) to appropriate $200,000 for a public building in Chicago; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SCIENCE OF SPELLING.

Mr. LAWLER also introduced a bill (H. R. 4942) to test and try the science of spelling, and to provide for establishing one hundred schools for this purpose; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

GRANT OF LANDS TO ILLINOIS.

Mr. PAYSON (by request) introduced a bill (H. R. 4943) making a grant of certain public lands to the State of Illinois; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

Mr. PAYSON. I have introduced this bill by request, as I am unadvised as to the accuracy of statements in the preamble.

FEES OF EXAMINING SURGEONS.

Mr. STEELE introduced a bill (H. R. 4944) to establish the fees and expenses of examining surgeons; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MAPS AT COST.

Mr. WHITE, of Indiana, introduced a bill (H. R. 4945) authorizing the Commissioner of Public Lands to furnish citizens maps at cost; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

EXAMINING SURGEONS.

Mr. WHITE, of Indiana, also introduced a bill (H. R. 4946) to establish the fees and expenses of examining surgeons; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

AUTHORITY OF DISTRICT COMMISSIONERS.

Mr. HOLMAN (by request) introduced a bill (H. R. 4947) to extend the authority of the commissioners of the District of Columbia in making contracts; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

STAYS ON EXECUTIONS.

Mr. FULLER introduced a bill (H. R. 4948) to amend section 988 of the Revised Statutes, regulating stays on executions in courts of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

AMENDMENT TO REVISED STATUTES.

Mr. LYMAN introduced a bill (H. R. 4949) to amend section 828 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on the Revision of the Laws, and ordered to be printed.

FEES OF EXAMINING SURGEONS.

Mr. LYMAN (by request) also introduced a bill (H. R. 4950) to establish the fees and expenses of examining surgeons; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

RELIEF OF VOLUNTEER SOLDIERS.

Mr. CONGER introduced a bill (H. R. 4951) for the relief of certain volunteer soldiers; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

COMMENCEMENT OF DEPENDENT FATHER'S PENSIONS.

Mr. HAYES introduced a bill (H. R. 4952) to amend section 4707 of the Revised Statutes as to date of commencement of dependent father's pension; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

AMENDMENT OF REVISED STATUTES.

Mr. MORRILL introduced a bill (H. R. 4953) to amend paragraph 3 of section 4693 of the Revised Statutes, and for other purposes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CONTRACTION OF THE CURRENCY.

Mr. ANDERSON, of Kansas, introduced a bill (H. R. 4954) to prevent a contraction of currency by the withdrawal of national-bank notes from circulation; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

ISSUE OF FRACTIONAL CURRENCY.

Mr. ANDERSON, of Kansas, also introduced a bill (H. R. 4955) to provide for the issue of fractional currency; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

READING RAILROAD.

Mr. ANDERSON, of Kansas, also offered the following resolution; which was read, and referred to the Committee on Commerce:

*Resolved*, That the Committee on Commerce is hereby enpowered and directed to investigate forthwith the extent, causes, and effect upon interstate commerce of the continued failure by the Reading Railroad Company to transport such traffic, and to report to the House by bill or otherwise for consideration at any time such legislation as is necessary to secure to the public the regular and complete execution by a railroad company of its obligations to serve as a common carrier of interstate commerce.

Such investigation may be made by a subcommittee at such places at it shall deem proper, and the said committee, or subcommittee, is hereby authorized to send for and examine persons, books, and papers, and administer oaths to witnesses, and to employ a messenger and stenographer; and the expenses of said investigation, not to exceed $5,000, are hereby authorized to be paid out of the contingent fund of the House in the manner now provided by law.

LIMIT TO THE ISSUE OF UNITED STATES NOTES.

Mr. ANDERSON, of Kansas, also offered the following resolution; which was read, and referred to the Committee on Banking and Currency:

*Resolved*, That the Secretary of the Treasury is hereby requested to inform the House of Representatives whether the Treasury Department has any information showing at the date when the act of 1878 fixed the amount of United States notes at the limit-issue of $346,681,016, that such amount was actually in existence as circulating medium of legal-tender money, and whether any portion of said amount had been at that time lost or destroyed through the accidents of business, and if so, the probable amount of such loss; also whether since 1878 there has been any loss or destruction of said notes, and if so, the probable amount of such loss, and the amount of said circulating medium now in actual existence as such; also what percentage of such circulating notes is probably lost annually, and what legislation is necessary to maintain said actual circulation at the limit now provided by law.

MEXICAN POTTAWATOMIE INDIANS.

Mr. PERKINS introduced a bill (H. R. 4956) to provide for the final settlement with the Mexican Pottawatomie Indians of Kansas, in accordance with certain treaty stipulations; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

OFFICIAL APPOINTMENTS, DISTRICT OF COLUMBIA.

Mr. PERKINS also introduced a bill (H. R. 4957) governing appointments to office in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

FREEDMAN'S SAVINGS AND TRUST COMPANY.

Mr. CARUTH introduced a bill (H. R. 4958) to reimburse the depositors of the Freedman's Savings and Trust Company for loss incurred by the failure of said company; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

MANUFACTURE AND SALE OF LIQUORS, DISTRICT OF COLUMBIA.

Mr. TAULBEE introduced a bill (H. R. 4959) to prohibit the manufacture and sale of spirituous and intoxicating liquors in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

INVESTMENT OF TREASURY SURPLUS.

Mr. BRECKINRIDGE, of Kentucky, introduced a bill (H. R. 4960) to provide for the investment of certain funds in the Treasury in bonds of the United States; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

MILITIA, DISTRICT OF COLUMBIA.

Mr. BRECKINRIDGE, of Kentucky, also introduced a bill (H. R. 4961) to amend the act entitled "An act more effectually to provide for the organization of the militia of the District of Columbia," passed March 3, 1803; which was read a first and second time, referred to the Committee on the Militia, and ordered to be printed.

CANCELLATION OF LIVE-OAK RESERVATIONS.

Mr. GAY introduced a bill (H. R. 4962) to cancel certain reservations of lands on account of live-oak, in the southwestern land district of the State of Louisiana; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

Mr. GAY also introduced a bill (H. R. 4963) to cancel certain reservations on account of live-oak, west of the Mississippi River, in the State of Louisiana, and to regulate the disposition thereof; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

POOL-BOOKS, DISTRICT OF COLUMBIA.

Mr. COMPTON (by request) introduced a bill (H. R. 4964) to prevent any person or persons in the cities of Washington and Georgetown from making books and pools on the result of running or trotting races or boat races; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

SPECULATION BY OFFICERS OF NATIONAL BANKS.

Mr. McCOMAS introduced a bill (H. R. 4965) to prohibit speculation by officers of national banks; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

MORTGAGES AND DEEDS OF TRUST, DISTRICT OF COLUMBIA.

Mr. McCOMAS also introduced a bill (H. R. 4966) to regulate the foreclosure of mortgages and deeds of trust in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

INSURANCE COMPANIES, DISTRICT OF COLUMBIA.

Mr. McCOMAS also introduced a bill (H. R. 4967) to provide for regulating the business of insurance in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

WRITS DE LUNATICO INQUIRENDO, DISTRICT OF COLUMBIA.

Mr. McCOMAS also introduced a bill (H. R. 4968) to regulate the proceedings under a writ of *de lunatico inquirendo* in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

CRIMINAL CODE, DISTRICT OF COLUMBIA.

Mr. McCOMAS also introduced a bill (H. R. 4969) to provide a criminal code for the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

MONUMENT TO FRANCIS SCOTT KEY.

Mr. McCOMAS also introduced a joint resolution (H. Res. 73) providing for the erection of a monument at Frederick, Md., over the grave of Francis Scott Key, the author of "The Star-Spangled Banner;" which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

COPIES OF NATIONAL MEDALS.

Mr. RAYNER introduced a joint resolution (H. Res. 74) authorizing and requiring the Secretary of the Treasury to have struck off at the National Mint copies of the national medals; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

AMENDMENT OF PENSION LAWS.

Mr. DAVIS (by request) introduced a bill (H. R. 4970) to grant pensions for service in the Army, Navy, or Marine Corps of the United States; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

POSTAL TELEGRAPH SYSTEM.

Mr. HAYDEN introduced a bill (H. R. 4971) to establish a postal-telegraph system; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

INCOME TAX.

Mr. FORD introduced a bill (H. R. 4972) to establish a graduated income tax; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

DUTY ON LITHOGRAPHIC PRINTS.

Mr. CHIPMAN introduced a bill (H. R. 4973) to fix the duty on lithographic prints; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

POSTAGE ON DROP LETTERS.

Mr. O'DONNEL introduced a bill (H. R. 4974) providing for letter postage on drop letters at one cent each, at post-offices where free delivery is established; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

DISTURBANCES IN COLORADO.

Mr. CUTCHEON submitted a resolution to authorize the investigation of disturbances between whites and Indians in Garfield County, State of Colorado; which was referred to the Committee on Indian Affairs.

PUBLIC BUILDINGS.

Mr. TARSNEY introduced a bill (H. R. 4975) providing for the erection of public buildings; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING AT SAGINAW, MICH.

Mr. TARSNEY also introduced a bill (H. R. 4976) to provide for the erection of a public building at Saginaw, Mich.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SECTION 4463, REVISED STATUTES.

Mr. TARSNEY also introduced a bill (H. R. 4977) to amend section 4463, chapter 2, of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

DUTY ON LUMBER, COAL, AND SALT.

Mr. WILSON, of Minnesota, introduced a bill (H. R. 4978) to exempt from duty lumber, coal, and salt; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

JURISDICTION OF UNITED STATES COURTS.

Mr. WILSON, of Minnesota, also introduced a bill (H. R. 4979) to limit and define the jurisdiction of the courts of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

DUTY ON SUGAR, MOLASSES, ETC.

Mr. NELSON introduced a bill (H. R. 4980) to place sugar, molasses, salt, rice, coal, lumber, hemp, jute, manila, and sisal grass on the free-list in respect to tariff taxes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

LUMBER.

Mr. DOCKERY introduced a bill (H. R. 4981) to admit free of duty all kinds and grades and descriptions of lumber; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PENSION FEES.

Mr. DOCKERY also introduced a bill (H. R. 4982) prohibiting the allowance of fee in any claim for increase of pension on account of the increase of the disability for which the pension was allowed; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

UNITED STATES CIRCUIT COURTS.

Mr. HUTTON introduced a bill (H. R. 4983) to amend sections 1, 2, 3, and 10 of the act of March 3, 1875, defining the jurisdiction of the circuit courts of the United States, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SECTION 4722 OF THE REVISED STATUTES.

Mr. WARNER introduced a bill (H. R. 4984) to amend section 4722 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PRINTING.

Mr. STONE, of Missouri, introduced a bill (H. R. 4985) to prohibit certain printing by authority of the United States; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

CANCELLATION OF PENSION CERTIFICATES.

Mr. LAIRD introduced a bill (H. R. 4986) to prohibit the summary cancellation of pension certificates, and providing for a hearing in cases relating thereto; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

TERMS OF COURT IN NEBRASKA.

Mr. LAIRD also introduced a bill (H. R. 4987) to provide for holding terms of the United States district and circuit courts in the State of Nebraska; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

OMAHA INDIAN RESERVATION.

Mr. DORSEY introduced a bill (H. R. 4988) to extend the time of payment to purchasers of lands on Omaha Indian reservation, State of Nebraska; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

PENSIONS FOR BLACK HAWK WAR, ETC.

Mr. GALLINGER introduced a bill (H. R. 4989) granting pensions to certain soldiers and sailors of the Black Hawk war and the Florida war, and for other purposes; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

PUBLIC BUILDING AT HOBOKEN, N. J.

Mr. McADOO introduced a bill (H. R. 4990) to provide for the erection of a public building for the use of the United States post-office and other Government offices in the city of Hoboken, N. J.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PRESERVATION OF SPRINGS, ETC., IN THE TERRITORIES.

Mr. McADOO also introduced a bill (H. R. 4991) to preserve to the public the use of living springs and streams of water in the Territories of the United States, and to prevent the monopoly or diversion of the same; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

ASSESSMENT ON PENNSYLVANIA AVENUE.

Mr. MERRIMAN introduced a bill (H. R. 4992) to refund to property-holders on Pennsylvania avenue between First and Fifteenth streets two-thirds of the assessment levied and paid under the act of Congress of July 8, 1870; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

FEES AND EXPENSES OF EXAMINING SURGEONS.

Mr. BLISS introduced a bill (H. R. 4993) establishing the fees and expenses of examining surgeons; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PENSION ATTORNEYS' FEES.

Mr. BLISS (by request) also introduced a bill (H. R. 4994) to regulate attorneys' fees in pension claims; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SECTION 4965, REVISED STATUTES.

Mr. BRYCE introduced a bill (H. R. 4995) to amend section 4965 of the Revised Statutes of the United States; which was read a first and second time, and referred to the Committee on the Judiciary.

SMITHSONIAN AND NATIONAL MUSEUM REPORTS.

Mr. COX introduced a concurrent resolution to print the reports of the Smithsonian Institution and National Museum for the years ending June 30, 1886 and 1887; which was read, and referred to the Committee on Printing.

MERCHANT MARINE.

Mr. CUMMINGS introduced a bill (H. R. 4996) for the relief of the merchant marine of the United States engaged in the foreign trade; which was read a first and second time, and referred to the Committee on Merchant Marine and Fisheries.

NATIONAL CEMETERY NEAR RALEIGH, N. C.

Mr. NICHOLS introduced a bill (H. R. 4997) to provide for constructing a road to the national cemetery near Raleigh, N. C., and for other purposes; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

TOBACCO TAX.

Mr. NICHOLS also introduced a bill (H. R. 4998) to allow producers of tobacco to sell the same to anybody without paying a tax; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

TAX ON STILLS.

Mr. NICHOLS also introduced a bill (H. R. 4999) to repeal the special taxes on the manufacturers of stills; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

DIRECT TAX UNDER THE ACT OF 1861.

Mr. NICHOLS also introduced a bill (H. R. 5000) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August, 1861; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

UNITED STATES COURTS, NORTH CAROLINA.

Mr. McCLAMMY introduced a bill (H. R. 5001) to provide terms of the circuit and district courts of the United States for the western district of North Carolina at Fayetteville, in said State; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

DUTY ON MICA.

Mr. JOHNSTON, of North Carolina (by request), introduced a bill (H. R. 5002) to fix a rate of duty on imported mica and mica waste; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

STREET RAILROADS IN WASHINGTON.

Mr. HENDERSON, of North Carolina (by request), introduced a bill (H. R. 5003) to repeal the acts incorporating the Washington and Georgetown and Metropolitan Railroad Companies, to sell at public auction the routes of said companies, and to grant new charters for corporations to operate said routes, and thereby, and otherwise, to secure revenue to the District of Columbia from its street railroads; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

SHOSHONES, BANNOCKS, AND SHEEPEATERS.

Mr. LATHAM (by request) introduced a bill (H. R. 5004) to accept and ratify the agreement submitted by the Shoshones, Bannocks, and Sheepeaters of the Fort Hall and Lemhi reservations, in Idaho, May 14, 1880, and for other purposes; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

JOSEPH F. GUTZWILLER.

Mr. SENEY offered the following; which was read, and referred to the Committee on Accounts:

*Resolved*, That the Clerk of the House of Representatives be directed to pay out of the contingent fund of the House to the widow of Joseph F. Gutzwiller, deceased, late an employé of the House, a sum equal to his salary for six months, and also the expenses attending his last illness and funeral, not to exceed the sum of $250.

THE PACIFIC RAILROAD ACT.

Mr. OUTHWAITE introduced a bill (H. R. 5005) to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," approved July 1, 1862; also to amend an act approved July 2, 1864, and also an act approved May 7, 1878, both in amendment of said first-mentioned act; and to provide for a settlement of claims growing out of the issue of bonds to aid in the construction of certain of said railroads, and to secure to the United States the payment of all indebtedness of certain of the companies therein mentioned; which was read a first and second time, referred to the Committee on Pacific Railroads, and ordered to be printed.

BATTLE-FIELDS IN OHIO.

Mr. ROMEIS introduced a bill (H. R. 5006) to purchase Fort Meigs and a portion of the battle-field of the Fallen Timbers, and mark the graves of the officers and men who fell on those fields; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

ARMS, ETC., FOR THE MILITIA.

Mr. CROUSE introduced a bill (H. R. 5007) to amend an act entitled "An act to amend section 1661 of the Revised Statutes, making an annual appropriation to provide arms and equipments for the militia;" which was read a first and second time, referred to the Committee on the Militia, and ordered to be printed.

PAY DEPARTMENT OF THE ARMY.

Mr. BUTTERWORTH introduced a bill (H. R. 5008) concerning the Pay Department of the Army; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

OBSTRUCTIONS IN THE WILLAMETTE.

Mr. HERMANN offered the following; which was read, and referred to the Committee on Rivers and Harbors:

Whereas the Willamette River, in Oregon, one of the largest navigable and shipping rivers of the Pacific coast, by repeated freshets has so far become deflected from its original channel near the city of Corvallis and by its destruction of the banks as now seriously to threaten the near prevention of navigation at this point and the abandonment of Corvallis as a shipping mart unless timely aid be rendered; and

Whereas five sand-bars have formed in said river between Corvallis and Oregon City and are now formidable impediments to navigation, and urgent necessity exists for immediate improvement: Therefore,

*Resolved*, That the Secretary of War be requested to inform this House what special action, if any, has been undertaken by the Government, or what is deemed specially necessary, to remedy the imminent dangers to said navigation and commerce on the Willamette River in Oregon.

OREGON MILITIA.

Mr. HERMANN also introduced a bill (H. R. 5009) to provide certain arms, ammunition, and equipage to the State of Oregon for the militia thereof; which was read a first and second time, referred to the Committee on the Military Affairs, and ordered to be printed.

PENSIONS.

Mr. HERMANN also introduced a bill (H. R. 5010) to pension the survivors of the Oregon Indian wars of 1847 and 1855 and 1856; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

HARNEY LAND DISTRICT, OREGON.

Mr. HERMANN also introduced a bill (H. R. 5011) to establish an additional land district in the State of Oregon, to be known as the Harney land district; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

WITHDRAWAL OF PUBLIC LANDS IN OREGON.

Mr. HERMANN also introduced a joint resolution (H. Res. 75) withdrawing from public sale and settlement vacant public lands along the Columbia River between The Dalles City and Celilo, being in Oregon and Washington Territory, as a reservation for future improvement of river navigation between said points; which was read a first and second

time, referred to the Committee on the Public Lands, and ordered to be printed.

THE OREGON DONATION LAW.

Mr. HERMANN also introduced a bill (H. R. 5012) further defining the class of persons included in the provisions of section 5 of the act of July 17, 1854, amendatory of the Oregon donation law of September 27, 1850, so as to include orphan children of persons dying while *en route* to the Territory of Oregon; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

CLERKS IN UNITED STATES LAND OFFICES.

Mr. HERMANN also introduced a bill (H. R. 5013) authorizing the employment of clerks in all United States land offices whereat the maximum salary and commissions of each per annum shall exceed the sum of $2,000; which was read a first and second time, referred to the Committee on Expenditures in the Interior Department, and ordered to be printed.

TEMPORARY RIVER IMPROVEMENTS.

Mr. HERMANN also introduced a bill (H. R. 5014) authorizing the Secretary of War to order certain repairs and improvements of a temporary character in navigable rivers in order to preserve and continue the use and uninterrupted navigation thereof, and to draw his warrant or requisition from time to time upon the Secretary of the Treasury for such expenditures; which was read a first and second time, referred to the Committee on Rivers and Harbors, and ordered to be printed.

SALES OF FRACTIONS OF PUBLIC LANDS.

Mr. HERMANN also introduced a bill (H. R. 5015) providing for the private cash-entry sale of fractions of vacant public lands in less than 40-acre subdivisions, made fractional by meander lines along navigable water-courses, public reservations, or by special surveys in locating lands for actual settlers in Oregon and Washington Territory under the provisions of the donation law; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

OREGON VOLUNTEERS.

Mr. HERMANN also introduced a bill (H. R. 5016) to pay the citizens of Oregon, during Indian wars, for supplies furnished the Oregon volunteers in 1855 and 1856, audited by Philo Callender, war commissioner; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

LOSSES SUSTAINED BY CITIZENS OF OREGON, NEVADA, ETC.

Mr. HERMANN also introduced a bill (H. R. 5017) to provide for ascertaining losses sustained by citizens of Oregon, Nevada, California, and Idaho and Washington Territories by reason of Indian depredations in 1853, 1854, 1855, 1856, 1872, and 1878, and for the appointment of three commissioners to take testimony at county-seat or near scene of depredation, and ascertain actual value of property lost, carried away, or destroyed at the time and place of spoliation, and to report at once to the Treasury Department for report to Congress for appropriation; which was read a first and second time, referred to the Select Committee on Indian Depredation Claims, and ordered to be printed.

ADMISSION OF NEW STATES.

Mr. HERMANN (by request) also introduced a bill (H. R. 5018) relating to the admission of new States; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

INCOME TAX.

Mr. ERMENTROUT (by request) introduced a joint resolution (H. Res. 76) to refund income tax of 5 per cent. paid by officers and soldiers of the United States Army and Navy; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

SOLDIERS AND SAILORS OF ARMY AND NAVY.

Mr. RANDALL introduced a bill (H. R. 5019) for the relief of soldiers and sailors who enlisted or served under assumed names, while minors or otherwise, in the Army and Navy, during the war of the rebellion; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

STEEL VESSEL OF WAR.

Mr. HARMER (by request) introduced a bill (H. R. 5020) to provide for the construction of a steel vessel of war for coast and harbor defense; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

LIGHTS IN THE CAPITOL.

Mr. BINGHAM (by request) submitted the following resolution; which was read, and referred to the Committee on Public Buildings and Grounds:

IN THE HOUSE OF REPRESENTATIVES.

*Be it resolved*, That the Architect of the Capitol be, and is hereby, directed to report to this body whether any electric lights or electric-light plants have been introduced or permitted to be introduced into the Capitol building since the last preceding session of Congress; if so, by what authority and upon what terms and conditions; also, to submit for the consideration of Congress a plan having in view the complete lighting of the building by electric light, together with an approximate estimate of the cost of the same, and such other details necessary to a proper consideration of the subject.

AMERICAN TRUST COMPANY, DISTRICT OF COLUMBIA.

Mr. BINGHAM also introduced a bill (H. R. 5021) to incorporate the American Trust Company of the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

SALARIES OF JUDGES OF THE UNITED STATES DISTRICT COURTS.

Mr. DARLINGTON introduced a bill (H. R. 5022) fixing the salaries of the several judges of the United States district courts at $5,000 per annum, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ACTING ASSISTANT SURGEONS OF THE ARMY.

Mr. HIESTAND introduced a bill (H. R. 5023) for the relief of acting assistant surgeons of the Army; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

HYDROGRAPHIC OFFICE, NAVY DEPARTMENT.

Mr. SPOONER introduced a bill (H. R. 5024) to provide for a permanent chief and assistant of the Hydrographic Office of the Navy Department; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

PUBLIC BUILDINGS.

Mr. DIBBLE submitted the following resolution; which was read, and referred to the Committee on Public Buildings and Grounds:

*Resolved*, That Tuesday, February 21, 1888, after the hour for the consideration of bills reported from committees, be fixed for the consideration of such bills as may be indicated by the Committee on Public Buildings and Grounds, of the bills reported by said committee, and that this order shall continue from day to day until the House shall otherwise order, not to interfere with revenue or general appropriation bills, or prior orders.

TRUSTEES OF PORTER ACADEMY.

Mr. DARGAN introduced a bill (H. R. 5025) authorizing the Secretary of War to transfer to the trustees of the Porter Academy certain property in the city of Charleston, S. C.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

MATT STRATTON, JR.

Mr. WASHINGTON submitted the following resolution; which was read, and referred to the Committee on Accounts:

*Resolved*, That Matt Stratton, jr., of Tennessee, be, and is hereby, appointed a messenger during the present Congress, at the same rate of compensation received by him during the Forty-ninth Congress, said compensation to be paid out of the contingent fund of the House.

REPEAL OF LICENSE TAXES ON TOBACCO, ETC.

Mr. WASHINGTON also introduced a bill (H. R. 5026) for the repeal of all special or license taxes on manufacturers of and dealers in tobacco, whisky, and stills; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

RELIGIOUS AND OTHER BUILDINGS OCCUPIED BY THE ARMY.

Mr. WHITTHORNE introduced a bill (H. R. 5027) to authorize the Quartermaster-General to settle the claims of the trustees, directors, or other representatives of religious, charitable, and educational institutions for the use or occupancy by the Army of the United States of property belonging to them, upon the justice of said claims; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

REPEAL OF INTERNAL-REVENUE LAWS.

Mr. NEAL introduced a bill (H. R. 5028) to repeal the internal-revenue laws; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PUBLIC LANDS FOR SCHOOL PURPOSES.

Mr. GLASS introduced a bill (H. R. 5029) to appropriate and set apart the proceeds of the sales of public lands annually to the aid of common schools; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

SECTION 714, REVISED STATUTES.

Mr. GLASS also introduced a bill (H. R. 5030) to repeal section 714 of the Revised Statutes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

RELIEF OF OFFICERS OF STEAM-VESSELS.

Mr. PHELAN introduced a bill (H. R. 5031) for the relief of captains, pilots, engineers, and mates of steam-vessels; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PORT OF MEMPHIS, TENN.

Mr. PHELAN also introduced a bill (H. R. 5032) to extend the limits of the port of Memphis, Tenn.; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

AMENDMENT TO THE RULES.

Mr. ENLOE submitted the following; which was read, and referred to the Committee on Rules:

*Resolved*, That Rule XXI be amended by adding thereto as an additional clause the following:

"Upon all general appropriation and revenue bills and bills for the improvement of rivers and harbors the yeas and nays shall be taken on the passage of such bills in the House and entered upon the Journal."

PUBLIC BUILDING, JACKSON, TENN.

Mr. ENLOE also introduced a bill (H. R. 5033) for the completion of the court-house and post-office building at Jackson, Tenn.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

COPIES OF BILLS, ETC., FOR DEPARTMENT OF STATE.

Mr. RICHARDSON introduced a joint resolution (H. Res. 77) to supply the Department of State with copies of bills and other documents; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

PURCHASE OF UNITED STATES BONDS.

Mr. MILLS introduced a bill (H. R. 5034) to provide for the purchase of United States bonds by the Secretary of the Treasury; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

DUTIES ON SALT, LUMBER, COAL, ETC.

Mr. KILGORE introduced a bill (H. R. 5035) to repeal all laws imposing an import duty on salt, lumber, coal, wool, and blankets, and all laws imposing a tax on tobacco; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

MEXICAN WAR PENSIONS.

Mr. CRAIN introduced a bill (H. R. 5036) to amend the act granting pensions to the surviving soldiers of the Mexican war; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

PUBLIC BUILDING, ST. ALBANS, VT.

Mr. STEWART, of Vermont, introduced a bill (H. R. 5037) for the purchase of a site and the erection of a custom-house and post-office at St. Albans, Vt.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

RIGHT OF WAY, GOVERNMENT RESERVATION, OLD POINT, VA.

Mr. WISE introduced a bill (H. R. 5038) authorizing the Secretary of War to grant the right of way for a street railway from the Baltimore wharf, Old Point Comfort, Elizabeth City County, Virginia, to and across the Mill Creek bridge, in the same county; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

CLASSIFICATION OF CLERKS, FIRST-CLASS POST-OFFICES.

Mr. WISE also introduced a bill (H. R. 5039) to provide for the classification of clerks in first-class post-offices, and for fixing the salaries of the same; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

LEAVE OF ABSENCE, POST-OFFICE CLERKS.

Mr. WISE also introduced a bill (H. R. 5040) granting leave of absence to clerks in first-class post-offices; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

HOURS OF LABOR, FIRST-CLASS POST-OFFICES.

Mr. WISE also introduced a bill (H. R. 5041) fixing the hours of labor of clerks in first-class post-offices; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

PROMOTION OF ANATOMICAL SCIENCE, DISTRICT OF COLUMBIA.

Mr. WILSON, of West Virginia, introduced a bill (H. R. 5042) for the promotion of anatomical science and to prevent the desecration of graves in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

STOCKBRIDGE AND MUNSEE INDIANS.

Mr. HUDD introduced a bill (H. R. 5043) for the relief of the Stockbridge and Munsee tribe of Indians, in the State of Wisconsin; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

PRIVATE LAND CLAIMS, NEW MEXICO, ARIZONA, AND COLORADO.

Mr. THOMAS, of Wisconsin (by request), introduced a bill (H. R. 5044) to provide for the ascertainment and settlement of private land claims in the Territories of New Mexico and Arizona and the State of Colorado; which was read a first and second time, referred to the Committee on Private Land Claims, and ordered to be printed.

ST. PAUL AND PACIFIC RAILWAY COMPANY.

Mr. GIFFORD (by request) introduced a bill (H. R. 5045) granting to the St. Paul, Black Hills and Pacific Railway Company the right of way through the Indian reservation in Dakota; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

ABERDEEN AND NORTHWESTERN RAILWAY.

Mr. GIFFORD (by request) also introduced a bill (H. R. 5046) granting to the Aberdeen, Bismarck and Northwestern Railway right of way across a portion of the Sioux reservation in Dakota Territory; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

DAKOTA SUPREME COURT.

Mr. GIFFORD also introduced a bill (H. R. 5047) to provide for two additional justices of the supreme court for the Territory of Dakota, and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

LAS VEGAS LAND DISTRICT, NEW MEXICO.

Mr. JOSEPH introduced a bill (H. R. 5048) to create the Las Vegas land district in the Territory of New Mexico; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

STATIONERY, ETC., FOR TERRITORIAL LEGISLATURES.

Mr. JOSEPH also introduced a bill (H. R. 5049) in relation to stationery and other supplies for the sessions of the legislative assemblies of the different Territories; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

LINCOLN LAND DISTRICT, NEW MEXICO.

Mr. JOSEPH also introduced a bill (H. R. 5050) to create the Lincoln land district in the Territory of New Mexico; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

SUNDANCE LAND DISTRICT, WYOMING TERRITORY.

Mr. CAREY introduced a bill (H. R. 5051) to establish the Sundance land district in the Territory of Wyoming; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER. The call of States and Territories has been completed. If there be no objection the Chair will recognize gentlemen who were not present when their States were called.

There was no objection.

PAYMENTS TO SOLDIERS, ETC., IN GREENBACKS.

Mr. HOVEY introduced a bill (H. R. 5052) to equalize the payment and do justice to the officers, soldiers, and sailors of the United States in the late war of the rebellion who were paid in currency, commonly called greenbacks; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

NATIONAL-BANK CIRCULATION.

Mr. TOWNSHEND introduced a bill (H. R. 5053) to retire the circulation of the national banks and to substitute Treasury notes therefor; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

TRANSPORTATION OF MAILS ON RAILWAYS.

Mr. TOWNSHEND also introduced a bill (H. R. 5054) to readjust the compensation to be paid for the transportation of mails on railroad routes; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

BRIBERY AT ELECTIONS.

Mr. TOWNSHEND also introduced a bill (H. R. 5055) to punish bribery, etc., in elections; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PASSAGE OF CONFEDERATE MONEY.

Mr. TOWNSHEND also introduced a bill (H. R. 5056) punishing the passing of Confederate money as true and genuine United States obligations; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

INTERNAL-REVENUE LAWS.

Mr. TOWNSHEND also introduced a bill (H. R. 5057) to amend section 3242 of the Revised Statutes, relating to the internal-revenue laws; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

DIES FOR COUNTERFEIT COIN.

Mr. TOWNSHEND also introduced a bill (H. R. 5058) to punish having in possession dies, etc., for counterfeiting coin; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC BUILDING AT WATERTOWN, N. Y.

Mr. PARKER introduced a bill (H. R. 5059) to provide for the erection of a public building in the city of Watertown, State of New

York; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING AT MOBERLY, MO.

Mr. MANSUR introduced a bill (H. R. 5060) to provide for the erection of a public building in the city of Moberly, in the State of Missouri; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

COMMISSIONERS OF INDIAN DEPREDATION CLAIMS.

Mr. MANSUR also introduced a bill (H. R. 5061) to establish a board of commissioners of Indian depredation claims; which was read a first and second time, referred to the Select Committee on Indian Depredation Claims, and ordered to be printed.

COMMITTEE ON BANKING AND CURRENCY.

Mr. WILKINS (by Mr. DINGLEY) submitted the following resolution; which was read, and referred to the Committee on Rules:

*Resolved*, That the —— day of January be set apart for the consideration of bills reported from the Committee on Banking and Currency, to continue from day to day until such bills are disposed of, not to interfere with appropriation bills or bills raising revenue.

COMMITTEE ON MERCHANT MARINE AND FISHERIES.

Mr. DINGLEY submitted a resolution relating to the business of the Merchant Marine and Fisheries, and asked that it be referred to the Committee on Merchant Marine and Fisheries.

The SPEAKER. Is it proposed by this resolution to change the order of business?

Mr. DINGLEY. It is to fix a day for the consideration of the business of that committee.

Mr. ANDERSON, of Kansas. I make the point that such resolutions should go to the Committee on Rules.

The SPEAKER. The Chair has just referred to the Committee on Rules the resolution to fix a day for the consideration of business of the Committee on Banking and Currency. All applications which disturb the order of business should go to the Committee on Rules, unless the House directs them to go elsewhere.

The resolution was referred to the Committee on Rules.

PUBLIC BUILDING AT BIRMINGHAM, ALA.

Mr. BANKHEAD introduced a bill (H. R. 5062) for the erection of a public building at Birmingham, Ala.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PROOF OF LOYALTY.

Mr. ROBERTSON introduced a bill (H. R. 5063) to dispense with the proof of loyalty for bounty for wars prior to 1861; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

ROAD TO NATIONAL CEMETERY, BATON ROUGE, LA.

Mr. ROBERTSON also introduced a bill (H. R. 5064) to construct a road to the national cemetery at Baton Rouge, La.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

POST-ROADS.

Mr. MACDONALD introduced a bill (H. R. 5065) to amend section 7 of chapter 103 of volume 19 of the United States Statutes at Large, relating to post-roads, and for other purposes; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

CLAIMS OF CHEROKEE FREEDMEN, ETC.

Mr. O'NEILL, of Missouri, introduced a bill (H. R. 5066) to secure to the Cherokee freedmen and others their proportion of certain proceeds of lands under the act of March 3, 1883; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

NAVIGATION OF THE MISSISSIPPI.

Mr. WILKINSON introduced a bill (H. R. 5067) establishing additional aids to navigation at the mouth of the Mississippi River; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

ARREARS OF PENSIONS.

Mr. OWEN introduced a bill (H. R. 5068) to amend section 2 of an act making appropriations for the payment of the arrears of pensions granted by act of Congress approved January 25, 1879, and for other purposes, approved March 3, 1879; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BUILDINGS FOR MILITARY STORE-KEEPERS.

Mr. HOWARD introduced a bill (H. R. 5069) authorizing and directing the Secretary of War to purchase certain real estate lying opposite the depot of the Quartermaster's Department at Jeffersonville, Ind., and to have erected thereon two buildings to be occupied by the military store-keepers on duty at said depot, the cost of said grounds and buildings not to exceed $25,000; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ENROLLED BILL SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled the bill (S. 261) to amend the law concerning the Commissioner of Fish and Fisheries; when the Speaker signed the same.

COMMITTEE CLERKS, ETC.

Mr. SHAW, from the Committee on Accounts, submitted a report; which was read, as follows:

The Committee on Accounts, to which was referred the resolution of the House of January 4, 1888, authorizing them to designate the committees which, in the judgment of said committee, should be allowed clerks under the legislative, executive, and judicial appropriation bill for the year ending June 30, 1889, which limits the number of clerks to be so assigned to thirty-one, on the 9th instant reported the same back to the House, with certain recommendations, and the House, on the same day, having recommitted said report, with sundry pending amendments thereto, to said Committee on Accounts, having considered the same, recommend the adoption of the following as a substitute for the original report and pending amendment thereto:

To the Committee on Elections, a clerk;
To the Committee on Banking and Currency, a clerk;
To the Committee on Coinage, Weights, and Measures, a clerk;
To the Committee on the Merchant Marine and Fisheries, a clerk;
To the Committee on the Territories, a clerk;
To the Committee on Railways and Canals, a clerk;
To the Committee on Manufactures, a clerk;
To the Committee on Mines and Mining, a clerk;
To the Committee on Pacific Railroads, a clerk;
To the Committee on Education, a clerk;
To the Committee on Labor, a clerk;
To the Committee on the Militia, a clerk;
To the Committee on Patents, a clerk;
To the Committee on Invalid Pensions, two assistant clerks;
To the Committee on Pensions, a clerk;
To the Committee on Private Land Claims, a clerk;
To the Committee on the Revision of the Laws, a clerk;
To the Committee on Expenditures in the Treasury Department, a clerk;
To the Committee on Expenditures in the War Department, a clerk;
To the Committee on Expenditures in the Post-Office Department, a clerk;
To the Committee on Expenditures in the Interior Department, a clerk;
To the Committee on Expenditures on Public Buildings, a clerk;
To the Committee on Accounts, a clerk;
To the Committee on the Library, a clerk;
To the Committee on Printing, a clerk;
To the Committee on Enrolled Bills, a clerk;
To the Committee on Reform in the Civil Service, a clerk;
To the Committee on the Election of President, Vice-President, and Representatives in Congress, a clerk;
To the Committee on Indian Depredation Claims, a clerk; and
To the Committee on the Alcoholic Liquor Traffic, a clerk.

And your committee would further recommend that there be allowed a clerk to the Committee on the Eleventh Census; and in view of the fact that the work of this committee will be arduous, critical, and virtually continuous, that this clerk be employed during the remainder of this Congress at a salary of $2,000 per annum, to be paid out of the contingent fund of the House.

And your committee, believing it to be the sense of the House that each one of its committees should be provided with a clerk, would also recommend the adoption of the following:

To the Committee on Levees and Improvements of the Mississippi River, a clerk;
To the Committee on Expenditures in the State Department, a clerk;
To the Committee on Expenditures in the Navy Department, a clerk;
To the Committee on Expenditures in the Department of Justice, a clerk;
To the Committee on Ventilation and Acoustics, a clerk; and
To the Committee on Claims, one assistant clerk.

To make effective the foregoing recommendation, your committee recommend the adoption of the following resolution, to wit:

*Resolved*, That the Committee on the Eleventh Census be authorized to employ a clerk for the remainder of this Congress, at a salary of $2,000 per year, to be paid out of the contingent fund of the House, and that the Committee on Levees and Improvements of the Mississippi River, the Committee on Expenditures in the State Department, the Committee on Expenditures in the Navy Department, the Committee on Expenditures in the Department of Justice, and the Committee on Ventilation and Acoustics be, and they are hereby, authorized to employ each a clerk, and the Committee on Claims an assistant clerk; said clerks and assistant clerk to be paid out of the contingent fund of the House at the same rate of compensation as is provided in the last legislative, executive, and judicial appropriation bill for the other per diem clerks of the House during the session of Congress only.

Mr. SHAW. Upon the adoption of this report I call the previous question.

Mr. PERKINS. Does the gentleman from Maryland [Mr. SHAW] propose to permit this report to be discussed at all?

Mr. SHAW. If the previous question be ordered there will be thirty minutes allowed under the rule for debate, and that time, I think, will be ample.

Mr. PERKINS. I have an amendment which I would like to offer, if the gentleman will permit.

Mr. SHAW. I must decline to yield to allow any amendment.

The SPEAKER. The gentleman from Maryland demands the previous question.

Mr. PERKINS. On that I demand a second.

The SPEAKER. There is no rule authorizing the question to be taken on seconding the call for the previous question. A rule of that sort which did prevail was abolished several years ago.

Mr. O'NEILL, of Pennsylvania. I ask to have read again the closing part of the report, which relates to the continuance of the service of these clerks.

Mr. SHAW. The service is to continue during the session of Congress.

Mr. O'NEILL, of Pennsylvania. As the gentleman, in answer to my question, has stated that the service is to continue during the session of Congress, I withdraw my request for the reading.

The question being taken on ordering the previous question, there were—ayes 66, noes 74.

Mr. SPRINGER. I call for tellers.

Tellers were ordered; and Mr. PERKINS and Mr. SHAW were appointed.

The House again divided; and the tellers reported—ayes 107, noes 130.

So the previous question was not ordered.

Mr. PERKINS. I offer the amendment which I send to the desk.

The Clerk read as follows:

*Resolved*, That each committee of this House shall have as many clerks as there are members upon the committee, one to be selected by each of such members: *Provided*, That no committee shall have more clerks than it has members: *And provided further*, That the clerk selected by the chairman of such committee shall be the chief clerk of the same: *And provided further*, That except as to the chief clerks, all clerks provided for herein shall be paid at the rate of $75 per month during the time Congress is in session, from the House contingent fund: *And provided*, That when a member of this House is a member of more than one committee such member shall have the right to name but one clerk.

Mr. PERKINS. I yield two minutes to the gentleman from Massachusetts [Mr. MORSE].

Mr. MORSE. Mr. Speaker, it seems to me there is a great deal of humbug about this question of clerks. A few years ago I had the honor to be a member of a committee similar to the one over which at this Congress, under the appointment with which the Speaker has honored me, I am called to preside. The committee to which I refer during a previous Congress was not at any time called together; no action was ever taken by it. I am now called upon to act as chairman of a similar committee; and if, as proposed by the Committee on Accounts, a clerk be assigned to that committee, I shall hardly know what to do with him. Besides, we have no room in which to act. The Committee on Accounts, in assigning clerks to these committees on expenditures in the various Departments, ought at the same time to have provided for each of the committees a room in which they could put their clerk. [Laughter.]

Mr. PERKINS. I yield five minutes to the gentleman from Colorado [Mr. SYMES].

Mr. SYMES. Mr. Speaker, either the members of the House of Representatives during the first fifty years of the American Congress had a very easy time and much leisure in the discharge of their official duties, or the members of the present Congress and those that are to follow us require clerks to aid them in the discharge of their duties. If there are exceptions to this rule—if there are members on this floor who, as the Congressional Directory shows, have only about 2,000 voters in their districts, so that they do not need clerks, certainly others of us who have 200,000 to 350,000 constituents think that the gentlemen from those other districts should not be the judges in denying to us the right to have clerks to assist us in discharging the duties that we owe to our constituents and to the people generally.

For one moment let me show the difference in the amount of work required of a member of Congress now in comparison with that required of members of the early Congresses of the United States. As was well shown by the distinguished Speaker of this House, in what may be called his valedictory at the close of the Forty-eighth Congress, during the first fifty years of the organization of this Government there were introduced into Congress, and referred to appropriate committees, only 8,777 bills and joint resolutions, whereas there were introduced into the Forty-eighth Congress, and referred to committees of this House for action, 8,630 bills. This shows that during the first fifty years of the existence of the American Congress no more bills were introduced for action than during the Forty-eighth Congress alone.

During the Forty-ninth Congress there were introduced and referred to committees 11,260 bills in the House and 3,385 bills in the Senate, making a total of over 14,000 bills. It is a low estimate, judging from the number of bills introduced into this House thus far, that there will be over 16,000 bills introduced in the Fiftieth Congress, which will have to be referred to committees, have to be printed, have to be read and referred to subcommittees, and have to be considered and acted on.

A member of Congress twenty-five years ago did not need a clerk.

The SPEAKER. The gentleman's time has expired.

Mr. SYMES. I ask the gentleman to yield me three minutes more.

Mr. PERKINS. I will yield that further time to the gentleman from Colorado.

Mr. SYMES. Another point. Think of the difference between the number of constituents a member of the Fiftieth Congress here has to represent, has to correspond with, whose business he has to look after in the Departments, whom he has to represent on this floor as best he can, and the number of the constituents of a member of Congress fifty years ago. The ratio of representation of the different districts of the United States from 1790 to 1800 was 33,000; in 1810, 35,000; in 1820, 40,000; in 1830, 47,000; in 1840, 70,000—I do not give the fractions; in 1850, 90,000; in 1860, 127,000; in 1870, 131,000; and in 1880, 150,000. Unless this House is increased in its membership, after 1890 the apportionment and constituencies will exceed 200,000.

Sir, there are districts in the northwestern part of this country which to-day have from three hundred to five hundred thousand constituents. I make the point, and I wish to call the attention of my friends who are opposed to granting these clerks to the fact, that it is impossible for any one of them to attend to important national legislation and at the same time discharge the multifarious duties which the law of prescription and precedent has imposed on him without the assistance of clerks. Otherwise he may sit at his desk on this floor and write from morning until night, and not attend to the important duties his constituents sent him here to perform.

I do not believe the American people are so penurious in the matter of being willing to pay for clerks for their members of Congress when those clerks will be almost entirely engaged in attending to correspondence, franking and mailing documents, and running to the Departments and performing other duties for constituents.

Clerks to members will greatly increase their efficiency in the discharge of their strictly legislative duties. Members neglect committee work, neglect thorough investigation of important subjects of legislation, because they have not the time or opportunity without the aid of clerks to perform these duties.

[Here the hammer fell.]

Mr. HOWARD. Mr. Speaker, the expenses of the two branches of Congress during a term are estimated at from eight to ten million dollars. The additional expense that would be incurred during a Congress composing the two sessions under this proposition, if adopted, would add to that sum only about $350,000.

Now, the question presented by the resolution simply resolves itself into this: whether or not that additional expense would add to the efficiency of Congress—both branches. If it would add to the efficiency of it, then this proposition ought to be passed; if it would not, it ought to be defeated.

Mr. Speaker, we all know the fact that there are demands made upon every member of Congress, upon every man upon the floor of this House, morning, noon, and night, requiring answers to from ten to twenty letters, and in many cases with many members amounting to from thirty to sixty, and in some cases even more than that. We do know it to be a fact that no man with this drudgery upon his shoulders can perform his duties as a member of this House as the people expect him to perform them in regard to the great public measures which are to be considered. If, by the passage of this resolution, one-half of the drudgery could be lifted from the shoulders of the members on this floor, I should vote for it, not for my own interest, but because I believe it to be in the interest of the people whom I represent.

Is there a man upon this floor who can rise here in his place and say that such an aid would not make this body more efficient in its public duties? I doubt if any man will say so. If then he can not deny the value of such a service, does not that settle the question? Should we not give the $350,000 for a Congress that we may have the benefit of the ten millions of dollars that must necessarily be expended? Why expend ten millions of dollars and send men here to make them mere clerks instead of legislators? Why not give the little additional sum required and let the country have the benefit of the vast expenditures which must be made?

What are the demands of the country? Not more legislation, but more deliberation, more thought, more statesmanship in the interest of the great body of the people on all of these questions that are presented.

[Here the hammer fell.]

Mr. PERKINS. I now yield six minutes to the gentleman from Ohio [Mr. BOOTHMAN].

Mr. BOOTHMAN. Mr. Speaker, I had the pleasure of supporting this measure in the committee, although I was in the minority. I stand here to-day in the presence of this House to assume the full responsibility of my action there, and to answer to my constituents for that assumption.

I think the central question here presented is, is this right in principle? If it is right in principle it ought to prevail. If it is not right, it ought to be voted down.

Now, it was urged upon the floor of this House a few days ago, when this question was presented here in a similar shape, that it was a proposition in the nature of a salary grab. I am here, sir, to dispute that *in toto*. It has no more semblance to a salary grab than an old hat and a tattered coat, stretched upon a pair of cross-sticks standing in a cornfield, resemble a man. Not a bit of it. [Laughter.]

Let us see if this is to add anything, or will add anything, to the emoluments of a Representative upon the floor of this House. We find the duties of a Representative defined in the Constitution and in the laws of this commonwealth; and for the discharge of those duties, the duties of legislating upon those subjects, Representatives are elected with the emoluments which go with those duties and none others.

Now there has grown up by a process of accretion, to the duties defined by law attaching to the office of Representative, a great amount of detail that in nowise comes in as a part of the legitimate duties of his office. They are duties which have grown up for the accommodation of the people of his district. Because these people are at their homes and the Representative is here, and it is so easy to call upon him to get information for them, or to do those things they desire to have done here, he has

got into the habit of doing them as a part of his duties. Now, the people demand them as a right, not perhaps a strict legal right, but because the Representative is here and accommodating and has been in the habit of doing so. This condition of affairs has so grown until the duties not incumbent upon a Representative are greater than the duties that he is compelled to perform and that are incumbent upon him by law. It is in my opinion a false economy that would keep him writing letters, running to the Departments, and attending to such business, while the great public measures upon which he is called to act as a Representative can receive no consideration at his hands, because he can not possibly find the time for that purpose. I say such a system is a saving at the spiggot and robbing at the bung. If it were otherwise, when legislation is demanded upon great appropriation bills they would not be put off until the very close of the session for the reason that no member has time to consider them before.

Now, the American people are not so stingy and so penurious, so cheese-paring in their economy, as to say they will send men here and spend millions of dollars for legislation and refuse members of Congress the assistance of a clerk at $75 a month, which will enable them to act maturely upon the measures that come before them in connection with their public duties here.

I am in favor of the amendment because it is right in principle. [Applause.]

Mr. PERKINS. I yield five minutes to my colleague [Mr. PETERS].

Mr. PETERS. I shall support this proposition with my voice and my vote for two reasons. The first is, it is a measure of economy to the entire people. Every member of this House knows that a large number of his constituents have various claims pending before the different Departments of the Government. These are made up of the claims of postmasters against the Government, of claims of post-office contractors, of the claims of parties who have secured the obligations of the Government and who have not yet received the money upon those obligations, of claims for bounties that have not been paid, of claims for horses lost during the war, of claims for pensions, and of a variety of other claims, including also claims against the Government for property destroyed by Indians.

Thousands of dollars are paid by the people of your district—and I care not who the member may be—to the pension and claim agents in this city. I believe from my own district $30,000 annually are paid by the individual citizens of my district to parties here to prosecute claims against the Government which ought to be paid and which would have been paid before now if attention were given to these matters either by the claim agent or by a member of Congress.

I would like to know where there is a single man representing any district on the floor of this House who, when he places before his constituents the fact that they are paying to the claim agents of this city a large amount in excess of what would be called for if each Representative had a clerk at $75 a month—I ask where there is a member who would not be sustained in that position. I say this proposition is in favor of economy, of saving money to the people of this country. These claim agents here do not accomplish anything by their work, and the most of it has to be done through the member of Congress; and if it were understood by the people at large that every member of Congress had a clerk to whom he could refer these matters and under whose direction these claims could be obtained they could be more speedily settled than under the present law.

I support the resolution for a second reason; and that is that it places every member of this House on an equality. There are fifty-four committees of this House under the report of the Committee on Accounts, and every one of the chairmen of those committees is entitled to a clerk. Every member on that side not entitled to a clerk is not on an equal footing with the man who has a clerk.

[Here the hammer fell.]

Mr. PERKINS. I yield my colleague two minutes more.

Mr. PETERS. In another respect I want to see all the members of this House placed on an equality. The poor man here is unable to employ a clerk, and must occupy his time in running to the Departments and carrying on business for his individual constituents. The rich man can employ clerks and has time to study legislation, and when a matter comes up before this House he is prepared to discuss that legislation, while the poor man, unable to employ a clerk, has no opportunity to study legislation and therefore can not represent his constituents intelligently on this floor when matters of legislation come up in which they are interested.

This proposition will place all the members of this House on an equality, so that they will be able to give their attention equally to matters of legislation that come before it.

Mr. PERKINS. I yield three minutes to the gentleman from California [Mr. BIGGS].

Mr. BIGGS. I hope this proposition will not pass. I entered into a specific contract with the people of my State and district when I came here; and I knew what my salary and what my mileage would be, and I knew the amount of labor I would have to perform.

I ask the gentlemen on this floor that they be just before they are so generous. The people are bowed now with the burdens of taxation, and in the name of God why do you want to vote this money, amounting to nearly a quarter of a million of dollars, out of the public Treasury? It is nothing more nor less than a salary grab.

I ask you to ponder over this matter. If the gentleman from Kansas will allow me, I will send an amendment to the Clerk's desk and have it read. If he will accept the amendment I am satisfied there will be a unanimous vote on this side of the House, and I hope on both sides of the House. I ask to have the amendment read, believing if the gentleman will accept it we can get along harmoniously on this question without any further discussion. I offer the amendment which I send to the desk.

Mr. PERKINS. I permit it to be read.

The SPEAKER. The gentleman from California has the right to have the amendment read as part of his remarks, but it is not in order to be offered at this time.

The Clerk read the proposed amendment, as follows:

Strike out the words "which shall be paid out of the contingent fund" and insert "which shall be paid by each member out of his own pocket."

[Great laughter.]

Mr. BIGGS. Now, Mr. Speaker, I think we can agree to that. Will my friend accept the amendment?

Mr. PERKINS. I now yield five minutes to the gentleman from Georgia [Mr. BLOUNT].

Mr. BLOUNT. Mr. Speaker, there are two audiences which will take notice to what is said to-day in this connection, and which none of us can afford to ignore. There is an audience with an interest—I will not say unbecoming, but not helpful to accurate judgment. There is also an audience of the people which will hear and perhaps pass upon the votes and speeches of some gentlemen here to-day in a very different spirit from that which animates many of the members of this body. I respect that audience as fair, just, intelligent. I have always thought it becoming in me to have due and decent regard for it. Years ago there was a question here involving the compensation of the members of the Forty-second Congress. It was urged that the compensation of members was not sufficient, that it did not command the best talent, and various processes of reasoning were adopted by the House, resulting in an overwhelming vote augmenting the pay of members of that Congress; but very few of the gentlemen in that House who voted that way found approval on the part of their constituents, although there was the same defiant course of conduct in reference to public opinion that there is here now. I care not what other gentlemen may see fit to do in this matter, but when the proposition touches me personally, as this does every member, I shall feel that it has become a question of delicacy, and I shall be more careful in regard to that appropriation than in regard to any other that can possibly come before me as a member of the House. Gentlemen say that this is not a proposition for an increase of salary. They might as well say that many other things which would be helpful to members would not be virtually an increase of compensation.

I undertake to say, sir, that there are many members on this floor who would find the net result of it a decided increase of their compensation. Certainly such is the inference to be drawn from private conversation giving the experience of the gentlemen. There has been a suggestion made in behalf of this resolution on the ground that white gentlemen representing a constituency of only two thousand people may not need clerks, others with larger constituencies do need them. Now, sir, let me ask, for what purpose is that consideration injected here? It is simply an attempt to weaken the force of the argument of the gentlemen on this side of the House by raising another question, as to whether or not there has been a proper regard for the rights of citizens in the matter of voting. But what has that to do with this question? It has nothing whatever, and the introduction of it here is simply an attempt to vent indignation upon any man who stands in the way of this proposed appropriation. Sir, I care not for insinuations of that character. When that other question comes up I shall be ready to meet it, but no gentleman, by attempting to browbeat on another matter, shall compel me to give a vote which I regard as improper, and I trust that this side of the House will keep its record on this question clean, as it has been in the past.

Mr. LAIRD. Mr. Speaker, I have never yet set the fear of political punishment as a guard over my conscience upon the question of the discharge of my duty as between myself and my constituents. I shall not begin to-day, and, if the opportunity offers, I shall vote for the passage of this resolution, because I believe that it involves as much as any measure of this kind that can come before the House the question of the efficiency of the Representative. Some of us represent here 64,000 votes, cast for the opposing candidates and for ourselves, involving, by fair political calculation, a population of 250,000 or 300,000 people. Can a man upon whose shoulders these responsibilities are flung, the details of which have been so well described by gentlemen here upon the floor—can such a man evolve from out the multitude of cares bearing upon him the time and thought to investigate the great appropriation bills which carry three hundred and odd millions of dollars? Can a man so situated find time to investigate the intricacies of the land policy and the laws incident thereto, which govern the Western country, from which many of us come, and the vast unappropriated public domain of the nation? Can a man with all these cares upon his

mind and his conscience find time to follow up the action of the great commission which was raised not long ago for the purpose of regulating the infinitely delicate relations between the people and the instruments of commerce which control the carriage of the vast quantities of material that pass continually from the East to the West and from the West to the East? Can he find time to discuss conscientiously and intelligently almost any one of the fifty subjects which for their comprehension might require a year of careful study? There are laid upon him such burdens of detail that he is night and day the yoke-fellow of toil. So heavy is the weight of business pressing upon us that there is not one of the members from the Western section of this country who, if his physical system could bear the strain, might not go home to-night and sit down with his stenographer (if he is able to have one) and toil on till midnight or till morning, and in the morning go to the Departments and follow out the details of errands there, and then come to his seat here in this House—for what purpose? To echo the intelligent sentiment of the two or three hundred thousand people he may represent upon the great questions requiring action at the hands of Congress? No; to echo the decision formulated in a committee-room—in the committee-room of the Appropriations Committee, dominated possibly by one man who, under the influence of a habit of thought, has come to rule the committee and rule the country, and rule the millions of money that are poured out by the Government.

I submit, sir, that the question here is one of efficiency; and I conclude as I began: never yet have I set the fear of future political punishment as a guard over my conscience: and I will not do it to-day.

Mr. PERKINS. I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, the only question, I think, that we need now seek to determine is whether the different members of the House of Representatives require, in fact, these clerks in the transaction of the public business. If so, I believe the 60,000,000 of people in this country would not only justify us in making, but would require us to make the expenditure.

I am frank to say that, so far as I am personally concerned, I do not need a clerk so much as I did when we had a Republican President. My correspondence is not so onerous as it was then. I think perhaps the demand upon my time in that respect is not so great as that made upon most gentlemen on the other side by their correspondence. Yet I beg to assure gentlemen here that my correspondence and Department work now are quite sufficient to take a very considerable part of my time, which I believe ought to be given to the public business in connection with matters of legislation. So much for that.

As there are gentlemen here who are afraid that public opinion will condemn this measure, I want to call their attention to the fact that for years past the popular body of Congress, the House of Representatives, has session after session come up and voted clerk-hire—not at the rate of $75 a month, but at the rate of $6 a day—to every Senator in the co-ordinate branch of the National Legislature. Some members thought that great political capital was to be made out of the action of the Senate touching that matter; but so far as I know, through all the years since that measure was adopted, the people have said, "That is a wise expenditure." And I must confess that year after year, when I have seen gentlemen antagonizing the appropriation for clerks for Senators to be paid at the rate of $6 a day, but in the end acquiescing in that appropriation, I have felt that we were not just to the popular body—the body that comes nearest to the people, and I think has, to say the least, as many duties to perform, so far as the *personnel* of the body is concerned, as Senators—we are not just in thus discriminating against this body and in favor of that. For that reason, as well as others, I feel like demanding for this body, equal in matters of legislation with the Senate, nearer to the people, and, as we think, in some things superior to the Senate in the nature of the duties thrust upon us, the same help that we have given to the members of the co-ordinate branch.

One word more. For many years it has been felt that there has been a great injustice done to the House of Representatives touching this matter. For that reason a majority of the committees of this House are mere dress-parade committees, without business, the only object in their creation having been to give the chairman of the committee a room in which to do his work touching matters of legislation and to enable him to have help in doing it. I know how this is. In the Forty-seventh Congress, besides being then, as I am now, a member of the Committee on Appropriations, I was chairman of one of the dress-parade committees, and during that Congress the public Treasury paid for my clerk. Since that time I have paid him myself. So far as I am individually concerned I can do it and live. I hear some gentlemen say they can not in justice to themselves and their families pay the salary of a clerk.

But I beg gentlemen to listen to one other statement in regard to these dress-parade committees. I have not a list of all of them here, but I have a list of thirteen.

[Here the hammer fell.]

Mr. CANNON. I ask one minute more.

Mr. PERKINS. I yield the gentleman one minute.

Mr. CANNON. I have here a list of thirteen of these committees, of which the clerical force, the messengers, and other expenditures reached the sum of over $300,000. Do you want to know how many reports these thirteen committees made in the Forty-ninth Congress? I hold them in my hand, and there are nine in all, from these thirteen committees. [Laughter.] Now, let us treat everybody alike. I think I can vote for this proposition and meet the approval of my constituency.

Mr. SHAW. Will the gentleman yield one minute?

Mr. CANNON. With pleasure.

Mr. SHAW. The expenditure of $300,000 to which the gentleman refers was for what length of time?

Mr. CANNON. For the Congress, two sessions.

Mr. SHAW. For the clerks and messengers of thirteen committees?

Mr. CANNON. For the clerks, messengers, and the expenses pertaining to committee rooms, at least $300,000.

Several MEMBERS. Oh, no!

Mr. SHAW. Does not the gentleman mean $30,000?

Mr. CANNON. I beg pardon; the gentleman is correct; I inadvertently called the figures $30,000 $300,000. But whether the aggregate is $30,000 or $300,000, whether it is much or little, the dress-parade committees are the same and the abuse is the same.

One other thing before I sit down: If any gentleman comes to the conclusion that in the event of this resolution passing he will not be justified in employing a clerk to be paid from the public Treasury, I know of no way in which he can be compelled to do so.

Mr. PERKINS. How much time have I remaining?

The SPEAKER. Nineteen minutes.

Mr. PERKINS. I yield five minutes to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Speaker, I shall support this amendment on the simple and practical ground already stated by more than one gentleman, that it is a matter of economy to the public service. I do not know how it is with other members of Congress, but I take it the requirements made on my part do not exceed those made on the average member of Congress.

This side of the House makes up in one class of correspondence what the other makes up in the matter of appeal for public patronage. I know that some members of the House receive a great deal more correspondence than I do. I kept an account for more than three months of the Forty-ninth Congress, and my letter-mail, nearly all of which required answers, averaged upward of forty letters a day. I paid for answering that correspondence a thousand dollars in cash, and when I had done that I had answered a large share of the letters myself.

I wish to put another view of this case to some gentlemen on the other side of this House. There are fifty-eight committees of the House, or something like that, all of which are to have clerks. The other day we had a proposition submitted to the House, and a yea-and-nay vote taken on it, that these clerks should be committee clerks, and should not be the private clerks of the chairmen of those committees. That resolution or amendment was voted down. I have not analyzed the vote to see whether or not the ornamental and dress-parade committee-clerk chairman voted in the negative or not. I do not know how that is; and if I did know I would not state it now.

But there must be a large number of gentlemen on that side now, and two years hence will be over here, who will understand if the head of the committee has any business with a clerk he is absolutely under the direction of the chairman of that committee, as the House has by solemn resolution declared he shall be the private clerk of that committee, for that is the logical effect of the vote we took the other day.

Is there anything like equality in that sort of thing?

The entire expense of the proposition made by the gentleman from Kansas [Mr. PERKINS] will amount to about one hundred or one hundred and thirty-four thousand dollars a year. It is not the enormous sum some of the gentlemen have been talking about, and this calculation is based on the theory of eleven months of session during the life of a Congress.

I am in favor of this proposition because I believe it is a matter of economy. I believe every individual member of Congress will take the responsibility for himself, and I am perfectly willing to take it, and if my constituents, who load their burdens on me as though there was no limit to my capacity for hard labor, are unwilling to pay their share to make up this fund they can employ somebody else who will do the work better, perhaps, and for less money, and I will be content.

[Here the hammer fell.]

Mr. PERKINS. I now yield to the gentleman from South Carolina [Mr. TILLMAN].

Mr. TILLMAN. Mr. Speaker, I am against the resolution, but not on the ground of expense. The American people are both able and willing to pay every dollar that is necessary to secure good government. The worst thing about this resolution is that it is an indirect method of increasing our salary, and that to only a pitiable extent. I admit that these clerks would relieve us of a great deal of duty we now have to perform—drudgery, mere manual labor, unfit for a Representative in the American Congress to have to perform, especially in franking numerous worthless documents and distributing seed of questionable value, which we laboriously do in a demagogical spirit and in rivalry to the seed stores of the country. [Laughter and applause.]

What Congress needs is not more clerks, but more Representatives of

the people. If we had twice as many Representatives on this floor as we have now and three times as many Senators (six from each State) at the other end of the Capitol, then our representative clerical labor in both Houses could be easily and efficiently performed by ourselves.

Besides, most of the correspondence we have with our constituents is of a peculiarly representative character, and we should not leave the duty of executing it to a clerk, because of the principle that delegated authority should not be redelegated. If there were more Representatives in Congress legislation would then be carried on usually by the people for the people, and less by classes for classes. The additional expense of paying more Senators and Representatives during a period of ten years' time would be more than saved at every session of Congress by preventing improper appropriations that are now made without difficulty, and by wholesome legislation reducing taxes and wisely regulating the currency.

If New England would only combine to give us the enlarged representation in Congress which she has in her State Legislatures it would be a thousand times better for the American people than things are now. Sir, the facilities of communication and concentration and combination are so great now that every class interest in the land is syndicated into an organized phalanx, as it were, to pass laws and control the administration of laws against the people and against the Government for private benefit. In other words, classes are organized against the masses, and what is wanted in this country more than anything else is additional representation to prevent robbery under the forms of law. [Applause.]

There should be more of the judgment, the conscience, the interest of the masses injected into every law-making body on the continent, from village town councils up to the Congress of the United States. If that were done, the lobby would have a hard job [laughter], whereas now it has an easy one.

The SPEAKER. The gentleman's time has expired.

Mr. TILLMAN. I wish I had more time.

Mr. PERKINS. I now yield two minutes to the gentleman from Pennsylvania [Mr. BINGHAM].

Mr. BINGHAM. Mr. Speaker, I listened with a great deal of interest and pleasure to the remarks of the gentleman from California [Mr. BIGGS] on his amendment to the pending proposition. It has been my pleasure to pay a clerk out of my own pocket for a great many years, ever since I have been in Congress, and I feel that the gentleman from California in his proposition might have considered the fact that one thousand or more dollars are paid to him, and other gentlemen from the Pacific coast, for transportation to and from Washington attending each session of Congress, and that it would probably come with a questionable grace from one receiving so large a compensation to suggest that those of us living near the capital should pay the compensation of our own clerks. One hundred and twelve thousand dollars are paid by the Government for mileage at each session of Congress. I pay my own clerk for his clerical services——

Mr. BIGGS. And so do I.

Mr. BINGHAM. And yet by act of Congress I am allowed $58 at each session for transportation to and from Philadelphia, when it costs me but $6 for the round trip. Therefore, I say, let there be an equal adjustment of the people's money, going directly where the people will be most benefited; and there could be no criticism or complaint if every member of Congress had a clerk, the sum total of which expense would not exceed the excess received by members of Congress in their transportation to and from the capital. [Applause.]

[Here the hammer fell.]

Mr. PERKINS. I now yield two minutes to the gentleman from Illinois [Mr. LAWLER].

Mr. LAWLER. Mr. Speaker, I merely want to say to our Democratic friends on this side of the House that if the public press of the country thought this was a good move their votes would be cast accordingly. I want to say, as a member of this Congress, that I find it impossible to do much that I am called upon to do, representing in part the city of Chicago; and I say kindly to those gentlemen having clerks to assist them in a measure in doing their work that they ought to have a little more charitable feelings in expressing their views upon such a question as this. I do not believe, as parties interested, that they should vote upon the question at all. They have clerks allotted to them, and ought to be prohibited from interfering with this case. [Laughter and applause.]

I only say this: I believe the people would justify and approve the action of this Congress in voting each member a clerk. These clerks can relieve very greatly the members of Congress in their labors here, and enable them to devote just that much more time to the prosecution and consideration of the public business; and I think that the gentleman from Nebraska [Mr. LAIRD] puts the thing in its proper light when he says that justice has not been done to the constituencies of members upon this floor.

Members to-day on this side of the House have told me that they have correspondence now on their hands which has been accumulating for the past four weeks, and which, in consequence of the labors imposed upon them here, they are unable to reach and answer. That is doubtless the case with many; and I say in voting against this resolution they are not doing their constituents justice. I am in favor of the resolution or anything in that direction that will aid the members of Congress in doing right and justice to the people of this country.

Mr. PERKINS. I now yield two minutes to the gentleman from Iowa [Mr. KERR].

Mr. KERR. Mr. Speaker, when this question was up the other day I voted in favor of the proposition submitted by the majority side of the House and against the proposition submitted by the gentleman from Kansas [Mr. PERKINS]. I believe that proposition ought not to be adopted now. But I do not think it comes with very good grace from the chairmen of the committees upon the other side of this House, who, all of them, when the question was taken upon the amendment of the gentleman from Indiana, I believe it was, requiring them to confine the labors of their clerks to the proper work before the committee, voted against that restriction of their duties, and yet are to-day insisting, while they ask that latitude for themselves, that the members of this House shall not have any assistance to aid them in their work.

Now the Committee on Accounts come back into the House and ask that clerks be given to a number of additional committees, which have no work to do and will not perhaps have a single report prepared for submission to the House during the present session, and these clerks are to receive a large amount of money out of the public Treasury. I ask gentlemen to be consistent upon these matters, and while they are in favor of restricting this side in measures of economy, that they will also favor measures looking to the restriction of members upon that side; requiring only clerks to be given to those committees which actually have work to be performed in the interest of the public service.

Mr. PERKINS. How much time have I remaining?

The SPEAKER. The gentlemen has five minutes of his time remaining.

Mr. PERKINS. Then I yield two minutes to the gentleman from Maryland, the chairman of the committee.

Mr. SHAW. Mr. Speaker, I trust this amendment will not prevail. It will increase the expenses of this Congress, or rather of this session of Congress about $174,000, not a dollar of which has yet been appropriated for the payment of these clerks. There has been appropriated but $30,000 in the contingent fund, and that is devoted to miscellaneous expenses, such as the funerals of deceased members, etc.; and I take it for granted, sir, that there will be so many to bury, if this amendment prevails, that an additional appropriation will be absolutely necessary for the contingent fund. [Laughter.]

Gentlemen have found fault with the Committee on Accounts for assigning clerks to committees which they allege have no duties to perform. They say that those committees do not discharge, or have not in the past discharged, duties which require the assistance of a clerk. I am not able to say whether that is the fact or not; but if those committees exercise the rights which have been conferred upon them by this House I am sure they will have enough to employ the committees and clerks as well. I will read in this connection what the duties are which are assigned to the various committees on expenditures in the different Departments of the Government.

[Here the hammer fell.]

Mr. PERKINS. I ask unanimous consent to extend the time for two minutes that I may yield that time to the gentleman from Maryland [Mr. SHAW].

There was no objection.

Mr. SHAW. I read from the rules:

The examination of the accounts and expenditures of the several Departments of the Government and the manner of keeping the same; the economy, justness, and correctness of such expenditures; their conformity with appropriation laws; the proper application of public moneys; the security of the Government against unjust and extravagant demands; retrenchment; the enforcement of the payment of moneys due to the United States; the economy and accountability of public officers; the abolishment of useless offices; the reduction or increase of the pay of officers, shall all be subjects within the jurisdiction of the eight standing committees on the public expenditures in the several Departments.

I would commend this section to the attention of the gentleman from Massachusetts, and I will assure him in that connection that the Committee on Accounts will be pleased to find a room for him.

Mr. PERKINS. I yield one minute to the gentleman from Arkansas [Mr. ROGERS].

Mr. ROGERS. For two Congresses I have been honored with the chairmanship of a committee which has been styled a dress-parade committee. If the House gives me a clerk of that committee it will be like Governor Foraker's staff, who help him to do nothing. I do not propose to accept him on any such ground. It would be a fraud and a pretense, and I never would do it.

In the second place, if this resolution shall be adopted I do not intend to appoint a clerk for myself. In saying this I have two objects in view. One is to indicate my determination to vote against this proposition, and the second is to prevent myself from being overwhelmed with applications for the clerkship. I want everybody to take notice of what is my intention. [Laughter.]

Mr. PERKINS. I am indeed indebted to the gentleman from Arkansas for the statement he has just made to the House, which only emphasizes what has already been said here in the course of this debate, that this report, which we are attempting to amend and make consistent, is reported in the interest of fifty-four members of this House. It is re-

ported in the interest of men, some of whom, as suggested by the gentleman from Arkansas, have no necessity or use for a committee clerk. And yet when we propose to confer that same privilege which this committee is endeavoring to offer to the gentleman from Arkansas, and others situated as he is, when we propose to confer the same privilege on other members, we find the Committee on Accounts and others antagonizing it and standing here and charging that we are seeking to waste the people's money. It is consistent in the judgment of those gentlemen to confer the privilege on the accepted few, the fifty-four favorite Democrats, while the great mass of the members of this House are compelled to do the work recited here without assistance or at their own expense.

I will say to the gentleman from California [Mr. BIGGS] that the proposition which he presented here is not a novel one. It is very familiar to the older members of this House. We have for years been doing the very thing which the gentleman from California proposes—we have been employing clerks and paying them from our own pockets, and to relieve us in part and to avoid the discriminations and injustice which would result if the report of the committee is adopted we have submitted this proposition in good faith and with the belief that if members vote their convictions and in favor of good legislation it will prevail.

For one moment I challenge the gentlemen on the other side who are opposing this amendment to designate a debate which is followed or listened to by one-third of the members, unless it be one of peculiar interest; I challenge them to designate a vote taken in this House at which two-thirds of the members do not feel called upon to inquire of somebody near them what is the proposition and how they shall vote. And why is this? Not because of idleness or indifference, but it is because members are so engrossed in their correspondence and in their errand work and in the multifarious duties given them by their constituents that they have not the time on the floor to know what is the pending proposition. They sit here, more than two-thirds of them, engrossed in other duties, and inquire of the gentlemen about them how to vote and to explain the pending proposition. Is that the way to secure intelligent legislation? Is that the intelligent way in which to represent a constituency on the floor of this House? Shall that be continued or shall we avail ourselves of assistance and give intelligent consideration to legislation and to the demands of our constituents?

[Here the hammer fell.]

Mr. PERKINS. I move the previous question on the amendment and the report.

Mr. DOUGHERTY. I desire to ask a parliamentary question.

The SPEAKER. The gentleman will state it.

Mr. DOUGHERTY. Is it in order to move to recommit pending the demand for the previous question?

The SPEAKER. It is.

Mr. DOUGHERTY. Then I move to recommit, with the instruction which I send to the desk.

The Clerk read as follows:

To recommit the subject-matter to the committee, with instructions to report a bill providing for a clerk for each member of the House, to be paid at the rate of $6 per day during the session of Congress; and providing that the bill, should it become a law, shall not take effect until the first session of the Fifty-first Congress.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Florida.

Mr. DOUGHERTY. Is the motion debatable?

The SPEAKER. It is not.

Mr. CRAIN. I make the point of order that the motion of the gentleman from Florida is not germane to the subject before the House. The pending proposition is to provide every member of a committee in this House with a clerk, and the instructions to the Committee on Accounts to report a bill for the purpose of providing members in succeeding Congresses with clerks is not germane.

The SPEAKER. The Chair ruled upon the same point the other day and sustained the point of order, and after that the gentleman from Kansas [Mr. PERKINS] put his proposition in a different form, which the Chair admitted. The Chair sustains the point of order.

Mr. HOLMAN. Mr. Speaker, I move to recommit the report, with the instruction which I send to the desk to be read.

The Clerk read as follows:

*Resolved*, That the pending proposition be recommitted to the Committee on Accounts, with instructions to amend the same so as to fix the number of session clerks at the number authorized during the last Congress and no more, and assign the same to the several committees not having annual clerks, and allow a clerk to the Committee on the Eleventh Census, and report to the House accordingly.

The House divided on the motion of Mr. HOLMAN; and it was rejected—ayes 55, noes 91.

The previous question was then ordered on the amendment of Mr. PERKINS—ayes 114, noes 32.

Mr. HOLMAN and Mr. MCADOO. No quorum.

The SPEAKER. The point being made that no quorum has voted, the Chair will appoint to act as tellers the gentleman from Kansas [Mr. PERKINS] and the gentleman from Illinois [Mr. SPRINGER].

Mr. RANDALL. Mr. Speaker, I suggest that the House take the yea-and-nay vote directly on the main question.

The SPEAKER. Does the gentleman from Indiana insist upon the point of no quorum?

Mr. HOLMAN. I withdraw the point.

The SPEAKER. The point of no quorum is withdrawn; the previous question is ordered; and the question now is on the proposition of the gentleman from Kansas [Mr. PERKINS], which is offered as a substitute for the report of the committee.

Mr. MCMILLIN. Let us have the yeas and nays.

The yeas and nays were ordered.

Mr. DUNN. I ask that the proposition of the gentleman from Kansas be read.

The Clerk again read the amendment proposed by Mr. PERKINS.

The question was taken; and there were—yeas 64, nays 182, not voting 77; as follows:

YEAS—64.

| | | | |
|---|---|---|---|
| Allen, C. H. | Crain, | Kean, | Romeis, |
| Arnold, | Cutcheon, | Kennedy, | Rowell, |
| Bayne, | Dunham, | Laird, | Scull, |
| Belden, | Finley, | Lawler, | Smith, |
| Bingham, | Flood, | Lodge, | Spooner, |
| Boothman, | Foran, | Long, | Steele, |
| Boutelle, | Funston, | Lyman, | Struble, |
| Brower, | Gaines, | Mason, | Symes, |
| Brown, J. R. | Gallinger, | McKinley, | Tarsney, |
| Buckalew, | Gear, | Patton, | Thomas, G. M. |
| Bunnell, | Grosvenor, | Perkins, | Thompson, A. C. |
| Butler, | Hayes, | Peters, | Turner, E. J. |
| Campbell, J. E. | Holmes, | Plumb, | Weber, |
| Cannon, | Howard, | Post, | West, |
| Cheadle, | Hudd, | Pugsley, | White, J. B. |
| Conger, | Hunter, | Reed, | Yost. |

NAYS—182.

| | | | |
|---|---|---|---|
| Abbott, | Dingley, | Laidlaw, | Pidcock, |
| Adams, | Dockery, | Landes, | Randall, |
| Allen, E. P. | Dougherty, | Lane, | Rayner, |
| Anderson, A. R. | Dunn, | Lanham, | Richardson, |
| Anderson, C. L. | Enloe, | Lee, | Robertson, |
| Anderson, G. A. | Ermentrout, | Lehlbach, | Rogers, |
| Anderson, J. A. | Farquhar, | Lind, | Rowland, |
| Atkinson, | Fisher, | Macdonald, | Russell, C. A. |
| Baker, Jehu | Ford, | Maish, | Sayers, |
| Bankhead, | French, | Mansur, | Seney, |
| Barnes, | Fuller, | Martin, | Shaw, |
| Blanchard, | Gay, | Matson, | Sherman, |
| Bliss, | Gest, | McAdoo, | Shively, |
| Blount, | Gibson, | McClammy, | Simmons, |
| Bound, | Glass, | McComas, | Sowden, |
| Breckinridge, C. R. | Glover, | McCormick, | Springer, |
| Breckinridge, WCP | Granger, | McCreary, | Stahlnecker, |
| Bryce, | Greenman, | McCullogh, | Stephenson, |
| Buchanan, | Grimes, | McMillin, | Stewart, Charles |
| Burnes, | Grout, | McRae, | Stewart, J. D. |
| Burnett, | Guenther, | McShane, | Stewart, J. W. |
| Burrows, | Hall, | Merriman, | Stockdale, |
| Campbell, T. J. | Hare, | Mills, | Stone of Ky. |
| Candler, | Hatch, | Moffit, | Stone of Mo. |
| Carlton, | Haugen, | Montgomery, | Taulbee, |
| Caruth, | Heard, | Moore, | Thomas, O. B. |
| Caswell, | Henderson, J. S | Morgan, | Tillman, |
| Chipman, | Henderson, T. J | Morrill, | Tracey, |
| Clardy, | Herbert, | Neal, | Townshend, |
| Clark, | Hiestand, | Nelson, | Turner, H. G. |
| Clements, | Hires, | Newton, | Wade, |
| Cobb, | Hitt, | Nichols, | Walker, |
| Compton, | Hogg, | Norwood, | Warner, |
| Cooper, | Holman, | Oates, | Weaver, |
| Cothran, | Hooker, | O'Donnell, | Whiting, J. R. |
| Cowles, | Hopkins, A. J. | O'Ferrall, | Whiting, William |
| Cox, | Hopkins, S. L | O'Neall, J. H. | Whitthorne, |
| Crisp, | Hovey, | O'Neill, Charles | Wickham, |
| Crouse, | Hutton, | Osborne, | Wilkinson, |
| Culberson, | Johnston, J. T. | Outhwaite, | Williams, |
| Cummings, | Johnston, T. D. | Parker, | Wilson, Thomas |
| Dargan, | Jones, | Payson, | Wilson, W. L. |
| Darlington, | Kerr, | Peel, | Wise, |
| Davidson, A. C. | Kilgore, | Penington, | Yardley. |
| De Lano, | Laffoon, | Perry, | |
| Dibble, | La Follette, | Phelan, | |

NOT VOTING—77.

| | | | |
|---|---|---|---|
| Allen, J. M. | Collins, | Ketcham, | Sawyer, |
| Bacon, | Dalzell, | Lagan, | Scott, |
| Baker, C. S. | Davenport, | Latham, | Snyder, |
| Barry, | Davidson, R. H. M. | Lynch, | Spinola, |
| Belmont, | Davis, | Maffett, | Taylor, E. B. |
| Biggs, | Dorsey, | Mahoney, | Taylor, J. D. |
| Bland, | Elliott, | McKenna, | Thomas, J. R. |
| Bowden, | Felton, | McKinney, | Thompson, T. L. |
| Bowen, | Fitch, | Milliken, | Vance, |
| Brewer, | Forney, | Morrow, | Vandever, |
| Browne, T. H. B. | Goff, | Morse, | Washington, |
| Browne, T. M. | Harmer, | Nutting, | Wheeler, |
| Brown, C. E. | Hayden, | O'Neill, J. J. | White, S. V. |
| Brumm, | Hemphill, | Owen, | Wilber, |
| Butterworth, | Henderson, D. B. | Phelps, | Wilkins, |
| Bynum, | Hermann, | Rice, | Woodburn, |
| Campbell, Felix | Hopkins, S. T. | Rockwell, | Yoder. |
| Catchings, | Houk, | Russell, J. E. | |
| Cockran, | Jackson, | Rusk, | |
| Cogswell, | Kelley, | Ryan, | |

So the substitute was not agreed to.

On motion of Mr. TAULBEE, by unanimous consent, the reading of the names of members voting was dispensed with.

The following-named members were announced as paired:

Mr. BREWER with Mr. BROWNE, of Indiana, on this vote.

Mr. COLLINS with Mr. MILLIKEN.

Mr. CATCHINGS with Mr. MORROW.
Mr. MORSE with Mr. COGSWELL.
Mr. LATHAM with Mr. DORSEY.
Mr. O'NEILL, of Missouri, with Mr. FELTON.
Mr. DAVIDSON, of Florida, with Mr. HOUK.
Mr. LYNCH with Mr. HARMER.
Mr. WILKINS with Mr. HENDERSON, of Iowa.
Mr. BIGGS with Mr. MCKENNA.
Mr. SNYDER with Mr. VANDEVER.
Mr. SCOTT with Mr. BROWN, of Ohio.
Mr. WASHINGTON with Mr. BAKER, of New York.
Mr. TIMOTHY J. CAMPBELL with Mr. HOPKINS, of New York.
Mr. MCKINNEY with Mr. GALLINGER.
Mr. FORNEY with Mr. RYAN.
Mr. BYNUM with Mr. HERMANN.
Mr. HEMPHILL with Mr. JACKSON.

Mr. WHITE, of New York. Mr. Speaker, I am paired with Mr. COCKRAN. If it had not been for that pair (which has not been announced) I should have voted "aye."

Mr. GALLINGER. Mr. Speaker, I observe the announcement is made that I am paired with my colleague [Mr. MCKINNEY]. We are paired on political questions. If the ruling should be, as I suppose it would be, that this is not a political question, I should let my vote stand.

The SPEAKER. The Chair makes no ruling upon such questions. The gentleman must decide for himself.

Mr. MATSON. My colleague [Mr. BYNUM], who is absent on account of sickness, would, if present, vote "no" on this proposition.

Mr. LATHAM. If the gentleman from Nebraska [Mr. DORSEY], with whom I am paired, were present, I would vote "no" on this question.

Mr. TIMOTHY J. CAMPBELL. Mr. Speaker, I rise to a question of information. I would like to ascertain whether the Speaker decides that this is a political question.

The SPEAKER. The Chair made no decision on that subject.

Mr. TIMOTHY J. CAMPBELL. I desire to say that if this is not a political question, I wish to be recorded in the negative.

The SPEAKER. The gentleman must determine that matter for himself. It is not the province of the Chair to determine what are and what are not political questions.

Mr. TIMOTHY J. CAMPBELL. Then I desire to be recorded in the negative.

The SPEAKER. Was the gentleman in the Hall during the roll-call?

Mr. TIMOTHY J. CAMPBELL. I was.

The result of the vote was announced as above stated.

Mr. SHAW. I move to reconsider the vote by which the amendment of the gentleman from Kansas [Mr. PERKINS] was rejected; and also move that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. BUCHANAN. I rise to a parliamentary inquiry. Is it in order to ask for a separate vote on that portion of this report which proposes to give a clerk respectively to the Committee on Expenditures in the State Department and the Committees on Expenditures in the several other Departments?

The SPEAKER. That is the question on which the House is about to vote. The Chair will state the situation of the question. A few days ago the Committee on Accounts made a report assigning clerks to certain committees, which were enumerated. To that report various amendments were offered, and pending those amendments the report was recommitted to the Committee on Accounts. To-day the committee reports the matter back, proposing a substitute which differs from the original report in the fact that it assigns clerks to the committees which the gentleman from New Jersey has just mentioned. The question now before the House is upon agreeing to the substitute proposed by the committee, which, if agreed to, will give clerks to these additional committees. If it be not agreed to, the vote will then recur upon agreeing to the original report, which does not give clerks to these committees.

Mr. BAYNE. Is it in order to move that this report be laid on the table?

The SPEAKER. It is.

Mr. BAYNE. I make that motion.

Mr. RANDALL. I would like unanimous consent to put a question to the chairman or some other member of the committee making this report.

The SPEAKER. Is there objection? The Chair hears none.

Mr. RANDALL. I desire some member of the committee from whom this proposition comes to state what increase in the force of clerks this report will make over the force employed in the last Congress for like duties.

Mr. SHAW. The report increases the number five, exclusive of the assistant clerk to the Committee on Claims; but all the committees included in this report, with the exception, I think, of two, were provided with clerks in the last Congress; they were not embraced in the original assignment, but were provided for by subsequent resolutions.

Mr. RANDALL. Then this is a net increase of one?

Several MEMBERS. Two.

The SPEAKER. The gentleman from Pennsylvania [Mr. BAYNE] moves to lay the report, with the accompanying substitute, on the table.

The motion was not agreed to; there being—ayes 77, noes 102.

The SPEAKER. The question now recurs on agreeing to the substitute proposed by the Committee on Accounts for the original report.

Mr. BAYNE. I move that the House do now adjourn. There are a great many members absent at this time. Let us have a full vote on this question to-morrow.

Mr. RANDALL. We had better dispose of it now.

The motion of Mr. BAYNE, that the House adjourn, was not agreed to; there being—ayes 77, noes 110.

The SPEAKER. The question recurs on agreeing to the substitute proposed by the Committee on Accounts.

Mr. HENDERSON, of Illinois. On that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 124, noes 90, not voting 109; as follows:

YEAS—124.

| | | | |
|---|---|---|---|
| Abbott, | Dibble, | Landes, | Randall, |
| Anderson, C. L. | Dockery, | Lane, | Rice, |
| Anderson, G. A. | Dougherty, | Lanham, | Richardson, |
| Bankhead, | Euloe, | Lee, | Robertson, |
| Barnes, | Ermentrout, | Macdonald, | Rogers, |
| Bliss, | Fisher, | Maish, | Rowland, |
| Blount, | French, | Mansur, | Sayers, |
| Breckinridge, C. R. | Gay, | Martin, | Seney, |
| Breckinridge, WCP | Gibson, | Matson, | Shaw, |
| Bryce, | Glass, | McAdoo, | Shively, |
| Buckalew, | Glover, | McClammy, | Simmons, |
| Burnes, | Granger, | McCreary, | Sowden, |
| Burnett, | Greenman, | McMillin, | Springer, |
| Campbell, J. E. | Grimes, | Meshane, | Stahlnecker, |
| Candler, | Hall, | Merriman, | Stewart, Charles |
| Carlton, | Hare, | Mills, | Stewart, J. D. |
| Caruth, | Hatch, | Montgomery, | Stone of Ky. |
| Chipman, | Hayes, | Moore, | Stone of Mo. |
| Clardy, | Heard, | Morgan, | Tarsney, |
| Clements, | Henderson, J. S. | Neal, | Taulbee, |
| Cobb, | Herbert, | Newton, | Tillman, |
| Compton, | Hogg, | Oates, | Tracy, |
| Cothran, | Holman, | O'Donnell, | Townshend, |
| Cowles, | Hooker, | O'Ferrall, | Turner, H. G. |
| Cox, | Hopkins, S. I. | O'Neall, J. H. | Walker, |
| Crain, | Howard, | Outhwaite, | Weaver, |
| Crisp, | Hudd, | Peel, | Whiting, J. R. |
| Culberson, | Hutton, | Penington, | Whitthorne, |
| Cummings, | Johnston, T. D. | Perry, | Wilkinson, |
| Dargan, | Kilgore, | Phelan, | Wilson, Thomas |
| Davidson, A. C. | Laffoon, | Pidcock, | Wilson, W. L. |

NAYS—90.

| | | | |
|---|---|---|---|
| Adams, | Davis, | Johnston, J. T. | Perkins, |
| Allen, C. H. | De Lano, | Kean, | Peters, |
| Allen, E. P. | Dingley, | Kennedy, | Reed, |
| Anderson, A. R. | Dunham, | Kerr, | Sawyer, |
| Anderson, John A. | Farquhar, | La Follette, | Scull, |
| Atkinson, | Felton, | Laidlaw, | Sherman, |
| Baker, Jehu | Finley, | Laird, | Smith, |
| Bayne, | Flood, | Lehlback, | Spooner, |
| Bingham, | Fuller, | Lind, | Steele, |
| Boothman, | Funston, | Lyman, | Stephenson, |
| Boutelle, | Gaines, | Mason, | Struble, |
| Brown, J. R. | Gallinger, | McComas, | Thomas, G. M. |
| Buchanan, | Gear, | McCormick, | Thomas, O. B. |
| Bunnell, | Gest, | McCullogh, | Thompson, A. C. |
| Burrows, | Grosvenor, | McRae, | Turner, E. J. |
| Cannon, | Guenther, | Moffitt, | Wade, |
| Caswell, | Haugen, | Morrill, | Warner, |
| Cheadle, | Henderson, T. J. | Nichols, | Whiting, William |
| Clark, | Hitt, | Nutting, | Wickham, |
| Conger, | Holmes, | O'Neill, Charles | Williams, |
| Cooper, | Hopkins, A. J. | Osborne, | Yardley. |
| Crouse, | Hovey, | Parker, | |
| Darlington, | Hunter, | Patton, | |

NOT VOTING—109.

| | | | |
|---|---|---|---|
| Allen, J. M. | Cutcheon, | Lawler, | Ryan, |
| Arnold, | Dalzell, | Lodge, | Scott, |
| Bacon, | Davenport, | Long, | Snyder, |
| Baker, C. S. | Davidson, R. H. M. | Lynch, | Spinola, |
| Barry, | Dorsey, | Maffett, | Stewart, J. W. |
| Belden, | Dunn, | Mahoney, | Stockdale, |
| Belmont, | Elliott, | McKenna, | Symes, |
| Biggs, | Fitch, | McKinley, | Taylor, E. B. |
| Blanchard, | Foran, | McKinney, | Taylor, J. D. |
| Bland, | Ford, | Milliken, | Thomas, J. R. |
| Bound, | Forney, | Morrow, | Thompson, T. L. |
| Bowden, | Goff, | Morse, | Vance, |
| Bowen, | Grout, | Nelson, | Vandever, |
| Brewer, | Harmer, | Norwood, | Washington, |
| Brower, | Hayden, | O'Neill, J. J. | Weber, |
| Browne, T. H. B. | Hemphill | Owen, | West, |
| Browne, T. M. | Henderson, D. B. | Payson, | Wheeler, |
| Brown, C. E. | Hermann, | Phelps, | White, J. B. |
| Brumm, | Hiestand, | Plumb, | White, S. V. |
| Butler, | Hires, | Post, | Wilber, |
| Butterworth, | Hopkins, S. T. | Pugsley, | Wilkins, |
| Bynum, | Houk, | Rayner, | Wise, |
| Campbell, Felix | Jackson, | Rockwell, | Woodburn, |
| Campbell, T. J. | Jones, | Romeis, | Yoder, |
| Catchings, | Kelly, | Rowell, | Yost. |
| Cockran, | Ketcham, | Russell, C. A. | |
| Cogswell, | Lagan, | Russell, J. E. | |
| Collins, | Latham, | Rusk, | |

So the substitute was agreed to.

During the roll-call,

Mr. TIMOTHY J. CAMPBELL said: Mr. Speaker, as this has assumed the character of a party question, and as I have paired with Mr. HOPKINS, of New York, I ask leave to withdraw my vote.

The following additional pairs were announced from the Clerk's desk for the rest of the day:

Mr. DUNN with Mr. STEWART, of Vermont.

Mr. RUSK with Mr. ROCKWELL.

Mr. NORWOOD with Mr. GROUT.

Mr. WISE with Mr. YOST on this question.

Mr. FORD with Mr. CUTCHEON.

Mr. YODER with Mr. PHELPS.

The vote was announced as above recorded.

The resolution as amended was adopted.

Mr. SHAW moved to reconsider the vote by which the resolution as amended was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

And then, on motion of Mr. SHAW (at 6 o'clock and 8 minutes p. m.), the House adjourned.

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PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

The following bills and joint resolutions of a private nature were introduced, severally ordered to be printed, and referred as follows, namely:

By Mr. WHEELER: A bill (H. R. 5070) for the relief of Peter Crenshaw—to the Committee on Military Affairs.

By Mr. JONES: A bill (H. R. 5071) for the relief of the legal representatives of James A. Torbert, deceased—to the Committee on Private Land Claims.

By Mr. HERBERT: A bill (H. R. 5072) for the relief of Weil & Moore—to the Committee on Claims.

By Mr. ROGERS: A bill (H. R. 5073) for the relief of Eliza J. Bell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5074) for the relief of Jonathan Y. Bridges—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5075) granting a pension to Louise Paul—to the Committee on Invalid Pensions.

By Mr. MORROW: A bill (H. R. 5076) granting a pension to Joseph Busby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5077) for the relief of Henry R. Crosbie—to the Committee on Claims.

By Mr. SYMES: A bill (H. R. 5078) for the relief of Horace A. W. Tabor—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 5079) for the relief of Edward Rice—to the Committee on Banking and Currency.

Also, a bill (H. R. 5080) for the relief of C. B. Wilson—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 5081) to remove the charge of desertion against Hilton Springsted—to the Committee on Military Affairs.

Also, a bill (H. R. 5082) granting an increase of pension to William E. Wheeler—to the Committee on Pensions.

Also, a bill (H. R. 5083) granting a pension to Mrs. M. P. Felch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5084) for the relief of John C. Johnson—to the Committee on War Claims.

Also, a bill (H. R. 5085) to remove the charge of desertion against Francis A. Land—to the Committee on Military Affairs.

By Mr. GRANGER: A bill (H. R. 5086) for the relief of Michael H. Collins—to the Committee on Patents.

Also, a bill (H. R. 5087) for the relief of James M. Garrison—to the Committee on Military Affairs.

Also, a bill (H. R. 5088) for the relief of Marcia M. Thompson, administratrix of the estate of Abel Thompson, deceased—to the Committee on Patents.

By Mr. C. A. RUSSELL: A bill (H. R. 5089) for the relief of Lewis D. Allen—to the Committee on War Claims.

By Mr. NORWOOD: A bill (H. R. 5090) for the relief of Thomas A. McLaughlin—to the Committee on Claims.

By Mr. H. G. TURNER: A bill (H. R. 5091) to be entitled "An act for the relief of Y. G. Rust"—to the Committee on Claims.

By Mr. CLEMENTS: A bill (H. R. 5092) for the relief of Charles L. Bradwell—to the Committee on War Claims.

Also, a bill (H. R. 5093) for the relief of the estate of R. J. Hilburn, deceased—to the Committee on Claims.

By Mr. GRIMES. A bill (H. R. 5094) for the relief of Henry H. Epping and Alexander M. Brannan, administrators of S. H. Hill—to the Committee on War Claims.

By Mr. CRISP: A bill (H. R. 5095) authorizing the construction of a bridge across the Ocmulgee River, in the State of Georgia, and for other purposes—to the Committee on Commerce.

Also, a bill (H. R. 5096) authorizing the construction of a bridge across Flint River, in the State of Georgia—to the Committee on Commerce.

By Mr. SPRINGER: A bill (H. R. 5097) granting a pension to John E. Lewis—to the Committee on Invalid Pensions.

By Mr. REED: A bill (H. R. 5098) granting a pension to Hannah Babb Hutchens—to the Committee on Invalid Pensions.

By Mr. J. T. JOHNSTON: A bill (H. R. 5099) for the relief of Enols Loyd—to the Committee on Military Affairs.

Also, a bill (H. R. 5100) increasing the pension of Eliza J. Houck, widow of Phillip Houck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5101) granting a pension to William Hutchinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5102) to correct the military record of Joseph L. Ludlow—to the Committee on Military Affairs.

By Mr. T. M. BROWNE: A bill (H. R. 5103) for the relief of James P. Rouch—to the Committee on Military Affairs.

Also, a bill (H. R. 5104) for the relief of John Ross, late captain of Company D, Sixty-ninth Regiment Indiana Volunteers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5105) granting a pension to Melvina Blue—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5106) granting a pension to Henry Sloan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5107) granting a pension to Juriah Lamb—to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 5108) for the relief of William R. Bentley—to the Committee on War Claims.

Also, a bill (H. R. 5109) for the relief of Noah Gaither—to the Committee on War Claims.

Also, a bill (H. R. 5110) for the relief of Phillip Dinser, charged with desertion from the volunteer service—to the Committee on Military Affairs.

By Mr. HAYES: A bill (H. R. 5111) for the relief of Bonaventura Heine—to the Committee on Invalid Pensions.

By Mr. CONGER: A bill (H. R. 5112) for the relief of Josiah M. Davisson—to the Committee on War Claims.

Also, a bill (H. R. 5113) granting condemned ordnance to James H. Ewing Post, Grand Army of the Republic, of Maxwell, Iowa—to the Committee on Military Affairs.

By Mr. PERKINS: A bill (H. R. 5114) granting a pension to Franklin Long—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5115) granting an increase of pension to William H. H. Tyner—to the Committee on Invalid Pensions.

By Mr. PETERS: A bill (H. R. 5116) restoring a pre-emption right to J. A. Pierce—to the Committee on the Public Lands.

Also, a bill (H. R. 5117) restoring a pre-emption right to J. R. Wilhite—to the Committee on the Public Lands.

By Mr. FUNSTON: A bill (H. R. 5118) granting a pension to Theodore Gardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5119) granting a pension to John W. Younger—to the Committee on Invalid Pensions.

By Mr. KERR: A bill (H. R. 5120) granting a pension to Robert J. Gillespie—to the Committee on Invalid Pensions.

By Mr. OWEN: A bill (H. R. 5121) to correct the military record of William Spencer—to the Committee on Military Affairs.

By Mr. TOWNSHEND: A bill (H. R. 5122) for the relief of Daniel D. Doolen—to the Committee on Invalid Pensions.

By Mr. DUNHAM: A bill (H. R. 5123) to increase the pension of Charles Ritchey—to the Committee on Invalid Pensions.

By Mr. McCREARY: A bill (H. R. 5124) for the relief of James I. McKinney, of Lincoln County, Kentucky—to the Committee on War Claims.

Also, a bill (H. R. 5125) for the relief of the heirs of James Clark—to the Committee on War Claims.

Also, a bill (H. R. 5126) for the relief of Alexander Curd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5127) for the relief of George Price—to the Committee on War Claims.

Also, a bill (H. R. 5128) to place the name of James Singleton, of Rock Castle County, Kentucky, on the pension-roll—to the Committee on Pensions.

Also, a bill (H. R. 5129) for the relief of George H. McKinney—to the Committee on War Claims.

Also, a bill (H. R. 5130) for the relief of John Mass—to the Committee on War Claims.

Also, a bill (H. R. 5131) for the relief of H. Manwarring—to the Committee on War Claims.

Also, a bill (H. R. 5132) for the relief of William N. Stephens—to the Committee on Pensions.

Also, a bill (H. R. 5133) to place the name of Sidney Coffey on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5134) to place the name of W. H. Cook on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5135) for the relief of Mary Cann, administratrix of John Cann—to the Committee on War Claims.

By Mr. STONE, of Kentucky: A bill (H. R. 5136) for the relief of Samuel Lancaster—to the Committee on War Claims.

Also, a bill (H. R. 5137) for the relief of Hugh F. McNary, executor of A. C. Thomson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5138) for the relief of Mrs. Elizabeth W. Coleman, widow of Samuel T. Coleman—to the Committee on War Claims.

Also, a bill (H. R. 5139) for the relief of W. Z. T. Smith—to the Committee on War Claims.

Also, a bill (H. R. 5140) for the relief of S. Hodge—to the Committee on War Claims.

By Mr. G. M. THOMAS: A bill (H. R. 5141) for the benefit of Mary Snead—to the Committee on Invalid Pensions.

By Mr. W. C. P. BRECKINRIDGE: A bill (H. R. 5142) for the relief of Florida Kennerly—to the Committee on War Claims.

By Mr. CARUTH: A bill (H. R. 5143) granting a pension to John Burke—to the Committee on Invalid Pensions.

By Mr. FINLEY: A bill (H. R. 5144) for the relief of M. V. B. Sutton, late postmaster at Williamsburgh, Ky.—to the Committee on Claims

Also, a bill (H. R. 5145) granting a pension to George Cochran—to the Committee on Invalid Pensions.

By Mr. WILKINSON: A bill (H. R. 5146) for the relief of the heirs of Maurice Grivot—to the Committee on War Claims.

Also, a bill (H. R. 5147) for the relief of Jean Marie Hiriard—to the Committee on War Claims.

Also, a bill (H. R. 5148) for the relief of the mail contractor on route 30100, New Orleans to Port Eads—to the Committee on Claims.

By Mr. GAY: A bill (H. R. 5149) for the relief of Lehman, Hayem, & Taylor—to the Committee on the Public Lands.

Also, a bill (H. R. 5150) for the relief of the estate of Lucien Goyaux—to the Committee on War Claims.

Also, a bill (H. R. 5151) for the relief of the Bank of Louisiana—to the Committee on War Claims.

Also, a bill (H. R. 5152) for the relief of the legal representatives of Martin Kenofsky—to the Committee on Foreign Affairs.

By Mr. LAGAN: A bill (H. R. 5153) for the relief of Nathan Plummer—to the Committee on Claims.

By Mr. DINGLEY: A bill (H. R. 5154) to increase the pension of Isaac D. Fuller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5155) granting a pension to John S. Bryant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5156) for the relief of Andrew R. G. Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 5157) granting a pension to Mrs. Eliza Bowman—to the Committee on Pensions.

By Mr. COMPTON: A bill (H. R. 5158) to incorporate the Central Cable Railway Company of the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 5159) for the relief of Dr. J. Felix Morgan—to the Committee on War Claims.

By Mr. McCOMAS: A bill (H. R. 5160) for the relief of Daniel S Loy—to the Committee on War Claims.

Also, a bill (H. R. 5161) for the relief of Charles L. Cole—to the Committee on Military Affairs.

Also, a bill (H. R. 5162) granting an increase of pension to R. Stewart Herbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5163) granting a pension to Ernest Barth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5164)to a pension Jeremiah Everly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5165) for the relief of Charles K. Remsberg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5166) granting a pension to Jesse Hyder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5167) for the relief of Frances M. Lambert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5168) granting a pension to Charles Mertens—to the Committee on Invalid Pensions.

By Mr. DAVIS: A bill (H. R. 5169) granting a pension to George Hartford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5170) for the relief of William and John Beattie—to the Committee on Claims.

By Mr. WILLIAM WHITING: A bill (H. R. 5171) for the relief of the heirs of Thomas Warner—to the Committee on Claims.

Also, a bill (H. R. 5172) for the relief of Abel Marshall—to the Committee on Invalid Pensions.

By Mr. C. H. ALLEN: A bill (H. R. 5173) for the relief of James A. McDaniels—to the Committee on Invalid Pensions.

By Mr. COGSWELL: A bill (H. R. 5174) granting a pension to Statira Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5175) granting a pension to Maria C. Smith—to the Committee on Invalid Pensions.

By Mr. FORD: A bill (H. R. 5176) granting a pension to Thomas J. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5177) granting a pension to Pleman Cook—to the Committee on Invalid Pensions.

By Mr. BURROWS: A bill (H. R. 5178) for the relief of Henry S. Sheldin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5179) for the relief of Henry Siyel—to the Committee on Pensions.

By Mr. CUTCHEON: A bill (H. R. 5180) granting a pension to Harding Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5181) to increase the pension of Mrs. Harriet Clifford—to the Committee on Invalid Pensions.

By Mr. TARSNEY: A bill (H. R. 5182) restoring to the pension-roll Lydia M. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5183) granting a pension to David Thuma—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5184) granting a pension to Joseph Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5185) granting a pension to William Wetzel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5186) granting a pension to Erwin Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5187) granting a pension to Zephaniah T. Graham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5188) for the relief of Ida M. Howell—to the Committee on Invalid Pensions.

By Mr. E. P. ALLEN: A bill (H. R. 5189) granting a pension to J. L. Divine—to the Committee on Invalid Pensions.

By Mr. MACDONALD: A bill (H. R. 5190) for the relief of Francisco V. De Coster—to the Committee on Invalid Pensions.

By Mr. NELSON: A bill (H. R. 5191) for the construction of a bridge across the canal entrance to the harbor of Duluth, Minn.—to the Committee on Commerce.

Also, a bill (H. R. 5192) for the construction of a bridge across the Bay of Superior, from Rice's Point to Minnesota Point, in the State of Minnesota—to the Committee on Commerce.

Also, a bill (H. R. 5193) granting an increase of pension to Benjamin Franklin—to the Committee on Invalid Pensions.

By Mr. LIND: A bill (H. R. 5194) for the relief of J. Kaula—to the Select Committee on Indian Depredation Claims.

By Mr. THOMAS WILSON: A bill (H. R. 5195) granting a pension to David W. Seely—to the Committee on Invalid Pensions.

By Mr. J. M. ALLEN: A bill (H. R. 5196) for the relief of Thomas P. Young—to the Committee on War Claims.

By Mr. BURNES: A bill (H. R. 5197) granting a pension to Daniel Downey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5198) for the relief of Francis X. Stuppy—to the Committee on War Claims.

Also, a bill (H. R. 5199) granting a pension to Harriet Carey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5200) granting a pension to Hannah M. Cross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5201) for the relief of D. Foster & Bros.—to the Committee on Claims.

Also, a bill (H. R. 5202) granting a pension to Palestine Broughton—to the Committee on Invalid Pensions.

By Mr. J. J. O'NEILL: A bill (H. R. 5203) to refund to Mrs. E. A. De Marcy $300 on account of loss of similar amount in currency destroyed by fire—to the Committee on Claims.

By Mr. HUTTON: A bill (H. R. 5204) granting a pension to William D. Jamison—to the Committee on Invalid Pensions.

By Mr. HEARD: A bill (H. R. 5205) for the relief of Charles J. B. Childers—to the Committee on War Claims.

Also, a bill (H. R. 5206) for the relief of Mrs. Fanny White, widow of Moses C. White—to the Committee on War Claims.

Also, a bill (H. R. 5207) for the relief of the legal representatives of H. M. Withers—to the Committee on War Claims.

Also, a bill (H. R. 5208) for the relief of Francis Marion Hunter—to the Committee on Invalid Pensions.

By Mr. CLARDY: A bill (H. R. 5209) for the relief of Peter Kumpf—to the Committee on Military Affairs.

By Mr. STONE, of Missouri: A bill (H. R. 5210) for the relief of Philip H. Clear—to the Committee on Claims.

Also, a bill (H. R. 5211) for the relief of Francis M. Lawrence—to the Committee on War Claims.

By Mr. WARNER: A bill (H. R. 5212) for the relief of Andrew J. Newgent—to the Committee on War Claims.

Also, a bill (H. R. 5213) for the relief of William Belbout—to the Committee on Claims.

Also, a bill (H. R. 5214) granting a pension to Henry A. Cozard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5215) to place the name of Thomas Quirk on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5216) granting a pension to George B. Stone—to the Committee on Invalid Pensions.

By Mr. WADE: A bill (H. R. 5217) for the relief of Bennett B. Bailey—to the Committee on War Claims.

By Mr. WARNER: A bill (H. R. 5218) for the relief of E. R. Fry—to the Committee on War Claims.

By Mr. McSHANE: A bill (H. R. 5219) to remove the charge of desertion from Thomas Duval—to the Committee on Military Affairs.

Also, a bill H. R. 5220) for the relief of Jacob Gergens—to the Committee on War Claims.

Also, a bill (H. R. 5221) for the relief of the First National Bank of

Omaha, Nebr., and the Metropolitan National Bank of Leavenworth, Kans.—to the Committee on War Claims.

By Mr. COWLES: A bill (H. R. 5222) for the relief of A. M. Anderson and others—to the Committee on Claims.

By Mr. McSHANE: A bill (H. R. 5223) for the relief of George W. Ira, doctor of medicine—to the Committee on Indian Affairs.

By Mr. DORSEY: A bill (H. R. 5224) granting a pension to Jacob Zannuck—to the Committee on Invalid Pensions.

By Mr. LAIRD: A bill (H. R. 5225) for the relief of R. D. Babcock—to the Committee on Military Affairs.

Also, a bill (H. R. 5226) granting a pension to Robert Reeves—to the Committee on Invalid Pensions.

By Mr. McKINNEY: A bill (H. R. 5227) granting a pension to Thomas F. Leahey—to the Committee on Invalid Pensions.

By Mr. GALLINGER: A bill (H. R. 5228) granting a pension to Clara M. Flanders—to the Committee on Invalid Pensions.

By Mr. KEAN: A bill (H. R. 5229) for the relief of the Stevens Institute of Technology, of Hoboken, N. J.—to the Committee on Ways and Means.

By Mr. PHELPS: A bill (H. R. 5230) granting a pension to James S. Tillson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5231) for the relief of John Jordan—to the Committee on War Claims.

By Mr. PIDCOCK: A bill (H. R. 5232) granting a pension to Andrew Mucklin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5233) granting a pension to William F. Randolph—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5234) granting a pension to Cyrenius G. Stryker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5235) granting a pension to John Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5236) granting an increase of pension to Mary Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5237) granting a pension to Noah S. Cramer—to the Committee on Invalid Pensions.

By Mr. LAIDLAW: A bill (H. R. 5238) to grant relief to Thomas L. Higgins—to the Committee on War Claims.

By Mr. DAVENPORT: A bill (H. R. 5239) for the relief of Maj. Gen. W. W. Averell—to the Committee on Military Affairs.

By Mr. COX: A bill (H. R. 5240) for the payment of Dr. H. B. Matteosian for services as temporary delegate of the United States to the Sanitary Commission at Constantinople from 1874 to 1885—to the Committee on Foreign Affairs.

Also, a bill (H. R. 5241) for the relief of Henry H. Van Dyck, Daniel Butterfield, Charles J. Folger, and Thomas Hillhouse, late assistant treasurers of the United States at New York, N. Y.; and of Charles J. Canda, assistant treasurer of the United States at New York, N. Y.—to the Committee on Ways and Means.

Also, a bill (H. R. 5242) to compensate the United States and Brazil Mail Company for the transportation of United States mails—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 5243) for the relief of the administrators of the estate of Isaac P. Tice, deceased—to the Committee on Claims.

By Mr. PARKER: A bill (H. R. 5244) for the relief of Roswell G. Pettibone—to the Committee on the Post-Office and Post-Roads.

By Mr. GREENMAN: A bill (H. R. 5245) for the relief of Susan A. Lemon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5246) granting a pension to John Godson—to the Committee on Pensions.

Also, a bill (H. R. 5247) granting a pension to William H. Brimmer—to the Committee on Invalid Pensions.

By Mr. CUMMINGS: A bill (H. R. 5248) for the relief of the American Grocer Association, of the city of New York—to the Committee on Claims.

By Mr. WILBER: A bill (H. R. 5249) granting an increase of pension to Charles H. Smith—to the Committee on Invalid Pensions.

By Mr. WEST: A bill (H. R. 5250) for the relief of Mrs. Mary K. Dale—to the Committee on Patents.

Also, a bill (H. R. 5251) for the relief of Andrew Albro—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5252) for the relief of John Krebs—to the Committee on Invalid Pensions.

By Mr. T. D. JOHNSTON: A bill (H. R. 5253) to restore the name of Sarah E. Roberts to the pension-roll—to the Committee on Invalid Pensions.

By Mr. COOPER: A bill (H. R. 5254) granting a pension to Ruth Misner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5255) granting a pension to Annie M. Freeman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5256) granting a pension to Sarah W. Marple—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5257) granting a pension to Margarett M. Dutt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5258) removing the charge of desertion from Theodore F. Cook—to the Committee on Military Affairs.

By Mr. BOOTHMAN: A bill (H. R. 5259) to relieve Jacob Y. Bostalter from the charge of fraudulent enlistment—to the Committee on Military Affairs.

Also, a bill (H. R. 5260) granting Helen Raymond arrears of pension—to the Committee on Invalid Pensions.

By Mr. PUGSLEY: A bill (H. R. 5261) granting a pension to Thomas McClannahan—to the Committee on Invalid Pensions.

By Mr. CROUSE: A bill (H. R. 2562) granting a pension to John A. McGregor—to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 5263) to place the name of James C. Fowler on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5264) to place the name of William S. Ridey on the pension-roll—to the Committee on Invalid Pensions.

By Mr. BUTTERWORTH: A bill (H. R. 5265) for the relief of Chas. H. Nye—to the Committee on Naval Affairs.

Also, a joint resolution (H. Res. 79) for the relief of Caroline M. Seton and Mary J. Sibbald, heirs at law of Charles F. Sibbald, deceased—to the Committee on Claims.

Also, a bill (H. R. 5266) for the relief of R. G. Huston & Co.—to the Committee on Claims.

By Mr. HERMANN: A bill (H. R. 5267) for the relief of Thomas Guinean for land entry canceled—to the Committee on the Public Lands.

Also, a bill (H. R. 5268) to provide for the payment to Henry Shepard of the amount allowed to him by the Commissioner of Indian Affairs—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 5269) for the relief of Wyatt Harris for property taken by Confederate officers while he was a prisoner of war in the late civil war—to the Committee on War Claims.

Also, a bill (H. R. 5270) for the relief of Henry H. Wheeler for property destroyed by Indians—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 5271) to pay Joseph Russell, of Coos County, Oregon, $310 for property destroyed by hostile Indians in Oregon in 1855 and 1856—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 5272) for the relief of J. R. Frierson for claims arising during the late war—to the Committee on War Claims.

Also, a bill (H. R. 5273) for the relief of Hadley Hobson for beef furnished during Oregon Indian wars—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 5274) for the relief of H. B. Oatman for Indian depredations—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 5275) providing a pension for Alexander H. Snyder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5276) granting an increase of pension to William H. Bramlett—to the Committee on Invalid Pensions.

By Mr. BUNNELL: A bill (H. R. 5277) to remove the charge of desertion from the record of Russell S. Thurston—to the Committee on Military Affairs.

Also, a bill (H. R. 5278) to refund money to David A. Compton, erroneously paid by him to the United States as a drafted man—to the Committee on Claims.

Also, a bill (H. R. 5279) granting a pension to Mary A. Teel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5280) for the relief of the heirs of Percival Powell—to the Committee on Claims.

Also, a bill (H. R. 5281) to pension Dilos P. Kapp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5282) granting a pension to John Manning—to the Committee on Invalid Pensions.

By Mr. ERMENTROUT: A bill (H. R. 5283) for the relief of David B. McKibbin—to the Committee on Military Affairs.

Also, a bill (H. R. 5284) increasing pension of Sophia Schimmelfening, widow of Alexander Schimmelfening, late brigadier-general and major-general by brevet—to the Committee on Pensions.

By Mr. CHARLES O'NEILL: A bill (H. R. 5285) for the relief of Reaney, Son & Archbold—to the Committee on War Claims.

Also, a bill (H. R. 5286) granting a pension to Mrs. Catharine S. McMahan—to the Committee on Invalid Pensions.

By Mr. ATKINSON: A bill (H. R. 5287) for the relief of John M. Querry and others—to the Committee on Military Affairs.

Also, a bill (H. R. 5288) for the relief of John M. Querry—to the Committee on Military Affairs.

By Mr. HIESTAND: A bill (H. R. 5289) to remove the charge of desertion from the record of Jacob A. Coble—to the Committee on Military Affairs.

By Mr. SCULL: A bill (H. R. 5290) for the relief of Martin L. Miller—to the Committee on Claims.

Also, a bill (H. R. 5291) for the removal of the charge of desertion from the military record of William Bagley—to the Committee on Military Affairs.

Also, a bill (H. R. 5292) for the removal of the charge of desertion from the military record of James Fisher—to the Committee on Military Affairs.

By Mr. LYNCH: A bill (H. R. 5293) for the relief of Samuel E. Bryant—to the Committee on Claims.

By Mr. ARNOLD: A bill (H. R. 5294) for the relief of James W. McKachnay—to the Committee on Military Affairs.

Also, a bill (H. R. 5295) granting a pension to William O. Crandall—to the Committee on Invalid Pensions.

By Mr. STONE, of Kentucky: A bill (H. R. 5296) granting a pension to Azariah Rice—to the Committee on Invalid Pensions.

By Mr. SPOONER, a bill (H. R. 5297) granting a pension to James Mallon—to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 5298) granting a pension to Mary M. Smith, of Tennessee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5299) granting a pension to Lieut. John R. Shults—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5300) granting a pension to Nancy Tipton, of Tennessee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5301) granting a pension to Robert P. Faubion—to the Committee on Invalid Pensions.

By Mr. ENLOE (by request): A bill (H. R. 5302) to correct the military record of George W. Moss—to the Committee on Military Affairs.

By Mr. PHELAN: A bill (H. R. 5303) for the relief of James H. Smith, late postmaster at Memphis, Tenn.—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 5304) for the relief of Lucinda McGuire—to the Committee on War Claims.

Also, a bill (H. R. 5305) for the relief of Sarah A. Etchevarne—to the Committee on Claims.

By Mr. WHITTHORNE: A bill (H. R. 5306) to amend an act entitled "An act to incorporate the Capitol, North O Street and South Washington Railway Company," approved March 3, 1875—to the Committee on the District of Columbia.

By Mr. NEAL: A bill (H. R. 5307) to restore the name of George W. Holland to the pension-roll—to the Committee on Invalid Pensions.

By Mr. WASHINGTON: A bill (H. R. 5308) for the relief of the legal representatives of Henry S. French, deceased—to the Committee on War Claims.

By Mr. MARTIN: A bill (H. R. 5309) for the relief of W. B. Morrow—to the Committee on War Claims.

By Mr. CHARLES STEWART: A bill (H. R. 5310) for the relief of Arthur C. Tompkins, late postmaster at Hempstead, Tex.—to the Committee on Claims.

By Mr. GROUT: A bill (H. R. 5311) granting a pension to Alured H. Gregory—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5312) granting a pension to Reuben Spaulding—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5313) granting an increase of pension to William H. H. Buck—to the Committee on Invalid Pensions.

By Mr. LEE: A bill (H. R. 5314) to authorize the Independent Automatic Portable Gas Works, of Washington, D. C., to construct gas works, lay down pipes, manufacture and sell gas, and for other purposes—to the Committee on the District of Columbia.

Also, a bill (H. R. 5315) for the relief of Louisa Kearney—to the Committee on War Claims.

By Mr. O'FERRALL: A bill (H. R. 5316) for the relief of George R. Mayhew—to the Committee on Military Affairs.

By Mr. BOWDEN: A bill (H. R. 5317) granting a pension to Martha Ballard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5318) granting a pension to William Randall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5319) granting a pension to Brice Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5320) granting a pension to Anthony Baughman—to the Committee on Invalid Pensions.

By Mr. SNYDER: A bill (H. R. 5321) to reimburse Albert Traub, late lieutenant Twenty-eighth Ohio Volunteer Infantry, for moneys expended by him for the subsistence of troops—to the Committee on War Claims.

By Mr. W. L. WILSON: A bill (H. R. 5322) providing for the payment of the amounts due the employés in and the contractors who furnished castings to the United States Armory at Harper's Ferry, Va., from January 1, 1861, to April 19, 1861, inclusive—to the Committee on Military Affairs.

By Mr. GUENTHER: A bill (H. R. 5323) to quiet title to certain land in the city of Washington, D. C.—to the Committee on the District of Columbia.

By Mr. CLARK: A bill (H. R. 5324) for the relief of Peter Mitchell, jr.—to the Committee on Invalid Pensions.

By Mr. HENRY SMITH: A bill (H. R. 5325) granting a pension to Corydon Millard—to the Committee on Invalid Pensions.

By Mr. O. B. THOMAS: A bill (H. R. 5326) to remove the charge of desertion from the military record of A. M. Stratton—to the Committee on Military Affairs.

By Mr. M. A. SMITH: A bill (H. R. 5327) for the relief of John H. Marion—to the Committee on Claims.

Also, a bill (H. R. 5328) for the relief of A. E. De Corse and J. H. Taggart, doctors of medicine—to the Committee on Claims.

By Mr. GIFFORD: A bill (H. R. 5329) for the relief of Reuben Tomler—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 5330) for the relief of Maria Black—to the Committee on War Claims.

By Mr. JOSEPH: A bill (H. R. 5331) for the relief of H. H. Kidder, assignee—to the Select Committee on Indian Depredation Claims.

Also, a joint resolution (H. Res. 80) authorizing and directing the Secretary of the Interior to pay W. S. Harroun, M. D., of Santa Fé, N. Mex., for medical services rendered to the pupils of the Ramona Indian school in said Territory—to the Committee on Indian Affairs.

Also, a bill (H. R. 5332) for the relief of Mrs. Ella P. Murphy—to the Select Committee on Indian Depredation Claims.

By Mr. VOORHEES: A bill (H. R. 5333) for the relief of Alexander S. Hughes—to the Committee on War Claims.

Also, a bill (H. R. 5334) granting a pension to Robert D. Fuqua—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5335) for the relief of Thomas J. Miller—to the Committee on War Claims.

Also, a bill (H. R. 5336) for the relief of George B. Hansell—to the Committee on Claims.

Also, a bill (H. R. 5337) for the relief of Dennis Storrs, Marian Minnick, Fritz Dibberin, Donald McDonald, and Daniel Hines—to the Committee on Claims.

Also, a bill (H. R. 5338) confirming title in certain lands to Rufus G. Newland—to the Committee on Private Land Claims.

Also, a bill (H. R. 5339) for the relief of William K. Griffith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5340) to place the name of Robert Williams on the retired-list of enlisted men—to the Committee on Military Affairs.

By Mr. PHELPS: A bill (H. R. 5341) granting a pension to Rose Taylor—to the Committee on Invalid Pensions.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. E. P. ALLEN: Petition of the gold and silver beaters of the United States for an increase of duty on certain articles—to the Committee on Ways and Means.

Also, resolutions of the National Sheep Breeders' Association at Jackson, Mich., December 14 and 15, 1887—to the Committee on Ways and Means.

By Mr. J. M. ALLEN: Petition of Evaline J. Dilworth, of William H. Dodson, and of S. H. Simmins, executor of William Martin, deceased, of Alcorn County; and of F. R. Willet, administrator of R. U. Willett, of Tishomingo County, Mississippi, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. ARNOLD: Two petitions of citizens of the second district of Rhode Island, for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. C. S. BAKER: Petition of Hon. Herman Glass and other citizens of Greece, Monroe County, New York, for reform in postal regulations—to the Committee on the Post-Office and Post-Roads.

By Mr. BANKHEAD: Petition of Miles B. Hassell, of Fayette County, Alabama, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. BARRY: Petition of Jesse Read, executor of John Read, of Montgomery County; of C. W. Telfuor, heir of James D. Telfuor, of Yalobusha, and of Samuel H. Miller, of Yalobusha County, Mississippi, for reference of their claim to the Court of Claims—to the Committee on War Claims.

By Mr. BAYNE: Paper of the Coal Exchange of Pittsburgh, Pa., for liberal appropriation for the Signal Service—to the Committee on Appropriations.

By Mr. BLISS: Petition of Richard Croker and other citizens of New York, for a pension for John F. Hagan—to the Committee on Invalid Pensions.

By Mr. BOOTHMAN: Petition of Rosa Sperth, for a pension—to the Committee on Invalid Pensions.

By Mr. BREWER: Petition of A. H. Heath, Wesley Emery, and 12 others, citizens of Lansing, Mich., in favor of a postal telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. C. E. BROWN: Petition of the gold and silver beaters of the United States, for an increased duty on certain articles—to the Committee on Ways and Means.

Also, petition of Pork Packers' Association of Cincinnati, Ohio, relative to lard adulteration—to the Committee on Agriculture.

By Mr. BRYCE: Petition of the New York Mercantile Exchange, protesting against the repeal or modification of the oleomargarine law—to the Committee on Agriculture.

By Mr. BUNNELL: Resolutions of citizens of Philadelphia, Pa., against the admission of Canadian fish free of duty—to the Committee on Ways and Means.

By Mr. BUTTERWORTH: Petition of widow of Johanna Schiff, for a pension—to the Committee on Invalid Pensions.

Also, petition of Thomas Echlepp, for a pension—to the Committee on Invalid Pensions.

Also, petition of William B. Furman and others, for relief in regard to lands in Arkansas—to the Committee on the Public Lands.

Also, petition of gold and silver beaters of the United States, for an increased duty on certain articles—to the Committee on Ways and Means.

Also, petition of Mary E. Brown, widow of Lewis Brown, for relief—to the Committee on Invalid Pensions.

Also, memorial to accompany bill for relief of Sarah K. McLean, widow of Maj. N. H. McLean—to the Committee on Military Affairs.

Also, petition of the Pork Packers' Association of Cincinnati, Ohio, in favor of a law defining lard and taxing adulterations thereof—to the Committee on Ways and Means.

By Mr. BURROWS: Petition of 69 citizens, of 63 citizens, and of 83 citizens, of Fourth district of Michigan, for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. CATCHINGS: Petition of Mrs. Susan Wilson, of Warren County, Mississippi, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. CLARK: Petition of 68 citizens of the Sixth district of Wisconsin, for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. CLEMENTS: Petition of Thomas Lumpkin, of Floyd County; heirs of Henry Prichard, Whitefield County; of heir of Gilbert Cone, of Floyd County; of Samuel Phurr; of Oscen T. Perry; of Andrew J. Moore; of administrator of Hugh M. Mills; of the administrator of John Horn; of W. Harper; of heirs of Thomas Dickson, and of James Harlow, of Chattooga County, Georgia—for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, petition of John H. Roberts and of Robert M. Goodman, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. COGSWELL: Petition of David Crowell and others, for the improvement of Beverly Harbor, Massachusetts—to the Committee on Rivers and Harbors.

Also, petition of Ropes, Emmerton & Co. and others, for the improvement of Salem Harbor—to the Committee on Rivers and Harbors.

By Mr. COMPTON: Petition of residents of the District of Columbia, urging the passage of House bill No. 1184—to the Committee on the District of Columbia.

Also, petition asking for the passage of House bill No. 2017—to the Committee on the District of Columbia.

By Mr. CONGER: Petition of citizens of Newbern, Marion County, Iowa, for the reissue of fractional currency—to the Committee on Banking and Currency.

By Mr. COOPER: Petition of Annie M. Freeman, widow of Thompson Freeman, for a pension—to the Committee on Invalid Pensions.

Also, petition of Ruth Misner and others, for pension to Ruth Misner—to the Committee on Invalid Pensions.

Also, petition of John W. Hall, for pension to Emeline Beam—to the Committee on Invalid Pensions.

Also, memorial of General G. W. Morgan, for a pension for Mrs. Emeline Beam—to the Committee on Invalid Pensions.

By Mr. COTHRAN: Petition of Perrin O'Dell, of South Carolina, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. COX: Memorial in the case of Dr. H. B. Mathosian—to the Committee on Foreign Affairs.

Also, memorial of the Smithsonian Institution, as to printing reports—to the Committee on Printing.

By Mr. CUTCHEON: Petition of citizens of Manistee County, Michigan, for a survey of the entrance to Bar Lake, on Lake Michigan, with reference to its improvement—to the Committee on Rivers and Harbors.

Also, petition of citizens of the Ninth district of Michigan, for prohibition of the liquor traffic in the District of Columbia—to the Committee on the District of Columbia.

By Mr. DARLINGTON: Petition of John W. Armstrong, for a pension—to the Committee on Invalid Pensions.

By Mr. R. H. M. DAVIDSON (by request): Petition of M. S. Elkin, of Tallahassee, Fla., for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. DINGLEY: Petition of 179 citizens of the District of Columbia; of 18 citizens of Thomaston, Me., for the passage of a bill prohibiting sale of intoxicating liquors as a beverage in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of W. A. Robinson and others, of Auburn, Me., for amendment of laws relating to printed or written matter on wrappers of fourth-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. DUBOIS: Memorial of the directors of the Board of Trade of Boisé City, Idaho, for an appropriation for the improvement of the Boisé barracks—to the Committee on Military Affairs.

Also, protest of the Board of Trade of Boisé City, against the reduction of the duty on lead—to the Committee on Ways and Means.

Also, protest of 200 citizens of Cassia County, Idaho Territory, against any division of said Territory—to the Committee on the Territories.

By Mr. DUNHAM: Petition of Charles Ritchie, for increase of pension—to the Committee on Invalid Pensions.

By Mr. ELLIOTT: Petition of G. W. Parker and others, for the improvement of the Congaree River—to the Committee on Rivers and Harbors.

By Mr. ENLOE: Petition of B. J. Young, of Henderson County, and of Robert H. Gillespie, of McNairy County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. ERMENTROUT: Petition of mill owners, loggers, and citizens of Oregon and Washington Territory, aganst the importation of lumber free—to the Committee on Ways and Means.

Also, memorial of Carl Stierlin, for refunding income tax to soldiers of the United States Army—to the Committee on Ways and Means.

Also, memorial of Marcus A. Reno, for relief—to the Committee on Military Affairs.

Also, memorial of the New York Mercantile Exchange, protesting against repeal or modification of the oleomargarine law—to the Committee on Agriculture.

Also, papers in the case of Sophia Schimmelfiennig, for relief—to the Committee on Invalid Pensions.

By Mr. FORD: Petition of Thomas J. Parker, for a pension—to the Committee on Invalid Pensions.

By Mr. FORNEY: Petition of citizens of North Alabama, for the abolition of the internal-revenue tax on fruit brandies—to the Committee on Ways and Means.

Also, petition of widow of Joseph Dill, of St. Clair County, Alabama, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. FUNSTON: Petition of citizens of Douglas County, Kansas, for reduction of postage on seeds, cuttings, bulbs, scions, etc.—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Douglas County, Kansas, for issuing of postal currency—to the Committee on Banking and Currency.

By Mr. GALLINGER: Petition of the gold and silver beaters of the United States, for an increased duty on certain articles—to the Committee on Ways and Means.

By Mr. GEST: Petition of 109 citizens of the Eleventh district of Illinois, for prohibition in District of Columbia—to the Committee on the District of Columbia.

Also, resolutions of the board of supervisors of Mercer County, Illinois, in favor of House bills 4792 and 6409 of the Forty-ninth Congress—to the Committee on the Public Lands.

By Mr. GIBSON: Papers in the claim of Pleman Cook, Company D, Sixth Ohio Cavalry, for a pension—to the Committee on Invalid Pensions.

By Mr. GIFFORD: Memorial of the teachers and superintendents of North Dakota, for legislation to protect school lands from trespassers—to the Committee on the Public Lands.

By Mr. GLASS: Petition of Miss Sallie Ann Overall, formerly Richardson, for relief—to the Committee on War Claims.

By Mr. GUENTHER: Petition of citizens of Fond du Lac, Wis., for an appropriation of $35,000 to improve the navigation of Fond du Lac River—to the Committee on Rivers and Harbors.

By Mr. HAUGEN: Protest of Cigar-makers' Union of Eau Claire, Wis., against the repeal of the internal revenue on cigars—to the Committee on Ways and Means.

By Mr. HAYES: Petition of Bonaventura Heinz, for relief—to the Committee on Pensions.

Also, petition of B. F. Kauffman, for relief—to the Committee on the Judiciary.

By Mr. D. B. HENDERSON: Petition of citizens of Manorville, Pa., for a pension to Lewis Fichthorn by special act—to the Committee on Invalid Pensions.

By Mr. T. J. HENDERSON: Petition of Andrew Smith and others, citizens of Spring Valley, Bureau County, Illinois, for the establishment of a national system of telegraphy to be operated in connection with the Post-Office Department—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of citizens of Bureau County, Illinois, for the passage of certain bills relating to swamp lands—to the Committee on the Public Lands.

By Mr. HERMANN: Protests of 198 mill-owners, loggers, and employés, citizens of Oregon and Washington Territory, against the disturbance of the tariff on lumber—to the Committee on Ways and Means.

Also, petition and papers in the case of John Wesley Redfield, for relief—to the Select Committee on Indian Depredation Claims.

By Mr. HIESTAND: Memorial of S. S. Turner, assistant surgeon, United States Army, for relief of certain assistant surgeons—to the Committee on Military Affairs.

By Mr. HOOKER (by request): Petition of Rachael Morgan, mother of Louis Dixon, late private Company A, Ninth Regiment Colored Infantry, for relief—to the Committee on Invalid Pensions.

By Mr. JACKSON: Petition of Rev. W. M. Taylor and 27 others,

citizens of Mount Jackson, Pa., against the admission of Utah as a State—to the Committee on the Territories.

Also, petition of the gold and silver beaters of the United States, for an increased duty on certain articles—to the Committee on Ways and Means.

Also, petition of Miss E. Hice and 107 others, citizens of Beaver County, Pennsylvania, in favor of prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. J. T. JOHNSTON: Petition of C. H. Arthur and others, for the refunding of certain taxes paid—to the Committee on Claims.

By Mr. JOSEPH: Petition of citizens of the Territory of New Mexico, for the creation of the Los Vegas land district in said Territory—to the Committee on the Public Lands.

Also, petition of citizens of San Juan County, New Mexico, asking that the creation of the said county by the Twenty-seventh Assembly of the Territory of New Mexico be ratified—to the Committee on the Territories.

Also, memorial of citizens of New Mexico to set aside certain act of the Twenty-seventh Assembly of the Territory of New Mexico—to the Committee on the Territories.

By Mr. KEAN: Petition of the trustees of Stevens Institute of Technology, of Hoboken, N. J., for the return of the amount paid as a succession tax in the year 1870—to the Committee on Ways and Means.

By Mr. LAIRD: Petition of Hezekiah B. Reed, for special-act pension—to the Committee on Invalid Pensions.

By Mr. LANHAM: Petition of the Woman's Christian Temperance Union of Texas for certain temperance legislation—to the Committee on the Alcoholic Liquor Traffic.

By Mr. LAWLER: Petition of A. Folsom, of Chicago, Ill., for compensation for property destroyed while in the military service of the United States—to the Committee on War Claims.

Also, resolution of the Meat and Pastry Cooks' Assembly, of Chicago, Ill., in reference to the postal-telegraph bill—to the Committee on the Post-Office and Post-Roads.

By Mr. LODGE: Papers in the case of Thomas Ferrall, of Jos. L. Young, and of Adelaide L. Jessup, for relief—to the Committee on Invalid Pensions.

By Mr. McCORMICK: Petition of 157 citizens of the Sixteenth district of Pennsylvania, against the admission of Utah with polygamy—to the Committee on the Territories.

By Mr. McKENNA: Petition of citizens of the Third district of California, for the ownership of telegraph lines by the Government—to the Committee on the Post-Office and Post-Roads.

By Mr. MILLS: Petition of John T. Moore, of Mississippi, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. MORGAN: Petition of the administratrix of R. D. Fort, deceased, of De Soto County, Mississippi, for reference of his case to the Court of Claims—to the Committee on War Claims.

By Mr. MORRILL: Petition of D. H. Mitchell, for the passage of a bill for his relief—to the Committee on War Claims.

By Mr. MORROW: Petition of Charles Nelson and others, for grant of an American registry to the wrecked bark Nordstjernen—to the Committee on Merchant Marine and Fisheries.

Also, petition of mill-owners and others of Oregon and Washington Territory, in reference to changes in existing tariff on lumber—to the Committee on Ways and Means.

By Mr. MORSE. Petition of 23 wholesale dealers in salted fish, of Boston, Mass., praying that fish be placed on the free-list—to the Committee on Ways and Means.

By Mr. NEAL: Petition for the restoration of George W. Holland, late private Company I, Third Tennessee Volunteers, to the pension-rolls—to the Committee on Invalid Pensions.

Also, memorial of Typographical Union No. 111, of Knoxville, Tenn., asking that the employés of the Government Printing Office be paid at the rate existing prior to March 4, 1877—to the Committee on Labor.

Also, petition of the administrator of Mary Worthington, and of the administrators of Samuel McReynolds, of Bledsoe County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. NELSON: Petition of citizens of Hubbard County, Minnesota, for a system of postal telegraphy—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Minnesota Historical Society, in favor of continuing the Coast and Geodetic Survey—to the Committee on Appropriations.

Also, two petitions of citizens of the Fifth district of Minnesota, for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. NEWTON: A bill appropriating $30,000 for the improvement of Little River in Louisiana—to the Committee on Rivers and Harbors.

Also, a bill appropriating $100,000 for the improvement of Black River in Louisiana—to the Committee on Rivers and Harbors.

By Mr. NORWOOD: Petition of C. V. Neidlinger, and of Samuel Neidlinger, of Effingham County, Georgia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, a bill for the improvement of the river and harbor of Savannah, Ga.—to the Committee on Rivers and Harbors.

By Mr. O'FERRALL: Petition of Eakle & Jones and other citizens and business men of Staunton, Va., for placing salt on the free-list—to the Committee on Ways and Means.

Also, petition of estate of John R. Keagy, of Rockingham County, Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, petition of George R. Mayhew, private in Company F, Eighth New York Volunteers, for relief—to the Committee on Military Affairs.

By Mr. PARKER: Petition of citizens of Ogdensburgh, N. Y., for the removal of the bar to arrears of pensions—to the Committee on Invalid Pensions.

Also, petition of citizens of Watertown, N. Y., for a public building—to the Committee on Public Buildings and Grounds.

By Mr. PEEL: Petition of F. E. Hardwick, of Benton County, Arkansas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. PERKINS: Petition and affidavits of citizens in support of the bill for the relief of Nancy E. Spencer—to the Committee on Invalid Pensions.

By Mr. PHELAN: Petition of Thornton G. Ladd, of Tipton County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. REED: Memorial of the Maine State Grange, in favor of the bill for the protection of forests—to the Committee on Agriculture.

By Mr. RICHARDSON: Petition of Joab Banks, of Susie B. Baxter, of administrator of Elizabeth T. Phillips, of Franklin County; of W. A. Black, of Bedford County; of H. H. T. Carber, and of W. L. Burrus, of Rutherford County, Tennessee, for reference of their claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROGERS: Petition of Jonathan Y. Bridges, for special-act pension—to the Committee on Invalid Pensions.

Also, two petitions of the Women's Christian Temperance Union of Arkansas, for temperance legislation—to the Select Committee on the Alcoholic Liquor Traffic.

Also, petition of David Bender, of Pulaski County, and of Michael McNally, of Sebastian County, Arkansas, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. ROMEIS: Petition of Charles Young and 80 others, citizens of Fremont, Ohio, protesting against the repeal of the oleomargarine law—to the Committee on Agriculture.

By Mr. ROWLAND: Petition of Archibald S. McNeill, of Richmond County, North Carolina, for reference of his claim for property taken during the war to the Court of Claims—to the Committee on War Claims.

By Mr. SIMMONS: Petition of Edward H. Barnum and Mary A. Russell, heirs of Charles H. Barnum; and of Benjamin L. Bryan, of North Carolina, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. SMITH: Petition of Mary Shanks, for relief—to the Committee on Claims.

By Mr. SPOONER: Petition of James Mallon, for a pension—to the Committee on Invalid Pensions.

By Mr. SPRINGER: Letter of William Barry, of Chicago, in reference to bill to establish a court of appeals—to the Committee on the Judiciary.

By Mr. J. D. STEWART: Petition of Ambrose Chewing, of De Kalb County, and of Creel, of Clayton County, Georgia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. SYMES: Petition for the establishment of a land office at Akron and at Sterling, Colo.—to the Committee on the Public Lands.

Also, petition of William E. Wheeler for increase of pension—to the Committee on Invalid Pensions.

By Mr. TARSNEY: Petition of William Bolton and others, citizens of Michigan, for a national system of telegraphing—to the Committee on the Post-Office and Post-Roads.

By Mr. O. B. THOMAS: Petition of 70 citizens of the Seventh district of Wisconsin, for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. T. L. THOMPSON: Petition of Catherine A. Schafer, of Shasta County, California, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. VANDEVER: A bill for the construction of a breakwater at or near Wheless Reef, in the harbor of San Luis Obispo, Cal.—to the Committee on Rivers and Harbors.

By Mr. WASHINGTON: Petition of John J. McEwen, of W. C. Hull, of executor of William Edmonston, of Henry L. Porch, of Davidson County, Tennessee, and of Ann B. Armstrong, Robertson County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WEST: Petition of Thomas E. Allen and other citizens of New York, for additional pension legislation—to the Committee on Invalid Pensions.

By Mr. WHEELER: Memorial of Daniel Ruggles, for an appropriation of $100,000 to develop his system of precipitating rainfall and resisting cyclones and tornadoes—to the Committee on Appropriations.

By Mr. J. B. WHITE: Petition of 20 ex-soldiers of Albion, Ind., for the passage of a general pension law—to the Committee on Invalid Pensions.

By Mr. WHITTHORNE: Petition of certain rear-admirals of the United States Navy, to allow the pay of rear-admirals to commodores while acting as rear-admirals—to the Committee on Naval Affairs.

Also, petition of Henry N. Lee, for amendment of the pension laws—to the Committee on Invalid Pensions.

By Mr. WILBER: Several petitions of the Society of Ladies of the Women's Christian Temperance Union of Herkimer County, New York, for the protection of young girls in the District of Columbia and other places—to the Committee on the Judiciary.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. C. L. ANDERSON: Of S. R. Hinton and others, citizens of Hamlet, Jasper County, Mississippi.

By Mr. ATKINSON: Of citizens of Aline, Pa., and of citizens of Colfax, Pa.

By Mr. J. R. BROWN: Of S. P. Hickman and others, of Franklin and other counties; of citizens of Copper Hill; of citizens of Virginia.

By Mr. BUTLER: Of citizens of Nola Chucky, Washington County; of citizens of Painter, Greene County; of citizens of Pandora, Johnson County; and of citizens of Cedar Lane, Greene County, Tennessee.

By Mr. CANDLER: Of citizens of Rabun County, Georgia.

By Mr. CLEMENTS: Of Cephus Stradley and others, of Whitfield County; of A. Wyatt and others, of Georgia; of J. F. Shaw and others, of Fricke's Gap, Ga.; of L. M. Nofier and others, of Coweta County; of J. O. McDaniels and others, of Allatoona, Bartow County, and of W. H. Baily and others, of Powder Springs, Ga.

By Mr. COBB: Of Albert Keilly and others, of Indiana.

By Mr. COOPER: Of citizens of Lucerne, Knox County, Ohio.

By Mr. COWLES: Of citizens of Purlear's Creek, Wilkes County; of citizens of Mount Zion, Wilkes County; of citizens of Sweet Water, Watauga County; of citizens of North Carolina; of citizens of Lewis Fork, Wilkes County; of citizens of Wittenberg, Alexander County; of citizens of Swanner, Alexander County; of citizens of Edwards Cross Roads, Alleghany County; of citizens of Nettle Knob, Ashe County; of citizens of Cedar Run, Alexander County; of citizens of Cherry Lane, Alexander County; of citizens of White Head, Alleghany County; and of citizens of North Carolina; of citizens of Hooker, Alleghany County; of citizens of North Carolina; and of citizens of North Carolina.

By Mr. CUTCHEON: Of citizens of Oceana County, Michigan.

By Mr. DOCKERY: Of citizens of Clay County, Missouri.

By Mr. DUNN: Of citizens of King's Mills, Sharp County, Arkansas.

By Mr. ENLOE: Of A. Daniel and others, of Norwood, Madison County, Tennessee.

By Mr. ERMENTROUT: Of Ezra F. Leison and others, of Krick's Mill, Berks County, Pennsylvania.

By Mr. FINLEY: Of Charner Johnson and other citizens.

By Mr. GLASS: Of citizens of Woodville, Haywood County, Tennessee.

By Mr. GRIMES: Of J. W. Cook, postmaster, Strickland, and others of Houston, Heard County, Georgia.

By Mr. GROSVENOR: Of E. P. Rodgers and 43 others, of Tilmore, Ohio.

By Mr. GRANT: Of E. J. Prince and 43 others, of South Randolph, Vt.

By Mr. HERBERT: Of Hartwell Harrington, James C. Garrett, and others, citizens of Alabama.

By Mr. HERMANN: Of citizens of Irving, Lane County; of Farmington, Washington County; of citizens of Eagle Creek, Clackamas County; of citizens of George, Clackamas County; of citizens of Waldo, Josephine County; of citizens of Elkton, Douglas County; of citizens of Lowell, Lane County; of citizens of Foster, Umatilla County; of citizens of Marmot, Clackamas County; of citizens of Warren, Columbia County; of citizens of Olalla, Douglas County, of citizens of Chadwell, Clatsop County; of citizens of Peoria, Linn County; of citizens of Long Tom, Lane County; of citizens of Lucky Queen, Josephine County; of citizens of Goshen, Lane County, and of citizens of Dell, Oregon.

By Mr. T. D. JOHNSTON: Of C. M. Jarrett and others, of Cataloochee, Haywood County, North Carolina.

Also, of R. H. Penland and others, of Depot, Haywood County, North Carolina.

By Mr. McCLAMMY: Of citizens of Alderman; of Robin Hill, Cumberland County; of Winder, Moore County, and of Barclaysville, Harnett County, North Carolina.

By Mr. McCORMICK: Of citizens of Tomb's Run, Lycoming County; of citizens of Collinsville, Lycoming County, Pennsylvania, and of citizens of Charleston, Tioga County, Pennsylvania.

By Mr. McRAE: Of citizens of Buena Vista, Ouachita County, and others, of Ware, Ark.

By Mr. MAISH: Of citizens of Round Hill, Adams County, Pennsylvania.

By Mr. NEAL: Of E. R. Amis and others, of King's Point, Hamilton County; of W. R. Bayless and others, of Tellico Plains, Monroe County; of Morris Harrison and others, of Ipe, Monroe County, and of R. T. Short and others, of Hunnicutt, Morgan County, Tennessee.

By Mr. NEWTON: Of citizens of Cuba, Ouachita Parish, and of citizens of Downsville, La.

By Mr. NICHOLS: Of citizens of Leachburg, Johnson County, North Carolina, and of citizens of Falls, Wake County, North Carolina.

By Mr. O'FERRALL: Of citizens of White Hall, Frederick County, Virginia.

By Mr. ROBERTSON: Of W. L. Pendegrass, Burlin Starns, and others, of Livingston Parish, Louisiana.

By Mr. ROGERS: Of citizens of Enterprise, Sebastian County, Arkansas; of Chula, and of Dayton, Sebastian County, Arkansas.

By Mr. ROWLAND: Of citizens of Hoods, Mecklenburgh County, and of citizens of Waterloo, Union County, North Carolina.

By Mr. RYAN: Of citizens of Kenyon, Chase County, Kansas.

By Mr. SCULL: Of citizens of Pavia, Bedford County, and of citizens of Lutzville, Bedford County, Pennsylvania.

By Mr. SIMMONS: Of citizens of Essex, Halifax County; of W. A. Jones and others, Pink Hill, Lenoir County; B. B. Berry and others, of Pollo Kintle, Jones County, and of J. D. Bullock and others, of Conetoe, Edgecombe County, North Carolina.

By Mr. STONE, of Kentucky: Of citizens and others of Swan, Graves County, Kentucky.

By Mr. H. G. TURNER: Of N. F. Mercer and others, of Mercer's Mills, Ga.

By Mr. VANDEVER: Of 72 citizens of the Sixth district of California.

By Mr. WALKER: Of T. B. Drum and others, of Sedgwickville, Mo.

By Mr. WASHINGTON: Of L. L. Skelton and others, of Yellow Creek, Houston County; of Samuel L. Crews and others, of Madison, Davidson County, Tennessee.

By Mr. J. B. WHITE: Of citizens of Allen County; of citizens of Gar Creek, Allen County, of citizens of Allen County; of citizens of Allen County, and of citizens of Allen County, Indiana.

By Mr. WHITTHORNE: Of Miss Mattie Rothrock and others, of Brick Church, Giles County, Tennessee, and of J. Y. Austin, of Wayne County, Tennessee.

Also, of A. O. Montague and others, of Wayne County, Tennessee.

By Mr. WICKHAM: Of D. F. Motter and others, of Oliverburgh, Richland County, Ohio.

By Mr. WISE: Of citizens of Curl's Wharf, Henrico County; of citizens of Erin Shades, Henrico County; of citizens of Irwin, Goochland County, Virginia.

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## SENATE.

### TUESDAY, *January* 17, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

FOREIGN MAIL PARCELS.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a letter from the Postmaster-General, in reply to a resolution of the Senate adopted on the 9th of January, to which the Chair calls the attention of the Senator from Massachusetts [Mr. HOAR]. The communication will be read.

The Chief Clerk read as follows:

POST-OFFICE DEPARTMENT,
OFFICE OF THE POSTMASTER-GENERAL,
*Washington, D. C., January* 14, 1888.

SIR: I have the honor to acknowledge receipt of a certified copy of the following resolution, adopted by the Senate on the 9th of January, instant, namely:

"*Resolved*, That the Postmaster-General be directed to inform the Senate what length of time books and other parcels received by mail from foreign countries are detained in the custom-house at New York, and if such detention be necessary or not, and what is the reason therefor."

And in response thereto to say that upon receipt of the resolution inquiry was made through the Superintendent of Foreign Mails of the postmaster at New York, and of the collector of customs of the port of New York, from whom have been received the communications which are herewith inclosed, each bearing date the 12th of January instant, and which appear to answer the inquiry made. The communication of the postmaster indicates that dutiable matter arriving in the mails is treated in accordance with the regulations of the Department contained in sections 618 to 622, inclusive, of the Postal Laws and Regulations. These relate to ordinary mails and not to parcels received from countries with which parcels-post conventions have been concluded, as part of such parcels-post dispatches.

I have the honor to be, very respectfully,

WM. F. VILAS,
*Postmaster-General.*

Hon. JOHN J. INGALLS,
*President pro tempore, United States Senate.*

The PRESIDENT *pro tempore*. The letter and accompanying communications will be referred to the Committee——

Mr. HOAR. The letter and communications may lie on the table for a few moments. It is manifest that the Postmaster-General has not, in the letter which has been read answered the inquiry of the Senate at

all. Whether the documents to which he refers contain a sufficient answer I can only tell upon examination.

Mr. EDMUNDS. Had we better not have the communications read? It is an interesting matter to the public.

Mr. HOAR. Very well; let the accompanying documents be read, if they are brief.

The PRESIDENT *pro tempore*. The accompanying communications will be read, if there be no objection.

The Chief Clerk read as follows:

POST-OFFICE, NEW YORK, N. Y.,
OFFICE OF THE POSTMASTER,
*January* 12, 1888.

SIR: I have the honor to acknowledge receipt of your communication of 10th inst., conveying the direction of the Hon. Postmaster-General that I shall as soon as practicable furnish your office with the information called for by the following resolution of the Senate of the United States, namely:

"*Resolved*, That the Postmaster-General be directed to inform the Senate what length of time books and other parcels received by mail from foreign countries are detained in the custom-house at New York, and if such detention be necessary or not, and what is the reason therefor."

In reply I beg leave to say that the time for which book and other unsealed parcels are detained by customs officers here after having been placed in their custody varies according to the number of such parcels received in each arriving foreign mail. This number is largest during the period embraced between December 1 and the 1st of succeeding February, covering the "holiday season," when books and other articles are sent in large numbers from European and other foreign countries to friends in the United States. The average number of such packages (with obviously or presumably dutiable contents) arriving weekly during the above-named period is between 6,000 and 7,000, while at other times it does not exceed 2,000. These (when unsealed) are placed in charge of the customs examiners here at the earliest possible hour after their arrival, each of them first-receiving a postmark indicating the date on which it is so disposed of, and a receipt for the number of parcels they receive is given by the customs officers. Those parcels found to contain dutiable books, and addressed for delivery beyond this city, are remailed by the customs examiners under cover addressed to the postmasters at the offices of destination, charged with the amount of duties assessed. They are so remailed direct by the customs officers in the building, and this office has no means of knowing the time that they have remained in custody of those officers; but the collector of customs will doubtless be able to furnish the desired information on this point. Those packages which contain non-dutiable books or other non-dutiable articles are remailed in the same manner. Those containing dutiable articles other than books are seized by the officers and conveyed to the "seizure room" at the custom-house—but books are not taken from this building. As dutiable articles other than books are excluded from the mails by the terms of the Universal Postal Union Convention, and are forwarded here in violation of its provisions, they are surrendered absolutely to the customs authorities to be treated in accordance with the revenue laws.

Sealed packages supposed to contain dutiable articles are so marked, and if addressed to places beyond this city are then forwarded by mail to their addresses, where the postmaster notifies the addressees to call for and open the same in the presence of customs officers. Similar notice is sent in the case of like packages addresed for delivery in this city.

The only detention that occurs here is in the case of book packages (all others being disposed of within twenty-four hours), and such detention is confined to that necessarily incident to their proper examination by the customs authorities. During the greater part of the year very few, if any, complaints are made of delay in reaching the addressees, as the customs officers return them within a very short time after their receipt. Those delays which occur during the "holiday season," however, sometimes extend over several weeks, and give rise to quite a number of complaints. It is proper to add that the number of such complaints received this season has so far been much less than that received in previous years—indicating shorter time of detention than formerly.

The cause of these delays is obviously the fact that book packages, during the period named, arrive in such large numbers that it is not possible for the force of examiners to inspect, appraise, and remail them within any less time than that in which those duties are now performed: The following statistics for the months of July and December, 1887, demonstrate the marked difference between the number of book packages received during the "holiday season" and other portions of the year:

| | July. | December. |
|---|---|---|
| Book packages held for appraisement | 5,423 | 13,441 |
| Books appraised | 10,469 | 23,942 |

The packages contain from one to fifteen or more books each, and the examination and appraisement of them requires, for its proper and intelligent performance, the expenditure in each case of some time and the exercise of judgment, discretion, and perhaps as much expert knowledge as is required in the case of any article imported through the ordinary channel.

It is my belief that (save during the "holiday season") the importation of books through the mails by persons who are not dealers and who procure them for their own use, is attended with no more delay, if as much, as would attend their importation as freight, and that at all times the cost is less—all charges for brokerage, cartage, storage, etc., being avoided, while the postage charges are far below those incident to other methods of transportation. So long as books remain on the list of articles subject to duty under our revenue laws, some delay must occur in their delivery after arrival by mail, and so far as my observation has extended I am confident that the delays which now occur are not chargeable to any negligence or inattention on the part of customs examiners assigned to duty in this building.

Very respectfully,
H. G. PEARSON,
*Postmaster.*

SUPERINTENDENT OF FOREIGN MAILS,
*Washington, D. C.*

Mr. HOAR. That document most singularly evades the direct question which was put to the Postmaster-General by the Senate, what time of delay is usually experienced in the New York custom-house in the importation of books and other parcels. It states that there are a great many more at one time of the year than at another, that it requires examination, and all that. Now, as I understand, there is put on the parcel when it is received in the custom-house in New York a stamp indicating the date, and when it is delivered another stamp indicating the date. I have in my own experience had occasion to see several of these parcels so imported, and they all contained that information; and they all indicate, not only at the Christmas season but at other seasons of the year, a delay in the New York custom-house averaging from ten to fourteen days in the cases of which I have personal knowledge.

The PRESIDENT *pro tempore*. The Chair will state that there is a supplementary communication from the collector of customs at New York, which can be read if the Senator desires.

Mr. HOAR. Very well; let that be read also.

The PRESIDENT *pro tempore*. The Chief Clerk will read the communication.

The Chief Clerk read as follows:

CUSTOM-HOUSE, NEW YORK, COLLECTOR'S OFFICE, *January* 12, 1888.

SIR: In reply to your letter of the 10th instant, transmitting a copy of resolution of the Senate of the United States, I have to report that on receipt of it I immediately referred the matter to John M. Wilson, esq., inspector of customs, in charge of the customs bureau, situate in the New York post-office building. Mr. Wilson has reported to me that while unable to give the exact time that any particular book or books, parcel or parcels, have been detained in the customs bureau in the post-office building, he can report that no non-dutiable package has been detained at all; that dutiable packages have necessarily been detained over night, if they came in the evening, so that they could be appraised by the United States appraiser the next day. No further detention has occurred in any case than was necessary to afford time in daylight for the appraisement of dutiable packages. No books or other packages that may be legally sent through the foreign mails are ever sent to the custom-house or detained in the customs bureau of the post-office any longer than necessary for the orderly disposition thereof. The force in the customs bureau of the post-office is ample and efficient, and the work well done; it is entirely up, and complaints, so far as he has any means of judging, are without any actual foundation.

Very respectfully, yours,
D. MAGONE, *Collector.*

Hon. NICHOLAS M. BELL,
*Superintendent of Foreign Mails, Washington, D. C.*

Mr. HOAR. The observation which I was making, that this answer is evaded by these authorities, is re-enforced by the letter which has just been read from the collector of customs. That letter would give to the public the idea that books so imported were detained usually only over night until daylight should come, and that there was no foundation for any complaint. Now, I can state as of my personal knowledge in regard to it that these packages bear the evidence of a stamp when they are received and a stamp when they are delivered, indicating in all the cases which have been brought to my attention, and in all the cases in which I have happened to have a personal concern for the last year or two, an average detention of between ten and fourteen days, so that the importation of a dutiable book under this otherwise extremely convenient and economical arrangement (the custom-house officer admitting that he has a sufficient force for the purpose) is longer than the time required for the transportation of the book across the Atlantic. If you send by cable to-day an order on a London book-seller the probability is that the whole time of the detention of the package in the New York custom-house after it arrives at this shore will be considerably more than the time occupied in transmitting your message to London, having the transaction effected there, the package sent on its way and crossing the Atlantic, and delivered to you from the New York custom-house on this side.

The PRESIDENT *pro tempore*. The communication, with the accompanying letters, will lie upon the table.

Mr. HOAR. Let it be referred to the Committee on Finance.

The PRESIDENT *pro tempore*. The communication, with the accompanying papers, will be referred to the Committee on Finance.

## PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented the petition of Mrs. Johanna Dorman Smith, of Kansas, praying for the passage of an act granting an increase of pension to her minor child, Mary Elvira Dorman; which was referred to the Committee on Pensions.

He also presented the petition of Job Barnard, of the District of Columbia, praying legislation to enable him to obtain a deed for certain real estate from the District commissioners; which was referred to the Committee on the District of Columbia.

Mr. VANCE presented a petition of citizens of Union County, North Carolina, and a petition of citizens of Chatham County, North Carolina, praying that the compensation allowed fourth-class postmasters may be increased; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. MANDERSON. I present a petition quite numerously signed by citizens of Nebraska, praying for the passage of the bill prohibiting the manufacture, sale, and importation of alcoholic beverages in the District of Columbia. I move that the petition be referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. WILSON, of Iowa, presented a petition of 1,400 Good Templars, citizens of Iowa, praying for the enactment of an act amendatory of the internal-revenue law relative to the sale of intoxicating liquors; which was referred to the Committee on Finance.

Mr. BUTLER. I present a petition of the governor and State officers, senators and members of the house of representatives of South Carolina, praying that an appropriation be made for the improvement of Winyah Bay, in South Carolina. The petition is very short, and, as I believe the Committee on Commerce very rarely read petitions, I will

take the liberty of reading this one, in order that it may go in the RECORD.

The petition sets forth in the usual formula that a critical examination of the entrance to Winyah Bay by competent engineers has satisfactorily demonstrated the feasibility of deepening it by a system of jetties, and the reports of the engineer officers of the Government now on file in the War Department, and covering a period of several years, unanimously declare that this improvement, if consummated, would be of incalculable benefit to the commercial and agricultural interests of a large portion of the State of South Carolina; that the town of Georgetown, situated at the head of Winyah Bay, at the confluence of a vast and superb system of water transportation, is one of the three seaports of the State, with an annual commerce of over $4,000,000, which might be easily quadrupled if the products of the interior could obtain at that point a cheap and expeditious outlet to the ocean.

The petition further states that the cities, towns, and communities lying along the banks of the various navigable streams centering at Georgetown are all vitally interested in the improvement of this outlet, so as to facilitate communication with the marts of the world, and its execution would result in a great and steadily increasing development of their natural resources.

Therefore the petitioners pray that your honorable bodies will appropriate such sums of money as have been recommended by the United States engineers for the deepening of the bar. And your petitioners will ever pray, etc.

I also present a petition for the same purpose from citizens of Columbia, S. C.; also a petition of citizens of Smith's Mill, S. C., of the same import; also a petition of citizens of Port Harrelson, S. C.; also a petition of citizens of Hammond, S. C.; also a petition of citizens of Sampit, S. C.; also a petition of citizens of Bucksville, S. C.; also a petition of citizens of Bennettsville, S. C.; also a petition of citizens of Georgetown, S. C.; and a petition of citizens of Socastee, S. C.

I move the reference of the petitions, with the accompanying papers, to the Committee on Commerce.

The motion was agreed to.

Mr. STOCKBRIDGE presented a petition of gold and silver beaters of the United States, praying for the imposition of an increased duty on gold leaf and bronze, or Dutch metal, in leaf and powder; which was referred to the Committee on Finance.

He also presented a petition of 106 citizens of the Ninth Congressional district of Michigan, praying for the prohibition of the liquor traffic in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a memorial of mill-owners, loggers, and other citizens of Oregon and Washington Territories, remonstrating against the admission of foreign lumber free of duty; which was referred to the Committee on Finance.

Mr. FAULKNER presented a petition of 36 citizens of the Fourth Congressional district of West Virginia, praying for the prohibition of the manufacture, sale, or importation of all alcoholic beverages in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. PLATT presented a petition of 53 citizens of Anacostia, D. C., and a petition of 162 citizens of the District of Columbia, praying for the passage of the bill prohibiting the alcoholic liquor traffic in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. BROWN. I present joint resolutions passed by the Legislature of Georgia favoring the National Industrial Exposition of Colored People of the United States to be held at Atlanta, Ga., in November next. As the resolutions were passed by the General Assembly of Georgia, I ask that they be read.

The resolutions were read and referred to the Committee on Education and Labor, as follows:

COMMENDING NATIONAL COLORED INDUSTRIAL EXPOSITION.

Whereas there will be a national industrial exposition held in the city of Atlanta, Ga., commencing November—, 1888, and continuing three months, to commemorate and illustrate the progress of the colored race by a display of works of art, live-stock, field products, machinery, manufactures, and all other articles raised, fabricated, produced, or owned by colored people throughout the United States; and

Whereas this exposition would materially contribute to the elevation and advancement of the colored race by stimulating their energies and arousing their self-reliance and thus redound to the benefit of the whole country: Therefore,

*Be it resolved by the General Assembly of Georgia*, That the said national industrial exposition is commendable in its object and must attract to its support and countenance the earnest co-operation of all enlightened men, and that we most cordially approve of it as a movement in favor of our colored citizens.

*Resolved*, That a copy of this preamble and resolutions be sent to each of the Senators and Representatives in Congress from this State, with the request that the same be laid before the Federal Congress, and that such favorable action be urged in that body by our members as will tend to the success and furtherance of this interesting and important object.

WM. A. LITTLE,
*Speaker of the House of Representatives.*
M. A. HARDIN,
*Clerk of the House of Representatives.*
JNO. S. DAVIDSON,
*President of the Senate.*
W. A. HARRIS,
*Secretary of the Senate.*

Approved August 3, 1887.

JOHN B. GORDON, *Governor.*

Mr. BLAIR. I present a memorial from the Legislature of New Hampshire, in which they set forth the alarming state of illiteracy now existing in certain sections of our country; indorse the passage of the educational bill, and request that copies be forwarded to Congress for presentation. I ask that it be printed in the RECORD.

The memorial was ordered to lie on the table and to be printed in the RECORD, as follows:

STATE OF NEW HAMPSHIRE:

I, Ira A. Chase, clerk of the senate of New Hampshire, at the June session thereof, 1887, hereby certify that the following concurrent resolution was received in the senate from the house of representatives by their clerk on Tuesday, August 30, 1887, and passed by the senate aforesaid on Wednesday, August 31, 1887:

"*Resolved by the house of representatives (the senate concurring)*, In view of the alarming state of illiteracy now existing in certain sections of our country, and considering the great danger to republican institutions that may result therefrom, unless some adequate relief is afforded, that we approve of the measure known as the Blair educational bill, substantially as it passed the Senate of the United States in 1886; and the secretary of state is hereby directed to send copies of this resolution to the President of the Senate and Speaker of the House of Representatives at the meeting of the next Congress."

A true copy of senate journal record.

Attest:
[SEAL.]

IRA A. CHASE,
*Clerk of Senate of New Hampshire.*

Mr. SABIN. I present a petition numerously signed by citizens of the Fifth Congressional district of Minnesota, praying for the passage of the bill prohibiting the manufacture and sale of alcoholic beverages in the District of Columbia. I move the reference of the petition to the Committee on the District of Columbia.

The motion was agreed to.

Mr. SABIN presented a resolution adopted by the Minnesota Historical Society, favoring the continuance of the geodetic survey already commenced in the State of Minnesota by the Engineer Corps of the War Department; which was referred to the Committee on Public Lands.

Mr. McPHERSON presented the petition of John Scully, of South Amboy, N. J., praying for the passage of a bill for the registry of the barges Albert M., Condor, and Adelante; which was referred to the Committee on Commerce.

Mr. HISCOCK presented a petition of the Woman's Christian Temperance Union of Pine Bush, Orange County, New York, praying for the submission to the States of a constitutional amendment prohibiting the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

He also presented a petition of the officers of the Woman's Christian Temperance Union of Veteran, Chemung County, New York, praying for the passage of the educational bill; which was ordered to lie on the table.

Mr. HISCOCK. I present several petitions, numerously signed by citizens of New York, praying for the passage of a bill granting legal protection to young girls in the District of Columbia. I move that the petitions be referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. VOORHEES presented two petitions of citizens of Vermillion County, Indiana, praying that Henry Potter, late a private of Company D, Eighty-fifth Regiment Indiana Volunteers, be put upon the pension-roll; which were referred to the Committee on Pensions.

Mr. VEST. I have received from an association, the Bureau of Prohibition in the District of Columbia, two petitions, purporting to come from citizens of the Fourth Congressional district of Missouri, and citizens of the Fourteenth Congressional district of Missouri praying for the passage of the bill prohibiting the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia. I move that the petitions be referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. REAGAN. Mr. Thomas P. MacManus has asked me to present a petition praying that a vacancy in the United States Army be created by law, to which he may be appointed for the purpose of being retired therefrom on pay. At his request I present his petition, and move its reference to the Committee on Military Affairs.

The motion was agreed to.

Mr. EDMUNDS presented the petition of Anson S. McDonald, late a private of Company H, Fourth Regiment Vermont Volunteers, praying to be allowed a pension; which was referred to the Committee on Pensions.

He also presented a petition of Amanda W. Beach, of Burlington, Vt., praying to be allowed a pension; which was referred to the Committee on Pensions.

He also presented the petition of Mary E. Woodward, widow of the late Dr. J. B. Woodward, now of Boston, Mass., praying to be allowed a pension, and the petition of William Wells, of Burlington, Vt., in support thereof; which were referred to the Committee on Pensions.

Mr. CULLOM. I present resolutions adopted by the Chicago Freight Bureau, an association of merchants, members of the Board of Trade, and manufacturers of Chicago, favoring an amendment to the interstate-commerce act making it unlawful for any person to offer for shipment any articles the correct weight of which is not specified in the way-bill. I move that the resolutions be referred to the Committee on Interstate Commerce.

The motion was agreed to.

Mr. CAMERON presented a petition of 194 citizens of the Twenty-fifth Congressional district of Pennsylvania, praying for the prohibition of the liquor traffic in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. CHACE presented a petition of citizens of the District of Columbia, praying for the passage of a bill to amend the act incorporating the National Safe Deposit Company of Washington; which was referred to the Committee on the District of Columbia.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had elected Hon. SAMUEL S. COX, a Representative from the State of New York, Speaker *pro tempore* during the absence of the Speaker.

REPORTS OF COMMITTEES.

Mr. SHERMAN, from the Committee on Finance, to whom was referred the bill (S. 1138) to reimburse the depositors in the Freedman's Savings and Trust Company for losses incurred by the failure of said company, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 352) for the relief of Bessie S. Gilmore, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1364) to declare the sense of an act entitled "An act to reimburse the State of Pennsylvania for moneys advanced Government for war purposes," and to authorize a re-examination of the settlement made by the Secretary of War thereunder, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the petition of Harlow G. Hyde, praying to be allowed a pension, submitted a report thereon, accompanied by a bill (S. 1477) granting a pension to Harlow G. Hyde; which was read twice by its title.

He also, from the same committee, to whom was referred the petition of George W. Peavy, praying to be allowed a pension, submitted a report thereon, accompanied by a bill (S. 1478) granting a pension to George W. Peavy; which was read twice by its title.

He also, from the same committee, to whom was referred the bill (S. 1111) granting a pension to Mary J. Davis, reported it without amendment, and submitted a report thereon.

Mr. QUAY, from the Committee on Pensions, to whom was referred the bill (S. 509) authorizing an increase of pensions in certain cases, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 124) granting a pension to Henry F. Kaiser, reported it without amendment, and submitted a report thereon.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (S. 354) to provide for the survey of certain historic grounds, locations, and military works, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 643) to construct a road to the national cemetery at Corinth, Miss., reported it without amendment.

Mr. FAULKNER, from the Committee on Pensions, to whom was referred the bill (S. 465) granting a pension to William Sackman, sr., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 339) granting a pension to Eliza Douglass, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 340) granting a pension to Joseph F. Bean, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. ALDRICH, from the Committee on Finance, to whom was referred the bill (S. 1184) to refund excessive duties caused by extraordinary overvaluation of the Austrian florin in the year 1878, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. TURPIE, from the Committee on Pensions, to whom was referred the bill (S. 1000) to increase the pension of certain soldiers and sailors who are utterly helpless from injuries received or diseases contracted while in the service of the United States, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 43) granting a pension to Polly H. Smith, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 74) to increase the pension of Thomas Chapman, reported it without amendment, and submitted a report thereon.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 973) to authorize the Omaha, Hays City and Southwestern Railway Company to build its road across the Fort Hays military reservation, reported it without amendment, and submitted a report thereon.

Mr. COCKRELL. The Committee on Military Affairs, to which was referred the bill (S. 1118) to remove the charge of desertion from the military record of William Clark, deceased, have instructed me to report the same favorably, accompanied by a written report, this being an exceptional case, and not provided for under the general law.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar, and the report will be printed, under the rule.

Mr. HAMPTON. The bill (S. 932) to authorize the construction of a gravel road to the Richmond National Cemetery, near Richmond, Va., was referred to the Committee on Military Affairs, but I find on examination that a similar bill was passed and became a law at the last Congress. By mistake the bill was introduced and referred in the present Congress. I report it back, and move its indefinite postponement.

The motion was agreed to.

BILLS INTRODUCED.

Mr. EDMUNDS introduced a bill (S. 1479) granting an increase of pension to Bingham M. Caswell; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SABIN introduced a bill (S. 1480) authorizing and directing the Secretary of the Interior to apply the unexpended balance of the appropriation made by the act entitled "An act to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux or Dakota Indians, of Minnesota, subsequent to June 1, 1861, and prior to the massacre of August, 1862, and providing for the payment thereof," approved March 3, 1885, now remaining in the Treasury, to the payment of interest on the sums found due by said Secretary under said act; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1481) granting a pension to Ellen White Dowling; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1482) granting a pension to Sarah C. Taylor; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McPHERSON introduced a bill (S. 1483) for the registry of the barges Albert M., Condor, and Adelante; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1484) for the relief of G. Kaemmerling and others; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1485) for the relief of Lanman & Kemp; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 1486) increasing the pension of Anthony Kiss, and granting arrears of increased pension; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1487) granting a pension to Rose Taylor; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1488) granting an increase of pension to Louisa v. de Kilpatrick, widow of Maj. Gen. Judson Kilpatrick, United States Volunteers; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1489) granting a pension to James S. Tillson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1490) to remove the charge of desertion from the military record of Cornelius Valentine; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. WILSON, of Iowa, introduced a bill (S. 1491) for the protection of settlers on the public lands; which was read twice by its title, and referred to the Committee on Public Lands.

He also (by request) introduced a bill (S. 1492) to place Charles V. Petteys and William T. Owsley on the retired-list of the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PAYNE introduced a bill (S. 1493) for the relief of J. Schriber & Co., of Cleveland, Cuyahoga County, Ohio; which was read twice by its title, and referred to the Committee on Claims.

Mr. DAWES introduced a bill (S. 1494) to secure to the Cherokee freedmen and others their proportion of certain proceeds of lands, under the act of March 3, 1883; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PLATT introduced a bill (S. 1495) granting a pension to Mrs. Cora McGee; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLPH introduced a bill (S. 1496) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. DAVIS introduced a bill (S. 1497) to provide for two additional associate justices of the supreme court of Dakota, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1498) granting to the city of Grand

Forks, Dak., the right to build two free bridges at said city across the Red River; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CULLOM introduced a bill (S. 1499) for the relief of Mary A. Lewis, widow of Joseph N. Lewis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1500) granting a pension to Margaret M. Miller; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BLAIR introduced a bill (S. 1501) for the relief of James Downing; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. PLUMB introduced a bill (S. 1502) for the relief of Jerome Kunkel; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1503) for the relief of Mrs. S. B. Duvall, widow of the late Rev. W. P. Duvall, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. SHERMAN introduced a bill (S. 1504) granting a pension to Mary C. Johnston; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HISCOCK introduced a bill (S. 1505) for the relief of Henry J. Graydon; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1506) for the relief of Addie Bell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PADDOCK introduced a bill (S. 1507) providing for an additional justice of the supreme court of the Territory of Utah, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. HEARST introduced a bill (S. 1508) for the relief of John Williams; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 1509) for the relief of William H. Rhett; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. CHANDLER introduced a bill (S. 1510) allowing the pay of rear-admirals to commodores while acting as rear-admirals; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. DOLPH introduced a bill (S. 1511) to amend an act entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes;" which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. BERRY introduced a joint resolution (S. R. 38) to enable the Secretary of the Interior to utilize the hot water now running to waste on the permanent reservation at Hot Springs, Ark., and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

### PAPERS WITHDRAWN AND REFERRED.

Mr. EDMUNDS. I ask for the following order, there having been, as I am advised, no adverse report:

*Ordered*, That Frank A. Page have leave to withdraw from the files of the Senate his petition and accompanying papers.

The PRESIDENT *pro tempore*. The order will be made.

Mr. EDMUNDS. I move that the petition and papers of Mary E. Woodward for a pension, which were before the last Congress and on which no report was made, be taken from the files and referred to the Committee on Pensions.

The PRESIDENT *pro tempore*. That order will be made.

Mr. HARRIS. Of course these withdrawals are under the conditions imposed by the rules?

The PRESIDENT *pro tempore*. They are ordered under the conditions imposed by the rules.

On motion of Mr. HAWLEY it was

*Ordered*, That Maj. Gen. Schuyler Hamilton have leave to withdraw from the files the papers in his case, no adverse report having been made thereon.

### CHARLES R. WESTBROOK.

Mr. HALE submitted the following resolution; which was read:

*Resolved*, That the Attorney-General is hereby directed to report to the Senate the facts attending the employment of Charles R. Westbrook as an assistant to the district attorney for the southern district of New York, together with copies of all correspondence on the subject, the emolument paid to him, and the appropriation from which paid, and if the said Westbrook received also extra compensation for any time previous to such employment, he not being a sworn officer of Government.

Mr. HALE. I ask for the present consideration of the resolution.

Mr. JONES, of Arkansas. I should like to have the resolution read again.

The Chief Clerk again read the resolution.

Mr. BUTLER. Let that go over.

The PRESIDENT *pro tempore*. The resolution lies over under the rule.

### MISSOURI RIVER BRIDGE AT OMAHA.

Mr. MANDERSON. I offer the followign resolution, and ask that it be now considered:

*Resolved*, That the Secretary of War be directed to make investigation and report to the Senate what steps have been taken by the Omaha and Council Bluffs Railway and Bridge Company, its successors or assigns, to construct a bridge across the Missouri River between the cities of Omaha, Nebr., and Council Bluffs, Iowa, and if he shall find the construction of said bridge has been commenced, to investigate whether said structure is in accord with the provisions of the act approved March 3, 1887, and plans and specifications heretofore approved by the Secretary of War, and whether said bridge is being constructed as a combined railway and wagon bridge, or a wagon-bridge only.

Mr. WILSON, of Iowa. I ask that the resolution may go over.

The PRESIDENT *pro tempore*. The resolution will lie over under the rule.

### POSTAGE ON THIRD-CLASS MAIL MATTER.

Mr. PLATT. I offer the following resolution, and ask for its present consideration:

*Resolved*, That the Committee on Post-Offices and Post-Roads be instructed to inquire whether any mail matter addressed to Senators is detained in the Washington post-office; if so, whether the same is legally or illegally detained, and, if illegally detained, who is responsible therefor, and what remedy exists; and to report by bill or otherwise.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. PLATT. Mr. President, I should like to make a brief statement for the information of the Committee on Post-Offices and Post-Roads of the matter to which the resolution is directed.

A firm in Connecticut, I understand, named "The H. P. Hubbard Company," about the time of the opening of Congress, addressed to each of the Senators, and, I may also add, to the members of the House of Representatives, a book, of which this is a copy [exhibiting]. They are advertising agents, and the book contains a list of the leading newspapers in the United States, and is valuable as a book of reference. It is strictly third-class matter. They printed an edition of 5,000 copies of the book, as I am informed, and had been accustomed to pay upon each copy postage to the amount of 11 cents. It was mailed at the city of New Haven just before the opening of Congress. Eleven cents postage was paid upon each book. It contains upon the cover these words:

"THE H. P. HUBBARD COMPANY,
*Judicious Advertising Agents and Experts,*
*Designers, Engravers and Electrotypers.*
NEW HAVEN, CONN."

It was inclosed in a wrapper, upon which, in addition to the words "The H. P. Hubbard Company," were the words "judicious advertising agents and experts." When it reached the Washington City post-office, I am informed that letter postage was charged upon it, namely, 31 cents upon each book, in addition to the 11 cents which had been paid, upon the claim that there being upon the cover, in addition to the words "The H. P. Hubbard Company," the words "judicious advertising agents and experts," it was subject to rates for first-class matter.

It has been the custom of the Senate postmaster whenever additional postage was charged at the city post-office to pay it and to collect it of Senators; but when he found that there were seventy-six books upon each of which 31 cents additional postage was charged, he was unwilling and very properly declined to pay it. He wrote to the firm in New Haven which had sent the books, asking permission to erase at the city post-office the objectionable words. Receiving that permission from the senders he applied to the city postmaster of Washington to cancel the objectionable printing on the wrapper, but he would not assent to anything without authority from the Department. Mr. Kellogg then went to see the Third Assistant Postmaster-General, Mr. Harris. But I think, however, he did not find the Third Assistant Postmaster-General, but he asked his chief clerk if he could not have authority to erase these words, and so deliver the matter to the Senators. He received the assurance that if the city postmaster would allow it, the Department would make no objection. Of course that was the act not of the Assistant Postmaster-General, but of the clerk. He then asked for specific instructions and received this letter:

POST-OFFICE DEPARTMENT,
OFFICE OF THIRD ASSISTANT POSTMASTER-GENERAL,
*Washington, D. C., December 8, 1887.*

SIR: In answer to verbal inquiry made by you this morning, I beg leave to inform you that the Postmaster-General has refused to give any order to the postmaster of this city allowing him to deliver certain matter mailed by the H. P. Hubbard Company, of New Haven, Conn., without payment of the postage due under the law.

Yours, very respectfully,

H. R. HARRIS,
*Third Assistant Postmaster-General.*

Mr. AARON W. KELLOGG,
*Assistant Postmaster, United States Senate.*

The assistant postmaster of the Senate then wrote in reply that he had never asked for the matter referred to in the note of the Third Assistant Postmaster-General, but he did ask an answer to the following, to wit: "That the H. P. Hubbard Company might be allowed to erase and destroy the offending words on 400 copies of the Blue Book sent under misapprehension and by permission of the postmaster at New Haven, upon which they had paid 11 cents postage, so that they might

be relieved from paying 31 cents more." In reply to that request he received this letter:

POST-OFFICE DEPARTMENT,
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,
*Washington, D. C., December 9, 1887.*

SIR: Yours of to-day is received. The Department can not authorize you to take from the post-office in this city the mail matter to which you refer, except upon payment of the postage rated up by the postmaster.

Yours, very respectfully,

H. B. HARRIS,
*Third Assistant Postmaster-General.*

AARON W. KELLOGG, Esq.,
*Assistant Postmaster, United States Senate, Washington, D. C.*

In my judgment the law does not require or authorize the charging of postage on first-class matter upon those books so sent to Senators by one of my constituents in Connecticut. It is third-class matter purely and strictly. I do not intend this morning to take the time of the Senate to go into any lengthy argument to show that the printing of the occupation of the sender in addition to his name upon the envelope, to wit, the words "Judicious Advertising Agents and Experts," does not take the package out of the third class, which is printed matter. It is not claimed or pretended that if that book which contained those words upon it in full sight had been sent, not under an envelope which inclosed the whole book, but under a band which inclosed a part of it so as to leave those words in sight, it would have changed the character of the mail matter at all.

The Postmaster-General, in answer to a letter from R. H. Macy & Co., of New York, quotes sections 22 and 23 of the act of March 3, 1879, and claims that under those sections there can be no printed matter upon the envelope containing the inclosure except words indicating the name and address of the sender with the word "from" prefaced thereto above or preceding the same. I think that he made a mistake in not remembering, for the time being, that third-class matter is printed matter, and nothing else, and that therefore there was no reference in the statute to what might be printed upon third-class matter. Second-class matter is periodicals; third-class matter is miscellaneous printing; fourth-class matter is merchandise.

This whole matter originated in New York by an order from the postmaster there, which charged letter postage upon fourth-class merchandise matter because of printing upon the cover of the merchandise, in addition to the name of the sender, his business or occupation, and his address. That had been permitted up to that time; it had been permitted under former administrations, and it had been permitted under the present reform administration up to about the time of the holiday trade last year. It had been allowed upon the theory that it was permissible by statute, unquestionably permissible, to inclose a paper upon which were printed the address of the sender, his occupation, and his place of business, in addition to the address. That might be inclosed in the package, and former administrations had held in publishing the Postal Guide that by the fair intendment of the law it might therefore be allowed upon the wrapper; that if it were allowed to put it inside it might be allowed to put it on the wrapper; that printed matter, at any rate when accompanying merchandise, was subjected to double the rate of postage of third-class matter, which was printed matter.

The old rule as laid down in the Postal Guide with regard to fourth-class matter was this, which is found on page 673, section 435, of the Postal Guide of 1885:

The long-established rule of the Department, that matter of a lower grade may be inclosed in that of a higher, authorizes printed matter to be inclosed with merchandise, and that to make a distinction between printed matter inclosed with merchandise and printing upon a tag, attached to a sample, or upon the sample itself, where the latter consists of paper, is not within the reasonable intendment of the law.

I think the former construction was right, but I do not speak so particularly with regard to the construction of the law relating to fourth-class matter. It is possible, technically speaking, construing the law not in the interest of the public, but as a technical lawyer construes criminal statutes, that the Postmaster-General is right with reference to the postage to be charged upon fourth-class matter containing upon the cover the printed occupation and place of business of the sender, but upon third-class matter, it seems to me, there is no excuse for it whatever.

Now, let me read the statute (and I shall be brief) in relation to this matter. Section 22 of the act referred to is this:

That mailable matter of the second class shall contain no writing, print, mark, or sign—

Observe the words "writing, print, mark, or sign"—

thereon or therein in addition to the original print, except as herein provided, to wit, the name and address of the person to whom the matter shall be sent, and index figures of subscription book, either written or printed, the printed title of the publication, the printed name and address of the publisher or sender of the same, and written or printed words or figures or both, indicating the date on which the subscription to such matter will end.

It will be observed that as to this second class, which consists of newspapers and periodicals, the statute is very particular to say that certain things may be written or "printed" thereon. The statute then goes on:

Upon matter of the third class, or upon the wrapper inclosing the same, the sender may write his own name or address thereon, with the word "from" above and preceding the same, and in either case may make simple marks intended to designate a word or passage of the text to which it is desired to call attention. There may be placed upon the cover or blank leaves of any book or of any printed matter of the third class a simple manuscript dedication or inscription that does not partake of the nature of a personal correspondence.

It will be observed that the direction there is that upon the cover the sender may write—not "print or write," but "write"—his own name or address. A strict technical construction of the statute, such as the Postmaster-General gives to it, would forbid the "printing" of the name and the address of the sender upon it. The statute says the sender may "write" his own name and address upon it, and it would be no greater nonsense to have held that because the statute said he might "write" his own name and address upon it he could not therefore "print" his own name or address upon it, than it was to hold that he could not print anything upon it which came within the description of third-class matter.

The reason that the permission was given to "write" upon the covering of third-class matter was because it was unnecessary in reference to such matter, which consisted exclusively of printed matter, to give permission to print anything that the sender chose to "print" upon the envelope or inclosure containing the same so long as he left a place for the address of the person to whom it was sent.

I do not care, Mr. President, to follow this matter further. It seems to me that it was an unwarranted construction of the statutes, that it was not only technical, but it was an improper and unjustifiable construction of the statute which has caused great distress, annoyance, and loss to the business people of this country.

I desired to make these remarks this morning because a bill has been introduced at the suggestion of the Postmaster-General which is to remedy this supposed defect in the law. I desire the bill to pass because Congress is powerless to direct another branch of the Government as to how it shall administer or interpret the law, and I desire to have the business community relieved from the annoyance, and vexation, and trouble to which it has been subjected and the loss which it has sustained by what I believe to have been an improper construction of the law, and an unwarranted construction of it; I was not willing to allow that bill to pass, however, until I had protested that I thought all this trouble, and vexation, and loss were unnecessary, and resulted not from a fault of the law, as the Postmaster-General in the pretended exercise of a superior and superlative virtue seems to suppose, but from the mistake of the Postmaster-General himself.

Mr. SAULSBURY. Mr. President, it is an easy matter to find fault with the administration of the law. Executive officers are bound to take the law as they find it. I understand that the Postmaster-General's action in this matter was to address a circular to postmasters throughout the country, embodying the law itself, without any interpretation or construction of that law by the Postmaster-General, calling the attention of the postmasters throughout the country to the law itself. The postmasters in several localities, especially in New York and some other cities, put a construction on the law different from that put on it by the Senator from Connecticut. The Postmaster-General believed, in his discretion, that it was right to sustain the men under him, especially where there was a doubt as to the proper construction of the law. He has sustained the action of those postmasters whose action has been criticised by the Senator from Connecticut; but, as I understand, the construction put on it by the postmasters has received the sanction of the Postmaster-General, without his having originally put an interpretation on the law himself. He endeavored to come to a conclusion as to what the law meant, and as embarrassments have arisen, the Postmaster-General has very properly applied, as I understand, though I have not conversed with him personally upon the subject, that a bill be passed bringing the desired relief.

I do not think the action of the Postmaster-General has been such as ought to receive the censure of the Senator from Connecticut or anybody else. I am sure that he has pursued a proper course. I only rose to say that our Post-Office Committee yesterday authorized a bill to be reported to correct the very wrong of which the Senator from Connecticut complains. Let him co-operate with that committee and secure the enactment of a law which will relieve the difficulty sustained from the construction put on the law by postmasters throughout the country.

Mr. PLATT. Mr. President, as I indicated, this difficulty originated with reference to fourth-class matter in the city of New York by the ruling or circular of the reform postmaster of this Administration in that city, who, I say without qualification, I am sorry was appointed and sorry was confirmed. That circular of the postmaster in New York had no reference whatever to third-class matter. It was appealed from by Messrs. Macy & Co., of New York, and upon the appeal the Postmaster-General saw fit to go further than to decide the question which was submitted to him and promulgated certain opinions of his with regard to third-class matter. It may be said, and I think truly said, that the strict text of his reply would not go so far as to hold that the city postmaster at Washington was justified in holding the books which I have alluded to upon the ground that first-class postage had not been paid upon them; but when the letter of the Postmaster-General in reply to Messrs. Macy & Co. circulated among postmasters, went to New York, then the New York postmaster issued a circular—it was not issued from the Department at Washington; it is

"New York Circular, No. 49"—in which he undertook to give language and specification to what the Postmaster-General had said in his reply to Macy & Co., which had been circulated broadcast through the country and sent to the postmasters; and he, the postmaster in New York, thereupon held and published in a circular, in effect, that third-class matter which contained upon the envelope anything except the name and residence of the person to whom it was addressed and the address of the sender, preceded by the word "from" and the residence of the sender, was subject to first-class rates.

I suppose that the Postmaster-General is responsible for the acts of his subordinates. I suppose that he could not have been ignorant, in the administration of his office, of the action of the New York postmaster by which all this inconvenience and all this annoyance and all this loss have been caused; and silence on the part of the Postmaster-General and his allowance of the action of his subordinate—I suppose the New York postmaster is a subordinate—fully justify me in saying that he is responsible for this ruling.

But that is not all, Mr. President. A very good way to test the question whether the Postmaster-General was responsible for it or not was the method adopted by my constituents in New Haven, who sent us mail matter upon which the city postmaster here charged 31 cents per book in addition to the 11 cents, which was all, I believe, that could have been charged by law. That matter was brought directly, as I have stated, if not to the Postmaster-General himself, to the Third Assistant Postmaster-General, and we have his written ruling upon the same. Now, it will not do to say that the Postmaster-General can excuse himself in this matter by hiding behind his subordinates.

Mr. SABIN. I wish to offer——

The PRESIDENT *pro tempore*. There is a resolution before the Senate. What action does the Senator from Connecticut desire upon it?

Mr. PLATT. I desire to have the resolution pass, that the committee may inquire into it.

The resolution was agreed to.

### COLLECTIONS OF LIQUOR TAXES.

Mr. WILSON, of Iowa, submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Treasury be directed to report to the Senate the amount of revenue collected by the Government under the provisions of the internal-revenue law and the amendments thereto for each year from its original enactment to the present time, from special taxes on distillers, brewers, and all manufactures of spirituous, malt, or fermented liquors; the number of persons from whom collected in each year; the quantities of said several kinds of liquor manufactured in each year, and the amount of tax collected on each of said kinds of liquor in each year.

### JOHN G. MERRITT.

Mr. SABIN submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Sergeant-at-Arms of the United States Senate be, and he is hereby, authorized and directed to appoint John G. Merritt, a disabled soldier and faithful officer of the Senate, a messenger, acting assistant doorkeeper, until further orders of the Senate, and that his salary be paid out of the "miscellaneous items" of the contingent fund of the Senate.

### PERMISSIBLE MARKS ON MAIL MATTER.

Mr. SAWYER. Mr. President, I ask unanimous consent to call up House bill 3318, Order of Business 66. It will occupy but a moment.

The PRESIDENT *pro tempore*. The Senator from Wisconsin asks unanimous consent to proceed to the consideration of a bill the title of which will be stated.

The CHIEF CLERK. A bill (H. R. 3318) relating to permissible marks, printing or writing, upon second, third, and fourth class matter, and to amend the twenty-second and twenty-third sections of an act entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1888," and for other purposes.

Mr. SHERMAN. There is a bill pending now that ought to be acted upon one way or the other.

Mr. SAWYER. This is a very short bill.

Mr. SHERMAN. Will it cause debate?

Mr. SAWYER. There is no objection to it. It is a unanimous report. There will be no objection to it.

There being no objection, the Senate, as in Committee of the Whole, proceeded to the consideration of the bill.

It provides that mailable matter of the second class shall contain no writing, print, or sign thereon or therein in addition to the original print, except the name and address of the person to whom the matter shall be sent, index figures of subscription book, either printed or written, the printed title of the publication and the place of its publication, the printed or written name and address without addition of advertisement of the publisher or sender, or both, and written or printed words or figures, or both, indicating the date on which the subscription to such matter will end, the correction of any typographical error, a mark, except by written or printed words, to designate a word or passage to which it is desired to call attention; the words "sample copy" when the matter is sent as such, the words "marked copy" when the matter contains a marked item or article, and publishers or news agents may inclose in their publications, bills, receipts, and orders for subscription thereto, but the same shall be in such form as to convey no other information than the name, place of publication, subscription price of the publication to which they refer, and the subscription due thereon.

Upon matter of the third class or upon the wrapper or envelope inclosing the same, or the tag or label attached thereto, the sender may write his own name, occupation, and residence or business address, preceded by the word "from," and may make marks other than by written or printed words to call attention to any word or passage in the text, and may correct any typographical errors. There may be placed upon the blank leaves or cover of any book or printed matter of the third class a simple manuscript dedication or inscription not of the nature of a personal correspondence. Upon the wrapper or envelope of third-class matter, or the tag or label attached thereto, may be printed any matter mailable as third class, but there must be left on the address side a space sufficient for a legible address and necessary stamps. With a package of fourth-class matter prepaid at the proper rate for that class the sender may inclose any mailable third-class matter, and may write upon the wrapper or cover thereof, or tag or label accompanying the same, his name, occupation, residence, or business address, preceded by the word "from," and any marks, numbers, names, or letters for purpose of description, or may print thereon the same, and any printed matter not in the nature of a personal correspondence, but there must be left on the address side or face of the package a space sufficient for a legible address and necessary stamps. In all cases directions for transit, delivery, forwarding, or return shall be deemed part of the address; and the Postmaster-General shall prescribe suitable regulations for carrying this section into effect.

The bill also provides that matter of the second, third, or fourth class containing any writing or printing in addition to the original matter other than as authorized in the preceding section shall not be admitted to the mails, nor delivered, except upon payment of postage for matter of the first class, deducting therefrom any amount which may have been prepaid by stamps affixed, unless by direction of the Postmaster-General such postage shall be remitted; and any person who shall knowingly conceal or inclose any matter of a higher class in that of a lower class, and deposit or cause the same to be deposited for conveyance by mail, at a less rate than would be charged for both such higher and lower class matter, shall for every such offense be liable to a penalty of $10.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

### CITY OF COLORADO SPRINGS.

Mr. TELLER. I ask leave to call up Senate bill 426, Order of Business 33, which is a local bill, and is of importance. It will not lead to any discussion.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 426) granting to the city of Colorado Springs, in the State of Colorado, certain lands therein described, for water reservoirs.

The bill was reported from the Committee on Public Lands with an amendment, to add the following as a new section:

SEC. 2. That if the city of Colorado Springs shall at any time after the construction of reservoirs on the land described in section 1 of this act, abandon the same or cease to use the same for water storage, the land herein described shall revert to the Government of the United States. The survey of the lands so granted shall be made under the direction and approval of the War Department.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

### REPORT OF PACIFIC RAILWAY COMMISSION.

A message was received from the President of the United States, by Mr. PRUDEN, his secretary.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read:

*To the Senate and House of Representatives:*

On the 3d day of March last an act was passed authorizing the appointment of three commissioners who should investigate the affairs of such railroads as have received aid from the United States Government. Among other things, the contemplated investigation included a history of the construction of these roads, their relations and indebtedness to the Government, and the question whether, in the interest of the United States, any extension of the time for the performance of the obligations of said roads to the Government should be granted; and if so, the said commissioners were directed to submit a scheme for such extension.

The commissioners were further directed by said act to report in full to the President upon all the matters submitted to them, and he was by said act required to forward said report to Congress, with such recommendations or comments as he should see fit to make in the premises.

The commissioners, immediately after their selection, entered upon the discharge of their duties, and have prosecuted their inquiries with commendable industry, intelligence, and thoroughness. A large amount of testimony has been taken, and all the facts have been developed which appear to be necessary for the consideration of the questions arising from the condition of these aided railroads and their relations to the Government.

The commissioners have, however, been unable to agree upon the manner in which these railroads should be treated respecting their indebtedness to the United States, or to unite upon the plan best calculated to secure the payment of such indebtedness.

This disagreement has resulted in the preparation of two reports, both of which are herewith submitted to the Congress.

These reports exhibit such transactions and schemes connected with the construction of the aided roads and their management, and suggest the invention of such devices on the part of those having them in charge for the apparent purpose of defeating any chance for the Government's reimbursement, that any adjustment or plan of settlement should be predicated upon the substantial interests of the Government rather than any forbearance or generosity deserved by the companies.

The wide publication which has already been given to the substance of the commissioners' reports obviates the necessity of detailing in this communication the facts found upon the investigation.

The majority report, while condemning the methods adopted by those who formerly had charge of the Union Pacific Railroad, declares that since its present management was inaugurated in 1884, its affairs have been fairly and prudently conducted, and that the present administration "has devoted itself honestly and intelligently to the herculean task of rescuing the Union Pacific Railway from the insolvency which seriously threatened it at the inception of its work; that it has devoted itself by rigid economy, by intelligent management, and by an application of every dollar of the earning capacity of the system to its improvement and betterment, to place that company on a sound and enduring financial foundation."

The condition of the present management of the Union Pacific Company has an important bearing upon its ability to comply with the terms of any settlement of its indebtedness which may be offered by the Government.

The majority of the commission are in favor of an extension of the time for the payment of the Government indebtedness of these companies, upon certain conditions. But the chairman of the commission, presenting the minority report, recommends, both upon principle and policy, the institution of proceedings for the forfeiture of the charters of the corporations, and the winding up of their affairs.

I have been furnished with a statement, or argument, in defense of the transactions connected with the construction of the Central Pacific road and its branch lines, from which it may not be amiss to quote, for the purpose of showing how some of the operations of the directors of such road, strongly condemned by the commissioners, are defended by the directors themselves. After speaking of a contract for the construction of one of these branch lines by a corporation, called the Contract and Finance Company, owned by certain directors of the Central Pacific Railroad, this language is used:

"It may be said of this contract as of many others that were let to the different construction companies in which the directors of the Central Pacific have been stockholders, that they built the road with the moneys furnished by themselves and had the road for their outlay. In other words, they paid to the construction company the bonds and stock of the railroad so constructed and waited until such time as they could develop sufficient business on the road built to induce the public to buy the bonds or the stock. If the country through which the railroad ran developed sufficient business, then the project was a success; if it did not, then the operation was a loss. These gentlemen took all the responsibility; any loss occurring was necessarily theirs, and of right the profit belonged to them.

"But it is said that they violated a well-known rule of equity in dealing with themselves; that they were trustees and that they were representing both sides of the contract.

"The answer is that they did not find anybody else to deal with. They could not find any one who would take the chances of building a road through what was then an almost uninhabited country and accept the bonds and stock of the road in payment. And when it is said that they were trustees, if they did occupy such relation it was merely technical, for they represented only their own interests on both sides, there being no one else concerned in the transaction. They became the incorporators of the company that was to build the road, subscribed for its stock, and were the only subscribers. Therefore it is difficult to see how any one was wronged by their action. The rule of equity invoked, which has its origin in the injunction, no man can serve two masters, certainly did not apply to them, because they were acting in their own interests and were not charged with the duty of caring for others' rights, there being no other persons interested in the subject-matter."

In view of this statement and the facts developed in the commissioners' reports, it seems proper to recall the grants and benefits derived from the General Government by both the Union and Central Pacific Companies for the purpose of aiding the construction of their roads.

By an act passed in 1862 it was provided that there should be advanced to said companies by the United States to aid in such construction the bonds of the Government amounting to $16,000 for every mile constructed, as often as a section of 40 miles of said roads should be built; that there should also be granted to said companies upon the completion of every said section of 40 miles of road five entire sections of public land for each mile so built; that the entire charges earned by said roads on account of transportation and service for the Government should be applied to the reimbursement of the bonds advanced by the United States and the interest thereon, and that to secure the repayment of the bonds so advanced, and interest, the issue and delivery to said companies of said bonds should constitute a first mortgage on the whole line of their roads, and on their rolling stock, fixtures, and property of every kind and description.

The liberal donations, advances, and privileges provided for in this law were granted by the General Government for the purpose of securing the construction of these roads, which would complete the connection between our eastern and western coasts; and they were based upon a consideration of the public benefits which would accrue to the entire country from such construction.

But the projectors of these roads were not content, and the sentiment which then seemed to pervade the Congress had not reached the limit of its generosity. Two years after the passage of this law it was supplemented and amended in various important particulars in favor of these companies by an act which provided, among other things, that the bonds, at the rate already specified, should be delivered upon the completion of sections of 20 miles in length instead of 40; that the lands to be conveyed to said companies on the completion of each section of said road should be ten sections per mile instead of five; that only half of the charges for transportation and service due from time to time from the United States should be retained and applied to the advances made to said companies by the Government, thus obliging immediate payment to its debtor of the other half of said charges, and that the lien of the United States to secure the reimbursement of the amount advanced to said companies in bonds, which lien was declared by the law of 1862 to constitute a first mortgage upon all the property of said companies, should become a junior lien, and be subordinated to a mortgage, which the companies were, by the amendatory act, authorized to execute to secure bonds which they might from time to time issue in sums not exceeding the amount of the United States bonds which should be advanced to them.

The immense advantages to the companies of this amendatory act are apparent; and in these days we may well wonder that even the anticipated public importance of the construction of these roads, induced what must now appear to be a rather reckless and unguarded appropriation of the public funds and the public domain.

Under the operation of these laws the principal of the bonds which have been advanced is $64,623,512 as given in the reports of the commissioners; the interest to November 1, 1887, is calculated to be $76,024,206.58, making an aggregate at the date named of $140,047,718.58. The interest calculated to the maturity of the bonds added to the principal produces an aggregate of $178,884,759.50. Against these amounts there has been repaid by the companies the sum of $30,955,089.61.

It is almost needless to state that the companies have availed themselves to the utmost extent of the permission given them to issue their bonds and to mortgage their property to secure the payment of the same, by an incumbrance having preference of the Government's lien and precisely equal to it in amount.

It will be seen that there was available for the building of each mile of these roads sixteen thousand dollars of United States bonds due in thirty years with six per cent. interest, sixteen thousand dollars in bonds of the companies secured by a first mortgage on all their property, and ten sections of Government land—to say nothing of the stock of the companies.

When the relations created between the Government and these companies by the legislation referred to are considered, it is astonishing that the claim should be made that the directors of these roads owed no duty except to themselves in their construction, that they need regard no interests but their own, and that they were justified in contracting with themselves and making such bargains as resulted in conveying to their pockets all the assets of the companies. As a lienor, the Government was vitally interested in the amount of the mortgage to which its security had been subordinated; and it had the right to insist that none of the bonds secured by this prior mortgage should be issued fraudulently or for the purpose of division among these stockholders without consideration.

The doctrine of complete independence on the part of the directors of these companies, and their freedom from any obligation to care for other interests than their own in the construction of these roads seems to have developed the natural consequences of its application, portrayed as follows in the majority report of the commissioners:

"The result is that those who have controlled and directed the construction and development of these companies have become possessed of their surplus assets through issues of bonds, stocks, and payment of dividends, voted by themselves, while the great creditor, the United States, finds itself substantially without adequate security for the repayment of its loans."

The laws enacted in aid of these roads, while they illustrated a profuse liberality and a generous surrender of the Government's advantages, which it is hoped experience has corrected, were nevertheless passed upon the theory that the roads should be constructed according to the common rules of business, fairness, and duty, and that their value and their ability to pay their debts should not be impaired by unfair manipulations; and when the Government subordinated its lien to another it was in the expectation that the prior lien would represent in its amount only such bonds as should be necessarily issued by the companies for the construction of their roads at fair prices, agreed upon in an honest way, between real and substantial parties. For the purpose of saving or improving the security afforded by its junior lien the Government should have the right now to purge this paramount lien of all that is fraudulent, fictitious, or unconscionable. If the transfer to innocent hands of bonds of this character secured by such first mortgage prevents their cancellation, it might be well to seek a remedy against those who issued and transferred them. If legislation is needed to secure such a remedy the Congress can readily supply it.

I desire to call attention also to the fact that if all that was to be done on the part of the Government to fully vest in these companies the grants and advantages contemplated by the acts passed in their interest has not yet been perfected, and if the failure of such companies to perform in good faith their part of the contract justifies such a course, the power rests with the Congress to withhold further performance on the part of the Government. If donated lands are not yet granted to these companies, and if their violations of contract and of duty are such as, in justice and morals, forfeit their rights to such lands, Congressional action should intervene to prevent further consummation. Executive power must be exercised according to existing laws, and executive discretion is probably not broad enough to reach such difficulties.

The California and Oregon Railroad is now a part of the Central Pacific system, and is a land-grant road. Its construction has been carried on with the same features and incidents which have characterized the other constructions of this system, as is made apparent on pages 78, 79, and 80 of the report of the majority of the commissioners. I have in my hands for approval the report of the commissioners appointed to examine two completed sections of this road. Upon such approval the company, or the Central Pacific Company, will be entitled to patents for a large quantity of public lands. I especially commend to the attention of Congress this condition of affairs, in order that it may determine whether or not it should intervene to save these lands for settlers, if such a course is justifiable.

It is quite time that the troublesome complications surrounding this entire subject, which has been transmitted to us as a legacy from former days, should be adjusted and settled.

No one, I think, expects that these railroad companies will be able to pay their immense indebtedness to the Government at its maturity.

Any proceeding or arrangement that would result now, or at any other time, in putting these roads or any portion of them in the possession and control of the Government, is, in my opinion, to be rejected—certainly as long as there is the least chance for indemnification through any other means.

I suppose we are hardly justified in indulging the irritation and indignation naturally arising from a contemplation of malfeasance, to such an extent as to lead to the useless destruction of these roads, or the loss of the advances made by the Government. I believe that our efforts should be in a more practical direction, and should tend, with no condonation of wrong-doing, to the collection by the Government, on behalf of the people, of the public money now in jeopardy.

While the plan presented by a majority of the commission appears to be well devised and gives at least partial promise of the results sought, the fact will not escape attention that its success depends upon its acceptance by the companies, and their ability to perform its conditions after acceptance. It is exceedingly important that any adjustment now made should be final and effective. These considerations suggest the possibility that the remedy proposed in the majority report might well be applied to a part only of these aided railroad companies.

The settlement and determination of the questions involved are peculiarly within the province of the Congress; the subject has been made quite a familiar one by Congressional discussion; this is now supplemented in a valuable manner by the facts presented in the reports herewith submitted.

The public interest urges prompt and efficient action.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 17, 1888.

Mr. HOAR. I move that the message, with the accompanying reports, be committed to a special committee of five Senators, to be appointed by the Chair.

The PRESIDENT *pro tempore*. The Senator from Massachusetts moves that the message of the President, with the accompanying reports of the commissioners, be referred to a special committee of five, to be appointed by the Chair. Is the Senate ready for the question?

The motion was agreed to.

Mr. SHERMAN. I call for the regular order. I hope to have a vote on the bill which is the regular order before we go to the unfinished business.

Mr. MANDERSON. I wish to make a motion in regard to the printing of the message and accompanying matter. I understand that the two reports of the commissioners are already in type at the Government Printing Office, and that nine volumes of testimony have also been printed by the commission out of the fund allotted to it; so that the expense of printing the usual number of this communication and of the accompanying documents will not be a great deal. At this time, however, I move that the message of the President and the two reports, the majority and minority reports, be printed in the usual number, and that the question of the printing of the accompanying testimony and any additional copies be referred to the Committee on Printing.

The PRESIDENT *pro tempore*. That order will be made, if there be no objection. The Chair hears none.

Mr. GORMAN subsequently said: I submit a motion to reconsider the vote by which the message of the President and the accompanying papers in relation to the Pacific railroads was referred to a special committee.

The PRESIDENT *pro tempore*. The motion to reconsider will be entered.

DISTRIBUTION OF LAND PROCEEDS.

Mr. PLUMB submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Treasury be directed to inform the Senate what sums, if any, were paid to the States and Territories named in chapter 16 of the laws of the first session of the Twenty-seventh Congress, approved September 4, 1841, as 10 per centum of the sales of public lands, and also the amounts so paid by reason of the distribution of the net proceeds of the public lands provided for in said law.

KANSAS RAILROAD GRANTS.

Mr. PLUMB submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Interior be, and is, directed to furnish to the Senate, as soon as practicable, information as to proceedings, etc., under the acts of Congress approved March 3, 1863 (12 Stat., 772), and July 26, 1866 (14 Stat., 289), making grants of lands to the State of Kansas in aid of railroad companies therein named, as follows, to wit:

1. Copies of General Land Office letters withdrawing lands from market; the date when received at local land office, and whether, after such letters were so received, the officers of the proper local land office permitted settlers to file declaratory statements, pay fees, or do any other official act as to any lands so withdrawn to perfect title to any land under the homestead, pre-emption, and other laws.

2. Copies of the maps of definite location of each of the roads mentioned in said acts, and when filed, with copies of the lines of constructed roads, all on one map showing the sections, towns, and ranges of land, with the lines of granted and indemnity limits of each of said roads, and showing the location of rivers and points on said roads mentioned in said act; the line of road in Kansas which runs from Hannibal, Mo., through Parsons, in Kansas, to the southern line of said State, and thence into the Indian Territory; the line of road constructed by the Leavenworth, Pawnee and Western Railroad Company and its successors under the acts of July 1, 1862 (12 Stat., 489, secs. 3-9, etc.), and July 2, 1864 (13 Stat., 358, secs. 4-12, etc.), with lines of its granted and indemnity limits.

3. The location on said map of the Osage ceded lands under the treaty concluded June 2, 1825 (7 Stat., 240).

4. The location of the New York Indian reservation under treaty of January 15, 1838 (7 Stat., 550), with copy of the President's proclamation of August 21, 1860, in relation to lands therein, what, if anything, was done under said treaty and proclamation, and copy of the letter of the Commissioner of the General Land Office to the Secretary of the Interior of October 31, 1857, as to the status of lands in said reservation.

5. Copies of the certificates of the completion of all the sections of said road under said act of 1866, of all the sections of the road first mentioned in said act of 1863, and of the sections of the second mentioned road in said act so far as they cross the granted and indemnity limits of the other two roads.

6. Copies of patents issued, and of all lists of selections of indemnity lands, with dates of approval under said act of 1866.

7. Whether the road first mentioned in said act of 1863, or any branch thereof, was ever completed, and any decision in the Interior Department as to the right of indemnity lands for said road.

8. A list of even sections of land selected as indemnity in favor of the road mentioned in said act of 1866, which lie within the granted limits of the road first mentioned in said act of 1863, and a similar list of the even sections within the overlapping indemnity limits of said two roads.

9. Similar lists of the odd sections so selected.

10. A statement of the number of acres of lands patented, and also of lands selected as indemnity under said act of 1866 and yet held by the railway company named therein, its successors or grantees.

11. The length of the road constructed under said act, the length of that portion of it from its northern terminus to the point (Emporia) where it crosses the second mentioned road in said act of 1863, the distance from that point by way of the line of road constructed under said act of 1866 to the following-named points on said road, to wit: to the north boundary of the Osage ceded lands to the point (Chanute) where said road crosses the road first mentioned in said act of 1863, to the point (Parsons) where said road reaches and connects with said road running westward from Hannibal, and to the south line of the State of Kansas.

12. Copies of the evidence of the completion of said road made under said acts of 1862 and 1864 so far as said road is within the granted and indemnity limits of said act of 1866.

13. The date when the line of definite location of said road was filed through such limits.

14. State whether said company or its successors named in the acts of 1862 and 1864 and the second company named in the act of 1863 each earned or received the lands granted in their favor respectively within their respective granted limits, so far as they are in the overlapping granted or indemnity limits of the road made under the act of 1866, and before any right to such lands could have attached under said last-named act.

15. A list of homestead and pre-emption entries of lands in Allen County, Kansas, subsisting July 26, 1866, within the granted limits of the road mentioned in the act of that date, canceled since that date, with the disposition made of such lands, and a similar list and statement as to lands within the indemnity limits of said road.

AMENDMENTS TO BILLS.

Mr. PLUMB submitted an amendment intended to be proposed by him to the bill (S. 139) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861; which was ordered to lie on the table and be printed.

Mr. HEARST submitted an amendment intended to be proposed by him to the bill (S. 58) in relation to Indian depredations; which was referred to the Committee on Claims, and ordered to be printed.

Mr. MITCHELL submitted an amendment intended to be proposed by him to the bill (S. 555) to establish an additional land district in the State of Oregon; which was referred to the Committee on Public Lands, and ordered to be printed.

VISITORS TO WEST POINT MILITARY ACADEMY.

Mr. DOLPH submitted the report of the members of the Board of Visitors to the West Point Military Academy.

The PRESIDING OFFICER (Mr. PUGH in the chair). The report will be received. Does the Senator from Oregon desire to have the report read?

Mr. DOLPH. No, it is too long to be read. It is already stereotyped. I suppose it will be printed under the general order, and I offer a resolution to print an additional number, which I ask to have referred to the Committee on Printing.

The resolution was referred to the Committee on Printing, as follows:

*Resolved*, That 2,500 additional copies of the annual report of Board of Visitors to the United States Military Academy for the year 1887 be printed and bound in paper covers, 2,000 copies for the use of the Senate, and 500 copies for the use of the Senate members of that board.

RAILROAD BRIDGE IN ARKANSAS.

The PRESIDENT *pro tempore*. If there be no further morning business, the first bill on the Calendar will be stated.

Mr. JONES, of Arkansas. I ask unanimous consent to take up Order of Business 55, being Senate bill 322, to authorize a railroad to bridge a small stream in my State.

The PRESIDENT *pro tempore*. The Senator from Arkansas asks unanimous consent that the Senate proceed to the consideration of the bill named by him.

Mr. SHERMAN. I have no objection, as it is manifest now that we can not get a vote on the direct-tax bill before 2 o'clock. I will therefore let it stand over.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 322) to authorize the Southwest Arkansas and Indian Territory Railroad to build a bridge across the Ouachita River, in Arkansas.

The bill was reported from the Committee on Commerce with amendments, in section 1, line 3, before the word "Arkansas," to strike out "South" and insert "Southwestern;" and after the word "Railroad," at the end of line 3, to insert "Company;" so as to read:

That the Southwestern Arkansas and Indian Territory Railroad Company, a corporation created and existing under the laws of Arkansas, be, and is hereby, authorized to erect and maintain a bridge across the Ouachita River, in township 10 south, range 17 west, or at such point near said township as has been selected by said railroad company for crossing said river with their railroad line, the said bridge to be of such height as not to interfere with the navigation of said river.

The amendments were agreed to.

Mr. JONES, of Arkansas. The title should be amended to correspond.

The PRESIDENT *pro tempore*. That will come up subsequently.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. FRYE. Was there not one other amendment?

Mr. JONES, of Arkansas. An amendment of the title; that is all.

Mr. EDMUNDS. I think the bill wants a little more amendment. I wish the Secretary would read the last clause, beginning "That Congress shall have power to alter, amend," etc.

The Secretary read as follows:

SEC. 3. That Congress reserves the right to alter, amend, or repeal this act at any time; and that if at any time navigation of the said river shall in any manner be obstructed or impaired by the said bridge, the Secretary of War shall have authority, and it shall be his duty, to require the said railroad company to alter and change the said bridge, at its own expense, in such manner as may be proper to secure free and complete navigation without impediment; and if upon reasonable notice to said railroad company to make such changes or improvements the said company fails to do so, the Secretary of War shall have authority to make the same at the expense of the company, and all the rights conferred by this act shall be forfeited; and Congress shall have power to do any and all things necessary to secure the free navigation of the said river.

Mr. EDMUNDS. Mr. President——

The PRESIDENT *pro tempore*. The hour of 2 o'clock having arrived, the Senate resumes the consideration of the unfinished business.

Mr. JONES, of Arkansas. I ask the Senator in charge of that bill to consent that it be laid aside informally until the bridge bill is disposed of. I think it will require but a moment or two.

The PRESIDENT *pro tempore*. Is there objection?

Mr. BLAIR. I have not observed the pending bill, but the Senator from Colorado [Mr. BOWEN] is ready to go on.

Mr. BOWEN. I have no objection.

Mr. JONES, of Arkansas. If it takes more than a minute or two I will not insist.

Mr. BLAIR. Then I have no objection.

The PRESIDENT *pro tempore*. The unfinished business will be informally laid aside for the continuation of the consideration of Senate bill 322.

Mr. EDMUNDS. I move to amend section 3, in line 3, by adding, after the word "be," these words: "in the opinion of the Secretary of War;" so as to read, "and that if at any time the navigation of the said river shall be, in the opinion of the Secretary of War, in any manner obstructed or impaired," etc., so as to leave the Secretary of War the same control of the navigation of the river that he has now, and that his opinion as to the obstruction of it by this bridge which we authorize shall govern. I presume that was intended, but it does not seem to read so.

Mr. FRYE. It was intended, and is usual, too.

The PRESIDENT *pro tempore*. The amendment will be read.

The SECRETARY. In section 3, line 3, after the word "shall," it is proposed to insert "in the opinion of the Secretary of War be."

Mr. EDMUNDS. The first "be" should be left out.

Mr. JONES, of Arkansas. The word "be" where it occurs before "obstructed" should be stricken out.

Mr. EDMUNDS. Yes.

The amendment was agreed to.

Mr. EDMUNDS. In line 12 of the same section I move to amend by giving the Secretary of War the alternative authority. If we require this company to make the changes necessary to preserve the navigation and they fail to do it, we should give him authority not merely to make changes at their expense and collect the money if he can, but give him authority as an administrative act to remove the obstruction. Therefore I move to amend, after the word "company," in line 12, by inserting "or to remove said bridge;" so as to read:

The Secretary of War shall have authority to make the same at the expense of said company, or to remove said bridge, etc.

Mr. JONES, of Arkansas. I have no objection.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Southwestern Arkansas and Indian Territory Railroad Company to build a bridge across the Ouachita River, in Arkansas."

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a joint resolution (H. Res. 81) to authorize the purchase of the lands necessary for the construction of locks and dams on the Cumberland River; in which it requested the concurrence of the Senate.

## AID TO COMMON SCHOOLS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. BOWEN. Mr. President, my remarks will be brief. This bill has been considered so often that I deem it unnecessary to go into its details, which are perfectly understood by all. There is but little opposition to the bill save on constitutional grounds; the strict constructionists adhering now, as they always have, to the proposition that Congress is limited to the exercise of the enumerated powers, and denying to the "general-welfare" clause any scope save in connection with the powers specifically enumerated.

Such a construction of the Constitution as will best secure the principal purposes of its adoption is regarded by those favoring a more liberal construction as the only proper one, and no iron-clad construction tending to defeat these purposes should prevail.

The perpetuity of the Government created by this Constitution is the matter of paramount importance, and no one thing can more conduce to that end than the intelligence of the masses, and a common-school education is the very foundation stone—the chief of the corner—of such intelligence.

There is no practical difference, so far as results go, between the destruction of our institutions by force of arms and the more subtle process of simply permitting their destruction by failure to promote and encourage whatever conduces to their strength and perpetuity. The Treasury is overflowing with money, but I would not for that reason advocate the passage of this or any other bill. The surplus is a question to be considered in connection with the general financial and monetary policy of the Government. Still, the fact that we are in condition to make and pay the large appropriations contemplated by this bill removes one objection which would exist if the Treasury was empty. But, sir, the intent and purposes of this bill are higher and broader than the mere question of the disbursement of our surplus moneys. It reaches deeper than that, and aims at the general diffusion of knowledge, without which civil and religious liberty and all the manifold blessings of free government can not be permanently maintained. Such diffusion can only be hoped for through the medium of the elementary education which this bill places within the reach of all. The States, as a rule, have done much in this direction; but we propose to do more by this additional appropriation, and that, too, without in any way interfering with the local authorities, provision only being made to insure the faithful application of the fund for the purposes intended.

I listened with great attention to the very able and somewhat remarkable speech of the Senator from Missouri [Mr. VEST]. But for his positive disclaimer one would presume him to be opposed to the cause of popular education. His array of statistics I do not propose to analyze. The burden of his argument was thrown into an attempt to prove that the per cent. of crime was smallest where the per cent. of illiteracy was greatest, and as I understood him he took the number of arrests as the basis of the amount of crime, and thus gave to his position an air of great plausibility. The simple answer to all this is that the number of arrests do not at all represent the amount of real crime.

In some communities, for instance, very trifling matters subject people to arrest, as mentioned by the Senator from Massachusetts [Mr. HOAR]; such as smoking in the streets of Boston. I will not, however, dwell on this point, in view of the Senator's disclaimer of opposition to the cause of education, but before leaving the point will observe that, even though it may be true, as the Senator contends, that crime and illiteracy do not proportionately go hand in hand together, that that is not the all-important consideration, because it pales before the more important one that knowledge enables the one citizen to understand his rights, and the other to respect them. We are confronted to-day with the fact that not only in some of the Southern States, but in dense populations in the North as well, fair and free elections have become a mere travesty.

A government professedly based upon universal suffrage becomes under such circumstances a national lie; and what are we going to do about it? We are required to guaranty to each State a republican form of government. We have the form, but what about the substance?

There is no peaceful solution of this problem save that which is afforded by a more general education of the people and the higher state of civilization which will follow.

The constitutional objections to this bill, which we are bound to presume from all that is said here are the principal ones, are the same which have been thrashed over and over again, like old straw, until the grain is not only all out, but the straw itself is in shreds. It is the extreme old State's rights doctrine which went down in the bitterness and terror of war; and yet, strange to say, still raises its head in opposition to the grand idea that this is a nation and not a mere confederation of States; an idea the establishment of which cost this Government countless treasure and the blood of a million soldiers, the flower of American youth.

The treasure has, thanks to the inexhaustible resources and rapid development of the country, been restored, but the other loss can never, alas! be replaced.

Shall the little sodden mounds scattered all over this fair land, marking the last resting places of these gallant men, stand as monuments of the firm establishment of an indivisible nation, or shall they be pointed out as emblems of lives sacrificed for a cause seemingly successful when determined by the arbitrament of the sword, but bearing no fruition when tested in the field of statesmanship and diplomacy?

Sir, the law of self-preservation applies with equal force to nations as to individuals. This nation vindicated its stability on the field of battle, and will not be shorn now by strained constructions of the Constitution which would leave us powerless to exist except by mere sufferance; a condition not far removed from anarchy; a condition incompatible with dignity; a condition furnishing but little hope of peace, prosperity, or permanency.

The Senator from Missouri [Mr. VEST] consoles himself with the reflection that even should this bill receive the sanction of the two Houses of Congress that even then it may not become a law. His final hope rests with the "great man"—as he terms him—at the other end of the avenue.

This contains a covert threat—not very covert either—of an Executive veto. Well, let the veto come; and let it come for the reasons assigned by the Senator from Missouri, and it will be received by the people as the crowning scene in the last act of the great drama of retrogression, after which the curtain will soon fall and the play be withdrawn.

Mr. President, as a member of the committee which reported this bill in the Forty-eighth, Forty-ninth, and Fiftieth Congresses, I gave it my hearty concurrence, and the more it is discussed the more I am impressed with its grandeur and wisdom. I have heretofore contented myself with simply voting for it, and even now had no purpose of doing more, and will say in conclusion that the few remarks I have just made represent only, so far as I know, my own views and sentiments. Others who support the bill do so for reasons of their own, and none stand committed to my utterances.

## INSPECTION OF STEAM-VESSELS.

Mr. FRYE. Has the Senator from New Hampshire any objection to my calling up a bill which will only take two or three minutes?

Mr. BLAIR. If it is the pleasure of the Senate, the pending bill may be informally laid aside.

Mr. FRYE. The Senator from New Hampshire consents that the pending bill may be laid aside informally for a moment while I ask the Senate to take up the bill (S. 447) to amend the laws relating to in-

spection of steam-vessels, which is very short and will take but a few minutes.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 447) to amend the laws relating to inspection of steam-vessels.

It provides that on and after July 1, 1886, the fees of United States marshals and witnesses for services under the steamboat-inspection laws, the compensation of clerks to steam-boat inspectors, and all other expenses of steam-boat inspectors provided for in section 4461 of the Revised Statutes shall be paid for, under the direction of the Secretary of the Treasury, out of any money in the Treasury not otherwise appropriated, instead of from funds heretofore collected from the inspection of steam-vessels and the licensing of officers of such vessels.

Mr. FRYE. I simply desire to say that in the shipping bill passed in the last Congress there was a provision that all of these fees should be paid by the United States Treasury, and in the clause providing for that payment the fees referred to in this bill were omitted. The President signed the shipping bill, but sent back with it a special message in which he called the attention of Congress to that omission and asked that it might at once be remedied by supplementary legislation. I reported promptly a bill to the Senate from the Committee on Commerce, which was passed, sent to the other House, and reported by a House committee, but it could not be reached. So there can be no objection to this bill.

I move to amend in line 3 by striking out the printed words there "on and after July 1, 1886."

The PRESIDING OFFICER (Mr. PUGH in the chair). The question is on the amendment of the Senator from Maine.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INDIAN MARRIAGES.

Mr. DAWES. If the Senator from New Hampshire has no one to occupy the floor, I ask him to indulge me a moment while I call up the bill (S. 928) in relation to marriage between white men and Indian women. It is Order of Business 31.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Indian Affairs with amendments.

The first amendment was in section 1, line 3, after the word "man," to insert "not otherwise a member of any tribe of Indians," and in line 6, after the word "marriage," to insert the word "hereafter;" so as to make the section read:

That no white man, not otherwise a member of any tribe of Indians, who has married, or may hereafter marry, an Indian woman, member of any Indian tribe in the United States, or any of its Territories, shall, by such marriage, hereafter acquire any right to any tribal property, privilege, or interest whatever to which any member of such tribe is entitled.

The amendment was agreed to.

The next amendment was in section 2, line 6, after the word "woman," to strike out "in the State or Territory in which she may reside, and no longer a member of such tribe," and insert: "*Provided*, That nothing in this act contained shall impair or in any way affect the right or title of such married woman to any tribal property or any interest therein;" so as to make the section read:

SEC. 2. That every Indian woman, member of any such tribe of Indians, who has been or may hereafter be married to any citizen of the United States is hereby declared to become by such marriage a citizen of the United States, with all the rights, privileges, and immunities of any such citizen, being a married woman: *Provided*, That nothing in this act contained shall impair or in any way affect the right or title of such married woman to any tribal property or any interest therein.

The amendment was agreed to.

Mr. DAWES. To come in on the sixth line of the first section, after the word "Territories," at the suggestion of the committee, I offer the following amendment: "except the five civilized tribes in the Indian Territory."

The amendment was agreed to.

Mr. COCKRELL. Let the section be read with that amendment.

The Secretary read as follows:

That no white man, not otherwise a member of any tribe of Indians, who has married, or may hereafter marry, an Indian woman, member of any Indian tribe in the United States, or any of its Territories, except the five civilized tribes in the Indian Territory, shall by such marriage hereafter acquire any right to any tribal property, privilege, or interest whatever to which any member of such tribe is entitled.

Mr. COCKRELL. I ask the Senator, why except those tribes?

Mr. DAWES. The reason is that we have by treaty conceded to those tribes their entire autonomy, and therefore in this matter, which is so purely a domestic concern, it was not thought well, however desirable it may be at some time, to legislate for those tribes, and indirectly in this way to evade the treaty stipulations.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AID TO COMMON SCHOOLS.

Mr. TELLER. I ask permission to call up a bill reported from the Committee on Public Lands.

Mr. BLAIR. I think it proper to say that three or four gentlemen whose names are on the list to speak to-day are not ready to proceed, and as I do not wish time to be lost on the educational bill, I will take the floor myself.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. BLAIR. Mr. President, I had not designed to say much on this bill in the course of the debate, and I now propose to occupy the time rather in placing facts before the Senate than in any discussion of the constitutional questions which are involved in it, and which have been dwelt upon mainly by those who have opposed the bill, but I think it is right to recall to the Senate something of the history of this measure.

It will be remembered by those who have been longest connected with service in the Senate and in the other House in recent years that the idea of national aid to education in some form has been before Congress and the country nearly all the time since the close of the war. In fact, the events of the war made the necessity of assistance to the cause of public education manifest. What then occurred impressed the whole country with the necessity of that assistance. It became apparent that such aid was actually indispensable, in the then condition of intelligence throughout the country, to its continued existence. Even during the war, in the efforts which were made for the sustenance and care and for initiatory steps towards the elevation of the colored race, education was a fundamental idea.

Soon after the close of the war, as is known to the country, charitable individuals and associations, the religious organizations of the land, the educational organizations, teachers and colleges and associations of that character throughout the country, pressed upon the public attention the necessity of active efforts in order to initiate the education and elevation of the colored race, and the necessity of even actual sacrifices in this direction, and so it came to pass that the missionary feeling, not alone in the line of religious education, but intellectual as well, came to be more powerfully aroused, excited, and directed towards the elevation of the ignorant mass of our countrymen than toward almost any other purpose whatever. That feeling, which had been so largely concentrated on foreign missions, was diverted and the attention of the country was directed to the elevation of the colored race, and not alone to the improvement of the colored race which had become free by the results of the war, but all through the country, to some extent in the North and throughout the South, the condition of the masses of the white people who had never had the advantages of a systematic course of instruction by a common-school education attracted the attention and the earnest sympathy of the entire country.

As the result of this feeling, entirely outside of municipal, State, and national effort, there has been expended since the conclusion of the war not less than twenty-five or thirty million dollars, the contributions of benevolent individuals or religious and educational institutions throughout the country. The most important contribution of any one, perhaps, was that known as the Peabody fund, and the gentlemen who were made trustees of that munificent appropriation for our fellow-citizens in the Southern States without regard to race or color—the gentlemen who were made trustees of that benefaction, consisting of some of the most eminent citizens of the country, very early directed the attention of Congress and the people to the necessity of a still more enlarged systematic and powerful effort than was within the scope of private enterprise and beneficence; and perhaps the earliest memorial—the earliest memorial certainly which was in the direction of the strong comprehensive effort contemplated in this bill—emanated from those gentlemen, the Chief-Justice of the United States, the honorable Senator from New York [Mr. EVARTS], the Hon. A. H. H. Stuart, of Virginia, and other names equally prominent in the history of the country, and which will be known for all time with honorable distinction.

These gentlemen were the authors of a memorial directed to the Congress of the United States in which the necessity of national aid to education was most vividly and powerfully portrayed, and I think that the idea of actual and substantial aid to the common-school education of the country received its first and most powerful impetus from that source.

The earliest bills that found their way into Congress on this subject proposed to establish a fund contemplating a prolonged assistance in the common-school education of the people. They did not propose, as does this bill, any immediate and tangible assistance of importance. A bill was introduced by the honorable Senator from Massachusetts [Mr. HOAR], the earliest, I think, of any, in the House of Representatives, which proposed to set apart the proceeds of the sales of public lands, and also, in addition to the actual proceeds of sales of the public lands, the annual surplus income from the Patent Office, which Senators will bear in mind is an entirely different source of income from the sales of public lands, and from these two combined sources of income to make a perpetual fund, the interest of which fund should be appropriated annually to the cause of common-school education, and to be, if I recollect aright, distributed upon the basis of population, and various pro-

visions were made as to the manner of its division. Some portions were to be appropriated to the benefit of the agricultural colleges, and perhaps there were other institutions to which definite proportions were to be applied; but the result was that the annual assistance to be derived by the individual child needing education at the present time was exceedingly slight, amounting to only a very few cents per capita throughout the United States. I think that in the earlier stages of the operation of the bill, if it had become a law, there would not have been more than 3 or 4 cents per child throughout the country, and of course the benefit would have been infinitesimal. The bill passed the Senate several times and with almost a unanimous vote. I recollect that on one occasion the vote in opposition was only some 5 or 6, and it embraced the names of nearly every Senator upon the Democratic side of the Chamber at that time.

The emergency, however, was so great from 1870 to 1880, as shown by the respective censuses of these two years and by the investigations of individuals whose reports came from all parts of the country—the emergency requiring additional aid and greater effort was such that the present bill in substance was devised and was introduced; and from the year 1881, so far as educational discussion is concerned, it has practically absorbed the attention of Congress.

The bill has been introduced in different forms and has received suggestions from various sections of the country, and everywhere so far as it was thought worth while to do anything on this subject, gentlemen interested in it have seen fit to introduce bills making direct and large appropriations, and in every instance, so far as I now recollect, with the proposition that the division of the funds should be made in such a way as that they might go to those portions of the country where the illiteracy was the greatest, and since 1880 the division has been universally proposed to be made on the basis of illiteracy as shown by the returns of the census of that year.

In support of this measure I desire to state a few facts as to the extent of the public expression of the country. In the first place have been the memorials of the trustees of the Peabody fund and the representations of the superintendent, Mr. Curry, and others as to the practical administration of that fund. The names of Hon. Robert C. Winthrop, of the Senator from New York [Mr. EVARTS], of a former President of the United States, and many other eminent names connected with that great trust have been repeatedly before Congress recommending this or some measure tantamount to this in effect.

Nearly every religious organization of the country has at one time or another memorialized Congress to pass this, or substantially this, bill. The Methodist denomination, the Presbyterians, the Congregationalists, nearly all the great religious denominations of the country have, at one time or another, expressed their emphatic approbation and their earnest desire that this bill, or a measure of this description, might become the law of the land.

The teachers' associations of the country, representing the number of three hundred thousand teachers professionally teaching throughout the country, who are embodied in various associations, have practically as one great body memorialized Congress time after time to pass this bill or something of this description. This very last year the Educational Association which met at Chicago, a convention of ten thousand teachers in actual numbers in attendance upon its sessions, passed strong resolutions urging the passage of this bill. One teachers' association, more largely located in New England and holding its session at Burlington, in the State of Vermont, also memorialized in the same direction. Most of these great associations appointed committees to urge the passage of this bill upon Congress. This is not their primary or original action by any means. It is simply a continuation of their earnest entreaty and their protest to the country that something of this kind should be passed as imperatively demanded by the public good. Their resolutions have been before Congress for some four, five, or six years in succession at every Congress in which this bill has been considered.

Innumerable petitions have come from various localities throughout the country, from great semi-political organizations, great organizations representing the industrial movement among the working people. Their petitions have been made known to Congress more than once, and to the present Congress as well as to former Congresses. The Knights of Labor have done this; the Federation of Labor have given expression to the same sentiments; and the great organization known in the country as the Woman's Christian Temperance Union repeatedly has done this, has done it at the present Congress, did it at the last Congress and in the Congress preceding. They were pressing and emphatic in urging, as they are in this Congress in the same way, the passage of the bill. That is an organization which represents 200,000 of the Christian women of this country, largely the Christian motherhood of this country, more influential in the various churches of this country than any other one element which exists among them. They look on this measure as important with reference to their own special work, for it is an institution having a broader basis than simply the promotion of the one cause of temperance, for they promote that cause by their action simply because it reaches out beyond the one great crime and evil which they assail, and has to do with the general development and elevation of the nation and of mankind, and in order to attain that result, they more than almost any other people in this country realize that common-school education is the salvation of this nation and of all nations.

So then, this bill, introducing where it does not already exist and rendering efficacious the institution of the common school wherever it is already partly planted and partly in operation—this bill, I say, giving to the whole country as it will be able to do, in connection with contributions and with support already available, the common-school system, establishing it firmly, so that it may maintain itself for all time by the vigor and support of the local community—this bill they realize to be the one indispensable national public measure to the support and enactment of which they should give their primary concern. And the common school once established, they see, too, that there will then be the means of presenting to the children of the country that instruction which they consider especially necessary with reference to the removal of the evil of intemperance; for of what use is it that this organization should succeed, as they have in half of the States of the country already, in securing the enactment of those laws which carry instruction in regard to the effects of alcoholic and other poisons on the system into the common schools periodically, when there are no common schools wherein the instruction is to be given, or when those schools are such that the instruction is inefficient by reason of the very short period of the year during which the schools are held? It is in these two views, first with a view to the general, and secondly with a view to their special work, the suppression of the evil of intemperance, that this great organization, the Woman's Christian Temperance Union, is actively exerting itself for the enactment of this bill into a law.

I might go on and consume the day in a specification of the various sources of petition, important petitions, petitions from all the great interests of the country, for the enactment of this bill into a law; but I can not thus consume the time of the Senate. I think it proper, however, to recall the attention of the Senate to the fact that this bill has behind it the great forces of the nation, and that whoever places himself in opposition to this measure or something of this kind, in the general judgment of the American people, is hostile to the public good.

Our friends on the Democratic side of the Chamber complain that this bill is unconstitutional.

Mr. HARRIS. Before the Senator comes to that point I desire to call his attention for a moment. He was referring to great national forces in favor of the passage of this bill, and among others—not in his speech, but in his copyrighted pamphlet or report—I notice that he says that the Legislature of Tennessee passed resolutions favoring the passage of this bill. I simply desire to call his attention to the fact that that is a gross mistake. The Legislature of Tennessee has never passed any such resolutions.

Mr. BLAIR. It is possible there may be a mistake in regard to one State. I do not now recollect. If so, it was an inadvertence. There have been very strong expressions of sentiment of that kind, however, from citizens of the State of Tennessee. But the State of Louisiana has memorialized Congress, I think, twice, through her Legislature, and the State of Mississippi has memorialized Congress twice or three times in favor of this measure. The State of Alabama, if I do not labor under a mistake, has memorialized Congress twice, once certainly, and has passed a concurrent resolution indorsing this bill by the two houses of the Legislature. Perhaps not the same resolution was passed in each, but in the same Legislature a resolution was passed by both houses indorsing the bill. The State of Georgia has done the same through her Legislature, and so I think has Florida; if I am wrong the Senators from Florida can correct me. South Carolina has certainly done it; North Carolina has done it; Virginia has done it. Virginia has done it, if I recollect, both by Republican and Democratic Legislatures, and the Democratic party in its last political platform in the State of Virginia, if I am not misinformed, has indorsed this bill. I think, though I will not now undertake to say positively, two other Southern States have indorsed this bill by their Democratic Legislatures. Thus, so far as the Legislatures of those States can give expression to the general sentiment of the Southern people, they favor it, not alone as a measure calculated to work out the public good, but they indorse it as a constitutional measure. Thus the very authority which most of those Senators who oppose the bill represent, the people, have given utterance to expressions in favor of its constitutionality.

In the North several of the Legislatures, every Legislature so far as I have ever heard in which the matter has been discussed at all, has indorsed the bill. The Legislature of Ohio did it some three or four years ago. The Legislature of Pennsylvania did it this last spring, and the Legislature of New Hampshire as well during its recent session.

I say, then, that whoever controverts the constitutionality of this bill finds considerable of that constituent power which sends us all here, certainly in as many as ten or twelve of the States, and those mainly the States from which those Senators come who most vigorously oppose it on the ground of unconstitutionality—I say he finds that these appointive, these creative powers have indorsed the constitutionality of this measure, and that, without reference to its constitutionality, in giving utterance to the general sentiment of the masses of their people they have re-

peatedly by a large majority, especially of the people of the South, memorialized Congress for the passage of this bill and given it their vigorous indorsement.

I will take some of the time of the Senate in considering the question which seems to be raised as to the continued necessity of this temporary national support which it is proposed to give to the common schools by the provisions of this bill. It must be conceded that, if the census of 1880 is to be relied upon, the necessity for assistance to the common schools of the country does exist. But we are told that since the taking of that census there has been a general transformation, and that the necessity which once existed has passed away; that there is a sufficient degree of common-school education throughout the country now provided by the States, or if not the highest degree, the States are now making such progress in that direction, have already attained to such eminence in that direction, that the assistance of the National Government would be not only inopportune but would be actually injurious to the interests of the schools.

In the brief report which the committee has submitted at the present session, and for the drawing of which I am alone responsible, the ground is taken that on the whole illiteracy is increasing rather than diminishing in this country; that although here and there in isolated places, where business development is going on, where it may be there is an exceptional interest felt in the removal of the incubus of illiteracy, nevertheless, surveying the whole vast field, considering the condition of the sixty million people who make up this nation, illiteracy is increasing, and is not diminishing.

I do not know, but I believe myself that illiteracy is increasing as fast as, if not faster than, the population of the country. I mean in an equal proportion; but certainly—and in this I but express the opinion of the Bureau of Education—the positive amount of illiteracy in the country is to-day increasing, and is not diminishing, and in 1890 there will be more voters in this country, more of the coming generation, who can not read or write than there were in the year 1880. As I said before, I think this increasing illiteracy maintains its equal proportion of increase as compared with that of the population itself.

This illiteracy is not confined to the Southern States. I am not one of those Northern men or American citizens who are at all inclined to hold up their hands in holy horror and say, "These poor outcast States of the South! See how ignorant they are!" I admit that there is as much danger to-day to the institutions of this country from the illiteracy of the North as there is from the illiteracy of the South. The great cities of the North to-day are, in my belief, increasing in the dangers that grow out of ignorance and worse-resulting vice, misrule, and tendencies to anarchy, and there is as great danger in the large cities of the North to-day to the good of the whole country as results from the condition of the South.

True, in the rural districts in the North, in the country, if I may so express myself, in the smaller cities of the North, in the villages, in the wealthier rural districts, intelligence is undoubtedly increasing, and there is an antidote to a large extent to the conditions which we find in the cities; but nevertheless the cities are rather retrograding than improving. There is one peculiarity in regard to the situation of States in the North which does not exist at the South. There is no great Northern State that is not practically under the control of some great city, or it may be more than one great city within its limits. Look at Massachusetts, controlled by the city of Boston. Look at my own State, small in population, but right in the clutch of a single city, that where I reside, the city of Manchester. What is true of those States is more true still of the State of Rhode Island, a large mass of whose population is in a single city. The cities of Connecticut can control Connecticut; New York City and Brooklyn, New York State; Jersey City, the State of New Jersey, Cincinnati, Ohio; Philadelphia, Pennsylvania; Chicago, Illinois; St. Louis, Missouri; and San Francisco, California. These great States are all really controlled by the large cities I have named, and those cities are most rapidly increasing in population, and do not hold their own in those enlightened and conservative influences which are indispensable to the republican form of government.

I do not know how it may be, but a citizen of Chicago told me recently that there was a voting precinct in Chicago in which there was no school. I think there must be some error in regard to that; but in the city of Atlanta, which controls the State of Georgia, or is rapidly coming so to do, there are some voting precincts in which there is no school whatever, and within 5 or 6 miles of the city of Atlanta there are important polling precincts where there are from 300 to 500 voters with not a single school within their limits either for white or colored children. But I shall speak more of the actual condition of the school system in the South later on.

In the State of Massachusetts illiteracy is increasing to-day. That has been admitted on this floor and stated in discussions in the Legislature and elsewhere in the State of Massachusetts. It is owing very largely to the influx of foreign population, to be sure, but nevertheless the population is there. They are a portion of the American people; they are there to stay, and the dangers which result from ignorance threaten them, for such dangers do result, unless the Senator from Missouri [Mr. VEST] is right, that ignorance is, on the whole, the source of virtue and the real protection of the republican form of government. Unless that be true, the old commonwealth of Massachusetts, but for the vigorous and compulsory efforts which they are now taking to remove the increasing illiteracy, would be upon the downward grade as a republic.

In my own State, which has been criticised a little (I suppose, with the hope rather of reaching myself than of reaching the body of the State), I do not think that the condition of popular education is improving. We are doing what we can with it. A little later on I shall endeavor to show that we are not quite so badly off as some, both in the Senate and out of the Senate, would have us believe. In the State of New York, the recent report of the superintendent of education, Mr. Draper, shows that the actual condition of the common schools of the State is not improving; that the actual attendance is lessening rather than increasing. Not expecting to speak, I have not brought the document with me and I have it not here, but I desire at some time, before the debate is closed, to read what Mr. Draper says upon this all-important subject, as to the condition of common-school education in the great State of New York.

In regard to the State of Connecticut, I have here the message of the governor of that State, which I will read if it becomes necessary, in which he gives utterance to what should, I think, be looked upon as an alarming complaint of the actual condition of common-school education in large sections of that wealthy, that noble, that distinguished commonwealth.

But this bill seems to be considered mainly with reference to the condition of education in the States of the South. Undoubtedly, it originated from the circumstance that as a result of war, from the liberation of the colored people, from the general impoverishment of that section caused by the terrific strife through which we have passed, assistance from some source is necessary to enable those rising commonwealths to supply to the masses of their people, to the children who are to be the commonwealths of the future, the indispensable general intelligence necessary to the new order of things.

It has been claimed on this floor that since 1880 there has been a general improvement in the condition of the South to such an extent that national assistance is no longer necessary. It is not possible to obtain that fullness and accuracy of statistical detail, in the absence of the efforts of the General Government, which is desirable as the basis of an argument, but I have something on that point from the recent report of the Commissioner of Education, and I will perhaps later on in my remarks say something of the present statistical delineation of the Southern condition. But, as we all know, the observation of intelligent gentlemen upon the condition of things in their own vicinity touching a subject in which they have great interest to be right is as reliable a source of data upon which to base a safe opinion as almost any that we can appeal to. I have therefore taken pains to obtain from prominent citizens of most of the Southern States recent expressions and statements of fact as to the actual condition of the schools in their midst.

At the opening of the debate, after the reading of the report, I read to the Senate a statement of the son of General Albert Sidney Johnston, president of Tulane University, in the State of Louisiana. I suppose him to be as competent an educational authority as any gentleman who lives in the country, and he is probably the most competent man who could be named to state with regard to the condition of education in the South generally, and specifically with regard to its condition in his own State. All of us would have known it, perhaps, but I have been informed by the Senators from Louisiana that this gentleman is entitled to as high an indorsement in this regard as can possibly be given. Having once read his statement, I would simply recall the attention of the Senate to its contents, without troubling them with any part of it, though at the time it was read the Senate was so thin that if the Senate were here generally at this time I should read it again, in order that its contents might be better known. But I can only trust that those interested in this subject will be at the pains to read this and other statements in the RECORD.

I have received from the State of Louisiana a further communication from the Hon. William O. Rogers, recently the superintendent of public schools in New Orleans. This gentleman is distinguished among the educators of the South, and I do not know that I could appeal, with the exception of the gentleman whom I have previously named, to any higher authority on this subject in that part of the country. He says in his letter addressed to myself, dated New Orleans, January 2, 1887:

MY DEAR SIR: Delay in answering your favor of the 19th instant has not resulted from a lack of interest in the subject, but from other causes beyond my control.

It would be easy to pile up figures of school attendance, enrollment, population, etc., in order to show the present necessity for national aid to education. I am satisfied in my own mind that the conclusions of such statistics would not materially differ from those which have already been so fully presented in the debates of Congress, as well as in many public utterances of State Legislatures, educational conventions, school men, etc. I have examined a number of reports of city, parish or county, and State superintendents of public education, and have carefully read much that has been written upon the school question in many city and country newspapers, and have come to the conclusion that national aid is as much a necessity now as at any former period; and that it was necessary two, five, ten years ago has been, in the estimation of a great many persons, as clearly shown as it has been possible to show any want or condition of the country. I do not say that there has been no improvement in the number, condition, and work of public schools since 1880. Education, public and

private, has responded to the development of the whole country, the Southern States not excepted, in many of the particulars which constitute the wealth of a great people. There is a larger attendance in schools, more school-houses, more money expended upon education than heretofore. The increase, however, has not been proportionate to improvement in other branches of public service. In the distribution of enhanced revenues, it does not appear that public education has received an increased support commensurate with its wants, or proportionate to the encouragement extended to other branches of public interests. In the rapid growth of towns and sections, based upon the development of mineral products or the opening of new manufacturing and agricultural industries, population has been gathered in haste, and all available means have been required to furnish accommodation, erect public and private buildings, including a few school-houses, lay out streets, and establish municipal order and security. In rural districts the population has found an increasing struggle, needed to meet the difficulties of competitive prices and disturbed labor. There is no evidence, so far as I know, to show a gain upon the illiteracy of the country, such as would result from an increase of those who can read and write and a corresponding decrease in the number of those who can neither read nor write.

The city of New Orleans fairly represents what is done in other cities of the South in the way of education. We have better schools for those who can pay for instruction, with a moderate increase in the attendance. There has been a very decided increase in the number of pupils attending the public schools, but the sessions have not been lengthened, but rather shortened, and the aggregate sum disbursed is actually less.

I should say here, perhaps, that the schools in that State have never averaged three months in the year, and every one can see that a child would forget in nine months, possibly, more than he can learn in three.

Teachers have more work to do, receive less pay for it, and have fewer facilities for the accomplishment of their work than formerly.

I ask attention to this statement, that teachers have more work to do, receive less pay for it, and have fewer facilities for the accomplishment of their work than formerly. The teacher, of course, is the essential element in the school. Then Mr. Rogers proceeds:

The city school board, in a report to the city government, under date of December 13, 1887, says:

"Our schools are now crowded, the number on roll being 18,341. The pressure upon the primary departments is excessive. Sixty of the rooms contain over sixty pupils each, five contain over one hundred each, and numerous applicants for admission have necessarily been refused for lack of school accommodation. Seven more schools and twenty-seven more teachers are needed to relieve existing pressure, and still more will be needed to encourage the healthful expansion of our schools.

"We believe it is well known to all intelligent citizens of New Orleans that our public schools have received inadequate support; that our school-houses are insufficient in number and size; that many of them are unattractive, dilapidated, and even, in some cases, unsafe. It is well known also that our able and faithful teachers are poorly and irregularly paid. It is too generally believed that this state of affairs is the natural and inevitable result of the poverty of our city. It is true that our city is heavily burdened, and the necessity of economy is obvious, but we claim that the education of our children is of paramount importance, and that no American city can enjoy permanent prosperity without a well-sustained system of public schools.

"To carry on the schools during the present year we have been compelled to deprive our teachers of their vacation salary; to overcrowd our rooms and overwork our teachers; to herd our children in buildings badly furnished, dilapidated, and insufficient. * * * If our schools do not receive a much larger appropriation for next year it will be impossible for them to continue even upon the present parsimonious basis.

"The city appropriated $171,000 for the support of the schools during 1887. About $35,000 was received from all sources, making a total of $206,000. The school board makes a careful estimate of its requirements, showing that the sum of $357,852 is needed for the proper support of the schools during the coming year. There will be little or no increase, however, over the revenue of 1887 for 1888, it being claimed that the amount appropriated is all that the city can apply to education and meet its obligations in other directions."

A lack of over $150,000 of the $357,000 needed in that one city.

"Of the entire attendance in the city public schools, about 20 per cent. are colored children. In several of the schools the teachers are all colored, and perform their work with great satisfaction. The colored schools receive a proportionate part of the public funds, have good school-houses, and share and share alike in all the facilities of school instruction."

The following is from the report of City Superintendent Bettison, January, 1886:

"According to the census of 1880, the number of children in New Orleans from six to eighteen years of age was 61,450."

From six to eighteen years of age, Senators will observe, the period during which most common-school education must be received.

"Allowing 10 per cent. for increase of population, there would now be 67,595 children between six and eighteen, the legal school age in our State. If the following estimate is correct, or nearly so, it shows that our schools could easily expand under proper support so as to include 50 per cent. more than their present number:

| | |
|---|---|
| Number of children in public schools | 24,332 |
| Number of children in private schools | 16,399 |
| Number of children in stores, offices, etc | 12,000 |
| Number of children at home or on the streets | 14,864 |
| Total | 67,595 |

The whole number between six and eighteen years of age.

"If adequate support to the public schools, such as national aid would give, would add 50 per cent. to the school attendance in the city, still greater advantages would accrue to the public schools of the rural parishes of the State."

According to the report of State Superintendent Warren Easton, there are large parishes—

I ask the attention of the Senate to this—

there are large parishes or counties in which no public schools were held last year in consequence of insufficient funds. In many parishes schools are reported as open two, three, and four months of the year. The average session for the entire State has been for whites 5 months; colored 4.91 months.

The school population for 1880, in the State, was 139,661 whites; enrolled in schools 32 per cent. Colored 134,184; enrolled 20 per cent. For 1885 the enrollment is reported: white 50,654; colored 41,414. Total 101,068."

One hundred and one thousand out of a total of 260,000 or 270,000.

The increased enrollment as compared with the increase in school population indicates how earnestly the State is trying to reduce the burden of illiteracy, but the results show, also, how slow the progress made and how difficult, if not impossible, it will be for the State, unaided, to educate its entire school population, or so far to decrease illiteracy that it shall not be an evil in the present and a constant menace against peace and prosperity in the future.

I am, very respectfully, your obedient servant,

WM. O. ROGERS,
*Ex-Superintendent Public Schools, New Orleans.*

Upon this point of the actual lack of schools in large sections of the country, whole parishes or counties having been without any schools whatever during the last year, I desire to call the attention of those who have criticised as well the returns of the census as those of the Bureau of Education, which have been introduced in the speech of the Senator from Delaware [Mr. GRAY], as well as the speech of the Senator from Missouri [Mr. VEST], to the fact that these averages are to the last extent misleading. If I am to die it makes very little difference to me what is the fate of the other 59,999,999 people of the United States. To me the stroke of death is all-important. Just so it is with reference to the matter of education. When a child is not educated, to that child the calamity is as great individually as though nobody were educated, except as the reflex influence of education upon others gives a little of development and elevation.

Here are whole counties where the children are without education; here are voting precincts all over the South, and in some portions of the North, without schools; and I am told that there are voting precincts in cities of the North where there are no means of public education. But we have schools in the cities for ten, eleven months, and perhaps in some instances the whole year round. Those schools are taken in making up these estimates, and they are massed with the shorter schools of one, two, or three months and the localities where there are no schools at all. The returns do not show the localities where there are no schools at all; but taking all the schools—there are some of them eight or ten months in length, and others only from one to three months, it may be—and we get an average for the whole State, and the State feels as though it had something to be proud of when it makes on the whole an average showing of schools five or six months in length.

If that were the universal length of the schools, if it were even five months, I am not one of those who, if they were efficient schools, would be inclined to find fault with the general condition of common-school education in the country, for I am one of those who believe that the average American child who has the opportunity for six months of education in the common schools gives as much of his time to education in the rudimentary branches of knowledge as it is of any advantage to him to give, and the rest of his time had better be given to industrial pursuits and in learning how to get a living.

But the truth is that these averages fail to indicate the condition of perhaps one-quarter part of the children of the whole country, who have substantially no opportunity to attend school at all, and more than one-third of them in that portion of the country which lies south of Mason and Dixon's line. It is this evil which can only be remedied by the extension of the system so that all the children shall have an equalization of school privileges, as the bill expresses it; and it is this evil to which, so far as I am concerned, I would especially direct attention.

Mr. DAWES. I should like to make an inquiry of the Senator from New Hampshire. I have not been in the Senate Chamber during all of his remarks, and it may be that he has already answered the inquiry which I desire to make. The committee which has reported this bill represents all parts of the country, and I have no doubt that it represents intelligently the condition of education in all parts of the country. I should like to ask if there was any evidence before the committee, or if any member of the committee has evidence, that would answer the question whether illiteracy is, on the whole, upon the gain or decrease in this country. I have heard it stated, as if upon good authority, that illiteracy is on the gain in this country, and that that gain is not confined to either race or exclusively to any section or locality. If that be true, if the committee have reliable evidence which would answer that question, I should like very much to hear it. As I said, it may have been already answered by the Senator from New Hampshire or by some other Senator, but I have not heard it.

Mr. BLAIR. As I stated earlier, I am informed by the Bureau of Education that the actual illiteracy of the country is unquestionably increasing, and it is not confined wholly to the Southern States. The bureau was in doubt whether there was an increase of illiteracy fully proportionate to the increase of population in the country. The truth is, so far as that is concerned, that there are no statistics available, and the statistics in school returns are taken, as they must be, largely by estimate, sometimes by overfavorable estimate, for no superintendent of schools, especially now that public attention is directed to this subject, would wish to place his State any lower in the grade of education than he is obliged to do. He is lacking in the facilities for obtaining and making accurate returns. It is exceedingly difficult, as I remember when I was engaged somewhat in schools in my own State, to get from the teachers in the districts the returns which they are required to make by law, even when their compensation depends upon its being done in a proper manner. I have been told that in some instances the returns which are made use of in these debates from superintendents of education are made up most carelessly, with most favorable esti-

mates, and with no actual enumeration. I do not undertake to impeach them; I simply call attention, from what we know of human nature and what those of us know who have had anything to do with the common schools of the North, to the tendency to put the best possible showing upon a given state of facts. I call attention to the possibility that these unsworn returns that may have a tendency upon business booms, which have something to do with the attraction of Northern capital and Northern immigration to some parts of the country, are likely to present a more favorable aspect than the true one.

In regard to the North, I have heard it stated by a responsible gentleman of Massachusetts, and that it is founded upon actual returns, that the illiteracy of that State is increasing. I know that there has been most stringent legislation in the way of the establishment of compulsory evening schools in that State, and that strong efforts have been made to stamp out illiteracy by that Legislature and that people on account of the increasing and impending danger resulting from it. I have here a communication which would be exceedingly serviceable to the whole country, I think, as a statement of the remedial steps which have been taken in that ancient and important commonwealth, which was sent to me by Mr. Carrigan, whom the Senate will recognize as one of the leading educators of the State and, in fact, of the country, in regard to the operations of the legislation recently enacted directed to the removal of illiteracy in that State, especially to the establishment of evening schools. As it is a communication of some ten or twelve written pages, I will, with the consent of the Senate, if there be no objection, incorporate it in my remarks.

The communication is as follows:

BOSTON, *January* 7, 1888.

DEAR SIR: In answer to your inquiry as to the laws of Massachusetts relating to illiteracy and evening schools, I would respectfully refer you first, to the "Acts and Resolves" of the Legislature of 1887, a copy of which I sent to your address this day by mail. As you will observe, the statute, chapter 433, acts of 1887, has been in force but a few months, nevertheless the effect of its provisions has been most salutary, and the reports from the cities and towns affected by this enactment are most gratifying. To the thousands of unfortunate people who are brought into our common schools by its operation it will prove a precious boon. Its provisions, as was intended, are far reaching. They search the shop and factory, mill and manufactory alike, and bring the neglected children of illiterate parentage immediately under the guardianship of the State, thus compelling the needy to come in and partake of the free offering of a generous public. Though many questioned the wisdom of extending our school age from fourteen to twenty-one years of age by special legislation, I doubt if there is today a manufacturer or other citizen interested in the welfare of the commonwealth who is not in hearty accord with the most rigid enforcement of the act. The Legislature of 1884, as you may know, failed to enact the bill. It passed the house, but was killed in the senate. Last year the matter was again brought to the attention of the general court. As a member of the State board of education, I urged remedial legislation looking to the education of all illiterate minors.

The Legislature considered the expediency of prohibiting the employment of minors who could not read and write in the English language, restricting the law to cities and towns wherein evening schools were maintained. The object of the measure was to compel all illiterate minors to attend day or evening schools. From the extent and increase of illiteracy in manufacturing centers the necessity of further legislation was apparent. By the State census of 1885 it was found that, though Massachusetts had maintained her liberal appropriations for general education, for technical and industrial schools, for normal instruction, had extended her evening school system to include secondary studies, and, in a word, had materially advanced the standard of schools and colleges, there were 122,263 persons ten years of age and over illiterate. The total population of the State by the census of 1885 is 1,942,141. The population ten years of age and over is 1,581,961, making the percentage of illiterates ten years of age and over 7.73. An analysis of the census by cities and towns showed an alarming increase in illiteracy from immigration and the importance of immediate action by school authorities.

A few examples will suffice to show the distribution of illiteracy throughout the State:

| Cities. | Total population. | Population ten years of age and over. | Illiterates ten years of age and over. | Percentage. |
|---|---|---|---|---|
| Boston | 390,393 | 319,463 | 22,356 | 7.00 |
| Lowell | 64,107 | 52,558 | 5,656 | 10.76 |
| Lawrence | 38,862 | 31,406 | 2,942 | 9.37 |
| Fall River | 56,870 | 44,278 | 9,143 | 20.65 |
| New Bedford | 33,393 | 27,549 | 3,498 | 12.70 |
| Taunton | 23,674 | 19,365 | 1,598 | 8.25 |
| Holyoke | 27,895 | 21,801 | 3,485 | 15.99 |
| Newburyport | 13,716 | 11,368 | 1,086 | 9.55 |
| Chicopee | 11,516 | 9,354 | 1,749 | 18.70 |
| Marlborough | 10,941 | 8,682 | 1,081 | 12.45 |

Of the total illiterates 8,297, or 6.79 per cent., were born in Massachusetts; 5,601, or 4.58 per cent., were born in other parts of the United States, and 108,365, or 88.63 per cent., are foreign-born. These statistics convinced the most indifferent of the importance of a more rigid compulsory school law, and the senate by a unanimous vote, and the house by a vote of some 6 to 1, enacted the bill—chapter 433, acts of 1887. Early in November, as chairman of the committee of the State Board of Education on evening schools, I issued a circular letter to the superintendent of schools in the State, and from their reports I am more than satisfied that we have at last reached a solution of the problem of illiteracy in Massachusetts, if not in the country. In many of the cities the evening-school attendance has increased fivefold, while in Fall River, the most illiterate center in the State, out of the 1,526 children unable to read and write in any language 1,492 are now attending school, the remaining 36 having been excused from school attendance, as provided for in the act. For a further observation on this branch of the subject I beg to refer you to the inclosed letter from the superintendent of the public schools at Fall River, and, if you have them, the last school reports of cities in Massachusetts of 20,000 or more inhabitants. As to the policy and purpose of the State board in the matter of State and national illiteracy, I can speak but for one member.

On the matter of State illiteracy (the enactment of the act of 1887, which is but adding another link to our chain of school legislation in the line directed by its first colonial act of 1642), the statute itself is an answer. Our schools, like the highway, are open and free to all. We are gradually making the system dual. Under the permissive statute of 1857 all cities and towns were empowered to appropriate money for evening schools. In 1883 the Legislature enacted a law compelling all cities of 10,000 inhabitants to establish and maintain free evening schools. In 1886 the Legislature provided for the permanent establishment of evening high schools in cities of 50,000 inhabitants, which includes Boston, Worcester, Lowell, Cambridge, and Fall River. The last act was the one referred to which provides for the compulsory education of illiterate minors. As adult illiterates are, as a rule, ashamed to attend school, it is all-important to get the minors interested, and the earlier we begin the less difficult is the work of educating this class. Ten years' experience as head master and inspector of evening schools convinced me of the importance of an early classification. When once the ice is broken and the pupil feels at home, there is no difficulty if the teaching is efficient and the teacher sympathetic and faithful. The compelling of all illiterate minors to attend school, as provided in act of 1887, will have a great influence on the family of the minor. It will not only educate the minor, but the older brothers and sisters, as well as the parents, will be found crowding the classes. But the history of education clearly shows that nothing less than a mandatory statute in the first instance will reach this class of our population. Since 1849 repeated efforts have been made by the State and municipalities to bring adult illiterates into evening schools. Yet with the multiplicity of methods, with the co-operation of eleemosynary and Christian associations in the maintenance of special tuition for persons unable to read and write, illiteracy has been from year to year increasing until we are now compelled to interpose the most rigid provisions of law ever enacted for the purpose of education. In conclusion let me say that having studied every phase of the illiteracy problem from a State and national view, I find but one conclusion, and that is, if we ever expect to see illiteracy stamped out, the nation and State must unite in the crusade. The public good and all persons conversant with the history of education demand national aid.

As was well said by Horace Mann, "Public sentiment exceeds and excels the law." We have plenty of sentiment; let us now have the law. Once a delegate from this State to the interstate educational convention in Kentucky in 1883, and as chairman of the Federal aid committee of the American Institute of Instruction, I have been most earnestly interested in this great question, and though I may differ from some of the promoters of Government aid to schools, I believe it is the first duty of all interested in the future of the nation to do everything within the limits of the Constitution to supplement the work of the several States which are so heavily burdened with illiteracy. For one I should be happy to distribute the amount which may come to Massachusetts, though our State is not burdened with taxes for education. Let the States take pro rata as provided in this bill. There should be no distinction. I am convinced that the South is doing all it can to establish and maintain a general school system, but if twice the amount were appropriated by the densely illiterate States the illiteracy would not be substantially reduced. If Massachusetts in 1887 is compelled to protect herself from an illiterate growth, what can we say of the States in the black belt? Massachusetts has set the example; let other States imitate the example or give a better one. Our schools are our safety. They are the property of no party and never should be dragged into politics, but should be the pride alike of all parties. There should be no difference in the common-school standard of Massachusetts and Mississippi. For the general welfare all the children should be given a thorough training in the fundamental elements of the branches of common learning. Year by year thousands of minors reach their majority totally ignorant of their letters. The older the more difficult is it to bring them to their books. This is the experience of the world, and in the language of the commissioner of education for Scotland in his work on English education, State and Education, the state, the nation, in drecting education has only stepped into its proper place. As chairman of the national educational committee of the American Institute of Instruction I take pleasure in calling your attention to the last act of the directors of the institute, their resolution for aid to common schools, which you will find herewith inclosed. If I can be of further service in the consideration of this all-important measure, do me the honor to command me.

Very truly, yours,

E. C. CARRIGAN,
*Of the Massachusetts State Board of Education.*

Hon. H. W. BLAIR,
*Chairman Committee on Education, etc., U. S. Senate, Washington, D. C.*

Mr. DAWES. Will the Senator allow me one moment? The Senator has alluded to the State of Massachusetts. It is but just to the State of Massachusetts that some one should say that the increase of illiteracy in that State is due to the increase of the foreign population. The foreign population is increasing very rapidly in the State of Massachusetts. Of what is termed in the census report "illiteracy," nine-tenths is of foreign-born people, either citizens or residents who are not citizens of Massachusetts. There is but a very small proportion of the native people of Massachusetts who would come into the tables of the Census Bureau or who would in any sense be termed illiterate, and I am confident in the belief that that number is growing smaller. But the attraction to Massachusetts of foreign population, especially wage-earners, for reasons that it is not proper to discuss in connection with this bill, is so great that it outruns the increased and earnest effort of our people to keep down illiteracy in the State.

Mr. BLAIR. The Senator's explanation is quite appropriate, and I endeavored to make it in passing over the subject during his absence.

Mr. DAWES. I beg the Senator's pardon.

Mr. BLAIR. It was not made as fully nor as well as the Senator has made it, but it is the fact that the chief struggle in the New England States, so far as illiteracy is concerned, is with foreign immigration. Nevertheless there is the immigration; those people come to us, and they come to stay; they are a part of us; and they require this help, and they require it now. Without it, belonging as they do to an active, vigorous, and enterprising race, a race likely to become dangerous under our free institutions, unless they become sufficiently intelligent to appreciate and to understand them and to become a component part of our people, under these circumstances it is necessary that we should address ourselves to the removal of this foreign-born illiteracy as much as to that which is native born.

I alluded to the condition in the State of Connecticut. Perhaps I

may read, in passing, from the last message of the governor of Connecticut upon this subject. In the message of his excellency, Phineas C. Lounsbury, governor of Connecticut, to the General Assembly, session of 1887, he takes up the subject of education. He says:

At the close of the last fiscal year the principal of the school fund amounted to $2,022,204.27, a loss from the previous year of $7,919.47. A part of this loss came from the foreclosure of certain old mortgages, and the rest was the result of the readjustment of the stock of the City Bank of Hartford. The people of the State feel a natural pride in keeping the capital of the school fund unimpaired, and any appropriation made for this purpose would work no injustice to any one, and would probably meet with general approval.

The total amount of money raised in the State during the last year for the support of the common schools was $1,663,019.17. Of this sum about $759,000 came from town taxation, about $448,000 from district taxation, about $114,000 from the earnings of the school fund, nearly $48,000 from the town deposit fund and local funds, about $228,000 were appropriated by the State, and the balance of about $66,000 came from voluntary contributions and other sources.

The number of children between the ages of four and sixteen was 152,166. The number of scholars registered in the schools was 125,539, but of these many attended school only a few days and many more only the sixty days required by the law.

These conditions in Connecticut grow largely out of the fact that she has a large and increasing foreign-born population; but the conditions are not wholly confined to that circumstance, for you will see as I proceed that the condition of the rural population is also discussed.

Mr. PLATT. Will the Senator allow me to interject one suggestion just here?

Mr. BLAIR. Certainly.

Mr. PLATT. In many of the cities in Connecticut the children of the foreign-born population are not educated in the common schools, so that while they are enumerated as children being educated in parochial schools established and maintained by the Catholic Church, they do not appear as regular attendants at the common schools.

Mr. BLAIR. That is very true, and in my own State it is also true. In fact, in the city of Manchester, where I reside, about one-half of the school population is under the control of the ecclesiastical establishments and very generally is educated in the parochial schools. Much of the opposition to this bill comes from that large body of our fellow-citizens who disbelieve in the common-school system of education. That is apparent from the criticisms in the public press, and it is in its direction a question for serious consideration by the American people. The national indorsement of the common-school system means more for its general prevalence in this country than any other one thing that could be given to it. Those who are opposed to it as a system will understand this, and it is upon that ground and from that source that as strong opposition comes as from any.

But on the other hand the great ecclesiastical organization which is the life and pith and force of the parochical system is not a unit with regard to the common schools of this country. Many of the organs of the Catholic faith favor this bill, some of them certainly do, and the Catholic Church is divided upon the subject. The Irish World has given strong support to this measure. So it is that the friends of the parochial system are not to be found wholly in any single church. But I do not wish to drag that form of discussion into this debate.

Mr. GEORGE. May I ask the Senator a question? Do the parochial schools in New England receive any aid from the common-school fund?

Mr. BLAIR. Not to my knowledge. In my own State, in some instances where the common school has been abandoned, the school-house has been made available for the parochial school, but no contribution from public taxation, so far as I know, is made anywhere for the support of the parochial school as a system. One strong ground of complaint by those who maintain the parochial schools is that as a matter of conscience they feel bound to educate their children under their own system, and that it is unjust to them that they should be taxed for the support of both.

But to proceed. When this interruption took place and this episode was interjected I was reading from the message of the governor of Connecticut, where he says:

The number of children between the ages of four and sixteen was 152,166. The number of scholars registered in the schools was 125,539, but of these many attended school only a few days and many more only the sixty days required by the law. The number of the children that did not attend school at all was 20,388.

The Senator from Connecticut will observe this last statement. The number who did not attend school at all was 20,388. Many of those who did attend attended only sixty days, as required by law—two months out of the whole year.

Mr. PLATT. There is another thing in regard to our enumeration; it takes in the children between four and sixteen. The school age differs in different States, but, if I am not very much mistaken, the school age of Connecticut is between four and sixteen.

Mr. BLAIR. It is so stated here.

Mr. PLATT. There is a growing feeling, I think, among parents that it is not wise to send children to school at the early age of four years. I do not know whether that sentiment is wise or not, but it accounts for a very considerable number of the twenty thousand enumerated children who do not attend school at all. They are the children four, five, and six years of age.

Mr. BLAIR. The governor proceeds:

These are the figures and the facts, but no report of your able school board, no statistics of the census could show the frightful amount of illiteracy that is existing all over the State. Within the last ten years thousands of boys and girls have passed beyond the limit of their school life, have gone out into the world, and to-day they are virtually unable to read and write. These children were not to blame, for they went to school all that they were sent, all perhaps that they were permitted to go. It was a few days in each of a few years. They learned all that they had the time to learn, their letters, to read a few short sentences, to write their names; but any ordinary printed book is to them a sealed mystery, and any document to which they may sign their names is as far beyond their ability to decipher as though it were written in Sanscrit. For this ignorance, which must darken and sadden all their lives, this Commonwealth is to blame, for it was the inevitable result of faulty legislation and of inefficiency in enforcing that legislation which was good. The number of days of compulsory attendance was set at sixty, when the most that could reasonably have been expected was that some scholars would learn more in sixty days of the year than they would forget in the remaining three hundred. Worse than that, the State failed to lift its strong arm to put into the hands of all its starving children even this poor crust.

Then the question comes home to you, how can the growth of this illiteracy be checked? Surely it cannot be done by a course which weakens and neglects the back districts. In every center of population you may build a graded school, but this will throw its light for only a mile or two from the village green, and then, if you do nothing more, there is left beyond a wilderness of ignorance, denser and darker than it was before. It can be done only by a legislation which cares for every child, and which is enforced, not by local authorities, not by town boards, but by your own State board, with all the dignity and the power of the Commonwealth behind it.

In my judgment, the number of days of compulsory attendance should be increased to one hundred and twenty. No experienced teacher believes that any ordinary child can acquire a reasonably good common-school education in less than one hundred and twenty days of continuous schooling in each year. The length of school required by law should also be increased.

It is now fixed at twenty-four weeks in the year, and many of the districts have no more. In all cases it is resulting in lack of education, and many parents are bitterly complaining that the State provides, that is, virtually permits, only six months of schooling for their children, while the children of their neighbors are enjoying all the advantages that forty weeks can give. To some of the weaker districts, the State might justly give additional aid. From some of the stronger ones a little might be taken away of that which is granted now.

This question of education involves an obligation between the State and the children, and the responsibility for attending school should be brought as closely to the children as possible, that is, it should be placed on the parents themselves. If the parents are too poor to send their children to school, there should be some sure and definite source of relief. If they are too shiftless, the penalty should be so sharp that a single application will rouse them to a sense of their duty. If poverty and shiftlessness together form an insuperable barrier between the home and the school-house, let the children be taken away. This penalty might seem severe, but its prompt application in a single score of cases would add 10 per cent. to the average school attendance of the year, would bring a blessing to thousands of homes, and the greatest blessing of all to the children thus taken away.

But whatever may be the legislation, its violation should be sought and the penalties enforced directly by the State itself. Local authorities would be well-nigh worthless, for, with some shining exceptions, they are just as shiftless as the worst of parents. A few agents, chosen for their special fitness, working under the direction of some common head, and held responsible for the thoroughness of their work, could cover every district in their investigations, and the total expense would not exceed a few thousand dollars a year. In any event the benefit to the schools and the children would be incomparably greater than the cost. In the confidence that your wisdom is equal to your responsibility, I commend the whole subject to your serious consideration.

I do not now see the Senator from Massachusetts [Mr. DAWES] in the Chamber, and therefore it would be unnecessary for me to repeat what I was saying upon this point. But a like condition of things is indicated by the report of the superintendent of schools in the State of New York, and some time I will read what he says. I will state with reference to the city of New York a fact that fell under my own observation. It occurred some four years ago, to be sure, but I am aware of nothing which indicates an improving tendency in that great city. The Senator now occupying the chair [Mr. PUGH] will remember when the Committee on Education and Labor was taking testimony in the city of New York a few years ago, and it was during that time that the circumstance occurred of which I now speak. Wandering through the city I fell in with a Catholic priest in Mulberry street, near the church in which he officiated, and entering into conversation with him he told me that in that assembly district there were twenty-five hundred children of school age who ought to be in schools who were neither in the public schools nor in the parochial schools. He expressed very great concern at those children not being cared for by the church to which he belonged, which had already greater burdens in the way of the maintenance of its parochial schools than it could well carry, and that those children not being cared for in the parochial school, which was his preference, were not even educated in the public schools of the State. There were those children in that great city and in one assembly district to the number of twenty-five hundred, growing up without actual attendance upon any school whatever. They were the children of poor people, and were not to be found in private schools, had no means of education, and they were not only within the extended limits of the school age, but within those narrower limits when children do attend school if they attend at all.

The State of North Carolina is a State in which as strenuous exertions are being made to improve the scholastic condition of the children proportioned to the ability of the people to endure taxation, as in any, I think, and I will read to the Senate some information which I have from very responsible men in that State. I design, before the debate is closed, to do this with reference to nearly all the States, especially those of the South, for I do not propose, God willing and the Senate bearing with me, if this bill is to be lost, either here or in the other House or by the veto of the President of the United States, that the American people shall lack the information whereon to hold the guilty to an account. If this bill fails it will not be my fault, Mr. President.

The letter which I now read is from the late superintendent of public instruction, Hon. J. C. Scarborough, after which I will read a communication from the present superintendent of public instruction in that State. Mr. Scarborough writes me from Selma, N. C., as follows:

SELMA, N. C., *November* 28, 1887.

MY DEAR SIR: Your letter of November 19, inclosing copy of letter of June 16, 1887, was received here four days since. I have since my retirement from the office of State superintendent of education been on a farm 30 miles distant from Raleigh, and while I am none the less interested in education for our people, my mind has been employed mainly on the question of meat and bread for self and family. I have been chairman of the board of education for Johnston County for the past two years, and my special efforts have been directed to the improvement of the schools for the county. And here comes in what of information I have on the subject which will be of practical use to you in the proper presentation of the question of temporary aid from the national Treasury to education for the people in the public schools.

Johnston County, North Carolina, has a population of 30,000, in round numbers, now. Of these the proportion of white and black people is about as 2 to 1, the blacks being a fraction over one-third of the population. The school age in North Carolina is from six years of age to twenty-one years. One-third of the population is embraced in this age, so that we have 10,000 children of school age; 6,500 whites, 3,500 blacks.

We levy for school purposes this year 21 cents on each $100 valuation of property. Of this the Legislature provides for a direct levy of 12½ cents on the $100, and the county levies 8½ cents on the $100.

We also get $1.66 on each poll this year for schools. We also get about $1,800, certainly not exceeding $2,000, from the license tax on retail liquor dealers, and about $500 from fines, forfeitures, and penalties from the courts. And all told, from all sources, we will not get for schools in my county (Johnston) for the school year beginning December 1, 1887, any over $17,000 (I fear less than that). This to pay the expenses of the system and to provide school facilities for 10,000 children of school age. With this sum for this number of children, scattered over a territory of 700 square miles, our board of education for Johnston County, of which I am at present chairman, will be expected to continue the public schools in the several school districts for white and for black children an average term of four months. We can not accomplish the wonderful feat at a higher average salary per month of twenty school days for the teachers than $30.

Now, sir, when I tell you that Johnston County is an average county in population and wealth (?), and is quite above the average county in what she is at present doing for her public schools, you have the outlines of a picture you can easily fill up for the State of North Carolina. Many of our school districts are yet without school-houses, and many of those having houses have very inferior and poorly furnished houses.

As to education in private schools in Johnston County, 600 pupils will cover all who attend private schools at any time in any year for the past five.

Our people are poor, but are struggling to better their condition. The blacks pay but little of the taxes for schools, except as any tenant's work makes the landlord or the employer able to pay taxes. They have equal benefits from the school fund with the whites.

We can not, in our condition at this time, meet the demands by paying taxes sufficient to have an efficient school system. If we shall be left to solve the problem ourselves, the great mass of the present population of school age and of those coming after them must pass beyond the reach of the schools and the benefits of education, and be left for their natural lives in the darkness of ignorance. If this is to be, I trust then only in the mercies of a kind Providence to save us from the ruin which ignorance and a consequent want of patriotism must bring upon the country.

I wish I were in condition to serve you better than in this communication.

Very truly, yours,

J. C. SCARBOROUGH.

Hon. H. W. BLAIR,
*United States Senate, Washington, D. C.*

The Senate will observe that with these 10,000 children to educate in that county and with $17,000 only wherewith to do it, there is per capita for the children to be educated to be expended in that county only $1.70 each for the year, while in many of the Northern States the sums exceed $10 per capita, and in some States the sums even exceed $20 per capita for the school year. And this man, formerly the State superintendent of education for North Carolina, says this is a favorable picture for the State at large. The letter was written last November. The present superintendent of public schools in North Carolina has always been a very strong advocate of temporary national aid to education. I will read his letter a little later.

I have here a letter which comes from a colored school teacher in the State of North Carolina. I find it in one of the public prints, in the National Republican, published in this city, and I have no reason to doubt its authenticity and its reliability; in fact, it has the superintendent of public education in the State corroborating its general statements. The letter is addressed to the editor of the National Republican. It says:

Allow me to interchange a few thoughts upon the necessity of the passage of the Blair educational bill, as I see it brought before Congress again. I do not argue in its favor from any personal motives or aims, but because I have always been a lover of education and advocated its cause.

I believe that the prosperity of the people of the South depends greatly upon education. The system of public education in the South is on the retrograde, and except the National Government will give aid to the poor people of the South we have a serious apprehension to fear the system will soon be a mere sham.

The appropriations are so small that our schools can hardly last longer than three or three and a half months, and first-grade teachers get $20 or $25 per month, from which they must board and clothe themselves and families. Such wages are degrading to such a high and noble calling—a calling that must shape the destinies of generations. And another fact is, the teacher's task is not such an easy one as some may think. Teachers are often subject to exposure and sacrifice. Our school-houses are too small by far—a school-house will hardly seat fifty children where a hundred and fifty belong. The people are taxed to the full extent, yet the schools greatly need aid. I sincerely hope both branches of Congress may pass the "Blair bill" early in its session. The people are anxiously waiting to greet its passage that it may enhance prosperity and education.

I am yours for success,

A COLORED TEACHER.

MANSON, N. C., *January* 9, 1888.

Here I call attention to one fact which seems to be overlooked in the statistics which have been cited by the Senator from Delaware [Mr. GRAY] and the Senator from Missouri [Mr. VEST], in which they institute a comparison based on the length of the schools between the Northern and the Southern States. There would be some propriety in the institution of this comparison if it was first established that the schools are of the same quality, that the quality of the teachers is the same, that the school-house, the plant is the same—that is to say, the book, the blackboard, the furniture, whatever is necessary as a means of assistance to the teacher in the imparting of knowledge, were the same in the one section of the country as in the other section; but for generations the people of the North have concentrated their closest, their most earnest attention on the subject of the common school. Everywhere they have built the school-house; school-houses are their pride; they have been educating their children for generations; and so it comes to pass that the common school of New England, of New York, of the West, is an altogether different institution from what we find it in the Southern States, where it is now first established, where it is a new thing, where a teacher is wanting, as a rule, so far as actual training for the work is concerned, so indispensable to the highest success; where the school-house is almost a myth, and where the blackboard and the necessary furniture for the purposes of illustration are hardly found at all. As to teachers, necessarily they have not had very great experience, no matter what may be their natural capability.

The great mass of the colored schools are taught by colored teachers, as a rule, and both races determine that there shall be no mixed schools. The result is that one hundred days of education in the State of Florida is not worth ten days in the State of New Hampshire. And yet we have paraded here before us, as an irrefutable reply to our urgent demand that the South should have help in creating the school itself, creating the teachers, creating the school-house, and in establishing the institution *de novo*, at least by way of maintenance—we have paraded, as if it were an irrefutable demolition of our proposition, the fact that in some of the Southern States it is claimed that the schools are kept open annually as long as they are in New Hampshire, where they are almost as short as they are anywhere in the North. Any one must see at once that this sort of comparison is most false and pernicious in its tendency, and casts no light whatever upon the case.

Then, this is true, at least in New Hampshire and in the rural districts of New England and in the rural districts of the North generally, where the school system is extended everywhere, that there is no inch of territory, geographically considered, that is not embraced within the lines of some school district, and every child has his chance, while in these new States, where the institution is just being introduced, hardly two-thirds, if more than one-half, and in many sections not even that, of the territory has as yet been brought under the influence of any common school whatever.

Hon. S. M. Finger, the present superintendent of schools for the State of North Carolina, writes me strongly urging the passage of the bill. He has appeared before the committee, as did the former superintendent on an earlier occasion. Both have pressed the passage of this bill as a necessity for that State. Mr. Finger says in a letter written to me last May:

Your favor of the 20th ultimo came duly to hand. I send you a copy of my last report, on the first pages of which you will find a summary which will, in brief, give you the exact condition of our school system. We have an average of just about three months' terms per annum for both races. Beyond this—

And I call the attention of the Senate to his emphatic language, his despairing language—

Beyond this we cannot advance soon, both because of the inability of our people to bear heavy taxation and because we have in our constitution a limitation of taxation, 66⅔ cents on the $100 of property and $2 on the poll for all purposes of a general nature.

He makes suggestions of some modifications of the bill which he thinks would facilitate its operations in the South. I will not take the time of the Senate to read them, but he gives the strongest indorsement to the general proposition of national aid to common schools. In his report he says very much which demonstrates his great capacity and fitness for the position which he occupies. I might read it, but perhaps it is not necessary. The general fact which he states in his letter, and which is set forth more at length by the former superintendent, is fully sustained by his report on the question of national aid. He says specifically in his report:

Money flows into the national Treasury far beyond the needs of the Government. It is distributed with lavish hand to pay pensions, etc.; but as yet no measure of national aid to schools has been passed. In the light of history this to me is simply remarkable. Knowing the struggle the South has in her poverty, and what she is doing in the matter of education, it would seem that every Northern member of Congress ought gladly to extend aid from the United States Treasury, and that, too, through our State systems, without restrictions. Why any Southern member who is in favor of public education should oppose this measure is beyond my comprehension, all arguments about its unconstitutionality to the contrary notwithstanding. Just now national aid would seem to be just the measure to help us in our time of financial need. If the Assembly can do anything to secure the passage of this measure, they will do the State a great service.

I have a large amount of matter from the State of Tennessee, and what I have is to the point. I will read first from a speech on the subject by Col. A. S. Coylar, of Nashville, Tenn. I have no doubt the Senators from that State are familiar with this gentleman's character

and standing. He said in a late address, speaking of the situation of the South:

Look at our condition. The property of Southern people, to the extent of $1,200,000,000, has been converted into citizens. In addition, we are taxed to pay the cost of our subjugation, a debt originally of $3,000,000,000. We are taxed to pay millions and millions in the way of pensions to the Union soldiers. Besides, our country was laid waste and our lands reduced to half their former value. In our poverty we are feebly trying to establish a system of public schools, and the fund we raise has to be applied to both races. I say feebly. In Tennessee we have about 500,000 children that ought to be at school; 221,000 of them never see a school-house.

We are nearly at the foot in illiteracy. We have 90,000 women raising families who can neither read nor write. * * *

To talk of improving our schools without Federal aid; to declare for public schools, and oppose all known means to help them along, is mockery.

And a gentleman writes me from Roan Mountain, Tenn., January 2, 1888, addressing myself:

DEAR SIR: Though an entire stranger to you, I take the liberty, as an admirer of your efforts in behalf of education, to ask you for a copy of the educational bill. I understand one clause is "that none of the funds shall be used in any but public schools." The laws of Tennessee allow school directors to use the school funds in connection with private schools, so that we have a good many sectarian schools here with the public schools. I expect the parties interested in these schools are now opposing your bill, which in this State would include the clergy and most of the politicians. There seems to be something opposing it more than what is seen in Congress. The masses of the people are for it, and I hope it will be passed, as it is in that manner—at least as it is time the present way was broken up.

Yours,

WILLIAM CARPENTER.

This leads me to speak of a matter which is perhaps not generally, but to a large extent, true in the Southern country. There is what has come to be known as the tramp teacher in some places. That is not applied as a dishonorable epithet at all, but it is the business of the teacher to teach, and small numbers are available only in different localities, and the teacher who instructs at all will find in any given locality employment for only a very few days out of the year. The consequence is that no man of ability and intelligence, and few women, can afford to give themselves to the pursuit of teaching with the idea of spending their time in any one locality. So they take a school in a given locality, run it for a few days, exhaust the money there, then go to another, and then to another, and then to another.

Of course, a system of this kind, a peripatetic, itinerative system of instruction of this description, where the school period is very short, where the time the school is kept is so uncertain, when frequently the teacher comes at the busiest season of the year, so that the children can not attend—of course, I say, a school system of this kind, such as it is in many rural districts throughout the South, is to a very large degree inefficient. Naturally the fund of the State, small in amount, comes to be mixed up with private contributions; and religious bodies feel it their duty to do something. And the people do the best they can to get up such schools as on the whole they are able to maintain; but such a system must be exceedingly inefficient, and this man alludes to it. I only speak of this as again emphasizing the impossibility of instituting anything like a comparison, based simply upon the duration of schools, between those of a community where they have existed for generations and a new community, where they are really coming for the first time to be a part of the social organization.

What is true with reference to one rural portion of the country and most of the South, is generally true of the whole. I have a communication here from Virginia, from Thomas A. Walker, principal of a public school in that State, which is to the same general effect as what I have already placed in the possession of the Senate from other parts of the South. I will read the letter:

[Thomas A. Walker, Principal, Oak Level, Va.]

DECEMBER 29, 1887.

Hon. H. W. BLAIR, *United States Senate:*

I send you a petition to the Senate of the United States for national aid to education, signed by 100 citizens of Henry County, Virginia, praying for national aid to education. These signers have asked me to urgently request you not to abate your efforts in trying to secure the passage of the Blair bill during this session of Congress. Do everything within your power to have your great bill passed at once.

We care but little about the tariff—

I call the attention of politicians to this matter, because Congress seems to be full of the idea that the tariff is a subject of importance, but there are portions of this country where the school question stirs the people and influences their present and their future far more than does the tariff question. Men understand whether their children are being educated; they know that education is indispensable to their children; they know the result of the deliverance of the blacks from slavery as the result of the war; they know the new conditions around them; and the masses of the people, South as well as North, white as well as black, are intent on general education. They care not so much about the tariff; the tariff will take care of itself. Educate the people. They understand the steps necessary then to protect their industries and to protect their own elevation. You can delude an ordinary citizen with the sophistries of free trade or perhaps those of protection, and speak of the arguments pro and con in that way; but the simplest-minded man on the face of the earth knows when he is getting money enough to educate his child, and whether his child, and through his child he is to be represented in the great future; and parental affection is on the side of popular education. The people know whether they are getting the opportunity, and they now realize the absolute necessity of that opportunity as they never did before. Mr. Walker says:

The average pay of teachers here is only $29.20 per month. This is starvation wages, and it is rapidly driving well-qualified teachers out of the profession of teaching. No teacher can afford to qualify himself for teaching and then teach for this pittance. The state of our public schools is deplorable, and that of our school-houses worse. We have but very few school-houses fit to teach in, and no money to build better ones. A great number of our children are growing up in ignorance, and we have no schools for them. We humbly beseech you and every other true patriot in Congress to come to the rescue of the people and have the Blair bill passed at once, and thus help us to banish the illiteracy which, like a cloud, is overshadowing our Southern land.

Can we not do something to enlighten the 6,000,000 illiterates we have in our land when we have a Treasury overflowing with surplus money? Shall we permit these ignorant voters to go to the polls and vote when they are not able to read the ballots which they cast? I pray God that such a state of things may not exist much longer.

What is the prospect of the Blair bill passing this session of Congress? Do you think it will become a law? A few lines from you will be thankfully received by

Your humble servant,

THOMAS A. WALKER,
*Principal Public School, Oak Level, Va.*

Accompanying this is the petition which, as he says, is signed by 100 names—I have not counted them—which is to the same effect, an earnest, eager, strong prayer to the Congress of the United States to give temporary aid to their common schools.

The importance of this question will not enable me to conclude to-night, as I have a large mass of matter to submit, but I have taken the floor this evening because several gentlemen who are expected to speak and whose names are on the list failed to occupy the time. I will go on to-morrow, with the consent of the Senate. As I began with statistical matter, I should like to proceed with other points to-morrow.

Mr. MORGAN. If the Senator from New Hampshire yields the floor, I move that the Senate adjourn.

Mr. BLAIR. Before that motion is put, I think, as I now learn that Senators are ready to speak, I will withdraw my suggestion and I will wait until they have addressed the Senate. Any one who has a right to expect the floor will not be interfered with by me to-morrow, and I hope we shall not lose any time unnecessarily. I desire, as far as the convenience and will of the Senate will permit, to press the bill to an early conclusion.

The PRESIDING OFFICER (Mr. PUGH in the chair). The Senator from Alabama [Mr. MORGAN] moves that the Senate do now adjourn.

The motion was agreed to; and (at 4 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 18, 1888, at 12 o'clock m.

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## HOUSE OF REPRESENTATIVES.

### TUESDAY, *January* 17, 1888.

The House was called to order at 12 m. by Hon. JOHN B. CLARK, its Clerk.

ELECTION OF SPEAKER PRO TEMPORE.

The CLERK. It is the painful duty of the Clerk to announce to the House the indisposition of the Speaker, in which event the rule provides that the Clerk shall call the House to order.

The rule also provides that the Speaker shall have the right to name any member to perform the duties of the Chair, which appointment shall not extend beyond an adjournment. The seventh clause of the first rule provides, however—

That in case of his [the Speaker's] illness, he may make such appointment for a period not exceeding ten days, with the approval of the House at the time the same is made; and in his absence and omission to make such appointment, the House shall proceed to elect a Speaker *pro tempore*, to act during his absence.

Nominations are now in order for a Speaker *pro tempore*.

Mr. MILLS. I submit the resolution I send to the desk.

The Clerk read as follows:

*Resolved*, That Hon. SAMUEL S. COX, a Representative from the State of New York, be, and is hereby, appointed Speaker *pro tempore* during the present temporary absence of the Speaker.

The resolution was unanimously agreed to.

Mr. COX accordingly took the chair as Speaker *pro tempore*.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

PERSONAL EXPLANATION.

Mr. WILKINS. Mr. Speaker, I desire to make a statement as to the vote taken on yesterday with reference to the appointment of clerks for members. I was unavoidably called away from the House when the vote was taken. Had I been present I should have voted in the negative on that proposition; and I ask unanimous consent that my vote may be so recorded.

The SPEAKER *pro tempore*. It would not be in order for the Chair to entertain that request. The gentleman's statement, however, will go into the RECORD.

Mr. HATCH. I wish to announce that my colleague, Mr. BLAND, is detained from the House on account of serious sickness in his family, as well as on account of being sick himself.

This will account for his absence from the House when the vote was taken upon the proposition of the gentleman from Kansas on yesterday.

CORRECTION.

Mr. TOWNSHEND. Mr. Speaker, I desire to ask a correction of the RECORD. My attention has been called to the RECORD of January 13, on page 426, where the amendments that were reported to the resolution in regard to the captured battle flags have been placed under and in connection with the resolution relating to the war records. I desire these amendments to be placed in their proper position in connection with the resolutions adopted by the House.

The SPEAKER *pro tempore*. The correction will be made.

NOTIFICATION TO THE SENATE.

Mr. MILLS submitted the following resolution; which was read, considered, and agreed to:

*Resolved*, That the Clerk of the House be directed to inform the Senate that the House of Representatives has appointed Hon. SAMUEL S. COX, a Representative from the State of New York, as Speaker *pro tempore* during the temporary absence of the Speaker.

IMPROVEMENT OF TONAWANDA HARBOR.

The SPEAKER *pro tempore* laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports of examinations and surveys of Tonawanda Harbor and Niagara River, New York, between Black Rock and Tonawanda; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

IMPROVEMENT WEST FORK TENNESSEE, ETC.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports of examinations and surveys of the West Fork of the Tennessee River, and Bear Creek, Mississippi; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

IMPROVEMENT OF CERTAIN HARBORS, MASSACHUSETTS.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports of examinations and surveys of the harbors of Duxbury, Manchester, Wellfleet, and Winthrop, Massachusetts; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

IMPROVEMENT NEW BEDFORD HARBOR, ETC., MASSACHUSETTS.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports of examinations and surveys of New Bedford Harbor and Taunton River, Massachusetts; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

BIG HOCKINGHAM RIVER IMPROVEMENT, ETC.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports of examinations and surveys of Big Hockingham River, from the mouth to Colville, Ohio, and the Louisa Fork of the Sandy River; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

SURVEYS OF ST. AUGUSTINE, FLA., ETC.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports of the examinations and surveys of St. Augustine, Fla., for a deep-sea channel on the outer bar, and of Punta Rasa Harbor; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

PRINTING OF SUPREME COURT CASES.

The SPEAKER *pro tempore* also laid before the House a letter from the Attorney-General, transmitting the manuscript and recommending the publication by Congress of a table of cases argued and adjudged in the Supreme Court of the United States from 104 to 122 United States Reports, compiled by H. D. Clarke, librarian; which was referred to the Committee on Printing, and ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BYNUM, indefinitely, on account of sickness.

To Mr. CATCHINGS, for to-day and to-morrow, on account of important business.

To Mr. HOUK, indefinitely, on account of important business.

To Mr. GLOVER, for one week, on account of important business.

RESOLUTIONS OF WOOL CONVENTION.

Mr. MCKINLEY. I ask unanimous consent to present resolutions adopted by the conference of wool-manufacturers, wool-growers, and wool-dealers in this city on January 14, 1888, and ask that they be printed in the RECORD. They refer to matters of general interest.

There being no objection, the resolutions were referred to the Committee on Ways and Means. They are as follows:

Resolutions adopted by the conference of wool-manufacturers, wool-growers, and wool-dealers, at Washington, D. C., January 14, 1888.

The representatives of the National Association of Wool Manufacturers and of the Wool Growers' National Association, speaking, as they believe, for all persons engaged in both of these occupations in the United States with only individual exceptions, proclaim anew their deep conviction that the protection by tariff of the production of wool, and of the manufacture of wool, is demanded by the best interests of all the American people.

The increase in the clip of American wool from 60,264,913 pounds in 1859 to 302,000,000 pounds in 1885, while the imports of foreign wool advanced only from 26,282,935 pounds to 70,596,170 pounds within the same period, demonstrates the effect of protective duties in promoting sheep husbandry in this country, and in thus adding to the sources of national prosperity and wealth.

The fact that the reduction in the tariff on wool in 1883 was immediately followed by a decrease in the number of sheep in the country from 50,626,626 in 1884 to 44,759,314 in 1887, gives warning that the abolition of duties on wool would seriously cripple the raising of sheep in this country, which is the third producer in quantity among the nations; and would thus increase the price of wool all over the world, while the consequent destruction of sheep would materially affect the supply and the price of meat and to a considerable degree of all provisions.

Inasmuch as American manufacturers furnished in 1880 81.9 per cent. of the woolen goods consumed in the United States, although in 1860 only 62.8 per cent. of such goods were produced in this country, no reduction in the tariff can be necessary to afford the American people a full supply and abundant competition in fabrics which enter into use in every family, and for which the prices for like qualities compare favorably with those in foreign countries.

The advance in the consumption of wool in the United States, from 65,749,635 pounds in 1859 to 424,404,109 pounds in 1885 under a protective tariff, is to be attributed to the impetus given to manufactures by the raising of sheep in this country, which, in 1884, furnished 81.3 per cent. of all the wool consumed here. As a means to the development of manufactories at home, the sheep industry, which has so largely aided in the development and civilization of our vast western country, deserves consistent and adequate encouragement in the adjustment of the national revenue.

Under the protective policy the United States has become the foremost manufacturing nation in the world, while its agriculture has been extended and diversified by the incentive of the most profitable markets known to men. Prudence forbids the overthrow of a system of revenue under which such results have been obtained, while the wages of labor and the share of production paid to the American artisan are far greater than in any other country.

The committees here assembled ask for the continuance of protection to their own industries only as they ask for like consideration to every other branch of American productions. They plead for no favoritism to particular interests, but for a broad national policy, essential to the well-being of all our people, and contributing to the prosperity and progress and power of the Republic. They know that the abolition of the duties on wool, almost fatal to our sheep husbandry, would be very damaging to the manufacturers of wool.

These committees urge that no reason can be shown why subsidies should be offered for foreign competition by the repeal or reduction of the tariff, and they suggest that wisdom as well as patriotism requires that all American productions shall have the fostering care of the Government as the safeguard of American nationality.

That we urgently request Congress to immediately pass a joint resolution correcting the present erroneous classification of worsteds, by directing that they be classified as woolen cloths.

That we favor the passage of the Senate bill, known as the "Aldrich bill," to suppress undervaluation of imports.

*Schedule of proposed duties on wool and manufactures thereof, agreed on by the conference of wool growers, wool dealers, and wool manufacturers, held at Washington, D. C., January 11–14, 1888.*

All wools, hair of the goat, alpaca, camel, llama, and other like animals shall be divided, for the purpose of fixing the duties to be charged thereon, into the three following classes:

CLASS 1.—CLOTHING WOOL.

That is to say, merino, mestiza, metz, or metis wools, or other wools of merino blood, immediate or remote; down clothing wools and wools of like character, with any of the preceding, including such as have been heretofore usually imported into the United States from Buenos Ayres, New Zealand, Australia, Cape of Good Hope, Russia, Great Britain, Canada, and elsewhere, and also including all wools not hereinafter described or designated in classes two and three.

CLASS 2.—COMBING WOOL.

That is to say, Leicester, Cotswold, Lincolnshire, down combing wools, Canada long wools, or other like combing wools of English blood, and usually known by the terms herein used; and also all hair of the goat, alpaca, camel, llama, and other like animals.

CLASS 3.—CARPET WOOLS AND OTHER SIMILAR WOOLS.

Such as Donskoi, native South American, Cordova, Valparaiso, native Smyrna, and including all such wools of like character as have been heretofore usually imported into the United States from Turkey, Greece, Egypt, Syria, and elsewhere.

The duty upon wool of the first class, which shall be imported washed, shall be twice the amount of the duty to which it would be subjected if imported unwashed.

And the duty upon wool and hair of all classes which shall be imported scoured shall be three times the duty to which it would be subject if imported unwashed.

And the duty upon wool of the sheep, or hair of the goat, alpaca, camel, llama, and other like animals which shall be imported in any other than the ordinary condition as now and heretofore practiced, or which shall be changed in its character or condition for the purpose of evading the duty, or which shall be reduced in value by the admixture of dirt or any other foreign substance, shall be twice the duty to which it would be otherwise subject.

Wools of the first class, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall be 32 cents or less per pound, 10 cents per pound, and, in addition thereto, 11 per cent. ad valorem. Wools of the first class, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed 32 cents per pound, 12 cents per pound, and, in addition thereto, 10 per cent. ad valorem.

Wools of the second class, and all hair of the goat, alpaca, camel, llama, and other like animals, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall be 32 cents or less per pound, 10 cents per pound, and, in addition thereto, 11 per cent. ad valorem.

Wools and hair of the second class, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed 32 cents per pound, 12 cents per pound, and, in addition thereto, 10 per cent. ad valorem.

Wools of the third class, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall be 12 cents or less per pound, 3 cents per pound.

Wools of the third class, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed 12 cents per pound, 6 cents per pound.

No wool shall be included in class 3 which shall be imported for any purpose

other than for the manufacture of carpets or low grades of blankets, or which shall not be strictly such as are known and recognized as carpet wools.

Wools on the skin, the same rates as other wools, the quantity and value to be ascertained under such rules as the Secretary of the Treasury may prescribe.

Sheep skins and Angora goat skins, raw or unmanufactured, imported with the wool on, washed or unwashed, 30 per cent. ad valorem on the skins alone.

Ring waste, thread waste, yarn waste, top waste, garneted waste, and all other similar wastes or products, composed wholly or in part of wool, by whatever name now known, or by which they may hereafter be known, and of whatever value, and such shoddy, the value whereof shall be 20 cents or more per pound, shall pay a duty of 30 cents per pound.

Noils shall pay the same rate of duty as the washed wools or hair from which they are made.

Shoddy, not otherwise enumerated, and mungo shall pay a duty of 20 cents per pound.

Woolen rags, refuse waste, and flocks shall pay a duty of 10 cents per pound.

All wools and hair advanced from the scoured state by carding or combing, not otherwise provided for, shall be classified as manufactures of wool.

Worsted and woolen cloths, worsted or woolen shawls, flannels, blankets, hats of wool, knit goods, and all goods made on knitting-frames, balmorals, woolen and worsted yarns, and all manufactures of every description composed wholly or in part of worsted, wool, the hair of the goat, alpaca, or other animals, not specially provided for in this act, valued at not exceeding 40 cents per pound, 20 cents per pound; valued at above 40 cents and not exceeding 60 cents per pound, 40 cents per pound; valued at above 60 cents per pound, 50 cents per pound; and in addition thereto upon all of the above-named articles, 50 per cent. ad valorem.

Clothing, ready-made; cloaks, dolmans, jackets, talmas, ulsters, or other outside garments, and wearing apparel of every description, not specially enumerated or otherwise provided for, composed wholly or in part of wool, worsted, or the hair of the goat, alpaca, or other animals, made up or manufactured wholly or in part, by the tailor, seamstress, or manufacturer, 60 cents per pound and in addition thereto 50 per cent. ad valorem.

Webbings, gorings, suspenders, braces, beltings, bindings, braids, galloons, fringes, gimps, cords, cords and tassels, dress trimmings, head-nets, buttons or barrel buttons, or buttons of other forms for tassels or ornaments, wrought by hand or braided by machinery, made of wool, worsted, the hair of the goat, alpaca, or other animals, or of which wool, worsted, the hair of the goat, alpaca, or other animals is a component material, 50 cents per pound and in addition thereto 50 per cent. ad valorem.

Bunting, 10 cents per square yard and in addition thereto 50 per cent. ad valorem.

Women's and children's dress goods, coat linings, Italian cloths, and goods of like description, composed in part of wool, worsted, the hair of the goat, alpaca, or other animals, 8 cents per square yard and in addition thereto 50 per cent. ad valorem: *Provided*, That all such goods weighing over 4 ounces per square yard shall pay a duty of 50 cents per pound and in addition thereto 50 per cent. ad valorem.

Women's and children's dress goods, coat linings, Italian cloths, and goods of like description, composed wholly of wool, worsted, the hair of the goat, alpaca, or other animals, or of a mixture of them, 12 cents per square yard and in addition thereto 50 per cent. ad valorem, but all such goods with selvedges made wholly or in part of other materials, and all such goods with threads made wholly or in part of other materials, introduced for the purpose of changing the classification, shall be dutiable at 12 cents per square yard and in addition thereto 50 per cent. ad valorem: *Provided*, That all such goods weighing over 4 ounces per square yard shall pay a duty of 50 cents per pound and in addition thereto 50 per cent. ad valorem.

Endless belts or felts, for paper or printing machines, 25 cents per pound and in addition thereto 50 per cent. ad valorem.

Aubusson, Axminster, Moquette, and chenille carpets, carpets woven whole for rooms, and all carpets or carpeting of like character or description, 60 cents per square yard and in addition thereto 50 per cent. ad valorem.

Saxony, Wilton, and Tournay velvet carpets, 60 cents per square yard and in addition thereto 50 per cent. ad valorem.

Brussels carpets, 40 cents per square yard and in addition thereto 50 per cent. ad valorem.

Patent velvet and tapestry velvet carpets, printed on the warp or otherwise, 35 cents per square yard and in addition thereto 50 per cent. ad valorem.

Tapestry Brussels carpets, printed on the warp or otherwise, 25 cents per square yard and in addition thereto 50 per cent. ad valorem.

Treble ingrain, three-ply, and worsted-chain Venetian carpets, 15 cents per square yard and in addition thereto 50 per cent. ad valorem.

Yarn Venetian and two-ply ingrain carpets, 10 cents per square yard and in addition thereto 50 per cent. ad valorem.

Druggets and bockings, printed, colored, or otherwise, 25 cents per square yard and in addition thereto 50 per cent. ad valorem.

Hemp or jute carpeting, 7 cents per square yard and in addition thereto 50 per cent. ad valorem.

Carpets and carpetings of wool, flax, or cotton, or parts of either or other material, not otherwise herein specified, 5 cents per square yard and in addition thereto 50 per cent. ad valorem; and mats, rugs, screens, covers, hassocks, bedsides, and other portions of carpets or carpetings shall be subjected to the rate of duty herein imposed on carpets or carpetings of like character or description; and the duty on all other mats not exclusively of vegetable material, screens, hassocks, and rugs, shall be 50 per cent. ad valorem.

Hon. Columbus Delano, of Ohio, president of the Wool Growers' Association; William Whitman, of Boston, president of the National Association of Wool Manufacturers, and Edward A. Greene, of Philadelphia, president of the Philadelphia Wool Merchants' Association, were appointed by the conference a committee to present to Congress the schedule of proposed duties herewith agreed on by the conference this day.

By direction of the conference.

H. L. JAMES,
(*Treasurer Rock Manufacturing Company, Rockville, Conn.*)
WM. J. BATTISON,
(*Acting Secretary National Association Wool Manufacturers, Boston, Mass.*)
*Secretaries.*

## CLAIMS REPORTED BY COURT OF CLAIMS.

Mr. TAULBEE. I submit the privileged resolution which I send to the desk.

The SPEAKER *pro tempore*. The Clerk will report the resolution.

The Clerk read as follows:

*Resolved*, That the Speaker of the House be authorized to refer to the appropriate committees of the House the bills now on the House Private Calendar reported by the Court of Claims in the Forty-ninth Congress and brought forward.

The SPEAKER *pro tempore*. If there be no objection, the question is on agreeing to the resolution.

Mr. REED. I would like to hear something about that.

Mr. TAULBEE. The object of this resolution is to give the committees having jurisdiction of the bills now on the Private Calendar an opportunity to consider the facts before they are called upon to defend or advocate the passage of bills in the House. These are bills referred to the Court of Claims under the Bowman act for the ascertainment of facts on which Congress and its committees are presumed to act. They are reported back to the House with the findings of fact, and there is no rule of the House heretofore authorizing their reference to the proper committees. The object of this resolution is to give the committees an opportunity to examine the facts found and reported by the Court of Claims, and to recommend to the House such action on the bills as they may think proper.

I do not think any plausible objection can be urged to the passage of the resolution. I find that the committee on which I have the honor to serve is in the dilemma of being expected by the House to give it information with reference to the facts connected with the bills on the Calendar when reached in their regular order, and I further find the fact that this committee has had no opportunity whatever under the rules of the House to consider the facts upon which they are expected to act. I for one am unwilling to be put in that attitude, and I presume other gentlemen serving on these committees are also unwilling to be put in the attitude of defending these bills when they have not had an opportunity of properly considering the facts. This is the object of the resolution, and these are the reasons for its adoption.

Mr. REED. One objection which occurs to me to the resolution as it is formulated is that these cases which should have precedence by being referred to committees will thereby lose their places on the Calendar. It seems to me that after they have gone through a court, and the ascertainment of facts having been made, if they are to be examined by a committee who are to report as to what should be the action of the House, some provision should be made for their retaining their places. I therefore suggest to the gentleman from Kentucky the propriety of making such modification of his resolution as will secure that object.

Mr. TAULBEE rose.

Mr. BAYNE. Before the gentleman from Kentucky proceeds I desire to make a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. BAYNE. Is this resolution still subject to objection?

The SPEAKER *pro tempore*. The gentleman from Kentucky offered the resolution as a question of privilege connected with the business of the House. That question has not been decided yet.

Mr. BAYNE. Then the question whether the resolution presents a matter of privilege is still open?

The SPEAKER *pro tempore*. The resolution is still subject to the point of order whether or not it presents a question of privilege.

Mr. BAYNE. And also subject to the question of consideration if it should be decided to present a question of privilege.

Mr. TAULBEE. I make the point of order that the House has proceeded to the consideration of the resolution.

Mr. RICHARDSON. Oh, no. I was on my feet some time ago to make the point suggested by the gentleman from Pennsylvania [Mr. BAYNE].

Mr. REED. The Chair was about to ask consent when I interrupted him with my inquiry. Thus far the matter has proceeded informally.

Mr. TAULBEE. I wish to make this statement, that I have no purpose whatever to rob any of these claims of their position on the Calendar. I see no impropriety in the suggestion of the gentleman from Maine, and am willing to agree to an amendment to the effect that when these bills are reported back from the various committees they shall have the precedence on the Calendar which they would have had if they had been left on the Calendar. I have no objection to that proposition, but I think the House should pass this resolution either with or without that amendment.

Mr. RANDALL. Does the Chair decide that this resolution presents a question of privilege?

The SPEAKER *pro tempore*. The Chair has not decided yet.

Mr. RANDALL. I would like to hear the Chair's decision as to that.

The SPEAKER *pro tempore*. On what grounds does the gentleman from Kentucky claim this is a matter of privilege?

Mr. TAULBEE. On the ground that it relates to the business of the House and obviates confusion in its transaction.

The SPEAKER *pro tempore*. The Chair does not consider that under the rule the resolution presents a question of privilege.

Mr. WILKINS. Regular order!

Mr. RICHARDSON. Mr. Speaker, I desire to state to the House that this question was settled by the Speaker upon the 20th day of December last, upon a parliamentary point which was then raised. The matter, I say, was settled, and the Speaker ordered these claims upon the Calendar just as they now appear.

Mr. TAULBEE. I was aware of that ruling, but this resolution is designed to accomplish an entirely different object, namely, to allow the committee having jurisdiction of these matters authority to consider them before they are taken up by the House for consideration.

Mr. RICHARDSON. They have all been considered.

Mr. BAYNE and other members. Regular order!

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The regular order is demanded. The regular order is the call of the committees for reports.

CIRCUIT COURT, WESTERN DISTRICT OF MISSOURI.

Mr. CULBERSON, from the Committee on the Judiciary, reported back, with a favorable recommendation, the bill (H. R. 1604) to change the time of the sessions of the circuit court of the western division of the western district of Missouri; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

CHANGE OF REFERENCE.

Mr. CLARDY, from the Committee on Commerce, reported back the bill (H. R. 1245) making an appropriation for continuing the construction of a light-house on Northwest Seal Rock, off Point St. George, California, and asked that the committee be discharged from the further consideration of the bill, and that it be referred to the Committee on Appropriations; which was so ordered.

BRIDGE AT MEMPHIS.

Mr. PHELAN, from the Committee on Commerce, reported back with a favorable recommendation the bill (H. R. 2927) to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

LOCKS AND DAMS, CUMBERLAND RIVER.

Mr. GROSVENOR, from the Committee on Rivers and Harbors, reported back with a favorable recommendation the joint resolution (H. Res. 81) to authorize the purchase of lands necessary for the construction of locks and dams on the Cumberland River; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

NATIONAL CEMETERY, PINEVILLE, LA.

Mr. FORD, from the Committee on Military Affairs, reported back with an amendment the bill (H. R. 1481) making an appropriation to construct a road and approaches from Pineville, La., to the national military cemetery near that town; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

DULUTH, RAINY LAKE RIVER AND SOUTHWESTERN RAILWAY COMPANY.

Mr. NELSON, from the Committee on Indian Affairs, reported back with a favorable recommendation the bill (H. R. 1584) granting the right of way to the Duluth, Rainy Lake River and Southwestern Railway Company through certain Indian lands in the State of Minnesota; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

JOHN HUMES.

Mr. GALLINGER, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 365) granting a pension to John Humes; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JAMES A. BUCK.

Mr. MORRILL, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 2218) to increase the pension of James A. Buck; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN F. CADWALLADER.

Mr. LANHAM, from the Committee on Claims, reported back with a favorable recommendation the bill (H. R. 742) for the relief of John F. Cadwallader; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

DR. ST CLAIR.

Mr. LANHAM also, from the Committee on Claims, reported back with a favorable recommendation the bill (H. R. 109) to refund to Dr. F. O. St. Clair $97.80, duties on a monument to the memory of Francis J. Townshend, late of the United States Navy; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

H. B. WILSON, ADMINISTRATOR.

Mr. MANSUR, from the Committee on Claims, reported back with a favorable recommendation the bill (H. R. 19) for the relief of H. B. Wilson, administrator of the estate of William Tinder, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

THOMAS C. DICKEY.

Mr. SIMMONS, from the Committee on Claims, reported back with a favorable recommendation the bill (H. R. 484) for the relief of Thomas C. Dickey; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

H. CORTHS.

Mr. STONE, of Kentucky, from the Committee on War Claims, reported back with a favorable recommendation the bill (H. R. 285) for the relief of the legal representatives of H. Corths, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM J. POITEVENT.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back with a favorable recommendation the bill (H. R. 26) for the relief of William J. Poitevent; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOSEPH R. WHITE.

Mr. CROUSE, from the Committee on War Claims, reported back favorably the bill (H. R. 998) for the relief of Joseph R. White; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

HIRAM JOHNSON AND OTHERS.

Mr. PENINGTON, from the Committee on War Claims, reported back favorably the bill (H. R. 1028) for the relief of Hiram Johnson and others; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

REFUND TO STATE OF NEW YORK.

Mr. BLISS, from the Committee on War Claims, reported back favorably the bill (H. R. 1692) to refund duties paid by the State of New York on arms imported in 1863; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

WILLIAM E. WOODBRIDGE.

Mr. STOCKDALE, from the Committee on War Claims, reported back with amendment the bill (H. R. 27) vesting the Court of Claims of the United States with jurisdiction to determine the rights of William E. Woodbridge to certain letters patent for a metallic sabot, and to render judgment in his favor for the use of the same by the Government during the war of 1861; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

HEIRS OF JOHN H. NEWMAN.

Mr. STOCKDALE also, from the Committee on War Claims, reported back with amendment the bill (H. R. 834) for the relief of the heirs of John H. Newman, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

REPORT ON WOOL MANUFACTURES, ETC.

Mr. RICHARDSON, from the Committee on Printing, reported back favorably the joint resolution (H. Res. 23) authorizing the printing of 14,000 copies of the recent special report of the Chief of the Bureau of Statistics, Treasury Department, upon wool and the manufactures of wool; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

SAMUEL NOBLE.

Mr. OATES, from the Committee on the Judiciary, reported back with amendments the bill (H. R. 53) for the relief of Samuel Noble; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

IMPROVEMENT OF CUMBERLAND RIVER.

Mr. WILKINS. I call for the regular order.

Mr. McMILLIN. I wish to ask unanimous consent for the consideration of a measure which will take but a moment.

Mr. WILKINS. If it takes but a moment I will not press the call for the regular order.

Mr. McMILLIN. If the resolution causes prolonged discussion I will withdraw it. I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk. It has been reported unanimously this morning from the Committee on Rivers and Harbors. I will explain the object of the resolution. Two years ago an appropriation was made for continuing certain works of improvement on the Cumberland River. The last appropriation bill for the improvement of rivers and harbors contained a clause authorizing the acquisition of title to lands necessary for this improvement; but that bill failed. This resolution seeks to obviate the existing difficulty by giving those prosecuting the work authority to acquire title to the land on which to place the locks and dams. It is recommended by the Chief of Engineers.

The SPEAKER *pro tempore*. The Clerk will read the resolution.

The Clerk read as follows:

*Resolved by the Senate and House of Representatives in Congress assembled*, That so much of the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors," ap-

proved August 5, 1886, as relates to the "improvement of the Cumberland River, Tennessee and Kentucky, continuing improvement above Nashville with a view to secure in the channel a depth of 4 feet commencing with the lock at or near the lower island at Nashville, $75,000," be so construed as to authorize the expenditure of such part of the said money appropriated by said act, or any other money in the Treasury not otherwise appropriated, as may be necessary for such purpose, in the purchase voluntarily or by condemnation as the case may be, of necessary sites for locks and dams and purposes necessary thereto, including keepers' dwellings, etc.: *Provided*, That such expenditure shall be under the direction of the Secretary of War: *And provided further*, That if the owners of such lands shall refuse to sell them at a reasonable price, then the prices to be paid shall be determined, and the title and jurisdiction procured, in the manner prescribed by the laws of the State in which such lands are situated.

The committee to whom was referred the resolution to authorize the purchase of the lands necessary for the construction of locks and dams on the Cumberland River, having considered the same, find that an appropriation was heretofore made for this work of constructing locks and dams on the Cumberland River; that the river and harbor bill which passed the House and Senate but failed to become a law at the second session of the Forty-ninth Congress contained a section giving the authority hereby recommended, and that the Chief of Engineers recommends this resolution. The committee find that the work can not be prosecuted or the money heretofore appropriated be used without the passage of this measure. Your committee therefore report the same back with a recommendation that it pass.

The SPEAKER *pro tempore*. Is there objection to the consideration of the resolution?

Mr. RANDALL. I think a statement had better be made by the gentleman from Tennessee of the exact purpose of this resolution, whether it proposes to make a new appropriation by enacting a clause which was contained in the appropriation bill of last year which failed, or whether it applies solely to the acquisition of lands.

Mr. McMILLIN. I realize the importance of satisfactorily answering the gentleman's question, and will make the proper statement.

Mr. DUNHAM. Is this proposition still subject to objection?

The SPEAKER *pro tempore*. It is.

Mr. McMILLIN. I will make a statement which I think will satisfy my friend from Illinois and all other gentlemen. The facts are these: The appropriation has been made. It was not contained in the appropriation bill which failed last year, but was made in the appropriation bill of the year before, which became a law. The object of this proposition is simply to acquire title to the land, so that the appropriation heretofore made can be used in the improvement of the river. At present the appropriation is locked up, and can not be used without the adoption of this resolution, which is, as I stated before, recommended by the Chief of Engineers.

Mr. DUNHAM. Is not this case similar to the case of all other appropriations in the last river and harbor bill? Are they not all locked up so that they can not be used?

Mr. McMILLIN. My friend is in error. This appropriation was not embraced in the last river and harbor appropriation bill. It is already a law, having been included in the act passed two years ago. The difficulty is that there is no authority to acquire title to the land necessary to continue the work.

Mr. DUNHAM. Then this is new legislation by which you propose to put the improvements upon this river ahead of all other similar appropriations.

Mr. McMILLIN. Not at all. The other works are not standing in the same situation.

Mr. DUNHAM. I have no wish to object to the consideration of this resolution, but desire the House to vote upon it understandingly.

Mr. McMILLIN. I will state to my friend that this resolution does not seek to make any additional appropriation for the improvement of any river. It simply proposes to authorize the Government to acquire title to the lands necessary to use the appropriation heretofore made.

Mr. BUCHANAN. What will that cost?

Mr. McMILLIN. I can not say. I suppose not $500 to the site. The amount of money involved is insignificant. The necessary land could, I think, have been obtained by donation, but there was no authority on the part of the Government to accept it. This provides that the Government shall acquire the land either by donation or by purchase, and if it can not be purchased that the land shall be condemned in accordance with law. No new appropriation is sought in the resolution.

Mr. DUNHAM. Is it the intention that the United States Government shall finally buy any land there?

Mr. McMILLIN. Only the necessary banks on which to put the works near the water's edge.

Mr. DUNHAM. In the section in which I reside the engineers recommend that a river should not be improved until the owners of the bordering land had deeded free to the Government all the necessary property.

Mr. McMILLIN. Mr. Speaker, this is a very important work. We have above Nashville more than 300 miles of one of the richest valleys on the continent, peopled with a magnificent population dependent on this river and this work for transportation, and I hope the House will pass the resolution to-day, that the work may go on.

Mr. BLANCHARD. Will the gentleman from Tennessee [Mr. McMILLIN] yield to me for a moment?

Mr. McMILLIN. I yield to the gentleman from Louisiana.

Mr. BLANCHARD. Mr. Speaker, in the last river and harbor appropriation bill which became a law an appropriation was made for certain improvements on the Cumberland River. It was found by the engineers that the improvements contemplated could not be made without acquiring certain pieces of ground upon which to locate, I believe, the locks which the plan of improvement provided should be erected in the river.

It was also found that under the law as it stands the Government of the United States could not buy or even accept a donation of the land needed for the purpose, and it was impossible, therefore, on the part of the Engineer Bureau to carry out the direction of Congress for the improvement of the river. Because of this, in the river and harbor bill which passed both Houses of Congress at the second session of the Forty-ninth Congress there was incorporated in the legislative part of the bill a general provision covering all such cases as this; but that bill failed to become a law by reason of not receiving the Presidential signature.

The appropriation for the Cumberland River made two years ago has ever since been locked in the Treasury, and not one farthing of it will be spent for the improvement of the river at this point unless this resolution is passed. Its passage is recommended by the Engineer Bureau of the Government.

Mr. JACKSON. Let me inquire of the gentleman from Louisiana, chairman of the Committee on Rivers and Harbors, whether there is not a large number of Government works in process of construction and only partially completed, and where money already expended is liable to be lost if we fail to do what is asked for in this case. Are there not cases which need your help just as much as this proposed improvement does?

Mr. BLANCHARD. Mr. Speaker, it is unfortunately true that the failure of the river and harbor bill at the second session of the Forty-ninth Congress has resulted in serious detriment to the various Government improvements throughout the country; but that has nothing to do with this matter.

This refers to an appropriation made by a preceding river and harbor bill, which did become a law. The trouble here is that the appropriation heretofore made for the Cumberland River is useless without additional legislation, and this resolution supplies that legislation.

Mr. JACKSON. The gentleman from Louisiana certainly will not claim that this work is any more important than other public works of improvement in precisely the same condition, and why not wait for a general bill? If, however, he does claim that it is necessary to have instant action, why not bring in a general bill covering all these cases?

Mr. BLANCHARD. A general provision will be placed, I take it, by the River and Harbor Committee in the legislative portion of their bill covering such cases as this; but that bill is not likely to become a law until next July. In the mean time the improvement of the Cumberland River, appropriated for two years ago, is stopped, because of the fact that no law permits the officials in charge of the improvement to acquire one or more small pieces of land necessary to the erection of the improvement works contemplated.

Mr. JACKSON. What public necessity is involved there that this should be made a special case over all other public works?

Mr. BLANCHARD. The gentleman's question might be answered and his wish subserved by a bill reported from the Committee on Rivers and Harbors, making an appropriation immediately available for the improvement of the rivers and harbors of the country; but that is a different question from the one we have now before us. This does not involve an additional appropriation for the Cumberland River, but only gives authority to use so much of the existing appropriation as may be necessary to acquire the ground needed to erect the works of improvement.

Other appropriations contained in the river and harbor bill of the first session of the Forty-ninth Congress have been expended for the improvements for which they were intended, but here is one appropriation which has not been expended, and which the Government engineers are unable to expend, under the directions of Congress, because there is no law which will enable them to acquire the land required on which to locate their works.

Mr. CUTCHEON. Mr. Speaker, I would like to have the resolution again read, as I think there is some misunderstanding as to the amount which is appropriated by it.

The resolution was again read.

Mr. CUTCHEON. I desire to call the attention of the gentleman from Tennessee in charge of the resolution to the language of the resolution. It uses the words "any money in the Treasury not otherwise appropriated." I find nothing in the resolution which limits the amount of money which is to be appropriated; and in that respect I would like to see this language modified. I would like to ask the gentleman from Tennessee what would probably be the cost of this work.

Mr. McMILLIN. I do not think it would take $500 to acquire the land necessary—certainly, at the very utmost, not more than $1,500 would be required.

Mr. WASHINGTON. And that is taken out of the appropriation of $75,000 made in the last river and harbor bill.

Mr. HOLMAN. Let me call the gentleman's attention to the fact that there will be no limit to the appropriation in this resolution as it is now drawn, as it appropriates whatever may be required out of any

money not already appropriated for this purpose. The language, therefore, as it now stands makes an unlimited appropriation of money. I ask that it be modified by striking out the words "out of any money in the Treasury not otherwise appropriated."

Mr. McMILLIN. I have no objection to agreeing to the modification of the resolution. I now yield two minutes to my colleague [Mr. WASHINGTON].

The SPEAKER *pro tempore*. The gentleman from Tennessee modifies his resolution, and in order that there may be no misunderstanding about it, he will now state what that modification is.

Mr. McMILLIN. I modify the resolution by striking out the words "out of any money in the Treasury not otherwise appropriated," so there will be no fear of exceeding the appropriation heretofore made.

Mr. CUTCHEON. With that modification of the resolution I will not make further objection.

Mr. McMILLIN. That was the intention at the time the appropriation was made.

MESSAGE FROM THE PRESIDENT.

A message, in writing, was received from the President, by one of his secretaries.

IMPROVEMENT OF CUMBERLAND RIVER.

Mr. WASHINGTON. Mr. Speaker, I desire to say only one word in explanation of the resolution. It is not sought to appropriate a single dollar beyond what has already been appropriated at the first session of the Forty-ninth Congress for the purpose of a lock and dam on the Cumberland River, beginning at the city of Nashville, for which $75,000 was appropriated. That money now lies in the Treasury; not a dollar of it has been spent, and not a dollar of it can be used until the War Department has some authority from this House to acquire a title for the Government of the United States to the land necessary to locate the locks and dams upon this river.

This is a simple resolution authorizing the Government to acquire title to a little piece of land not exceeding in all human probability one acre in extent. The money which it is proposed to use is that which has already been appropriated, and the amount required and which will be used for the payment of the land is very small, if indeed the Government will have to pay for the land at all, which is questionable.

Having been in conference with gentlemen at Nashville who are especially interested in this improvement, the locking and damming of the river, I have been assured that citizens there stand ready to donate to the Government the little piece of land necessary to build this first lock, dam, and gate-house. But the War Department assured me the other day, when I called there personally upon the subject, that the Attorney-General of the United States has stated that the Government can not and must not accept, even as a deed of gift, the title to this property, which can only be acquired by authority of law from this House.

All we ask, therefore, is to be permitted to acquire title in the name of the Government, so that we can begin the work of improvement. As it is the engineer in charge can not take out a cubic yard of stone or a shovelful of dirt, and our river which so badly needs improvement, and the improvement of which will confer so much benefit upon the commerce of Nashville, opening up hundreds of miles of rich territory, immense fields of cheap coal, vast areas of valuable timber, must be neglected and remain in that condition because the Government has not the right to acquire title to a little piece of land necessary to construct the first lock and dam.

Mr. DUNHAM. Let me ask the gentleman from Tennessee if a provision was contained, similar to this resolution, in the last river and harbor bill.

Mr. WASHINGTON. This resolution was embodied in the last river and harbor bill at the request of the Engineer department. In the last river and harbor bill the United States Government was authorized to acquire title to the land necessary. But that bill, as the gentleman well knows, failed of becoming a law for lack of the signature of the President, and hence no work has been done during the past year; and I do hope the gentlemen on the other side of the House will make no captious opposition, but let this resolution pass.

Mr. DUNHAM. That bill did not fail for lack of diligence on the part of Congress, did it?

Mr. WASHINGTON. I was not a member of the House then, and am not prepared to state what reason may be assigned for the failure.

Mr. BUCHANAN. Will the gentleman from Tennessee in charge of this resolution allow me to make a suggestion?

Mr. McMILLIN. Certainly.

Mr. BUCHANAN. The gentleman says that this will not involve a total expenditure of over $1,500.

Mr. McMILLIN. That is a large estimate; and every dollar expended for this purpose comes out of the appropriation already made. It involves no new appropriation.

Mr. BUCHANAN. I understand the amount appropriated for this improvement is $75,000?

Mr. McMILLIN. Yes, sir.

Mr. BUCHANAN. What remedy is there against the expenditure of the whole amount for the site? Would not this permit the Government to expend the whole sum for this site alone?

Mr. McMILLIN. No, sir; I think not. I now ask the previous question.

Mr. BUCHANAN. One moment. There is nothing here to prevent it. My suggestion is to amend the resolution so it shall provide that a portion of $75,000 appropriated not exceeding $1,500 shall be used for this purpose.

Mr. McMILLIN. I do not think that this is necessary, Mr. Speaker, and I say so the more readily because under no circumstances or emergency will a new appropriation be made for this purpose.

Mr. BUCHANAN. Then why not limit the expenditure?

Mr. McMILLIN. Because I do not see any necessity for it, and I do not wish to make this special by fixing such an amount when in all probability none will be required.

Mr. BUCHANAN. Of course, the gentleman does not want to limit it. If you do not move the previous question I will offer that amendment.

Mr. McMILLIN. I have demanded the previous question.

Mr. JACKSON rose.

The SPEAKER *pro tempore*. For what purpose does the gentleman from Pennsylvania rise?

Mr. JACKSON. To submit a few remarks upon the pending proposition.

The SPEAKER *pro tempore*. The gentleman from Tennessee demands the previous question.

Mr. McMILLIN. I do not like to cut off any one, but as I demanded the previous question before the gentleman rose, I will ask him how much time he desires.

Mr. JACKSON. Not exceeding ten or fifteen minutes.

Mr. McMILLIN. Then I will yield to the gentleman that length of time.

Mr. JACKSON withholds his remarks for revision. [See Appendix.]

Mr. McMILLIN. I demand the previous question.

The previous question was ordered, and under the operation thereof the joint resolution was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. McMILLIN moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CORRECTION.

Mr. FELTON. I rise to correct the RECORD. I discover that on page 495 I am recorded as having voted. I did not vote, being paired with the gentleman from Missouri [Mr. O'NEILL].

ORDER OF BUSINESS.

Mr. WILKINS. I demand the regular order.

The SPEAKER *pro tempore*. The gentleman from Ohio demands the regular order, which is the consideration of bills in the morning hour. The call rests with the Committee on Banking and Currency. The yeas and nays have been ordered on the engrossment and third reading of the bill called up by that committee.

Mr. ANDERSON, of Kansas. I desire to make a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. ANDERSON, of Kansas. I wish to inquire whether the question of consideration can now be raised; and if so, I raise that question.

The SPEAKER *pro tempore*. The Chair is inclined to think it would be too late. The yeas and nays have been ordered.

Mr. ANDERSON, of Kansas. Yes, at a previous sitting of the House. As I understand the rule it is at any time in order to raise the question of consideration when the question again comes before the House.

The SPEAKER *pro tempore*. Not under the rule in the morning hour for the consideration of bills. The Clerk will read the rule.

The Clerk read clause 5 of Rule XXIV, as follows:

After the morning hour shall have been devoted to reports from committees (or the call completed), the Speaker shall again call the committees in regular order for one hour, upon which call each committee, on being named, shall have the right to call up for consideration any bill reported by it on a previous day on either the House or the Union Calendar. And whenever any committee shall have occupied the said hour for one day it shall not be in order for such committee to designate any other proposition for consideration until all the other committees shall have been called in their turn; and when any proposition shall have occupied two hours on this call it shall thereafter remain on the Calendar as unfinished business and be taken up in its order: *Provided*, That when the hour herein prescribed shall expire while the Committee of the Whole House on the state of the Union is considering a bill, the said committee shall rise without motion therefor.

Mr. ANDERSON, of Kansas. Now will the Chair have the kindness to cause to be read the rule with regard to the question of consideration?

Mr. WILKINS. That clearly does not apply to the morning hour. It applies only to the consideration of bills when taken from the Calendar for consideration.

The Clerk read clause 3, of Rule XVI, as follows:

When any motion or proposition is made, the question, Will the House now consider it? shall not be put unless demanded by a member.

Mr. ANDERSON, of Kansas. I submit that the exact question be-

fore the House now is the one made by the gentleman from Ohio as chairman of the Committee on Banking and Currency when he proposes to call up at this stage of the morning hour a bill which was under consideration on a previous day in the morning hour, and that under the rule it is entirely competent for the House to determine whether it will or will not at this time consider this question.

Under the rule which was first read, suppose that the bill had been considered in this hour, that it had been considered the second time in the morning hour, then suppose it had gone to the Calendar of Unfinished Business, and that two weeks hence or a month hence the House should go to that Calendar; I submit to the Chair that if at that time the House did not wish to consider this bill, but did wish to consider some other bill in preference to it, it would certainly be not only in accordance with the rule but in unison with the established custom of the House that the House should then determine whether or not it should consent to the consideration of this bill. That has been done repeatedly. It is always in the power of the House to raise that question and decide that question.

Suppose this bill were not considered for six months; that the Calendar of Unfinished Business should then be reached; that the gentleman from Ohio should then call this bill up, but that an appropriation bill should be presented to the House or a statement made by the chairman of the Committee on Appropriations that he desired to call up an emergency appropriation, would not the question then be one within the rule? Would not the House then have the liberty to say whether it would consider this bill or would consider the appropriation bill? Now, that state of affairs is precisely analogous to the condition of this motion at this time.

Mr. DUNHAM. Oh, no.

Mr. ANDERSON, of Kansas. The gentleman from Ohio makes a specific motion.

Mr. WILKINS. I have made no motion.

Mr. ANDERSON, of Kansas. The gentleman makes what is tantamount to a motion. He calls up a specific bill.

Mr. WILKINS. Oh, no; the bill is already up.

Mr. ANDERSON, of Kansas. The gentleman makes something in the nature of a motion, and whatever that something is, this House has a right to say whether it will or will not consider that something.

The SPEAKER *pro tempore*. The Chair is ready to decide the question. The rules which have been read must be taken together. The Chair is of opinion, as has been decided before by the Speaker, that in this morning hour for the consideration of bills, the committee have absolute authority to continue their bill to the end of the morning hour, and that the question of consideration can not be made in that hour.

Mr. SPRINGER. While that is true, it would be competent for the House, would it not, to lay this bill upon the table, to postpone it indefinitely, or to recommit it in the morning hour?

The SPEAKER *pro tempore*. That is another question.

Mr. WEAVER. I move that the consideration of this bill be indefinitely postponed.

The SPEAKER *pro tempore*. The Chair will say to the gentleman from Iowa [Mr. WEAVER] that the yeas and nays have been already ordered, so that his motion is not in order at this time.

THOBE VS. CARLISLE.

Mr. CRISP. I ask the unanimous consent to interrupt this proceeding for a moment to present a privileged report from the Committee on Elections. I would not make this request only that the committee is in session, and I am obliged to return to the committee-room.

There was no objection.

Mr. CRISP, from the Committee on Elections, submitted a report in the case of George H. Thobe *vs.* John G. Carlisle, from the Sixth district of Kentucky.

Mr. ANDERSON, of Kansas. I call for the reading of that report.

Mr. CRISP. I do not understand the gentleman.

Mr. ANDERSON, of Kansas. I beg the gentleman's pardon; I only wanted to occupy the time.

Mr. CRISP. The report is presented now only to be printed and placed upon the Calendar.

The SPEAKER *pro tempore*. In the absence of objection that order will be made.

Mr. CRISP. By direction of the Committee on Elections I ask for the minority the privilege of filing their views, the privilege to extend until 2 o'clock to-morrow, and also that their views, when filed, be printed with the report of the committee.

There was no objection, and it was so ordered.

Mr. CRISP. I give notice now to the House that I hope they will be ready by Friday, at furthest, to consider this case.

Mr. ANDERSON, of Kansas. Mr. Speaker, I desire to say that my only object in calling for the reading of the report was simply to use up the morning hour. I did not care to hear the report read at this time.

The SPEAKER *pro tempore*. The Chair understood the gentleman's request in that light.

ORDER OF BUSINESS.

Mr. WILKINS. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. WILKINS. I wish to know whether this time that has been occupied on the question of order comes out of the morning hour.

The SPEAKER *pro tempore*. It does.

Mr. ANDERSON, of Kansas. Undoubtedly.

Mr. WEAVER. I move to lay the pending bill on the table.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Iowa that there is another motion now pending, upon which the yeas and nays have been ordered.

Mr. WEAVER. Does that cut off the right to move to lay the bill on the table?

The SPEAKER *pro tempore*. The gentleman will be recognized for that purpose after the yeas and nays are taken.

Mr. ANDERSON, of Kansas. I move that the House adjourn.

Mr. WILKINS. If the gentleman will permit me, I think I can offer a solution of this whole difficulty.

Mr. ANDERSON, of Kansas. I hope the gentleman will do so.

Mr. WILKINS. If the gentleman will permit me to make one statement, I think I can.

Mr. WEAVER. Regular order.

The SPEAKER *pro tempore*. The regular order is the motion to adjourn, if it is insisted upon.

Mr. ANDERSON, of Kansas. I withdraw the motion to adjourn in order to give the gentleman from Ohio [Mr. WILKINS] an opportunity to make his statement.

Mr. WILKINS. Mr. Speaker, when this House adjourned last Thursday it had under consideration the bill that we seek to bring up this morning. On that day I moved the previous question upon that bill. This morning, with the consent of the House, I desire to withdraw the demand for the previous question. I propose to yield the floor and let discussion go on until the expiration of the morning hour rather than that this House and the country should be treated to a spectacle of statesmanship such as that which we had here last Thursday, filibustering a bill that the majority of this House desired to pass. With the consent of the House, then, I will withdraw the demand for the previous question, yield the floor, and let the gentlemen who oppose the bill take the floor and go on with the discussion until the expiration of the morning hour. That ends the matter.

Mr. ANDERSON, of Kansas. I desire to offer an amendment.

Mr. WEAVER. I object.

Mr. WILKINS. Very well; the gentlemen can go on filibustering.

Mr. ANDERSON, of Kansas. So far as filibustering is concerned, you have made an attempt here to gag the House.

Mr. WILKINS. No, sir; there is no such disposition. I appeal to the House as to whether I have made any attempt to gag anybody.

Mr. ANDERSON, of Kansas. Oh, well, that is the effect of it.

Mr. BROWNE, of Indiana. The gagging has been on the other side.

Mr. WEAVER. I rise to a parliamentary inquiry.

Mr. ANDERSON, of Kansas. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. ANDERSON, of Kansas. Will the Chair state precisely the present position of affairs?

The SPEAKER *pro tempore*. The Chair will state the position of the question. The yeas and nays have been ordered on the demand for the previous question on the engrossment and third reading of the bill.

Mr. WEAVER. I insist on my motion that this bill lie on the table—a motion which takes precedence of the yeas and nays.

The SPEAKER *pro tempore*. The Chair understands that the yeas and nays have been already ordered.

Mr. WEAVER. But the call had not commenced; and the motion to lay on the table takes precedence.

The SPEAKER *pro tempore*. The only motion in order would be to reconsider the vote by which the House ordered the yeas and nays.

Mr. WEAVER. Then I move to reconsider that vote.

Mr. ANDERSON, of Kansas. I wish to make a parliamentary inquiry.

Mr. BROWNE, of Indiana. I hope the gentleman from Ohio [Mr. WILKINS] will insist on pressing this measure to a vote——

Mr. WILKINS. I shall.

Mr. BROWNE, of Indiana. And let gentlemen on the other side take the responsibility of the manner in which they are opposing it.

Mr. ANDERSON, of Kansas. So far as I am concerned——

The SPEAKER *pro tempore*. The gentleman is out of order.

Mr. ANDERSON, of Kansas. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman from Iowa [Mr. WEAVER] moves to reconsider the vote by which the yeas and nays were ordered upon ordering the previous question on the engrossment and third reading of the pending bill.

The question being taken there were—ayes 14, noes 144.

Mr. WEAVER. No quorum.

Mr. WILKINS. No quorum is necessary on this question.

The SPEAKER *pro tempore*. A quorum is necessary on the motion to reconsider. No quorum having appeared, the Chair will order tellers. The gentleman from Ohio [Mr. WILKINS] and the gentleman from Iowa [Mr. WEAVER] will take their places as tellers.

Mr. BROWNE, of Indiana. I rise to a parliamentary inquiry. May we not have the yeas and nays upon this question?

Mr. ANDERSON, of Kansas. Regular order!

Mr. BROWNE, of Indiana. Let us have the yeas and nays. I call for them.

The yeas and nays were not ordered.

Mr. WILKINS. I now move to lay on the table the motion to reconsider. That is in order, I believe.

Mr. WEAVER. The point of "no quorum" has been made, and the House is about to divide by tellers.

The SPEAKER *pro tempore*. The Chair directed the tellers to take their places, no quorum having voted.

The House again divided; and the tellers proceeded to count the vote.

Mr. WILKINS. I appeal to the gentleman from Iowa whether he will not consent to consider the morning hour as now closed, or to let it run on until it is closed, and he can do what he likes with it—continue the discussion if he pleases—and then at the close of the morning hour let this bill go upon the Calendar as unfinished business. That is all our side of the House desires. I am, myself, not unwilling that shall be done.

Mr. WEAVER. That is not the appeal made by the gentleman from Ohio awhile ago. If he now wishes it to go upon the Calendar as unfinished business, why let it go there. That was not his proposition; but now if he proposes to let it go over as unfinished business I do not know that I shall make any objection.

Mr. WILKINS. When I made my statement in the beginning, I offered to withdraw the demand for the previous question. If it be now considered by unanimous consent that at the expiration of the morning hour this bill shall go over as unfinished business, I am willing to yield the floor to the gentleman from Iowa and let him control what remains of the morning hour as he pleases.

Mr. WEAVER. I was dealing with it as I pleased. [Laughter.]

Mr. WILKINS. The gentleman says there was no arrangement proposed to him——

Mr. WEAVER. I do not say that——

Mr. WILKINS. By which this bill might go over.

Mr. WEAVER. I do not say that. I merely took the floor and made this motion. If the gentleman wants it to go over as unfinished business, I have no objection; none at all.

Mr. WILKINS. It is understood, then, that the morning hour is now closed.

Mr. WEAVER. There is no understanding about it. The tellers are still counting the vote, and the House is still dividing.

Mr. WILKINS. The tellers have gotten through with the count, and I ask that the vote be announced by the Chair.

The SPEAKER *pro tempore*. The tellers report ayes 12, noes 151. So the House refuses to reconsider the vote ordering the yeas and nays on the demand for the previous question.

Mr. WEAVER. I demand the yeas and nays.

The SPEAKER *pro tempore*. But this is a motion to reconsider the vote by which the yeas and nays were ordered on the demand for the previous question, and the yeas and nays have been refused.

Mr. WEAVER. But I ask for the yeas and nays on the motion to reconsider.

Mr. BROWNE, of Indiana. I demanded the yeas and nays and they were refused.

Mr. WEAVER. I move to lay this bill upon the table.

The SPEAKER *pro tempore*. The Chair has already decided, after the yeas and nays have been ordered, that motion is not in order.

Mr. WEAVER. I wish to make a point of order.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. WEAVER. The point I make is, that the motion to lay on the table takes precedence.

The SPEAKER *pro tempore*. There is no doubt, up to a certain point, the motion to lay on the table does take precedence. The yeas and nays were ordered, and the Chair understands some names were called and some responses were made.

Mr. WEAVER. The Clerk had not begun the call of the yeas and nays.

The SPEAKER *pro tempore*. The Clerk states that the call had been begun. There is at least no official recognition of the fact. [Cries of "Regular order!"]

Mr. WEAVER. What is the ruling of the Chair?

The SPEAKER *pro tempore*. That the gentleman's motion is out of order.

Mr. WEAVER. Then I move that the House do now adjourn.

Mr. ANDERSON, of Kansas. Pending that motion, I move that when the House adjourns to-day, it adjourn to meet on Thursday next.

The House divided; and there were—ayes none, noes 38.

Mr. WEAVER. No quorum.

The SPEAKER *pro tempore*. The Chair appoints as tellers Mr. ANDERSON, of Kansas, and Mr. WILKINS.

Mr. WILKINS. What is the proposition?

The SPEAKER *pro tempore*. That when the House adjourns to-day, it adjourn to meet on Thursday next.

Mr. BROWNE, of Indiana. I suggest, by unanimous consent, the morning hour be considered as having expired.

Mr. WILKINS. I hope that will be done.

Mr. BROWNE, of Indiana. We are simply performing for the amusement of the galleries.

Mr. ANDERSON, of Kansas. I object to the gentleman debating the proposition.

The SPEAKER *pro tempore*. Is there objection to the morning hour being considered as having expired?

There was no objection, and it was ordered accordingly.

Mr. WILKINS. I move to take up the unfinished business for consideration. It is the bill (H. R. 1733) to provide for the issue of circulating notes to national banking associations.

Mr. WEAVER. I move when the House adjourns to-day it adjourn to meet on Friday next.

Mr. ANDERSON, of Kansas. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. ANDERSON, of Kansas. It is whether it is not now in order to raise the question of consideration against this bill?

Mr. WEAVER. There is no question about that.

Mr. ANDERSON, of Kansas. If it is in order, I raise that question.

The SPEAKER *pro tempore*. The question is upon the motion of the gentleman from Iowa that when the House adjourns to-day it adjourn to meet on Friday next.

Mr. WEAVER. I withdraw that motion temporarily.

Mr. ANDERSON, of Kansas. I raise the question of consideration against this bill, and on that motion would like to be heard for a moment.

The SPEAKER *pro tempore*. The gentleman will proceed.

Mr. ANDERSON, of Kansas. I raise the question of consideration.

The SPEAKER *pro tempore*. The question is, Will the House now consider the bill which comes over as unfinished business?

The question was taken; and on a division there were—ayes 119, noes 10.

Mr. ANDERSON, of Kansas. No quorum.

Mr. WILKINS. I demand the yeas and nays on the motion.

Mr. WEAVER. Pending that I move that the House do now adjourn.

Mr. SPRINGER. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. SPRINGER. Under clause 6 of Rule XXIV it is provided as follows:

> After the hour under the preceding clause shall have been occupied—

That is, the hour for consideration—

> it shall be in order to proceed to the consideration of the unfinished business in which the House may have been engaged at the adjournment.

Now, I do not understand that this presents that kind of a question. This is not unfinished business of the character contemplated by the rule, or business in which the House was engaged at adjournment. It is simply unfinished business under the morning hour for consideration, and goes on the Calendar without any special privileges.

Mr. DINGLEY. I call the attention of the gentleman from Illinois to the fact that he has not read the latter part of this clause.

Mr. SPRINGER. I will read it. The last clause is:

> And it shall be in order to proceed to the consideration of all other unfinished business whenever the class of business to which it belongs shall be in order.

That, however, the gentleman will see has no relation to the question.

The SPEAKER *pro tempore*. The Chair will state that the point of order comes too late. The question of consideration was pending; a motion had been made, and a vote was being taken upon that motion. The gentleman from Iowa moves that the House do now adjourn.

Mr. SPRINGER. If, however, it should be decided that the House proceeds to consider this, then the point of order would be in time, would it not?

The SPEAKER *pro tempore*. After that the House would have decided to consider it.

Mr. STEELE. I call for the regular order, which is the motion to adjourn.

## PACIFIC LAND-GRANT RAILROAD INVESTIGATION.

The SPEAKER *pro tempore*. Pending the motion to adjourn the Chair will lay before the House a message from the President of the United States.

The message was read, as follows:

*To the Senate and House of Representatives:*

On the 3d day of March last an act was passed authorizing the appointment of three commissioners who should investigate the affairs of such railroads as have received aid from the United States Government. Among other things, the contemplated investigation included a history of the construction of these roads, their relations and indebtedness to the Government, and the question whether, in the interest of the United States, any extension for the time of the performance of the obligations of said roads to the Government should be granted; and if so, the said commissioners were directed to submit a scheme for such extension.

The commissioners were further directed by said act to report in full to the President upon all the matters submitted to them, and he was by said act required to forward said report to Congress with such recommendations or comments as he should see fit to make in the premises.

The commissioners, immediately after their selection, entered upon the discharge of their duties, and have prosecuted their inquiries with commendable industry, intelligence, and thoroughness. A large amount of testimony has been taken, and all the facts have been developed which appear to be necessary for the consideration of the questions arising from the condition of these aided railroads and their relations to the Government.

The commissioners have, however, been unable to agree upon the manner in which these railroads should be treated respecting their indebtedness to the United States, or to unite upon the plan best calculated to secure the payment of such indebtedness.

This disagreement has resulted in the preparation of two reports, both of which are herewith submitted to the Congress.

These reports exhibit such transactions and schemes connected with the construction of the aided roads and their management, and suggest the invention of such devices on the part of those having them in charge, for the apparent purpose of defeating any chance for the Government's reimbursement, that any adjustment or plan of settlement should be predicated upon the substantial interests of the Government rather than any forbearance or generosity deserved by the companies.

The wide publication which has already been given to the substance of the commissioners' reports obviates the necessity of detailing in this communication the facts found upon the investigation.

The majority report, while condemning the methods adopted by those who formerly had charge of the Union Pacific Railroad, declares that since its present management was inaugurated, in 1884, its affairs have been fairly and prudently conducted, and that the present administration "has devoted itself honestly and intelligently to the herculean task of rescuing the Union Pacific Railway from the insolvency which seriously threatened it at the inception of its work; that it has devoted itself, by rigid economy, by intelligent management, and by an application of every dollar of the earning capacity of the system to its improvement and betterment, to place that company on a sound and enduring financial foundation."

The condition of the present management of the Union Pacific Company has an important bearing upon its ability to comply with the terms of any settlement of its indebtedness which may be offered by the Government.

The majority of the commission are in favor of an extension of the time for the payment of the Government indebtedness of these companies, upon certain conditions. But the chairman of the commission, presenting the minority report, recommends, both upon principle and policy, the institution of proceedings for the forfeiture of the charters of the corporations, and the winding up of their affairs.

I have been furnished with a statement, or argument, in defense of the transactions connected with the construction of the Central Pacific Road and its branch lines, from which it may not be amiss to quote, for the purpose of showing how some of the operations of the directors of such road, strongly condemned by the commissioners, are defended by the directors themselves. After speaking of a contract for the construction of one of these branch lines by a corporation, called the Contract and Finance Company, owned by certain directors of the Central Pacific Railroad, this language is used:

"It may be said of this contract, as of many others that were let to the different construction companies, in which the directors of the Central Pacific have been stockholders, that they built the road with the moneys furnished by themselves and had the road for their outlay. In other words, they paid to the construction company the bonds and stock of the railroad so constructed, and waited until such time as they could develop sufficient business on the road built to induce the public to buy the bonds or the stock. If the country through which the railroad ran developed sufficient business, then the project was a success; if it did not, then the operation was a loss. These gentlemen took all the responsibility; any loss occurring was necessarily theirs, and of right the profit belonged to them.

"But it is said that they violated a well-known rule of equity in dealing with themselves; that they were trustees, and that they were representing both sides of the contract.

"The answer is that they did not find anybody else to deal with. They could not find any one who would take the chance of building a road through what was then an almost uninhabited country, and accept the bonds and stock of the road in payment. And when it is said that they were trustees, if they did occupy such relation it was merely technical, for they represented only their own interests on both sides, there being no one else concerned in the transaction. They became the incorporators of the company that was to build the road, subscribed for its stock and were the only subscribers. Therefore it is difficult to see how any one was wronged by their action. The rule of equity invoked, which has its origin in the injunction, no man can serve two masters, certainly did not apply to them, because they were acting in their own interests and were not charged with the duty of caring for others' rights, there being no other persons interested in the subject-matter."

In view of this statement and the facts developed in the Commissioners' reports, it seems proper to recall the grants and benefits derived from the General Government by both the Union and Central Pacific Companies for the purpose of aiding the construction of their roads.

By an act passed in 1862 it was provided that there should be advanced to said companies by the United States, to aid in such construction, the bonds of the Government amounting to $16,000 for every mile constructed, as often as a section of 40 miles of said roads should be built; that there should also be granted to said companies upon the completion of every said section of 40 miles of road five entire sections of public land for each mile so built; that the entire charges earned by said roads on account of transportation and service for the Government should be applied to the reimbursement of the bonds advanced by the United States and the interest thereon; and that to secure the repayment of the bonds so advanced, and interest, the issue and delivery to said companies of said bonds should constitute a first mortgage on the whole line of their roads, and on their rolling stock, fixtures, and property of every kind and description.

The liberal donations, advances, and privileges provided for in this law were granted by the General Government for the purpose of securing the construction of these roads, which would complete the connection between our eastern and western coasts; and they were based upon a consideration of the public benefits which would accrue to the entire country from such construction.

But the projectors of these roads were not content, and the sentiment which then seemed to pervade the Congress had not reached the limit of its generosity. Two years after the passage of this law it was supplemented and amended in various important particulars in favor of these companies by an act which provided, among other things, that the bonds, at the rate already specified, should be delivered upon the completion of sections of 20 miles in length, instead of 40; that the lands to be conveyed to said companies on the completion of each section of said roads should be ten sections per mile instead of five; that only half of the charges for transportation and service due from time to time from the United States should be retained and applied to the advances made to said companies by the Government—thus obliging immediate payment to its debtor of the other half of said charges—and that the lien of the United States to secure the reimbursement of the amount advanced to said companies in bonds, which lien was declared by the law of 1862 to constitute a first mortgage upon all the property of said companies, should become a junior lien and be subordinated to a mortgage which the companies were by the amendatory act authorized to execute to secure bonds which they might from time to time issue in sums not exceeding the amount of the United States bonds which should be advanced to them.

The immense advantages to the companies of this amendatory act are apparent; and in these days we may well wonder that even the anticipated public importance of the construction of these roads induced what must now appear to be a rather reckless and unguarded appropriation of the public funds and the public domain.

Under the operation of these laws the principal of the bonds which have been advanced is $64,623,512, as given in the reports of the commissioners; the interest to November 1, 1887, is calculated to be $76,024,206.58, making an aggregate at the date named of $140,047,718.58. The interest calculated to the maturity of the bonds added to the principal produces an aggregate of $178,884,759.50. Against these amounts there has been repaid by the companies the sum of $30,955,039.61.

It is almost needless to state that the companies have availed themselves to the utmost extent of the permission given them to issue their bonds and to mortgage their property to secure the payment of the same, by an incumbrance having preference of the Government's lien and precisely equal to it in amount.

It will be seen that there was available for the building of each mile of these roads $16,000 of United States bonds, due in thirty years, with 6 per cent. interest; $16,000 in bonds of the companies, secured by a first mortgage on all their property, and ten sections of Government land, to say nothing of the stock of the companies.

When the relations created between the Government and these companies by the legislation referred to are considered, it is astonishing that the claim should be made that the directors of these roads owed no duty except to themselves in their construction; that they need regard no interests but their own, and that they were justified in contracting with themselves and making such bargains as resulted in conveying to their pockets all the assets of the companies. As a lienor the Government was vitally interested in the amount of the mortgage to which its security had been subordinated; and it had the right to insist that none of the bonds secured by this prior mortgage should be issued fraudulently or for the purpose of division among the stockholders without consideration.

The doctrine of complete independence on the part of the directors of these companies and their freedom from any obligation to care for other interests than their own in the construction of these roads seems to have developed the natural consequences of its application, portrayed as follows in the majority report of the commissioners:

"The result is that those who have controlled and directed the construction and development of these companies have become possessed of their surplus assets through issues of bonds, stocks, and payment of dividends voted by themselves, while the great creditor, the United States, finds itself substantially without adequate security for the repayment of its loans."

The laws enacted in aid of these roads, while they illustrated a profuse liberality and a generous surrender of the Government's advantages, which it is hoped experience has corrected, were nevertheless passed upon the theory that the roads should be constructed according to the common rules of business fairness and duty, and that their value and their ability to pay their debts should not be impaired by unfair manipulations; and when the Government subordinated its lien to another it was in the expectation that the prior lien would represent in its amount only such bonds as should be necessarily issued by the companies for the construction of their roads at fair prices, agreed upon in an honest way between real and substantial parties. For the purpose of saving or improving the security afforded by its junior lien the Government should have the right now to purge this paramount lien of all that is fraudulent, fictitious, or unconscionable. If the transfer to innocent hands of bonds of this character secured by such first mortgage prevents their cancellation, it might be well to seek a remedy against those who issued and transferred them. If legislation is needed to secure such a remedy, the Congress can readily supply it.

I desire to call attention also to the fact that if all that was to be done on the part of the Government to fully vest in these companies the grants and advantages contemplated by the acts passed in their interest, has not yet been perfected, and if the failure of such companies to perform in good faith their part of the contract justifies such a course, the power rests with the Congress to withhold further performance on the part of the Government. If donated lands are not yet granted to these companies, and if their violations of contract and of duty are such as in justice and morals forfeit their rights to such lands, Congressional action should intervene and prevent further consummation. Executive power must be exercised according to existing laws, and executive discretion is probably not broad enough to reach such difficulties.

The California and Oregon Railroad is now a part of the Central Pacific system, and is a land-grant road. Its construction has been carried on with the same features and incidents which have characterized the other constructions of this system, as is made apparent on pages 78, 79, and 80 of the report of the majority of the commissioners. I have in my hands for approval the report of commissioners appointed to examine two completed sections of this road. Upon such approval the company, or the Central Pacific Company, will be entitled to patents for a large quantity of public lands. I especially commend to the attention of Congress this condition of affairs, in order that it may determine whether or not it should intervene to save these lands for settlers, if such a course is justifiable.

It is quite time that the troublesome complications surrounding this entire subject, which has been transmitted to us as a legacy from former days, should be adjusted and settled.

No one, I think, expects that these railroad companies will be able to pay their immense indebtedness to the Government at its maturity.

Any proceeding or arrangement that would result now, or at any other time, in putting these roads, or any portion of them, in the possession and control of the Government, is, in my opinion, to be rejected—certainly as long as there is the least chance for indemnification through any other means.

I suppose we are hardly justified in indulging the irritation and indignation naturally arising from a contemplation of malfeasance, to such an extent as to lead to the useless destruction of these roads or the loss of the advances made by the Government. I believe that our efforts should be in a more practical direction, and should tend, with no condonation of wrong-doing, to the collection by the Government, on behalf of the people, of the public money now in jeopardy.

While the plan presented by a majority of the commission appears to be well devised and gives at least partial promise of the results sought, the fact will not escape attention that its success depends upon its acceptance by the companies and their ability to perform its conditions after acceptance. It is exceedingly important that any adjustment now made should be final and effective. These considerations suggest the possibility that the remedy proposed in the majority report might well be applied to a part only of these aided railroad companies.

The settlement and determination of the questions involved are peculiarly within the province of the Congress. The subject has been made quite a familiar one by Congressional discussion. This is now supplemented in a valuable manner by the facts presented in the reports herewith submitted.

The public interest urges prompt and efficient action.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 17, 1888.

Mr. RICHARDSON. I move that the message and accompanying documents be referred to the Committee on the Pacific Railroads, and ordered to be printed.

Mr. RANDALL. I would like to ask whether the report, spoken of there, embraces the minority as well as the majority report. Are the two to be printed together with the message?

The SPEAKER *pro tempore*. There is a note appended to this mes-

sage which may indicate the papers which accompany it. The Chair will cause the Clerk to read it.

The Clerk read as follows:

NOTE.—The testimony taken by the commission accompanies the copy of this message to the Senate.

Mr. RICHARDSON. My motion is to print both of the reports with the accompanying message.

Mr. HOLMAN. The testimony will be printed by the Senate, having been referred to that body.

Mr. RANDALL. Let us hear the exact language of the motion of the gentleman from Tennessee.

Mr. HOLMES. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. HOLMES. Does the motion embrace the printing of the evidence also?

The SPEAKER *pro tempore*. That has gone to the Senate, and the Chair is informed will be printed there, according to custom.

Mr. NELSON. Let us understand whether this motion will include the printing of the minority report of Governor Pattison?

Mr. RANDALL. That is what I am trying to find out.

Mr. RICHARDSON. My motion is to print both reports, and the accompanying message of the President.

The SPEAKER *pro tempore*. The Chair so understood, and supposes that the testimony will be printed by order of the Senate, and accompany the reports.

Mr. HOLMAN. The testimony having been referred to the Senate, it will be printed by that body, and if an order were made by the House now it would simply duplicate this printing.

Mr. RANDALL. The question is, are the two reports here with the message, so that they may be printed together?

The SPEAKER *pro tempore*. The Chair is informed that both are here and in print.

The motion of Mr. RICHARDSON was agreed to.

Mr. TOWNSHEND. Mr. Speaker, I would suggest to the gentleman from Tennessee that he had perhaps better have a larger number of the copies of the reports printed than is usually the case, as these are very important.

Mr. HOLMAN. That would necessarily go to the Committee on Printing.

Mr. RICHARDSON. I was going to offer a resolution to print extra copies, and ask its reference to the Committee on Printing.

Mr. TOWNSHEND. If the gentleman will permit me I will submit this resolution:

That 10,000 copies of the President's message, and the accompanying reports of the Pacific Railway Commission, be printed for the use of the House.

Mr. MILLIKEN. I trust my friend will not order so many that we will never get the reports from the office.

The SPEAKER *pro tempore*. In the absence of objection this resolution will be referred to the Committee on Printing.

There was no objection, and it was so ordered. [Cries of "Regular order!"]

Mr. WILSON, of West Virginia. Will the gentleman from Iowa yield to me a moment, to offer a resolution?

Mr. WEAVER. I will temporarily withdraw the motion to adjourn for that purpose.

### PRINTING PRESENT TARIFF LAW.

Mr. WILSON, of West Virginia. I am instructed by the Committee on Ways and Means to offer the resolution I send to the desk.

The Clerk read as follows:

*Resolved*, That there be printed for the use of the House 10,000 copies of the tariff law as now in force.

The resolution was agreed to.

### ORDER OF BUSINESS.

Mr. WEAVER. Pending the motion to adjourn, I move that when the House adjourns to-day it be to meet on Thursday.

The SPEAKER *pro tempore*. That motion has been voted down, and it is not in order.

Mr. WEAVER. Then I move that when the House adjourns to-day it be to meet on Friday.

The question being taken on Mr. WEAVER's motion, there were—ayes 3, noes 92.

Mr. WEAVER. No quorum.

Mr. WILKINS. I call for the yeas and nays.

The question being taken on ordering the yeas and nays, there were 7 in the affirmative—not one-fifth of the last vote.

Mr. WILKINS. Count the other side.

The negative vote being taken, there were—noes 23.

The SPEAKER *pro tempore*. The affirmative being more than one-fifth of the whole vote, the yeas and nays are ordered.

Mr. WEAVER. No quorum.

The SPEAKER *pro tempore*. A quorum is not required to order the yeas and nays. The question is on the motion of the gentleman from Iowa, that when the House adjourns it be to meet on Friday next.

The question was taken; and there were—yea 1, nays 248, not voting 74, as follows:

YEA—1.

Smith.

NAYS—248.

| | | | |
|---|---|---|---|
| Abbott, | Davidson, R. H. M. | La Follette, | Reed, |
| Adams, | Davis, | Lagan, | Richardson, |
| Allen, C. H. | Dibble, | Laidlaw, | Robertson, |
| Allen, E. P. | Dingley, | Laird, | Rockwell, |
| Anderson, C. L. | Dockery, | Landes, | Rogers, |
| Anderson, G. A. | Dorsey, | Lane, | Romeis, |
| Anderson, J. A. | Dunham, | Lanham, | Rowland, |
| Arnold, | Dunn, | Latham, | Russell, C. A. |
| Atkinson, | Elliott, | Lawler, | Rusk, |
| Baker, Jehu | Enloe, | Lee, | Ryan, |
| Bankhead, | Ermentrout, | Lehlbach, | Sawyer, |
| Barnes, | Farquhar, | Long, | Sayers, |
| Bayne, | Felton, | Mahoney, | Seney, |
| Biggs, | Finley, | Mansur, | Shaw, |
| Bingham, | Fitch, | Martin, | Sherman, |
| Blanchard, | Flood, | Mason, | Simmons, |
| Bliss, | Foran, | Matson, | Snyder, |
| Blount, | Ford, | McAdoo, | Sowden, |
| Boothman, | Forney, | McClammy, | Spooner, |
| Bound, | Fuller, | McCormick, | Stahlnecker, |
| Boutelle, | Funston, | McCreary, | Steele, |
| Bowden, | Gallinger, | McCullogh, | Stephenson, |
| Bowen, | Gay, | McKenna, | Stewart, Charles |
| Breckinridge, C. R. | Gest, | McKinley, | Stewart, J. W. |
| Breckinridge, WCP | Gibson, | McKinney, | Stockdale, |
| Brewer, | Glass, | McMillin, | Stone of Ky. |
| Brower, | Greenman, | McRae, | Stone of Mo. |
| Browne, T. H. B. | Grimes, | McShane, | Struble, |
| Browne, T. M. | Grosvenor, | Milliken, | Tarsney, |
| Brown, C. E. | Grout, | Mills, | Taulbee, |
| Brice, | Guenther, | Moffitt, | Taylor, E. B. |
| Buchanan, | Hall, | Montgomery, | Thomas, G. M. |
| Buckalew, | Hare, | Morgan, | Thomas, O. B. |
| Bunnell, | Harmer, | Morrill, | Thompson, A. C. |
| Burnett, | Hatch, | Morse, | Thompson, T. L. |
| Burrows, | Haugen, | Neal, | Tillman, |
| Butler, | Hemphill, | Nelson, | Tracey, |
| Campbell, Felix | Henderson, D. B. | Newton, | Townshend, |
| Campbell, J. E. | Henderson, J. S. | Nichols, | Turner, H. G. |
| Candler, | Henderson, T. J. | Norwood, | Vance, |
| Cannon, | Hiestand, | Nutting, | Vandever, |
| Caruth, | Hires, | Oates, | Wade, |
| Caswell, | Hitt, | O'Donnell, | Walker, |
| Cheadle, | Hogg, | O'Neill, Charles | Warner, |
| Clardy, | Holman, | O'Neill, J. J. | Washington, |
| Clark, | Holmes, | Osborne, | Weber, |
| Clements, | Hopkins, A. J. | Owen, | West, |
| Cobb, | Hopkins, S. I. | Parker, | Wheeler, |
| Cogswell, | Hopkins, S. T. | Patton, | White, S. V. |
| Collins, | Hovey, | Payson, | Whiting, William |
| Conger, | Howard, | Peel, | Whitthorne, |
| Cothran, | Hudd, | Penington, | Wickham, |
| Cowles, | Hunter, | Perkins, | Wilber, |
| Cox, | Hutton, | Perry, | Wilkins, |
| Crain, | Johnston, T. D. | Peters, | Williams, |
| Crouse, | Jones, | Phelan, | Wilson, Thomas |
| Culberson, | Kean, | Phelps, | Wilson, W. L. |
| Cummings, | Kennedy, | Pidcock, | Wise, |
| Cutcheon, | Kerr, | Plumb, | Woodburn, |
| Dalzell, | Ketcham, | Post, | Yardley, |
| Dargan, | Kilgore, | Pugsley, | Yoder, |
| Darlington, | Laffoon, | Rayner, | Yost. |

NOT VOTING—74.

| | | | |
|---|---|---|---|
| Allen, J. M. | Cooper, | Houk, | Rice, |
| Anderson, A. R. | Crisp, | Jackson, | Rowell, |
| Bacon, | Davenport, | Johnston, J. T. | Russell, J. E. |
| Baker, C. S. | Davidson, A. C. | Kelley, | Scott, |
| Barry, | De Lano, | Lind, | Scull, |
| Belden, | Dougherty, | Lodge, | Shively, |
| Belmont, | Fisher, | Lyman, | Spinola, |
| Bland, | French, | Lynch, | Springer, |
| Brown, J. R. | Gaines, | Macdonald, | Stewart, J. D. |
| Brumm, | Gear, | Maffett, | Symes, |
| Burnes, | Glover, | Maish, | Taylor, J. D. |
| Butterworth, | Goff, | McComas, | Thomas, J. R. |
| Bynum, | Granger, | Merriman, | Turner, E. J. |
| Campbell, T. J. | Hayden, | Moore, | Weaver. |
| Carlton, | Hayes, | Morrow, | White, J. B. |
| Catchings, | Heard, | O'Ferrall, | Whiting, J. R. |
| Chipman, | Herbert, | O'Neall, J. H. | Wilkinson. |
| Cockran, | Hermann, | Outhwaite, | |
| Compton, | Hooker, | Randall, | |

So the motion was not agreed to.

The following pairs were announced:

Until further notice:

Mr. GLOVER with Mr. GAINES.

Mr. COCKRAN with Mr. WHITE, of New York.

Mr. SPINOLA with Mr. THOMAS, of Illinois.

Mr. SCOTT with Mr. BUTTERWORTH.

Mr. BACON with Mr. JOSEPH D. TAYLOR.

Mr. CATCHINGS with Mr. HOUK.

For this day:

Mr. COMPTON with Mr. GOFF.

Mr. HERBERT with Mr. HAYDEN.

Mr. BYNUM with Mr. BAKER, of New York.

Mr. FRENCH with Mr. GEAR.

Mr. RUSSELL, of Massachusetts, with Mr. JACKSON.

Mr. BLAND with Mr. KELLEY.

Mr. STEELE. I desire to state that my colleague from Indiana [Mr.

JOHNSTON] is absent attending a meeting of the Committee on Elections. If present, he would vote "no."

The result of the vote was then announced as above stated.

Mr. WEAVER. I move that the consideration of this bill be indefinitely postponed; and upon that motion I demand the yeas and nays.

Mr. DUNHAM. How long are these gentlemen going to carry on this kind of a deal?

The SPEAKER *pro tempore*. The Chair can not answer that question. The Chair would decide that the motion of the gentleman from Iowa for indefinite postponement is not in order at this time, pending the motion for the previous question. The Chair will have the rule read.

Mr. SPRINGER. If the question of consideration is withdrawn would the motion to indefinitely postpone not then be in order?

The SPEAKER *pro tempore*. The Chair will not decide suppositious cases.

The Clerk read clause 4 of Rule XVI, as follows:

When a question is under debate, no motion shall be received but to fix the day to which the House shall adjourn, to adjourn, to take a recess, to lay on the table, for the previous question (which motion shall be decided without debate), to postpone to a day certain, to refer or amend, or to postpone indefinitely, which several motions shall have precedence in the foregoing order, and no motion to postpone to a day certain, to refer, or to postpone indefinitely, being decided, shall be again allowed on the same day at the same stage of the question.

Mr. WEAVER. I move to lay the pending motion on the table; and upon that motion I demand the yeas and nays.

The SPEAKER *pro tempore*. The Chair has decided that proposition; that it is not in order when the yeas and nays have been ordered.

Mr. WEAVER. What is the pending motion?

The SPEAKER *pro tempore*. The question is on the engrossment and third reading of the bill.

Mr. WEAVER. I submit to the Chair that that is a mistake. The motion of the gentleman from Iowa is to proceed to the consideration of the bill.

Mr. ANDERSON, of Kansas. The question of consideration has been raised.

The SPEAKER *pro tempore*. The question is, Shall the unfinished business be disposed of? What is the unfinished business? Is it not the engrossment and third reading of this bill?

Mr. ANDERSON, of Kansas. But when that question was stated I raised the question of consideration.

The SPEAKER *pro tempore*. The pending question is, Shall the unfinished business be now considered?

The question being taken, the Speaker *pro tempore* stated that the "ayes" seemed to have it.

Mr. WEAVER called for a division.

The House divided; and there were—ayes 148, noes 58.

Mr. WEAVER. I call for the yeas and nays.

Mr. SPRINGER. I think we should have the yeas and nays. Let the sense of the House on this bill be taken right now.

The yeas and nays were ordered, 66 members voting therefor.

Mr. WEAVER. Will the Chair please state the question?

The SPEAKER *pro tempore*. The question is on the consideration of this bill. Shall the bill be now considered?

The question was taken; and there were—yeas 143, nays 98, not voting 82; as follows:

YEAS—143.

| | | | |
|---|---|---|---|
| Allen, C. H. | Dalzell, | Hopkins, A. J. | Osborne, |
| Allen, E. P. | Dargan, | Hopkins, S. T. | Parker, |
| Arnold, | Darlington, | Hovey, | Patton, |
| Atkinson, | Davidson, R. H. M. | Howard, | Perry, |
| Barnes, | Davis, | Hunter, | Phelps, |
| Bayne, | De Lano, | Johnston, T. D. | Pidcock, |
| Belden, | Dibble, | Jones, | Pugsley, |
| Bingham, | Dingley, | Kennedy, | Reed, |
| Blanchard, | Dorsey, | Kerr, | Rice, |
| Boothman, | Dougherty, | Ketcham, | Russell, C. A. |
| Bound, | Dunham, | Laidlaw, | Ryan, |
| Boutelle, | Dunn, | Landes, | Scull, |
| Bowden, | Elliott, | Lehlbach, | Shaw, |
| Breckinridge, WCP | Ermentrout, | Lodge, | Sherman, |
| Brewer, | Farquhar, | Long, | Spooner, |
| Browne, T. H. B. | Felton, | Mahoney, | Steele, |
| Browne, T. M. | Finley, | Mason, | Stewart, J. W. |
| Brown, C. E. | Fitch, | McClammy, | Struble, |
| Bryce, | Flood, | McCormick, | Taylor, E. B. |
| Bunnell, | Gallinger, | McCullogh, | Thomas, G. M. |
| Burnett, | Gay, | McKenna, | Thompson, A. C. |
| Burrows, | Greenman, | McKinley, | Tracey, |
| Butler, | Grimes, | McKinney, | Turner, H. G. |
| Campbell, Felix | Grosvenor, | Merriman, | Vandever, W. |
| Campbell, J. E. | Grout, | Milliken, | Weber, |
| Cannon, | Guenther, | Moffitt, | West, |
| Cheadle, | Hall, | Morrill, | White, S. V. |
| Clark, | Harmer, | Morrow, | Whiting, William |
| Cogswell, | Hemphill, | Morse, | Wickham, |
| Collins, | Henderson, D. B. | Nelson, | Wilkins, |
| Conger, | Henderson, J. S. | Newton, | Wilkinson, |
| Cothran, | Henderson, T. J. | Nichols, | Williams, |
| Crain, | Hiestand, | Nutting, | Wilson, Thomas |
| Crouse, | Hires, | Oates, | Yardley, |
| Cummings, | Hitt, | O'Donnell, | Yost. |
| Cutcheon, | Holmes, | O'Neill, Charles | |

NAYS—98.

| | | | |
|---|---|---|---|
| Abbott, | Forney, | McRae, | Springer, |
| Anderson, A. R. | Fuller, | McShane, | Stahlnecker, |
| Anderson, C. L. | Gest, | Montgomery, | Stewart, Charles |
| Anderson, G. A. | Gibson, | Morgan, | Stockdale, |
| Anderson, J. A. | Glass, | Neal, | Stone of Mo., |
| Baker, Jehu | Hare, | Norwood, | Tarsney, |
| Bankhead, | Hatch, | O'Neill, J. J. | Taulbee, |
| Biggs, | Hogg, | Owen, | Thomas, O. B. |
| Blount, | Holman, | Payson, | Thompson, T. L. |
| Breckinridge, C. R. | Hooker, | Peel, | Tillman, |
| Buckalew, | Hopkins, S. I. | Penington, | Townshend, |
| Candler, | Hudd, | Peters, | Turner, E. J. |
| Caruth, | Kilgore, | Phelan, | Wade, |
| Chipman, | Laffoon, | Randall, | Walker, |
| Clardy, | La Follette, | Richardson, | Warner, |
| Clements, | Lagan, | Robertson, | Washington, |
| Cobb, | Lane, | Rogers, | Weaver, |
| Cowles, | Lanham, | Rowland, | Wheeler, |
| Culberson, | Latham, | Sayers, | Whiting, J. R. |
| Davidson, A. C. | Lawler, | Seney, | Whitthorne, |
| Dockery, | Lind, | Shively, | Wilson, W. L. |
| Enloe, | Macdonald, | Simmons, | Wise, |
| Fisher, | Mansur, | Smith, | Yoder. |
| Foran, | Matson, | Snyder, | |
| Ford, | McMillin, | Sowden, | |

NOT VOTING—82.

| | | | |
|---|---|---|---|
| Adams, | Compton, | Johnston, J. T. | Rayner, |
| Allen, J. M. | Cooper, | Kean, | Rockwell, |
| Bacon, | Cox, | Kelley, | Romeis, |
| Baker, C. S. | Crisp, | Laird, | Rowell, |
| Barry, | Davenport, | Lee, | Russell, J. E. |
| Belmont, | French, | Lyman, | Rusk, |
| Bland, | Funston, | Lynch, | Sawyer, |
| Bliss, | Gaines, | Maffett, | Scott, |
| Bowen, | Gear, | Maish, | Spinola, |
| Brower, | Glover, | Martin, | Stephenson, |
| Brown, J. R. | Goff, | McAdoo, | Stewart, J. D. |
| Brumm, | Granger, | McComas, | Stone of Ky., |
| Buchanan, | Haugen, | McCreary, | Symes, |
| Burnes, | Hayden, | Mills, | Taylor, J. D. |
| Butterworth, | Hayes, | Moore, | Thomas, J. R. |
| Bynum, | Heard, | O'Ferrall, | Vance, |
| Campbell, T. J. | Herbert, | O'Neall, J. H. | White, J. B. |
| Carleton, | Hermann, | Outhwaite, | Wilber, |
| Caswell, | Houk, | Perkins, | Woodburn. |
| Catchings, | Hutton, | Plumb, | |
| Cockran, | Jackson, | Post, | |

So the House decided to consider the bill.

Mr. SPRINGER. I ask unanimous consent that the reading of the names of members voting be dispensed with.

Mr. ANDERSON, of Kansas. There have been so many changes in the vote that I think the names had better be read.

The following additional pair was announced:

Mr. MILLS with Mr. BUCHANAN, for the rest of the day.

The result of the vote was then announced as above recorded.

Mr. ANDERSON, of Kansas. Now, Mr. Speaker, I move that the House take a recess until 8 o'clock this evening.

Mr. WEAVER. Pending that motion, I move that the House do now adjourn.

The question was taken on the motion to adjourn, and it was rejected—ayes 102, noes 107.

Mr. ANDERSON, of Kansas. I demand tellers.

The SPEAKER *pro tempore*. Tellers are asked for. The Chair will appoint the gentleman from Kansas [Mr. ANDERSON] and the gentleman from Ohio [Mr. WILKINS] to act as tellers.

The House again divided; and the tellers reported—ayes 90, noes 92.

So the motion to adjourn was not agreed to.

Mr. ANDERSON, of Kansas. Let us have the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 100, nays 130, not voting 93; as follows:

YEAS—100.

| | | | |
|---|---|---|---|
| Abbott, | Enloe, | Lee, | Seney, |
| Anderson, A. R. | Fisher, | Lind, | Shively, |
| Anderson, C. L. | Ford, | Macdonald, | Simmons, |
| Anderson, G. A. | Forney, | Mansur, | Smith, |
| Anderson, J. A. | Fuller, | Martin, | Sowden, |
| Atkinson, | Glass, | McClammy, | Stahlnecker, |
| Baker, Jehu | Grimes, | McCormick, | Stewart, Charles |
| Bankhead, | Hall, | McCreary, | Stewart, J. D. |
| Barnes, | Hare, | McMillin, | Stockdale, |
| Belden, | Hatch, | McRae, | Stone of Ky. |
| Biggs, | Hayes, | Montgomery, | Stone of Mo. |
| Bliss, | Heard, | Morgan, | Taulbee, |
| Blount, | Hogg, | Neal, | Thompson, T. L. |
| Breckinridge, C. R. | Holman, | Newton, | Tillman, |
| Buckalew, | Holmes, | Norwood, | Townshend, |
| Candler, | Hooker, | Payson, | Turner, E. J. |
| Carleton, | Hopkins, S. I. | Peel, | Turner, H. G. |
| Caruth, | Hovey, | Penington, | Wade, |
| Chipman, | Hudd, | Peters, | Walker, |
| Clardy, | Hutton, | Phelan, | Washington, |
| Clements, | Kilgore, | Randall, | Weaver, |
| Cobb, | Lagan, | Richardson, | Whiting, J. R. |
| Culberson, | Lane, | Robertson, | Whitthorne, |
| Davidson, A. C. | Lanham, | Rogers, | Wilson, W. L. |
| Dockery, | Latham, | Sayers, | Yoder. |

NAYS—130.

| | | | |
|---|---|---|---|
| Adams, | Bayne, | Bowden, | Bryce, |
| Allen, C. H. | Blanchard, | Brower, | Bunnell, |
| Allen, E. P. | Boothman, | Browne, T. M. | Burrows, |
| Arnold, | Boutelle, | Brown, C. E. | Butler, |

| | | | |
|---|---|---|---|
| Campbell, J. E. | Gallinger, | McComas, | Rowland, |
| Cannon, | Gay, | McCullogh, | Russell, C. A. |
| Caswell, | Gest, | McKenna, | Ryan, |
| Cheadle, | Grosvenor, | McKinley, | Sawyer, |
| Clark, | Grout, | McKinney, | Scull, |
| Cogswell, | Guenther, | Merriman, | Sherman, |
| Collins, | Harmer, | Moffitt, J. H. | Spooner, |
| Conger, | Haugen, | Morrow, | Steele, |
| Cothran, | Hemphill, | Morse, | Stephenson, |
| Cowles, | Henderson, D. B. | Nelson, | Stewart, J. W. |
| Crain, | Henderson, J. S. | Nichols, | Symes, |
| Cutcheon, | Henderson, T. J. | Nutting, | Thomas, G. M. |
| Dalzell, | Hermann, | Oates, | Thomas, O. B. |
| Dargan, | Hiestand, | O'Donnell, | Thompson, A. C. |
| Darlington, | Hires, | O'Neill, Charles | Tracey, |
| Davidson, R. H. M. | Hopkins, A. J. | O'Neill, J. J. | Vandever, |
| Davis, | Howard, | Osborne, | Warner, |
| De Lano, | Hunter, | Owen, | Weber, |
| Dibble, | Jones, | Parker, | West, |
| Dingley, | Kean, | Patton, | White, S. V. |
| Dorsey, | Kennedy, | Perkins, | Whiting, William |
| Dougherty, | Kerr, | Perry, | Wickham, |
| Dunham, | Ketcham, | Phelps, | Wilber, |
| Elliott, | La Follette, | Pidcock, | Wilkins, |
| Ermentrout, | Laidlaw, | Pugsley, | Williams, |
| Fitch, | Landes, | Reed, | Wilson, Thomas |
| Flood, | Lehlbach, | Rice, | Yardley. |
| Funston, | Long, | Romeis, | |
| Gaines, | Mason, | Rowell, | |

NOT VOTING—93.

| | | | |
|---|---|---|---|
| Allen, J. M. | Cooper, | Johnston, J. T. | Rayner, |
| Bacon, | Cox, | Johnston, T. D. | Rockwell, |
| Baker, C. S. | Crisp, | Kelley, | Russell, J. E. |
| Barry, | Crouse, | Laffoon, | Rusk, |
| Belmont, | Cummings, | Laird, | Scott, |
| Bingham, | Davenport, | Lawler, | Shaw, |
| Bland, | Dunn, | Lodge, | Snyder, |
| Bound, | Farquhar, | Lyman, | Spinola, |
| Bowen, | Felton, | Lynch, | Springer, |
| Breckinridge, WCP | Finley, | Maffett, | Struble, |
| Brewer, | Foran, | Mahoney, | Tarsney, |
| Browne, T. H. B. | French, | Maish, | Taylor, E. B. |
| Brown, J. R. | Gear, | Matson, | Taylor, J. D. |
| Brumm, | Gibson, | McAdoo, | Thomas, J. R. |
| Buchanan, | Glover, | McShane, | Vance, |
| Burnes, | Goff, | Milliken, | Wheeler, |
| Burnett, | Granger, | Mills, | White, J. B. |
| Butterworth, | Greenman, | Moore, | Wilkinson, |
| Bynum, | Hayden, | Morrill, | Wise, |
| Campbell, Felix | Herbert, | O'Ferrall, | Woodburn, |
| Campbell, T. J. | Hitt, | O'Neall, J. H. | Yost. |
| Catchings, | Hopkins, S. T. | Outhwaite, | |
| Cockran, | Houk, | Plumb, | |
| Compton, | Jackson, | Post, | |

So the motion was not agreed to.

During the roll-call the following proceedings took place:

Mr. ALLEN, of Michigan. My colleague [Mr. BREWER] is detained at his room by sickness. If he were here, he would vote "no."

Mr. O'FERRALL. Mr. Speaker, I desire to have my vote recorded.

The SPEAKER *pro tempore*. Was the gentleman in the hall when his name was called?

Mr. O'FERRALL. I was not in, but let me explain. I understand that the Committee on Elections have permission to sit during the sessions of the House.

The SPEAKER *pro tempore*. That is a good excuse for not voting, but the Chair can not entertain the request of the gentleman to be allowed to vote now.

Mr. MAISH. I voted under the apprehension that I had a right to vote because the Committee on Elections has leave to sit whilst the House is in session. I am, however, in the same position as the gentleman from Virginia, and I therefore ask leave to withdraw my vote.

Mr. WHEELER. I desire to say that if I had been present when my name was called, I would have voted "aye."

Mr. WILKINS. I ask unanimous consent to dispense with the reading of the names of members voting.

Mr. ANDERSON, of Kansas, and Mr. WEAVER objected.

The following additional pairs, for the rest of the day, were announced:

Mr. ALLEN, of Mississippi, with Mr. EZRA B. TAYLOR.

Mr. BIGGS with Mr. FELTON.

Mr. LAFFOON with Mr. FARQUHAR.

Mr. MCSHANE with Mr. HOPKINS, of New York.

Mr. MCADOO with Mr. STRUBLE.

Mr. YOST with Mr. SNYDER.

Mr. GIBSON with Mr. PLUMB.

Mr. WISE with Mr. THOMAS H. B. BROWNE.

Mr. BINGHAM with Mr. BRUMM, on this question.

The result of the vote was announced, as above stated.

The SPEAKER *pro tempore*. The question recurs on the motion of the gentleman from Kansas [Mr. ANDERSON] for a recess.

Mr. ANDERSON, of Kansas. If the House will permit me to make a suggestion, by unanimous consent——

Several MEMBERS. Regular order.

Mr. WILKINS. I hope the gentleman from Kansas may be heard.

The SPEAKER *pro tempore*. Is there objection? The Chair hears none; and the gentleman will proceed.

Mr. ANDERSON, of Kansas. After conversation with the gentleman in charge of the bill, I wish to say—and I am speaking only for myself—that I have been working to obtain debate and an opportunity to present amendments to this bill. As I understand the gentleman, he is now willing for that——

Mr. CUTCHEON. He offered such opportunity several hours ago.

Mr. ANDERSON, of Kansas. Oh, no. The demand for the previous question was pending all the time.

Mr. WEAVER. We can not hear what is being said.

The SPEAKER *pro tempore*. The House seems to be in admirable order.

Mr. ANDERSON, of Kansas. Now I wish to ask the gentleman from Ohio whether it would be agreeable to him that when this bill comes up again—it is now late—there shall be opportunity for debate and for offering amendments.

Mr. WILKINS. Most assuredly. I have said that all the time.

Mr. ANDERSON, of Kansas. I do not so understand. The gentleman has constantly had the previous question pending.

Mr. WILKINS. I have offered to withdraw the previous question.

Mr. ANDERSON, of Kansas. Yes; but you would not agree that we should amend.

Mr. WILKINS. I am quite willing that the gentleman shall discuss and amend to his heart's content.

Mr. ANDERSON, of Kansas. That is what we could not do with your motion pending for the previous question. Now, I make the suggestion for myself only, that the House adjourn—it is now late—and when this bill comes up again that the gentleman allow us opportunity for debate and amendment.

Mr. WEAVER. Mr. Speaker, I want to say for one that I am not willing to make any agreement which will facilitate the passage of this bill, a measure which I believe to be pernicious. I have no objection to a season of debate on the bill when it comes up again, but I notify the gentleman from Ohio and the House now, that I shall try to defeat this bill. If not able to do so otherwise, I shall try to accomplish that end by applying properly the parliamentary rules of this House. To defeat the measure is my object, and I will not under any circumstances agree to any course which will facilitate its passage.

Mr. ANDERSON, of Kansas. Allow me to say——

Several MEMBERS. Regular order.

Mr. ANDERSON, of Kansas. Just a moment. [Renewed cries of "Regular order!"]

The SPEAKER *pro tempore*. The regular order is demanded, and the gentleman from Kansas is out of order. The question is on the gentleman's motion that the House take a recess till 8 o'clock this evening.

The question being taken, the motion was not agreed to, there being—ayes none, noes 171.

Mr. ANDERSON, of Kansas. I call for a division.

Mr. WEAVER. I now move that the House adjourn.

### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had passed, without amendment, the bill (H. R. 3318) relating to permissible marks, printing or writing, upon second, third, and fourth class matter, and to amend the twenty-second and twenty-third sections of an act entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes."

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 322) to authorize the Southwestern Arkansas and Indian Territory Railroad Company to build a bridge across the Ouachita River, in Arkansas;

A bill (S. 426) granting to the city of Colorado Springs, in the State of Colorado, certain lands therein described for water reservoirs;

A bill (S. 447) to amend the laws relating to inspection of steam-vessels; and

A bill (S. 928) in relation to marriage between white men and Indian women.

Mr. WILKINS. It has been demonstrated we have votes enough to carry this bill, and therefore I move the House adjourn

The motion of Mr. WILKINS was agreed to; and accordingly (at 4 o'clock and 15 minutes p. m.) the House adjourned.

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### PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

The following bills and joint resolutions of a private nature were introduced, severally ordered to be printed, and referred as follows, namely:

By Mr. WHEELER: A bill (H. R. 5342) for the relief of the heirs of Julius B. Litton—to the Committee on War Claims.

By Mr. PEEL: A bill (H. R. 5343) for the relief of Elizabeth Damm—to the Committee on War Claims.

Also, a bill (H. R. 5344) granting a pension to Franklin Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5345) granting a pension to H. H. Springsteen—to the Committee on Invalid Pensions.

By Mr. C. R. BRECKINRIDGE: A bill (H. R. 5346) for the relief of the heirs of Joshua Franklin—to the Committee on War Claims.

Also, a bill (H. R. 5347) for the relief of Levander Jenkins—to the Committee on War Claims.

Also, a bill (H. R. 5348) for the relief of Jacob Berg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5349) for the relief of James Trabue, Thornton Thatcher, Michael Callahan, and the widow of John Waters—to the Committee on War Claims.

Also, a bill (H. R. 5350) for the relief of Charles W. Preddy—to the Committee on Claims.

By Mr. T. L. THOMPSON: A bill (H. R. 5351) for the relief of W. C. Reed—to the Committee on Foreign Affairs.

By Mr. MORROW: A bill (H. R. 5352) to grant an American register to the foreign-built bark Nordstjernen—to the Committee on Merchant Marine and Fisheries.

By Mr. CANDLER: A bill (H. R. 5353) for the relief of Mrs. Elizabeth Wood—to the Committee on Claims.

Also, a bill (H. R. 5354) for the relief of Margaret S. Fain—to the Committee on Invalid Pensions.

By Mr. GRIMES: A bill (H. R. 5355) for the relief of Henry H. Epping and Alexander M. Brannan, administrators of S. H. Hill—to the Committee on War Claims.

By Mr. OWEN: A bill (H. R. 5356) granting a pension to Eliza Etnire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5357) to correct the name in the discharge certificate of John Higgins—to the Committee on Military Affairs.

Also, a bill (H. R 5358) correcting the military record of Ireneus Shortridge—to the Committee on Military Affairs.

Also, a bill (H. R. 5359) to correct the military record of Charles F. Worden—to the Committee on War Claims.

Also, a bill (H. R. 5360) to correct the military record of William T. Shaffer—to the Committee on Military Affairs.

Also, a bill (H. R. 5361) to correct the military record of Lorentz Radky—to the Committee on Military Affairs.

By Mr. G. A. ANDERSON: A bill (H. R. 5362) for the relief of Michael Piggott—to the Committee on Claims.

Also, a bill (H. R. 5363) granting a pension to David Johnson—to the Committee on Invalid Pensions.

By Mr. STEELE: A bill (H. R. 5364) granting a pension to Mary Whipple—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 5365) granting a pension to John Lossing—to the Committee on Invalid Pensions.

By Mr. GEAR: A bill (H. R. 5366) granting a pension to Eveline Springer—to the Committee on Invalid Pensions.

By Mr. RYAN: A bill (H. R. 5367) granting a pension to George Shadbolt—to the Committee on Invalid Pensions.

By Mr. G. M. THOMAS: A bill (H. R. 5368) to remove the charge of desertion from the military record of Isaac W. Lykins—to the Committee on Military Affairs.

Also, a bill (H. R. 5369) to remove the charge of desertion from the military record of Joseph P. Warder—to the Committee on Military Affairs.

Also, a bill (H. R. 5370) for the erection of a public building in the city of Maysville, Ky.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5371) for the relief of William Thompson—to the Committee on Invalid Pensions.

By Mr. REED: A bill (H. R. 5372) for the relief of the Grand Trunk Railway Company of Canada—to the Committee on Claims.

By Mr. COMPTON: A bill (H. R. 5373) to change the location of a certain alley in the city of Washington—to the Committee on the District of Columbia.

By Mr. LIND: A bill (H. R. 5374) for the relief of Isaac Slocum—to the Select Committee on Indian Depredation Claims.

By Mr. STOCKDALE: A bill (H. R. 5375) for the relief of James M. Newman—to the Committee on War Claims.

By Mr. LAIRD: A bill (H.R. 5376) for the relief of Thomas Fletcher Foley, alias Thomas Fletcher—to the Committee on Military Affairs.

By Mr. LEHLBACH: A bill (H. R. 5377) for the relief of Jacob Fastnacht—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5378) for the relief of Tillman Faux—to the Committee on Invalid Pensions.

By Mr. CLARDY: A bill (H. R. 5379) for the relief of Mrs. Catharine Barry Meeha—to the Committee on War Claims.

By Mr. LEHLBACH: A bill (H. R. 5380) for the relief of Margaret Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5381) for the relief of Elizabeth Meyers—to the Committee on Invalid Pensions.

By Mr. LAIDLAW: A bill (H. R. 5382) to grant relief to William Bliss—to the Committee on War Claims.

By Mr. HIRES: A bill (H. R. 5383) granting a pension to George W. Flowers—to the Committee on Invalid Pensions.

By Mr. PHELPS: A bill (H. R. 5384) to remove the charge of desertion from the military record of Cornelius Valentine—to the Committee on Military Affairs.

By Mr. WILBER: A bill (H. R. 5385) granting a pension to Mary G. Walker—to the Committee on Invalid Pensions.

By Mr. DE LANO: A bill (H. R. 5386) for the relief of Hallam Eldridge and Mary Ann Montgomery, deceased—to the Committee on War Claims.

By Mr. WEST: A bill (H. R. 5387) for the relief of Mrs. Esther P. Hutchinson—to the Committee on Invalid Pensions.

By Mr. ROMEIS: A bill (H. R. 5388) granting a pension to Elizabeth Buffington—to the Committee on Invalid Pensions.

By Mr. BOOTHMAN: A bill (H. R. 5389) granting a pension to Rosa Speith—to the Committee on Invalid Pensions.

By Mr. CROUSE: A bill (H. R. 5390) granting a pension to John Limeric—to the Committee on Invalid Pensions.

By Mr. A. C. THOMPSON: A bill (H. R. 5391) granting a pension to Elmer A. Johnson—to the Committee on Invalid Pensions.

By Mr. J. E. CAMPBELL: A bill (H. R. 5392) for the relief of Eugene Cross—to the Committee on Military Affairs.

Also, a bill (H. R. 5393) for the relief of E. W. Tonnsley—to the Committee on Military Affairs.

Also, a bill (H. R. 5394) for the relief of Cuthbertson Small—to the Committee on War Claims.

Also, a bill (H. R. 5395) to grant a pension to Elizabeth Bauer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5396) granting a pension to S. F. Mannington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5397) granting a pension to Charlotte Meyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5398) granting a pension to Catherine Hays—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5399) granting a pension to Hannah Cummins—to the Committee on Pensions.

Also, a bill (H. R. 5400) granting a pension to C. A. Hackney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5401) for the payment of the funeral expenses of Lieut. John G. Kyle—to the Committee on War Claims.

By Mr. SCULL: A bill (H. R. 5402) granting a pension to Capt. Daniel Shock—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 5403) for the relief of Henry C. Kerr—to the Committee on Invalid Pensions.

By Mr. RANDALL: A bill (H. R. 5404) granting a pension to Lena Kebler—to the Committee on Invalid Pensions.

By Mr. DIBBLE: A bill (H. R. 5405) for the relief of M. C. Mordecai—to the Committee on Claims.

By Mr. LEE: A bill (H. R. 5406) for the relief of John Henry Harrover—to the Committee on Pensions.

Also, a bill (H. R. 5407) for the relief of John A. Fairfax—to the Committee on Claims.

Also, a bill (H. R. 5408) granting a pension to Emma F. Read—to the Committee on Invalid Pensions.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. E. P. ALLEN: Resolutions of Henry Baxter Post, Grand Army of the Republic, of Jonesville, Mich., in favor of service-pension bill now pending—to the Committee on Invalid Pensions.

By Mr. J. M. ALLEN: Papers in the claims of William Martin, of Eveline J. Dilworth, and of William H. Dodson, of Alcorn County, Mississippi.

By Mr. C. L. ANDERSON: Papers in the claims of James B. Box, and of Susan Day, late Boyd, executrix of Caroline Boyd, of Newton County; of W. B. Coates, of Madison County; and of Moses H. Lack, of Ira A. Sprouse, of T. M. Patrick, administrator, and of F. B. A. Meador, of Scott County, Mississippi—to the Committee on War Claims.

By Mr. G. A. ANDERSON: Petition of 55 citizens of Virginia, Ill., for a pension to David Johnson—to the Committee on Invalid Pensions.

By Mr. BARRY: Papers in the claims of John Read, of Montgomery County, and of James R. Telfair, of Tishomingo County, Mississippi—to the Committee on War Claims.

By Mr. BLANCHARD: Petition of Mrs. Laulette Snowden, of Louisiana, for payment of her war claim—to the Committee on War Claims.

By Mr. BUTLER: Petition of sundry citizens of California, Oregon, and Washington Territory, praying that the tariff on lumber remain unchanged—to the Committee on Ways and Means.

Also, petition of M. C. Vick, for relief—to the Committee on War Claims.

Also, papers in the claim of A. C. Talley, for relief—to the Committee on War Claims.

Also, petition of William H. Henderson, administrator of Joseph Henderson, for relief—to the Committee on War Claims.

By Mr. CARUTH: Papers in the case of B. Mills Parrish, of estate of C. M. Briggs, of Mrs. Frances Marshall, of certain citizens of Jefferson County, Kentucky, of C. T. Vennigerholz, of Mrs. Mary T. Duncan, and of Mrs. Cassa Simpson—to the Committee on War Claims.

Also, papers in the case of Max Von Eik, of J. George Ruckstuhl, and of William Spieth, for relief—to the Committee on Military Affairs.

Also, papers in the case of C. C. Colmernil—to the Committee on Claims.

Also, papers in the claim of Mrs. Catherine Sonne—to the Committee on Invalid Pensions.

Also, papers in the case of J. E. Pilcher—to the Committee on the Judiciary.

Also, papers in the case of Samuel McKee, of Louisville, Ky., for relief—to the Committee on Elections.

By Mr. CRAIN: Papers in the case of Vidal Hernandez, for relief—to the Committee on War Claims.

Also, petition of Richard Gallway, for a pension—to the Committee on Invalid Pensions.

By Mr. CUMMINGS: Petition of Frederick Give, late sergeant Company I, Fourth New York Cavalry, for a pension—to the Committee on Invalid Pensions.

By Mr. DIBBLE: Petition of M. C. Mordecai, for compensation for mail service from Charleston to Havana in 1859 and 1860—to the Committee on Claims.

By Mr. ENLOE: Papers in the claim of B. J. Young, of Henderson County, Tennessee—to the Committee on War Claims.

By Mr. FORAN: Resolutions and memorial of the general assembly of Knights of Labor of the world, relating to the debasement of the currency of the United States by poor workmanship—to the Committee on Banking and Currency.

By Mr. FRENCH: Petition of 85 citizens of the Second district of Connecticut, for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. GALLINGER: Papers in the case of George Hill, jr.—to the Committee on War Claims.

By Mr. GEAR: Petition of Eveline Spurgin, for a pension—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: Memorial of many members of the Ohio Volunteer Infantry, and others, in favor of a pension for Frederick Connor—to the Committee on Invalid Pensions.

Also, memorial in favor of a change in the law as to commissary of subsistence of the Army—to the Committee on Military Affairs.

Also, memorial in support of a pension bill—to the Committee on Invalid Pensions.

By Mr. GROUT: Papers in the case of Andrew Burgess and others—to the Committee on Claims.

By Mr. HARMER: Papers in the case of Union National Bank of Louisiana—to the Committee on War Claims.

By Mr. HAUGEN: Memorial of the county board of St. Croix County, Wisconsin, relating to certain land grants to railroads in said State—to the Committee on the Public Lands.

By Mr. HEMPHILL: Petition of Job Barnard, of the District of Columbia, for relief—to the Committee on the District of Columbia.

By Mr. HOPKINS (by request): Petition of gold and silver beaters of the United States, for an increased duty on certain articles—to the Committee on Ways and Means.

By Mr. HOVEY: Petition of Isaac C. Higgins, of Benjamin A. Bertram, of Catharine K. Bailey, of Jesse T. Battle, for pensions; of Isaac M. Johnson, for increase of pension, and of Joseph Lewis, for restoration to pension-roll—to the Committee on Invalid Pensions.

Also, petition of George E. Oliphant and 200 others, for the relief of George E. Oliphant—to the Committee on Invalid Pensions.

By Mr. JACKSON: Petition of Elizabeth Deuges, for a pension—to the Committee on Invalid Pensions.

Also, papers in the case of William P. Withrow, for relief—to the Committee on Military Affairs.

Also, papers in the claim of Rebecca Spence and Matilda Spence—to the Committee on Claims.

Also, papers in the case of Hannah Dimond—to the Committee on Invalid Pensions.

Also, petition of Anne E. Kettlewood, for pension—to the Committee on Invalid Pensions.

Also, papers relating to pension claim of Mary Thorn—to the Committee on Invalid Pensions.

Also, petition of Mrs. Mary Groudy and 24 others, citizens of Pennsylvania, against the admission of Utah as a State—to the Committee on the Territories.

By Mr. J. T. JOHNSTON: Petition of Enols Loyd, to have muster-rolls corrected—to the Committee on Military Affairs.

By Mr. LAGAN: Papers in the case of Nathan Plummer, for relief—to the Committee on Claims.

By Mr. LEE: Petition of 71 citizens of the Eighth district of Virginia for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. McCULLOGH: Two petitions of citizens of Webster, Westmoreland County, Pennsylvania, for the establishment of a postal telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. McMILLIN: Papers in the claim of Jacob Cain and Emmitt Davis, of Wilson County, Tennessee—to the Committee on War Claims.

By Mr. MERRIMAN: Papers in the case of George C. Ellison, for relief—to the Committee on Claims.

By Mr. MORGAN: Petition of Robert Cunningham *et al.*, for relief—to the Committee on War Claims.

By Mr. MORROW: Papers in the cases of H. R. Crosbie, of George C. Parkinson, of Gottlieb Groezinger, of Charles L. Scudder, of George C. Parkinson, of A. C. Bradford, and of A. J. Barnes, for relief—to the Committee on Claims.

Also, papers in the case of George A. Norton, for relief—to the Committee on War Claims.

By Mr. NEAL: Memorial and resolutions of the Chamber of Commerce of Chattanooga, Tenn., on the subject of revenue, and opposing a reduction of the tariff upon coal, iron ore, or their products—to the Committee on Ways and Means.

By Mr. CHARLES O'NEILL: Memorial of P. F. Cooper, of Philadelphia, asking Congress to purchase the portrait of General George B. McClellan—to the Committee on the Library.

Also, of Mrs. Catherine S. McMahan, for a pension—to the Committee on Invalid Pensions.

By Mr. PEEL: Petition of Hannah Dobkins, administratrix of Hugh Dobkins, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also (by request), petition of Goorge W. Perkins, for relief—to the Committee on War Claims.

By Mr. RANDALL: Petition of Samuel N. Danilly, for a pension—to the Committee on Invalid Pensions.

By Mr. ROGERS: Papers in the claim of David Bender, of Pulaski County; of Michael McNally, of Sebastian County, and of heirs of Mrs. Maria A. Reinhardt—to the Committee on War Claims.

By Mr. SAYERS: Petition of Convention of Wool-Growers held at Fort McKavett, Tex., to increase tariff on wool—to the Committee on Ways and Means.

By Mr. STAHLNECKER: Petition and protest against any repeal or modification of the oleomargarine law—to the Committee on Agriculture.

Also, petition of citizens of Oregon and Washington Territory, in behalf of the tariff on lumber—to the Committee on Ways and Means.

Also, petition in behalf of American fisheries and tariff, etc.—to the Committee on Ways and Means.

By Mr. STOCKDALE: Papers in the case of Martha Crane, of Mary A. Butler, of Daniel McDougal, of Louisa C. Cony, of William Jenkins, of Elizabeth Mackin, and Edward Dooley, heirs of Joseph and Mary Dooley, and of B. M. Howell, of Mississippi—to the Committee on War Claims.

Also, papers in the case of William D. Wilson—to the Committee on War Claims.

By Mr. SYMES: Resolutions of the Leadville Chamber of Commerce, against reduction of tariff on lead—to the Committee on Ways and Means.

By Mr. G. M. THOMAS: Papers in the case of W. W. Weedon—to the Committee on Claims.

Also, papers in the case of Thomas K. Ball—to the Committee on War Claims.

Also, papers in the case of Sallie T. Duke—to the Committee on Invalid Pensions.

By Mr. WASHINGTON: Papers in the case of A. J. Duncan, of Nashville, Tenn.—to the Committee on War Claims.

By Mr. WHEELER: Petition of Greene O. Denson, of John Duboise, of Solomon Frazier, of William F. Jones, and of William George, of Jackson County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WISE: Petition of Phillip Wellford, for relief—to the Committee on War Claims.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. C. L. ANDERSON: Of W. E. Cook and others, of Jasper County, and of T. R. Blake and others, of Holmes County, Mississippi.

By Mr. BLANCHARD: Of E. S. McDaniel and 72 others, and of W. R. Shehane and 53 others, of Louisiana.

By Mr. BUTLER: Of citizens of Gap Run, of Blevins, of Gross, of Teas Springs, and of Rip Shin, Tenn.

By Mr. CARLETON: Of W. H. Smith, T. H. Shannon, and others, of Franklin County, Georgia.

By Mr. COWLES: Of citizens of Glenburnie, Caldwell County, North Carolina.

By Mr. GROUT: Of Henry J. Knapp and 27 others, citizens of Dover, Vt.

By Mr. HIESTAND: Of citizens of Slackwater, of Blainesport, of Green Bank, and of Goshen, Lancaster County, Pennsylvania.

By Mr. HOGG: Of Jesse Cox and 46 others, of Wayne County; of M. W. Ryan and 72 others, of Roane County, and of George W. Kepler and 68 others, of Mason County, West Virginia.

By Mr. LEE: Of citizens of Loudoun County and of Armstrong County, Pennsylvania.

By Mr. McCLAMMY: Of citizens of Cumberland County, of Moore County, and of Wayne County, North Carolina.

By Mr. McCULLOGH: Of citizens of Deer Lick, Greene County, Pennsylvania.

By Mr. PATTON: Of 69 citizens of Oshanter, Clearfield County, Pennsylvania.

By Mr. SCULL: Of citizens of Piney Creek, Bedford County, Pennsylvania.

By Mr. A. C. THOMPSON: Of Christa Flaker and others, of Mabee's, Jackson County, Ohio.

By Mr. VOORHEES: Of citizens of Silver Lake, Wash.

## SENATE.

WEDNESDAY, *January* 18, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

### INDIAN MARRIAGES.

Mr. BUTLER. I desire to enter a motion to reconsider the vote by which the bill reported by the Senator from Massachusetts [Mr. DAWES] was passed yesterday. I was not aware of the fact that it had been passed until the Journal was read. I ask the Secretary to read the title of the bill. It relates to the marriage of white men and Indian women.

The PRESIDENT *pro tempore*. The title of the bill will be read.

The CHIEF CLERK. A bill (S. 928) in relation to marriage between white men and Indian women.

Mr. BUTLER. I enter a motion to reconsider the vote by which the bill was passed.

The PRESIDENT *pro tempore*. The motion will be entered.

Mr. BUTLER. I have just been informed that the bill has been sent to the House of Representatives. I move that the bill be recalled from the House, if that is the proper motion.

The PRESIDENT *pro tempore*. If there be no objection, the House of Representatives will be requested to return the bill.

### EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of War, transmitting a letter from the Secretary of the Interior, with correspondence on the subject of the purchase of needed supplies from Indians at the Uintah and Ouray agency, Utah, and recommending such legislation as will permit the Quartermaster's Department to purchase direct from the Indians hay, grain, etc., which they offer at market prices in the vicinity of Indian posts; which, on motion of Mr. DAWES, was, with the accompanying papers, referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of January 4, 1888, certain information relating to the volunteer company enlisted in the State of California of which Julian (or Julius) Martin was captain; which, with the accompanying papers, was ordered to lie on the table and be printed.

### HOUSE BILL REFERRED.

The joint resolution (H. Res. 81) to authorize the purchase of the lands necessary for the construction of locks and dams on the Cumberland River, received yesterday from the House of Representatives, was read twice by its title, and referred to the Committee on Commerce.

### PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented resolutions adopted by a mass meeting of the citizens of San Francisco, Cal., favoring the passage of such laws as shall effectually exclude the Chinese from any entrance whatever in the United States; which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the Board of Trade of Burlington, Iowa, the Chicago (Illinois) Lumberman's Exchange, and the mayor and city council of Burlington, Iowa, in favor of the proposed world's exposition to be held in Washington, D. C.; which were referred to the Select Committee on the Centennial of the Constitution and the Discovery of America.

Mr. FARWELL presented a memorial of citizens of Bureau County, Illinois, remonstrating against the repeal of the internal-revenue taxes, and favoring a repeal of the duties on sugar, salt, lumber, wool, woolens, leather, iron, steel, and coal; which was referred to the Committee on Finance.

Mr. CAMERON presented the petition of Isaac Sharpless, president, and other members of the faculty of Haverford College, at Haverford, Pa., praying for the speedy enactment of an international copyright law; which was referred to the Committee on the Library.

Mr. PLUMB presented the petition of the heirs of the late Dr. Henry Perrine, who was massacred during the Seminole Indian war, praying for certain relief; which was referred to the Committee on Public Lands.

Mr. BUTLER presented a letter from R. A. Tavel, secretary of the Charleston (S. C.) Exchange, indorsing the proposed constitutional centennial celebration in 1889, the world's exposition in 1892, and a permanent exposition of the two Americas; which was referred to the Select Committee on the Centennial of the Constitution and the Discovery of America.

Mr. VEST presented the petition of James L. Barbour and other residents of the District of Columbia, praying for the passage of Senate bill No. 1060, to authorize the construction of the proposed Eckington and Soldiers' Home Railroad; which was referred to the Committee on the District of Columbia.

He also presented the petition of E. C. Dean and other citizens of the District of Columbia, praying for the passage of Senate bill No. 1054, for the construction of the proposed Rock Creek Railway; which was referred to the Committee on the District of Columbia.

He also presented the petition of George Truesdell and other citizens of the District of Columbia, praying for the passage of Senate bill No. 1063, to authorize the construction of a bridge across Rock Creek at Woodley Road, in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. FRYE presented the petition of Ella M. Grover, widow of Bvt. Maj. Gen. Cuvier Grover, late colonel First Regiment Cavalry, United States Army, praying to be allowed an increase of pension; which was referred to the Committee on Pensions.

Mr. SHERMAN. I present a petition of the Chamber of Commerce and the Merchants' Exchange, of Cincinnati, Ohio, praying for the protection of manufacturers and consumers of lard against the adulteration of that article. I ask that the petition be referred to the Committee on Finance.

Mr. PADDOCK. Similar petitions which have been presented in relation to the adulteration of lard were referred to the Committee on Agriculture, which is considering that subject.

Mr. SHERMAN. I have no objection to that reference; but I will inform the Senator from Nebraska that the Committee on Finance is now considering a bill of great importance, prepared for the purpose of applying to all adulterations of food, whether the article be imported into the United States or be manufactured or made in the United States. While the subject itself is now under consideration by the Committee on Finance, I have no objection to this petition in respect to lard, a single article, being referred to the Committee on Agriculture and Forestry.

Mr. PADDOCK. A bill on the subject of the adulteration of lard is under consideration at the present time by that committee.

Mr. SHERMAN. Then I have no objection to the reference.

The PRESIDENT *pro tempore*. If there be no objection, the petition will be referred to the Committee on Agriculture and Forestry.

Mr. SHERMAN. I present a petition of the Marietta (Ohio) Centennial Monument Association, praying for pecuniary aid in erecting a centennial monumental structure to commemorate the acquisition of the Northwest territory and its permanent settlement, etc. I move the reference of this petition to the Committee on the Library, and invite the attention of that committee to the statements made in the petition.

The motion was agreed to.

Mr. PAYNE presented a petition of the Cincinnati (Ohio) Chamber of Commerce and Merchants' Exchange, praying for the passage of a law to prevent the adulteration of lard; which was referred to the Committee on Agriculture and Forestry.

Mr. DOLPH presented the petition of 62 citizens of Astoria, Oregon, praying for the prohibition of the alcoholic liquor traffic in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. QUAY presented a petition of citizens of Philadelphia, Pa., praying for the passage of the bill known as the Blair educational bill; which was ordered to lie on the table.

He also presented a petition of citizens of the Twenty-first Congressional district of Pennsylvania, praying for the passage of the bill for the prohibition of the manufacture, sale, and importation of alcoholic liquors in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. CULLOM presented a petition of 103 citizens of the Eleventh Congressional district of Illinois, praying for the prohibition of the alcoholic liquor traffic in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. COCKRELL presented a petition of 78 citizens of the Fourth Congressional district of Missouri, praying for the passage of the bill prohibiting the alcoholic liquor traffic in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. PADDOCK presented the petition of Charles E. Malstrom, of Utah County, Territory of Utah, protesting against the admission of Utah into the Union; which was referred to the Committee on Territories.

### PASSPORT FEE.

Mr. SHERMAN. I am directed by the Committee on Foreign Relations, to whom was referred the bill (S. 1027) to fix the charge for passports at $1, to report it favorably, without amendment, and as it is but three lines long, and its object will at once be seen, I ask for its present consideration.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. VEST. The Senator from Ohio asks for its present consideration?

Mr. SHERMAN. I do. It will take but a moment. I think a sim-

ilar bill has passed the Senate once or twice before, and there will be no objection to it.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes that a fee of $1 shall be collected for each citizen's passport issued from the Department of State.

Mr. HARRIS. What is the fee now—$5?

Mr. SHERMAN. It is $5. The bill has been recommended several times by the Department of State.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

H. B. WILSON.

Mr. QUAY. I am directed by the Committee on Claims, to whom was referred the bill (S. 81) for the relief of H. B. Wilson, administrator of the estate of William Tinder, deceased, to report it favorably, without amendment.

Mr. HARRIS. I ask the unanimous consent of the Senate that the bill may now be considered. A similar bill has passed the Senate twice, but has failed for the want of consideration in the House of Representatives. There can not be a question as to the propriety of its passage in the mind of any Senator when he understands the facts.

Mr. HOAR. Let the bill be read for information, reserving the right to object.

Mr. HARRIS. Yes, let it be read for information, subject to objection.

The PRESIDENT *pro tempore*. The bill will be read for information, subject to objection.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury refund and pay to H. B. Wilson, administrator of the estate of William Tinder, deceased, out of any money in the Treasury not otherwise appropriated, the sum of $5,000, in full satisfaction of the claim of the estate of the said Tinder for money paid by said estate upon a judgment of forfeiture upon a bond for the appearance of one Evans, who was charged with crime by indictment in the circuit court of the United States for the district of West Tennessee, and who was afterward captured by the said administrator and returned to the custody of the court, and convicted and punished for the crime with which he was charged.

The PRESIDENT *pro tempore*. The Senator from Tennessee asks that the bill may now be considered. Is there objection?

Mr. TELLER. I do not intend to object to this bill, but it is the second bill which has been brought here from committees this morning that we have been asked to consider at once. I shall not object to this, but I want to say now that hereafter I shall object to all bills being considered in this way.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REPORTS OF COMMITTEES.

Mr. VEST, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 280) donating to the city of St. Louis, Mo., a certain strip of land for street purposes, reported it without amendment.

Mr. JONES, of Arkansas, from the Committee on Claims, to whom was referred the bill (S. 314) for the relief of Henry M. Rector, reported it without amendment, and submitted a report thereon.

Mr. BLODGETT, from the Committee on Pensions, to whom was referred the petition of John McGrath, praying an increase of pension, submitted a report thereon, accompanied by a bill (S. 1512) granting an increase of pension to John McGrath; which was read twice by its title.

Mr. HOAR, from the Committee on Claims, to whom was referred the bill (S. 741) for the relief of William Tabb, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 576) for the relief of Semon Bache & Co., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1057) to settle and adjust the claims of any State for expenses incurred by it in defense of the United States, reported it with amendments, and submitted a report thereon.

Mr. CULLOM. I ask that the amendments proposed by the committee be read now.

The PRESIDENT *pro tempore*. The amendments reported from the Committee on Claims will be read, if there be no objection.

The Chief Clerk read as follows:

We recommend that the bill be amended by striking out in the third line the words "proper accounting officers" and inserting the word "secretary," and by striking out "they are," in the fourth line, and inserting "he is;" and that the bill so amended do pass.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. PADDOCK, from the Committee on Pensions, to whom was referred a petition of 99 ex-soldiers and citizens of Centralia, Ill., praying that John Prendergast may be restored to the pension-roll, submitted an adverse report thereon, which was agreed to; and the committee were discharged from the further consideration of the petition.

He also, from the same committee, to whom was referred the bill (S. 330) granting a pension to Marion Varngordon, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 331) granting a pension to John Kalbfleisch, reported it without amendment, and submitted a report thereon.

Mr. DAVIS, from the Committee on Pensions, to whom was referred a paper relating to the bill for the relief of Henry Pickett, of Washington, D. C., for services as teamster in the Quartermaster's Department, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

Mr. HALE, from the Committee on Naval Affairs, to whom was referred the bill (S. 868) for the relief of Paymaster James E. Tolfree, United States Navy, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 882) for the relief of pay-clerk Charles Blake, United States Navy, reported it without amendment, and submitted a report thereon.

Mr. CHANDLER, from the Committee on Naval Affairs, to whom was referred the bill (S. 744) relating to the pay and retirement of the mates in the Navy, reported it with an amendment.

Mr. BROWN, from the Committee on Foreign Relations, to whom was referred the joint resolution (S. R. 29) authorizing the appointment of a delegate to the Fourth International Prison Congress, to meet at St. Petersburg, in the year 1890, reported it without amendment.

Mr. FRYE. I am instructed by the Committee on Foreign Relations, to whom was referred the bill (S. 1026) for the relief of the owners, officers, and crew of the British bark Chance, to report it favorably without amendment. I wish the Senator from Colorado would allow me to put the bill on its passage.

Mr. TELLER. I do not like to object, but it is very apparent that if bills are to be reported and at once put on their passage, we may find ourselves either engaged in some very improper legislation or the morning hour will be destroyed. As I did not know the Senator from Maine would make this request when I said I should object to the consideration of bills when reported, I must adhere to my objection. I object to the present consideration of the bill.

The PRESIDENT *pro tempore*. Objection being made, the bill will be placed on the Calendar.

Mr. CAMERON, from the Committee on Naval Affairs, to whom was referred the bill (S. 131) for the relief of Jabez Burchard, reported it with an amendment, and submitted a report thereon.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 954) for the relief of the heirs, legal representatives, or legatees of James W. Schaumburg, reported it without amendment, and submitted a report thereon.

MONUMENT TO NEGRO SOLDIERS AND SAILORS.

Mr. HOAR. I ask that the Committee on the Library be discharged from the further consideration of the bill (S. 406) making an appropriation for the erection of a monument to the negro soldiers and sailors who gave their lives for the preservation of the Government, which was introduced by me on the 12th of December, and that the bill be placed upon the Calendar.

The reason for my making this request is that, owing to a want of examination of the statute, the Speaker of the House of Representatives has appointed five members of the Joint Committee on the Library on the part of that House. The duties of that committee are largely fixed by statute, as it is their duty to make regulations for the Library, the Congressional green-house, etc., and the statute provides that the committee shall consist of three members of each branch. Mr. CARLISLE'S attention has been called to the mistake, and he proposes to remedy it at an early day. I understand from the papers that he is ill, and I should like to have the bill placed on the Calendar. A similar bill has been reported from the Committee on the Library at a former session, so that there will be no objection to it on the part of the committee.

The PRESIDENT *pro tempore*. The Senator from Massachusetts asks that the Committee on the Library be discharged and the bill placed on the Calendar. If there be no objection, that order will be made.

BILLS INTRODUCED.

Mr. HOAR introduced a bill (S. 1513) fixing the salaries of the several judges of the United States district courts at $5,000 per annum, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1514) to establish a national art commission; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 1515) granting a pension to Helen Plunkett; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1516) to provide for inquests under national authority; which was read twice by its title, and referred to the Committee on Privileges and Elections.

Mr. SABIN introduced a bill (S. 1517) for the construction of pier lights on the great lakes; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

Mr. SAWYER (by request) introduced a bill (S. 1518) for the relief of Maria Black; which was read twice by its title, and referred to the Committee on Claims.

Mr. GORMAN introduced a bill (S. 1519) to change the location of a certain alley in the city of Washington; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also (by request) introduced a bill (S. 1520) for the relief of certain night inspectors in the customs service of the United States at the ports of New York and Baltimore; which was read twice by its title, and referred to the Committee on Claims.

Mr. HAMPTON introduced a bill (S. 1521) for the relief of M. C. Mordecai; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. FARWELL introduced a bill (S. 1522) to amend the national-bank act, and for other purposes; which was read twice by its title, and referred to the Committee on Finance.

Mr. McPHERSON introduced a bill (S. 1523) granting a pension to Isaac Bilby; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BATE introduced a bill (S. 1524) to authorize the construction of a bridge over the Tennessee River between Bridgeport and Sheffield, in the State of Alabama; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1525) to authorize the construction of a bridge over the Cumberland River between Burnside, Ky., and Carthage, in Tennessee, or the south fork of said river between Burnside and Tateville, in Kentucky; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1526) to authorize the construction of a bridge over the Caney Fork River, between Rock Island and Carthage, in Tennessee; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PLUMB introduced a bill (S. 1527) for the relief of D. H. Mitchell; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1528) for the relief of Lipman Meyer; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. DAVIS introduced a bill (S. 1529) to amend paragraph 3 of section 4693 of the Revised Statutes, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1530) granting an increase of pension to Benjamin Franklin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. WILSON, of Iowa, introduced a bill (S. 1531) for the relief of Evans, Nichols & Co.; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1532) for the relief of Thomas S. Brooke & Co.; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. SPOONER (by request) introduced a bill (S. 1533) for the relief of Robert C. Murphy; which was read twice by its title, and referred to the Committee on Claims.

Mr. MORGAN introduced a bill (S. 1534) to provide for the disposal of the interest received on the Virginius indemnity; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. COLQUITT (by request) introduced a bill (S. 1535) for the relief of the heirs of Joseph V. Connerat; which was read twice by its title, and referred to the Committee on Claims.

Mr. BUTLER introduced a bill (S. 1536) to amend an act entitled "An act to regulate commerce," approved February 4, 1887; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. GORMAN introduced a joint resolution (S. R. 39) authorizing and requiring the Secretary of the Treasury to have struck copies of certain medals, and to deliver the same to certain Departments and to the various States and Territories; which was read twice by its title, and referred to the Committee on the Library.

### AMENDMENT TO A BILL.

Mr. MITCHELL submitted an amendment intended to be proposed by him to the bill (S. 1029) to amend an act to restrict the ownership of real estate in the Territories to American citizens, etc., approved March 3, 1887; which was ordered to lie on the table, and to be printed.

### CATTLE CLAIMS AGAINST OSAGE INDIANS.

Mr. WILSON, of Iowa, submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Interior be directed to report to the Senate all papers, information, and action thereon by the Interior Department relating to the claims of Thomas S. Brooks & Co. and of Evans, Nichols & Co. for and on account of cattle stolen from said parties by the Osage Indians on or about the month of September, 1866.

### MATTHEWS'S PORTRAIT OF LINCOLN.

Mr. MANDERSON submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Committee on the Library be, and is hereby, directed to inquire into the advisability of purchasing the life-size picture of Abraham Lincoln by William T. Matthews, of New York.

### INTERSTATE COMMERCE COMMISSION REPORT.

Mr. CULLOM submitted the following concurrent resolution; which was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring herein)*, That there be printed 28,000 copies of the first annual report of the Interstate Commerce Commission, with the appendices thereto, of which 5,000 copies shall be for the use of the Senate, 10,000 copies for the use of the House of Representatives, and 5,000 copies for the use of the commission.

### CHARLES R. WESTBROOK.

The PRESIDENT *pro tempore*. If there are no further resolutions, concurrent or other, the Chair lays before the Senate a resolution offered on a previous day by the Senator from Maine [Mr. HALE].

The resolution submitted by Mr. HALE, January 17, was read, as follows:

*Resolved*, That the Attorney-General is hereby directed to report to the Senate the facts attending the employment of Charles R. Westbrook as an assistant to the district attorney for the southern district of New York, together with copies of all correspondence on the subject, the emolument paid to him, and the appropriation from which paid, and if the said Westbrook received also extra compensation for any time previous to such employment, he not being a sworn officer of Government.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

The resolution was agreed to.

### MISSOURI RIVER BRIDGE AT OMAHA.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a resolution offered on a previous day by the Senator from Nebraska [Mr. MANDERSON].

The resolution submitted by Mr. MANDERSON, January 17, was read, as follows:

*Resolved*, That the Secretary of War be directed to make investigation and report to the Senate what steps have been taken by the Omaha and Council Bluffs Railway and Bridge Company, its successors or assigns, to construct a bridge across the Missouri River between the cities of Omaha, Nebr., and Council Bluffs, Iowa, and if he shall find the construction of said bridge has been commenced, to investigate whether said structure is in accord with the provisions of the act approved March 3, 1887, and plans and specifications heretofore approved by the Secretary of War, and whether said bridge is being constructed as a combined railway and wagon bridge, or a wagon-bridge only.

Mr. WILSON, of Iowa. I have not been able to obtain some information I desire in respect to the resolution, and I therefore ask that it may go over another day. In the mean time I shall probably get the information I desire.

The PRESIDENT *pro tempore*. The Senator from Iowa asks that the resolution may lie over until to-morrow.

Mr. MANDERSON. I do not object to that postponement. It may be taken up to-morrow.

The PRESIDENT *pro tempore*. The resolution will lie over until to-morrow. The Calendar will now be proceeded with under the rule.

### RETURN OF DIRECT TAX.

The Senate resumed the consideration of the bill (S. 139) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861.

The PRESIDENT *pro tempore*. The pending question is on the motion of the Senator from New Hampshire [Mr. CHANDLER] to recommit the bill. [Putting the question.] The noes appear to have it.

Mr. BUTLER. Let us have a division. I understand the proposition is to recommit the bill to the committee for further examination and amendment.

The PRESIDENT *pro tempore*. The Senator from New Hampshire moves that the bill be recommitted to the Committee on Finance. A division is called for.

The ayes were 13——

Mr. SHERMAN. I think we had better have the yeas and nays, as there may be no quorum on a division.

The PRESIDENT *pro tempore*. There are 20 in the negative. Is there a second to the demand for the yeas and nays?

Mr. BUTLER. I withdraw the call for a division, so far as I am concerned.

The PRESIDENT *pro tempore*. The call for a division is withdrawn. The "noes" have it. The Senate refuses to recommit the bill. The question recurs on the amendment proposed by the Senator from Vermont [Mr. EDMUNDS], which will be read.

The SECRETARY. At the end of the bill it is proposed to add:

All claims under the trust hereby created shall be filed with the governor of such State or Territory and the commissioners of the District of Columbia, respectively, within six years next after the passage of this act; and all claims not so filed shall be forever barred, and the money attributable thereto shall belong to such State, Territory, or the District of Columbia, respectively, as the case may be.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment. [Putting the question.]

Mr. BERRY. I sent an amendment to the desk when the bill was before the Senate the last time.

The PRESIDENT *pro tempore*. Does the Senator from Arkansas rise to speak to the pending amendment?

Mr. BERRY. No, sir.

The PRESIDENT *pro tempore*. The Chair is unable to decide from the sound.

Mr. SHERMAN. The amendment being voted upon is an amendment offered by the Senator from Vermont [Mr. EDMUNDS], proposing a statute of limitation, requiring that the claims against the States shall be presented within six years. I see no objection to that amendment. I thought it had better be left to the States entirely without limitation, but still I have no objection to the amendment.

Mr. SAULSBURY. Let the amendment be again read.

The Secretary again read the amendment.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The Secretary will report the next amendment, one offered by the Senator from Massachusetts [Mr. HOAR].

The SECRETARY. In section 3, line 11, after the word "thereof," it is proposed to insert the words "or any other person;" so as to read:

*Provided*, That where the sums, or any part thereof, credited to any State, Territory, or the District of Columbia, have been collected by the United States from the citizens or inhabitants thereof, or any other person, either directly or by sale of property, etc.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The next amendment proposed by the Senator from Massachusetts [Mr. HOAR] will be stated.

The SECRETARY. In section 3, line 14, after the word "those," it is proposed to strike out the words "of its citizens," and insert the word "persons;" so as to read:

Such sums shall be held in trust by such State, Territory, or the District of Columbia for the benefit of those persons or inhabitants from whom they were collected, or their legal representatives.

The amendment was agreed to.

Mr. VANCE. Is the bill still open to amendment?

The PRESIDENT *pro tempore*. It is still open to amendment.

Mr. VANCE. I beg leave to offer an amendment as additional sections.

Mr. BERRY. There was an amendment offered by me when the bill was last before the Senate, and it lies on the table. I desire action on that amendment.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator fron Arkansas [Mr. BERRY] will be stated.

The SECRETARY. In section 3, at the end of line 13, it is proposed to add the following additional proviso:

*And provided further*, That no part of the money collected from individuals, and to be held in trust as aforesaid, shall be retained by the United States as a set-off against any indebtedness alleged to exist against the State, Territory, or the District of Columbia, in which such tax was collected.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Arkansas.

Mr. SHERMAN. I hope the Senator from Arkansas will not encumber the bill with this amendment, or with any amendment of similar import. There can be no pretense under the bill that this money, which belongs to individuals and is put in the hands of the States as trustees, could be treated in the way suggested. It is only belittling the question, in my judgment, to put on an amendment which invites aggressive attacks upon this fund. I hope, therefore, that the Senator wil be satisfied with the decision of the Supreme Court on this subject.

Mr. BERRY. It is a well-known fact that the officers of the Treasury have withheld money from the States which they had no right to withhold. If it be true, as stated by the Senator from Ohio, that the effect of this bill is the same without the amendment as it is with it, then there can be no possible objection to its adoption. I can not see why he should object to its adoption if this money can not be withheld without the amendment being adopted. I think the law is as the Senator states it, but I assert again that the officers of the Treasury have withheld money from States which they had no right to withhold. The amendment makes it absolutely certain that they can not do that, and the Senator from Ohio says it does not change the effect of the bill. Therefore, inasmuch as there may be doubt about it, I insist upon the adoption of the amendment so that there can be no doubt.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Arkansas [Mr. BERRY].

The amendment was agreed to; there being on a division—ayes 22, noes 21.

Mr. VANCE. I move to add to the bill what I send to the Chair.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from North Carolina will be read.

The SECRETARY. It is proposed to add the following additional sections to the bill:

SEC. —. That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit and pay to each State a sum equal to the amounts collected therein respectively as a tax or duty on raw cotton, under the provisions of the act approved July 1, 1862, and the supplemental and amendatory acts thereto, which sums, when so credited and paid, shall be accepted and held by the States in trust, first, for such of the producers who paid said tax or duty, or their legal representatives, as may make claim to and prove their identity, and the amount of taxes paid, in two years after the passage of this act, and, second, the remainder, if any, to be held and used only as a permanent free-school fund: *Provided*, That where cotton was produced in one State and, under permit from the Government of the United States, shipped to another State, and the taxes thereon collected in the latter State, then the amount of all such taxes shall be paid to the State in which the cotton was produced.

SEC. —. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this act: *Provided*, That any State accepting the trust hereby created is prohibited from paying any part of the funds received to any person, syndicate, or corporation except the producers who paid the taxes on cotton grown by them or their legal representatives; and in no case shall the payment be made to an assignee of such claim.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from North Carolina.

Mr. VANCE. Mr. President, I do not desire to discuss myself or to provoke a discussion upon the constitutionality of the tax upon raw cotton produced in the South. I simply ask a vote of the Senate upon the question. If the direct tax is to be refunded, this is equally a direct tax. If the direct tax was a hardship, this is equally a hardship. In addition to that, its want of uniformity, its being considered a tax upon exports, and its being levied upon the peculiar production of one section of the country, which prevented a compensating taxation upon the other sections of the country, make it such a case as demands, if the one tax is refunded, that the other should be also.

Mr. SHERMAN. I call for the yeas and nays on this amendment.

The yeas and nays were ordered.

Mr. GEORGE. Mr. President, I desire to make one single observation with reference to this amendment. The constitutionality of the cotton tax was referred to the Supreme Court of the United States, and that court was equally divided upon that question, there being only eight members of the court.

I desire to say in addition that the tax being upon a raw product of land, not in its manufactured state at all, was in effect a tax on land. Being a tax on land, it was a direct tax under the Constitution of the United States, which could only be levied in pursuance of that provision of the Constitution which requires direct taxes to be apportioned among the States according to their Federal population.

Mr. BERRY. Mr. President, I desire to add one word in addition to what has been said by the Senator from Mississippi [Mr. GEORGE].

This tax was levied upon the cotton produced, and the producers of cotton were required to pay it. It differed from most Federal taxes which are paid by the consumer, for the price of cotton is fixed by the market in Liverpool, and the tax had nothing whatever to do with fixing the price of cotton. Consequently those who produced the cotton in the South paid this entire tax. It fell upon the people of that section of the Union in 1865 and 1866, when they were least able to pay it. Four-fifths of the money under the direct-tax refund bill will go to Northern States, or to the people of the Northern States. It does seem to me that if it is just that money should be refunded to the people of the Northern States, this cotton tax, which fell wholly on the people of the South at a time when they were least able to bear it, should be refunded also; and if we are going to do equity in refunding taxes, this cotton tax should be returned to the producers of the cotton who paid it at the time.

Mr. BROWN. Mr. President, I believe that the Government of the United States ought to pay to the cotton-planters of the South the money that they paid as a tax on raw cotton. Whenever the question comes up in a shape that I can properly vote for it without, in my opinion, injuring another measure that I think equally just, I shall take great pleasure in voting for it; but I feel very confident that if we adopt the amendment, which I favor in principle, it would defeat the bill now pending. As I believe this bill ought to pass, and think the two measures ought to be separate and come up and be voted on separately, I shall vote against the amendment, not that I disapprove of the principle of the payment proposed, but because I am unwilling to ingraft it on this bill.

Mr. MORGAN. Mr. President, I concur with the Senator from Georgia in respect to the policy which I think ought to be observed in dealing with these very important questions. This question of the cotton tax has not been before the Committee on Finance. They have had no opportunity to favor us with a report of their opinion upon it. It is a very grave question, and there would be serious difficulty found in carrying this money back to the persons who contributed the tax to the Government of the United States, which should be provided for by the careful work of a committee.

I favor the bill reported by the Committee on Finance, because I think it is a measure of peace and reconciliation. I think that the Government of the United States owes it to every State in this Union to take up the burdens imposed on them and relieve them from liability for the taxes that have not been collected. I believe that is one of the best means we can resort to of producing entire and complete reconciliation between the States, and removing all causes of heartburning in regard to that great struggle. On our side we say it was a contest between States; on the other side it is said to have been a contest between the Government of the United States and the seceding States. Whatever may be the true legal status or the moral or political status of that controversy, there remains no doubt that the people of the United States still have the idea that some of the States have contributed much more than their portion to the support of that war.

It is true that in the South we suffered everything; the loss of all our property, the loss of many of our liberties, and a long period of polit-

ical imprisonment, I will call it, in which we suffered severely, sore distress in political affairs; but we understood that when we assumed the attitude we did towards the Government of the United States, and we thought that the liberties that we were trying to defend and protect by our war were worth all the sacrifices that were made and all that we could make. But I am not asking anybody to repay us anything on account of those sacrifices. When we came back into the American Union my fealty to that Government depended upon the convictions of what I believed to be an honest and sincere heart. I did not come like a whipped man or a cowardly slave to take my position in the Government of the United States because I had been compelled to do it. Neither do I stand here to be induced by any considerations of a monetary character, or of public honor, or anything else, to do my duty to the Government of the United States. I do that because the era of strife has passed, the time of reconciliation has come, and the people of the United States with one accord have renewed their allegiance to the old Union, and being of those people, having cast my lot here, as I had a right to do, claiming the protection and the honors of this Government, my fidelity is due to it as a man of honor and is due upon principle.

Now, sir, I wish to remove from out of this household of States, this great assemblage of sovereignties, all causes of heart-burning, crimination, and recrimination that may linger in the minds of any people on this subject in any section of this great country; and I believe that the measure reported from the Committee on Finance has that tendency. I desire to support it because of its merits, and I do not desire to have it connected with any other great proposition which may embarrass its passage.

The proposition introduced by the Senator from North Carolina [Mr. VANCE] is a very disputed one. Mr. Boutwell made a report here, I believe, from the Committee on Finance—I am not sure—a report which I have not read for a year or two, that seemed to me as presenting a phase of the question that it would tax the most powerful and astute mind to answer. I must say that, although I know that the tax collected from my people would be very comfortable to those who contributed it. I wish a dispassionate, a sincere, and an honest investigation of the constitutional claims of the people of the South to have this money refunded to them, and if it shall turn out that they have not got a constitutional claim to it, I shall never set up that they have an equitable claim to it, for after all it was the right of the Government of the United States to tax the people of the South while the war was going on, if the theory that they contended for was the correct one, that the Union was impossible of dissolution by the secession of the Southern States. The legal question left in that attitude challenges my investigation as a lawyer, and I wish time to consider it before I pronounce judgment in a matter that my people are so greatly interested in, a question of so much gravity, and that I do not feel able at this moment of time to give a definite opinion upon. I shall therefore sustain the position taken by the Senator from Georgia.

Mr. SHERMAN. Mr. President, I have but a few words to say in regard to this matter. In the first place, I must express my surprise that Senators who I supposed were so strongly in favor of this bill, and for the benefit of whose people it is really introduced and has been recommended by the Department for several years and passed the Senate twice before, should interpose such an obstacle to its passage as this.

The refunding of the cotton tax is a subject involving some sixty or eighty million dollars. I believe that that tax was right and just. I shall stand here to defend that position whenever the matter comes up. I will not debate it on a collateral question like this. If this amendment is intended as a means of defeating the bill, I am perfectly willing to accept it as such. I have no particular interest in this bill. This bill grew out of the complication of accounts between the Government of the United States and several of the States.

That complication became so serious, so embarrassing for a number of years, that several Secretaries of the Treasury have recommended as the best mode of solving it the refunding of the whole direct tax. That would put things *in statu quo* and enable the States to pay back to those persons who have paid their portion of the tax. In other words, it would restore things to the condition they were in before the direct tax was levied; and now to offer an amendment at this period of the discussion, when we are considering the bill in the morning hour, involving a refund of $60,000,000, is substantially a defeat of the proposition, because if we have got to discuss the merits of the cotton tax and its refund on this bill, that is the end of the passage of the bill probably for the present session. If Senators are really in earnest about this matter and really desire the pending bill to pass, I hope they will not embarrass it with any such obstacle as this, for certainly if the cotton-tax question is put on this bill I shall change my position and oppose the whole measure.

Mr. VANCE. Mr. President, if the chance comes I can satisfy my conscience by voting against the bill; but I can not see why, if the direct tax should be refunded to the people from whom it was collected, the cotton tax should not be also. The one tax was not assailed by reason of its constitutionality, the other is. The one tax named in the bill which is proposed to be refunded is not assailed by reason of any want of uniformity or injustice in the levying and in the collecting of it; the other one is. One amounts to about $17,000,000 which is to be returned, and the other to $68,000,000. If justice is to be measured by the amount involved, then I admit that one has more justice than the other, but I can not see it in that light. If it were improper to collect the direct tax out of the people of the United States, and if it is proper to restore it to them, certainly it was improper to collect the cotton tax out of the people of one section of the United States, and it would now be just to restore it.

I have no desire to push the matter further. I submit it to the Senate.

Mr. CALL. Mr. President, certainly the Senate of the United States in considering any measure ought to be able to present some ground in good reason for it. What is there in this bill that can be defended? The Senator from Alabama says that he supports it in the interest of harmony between the people. If it had any such effect as that; if it is necessary at this period of time, when there is nothing but peace and good fellowship; if at such a time some concession was needed, whether it was demanded by the public interest or otherwise, it might be advisable; but that is not the case. This is a simple proposition to refund certain amounts of money to the different States, a tax lawfully imposed on the people under a law which has been executed according to its terms and has exhausted itself. The direct-tax act provided that this tax should be collected and should be a lien on the lands for two years, a tax upon the generation then existing, and it is now proposed to tax the people of this generation, a different one—for what purpose? To refund it to those who paid it? To those States which under permission of this act assumed the tax and paid it, the money, if it is still unsettled; goes back to the States. It is refunded to them to replace the tax collected by them from their own people. In the State of Kansas and other States it was settled by the sum due the State for advances made in raising troops and in expenses incurred by the State for the war under an act of Congress authorizing it. Where the law was executed directly the property was bought in by the United States or by speculators.

The tax was an infinitesimal one; the people who paid it are gone; the small amount paid by each is not worthy of being looked after; it is not a burden upon them, and the repayment now would be of but little advantage. Upon principle why, then, tax the people of this generation and the property of to-day to refund it when there is no great measure of public policy or propriety in it; and upon what ground of constitutional authority can you do it? I am not one of the Senators who split hairs upon constitutional provisions; but by what right can you levy a tax to refund a tax lawfully imposed and lawfully collected? It is not within the proper province of government, nor within its proper policy. But the cotton tax was a different one. The cotton tax has been held by four out of eight justices of the supreme constitutional tribunal of the country to have been absolutely void.

Mr. MORGAN. The Senator is mistaken there.

Mr. CALL. I so understand the effect and force of their opinion of the decided case.

Mr. MORGAN. No; the court has not so decided.

Mr. CALL. Then I am mistaken. If it was constitutional, it was a valid tax, and the four justices of the court would not upon any ground of expediency have asserted that the tax was not binding unless it was utterly void and without power to be levied or collected by Congress. There can be no escape from that decision. The four justices of the Supreme Court would not have declared that tax to have been an improper one and one which the Government could not levy without declaring that it had no power to do it.

The PRESIDENT *pro tempore*. The Senator's time has expired under the rule.

Mr. BECK. As one of the members of the committee which reported this bill two or three times, I have supposed that it was a fair measure of justice to restore to the States which had paid their proportion of the direct tax the money they had paid, or else to put the machinery of the Government, with all the force that could be brought to bear, to collect the tax not yet paid off the property of the people of the States which did not pay the amount. One thing or the other ought to be done; and as far as my vote will go, if this refund is not agreed to, I will enforce the tax against every State that has not paid if there is any power to do so, because uniformity among the States in that class of taxes is required by the Constitution, and ought to be carried out.

I submitted heretofore a statement of the condition of the account. I submitted a report of Secretary Folger, which appears in the RECORD of January 11, 1888, which exhausts the whole argument, and if Senators will read it carefully they will find the whole case stated fully. Among other things, he says:

> Indeed, it would be unjust to the people of the loyal States to release the people of the once insurrectionary States from their liability without refunding to the former the sums paid by them, and there are analogies in the legislation of Congress.
>
> * * * * * * *
>
> It can scarcely be expected that there would be cheerful aid from the State authorities in the enforcement of it. It may be doubted whether there would be any. Indeed, it would, without further legislation, have to be enforced by the machinery provided by the act under which it was laid. This would call for the appointment of numerous Federal officials who would go among the people as obnoxious exactors. I think it must be conceded that there is, and

ever will be, great reluctance to ever setting about the collection of this tax. That it never had great favor is shown by that it was never put in force but one year. In practical effect, then, the law for it is obsolete. Why, then, should there remain this unenforced liability, a menace to the people, the enforcement of which is called for by no public need nor by any public opinion?

In my judgment the people and the property of the States in default should be relieved and discharged from it.

He argued it from that standpoint, and that is the standpoint from which the Committee on Finance regarded it, that we ought not to put the machinery of the Federal Government in motion to endeavor to collect this tax at all, and that as we were required to have uniformity, justice required that the States which had paid it should receive back just what they had paid, because nearly every State, as shown by the statement furnished, had paid it with the 15 per cent. discount, which we do not propose to allow. This may not work exact justice; all the money may not go exactly into the hands of the people from whom it was taken, but this is the nearest approach possible, and I am for it, standing on the report of Secretary Folger, to which I again call attention. I think Senators will find the argument substantially exhausted there.

I agree that the cotton tax was unjust; the Supreme Court has passed on that, but any question connected with that ought not to form any part of this measure. I would rather see it defeated than have it amended in this way. I do not believe any gentleman has any particular interest in the bill except to do what the Treasury Department recommended, and what the Senate with great unanimity has always thought best to do, to settle the question of whether or not we have a right to hold on to the money that is due to any State. The State of Georgia and other States will get clear of that trouble if we pass this bill.

That was the view of the committee. We had better vote down the bill and leave the law as it is, rather than have all these other great questions pressed on us now.

Mr. CALL. Mr. President——

The PRESIDENT *pro tempore*. The Senator from Florida has already spoken, and has exhausted his right under the rule.

Mr. CALL. I move to strike out the last word of the bill.

The PRESIDENT *pro tempore*. The question is on that amendment. The Senator is entitled to the floor upon it.

Mr. CALL. I ask the Senator from Kentucky if he is not aware that the Supreme Court has decided that the direct law can never be enforced, that it exhausted itself. The language of the court is that the lien expired in two years; that it was a tax on the individuals and a lien on their land which expired in two years. The court has therefore declared that that law can never be enforced. It expired by its terms. Therefore the argument made by Secretary Folger as to relieving these States is met by the fact that no obligation ever rested upon them, and none now rests upon the people.

But, Mr. President, I wish to correct a remark I made when before on the floor. I said that the Supreme Court had decided the cotton tax to be entirely void. One-half of the Supreme Court affirmed that proposition, but I had forgotten to state—the fact did not occur to my mind at the time—that the court did not decide by a majority vote. One-half of the tribunal, for reasons which are perfectly manifest, and which I think not even the ability of the Senator from Ohio can touch, held that the cotton tax, as a self-evident proposition, was entirely void, because, as the Senator from Mississippi [Mr. GEORGE] has stated, it was directly contrary to the provisions of the Constitution.

Mr. BECK. The collection of the direct tax was limited to two years, but the law is not exhausted. It had to be assessed on individual property within two years.

Mr. CALL. It rests upon the individuals. They may be all dead.

Mr. BECK. One-half of them are not dead. The property in the State was perhaps held by one-half of the people. It makes very much hardship on those who are there now to seek to enforce it against them at this late day. The law with all its machinery can be enforced. It was simply the lien that was limited to two years; and it was to avoid bringing about such difficulty to the property and people of these States that the Committee on Finance reported the bill in the way it is proposed.

The PRESIDENT *pro tempore*. Does the Senator from Florida insist on his amendment to strike out the last word?

Mr. CALL. No; I withdraw it.

Mr. VOORHEES. I ask that the pending amendment be reported.

The PRESIDENT *pro tempore*. The amendment will be again read.

The Chief Clerk read the amendment proposed by Mr. VANCE.

Mr. VOORHEES. I desire to say a word or two in explanation of the vote which I shall give on this question.

I have no admiration for what is called the cotton tax. I have a very decided opinion upon the subject of its justice and perhaps of its legality; but the attempt to rectify any error in connection with that subject now is to defeat the bill which has been reported by the Finance Committee. That bill I look upon as a measure of high justice, and very creditable to the gentlemen who have been most active and prominent in bringing it forward. I am not about to discuss any of its features or provisions. It is a matter, however, that has been considered in the Committee on Finance more or less for the last two or three years, and is a measure of substantial relief in some respects, and of absolute justice in all.

I appeal to the Senators who think as I do on the subject of the cotton tax not to encumber the original bill with the amendment which is proposed. That defeats the whole concern. At the proper time and under proper circumstances nobody will go further or consider more favorably the proposition embraced in the amendment than I will.

The question is not always, Mr. President, what is just, but what is practicable and attainable. Let us take the good we can, which is within our reach, and then grasp after more hereafter, if a hereafter on that subject should come.

I look upon the bill as presented here as a practical measure, settling and closing up a difficult subject, one that has embarrassed the Treasury in its accounts, and one which has worked inequality, irregularity, and injustice to many States.

I desire to say this much because I rank myself one of those who think that the cotton tax was a measure perhaps of oppression and injustice. I do not intend that my vote against this amendment shall be misunderstood as unfriendly to relief on that point, but I should look upon my vote for that amendment now as a vote against this bill, which I heartily concur in.

Mr. HAMPTON. Mr. President, I do not propose to discuss the bill brought in by the Finance Committee; I did so at the last session; but I would like to call the attention of the Senate to two or three facts to show the peculiar hardship under which the citizens of my State labor.

The quota of South Carolina was $363,000. By the report of the Treasury it is shown that, by the sales of lands and the payment of money, the State actually paid $377,000, an excess of $14,000 above the quota. In addition to that there were 53,000 acres of the most valuable sea-island lands. The whole county of Beaufort was sold, and the profit which the Government has made from the resales of land amounts to $315,000, so that practically the State of South Carolina was assessed $363,000 and actually paid within a fraction of $700,000.

My main object in calling the attention of the Senate to these facts is to have some member of the committee say whether, in the opinion of the committee, in relation to this payment from the United States Treasury of the direct tax, if the money is refunded to the State, this excess, this profit that the Government made, of $315,000, will be included in the refund? If any member of the committee will give me information upon that point I shall be very glad to get it.

Mr. SHERMAN. Mr. President, I will state to the Senate that the peculiar case of South Carolina was brought to the attention of the Committee on Finance; but it was thought that it was better not to deal with that or with any special equities it might have beyond a refund of the actual money received by the United States; that it had better be left to a separate bill and separate legislation. It could not be acted upon in the general bill, as it related only to South Carolina.

I am not so familiar with the facts in regard to the matter as the Senator from South Carolina, but as the land was bought in by the United States, and subsequently sold to the freedmen at a higher value, more money came into the Treasury of the United States than the share of South Carolina.

Mr. HAMPTON. Mr. President——

Mr. BECK. Will the Senator from South Carolina allow me a word?

Mr. HAMPTON. Certainly.

Mr. BECK. When the matter was before the committee there had been a great deal of legislation in internal-revenue and other acts in regard to these questions in South Carolina; but we thought that to act on them in this bill would embarrass this bill so greatly that they ought not to be brought up here.

Mr. HARRIS. The Senator from South Carolina will allow me to state, in addition to what has been stated by the Senator from Ohio and the Senator from Kentucky, that in every instance where the property of the citizen was sold for the collection of this tax, it was sold at exceedingly low rates, whether bought in by the Government or by private individuals, and where the title passed either to the Government or to a private individual it passed at a very inadequate consideration, and there was profit to the purchaser, whether Government or individual; and if we go into that question we must make such provision as will enable us to inquire into the equities of every case where property was seized and sold for the collection of the tax.

Mr. BECK. Whenever any money was paid into the Treasury beyond the actual amount expended by the Government, its disposition has been heretofore provided for.

Mr. HARRIS. That is true. Wherever there was an excess realized over and above the assessment and it went into the Treasury, there is already a law, and has been for years, requiring it to be refunded to the real owner.

Mr. HAMPTON. Mr. President——

The PRESIDENT *pro tempore*. The time of the Senator from South Carolina has expired under the rule.

Mr. HARRIS. I hope the time we have consumed by interrupting him will be extended to him.

The PRESIDENT *pro tempore*. The Senator from South Carolina will proceed, if there be no objection.

Mr. HAMPTON. I will offer an amendment on that point, if it be

necessary; but I wish to say one word in regard to the amendment offered by the Senator from North Carolina [Mr. VANCE]. I agree with him in the justice of the measure he proposes, but it is my fortune to have been, and to be now, a planter. I feel that I should not be acting with personal propriety if I voted upon a question in which I am directly interested, and I request of the Senate that I may be excused from voting upon this question.

The PRESIDENT *pro tempore*. The Senator will be excused, if there be no objection. The question is on the amendment of the Senator from North Carolina [Mr. VANCE], on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. MANDERSON (when his name was called). Understanding that the Senator from Kentucky [Mr. BLACKBURN], with whom I am paired, would vote "nay" on this proposition, if present, I vote "nay."

The roll-call having been concluded, the result was announced—yeas 16, nays 46; as follows:

YEAS—16.

| | | | |
|---|---|---|---|
| Bate, | Coke, | Jones of Arkansas, | Reagan, |
| Berry, | Daniel, | Pugh, | Vance, |
| Butler, | George, | Quay, | Walthall, |
| Call, | Harris, | Ransom, | Wilson of Md. |

NAYS—46.

| | | | |
|---|---|---|---|
| Aldrich, | Dawes, | McPherson, | Sherman, |
| Allison, | Dolph, | Manderson, | Spooner, |
| Beck, | Evarts, | Mitchell, | Stanford, |
| Blair, | Farwell, | Morgan, | Stewart, |
| Blodgett, | Faulkner, | Paddock, | Stockbridge, |
| Brown, | Frye, | Palmer, | Teller, |
| Cameron, | Gorman, | Payne, | Turpie, |
| Chace, | Hale, | Platt, | Vest, |
| Chandler, | Hawley, | Plumb, | Voorhees, |
| Cockrell, | Hiscock, | Sabin, | Wilson of Iowa. |
| Cullom, | Hoar, | Saulsbury, | |
| Davis, | Ingalls, | Sawyer, | |

ABSENT—14.

| | | | |
|---|---|---|---|
| Blackburn, | Eustis, | Hearst, | Pasco, |
| Bowen, | Gibson, | Jones of Nevada, | Riddleberger. |
| Colquitt, | Gray, | Kenna, | |
| Edmunds, | Hampton, | Morrill, | |

So the amendment was rejected.

Mr. CHANDLER. I now move the amendment which I submitted the other day.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. It is proposed to amend section 1 by inserting after the word "from," in line 6, the words "the treasuries of."

Mr. CHANDLER. I want the other amendment read in connection with it.

The CHIEF CLERK. It is further proposed to amend in section 3 by striking out the proviso beginning in line 8, as follows:

*Provided*, That where the sums, or any part thereof, credited to any State, Territory, or the District of Columbia, have been collected by the United States from the citizens or inhabitants thereof, or any other person, either directly or by sale of property, such sums shall be held in trust by such State, Territory, or the District of Columbia for the benefit of those persons or inhabitants from whom they were collected, or their legal representatives.

And inserting in lieu thereof:

All moneys assessed as a part of said direct tax and collected by the United States from individuals, either directly or by the sale of property, shall be refunded to such individuals, or their legal representatives who may bring suit therefor in the Court of Claims.

Mr. CHANDLER. The two amendments may be considered as one, and they present a question which I desire to raise before the Senate. The proposition of the two amendments is that there shall be paid back to the State the moneys which have been actually taken from the State treasury, and that the money received from individuals, two million and a half of dollars, shall be refunded directly to the individuals through suit in the Court of Claims.

The PRESIDENT *pro tempore*. The first amendment offered by the Senator from New Hampshire is before the Senate.

Mr. SAULSBURY. I do not think the amendment ought to pass in the form proposed. The money ought to be returned to the persons who paid it. The amendment of the Senator from New Hampshire would return the money in most cases to the treasury of the State. They will have to come to Washington and employ agents here to assist them to get it out of the Treasury. If you are going to pass the bill, you ought to make the remedy accessible to the people of the States, as much so as possible. Therefore, I think the amendment ought not to prevail. I do not think any part of the bill ought to pass, but if you pass it you ought to make it as accessible to the people who will derive the benefit as possible, and not compel the people who are entitled to the money to employ claim agents here to go before the Treasury Department to get at the money. If it were not for that feature I should be glad to see the amendment of the Senator from New Hampshire prevail. The matter can be attended to much more readily and rapidly by the State authorities than by the Treasury of the United States. I hope, therefore, the amendment will not succeed. I have no doubt that claim agents will be glad to have the amendment pass, because they will receive part of the money paid out.

The PRESIDENT *pro tempore*. The question is on the first amendment of the Senator from New Hampshire.

The amendment was rejected.

The PRESIDENT *pro tempore*. The question now is on the next amendment of the Senator from New Hampshire.

Mr. HOAR. I wish to inquire whether the verbal amendments I suggested have been acted on.

The PRESIDENT *pro tempore*. They have been acted on.

Mr. CHANDLER. I call for the yeas and nays on my amendment.

The yeas and nays were ordered.

Several SENATORS. Let it be read.

The PRESIDENT *pro tempore*. The amendment will be again reported.

The CHIEF CLERK. It is proposed to strike out the proviso beginning in line 8 of section 3 and in lieu thereof to insert:

All moneys assessed as a part of said direct tax and collected by the United States from individuals, either directly or by sale of property, shall be refunded to such individuals or their legal representatives who may bring suit therefor in the Court of Claims.

The Secretary proceeded to call the roll.

Mr. WALTHALL (when Mr. GEORGE's name was called). My colleage [Mr. GEORGE] is temporarily absent, but is paired with the Senator from New Hampshire [Mr. BLAIR], I think. I call the Senator's attention to it.

Mr. BLAIR. Certainly; I am paired with the Senator from Mississippi, but I saw him here this morning.

Mr. WALTHALL. He has been called away.

Mr. BLAIR (who had voted in the affirmative). I withdraw my vote. I am paired with the Senator from Mississippi [Mr. GEORGE].

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN], who is detained from the Chamber by the sickness of a relative. I do not know how he would vote on this amendment if present.

Mr. BECK. My colleague would vote "nay" if present.

Mr. MANDERSON. Then I vote "nay."

The roll-call was concluded.

Mr. SAULSBURY. My colleague [Mr. GRAY] is paired on this question with the Senator from Vermont [Mr. MORRILL].

The result was announced—yeas 10, nays 48; as follows:

YEAS—10.

| | | | |
|---|---|---|---|
| Butler, | Frye, | Platt, | Teller. |
| Chandler, | Hale, | Plumb, | |
| Dawes, | Hawley, | Stewart, | |

NAYS—48.

| | | | |
|---|---|---|---|
| Aldrich, | Coke, | Hoar, | Saulsbury, |
| Allison, | Colquitt, | Ingalls, | Sawyer, |
| Bate, | Cullom, | McPherson, | Sherman, |
| Beck, | Daniel, | Manderson, | Spooner, |
| Berry, | Davis, | Mitchell, | Stanford, |
| Blodgett, | Dolph, | Morgan, | Stockbridge, |
| Bowen, | Evarts, | Palmer, | Turpie, |
| Brown, | Faulkner, | Payne, | Vance, |
| Call, | Gorman, | Pugh, | Vest, |
| Cameron, | Hampton, | Quay, | Voorhees, |
| Chace, | Harris, | Ransom, | Walthall, |
| Cockrell, | Hiscock, | Reagan, | Wilson of Iowa. |

ABSENT—18.

| | | | |
|---|---|---|---|
| Blackburn, | George, | Jones of Nevada, | Riddleberger, |
| Blair, | Gibson, | Kenna, | Sabin, |
| Edmunds, | Gray, | Morrill, | Wilson of Md. |
| Eustis, | Hearst, | Paddock, | |
| Farwell, | Jones of Arkansas, | Pasco, | |

So the amendment was rejected.

Mr. HARRIS. At the suggestion of the Senator from Vermont [Mr. EDMUNDS], who offered certain amendments to the third section of the bill, I offer the following amendment, to come in at the end of line 6 of section 1, to harmonize that section with the other as amended.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In section 1, at the end of line 6, after the word "Columbia," it is proposed to insert "or from any of the citizens or inhabitants thereof, or other persons;" so as to make the section read:

That it shall be the duty of the Secretary of the Treasury to credit to each State and Territory of the United States and the District of Columbia a sum equal to all collections made from said States and Territories and the District of Columbia, or from any of the citizens or inhabitants thereof, or other persons, under the act of Congress approved August 5, 1861, and the amendatory acts thereto.

The amendment was agreed to.

Mr. BUTLER. I offer the following amendment to section 3, to come in at the end of line 15:

*And provided further*, That no part of the money hereby appropriated shall be paid out by the governor of any State or Territory, or any other person, to any attorney or agent under any contract for services now existing or heretofore made between the representatives of any State or Territory and any attorney or agent.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The Chair calls the attention of the Senator from Kansas [Mr. PLUMB] to a proposed amendment, which has been printed.

Mr. PLUMB. I now offer that amendment.

The PRESIDENT *pro tempore*. It will be read.

The CHIEF CLERK. It is proposed to add the following as a new section:

SEC. 4. That it shall be the duty of the Secretary of the Treasury to repay the sums collected from persons in the military or naval service of the United States during the war of the rebellion the percentage on the compensation due them by reason of such service, known as the income tax. Such payment shall be made to the person from whom collected, his heirs or legal representatives, out of any money in the Treasury not otherwise appropriated, and under such regulations as the Secretary of the Treasury may prescribe.

Mr. PLUMB. Mr. President, this bill is essentially unjust towards most of the Western States. It is nearly twenty-seven years now since the original tax was imposed which it is proposed to refund. Since that time the Western States have largely increased in population by emigration from the older States and by some other causes. It is now proposed to levy upon those people a tax, not for the purpose of putting down the rebellion, not for any public purpose, actual or supposable, but to pay into the treasuries of the older States a certain gross sum of money, and the pretext that this is money which they paid into the Treasury of the United States during the rebellion is without any practical warrant. It is only used as a method of compensation and as an excuse for the expenditure, perhaps.

There were then in the State of New York and the State of Ohio and all the older States, especially the Northern States, many hundreds of thousands of people who have gone out from those States to the Western States and Territories. They were persons who in their time contributed their aliquot proportion of whatever was paid by those States to the war, to the $20,000,000 of direct tax. They have now got to pay it over again in the shape of taxes levied upon them to repay it—not that they will get any part of it, but to pay it back to another class of persons entirely.

Suppose the proposition now was to levy a tax for this purpose, would it be levied upon the people, or the municipalities, or the States as they were at the time when this tax was originally levied, or would it be levied according to the population and its distribution at the present time? Yet that is exactly what this bill proposes to do. It proposes to levy upon the people now existing, upon the present generation, money, not for the purpose of giving it back to those who paid it, but of giving it to somebody else.

The State of Kansas paid as its proportion of this tax about $71,000. There will be levied on its people half a million of dollars to pay now its proportion of this $20,000,000; and for whom? Not under the guise of promoting education, not upon any assumed obligation or anything of that kind, but because some clerk up in the Treasury Department has got stuck on a matter of book-keeping. That is all. The Senator from Ohio does not dignify it more than that. He simply says that they have got stuck up in the Treasury Department in their figures, and he thinks, on the whole, it is better to appropriate these millions instead of getting some one more expert in accounts, and to collect $20,000,000 from the people of the United States to pay this money back to the several States. There is no other pretext. There is no foundation for this legislation. Why should you collect now this $20,000,000 to pay it back, any more than the many millions of dollars collected from the people of the United States in the shape of income tax, and by the increase of the tariff, and so on, for the purpose of putting down the rebellion? More than that, it is doubly offensive in this, that the individual persons from whom this tax was collected in the several States which were in rebellion at that time were generally disloyal persons. A part of the penalty of their disloyalty was the collection of this tax from them. And now it is proposed to pay a premium on that disloyalty by giving this money back to them. We are to collect it from all the citizens of the United States, loyal and disloyal alike, for the purpose of remitting to these people a part of the penalty which the law at the time imposed on them for their disloyalty.

In addition to that, this bill is liable to the very serious objection interposed by the Senator from New Hampshire [Mr. CHANDLER]. It is making a claim that no person now living will ever see the last of. The General Government is, without any warrant in law or in equity, imposing a trust upon the several States which they may or may not exercise, but if they exercise it in such a way as to give any one a grievance he will come to Congress with it and we shall have bills and bills by the score extending over, perhaps, the next twenty or thirty years of time for the purpose of rectifying this injustice—all for what? Just simply because the Treasury Department, as I said, has come to have some little trouble in adjusting these accounts. There is no pretense that these States want the money. The Senator who has the bill in charge will not say that the State of Ohio wants this money or needs it at all. He is on record here as saying, in effect, that it did not need the money for any purposes whatever, because he has voted three or four different times, and will vote again in a day or two to levy a heavy and enormous tax on the people of that State to educate children thousands of miles away. So the State of Ohio does not want this money, does not need it; the State of Pennsylvania does not need it; the State of New York does not need it; the other States do not need it; and yet there is to be levied on the people of the United States this large sum of money to be paid back to those States.

In that part of the bill which provides that the money paid by individuals shall go back to them, there is something in the nature of a refund; but in this there is no proposition to refund, because it will go to an entirely different class of people. The people who paid it will not get any.

The PRESIDENT *pro tempore*. The Senator's time has expired under the rule.

Mr. SHERMAN. I do not wish to reply, although I should like to do so if we had more time. I wish to have a vote on this bill now.

Mr. PLUMB. The Senator will not get a vote before 2 o'clock.

Mr. DAWES. I ask the Senator from Kansas if he proposes to equalize burdens between the East and West by repaying the income tax? For every dollar paid by the West, ten dollars were paid by the East of the income tax, and yet he proposes to refund the income tax in order to equalize the burdens between the West and the East.

Mr. PLUMB. The Senator from Massachusetts leaps at a stile that does not exist. I did not make a proposition of that kind. I propose simply, if you are going to pay disloyal persons, that some of the loyal people shall have something, and that the officers on whose salaries a 5 per cent. was levied shall be repaid. That is all. That would not be justified except on the supposition that Congress is going to do something worse, and the measure might be remedied by something that had in it some measure of justice. That is all.

Mr. SHERMAN. I move that the unfinished business be laid aside informally, with a view of closing this matter.

The PRESIDENT *pro tempore*. The Senator from Ohio asks unanimous consent that the consideration of the unfinished business be informally laid aside, for the purpose of continuing the consideration of the pending bill.

Mr. PLUMB. I object to that.

The PRESIDENT *pro tempore*. The Senator from Kansas objects.

Mr. SHERMAN. Then I submit the motion to proceed with the consideration of this bill notwithstanding the unfinished business.

The PRESIDENT *pro tempore*. The Senator from Ohio moves that the Senate proceed with the consideration of the bill (S. 139) to credit and pay to the several States and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861, notwithstanding the arrival of the time for the unfinished business.

The motion was agreed to; and the Senate resumed the consideration of the bill.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Kansas [Mr. PLUMB].

Mr. SHERMAN. The amendment proposed by the Senator from Kansas I suppose he did not expect to have adopted. In the first place, it will be impossible to state to what income tax he refers by the way the amendment is drawn. But that is not enough. The same argument that he makes now to prevent the passage of this bill might apply to every bill which relates to an expenditure or a debt contracted ten years ago. What right have we to take the moneys in the Treasury of the United States to pay any part of the national debt, to take the money of the people of Kansas, collected from them, to pay a debt that was contracted during the war? At the beginning of the war Kansas was a very small but still very important community; but now it is a very powerful community. The same argument that the Senator makes now would apply to every bill that comes up before us for the discharge of any obligation. Any State might object to taking money now in the Treasury, collected the last year, to pay an obligation contracted thirty or forty years ago. There is nothing in that argument.

The Senator, I presume, is opposed to this bill because the State of Kansas will not get as large a proportion of the money as it would if the apportionment was based upon the present population. That is true, and to the extent that that is an objection to the bill it ought to be fairly considered. But this is not an apportionment bill; it is not a bill taking money to be apportioned among the States; it is not a distribution bill, as the act of 1836 was. It is simply a bill refunding a tax which at the time was known to be hard against the spirit of our institutions, a direct tax, to be apportioned among the States, and which has not been fairly collected—collected from some and not collected from others, paid by citizens in some States and not in others. Great inequalities have occurred, and those inequalities we seek to correct. That is all there is about it. Kansas will get back just as much money as she paid. If she was not then big enough to pay as much as she would have to do now, it is her misfortune that she was not big enough in 1861 to pay three or four hundred thousand dollars instead of seventy thousand. It will make no difference to a great State like Ohio, because it preserves its general average, and so of the great body of the States. I do not think the people of Kansas will object to making this clean settlement between the General Government and the several States merely because the share they will get back will not be quite so much as it would be if it was based on the apportionment of 1880.

I hope we may have a vote upon the bill.

Mr. PLUMB. Mr. President, it is not a debt, as the Senator now seeks to claim for the first time. It is in no sense a debt. The people of Kansas do not want it paid to them. They do not regard this as a debt. There is no assumption that it is a debt. It is simply now the Government of the United States paying, as a gratuity to the older

States, a certain sum of money, and for the purpose of justifying this spoliation it is gravely proposed to pay back to the disloyal people from whom taxes were collected two millions and a half of money. That does not commend itself to the people of Kansas; at least I do pot think it does; and I do not think it will commend itself to the people of this country in any part except among those who are to receive the money.

Mr. President, if this bill is to be upheld at all upon the assumption that taxes which were levied in an unusual way during the war are to be given back to those who paid them, I submit that the income tax was an unequal tax. I am perfectly willing that it shall be repaid to all the persons who paid it, although I believe that the class to which I have referred in my amendment were more meritorious than any other class of people. The Government took into its military and naval service officers of all grades with a stipulated compensation, which it did not fix for the purpose of enabling them to more easily pay this tax, and then it proceeded to levy a tax of 5 per cent. on their pay. It was collected by the paymaster before the salary of the officers was paid to them. Certainly, so far as equity is concerned, it is with these people a great deal more than it is with the States, and certainly more than it is with the men from whom this direct tax was collected at the point of the bayonet, and who were then in rebellion against the Government of the United States. It is proposed by this bill to pay a premium for disloyalty, for absence in the Confederate army, for giving aid and comfort to the enemies of the Union. That is what it amounts to. I hope we shall not hear anything more about some of these very stale subjects when a proposition of this kind can receive the sanction of the Senator from Ohio.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on the amendment proposed by the Senator from Kansas [Mr. PLUMB].

Mr. TELLER. Mr. President, I do not find any constitutional difficulty myself in voting for this bill; but I must confess to some amazement at the votes which have been given in reference to some amendments to it by gentlemen on the other side of the Chamber. If this is not a simple proposition to take out of the Treasury money and devote it to certain people in one view of the case and the States in the other, then no such proposition could be made. It is as clear a proposition on the one hand, if it is passed, to refund this money to people who paid it, to take money out of the Treasury to give to individuals, as it is possible that language can be used to do that thing. If it does not do that, then it is a proposition to take money out of the Treasury and to give it to the States.

Now, I do not find a great deal of trouble myself in giving money to the States out of the public Treasury, holding as I do that the authority to collect the money is the principal thing that should trammel Congress; but having collected the money the power to appropriate it is certainly as great as the power to collect. I say to my friends on the other side that that has pretty good Democratic authority. It has the sanction of President Monroe in his famous internal-improvement message, which was quoted here the other day.

The right or wrong of this question I do not propose to discuss to any great extent. When this tax was laid the Territory of Colorado was in existence. You taxed that Territory $22,000—that was its proportion—utterly without warrant of Constitution, as everybody must see who reads the Constitution. You taxed the Territory of New Mexico $60,000, and other Territories in proportion. The Territory of Nevada was taxed, I do not remember how much, but it paid $4,000. I have not looked at the figures lately. At that time the Government of the United States owned all the real estate in Colorado. It had never made a patent to an acre of land within the limits of the present State; it had never recognized a pre-emption claim or a homestead claim within those limits; and yet it proposed to take, and did take, from the people of that Territory $22,000, which was levied on the real estate in the Territory.

We paid $1,500 of that out of some moneys due the Territory by the Treasury Department; and when we paid, under a statute of the United States, the expense of taking a census in 1875, about $20,000, that was kept out. When we made our application to the Treasury Department to be refunded under the statute, we were told that we were indebted to the United States somewhere in the neighborhood of $20,000, and that was deducted; so that as it now stands on the books Colorado has paid $22,000. The late decision of the Supreme Court of the United States of course will release all that money to the State of Colorado. So we have no very special interest in this bill; and the only question is that suggested by the Senator from Kansas, whether, after a period of so many years, it is worth while to take up this matter and pay the money back to the States, over $2,000,000 to New York, $2,000,000 to Pennsylvania. This tax was borne by those States, just as they bore every other tax during the war, uncomplainingly and without objection, and perhaps it was paid as easily as any other tax they paid. But that money is now to be taken, as suggested by the Senator from Kansas, from the Western States.

Those Western States that have grown up and doubled their population, and doubled and trebled and quadrupled their wealth, are now to come in and pay back their part of the tax which was imposed many years ago, and which ought now to be considered as ended, in my judgment.

It can not be said that my State owes anything because we did not contribute as much money as others at that time. We contributed just as much money to the support of the Government during the war, in proportion to our wealth and our population, as any other community; and the State that I have the honor in part to represent contributed more men in proportion to her population to the support of the Government than any other State in the Union, although she did not at that time have a representative in this end of the Capitol, and we paid all the debts that belonged to us to pay. Now, having increased our wealth, why should we be called upon to make up to the old States that which it was a part of their duty to do at that particular time?

I want to submit to my Democratic friends, where do you find the constitutional authority, you men who can not vote for the educational bill, who can not find any authority in the Constitution for the purpose of voting money out of the national Treasury for the aid of education, the most beneficent grant that could be made—where do you find the power to take money from the Treasury, collected from the whole people, to pay back to New York $2,000,000 that she paid more than a quarter of a century ago? I submit that question to my Democratic colleagues in this Chamber, and more particularly to those of them who can not find the power to vote money for the education of the illiterate people of their very section of country.

I do not myself see any trouble in this case. I think if the Government of the United States were to put on its books, to the credit of the States, the unpaid tax, and so settle the account, that would be a fair and equitable way.

Where the books show an account against the State of Colorado, or Arkansas, or Delaware, we can readily, by a few lines of legislation, authorize the accounting officers to give the necessary credit, and thus settle the matter so far as the difficulty in the Treasury Department is concerned. But that is not the purpose of the bill; the purpose is to give to certain States a large amount of money, which I say they have no equitable right to, because nobody pretends that this was not a legal tax. If it was a case like the cotton tax, where it is a question whether it was a legal tax or not, and if it then appeared that the Government had wrongfully received from the people money which did not belong to it, then there would unquestionably, under any view of the Constitution, be the power to pay back that tax, because it can not be said decently that the Government, having taken a citizen's property wrongfully, could shield itself under a constitutional power and say it could not repay. But here was a tax honestly paid, legally collected, and nobody doubts it. It may be hard, as all taxes are hard; it may be a little harsher than other taxes; but it is a tax that was paid legally and properly, and if you can take this money or if you can take any money out of the Treasury to pay this claim, it is a declaration that the power exists to pay any claim within the will and judgment of the legislative department of the Government.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Kansas [Mr. PLUMB].

The amendment was rejected.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. PLUMB. I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mr. SAULSBURY. Mr. President, I am not going to occupy the attention of the Senate in further discussion of this bill. I presented my views on it a few days ago. I do not believe that we have the right, the power, the constitutional warrant, to take money out of the Treasury for the purpose of distributing it among the States for any object. Consequently I can not vote for this measure; but I presume it will pass. I want to state this as the primary reason why I shall vote against the bill, because I do not believe there is constitutional warrant for any such action.

The Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN]. I should vote "nay" if he were present.

The roll-call was concluded.

Mr. MANDERSON. Understanding that the Senator from Kentucky [Mr. BLACKBURN], with whom I am paired, would vote for this bill if present, I vote "yea."

Mr. PALMER. I am paired with the Senator from North Carolina [Mr. VANCE]. I see that he is absent. I understand if he were here he would vote "nay," and I should vote "yea."

The result was announced—yeas 48, nays 10; as follows:

YEAS—48.

| | | | |
|---|---|---|---|
| Aldrich, | Colquitt, | Hampton, | Ransom, |
| Allison, | Cullom, | Harris, | Reagan, |
| Bate, | Daniel, | Hawley, | Sawyer, |
| Beck, | Davis, | Hiscock, | Sherman, |
| Blodgett, | Dawes, | Hoar, | Spooner, |
| Bowen, | Dolph, | Ingalls, | Stanford, |
| Brown, | Evarts, | Jones of Nevada, | Stewart, |
| Butler, | Farwell, | Manderson, | Stockbridge, |
| Cameron, | Faulkner, | Mitchell, | Turpie, |
| Chace, | Frye, | Payne, | Voorhees, |
| Cockrell, | Gorman, | Pugh, | Walthall, |
| Coke, | Hale, | Quay, | Wilson of Iowa. |

NAYS—10.

| | | | |
|---|---|---|---|
| Berry, | Paddock, | Saulsbury, | Wilson of Md. |
| Blair, | Platt, | Teller, | |
| Jones of Arkansas, | Plumb, | Vest, | |

ABSENT—18.

| | | | |
|---|---|---|---|
| Blackburn, | George, | McPherson, | Riddleberger, |
| Call, | Gibson, | Morgan, | Sabin, |
| Chandler, | Gray, | Morrill, | Vance. |
| Edmunds, | Hearst, | Palmer, | |
| Eustis, | Kenna, | Pasco, | |

So the bill was passed.

Mr. BLAIR. On the vote last taken I find that I voted inadvertently, being paired with the Senator from Mississippi [Mr. GEORGE]. Had he been present he would have voted "yea," and I did vote "nay." It was a mistake, but it made no difference in the result. I wish this to appear in the RECORD just as if I was paired on the vote.

AMENDMENTS TO DEFICIENCY BILL.

Mr. SHERMAN. I ask leave to report from the Committee on Foreign Relations an amendment to the deficiency bill now pending in the Committee on Appropriations, with a view to having it referred to that committee. I will not ask that it be printed, because I am informed by the Committee on Appropriations that there is not time to print it.

The PRESIDENT *pro tempore*. The amendment reported by the Committee on Foreign Relations will be referred to the Committee on Appropriations without printing.

Mr. STEWART. I offer an amendment to the deficiency bill, to be referred to the Committee on Appropriations without printing.

The PRESIDENT *pro tempore*. The proposed amendment will be referred to the Committee on Appropriations.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a bill (H. R. 4881) making an appropriation to carry into effect the provisions of an act approved March 2, 1887, entitled "An act to establish agricultural-experimental stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto;" in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker *pro tempore* of the House had signed the enrolled bill (H. R. 3318) relating to permissible marks, printing or writing, upon second, third, and fourth class matter, and to amend the twenty-second and twenty-third sections of an act entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880," and for other purposes; and it was thereupon signed by the President *pro tempore*.

JOHN G. MERRITT.

Mr. JONES, of Nevada. I am instructed by the Committee to Audit and Control the Contingent Expenses, to whom was referred the following resolution, to report it favorably:

*Resolved*, That the Sergeant-at-Arms of the United States Senate be, and he is hereby, authorized and directed to appoint John G. Merritt, a disabled soldier and faithful officer of the Senate, a messenger, acting assistant doorkeeper, until further orders of the Senate, and that his salary be paid out of the "miscellaneous items" of the contingent fund of the Senate.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The resolution will be placed on the Calendar.

Mr. JONES, of Nevada. I hope there will be no objection to immediate action.

The PRESIDING OFFICER. The Senator from Nevada asks unanimous consent of the Senate to consider at this time the resolution just reported.

Mr. BLAIR. Not displacing the regular order.

The PRESIDING OFFICER. If there be no objection, the regular order will be informally laid aside. Is there objection to the consideration of this resolution? The Chair hears none.

Mr. COCKRELL. What is the resolution?

The PRESIDING OFFICER. The resolution will be again read.

The resolution was read.

The resolution was agreed to.

HOUSE BILL REFERRED.

The bill (H. R. 4881) making an appropriation to carry into effect the provisions of an act approved March 2, 1887, entitled "An act to establish agricultural experimental stations, in connection with the colleges established in the several States, under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto," was read twice by its title, and, on motion of Mr. ALLISON, referred to the Committee on Appropriations.

AID TO COMMON SCHOOLS.

Mr. BLAIR. I move that the Senate now resume the consideration of the educational bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. BROWN. Mr. President, I have discussed the questions which arise in the consideration of this bill at very considerable length on each former occasion when it has been before the Senate. I do not care to go over the same line of argument, or occupy ground which I have already occupied, and I do not think it is at all necessary to detain the Senate by a discussion of the merits of the pending measure, known as the Blair bill.

While the Southern States have made decided progress in the education of the people since the year 1880, on account of the great mass of ignorance existing there when the colored race were enfranchised and made citizens, the burden of educating the children of the two races in the impoverished condition of the Southern States was so great that those States were not able to meet practically the demands upon them; and while the energetic measures adopted by those States have done much in the right direction, there still exists a great necessity all over the Southern country for common-school education and for increased facilities for the instruction of both races. I believe the whole people feel as much interest in the pending measure as they have felt on any previous occasion when it has been before the Senate, and that the defeat of the measure would be received with great regret throughout that whole section of country.

As already stated, it is not my purpose to discuss the general merits of this bill on the present occasion. That duty has been ably performed already by the Senator who is the author of the bill, and by other advocates of the measure, and I should not have occupied the floor on the present occasion had I not noticed in the debate that more importance on this occasion than on former occasions seems to be attached to the constitutional question involved.

Most of the attacks made upon the bill thus far have been upon constitutional grounds.

It is said that there is no grant in the Constitution of the United States which authorizes Congress to make such an appropriation. On this point it seems to me the able and distinguished Senators who have discussed the question are in error. The Constitution of the United States, in Article I, section 8, declares that Congress shall have power to lay and collect duties, taxes, imposts, and excises; to pay the debts, and provide for the common defense and general welfare of the United States.

Now, there seem to be three objects contemplated by this provision—the money is to be raised first to pay the debts, second to provide for the common defense, and third to provide for the general welfare of the United States. Here is a distinct grant of power to raise money either by taxes, duties, imposts, or excises, and to raise it for either of the three objects specified, but it is said that the general-welfare clause is not intended as a grant of power, but that it only gives Congress the right to exercise the delegated powers which promote the general welfare. This seems to me to be a narrow and limited construction, not justified by the context and not intended by the framers of the Constitution.

I think there is a distinct and general field for operation where Congress has the discretion to make appropriations for money for the general welfare of the people of the United States. In doing this Congress can not impair or violate any of the other delegated powers, as this provision must be construed with the other provisions of that character. Nor can Congress violate or usurp any power expressly reserved by the Constitution to the States themselves. But in cases where the power is not expressly reserved to the States or expressly delegated by other portions of the Constitution of the United States for other objects Congress may exercise a sound discretion, and exercise or refuse to exercise such powers as are not otherwise expressly delegated to the United States for other objects, or reserved to the States.

I am aware that learned commentators upon the Constitution of the United States and distinguished statesmen have differed on the question as to the extent of power which Congress may exercise under the general-welfare clause. But it seems to me that the contemporaneous construction which is found in the early practice of the Government and the continuance of the practice during the whole period of the Government has, by construction and practice, settled the question in favor of the exercise by Congress of a sound discretion in passing acts of this character for the promotion of the general welfare.

From an early period in the administration of General Washington down to the present session of Congress there has been an almost unbroken line of precedents in favor of the exercise of this power by Congress. Take as illustration, the establishment of the West Point Military Academy, the Naval Academy at Annapolis, the purchase of Florida, the purchase of Louisiana, the grant of swamp lands to the States, the grant of particular sections of land in each township for school purposes, the grant of lands in the different States to colleges or universities, the appropriation of money to relieve the sufferers in Ireland, the appropriation to relieve the sufferers from earthquake in Venezuela, the assumption and payment of the debt of Texas on her annexation to the Union, the appropriation or donation of what is known as the college land grant some twenty-odd years ago, the appropriation of money to relieve the sufferers from the overflow of the Mississippi River, the appropriation of money to erect a monument to George Washington in the District of Columbia and to Thomas Jefferson in the State of Virginia, and the appropriation of money to fill and beautify the parks of

Washington with equestrian statues and other monumental structures, the appropriation of money to decorate the national cemeteries in different States of the Union, to maintain our beautiful flower garden in this city, and a thousand and one other appropriations of like character, establish beyond question the construction put upon this provision not only by the great men who framed the Constitution and who administered it in the early period of this Government, but by the statesmen and successive legislative bodies which have met in Congress under the Constitution from year to year from the earliest period of our history down to the present date. If anything can be settled by the practice of the Government, this question, it seems to me, has been settled.

I desire, Mr. President, to add a quotation from my remarks on this question on a former occasion, where I have referred to the messages of George Washington, Thomas Jefferson, James Madison, and John Quincy Adams. I will ask the Secretary to read a portion marked on page 2250 of the volume of the RECORD which I now send to the desk, volume 15, part 3, Forty-eighth Congress, first session.

The PRESIDING OFFICER. If there be no objection, the Secretary will read the matter sent to the desk.

The Secretary read as follows:

I know that those of us who are strict constructionists have seldom been willing to admit that we find the authority for anything under the general clause for the promotion of the general welfare. I believe I never heard any one who belongs to my school of politics admit that a particular power fell under the general-welfare clause. If no other power falls there, then as there is nothing that I am aware of which can do so much to promote the general welfare as the general diffusion of knowledge, I am willing to put this under the general-welfare clause and say that if the framers of the Constitution meant nothing else by that clause they did mean that Congress might make appropriations for the education of the people to prepare them for the exercise of the rights of citizenship. Under that clause I think I am justified in this statement by the action of the fathers of the Republic who framed the Constitution. They surely knew what they meant, and they were men of that character for integrity and honesty of purpose that they would in no case have willfully violated that instrument.

In his first annual address, as it was then called, President Washington said:

"Nor am I less persuaded that you will agree with me in opinion that there is nothing which can better deserve your patronage than the promotion of science and literature. Knowledge is in every country the surest basis of public happiness. In one in which the measures of government receive their impressions so immediately from the sense of the community as in ours, it is proportionably essential. To the security of a free constitution it contributes in various ways: by convincing those who are intrusted with the public administration that every valuable end of government is best answered by the enlightened confidence of the people, and by teaching the people themselves to know and value their own rights; to discern and provide against invasions of them; to distinguish between oppression and the necessary exercise of lawful authority; between burdens proceeding from a disregard to their convenience, and those resulting from the inevitable exigencies of society; to discriminate the spirit of liberty from that of licentiousness, cherishing the first, avoiding the last, and uniting a speedy but temperate vigilance against encroachments with an inviolable respect to the laws.

"Whether this desirable object will be best promoted by affording aid to seminaries of learning already established, by the institution of a national university, or by any other expedients, will be well worthy of a place in the deliberations of the legislature."

Again, he says in his eighth annual message:

"I have therefore proposed to the consideration of Congress the expediency of establishing a national university and also a military academy. The desirableness of both these institutions has so constantly increased with every new view I have taken on the subject, that I can not omit the opportunity of once for all recalling your attention to it.

"The assembly to which I address myself is too enlightened not to be fully sensible how much a flourishing state of the arts and sciences contributes to national prosperity and education.

"True it is that our country, much to its honor, contains many seminaries of learning highly respectable and useful; but the funds upon which they rest are too narrow to command the ablest professors in the different departments of liberal knowledge for the institution contemplated, though they would be excellent auxiliaries.

"Among the motives to such an institution, the assimilation of the principles, opinions, and manners of our countrymen, by the common education of a portion of our youth from every quarter, well deserves attention. The more homogeneous our citizens can be made in these particulars, the greater will be our prospect of permanent union; and a primary object of such a national institution should be the education of our youth in the science of government. In a republic, what species of knowledge can be equally important; and what duty more pressing on its legislature than to patronize a plan for communicating it to those who are to be the future guardians of the liberties of the country?"

Mr. Jefferson also has something to say upon this question. In his sixth annual message he says:

"The present consideration of a national establishment for education, particularly, is rendered proper by this circumstance also, that if Congress, approving the proposition, shall yet think it more eligible to found it on a *donation of lands*, they have it now in their power to endow it with those which will be among the earliest to produce the necessary income. This foundation would have the advantage of being independent on war, which may suspend other improvements by requiring for its own services the resources destined for them."

Mr. Madison, in his eighth annual message, says:

"The importance which I have attached to the establishment of a university within this District, on a scale and for objects worthy of the American nation, induces me to renew my recommendation of it to the favorable consideration of Congress."

President John Quincy Adams, speaking on the same subject, says:

"Among the first, perhaps the very first, instrument for the improvement of the condition of men is knowledge; and to the acquisition of much of the knowledge adapted to the wants, the comforts, and enjoyments of human life public institutions and seminaries of learning are essential. So convinced of this was the first of my predecessors in this office, now first in the memory as living he was first in the hearts of our countrymen, that once and again in his addresses to the Congress with whom he co-operated in the public service he earnestly recommended the establishment of seminaries of learning to prepare for all the emergencies of peace and war—a national university and a military academy. With respect to the latter, had he lived to the present day, in turning his eyes to the institution at West Point he would have enjoyed the gratification of his most earnest wishes. But in surveying the city which has been honored with his name he would have seen the spot of earth which he had destined and bequeathed to the use and benefit of his country as the site for a university still bare and barren."

Mr. BROWN. I now ask the Secretary to read the portions marked on page 2205, from the speech of Senator Garland, of Arkansas, now the Attorney-General of the United States, on the same subject. Also, the portion marked on page 2697, which gives extracts from Senator Garland's speech on this subject:

The Secretary read as follows:

But this matter came once so clearly before the Supreme Court long before the recent amendments were ever adopted, or before they were ever dreamed of, when the complexion of the court was essentially different from what it is now and from what it has been for the past twenty years, that I deem it not inappropriate to cite the language of the unanimous court, speaking through Judge Campbell, in 18 Howard's Reports, the case of Cooper *vs.* Roberts, page 177. This case came from Michigan:

"The appropriation of public lands for that object became a fundamental principle by the ordinance of 1787, which settled terms of compact between the people and States of the Northwestern territory and the original States, unalterable except by consent. One of the articles affirmed that 'religion, morality, and knowledge, being necessary for good government and the happiness of mankind,' and ordained that 'schools and the means of education should be forever encouraged.' This principle was extended first by Congressional enactment (1 Statutes at Large, 550, section 6), and afterward, in 1802, by compact between the United States and Georgia to the Southwestern territory."

After citing the history of that, he proceeds:

"But the constancy with which the United States have adhered to the policy in the various compacts with the people of the newly formed States and the care which Congress has manifested to prevent the accumulation of prior obligations which might interrupt it fully display their estimate of its value and importance. There is obviously a definite purpose declared to consecrate the same central section of every township of every State which might be added to the Federal system to the promotion of 'good government and the happiness of mankind' by the spread of 'religion, morality, and knowledge,' and thus, by a uniformity of local association, to plant in the heart of every community the same sentiments of grateful reverence for the wisdom, forecast, and magnanimous statesmanship of those who framed the institutions for these new States before the Constitution for the old had yet been modeled."

That is the preface of Judge Campbell, speaking for a unanimous court, to the law in the case which he afterward announces. In this same volume a very important case came up from St. Louis in reference to schools, the somewhat noted case of Kissell *vs.* St. Louis Public Schools Board, decided by the same court unanimously; and in passing I will say that that St. Louis grant made in 1812 came three times before the Supreme Court for construction, for interpretation, and a defining of the extent of that grant as interfering possibly with other grants; and yet with all this litigation, and with a case from Michigan before it, and a case from Wisconsin in ninety-fifth United States Reports, the point never occurred of bringing in doubt or in dispute the power of Congress to make these grants in any case it saw proper; and as the Senator from Florida well said, if you could grant lands you could of course grant the money; if you could grant land worth a dollar and a quarter an acre you could grant the dollar and a quarter in money.

* * * * * * *

I have alluded to an act of 1812 in reference to a grant for school purposes at St. Louis. By the act of 5th of April, 1826, 6 Statutes at Large, page 339, there was granted for the education of the deaf and dumb and for the erection of an asylum in Kentucky one township of land, excepting the sixteenth section, to be located in one of the Territories on lands to which the Indian title had been extinguished. By the act of March 3, 1843, the trustees of the Centre College of Kentucky were invested with all the rights of the deaf and dumb asylum of Kentucky in the grant, provided that the proceeds of the sale of the lands were not diverted from the purposes and intention of the original grant. So this was combined with the capital of the Centre College of Kentucky, from whose academic shades have come some of the best scholars in the country. Now, going back to 1812—

"The grant to Jefferson College, Mississippi, is concisely stated in the order of the Secretary of the Treasury dated October 5, 1812."

That was an important grant, and one that was specially guarded and taken care of. So we go on—it would take too long to cite these different grants—until we come to the latter-day grants, one of which I wish to allude to more particularly:

"July 2, 1862, Congress enlarged the national educational endowment system by the donation to each State of 30,000 acres of public lands not otherwise reserved (no mineral lands could be selected, and selections must be of quarter-sections) for each Senator and Representative (to which such State was entitled under the apportionment of 1860) for the support of colleges for the cultivation of agricultural and mechanical science and arts. It was championed in the Senate by Hon. JUSTIN S. MORRILL, of Vermont."

Subsequent to that, within the past two or three years, we passed a bill, under the management and direction of the same eminent Senator, not going as far as this bill, but a bill going in the same direction, by a vote that amounted to two-thirds of the Senate, I believe. I cheerfully advocated and voted for that bill, as I do for this.

Then look, Mr. President, not to detain the Senate by reading, at the 2 per cent. funds, the 5 per cent. funds of the net proceeds of sales of public lands for school purposes, heretofore so freely and bountifully given to certain States.

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The trustees of the Peabody fund, at their meeting, in 1880 designated a committee to address Congress on the very subject we now have in hand. That committee consisted of the present Chief-Justice of the United States, who presides over the first court that sits in the civilized world; of an ex-Attorney-General and an ex-Secretary of State, Mr. Evarts, and of the accomplished Secretary of the Interior under Mr. Fillmore, Mr. Alexander H. H. Stuart, of Virginia. That was the committee appointed by these trustees to draught a memorial to Congress. They draughted this memorial, and I wish now to read some parts of it. After showing the necessity of Congressional aid, they say, on page 11:

"The next point which your committee have felt it to be their duty to consider is, does Congress possess the constitutional power, not to control, but to contribute to, the education of citizens of the States?"

This bill does not control, for, as I stated in the analysis I have made of it, it does not attempt to interfere with the management at all except in section 5, where it speaks of a certain limited course to be pursued.

"Does Congress possess the constitutional power, not to control, but to contribute to the education of citizens of the States?

"If doubts were entertained as to the existence of such a power in an unqualified form, it might well be contended that the case of the colored population is surrounded by such peculiar circumstances as to take it out of the influence of any general rule. But fortunately this question, even in its general aspect, is not a new one, presented now for the first time to be decided. It may be regarded as *res adjudicata*. The laws of the United States present innumerable precedents in which Congress has exercised the power to contribute toward the general education of citizens of the new States, and in no instance has its constitutional right to do so been questioned."

They proceed; they go over the same precedents the Senator from Florida alluded to the other day, and some of which I alluded to. Then there is a discus-

sion which I will not detain the Senate with upon the new feature of the large class of population enfranchised to which the Senator from Florida called our attention on Friday. Then they say:

"The experience of this board has demonstrated the propriety of using the officers connected with the school systems of the respective States as agents in the application of the funds of the Peabody board to the purposes of the trust."

That is what this bill proposes to do.

"All the Southern States seem now to have awakened to a sense of the importance of a general system of free schools. Most of them have organized efficient systems of instruction so far as their limited means will allow them to go."

I desire the Senator from Kansas who sits nearest the door [Mr. PLUMB] to hear this part of this memorial, because it answers some of the propositions that he stated the other day to the Senate.

"Most of them have organized efficient systems of instruction so far as their limited means will allow them to go. Faithful and competent officers have in most instances been put in charge of them. These agencies are too important to be overlooked."

Mr. BROWN. The Secretary will now please turn to page 2697 and read the remarks of Senator Garland which are marked on that page.

The Secretary read as follows:

Mr. GARLAND. Mr. President, the executive department of this Government can not know any officer of the State legally, except the governor, and if Senators will take the pains to run through the many statutes they will find that it is a constant proceeding to call on the governor. The Secretary of the Interior certifies a list of swamp lands under the act of 1850 to the governor, and the governor certifies back that it is all right, and he demands a patent for the lands so certified, and he gets it. The Secretary of War certifies a list of muster-rolls under the act of 1873 to the governor, and the governor examines and certifies that there are so many companies and they are entitled to a distribution of arms under the act.

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I corresponded a good deal with the Secretary of War for arms for Arkansas, which he did not give me, when I was governor. I corresponded frequently with the Secretary of the Interior about swamp lands, some of which he gave me and some of which he did not. I did not feel insulted, nor did my people. You can not deal with anybody else but the governor of the State, or you do not know legally any other person there, and the statutes are full of such instances.

Mr. BROWN. I now desire to have the Secretary read from Senator Garland's speech on the bill relative to foot-and-mouth disease among cattle in certain portions that I have marked in the pamphlet copy of his speech on page 5. I send the pamphlet to the desk.

The PRESIDING OFFICER. The matter will be read.

The Secretary read as follows:

In the first volume of Story on the Constitution, sectional page 978, commenting on the clause of the Constitution which provides for levying taxes, imposts, etc., to pay the debts and provide for the general welfare, we find that eminent judge quoting with approbation the report of Mr. Hamilton on manufactures in 1791. He says:

"The terms 'general welfare' were doubtless intended to signify more than was expressed or imported in those which preceded—

That is, to levy taxes for the purpose of paying the debts, etc.—

"otherwise numerous exigencies incident to the affairs of the nation would have been left without a provision. The phrase is as comprehensive as any that could have been used; because it was not fit that the constitutional authority of the Union to appropriate its revenues should have been restricted within narrower limits than the general welfare, and because this necessarily embraces a vast variety of particulars which are susceptible neither of specification nor of definition. It is therefore of necessity left to the discretion of the National Legislature to pronounce upon the objects which concern the general welfare, and for which, under that description, an appropriation of money is requisite and proper."

Then, in section 979, Judge Story says:

"But the most thorough and elaborate view which perhaps has ever been taken of the subject will be found in the exposition of President Monroe which accompanied his message respecting the bill for the repairs of the Cumberland road (4th of May, 1822). The following passage contains what is most direct to the present purposes:"

President Monroe, as quoted in sections 984 and 985, said:

"SEC. 984. I have dwelt thus long on this part of the subject from an earnest desire to fix, in a clear and satisfactory manner, the import of the second part of this grant, well knowing, from the generality of the terms used, their tendency to lead into error. I indulge a strong hope that the view herein presented will not be without effect, but will tend to satisfy the unprejudiced and impartial that nothing more was granted by that part than a power to appropriate the public money raised under the other part. To what extent that power may be carried will be the next object of inquiry.

"SEC. 985. It is contended on the one side that, as the National Government is a government of limited powers, it has no right to expend money except in the performance of acts authorized by the other specific grants according to a strict construction of their powers; that this grant, in neither of its branches, gives to Congress a discretionary power of any kind, but is a mere instrument in its hands to carry into effect the powers contained in the other grants. To this construction I was inclined in the more early stage of our Government; but on further reflection and observation my mind has undergone a change, for reasons which I will frankly unfold."

Story quotes Monroe with approbation. Then Monroe proceeds at length to give his views why he had changed his opinion. It is not necessary to read that. Now, in a note to this Judge Story says:

"There is no doubt that President Washington fully concurred in this opinion, as his repeated recommendations to Congress of objects of this sort, especially of the encouragement of manufactures, of learning, of a university, of new inventions, of agriculture, of commerce and navigation, of a military academy, abundantly prove.

Mr. BROWN. I desire to quote also from pages 7, 8, 9, 10, and 11 of that speech, and I will ask permission to insert it in my speech without reading.

The PRESIDING OFFICER. If there be no objection, that course will be pursued.

The matter referred to is as follows:

On the present occasion the Senator from Kansas presents the fact that, overleaping the local and domestic authorities of the State of Kansas, a disease there exists which threatens to become general in its character over the whole country whose interests are bound up in this great industry. If the cod-fishery bounty was constitutional, as Story said, for the purpose of encouraging the formation of a hardy class of men who should be ready for the Navy, why is not this? Those bounties were granted, says Story, not silently, but after long debate on the constitutional theory involved, and passed as early as 1792.

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Story states three or four instances, to which I have referred and on which I have commented somewhat. I have made an abstract of most of the subsequent acts for the information of the country.

In 2 Statutes at Large, page 730, is "An act for the relief of the citizens of Venezuela," approved May 8, 1812, which appropriated $50,000 for the purchase of provisions for the relief of citizens of Venezuela who suffered in the late earthquake. Under what power of Congress, if you are acting on a strict and rigid interpretation of the powers granted, did we get the authority to relieve the suffering people of Venezuela? That measure was supported by some of the first men who ever stood in this country, whose names are not only historical but whose lives are classic. Even as early as the second volume of the Statutes at Large we have that precedent set, in the year 1812.

Then in 3 Statutes at Large, page 211, we have "An act for the relief of the inhabitants of the late county of New Madrid, in the Missouri Territory, who suffered by earthquake."

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In 9 Statutes at Large, page 207, is a joint resolution authorizing the employment of the ships Macedonian and Jamestown in transporting provisions for the famishing poor of Ireland and Scotland, approved March 3, 1847.

In 14 Statutes at Large, page 369, is a joint resolution for the temporary relief of the sufferers by the late fire in Portland, in the State of Maine, approved July 27, 1866. One town in the State of Maine that suffered by fire was relieved in 1866; one town not quite as big as the State of Kansas, nor quite as broad as the line between Missouri and Kansas; and yet we are told we can not relieve this calamity!

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In 14 Statutes at Large, page 567, will be found a joint resolution authorizing the employment of a public vessel for the transportation of provisions to the people of the Southern States suffering from the failure of crops, approved February 22, 1867, approved on the anniversary of the day General Washington was born. That was to relieve suffering from the failure of crops. Here is an industry now that is threatened with prostration which will be worse than the failure of crops to the people who suffer from it, and it is not worth while to say, "Wait till the blow is struck and the calamity done; then relieve it." The sound of the fire-bell is always unpleasant, especially when you have to get up at night to go out to suppress the fire and endeavor to save life and property. We had better take precautions in advance, and not wait until these people come crippled here and say, "Our industry is gone." Let us take time by the forelock with this threatening aspect before us. But let us proceed.

On the 10th of February, 1871, was approved a joint resolution authorizing the use of a naval vessel to transport breadstuffs to Europe. (14 Statutes at Large, page 596.)

Then February 5, 1872 (17 Statutes at Large, page 51), was approved an act for the relief of sufferers by fire at Chicago. That is very significant. There was another fire in a bigger town, with more people than Portland; it was a calamity of a character not local or domestic, so that the State authorities could reach it, and the exigency called for the exercise of the power of Congress.

In 18 Statutes at Large, part 3, page 34, is an act to provide for the relief of persons suffering from the overflow of the Lower Mississippi River, approved April 23, 1874, which authorized the temporary issue of army rations and clothing. Then on May 13, 1874 (same volume, page 45), was an act to enable the Secretary of War to carry out the act of April 23, 1874, which appropriated $70,000 for the purchase of supplies of food for sufferers by the overflow of Lower Mississippi, described in the act of April 23, 1874. And still further, in the same volume, page 287, was a joint resolution authorizing the issue of army provisions and clothing to the destitute people in the valley of the Tombigbee, Warrior, and Alabama Rivers, rendered destitute by the recent inundation of their homes in those valleys.

Again, in the same volume, page 230, the sundry civil appropriation act, approved June 23, 1874, appropriated $400,000 to carry out the act of April 23, 1874, and the joint resolution of May 28, 1874, and also allowed part of the money to be used for the relief of destitute people on the Tennessee River suffering from the recent overflow of that river.

These are some of the precedents of Congressional legislation that I have taken the pains to note. I undertake to say that there is no case upon this list that is more important and urgent than the appeal now made to Congress. There is not one based on higher or more general considerations than this that we now have in hand. But these are not all. Where did we get the power to do these things? Where do we get the power to appropriate for educating the children, as we have done and probably will soon be called upon to do again?

Mr. President, under your gallant lead [Mr. HARRIS in the chair] Congress a few years since established a national board of health to guard against yellow fever and cholera and small-pox, and all those ravaging diseases which afflict the human family. After long debate—every inch of ground was contested and fought a battle over—the Senate passed that bill. And what I advocate now is but the doctrine I stood upon then in urging the passage of that bill, and the same doctrine I advanced and argued for when we had the hard struggle over the appropriation for the improvement of the Mississippi River in this body some two years and more since.

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It is only a short time since, comparatively, when I was called upon and voted very freely and not grudgingly to supply the people who had been afflicted by the locusts in the Western country with money to buy seeds to replant. It is only a short time since, comparatively, when I voted money for the relief of sufferers from the overflow of the Mississippi Valley, in which I am directly interested. Where do you get the authority to do all this unless you get it from the power that I have attempted to discuss? It will not do to say that it is sympathy. There is not anything said in the Constitution about sympathy. I do not believe that the word is in there, from A to Z.

Where do you get the power to keep the flower garden near your Capitol? What power in the Constitution is that necessary to execute? Or take the Library building that most of us voted for some time since; why is that? It is done for the general welfare of the people of the country. Where do you get the power to erect the statues of great men, men whose reputation in life has been won in killing their human brethren? You get it under this power, and nowhere else. It is not necessary to any war power or any naval power to erect these monuments or these statues. Where does the Senator from Missouri get the authority to vote for sending books and pamphlets from the Agricultural Department or any other Department to his constituents in Missouri? It is because it is for the general welfare, to educate the human mind.

* * * * * * * *

I state now, as I stated once before and probably oftener, that Judge Story in assuming and adopting the language of Monroe and the other Presidents who had signed these papers and had approved these calls and appeals and demands, adopts the language first beginning with Mr. Hamilton in his report on manufactures in 1791, and even that of Mr. Jefferson himself, who was the father of what we understand as the State-rights school, who worshiped State rights as devotedly as ever the Persian bowed before the eternal fires of the sky. How did Jefferson himself buy Louisiana? How did he get possession of Louisiana except from the fact that he said it was essential to the general welfare of the

country that we should have that territory, and that river, and the mouth of that river?

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Now, following up the line of precedents, I will call them to mind simply from memory. Where did we get the authority to go and exhibit ourselves at the Centennial Exposition? That was debated here at length before I came into the Senate. It was debated for days, and the Senate, I believe by a unanimous vote, said that we should appropriate money for it

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But a short time since we went down to Yorktown and made speeches and enjoyed ourselves very much. Where did that authority come from? That was not the war power, although we went there to celebrate a victory. Where did we get the authority to send off the expedition that we voted a short time since to hunt Greely and his lost crew? Going further back, where did we get the power to donate the swamp lands to the States, as we did by the act of September 28, 1850? This was a donation pure and simple. So of the grant of lands to aid agricultural colleges, and the grant for the benefit of insane asylums.

Before leaving this topic one thing more occurs to me. We are purchasing the papers of great men. We bought Jefferson's works in times gone by; we bought Mr. Adams's works, and Mr. Madison's; and since I have been in the Senate we have passed a resolution through both Houses to buy the papers of a distinguished French gentleman. The Senator from Indiana [Mr. VOORHEES] who sits to my left introduced but a short time since a resolution to purchase the papers of somebody else. Where did we get all this authority and this power?

Now, it is time, if we can not do this, to call a halt. But imbedded and concreted as this action is in the very theory of our Constitution as interpreted by some of its best lights and expounders, interpreted and applied by President after President, piled almost as high as Pelion upon Ossa, it is too late in the day for us to say we can not do it. We must turn back the history of this country almost a century, and reverse its whole order. When I cite the precedents here and the interpretation, I cite that which is legitimate, because, as Sir James Mackintosh said, "No government has ever been made, but governments grow."

We have construed the Constitution, we have interpreted it, we have applied it time after time, day after day, month after month, and year after year. It is too late now to say that we can not apply it in this instance, when our country is threatened with cattle disease, as we have it from gentlemen who are familiar with the subject and whose duty it is to speak of it. It is too late, I say, to question the authority. It is there; it is written in the text, for what is understood in the text is a part of the text. It is written in the precedents which have become a part of the law of the country.

Mr. BROWN. I now ask the Secretary to turn back to the copy of the RECORD before him and to read from page 2368 the marked portion of the speech of the then Senator Lamar, now Mr. Justice Lamar, of the Supreme Court of the United States.

The Secretary read as follows:

Mr. LAMAR. Mr. President, I shall detain the Senate only a few moments, not with the expectation of adding anything new to the arguments that have been advanced on this subject, but simply to state my own reasons for the vote which I shall give. I have bestowed upon the constitutional question involved in this measure the study which its importance deserves. I shall not go over the ground already occupied by the Senator from Florida [Mr. Jones], the Senator from Arkansas [Mr. Garland], and the Senator from Alabama [Mr. PUGH], nor will I recite the imposing authorities arrayed by the Senator from Georgia [Mr. BROWN]. I have no doubt about the constitutional authority of Congress to pass this measure. Indeed, if we should reject it on the ground that it is unconstitutional for Congress to give aid to the States in the exercise of their exclusive jurisdiction over the education of their people, we would be reversing the settled policy of this Government.

The refinements and subtleties about the distinction between the granting of land and an appropriation of money for educational purposes do not satisfy my mind. Even if such a distinction would hold it does not apply to the constitutional question that is made. It is not the kind of aid granted, whether it be in land or in money, but the purpose for which it is granted, that is to be considered. It is the threatened intervention of the Federal Government into the educational affairs of a State to which the constitutional objection applies, and intervention is as menacing when it comes in the form of a land grant as when it comes in the shape of an appropriation. I do not regard it as a menace in either case.

Mr. BROWN. I now ask the Secretary to read a short extract from a message of President Pierce in the Thirty-third Congress. I send the volume to the desk.

The PRESIDING OFFICER. If there be no objection, the Secretary will read as indicated.

The Secretary read as follows:

I have been unable to discover any distinction on constitutional grounds, or grounds of expediency, between an appropriation of $10,000,000 directly from the money in the Treasury for the object contemplated and the appropriation of lands presented for my sanction; and yet I can not doubt that if the bill proposed $10,000,000 from the Treasury of the United States for the support of the indigent insane in the several States, that the constitutional question involved in the act would have attracted forcibly the attention of Congress.

I respectfully submit that in a constitutional point of view it is wholly immaterial whether the appropriation be in money or in land.

Mr. BROWN. I now turn to a copy of the speech of my able and eloquent friend, the Senator from Indiana [Mr. VOORHEES], and I read the overwhelming facts as to the practice of the Government on this question, which he enumerated with burning eloquence in the speech referred to. I will insert the portion which I desire, on pages 6, 7, 8, 9, 10, and 11, without reading, with the consent of the Senate.

The PRESIDING OFFICER. If there be no objection, that course will be pursued.

The matter referred to is as follows:

What do we see when we turn to this policy? Every State admitted into the Union since the adoption of the Constitution has received upon her admission a birthday present, as it were, a rich donation of lands, an educational endowment in behalf of the children she was to bring forth and train up for duty as American citizens. This was a present from the National Government to every State; to yours, sir [Mr. HARRIS, in the chair], and to mine; and what a splendid endowment it has been! Can I stand here and forget what was done for my own State? Indiana had her sixteenth section; she had her university lands; she had her land-scrip given to her in lieu of lands that could not be taken up in her own borders. Am I to ignore these facts when an appeal is made to me by people who have had thrown upon them an unnatural and abnormal condition of affairs in the liberation and enfranchisement of a whole race buried in ignorance? New States came into the Union with natural surroundings and with no exceptional burdens. The Southern States are struggling to-day with a problem heretofore unknown in human history, and with a responsibility far beyond their power to meet. But with no such appalling circumstances surrounding the other States of the Union, the policy of this Government toward them has been all the time in the exercise of that power which is now denied by the Senator from Alabama [Mr. MORGAN] and other Senators on this floor, when it is invoked for the relief of the afflicted States of the South.

Every sixteenth section of public land in the States admitted prior to 1848 and every sixteenth and thirty-sixth section of such land in the States and Territories since organized have been granted for educational purposes. The lands granted for educational purposes, both for common schools and universities, throughout the Union have amounted to nearly 100,000,000 acres. Yet I am told that the Government has not the power to aid the cause of education in the States. Why not the power?

Do you answer that lands can be granted, but not money? I had promised myself that I would not waste any time on that point. Money is no more a thing of value than land. One is a commodity as the other is. Money is worth only what it can be exchanged for, and so are lands; and when lands are donated it is with the express understanding that the State can exchange them at once for any other commodity, money or anything else, that will best promote the cause of education. I shall waste but little time on that point. According to this distinction between the donation of lands and the donation of money Congress has the power to grant the recently acquired Territory of Alaska to the several States for educational purposes, well knowing that the States would sell the Territory and apply the proceeds to their schools, but Congress could not have donated the seven millions to the States for school purposes which we paid to Russia for the Territory. Such a proposition only needs to be stated to be rejected.

The following table of lands granted for school purposes will be of interest as illustrating the policy of the Government on this subject:

| State. | Acres. | Year. |
|---|---|---|
| Ohio | 704,488 | 1803 |
| Indiana | 650,317 | 1816 |
| Illinois | 985,066 | 1818 |
| Missouri | 1,199,150 | 1820 |
| Alabama | 992,774 | 1819 |
| Mississippi | 837,584 | 1803 |
| Louisiana | 786,044 | 1806 |
| Michigan | 1,067,397 | 1836 |
| Arkansas | 886,460 | 1836 |
| Florida | 908,503 | 1845 |
| Iowa | 995,144 | 1845 |
| Wisconsin | 958,649 | 1846 |
| California | 6,719,324 | 1853 |
| Minnesota | 2,969,990 | 1857 |
| Oregon | 3,329,706 | 1859 |
| Kansas | 2,801,906 | 1861 |
| Nevada | 3,935,428 | 1864 |
| Nebraska | 2,702,044 | 1864 |
| Colorado | 3,715,555 | 1875 |

In addition to these grants to the States there have been donated over 30,000,000 acres to the eight organized Territories of the United States, making an aggregate of lands granted to the States and Territories for school purposes of 67,893,919 acres.

Then, for the purpose of aiding in the establishment of universities, still other lands have been donated to the States and Territories, amounting in all to 1,165,520 acres.

Next comes the land-scrip. I have other tables and figures here which I will not dwell on at length. But I see that one university in Indiana is put down in this official report as the recipient of over $212,000, proceeds of the sale of land-scrip which was issued to Indiana in lieu of land that she could not locate within her borders. There are some striking revelations in these statistics. The need of the South is very sore, and yet abundance has in some instances been given where nothing was needed. California, coming into this Union thirty years ago with a crown of gold upon her head and untold wealth in all her veins, was the recipient from the Government of nearly seven million acres of land for educational purposes. She was rich, with a magnificent future before her; yet the power of the Government was thought to be equal to the task of giving her a great domain besides; now it is denied to the States that are poor and depressed indeed.

Allow me to call attention also to the transactions of 1836 between the Federal Government and the States, which resulted in vast assistance to the cause of education within the States. They illustrate the fact that Federal assistance has taken every shape. In 1836 the Federal Government found itself with a surplus of revenue on its hands, and by act approved June 23, 1836, provision was made to deposit the same with the States in proportion to their representation. The amounts thus deposited with the States will be shown by the appended table:

| | |
|---|---|
| Maine | $955,838.25 |
| New Hampshire | 669,086.79 |
| Massachusetts | 1,338,173.58 |
| Vermont | 669,086.79 |
| Connecticut | 764,670.60 |
| Rhode Island | 382,335.30 |
| New York | 4,014,520.71 |
| New Jersey | 764,670.60 |
| Pennsylvania | 2,867,514.78 |
| Delaware | 286,751.49 |
| Maryland | 955,838.25 |
| Virginia | 2,198,427.99 |
| North Carolina | 1,433,757.39 |
| South Carolina | 1,051,422.69 |
| Georgia | 1,051,422.69 |
| Alabama | 669,086.79 |
| Louisiana | 477,919.14 |
| Mississippi | 382,335.30 |
| Tennessee | 1,433,757.39 |
| Kentucky | 1,433,757.39 |
| Ohio | 2,007,260.34 |
| Missouri | 382,335.30 |
| Indiana | 860,254.44 |
| Illinois | 477,919.14 |
| Michigan | 286,751.49 |
| Arkansas | 286,751.49 |
| Total | 28,101,644.91 |

And although the law making this distribution provides for the return of the money to the Federal Treasury "whenever the same shall be required by the Secretary of the Treasury for the purpose of defraying any wants of the public Treasury," yet no such requirement has ever been made. Thus we see that for nearly fifty years past the States have enjoyed a practical donation from the Federal Government of more than twenty-eight millions in actual money, which in almost if not quite every instance has been converted into the school funds of the several States. New York thus appropriated the four millions and over which fell to her share, and the other States generally followed her example, while the Federal Government gave its approval by its silent acquiescence.

What else has been done in the matter of education as a national work? Do Senators forget recent events? Since the war more than $6,000,000, not in lands, but in money, have been appropriated by Congress for colored schools in the South. I have the appropriation acts here if there is any question as to my statement. The freedmen's schools have been fed with national appropriations during the last twenty years, and to the extent of over $6,000,000. Is it not somewhat late in the day to call in question the power of Congress to pass the pending measure? I give you a precedent in your own day and generation. How is it to be answered? Do you who oppose this bill say that the schools for the freedmen were unconstitutional? Why then was that question not tested in the courts? It could easily have been done at the proper time.

But, sir, I come to a still later date and even a more striking illustration. Within the last twelve months, during the last fiscal year, Congress appropriated $400,000 with which to educate the Indian children at Hampton and at Carlisle. How will you answer that? Where were the voices now so eloquent, where the speeches now so learned and so long, when that bill passed the Senate, taking $400,000 of tax-raised revenue out of the Treasury with which to instruct and enlighten the little copper-colored, dark-eyed, straight-haired children of the desert within a hundred miles of this Capitol? Where were these vigilant sentries of the Constitution then? Were they dozing on their posts, or is the dusky Indian dearer in their regard than their own blood and kin? The white child is in this bill; the white face is here as well as the dark one. Is the barbarian's child of the forests, the offspring of the frontiers, a more important and cherished object of your care than the white child of the South? Does the Constitution expand in its application in one direction and contract in another? Is there a certain elasticity in the Constitution toward the schools at Hampton and Carlisle and a contractability in the same instrument when applied to schools of your own?

I am amazed; it fills me with wonder when I hear some of the arguments which have been advanced on this floor. There is not a year, nor a month, nor a week, nor a day since 1789 to the present hour in which the authority in this bill, in one shape or another, has not been the active policy of this Government for our own people as well as for other races. This policy fills all our history with its precedents, and the whole land with its blessings.

But, Mr. President, we have heard much able and learned discussion in regard to a strict construction of the Constitution. Sir, I am for a strict construction of the Constitution. I am for strictly construing it in order to accomplish, not to defeat, the great ends for which it was ordained. I wish to so construe it as to promote and fulfill those beneficent and lofty aims proclaimed in the instrument itself. I would strictly construe that immortal instrument as a vital, affirmative force for the achievement of its own declared purposes, and the accomplishment of our destiny as a united and enlightened Republic. To me it means what it says; to my mind there is not a meaningless provision in it. When it declares its purpose "to promote the general welfare," and declares, further on among the grant of powers, that Congress shall provide for that great end, I do not feel at liberty to assume that the framers of the Constitution were indulging in words, mere words, without meaning, life, or force. I firmly believe, too, that the power of self-preservation exists in this Government. The object of its creation was to live, not to die.

* * * * * * *

No; the simple truth is Jefferson saw that the exclusive possession of the channel and of the mouth of the Mississippi River was necessary to the general welfare, the prosperity, advancement, wealth, and growth of the country, and he grasped the occasion to accomplish these legitimate objects of Government with more eagerness and zeal than is usual in an executive officer. Nearly the entire correspondence on the subject with the minister of the great Napoleon will be found in Jefferson's own hand, although his Secretary of State was one of the most accomplished men of his times.

Texas came to us upon the same principles which governed Jefferson in securing Louisiana; then the vast acquisitions of territory following the Mexican war, until now all that mighty region from British America to the Gulf of Mexico, from the Mississippi River to the Pacific Ocean, stands to-day, and will stand forever, as a monument to the foresight, sagacity, and prophetic statesmanship of Thomas Jefferson while executing the welfare clause of the Constitution, without a single specific grant of power to warrant the first steps taken or any that followed. There it stands, the seat of present and future empire. We secured it all during the days of strict construction. Louisiana, Texas, and all the other vast regions I have mentioned confront us as a stupendous refutation of the idea that we can do nothing for the general welfare under a strict construction of the Constitution.

Mr. BROWN. Mr. President, these references to the unbroken practice of the Government for almost a century seem to me to be overwhelming on this question.

I have listened, with great pleasure, as I always do, to the eloquent argument made by each of the Texas Senators against the constitutionality of this bill. With an immense public-school fund in cash, the proceeds of the public lands of the State of Texas, and with nearly 30,000,000 acres of land from which the State has yet to realize for the benefit of her schools and colleges, I envy the Senators, as their State has the most magnificent school fund of any like number of people on the face of the earth. They therefore have no possible need of the proposed relief, and I regret that they find insuperable constitutional difficulties in the way of voting for the bill.

But even my friends from the rich State of Texas, like all the balance of us, have voted annually for an appropriation to buy seed to send all over the Union to our constituents, and when, a year or two since, the drought ruined the crops in a number of counties of Texas and a bill was introduced to furnish an increased quantity of seed of different varieties to the drought-stricken counties of Texas, the senior Senator from Texas [Mr. COKE] voted for the bill, and his present colleague, then a member of the House, I believe also voted for it. I admit that they did only what we all did, with few exceptions, and which we do every year when we make the annual appropriation to furnish seed to be sent out to our constituents, but under what section of the Constitution did they find the delegated power to do this, unless it be the section to which I have referred.

A few words more, Mr. President, and I have said all I intend to say. My highly esteemed friend from Missouri, Senator VEST, in his able and eloquent speech the other day in opposition to this bill, held, as it seemed to me, *in terrorem* over the Senate the veto of the President of the United States, in case this bill should pass. I did not understand the Senator to say that he had any information from the President on that subject, or any personal knowledge of the President's intentions. I suppose he received his impressions from his knowledge of the convictions of the President, usually, on questions of a public character. But I can not concur with my friend in contemplating even the possibility of a veto in case of the passage of this bill. I have already read you quotations from the able and unanswerable speech of Senator Garland sustaining the constitutionality of this bill, and extracts from the speech of Senator Lamar, now Mr. Justice Lamar, unequivocally affirming the constitutionality of the act. The newspapers made a point on Senator Garland, when his name was spoken of for Attorney-General, that he was not a suitable man because of his latitudinarian construction of the Constitution. He and Mr. Lamar were probably the two ablest advocates of this bill in the Senate. They both concurred in the constitutionality of the bill, and they were both invited into the Cabinet, notwithstanding the adverse criticism growing out of their construction of the Constitution, where they have both remained until a few days since, when the President was so much pleased with Mr. Secretary Lamar that he invited him up to a higher position, to take a seat on the bench, where all constitutional questions are to be decided in the last resort. The appointment and continuance of Attorney-General Garland and the two appointments of Mr. Justice Lamar were no doubt made with full knowledge on the part of the President of their position on the constitutional question involved in this bill.

But that is not all. The ablest and most eloquent defense which any one has made on this floor of the President's administration and policy was that submitted by my highly esteemed and eloquent friend, Senator VOORHEES, of Indiana. He, too, unequivocally indorses and ably sustains the constitutionality of this measure. If, therefore, the President may be judged by his actions, and by his appointments of able men to high positions who unequivocally sustain the constitutionality of this measure, then I feel that I may safely say that we have nothing to fear from an executive veto. But suppose there is danger of a veto, what has that to do with it? Each Senator has a duty to perform at this stage of the bill. In case of its passage the responsibility of the executive then begins. And in case of a veto our final responsibility then attaches. I submit this question without further remark. I have no doubt about either the constitutionality or the necessity and sound policy of this measure.

The PRESIDENT *pro tempore*. The Secretary will report the pending amendment.

The SECRETARY. The Committee on Education and Labor report in section 8, line 10, after the word "authority," to insert the words "including interest money from any source."

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The next amendment will be stated.

Mr. BLAIR. The amendment just acted on is the only one from the committee. The next is one offered by the Senator from Kansas [Mr. PLUMB], to which he desires to speak. He is not in the Chamber.

The PRESIDENT *pro tempore*. The amendment of the Senator from Kansas will be stated.

The SECRETARY. It is proposed to strike out section 2, and insert in lieu thereof the following:

That such money shall annually be divided among and paid out in the several States and Territories, and in the District of Columbia, in proportion to their population, respectively, according to the census of 1880: *Provided*, That all of said money remaining undistributed at the date of the publication of the returns of population as shown by the census of 1890, shall be divided as aforesaid in proportion to the population according to said census of 1890.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Kansas [Mr. PLUMB].

Mr. BLAIR. Mr. President, as I know the Senator from Kansas [Mr. PLUMB] desires to be heard upon his amendment, and is not present, if no one else desires to take the floor now, I will resume, and give a little more evidence.

I will now read to the Senate a short extract from an address by Dr. Curry, so long distinguished as the agent of the Peabody school fund. He is now our minister to Spain. Referring to the efforts of the South, which had come under his observation, to establish a system of common schools, and invigorate it so far as possible with contributions and with features of efficiency, he says:

Despite these patriotic efforts illiteracy abounds fearfully. Of the school population of the South nearly half are not in school. The whites of educational age, under nineteen, not enrolled number 1,719,723; the colored, 1,126,815. Nearly one-half of the white children and more than one-half of the colored are growing up without educational advantages.

The resources of the South are wholly inadequate to meet the heavy burden which is upon her. In her present financial condition, universal education without Federal aid is distant, is impossible. In the most advanced and prosperous

countries schools and their management are not upon a satisfactory basis. Governor Butler is reported as saying that even in Massachusetts 92 per cent. of the children receive no education after they attain the age of fifteen years. On an average, our people do not get more than thirty months' schooling.

This is true in highly prosperous localities; but the Southern States are poor. I am no pessimist nor alarmist. The progress in mining and in manufactures has been great, but agriculture and tillage and common roads are not in a flattering condition. Excluding Delaware, Maryland, and Missouri, the assessed valuation of property in the remaining Southern States diminished between 1860 and 1880, $2,432,730,524. The State of New York is said to be worth in taxable property as much as all the Southern States. Ignorant labor dooms to poverty. It is idle to be drawing roseate pictures of the "new South," until the laboring classes are far ahead in intelligence and skill of present attainments. The loss from stupid or unskilled labor would educate a hundred times over every child in the South. With her sparse population, with means not half what they were in ante-bellum days, with double the number of children to be educated, it is impossible for the South, by any tax short of confiscation, to provide education for the children within her borders.

It is well to open our eyes to stubborn, irremovable facts, and confront the perils growing out of them. Reference has been made to the alarming fact that in the late slaveholding States and in the District of Columbia there is a non-attendance of 1,719,723 white children, and of 1,126,815 negro children. That may be prospective peril, but its fearfulness may be estimated if we consider that the South had in 1870 4,189,972 illiterates, and in 1880 4,741,173, an increase of over one half a million in spite of the educational activities of the intermediate ten years. The total number of illiterates of voting age in the slaveholding States in 1870 was 1,146,707; in 1880, 1,363,844, an increase of illiterate voters of 217,137. The total number of males of voting age in the South in 1880 was 4,119,908, and of these 1,363,844 were illiterate. Thirty-three and one-tenth per cent. of the voters in the South are illiterate. Of the illiterate 69.8 per cent. are colored, and 30.2 per cent. whites. It is specially significant that these figures show an increase of illiterate voters in the last decade.

If my first postulate be true, that education is fundamental to the right discharge of the duties and functions of American citizenship, may I not, in homely language, ask our governors, What are you going to do about this illiteracy and consequent peril? The life of the Republic is one desperate and prolonged struggle against ignorance, and the States are impotent in the encounter.

I will next read a letter from a gentleman of distinction in Louisiana, who, in the year 1884, delivered the commencement address upon national aid before the faculty and students of the Louisiana State University, Judge A. A. Gunby, of Monroe, La. In this address, as a whole, he strongly advocates the constitutionality and the necessity of national aid. In inclosing his address he writes me a letter from Monroe, dated November 23, 1887. He says:

MONROE, LA., *November* 23, 1887.

DEAR SIR: I have received yours of 19th instant, and assure you that I feel great interest in the subject of national aid to education. By thorough and comprehensive study of our constitutional history and legislative precedents I have satisfied myself of the sound constitutionality of the measure advocated by you, and my own observation and knowledge as a Southern man convince me of its expediency and necessity.

Our State Educational Association, which met at Shreveport in August, 1887, adopted a resolution heartily indorsing your bill and urging our Representatives to support it. All the enlightened educators of our State, in fact everybody who really believes in public education, is an advocate of national aid to education, and fully recognizes the pressing necessity of extraneous assistance in the education of both white and colored citizens.

As far as my knowledge extends, those who oppose your measure in this State are either free-trade fanatics or belong to that class of rigid and narrow thinkers who entertain and foster a natural and ineradicable hatred to all intellectual culture at public expense. In this city we keep our public schools open nine or ten months in every year by a special tax. But our teachers are poorly paid, and in less favored localities three months of public schools is the average per year. In the state of our public debt and our private financial condition, it is equally impossible for us to devote more of the taxes to education or to increase the rate of taxation.

But why should I rehearse these details? If education is a public good, we ought to have it in larger abundance than it has ever been enjoyed in the South. As a matter of simple justice in return for the enforced citizenship of former slaves, and the consequent imposition of reckless and impoverishing carpet-bag governments, the Federal Government should aid the South in the development of both her mental and her material resources, and the same liberal interpretation of the Constitution which enables you gentlemen at Washington to vote appropriations for internal improvements, warrants and encourages appropriations from the same source for aiding in educating, enlightening, and forming American citizens.

Please excuse the length of this, and let me know if I can serve you further. I bid you Godspeed in your noble and patriotic efforts in the highest of all human causes.

Very respectfully,

A. A. GUNBY.

Hon. H. W. BLAIR,
*United States Senate.*

I have a communication from Rev. J. A. B. Lovett, A. M., principal of the Male Institute and Business College at Huntsville, Ala. He says:

HUNTSVILLE, ALA., *November* 30, 1887.

KIND SIR: Your letter, asking me to inform you concerning the educational needs of Alabama, has been received, and the following items are given in answer to same:

1. Our public-school terms are only about three months in the year.
2. The average monthly pay of teachers is about $22.
3. Our population is rapidly increasing, making the per capita allowance from State fund only 71 cents for white children, and 66 cents for colored.
4. It appears that our State is doing about as well as some of our best Northern States, in proportion to taxable valuation of property.
5. Our State needs assistance. She can not educate the masses with her own efforts—at least we can not hope that she will.
6. I think I can safely say that a large majority of the people of Alabama would most gladly see the passage of the Federal aid bill. In inclosed clipping from the last number of the Alabama Teachers' Journal, of which I am editor, you will see how it stands on the question. I expect to attend superintendents' meeting in Washington next February, at which time I shall be pleased to meet you again.

Very truly, yours,

J. A. B. LOVETT,
*Superintendent City Schools.*

Hon. H. W. BLAIR, M. C.,
*Washington, D. C.*

I will send the editorial alluded to, which is to be found in the educational journal of the State, to the desk to be read.

The PRESIDING OFFICER. The Secretary will read the editorial, if there be no objection.

The Secretary read as follows:

FEDERAL AID TO EDUCATION.

It is known to most of the present readers of the Alabama Teachers' Journal that we have been an advocate and warm friend to the cause of Federal aid to education. We are aware that some of our teachers and people oppose this measure; at the same time, we know that a large number of our people would rejoice to see the great benefits that the passage of the educational bill would bring to the children of the State. Those favoring the measure are not by any means confined to the teachers of public schools, and to those who are unable to educate their children—they are to be found among our ablest statesmen, and men of every profession and calling. The truth of the matter is, illiteracy is making fearful strides in our State, the increased percentage being seen, noted, and felt each year. What is to be done? Our population is rapidly increasing, thus reducing the per capita apportionment every year, and no funds with which to counteract the direful results.

There is perhaps no State in the Union that needs more speedy assistance than Alabama. Think of the shriveled salaries our teachers are forced to receive! Think of the more shriveled school terms our children must put up with! How can the masses be educated to careful and intelligent citizenship with the teachers on half pay and the children on fourth rations? It just can't be done, and it is but the following of our natural instincts and reason to turn our eyes to the General Government, the political father of us all, whose citizens we are, and expect the assistance we need and the aid we must have, if our rising generation is looked to for the elements of sound, patriotic, and intelligent citizenship—such a citizenship into whose hands it will be safe to place the ballot of future years.

The fact that our educational system is in distressing need of more funds can not be denied. The expediency of accepting money from the General Government is the question at issue. Some nice points of constitutional law have been pleaded by the opponents of the measure; on the other hand, these "constitutional objections" have been ably considered by those who advocate Federal aid. The way the matter stood in the last session of Congress it was quite plain to be seen that very many of our greatest statesmen were warm friends of the measure.

This article is not written to fill up our space. It is written for a definite purpose. Though we have written nothing on the subject for a number of months, we still have faith in the cause we here advocate. The Federal-aid question is not dead. Large streams flow slowly; so great national questions like this, wherein millions of people are directly concerned, can not reach a hasty conclusion.

The Congress of the United States pauses to hear from the people through their representatives. A plan on a magnificent scale is now being perfected by the Southern educational journals, by which the people will be appealed to on this question. We deem it our duty in the premises to give the people a chance, that, by proper petitioning to Congress, they may give expression of their wants in the matter.

Mr. BLAIR. I now read a letter of C. D. Nicholas, Mobile, Ala., dated January 3, 1888. I understand him to be a citizen of character and distinction in that city. I ask the Secretary to be so kind as to read the letter.

The Secretary read as follows:

MOBILE, ALA., *January* 3, 1888.

MY DEAR SIR: There has been noted with a great deal of interest by many citizens in this section of our State the effort of yourself and others to get an appropriation by Congress for the purpose of providing better educational facilities for the very great mass of illiterate children in this and other sections of our great country, the majority of the States being unable to provide necessary school accommodation, because of want of money with which to do so. Especially is this true of the Southern States, the result of which is, that the periods of time during each year in which public schools are open are very short indeed; and particularly is this so in the country districts, where the great mass of illiteracy exists.

It is not doubted that the States have been and are now doing in that direction as well as it were possible for them to do; but at the same time their inability to meet the demands upon them are very plainly shown by the fact that there is no diminution in the number of the illiterate in proportion to our growing country, but rather an increase. This great evil it is believed, in fact there is no doubt of its truthfulness, can be remedied by the passage of the "Blair educational bill," and it is greatly hoped that you and your associates will continue to success your efforts in so grand a cause, the good result of which the entire country must ultimately feel and acknowledge.

With great respect, I am, very truly, yours,

C. D. NICHOLAS.

Hon. H. W. BLAIR,
*United States Senator, Washington, D. C.*

Mr. BLAIR. I have here a letter from Mr. T. J. Ellis, also of the city of Mobile. He writes:

MOBILE, ALA., *December* 29, 1887.

DEAR SIR: Your bill, "the Blair educational bill," is looked upon with intense interest in this section of the country by that class of citizens who are so greatly in need of national aid or some assistance other than that which they have at present for the education of their children. In the rural districts for ten or perhaps more scholastic years the appropriation was so small that a term of three months' average was difficult to obtain, for in many townships the school fund was too insignificant for one month's school. In some localities the patrons were in better circumstances than those of an adjoining locality, and would supplement the fund apportioned them and thereby have their three months' school, which is equal to no school at all after a vacation of nine months with but little exceptions. I cite, for instance, township 5 south, range 2 east, of Baldwin County, Alabama, where I have taught school.

There are 250 children within educational age in said township, and for several years the annual appropriation has not exceeded $270, and a similar condition of affairs exists in said township and other adjacent ones to-day. To say the least, from a lack of sufficient funds in many places, illiteracy is appalling. However, if your bill meets with desired success, the bright light of intelligence emanating therefrom will disperse said ignorance and a diffusion of knowledge and education will be in lieu thereof. We hope that the bill will meet with favorable results in both Houses. Feeling interested in the matter, I take occasion to send you the above statistics, and hope that they may be of some service to you. When I say "we" I voice the sentiments and wishes of that class of citizens above named, and of those who are friends to the cause of education and have contributed liberally of their personal means for the advancement of same.

Yours, with prayers for success, very respectfully,

THOS. J. ELLIS.

Hon. H. W. BLAIR,
*United States Senate, Washington, D. C.*

I have also matter from the State of Virginia, which I may as well introduce at this time, perhaps, as any. Here is a letter from a little

girl which she writes of her own condition, and I wish somebody who has the money would take care of this girl. She writes from Markham, Va., January 5, 1888, addressing myself. She says:

MARKHAM VA *Jan* 5 1888.

DEAR MR. SENATOR I am a little girl 9 years old and I goes to school evry day if it aint to bad I want to get lerning but cant get all the books I want and my mother is so pore she cant by non for me I herd you is a good gentman an you want to see the poor children get a good lerning and wont you plese to send me som school books that is all an I will be so glad

truly

MAMIE W. SANDERS

My mother is name Mary and she is a colord woman I forgot to say I am a litle colerd girl and I am tring to lern all I can so you plese to send me som Books—if you please Sir a white lady say I mus rite to you an you wod do it for me she no.

I put that letter in the RECORD, and I hope somebody will take care of this girl. She is typical of hundreds of thousands. It is not any use to starve this hunger for knowledge upon the constitutional whimsicalities, on the strength of which we fought the war and came very near ruining our country, and laying the foundation for other wars, if that same doctrine obtains prominence again.

I have here a letter published in the Springfield (Mass.) Republican, written by a lady of distinction, as I am told, who resides in Lynchburgh, Va. She writes in December, 1887, and her name is Miss Orra Langhorne. I ask the Secretary to read the letter.

The PRESIDENT *pro tempore*. The letter will be read at the desk, if there be no objection.

The Chief Clerk read as follows:

PUCLIC SCHOOLS AT THE SOUTH—A SOUTHERN WOMAN ON THE BLAIR BILL AND SOUTHERN CONGRESSMEN.

*To the Editor of the Republican:*

Probably no subject has ever been of more importance to the rank and file of the Southern people, and none has ever inspired more interest, than the measure known as the Blair bill. The poor whites and the negroes hailed with delight the public schools, which were among the first fruits of the great revolution in Southern society, caused by the civil war and the emancipation. The old aristocracy were slow to accept the common school, which was opposed to all the ideas in which they had been reared. There has been a great change of sentiment among them in this respect, and some who have not changed their views feel compelled to yield to the inevitable, and profess to have done so.

The public-school system had been in operation but a short time in Virginia, and presumably in other Southern States, before it became evident that the available means were wholly inadequate to the work in hand. In large towns the system has met with remarkable success. In the smaller towns and country villages it has done reasonably well, and is an improvement on the old plan, which only reached the class able to pay for education. In the rural districts public schools have by no means met the hopes cherished by the advocates of the system, and in many sections are an utter failure. The complaints are everywhere the same, differing only in degree. The school-houses are too far apart to benefit the children, and are often so rude in construction, or so dilapidated in condition, as scarcely to be fit for habitation. The school terms are so short that people say the children forget in the long vacations what they learned during the session. In short, there is not money enough to make the schools effective. The letters of the Hampton graduates, printed year after year in the Southern Workman, tell the pathetic story of the struggles of the colored teachers against adverse conditions. Often only the frame of a log cabin is furnished by the school board, and the pedagogue must turn carpenter and mason, fit windows and doors, work on the chimney, and make his benches, feeling grateful if he has the floor to put them on.

When the weather is cold he and his pupils must gather fuel as they can, and it is not surprising if the attendance is irregular when the children must come five or six miles to school. Several cases have come to my knowledge where young white women of good family, forced to earn their own living, have taught in district school-houses where it was necessary to wear a water-proof cloak and rubber shoes when it rained. The young schoolmarm, thus arrayed, walked up and down the dreary barn of a cabin while teaching the shivering children, the chimney refusing to draw, and the rain and snow falling unhindered about them. Even in such circumstances the poor girls were willing to teach in order to support themselves, but the term seldom lasts over a few months and they must look elsewhere for means to live. Probably few regions of the United States have a better appreciation of education than Rockbridge County in this State. "Log colleges" were flourishing there before the Revolution, and the sister schools of the Virginia Military Institute and Washington and Lee University have for many decades done valiant work in the training of youth. Yet in Rockbridge County the public schools are pronounced a failure. "I may almost say they are worse than no schools at all," said a gentleman connected with one of the colleges to me within the last two months.

About four weeks ago the Baptist general association of Virginia met in this city. Probably no more strictly representative body, one coming nearer to the masses, could be collected in the State, than this intelligent and substantial assembly of Baptist preachers and lay delegates. The Baptist Church is the most progressive religious body among us. Their zeal for education is notable, and they are fast occupying ground once claimed by older denominations. The association showed every grade of society from the rough mountaineer, uncouth, ill-clad, and ignorant, to the polished city pastor or college professor, arrayed in the latest style, and displaying all the advantages of culture and society. Among the assembly were preachers, teachers, and editors who have made their mark upon their generation, some of them having more than local reputation. The report of the committee on education was of remarkable interest, particularly the portion referring to candidates for the ministry. In describing the quality of the material furnished the college, one might have supposed the professor, who spoke with deep earnestness, was referring to negroes; it was hard to realize that he talked of white men.

The speaker said it was important for the local societies to examine this raw material carefully before recommending it to the theological seminary, adding pathetically that he and his brethren sometimes had to work six years on a long, lank, awkward country youth before he was fit for ordination. The doctor expatiated on the need of primary education for the candidates, some of whom could scarcely read and write and knew almost nothing of grammar and geography. It was no use to send such youths back; there was no "back" there. The speaker wound up with an energetic assertion that he "knew no better means to prevent a young man from getting an education than to send him for several years to the public schools in the rural districts of Virginia."

Doubtless these facts and a great many more are fully known to the Southern members of Congress. They must also be aware of the great popular desire for the passage of the Blair bill. Why, then, do they either oppose it or give it such lukewarm assistance that it amounts to antagonism? In a private letter from the author of the bill about two years ago, Senator BLAIR remarks, "The great trouble all the time has been the opposition of Southern Congressmen." As the Republican members of Congress from the South may be counted upon to support the bill as a party measure, if for no stronger reason, it is not necessary to include them in the present discussion of the subject. The Democratic members are divided into two distinct classes as regards the measure. As Democrats they object to allowing any bill which has already won popular approval and is sure to redound to the honor of the party which introduced it to become a law. Hoping either to defeat it altogether or to change the form of it, so that national aid to education may seem to come from Democratic sources, an effort has been made to change the character of the bill.

The Republican members of our General Assembly lately brought a resolution to urge upon the Virginia members of Congress advocacy of the Blair bill for national aid to education. A "Bourbon" Democrat offered as an amendment the words "or some other plan." Democratic Congressmen and assemblymen of the old school, the men of aristocratic birth and breeding, have no genuine sympathy with popular education, least of all for interference with our States' rights of illiteracy. There is, however, a large class of Democrats who have come to the front in recent years. These are men who had to struggle with adverse conditions in early life, who found it hard to acquire education and attain social position. Such people do have some honest sympathy with the desire of the masses for the national aid they feel to be indispensable to the efficiency of our public schools.

Our whole nation, forgetting sectional animosities and civil strife, mourned as a united people over the sufferings and death of the great captain of the Union armies, but does any one remember the advice given with prophetic earnestness in his last message to Congress? After reviewing the great disorders then existing in the South, due to the fearful illiteracy of the people and the investment of the ex-slaves with the right of suffrage, General Grant, with solemn warning of the peril to the nation if these evils were unchecked, offered three noble and patriotic suggestions, earnestly urging their adoption. These were national aid for education according to the illiteracy of the States, with compulsory education and an educational qualification for the right of suffrage in the whole country. General Grant added that he earnestly hoped these reforms would be in successful operation by the year 1890. "If ye love me keep my commandments," said a greater than General Grant. Is it not high time that all considerations of party should be laid aside and the great work indicated by the hero of the civil war inaugurated? The whole country is now, as when the message was delivered, endangered and its progress retarded by the fearful masses of illiteracy in the South. Let the Fiftieth Congress accept the task before it and give to the awakening South the great boon she demands. "Learning driveth the ignorance, barbarism, and fierceness from men's minds."

ORRA LANGHORNE.

LYNCHBURGH, VA., *December*, 1887.

Mr. BLAIR. I have in my hand a copy of the Portsmouth Enterprise, published at Portsmouth, Va., which I take to be a Democratic newspaper, although I am not familiar with it. The date is December 18, 1887, and, as tending to show the popular feeling among the masses of the people, I read the following editorial:

The Blair educational bill, as it passed the United States Senate last winter, has been again reported in that body by the Committee on Education. The report was unanimous, and the bill will pass the Senate. Should the Democrats in the House of Representatives fail to pass it, there will not be the remotest chance of Virginia and North Carolina casting their electoral votes for the Democratic candidates for the Presidency next fall. We are not a croaker, but we believe we know the sentiment of the people of Virginia, especially upon this measure. They are very heavily taxed to support the public schools and to educate the colored children. Millions of dollars of Government money are being given away at the North for pensions and other things. No better expenditure could be made of the millions which are accumulating in the Treasury than in relieving the Southern white people of some of the burdens which have been imposed upon them by the results of the war in educating the colored children.

I have communications from the State of Arkansas, one from Mr. A. A. C. Rogers, whose name, I have no doubt, the Senators from that State will recollect. It is dated at Pine Bluff, Ark., November 28, 1887, and addressed to myself. He says:

PINE BLUFF, ARK., *November* 24, 1887.

MY DEAR SIR: I have been solicited by Hon. Frank G. Wise, of this city, our efficient secretary of public schools, and one of the leading educators of this State, to give my views upon the actual necessity of national aid to our public schools. His request was based upon the fact that I have always taken a great interest in public schools and have had many opportunities throughout the Second Congressional district of learning the wants of the people.

I will preface my statements by saying that what is known as the Blair bill has been made more or less a political question by a few politicians, who hold that there is no warrant in the Constitution for the proposed temporary aid. I think this question has been settled.

I find that there is great complaint among the people as to the length of the school year. Under our State constitution and the school law it is measured by the school means of each school district. The report shows that the limit of school taxation has been reached, and that the longest school year is only twelve weeks. The masses in the rural districts being poor and the population sparce, and the districts large, the poor advantages of even the twelve weeks are not enjoyed. The long vacation of nine months, the necessity for the physical labor of the children when they reach the age of twelve or fourteen years, has caused the already appalling illiteracy among our people to increase. This does not rise from any want of interest in the matter of education, but from a feeling that the State is not able to do more than is now being done in taxation, which is almost universally regarded as extremely onorous. It is my opinion, as well as that of the leading educators of this district, that the public-school interest must suffer without the proposed aid. The interest of the rising generation, as well as the welfare of the Union, demands that education be insured. Without keeping alive the principles upon which our Government and its institutions were founded, it must sooner or later go down.

You deserve the blessings of the American people for your noble efforts in behalf of the future life of the nation.

Pass your bill.

Respectfully, your obedient servant,

A. A. C. ROGERS.

Hon. H. W. BLAIR,
*United States Senate, Washington, D. C.*

He adds:

I was a member of the Forty-first Congress and am well known to several of your brother Senators.

Objection is sometimes raised to help being given because it tends to prevent the development of that self-reliance which is so necessary to

the American citizen and to a true and elevated character of the human being. I would ask any Senator who holds to that doctrine, how much he had to do with his own education, with providing that which we are undertaking now to provide for these people. No man ever made the school in which he was educated, built his school-house, or even went to the extent of furnishing himself with the books which he studied. To the child the means of education are universally furnished, and it is not a question what is to become of those who are now upon the active arena of life, but it is a question whether those means of education which have been enjoyed by the most vigorous and self-dependent communities when the citizenship of those communities was in childhood—whether that sort of help which those communities have enjoyed shall be extended to other communities where those opportunities do not now exist.

It is a great absurdity, it seems to me, for Senators to talk in that direction, as they are inclined to do; but it is necessary to find something to say in opposition to a bill like this, and it is not strange that they are driven to suggestions of the utmost simplicity.

I have here a letter, also from the State of Arkansas, dated November 24, 1887, addressed to myself. It is written by Frank J. Wise, secretary of the school board of the city of Pine Bluff. This gentleman is a lawyer. His letter-head indicates that he practices in all the courts, attends to all business, etc. He says:

PINE BLUFF, ARK., *November* 24, 1887.

MY DEAR SIR: Yours 19th instant asking for information concerning the actual necessity for temporary aid from the General Government to the public schools of the country was received yesterday. I received a similar request last June, but I deferred compliance until I could procure the statistics upon the subject and examine it thoroughly.

You will find the results of my investigation relative to the increasing illiteracy of the country in my address before the State Teachers' Association, held at Lonoke, Ark., in June, 1887, which I send you.

I have here his address in full, which is a vigorous, strong, and able presentation of the whole subject.

To give you an idea of my opportunities for observing the educational progress of this section of the State, I will say that I have been the secretary of the public schools of the city of Pine Bluff for ten years, and county examiner of Jefferson County for eight years, devoting all my spare time when not professionally engaged to the advancement of popular education.

As far as this county is concerned, I can safely assert that illiteracy is on the increase. I believe this to be true of every county in the State of Arkansas. This does not include the status of the educable children in cities and towns having public schools.

The length of the scholastic year, which averages sixty school days; the sparseness of the population, which necessitates large districts and long distances to and from school-houses; a state of society which requires the establishment and support of separate schools for two races, and an inadequate school revenue created by an onerous taxation extended to its constitutional limit, are among the causes of our increasing illiteracy. The legal school age is from six to twenty-one years, and the educable children thus enumerated are constantly on the increase, through natural means and by immigration. The masses in the cotton-growing districts have but little property, and the number of schoolable children is out of all proportion to the school revenue, as pupils increase more rapidly than taxable property.

While the people are doing all they can for the education of the young, both by public and private means, yet there is a feeling of discouragement arising from the want of money which renders the schools less efficient than they otherwise would be. School officers receive no remuneration whatever. School revenues are devoted to the maintenance and support of the public schools alone. If the present annual school fund was supplemented by Congress for a term of years with an annual grant of money, it would enable the people to extend the school year to six or eight months; to elect better school officers on account of the increased interest that would be engendered by the feeling that something was being accomplished proportionate to great work; to procure more competent teachers, trained and skilled in better methods of instruction, and to build and equip more school-houses, now so badly needed in this State, and, in fact throughout the whole South.

The annual increase of illiteracy in this country, and particularly in the cotton-growing States, is, in my opinion, an indisputable and lamentable fact. I believe the census of 1890 will show it; but if does not and the converse is the truth, I shall be as highly gratified as any opponent of "national aid." In my argument before the teachers of this State at Lonoke I established, to my satisfaction at least, that there is no constitutional objection to the principles or policy involved in the "Blair bill." After a long discussion of the question of national aid, the State Teachers' Association of Arkansas adopted resolutions asking for the passage of a bill embodying the idea of Congressional aid to public schools.

I trust that Congress will realize the importance and necessity of this measure, and give the country such legislation as will conduce to the ends so devoutly desired by the patriots and the statesmen of the Republic. I sincerely hope that the education of all the children, upon whom must soon devolve the duties and the rights of citizenship, will not be subordinated to any mere partisan measure. If it be true that ignorance is displacing intelligence, which is the basis of our institutions, it is a question paramount to all others. Whatever effect "national aid to education" may have on the tariff or any other measure is a matter of small moment when compared with the obligations of the present and those we owe to posterity. I care not whether it has its origin in the Republican or in the Democratic party, its merits, suited to the pressing demands of the hour, find a full-hearted, though a humble advocate in me.

With many wishes for the passage of your measure, I am,

Your obedient servant,

FRANK J. WISE,
*Secretary School Board, etc.*

Hon. H. W. BLAIR,
*United States Senator, etc.*

The address of Mr. Wise is extended and elaborate, covers the whole subject, and is marked by a degree of ability which shows that whatever this gentleman may have to say is entitled to the attention of the Senate or of any other deliberative body.

The State of Texas has by its representation on this floor declined emphatically, upon conscientious and constitutional grounds, to receive this aid, and has done from the beginning its uttermost to defeat this measure. Its Senators have previously voted for the passage of bills of precisely the same nature, stronger if anything, so far as any wrenching of the Constitution is concerned; and it does seem that any one who is earnest in a matter of this kind, as those Senators, who have devoted the most vigorous and powerful efforts of their lives to the destruction of the Constitution, might be willing that it should be stretched even a little for the benefit of their people. But, of course their consciences and their conduct are in their own keeping. I only make this remark in passing because it occurs to me and I feel just as I say about it.

I have here, sent me through the mail, an editorial which shows something of the way this matter strikes people in other parts of the country. It is an editorial from the Charleston (S. C.) News and Courier of January 10, entitled "A subject for plain speaking." It is as follows:

A SUBJECT FOR PLAIN SPEAKING.

The Blair educational bill will occupy a considerable portion of the time of the Senate this week it is said, and there is little reason to doubt that it will pass that body. The main opposition to the measure comes from those who have no need, or comparatively no need, of assistance in educating their people, while it ought to be adjudged by those whose power in education is least and whose needs are greatest.

Singularly enough one of the most persistent opponents of the bill is the Senator from Texas, a State which owes all that it is, and has become what it is, through the expenditure of the blood and the treasure of South Carolina and the other States of the "old thirteen." They won this land of Texas for the United States, and it would have been competent to them to take any part of its enormous territory and divide it out as public domains among the commonwealths who bought it on so costly terms. Instead of this Texas was welcomed as a joyous and superb sister among the States.

All the wealth and all the possibilities of wealth that can be hers were given to her. The other States paid the debt. By lapse of time, and by contact with their civilization, and by the firm support that the older States have given, the "Lone Star State" has become so rich, though it has but a scanty population, that it can afford to give millions of acres of the public domain to a speculative ring to perpetuate the glories of Texas in its capitol at Austin.

It is this thankless child who now rebukes and taunts South Carolina and Virginia for their willingness to accept from the General Government the assistance they would never have required if they had dealt with the Northwestern territory, in the olden days, as they had a right to deal with it; and if they had parceled out a part of the empire of Texas, as they might have done.

But the American Congress, it is to be hoped, will regard both the equities and the necessities. The equities have been suggested in what has been said about the Northwestern territory and about Texas. The necessities are exhibited in the imposition of a vast body of ignorant voters and their descendants in the Southern States, and which can not by any possibility be met unless with national assistance, which Senator REAGAN, of Texas, scorns and repudiates because he has, through the charity of the United States in other days, no need of help or assistance, and, he may think, no need of salvation.

South Carolina has more right to be heard on this question than Texas has. And South Carolina has borne unto the breaking point the burden of taxation for education. This State has endured it because it believed that education through the common schools was the only way in which the freedmen and their descendants could be converted into assimilable parts of the vast body politic. But the people here, as in other Southern States, have borne the load about as long as they care to bear it. And if the Congress, at the dictation of insolent commonwealths, who, being rich, have no thought of the poor, shall cast us out into the cold and keep us there, the people here will adapt their policy probably to that of commonwealths which are different in their circumstances, and will look to other means than love of country and the three rules of reading, writing, and arithmetic for the perpetuation of intelligent dominion in these parts.

I do not approve of all the sentiments expressed.

Mr. REAGAN. Will the Senator allow me to interrupt him for a moment?

Mr. BLAIR. Certainly.

Mr. REAGAN. The reading of the paper of course gives the character to it that the importance the Senator attaches to it would necessarily imply. The editorial contains some assumptions which are very extraordinary and which ought not to go on the record without being challenged.

It is assumed there that South Carolina and other States acquired the territory of Texas. I should like to know when and how. The Republic of Texas achieved her independence, made her Republic, and had it in successful existence for ten or twelve years before annexation. Citizens of South Carolina and citizens of other States emigrated to Texas, but they became Texans and they achieved their independence and acquired the territory.

Then it is said in that article that Texas owes it to the charity of other States that she has lands to give. The statement is preposterous. She achieved her own lands and her own independence together.

It is said in the editorial that if the Government had dealt with the lands of Texas as it did with the lands of Virginia and other States which had lands, the State of Texas would not have been in a better condition. The Government had no power to deal with the lands in that way. Texas consented to annexation with her territory, and it was a question to be settled not by the United States independent of the action of Texas, but it had to be settled with the concurrence of that Republic, and annexation was agreed to upon the terms that suited both parties. It is improper, it is a violation of what is known to be the history of that incident, to make such statements as are contained in that editorial, and especially for such a purpose.

Mr. BLAIR. I suppose the editorial was written from the standpoint of those who were American citizens at the outbreak of the Mexican war, when Texas was situated between two powers, when she was very liable to become the prey of a foreign country, if not of Mexico, through an alliance between Mexico and that foreign country, or by subjugation by a foreign country itself. Apprehensions at least of that kind were

entertained, and the Mexican war was the result, and Texas came into the Union as a result of that war. She came in, receiving what no other State received, her public lands remaining at her own disposal, and they have been appropriated, to a considerable extent at least, as a fund for common schools.

Mr. REAGAN rose.

Mr. BLAIR. I say I suppose the article was written from that standpoint, but I do not wish to interrupt the Senator, if he wants to say anything further.

Mr. REAGAN. I only wish to say that I think the Senator is mistaken in suggesting that annexation was the result of the Mexican war; the war resulted from annexation. The Republic of Texas had sustained itself, as I said, for ten or twelve years against the power of Mexico, and felt itself competent to sustain itself as an independent republic; but homogeneity of feeling and the fact that it was populated by people of the United States mainly, the love of the Constitution and the institutions of the United States and blood relationship on the part of the Texans influenced them, while the desire for more extended territory, for the control of a large and valuable part of this continent, doubtless influenced the people of the United States. But I simply meant to say that the Senator probably was mistaken in his announcement that annexation was the result of the war; the war came after annexation.

Mr. BLAIR. Mr. President, the annexation was in one sense the cause of the war, but there were other causes. The war made annexation effectual, and Texas is to-day a part of the United States because of the war. I think the Senator will not object to that statement as the substance of the history of the times; but, however that may be, I present what I have read as a very general expression of the public sentiment.

I will now introduce some evidence as to what the actual condition in Texas is, as to which there has been some controversy between the Senators from Texas and statements presented by me from that State. The other day I showed from official documents, or from communications taken from the public press (and nobody has disputed that they were authentic), that the State of Texas owes to her teachers $900,000 to-day, or did then, a little while ago, unpaid salaries for the instruction of her children, and I have here——

Mr. COKE. Will the Senator allow me for a moment?

Mr. BLAIR. Certainly.

Mr. COKE. I have papers in my possession which show that the statement that $900,000 are due is not a truthful one. It is a very great exaggeration of a deficiency that does exist. The deficiency exists because the taxes due for the current year have not been paid as promptly in a portion of the State, the drought-stricken portion of the State, as they usually have been, and I suppose from the papers I have received on the subject that by this time the entire deficiency has been pretty well settled up and that the teachers have their pay. There is no man or woman teaching school in Texas who is not perfectly certain of getting the pay that was promised; and if any of them have been delayed a little while for the causes I have stated, it was one of those unavoidable things which will sometimes occur, but which is purely temporary, and which doubtless has been remedied before this time.

Mr. BLAIR. The Senator's colleague the other day, when this statement was made, suggested that it was owing to drought. Certainly it is a very singular method of accounting for a deficiency of nearly a million dollars in the teachers' fund that it is attributed to a drought in a locality so limited that in the Senator's own estimation an appropriation of $10,000 for relief was deemed sufficient.

Mr. COKE. If the Senator will allow me, I will make an explanation of that. A very large portion of the lands belonging to the school fund of Texas lies in this drought district. These lands are leased and they are sold. They are leased for a certain amount per acre per annum; they were sold on a long term of credit, the interest being payable annually. These moneys constitute the resources of the school fund. The interest on the land notes goes to the school fund.

Mr. BLAIR. I do not want to take part in this controversy in Texas. I do not inquire whether the trouble is the result of drought or of dew. I only wish to get the facts before the Senate. I have here the letter of the superintendent of public instruction of Texas, published in a newspaper in reply to many inquiries about the pay of teachers, which has been sent to me since the debate of the other day, when this matter was alluded to, in which the superintendent says he does not know how to remedy it, but hopes before a great while they will be able to have the money. I have seen a statement that the teachers have been compelled to sell their certificates at a large discount in order to realize any money upon them. I have not the paper with me, but I can find it no doubt before we get through the debate.

I have here a letter from a physician and gentleman of wealth, who makes a statement in regard to the condition of schools in Texas, and requests me not to give his name for the reason that telling the truth would result in what he calls "social ostracism" there, and yet he is anxious that the truth should be known. He appears to be a gentleman of character, judging from what he writes, which I will give to the Senate. I will withhold the name and any particulars relative to identification for the reason stated in the letter. He says:

> I would be pleased to receive your speech on the Blair educational bill. I do not understand your "educational bill," but think it must be a good thing for the whole country, and especially for the South, although our Senators and Representatives appear to oppose it, for what reasons I can not for my life understand, for there certainly is no State that needs education more than Texas. I have been a citizen of Texas since 1859; have resided in—

Two counties which he mentions—

> during all that time, and if we have ever had more than three months' free schools anywhere in those counties I have never heard of them. The great mass of the people of Texas, both white and black, are very poor, and are unable to educate their children, and of course they are uneducated. Texas has a large surplus of school lands, and also taxes for educational purposes, but from some cause has not given her children much benefit of free education. Our politicians may oppose your "educational bill" for the same reason I heard urged by a distinguished opponent of J. H. REAGAN for United States Senator several years ago, that free education was a dangerous thing in a republican form of government.

They seem to have had confidence in Senator REAGAN at all events.

> If the masses should become educated they would wish to take charge of the Government and run it to suit themselves, etc. I think myself that there is a good deal of the old slavery prejudice against both the poor whites and negroes that causes their opposition.

He says he is a native of North Carolina. He gives his ancestry, some of the most distinguished names in the United States, and says:

> Have been formerly a Democrat, but am so disgusted with politics that I am now an Independent.

He says that his children are past school age, and have no need of the $77,000,000—

> but would be glad to see every child, both black and white, well educated. * * * Texas will never [educate] her children, that [is] without aid and compulsion. We will never have good government till our people are educated. The masses of our people would rejoice to have your bill to become a law, for they see the need of it. It is only the politicians who oppose it, and many of them through policy; for not to be a Democrat and an anti-Prohibitionist in Texas is to lose caste in society and business and be ostracized.

Mr. COKE. Will the Senator allow me to interrupt him here? I have a statement of the condition of the school fund for the year 1885:

> The total available resources for the year were $3,762,785.02. These are the official figures. But the year closed with an unexpended balance of $513,097.78 on the 31st of August, 1885. This balance deducted from the above total shows that $3,249,687.24 had been expended.

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| The State treasury held | $175,980.22 |
| The county treasuries held | 292,377.32 |
| The city treasuries held | 44,740.24 |
| Or the above stated total | 513,097.78 |

> This indicates that during the year $3,762,785.02, less the $513,097.78, was expended on public schools in Texas. There were, according to the official report, 300,969 children enrolled in the public schools that year. To supply tuition for these children $3,249,687.24 was expended. The average cost of tuition is officially reported at $1.45 per capita per month; so apparently the large sum expended ought to have maintained an eight-months term.

Mr. BLAIR. If all the money mentioned there had been applied faithfully and with good judgment to the matter of education, it would not have given the children of Texas, assuming that they had the school facilities, more than one-fifth of the amount of money expended for their education that is expended in many of the Northern States.

Mr. REAGAN. I should like, with the Senator's permission, to make a statement, which I know will not be objectionable to him.

In addition to the school fund, which is about as stated by my colleague, the State is divided into school districts, which are taxed for school purposes under a law of the State. The district where I live imposes a tax for schools for ten months of the year, and in nearly all the school districts of the State, I will say to the Senator, taxes are levied by the vote of the people, and the schools are carried on from six to eight or ten months in a year. I state this because it is simply the fact.

Mr. BLAIR. I do not want to state the facts worse than they are; but the statements on the other side by educators and people who are interested in the subject have been presented by me; and there may be some confusion in the figures. I have here the Dallas Morning News, containing a communication headed "The school-fund muddle—Some rather startling exposures—The financial affairs of Texas free schools under rigid investigation." This is a three-column communication, and it is sufficient to say that it does not take the same view of the subject which the Senators do. It goes into many particulars, enumerating a very large proportion of the counties of the State. It speaks of several counties and contrasts them. It gives the county of Angelina as having $12,573.51, with a school term of 4 months; Gonzales County, 4½ months; Erath County, 4½ months; Houston, 5 months; Red River, 4⅝ months; Young County, 4½ months; six other counties are given, in which the term is, in one 10⅝ months, in another 9, in three others 8 months, and in another 8¼ months. The communication then proceeds:

> Whether founded upon fact or not, the impression will be made by such statements, gleaned from the official records of the transactions of the schools, that the State benefaction does not induce the application of school money to maintain schools. The more the loose cash on hand the shorter the school term, and the less the fund to start with the longer the term, may lead very rationally to the supposition that when the husbanding process has reached a certain point the fund is of more value for other uses than for paying tuition.
>
> Add to this confusing condition a further contribution of school money by the Federal Government pouring into county treasuries, with State and local funds building up these balances in the subtreasuries, and tuition may suffer a still greater injury in the discrimination in favor of the other advantageous uses to which the vast sums may be put. But if Federal intervention, or rather the fear of it, shall force a reformation of our ramshackle school system, then hail the Blair bill.

One of the most beneficial features of the bill will be that the country will know what the trouble is in Texas, if there be any, and Texas will have information in return as to the manner in which schools are con-

ducted elsewhere, and these evils will be largely remedied. I think we are liable to overlook some of the principal benefits that may come from the more general diffusion of actual knowledge as to the condition of the school system of the country, if this bill shall become a law.

Mr. President, I have no doubt that the people of Texas as a whole do what they can for the maintenance of their schools. I have no doubt they carry a more heavy burden than do the people of the North in proportion to their actual capacity for taxation, for, in a new community where everything is being created, where the roads and the bridges, and the public buildings, and all the various expenditures that fall on a community, are being primarily borne, and where money is scarce, however much of substantial original resources may abound, it is exceedingly difficult for such a people to find the ready money required in the progress of maintaining a common-school system. What I fear is that the people of Texas really need more of this aid than their Senators, in their strong devotion to their construction of the Constitution, appear to fully apprehend. At all events, it is not for me to decide.

I have here a newspaper account of an interview published in the Boston Globe last season. It is an interview with Professor Hogg, of Fort Worth, Tex., who is, as the Senators I know will say, a gentleman of as high standing as there is anywhere in that State, a native of Virginia, a highly educated and polished gentleman, a Confederate and an officer during the war, educated in one of the colleges in Virginia, who has been spending, I think, most of his life in the State of Texas. During the last season he came North, and I met him in Boston. I knew of his strong interest in the matter of Federal aid and had a conversation with him, and, as there had been a vast amount of miscellaneous talk all through the North in regard to the condition of the South, and the most astonishing and unaccountable dereliction on the part of the press in disabusing the errors and using as little of truth apparently as it possibly could on that subject (and that was true as much in New England and New York as in any other part of the country), I asked him if he would be interviewed by a Democratic paper and state what he knew from his standpoint of the actual circumstances of the South. Accordingly he was interviewed, and I will read what he said, and if either of the Senators from Texas has aught to say as to the character, or responsibility, or reliability and the opportunities for thorough information on the part of this gentleman I will be glad that they should make it known. He says:

I am a Democrat; I am a Prohibitionist, and the friends of prohibition in my section regard the recent Texas vote as a great victory for the cause.

Showing in this respect that the honorable Senator nearest me from that State [Mr. REAGAN] can well sympathize with what the gentleman has to say, and I am very glad to welcome him on behalf of the Prohibitionists of this country.

Yes, there was an 80,000 majority against us in the election, but that was only little over half of the usual majority given to the Democratic ticket. Texas is a State, it ought not to be forgotten, with a habit of piling up phenomenal majorities. The Democrats dividing gave the recent prohibition vote. The Republicans voted almost solidly against the amendment.

To the shame of the Republicans, I interpolate myself.

We were really beaten by the Germans, negroes, and Mexicans, who voted as a man for their beer, gin, and whisky. The bulk of the prohibition vote was thrown in north Texas. It is bound to come. By statute the pistol has been prohibited. The carrying it has been made a penal offense. It must go, and whisky, its strong ally, will go with it.

Referring to the matter in which Professor Hogg is most deeply interested, the reporter asked him a number of questions about the Texas schools, and the responses may be summed up in this way: "In the cities of Texas," said he, "the schools are as good as they are anywhere." How would they compare with Boston? Well, really, now, twice two are four all over this continent, and the branches usually taught in the public schools are as well taught in Texas as they are in Boston. Of course we have not the fine school buildings, nor the bricks and mortar that you have, but we have the same people with the same brains as your people, both as teachers and pupils. The trouble is in the country. Only some 17 per cent.—

I ask the Senators from Texas to note this:

Only some 17 per cent. of our pupils are in the city schools, while 83 per cent. are in the sparsely-settled country. It is true we have a large education fund, but most of it is in lands yet unsold. It will be, when converted into money, a very large fund, but what must the children of to-day do?

The cities tax themselves to educate the children. My city began in 1882 with a tax of 5 mills to the dollar, and continues it. Hence the Fort Worth schools have grown from 600 pupils and 17 teachers to a daily average attendance of 1,600 pupils and 43 teachers. I repeat, the city schools do well because they are well supplied by a very heavy tax. And one-fifth of the entire fund of Fort Worth goes to the colored pupils. We have not in north Texas, however, so many colored people. The cotton belt, or southeast, is the portion of the State occupied by the blacks. But whether in north or south Texas the fund is distributed strictly according to the ratio of the colored to the white pupils. Fort Worth pays the same to the teachers of the colored pupils as she does to the teachers of the white. The principal and assistants of the colored schools are all colored. The principal is a native Texan and a well-educated man. We also pay the women the same salary paid the men for the same service, whether as principals or assistants.

The nation must help us develop this fair and well-founded system. I know our Senators have voted against the proposition, but wherever our people understand the Blair Federal-aid bill they are for it, and if it could be discussed before the people generally they would be unanimous in its support. Persons engaged in educational matters—those acquainted with the bill and the needs of the schools—favor it. The superintendents of the cities and the public-school teachers all over the State, with the fewest exceptions, favor it.

I might say here that the Teachers' Association of Texas, in a large convention, has indorsed this bill.

If universal suffrage is based upon universal education, upon intelligence, upon the ability of the voter to read the name of his choice upon the selected ballot, there is a great, crying necessity for national relief. It must be given at once. Illiteracy is increasing at a fearful rate, even among the white citizens of Texas.

That is a proposition I was not myself prepared to hear, especially as we had heard here so much of the ability and the actual fact of Texas educating her people and needing no help.

Mr. REAGAN. The statement is simply not true.

Mr. BLAIR. I do not know. He says "illiteracy is increasing at a fearful rate, even among the white citizens of Texas." He proceeds:

In 1870 there were only 17,505 illiterate white voters, but in 1880 there were 33,085. There you have the startling increase of illiteracy among the white voting Texans of 90 per cent. The colored illiterates numbered 47,235 voters in 1870, and 56,699 in 1880, an increase of 26 per cent.

But I am not willing to pass this large increase in illiterate voters in Texas without explaining how it is that my State should have gained in this downward movement so rapidly. Some of these voters are from old Virginia, some from the Carolinas, from Georgia, and not a few from Alabama, Mississippi, and Louisiana. This increase in illiteracy in the voting population has not been confined alone to the States mentioned. The fact is that, with the exception of little Delaware, the increase in illiterate voters in the South from 1870 to 1880 amounted to 187,671. In this "downward" race it is a little singular that the white and colored have kept so close together, but it shows that the education needed is not wholly for "the brother in black."

It may be justly asked, why should there be such an increase in the white illiteracy? It is simply because these voters are the sons of the fathers who laid down their lives, sacrificed their all, in the unhappy struggle for what they believed to be right. Their children, daughters as well as sons, were without school facilities. They really had no time to go to school, but, with their mothers at home, were struggling for something to eat.

The census of 1880 shows that there are in Kentucky, above the age of twenty-one, of white women who can not write 22.8 per cent.; and in North Carolina there are 33.4 per cent. of white women who can not write. If in the death of these fathers and mothers illiteracy should cease, we should have hope for the Republic; but upon investigation it will be found that illiteracy is not only increasing, but that it is an inheritance that multiplies with each succeeding year.

Under the provisions of the Blair bill, were it to become a law, Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont, with a population of 12,724,322, would receive $3,099,990, or 24 cents per capita. Texas, with a population by the same census of only 1,591,749, could receive $2.41 per capita, or ten times as much as these great States. That shows our disadvantage.

OUR DISADVANTAGE.

Little Alabama would receive seventeen times as much as those States. California, Colorado, Illinois, Iowa, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, Wisconsin, and Oregon, with a population of 18,462,723, would receive $4,486,860, or 24 cents per capita. Georgia, with a population of 1,542,180, would receive $6,042,150, or nearly $4 per capita, nearly seventeen times as much as all these great States.

Why is this? Simply because Georgia has seventeen times as much illiteracy as all this vast territory, teeming with millions of happy people who received their Federal aid in grants of land from Virginia and the General Government for school purposes. Need more be said upon the "necessity" of this aid?

Our Southern States are positively doing all they can, and are doing more proportionately than the favored States of the North, more according to their means than the foremost States in this Union.

For instance, North Carolina paid school taxes in 1880 upon $160,000,000 taxable property. She realized $400,000, $1 to every $400. Massachusetts paid the same year upon $1,600,000,000, and the school tax amounted to $4,000,000, or $1 to every $400 of taxable property. That is, North Carolina pays for school purposes as much ad valorem as Massachusetts, with this terrible drawback—her population being 300,000 more than that of Massachusetts, and is scattered over seven times the territory of Massachusetts. Hence we find the schools in North Carolina are kept open only about three months each year, while in New England they are kept closed less than three months.

Now take two American cities: The assessed values of the city of Charleston in 1860 were $45,000,000; in 1880, $21,000,000, a reduction of more than half, with the obligation to educate double the number of children. Taxation in the city of Charleston in 1880 was 3½ mills, State, county, and city, in all amounting to $61,000 only for school purposes. Boston gives a total of 2½ mills for all her school enterprises, Charleston solely for primary instruction. That is, Charleston gives for her schools of lowest grades nearly half as much again as Boston. Add to this burden the still greater, namely, Charleston pays a total tax of 2½ cents, while that of Boston is only 1½.

Mr. HOAR. I wish to understand that statement. Does the Senator say that the tax in Charleston is 2½ per cent. on all the property of the citizens?

Mr. BLAIR. I will read the statement again:

Taxation in the city of Charleston in 1880 was 3½ mills.

Mr. HOAR. The Senator just read, as I understand, that the taxation in Charleston was 2½ per cent., while in Boston it was 1½ per cent.

Mr. BLAIR. I will read that paragraph again.

Mr. HOAR. Is that on all the property?

Mr. BLAIR. I understand it to be as the statement is. It is upon the taxable property of the city of Charleston.

Mr. HAMPTON. The Senator will allow me to interrupt him. For the information of the Senator from Massachusetts I would state that the school tax in Charleston is greater than the school tax in Boston.

Mr. HOAR. That I did not question; but the Senator from New Hampshire further stated that the taxation in Charleston was 2½ cents on the $100; that is the rate given in the statement before him. Does the Senator from South Carolina confirm that statement?

Mr. BUTLER. That is a mistake.

Mr. HOAR. I suppose it must be.

Mr. BUTLER. The entire taxation of the city of Charleston for all purposes is about 2 per cent. That is very high.

Mr. HOAR. They do not include, then, in taxable property all the property of the city, because that tax would amount to an enormous proportion of the average income that any property yields in any city.

Mr. BUTLER. The system of taxation in Charleston, as well as all over the State of South Carolina, is ad valorem. Men pay exactly in proportion to what they own. My recollection now is that the entire tax of the city of Charleston, State, county, municipal, school, and for all purposes, is in the neighborhood of 2 per cent.

Mr. HOAR. Is that on all real and personal property?

Mr. BUTLER. On all property.

Mr. HARRIS. Will the Senator from New Hampshire yield for a motion to adjourn at this hour?

Mr. BLAIR. I have only about a third of a column more to read from this statement; I desire to complete it, and then I shall be ready to give way.

Education is not a matter of sentiment. The State of New York is worth in taxable property as much as all the Southern States. These expended on their schools in 1881 $13,359,784; in 1881 New York expended $9,936,662. The total taxable property in New York in 1880 was $2,651,940,000; the Southern States, omitting Missouri, $2,370,923,269, or New York is richer than the thirteen Southern States grouped in the census tables of 1880.

Now, to the practical question: Can the Southern States, with less than half the resources of 1860, educate double the number of children then knocking at the door?

If they can not, who should? I answer, the General Government. And for this position I appeal to the highest ethical authority, the duty to do it. It is a well-established principle in ethics that all rights are resolvable into duties. The right of citizenship carries with it the duty of citizenship. If the State exercises a right, she assumes a reciprocal duty. That right, therefore, conferred by the fourteenth and fifteenth amendments to the Constitution in enfranchising over 6,000,000 of negroes, the highest and most responsible political privilege, demands of the United States, the power conferring this right, the preparation of these people to exercise this franchise. Upon this law of ethical philosophy and the effect of the franchise already conferred is based the duty of the Government to make, and at once, full and ample preparation for the education not only of the voter, the colored, but for all the enfranchised citizens of this free Republic, regardless of color or previous condition.

The results of the war enfranchising the colored man destroyed at the same time the means of educating the now illiterate white voter.

After the terrible revolution of 1781 the country, the whole country, was without money; and Virginia ceded "the great Northwest" to the general movement to raise revenues to relieve the country of the disasters of even a successful war. This territory, as then divided up, embraces the great States of Ohio, Illinois, and others rich in taxable values, and boasting of the finest school systems of our country, the direct results of which have been known as "the sixteen section" fund. That is, for the common schools of these rich and powerful States one thirty-sixth part of the domain was set apart for the education of all the children of these States. Should not Virginia, "the mother of States," demand from these daughters something in her old age to free her and hers from the dire scourge of illiteracy?

Again, of the proceeds of the public lands, $88,000,000, the Northern and Western States have received $80,000,000, or ten times as much as the South. In the distribution of land for the agricultural colleges the State of New York received over five times as much as Texas did, and realized twice as much per acre. Texas received 87 cents only per acre, California $5, and Minnesota $5.62 per acre.

The Blair bill is constitutional. "To provide not only for the general welfare," but to "secure the blessings of liberty to ourselves and to our posterity." Can liberty be preserved when the ballot is in the hands of a constantly increasing illiterate majority? If universal suffrage must continue, can we expect "the blessings of liberty" to be preserved by universal ignorance? Universal suffrage must rest upon universal education, or Thomas Jefferson's republic is a failure.

Senators are, of course, familiar with his writings, so I need not quote them.

For this distribution of money they tell us there is no precedent; but a precedent is not wanting. These expounders of our Constitution and readers of our country's history have forgotten the distribution of the surplus revenue in 1836.

All the States receiving their quota of this surplus of 1836 devoted it to educational purposes, and yet we hear there is no precedent for any such aid as the Blair bill proposes.

It was the foundation of the school fund of some of the States, undoubtedly, but not of all.

Still others talk about "centralization" of the Government extending so far as "to the selection of teachers and text-books." "To aid in the establishment and temporary support of the common schools" is the caption of the Blair bill.

It is not to establish any new system at all, nor to control in any shape the existing systems.

It is to this same Peabody fund that the schools of the cities of Texas are indebted for their present successful condition.

The Peabody fund is private aid, and if it is disgraceful to receive assistance from the National Government for the support of common schools, I should think our friends in the South would be glad to repudiate and obliterate from their own history the acceptance of this private fund or charity which this man says is the foundation of the great schools in the cities of Texas.

Mr. COKE. I beg to remark that that statement is very far from the truth. The Peabody fund is a very small portion of the school fund in our State, and goes to a very few cities of the State.

Mr. BLAIR. That is undoubtedly true at the present time, but the Peabody fund was made use of before the schools attained any great efficiency in any part of the South. That was the little leaven that leavened the whole lump. They may be rich and powerful now, but it was this private charity which began the great work of which Senators now boast. I continue to read the article:

Thirty-six of our United States Senators, the Chief-Justice of the Supreme Court, and the Attorney-General all say that the powers which Congress already possesses are sufficient for this appropriation.

It is often said that the opposition comes from the South and the Democratic party. If your people do not know who of the South favor this measure ask South Carolinians who Wade Hampton is; ask North Carolinians who Matt Ransom and Zebulon Vance are; ask Georgians who Alfred Colquitt and Joe Brown are; Mississippians who George and Walthall (and Lamar, who voted for its passage while a Senator) are; ask Alabamians who James L. Pugh is; ask Louisiana and Florida and Arkansas of what politics their Senators are.

This is a national question. It is an effort of patriotism to save our common country.

If universal suffrage must continue, universal education must be provided, and by a power able to do it—the General Government.

Mr. President, I now give way.

Mr. COKE. I simply desire to call attention to the fact that Professor Hogg avows himself in favor of the Blair bill and also as a Prohibitionist. I call attention to this fact because the Senator, a few minutes ago, read a letter from another gentleman in Texas who asked that his name be suppressed because he said it would subject him to social ostracism if his opinions on these subjects were known.

Mr. BLAIR. Very well. I would also mention the fact that the Senator's colleague is a Prohibitionist. I am only sorry he has not already attained to the position of an advocate of the Blair bill.

Mr. HARRIS. I move that the Senate adjourn.

The motion was agreed to, and (at 4 o'clock and 48 minutes p. m., the Senate adjourned until to-morrow, Thursday, January 19, 1888, a. 12 o'clock m.

## HOUSE OF REPRESENTATIVES.

### WEDNESDAY, *January* 18, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

#### CONDITION OF THE SPEAKER'S HEALTH.

The SPEAKER *pro tempore*. The Chair will take the liberty of announcing to the House, in order to allay any apprehension or solicitude about the condition of our honored Speaker's health, that he is in process of rapid recovery; and the occasion which calls the present occupant to the chair will happily, I trust, soon pass away. [Applause.]

#### JUDGMENTS OF THE COURT OF CLAIMS.

The SPEAKER *pro tempore* laid before the House a letter from the Secretary of the Treasury, transmitting an additional list of judgments of the Court of Claims for which appropriations are required; which was referred to the Committee on Appropriations, and ordered to be printed.

#### EXPENDITURES DEPARTMENT OF AGRICULTURE.

The SPEAKER *pro tempore* also laid before the House a letter from the Commissioner of Agriculture, transmitting a statement of expenditures in that department for the fiscal year ended June 30, 1887; which was referred to the Committee on Agriculture, and ordered to be printed.

#### EMPLOYÉS WAR DEPARTMENT.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War, transmitting a list of employés in that Department, and stating that they are usefully employed, and that the services of none of them can be dispensed with; which was referred to the Committee on Expenditures in the War Department, and ordered to be printed.

#### PURCHASE OF SUPPLIES FROM INDIANS, UTAH.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War, transmitting a letter from the Secretary of the Interior with accompanying correspondence, and recommending that the Quartermaster's Department be authorized to purchase supplies from the Indians in Utah; which was referred to the Committee on Military Affairs, and ordered to be printed.

#### NANCY LEWIS.

The SPEAKER *pro tempore* also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of Nancy Lewis *vs.* The United States; which was referred to the Committee on War Claims, and ordered to be printed.

Mr. WILKINS. I demand the regular order.

#### REFERENCE OF SENATE BILLS.

The SPEAKER *pro tempore* also laid before the House Senate bills of the following titles; which were severally read twice, and referred as follows:

A bill (S. 928) in relation to marriage between white men and Indian women—to the Committee on the Judiciary;

A bill (S. 322) to authorize the Southwestern Arkansas and Indian Territory Railroad Company to build a bridge across the Ouachita River, in Arkansas—to the Committee on Commerce;

A bill (S. 426) granting to the city of Colorado Springs, in the State of Colorado, certain lands therein described for water reservoirs—to the Committee on the Public Lands; and

A bill (S. 447) to amend the laws relating to the inspection of steam-vessels—to the Committee on Commerce.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ROMEIS, indefinitely, on account of sickness in his family.

To Mr. MCCORMICK, until the 27th instant, on account of important business.

To Mr. BOWDEN, for this day, on account of important business.

MARIETTA CENTENNIAL MONUMENT ASSOCIATION.

Mr. GROSVENOR. I ask unanimous consent to present at this time and have printed in the RECORD a brief memorial from the board of centennial commissioners at Marietta, Ohio, in regard to the centennial celebration of the settlement of the Northwestern territory.

The SPEAKER *pro tempore*. The gentleman from Ohio askes unanimous consent to present at this time and have printed in the RECORD the memorial the nature of which he has indicated. Is there objection?

There being no objection, the memorial was referred to the Committee on the Library. It is as follows:

*To the honorable Senate and House of Representatives of the United States in Congress assembled:*

Your petitioners would respectfully represent that the Marietta Centennial Monument Association is a corporation, without profit, organized under the laws of the State of Ohio "for the purpose of erecting at Marietta, Ohio, a centennial monumental structure that will suitably commemorate the acquisition of the Northwest territory and its permanent settlement under the laws and direction of the United States, commencing at Marietta, Ohio, April 7, 1788, with power to receive and hold gifts and devises of real and personal estate; to purchase so much land as may be necessary for its purpose; to make contracts for erecting a monumental structure and to preserve the same, and generally to exercise all the powers legally and properly pertaining thereto."

This enterprise has received the cordial indorsement and support of the Ohio State Archæological and Historical Society, and through its influence the unanimous recommendation by the Ohio Legislature of its general purposes; and by a joint resolution of that body adopted March 31, 1886, the Congress of the United States has been called upon for pecuniary aid.

The events which it is designed to commemorate are not surpassed in importance by any others in American history. They were brought about by men of the highest character who served their country both in civil and military lines of public duty.

Posterity is indebted to the wisdom and patriotism of the old Continental Congress and to the valor and endurance of the Revolutionary Army for the acquisition and quiet possession of the great Northwest.

The undersigned respectfully request such pecuniary aid as will enable them to erect a monumental structure that will preserve, for the benefit of posterity, the memories and services of those who laid the enduring foundation of republican institutions in the central portion of this great Republic.

DOUGLAS PUTNAM,
ISRAEL W. ANDREWS,
HENRY FEARING,
WILLIAM P. CUTLER,
BEMAN GATES,
JNO. MILLS,
E. R. ALDERMAN,
GEORGE DANA,
*Trustees.*

DOUGLAS PUTNAM,
*President.*

R. L. NYE, *Secretary.*

Mr. WILKINS. I demand the regular order.

PUBLIC TIMBER LANDS.

Mr. STONE, of Missouri. I present a privileged report from the Committee on the Public Lands for present consideration.

The Clerk read the resolution referred to the committee on motion of Mr. S. V. WHITE, as follows:

*Resolved*, That the Secretary of the Department of the Interior be, and he is hereby, requested to communicate to this House a statement in detail of the plan of legislation referred to on page 23 of his report to the President for 1887, and thought by him to be needed for the disposal of the public timber lands, so as to secure at the same time the preservation of the natural forest lands at the headwaters of navigable rivers, and put within the reach of settlers a legal means of providing themselves with timber for building their homes, fuel, and other domestic purposes.

The report of the committee was read, as follows:

The Committee on the Public Lands, to whom was referred House resolution of December 19, 1887, requesting the Secretary of the Department of the Interior to communicate to the House "a statement in detail of the plan of legislation referred to on page 23 of his report to the President for 1887, and thought by him to be needed for the disposal of the public timber lands, so as to secure at the same time the preservation of the natural forest lands at the headwaters of navigable rivers," etc., having considered the same, respectfully report the resolution back to the House with the recommendation that it pass.

Mr. STONE, of Missouri. I do not suppose it is necessary to discuss this resolution, and I move the previous question on its passage.

The previous question was ordered; and under the operation thereof the resolution was adopted.

Mr. STONE, of Missouri, moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. WILKINS. I demand the regular order.

PRINTING OF THE PRESIDENT'S MESSAGE.

Mr. RICHARDSON. I desire to present a privileged report from the Committee on Printing.

The Clerk read the resolution, referred to the committee on motion of Mr. TOWNSHEND, as follows:

*Resolved*, That 10,000 copies of the President's message and the accompanying reports of the Pacific Railroad Commission be printed for the use of the House.

The report of the committee was read, as follows:

The committee have considered the resolution of the House to print 10,000 copies of the President's message and the accompanying reports of the Pacific Railway Commission for the use of the House, and direct me to report the same with the recommendation that it do pass.

Mr. HOLMAN. Does this include the printing of both the majority and minority reports?

Mr. RICHARDSON. It does.

Mr. SPRINGER. I desire to ask the chairman of the Committee on Printing one question. This is a simple resolution of the House, is it not?

Mr. RICHARDSON. Yes, sir.

Mr. SPRINGER. It ought to be a concurrent resolution, should it not? This printing, I presume, will cost more than $500; and there is a legal provision against the House ordering printing which will cost more than that sum. This should be a concurrent resolution; otherwise it can not be executed. I will show the statute to which I refer.

Mr. RICHARDSON. I am familiar with the statute, but I do not think this printing will cost $500.

Mr. SPRINGER. This is a large report. Was any estimate made? Does the gentleman have the documents there before him?

Mr. RICHARDSON. No, sir; but they have already been printed. This is only a reprint.

Mr. SPRINGER. If the Public Printer can not execute the order under the law I suppose he will so inform the House.

Mr. RICHARDSON. It is simply a reprint and will not cost $500.

The resolution was adopted.

Mr. RICHARDSON moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid upon the table.

The latter motion was agreed to.

GOVERNMENT BONDS.

Mr. PLUMB. I ask the present consideration of the resolution which I send to the desk. I desire that it shall be read and that I shall then have the privilege of making a few explanatory remarks.

The resolution was read, as follows:

Whereas the last annual report of the Secretary of the Treasury made to this body shows that, acting in accord with the views of the President, he has paid out of the revenues collected from imposts the sum of $2,852,015.88 in premiums to holders of Government bonds, assuming that in no other way under existing laws can the requirements of the sinking fund be met; and

Whereas by the terms of the refunding act passed July 14, 1870, as shown by the record of the final vote thereon, all of the bonds called 4 percents, of which there is now outstanding the sum of $736,561,950, are payable at the pleasure of the United States for thirty years from the date of their issue—a provision which, if understood and acted upon in accordance with its manifest wording and intention, makes possible not only the payment of the said bonds as fast as any surplus available for such purpose may accumulate in the Treasury, but also the refunding of the same at a rate of interest that would save to the tax-payers more than $200,000,000; and

Whereas the said refunding act has as it appears without due authority been so altered and published in the Statutes at Large, as to read "payable at the pleasure of the United States after thirty years" instead of "for thirty years" as voted, thus entirely subverting the manifest meaning of the provision of said act which provides for the redemption of the bonds named: Therefore,

*Be it resolved by the House of Representatives of the United States in Congress assembled*, That a committee of five members of this House be appointed by the Speaker whose duty it shall be to make a careful examination of all the facts relating to the passage, engrossment, and enrollment of the funding act, so called, and all acts in force bearing upon the question of the right of the Government to redeem its outstanding interest-bearing obligations, with a view to taking such steps as may be required to ascertain the true state of the law on that subject, and for that purpose the committee has power to send for persons and papers, examine all records and original documents, and to obtain true copies of the same, as well as to administer oaths; the committee to report to this House with such recommendations as may be deemed advisable in the premises.

The SPEAKER *pro tempore*. Is there objection to the consideration of this resolution?

Mr. WILKINS. I am constrained to object, Mr. Speaker, and demand the regular order.

Mr. HOOKER. I object.

Mr. PLUMB. I only desire a few minutes to make some explanatory remarks.

Mr. BRECKINRIDGE, of Kentucky. I object.

The SPEAKER *pro tempore*. The regular order is demanded.

Mr. PLUMB. I ask, then, that the resolution be referred to the Committee on the Judiciary.

Mr. WILKINS. I suggest the Committee on Ways and Means.

The SPEAKER *pro tempore*. The Committee on Rules, the Chair thinks, would be the most appropriate.

Mr. BRECKINRIDGE, of Kentucky. I object to the resolution being entertained for any purpose.

Several MEMBERS. Regular order!

The SPEAKER *pro tempore*. Objection is made. The regular order is called for. The regular order is the call of committees for reports.

DIGEST OF RULES.

Mr. RICHARDSON offered a resolution to print 2,000 copies of the Digest of Rules for the first session of the Fiftieth Congress, for the use of the House; which was referred to the Committee on Printing.

CHANGE OF REFERENCE.

Mr. RICHARDSON. Mr. Speaker, on January 4, House bill No. 1853, limiting the franking privilege and embracing other matters, was referred to the Committee on Printing. That was an improper reference, and I submit that the bill ought to go to the Committee on the Post-Office and Post-Roads.

The SPEAKER *pro tempore*. The gentleman can have that reference made through the Clerk. The regular order is demanded, which is the call of committees for reports in the morning hour.

GOVERNMENT BONDS.

Mr. CANNON. Mr. Speaker, touching the resolution offered by my colleague from Illinois [Mr. PLUMB], I desire to suggest to the Chair that it is in order to consider that resolution as a matter of privilege, because the resolution attacks the existence of an act of Congress; alleges that the act as published is different in effect from the act as passed; and that, in fact, the act as signed by the President never did pass. The resolution recites those facts, or alleged facts, and calls the attention of the House to them, and asks for the appointment of a committee to investigate the question as to the verity of the records of the House.

It occurs to me, then, that it is—if it is not, it ought to be—a question of the highest privilege for the consideration of the House.

The SPEAKER *pro tempore*. Does the resolution of the gentleman from Illinois [Mr. PLUMB] refer to the present Congress or to a past Congress?

Mr. CANNON. As I gathered from the reading of the resolution, I judge that it refers to a past Congress.

The SPEAKER *pro tempore*. The Chair understands that the resolution relates to a past Congress, and if so, surely it would not be a question of privilege in the present Congress.

Mr. CANNON. Even if it does relate to a past Congress, it strikes me, Mr. Speaker, that there is so much in the allegations set forth in the resolution that no gentleman can afford, from my standpoint, to object. I hope no one will object, and I apprehend that the objection that was made came from some gentleman who perhaps did not closely listen to the reading of the resolution.

Mr. BRECKINRIDGE, of Kentucky. I renew the objection, Mr. Speaker. I do not think the resolution is in order in any aspect of it.

The SPEAKER *pro tempore*. The Chair has already ruled on the point. The Chair will now call the committees for reports in the morning hour.

THOBE VS. CARLISLE.

Mr. LYMAN submitted the views of the minority of the Committee on Elections in the case of Thobe *vs.* Carlisle; which were ordered to be printed.

WESTERN JUDICIAL DISTRICT, LOUISIANA.

Mr. OATES, from the Committee on the Judiciary, reported back with an amendment the bill (H. R. 1477) to subdivide the western judicial district of Louisiana; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

LIGHT-HOUSE AT COB POINT BAR, MARYLAND.

Mr. RAYNER, from the Committee on Commerce, reported back with amendments the bill (H. R. 1523) for the establishment of a light-house at Cob Point Bar, at the mouth of the Wicomico River, in the State of Maryland; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

GOVERNMENT PRINTING OFFICE EMPLOYÉS.

Mr. RICHARDSON, from the Committee on Printing, reported with amendments the bill (H. R. 1338) to extend the leave of absence of employés in the Government Printing Office to thirty days per annum; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

The call of committees was continued and concluded, no further reports being presented.

ORDER OF BUSINESS.

Mr. HATCH. I move that the House now resolve itself into Committee of the Whole on the state of the Union for the purpose of considering general appropriation bills.

Mr. TOWNSHEND. What becomes of the hour for the consideration of bills called up by committees?

The SPEAKER *pro tempore*. The Chair will say that if the bill which the gentleman from Missouri desires to reach is a general appropriation bill, the motion is now in order; not otherwise.

Mr. HATCH. It is a general appropriation bill.

Mr. TOWNSHEND. I do not wish to antagonize the gentleman from Missouri [Mr. HATCH]. I merely wanted to know what had become of the consideration hour.

Mr. HATCH. The bill which I desire to reach is in the nature of a general appropriation bill, as it embraces an appropriation to carry out the purposes of an act of Congress. I understand that my motion is in order after the morning hour.

The SPEAKER *pro tempore*. The Chair will put the question on the motion.

The motion of Mr. HATCH was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union (Mr. STONE, of Kentucky, in the chair).

The CHAIRMAN. The House is now in Committee of the Whole for the consideration of the bill which will be read.

The Clerk read as follows:

A bill (H. R. 4881) making an appropriation to carry into effect the provisions of an act approved March 2, 1887, entitled "An act to establish agricultural experimental stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto."

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That to carry out the provisions of an act approved March 2, 1887, entitled "An act to establish agricultural-experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto," the following sums be, and they are hereby, appropriated, out of any money in the Treasury of the United States proceeding from the sales of public lands, and in full compensation for the fiscal year ending June 30, 1888, $585,000.

Mr. HATCH. I desire to have the report read.

Mr. BURNES. Lest a precedent may be established which may be dangerous in the future, I feel it my duty to submit a question of order. I call attention to the fact that the application made in this bill has been reported to this House in the deficiency estimates as a deficiency, and I make the point that under the rules the Committee on Appropriations has jurisdiction over all deficiencies.

Mr. HATCH. If my colleague will wait a moment until I make a statement he will be satisfied. I first ask that the report accompanying the bill may be read, and I ask members of the Committee of the Whole to pay attention to the reading, as the report embodies all the argument that it is necessary to make in connection with this bill.

The report of the Committee on Agriculture (by Mr. HATCH) was read, as follows:

The Committee on Agriculture, having in charge the bill (H. R. 4881) making an appropriation to carry into effect the provisions of an act approved March 2, 1887, entitled "An act to establish agricultural-experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto," most respectfully report, having had the same under consideration, that the act under which this appropriation is asked has been construed by the First Comptroller of the Treasury as not making the appropriation for the current fiscal year evidently intended thereby.

A special act of appropriation is therefore necessary to make operative and effective the said act of March 2, 1887.

Accordingly, the Secretary of the Treasury, in a communication to the House of Representatives dated December 22, 1887, relating to urgent deficiencies (H. R. Ex. Doc. No. 30, p. 7) makes an estimate for this purpose as follows:

"Agricultural-experiment stations: To carry into effect the provisions of an act approved March 2, 1887, entitled 'An act to establish agricultural-experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto,' $585,000."

This communication is accompanied with copies of letters as follows (Ex. Doc. No. 30, p. 19):

"[Estimates for urgent deficiencies.]

"Appendix D.—*In relation to the estimate for 'agricultural-experiment stations.'* (*See page* 7.)

"TREASURY DEPARTMENT, FIRST COMPTROLLER'S OFFICE,
"*Washington, D. C., December* 3, 1887.

"SIR: You may remember that there was some trouble about what was supposed to be an appropriation made by the last Congress for agricultural-experiment stations in the act of March 2, 1887. (See 24 Stat., 440.) It was contended by some that section 5 of said act made an appropriation of $15,000 a year to each one of said stations; but when the question was presented to me I decided that the act itself did not make an appropriation; that the fifth section only provided that Congress should, in the manner and to the amount therein specified, make appropriations from year to year. You may also remember that the agricultural convention, which met in this city in the month of September, waited upon you as well as myself, to confer as to the best method of effecting the purpose intended by the act; that said experiment stations were represented to have been established in many of the States, and that they were in need of money to meet obligations incurred under the belief that the act had made an appropriation. You will observe, also, that, under said fifth section, the first payment was stipulated to be made on the 1st of October; and in view of the fact that nine months of the present fiscal year are not provided for in any of the appropriation bills, I beg to suggest to you the propriety of calling the especial attention of Congress to the matter, in order that at an early day it may make an appropriation for said nine months in a special bill or by appending the same to a deficiency bill, which will, in all probability, be passed very early in the session.

"I am led to make these suggestions to you from the fact that within the last few days I have received a letter from the chairman of the committee appointed by the late agricultural convention to look after this matter, asking me to call your attention to the subject, that an appropriation may be obtained from Congress at the earliest practicable moment.

"Very respectfully,
"M. J. DURHAM, *Comptroller.*

"The SECRETARY OF THE TREASURY."

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"STATE COLLEGE, CENTRE COUNTY, PENNSYLVANIA,
"*December* 8, 1887.

"SIR: In reply to your verbal inquiry as to the number of States and Territories in which agricultural colleges or experiment stations have been so organized as to entitle them to the appropriation provided for by the act of Congress approved March 2, 1887, commonly known as the "Hatch act," I beg leave respectfully to say that at least one such college or station has been established and is in operation in each of the thirty-eight States and in the Territory of Dakota.

"It is possible that one or more of the Territories besides Dakota may have established such institutions; but no information of such fact has come to the notice of the Association of Agricultural Colleges and Experiment Stations, and I have no reason to suppose it to exist.

"Very respectfully, your obedient servant,
"GEO. W. ATHERTON.

"The SECRETARY OF THE TREASURY."

The sum named in the bill now reported, namely, $585,000, is thus in accordance with the estimate of the Treasury Department, and is to enable the payments to be made for the four quarters of the year ending June 30, 1888, as provided by the said act of March 2, 1887, and early consideration of this measure is asked for the following reasons:

The act of March 2, 1887, providing for the establishment and maintenance of at least one agricultural-experiment station in every State, was hailed throughout the country as opening a new era in the development and progress of American agriculture. Everywhere the act was regarded as immediately operative and carrying with it the necessary appropriation for the new work to begin on the 1st day of July, 1887. Institutions in various States, thus interpreting the law, made suitable arrangements, providing buildings, purchasing equipment and materials, and engaging the services of competent men. Agricultural students and investigators resigned lucrative positions to engage in the work of the new stations. Thus every preparation was making for active operations to begin as contemplated by the law, when the decision of the officers of the Treas-

ury Department caused a general suspension, with much embarrassment, more or less absolute loss, and widespread disappointment.

In several States trustees of these colleges are prohibited by law from incurring any indebtedness, and the great work provided by the said act of March 2, 1887, stands in abeyance until a special appropriation for the same is made. In agricultural experiments time is of the utmost importance, and the whole growing season of the year 1888 will be lost to the work in some of the States unless action be taken by Congress before the end of the month of January.

The subject is, therefore, one of special urgency, and the public interests require its immediate consideration.

Mr. HATCH. In reply to the suggestion of my colleague [Mr. BURNES] I will state that at a meeting of the Committee on Agriculture a subcommittee was appointed to wait upon the Committee on Appropriations and ask that this appropriation might be included in the urgency deficiency bill which was reported by that committee to the House last week.

It was then suggested by the chairman of the Committee on Appropriations, and the suggestion was sustained by the members of that committee, that this was not a deficiency, but was in the nature of an original appropriation. That ruling was sustained by the Speaker of this House upon a conference with him, and under his instructions I immediately called a meeting of the Committee on Agriculture, to whom I submitted the letter of the Secretary of the Treasury transmitting the recommendation for this appropriation, together with the letter of the First Comptroller and the decision of the Speaker; and under the direction of the Committee on Agriculture I prepared and reported this bill.

My colleague [Mr. BURNES] will observe that the Comptroller is careful enough to use in his letter these words: "In order that at an early day it [Congress] may make an appropriation for said nine months in a special bill or by appending the same to a deficiency bill." This, in accordance with the decision of the Comptroller, is a special bill to carry into effect the provisions of the act known as the "experimental station act."

Mr. BURNES rose.

Mr. HATCH. If my colleague desires to make any remarks, I yield to him such time as he may wish.

Mr. BURNES. I ask the Clerk to read the rule with reference to the assignment of subjects to the Committee on Appropriations.

The Clerk read as follows:

All proposed legislation shall be referred to the committees named in the preceding rule, as follows: Subjects relating * * * to appropriation of the revenue for the support of the Government as herein provided, namely: for legislative, executive, and judicial expenses; for sundry civil expenses; for fortifications; for the District of Columbia; for pensions; and for deficiencies: to the Committee on Appropriations.

Mr. BURNES. Mr. Chairman, with regard to the information communicated by my distinguished colleague, the chairman of the Committee on Agriculture [Mr. HATCH], I desire to say he is entirely correct in his statement of the suggestion made by the chairman of the Committee on Appropriations, when he [Mr. HATCH] and other committee-men were before the Appropriations Committee. But I understood that to be an expression of the opinion of the chairman of the Committee on Appropriations. I did not understand that any action was taken by the committee, or that any other members of the committee concurred in the suggestion of the chairman. On the contrary, there was considerable discussion with regard to the time when this item would be placed in the forthcoming urgent deficiency bill.

But I care nothing for that. It is not a question as to the opinion of the chairman of the Committee on Appropriations, or of my opinion, or the opinion of my distinguished colleague. It is a question relating to the rights of the House, and the duties and obligations of the Chair.

I will say before I conclude, Mr. Chairman, that I am heartily in favor of this appropriation, and make no sort of objection to it as a personal matter, but I deem it to be my duty to call the attention of the chairman and of the Committee of the Whole House to the facts and the law bearing on the proposition.

The Secretary of the Treasury on the 22d of December transmitted his estimates for urgent deficiencies to the House, as will be seen by reference to the printed document, and by order of the House these estimates were referred to the Committee on Appropriations. Now, in these estimates I find the precise appropriation contained in this bill. The House, therefore, has given jurisdiction of this subject to the Committee on Appropriations and it is legally before that committee. I think, sir, that it is not in the province of this Committee of the Whole to consider a proposition which by the House has been disposed of in a different direction. I submit this proposition with great reluctance, but I think it incumbent upon me to do so, as a precedent may be established which may result in injury hereafter.

Mr. HATCH. Mr. Chairman, in reply to my colleague it is only necessary to reiterate the single statement made by me that this is an original appropriation; and that the entire and complete jurisdiction over the subject-matter of this bill and its appropriation is with the Committee on Agriculture, under the rules of the House. The gentleman will not undertake to say, and no member of the Committee on Appropriations will contend, that in the annual appropriation bill which will be reported to the House by the Committee on Agriculture they can not properly, under the rules of the House, report an appropriation to carry out the provisions of this act, just as we submit our appropriations from time to time to carry out the animal-industry act and other acts submitted under the jurisdiction of that committee. The only question is whether it is a deficiency or an original appropriation. If it had been a deficiency, the position of the gentleman would have been correct; and until that decision was made by the Speaker of the House the Committee on Agriculture did not assume to take jurisdiction of it, but appointed a subcommittee, of which the gentleman from Mississippi was one, to wait on the Committee on Appropriations and urge that it might be embraced in the urgent deficiency bill. For the first time the point of order has come from that committee, for no protest was made during the time the subcommittee was in the room of the Committee on Appropriations that it was a deficiency. They did not make any appropriation in that bill for it.

Mr. MORGAN. The subcommittee on Agriculture appeared before the Committee on Appropriations, and they ruled us out of that committee on a point of order, the very point presented here, that it was not a fit subject for a deficiency bill, and advised us to the course we are now pursuing.

Mr. DINGLEY. Mr. Chairman, I make the point of order that the objection comes too late, for the House has referred it to the Committee of the Whole House.

Mr. HATCH. I am obliged to the gentleman from Maine. I intended to suggest that as an additional reason why the objection was not well taken. I understand my colleague raises the point of order before the committee simply to put himself right on the record.

Now, in regard to the jurisdiction of the committee. The passage of the bill has been reported to the House and has been entered and referred by the Speaker of the House to the Committee of the Whole House on the state of the Union. That is an answer to the proposition. But that it comes too late there is no question. The bill is under consideration by the Committee of the Whole, and certainly this committee has jurisdiction of it, whether the committee which reported it had or not.

Mr. BURNES. The question of jurisdiction is never waived. It is one altogether beyond the proposition. Here is the order of the House by which this bill has been referred to this committee. The Speaker takes no note of the contents of a bill, and the House takes no note of the contents of a bill; and it was referred as a matter of course to the Committee of the Whole House. But few knew whether it was an appropriation for the current year or for the fiscal year ending June 30, 1889.

The fact that this appropriation is for the current year makes it a deficiency. That will not be questioned. I do not think there can be any doubt of a proposition so plain. The deficiency in the appropriation for the current year goes, under the rules, to the Committee on Appropriations. If this were an appropriation for the next fiscal year, it would be an original appropriation. I raise the point, therefore, on the ground that, as it is a deficiency, this committee has no jurisdiction whatever over this proposition.

The CHAIRMAN. The Chair is of the opinion that the point raised comes too late, the committee having entered upon the consideration of the proposition. When the bill was referred to the committee was the time to reserve the point of order, but not having been reserved it is now too late to do so.

Mr. HATCH. I desire to state that several eminent and respectable gentlemen, representing the National Grange of the United States, called upon the committee and asked that certain amendments be included, as they were agreed to at the last meeting of the grange at Lansing, Mich.

I explained to the officer—the secretary of the National Grange Association—who came to me with a request to withhold action upon this bill, that under the rules of the House no new legislation could be placed upon an appropriation bill, and that the committee to which he referred evidently meant an amendment to the original act.

In order to remove any hesitancy that any member may feel in voting for this proposition now, because of letters or communications of a similar character received by him, I send to the Clerk's desk and ask to have read a number of telegrams bearing upon the subject from the grand master of the National Grange, from the overseer of the National Grange, who is, I believe, the highest officer in authority, and from masters of State granges, as well as from the members of the committee who were appointed to make the report to the National Grange that proposed the amendment they seek to put upon the original act, asking the prompt passage of this bill. Several members have come to me and asked me to have these communications read, because they have received letters or telegrams that would make it necessary for them to make some statement or explanation as to their support of this measure, which would consume far more time upon the floor than would be consumed in the reading of these telegrams. They will only consume a very few moments.

The Clerk read as follows:

(Received at House of Representatives 11.47, January 17, 1888.)

KINGSTON, R. I., *January* 17, 1888.

Please urge immediate appropriation for experiment stations.

J. G. PECKHAM,
*Master State Grange.*

General W. H. HATCH, *Washington.*

(Received at House of Representatives 12.34, January 17, 1888.)

BOSTON, MASS., *January* 17, 1888.

The granges and farmers of Massachusetts are watching intently for immediate unconditional appropriation under Hatch act for agricultural experimentation.

ARTHUR A. BRIGHAM,
*Master State Grange.*

General W. H. HATCH, *Washington.*

(Received at Corcoran Building, southeast corner Fifteenth and F streets, Washington, D. C., January 17, 1888.)

TOPEKA, KANS., *January* 17, 1888.

I heartily favor immediate appropriation for experiment station.

WM. SIMS,
*State Board of Agriculture.*

HENRY E. ALVORD,
*Washington, D. C.*

(Received at Corcoran Building, southeast corner Fifteenth and F streets, Washington, D. C., January 17, 1888, 9.21 a. m.)

DELTA, OHIO, *January* 17, 1888.

Grange in favor of unconditional appropriation for agricultural experimentation; favor future amendment of Hatch law.

J. H. BRIGHAM.

Major ALVORD,
*Ebbitt House, Washington.*

(Received at Corcoran Building, southeast corner Fifteenth and F streets, Washington, D. C., January 17, 1888.)

FAYETTE, MISS., *January* 17, 1888.

The State Grange of Mississippi approves the experiment-station appropriation.

PUT. DARDEN,
*Master Mississippi State Grange, also Grand Master National Grange.*

Hon. HENRY E. ALVORD,
*Chairman Committee on College and Stations, Washington, D. C.*

(Received at House of Representatives January 17, 1888, 3.56 p. m.)

MANCHESTER, N. H., *January* 17, 1888.

Do not fail to secure immediate appropriation for experiment-station bill. The farmers of New Hampshire are asking for the immediate establishment of the stations.

N. J. BACHELDER,
*Secretary State Board of Agriculture, and Secretary of Grange.*

General W. H. HATCH,
*Washington.*

(Received at House of Representatives January 17, 1888, 10.29 a. m.)

SPRINGFIELD, MASS., *January* 17, 1888.

On behalf of fully 50,000 New England farmers, and also on behalf of half a million farmers in the Middle and Western States, who are included among our readers, all of whom have demanded and are deeply interested in the experiment-station measure, I respectfully urge the immediate enactment of your bill to make available the appropriation intended by that act. Emphatically protest against amending said bill.

HERBERT MYRICK,
*Agricultural Editor New England Homestead and The Farm and Home.*

General W. H. HATCH,
*House of Representatives, Washington, D. C.*

(Received at House of Representatives January 18, 1888, 12.16 p. m.)

AUGUSTA, ME., *January* 18, 1888.

The executive committee of the Maine State Grange in session, representing over 15,000 patrons, would respectfully and earnestly request that immediate action be taken for the passage of an unconditional appropriation for the experimental stations under the Hatch bill.

FREDERIC ROBIE, *Master.*

General W. H. HATCH,
*House Representatives, Washington, D. C.*

WORCESTER, MASS., *January* 17, 1888.

Massachusetts State Grange unanimously desire immediate availability of appropriation under Hatch act that experimental work may begin with spring month.

JAMES DRAPER,
*Past Master, Overseer National Grange.*

HENRY E. ALVORD,
*Washington, D. C.*

Mr. HATCH. Now, Mr. Chairman, I have had these telegrams read simply to sustain my statement that there was a mistake upon the part of this committee in regard to the time and place at which they were to offer the amendment, suggested in the National Grange, to the original act. It was not the purpose to attempt to put it upon an appropriation bill, which would make the amendment obnoxious to the point of order under the rules of the House; but that it should come in the ordinary way during the course of the session as an amendment to the original act.

I now yield three minutes to the gentleman from Mississippi [Mr. HOOKER].

Mr. HOOKER. Mr. Chairman, I desire to say in support of the bill and report which have been presented to the committee, that the general sense of the country was to the effect that the act of March, 1887, made an absolute appropriation, to be at once available for the purpose of establishing these experimental stations in connection with the agricultural colleges in the various States. Such, I say, was the general understanding of the country, and hence everybody was taken by surprise when the Secretary of the Treasury, coming to scan the language of the bill, found that it did not make the appropriation in that shape, and so held.

Mr. HENDERSON, of Iowa. If the gentleman from Mississippi will permit me, I think it was the First Comptroller who so decided.

Mr. HOOKER. The gentleman is correct. I should have said the First Comptroller.

Mr. HENDERSON, of Iowa. Who is a complete autocrat. But settling it his own way does not by any means prove that the law was not right.

Mr. HOOKER. Evidently he did not give any consideration to that maxim of universal application in considering questions of law, and which should always apply, namely, what was the intention of the body that passed the law? Had he gone into that consideration he would have seen by the language of the act itself, and by the arguments made in support of its passage before Congress, that the purpose and object of the bill were to make the money appropriated for these experimental stations at once and wholly available. Having ruled as he did, we find the propriety of the Committee on Agriculture coming now and introducing, not a deficiency bill, because this is in no sense of the word such a bill, and can not be so termed, for that would imply a deficiency in reference to an appropriation already made; but they were constrained to pursue the course here pursued, of introducing a new bill making an appropriation in precise and accurate terms, so that the Comptroller of the Treasury will have no difficulty in construing this law, or ascertaining that it does make an appropriation, and makes that appropriation immediately and wholly available for the purpose contemplated by the bill.

It is unnecessary, I think, to say more in advocacy of the measure, and I would not have said so much or asked my friend, the chairman of the Committee on Agriculture, to yield to me at all, but for the fact that a few days since I received from General Stephen D. Lee, the very intelligent and able superintendent of the Agricultural and Mechanical College of the State of Mississippi, a letter directing my attention to the provisions of this bill, and stating that the college over which he presides had made the necessary compliance with the law for the establishment of an agricultural-experiment station under the operation of that institution. And I have no doubt that what General Lee says in regard to that college may be said as to the agricultural colleges throughout all parts of the country.

Mr. HENDERSON, of Iowa. That is true, I think.

Mr. HATCH. I now yield two minutes to my colleague on the committee, the gentleman from Mississippi.

Mr. MORGAN. Mr. Chairman, I only desire to say that thirty-nine colleges of the States and Territories of this Union stand ready to-day to receive this money. Many of their representatives are here now in the city; and without taking the time of the committee to discuss the measure further, it is only necessary to say that if this appropriation is made it can be at once available within thirty days. If you delay it now, these colleges, which have filed their credentials, can do nothing for a long time to come.

Mr. STEELE. The agricultural college at Lafayette, Ind., stands not only ready, I will say to the gentleman from Mississippi, but anxious that this appropriation shall pass.

Mr. MORGAN. Thirty-nine institutions throughout the country are in the same condition, having filed their credentials, and only wait this appropriation.

Mr. HATCH. I yield to the gentleman from Minnesota [Mr. MACDONALD] to have a letter read.

Mr. MACDONALD. I send to the desk to be read a copy of a letter which has been received by every member of the Minnesota delegation, addressed by the professor of agriculture of the State university to the president of the board of regents of the university. I will only say that we all agree with the gentlemen who have spoken on this subject.

The Clerk read as follows:

AGRICULTURAL-EXPERIMENT STATION,
UNIVERSITY OF MINNESOTA,
*St. Anthony Park, Minn., January* 11, 1888.

SIR: I have the honor to call your attention to the following facts, and to request that you will take such action in the premises as you may think advisable:

You are aware that what is commonly known as "the Hatch bill," passed at the last session of Congress, establishing agricultural-experiment stations in the several States, failed to become operative for the reason that the appropriation specifically provided for was not made.

The Secretary of the Treasury, upon the recommendation of the First Comptroller, has included in his communication to Congress, making estimates for "urgent deficiencies," an item covering this appropriation, upon the ground that "it was evidently the intention of Congress to have the money paid the current fiscal year, and that several institutions had acted upon that interpretation, and had incurred expenses in good faith under the provisions of that law."

This "estimate of urgent deficiencies" was ordered to be printed December 22, 1887, and referred to the Committee on Appropriations of the House, and this subject is now before that body for their action.

In order to secure for our State the benefits of a measure which has received the most hearty approval of all friends of progressive agriculture, it is very important that the attention of our delegation in Congress should be called to this matter and their assistance earnestly invited. It is very important that the bill be watched, and that this item be held in its place until passed.

This appropriation will enable the board of regents to perfect the organization of our station as authorized by our Legislature, and as already entered upon, so far as funds at their disposal will permit, while its failure will postpone for another year lines of work most urgently demanded by the farmers of Minnesota.

Yours, respectfully,

EDWARD D. PORTER,
*Professor of Agriculture and Director of Station.*

Hon. H. H. SIBLEY,
*President of the Board of Regents of the University of Minnesota.*

Mr. MACDONALD. I ask the Clerk to read the communication on the back of the letter.

The Clerk read as follows:

ST. PAUL, *January* 13, 1888.

Respectfully forwarded to Hon. J. L. MACDONALD, M. C., with the earnest request that he will give the measure referred to, which is of so much importance to this State, his personal attention and support.

HENRY H. SIBLEY,
*President Board of Regents.*

Mr. HATCH. I yield two minutes to the gentleman from Tennessee [Mr. WASHINGTON].

Mr. WASHINGTON. I merely want to say a few words to the House on this measure. I ask the House to consider for a moment that the farmers of this Union, those men who pay the taxes and are the hewers of wood and drawers of water for the community, deserve some consideration.

I represent a large agricultural constituency. I come from a State where we are now turning the soil and beginning to plant our spring crops.

This is not a new appropriation. It is not a deficiency in the true sense of the word. It is simply asking authority from this House to the officers of the Treasury to pay out the money already appropriated, and to do it now, so that in due season we may begin our work in the Southern States at the planting time, the seeding time, which comes but once a year. If not done now, as has been said by the gentleman from Mississippi, it may as well go over another twelve months, so far as we are concerned. I hope there will be no further opposition to the bill.

Mr. HATCH. I move that the committee rise and report the bill to the House with the recommendation that it do pass.

The motion was agreed to.

The committee accordingly rose; and the Speaker *pro tempore* having resumed the chair, Mr. STONE, of Kentucky, reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill H. R. 4881, had instructed him to report it back to the House without amendment, and with the recommendation that it do pass.

Mr. HATCH. I demand the previous question on the engrossment and third reading of the bill.

The previous question was ordered, and under the operation thereof the bill was ordered to be engrossed; and being engrossed, it was accordingly read the third time.

Mr. HATCH. I demand the previous question on the passage of the bill.

The previous question was ordered; and under the operation thereof the bill was passed.

Mr. HATCH moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid upon the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. WILKINS. I call for the regular order.

The SPEAKER *pro tempore*. The regular order is the call of committees for one hour for the consideration of bills.

INTERNATIONAL EXHIBITION AT MELBOURNE.

Mr. BELMONT. I call up for action at this time a joint resolution reported by the Committee on Foreign Affairs; the joint resolution (H. Res. 72) relating to the invitation of the British Government to the Government of the United States to participate in the international exhibition at Melbourne to celebrate the founding of New South Wales.

The joint resolution was read, as follows:

Whereas the British Government has extended to the Government of the United States an invitation to participate in the international exhibition which is to be held at Melbourne, beginning on the 1st day of August, 1888, to celebrate the centenary of the founding of New South Wales: Therefore,

*Resolved, etc.*, That said invitation is accepted, and that there be, and there hereby is, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $50,000, or so much thereof as may be necessary to effect the purpose of this resolution, to be expended in the discretion of the Secretary of State for the purpose of such representation at said exhibition.

SEC. 2. That it shall be the duty of the Secretary of State to transmit to Congress a detailed statement of the expenditures which may have been incurred under the provisions of this resolution, together with any reports which may be made by the representatives of this country at said exhibition.

Mr. BELMONT. I ask for the reading of the report.

The report (by Mr. MORROW) was read, as follows:

The Committee on Foreign Affairs, to whom was referred the message of the President of the United States (Ex. Doc. No. 28) relating to the international exhibition to be held at Melbourne, beginning on the 1st day of August, 1888, to celebrate the centenary of the founding of New South Wales, having had the same under consideration, submit the following report:

The importance of the proposed exhibition and the claim it has for our aid in the liberal display of American industries are indicated in the following note of the Secretary of State, referred to in the message of the President:

"To the PRESIDENT:

"I submit herewith a copy of a note to this Department from Sir Lionel West, Her Britannic Majesty's minister at this capital, extending an invitation to this Government to participate in the international exhibition which is to be held at Melbourne, 1888, to celebrate the centenary of the founding of New South Wales, the first Australian colony.

"As our social and commercial relations are daily becoming more intimate with the kindred people inhabiting Australia, it would seem to be very appropriate that this country should officially take part in an exhibition which is intended to commemorate such an important event as the founding of the first of those Australian commonwealths which are now so great and prosperous. Moreover, as Australia was extensively represented in our centennial exhibition held at Philadelphia in 1876, it is very proper that we should reciprocate by accepting the invitation to take part in the similar exhibition to be held at Melbourne. I therefore respectfully recommend that the accompanying papers be communicated to Congress, with the suggestion that the invitation be accepted, and that the sum of $50,000 be appropriated to defray the expenses of a commission to represent the United States at the exhibition.

"This Department is advised that many American manufacturers have already made application for space in the Melbourne exhibition, in expectation of the appointment of a commission to represent this country there. As it appears from Sir Lionel West's note of the 21st ultimo that the time for making applications for space for exhibitors will expire on the last day of the present month, it will be necessary for Congress to take very prompt action in order to prevent serious injury to American interests in the premises.

"Respectfully submitted.

"T. F. BAYARD.

"DEPARTMENT OF STATE,
"*Washington, December* 19, 1887."

Concurring in the views expressed by the Secretary of State, and believing that it is highly important that the growing commercial and social relations between this country and Australia should be encouraged in every proper way, the committee recommend the acceptance of the invitation so kindly tendered; and for the purpose of participating in the exhibition in an appropriate and effective manner the committee recommend an appropriation of $50,000 to defray the expenses attending a proper official representation.

For this purpose the joint resolution herewith reported is recommended for passage.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from New York that this joint resolution is now in Committee of the Whole House on the state of the Union.

Mr. BELMONT. I ask consent that the joint resolution may be considered in the House.

Mr. WEAVER. I object.

Mr. BELMONT. I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of this joint resolution.

The motion was agreed to; and the House accordingly resolved itself into the Committee of the Whole House on the state of the Union, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the purpose of considering the joint resolution which the Clerk will now report.

The Clerk read the title of the joint resolution, as follows:

A joint resolution (H. Res. 72) relating to the invitation of the British Government to the Government of the United States to participate in the international exhibition at Melbourne to celebrate the founding of New South Wales.

The CHAIRMAN. The joint resolution has been read in the House. If there be no objection, its first reading in committee will be dispensed with.

There was no objection.

Mr. BELMONT. I yield five minutes to the gentleman from California [Mr. MORROW].

Mr. MORROW. I hope this resolution will pass without opposition. It is proposed by the people of Australasia to celebrate this year the centenary of the founding of New South Wales, an event which derives its importance from the fact that it was the initial movement of the English people in the occupation of that part of the globe. The island-continent of Australia has an area of about 3,000,000 square miles, or about the area of the United States, not including Alaska. New Zealand, which with Australia constitutes what is known as Australasia, has an area of about 104,000 square miles.

These two great islands in the South Pacific are rich and wonderful in resources, and give promise of a great future in the commercial affairs of the world. The population of Australasia now exceeds three millions of people, engaged in prosperous and growing industries, with a commerce extending to all parts of the globe, inviting enterprising people to the exchange of products and manufactures. In 1880 an industrial exposition was held at Melbourne, to which other countries were invited. It was less general in its character, and as an international affair less important, than the proposed exhibition of the present year, but it attracted attention in the commercial world and did much to develop a commerce in the Pacific.

The United States participated in that exposition, and Congress appropriated $20,000 for the expense of an official representation at Melbourne. The money was well expended, for it was the means of greatly extending our commerce in that direction. For the year 1880 our exports to Australia amounted in round numbers to $4,700,000. Immediately succeeding the exposition they rose rapidly until 1886, when they amounted to more than $11,000,000. As this is a matter of considerable interest to the business people of this country, I beg leave to call the attention of the committee to an extract from the report of Mr. Pickering, who represented the United States at the Melbourne exhibition of 1880. He says:

As a nation the United States has done remarkably well, receiving, in proportion to the number of exhibitors, a larger number of awards than at any previous exhibition. I am pleased to be able to announce that, as a rule, our exhibitors have sold more goods and received more orders in proportion to the amount exhibited than the exhibitors of any other nation, a very large proportion of the exhibits from the United States being of a class of goods well adapted to the wants of the people of Australia.

The truthfulness of this report has been more than established by the character and extent of our commerce since that time, and on this point I beg leave to call attention to the following interesting statistics:

*Value of merchandise imported into and exported from the United States from British possessions in Australasia.*

| Year ending June 30— | Exports. | | Total exports. | Imports. | Total imports and exports. |
|---|---|---|---|---|---|
| | Domestic. | Foreign. | | | |
| 1870 | $3,419,973 | $46,602 | $3,466,575 | $278,964 | $3,745,539 |
| 1871 | 2,369,346 | 54,380 | 2,423,726 | 285,011 | 2,708,737 |
| 1872 | 2,899,603 | 50,413 | 2,950,016 | 3,736,107 | 6,686,123 |
| 1873 | 3,917,477 | 62,789 | 3,980,266 | 3,142,418 | 7,122,684 |
| 1874 | 3,785,908 | 58,380 | 3,844,288 | 1,750,177 | 5,594,465 |
| 1875 | 3,505,435 | 76,180 | 3,581,615 | 3,730,976 | 7,312,591 |
| 1876 | 3,878,866 | 77,089 | 3,955,955 | 1,455,649 | 5,411,604 |
| 1877 | 5,780,278 | 105,189 | 5,885,467 | 1,476,238 | 7,361,705 |
| 1878 | 6,479,193 | 292,102 | 6,771,295 | 1,185,905 | 7,957,200 |
| 1879 | 7,012,875 | 128,940 | 7,171,816 | 785,773 | 7,957,588 |
| 1880 | 4,687,223 | 61,367 | 4,748,590 | 2,920,812 | 7,669,402 |
| 1881 | 6,630,139 | 92,375 | 6,728,505 | 2,088,302 | 8,816,807 |
| 1882 | 8,982,974 | 126,915 | 9,109,889 | 3,689,424 | 12,799,313 |
| 1883 | 9,638,997 | 156,659 | 9,795,656 | 4,021,395 | 13,817,051 |
| 1884 | 9,225,459 | 161,867 | 9,387,326 | 4,373,465 | 13,760,791 |
| 1885 | 10,534,138 | 114,054 | 10,648,192 | 2,823,393 | 13,471,585 |
| 1886 | 10,981,915 | 152,386 | 11,134,301 | 3,859,360 | 14,993,661 |

It will be observed that the exports and imports for the year 1886 show a balance of trade in our favor amounting to $7,274,941. Certainly such a showing as this will justify us in accepting the invitation of the British Government to participate in the coming exhibition, and in making the appropriation of $50,000 provided for in the resolution, to make a creditable official appearance on the occasion.

While on this subject it may be well for us to look at the character of the imports and exports for the past year. They show that our manufacturing industries are finding a market in this distant country, and it only requires a little enterprise to enlarge our commerce with Australasia to almost an unlimited extent. I ask leave to incorporate in my remarks the following report from the Bureau of Statistics:

*Statement showing the imports and exports of the United States from and to Australasia during the year ending June 30, 1887.*

IMPORTS.

| Articles. | Quantities. | Values. |
|---|---|---|
| FREE OF DUTY. | | |
| Chemicals, drugs, and dyes, n. e. s.: | | |
| Gums.....pounds... | 7,538,964 | $827,283 |
| Furs and fur-skins, undressed | | 57,535 |
| Hides and skins, other than fur-skins | | 237,300 |
| Tin, bars, blocks, or pigs, grain or granulated....pounds... | 3,595,983 | 801,021 |
| All other free articles | | 66,373 |
| Total free of duty | | 1,089,512 |
| SUBJECT TO DUTY. | | |
| Chemicals, drugs, dyes, and medicines, n. e. s.: | | |
| Opium.....pounds... | 60,885 | 544,400 |
| Coal, bituminous.....tons... | 321,654 | 921,866 |
| Wool, raw: | | |
| Clothing wools.....pounds... | 4,368,242 | 895,843 |
| Combing wools.....pounds... | 132,320 | 30,924 |
| Carpet and other similar wools.....pounds... | 21,525 | 4,853 |
| All other dutiable articles | | 23,701 |
| Total dutiable | | 2,421,607 |
| Total merchandise | | 4,411,119 |
| Total coin and bullion | | 1,021,769 |
| Total imports | | 5,432,888 |

EXPORTS.

| | | |
|---|---|---|
| Agricultural implements | | $299,490 |
| Books, maps, engravings, etc | | 107,796 |
| Breadstuffs | | 180,757 |
| Carriages, horse-cars, steam-cars, etc | | 358,692 |
| Chemicals, drugs, dyes, and medicines | | 334,837 |
| Clocks and watches | | 127,296 |
| Fish | | 378,218 |
| Fruits | | 110,246 |
| Iron and steel, manufactures of | | 1,532,920 |
| Leather, and manufactures of | | 251,340 |
| Malt liquors: | | |
| In bottles.....dozen... | 108,187 | 185,016 |
| Not in bottles.....gallons... | 5,110 | 1,017 |
| Oils, mineral.....do..... | 4,586,878 | 592,036 |
| Paper, and manufactures of | | 120,288 |
| Provisions, comprising meat and dairy products | | 34,722 |
| Sugar, refined.....pounds... | 13,265,535 | 793,633 |
| Tobacco: | | |
| Leaf.....do..... | 885,353 | 141,706 |
| Manufactures of | | 1,287,056 |
| Wool, and manufactures of | | 1,440,596 |
| All other articles | | 1,265,812 |
| Total domestic merchandise | | 9,543,474 |
| Total foreign merchandise | | 124,961 |
| Total exports* | | 9,668,435 |

*No specie.

WM. F. SWITZLER, *Chief of Bureau.*

TREASURY DEPARTMENT, BUREAU OF STATISTICS, *January 16, 1888.*

The commercial importance of Australia is shown by the report of its aggregate trade, from which it appears that in the year 1884 (the last report at hand) its imports were valued at $311,045,158, and its exports at $264,834,910, making a total of $575,880,068. There can be no question, it seems to me, as to the value of intimate social and commercial relations with a people engaged in so much of the world's best traffic. In a letter from Mr. Ford, of the State Department, I find the following pertinent suggestion:

> Nowhere, save in South America, is there such a wide field for commercial enterprise offered to American manufacturers as in Australia. The pursuits of the people are mainly agricultural, and as such require machinery, in the manufacture of which we excel.

I am presenting these facts because I desire that the members of this House shall understand and appreciate the importance of our affairs on the Pacific, not merely on account of the present matter, but because of their bearing on other subjects that will come up for consideration in course of legislation.

I desire to say, further, that the coming exhibition at Melbourne is not merely a colonial display; it is an international affair, and will receive the patronage of the leading nations, and the interest taken in our action is indicated in the following report of James M. Morgan, consul-general at Melbourne, to the State Department. He says:

> Great interest is manifested in the great international exhibition to be held in this city in 1888, being the centennial of the colonization of Australia, and many inquiries are made as to the probable interest which can be awakened in America upon the subject.
>
> The remarkable growth and prosperity of this city will be appreciated when the accompanying statistics are read.
>
> * * * * * * *
>
> The city of Melbourne and suburbs contain 313,000 people, and during the past year there have been erected in the city proper and its suburbs 5,533 buildings.

A number of our merchants in different parts of the country have already engaged space at the Exhibition building for the display of our manufactures and products, and I am assured that they are prepared to make a representation that will be a credit to the country and a pledge of our friendship in the enterprise that shall develop the vast possibilities in that quarter of the new world.

There is another interesting fact pertaining to our relations with Australasia. There has been much discussion as to the measures that should be taken to increase our merchant-marine service. There are strong objections urged in some quarters against anything in the shape of subsidies. I am not going to discuss that question now, but I want to call your attention to the fact that the Government of New Zealand is to-day paying a line of American steamers, running from San Francisco to Auckland and Sydney, an annual subsidy of $150,000. In the face of this liberality in the aid of our merchant-marine service, we can not well decline this kind invitation. There is, in fact, every inducement for us to take advantage of this occasion and make such a liberal display of our manufactures and products as will still further advance our position as an enterprising people and entitle us to a fair share of the world's business in that direction.

Mr. BELMONT. I now yield five minutes to the gentleman from Kentucky, my colleague on the committee [Mr. MCCREARY].

Mr. MCCREARY. Mr. Chairman, I hope the joint resolution which has been called up by the chairman of the Committee on Foreign Affairs will be adopted, and that the invitation of the British Government to the United States to participate in the international exposition to be held at Melbourne next summer will be accepted. This question has had mature consideration by the Committee on Foreign Affairs, and the committee unanimously recommend the adoption of the joint resolution. Australia is a vast island continent. It comprises about 3,000,000 square miles of territory, and has over five millions of population. It is one of the richest countries in the world, and our social and commercial relations with that country are daily improving. When this Republic held its centennial exposition in 1876, Australia was largely represented. Various manufacturers of the United States have already asked for space at the exposition which is to be held at Melbourne in August next, and it is but in keeping with our custom to authorize our Government to send commissioners there, and to make a small appropriation of money for the purpose of having our country properly represented on that occasion. The exposition proposed to be held commences on the first of next August, and is to be what they call a centennial exposition in commemoration of the organization of their first province, New South Wales. There are five leading provinces in Australia—New South Wales, Victoria, South Australia, Queensland, and Western Australia—and the committee believe that it will be of advantage to our country to encourage our people to exhibit specimens of our arts, our products, our minerals, and our manufactures at that great exposition.

In 1862 the United States sent commissioners to the London Exposition, and many remember that even at that time our country took many medals and stood very high in the competition among nations. In 1873 there was held at Vienna an international exposition, and the Congress of the United States appropriated $200,000 to pay the expenses of commissioners and to secure proper representation at that exposition. In 1878 the Paris Universal Exposition was held, and the Congress then appropriated $150,000 in order that our country might be properly rep-

resented there. The joint resolution under consideration asks for only $50,000, and I believe that we ought to be properly represented at this Australian exposition in accordance with the desire of our people generally, which is in favor of keeping our country abreast of all other nations, in favor of showing how we have advanced in arts, in manufactures, in agriculture, and in all the elements of national progress. I believe it will not be long before we shall have in this country a grand centennial exposition to commemorate the adoption of the Constitution of the United States, and these very countries that are now asking us to send delegates to help them with their exposition will be called on by us to participate in ours.

It may be but a short time until we shall call upon all the civilized countries of the world to come here to help us to celebrate in 1892 the four hundredth anniversary of the discovery of America, and witness the success of free government and the triumph of peace and prosperity in our great Republic. This appropriation, therefore, is in the proper line. As Australia helped us in 1876, so she will probably be called upon to participate with us again in 1892, and as all the civilized countries will be invited and be present with us on that grand occasion, it seems to me entirely proper that we should now make this small appropriation of $50,000 asked for by the Secretary of State to enable our country to be properly represented at the Melbourne exposition next August.

Mr. BELMONT rose, but yielded to Mr. O'NEILL, of Pennsylvania.

Mr. O'NEILL, of Pennsylvania. Mr. Chairman, I should like to remind the House, because it may not come to the memory of all those around me, that Philadelphia was the pioneer city of these expositions in this country, and that only a few months ago we had present there representative men from all parts of the country, who came to participate in the celebration of the adoption of the Constitution of the United States by the convention which sat in Philadelphia. In justice to the proposition now before us, I want to say from positive observation that no country on the face of the earth sent more intelligent commissioners or more people to this country during that centennial exhibition than did New South Wales and that portion of the world.

It is not necessary for me to point out how these celebrations, wherever they may be held, advance the interests of commerce and the general business of civilized life. The great centennial exposition held in Philadelphia from the 10th of May to the 10th of November, 1876, attracted millions of people, including citizens of all nationalities; and we there saw the progress of commerce, agriculture, and the various arts and sciences displayed in such a way as perhaps may never again occur in this country.

The people whom I have the honor in part to represent will rejoice at the vote of the members from the city of Philadelphia, and from the State of Pennsylvania, for this proposition, believing that by just such means the progress of the world is promoted; and we thus learn from each other what in our short and busy lives can not be learned from books in regard to the industrial pursuits that conduce to the happiness and pleasure of mankind.

Mr. Chairman, I like to call attention to what has been done by the people of Philadelphia, and I rise more especially to recall to the minds of members here the success with which that city and its people carried on the Centennial Exposition of 1876, and how, with equal success, they carried on a few months ago, to the delight of hundreds of thousands of visitors, the centennial celebration of the adoption of the Constitution by the Convention in 1787.

Mr. BELMONT. As this measure has been unanimously reported by the Committee on Foreign Affairs, and appears to meet the general approval of members of the House, I move that the committee rise and report the bill.

Mr. CRAIN. I have an amendment which I desire to offer.

The CHAIRMAN. The motion that the committee rise can not be put so long as any gentleman desires to offer any amendment. The amendment of the gentleman from Texas [Mr. CRAIN] will be read.

The Clerk read as follows:

Amend by striking out all after the words "that said invitation is accepted" in the first section; and strike out the second section.

Mr. CRAIN. Mr. Chairman, I think, in view of the statements which have been made by the gentleman from California [Mr. MORROW], the gentleman from Kentucky [Mr. MCCREARY], and the gentleman from Pennsylvania [Mr. O'NEILL], the United States ought to accept this invitation which has been extended by the British Government to have this country participate in the international exhibition at Melbourne, to celebrate the founding of New South Wales. I am satisfied there are some gentlemen on this floor who do not know the geography of this world sufficiently to determine the exact location of New South Wales. While I had a general knowledge of the fact that it was part of Australia, and was under the government of the British Empire, I am not ashamed to confess that that was the limit of my knowledge with respect to the situation of New South Wales. Hence, for my own information, as well as for the information of other gentlemen who may desire to vote intelligently on this important question, I have sent to the library for an atlas which contains a map of Australia, and which shows exactly where New South Wales is located, my object being to learn from an inspection of this map and from the commentaries accompanying it, the importance, the grandeur, and the magnitude, in territorial extent at least, of the province of New South Wales. I trust that I shall not be taking up the time of the House unduly in support of my amendment (which limits the action of this House to an acceptance of the invitation, while it cuts out the appropriation) if I read from this authority—Colton's General Atlas with Descriptions—a statement in regard to New South Wales.

I am opposed to an appropriation for this purpose, because I belong to the party which believes in "economy, retrenchment, and reform," and I do not believe in measures which are introduced for the purpose of making appropriations the result of which necessarily will be to keep up the iniquitous burdens and the odious inequalities of the infamous tariff system under which the people of the United States now suffer. I think it will be honor and distinction enough for any gentleman, whether he be a member of the Committee on Foreign Affairs or a private citizen, to be selected by the President of the United States to represent the grandest country on God's earth at this great international exhibition at Melbourne, New South Wales.

[Here the hammer fell.]

Mr. CRAIN. I move to amend the amendment by striking out the last word.

Mr. VOORHEES obtained the floor, and said: I desire to yield my time to the gentleman from Texas [Mr. CRAIN].

Mr. CRAIN. I am much obliged to the gentleman.

Now, New South Wales is described in this atlas as "stretching along the Pacific from Point Danger"——

The CHAIRMAN. The gentleman will suspend a moment. Under the rule regulating the five-minute debate the Chair is obliged to recognize now some gentleman who desires to oppose the amendment, if any gentleman wishes to be recognized for that purpose.

Mr. CRAIN. My present amendment is to strike out the last word.

The CHAIRMAN. The Chair under the rules must recognize some gentleman who desires to oppose the amendment. If that rule were not enforced, when the Committee of the Whole is proceeding under the five-minute rule the two sides of a question might not be fairly heard.

A MEMBER. Nobody is opposed to this proposition.

Mr. CRAIN. The gentleman from Washington Territory [Mr. VOORHEES] has yielded to me.

Mr. VOORHEES. If it be necessary in order that I may yield my time to the gentleman from Texas, I rise to oppose the amendment.

Mr. CRAIN. I am again obliged to the gentleman.

The CHAIRMAN. If there is any gentleman desiring to oppose the amendment, the Chair must recognize him. [A pause.] If not, the Chair recognizes the gentleman from Texas [Mr. CRAIN] to occupy the time of the gentleman from Washington Territory [Mr. VOORHEES].

Mr. CRAIN. Let me proceed to read:

NEW SOUTH WALES.

New South Wales stretches along the Pacific from Point Danger—

That is the point we are approaching if we adopt this resolution, which appropriates $50,000 of the toiling millions for the purpose here indicated. [Laughter.]

—(latitude 28° 06') to Cape Howe (latitude 37° 32') and west to the one hundred and forty-first meridian. On the north it is bounded by Queensland, on the west by South Australia, and on the south by Victoria. Extent north and south, from 316 to 631 miles, and east and west, from 557 to 728 miles.

Coasts, surveys, etc.—The coast line presents in general bold, perpendicular cliffs of sandstone in horizontal strata. Occasionally the cliffs are interrupted by low, sandy beaches, some of which stretch for a considerable distance inland. Indentations of the shore are numerous and remarkable for the excellence of the harbors they form. The most conspicuous of these are Port Macquarie, Port Hunter, Broken Bay, Botany Bay, Jervis Bay, Sussex Haven, etc. Most of these contain flourishing seaports, and are the seats of population and wealth.

It might be a better thing for this country, Mr. Chairman, if we were to send quite a number of the people accused and convicted of crime to Botany Bay than to send this commission to represent this country at Melbourne. [Laughter.]

The surface of the interior is much diversified, and presents in its general features a succession of hills and valleys, mountains and plains.

A most remarkable country.

A mountain range, varying in height from 3,000 to 6,000 feet, extends north and south nearly parallel with the coast, and at a distance of 30 to 50 miles inland. The intervening space between the mountains and the sea is partly broken by spurs and ramifications, but descends from the west with more or less rapidity, and has a generally undulating surface, intersected by water-courses—in some places well wooded, and in others covered with a dense brushwood.

Now, a word in regard to the industries of New South Wales—and I commend this to the special consideration of the chairman of the Committee on Agriculture, and also to those gentlemen on both sides of the House who are in favor of cutting off the tariff on wool—because the tariff question, as you will observe, underlies this whole proposition. [Laughter.] If, therefore, you vote for this proposition, you vote to keep up the tariff on wool. [Laughter.]

Agriculture and grazing are the chief industrial pursuits. The principal crops are wheat, maize, barley, oats, rye, millet, potatoes, tobacco, hay, etc.

If you repeal the internal-revenue laws taxing tobacco, you will *ex necessitate rei*, I suppose, repeal the tax on imported tobacco. And if you open the eyes of this people to the immensity of this country, to the largeness of its population, and to the extent to which tobacco

is used in this country—to so large an extent indeed that some people regard it as a necessity instead of a luxury, like the people in North Carolina and Virginia who are clamoring for the repeal of the tax on tobacco—we will find this country then overwhelmed with large importations of tobacco from New South Wales. [Laughter.]

The vine is cultivated to a considerable extent and much attention is paid to the rearing of sheep and cattle.

I call the attention of the chairman of the Agricultural Committee to this important fact.

Manufactures consist almost entirely of articles of common use. Some woolen cloths are made, but the greater part of the enormous quantity of wool produced is exported raw.

It is for us to consider that fact—you friends of protection and you friends of revenue reform—that immense quantities of raw wool are exported from New South Wales, and if you vote to take the tariff off wool just stop and consider what will be the effect on this country when the manufacturers discover the almost inexhaustible amounts of wool produced in New South Wales. Yet gentlemen on this side of the House who profess to be revenue reformers are willing to vote with those who profess to be protectionists that the outrageous tariff system shall continue in this country.

The CHAIRMAN. The gentleman's time has expired.

The question recurred on Mr. CRAIN'S amendment.

The committee divided; and there were—ayes 33, noes 77.

Mr. CRAIN. No quorum has voted.

The CHAIRMAN appointed Mr. CRAIN and Mr. BELMONT as tellers.

The committee divided; and the tellers reported—ayes 46, noes 118.

So the amendment was rejected.

Mr. MCADOO. I offer the amendment I send to the desk.

The Clerk read as follows:

Amend line 5 of section 1 by striking out the word "fifty" and inserting "five."
Also, amend line 8 of section 1 by striking out the word "such."
Amend line 9 of the same section by adding, after the word "exhibition," the words "by a commissioner appointed by said Secretary."

Mr. MCADOO. Let the section be read as it will stand if amended.

The Clerk read as follows:

SECTION 1. That said invitation is accepted, and that there be, and there hereby is, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $5,000, or so much thereof as may be necessary, to effect the purpose of this resolution, to be expended in the discretion of the Secretary of State for the purpose of representation at said exhibition by a commissioner appointed by said Secretary.

Mr. BELMONT. Mr. Chairman, there does not seem to be any amendment offered by the gentleman from New Jersey which does not look to the acceptance of this invitation. The purpose of the amendment seems to be merely to change the amount fixed in the original resolution, and under which the acceptance of the invitation shall be carried out.

I understand that the gentleman from New Jersey thinks $5,000 will be sufficient for that purpose. Our past experience in regard to matters of this kind teaches us that such an amount would be entirely inadequate.

The CHAIRMAN. Will the gentleman from New York permit the Chair to state that the gentleman from New Jersey is entitled to the floor?

Mr. BELMONT. I understood the gentleman had yielded the floor.

The CHAIRMAN. The Chair will recognize the gentleman from New York hereafter if he wishes to be heard.

Mr. MCADOO. Mr. Chairman, I had not yielded the floor, and hope this will not be taken out of the time to which I am entitled.

I, sir, am as much in favor of extending our American commerce by all legitimate means as the Committee on Foreign Affairs or any member of that committee, but I do not believe that it will be broadened solely by the expenditure of large sums of money in sending an expensive commission to represent this country in foreign lands under British control.

Our great commercial rival, Great Britain, has not built up her own foreign commerce by any such system as that. The British merchant having once gained entrance by intrigue, pretense, or ruthless might, has studied the market to which he sends his goods; and the only way in which American commerce can be extended and our merchants can reap any advantage in the only foreign market open to us in South America, the Pacific islands, the West Indies, in China and Japan, is by private enterprise, by revival of American shipping, and the existing political friendship and affinity between those countries and our own, by American merchants in their private capacity, with enterprise and determination, going to those countries, or sending out our able and venturesome young men to study the wants and the habits of the people, their commercial needs and advantages, and determining in that manner the best channels into which our commerce can flow.

Mr. OATES. Will the gentleman yield for a question?

Mr. MCADOO. I would cheerfully yield, but as I have but five minutes, I would prefer to continue without interruption.

Mr. Chairman, I do not wish to interpose at this time objection to the acceptance of this invitation of the British Government, although I have my own opinion as to its unselfishness and generosity. It is a long distance from San Francisco to the point where this exhibition is proposed to be held, and a very long distance indeed from the Atlantic seaboard to Melbourne, and $50,000, the sum proposed to be appropriated, is a ridiculously small amount, if we are to make a proper representation of the advance of America in manufactures, agriculture, the sciences and useful arts at this exhibition in the way of paying freightage for the exhibits furnished by our citizens.

If we are to expend any sum at all, and if the advance of our country in manufacturing and in the arts is to be properly represented at Melbourne, it would require $250,000 at least; and therefore it occurs to me that the expenditure of $50,000 is just so much money wasted—too much for nothing and too little for anything. You will only get for the expenditure of this $50,000, exactly what you would get from the expenditure of $5,000, as proposed in my amendment. You will be represented by a commissioner selected by the Secretary of State, a man, it is to be presumed, of discernment and capability; and the only result of his visit to the metropolis of the great Australasian archipelago will be the report he will make on his return as to what he saw, learned, and concluded.

I venture to assert that the chairman of the Committee on Foreign Affairs himself can not say to this House that by expending $50,000 America will be fairly represented in that exhibition. It is 3,000 miles, in round numbers, from New York to San Francisco, and it is, I judge, between four and five thousand from San Francisco to Melbourne. The cost of carriage of even a very modest exhibition of American manufactures or products of any kind from our seaboard States, or any part of the United States, to this distant city would cost, as I have said, far more than the $50,000 appropriated.

Now, sir, there is another feature of this resolution on which I wish to dwell for a moment. I doubt if we will ever successfully compete, at least not for the present, with British manufacturers in British colonies like New Zealand. I have always, for myself, believed that our legitimate foreign market was on the continent of North and South America; that from the extreme Arctic circle to that unknown country, the Terra del Fuego of the south, was the legitimate and attainable market for American goods, outside of our own splendid home market, in which America can hopefully look for primacy and for indisputable commercial supremacy.

[Here the hammer fell].

Mr. BELMONT. I move that the committee rise and report the bill favorably to the House.

The CHAIRMAN. The question will first be taken on the amendment of the gentleman from New Jersey.

The question was taken; and upon a division there were—ayes 51, noes 71.

Mr. MCADOO. No quorum has voted.

Mr. BELMONT. How much time remains of the hour?

The CHAIRMAN. But two minutes remain.

The point of order being made that no quorum has voted, the Chair will order tellers.

Mr. MCADOO and Mr. BELMONT were appointed tellers.

The committee divided; but before the tellers reported the hour for the consideration of bills expired.

Mr. DUNHAM. I call for the regular order.

The CHAIRMAN. The hour for the consideration of bills of this kind has expired, and the committee will rise.

The committee accordingly rose; and the Speaker *pro tempore* having resumed the chair, Mr. SPRINGER reported that the Committee of the Whole, having had under consideration the joint resolution (H. Res. 72) relating to the invitation of the British Government to the Government of the United States to participate in the international exhibition at Melbourne, to celebrate the founding of New South Wales, had come to no resolution thereon.

### A. E. REDSTONE.

Mr. CRISP. I call up for consideration a privileged report, the report of the Committee on Elections, to whom was referred the memorial of A. E. Redstone, claiming to have been elected a member of this House from the Fifth district of California.

The report (by Mr. CRISP) was read, as follows:

In the Fifth district of California, at the election for Congress on the first Tuesday in November, 1886, there were four candidates: C. N. Felton, F. J. Sullivan, A. E. Redstone, and Mr. Henderson. The aggregate vote polled was some 33,000; of this number memorialist received 470. Memorialist served no notice of contest, took no evidence, nor in any manner complied with the statute in relation to contested elections.

Your committee have examined the papers filed by Mr. Redstone, which papers consist of said memorial and a statement signed by some fifteen citizens of California, and find therefrom that Mr. Redstone's claim is that neither Mr. Felton, the sitting member from the Fifth district of California, nor Mr. Sullivan, the contestant for said seat, received any legal votes, and that therefore he, Redstone, is entitled to the seat. In the opinion of your committee there is nothing in said papers which justifies this claim or renders it necessary or proper to further investigate the case, and therefore the adoption of the following resolution is recommended:

*Resolved*, That the Committee on Elections be discharged from the further consideration of the papers filed by and in behalf of A. E. Redstone.

Mr. CRISP. The report explains itself. If no member of the House desires to ask any questions, I demand the previous question on the adoption of the resolution.

The previous question was ordered, and under the operation thereof the resolution was adopted.

Mr. CRISP moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid upon the table.

The latter motion was agreed to.

NATIONAL-BANK CIRCULATION.

Mr. WILKINS. I desire to call up the unfinished business, which is the consideration of the bill H. R. 1733.

The Clerk read the title of the bill, as follows:

A bill to provide for the issuance of circulating notes to national banking associations.

Mr. WEAVER. I desire to make a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. WEAVER. Is it proper now to raise the question of consideration?

The SPEAKER *pro tempore*. The gentleman has that right.

Mr. WEAVER. Then I raise that question.

The SPEAKER *pro tempore*. The gentleman from Iowa raises the question of consideration at this time. The question is, Is the House ready to consider the bill?

Mr. ANDERSON, of Kansas. I would like permission of the House to ask the gentleman in charge of the bill whether we might not have an opportunity for debate and amendment.

Mr. WILKINS. The gentleman from Kansas asks me if he can not have my permission for debate and amendment of the bill. I have been quite willing all the time that there should be the fullest debate on this bill.

Mr. ANDERSON, of Kansas. Then let us go at it now.

Mr. WILKINS. But the gentleman on the other side, my friend from Iowa [Mr. WEAVER], says that he will make no arrangement to allow us to come to a final vote.

Mr. ANDERSON, of Kansas. We are not talking now about a final vote, but about debate and amendment. As I understood last evening, the gentleman from Ohio was willing to consent there should be an opportunity for debate and amendment.

Mr. WILKINS. I am willing to agree to that, if gentlemen controlling this matter on the other side will agree that on some future day, or to-day at a particular hour, the previous question may be considered as ordered, so that we shall have ample time for debate and ample time for amendment and a full discussion of this matter.

Mr. ANDERSON, of Kansas. And it will be understood that the previous question shall not be ordered until after amendments are offered?

Mr. WILKINS. Let it be understood that the previous question shall be considered as ordered at 4 o'clock on Thursday, or on Friday, if you please.

Mr. ANDERSON, of Kansas. Why not go now into the debate and see what the bill is, and let the other matter take care of itself?

Mr. WILKINS. I am willing to agree to that, but the gentleman from Iowa [Mr. WEAVER] says he will not agree to that and will avail himself of all parliamentary tactics against the bill.

Mr. WEAVER. The gentleman from Iowa is here to speak for himself. I made no such declaration. I said I was willing to have a season of debate, but did not wish the gentleman from Ohio or anybody else supporting the bill to misunderstand me. I said I am willing to have debate, but after debate I expect to proceed exactly as I have proceeded before. That is all I have said. I do not want to be misunderstood. I am opposed to the passage of this bill.

Mr. WILKINS. I have no desire to misrepresent the gentleman from Iowa. I quote his remark from the RECORD:

I have no objection to a season of debate on the bill when it comes up again, but I notify the gentleman from Ohio and the House now that I shall try to defeat this bill. If not able to do so otherwise, I shall try to accomplish that end by applying properly the parliamentary rules of this House.

Which means the dilatory motions we have been enjoying for the last three or four days.

Mr. WEAVER. The words the gentleman has quoted exactly state my position now.

Mr. SPRINGER. I desire to make one remark. This bill is in the House and its friends can move the previous question on it at any time. Therefore I suggest, let the opponents of the bill be heard, and proceed now to discuss it; and at some future time the friends of the bill can move the previous question and bring it to a direct vote.

Mr. WEAVER. They have the right to do that.

The SPEAKER *pro tempore*. But the previous question has been moved and the yeas and nays have been ordered upon that question. The pending question is, Shall the bill be now considered?

Mr. SPRINGER. This being a new consideration of the bill, it comes over as unfinished business, and the previous question is in operation on it, as I understand.

Mr. WEAVER. The previous question has been called on the engrossment and third reading.

The SPEAKER *pro tempore*. And the yeas and nays have been ordered on that.

Mr. SPRINGER. It can not be amended at all while the demand for the previous question is pending.

The SPEAKER *pro tempore*. Unless by unanimous consent.

Mr. SPRINGER. I hope the gentlemen in charge of the bill will allow the amendments to be offered. The opponents of the bill can not offer amendments in its present condition, and they may have some pretext for delay until they have an opportunity to offer amendments. I do not think there will be unnecessary delay after fair opportunity has been had for offering amendments and considering the bill. If after that a majority of the House desire to pass the bill, they should have the right to do so.

Mr. WILKINS. If the gentlemen who are on the floor in opposition to the bill will make that statement I will accept it.

Mr. ANDERSON, of Kansas. What right has the gentleman to question our fairness in opposing this bill?

Mr. WILKINS. I will say to the gentleman from Kansas [Mr. ANDERSON] that he has been fair all the time.

Mr. ANDERSON, of Kansas. I propose to be, but I propose also to have debate upon this bill.

Mr. WEAVER. What objection can there be to allowing the debate to proceed without any agreement whatever, except an agreement that we shall have debate and amendment?

The SPEAKER *pro tempore*. That can only be done by unanimous consent in the present position of the bill.

Mr. WEAVER. I understand that.

Mr. SPRINGER. I ask unanimous consent that the bill be regarded as open to debate and amendment.

The SPEAKER *pro tempore*. The gentleman from Illinois [Mr. SPRINGER] asks unanimous consent that the vote by which the yeas and nays were ordered shall be considered as set aside.

A MEMBER. No.

The SPEAKER *pro tempore*. That is the only motion which the Chair can now put. Is there objection?

Mr. O'NEILL, of Missouri. I think that under such an arrangement as that speeches should be limited to some definite time. Let them be limited to fifteen minutes.

Several MEMBERS. Oh, no.

Mr. O'NEILL, of Missouri. There isn't a man in this House that can talk longer than that, if he confines himself to what he knows of the subject. [Laughter.]

Mr. ANDERSON, of Kansas. The gentleman judges others by himself.

Mr. TARSNEY. Mr. Speaker, this is one of the most important matters brought before this Congress, and I think we ought to have a reasonable time for debate.

Mr. WEAVER. Let the debate proceed, and when the House gets tired, it can put an end to it.

The SPEAKER *pro tempore*. Is there objection to the request for unanimous consent that the order for the yeas and nays be set aside?

Mr. WILKINS. Unless there is some limit to the debate, some hour fixed when the yeas and nays shall be considered as ordered, I must object.

Mr. WEAVER. We will not agree to a time. This is a bill involving very serious consequences, really involving the right of the banks to issue money from zero up to six hundred million dollars, and I am not willing at this stage to agree to limit the debate. Why not let the debate upon this bill go on for a reasonable length of time? The House can put an end to the debate whenever it wants to. I shall not consent to any such limitation as the gentleman proposes.

Mr. SPRINGER. The friends of this bill can at any time in the future put it in the very position in which it is now; that is to say, they can move the previous question upon it and order the yeas and nays. Therefore, they will lose nothing by setting aside the order already made for the yeas and nays and letting the debate proceed.

Mr. WILKINS. We shall go on and consume two or three days, and then find ourselves in the same condition that we are in now.

Mr. SPRINGER. We shall have the light thrown upon the bill by the discussion, though.

Mr. WEAVER. Two or three days is not too much time to devote to this measure. The bill has been brought in here in a great hurry.

The SPEAKER *pro tempore*. The Chair will again state the question. The proposition is that the order for the yeas and nays already made shall be set aside by unanimous consent. Is there objection?

Mr. WILKINS. Unless there is some limitation as to time I shall object.

Mr. BROWNE, of Indiana. Regular order.

The SPEAKER *pro tempore*. The regular order is the question of consideration. Will the House now consider the bill?

The question was taken; and the Chair declared that the ayes seemed to have it.

Mr. ANDERSON, of Kansas. I call for a division.

The House divided; and there were—ayes 121, noes 8.

Mr. ANDERSON, of Kansas. No quorum.

The SPEAKER *pro tempore*. The point being made that no quorum has voted, the Chair will appoint the gentleman from Ohio [Mr. WILKINS] and the gentleman from Iowa [Mr. WEAVER] to act as tellers.

Mr. DINGLEY. I suggest to the gentleman in charge of the bill that we had better have the yeas and nays.

Mr. WILKINS. Yes, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 151, nays 55, not voting 117; as follows:

YEAS—151.

| | | | |
|---|---|---|---|
| Adams, | Darlington, | Hunter, | Patton, |
| Allen, C. H. | Davenport, | Hutton, | Perry, |
| Allen, E. P. | Davis, | Jackson, | Phelps, |
| Arnold, | Dibble, | Johnston, T. D. | Plumb, |
| Atkinson, | Dingley, | Jones, | Pugsley, |
| Bayne, | Dorsey, | Kean, | Rice, |
| Belden, | Dougherty, | Kennedy, | Rockwell, |
| Bingham, | Dunham, | Laffoon, | Rowell, |
| Boothman, | Dunn, | La Follette, | Russell, C. A. |
| Bound, | Elliott, | Laidlaw, | Russell, J. E. |
| Boutelle, | Ermentrout, | Laird, | Ryan, |
| Breckinridge, WCP | Farquhar, | Lehlbach, | Sawyer, |
| Brewer, | Finley, | Lodge, | Scull, |
| Brower, | Fitch, | Long, | Shaw, |
| Browne, T. H. B. | Flood, | Lyman, | Sherman, |
| Browne, T. M. | Funston, | Mahoney, | Simmons, |
| Brown, C. E. | Gallinger, | Maish, | Spooner, |
| Bryce, | Gay. | Mason, | Steele, |
| Bunnell, | Gear, | McClammy, | Stephenson, |
| Burnett, | Greenman, | McCormick, | Stewart, J. D. |
| Burrows, | Grosvenor, | McCreary, | Stewart, J. W. |
| Butler, | Grout, | McKenna, | Stone of Ky. |
| Campbell, Felix | Guenther, | McKinley, | Struble, |
| Campbell, J. E. | Hall, | McKinney, | Symes, |
| Campbell, T. J. | Harmer, | Milliken, | Thomas, G. M. |
| Caswell, | Haugen, | Moffitt, | Thomas, O. B. |
| Cheadle, | Hayden, | Montgomery, | Tracey, |
| Clark, | Hemphill, | Morrill, | Weber, |
| Cogswell, | Henderson, J. S. | Morrow, | West, |
| Conger, | Henderson, T. J. | Morse, | White, S. V. |
| Cooper, | Hermann, | Newton, | Whiting, William |
| Cothran, | Hiestand, | Nichols, | Wickham, |
| Cowles, | Hitt, | Nutting, | Wilber, |
| Crain, | Holmes, | Oates, | Wilkins, |
| Crouse, | Hopkins, A. J. | O'Donnell, | Williams, |
| Cummings, | Hopkins, S. T. | O'Ferrall, | Yardley, |
| Dalzell, | Hovey, | O'Neill, Charles | Yost. |
| Dargan, | Howard, | Osborne, | |

NAYS—55.

| | | | |
|---|---|---|---|
| Anderson, C. L. | Enloe, | McMillin, | Stockdale, |
| Baker, Jehu | Gest, | McRae, | Thompson, T. L. |
| Barnes, | Glass, | Neal, | Tillman, |
| Barry, | Grimes, | Norwood, | Townshend, |
| Blanchard, | Hatch, | O'Neill, J. J. | Turner, E. J. |
| Blount, | Hayes, | Owen, | Turner, H. G. |
| Buckalew, | Heard, | Perkins, | Wade, |
| Candler, | Hogg, | Peters, | Walker, |
| Cannon, | Holman, | Phelan, | Warner, |
| Clardy, | Hopkins, S. I. | Richardson, | Washington, |
| Clements, | Johnston, J. T. | Rowland, | Wheeler, |
| Cobb, | Kerr, | Rusk, | Wilson, W. L. |
| Davidson, R. H. M. | Lanham, | Sayers, | Yoder. |
| Dockery, | Lind, | Sowden, | |

NOT VOTING—117.

| | | | |
|---|---|---|---|
| Abbott, | Culberson, | Lawler, | Romeis, |
| Allen, J. M. | Cutcheon, | Lee, | Scott, |
| Anderson, A. R. | Davidson, A. C. | Lynch, | Seney, |
| Anderson, G. A. | De Lano, | Macdonald, | Shively, |
| Anderson, J. A. | Felton, | Maffett, | Smith, |
| Bacon, | Fisher, | Mansur, | Snyder, |
| Baker, C. S. | Foran, | Martin, | Spinola, |
| Bankhead, | Ford, | Matson, | Springer, |
| Belmont, | Forney, | McAdoo, | Stahlnecker, |
| Biggs, | French, | McComas, | Stewart, Charles |
| Bland, | Fuller, | McCullogh, | Stone of Mo. |
| Bliss, | Gaines, | McShane, | Tarsney, |
| Bowden, | Gibson, | Merriman, | Taulbee, |
| Bowen, | Glover, | Mills, | Taylor, E. B. |
| Breckinridge, C. R. | Goff, | Moore, | Taylor, J. D. |
| Brown, J. R. | Granger, | Morgan, | Thomas, J. R. |
| Brumm, | Hare, | Nelson, | Thompson, A. C. |
| Buchanan, | Henderson, D. B. | O'Neall, J. H. | Vance, |
| Burnes, | Herbert, | Outhwaite, | Vandever, |
| Butterworth, | Hires, | Parker, | Weaver, |
| Bynum, | Hooker, | Payson, | White, J. B. |
| Carlton, | Houk, | Peel, | Whiting, J. R. |
| Caruth, | Hudd, | Penington, | Whitthorne, |
| Catchings, | Kelley, | Pidcock, | Wilkinson, |
| Chipman, | Ketcham, | Post, | Wilson, Thomas |
| Cockran, | Kilgore, | Randall, | Wise, |
| Collins, | Lagan, | Rayner, | Woodburn. |
| Compton, | Landes, | Reed, | |
| Cox, | Lane, | Robertson, | |
| Crisp, | Latham, | Rogers, | |

So the House decided to consider the bill.

Mr. DOUGHERTY. I ask unanimous consent that the reading of the names be dispensed with.

Mr. WEAVER. I object.

The roll-call having been concluded,

Mr. MANSUR said: My name was read among the names of those voting in the affirmative. I did not vote on this question. If I had voted, I should have voted in the negative.

Mr. HATCH. I desire to state that my colleague, Mr. BLAND, is still confined to his house on account of illness. If present he would vote "no" on this question.

The SPEAKER *pro tempore*. The Clerk will announce the pairs.

The following-named members were announced as paired until further notice on all political questions:

Mr. GLOVER with Mr. GAINES.

Mr. ROGERS with Mr. E. B. TAYLOR.

Mr. HERBERT with Mr. GOFF.

Mr. COCKRAN with Mr. WHITE, of New York.

Mr. SPINOLA with Mr. THOMAS, of Illinois.

Mr. SCOTT with Mr. BUTTERWORTH.

Mr. BACON with Mr. J. D. TAYLOR.

Mr. CATCHINGS with Mr. HOUK.

Mr. ALLEN, of Mississippi, with Mr. BOWDEN.

Mr. BLAND with Mr. ROMEIS.

The following pairs were also announced:

Mr. MCCORMICK with Mr. PENINGTON on all political questions until the 28th instant.

Mr. FORD with Mr. CUTCHEON, for this day, on the bill of the Committee on Banking and Currency.

Mr. STAHLNECKER with Mr. LAWLER, on this subject.

Mr. BURNES with Mr. STONE, of Missouri, on this question.

Mr. TAULBEE with Mr. SHIVELY, on this vote.

Mr. BLISS with Mr. BRUMM, on this question.

The following-named members were announced as paired for this day:

Mr. COLLINS with Mr. BUCHANAN.

Mr. GRANGER with Mr. PAYSON.

Mr. RUSK with Mr. KELLEY.

Mr. COMPTON with Mr. FITCH.

Mr. BYNUM with Mr. BAKER, of New York.

Mr. BIGGS with Mr. FELTON.

Mr. HENDERSON, of Iowa, with Mr. SNYDER.

Mr. WISE with Mr. HIRES.

The result of the vote was announced as above stated.

ENROLLED BILL SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled a bill of the following title; when the Speaker *pro tempore* signed the same:

A bill (H. R. 3318) relating to permissible marks, printing or writing, upon second, third, and fourth class matter, and to amend the twenty-second and twenty-third sections of an act entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes."

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The Chair will lay before the House at this time two executive communications, as it is important that they be printed and referred without delay.

CLAIMS.

The SPEAKER *pro tempore* laid before the House a letter from the Secretary of the Treasury, transmitting schedules of claims allowed by the accounting officers of the Treasury, called for by resolution of the House adopted January 11, 1888; which was referred to the Committee on Appropriations, and ordered to be printed.

DEFICIENCY ESTIMATES.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting estimates from the Secretary of the Navy to be considered in connection with the urgency deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The question of consideration having been decided in the affirmative, the unfinished business, being the bill of the Committee on Banking and Currency, is now before the House for consideration.

Mr. WEAVER. I move that when the House adjourns to-day it adjourn to meet on Saturday next.

The SPEAKER *pro tempore* (having put the question) said: The noes seem to have it.

Mr. WEAVER. I call for a division.

The question being again taken, there were—ayes 6, noes 91.

Mr. WEAVER. No quorum.

The SPEAKER *pro tempore*. No quorum having voted, tellers are ordered; and the Chair appoints the gentleman from Iowa [Mr. WEAVER] and the gentleman from Ohio [Mr. WILKINS].

Mr. OATES. I will inquire whether, under the rules, a quorum is necessary on a question of adjournment?

The SPEAKER *pro tempore*. This is a motion to fix the day to which the House will adjourn; and for the decision of that question a quorum is necessary. The tellers will take their places.

Mr. HIESTAND. I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 2, nays 219, not voting 102; as follows:

YEAS—2.

Campbell, T. J. Mansur.

NAYS—219.

| | | | |
|---|---|---|---|
| Abbott, | Anderson, C. L. | Baker, Jehu | Bayne, |
| Adams, | Anderson, G. A. | Bankhead, | Belden, |
| Allen, C. H | Arnold, | Barnes, | Bingham, |
| Allen, E. P. | Atkinson, | Barry, | Bliss, |

| | | | |
|---|---|---|---|
| Boothman, | Farquhar, | Landes, | Reed, |
| Bound, | Finley, | Lanham, | Rice, |
| Boutelle, | Fitch, | Latham, | Richardson, |
| Breckinridge, WCP | Flood, | Lehlbach, | Robertson, |
| Brewer, | Foran, | Lodge, | Rockwell, |
| Browne, T. H. B. | Forney, | Long, | Rowell, |
| Browne, T. M. | French, | Lyman, | Rowland, |
| Brown, C. E. | Fuller, | Mahoney, | Russell, C. A. |
| Bryce, | Funston, | Maish, | Russell, J. E. |
| Buckalew, | Gallinger, | Martin, | Ryan, |
| Bunnell, | Gay, | Mason, | Sawyer, |
| Burnett, | Gear, | McClammy, | Sayers, |
| Burrows, | Gest, | McComas, | Scull, |
| Butler, | Glass, | McCormick, | Shaw, |
| Campbell, J. E. | Grimes, | McCreary, | Sherman, |
| Candler, | Grosvenor, | McKinley, | Sowden, |
| Carleton, | Grout, | McKinney, | Spooner, |
| Caruth, | Guenther, | McRae, | Steele, |
| Caswell, | Hall, | Merriman, | Stephenson, |
| Catchings, | Harmer, | Milliken, | Stewart, Charles |
| Cheadle, | Hatch, | Moffitt, | Stewart, J. D. |
| Chipman, | Haugen, | Montgomery, | Stewart, J. W. |
| Clark, | Hayden, | Morrill, | Stockdale, |
| Clements, | Hayes, | Morrow, | Stone, of Ky. |
| Cobb, | Heard, | Neal, | Struble, |
| Cogswell, | Hemphill, | Nelson, | Symes, |
| Conger, | Henderson, J. S. | Newton, | Taulbee, |
| Cooper, | Hermann, | Nichols, | Thomas, G. M. |
| Cothran, | Hiestand, | Norwood, | Thomas, O. B. |
| Cowles, | Hitt, | Oates, | Tracey, |
| Crain, | Hogg, | O'Donnell, | Townshend, |
| Crisp, | Holman, | O'Ferrall, | Turner, H. G. |
| Crouse, | Holmes, | O'Neill, Charles | Vance, |
| Culberson, | Hopkins, A. J. | O'Neill, J. J. | Walker, |
| Cummings, | Hopkins, S. I. | Osborne, | Warner, |
| Dalzell, | Hopkins, S. T. | Outhwaite, | Weber, |
| Dargan, | Hovey, | Owen, | West, |
| Darlington, | Howard, | Parker, | Wheeler, |
| Davenport, | Hunter, | Patton, | White, J. B. |
| Davidson, A. C. | Jackson, | Payson, | Whiting, William |
| Davidson, R. H. M. | Johnston, J. T. | Peel, | Whitthorne, |
| Davis, | Johnston, T. D. | Penington, | Wickham, |
| Dibble, | Jones, | Perkins, | Wilber, |
| Dingley, | Kean, | Perry, | Wilkins, |
| Dockery, | Kennedy, | Peters, | Williams, |
| Dorsey, | Kerr, | Phelan, | Wilson, Thomas |
| Dougherty, | Ketcham, | Phelps, | Wilson, W. L. |
| Dunham, | Kilgore, | Pidcock, | Yardley, |
| Elliott, | La Follette, | Plumb, | Yoder, |
| Enloe, | Laidlaw, | Post, | Yost. |
| Ermentrout, | Laird, | Pugsley, | |

NOT VOTING—102.

| | | | |
|---|---|---|---|
| Allen, J. M. | Cox, | Lawler, | Simmons, |
| Anderson, A. R. | Cutcheon, | Lee, | Smith, |
| Anderson, J. A. | De Lano, | Lind, | Snyder, |
| Bacon, | Dunn, | Lynch, | Spinola, |
| Baker, C. S. | Felton, | Macdonald, | Springer, |
| Belmont, | Fisher, | Maffett, | Stahlnecker, |
| Biggs, | Ford, | Matson, | Stone, of Mo, |
| Blanchard, | Gaines, | McAdoo, | Tarsney, |
| Bland, | Gibson, | McCullogh, | Taylor, E. B. |
| Blount, | Glover, | McKenna, | Taylor, J. D. |
| Bowden, | Goff, | McMillin, | Thomas, J. R. |
| Bowen, | Granger, | McShane, | Thompson, A. C. |
| Breckinridge, C. R. | Greenman, | Mills, | Thompson, T. L. |
| Brower, | Hare, | Moore, | Tillman, |
| Brown, J. R. | Henderson, D. B. | Morgan, | Turner, E. J. |
| Brumm, | Henderson, T. J. | Morse, | Vandever, |
| Buchanan, | Herbert, | Nutting, | Wade, |
| Burnes, | Hires, | O'Neall, J. H. | Washington, |
| Butterworth, | Hooker, | Randall, | Weaver, |
| Bynum, | Houk, | Rayner, | White, S. V. |
| Campbell, Felix | Hudd, | Rogers, | Whiting, J. R. |
| Cannon, | Hutton, | Romeis, | Wilkinson, |
| Clardy, | Kelley, | Rusk, | Wise, |
| Cochran, | Laffoon, | Scott, | Woodburn. |
| Collins, | Lagan, | Seney, | |
| Compton, | Lane, | Shively, | |

During the roll-call,

Mr. PAYSON said: I move to dispense with the reading of the names.

Mr. WEAVER. I object.

The following additional pairs were announced for the rest of the day:

Mr. BRECKINRIDGE, of Arkansas, with Mr. HENDERSON, of Illinois.

Mr. THOMPSON, of California, with Mr. THOMPSON, of Ohio.

Mr. LAFFOON with Mr. DE LANO.

The vote was then announced as above recorded.

Mr. ANDERSON, of Kansas. I move that when the House adjourns to-day it adjourn till Friday next.

Mr. BROWNE, of Indiana. I rise to a parliamentary inquiry. Would it not be better to adjourn than to waste time as we are doing?

Mr. ANDERSON, of Kansas. Allow me to make a parliamentary inquiry. Would it not be better to allow discussion and amendment of this bill than to attempt to force it through in this way?

Mr. LONG. I make the point of order that to-morrow at 3 o'clock has been set apart by special assignment.

Mr. ANDERSON, of Kansas. I desire to be heard on that point.

The SPEAKER *pro tempore*. The House can adjourn over notwithstanding that assignment.

Mr. ANDERSON, of Kansas. Of course it can.

The House divided; and there were—ayes 6, noes 37.

Mr. ANDERSON, of Kansas. No quorum.

The SPEAKER *pro tempore* appointed as tellers Mr. ANDERSON, of Kansas, and Mr. WILKINS.

Mr. SOWDEN demanded the yeas and nays.

The yeas and nays were not ordered, one-fifth not voting in favor thereof.

Mr. ANDERSON, of Kansas. I withdraw the point of no quorum.

The SPEAKER *pro tempore*. The motion is disagreed to, there being 12 in the affirmative and 37 in the negative.

And then, on motion of Mr. WILKINS (at 3 o'clock and 55 minutes p. m.), the House adjourned.

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PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred as indicated below:

By Mr. BANKHEAD: A bill (H. R. 5409) for the relief of James Entwistle—to the Committee on Claims.

By Mr. DUNHAM: A bill (H. R. 5410) for the relief of Edward Golden and Charles F. Thomas—to the Committee on Military Affairs.

By Mr. CLEMENTS: A bill (H. R. 5411) for the relief of the Rome Railroad Company of Georgia—to the Committee on Claims.

By Mr. CANNON: A bill (H. R. 5412) for the relief of the estate of Sylvanus Sandford—to the Committee on War Claims.

By Mr. OWEN: A bill (H. R. 5413) granting a pension to Samuel Stubbs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5414) granting a pension to Catharine Falvey—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 5415) granting a pension to William H. Terry—to the Committee on Invalid Pensions.

By Mr. G. M. THOMAS: A bill (H. R. 5416) for the relief of Felix F. Warren—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5417) for the relief of John Sorrel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5418) for the relief of Andrew McKinney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5419) for the relief of Sarah Cord—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5420) for the relief of Richard French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5421) for the relief of Mary J. Dodd—to the Committee on Invalid Pensions.

By Mr. STONE, of Kentucky: A bill (H. R. 5422) for the relief of S. L. La Prade—to the Committee on War Claims.

Also, a bill (H. R. 5423) for the relief of Thomas Russell—to the Committee on War Claims.

By Mr. TAULBEE: A bill (H. R. 5424) for the relief of the estate of Evan Jones—to the Committee on War Claims.

By Mr. W. C. P. BRECKINRIDGE: A bill (H. R. 5425) to carry out the findings of the Court of Claims in the case of John H. Weeks—to the Committee on War Claims.

By Mr. BURNES: A bill (H. R. 5426) for the relief of St. Joseph Commercial College, of St. Joseph, Mo.—to the Committee on Education.

Also, a bill (H. R. 5427) granting a pension to John N. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5428) for the relief of Cornelius [C.] Cain—to the Committee on War Claims.

By Mr. WARNER: A bill (H. R. 5429) to place the name of Smith V. Campbell on the pension-roll—to the Committee on Invalid Pensions.

By Mr. MCADOO: A bill (H. R. 5430) for the relief of Bvt. Col. Thomas P. O'Reilly—to the Committee on Military Affairs.

By Mr. C. S. BAKER: A bill (H. R. 5431) for the relief of Addie Bell—to the Committee on Invalid Pensions.

By Mr. NICHOLS: A bill (H. R. 5432) for the relief of Frank P. Haywood—to the Committee on War Claims.

Also, a bill (H. R. 5433) for the relief of Frank P. Haywood, jr., and Minnie M. Bagley, *née* Haywood—to the Committee on War Claims.

By Mr. KENNEDY: A bill (H. R. 5434) to pension Abbie L. Cunningham—to the Committee on Invalid Pensions.

By Mr. PUGSLEY: A bill (H. R. 5435) granting a pension to Mary M. Schock—to the Committee on Invalid Pensions.

By Mr. SENEY: A bill (H. R. 5436) granting a pension to John Saylor—to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 5437) to place the name of James McLean on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5438) to place the name of Edward Tobey on the pension-roll—to the Committee on Invalid Pensions.

By Mr. ERMENTROUT: A bill (H. R. 5439) for the relief of Reuben G. Herbein—to the Committee on Military Affairs.

By Mr. BUTLER: A bill (H. R. 5440) for the relief of William Miller, of Costner, Cocke County, Tennessee—to the Committee on Military Affairs.

Also, a bill (H. R. 5441) granting a pension to C. C. Creet—to the Committee on Invalid Pensions.

By Mr. WILSON: A bill (H. R. 5442) to remove the charge of desertion from John Lyons—to the Committee on Military Affairs.

By Mr. ENLOE (by request): A bill (H. R. 5443) granting a pension to Isaac M. Johnson—to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 5444) for the relief of Frank Sigerist—to the Committee on War Claims.

By Mr. CHIPMAN: A joint resolution (H. Res. 82) to arbitrate and settle the question at issue between the District of Columbia and Samuel Strong—to the Committee on the District of Columbia.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. L. ANDERSON: Petition of A. G. Owens and 60 others, of Holmes County, and of J. M. Ivby and 33 others, citizens of Lauderdale County, Mississippi.

By Mr. BANKHEAD: Joint resolutions to authorize the purchase of the lands necessary for the construction of locks and dams on the Black Warrior River—to the Committee on Rivers and Harbors.

By Mr. BELMONT: Request for permission for Lieut. Seaton Schroeder, United States Navy, to accept decoration conferred by the Emperor of Japan—to the Committee on Foreign Affairs.

By Mr. BREWER: Petition of C. L. Randall, L. K. Strong, and 90 other citizens of Danville, Mich., for the passage of the Blair bill—to the Committee on Education.

By Mr. C. E. BROWN: Memorial of the Chamber of Commerce and Merchants' Exchange, for the protection of the legitimate manufacturers and consumers of lard, etc.—to the Committee on Agriculture.

By Mr. BURNES: Petition of 153 citizens of the Fourth district of Missouri, for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. BURROWS: Petition of 89 citizens of the Fourth district of Michigan, for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. CANDLER: Petition of William Hampson, private in Captain Oliver's and Bradley's Company, Seventh Regiment, North Carolina Militia—to the Committee on Pensions.

By Mr. CAREY: Memorial praying that a land office be established at Sundance, Wyo.—to the Committee on the Public Lands.

By Mr. CATCHINGS: Petition of Thomas H. Barefield, heir of Susan Barefield, of Warren County, Mississippi, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. CHIPMAN: Petition of the Associated Lithographers of the United States, in favor of a bill to fix the duty on lithographic prints—to the Committee on Ways and Means.

Also, petition of the lithographic artists and workingmen of the United States, in favor of a bill to fix the duty on lithographic prints—to the Committee on Ways and Means.

By Mr. COCKRAN: Papers in the case of Henry Moore to accompany House bill—to the Committee on Military Affairs.

By Mr. CRISP: A bill for the improvement of Flint River in Georgia—to the Committee on Rivers and Harbors.

Also, a bill for the improvement of the Oconee River in Georgia—to the Committee on Rivers and Harbors.

Also, a bill for the improvement of the Ocmulgee River in Georgia—to the Committee on Rivers and Harbors.

By Mr. CROUSE: Petition of the gold and silver beaters of the United States, for an increased duty on certain articles—to the Committee on Ways and Means.

By Mr. DARLINGTON: Petition for an international copyright law—to the Committee on the Judiciary.

By Mr. ELLIOTT: Petition of the governor, State officers, senators, and members of the house of representatives of South Carolina, for the improvement of the Winyah Bay bar, South Carolina—to the Committee on Rivers and Harbors.

By Mr. ERMENTROUT: Petition of the gold and silver beaters of the United States, for an increased duty on certain articles—to the Committee on Ways and Means.

By Mr. T. J. HENDERSON: Remonstrance of Hon. Anthony Mowary and others, against the reduction of internal-revenue taxes and in favor of reduction or repeal of taxes on salt, lumber, coal, iron, steel, leather, wool, woolens, sugar, and other necessaries—to the Committee on Ways and Means.

By Mr. HERMANN: Petition of 62 citizens of Astoria, Oregon, for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. HOUK: Petition of James Snodgrass, of Jefferson County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. HUNTER: Petition of J. J. Younglove & Bro., against the reissue of fractional currency and in favor of postal stamps of large denominations—to the Committee on Banking and Currency.

By Mr. JACKSON: Petition of Mrs. E. M. Rice and 23 others, citizens of Lawrence County, Pennsylvania, against the admission of Utah as a State—to the Committee on the Territories.

By Mr. JOSEPH: Petition of citizens of the Territory of New Mexico, asking that the Mescalero Apache reservation in said Territory be thrown open to settlement—to the Committee on Indian Affairs.

By Mr. LAFFOON: Papers in the case of John S. Chism, for relief—to the Select Committee on Indian Depredation Claims.

Also, papers in the case of Christian Church, of Henderson, Ky., and of Omar S. Brown—to the Committee on War Claims.

By Mr. LEE: A bill for the improvement of Quantico Creek, Virginia—to the Committee on Rivers and Harbors.

By Mr. LYMAN: Letters in support of House bill 3144, for the relief of J. W. Duncan—to the Committee on Military Affairs.

By Mr. McCULLOGH: Petition of 186 citizens of the Twenty-first district of Pennsylvania, for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. MACDONALD: Petition of 45 citizens of the Third district of Minnesota, for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. NELSON: Resolution of the Cigar-makers' International Union of Duluth, Minn., opposing the repeal of the tax on cigars—to the Committee on Ways and Means.

By Mr. NICHOLS: Papers in the claim of F. P. Haywood, and of F. P. Haywood and Minnie E. Bagley—to the Committee on War Claims.

By Mr. PERKINS: Petition of C. M. Ralstine, H. M. Waters, and others, of Independence, Kans., for a pension for Mrs. Mary Baker—to the Committee on Invalid Pensions.

By Mr. PETERS: Petition of Cigar-makers' Union, No. 286, of Wichita, Kans., opposing repeal of internal-revenue tax on tobacco—to the Committee on Ways and Means.

Also, petition of J. R. Wilhite, for relief—to the Committee on the Public Lands.

Also, petition of J. Pierce, for relief—to the Committee on the Public Lands.

Also, petition relating to survey of township 31 north, range 10 west, sixth principal meridian, Kansas—to the Committee on the Public Lands.

Also, petition of 102 citizens of Stafford County, Kansas, favoring Government telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. PUGSLEY: Petition of Mary M. Shock, for a pension—to the Committee on Invalid Pensions.

By Mr. ROBERTSON: Petition of Irma Compeve, of Natchitoches Parish, Louisiana, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. SHAW: Papers in the claim of Francis I. Wheeler—to the Committee on War Claims.

By Mr. SPRINGER: Papers in the case of Boynton Leach, for relief—to the Committee on Naval Affairs.

By Mr. TAULBEE: Petition of 166 citizens of the District of Columbia, for prohibition—to the Committee on the District of Columbia.

By Mr. G. M. THOMAS: Petition of John McGowan, and of Margaret E. Rose, for relief—to the Committee on Military Affairs.

By Mr. VANDEVER: Petition of 69 citizens of the Sixth district of California, for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. VOORHEES: Petition of 28 citizens of North Yakima; of 30 citizens of Whitman County, and of 27 citizens of Lincoln County, Washington Territory, for prohibition in the District of Columbia—to the Select Committee on Alcoholic Liquor Traffic.

By Mr. WHEELER: Petition of J. N. Parker, of Cain Leach, and of Lucy C. Bradford, of Lauderdale County; of Fred Storm, and of George W. Burrow, of Jackson County, and of J. C. Allen, administrator of Lindsay Allen, of Franklin County, Alabama—to the Committee on War Claims.

By Mr. W. L. WILSON: Petition of John L. Champe and other heirs of John Champe, for certain relief—to the Committee on Military Affairs.

Also, papers to accompany bill to place Walter F. Halleck on the retired-list—to the Committee on Military Affairs.

Also, papers to accompany bill for the relief of John Lyons from the charge of desertion—to the Committee on Military Affairs.

Also, papers to accompany bill for relief of Richard Jackson—to the Committee on Invalid Pensions.

By Mr. WOODBURN: Papers in the case of L. M. Pearlman, for relief—to the Committee on War Claims.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. BANKHEAD: Of John H. Hannah and 59 others; of L. D. Duckworth and others; of H. H. Falconer and others; of John L. Wright and 54 others; of J. T. Thompson and 152 others; of T. E. Cadden and others, and of V. P. Williams and others, of Alabama.

By Mr. BUNNELL: Of citizens of Middletown Centre, Susquehanna County, Pennsylvania.

By Mr. COBB: Of J. H. Phillips and others, of Alabama.

By Mr. COOPER: Of John Wallace and 58 others, of North Liberty, Knox County, Ohio.

By Mr. GRIMES: Of J. W. Cook, P. M. Strickland, and others, of Houston, Heard County; of W. D. Meriwether, E. Mosely, and others,

of Coweta County, and of T. J. Bird, E. M. Smith, and others, of Rockalo, Heard County, Georgia.

By Mr. GROUT: Of George E. Crowell and 101 others, of Brattleborough, Vt.

By Mr. HALL: Of citizens of Butler County, Pennsylvania.

By Mr. HOLMAN: Of Charles Williamson and 57 others, citizens of Jefferson County, Indiana.

By Mr. HUNTER: Of citizens of Celina, Tenn.

By Mr. JACKSON: Of 44 citizens of Bulger, Washington County, Pennsylvania.

By Mr. T. D. JOHNSTON: Of citizens of Owenby, Buncombe County, and of Paint Gap, Yancy County, North Carolina.

By Mr. LEE: Of citizens of Pine View, and of Elk Run, Fauquier County, Virginia.

By Mr. McCULLOGH: Of citizens of Delight, Green County, Pennsylvania.

By Mr. MILLIKEN: Of J. C. Mullen and others, of Maine.

By Mr. NEAL: Of J. L. Mulligan and others, citizens of Belltown, Monroe County, Tennessee.

By Mr. O'FERRALL: Of citizens of Rivanna, Albemarle County, Virginia.

By Mr. PEEL: Of J. M. Brubble and others, citizens of Arkansas.

By Mr. PETERS: Of 14 citizens of Stafford, Kans.

By Mr. PUGSLEY: Of citizens of Pike County, of Highland County, of Clinton County, of Ross County, and of P. J. Linn and others, of Ohio.

By Mr. ROGERS: Of citizens of Gipson, Scott County, Arkansas.

By Mr. ROWLAND: Of White's Store, and of Diamond Hill, Anson County, North Carolina.

By Mr. WHEELER: Of Thomas C. Pettus and others, and of James F. Sharp and others, of Alabama.

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## SENATE.

### THURSDAY, *January* 19, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

#### EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Acting Secretary of the Interior, transmitting, in response to a resolution of February 28, 1887, calling for certain information in reference to the listing and patenting of swamp and overflowed lands to the several States, a report of the Commissioner of the General Land Office and other documents relating to the subject; which was ordered to lie on the table and be printed.

#### PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented the petition of John E. Evans and 21 others, citizens of Salt Lake, Utah, praying that all goods produced in whole or in part by convicts shall be plainly marked "convict labor;" which was referred to the Committee on Education and Labor.

Mr. SHERMAN presented a resolution adopted by the Produce Exchange of Toledo, Ohio, favoring the adoption by the Government of a postal telegraph system; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of A. B. Gibson, of Havana, Ohio, praying that his name be placed on record as major in the One hundred and sixty-sixth Regiment Ohio Volunteers as having been relieved by reason of disability May 12, 1864; which was referred to the Committee on Military Affairs.

Mr. HOAR presented the petition of George Gross, M. D., of Washington, D. C., praying for the creation and temporary support of a botanic hospital and home in Washington, D. C., for the sick, in connection with a free school for the medical education of women; which was referred to the Committee on Education and Labor.

He also presented a petition of Andrew Ingraham and others, members of the faculty of the Swain Free School of New Bedford, Mass., praying for the enactment of an international copyright law; which was referred to the Committee on Patents.

Mr. CHACE presented a petition of the Friends' Temperance Union of New York, officially signed, praying for the submission to the States of a constitutional amendment to prohibit the alcoholic liquor traffic throughout the national domain; which was referred to the Committee on Education and Labor.

Mr. HARRIS presented resolutions adopted by the Chamber of Commerce of Chattanooga, Tenn., favoring the raising of necessary revenues for the support of the Government by a tariff upon imports so adjusted as to prevent unequal burdens and encourage the development of our material resources, and at the same time afford just compensation to labor; which were referred to the Committee on Finance.

Mr. CHANDLER. I present the petition of John McClary Perkins, of 61 Court street, Boston, Mass. He asks that the patent laws of the United States may be so amended that patents shall be granted substantially as they were before the law of July 4, 1836, the first patent law, of 1790, authorizing the grant of letters patent to any person who applied in proper form and paid the required Government fees. In 1835 the Secretary of State informed the public that patents were issued in the order of time that proper documents were received at the Patent Office. In 1836 Congress radically changed the law regulating the grant of patents by providing that they should not be issued until the Commissioner of Patents should be satisfied that the subject-matter was really patentable. The object in thus changing the law was to obviate inconveniences resulting from the fact that because drawings and specifications in those early days were not published some patents came to be many times duplicated. Under the present practice, however, with the publication and sale at a merely nominal price of drawings and specifications immediately upon the issue of every patent, inventors can easily ascertain whether or not it will be profitable for them to obtain patents and to undertake to enforce such patents by suits in the court; and the reason of the change made in 1836 no longer applies.

Under the present system the memorialist states that the features of a judicial tribunal have been engrafted upon the Patent Office until now its machinery rivals in elaborateness that of the Federal courts, and yet after all the proceedings have been had in the Patent Office and a patent is issued nothing has been settled. The whole question must be fought over again in the courts the same as before the law of 1836.

The memorialist claims that the practice prevailing before 1836 of granting patents to all applicants is substantially the English system and that of all other patent-granting countries. The memorialist proposes as his remedy for existing evils to abolish the requirement of a Patent-Office examination before the grant of a patent, and to give to every inventor his patent on his filing a correct application therefor; and, if disputes arise between different inventors as to their rights, to let the controversies be settled by the courts alone, exactly as they in fact must be and are now settled. He states that the annual report of Judge Mason, Commissioner of Patents in 1855, presents very clearly the reasons why this change should be made; that Commissioner Foote, in his report for 1868, reinforces Judge Mason's recommendation, and that the ablest Commissioners of Patents have repeatedly pointed out the great injustice of the present system.

I move that the petition be referred to the Committee on Patents.

The motion was agreed to.

Mr. BOWEN presented a petition of citizens of Boulder, Colo., praying for the erection of a public building at that place; which was referred to the Committee on Public Buildings and Grounds.

Mr. PALMER presented the petition of G. Haynes and 89 other citizens of the Fourth Congressional district of Michigan, praying for the prohibition of the alcoholic liquor traffic in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. QUAY presented additional papers in explanation of the bill (S. 1364) to declare the sense of an act entitled "An act to reimburse the State of Pennsylvania for moneys advanced Government for war purposes;" which were referred to the Committee on Military Affairs.

#### ADJOURNMENT TO MONDAY.

Mr. CAMERON. I move that when the Senate adjourn to-day, it be to meet on Monday next.

The PRESIDENT *pro tempore*. The Senator from Pennsylvania moves that when the Senate adjourn to-day, it be to meet on Monday next.

Mr. EDMUNDS. I call for the yeas and nays on that motion.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN]. I do not know how he would vote if present, and therefore I abstain from voting.

The roll-call having been concluded, the result was announced—yeas 29, nays 22; as follows:

YEAS—29.

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|---|---|---|---|
| Bate, | Evarts, | Ingalls, | Saulsbury, |
| Blodgett, | Farwell, | Jones of Nevada, | Sawyer, |
| Butler, | Faulkner, | Morgan, | Vance, |
| Call, | George, | Palmer, | Vest, |
| Cameron, | Gorman, | Platt, | Walthall. |
| Chace, | Hawley, | Pugh, | |
| Cockrell, | Hearst, | Quay, | |
| Davis, | Hiscock, | Ransom, | |

NAYS—22.

| | | | |
|---|---|---|---|
| Allison, | Coke, | Hampton, | Stockbridge, |
| Beck, | Cullom, | Hoar, | Teller, |
| Berry, | Dawes, | Pasco, | Wilson of Iowa, |
| Blair, | Dolph, | Reagan, | Wilson of Md. |
| Bowen, | Edmunds, | Sherman, | |
| Chandler, | Frye, | Stewart, | |

ABSENT—25.

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|---|---|---|---|
| Aldrich, | Gray, | Mitchell, | Spooner, |
| Blackburn, | Hale, | Morrill, | Stanford, |
| Brown, | Harris, | Paddock, | Turpie, |
| Colquitt, | Jones of Arkansas, | Payne, | Voorhees. |
| Daniel, | Kenna, | Plumb, | |
| Eustis, | McPherson, | Riddleberger, | |
| Gibson, | Manderson, | Sabin, | |

So the motion was agreed to.

REPORTS OF COMMITTEES.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 276) to authorize the construction of a bridge over the Missouri River at or near the city of Lexington, Mo., reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 290) to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Mississippi River at or near Burlington, Iowa, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 544) to authorize the construction of a highway bridge across that part of the waters of Lake Champlain which separates the islands of North Hero and South Hero, in the county of Grand Isle, in the State of Vermont, reported it with amendments.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 1069) for the relief of L. A. Noyes, asked to be discharged from its further consideration, and that it be referred to the Committee on Claims; which was agreed to.

Mr. FRYE. I am also instructed by the Committee on Commerce to report adversely the bill (S. 633) to amend article 3 of chapter 354 of the United States Statutes at Large, passed at the second session of the Forty-eighth Congress, which is a bill providing for certain regulations at sea—regulations touching the lights. The last session of the Forty-eighth Congress adopted the revised international regulations for the prevention of collisions at sea. However desirable it might be to have the provisions of this bill, it would create great confusion to enact it into law, and therefore the committee instruct me to report that the bill ought not to pass, and I move that it be indefinitely postponed.

The motion was agreed to.

Mr. FRYE. I am also instructed by the Committee on Commerce to report adversely the bill (S. 236) to amend section 4420 of the Revised Statutes so that vessels under 5 tons burden, and used for private purposes and not carrying passengers for hire, shall not be subject to license. Perhaps at some time, when inspection fees were very high and paid, there might have been some reason for exempting these small steam-boats. To-day there is no reason whatever for the exemption, and the committee is very decidedly of the opinion that it would be very unfortunate to enact into law any such provision as that asked for in this bill, and therefore they report it adversely. I move that the bill be indefinitely postponed.

Mr. CALL. I did not hear the statement of the Senator from Maine.

Mr. FRYE. The bill is reported adversely by the committee.

The PRESIDENT *pro tempore*. The committee will be discharged and the bill indefinitely postponed, if no objection be interposed.

Mr. BOWEN. I am instructed by the Committee on Indian Affairs, to whom was referred the bill (S. 428) to authorize the Court of Claims to hear, determine, and render final judgment upon the claim of the Old Settler or Western Cherokee Indians, to report it with amendments.

I ask the Chair whether it is the custom of the Senate to grant leave to file a written report after a bill has been reported?

The PRESIDENT *pro tempore*. Written reports are always received at any time prior to action on a bill.

Mr. BOWEN. Then I give notice that I shall file a written report later.

Mr. JONES, of Arkansas, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 1213) to punish robbery, burglary, and larceny in the Indian Territory, reported it with amendments, and submitted a report thereon.

COMPILATION OF REVENUE AND APPROPRIATION ACTS.

Mr. ALDRICH. I am directed by the Committee on Rules, to which was referred a resolution in relation to a chronological history of revenue and general appropriation bills, to report back a substitute resolution with a favorable recommendation.

The PRESIDENT *pro tempore*. The resolution referred to the committee will be read.

The Chief Clerk read the resolution submitted by Mr. ALLISON, January 9, 1888, as follows:

*Resolved*, That the Secretary be directed to compile, for the use of the Senate, from the Journals of the two Houses, the Annals of Congress, the Register of Debates in Congress, and the Congressional Globe and RECORD, a complete chronological history of revenue and general appropriation bills from the First to the Forty-ninth Congresses, inclusive, and for this purpose shall be authorized to employ an additional clerk, who shall be paid out of the contingent fund such compensation as shall be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT *pro tempore*. The substitute resolution reported by the committee will be read.

The Chief Clerk read the substitute proposed by the Committee on Rules, as follows:

*Resolved*, That the Secretary of the Senate be directed, under the direction of the Committees on Finance and Appropriations of the Senate, to compile for the use of the Senate, from all available sources, a complete chronological history of revenue and general appropriation bills from the First to the Forty-ninth Congresses, inclusive; and for this purpose shall be authorized to employ an additional clerk, who shall be paid out of the contingent fund such compensation as shall be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT *pro tempore*. This resolution imposing a charge upon the contingent fund will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, under the rule.

BILLS INTRODUCED.

Mr. HOAR introduced a bill (S. 1537) to grant pensions for service in the Army, Navy, or Marine Corps of the United States; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HALE introduced a bill (S. 1538) to establish the rank of Andrew R. G. Smith, of Whitefield, Me., as assistant surgeon of the Second Regiment of Maine Cavalry, on the 1st day of December, 1865; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1539) to increase the pension of James E. Gott; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1540) granting a pension to Hannah Babb Hutchins; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SHERMAN introduced a bill (S. 1541) granting a pension to Alfred Williamson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1542) granting a pension to John W. Reynolds; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CAMERON (by request) introduced a bill (S. 1543) for the relief of H. C. Rogers; which was read twice by its title, and referred to the Committee on Finance.

Mr. BECK introduced a bill (S. 1544) granting a pension to Mrs. Elizabeth Hicks; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BATE introduced a bill (S. 1545) for the relief of captains, pilots, engineers, and mates of steam-vessels; which was read twice by its title, and referred to the Committee on Commerce.

Mr. BLODGETT introduced a bill (S. 1546) granting an increase of pension to James H. Harold; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1547) granting a pension to Mary Ann Dougherty; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. FRYE introduced a bill (S. 1548) for the relief of the Grand Trunk Railway Company of Canada; which was read twice by its title, and referred to the Committee on Finance.

Mr. HISCOCK introduced a bill (S. 1549) for the erection of a public building at Hudson, N. Y.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1550) for the relief of Charles A. Danolds; which was read twice by its title, and referred to the Committee on Claims.

Mr. STOCKBRIDGE introduced a bill (S. 1551) to provide for the construction of a public building in the city of Grand Haven, State of Michigan; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1552) for an increase of pension to Oscar K. Rogers; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STANFORD introduced a bill (S. 1553) to provide for the purchase of a site for and the erection of a public building at Oakland, Cal.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1554) to increase the appropriation for the erection of the public building at Sacramento, Cal.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. DAVIS introduced a bill (S. 1555) granting a pension to Charles W. Gore; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1556) granting a pension to Martin N. Kellogg; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FARWELL introduced a bill (S. 1557) for the relief of William Coakley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1558) for the relief of William G. Galloway; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALLISON introduced a bill (S. 1559) to quiet title to certain land in the city of Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

DEFICIENCIES IN APPROPRIATIONS.

Mr. HALE. I ask leave to make a report at this time a little out of order.

The PRESIDENT *pro tempore*. The Chair will receive the report if there be no objection.

Mr. HALE. I am instructed by the Committee on Appropriations, to whom was referred the bill (H. R. 4271) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June

30, 1887, and for prior years, and for other purposes, to report it with amendments.

This is the old deficiency bill which failed to become a law at the last session of Congress. I shall, at the close of the morning business to-day, ask the unanimous consent of the Senate to take it up for consideration, and try to have it passed in the course of the next hour.

Mr. EDMUNDS. Is it amended in various ways?

Mr. HALE. Yes, sir.

Mr. EDMUNDS. Then it ought to be printed, so that we can see it.

The PRESIDENT *pro tempore*. The Senator from Vermont asks that the bill may be printed with the amendments.

Mr. HALE. The bill as received from the House of Representatives is in full print, and the amendments submitted by the Committee on Appropriations of the Senate are but few in number, all written out, and will be readily appreciated and understood by every Senator when they are read. Of course, the Senator can insist upon their being printed. If he does so, the bill will go over as a matter of course.

Mr. EDMUNDS. I think it ought to be printed. Appropriation bills ought not to go through without our seeing the amendments in print.

Mr. HALE. Then I give notice that, with the leave of the Senate, I shall call up the bill early to-morrow, after the morning business.

Several SENATORS. We have agreed to adjourn over.

Mr. HALE. Then I shall call it up on Monday, the next day of the session of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a joint resolution (H. Res. 72) relating to the invitation of the British Government to the Government of the United States to participate in the international exhibition at Melbourne to celebrate the founding of New South Wales; in which it requested the concurrence of the Senate.

AMENDMENT TO A BILL.

Mr. HAWLEY submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. EDMUNDS, it was

*Ordered*, That the petition of N. K. Gould be taken from the files of the Senate and referred to the Committee on Pensions.

HOUSE JOINT RESOLUTION REFERRED.

The joint resolution (H. Res. 72) relating to the invitation of the British Government to the Government of the United States to participate in the international exhibition at Melbourne to celebrate the founding of New South Wales, was read twice by its title, and referred to the Committee on Foreign Relations.

DISPOSAL OF PUBLIC TIMBER LANDS.

Mr. HAWLEY submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Department of the Interior be, and he is hereby, directed to communicate to the Senate a statement in detail of the plan of legislation referred to on page 23 of his report to the President for 1887, and thought by him to be needed for the disposal of the public timber lands, so as to secure at the same time "the preservation of the natural forest lands at the headwaters of navigable rivers, and put within the reach of settlers a legal means of providing themselves with timber for building their homes, fuel, and other domestic purposes."

POSTAL TELEGRAPH.

Mr. SAWYER submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Committee on Post-Offices and Post-Roads be, and they are hereby, authorized to employ a stenographer to report such arguments, statements, and evidence as may be heard by said committee on the subject of postal telegraph, and also to have printed such portions of the same as the committee may deem necessary.

MISSOURI RIVER BRIDGE AT OMAHA.

Mr. SHERMAN. I move that the Senate do now proceed to the consideration of executive business.

Mr. MANDERSON. I ask that a resolution which comes over from yesterday may be taken up, and, if there is no objection to its present consideration, that it be acted on now. It will take but a moment.

The PRESIDENT *pro tempore*. The Chair was about to lay before the Senate the resolution of the Senator from Nebraska coming over from a former day.

Mr. SHERMAN. All right.

The PRESIDENT *pro tempore*. The resolution of the Senator from Nebraska will be read.

The Chief Clerk read the resolution submitted by Mr. MANDERSON January 17, 1888, as follows:

*Resolved*, That the Secretary of War be directed to make investigation and report to the Senate what steps have been taken by the Omaha and Council Bluffs Railway and Bridge Company, its successors or assigns, to construct a bridge across the Missouri River between the cities of Omaha, Nebr., and Council Bluffs, Iowa, and if he shall find the construction of said bridge has been commenced, to investigate whether said structure is in accord with the provisions of the act approved March 3, 1887, and plans and specifications heretofore approved by the Secretary of War, and whether said bridge is being constructed as a combined railway and wagon bridge, or a wagon-bridge only.

The resolution was agreed to.

Mr. SHERMAN. I move that the Senate proceed to the consideration of executive business.

Mr. VEST. I should like to inquire whether it was the resolution offered by the Senator from Nebraska that has just been adopted. I did not catch the whole of it.

Mr. MANDERSON. It is directing the Secretary of War to investigate as to the construction of this bridge, and to see whether it is being constructed in compliance with the law and on the plan prescribed by him.

Mr. VEST. I beg pardon. I was not sure as to its terms. If it is only what the Senator says, I have no objection.

EXECUTIVE SESSION.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Ohio [Mr. SHERMAN].

The motion was agreed to.

Mr. SAULSBURY. While the galleries are being cleared I desire to offer a resolution and ask for its immediate consideration.

The PRESIDENT *pro tempore*. The Chair can not receive business while the order of the Senate is being executed.

The Senate proceeded to the consideration of executive business; and, after three hours and forty-four minutes spent in executive session, the doors were reopened.

AID TO COMMON SCHOOLS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 371) to aid in the establishment and temporary support of common schools, the pending question being on the amendment of Mr. PLUMB.

Mr. EVARTS. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 30 minutes p. m.) the Senate adjourned until Monday, January 23, 1888, at 12 o'clock m.

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## CONFIRMATIONS.

*Executive nominations confirmed by the Senate January 16, 1888.*

CONSUL-GENERAL.

D. Lynch Pringle, of South Carolina, to be consul-general of the United States at Constantinople.

CONSULS.

Almar F. Dickson, of Thorndike, Mass., to be consul of the United States at Gaspé Basin.

William O. Patton, of Murphy, N. C., to be consul of the United States at Bahia.

N. J. George, of Tennessee, to be consul of the United States at Charlottetown, Prince Edward Island.

Edward J. Hill, of Duplin County, North Carolina, to be consul of the United States at Montevideo.

George C. Tanner, of Spartanburgh, S. C., to be consul of the United States at Pictou, Nova Scotia.

Edward C. Wellep, of Galena, Kans., to be consul of the United States at Sonneberg.

Richard W. Dunlap, of Tennessee, to be consul of the United States at Stratford, Ontario.

RECEIVERS OF PUBLIC MONEYS.

Benjamin F. Burch, of Independence, Oregon, to be receiver of public moneys at Oregon City, Oregon.

Isaac Hilliard Polk, of California, to be receiver of public moneys at Los Angeles, Cal.

Thomas W. Slusher, of The Dalles, Oregon, to be receiver of public moneys at The Dalles, Oregon.

TERRITORIAL GOVERNOR.

Eugene Semple, of Vancouver, Wash., to be governor of Washington Territory.

APPRAISERS OF MERCHANDISE.

Michael P. Curran, of Massachusetts, to be assistant appraiser of merchandise in the district of Boston and Charlestown, in the State of Massachusetts.

Henry P. Kitfield, of Massachusetts, to be general appraiser of merchandise for the port of Boston, in the State of Massachusetts.

COMMISSIONER FOR ALASKA.

James Sheakley, of Greenville, Pa., to be a commissioner in and for the district of Alaska, to reside at Wrangel.

TERRITORIAL SECRETARIES.

William C. Hall, of Salt Lake City, Utah, to be secretary of Utah Territory.

Samuel D. Shannon, of Cheyenne, Wyoming, to be secretary of Wyoming Territory.

PENSION AGENTS.

Daniel A. Carpenter, of Knoxville, Tenn., to be pension agent at Knoxville, Tenn.

William H. Barclay, of Pittsburgh, Pa., to be pension agent at Pittsburgh, Pa.

COLLECTORS OF CUSTOMS.

Stephen S. Mitchell, of Maine, to be collector of customs for the district of Saco, in the State of Maine.

Van Buren Chase, of Massachusetts, to be collector of customs for the district of Barnstable, in the State of Massachusetts.

Charles C. Hubbard, of Connecticut, to be collector of customs for the district of Hartford, in the State of Connecticut.

William M. Stark, of Connecticut, to be collector of customs for the district of New London, in the State of Connecticut.

P. Stephen Hunter, of Virginia, to be collector of customs for the district of Tappahannock, in the State of Virginia.

INTERSTATE COMMERCE COMMISSIONERS.

Aldace F. Walker, of Vermont, to be an Interstate Commerce Commissioner (for the term ending December 31, 1889).

Augustus Schoonmaker, of New York, to be an Interstate Commerce Commissioner (for the term ending December 31, 1890).

Walter L. Bragg, of Alabama, to be an Interstate Commerce Commissioner (for the term ending December 31, 1888).

Thomas M. Cooley, of Michigan, to be an Interstate Commerce Commissioner (for the term ending December 31, 1892).

William R. Morrison, of Illinois, to be an Interstate Commerce Commissioner (for the term ending December 31, 1891).

PROMOTIONS IN THE ARMY.

*General officer.*

Col. Wesley Merritt, of the Fifth Cavalry, to be brigadier-general.

*Quartermaster's Department.*

First Lieut. Crosby P. Miller, regimental quartermaster Fourth Artillery, to be assistant quartermaster, with the rank of captain.

*Medical Department.*

Lieut. Col. Charles Page, surgeon, to be Assistant Surgeon-General, with the rank of colonel.

Maj. James C. McKee, surgeon, to be surgeon, with the rank of lieutenant-colonel.

Capt. Alfred C. Girard, assistant surgeon, to be surgeon, with the rank of major.

*Quartermaster's Department.*

Maj. George B. Dandy, quartermaster, to be deputy quartermaster-general, with the rank of lieutenant-colonel.

Capt. John V. Furey, assistant quartermaster, to be quartermaster, with the rank of major.

*Medical Department.*

Capt. Robert H. White, assistant surgeon, to be surgeon, with the rank of major.

*First Regiment of Cavalry.*

Capt. John M. Hamilton, of the Fifth Cavalry, to be major.

*Third Regiment of Cavalry.*

First Lieut. George F. Chase, to be captain.
Second Lieut. Parker W. West, to be first lieutenant.

*Fourth Regiment of Cavalry.*

Lieut. Col. Charles E. Compton, of the Fifth Cavalry, to be colonel.

*Fifth Regiment of Cavalry.*

Lieut. Col. James F. Wade, of the Tenth Cavalry, to be colonel.
Maj. James Biddle, of the Sixth Cavalry, to be lieutenant-colonel.
First Lieut. William P. Hall, regimental quartermaster, to be captain.
First Lieut. Walter S. Schuyler, to be captain.
Second Lieut. Augustus C. Macomb, to be first lieutenant.
Second Lieut. Luther S. Welborn, to be first lieutenant.

*Sixth Regiment of Cavalry.*

Capt. Tullius C. Tupper, to be major.
First Lieut. Henry P. Kingsbury, to be captain.
First Lieut. Frank West, to be captain.
Second Lieut. Thomas Cruse, to be first lieutenant.
Second Lieut. John Y. F. Blake, to be first lieutenant.
Second Lieut. George H. Sands, to be first lieutenant.

*Seventh Regiment of Cavalry.*

Capt. Theodore A. Baldwin, of the Tenth Cavalry, to be major.

*Tenth Regiment of Cavalry.*

Maj. George H. Huntt, of the First Cavalry, to be lieutenant-colonel.
First Lieut. Samuel L. Woodward, to be captain.
Second Lieut. Leighton Finley, to be first lieutenant.

*First Regiment of Artillery.*

Maj. William M. Graham, of the Fourth Artillery, to be lieutenant-colonel.
Capt. Edward R. Warner, of the First Artillery, to be major.

*Second Regiment of Artillery.*

First Lieut. John C. Scantling, to be captain.
First Lieut. George S. Grimes, to be captain.
Second Lieut. Edwin St. J. Greble, to be first lieutenant.
Second Lieut. Melzar C. Richards, to be first lieutenant.

*Third Regiment of Artillery.*

Maj. La Rhett L. Livingston, of the Fourth Artillery, to be lieutenant-colonel.
First Lieut. Edward C. Knower, to be captain.
Second Lieut. Wilbur Loveridge, to be first lieutenant.

*Fourth Regiment of Artillery.*

Capt. Henry C. Hasbrouck, to be major.
Capt. Jacob B. Rawles, of the Fifth Artillery, to be major.
First Lieut. Frederick Fuger, regimental quartermaster, to be captain.
First Lieut. William Ennis, regimental adjutant, to be captain.
Second Lieut. Walter S. Alexander, to be first lieutenant.
Second Lieut. Frederick S. Strong, to be first lieutenant.
Second Lieut. Williston Fish, to be first lieutenant.

*Fifth Regiment of Artillery.*

Lieut. Col. Alexander Piper, of the First Artillery, to be colonel.
First Lieut. Paul Roemer, to be captain.
Second Lieut. Albert C. Blunt, to be first lieutenant.

*First Regiment of Infantry.*

First Lieut. John J. O'Connell, to be captain.
Second Lieut. Benjamin S. Wever, to be first lieutenant.

*Eighth Regiment of Infantry.*

Second Lieut. Edgar Hubert, to be first lieutenant.

*Ninth Regiment of Infantry.*

First Lieut. James Regan, to be captain.
First Lieut. William L. Carpenter, to be captain.
Second Lieut. Frank L. Dodge, to be first lieutenant.
Second Lieut. Charles R. Noyes, to be first lieutenant.
Second Lieut. Charles P. Stivers, to be first lieutenant.
Second Lieut. Christopher C. Miner, to be first lieutenant.

*Twelfth Regiment of Infantry.*

Second Lieut. Charles W. Abbot, jr., to be first lieutenant.

*Fourteenth Regiment of Infantry.*

First Lieut. Julius E. Quentin, to be captain.
Second Lieut. Joseph H. Gustin, to be first lieutenant.

*Sixteenth Regiment of Infantry.*

First Lieut. Samuel R. Whitall, to be captain.
Second Lieut. Elias Chandler, to be first lieutenant.

*Eighteenth Regiment of Infantry.*

First Lieut. Michael Leahy, regimental quartermaster, to be captain.
First Lieut. James H. Baldwin, to be captain.
Second Lieut. Charles McClure, to be first lieutenant.
Second Lieut. Charles L. Steele, to be first lieutenant.

*Twentieth Regiment of Infantry.*

First Lieut. John A. Manley, to be captain.
First Lieut. William H. Hamner, to be captain.
First Lieut. John B. Rodman, to be captain.
Second Lieut. James A. Irons, to be first lieutenant.
Second Lieut. James S. Rogers, to be first lieutenant.
Second Lieut. Henry B. Moon, jr., to be first lieutenant.
Second Lieut. Edwin H. Webber, to be first lieutenant.

*Twenty-fourth Regiment of Infantry.*

Capt. Jacob Kline, of the Eighteenth Infantry, to be major.

*Twenty-fifth Regiment of Infantry.*

First Lieut. Henry P. Ritzius, to be captain.
Second Lieut. Eaton A. Edwards, to be first lieutenant.

*Corps of Engineers.*

First Lieut. Solomon W. Roessler, to be captain.
Second Lieut. David DuB. Gaillard, to be first lieutenant.
Second Lieut. Harry Taylor, to be first lieutenant.

*Fifth Regiment of Artillery.*

First Lieut. Edmund L. Zalinski, to be captain.
Second Lieut. Warren P. Newcomb, to be first lieutenant.

*Eleventh Regiment of Infantry.*

Second Lieut. Richard M. Blatchford, to be first lieutenant.

*To be assistant surgeons, with the rank of first lieutenant.*

Jefferson D. Poindexter, of Virginia.
Charles E. Woodruff, of Pennsylvania.
Julian M. Cabell, of Virginia.
William N. Suter, of Virginia.
Eugene L. Swift, of New York.
Nathan S. Jarvis, of New York.

*To be post chaplain.*

Rev. William K. Tully, of Florida.

*Fifth Regiment of Cavalry.*

Second Lieut. Stephen H. Elliott, of the Eighth Cavalry, to be second lieutenant.

*Fourth Regiment of Artillery.*

Second Lieut. George W. Gatchell, of the Fifth Artillery, to be second lieutenant.

*Fifth Regiment of Artillery.*

Second Lieut. John D. Miley, of the Fourth Artillery, to be second lieutenant.

Additional Second Lieut. James C. Bourke, of the Second Artillery, to be second lieutenant.

*Corps of Engineers.*

Additional Second Lieut. Francis R. Shunk, to be second lieutenant.

Additional Second Lieut. James J. Meyler, to be second lieutenant.

TO BE SECOND LIEUTENANTS.

Class rank.

*First Regiment of Cavalry.*

24. Cadet William C. Rivers.

*Second Regiment of Cavalry.*

21. Cadet P. D. Lochridge.

*Fourth Regiment of Cavalry.*

22. Cadet Thomas H. Slavens.
23. Cadet Nathaniel F. McClure.

*Fifth Regiment of Cavalry.*

10. Cadet John M. Jenkins.
16. Cadet Alfred M. Hunter.

*Eighth Regiment of Cavalry.*

29. Cadet Ellwood W. Evans.

*Ninth Regiment of Cavalry.*

32. Cadet John H. Alexander.

*Tenth Regiment of Cavalry.*

30. Cadet Robert G. Paxton.

*First Regiment of Artillery.*

3. Cadet Eugene W. Van C. Lucas.

*Second Regiment of Artillery.*

6. Cadet Richmond P. Davis.
8. Cadet Ernest Hinds.

*Third Regiment of Artillery.*

7. Cadet George O. Squier.
11. Cadet Edgar Russell.

*Fourth Regiment of Artillery.*

9. Cadet Wirt Robinson.
12. Cadet George F. Landers.

*Fifth Regiment of Artillery.*

4. Cadet Charles B. Wheeler.

*First Regiment of Infantry.*

28. Cadet Frederic A. Tripp.

*Second Regiment of Infantry.*

14. Cadet Harry E. Wilkins.

*Third Regiment of Infantry.*

52. Cadet James T. Dean.

*Fourth Regiment of Infantry.*

42. Cadet Herman Hall.

*Sixth Regiment of Infantry.*

39. Cadet Ambrose I. Moriarty.

*Tenth Regiment of Infantry.*

50. Cadet William P. Baker.

*Eleventh Regiment of Infantry.*

27. Cadet William Weigel,
51. Cadet Eugene L. Loveridge.

*Thirteenth Regiment of Infantry.*

46. Cadet Alexander L. Dade.

*Fourteenth Regiment of Infantry.*

19. Cadet Charles H. Martin.

*Sixteenth Regiment of Infantry.*

31. Cadet John C. Gregg.

*Eighteenth Regiment of Infantry.*

5. Cadet Edward C. Young.

*Nineteenth Regiment of Infantry.*

36. Cadet Thomas C. Hanson.
44. Cadet Arthur B. Foster.

Class rank.

*Twentieth Regiment of Infantry.*

45. Cadet Marcus D. Cronin.
48. Cadet Charles Gerhardt.

*Twenty-first Regiment of Infantry.*

49. Cadet Samuel Seay, jr.

*Twenty-second Regiment of Infantry.*

41. Cadet William E. Bruce.

*Twenty-fifth Regiment of Infantry.*

47. Cadet Charles S. Farnsworth,
53. Cadet Ulysses G. McAlexander.

TO BE ADDITIONAL SECOND LIEUTENANTS.

*Attached to the Corps of Engineers.*

1. Cadet Francis R. Shunk.
2. Cadet James J. Meyer.

*Attached to the Cavalry arm.*

33. Cadet John A. Harman, to the Seventh Cavalry.
34. Cadet Thomas Q. Donaldson, jr., to the Third Cavalry
Cadet George McK. Williamson, to the Sixth Cavalry.
37. Cadet Francis H. Beach, to the First Cavalry.
38. Cadet Thomas W. Hall, to the Fourth Cavalry.
40. Cadet Alonzo Gray, to the Fifth Cavalry.
43. Cadet Pierrepont Isham, to the Seventh Cavalry.

*Attached to the Artillery arm.*

Cadet George W. Gatchell, to the Fifth Artillery.
15. Cadet Oscar I. Straub, to the First Artillery.
17. Cadet Fremont P. Peck, to the Fourth Artillery.
20. Cadet John D. Miley, to the Fifth Artillery.
25. Cadet Herman C. Schumm, to the Third Artillery.
26. Cadet James C. Bourke, to the Second Artillery.

*Attached to the Infantry arm.*

18. Cadet Edson A. Lewis, to the Eighteenth Infantry.
54. Cadet William K. Jones, to the Fourteenth Infantry.
55. Cadet Edmund Wittenmyer, to the Ninth Infantry.
57. Cadet Michael J. Lenihan, to the Twenty-fifth Infantry.
58. Cadet William H. Wassell, to the Ninth Infantry.
59. Cadet Mark L. Hersey, to the Nineteenth Infantry.
60. Cadet Walter L. Taylor, to the Sixteenth Infantry.
61. Cadet Bard P. Schenck, to the Seventh Infantry.
62. Cadet Henry R. Adams, to the Twenty-third Infantry.
63. Cadet Samuel A. Smoke, to the Sixth Infantry.
64. Cadet Frank H. Albright, to the Twelfth Infantry.

*Third Regiment of Cavalry.*

Additional Second Lieut. Pierrepont Isham, of the Seventh Cavalry, to be second lieutenant.

*Sixth Regiment of Cavalry.*

Additional Second Lieut. George McK. Williamson, to be second lieutenant.

Additional Second Lieut. Francis H. Beach, of the First Cavalry, to be second lieutenant.

Additional Second Lieut. Alonzo Gray, of the Fifth Cavalry, to be second lieutenant.

*Seventh Regiment of Cavalry.*

Additional Second Lieut. John A. Harman, to be second lieutenant.

Additional Second Lieut. Thomas Q. Donaldson, jr., of the Third Cavalry, to be second lieutenant.

*Tenth Regiment of Cavalry.*

Additional Second Lieut. Thomas W. Hall, of the Fourth Cavalry, to be second lieutenant.

*Second Regiment of Artillery.*

Additional Second Lieut. Herman C. Schumm, of the Third Artillery, to be second lieutenant.

*Fourth Regiment of Artillery.*

Additional Second Lieut. John D. Miley, of the Fifth Artillery, to be second lieutenant.

*Fifth Regiment of Artillery.*

Additional Second Lieut. George W. Gatchell, to be second lieutenant.

*Ninth Regiment of Infantry.*

Additional Second Lieut. Edmund Wittenmyer, to be second lieutenant.

Additional Second Lieut. William H. Wassell, to be second lieutenant.

Additional Second Lieut. Mark L. Hersey, of the Nineteenth Infantry, to be second lieutenant.

Additional Second Lieut. Frank H. Albright, of the Twelfth Infantry, to be second lieutenant.

*Twelfth Regiment of Infantry.*

Additional Second Lieut. Bard P. Schenck, of the Seventh Infantry, to be second lieutenant.

*Fourteenth Regiment of Infantry.*

Additional Second Lieut. William K. Jones, to be second lieutenant.

*Eighteenth Regiment of Infantry.*

Additional Second Lieut. Edson A. Lewis, to be second lieutenant.

Additional Second Lieut. Samuel A. Smoke, of the Sixth Infantry, to be second lieutenant.

Additional Second Lieut. Frederic D. Evans, of the Twenty-second Infantry, to be second lieutenant.

*Twentieth Regiment of Infantry.*

Additional Second Lieut. Michael J. Lenihan, of the Twenty-fifth Infantry, to be second lieutenant.

Additional Second Lieut. Walter L. Taylor, of the Sixteenth Infantry, to be second lieutenant.

*Twenty-second Regiment of Infantry.*

Cadet Frederic D. Evans, graduate of the Military Academy, to be additional second lieutenant, the date he was given his diploma.

*Twenty-fifth Regiment of Infantry.*

Additional Second Lieut. Henry R. Adams, of the Twenty-third Infantry, to be second lieutenant.

*Tenth Regiment of Cavalry.*

First Lieut. William H. Beck, to be captain.
Second Lieut. James W. Watson, to be first lieutenant.

*Fourth Regiment of Artillery.*

Second Lieut. Charles L. Phillips, to be first lieutenant.

*Fifth Regiment of Infantry.*

Capt. Edward C. Woodruff, of the Twelfth Infantry, to be major.

*Seventh Regiment of Infantry.*

Maj. Andrew S. Burt, of the Eighth Infantry, to be lieutenant-colonel.

*Eighth Regiment of Infantry.*

Capt. Charles J. Dickey, of the Twenty-second Infantry, to be major.

*Tenth Regiment of Infantry.*

Maj. Simon Snyder, of the Fifth Infantry, to be lieutenant-colonel.

*Twelfth Regiment of Infantry.*

First Lieut. Harry L. Haskell, to be captain.
Second Lieut. Daniel E. McCarthy, to be first lieutenant.

*Seventeenth Regiment of Infantry.*

Lieut. Col. Henry R. Mizner, of the Tenth Infantry, to be colonel.

*Twenty-second Regiment of Infantry.*

First Lieut. Cornelius C. Cusick, to be captain.
Second Lieut. Frank B. Jones, to be first lieutenant.

*Twenty-fourth Regiment of Infantry.*

First Lieut. Morris C. Wessells, to be captain.
Second Lieut. James E. Brett, to be first lieutenant.

## NAVAL PROMOTIONS.

### MEDICAL CORPS.

Medical Inspector C. J. Cleborne, to be a medical director in the Navy.

Surgeon William Knickerbocker Van Reypen, to be a medical inspector in the Navy.

Surgeon Thomas C. Walton, to be a medical inspector in the Navy.

Passed Assistant Surgeon James R. Waggener, to be a surgeon in the Navy.

Passed Assistant Surgeon Thomas H. Streets, to be a surgeon in the Navy.

Passed Assistant Surgeon Manly H. Simons, to be a surgeon in the Navy.

Passed Assistant Surgeon John C. Boyd, to be a surgeon in the Navy.

Stephen Stuart White, to be an assistant surgeon in the Navy.

James Gaven Field, to be an assistant surgeon in the Navy.

Hatton N. T. Harris, to be an assistant surgeon in the Navy.

George McCaw Pickrell, to be an assistant surgeon in the Navy.

Rand Percy Crandall, to be an assistant surgeon in the Navy.

Charles Franklin Webster, to be an assistant surgeon in the Navy.

### MARINE CORPS.

Second Lieut. Carroll Mercer, United States Marine Corps, to be a first lieutenant in that corps.

### CHIEF OF BUREAU.

Chief Engineer George W. Melville, to be Engineer-in-Chief and Chief of the Bureau of Steam Engineering in the Department of the Navy, with the relative rank of commodore.

## POSTMASTERS.

William B. Woodard, to be postmaster at Brunswick, in the county of Cumberland and State of Maine.

William R. G. Estes, to be postmaster at Skowhegan, in the county of Somerset and State of Maine.

John F. Arnold, to be postmaster at Foxcroft, in the county of Piscataquis and State of Maine.

Giles G. Wickwire, to be postmaster at Colchester, in the county of New London and State of Connecticut.

John H. Swartwout, to be postmaster at Stamford, in the county of Fairfield and State of Connecticut.

Henry P. Markham, to be postmaster at East Hampton, in the county of Middlesex and State of Connecticut.

George D. Bissell, to be postmaster at Naugatuck, in the county of New Haven and State of Connecticut.

Ambrose Beatty, to be postmaster at New Britain, in the county of Hartford and State of Connecticut.

Frank Pay, to be postmaster at Benkleman, in the county of Dundy and State of Nebraska.

Herbert Baltenberg, to be postmaster at Hay Springs, in the county of Sheridan and State of Nebraska.

James E. Galbraith, to be postmaster at Albion, in the county of Boone and State of Nebraska.

William H. Cooksey, to be postmaster at Geneva, in the county of Fillmore and State of Nebraska.

William I. Boulware, to be postmaster at Valentine, in the county of Cherry and State of Nebraska.

Nathan P. Bowman, to be postmaster at St. Johnsbury, in the county of Caledonia and State of Vermont.

Frank E. Randall, to be postmaster at Pittsfield, in the county of Merrimack and State of New Hampshire.

True E. Prescott, to be postmaster at Lake Village, in the county of Belknap and State of New Hampshire.

Joseph I. Prescott, to be postmaster at Meredith Village, in the county of Belknap and State of New Hampshire.

John H. Welch, to be postmaster at Fairmont, in the county of Fillmore and State of Nebraska.

Orlando Currier, to be postmaster at Hallowell, in the county of Kennebec and State of Maine.

Cyrus M. Walworth, to be postmaster at Loup City, in the county of Sherman and State of Nebraska.

Mary O'Sullivan to be postmaster at West Point, in the county of Cuming and State of Nebraska.

Lawrence A. Ryan, to be postmaster at Falls City, in the county of Richardson and State of Nebraska.

Carrie Patton, to be postmaster at Ogallala, in the county of Keith and State of Nebraska.

Donald Maccnaig, to be postmaster at Nebraska City, in the county of Otoe and State of Nebraska.

Jacob Galley, to be postmaster at Nelson, in the county of Nuckolls and State of Nebraska.

Constantine V. Gallagher, to be postmaster at Omaha, in the county of Douglas and State of Nebraska.

Ira A. Hanning, to be postmaster at Cambridge, in the county of Furnas and State of Nebraska.

C. L. Jack, to be postmaster at Fernandina, in the county of Nassau and State of Florida.

John F. Redding, to be postmaster at Barnesville, in the county of Pike and State of Georgia.

John F. Kiddo, to be postmaster at Cuthbert, in the county of Randolph and State of Georgia.

James T. Van Derveer, to be postmaster at Somerville, in the county of Somerset and State of New Jersey.

John B. Manlove, to be postmaster at New Castle, in the county of New Castle and State of Delaware.

Thomas B. Coon, to be postmaster at Kilbourn City, in the county of Columbia and State of Wisconsin.

Christopher Gordon, to be postmaster at Winooski, in the county of Chittenden and State of Vermont.

Peter Cockrell, to be postmaster at South Omaha, in the county of Douglas and State of Nebraska.

William G. Stone, to be postmaster at Machias, in the county of Washington and State of Maine.

Melville M. Folsom, to be postmaster at Old Town, in the county of Penobscot and State of Maine.

Daniel O'Donnell, to be postmaster at Newton, in the county of Jasper and State of Illinois.

Thomas G. Dennis, to be postmaster at Waverly, in the county of Morgan and State of Illinois.

Hibben S. Corwin, to be postmaster at Peru, in the county of La Salle and State of Illinois.

Samuel Berry, to be postmaster at Winchester, in the county of Scott and State of Illinois.

Charles O. Holcomb, to be postmaster at New Hartford, in the county of Litchfield and State of Connecticut.

George Flammer, to be postmaster of Covington, in the county of Miami and State of Ohio.

William Rowe, to be postmaster at Westerville, in the county of Franklin and State of Ohio.

Patrick Gaynor, to be postmaster at Franklin, in the county of Warren and State of Ohio.

William T. Broyles, to be postmaster at Dayton, in the county of Rhea and State of Tennessee.

George Warren, to be postmaster at Hickman, in the county of Fulton and State of Kentucky.

Walter G. Peckham, to be postmaster at Rockport, in the county of Essex and State of Massachusetts.

Ernest M. Johnson, to be postmaster at Maynard, in the county of Middlesex and State of Massachusetts.

Charles B. Carpenter, to be postmaster at Brookfield, in the county of Worcester and State of Massachusetts.

Henry A. Pope, to be postmaster at Milton, in the county of Norfolk and State of Massachusetts.

Thomas F. Lyons, to be postmaster at Canton, in the county of Norfolk and State of Massachusetts.

Joseph M. Hollywood, to be postmaster at Brockton, in the county of Plymouth and State of Massachusetts.

John M. Winslow, to be postmaster at Nantucket, in the county of Nantucket and State of Massachusetts.

Ira Goddard, to be postmaster at Ludlow, in the county of Windsor and State of Vermont.

Herbert W. Martin, to be postmaster at Bennington, in the county of Bennington and State of Vermont.

John J. Love, to be postmaster at Webster, in the county of Worcester and State of Massachusetts.

William J. Johnson, to be postmaster at Manchester, in the county of Essex and State of Massachusetts.

Thomas H. Jackman, to be postmaster at Peabody, in the county of Essex and State of Massachusetts.

James M. Freeman, to be postmaster at Franklin, in the county of Norfolk and State of Massachusetts.

Henry S. Farnum, to be postmaster at Uxbridge, in the county of Worcester and State of Massachusetts.

Lawrence W. Dower, to be postmaster at Easthampton, in the county of Hampshire and State of Massachusetts.

Sylvester A. Donoghue, to be postmaster at Georgetown, in the county of Essex and State of Massachusetts.

George L. W. Dike, to be postmaster at Stoneham, in the county of Middlesex and State of Massachusetts.

Albert H. W. Carpenter, to be postmaster at New Bedford, in the county of Bristol and State of Massachusetts.

William W. Fish, to be postmaster at Athol, in the county of Worcester and State of Massachusetts.

John M. Woodburn, to be postmaster at Newville, in the county of Cumberland and State of Pennsylvania.

James P. Smith, to be postmaster at Lehighton, in the county of Carbon and State of Pennsylvania.

Jeremiah Mohler, to be postmaster at Ephrata, in the county of Lancaster and State of Pennsylvania.

David Maxwell, to be postmaster at Wilkinsburgh, in the county of Allegheny and State of Pennsylvania.

Sidney Hayden, to be postmaster at Sayre, in the county of Bradford and State of Pennsylvania.

H. Wells Buser, to be postmaster at Hummelstown, in the county of Dauphin and State of Pennsylvania.

Patrick Bracken, to be postmaster at Parker's Landing, in the county of Armstrong and State of Pennsylvania.

John G. Herzog, to be postmaster at Loudonville, in the county of Ashland and State of Ohio.

Hamer D. Hunt, to be postmaster at Warren, in the county of Trumbull and State of Ohio.

Henry A. Jordan, to be postmaster at Manchester, in the county of Chesterfield and State of Virginia.

Laura W. Yarrington, to be postmaster at Eagle Pass, in the county of Maverick and State of Texas.

William H. Allen, to be postmaster at Ennis, in the county of Ellis and State of Texas.

Isaac D. Price, to be postmaster at Newport, in the county of Jackson and State of Arkansas.

Elizabeth J. Cook, to be postmaster at Arkadelphia, in the county of Clark and State of Arkansas.

Volney E. H. Reed, to be postmaster at Cameron, in the county of Milam and State of Texas.

John H. Stapp, to be postmaster at Burnet, in the county of Burnet and State of Texas.

George W. Martin, to be postmaster at Charleston, in the county of Mississippi and State of Missouri.

## HOUSE OF REPRESENTATIVES.

THURSDAY, *January* 19, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

FOURTH OF JULY CLAIMS.

The SPEAKER *pro tempore* laid before the House a letter from the Secretary of the Treasury, transmitting, with the papers in each case, a list of claims arising under the act of the 4th of July, 1864, examined and allowed since January 7, 1887; which was referred to the Committee on War Claims.

PAY OF EMPLOYÉS ON LEAVE, ETC.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Public Printer of appropriations for the pay of employés during the annual leave of absence, and for the removal and storage of Government property; which was referred to the Committee on Appropriations, and ordered to be printed.

OFFICIAL EMOLUMENTS, CUSTOMS OFFICERS.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting an abstract of official emoluments received by certain customs officers for the fiscal year ended June 30, 1887; which was referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

SURVEY OF ANACOSTIA RIVER, DISTRICT OF COLUMBIA.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of War of appropriations for a survey of Anacostia River, District of Columbia; which was referred to the Committee on Appropriations, and ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WEBER, for ten days, on account of a death in his family.

To Mr. GROSVENOR, indefinitely, on account of professional business.

To Mr. PENINGTON, for five days, on account of important business and sickness in his family.

THOMAS A. COAKLEY.

Mr. O'DONNELL, from the Committee on Accounts, submitted the following report:

The Committee on Accounts, to whom was referred House resolution numbered 8, as follows: "*Resolved*, That Thomas A. Coakley, of New York, be, and he is hereby, appointed a messenger during the present Congress, at the same rate of compensation received by him during the Forty-ninth Congress, said compensation to be paid out of the contingent fund of the House," have considered the same and recommend its passage.

Mr. O'DONNELL. I demand the previous question on the adoption of the resolution.

The previous question was ordered; and under its operation the resolution was adopted.

Mr. O'DONNELL moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. WILKINS. I demand the regular order.

The SPEAKER *pro tempore*. The regular order is the call of committees for reports.

J. E. PILCHER.

Mr. CULBERSON, from the Committee on the Judiciary, reported back the bill (H. R. 339) for the relief of J. E. Pilcher; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADVERSE REPORT.

Mr. EZRA B. TAYLOR, from the Committee on the Judiciary, reported back with an adverse recommendation the bill (H. R. 1251) to amend section 714 of the Revised Statutes of the United States; which was ordered to be laid on the table and the accompanying report printed.

REMOVAL OF CAUSES FROM STATE COURTS.

Mr. SENEY, from the Committee on the Judiciary, reported back with favorable recommendation the bill (H. R. 1709) to regulate the practice in causes removed from State courts; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

BUSINESS FROM COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS.

Mr. DIBBLE, from the Committee on Public Buildings and Grounds, submitted a report concerning the consideration of business reported by that committee; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The call of committees for reports is completed. The Chair will now call committees for the consideration of bills for one hour, which begins at twenty minutes past 12 o'clock.

INTERNATIONAL EXHIBITION AT MELBOURNE.

Mr. BELMONT. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the joint resolution which was under consideration yesterday.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the further consideration of the joint resolution the title of which the Clerk will report.

The Clerk read as follows:

A joint resolution (H. Res. 72) relating to the invitation of the British Government to the Government of the United States to participate in the international exhibition at Melbourne to celebrate the founding of New South Wales.

The CHAIRMAN. An amendment is pending, which the Clerk will report.

The Clerk read as follows:

Amend, in line 5, section 1, by striking out the word "fifty" and inserting the word "five;" so that if amended as proposed it will read "five thousand dollars."

The CHAIRMAN. When the hour for consideration of bills expired yesterday the committee was dividing on this amendment.

Mr. MCADOO. If I may be permitted, I will say to the chairman of the Committee on Foreign Affairs that I withdraw my demand of yesterday for tellers, and I ask him if he will allow me three minutes to explain further the amendment I have offered.

Mr. BELMONT. Certainly.

The CHAIRMAN. If there be no objection, the demand for tellers is withdrawn.

There was no objection.

Mr. MCADOO. I am aware that this measure is not of sufficient importance to take up the time of the House by mere dilatory motions, and I have therefore withdrawn my call for a quorum. I desire, however, in support of the amendment which I have offered, to say one or two words somewhat by way of criticism on the Committee on Foreign Affairs. I understand, Mr. Chairman, that there is now before that committee an invitation from the Republic of France that the United States join them in celebrating one of the most important events in the annals of history—in the record of the struggles of mankind toward universal democracy—the fall of the Bastile, and I am surprised, after reading an interview in the newspapers purporting to have been held with the chairman of the Committee on Foreign Affairs, which, if true, does him infinite credit, that a resolution preceding this one relating to the invitation of the British Government should not have been offered to this House that this nation join heartily with our former allies and friends of the French Republic in that, I trust, magnificent celebration of so great an event in the history of the human race in its struggles for liberty against class, caste, and feudalism.

Mr. BELMONT. Will the gentleman from New Jersey permit me to interrupt him for a moment?

Mr. MCADOO. Certainly.

Mr. BELMONT. I desire to say that the invitation of the French Government did not precede the invitation now under consideration. I will also say to my friend from New Jersey that I did hold such an interview as he has referred to, and my personal sympathy and feeling in regard to accepting the invitation of the French Government is very great, and I trust that at an early day the House will have a report from the Committee on Foreign Affairs recommending the acceptance of that invitation. I have on my desk at present a bill to present to the House, asking the House to accept it.

Mr. MCADOO. I am very glad to know that—and for this reason: It is a fact known to the chairman of the Committee on Foreign Affairs and to all intelligent newspaper readers in this country that there has been and there is a premeditated effort on the part of the jealous monarchical governments of Europe whose thrones are menaced by her teachings and example to bring about a sort of international boycott of this French celebration; and if the greatest Republic in Europe, which has successfully maintained itself against internal conspiracies, dissensions, and intrigues, as well as external force and malice, our ancient friend and gallant ally, who supported us in our memorable struggle for liberty with an unselfishness and generosity I think unequaled in history—if she is to be left to struggle because of her republican convictions against this interdict, this attempt to suppress her celebration without the generous support of this great Republic, it would be highly discreditable to us as a free and liberty-loving people. I am therefore very glad to hear this morning the statement of the chairman of the Committee on Foreign Affairs.

My only criticism was, Mr. Chairman, that I thought, without regard to the time at which these invitations had been received by our Government, that the Committee on Foreign Affairs of the House of Representatives of the American Republic should have cheerfully given precedence in this House to a resolution to join in the celebration of that glorious event in the history of France, in preference to the acceptance of an invitation from the British Government and spending $50,000 to assist in adding to the attractiveness and pleasure of a British colonial exhibition.

Mr. BELMONT. Will the gentleman permit me to say that the French exhibition is to be held in 1889, and the exhibition which is contemplated in this resolution is to be held this year, in the month of August, and therefore it was necessary we should take up the matter without delay?

Mr. MCADOO. Preparations will have to be made in advance for the French centennial exhibition; but I accept the statement of the gentleman from New York, and withdraw the demand for a quorum.

The CHAIRMAN. The question is upon the amendment submitted by the gentleman from New Jersey.

Mr. PHELPS. Mr. Chairman, this joint resolution is a proposition that the United States Government shall participate in an international exposition to be held in Australia in honor of the centenary of the settlement of one of the Australasian provinces. It proposes that for the expenses of this participation the United States shall appropriate $50,000. The United States may or may not participate in this exposition. It may not participate, and may refuse to do so without prejudice, in my opinion, to the relations which now subsist between the two countries; but if it does participate, then I think we are bound by every principle of prudence and of self-respect to participate in a creditable manner. It is the unanimous opinion of the Committee on Foreign Affairs, it is the opinion of the State Department, that $50,000 is the smallest appropriation which would enable the United States to act in a manner which would not reflect discredit upon our participation in the enterprise. When a man or a nation steps outside of the line of business and undertakes to do something in the domain of friendship or of display, if it is done at all, it should be done well. Of such a nature is this enterprise; and I urge it upon the committee that, if it decides that we take part in this exposition at all, it shall vote at least $50,000. If we are not willing to expend $50,000, then let us make no appropriation, and let the whole matter die an easy and natural death.

In favor of participation is the fact that these expositions have generally been thought and generally been found to encourage and develop social and business relations. Business relations are what we want to promote and strengthen with the colonies of Australasia. The friendly feeling already existing is marked. The business relations which we wish to strengthen are already begun. The friendship is manifested by the act which was cited yesterday—an act of extraordinary generosity on the part of that government; I wish we could imitate it—the fact that the Australian provinces are now paying $150,000 a year to American steamships for carrying the mail between their country and ours; and as for the birth and growth of business, we have only to note that when in 1880 there was an exhibition at Melbourne in which we participated, the trade between this country and Australasia was less than $5,000,000. Five years afterwards the amount was $12,000,000. This, certainly, is good ground to cultivate, and these are the circumstances under which the House is to determine whether they wish to continue to cultivate or to withhold their hands. Participation in an exposition is not the best or the most efficient method of cultivating these relations, but it is one of them, and better than none. A method which many of us think is better and more direct is to follow the example of the Australasian provinces, and to send American steamships, fairly paid, to seize the markets which offer an opening over there for our surplus products.

But if we can not use that method, let us do this. In any case I repeat my appeal to the gentlemen of the committee, if you undertake to participate in this exposition at all, vote $50,000. Vote either that or nothing. With $50,000 we can make a creditable appearance. I do not claim we can do more, and my friend from New Jersey [Mr. MCADOO] was correct when he said yesterday that $250,000 could be well and profitably expended in this way. If we expended that sum we could avail ourselves fully of this fine opening for the cultivation of business and social relations; but it was the opinion of the committee, it was the opinion of the Department of State, that this House would not be willing to do more in the premises, if it did anything, than to vote just the sum which would save our appearance from being discreditable. We can do that with $50,000. Remember, it ought to be $50,000 or nothing.

Mr. MCADOO. My colleague did not state quite correctly what I said yesterday. What I did say was that $50,000 was too much for nothing and too little for anything, and that in my opinion it would take $250,000 to represent us properly at that exposition; but I did not say that I thought the $250,000 could be expended with great profit there.

Mr. PHELPS. I did not mean to represent my colleague as stating more than what he has again stated for himself. The only difference, then, in judgment between my colleague and myself seems to be this: He does not think $50,000 would be sufficient to enable this Government to make a creditable appearance in this exposition. That opinion is not shared by the Department of State or by the Committee on Foreign Affairs; and as they have given investigation and consideration to

the subject, it seems to me that this Committee of the Whole House had better rely upon them.

Mr. CUTCHEON. Mr. Chairman, I wish to ask a question for information. Can the gentleman in charge of this bill tell us what use is proposed to be made of this $50,000; whether it is to be used to make a Government exhibit, or to assist citizens in making an American exhibit?

Mr. BELMONT. To assist citizens in making their exhibits and to pay the salaries of the commissioners. It is, of course, impossible to say in advance just how the expenditure will be made in detail, but I have here a statement from the Department, which shows how the appropriation for the previous exposition at Melbourne was expended, and gives a general idea of the manner in which this one will be used. This statement comes from Mr. Rives, and is as follows:

Previous appropriation for exhibition at Melbourne, $28,000; expended for salaries of commissioners, $5,749.99; for traveling expenses, $4,036.97; for clerk-hire and salary of secretary, $3,336.55; for contingent expenses, $13,746.85; unexpended balance of $1,129.64 covered into the Treasury.

Mr. RAYNER was recognized.

Mr. MCADOO. Will my colleague [Mr. PHELPS] inform the committee——

MESSAGE FROM THE SENATE.

The committee rose informally, when a message from the Senate, by Mr. MCCOOK, its Secretary, informed the House that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 81) for the relief of H. B. Wilson, administrator of the estate of William Tinder, deceased;

A bill (S. 1027) to fix the charge for passports at $1; and

A bill (S. 139) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861.

The message also requested that the House return to the Senate the bill (S. 928) in relation to marriage between white men and Indian women.

INTERNATIONAL EXPOSITION AT MELBOURNE.

The Committee of the Whole resumed its session, Mr. SPRINGER in the chair.

Mr. RAYNER. Mr. Chairman——

Mr. MCADOO. I thought I had been recognized, Mr. Chairman.

The CHAIRMAN. The gentleman from Maryland had addressed the Chair. Debate upon the pending amendment is exhausted, but the gentleman from Maryland may move a formal amendment.

Mr. RAYNER. Mr. Chairman, I move *pro forma* to amend by striking out the last word. I desire to occupy only two or three minutes in calling the attention of the House to some points connected with this bill. The gentleman from Texas [Mr. CRAIN], who spoke yesterday, seemed to regard this bill as contemplating a "junketing expedition" to some unexplored and uninhabited colonial dependency of Great Britain, in the Pacific Ocean. If this were a fact I, as a member of the Committee on Foreign Affairs, would have opposed this measure. But I want to impress upon the attention of the Committee of the Whole this fact, that to-day the five provinces of New South Wales, Queensland, North and West Australia, New Zealand, and Victoria, form parts and parcels of a great continent, containing three millions of human beings, to whom this country is annually remitting $10,000,000 worth of its manufactured products.

I wish to call attention further to the fact that Australia is sending to this country $5,000,000 worth of its own agricultural products, leaving a clear balance of trade in our favor to the amount of $5,000,000. I wish to add, if the committee will permit me, that in 1880 we appropriated $20,000 for a purpose similar to this, and since that time our commerce with Australia has increased as a result of that exhibition from $5,000,000 to $10,000,000. I will state also that one of the few American steam-ship lines leaving any port of this Republic sails to-day between the harbor of San Francisco and the harbors of New Zealand; and the government of New Zealand pays a registered American steam-ship line $150,000 per annum.

I will only add, because it is pertinent in this connection, that a few years ago we controlled the carrying trade of the world. The colors of our Republic could be seen floating from the mastheads in every port of entry in every civilized country of the globe; and the American sailor was the recognized monarch of the sea. To-day our flag has virtually disappeared from the ocean. Great Britain owns 63 per cent. of the steam marine of the world, while France and Germany, and even Austria, with but a single seaport, are bidding for the commerce of mankind. I do not believe that ships create commerce; but I do believe that commerce creates ships, and I do believe that the exhibition and public display of our goods in the markets of the world by means of enterprises of this sort create commerce.

If I looked upon this exhibition as a sort of "junketing expedition," or as a circus or menagerie, as the gentleman from Texas seems to regard it, or as affording the citizens of the California coast an opportunity in which the constituents of the honorable gentleman can not indulge to go upon an immense "drunk" in that unexplored region, I should vote against it. But I do not so regard it. I think it will do what every other similar exhibition has done; that it will bring us in closer ties of amity, and upon a firmer footing of friendly trade and commercial relationship with one of the growing continents of this earth. I trust that for this reason the House will ratify the recommendations of the State Department and the well-considered action of this committee.

Mr. MCADOO. Mr. Chairman, in view of the remarks of my colleague from New Jersey [Mr. PHELPS], I think it would be only justice to the House if either he or the chairman of the Committee on Foreign Affairs would state how, in what manner, and for what purpose this $50,000 is to be expended. I stated to the House yesterday that the distance between the seaboard States and the city of Melbourne was very great, and that if the Government of the United States intends to pay the freightage on the goods of its citizens, $50,000 will be totally inadequate for the purpose. Therefore, I think it proper that before the members of this House vote $50,000 out of the public Treasury to carry out the purposes of this measure there should be a statement from the Committee on Foreign Affairs as to the manner and purpose of this expenditure, with at least a skeleton of particulars.

There is another point. If I am correctly informed, New South Wales, although a colonial dependency of Great Britain, happily enjoys the inestimable boon of "home rule." This is not the universal rule, strange as it may seem, under the British constitution. Now, I find from the long preamble of this resolution that we are to accept this invitation from the British Government. I wish to know, Mr. Chairman, before voting on this question, if New South Wales has a parliament of her own, as I trust she has, why the representatives of New South Wales, not officials located in Downing street, London, but the free representatives of the free people of New South Wales have not, through the constituted and elected home authorities, asked the United States to participate in this exhibition. For my own part I should be loath to have the United States of America accept a second-hand and may be unauthorized invitation from the officials of the British Government in Downing street, London, instead of from the government erected, maintained, and perpetuated by the free electors of New South Wales itself. If no invitation has been extended to the people of the United States from the people of New South Wales, then it may be that those people themselves do not wish us to participate in the exhibition. A guest of the British Government is not always sure of a hearty welcome from the people of a country under British rule. This is sometimes embarrassing to the guest. What evidence have we at this distance that the British Government may not misrepresent the people of New South Wales? I know from history and observation that no government is so generous as the British in representing other people without their consent and often against their will. What authority has the Committee on Foreign Affairs of this House to attach a preamble to this resolution telling us, the representatives of the free American people, that the British Government knows what the people of New South Wales, located nearly 10,000 miles or more, as I suppose, distant, want in the way of our participation in the exhibition at Melbourne? Who told the British Government that the people of New South Wales, a good people, no doubt, would welcome our exhibit?

I have no objection to this resolution so far as it looks to extending American commerce; and I have no objection to legitimate participation by the United States in exhibitions of this kind. I am desirous that whatever of surplus products we may have from our imperial and magnificent home market may find their way to the inhabitants of New South Wales, if those people think it to their advantage to buy them, and in the mean time I wish the good, honest, enterprising people of New South Wales freedom and prosperity and the right to attend to their own business.

[Here the hammer fell.]

Mr. RAYNER. I withdraw the *pro forma* amendment.

Mr. CUTCHEON. Mr. Chairman, I renew it for the purpose of saying just a few words in regard to the scope of this resolution. The preamble of course forms no part of the resolution, and yet all the information we get of the scope of the resolution is contained in the preamble. The preamble recites:

Whereas the British Government has extended to the Government of the United States an invitation to participate in the international exhibition which is to be held at Melbourne, etc.:

*Resolved, etc.*, That said invitation is accepted, and that there be, and there hereby is, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $50,000, or so much thereof as may be necessary to effect the purpose of this resolution, to be expended in the discretion of the Secretary of State for the purpose of such representation at said exhibition.

Now, the purpose of this resolution, as gathered from the preamble—and we can gather it nowhere else—is to enable the Government of the United States to participate in this exhibition. I asked the chairman of the committee [Mr. BELMONT] a moment ago, or the gentleman from New Jersey [Mr. MCADOO], whether the purpose of the resolution was to enable the Government of the United States to make a Government exhibit or whether it was to enable the Government of the United States to assist citizens of the United States to make an exhibit from this country. The chairman assured me it was the latter; that is, to enable citizens to make an exhibit. The purpose of the resolution, as defined by the preamble itself, is to enable the Government itself to make an exhibit, that is, to participate in this exhibition,

and if that be the true purpose of the preamble and resolution, as it seems to me it is, I desire to know from the chairman how the Government of the United States is going to use the $50,000.

Mr. BELMONT. In order to carry out the object of the resolution it will be necessary, of course, to appoint commissioners who will superintend the exhibit by citizens of the United States of American products at this international exhibition to be held in Melbourne.

Mr. CUTCHEON. Is it intended to use this $50,000, or any part of it, to enable citizens to collect exhibits, say in San Francisco, and transport them to New South Wales for this exhibition at Melbourne?

Mr. BELMONT. It is true that, whatever is to be done with this sum, as the gentleman will observe, the second section of the bill provides it shall be the duty of the Secretary of State to report to Congress a detailed statement of the expenses incurred. It is almost impossible to state at present what the expenses will be, and therefore it becomes necessary to provide as has been done in this joint resolution.

Mr. CUTCHEON. That would be a sort of *post-facto* explanation; but what I ask the gentleman to state now is what use will be made of this $50,000 if we vote it.

Mr. BELMONT. Past experience in regard to these matters would answer that question for the gentleman from Michigan.

Mr. CUTCHEON. I do not wish to yield my time any further. I wish to say in the remainder of my five minutes that I believe in the utility of these exhibitions. I thought yesterday that the gentleman from Texas [Mr. CRAIN] endeavored to pull the wool over the eyes of this House on this subject.

A MEMBER. Australian wool. [Laughter.]

Mr. CUTCHEON. Yes, Australian wool; a cheap kind of wool. But I believe, Mr. Chairman, great good has come out of these international exhibitions. Last year I voted for a measure which, in my opinion, tended to extend our commerce with the isles of the sea and with South American countries by what was called a subsidy for ocean mail service. I believed that promised good. It may be this $50,000 may also result in some good, but before I vote for it—and I would be glad to vote for it if its purpose can be well defined—I would like to know from some one competent to speak what use will be made of it.

[Here the hammer fell.]

Mr. CRAIN. I have an amendment to offer.

The CHAIRMAN. There is one already pending.

Mr. CUTCHEON. I withdraw the formal amendment.

Mr. CRAIN. I move to strike out all after the enacting clause. I would like to have the chairman of the Committee on Foreign Affairs explain to the House in what portion of the organic law of the land he finds authority given to Congress to make an appropriation of this character. It is certainly not embraced in that provision which authorizes Congress to regulate foreign commerce, because this proposition is simply to make an exhibit of manufactures at Melbourne, in the province of Victoria. No such power is granted by the Constitution, either directly or by implication, to the Congress of the United States.

It will not do for gentlemen to say precedents have been established for the passage of this resolution. Gentlemen ought not in support of this resolution to point to the appropriations made by Congress for the expositions at Vienna and Paris, because in doing this they simply act as a man charged with larceny would act were he to justify himself upon the ground that other men had gone unwhipped of justice who had been guilty of the same crime.

I ask the friends of the Constitution and the strict constructionists of that instrument on this side who are supporting this measure to point out to us where the grant of power can be found in the Constitution, which they profess to revere and venerate, by which this resolution can be justified.

This whole question was most ably discussed in the House of Representatives on a similar occasion by the distinguished chairman of the Committee on the Judiciary of the last Congress, Hon. Randolph Tucker, and also by my brilliant and accomplished friend from New York [Mr. COX], who is now temporarily occupying the place of our distinguished Speaker, whose early restoration to health is earnestly hoped for by every member of this House without regard to political affiliations or sentiments.

The latter gentleman opposed a proposition to grant money in aid of the centennial celebration at Philadelphia in 1876, and upon what ground? Because, Mr. Chairman, he said there was no authority for such a grant in the Constitution of the United States.

The chairman of the Committee on the Judiciary of the House in the Forty-ninth Congress spoke in opposition to a grant of money to the Paris exposition upon the same ground; and I ask, therefore, the chairman of the Committee on Foreign Affairs to show, as a member of the Democratic party, as a strict constructionist of the Constitution, where he finds the authority for recommending such a grant as this.

The gentleman from Maryland [Mr. RAYNER] tells us that this appropriation will result in building up the merchant marine of this country. I ask him, in response to that statement, to show how this result will be accomplished. There is no connection between the exhibition of our manufactures in a town thousands of miles away and the building up of our merchant marine.

The gentleman from New Jersey [Mr. PHELPS], for whose opinion upon this and kindred subjects I entertain the most profound respect, has told us that during the year 1880, when the Melbourne exposition was held, the exports and imports between Australia and the United States amounted to but $5,000,000, and that several years afterwards they had increased to $12,000,000, which result was brought about by the exposition. The facts are, however, that the year following the exposition at Melbourne these exports and imports had decreased; and that to-day, according to the report I find embodied in a speech of the gentleman from California [Mr. MORROW], the exports and imports between the United States and Australia are less than they were two years ago.

This shows a decrease and not an extension of the commerce between the two countries, as has been claimed; and if it be true that Australia is paying $150,000 annually to an American steam-ship company for carrying the mails to this country, why is it necessary to make an exhibition of our manufactured goods for the benefit of a few favored manufacturers, merely to show the people of Australia that this is a great and growing country?

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRAIN. I ask unanimous consent to be allowed just one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CRAIN. I admit, Mr. Chairman, that the passage of this resolution will be attended with some beneficial results, and I do not propose to obstruct its passage if the majority of the House are in favor of it. I know that the gentlemen who go there to represent this country will, after the fashion of travelers, ordinary travelers, I mean, and not such distinguished travelers as my friend from New York [Mr. COX], come back and describe to admiring constituents the kind of plumage the birds wear in that far-off country. They will be able to inform us, from personal examination and inspection, of the truth or falsity of that story which we have all heard from our earliest childhood, that the monkeys of that region, with their prehensile tails, make bridges by which they cross rivers. But, sir, I fear that they may bring back the microbes of cholera, which might inoculate the Republican party and kill it, many of whose members I respect and esteem and am proud to regard as my friends.

[Here the hammer fell.]

Mr. HOOKER. Mr. Chairman, I desire to say a word in response to the inquiry which comes from several gentlemen here as to what was the origin of the resolution reported from the Committee on Foreign Affairs. That resolution had its origin in a message sent by the President to the Congress of the United States, and to which message a decent regard was paid by this House in referring its subject-matter, pertaining exclusively as it did to a representation of America in this Australian centennial, to the Committee on Foreign Affairs. When that message, accompanied as it was by a letter from the Secretary of State, was referred to the committee, we deemed it our duty to give the subject that consideration which we thought a message from the President of the United States, transmitting a letter from the Secretary of State, was entitled to receive. Hence the resolution was reported by the committee.

This, Mr. Chairman, is not the first time in the history of this country that we have been asked to make an appropriation to celebrate centennials. It was said by my distinguished friend from New Jersey that he would consent that a commission should be sent to participate in the Paris Exposition because of the response which came when we extended our invitation to the whole world in 1876 to participate with us in the celebration of the centennial of our national existence and of the declaration of our national independence from Great Britain. But it should be remembered that no nation responded more cordially to that invitation than did Great Britain herself.

Mr. KELLEY. Will the gentleman permit me for a moment? I desire to say right there that this Government refused to contribute a cent towards the expenses of that exposition, to which it had invited the people of the civilized world, and Philadelphia and Pennsylvania bore them.

Mr. HOOKER. Allow me to say I think the honorable gentleman from Pennsylvania is slightly mistaken. The Government of the United States did make an appropriation for the purpose of constructing a building there for its exhibits.

Mr. KELLEY. They made a loan, and recovered every dollar of it.

Mr. HOOKER. I am familiar with the whole subject. It is here recorded in the American Almanac for 1878, showing precisely what the Government did.

They did loan a million and a half of dollars, but in addition to that we appropriated over half a million dollars for the construction of the building to which I referred; and every gentleman who was here in Congress when those appropriations were made is fully cognizant of the fact.

But I was about to say to my distinguished friend from New Jersey that no nation of the earth responded to our invitation to participate in that celebration more cordially than England—England, whose colonies had been wrested from her by the Revolution; England, who had suffered all the losses of the war of the Revolution which established this grand galaxy of States and Territories. Not only did England come with her public exhibits, but her private citizens sent to the gallery of art in Philadelphia numerous exhibits as evidence of the good-will of the

British nation, from whom, by the Revolution whose centenary we were celebrating, was wrested this vast continent. I say, then, the declaration that England should not be treated with courtesy and respect when an invitation comes from her minister, indorsed by our Secretary of State and recommended to us by the President of the United States—I say that declaration is not worthy of us. England, with whose people we desire friendly relations, of all countries, deserves from us as friendly respect as any people we know.

I beg to embody, as part of the remarks I am now making, the report, in which the letter of the Secretary of State, addressed to the President of the United States, is published, as well as the recommendation made by the Secretary himself on that subject. It is as follows:

The importance of the proposed exhibition and the claim it has for our aid in the liberal display of American industries are indicated in the following note of the Secretary of State, referred to in the message of the President:

"To the PRESIDENT:

"I submit herewith a copy of a note to this Department from Sir Lionel West, Her Britannic Majesty's minister at this capital, extending an invitation to this Government to participate in the international exhibition which is to be held at Melbourne, 1888, to celebrate the centenary of the founding of New South Wales, the first Australian colony.

"As our social and commercial relations are daily becoming more intimate with the kindred people inhabiting Australia, it would seem to be very appropriate that this country should officially take part in an exhibition which is intended to commemorate such an important event as the founding of the first of those Australian commonwealths which are now so great and prosperous. Moreover, as Australia was extensively represented in our Centennial Exhibition held at Philadelphia in 1876, it is very proper that we should reciprocate by accepting the invitation to take part in the similar exhibition to be held at Melbourne. I therefore respectfully recommend that the accompanying papers be communicated to Congress, with the suggestion that the invitation be accepted and that the sum of $50,000 be appropriated to defray the expenses of a commission to represent the United States at the exhibition.

"This Department is advised that many American manufacturers have already made application for space in the Melbourne exhibition in expectation of the appointment of a commission to represent this country there. As it appears from Sir Lionel West's note of the 21st ultimo that the time for making applications for space for exhibitors will expire on the last day of the present month, it will be necessary for Congress to take very prompt action in order to prevent serious injury to American interests in the premises.

"Respectfully submitted.

"T. F. BAYARD.

"DEPARTMENT OF STATE,
"*Washington, December* 19, 1887."

Concurring in the views expressed by the Secretary of State, and believing that it is highly important that the growing commercial and social relations between this country and Australia should be encouraged in every proper way, the committee recommend the acceptance of the invitation so kindly tendered; and for the purpose of participating in the exhibition in an appropriate and effective manner, the committee recommend an appropriation of $50,000 to defray the expenses attending a proper official representation.

For this purpose the joint resolution herewith reported is recommended for passage.

Let me say one word further in response to the observation which fell from the gentleman from Texas [Mr. CRAIN]. We did make appropriations for the celebration in Philadelphia, and we have made appropriations to exhibitions in America and in other countries. We made an appropriation, Mr. Chairman, for the purpose of having this country represented at the Vienna Exposition of $200,000. We made an appropriation for the purpose of having our exhibits at the Paris Exposition of $95,000; and so we have done at various other times. And when I am asked for the authority to do so, and when I am referred by the gentleman from Texas to the action of former Congresses in denunciatory terms of the men who constituted those Congresses, having been part and parcel of one of them that made appropriations for the Philadelphia Centennial, I desire to say that we had the sanction of the whole legislative department, the House as well as the Senate, in making these appropriations for the purpose of representing our country at these various exhibitions.

This invitation comes in respectful terms from Great Britain. It is transmitted to us by the President of the United States, and the amount appropriated is a bagatelle in proportion to the benefits which will accrue from the acceptance of the invitation. I appeal to gentlemen on both sides of the House, for there is nothing of party politics in this—I appeal to the good sense and fair judgment of the committee whether or not, in responding to this invitation, we shall not intrust the Secretary of State with the expenditure of such an amount as may be necessary to make our exhibition in that foreign country creditable to the commerce and the manufactures of our country.

I will say just one word more. This resolution, reported by the Committee on Foreign Affairs, proposes an expenditure of $50,000, or so much thereof as may be necessary; and, in addition to that, couples the appropriation with the restriction on the Secretary of State that he shall account and report to Congress the mode and manner of the expenditure of every dollar that is used for this purpose.

[Here the hammer fell.]

Mr. KELLEY. Mr. Chairman, when I interrupted the gentleman from Mississippi [Mr. HOOKER] it was not with the purpose of opposing this appropriation. I wanted only to vindicate the truth of history by correcting an error into which he had fallen. The Congress of the United States refused to appropriate one dollar in aid of the American International Centennial Exhibition otherwise than as a loan the payment of which should be abundantly secured. The loan was abundantly secured, as the repayment of every dollar of the principal proves.

Mr. HOOKER. With the permission of the honorable gentleman from Pennsylvania I will read two lines from the American Almanac for 1878.

Mr. KELLEY. Proceed for two lines.

Mr. HOOKER (reading):

Besides the advance of $1,500,000 the United States Congress appropriated $505,000 for the erection of the United States Government building and for organizing and defraying the expenses of the highly creditable display by the various departments and bureaus of the Government and by the Smithsonian Institution. The amounts invested by Pennsylvania and Philadelphia were permanent. That invested by the United States was a loan to be repaid out of the profits of the exhibition, if any. At the winding up of the entire business of the exhibition there was found to be a surplus on hand after paying all expenses of administration. The centennial board of finance took the ground that this belonged to the stockholders, who were entitled to share it pro rata. As no actual profits had been derived from the exhibition they viewed the subscriptions of the stockholders as a lien upon the surplus funds. The United States authorities, on the other hand, maintained that it was the clear intent of Congress in the act of February 16, 1876, advancing the $1,500,000, that the United States should be fully repaid before any dividends were made. To decide the question an amicable suit was brought in the United States court and decided in the spring of 1877 in favor of the Government. The $1,500,000 was accordingly returned to the United States, the stockholders receiving about 25 per cent. on their investments. The financial result of the exhibition was more favorable than that of any other international exhibition except one.

Mr. KELLEY. If the gentleman had not interrupted me I should have stated these facts, for I am vindicating the truth of history. I say that Philadelphia and Pennsylvania, New Jersey contributing, gave $100,000, the State of Delaware, I think, $10,000, and Massachusetts making a contribution the amount of which I forget, but would be glad to have stated, and out of the fund thus created Congress required the commissioners of the United States from the several States and Territories to be fed. Many of these United States commissioners brought their families with them, and took quarters at the best and most expensive hotels in Philadelphia, and incurred bills to be paid out of these and individual contributions.

But in spite of the absence of a Government contribution the thing became so grand a fact in prospective that the Government of the United States felt it would be disgraced if it did not make an exhibition in the Centennial grounds to the assembled people of the world, and it proposed to exhibit the methods of the United States Government, so far as they were or might be embodied in physical facts that could be exhibited, and at its instance Congress made an appropriation of $550,000 for use by the Government. The amount did not go into the fund of the Centennial commissioners, but the Government expended it, and when it had made its independent national exhibition it gathered up its exhibits and its buildings and hustled them all off.

Mr. Chairman, the people of Philadelphia and Pennsylvania, of New Jersey, and Massachusetts, and Delaware, and the individual subscribers to the stock, were not a little surprised when they found that there was a member of the Congress that appropriated the $1,500,000—who, by the way, is a member of this Congress also—who claimed a fee of $10,000 after having astutely inserted the clause in the bill making that loan on which he could go into court and enforce its repayment. When the United States Government brought its suit, Philadelphia, Pennsylvania, and their coadjutors submitted the question quietly to the circuit court, which rejected the Government's claim, from which decision, however, an appeal was taken, and on an intimation from the Supreme Court that the language of the law justified the Government in demanding repayment, judgment was entered and the money was immediately paid.

And yet, sir, the representatives of Philadelphia voted $100,000 more than the whole of that loan, $1,600,000, towards rejuvenating the South, by establishing and maintaining an exhibition at New Orleans, and they have stood by all these movements. I remember the alacrity with which I hastened to the other side of this House to induce a Pennsylvania member, who is now an officer of this Government, residing in Washington, to withdraw his objection, which at that stage of the session would have defeated the appropriation of $20,000 to enable us to exhibit our fishery apparatus at the German exposition. He was a strict-construction Democrat, but I implored him to withdraw his objection, and not to disgrace his native State, which was also mine.

Mr. BELMONT. Mr. Chairman, I rise to a parliamentary inquiry. Has the gentleman from Pennsylvania had his five minutes?

The CHAIRMAN. The gentleman's time has expired.

Mr. KELLEY. I am glad to have had the floor so long, and to have been able to say what I have said.

Mr. BELMONT. I ask a vote on the pending amendment.

The CHAIRMAN. The gentleman from New Jersey [Mr. MCADOO] proposes to amend by striking out a portion of the joint resolution and inserting the words which have been read. Pending that motion, the gentleman from Texas [Mr. CRAIN] moves to strike out all of the bill after the enacting clause. The Chair will treat that as an amendment to the amendment. The question, therefore, is on the amendment of the gentleman from Texas to strike out all of the bill after the enacting clause.

The question was taken on the amendment offered by Mr. CRAIN, and it was rejected.

The CHAIRMAN. The question now recurs upon the amendment of the gentleman from New Jersey [Mr. MCADOO] to strike out and insert——

Several MEMBERS. Let it be read

The amendment of Mr. MCADOO was again read.

The question was taken on the amendment of Mr. MCADOO, and it was rejected.

Mr. BELMONT. I now move that the committee rise and report the joint resolution to the House.

The motion was agreed to.

The committee accordingly rose; and Mr. COX having resumed the chair as Speaker *pro tempore*, Mr. SPRINGER, from the Committee of the Whole, reported that they had had under consideration the joint resolution relating to the invitation of the British Government to the Government of the United States to participate in the international exposition at Melbourne to celebrate the founding of New South Wales, and had instructed him to report the same to the House and recommend its passage.

Mr. BELMONT. Now, Mr. Speaker, I move the previous question on the joint resolution as reported from the Committee of the Whole.

The previous question was ordered.

The SPEAKER *pro tempore*. The question now is on the engrossment and third reading of the joint resolution.

Mr. MCADOO. On that I call for a division.

The House divided; and there were—ayes 183, noes 27; so the joint resolution was ordered to be engrossed and read a third time.

The SPEAKER *pro tempore*. The question now is on the passage of the resolution.

Mr. OATES. Mr. Speaker, I rise to a parliamentary inquiry. Has the hour expired?

The SPEAKER *pro tempore*. The hour has not yet expired.

Mr. BELMONT. I ask for a vote.

Mr. OATES. I demand the yeas and nays on the passage of the joint resolution.

The yeas and nays were ordered.

Mr. DUNHAM. Mr. Speaker, I rise to a parliamentary inquiry. Is a motion to recommit in order now?

Several MEMBERS. "Regular order!"

Mr. DUNHAM. Is a motion to recommit in order at this time?

Mr. HOOKER. Mr. Speaker, the yeas and nays have been ordered, and I submit that nothing is in order now except to proceed with the roll-call.

The SPEAKER *pro tempore*. The gentleman from Illinois [Mr. DUNHAM] rises to make a motion to recommit.

Mr. DUNHAM. I ask the Chair whether that is in order now?

Mr. BELMONT. The yeas and nays have been ordered.

The SPEAKER *pro tempore*. The Chair is inclined to hold that, the yeas and nays having been ordered, the only question now is on the passage of the resolution.

Mr. DUNHAM. I make the point of order that the hour is up, and this business can not be proceeded with further to-day.

Mr. BELMONT. The hour is not up yet.

Several MEMBERS. Call the roll.

The SPEAKER *pro tempore*. The question will now be taken by yeas and nays on the passage of the joint resolution reported from the Committee on Foreign Affairs. The Clerk will call the roll.

Mr. BURROWS. Mr. Speaker, at what time is the morning hour up?

The SPEAKER *pro tempore*. Half a minute of the hour yet remains. [Laughter.]

The question was taken; and it was decided in the affirmative—yeas 157, nays 89, not voting 77; as follows:

YEAS—157.

| | | | |
|---|---|---|---|
| Adams, | Clardy, | Hall, | Long, |
| Allen, C. H. | Clark, | Harmer, | Lynch, |
| Anderson, G. A. | Cogswell, | Hatch, | Mahoney, |
| Arnold, | Collins, | Hayden, | Maish, |
| Atkinson, | Cothran, | Hayes, | Mansur, |
| Baker, C. S. | Crouse, | Heard, | McCreary, |
| Bayne, | Dalzell, | Hemphill, | McKenna, |
| Belden, | Dargan, | Hermann, | McKinley, |
| Belmont, | Darlington, | Hires, | McKinney, |
| Biggs, | Davidson, R. H. M. | Hitt, | Milliken |
| Blanchard, | Davis, | Hogg, | Moffitt, |
| Boothman, | De Lano, | Hooker, | Morrill, |
| Bound, | Dingley, | Hopkins, S. T. | Morrow, |
| Boutelle, | Dougherty, | Howard, | Morse, |
| Breckinridge, C. R. | Elliott, | Hudd, | Newton, |
| Breckinridge, WCP | Ermentrout, | Hunter, | Nichols, |
| Browne, T. H. B. | Farquhar, | Hutton, | Norwood, |
| Brown, C. E. | Finley, | Jackson, | O'Neall, J. H. |
| Brumm, | Fisher, | Johnston, J. T. | O'Neill, Charles |
| Bryce, | Foran, | Kean, | O'Neill, J. J. |
| Buchanan, | French, | Kelley, | Osborne, |
| Campbell, Felix | Gallinger, | Kennedy, | Owen, |
| Campbell, T. J. | Gay, | Laffoon, | Patton, |
| Cannon, | Gest, | Laidlaw, | Perkins, |
| Caruth, | Granger, | Laird, | Perry, |
| Caswell, | Greenman, | Lee, | Phelan, |
| Cheadle, | Grimes, | Lehlbach, | Phelps, |
| Chipman, | Grout, | Lind, | Plumb, |
| Post, | Simmons, | Thomas, G. M. | Whiting, J. R. |
| Rayner, | Smith, | Thomas, O. B. | Whiting, William |
| Robertson, | Snyder, | Thompson, T. L. | Whitthorne, |
| Rockwell, | Sowden, | Tillman, | Wickham, |
| Rowell, | Spooner, | Tracey, | Wilkins, |
| Russell, C. A. | Springer, | Turner, E. J. | Wilkinson, |
| Russell, J. E. | Stahlnecker, | Vance, | Wilson, Thomas |
| Ryan, | Steele, | Vandever, | Wilson, W. L. |
| Scott, | Stephenson, | Walker, | Yoder. |
| Scull, | Stewart, J. W. | Weaver, | |
| Seney, | Struble, | West, | |
| Shaw, | Symes, | White, S. V. | |

NAYS—89.

| | | | |
|---|---|---|---|
| Abbott, | Crain, | Johnston, T. D. | O'Ferrall, |
| Allen, E. P. | Culberson, | Jones, | Payson, |
| Anderson, C. L. | Cummings, | Kerr, | Peel, |
| Anderson, J. A. | Davidson, A. C. | Kilgore, | Pidcock, |
| Baker, Jehu | Dockery, | Landes, | Pugsley, |
| Bankhead, | Dorsey, | Lane, | Richardson, |
| Barnes, | Dunham, | Lanham, | Rowland, |
| Barry, | Enloe, | Latham, | Sayers, |
| Brewer, | Forney, | Lyman, | Sherman, |
| Brower, | Fuller, | Martin, | Shively, |
| Browne, T. M. | Funston, | Mason, | Stewart, Charles |
| Buckalew, | Gear, | Matson, | Stone of Ky. |
| Bunnell, | Glass, | McAdoo, | Stone of Mo. |
| Burnes, | Hare, | McClammy, | Tarsney, |
| Burrows, | Haugen, | McCullogh, | Taulbee, |
| Butler, | Henderson, D. B. | McMillin, | Turner, H. G. |
| Campbell, J. E. | Henderson, J. S. | McRae, | Warner, |
| Candler, | Henderson, T. J. | Montgomery, | Washington, |
| Catchings, | Hiestand, | Moore, | Yardley, |
| Cobb, | Holman, | Neal, | Yost. |
| Conger, | Holmes, | Nutting, | |
| Cooper, | Hopkins, S. I. | Oates, | |
| Cowles, | Hovey, | O'Donnell, | |

NOT VOTING—77.

| | | | |
|---|---|---|---|
| Allen, J. M. | Davenport, | Lodge, | Sawyer, |
| Anderson, A. R. | Dibble, | Macdonald, | Spinola, |
| Bacon, | Dunn, | Maffett, | Stewart, J. D. |
| Bingham, | Felton, | McComas, | Stockdale, |
| Bland, | Fitch, | McCormick, | Taylor, E. B. |
| Bliss, | Flood, | McShane, | Taylor, J. D. |
| Blount, | Ford, | Merriman, | Thomas, J. R. |
| Bowden, | Gaines, | Mills, | Thompson, A. C. |
| Bowen, | Gibson, | Morgan, | Townshend, |
| Brown, J. R. | Glover, | Nelson, | Wade, |
| Burnett, | Goff, | Outhwaite, | Weber, |
| Butterworth, | Grosvenor, | Parker, | Wheeler, |
| Bynum, | Guenther, | Penington, | White, J. B. |
| Carleton, | Herbert, | Peters, | Wilber, |
| Clements, | Hopkins, A. J. | Randall, | Williams, |
| Cockran, | Houk, | Reed, | Wise, |
| Compton, | Ketcham, | Rice, | Woodburn. |
| Cox, | La Follette, | Rogers, | |
| Crisp, | Lagan, | Romeis, | |
| Cutcheon, | Lawler, | Rusk, | |

So the joint resolution was passed.

Mr. MANSUR. I am authorized by the gentleman from Mississippi [Mr. STOCKDALE] to say that he has been unexpectedly called from the House, and is paired with the gentleman from Ohio [Mr. THOMPSON].

The SPEAKER *pro tempore*. The pairs will now be read.

The following-named gentlemen were announced as paired until further notice:

Mr. BYNUM with Mr. WEBER.

Mr. BURNETT with Mr. GROSVENOR.

Mr. CLEMENTS with Mr. KETCHAM.

Mr. MCCORMICK with Mr. PENINGTON.

Mr. GLOVER with Mr. GAINES.

Mr. ROGERS with Mr. EZRA B. TAYLOR.

Mr. HERBERT with Mr. GOFF.

Mr. COCKRAN with Mr. WHITE, of New York.

Mr. SPINOLA with Mr. THOMAS, of Illinois.

Mr. BACON with Mr. JOSEPH D. TAYLOR.

Mr. CATCHINGS with Mr. HOUK.

Mr. ALLEN, of Mississippi, with Mr. BOWDEN.

Mr. BLAND with Mr. ROMEIS.

The following-named members were announced as paired for this day:

Mr. RANDALL with Mr. FELTON.

Mr. DIBBLE with Mr. GUENTHER.

Mr. OUTHWAITE with Mr. BINGHAM.

Mr. LAWLER with Mr. BUTTERWORTH.

Mr. RUSK with Mr. FITCH.

Mr. STOCKDALE with Mr. THOMPSON, of Ohio.

Mr. LYNCH with Mr. WILLIAMS.

Mr. MILLS with Mr. MCCOMAS.

The result of the vote was announced as above stated.

Mr. BELMONT moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CIVIL JURISDICTION, INDIAN TERRITORY.

Mr. ROGERS, by unanimous consent, from the Committee on the Judiciary, reported back favorably the bill (H. R. 1204) conferring civil jurisdiction in certain cases arising in the Indian Territory on the United States courts which now or may hereafter exercise criminal jurisdiction

over said Territory; which was referred to the House Calendar, and the accompanying report ordered to be printed.

PARIS EXPOSITION.

Mr. BELMONT, by unanimous consent, introduced a joint resolution (H. Res. 83) accepting the invitation of the French Republic to take part in the international exposition to be held in Paris in 1889; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

PENSION APPROPRIATION BILL.

Mr. FORAN, by unanimous consent, from the Committee on Appropriations, reported a bill (H. R. 5445) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1889, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

CASES FROM THE COURT OF CLAIMS.

Mr. TAULBEE, by unanimous consent, submitted the following resolution; which was referred to the Committee on Rules:

*Resolved*, That the Speaker of the House be authorized to refer to the proper committees of the House the bills now on the House Private Calendar, reported by the Court of Claims in the Forty-ninth Congress and brought forward.

NATIONAL-BANK CIRCULATION.

Mr. WILKINS. I demand the regular order of business.

The SPEAKER *pro tempore*. The regular order of business is the unfinished business of yesterday, and the Clerk will read the title of the pending bill.

The Clerk read as follows:

A bill (H. R. 1733) to provide for the issue of circulating notes to national-bank associations.

The SPEAKER *pro tempore*. The existing condition of the question is this: The yeas and nays have been ordered on the engrossment and third reading of the bill. The pending question is on the demand for the previous question on the engrossment and third reading of the bill.

Mr. WILKINS. I desire to make a proposition to the House, and will send it to the Clerk's desk to be read.

Mr. WEAVER. There is no objection to its being read.

Mr. ANDERSON, of Kansas. No; we do not object if it does not deprive us of any of our rights.

Mr. WEAVER. Of course we give up none of our rights.

The SPEAKER *pro tempore*. The understanding is, of course, that the proposition is read for the information of the House.

Mr. WILKINS. I ask the Clerk to read it.

The SPEAKER *pro tempore*. The proposition of the gentleman from Ohio [Mr. WILKINS] will now be read.

The Clerk read as follows:

I ask unanimous consent that the vote ordering the yeas and nays on ordering the previous question on the engrossment and third reading of the pending bill be vacated and the motion withdrawn, and that debate be allowed and amendments in order be offered, and the previous question on the bill and such then pending amendments be considered as ordered at 5 o'clock on the —— [the date being left blank].

Mr. ANDERSON, of Kansas. I ask for the reading of the proposition again.

The proposition was again read.

Mr. WILKINS. I wish to submit to the gentlemen who oppose this measure that they supply the blank.

Mr. ANDERSON, of Kansas. How long does the gentleman propose to give?

Mr. WILKINS. I propose that the debate shall close within a reasonable time.

Mr. WEAVER. There is no use taking up the time of the House. We will exercise our rights, and want no intimation from the gentleman from Ohio as to what we ought to do. I object.

Mr. ANDERSON, of Kansas. I ask to present this proposition. I ask unanimous consent that the vote ordering the yeas and nays on ordering the previous question on the engrossment and third reading of the pending bill be vacated and the motion withdrawn.

Mr. RANDALL and Mr. WEAVER asked that the proposition be again read.

The proposition of Mr. ANDERSON, of Kansas, was read from the Clerk's desk.

The SPEAKER *pro tempore*. Is there objection to the consideration of this proposition?

Mr. WILKINS. I can not consent, unless some time in the future is fixed when this debate shall end.

Mr. ANDERSON, of Kansas. How long does the gentleman propose to give?

Mr. WILKINS. Within a week or ten days. I will say ten days.

Mr. ANDERSON, of Kansas. I accept that proposition.

Mr. WEAVER. I do not agree to that. I will not agree if the gentleman says thirty days.

Mr. BROWNE, of Indiana. Let us declare, by unanimous consent, that the minority can always delay the legislation of this House.

Mr. WEAVER. Those who are in favor of this bill, and are pressing it here, are the obstructionists. Here is a bill in favor of the national banks that you are trying to rush in to the exclusion of everything else which the people require. If gentlemen choose to place themselves in that position, they can do it.

Mr. BROWNE, of Indiana. Let us have the regular order.

Mr. TOWNSHEND. What is the question before the House?

The SPEAKER *pro tempore*. A question of consideration is pending.

Mr. ANDERSON, of Kansas. Let that proposition be read again.

Several members demanded the regular order.

The SPEAKER *pro tempore*. Objection is made.

Mr. ANDERSON, of Kansas. I hope gentlemen will withdraw that demand, as we can probably arrange this matter.

Mr. WEAVER. I understood the gentleman from Ohio to propose this: that he would consent to ten days' extension for debate and amendment, provided at the expiration of that time there should be a vote on the passage of the bill.

Mr. WILKINS. The gentleman is correct in that.

Mr. ANDERSON, of Kansas. That is not my request.

Mr. WILKINS. I am perfectly willing to accord that time.

Mr. ANDERSON, of Kansas. That is not included in my motion.

Mr. WILKINS. I accept that.

Mr. ANDERSON, of Kansas. It was not my proposition. I proposed that the debate should continue for ten days—— [Cries of "Regular order!"]

The SPEAKER *pro tempore*. Debate is out of order except by unanimous consent.

The first question is, Will the House now proceed to consider this bill?

The question was taken; and on a division there were—ayes 107, noes 57.

Mr. ANDERSON, of Kansas. Let us have tellers.

Tellers were ordered.

Mr. WILKINS. It will save time to have the yeas and nays at once. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 125, nays 99, not voting 99; as follows:

YEAS—125.

| | | | |
|---|---|---|---|
| Adams, | Cothran, | Howard, | Perry, |
| Allen, C. H. | Crain, | Hunter, | Plumb, |
| Allen, E. P. | Cummings, | Hutton, | Pugsley, |
| Arnold, | Dalzell, | Jackson, | Rice, |
| Atkinson, | Dargan, | Jones, | Rockwell, |
| Baker, C. S. | Darlington, | Kean, | Rowell, |
| Bayne, | Davenport, | Kennedy, | Russell, C. A. |
| Belden, | Davis, | Laidlaw, | Russell, J. E. |
| Belmont, | De Lano, | Laird, | Sawyer, |
| Bliss, | Dingley, | Lehlbach, | Scott, |
| Boothman, | Dorsey, | Long, | Scull, |
| Bound, | Dougherty, | Lyman, | Sherman, |
| Bowen, | Dunham, | Mahoney, | Spooner, |
| Breckinridge, WCP | Elliott, | Maish, | Steele, |
| Brewer, | Ermentrout, | Mason, | Stewart, J. W. |
| Brower, | Farquhar, | McCreary, | Struble, |
| Browne, T. H. B. | Finley, | McKenna, | Thomas, G. M. |
| Browne, T. M. | Gallinger, | McKinley, | Thomas, O. B. |
| Brown, C. E. | Gear, | Merriman, | Tracey, |
| Bryce, | Greenman, | Milliken, | West, |
| Buchanan, | Grout, | Moffitt, | White, J. B. |
| Bunnell, | Hall, | Montgomery, | White, S. V. |
| Burrows, | Harmer, | Morrill, | Wickham, |
| Butler, | Haugen, | Morrow, | Wilkins, |
| Campbell, Felix | Hayden, | Morse, | Wilkinson, |
| Caswell, | Hemphill, | Nichols, | Williams, |
| Catchings, | Henderson, D. B. | Oates, | Wilson, Thomas |
| Clark, | Hiestand, | O'Donnell, | Yardley, |
| Cogswell, | Hires, | O'Neill, Charles | Yost. |
| Collins, | Hitt, | Osborne, | |
| Conger, | Hopkins, S. T. | Parker, | |
| Cooper, | Hovey, | Patton, | |

NAYS—99.

| | | | |
|---|---|---|---|
| Abbott, | Enloe, | Mansur, | Seney, |
| Anderson, A. R. | Fisher, | Martin, | Shively, |
| Anderson, C. L. | Foran, | Matson, | Simmons, |
| Anderson, G. A. | Forney, | McAdoo, | Smith, |
| Anderson, J. A. | Fuller, | McClammy, | Snyder, |
| Baker, Jehu | Gest, | McCullogh, | Stewart, Charles |
| Bankhead, | Glass, | McMillin, | Stone of Ky. |
| Barnes, | Grimes, | McRae, | Tarsney, |
| Blanchard, | Hare, | Meshane, | Taulbee, |
| Blount, | Hatch, | Moore, | Thompson, T. L. |
| Brumm, | Henderson, J. S. | Neal, | Tillman, |
| Buckalew, | Hogg, | Newton, | Townshend, |
| Cannon, | Holman, | Nutting, | Turner, E. J. |
| Caruth, | Hopkins, S. I. | O'Ferrall, | Turner, H. G. |
| Cheadle, | Hudd, | O'Neill, J. J. | Wade, |
| Chipman, | Johnston, J. T. | Outhwaite, | Walker, |
| Clardy, | Kerr, | Owen, | Washington, |
| Cobb, | Kilgore, | Payson, | Weaver, |
| Compton, | Laffoon, | Peel, | Wheeler, |
| Cowles, | La Follette, | Phelan, | Whiting, J. R. |
| Crisp, | Lane, | Pidcock, | Whitthorne, |
| Culberson, | Lanham, | Richardson, | Wilson, W. L. |
| Davidson, A. C. | Latham, | Robertson, | Wise, |
| Davidson, R. H. M. | Lynch, | Rowland, | Yoder. |
| Dockery, | Macdonald, | Sayers, | |

NOT VOTING—99.

| | | | |
|---|---|---|---|
| Allen, J. M. | Felton, | Ketcham, | Romeis, |
| Bacon, | Fitch, | Lagan, | Rusk, |
| Barry, | Flood, | Landes, | Ryan, |
| Biggs, | Ford, | Lawler, | Shaw, |
| Bingham, | French, | Lee, | Sowden, |
| Bland, | Funston, | Lind, | Spinola, |
| Boutelle, | Gaines, | Lodge, | Springer, |
| Bowden, | Gay, | Maffatt, | Stahlnecker, |
| Breckinridge, C. R. | Gibson, | McComas, | Stephenson, |
| Brown, J. R. | Glover, | McCormick, | Stewart, J. D. |
| Burnes, | Goff, | McKinney, | Stockdale, |
| Burnett, | Granger, | Mills, | Stone of Mo. |
| Butterworth, | Grosvenor, | Morgan, | Symes, |
| Bynum, | Guenther, | Nelson, | Taylor, E. B. |
| Campbell, J. E. | Hayes, | Norwood, | Taylor, J. D. |
| Campbell, T. J. | Heard, | O'Neall, J. H | Thomas, J. R. |
| Candler, | Henderson, T. J. | Penington, | Thompson, A. C. |
| Carleton, | Herbert, | Perkins, | Vance, |
| Clements, | Hermann, | Peters, | Vandever, |
| Cockran, | Holmes, | Phelps, | Warner, |
| Cox, | Hooker, | Post, | Weber, |
| Crouse, | Hopkins, A. J. | Randall, | Whiting, William |
| Cutcheon, | Houk, | Rayner, | Wilbur, |
| Dibble, | Johnston, T. D. | Reed, | Woodburn. |
| Dunn, | Kelley, | Rogers, | |

So the House determined to consider the bill.

Mr. OATES. I ask unanimous consent to dispense with the reading of the names.

Mr. WEAVER. I object.

The Clerk then recapitulated the names of those voting.

The following additional pairs were announced:

Mr. GRANGER with Mr. BUTTERWORTH, for the rest of the day.

Mr. BARRY with Mr. KELLEY.

Mr. SPRINGER with Mr. HENDERSON, of Illinois.

Mr. BURNES with Mr. STONE, of Missouri, on this bill.

Mr. LAWLER with Mr. STAHLNECKER, on the bank bill.

Mr. FORD with Mr. CUTCHEON, on this bill for to-day.

Mr. PERKINS with Mr. WILBER, on the bank bill. If present, Mr. WILBER would vote for the bill, Mr. PERKINS against it.

Mr. RANDALL. I desire to say that if I was not paired I would vote "no."

The result of the vote was then announced, as above recorded.

The SPEAKER *pro tempore*. The question recurs——

Mr. WEAVER. I move that the House take a recess until 3 o'clock, when the special assignment comes up.

The question was taken; and on a division there were—ayes 17, noes 36.

Mr. WEAVER. No quorum has voted.

The SPEAKER *pro tempore*. The point of order being made that no quorum has voted, the Chair will order tellers.

Mr. WEAVER and Mr. WILKINS were appointed tellers.

The House again proceeded to divide.

Mr. WILKINS (one of the tellers). I ask unanimous consent that this matter go over until to-morrow, and that the hour for the special order may be considered as having now arrived.

Mr. WEAVER. I have no objection to that.

The SPEAKER *pro tempore*. Does the gentleman ask unanimous consent that a recess be taken until 3 o'clock?

Mr. RANDALL. Can not the special order fixed for 3 o'clock be proceeded with now by consent?

Mr. WILKINS. That was my proposition.

Mr. DUNHAM. I understand the Massachusetts delegation do not desire to commence the proceedings until 3 o'clock.

Mr. WEAVER. Then let us take the recess until 3 o'clock by unanimous consent.

The SPEAKER *pro tempore*. The Chair will submit that request to the House.

Is there objection?

There being no objection, the House (at 2 o'clock and twenty-five minutes p. m.) took a recess until 3 o'clock.

PORTRAITS OF EX-SPEAKERS.

The recess having expired, the House reassembled at 3 o'clock.

The SPEAKER *pro tempore*. The hour of 3 having arrived, the special order will be read by the Clerk.

The Clerk read as follows:

*Resolved*, That Thursday, January 19, at 3 o'clock p. m., be set apart for the presentation to the House of Representatives of portraits of ex-Speakers Sedgwick, Varnum, and Banks by the Commonwealth of Massachusetts, and that upon that occasion the committee of the executive council of that State be admitted to the floor.

Mr. LONG. Mr. Speaker, several years ago, when I was in official position in Massachusetts, Hon. George B. Loring, then a member of this body from that State, wrote me urging the propriety of its furnishing suitable oil paintings of the Speakers it had given to this House. No action was taken in the matter at that time. But the consummation was not far off. When my colleague, Mr. ROCKWELL, entered the Forty-eighth Congress he sought, at first in vain, among the pictures of the ex-Speakers of the House for one bearing the name of Theodore Sedgwick, who was Speaker in the Sixth Congress, and whose home was in that part of Massachusetts which Mr. ROCKWELL now represents. After persistent inquiry he ascertained that one of the then unnamed pictures hanging in the adjoining lobby was the object of his search. He was aided in his investigation by Mr. Clark, the Architect of the Capitol, who two years later, as a result of a conversation between them, addressed to him the following letter:

ARCHITECT'S OFFICE, U. S. CAPITOL,
*Washington, D. C., February* 16, 1886.

DEAR SIR: As relates to the portraits of the Massachusetts Speakers of the United States House of Representatives, I have the honor to state that the portrait of Speaker Winthrop, recently presented by certain citizens of Massachusetts, is a work of art worthy of the place it holds and the person it represents. That of Speaker Banks, though an oil painting, is on paper, and in a decaying condition. Those of Sedgwick and Varnum are crayon drawings, quite beneath criticism.

I can not but entertain the hope that your great State will follow the example of the State of Connecticut, and have painted by artists of repute portraits of its Speakers, Sedgwick, Varnum, and Banks, to grace this national collection.

Very respectfully, yours,

EDWARD CLARK,
*Architect United States Capitol.*

Hon. F. W. ROCKWELL,
*House of Representatives.*

The following memorial to the authorities of Massachusetts was the next step:

WASHINGTON, D. C., *February* 16, 1886.

The undersigned, Representatives from the State of Massachusetts in the Forty-ninth Congress, respectfully represent that in the collection of the portraits of the Speakers of the House of Representatives of the United States, those of Speakers Sedgwick, Varnum, and Banks are unworthy of the place they hold, one being in a perishing condition, and the others crayon drawings indifferently executed. They therefore earnestly pray that measures will be taken by the authorities of the State which they have the honor to represent in Congress to have furnished for this national collection at the Capitol portraits of Speakers Sedgwick, Varnum, and Banks, to be painted by artists of repute, as in the case of Speaker Winthrop.

R. T. DAVIS.
JOHN D. LONG.
A. A. RANNEY.
PATRICK A. COLLINS.
E. D. HAYDEN.
H. B. LOVERING.
E. F. STONE.
CHAS. H. ALLEN.
FREDERICK D. ELY.
W. W. RICE.
WM. WHITING.
FRANCIS W. ROCKWELL.

We have had no recent opportunity of examining the portraits of the distinguished gentlemen referred to. Fully confiding, however, in the judgment of the delegation in the House of Representatives as to the pictures referred to, we concur in their desire.

H. L. DAWES.
GEO. F. HOAR.

This letter and memorial were presented to the governor of Massachusetts, who transmitted both to the senate and house of representatives of that Commonwealth, recommending the subject to their favorable consideration and action. The Massachusetts Legislature promptly responded by passing the following resolve, which was approved April 1, 1886:

*Resolved*, That the governor and council be, and they are hereby, authorized and requested to have furnished for the national Capitol at Washington, D. C., worthy portraits of Speakers Sedgwick, Varnum, and Banks, the same to be painted by some artist or artists of skill and repute, and to correspond in merit with that of Speaker Winthrop, already in the collection.

Under the authority of this resolve the governor and council employed Edgar Parker, of Boston, to paint a portrait of Theodore Sedgwick, from an original by Stuart, in the possession of the Sedgwick family, in Stockbridge, Mass.

They purchased of a great grandson of the Speaker of the Tenth and Eleventh Congresses a portrait of Joseph Bradley Varnum. It is a copy painted by Charles Loring Eliot more than thirty years ago. The original was done by an artist whose name is not ascertained. The copy was intended, when made, for the national Capitol, but the original intention seems to have been abandoned.

They employed R. W. Vonnoh, of Boston, to paint a portrait of the Speaker of the Thirty-fourth Congress, Nathaniel Prentiss Banks, from life, representing him, however, as of the age at which he was Speaker.

The artists have finished their work. The portraits are here, having been brought to Washington under the charge of Messrs. Bourne, Johnson, and Locke, a committee of the executive council of Massachusetts, appointed by Governor Ames to present them to the National Government, and now, by the courtesy of the House, present on its floor. Speaking for them and for the ancient Commonwealth whose gift they bring, I present to the national House of Representatives these "worthy portraits" of Speakers Sedgwick, Varnum, and Banks. With the painting of Winthrop, already here, they are speakers still for the State and for the Union, to which the men whose faces they picture rendered high and honorable service. I trust that other States, following the example of this day, will array beside these portraits worthy portraits of their own distinguished sons who have held the same office, and who deserve, as Massachusetts thought hers deserved, more permanent and artistic memorials than those which have hitherto hung upon the adjoining walls.

It is fitting, Mr. Speaker, that I leave to my colleagues who represent the several districts in which lived the Speakers whom Massachusetts has given to the chair you occupy the appreciative words which this occasion demands in their behalf; but I can not forbear to add in a single

sentence that their fame and service are limited to no district in that historic Commonwealth, but are hers, associated with her common glory; hers, not as she stands alone, but as she stands and has stood and will stand, as a part of that Union which, under her construction of its Constitution, has been tried and not found wanting in power to preserve its own integrity, to establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty for ourselves and our posterity; hers, too, proud mother as she has been of so many other statesmen, soldiers, scholars, orators, poets, and patriots who have loved, honored, and served their country.

Could you, sir, like Virgil's man, cross the stream and walk the Elysian fields, as at some time you will—may it be late alike with you and with him whose place by reason of his illness you occupy this day—you would see them there—Sam Adams and John; Otis and Quincy and Hancock; Warren, his patriot blood spouting hot from his gaping wound; the swart, mighty brow of Webster, bent over the open pages of the Constitution; the nervous figure of Choate; the graceful pose of Everett; Longfellow, dreaming of the banks of the Charles; Emerson and Sumner; and Phillips, calm in his merciless scorn of injustice, walking arm and arm with the fiery Andrew, no Greek or Trojan helmets on their heads, but in their hands the broken shackles of a slave and the olive branches of the restored peace and union of their country. Only shadows. Only pictures, such as these we bring to-day—mute, but forever eloquent. [Applause.]

Mr. ROCKWELL. Mr. Speaker, in the Fiftieth Congress we recall the eminent public service of a gentleman who was in the First Congress.

Theodore Sedgwick won a high position in the Commonwealth of Massachusetts, in the councils of the Federal party, and in Congress. A man of integrity, fidelity, and capacity, he leads a line of well-equipped Western Massachusetts men who have been honored, not alone by merited promotion at home, but who have been intrusted in the Congress of the United States with the high duty of framing, shaping, defending, maintaining the dignity, power, and humanity of a beloved country. When he entered the First Congress he brought talent and experience. Educated at Yale, entering the Massachusetts bar (April, 1766) when scarce twenty, we find him at thirty an aide to General Thomas in the expedition to Canada (1776), and afterward procuring supplies for the Continental Army. He represented the old town of Sheffield in the Massachusetts general court, both before and after the Revolution. His votes are recorded as a delegate in the Congress of the Confederation in 1786 (June 1 to August 22) and in 1788 (April 4 to September 3). In the winter of 1787 at home he aided in suppressing the Shays insurrection. In 1788 he was also a representative from Stockbridge to the Massachusetts State convention that adopted the Federal Constitution, a course he strongly advocated in the convention. The same year he was speaker of the Massachusetts house of representatives.

He served in the First, Second, Third, and Fourth Congresses in the House until he was appointed from the Fourth Congress as an United States Senator to succeed Caleb Strong, presenting his credentials on December 21, 1796. On June 27, 1798, he was elected President *pro tempore* of the Senate, serving until July 19. Returned to the House in the Sixth Congress (1799), he was elected Speaker, serving till March 3, 1801.

In 1802, Massachusetts, who appreciates faithful public service, placed him in her supreme court, where he remained until his death, in his sixty-sixth year. Thus a life beginning in 1746 and ending in 1813 was filled with usefulness and crowned with honor. Thus it appears that he served in two Congresses under the Confederation and in the first six Congresses after the adoption of the Constitution, under our present representative Republic. He served during the two administrations of Washington and under that of John Adams.

He took his seat in the First Congress, held in the city of New York, on June 15, 1789. He served in the Congresses held at Philadelphia, and was there Speaker in the first session of the Sixth. When the second session of the Sixth Congress opened its sitting in the new Federal city of Washington he was the presiding officer (November 17, 1800).

He lived and was deeply interested in the stirring times preceding and during the Revolution and throughout the formative period of the Republic. He was in the midst of affairs when the Articles of Confederation were agreed upon (1777); when the ninth State adopted the Constitution (1788).

Mr. Sedgwick believed in a firm government. His speeches indicate it. He believed in the Republic. His distrust of the capacity of the people for self-government as intimated by his distinguished daughter, Miss Catherine, I believe, on careful comparison with his public utterances, to be overdrawn. Logical and lucid, elegant in expression, and with the dignity of a gentleman of the old school, he proved by his speeches that Congress is a house of work for intellectual men. The speeches of that day indeed disclose a grand grasp of ideas, a philosophical reasoning second only to the good judgment, discretion, and forethought of the framers of the Constitution itself. In those discussions Mr. Sedgwick bore a conspicuous part. He was a well-grounded and ready debater. The day after taking his seat in the First Congress he joined in the debate upon the question of allowing the head of the proposed department of foreign affairs to be removable by the President, urging his position by illustration, logic, and marked ability. This position of a sound reasoner, an eloquent debater, he steadily maintained. His speeches disclose a familiarity with subjects then before Congress that mark him as a man of intellect, of great research, comprehension, and able to meet, grapple with, and conquer difficulties in a practical way.

With constitutional ardor he became a leader of his party. His relations with the leading men of his day were intimate and confidential. In the works of Alexander Hamilton appear a few of his letters and the replies received to them. Indeed, the last political letter written by Hamilton, the day before his death, was directed to Judge Sedgwick. His was the Federalism of the Hamiltonian era—"an honest faith, a patriotic, true-hearted, and high-minded one."

His learning, integrity, impartiality, and courtly bearing made him as a judge honored and respected, worthy the high position Massachusetts had conferred upon him.

Judge Sedgwick's private life was passed amid the picturesque hills of Berkshire. Here he lived in republican simplicity, yet dispensing a generous hospitality. The tributes of his children while he lived and after his death disclose the loving relations that mark the true home. His care and guidance impressed his character and attainments on his children's children.

The town of Stockbridge, the county of Berkshire, the Commonwealth of Massachusetts, will ever cherish the memory of his life and eminent public service. Standing here to-day, representing the district in which he lived, the bar at which he practiced, a family of the neighborhood that has witnessed and known his career, I admit a peculiar personal delight in the occasion of the presentation of this portrait. His was a masterful personality. His life was one of high and successful endeavor; it presents a charm and an inspiration. With "the old Massachusetts paper," "we leave it to the skill of the exquisite artist to complete a picture which, if a faithful resemblance of the original, can not fail to engage the attention and produce the delight of posterity." [Applause.]

GENERAL JOSEPH BRADLEY VARNUM.

Mr. ALLEN, of Massachusetts. Mr. Speaker, almost a century in the busy growth and active life of this nation has passed since General Joseph Bradley Varnum, of Massachusetts, presided as Speaker over the deliberations of this body, and on this day the old Commonwealth once more calls attention to the early days of our national life, as she hangs upon the walls of the nation's Capitol this truthful representation of one who characterized a type, in our early struggles, that the thousands of American citizens coming to this place, as to a shrine, shall here find, in honored places, the likenesses of those men whose heroic traits of character added so much to our national greatness, as if woven into the web of our national life in its first weaving, forming beautiful tapestry, to educate and delight.

So far removed in time, from the subject of these remarks, an epitome of his life will serve the purpose of the occasion, if from it we may draw a lesson, applicable to modern times.

On January 29, 1750, General Varnum was born in the town of Dracut, Mass., where his ancestors had settled in 1664, and where his descendants still dwell.

A delightful village on the banks of the charming Merrimac, which, having its source among the White Mountains of New Hampshire, flows between beautifully wooded banks, with varying interest, down to the sea; pausing in its busy way to turn millions of cotton-spindles, and blending the music of its own easy-flowing rhythm with the hum of the looms on which are being woven, day by day, the garments of the Oriental. Amid pastoral scenes the most delightful, this rugged man had his early life, and among such associations were formed those habits of thought, that simplicity of character, that ardent patriotism, that intense zeal, which characterized the youth of that historic section and made possible that sudden arming and gathering, which found the men of Middlesex County, on that historic April morning, at the bridge at Concord, to inaugurate the great struggle of the Revolution, out of which this nation was to arise. He was the younger of two brothers, both of whom became conspicuous in the history of their country.

At the age of eighteen he was commissioned captain by the committee of the Colony of Massachusetts Bay, and in 1787 colonel by the Commonwealth of Massachusetts. In 1802 he was made brigadier, and in 1805 major general of the State militia, holding the latter office at his death in 1821. His love of military affairs commenced early, and continued through a long and useful life.

From 1780 to 1795 he was a member of the house of representatives and senate of Massachusetts, and in 1787 and 1795 served as a member of the governor's council. From 1795 to 1811 he was a member of the national House of Representatives, during which time he was chosen Speaker two terms—from 1807 to 1811—having been the immediate predecessor of Henry Clay. From 1811 to 1817 he was United States Senator from Massachusetts, having been elected in opposition to Timothy Pickering, and he was President *pro tempore* of the

Senate, and Acting Vice-President of the United States, from December 6, 1813, to April 17, 1814. He was a member of the State convention to ratify the Federal Constitution in 1787, and that of 1820 to revise the constitution of Massachusetts, and was the presiding officer in the absence of Presidents John Adams and Chief-Justice Parker. He was an authority in that convention on parliamentary rules and military affairs. In 1813 he ran as candidate for Governor of Massachusetts against Caleb Strong, the incumbent of that office, but was defeated—the only political defeat of his life.

General Varnum was among the earliest patriots of the Revolution, having raised and commanded, as captain, a company of minute-men from his native town, which participated in engagements in Rhode Island and New York. He was with General Sullivan in Rhode Island, and was present with his company at the surrender of Burgoyne at Saratoga, in October, 1777, and convoyed the German prisoners of war to Boston. For his assistance in putting down Shays's rebellion, in 1787, he received a personal letter of thanks from General Benjamin Lincoln, commanding the State forces. In politics (unlike his brother, General James M. Varnum, of Rhode Island, who was a Federalist) he was a Democrat, and a strong and consistent supporter of the administration of Jefferson, and was the latter's personal adviser and friend. After his retirement, in 1817, from the National Congress, he was again chosen to represent his district in the State Legislature; and when he died, September 21, 1821, he was the senior member of the senate of Massachusetts—thus having for over thirty years been in continuous public service, twenty-two of which were spent at the national capital.

He left a valuable correspondence with Jefferson, Madison, the elder Adams, Elbridge Gerry, and the eminent men of his day. The simplicity of his life and character nowhere appear to greater advantage than in his direction for his funeral—that there should be no military or civic display, but that he should be buried from his farm-house and attended by his friends and neighbors. I am indebted for many of the above data respecting his life to the courtesy of his grandson, Mr. John M. Varnum, now residing in Cambridge, Mass.

But any mere picture, however famous the artist or excellent the production, falls short of its purpose in this connection, unless from it, as Americans, we can draw some lessons useful to us in our national life.

In these hurly-burly days of great activity in political matters, we are apt to lose sight of the paramount interest of the state in the pressing demands of personal politics, and it does us good to turn aside from the beaten path, and climb the elevation at hand, where we can overlook the small matters of immediate detail, and take a broad and comprehensive view of our great affairs. The days of General Varnum were, in their way, the crucial period in the history of our country. They marked the separation from the mother country, the setting up of the new nation, the daily meeting of new propositions to be decided with sound sense, prudence, and caution, and they exacted from those who had to deal with them wide experience and information, simplicity of purpose, a profound love of country, and an entire faith in its great future. And it seemed as if Providence, in the rearing of our early patriots, prepared a people for the new life and new conditions. In other lands the theory of government had been based upon the divine right, and liberty-yearning people everywhere, were casting about for some spot, where the experiment of a government based upon human rights and human equality, could be attempted. Toward our shores the tide of emigration had settled. Sturdy, resolute men and women had come hither. The bleak and dreary snow-covered hills and plains, the fog-enveloped, rock-bound coasts of New England seemed in their almost forbidding harshness to invite men who had the fire of liberty burning in their hearts, and among surroundings the most disheartening, upon these shores, determined men mapped out the future of this country.

In the hill towns of New England the very air was freighted with the purposes of the people, and the greater the obstacles to be surmounted, the more enduring and useful the lesson taught.

Behind these people was the great story of the English-speaking race, with its excellences to imitate, its vices to shun; and the greater the difficulties, the grander the character developed.

Just as on some bleak and barren waste, where the blasts of winter sweep and rage with relentless fury, now and then one sees standing fair and stately, some massive tree, stronger of trunk, broader of limb than is wont to be, developed the more by the very elements with which it contends, so in New England were developed those strong characteristics of a freedom-loving people, broad enough to embrace all who loved their country, and strong and elastic enough, though they bend and swing beneath tremendous pressure, to rise again to the same stately and commanding dignity of spirit.

Inviting the fullest and widest discussion, the broadest liberty, yet with a quiet dignity, and a superb conservatism, placing the limit—the dead-line of discussion—where personal liberty is threatened, or the sacredness of person or property menaced. That was the spirit of New England, always aggressive, and that, in my judgment, is the active underlying principle of our Government, which must ever move and control. No limit to theories or "isms" until they approach, in their tendencies, the overthrow of Government, the rights of property, or the lives of persons. Of such a people was General Varnum, and his life is but the working out, in one man, the essence of this principle. From him down, the same spirit animates our citizens, whether they make their path through Northern climes, or whether the warm sun of the Southern latitudes finds them toiling still. It is the love of country. The nation first, then the individual, but the aggregate of the individual weal, the highest honor of the nation. This is the spirit which has controlled our countrymen, whether in Faneuil Hall, or Independence Hall, or wherever patriots have gathered; it has been this banner of human right and perfect equality of all before the law which has been lifted up in the sight of all men—that golden symbol—that whosoever looketh upon, liveth.

And here is the lesson, and here I leave it. As this painting shall hang upon yonder wall in the years to come, so may its presence recall the heroic struggles through which we have passed as a nation, the difficulties and dangers still menacing us, and may the contemplation of these earlier patriots, in their earnestness of purpose and simplicity of character be a lesson and an inspiration to all, drawing men continually together as members of the same country, and teaching us all to take a higher and more ennobling view of our duties as citizens of this great Republic. [Applause.]

Mr. COLLINS. Mr. Speaker, it has been deemed by the representatives from Massachusetts in this House not only fitting, but, indeed, essential to the completeness of this day's ceremony, that at least a reference should be made to the eminent citizen of that Commonwealth who graced the Speaker's chair some forty years ago.

During the session of the Forty-seventh Congress his portrait was presented and received here in words so true and appropriate, so clearly estimating his character and weighing his work, that, though the gracious task is allotted to me, I refrain from an extended analysis of either. Yet I can not, as a citizen of that great State, a State proud of the achievements of all her sons and sensitive as a mother of praise and blame, let the hour pass without asking you again to recognize and appreciate the space that Robert C. Winthrop so superbly filled.

If Virginia is the mother of Presidents, Massachusetts is the cradle of Speakers. Of the thirty-six who have presided over the House of Representatives four have come from that Commonwealth. My colleagues have portrayed the characters of the other three distinguished gentlemen, and the qualities of head and heart that won and justified the favor of their associates. They served their State and the Republic with ability, honor, and patriotism. To whatever parties we are attached and whatever traditions guide, bind, or affect us, we men of Massachusetts are as one in our respect for our stainless fellow-citizens who have filled that chair.

Worthy among the best, or best among the worthy, was Speaker Winthrop. He came equipped for service as few men come to the House. He was carefully and thoroughly educated; free from the cares that oppress the struggling beginner, with six years' experience as a legislator and parliamentarian, he arrived in time to match his mind in debate with the ablest men the Republic has honored with its suffrages. In a recent publication due credit is given to his great capacity as an orator, but his power as a debater is more than questioned. Men yet live who served with him, not only here, but in other deliberative bodies, and their testimony is that he not only excelled all others in grace and force of diction in what may be termed "set speeches," but he stood level with the great debaters of the time. We need not seek, however, evidence from outside. The printed record which from day to day expresses the hot extemporaneous thought of our legislators does full justice to him. He was a great debater as well as an accomplished rhetorician. Called to the Speaker's chair in a stormy epoch, he served with rare grace, felicity, and firmness. It is worth remarking that he had the privilege of placing Abraham Lincoln, in the only Congress in which he ever served, upon a committee which helped to extend the postal system into the then far West. In the chair he guided the House, as a Speaker can, with prudence, firmness, and great wisdom. He left our active legislative life at an age when most men aspire to enter it, only to contribute in other ways to the common weal and to the enrichment of our literature. In serene and graceful old age he still remains to remind us of all that is just and honorable, true and intellectual, of that group of statesmen that clearly saw the forming of the great cloud and knew its fearful portent. The cloud has come and gone, and in another way the air is free; but we owe our acknowledgments to men like him who sought to dissipate it in peace.

His masterly oration at Yorktown and his more recent utterances in this Hall will live as models of eloquence and fortunate analysis of character as long as our institutions that he did so much to conserve shall endure. [Applause.]

I ask to supplement my remarks by having read a letter written to me by Hon. Julius Rockwell, the father of a member on this floor.

The Clerk read as follows:

LENOX, MASS., *January* 16, 1888.

MY DEAR SIR: I learn from the newspapers that you are expected to make some remarks at an early day in the House of Representatives in relation to Mr. Winthrop, a former Speaker of the House.

In the first volume of Mr. Blaine's "Twenty Years of Congress," at the seventy-third page, in what purports to be a summary of the character of Mr. Winthrop as a public man, this sentence occurs: "As an orator he was always graceful and effective, but never took high rank in the House as a debater."

I think this sentence, unintentionally of course, fails essentially in justice to Mr. Winthrop. I served with Mr. Winthrop in the Twenty-eighth, Twenty-ninth, and Thirtieth Congresses, in the House of Representatives. I had been with him previously in the house of representatives of Massachusetts, in the years of 1835, 1836, and 1837, and have heard his speeches on many public occasions. The value of such books as that of Mr. Blaine, and of the opinions therein expressed upon such a subject, must depend greatly upon the opportunity which the author has had to observe the continual conduct and character of debates. I think Mr. Blaine has never been associated with Mr. Winthrop in any deliberative assembly. I feel justified, therefore, and deem it a duty, on any proper occasion, to express a different opinion. Mr. Winthrop, while a member of the House, spoke upon many, I think most, of the important questions then discussed. He not only made what may be called set speeches, in which he was always graceful and effective, as Mr. Blaine says, but I think his utterances, as well in these as in general debate, placed him in a very high rank as a parliamentary debater, and that such was the general opinion of his associates. During the Congress in which he was Speaker of the House his duties were performed to the universal satisfaction of all parties. So far as I can I wish to give my testimony especially to his high rank as a debater, and to assure you that the passage I have quoted from Mr. Blaine is not just to Mr. Winthrop.

I am sure you will pardon me for these suggestions, as I am one of the few living who had these opportunities of observation.

With great respect, your obedient servant,

JULIUS ROCKWELL.

Hon. P. A. COLLINS.

[Applause.]

Mr. HAYDEN. The Thirty-fourth Congress met on the 3d of December, 1855. The House consisted of 234 members and 7 Territorial delegates, two new Territories having lately been formed, namely, Kansas and Nebraska. The Clerk of the House announced that a quorum had answered to their names, and a motion was made to proceed to the election of a Speaker. Then began one of the most memorable contests to elect a presiding officer of the House of Representatives known since the formation of the Government. The balloting continued day after day without an election, no candidate receiving a majority of the ballots. The debates which sprang up between the times of voting plainly expressed the temper of the public mind on the great question which agitated the country. It was a time of transition. The old parties were disintegrating; new ones were being formed; the question of slavery and freedom was uppermost in all minds, and this burning subject was forced to the front by the repeal of the compromises and the acts relating to slavery in the Territories. The passage of the Kansas-Nebraska bill had divided the party in power and had driven from it many sincere and earnest men opposed at heart to the institution of slavery; but love for the Constitution and reverence for the memory and acts of the fathers who framed that instrument had restrained them from the honest expression of hostility to that institution. Now, the barriers having been removed by the passage of these acts, the old struggle was renewed which from the earliest days had produced the fiercest and harshest debates and which shook the very foundation of this Government. Theretofore men with this veneration for the Constitution had spoken of slavery reluctantly, with bated breath and with euphemistic phrase; but now men spoke boldly and with no uncertain sound on this dominant subject, and it was apparent that the country was dividing as never before. The issue was being made and parties were forming which would bring this question to a final settlement, though then and later earnest efforts for conciliation and compromise were being made. The people of the country watched this contest of two months for Speaker with intense interest.

On the 2d of February, 1856, and on the one hundred and thirty-third ballot, the House elected, by the plurality rule, Nathaniel Prentiss Banks, of Massachusetts, Speaker. Mr. Banks was born in Waltham, in that State, January 30, 1816. The cotton-mills of this town were about the first in the country to take raw material and make it into a fabric under one roof. His parents were in humble circumstances and connected with the factory population. He attended the village school, and in early life entered the mills as an operative. Eager to learn, he was a great reader of the books in the library of the corporation, and he studied hard and continuously, being his own teacher. A bright lad, he was apt, and ready in discussion, and evinced much skill and information in the village debating society. The training got here made him later a prominent figure in the town meetings, where his dignity and grace of manner, oratorical power, quickness and facility in debate, won him many a victory on questions of local government. These steps in training advanced him to the public platform, and he took part in the Presidential campaign of 1840, advocating the election of Martin Van Buren. He was a candidate for the general court, but was defeated seven times before he gained a seat in the Massachusetts house of representatives. He was twice elected its speaker. He was president of the convention to revise the constitution, and was elected to the Thirty-third Congress as a Democrat. Elected to the Thirty-fourth Congress, "clothed," in his own words, "with a majority of 7,000, the largest majority, with a single exception, any man ever received in the political contests of Massachusetts. I may say, perhaps, that I represent the strongest anti-slavery district in the United States."

This was the elected Speaker of the Thirty-fourth Congress. During the contest, replying to a member, he said, "In my brief period of public life, not altogether a quiet one, I have relied upon myself alone. I have done that, under all circumstances, which my conviction taught me to be right." One member spoke of him "as the very bone and sinew of Free-soilism."

On January 9, 1856, Mr. Dunn, of Indiana, appealed to Massachusetts in these terms:

I put it to you, men of Massachusetts, if the lesson of the past does not say, concede a little? What is the teaching of your own great and glorious history, whenever it has been manifest that your personal wishes stood in the way of the attainment of a great end which we were all struggling for? Look at the burning page that is before you, and read its teachings. Let me ask in kindness, I beg of you, what is written in the history of your own eventful and brilliant past? Eight years, almost one-eighth of the existence of our Government—your children have sat in the chair of the Speakership of this House. There was your Sedgwick, your Varnum, your Winthrop. And in the other end of the Capitol twelve years of Presidency have been yours. Your great Adams and your Gerry have been there. The seat of highest honor—the Chief Magistracy—the great father and the great son, the elder and the younger Adams, have occupied. In the national Cabinet, from the first, your voice has almost always been heard. In our diplomatic relations, your name has been registered in nearly every court upon earth. You have earned these honors, and have worn them well. They were yours by the highest title—*merit*.

Mr. Knowlton, replying to this appeal:

The place has seemed to seek the man, and not the man the place. It is not Massachusetts that comes here and asks the election of the honorable gentleman from Massachusetts as Speaker. She, as a State, does not press it, although she may well be proud of the honorable gentleman for whom we are all proud to cast our votes. She does not press it. The great spirit of freedom aroused throughout the length and breadth of the free States of the Union has laid her hand upon that honorable gentleman, and is asking that he may go up to occupy that chair. And, so far as the West is concerned, so far as the pioneer spirit that dwells in the West is concerned—that spirit of energy which has led these men out into that land—where in all the Union can that spirit of inherent energy find a more fit representative than in the honorable gentleman from Massachusetts, for whom we vote? Sir, if I may be pardoned the expression, he is a man whose native energy has broken through all the barriers that surrounded him, and he has raised himself to a position in the estimation of the free men of this nation of which any man on earth might well be proud.

As the presiding officer of the greatest legislative body, the experience acquired as moderator of the town meeting and as speaker of the Massachusetts house of representatives, fitted him admirably, and he gained a deserved reputation amongst all parties in the land. Of an erect figure, much dignity of manner; with a sonorous and attractive voice, untiring courtesy, fairness to all sides, he won the respect of the members, and ranks among the most successful of Speakers.

Elected to the Thirty-fifth Congress, he resigned, and was three times elected governor of the Commonwealth of Massachusetts. During his administration the great institutions of learning and philanthropy, which that Commonwealth so zealously fosters and encourages, received his earnest attention.

Her militia, under his direction, became efficient, and had no superior in any State. All classes of citizens joined in doing him honor. He won the applause of scholars, when he represented the State at the annual commencement of its oldest university, by his eloquent words and elegant diction, and he retained to the end of his term the confidence and affection of his people.

During the civil war he commanded armies and great departments. The training of the soldier had not been his, but he was placed in high position, served faithfully and courageously, and was a prominent figure.

After the close of the war he was elected to the Thirty-ninth, Fortieth, Forty-second, Forty-fourth, and Forty-fifth Congresses. Since then he has served the country in other places, and always honestly and with ability.

This man of simple origin and scant education fitted himself by his own inherent strength and untiring industry to fill with credit any place within the gift of the people, and Massachusetts honors herself when she honors him whose steadfast integrity has always been conspicuous and whose public services command the praise of all her people.

It would not be becoming in me to indulge too much in eulogistic speech. He would so counsel me. I have pointed out in a brief way to the Representatives of the Fiftieth Congress the public services of Massachusetts' fourth contribution to the Speaker's chair. My honorable colleague has in eloquent words borne witness to the distinguished merits of Mr. Winthrop. These two men are a striking illustration of our free institutions; the one the descendant of the first governor of Massachusetts Bay, the recipient of all she could give in education and culture; the other of limited education, of simple surroundings, self-taught, have both occupied with equal ability the Speaker's chair and shared in that great prize of a great people.

Massachusetts to-day presents to the House of Representatives the portrait of Nathaniel Prentiss Banks, one of her honored sons, sprung from the plain people, from whose loins come the strength and prosperity of the land. [Applause.]

Mr. LODGE. It would be idle for me to attempt to add to what has been so eloquently said as to the Massachusetts Representatives who have filled the high place of Speaker in this House. Yet I can not forbear to say a few words as to one of the distinguished men whose portraits Massachusetts to-day presents to the nation. I am led to do this by a strong feeling of personal regard and by an equally strong sense of many kindnesses. I have, however, still another motive. In that famous declaration of literary independence which Dr. Johnson addressed to Lord Chesterfield he said, "The notice which you have been pleased to take of my labors, had it been early had been kind; but it has been delayed till I am indifferent, and can not enjoy it; till I am solitary and can not impart it; till I am known and do not want it."

The sentiment, with slight variation of phrase, is susceptible of wide application. We are too apt to give only criticism to the living man and reserve all our praise until he is dead. I do not mean by this the common praise that "crooks the pregnant hinges of the knee, that thrift may follow fawning," nor that which is poured out at the shrine where the fancy or the folly of the hour makes it fashionable to worship. I mean the praise of those who have nothing to expect and which is offered to those who have nothing to give. It is this which we are too ready to keep for the frigid lines of the epitaph or the obituary, when the heart which in life it might have stirred with pleasure is still and cold in death. We can certainly afford to praise a friend, when, as in the case of Mr. Winthrop, to whom I refer, his career as a public man has passed into history. It would seem, perhaps, too soon to say this, but it is not the lapse of time that has made historical the events of forty years ago. There is the gulf of a civil war between that time and this, and the mighty conflict which divided States and altered constitutions, which obliterated parties and swept social systems into ruin, has pushed into the domain of history men and events which by a mere counting of years would still belong to the present.

Turn to the pages of the Congressional Globe, which record the doings of the Thirtieth Congress, and run your eye down the list of committees appointed by Mr. Winthrop. It is a somewhat sobering exercise, for the names are for the most part mere names and nothing more. Some few are famous; some are remembered, and most forgotten. There are "some with lives that came to nothing, some with deeds as well undone." But if you scan the list closely you will find, as one of the gentlemen who preceded me said, last but one, on the Committee on the Post-Office and Post-Roads, the name of Abraham Lincoln. Try to realize what that name meant then, and think what it means to this country and to mankind to-day, and then comes a very sharp perception of how far the Thirtieth Congress has passed into history.

Mr. Winthrop filled the office of Speaker with ability and impartiality, as well as with the grace and courtesy for which he has ever been conspicuous. It is not my purpose, nor is it necessary, after what has been said to-day and on a previous occasion, to trace his public career either before or after that period. I desire simply to speak of him since his retirement from public life. Whatever his feelings may have been at the ending of a political career of unusual promise and success, he never swerved from that honorable service of the public which for two hundred and fifty years has been the habit and tradition of his race. As president of the Massachusetts Historical Society for more than a quarter of a century he has done a great work for the preservation and publication of our early historical records. By his writings he has largely contributed to American history. As president of the Provident Association, of Boston, and of the Peabody Trustees he has labored long and earnestly for the relief of poverty and suffering at his door, and for the spread of education throughout the country. His eloquence has graced many of our most memorable celebrations, and his orations at Yorktown and at the completion of the Washington Monument are still fresh in every one's memory.

With these simple allusions I must be content. I only desire to place upon the record this slight personal tribute, not so much to the Speaker of the Thirtieth Congress as to the scholar and historian, to the orator and the philanthropist; above all, to the good citizen and the kindly gentleman. Massachusetts is proud to be represented in these latter days on the honorable roll of the Speakers of this House by one who has added fresh luster to the name which she reveres as that of the founder of the Commonwealth, and also by the gray-haired soldier who has served both State and nation in the field and in civil life with so much patriotism and distinction. [Applause.]

Mr. RANDALL. Mr. Speaker, I speak under the impulse which the occasion immediately prompts. The State of Massachusetts presents the portraits of ex-Speakers Theodore Sedgwick, who presided over the Sixth Congress; Joseph Bradley Varnum, who presided over the Tenth and Eleventh Congresses, and Nathaniel P. Banks, who presided over the Thirty-fourth Congress, to be placed alongside the portrait of Robert C. Winthrop, who presided over the Thirtieth Congress. I rise to offer a resolution accepting these portraits with the assurance, not only of this House but of others yet to sit here, they will be safely kept and treasured.

Massachusetts is affluent in her list of illustrious men who have added to her renown and that of our country. Theodore Sedgwick presided, as I have said, during the Sixth Congress. It was the Congress that sat during the last two years of Mr. John Adams's administration. He was a Federalist. Joseph Bradley Varnum presided during the Tenth and Eleventh Congresses, and was, as has been said here to-day, a disciple of Thomas Jefferson. His occupancy of that chair was during the stormy period preceding the second war of independence with Great Britain, from 1812 to 1815. Nathaniel P. Banks presided during the Thirty-fourth Congress, and it was the privilege of some of us to be here with him, not, perhaps, during his term as Speaker, but subsequently, and therefore we know better of him and are able to speak with more certainty.

Mr. Banks, to my mind, was a typical American. He came from the mill to preside over the deliberations of a body of men representing a country that to-day is without a superior. Mr. Banks in the discharge of that duty, and in his whole career, has given to us an example which teaches us the strength of our institutions, and their justice and impartiality, and demonstrates to American youth the truth that by industry, by perseverance, by energy and will power, the field is open for them to occupy almost any station to which those qualities of character can advance them. And it is because we have such a Government, affording such opportunities, we have been blessed with results commanding the admiration of the leading intellectual statesmen of civilization.

Soon after I entered this House, now more than a quarter of a century ago, I came to consider that that office which you, sir, now temporarily hold was the highest office within the reach of an American citizen; that it was a grand official station, great in the honors which it conferred and still greater in the ability it gave to impress upon our history and legislation the stamp of truth, fairness, justice, and right.

And, sir, there is a peculiar reason why these early Speakers who have occupied that chair are entitled to have what they did ever to be remembered, and their history never to be forgotten. They gave to the nation in its early years, after its organization, and when it came to be practically tested, a direction, force, strength, and success rarely equaled, and certainly not surpassed, by any government of the past or present time.

When it fell to my fortune to occupy the Speaker's chair, I realized how true was my idea of the position and its possibilities; and I do not believe there is any one worthy of being mentioned in connection with it, who, the very instant he takes it, will not become so broad and generous in the scope of his political vision as to act regardless of individual and personal consequences, and only for the best interests of the American people as his judgment shall dictate.

Public men in the United States, I am sorry to say, have few rewards or emoluments in return for the strain, the exacting labor, and the worry of public service; and yet the fact should be always kept in sight that the people do not always forget the good which their Representatives take part in doing; and I am sure I express the sentiment of all of us here when I say that it is a great incentive to exertion in the discharge of our duties to know our labors and services are not ignored or cast into oblivion. In the case of these eminent public servants they have been held in veneration for what they did in the past; and for the future, by the gift of the State of Massachusetts, their portraits will adorn our walls to carry down to posterity their well-earned and well-deserved fame. [Great applause.]

I now send up a resolution of acceptance, which I ask the Clerk to read.

The Clerk read as follows:

*Resolved*, That this House has received with great satisfaction the portraits of Hon. Theodore Sedgwick, Speaker of the Sixth Congress, Hon. Joseph B. Varnum, Speaker of the Tenth and Eleventh Congresses, and Hon. Nathaniel P. Banks, Speaker of the Thirty-fourth Congress, presented by the Commonwealth of Massachusetts, and will cause them to be placed and preserved among those of the other distinguished men who in times past have presided over the House of Representatives.

[Applause.]

Mr. BRECKINRIDGE, of Kentucky. I rise, Mr. Speaker, to second the motion just submitted by the gentleman from Pennsylvania; and it is perhaps not altogether improper that the person selected to second this resolution should be a Representative from the State of Kentucky. Without any purpose to say one word in honor of that beloved State, whose people know that I love her with a passionate idolatry, it is not unbecoming to say that in her history there is no more glorious page than that on which are written the names and the deeds of her sons who have filled the Speaker's chair, and I to-day take advantage of the absence of one of those sons to say that in impartiality and intellectuality the son who fills it to-day never had a superior. [Applause.]

It is rather a peculiar fact, sir, that one of the gentlemen whose portrait we accept on this occasion was succeeded as Speaker by Henry Clay, of Kentucky, and another gentleman whose portrait we accept, Mr. Banks, himself succeeded Hon. Linn Boyd, of Kentucky; and if I may refer to so small a matter as a personal fact, my eldest son bears the name of a Kentucky delegate who voted twice to elect General Varnum Speaker of this House.

Mr. Speaker, as I meditated about what it might be proper to say this afternoon, the one great thought that continually arose in my mind was the contrast between to-day, when this representative body legislates for sixty millions of free men and for a country stretching from ocean to ocean, this day whose past is but the precursor of an ampler and nobler and more beloved future, and that day on which Theodore Sedgwick was born, a hundred and forty-two years ago. If any one standing by the side of his humble cradle on that May day in New England could have looked down the corridors of time and beheld the radiant effulgence of this glorious period, and, with prophetic ken and poetic power, have given utterance to it, he would have been held an insane dreamer of wild and impossible dreams.

The reality that has come to our ancestors and to ourselves outstrips all possible prophetic inspiration. And if we could widen the contrast and take in the whole English-speaking people, if we could measure the feebleness of that race of which we are a part, on that spring day

those years ago, and see how to-day the uplifted cross, which has been carried in the hands of those who speak this marvelous tongue, has been permanently planted in every part of the globe, how the hot justice that marks our people and our civilization is melting away the barbarism in every part of the heathen earth, and how, under the benign rays of our Christianity, the fruits of nobler enterprises and higher hopes are daily growing into magnificence—if we could do this, we would realize somewhat of the duties which are committed by the very fact of inheritance to our hands, and the glory of the triumphs which await our children in the future.

This contrast continually pressed itself upon me as I meditated upon the scene that was to be presented here this afternoon. In a narrower sense each one of the periods marked by the terms of these three gentlemen is a historic period in our development. When John Adams gave way to Thomas Jefferson it was not merely the sequence of names in the dull chronology of office; it was something more than that. Without undertaking to defend or to attack the principles or the policies of either of the two parties that had contended for mastery, I may be permitted to suggest that underneath the transient and comparatively trivial contests and difficulties between those parties there were deeper causes of difference. The Jeffersonian party represented the spirit of annexation. It had turned its face towards the West. It had fixed its eyes upon the setting sun. It felt the throbbing pulsations of a new country, and, conscious of the pervasive power of free institutions, it felt that the arena upon which the future was to be worked out was the entire continent. Modes of government, constructions of constitutions, the mere crystallizations of legislation, were not the true causes of difference. That policy which had at its head Mr. Jefferson looked to the accomplishment of a world-wide republic. It aimed to found a form of government so flexible that two States could be harmonious under it, or a hundred States could be united and happy in its progressive power. Realizing that that growth could only be attained by setting aside the trammels that were sought to be put upon the majestic limbs of this new mistress of the West, the followers of Jefferson changed not only the *personnel* of the Government, but the policies of the Government also, and when Theodore Sedgwick went out of the Speaker's chair a Jeffersonian Democrat went into the Speaker's chair.

Fifty years passed away. The annexation had been accomplished. The Mississippi no longer divided us. Our fathers had gone across the continent. The muniments of our title were blood-stained by the victories of Buena Vista, and from Vera Cruz to the city of Mexico. Grave questions arose as to what should be the future of this ocean-bound Republic, and in the midst of the throes of the dying Whig party, in the midst of the changes that this very annexation produced, in the beginning of the consolidations that were to follow that disintegration, Massachusetts, who had lost leadership in 1801, stepped ready armed with all the culture that Harvard had given her, with all the heroic blood that poured through the veins coming from the Adamses and Quincys, with a generation equal to the generation of the Revolution—ay, superior in all the elements of true manhood and of lofty culture to that Revolutionary generation—Massachusetts stepped to the front; and as the beginning of the leadership in that tremendous struggle, Nathaniel Prentiss Banks became Speaker of the House of Representatives; and though Orr followed him, and though a Democrat was elected once more, yet practically from 1855 until 1875 the House of Representatives registered the decrees of Massachusetts and the Republic of America followed the lead of the old Bay Commonwealth. I do not exaggerate, Mr. Speaker, I think, when I say that from 1855 to 1875—whether it was for weal or for woe, whether it was wisely or unwisely done, men may differ and historians may dispute—but as a matter of fact Massachusetts led America and led her with an audacity and an aggressiveness, with a skill and an eloquence, with a power and force that have never been surpassed in all the tide of time in the leadership of a great people. [Applause.]

Mr. Speaker, is this all of it? Is this the end of the chapter? Is this ceremonial about the past all that is to be said and all that is to enter our hearts on this early day of a new year? In some other hall, when the assembled representatives of many more millions are met together to accept the picture of some other Speaker, some Speaker as earnest, as dutiful, as resolute as these, some Speaker such as the eminent gentleman who has just preceded me [Mr. RANDALL], whose name honors the list of Speakers [general applause]—when some one, standing as I stand to-day, seconds the motion then to be made as I do the motion submitted to-day, may he not with more eloquent tongue felicitate himself and his country upon the added triumphs that he and his enjoy, that will have come down from this evening to that day?

As we go away to-day from this scene the thought which in my heart is uppermost has a tinge of envy in it. I envy the little boy who, careless to-day of this transaction, may live to see the development of the next seventy years. I feel toward him a certain degree of jealousy that he will see so much more than we have seen. I am glad, Mr. Speaker, I did not live when Washington lived; I am glad I lived not when Warren fell at Bunker Hill; I am glad that I have lived in a later day, amid other generations, that thereby I became the inheritor of all the accumulated glory, all the aggregated heroism, all the nameless and indescribable sacrifices that man has put forth from that day to this; and as I project myself into the future I do not accept the olive branch that my friend from Massachusetts has held out to me, but, lovingly waving it aside, I take with outstretched hand his outstretched hand, and I challenge Massachusetts to a nobler rivalry for higher purposes in that glorious future which I pray God to give those we love. [Loud and long-continued applause.]

The SPEAKER *pro tempore*. The question is now on the adoption of the resolution proposed by the gentleman from Pennsylvania [Mr. RANDALL].

The resolution was adopted unanimously.

Mr. RANDALL. I move that the House now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 35 minutes p. m.) the House adjourned.

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PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred as indicated below:

By Mr. BUTLER: A Joint resolution (H. Res. 84) authorizing the erection of an inn at Fortress Monroe, Va.—to the Committee on Military Affairs.

By Mr. G. A. ANDERSON: A bill (H. R. 5446) granting a pension to William H. Dowdall—to the Committee on Invalid Pensions.

By Mr. GEAR: A bill (H. R. 5447) granting additional pension to William Reddick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5448) granting a pension to Henry J. Alvis—to the Committee on Pensions.

By Mr. STONE, of Kentucky: A bill (H. R. 5449) for the relief of S. F. Harris—to the Committee on War Claims.

By Mr. BLANCHARD: A bill (H. R. 5450) for the relief of C. Augusta Urquhart—to the Committee on War Claims.

By Mr. COMPTON: A bill (H. R. 5451) for the relief of Stephen Casey—to the Committee on Claims.

By Mr. SHAW: A bill (H. R. 5452) for the relief of Emily J. Fardy—to the Committee on Claims.

By Mr. RUSK: A bill (H. R. 5453) for the relief of Henry East—to the Committee on Military Affairs.

Also, a bill (H. R. 5454) granting a pension to Julia A. Tuckey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5455) granting a pension to Mary A. Mills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5456) to increase pension of William M. Stewart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5457) to increase the pension of Frederick Engelhardt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5458) granting a pension to Julie Stirzel—to the Committee on Invalid Pensions.

By Mr. DAVIS: A bill (H. R. 5459) granting a pension to Michael Clarke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5460) granting a pension to Amelia J. Leavitt—to the Committee on Invalid Pensions.

By Mr. J. E. RUSSELL: A bill (H. R. 5461) granting a pension to Stephen Smith—to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 5462) granting a pension to Edwin Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5463) granting a pension to Susan C. Nelson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5464) granting a pension to Mehitabel A. Smith—to the Committee on Invalid Pensions.

By Mr. COGSWELL: A bill (H. R. 5465) granting a pension to Joseph Goosey—to the Committee on Invalid Pensions.

By Mr. BREWER: A bill (H. R. 5466) granting a pension to John F. Couter—to the Committee on Invalid Pensions.

By Mr. FISHER: A bill (H. R. 5467) granting a pension to Daniel Foreman—to the Committee on Invalid Pensions.

By Mr. CUTCHEON: A bill (H. R. 5468) granting a pension to Charles W. King—to the Committee on Invalid Pensions.

By Mr. LIND: A bill (H. R. 5469) granting a pension to John Crapsey, father of Agelo M. Crapsey—to the Committee on Invalid Pensions.

By Mr. WALKER: A bill (H. R. 5470) for the relief of Henry Rongey, of Van Buren, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 5471) for the relief of Henry Schoen—to the Committee on War Claims.

Also, a bill (H. R. 5472) granting a pension to Michael Zapp, of Cape Girardeau, Mo.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5473) granting an increase of pension to Samuel C. Barber, of Sedgewicksville, Mo.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5474) for the relief of Martin Justice, of Laflin, Mo.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5475) for the relief of R. W. Barber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5476) granting a pension to Christian Pope—to the Committee on Invalid Pensions.

By Mr. FARQUHAR: A bill (H. R. 5477) for the relief of James A. Murray—to the Committee on Claims.

By Mr. MOFFITT: A bill (H. R. 5478) to remove the charge of desertion against Ephraim Bova—to the Committee on Military Affairs.

By Mr. SAWYER: A bill (H. R. 5479) granting a pension to A. H. Jenks—to the Committee on Invalid Pensions.

By Mr. ROWLAND: A bill (H. R. 5480) for the relief of James Iredell Meares—to the Committee on Claims.

By Mr. KENNEDY: A bill (H. R. 5481) granting a pension to Sarah A. Vananda—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5482) granting a pension to Rachel Beck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5483) granting a pension to Samuel H. Edwards—to the Committee on Invalid Pensions.

By Mr. E. B. TAYLOR: A bill (H. R. 5484) granting a pension to Rufus N. Daniels—to the Committee on Invalid Pensions.

By Mr. BOOTHMAN: A bill (H. R. 5485) granting a pension to William Bowman—to the Committee on Invalid Pensions.

By Mr. E. B. TAYLOR: A bill (H. R. 5486) for the relief of Ruth Frances, mother of James D. Prosser—to the Committee on Invalid Pensions.

By Mr. SCULL: A bill (H. R. 5487) granting a pension to William R. Weimer—to the Committee on Invalid Pensions.

By Mr. KELLEY: A bill (H. R. 5488) to increase the pension of Martha McKeown—to the Committee on Invalid Pensions.

By Mr. HALL: A bill (H. R. 5489) for the relief of Jacob Kagorise—to the Committee on Military Affairs.

By Mr. SPOONER: A bill (H. R. 5490) granting a pension to Mrs. Catharine Sinnott—to the Committee on Invalid Pensions.

By Mr. PHELAN: A bill (H. R. 5491) for the relief of R. B. Owen—to the Committee on War Claims.

Also, a bill (H. R. 5492) for the relief of Mrs. E. G. Carter—to the Committee on War Claims.

Also, a bill (H. R. 5493) granting a pension to Mrs. E. G. Carter—to the Committee on Pensions.

By Mr. ENLOE: A bill (H. R. 5494) for the relief of John T. Roberson—to the Committee on Claims.

By Mr. BUTLER: A bill (H. R. 5495) for the relief of Isaac Hodge—to the Committee on Military Affairs.

Also, a bill (H. R. 5496) for the relief of Lincoln S. Jones, late a private Company H, Eighth Tennessee Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 5497) for the relief of Josiah Mahoney—to the Committee on Pensions.

By Mr. SNYDER: A bill (H. R. 5498) for the relief of the estate of Thomas H. Willis, deceased—to the Committee on War Claims.

By Mr. CLARK: A bill (H. R. 5499) granting an increase of pension to Frederick Augustin—to the Committee on Invalid Pensions.

By Mr. M. A. SMITH: A bill (H. R. 5500) for the relief of John P. Clum—to the Committee on Claims.

By Mr. GIFFORD: A bill (H. R. 5501) granting a pension to Warren Page—to the Committee on Invalid Pensions.

By Mr. FISHER: A bill (H. R. 5502) granting a pension to James E. Horton—to the Committee on Invalid Pensions.

By Mr. LAWLER: A bill (H. R. 5503) granting a pension to Charles Walster—to the Committee on Invalid Pensions.

By Mr. NUTTING: A bill (H. R. 5504) authorizing and directing the Treasurer of the United States to pay all members of the One hundred and eighty-fourth Regiment New York Volunteers, war of the rebellion, the balance of bounty due them, and for other purposes—to the Committee on Military Affairs.

By Mr. BUTLER: A bill (H. R. 5505) granting a pension to Ruth Collier—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 5506) extending the period of limitation for claims for back pay to J. T. Foster—to the Committee on Military Affairs.

By Mr. DUNHAM: A bill (H. R. 5507) granting a pension to Julia E. Morse—to the Committee on Invalid Pensions.

By Mr. MERRIMAN: A bill (H. R. 5508) for the relief of George K. Otis—to the Committee on Claims.

By Mr. WHEELER: A bill (H. R. 5509) to grant to the Gulf and Chicago Air-Line Railway Company the right to construct bridges over navigable water-courses—to the Committee on Commerce.

Also, a bill (H. R. 5510) for the relief of Claude H. Mastin—to the Committee on War Claims.

Also, a bill (H. R. 5511) for the relief of L. H. Walker—to the Committee on War Claims.

Also, a bill (H. R. 5512) to grant the right of way over the public lands in Alabama and Mississippi to the Cincinnati, Nashville and New Orleans Railroad—to the Committee on the Public Lands.

By Mr. ATKINSON: A bill (H. R. 5513) for the relief of Henry S. Wishart—to the Committee on Military Affairs.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BLANCHARD: Petition of Narcisse Prudhomme, of Louisiana, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. BOOTHMAN: Petition of William Bowman, for special-act pension—to the Committee on Invalid Pensions.

By Mr. BREWER: Petition of John F. Contee, for special-act pension—to the Committee on Invalid Pensions.

By Mr. BUTLER: Petition of Elijah Killday, praying to be placed on the pension-rolls—to the Committee on Invalid Pensions.

Also, petition and papers in the case of William Bean, for a pension—to the Committee on Invalid Pensions.

By Mr. FELIX CAMPBELL: Petition of citizens of Brooklyn, N. Y., with outline specification, for the erection of a monument in that city in memory of prison-ship martyrs of the American Revolution—to the Committee on the Library.

By Mr. CASWELL: Petition of George J. Kellogg and 17 others, citizens of Janesville, Wis., for reissue of fractional currency—to the Committee on Banking and Currency.

By Mr. COGSWELL: Petition of Joseph Goorey, for a special-act pension—to the Committee on Invalid Pensions.

By Mr. COMPTON: Petition of Julia Barnett, for payment of her war claim—to the Committee on War Claims.

By Mr. CONGER: Paper to accompany House bill 157, for relief of Robert McNutt—to the Committee on Military Affairs.

Also, papers to accompany House bill 155, for relief of Dulcena Noel—to the Committee on Invalid Pensions.

By Mr. FISHER: Petition of Hon. D. P. Markey and 10 others, for relief of James E. Horton—to the Committee on Invalid Pensions.

By Mr. FORNEY: Petition of Mariah Dockery, of Etowah County, Alabama, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. GEAR: Statement of G. M. Ochiltree, to accompany House bill 4659—to the Committee on War Claims.

By Mr. GIFFORD: Petition of Warren Page, for special-act pension—to the Committee on Invalid Pensions.

By Mr. GROUT: Petition of George E. Crowell and 101 others, citizens of Brattleborough, Vt., asking for fractional currency—to the Committee on Banking and Currency.

Also, memorial of Harvey W. Brown, John Miller, and John W. Mooney, for increased compensation to letter-carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. HEARD: Petition of citizens of the District of Columbia, in favor of Eckington and Soldiers' Home Railway—to the Committee on the District of Columbia.

By Mr. HOVEY: Petition from the city of Evansville, Ind., for the erection of a marine hospital in said city—to the Committee on Naval Affairs.

Also (by request), petition of Susan Jerome, for additional pension legislation—to the Committee on Invalid Pensions.

By Mr. JACKSON: Petition of John T. Reeves and 61 others, citizens of the Twenty-fourth district of Pennsylvania, against the admission of Utah as a State—to the Committee on the Territories.

By Mr. KELLEY: Petition and affidavit of Martha McKeown, for relief—to the Committee on Invalid Pensions.

By Mr. KENNEDY: Petition of Sarah A. Vananda, for a widow's pension—to the Committee on Invalid Pensions.

By Mr. McCOMAS: Petition of the executor of Joseph H. Maddox, of Maryland, for relief—to the Committee on War Claims.

By Mr. O'FERRALL: Resolution of the General Assembly of Virginia, favoring an appropriation for adequate quarantine at or near Cape Charles, to prevent introduction of contagious diseases—to the Committee on Commerce.

By Mr. PERKINS: Petition of E. E. Hillis, J. R. Linbury, and 346 others, citizens of Pittsburgh, Kans., for a governmental system of telegraphy, to be operated in connection with the Post-Office Department—to the Committee on the Post-Office and Post-Roads.

By Mr. PLUMB: Petition of Mrs. M. L. Stratton and 114 others, citizens of Wheaton, Ill., for the prohibition of the manufacture and sale of alcoholic beverages in the District of Columbia—to the Committee on the District of Columbia.

By Mr. RANDALL: Petition of Frederick Waly, for a pension—to the Committee on Invalid Pensions.

By Mr. RUSK: Petition of P. H. Philbin, with papers to accompany House bill—to the Committee on Naval Affairs.

Also, petition of citizens of Baltimore, Md., for the abolition of the duty on salt—to the Committee on Ways and Means.

By Mr. RUSSELL: Petition to accompany a bill for the relief of Mary O'Neill—to the Committee on Invalid Pensions.

Also, papers to accompany bill for the relief of Ella E. Gibson—to the Committee on Invalid Pensions.

Also, petition of Stephen Smith for special-act pension to accompany bill for his relief—to the Committee on Invalid Pensions.

By Mr. SCULL: Papers in the case of William Baley and James Fisher, for relief—to the Committee on Military Affairs.

By Mr. SHAW: Petition of Emily J. Fardy, for relief—to the Committee on Claims.

By Mr. SPOONER: Petition of Catharine Sinnott, widow of Patrick Sinnott, for special-act pension—to the Committee on Invalid Pensions.

Also (by request), petition of Elizabeth Howell, for investigation of Insane Asylum in District of Columbia—to the Committee on the District of Columbia.

By Mr. E. B. TAYLOR: Petition of Ruth Francis, mother of James D. Prosser, late private Company D, Sixty-third Pennsylvania Volunteers, for mother's pension—to the Committee on Invalid Pensions.

By Mr. G. M. THOMAS: Petition and papers in the case of Christian Leder, for a pension—to the Committee on Invalid Pensions.

By Mr. VANDEVER: Petition of citizens of San Luis Obispo, Cal., for an adequate appropriation for the improvement of their harbor—to the Committee on Rivers and Harbors.

By Mr. J. R. WHITING: Petition of John W. Shine and others, for the improvement of the Pinepog River, Michigan—to the Committee on Rivers and Harbors.

By Mr. WILKINSON: Papers in the case of estate of Lucien Goyaux; of the Citizens' Bank of Louisiana, and of Mary Shannon, administratrix—to the Committee on War Claims.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. BARRY: Of J. A. Wilkinson and others, of Sparta, Miss.

By Mr. BLANCHARD: Petition of A. P. Edwards and 54 others, and of James A. Calhoun and 53 others, of Louisiana.

By Mr. BOWEN: Of Charles Thompson and others, of R. C. Robertson and others, and of J. R. Lumkin and others, of Grantville, Ala.

By Mr. T. H. B. BROWNE (by request): Of citizens of Floyd, Dak., of Belverde, Tex., of Blocker, Ark., of Central Lake, Mich., of Mexia, Tex., and of W. S. Cash and others, of S. C. Sheppard and others, of Henry Swift and others, of Virginia, and of S. F. Carolan and others, of Long Ridge, Ark.

By Mr. DOCKERY: Of citizens of Fox, Mo.

By Mr. ROWLAND: Of citizens of Ghio, Richmond County, North Carolina.

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## HOUSE OF REPRESENTATIVES.

### FRIDAY, *January* 20, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

#### CHIPPEWA INDIANS IN MINNESOTA.

The SPEAKER *pro tempore* laid before the House a letter from the Secretary of the Treasury, transmitting estimates from the Secretary of the Interior of appropriations to fulfill agreements with Chippewa Indians in Minnesota; which was referred to the Committee on Indian Affairs, and ordered to be printed.

#### SURVEY OF MOUTH OF BRAZOS RIVER, TEXAS.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, a report of the survey at the mouth of the Brazos River, in Texas; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

#### IMPROVEMENT OF MUSKINGUM RIVER, OHIO.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War, transmitting a report of the Chief of Engineers in regard to the improvement of Muskingum River, Ohio; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

#### SENATE BILLS REFERRED.

The SPEAKER *pro tempore* also laid before the House the following bills of the Senate; which were severally read twice, and referred as indicated:

The bill (S. 81) for the relief of H. B. Wilson, administrator of the estate of William Tinder, deceased—to the Committee on Claims.

The bill (S. 1027) to fix the charge for passports at $1—to the Committee on Foreign Affairs.

The bill (S. 139) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861—to the Committee on the Judiciary.

The SPEAKER *pro tempore*. In regard to the reference of the last bill, the Chair has investigated the precedents and finds that at the first session of the Forty-ninth Congress a bill of similar purport was referred to the committee which the Chair has just indicated, the Committee on the Judiciary.

#### RETURN OF BILL TO SENATE.

The SPEAKER *pro tempore*. The Chair lays before the House the following request from the Senate.

The Clerk read as follows:

IN SENATE UNITED STATES, *January* 18, 1888.

*Ordered*, That the Secretary be directed to request the House of Representatives to return to the Senate Senate bill 928, in relation to the marriage between white men and Indian women.

There was no objection; and the request of the Senate was granted, and the bill ordered to be returned.

#### PACIFIC RAILROAD COMMISSION REPORTS.

The SPEAKER *pro tempore*. The Chair lays before the House a letter received by the Clerk of the House from the Public Printer.

The Clerk read as follows:

GOVERNMENT PRINTING OFFICE,
*Washington, D. C., January* 19, 1888.

SIR: The resolution to print 10,000 copies of the President's message and accompanying reports of the Pacific Railroad Commission is herewith returned, for the reason that our estimates place the cost of the same at $805, being in excess of the amount of printing permissible on resolution of the House.

Very respectfully,

TH. E. BENEDICT,
*Public Printer.*

JOHN B. CLARK, Esq.,
*Clerk of the House of Representatives.*

The SPEAKER *pro tempore*. If there be no objection, the letter will be referred to the Committee on Printing.

Mr. RICHARDSON. I have a resolution to submit which I believe is privileged in its character.

The SPEAKER *pro tempore*. The gentleman will send it up.

The Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That there be printed for the use of the House 10,000 copies of the President's message and accompanying reports of the majority and minority of the Pacific Railroad Commission.

Mr. RICHARDSON. The letter of the Public Printer shows it will take $805 to print these documents, and under the law that printing can not be done under a simple House resolution. I therefore submit the concurrent resolution which has just been read, and ask for its present consideration and adoption.

There was no objection, and the resolution was adopted.

Mr. RICHARDSON moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted in the following cases:

To Mr. DE LANO, for ten days, on account of important business.

To Mr. HAYDEN, indefinitely, on account of important business.

To Mr. LAWLER, for to-day.

To Mr. WILBER, for ten days from to-day.

#### TERM OF CIRCUIT COURT, KANSAS CITY.

Mr. WARNER. I ask, by unanimous consent, to discharge the House Calendar from further consideration of a bill (H. R. 1604) to change the time of the sessions of the circuit court of the western division of the western district of Missouri, and to take it up for consideration at this time.

There was no objection, and it was ordered accordingly.

The bill was read, as follows:

*Be it enacted, etc.*, That the sessions of the circuit court of the United States for the western division of the western district of Missouri, at the city of Kansas, shall begin and be held on the first Monday of March and the fourth Monday of September of each year. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 2. All process issued from the clerk's office of said court shall be taken and considered as returnable to the term or terms hereby established in lieu of the term or terms existing at the time such process was issued.

Mr. WARNER. I will state, Mr. Speaker, this bill simply changes the time of holding the terms of the United States circuit court of the western division of the western district of Missouri, held at Kansas City. It has received the approval of the United States circuit judge and the bar of that State, and was introduced at their request. There can be, of course, no objection to its passage.

Mr. CULBERSON. The effect of that bill is merely to change the time of holding the terms of the circuit court in Kansas City.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

#### SIGNING OF PATENTS.

Mr. PAYSON, by unanimous consent, introduced a bill (H. R. 5514) to amend section 4883 of the Revised Statutes; which was read a first and second time.

Mr. PAYSON. I ask for the reading of the bill, and I ask, by unanimous consent, it may be taken up and put on its passage at this time.

The Clerk read as follows:

*And be it enacted, etc.*, That section 4883 of the Revised Statutes be, and the same is hereby, amended by inserting after the words "Secretary of the Interior" where that name occurs, the following words, "or under his direction by one of the Assistant Secretaries of the Interior;" so that the said section, as amended, will read as follows:

"SEC. 4883. All patents shall be issued in the name of the United States of America under the seal of the Patent Office, and shall be signed by the Secretary of the Interior, or under his direction by one of the Assistant Secretaries of the Interior, and countersigned by the Commissioner of Patents; and they shall be recorded, together with these specifications, in the Patent Office in books to be kept for that purpose."

Mr. PAYSON. Under existing law all patents must be signed by the Secretary of the Interior. By his request, and under his direction, this bill was drawn to relieve him of that clerical labor, so if this bill passes he may designate one of the Assistant Secretaries to perform that clerical work of affixing his signature to letters patent and copyright.

The bill was presented to the Judiciary Committee, and I am authorized by them to say it is approved unanimously by them. The draught which I have presented was prepared by the present Secretary of the Interior, and is presented at his request.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. PAYSON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CHANGE OF REFERENCE.

On motion of Mr. BLANCHARD, the Committee on Rivers and Harbors was discharged from the further consideration of the bill (S. 322) to authorize the Southwestern Arkansas and Indian Territory Railroad Company to build a bridge across the Ouachita River in Arkansas; and the same was referred to the Committee on Commerce.

IMPROVEMENT OF NAVIGABLE WATERS.

Mr. DUNHAM. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a short memorial of the National Board of Trade.

There being no objection, the memorial was ordered to be printed in the RECORD, and referred to the Committee on Rivers and Harbors.

It is as follows:

*To the Senate and House of Representatives of the United States in Congress assembled:*

The National Board of Trade, now in session in the city of Washington, respectfully memorializes your honorable bodies in favor of adequate appropriations for the improvement of our navigable rivers and harbors; for the removal of obstructions therein in an expeditious and thorough manner; and for surveys thereof, with a view to define the jurisdiction of the United States over them, so that provision may be made by law to prevent obstructions therein.

By vote and in behalf of the board.

FREDK. FRALEY, *President.*
H. A. HILL, *Secretary.*

WASHINGTON, *January* 19, 1888.

WILLIAM D. WILSON.

Mr. STOCKDALE, from the Committee on War Claims, reported back favorably the bill (H. R. 828) for the relief of William D. Wilson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LUKE REILLY.

Mr. STONE, of Kentucky, from the Committee on War Claims, reported back with favorable recommendation the bill (H. R. 847) for the relief of Luke Reilly; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CAPT. JOHN BURKHART.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back with favorable recommendation the bill (H. R. 2112) for the relief of Capt. John Burkhart; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LUCIUS J. SEALS.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported a bill (H. R. 5515) for the relief of Lucius J. Seals; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM L. TRAVIS.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back with favorable recommendation the bill (H. R. 2273) for the relief of William L. Travis; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN H. WEEKS.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported a bill (H. R. 5516) for the relief of John H. Weeks; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

FLORA ADAMS DARLING.

Mr. STONE, of Kentucky. I am instructed to report back the findings of the Court of Claims in a case which was improperly referred to the Committee on War Claims. It should be referred to the Committee on the Judiciary.

The SPEAKER *pro tempore*. This will be referred to the Committee on the Judiciary through the petition-box.

Mr. DUNN. This bill, as I understand it, goes to the Judiciary Committee.

The SPEAKER *pro tempore*. The rule provides that the change of reference shall be made through the petition-box in such cases.

The bill will go to the Committee on the Judiciary.

WIDOW OF LIEUT. JOHN F. STEWART.

Mr. BROWER, from the Committee on War Claims, reported back with favorable recommendation the bill (H. R. 456) for the relief of the widow of Lieut. John F. Stewart; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

NORFOLK COUNTY FERRY COMMITTEE.

Mr. BLISS, from the Committee on War Claims, reported a bill (H. R. 5517) for the relief of the Norfolk County Ferry Committee; which was read a first and second time, referred to Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The call of committees for reports is now completed.

Mr. LANHAM. I demand the regular order.

Mr. CRISP. I rise to a privileged motion.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. CRISP. I call up for present consideration the contested-election case of Thobe *vs.* Carlisle.

Mr. LANHAM. Will the gentleman from Georgia permit me to make a statement?

Mr. CRISP. Certainly.

Mr. LANHAM. I wish to state, within the hearing of the gentleman from Georgia, that this is the day specially set apart by the rules of the House for the consideration of business upon the Private Calendar. I have no disposition to antagonize his motion for the speedy consideration of the report mentioned by him. But as this is the only day for private business, I would like to see, if possible, whether we can not effect an arrangement whereby to-morrow may be substituted for to-day for the consideration of such business. I ask unanimous consent, therefore, by permission of the gentleman from Georgia, that on to-morrow the business on the Private Calendar shall be the special order instead of for to-day.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Texas?

Mr. WEAVER. It seems to me, with the understanding that the Private Calendar comes on to-day after the disposition of the election case, there could be no objection.

Mr. LANHAM. Will the gentleman from Georgia indicate the probable length of time which will be consumed in the consideration of the election case?

Mr. CRISP. I am not able to state accurately how much time will be required. I understand that some gentlemen on the other side desire to debate the resolution submitted by the committee, but what time they will need I can not state. I will, however, endeavor to ascertain after the reading of the report what time gentlemen desire. My purpose is that there shall be a full opportunity given to every member to submit remarks upon this question, and I should be very glad, Mr. Speaker, if the House would consent to the request of the gentleman from Texas. I will state further that the Committee on Elections would not ask this action to-day, but would agree to call it up to-morrow, were it not for the fact that to-morrow has been assigned by the committee for a hearing in the contested-election case from Alabama, and not to hear it at that time would be a disappointment and a hardship to the parties interested, as well as to the counsel in the case.

Mr. LANHAM. Then I ask consent of the House that to-morrow may be set apart for the consideration of bills on the Private Calendar.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Texas?

Mr. TAULBEE. I ask unanimous consent that the consent asked by the gentleman from Texas shall not interfere with the evening session?

Mr. ANDERSON, of Kansas. For what purpose is the evening session?

A MEMBER. For the consideration of pension bills.

Mr. TAULBEE. I withdraw the request I made.

Mr. WEAVER. I see no objection to proceeding with private business after the election case is disposed of, and also to-morrow.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Texas?

Mr. WEAVER. The gentleman has modified his request so that the House may proceed with private business to-day after the election case is disposed of, and also to-morrow.

The SPEAKER *pro tempore*. If there be no objection, the request of the gentleman from Texas, as modified, will be agreed to.

There was no objection.

PERSONAL EXPLANATION.

Mr. SPRINGER. Will the gentleman from Georgia yield to me for a few moments, that I may rise to a question of personal privilege?

Mr. CRISP. I yield to the gentleman for that purpose.

Mr. SPRINGER. I send to the Clerk's desk and ask to have read an extract from the RECORD of to-day which I have marked.

The Clerk read as follows:

Mr. Chairman, the people of Philadelphia and Pennsylvania, of New Jersey, and Massachusetts, and Delaware, and the individual subscribers to the stock were not a little surprised when they found that there was a member of the Congress that appropriated the $1,500,000—who, by the way, is a member of this Congress also—who claimed a fee of $10,000 for having astutely inserted the clause in the bill making that loan on which he could go into court and enforce its repayment. When the United States Government brought its suit, Philadelphia, Pennsylvania, and their coadjutors submitted the question quietly to the circuit court, which rejected the Government's claim, from which decision, however, an appeal was taken, and on an intimation from the Supreme Court that the language of the law justified the Government in demanding repayment, judgment was entered and the money was immediately paid.

Mr. SPRINGER. Mr. Speaker I dislike very much to believe that the honorable gentleman from Pennsylvania, who is so uniformly courteous in his manner toward the members of this House, would intentionally put upon the records of Congress a statement which did injustice to one of his fellow-members; and I think a brief statement from me will satisfy that distinguished gentleman that he has done me great injustice. The remark made by him was at the time I was occupying the Speaker's chair as chairman of the Committee of the Whole House and had no opportunity to reply; and if I had undertaken to reply before the pending bill was disposed of, it would have carried it beyond the consideration hour and placed it in the order of unfinished business, where its friends could not have obtained the action of the House upon it for several days at least. Therefore I ask the privilege this morning of making this statement.

The gentleman from Pennsylvania stated in the remark which I sent to the Clerk's desk that a member of the Congress to which he referred, who was also a member of this Congress, had astutely obtained an amendment to the centennial bill which required the money appropriated by that bill to be refunded to the United States, and for that service demanded a fee of $10,000. As I was a member of that Congress, and as the amendment upon which the decision of the Supreme Court turned was moved by me in that Congress, of course I take it for granted that no other person than myself could be referred to. I did move the amendment in the Forty-fourth Congress to the centennial appropriation bill which changed that appropriation from a Congressional donation to a loan, and required the board of finance, after the conclusion of the exhibition, to sell all the property on hand, convert it into cash, and first repay the United States the $1,500,000 which was appropriated by Congress before any division of assets was made among the stockholders. That proposition was carried in the House. It went to the Senate and the bill was so passed and became a law.

At the close of the exposition the board of finance was of the opinion that the money remaining in their hands belonged to the stockholders of the centennial company, and that no part of it belonged to the Government; but the district attorney of the United States in Philadelphia, Mr. Valentine, I believe, was instructed to bring a suit against the centennial board of finance in the United States circuit court at Philadelphia, Mr. Justice Strong presiding. That case was heard. Briefs and arguments were submitted. Able counsel appeared on both sides, and Mr. Justice Strong decided, after stating the facts and his reasons, as follows:

For these reasons we are of the opinion that the fund in the treasury of the centennial board of finance should be distributed pro rata among the stockholders of the corporation, as directed by the tenth section of the act of 1872; and as it is insufficient to pay to the stockholders the full amount invested by them as stockholders, as no part of it is made up of profits, the case contemplated in the proviso has not arisen, and the United States is entitled to no part of the fund.

I quote from the printed record of the case in the Supreme Court, page 23. The proviso mentioned by Judge Strong contains the amendment which I moved to the centennial act of February 16, 1876, and which was adopted.

As soon as that decision was published I went to the Attorney-General in person and called his attention to it, and stated to him that I was satisfied the court had erred in making it, and asked him to appeal the case to the Supreme Court of the United States. He stated to me if I would put my request in writing he would make the order for the appeal. I thereupon returned to my seat in the House, and on 22d January, 1877, sent a letter to the Attorney-General, which I will ask to have incorporated in my remarks.

It is as follows:

HOUSE OF REPRESENTATIVES, *Washington, D. C., January 22, 1877.*

SIR: I see from the papers that the United States court at Philadelphia has decidedly adversely to the claim of the Government to the $1,500,000 appropriated to the centennial board of finance in February, 1876. I have read the decision of the court in that case, and am quite sure the court has entirely misapprehended the true intent and meaning of the act of Congress. Having moved the amendment which in some way has perhaps influenced the decision, I respectfully ask that the case be taken to the Supreme Court.

Very respectfully, your obedient servant,

WM. M. SPRINGER.

Hon. A. TAFT, *Attorney-General, Washington, D. C.*

The case was therefore taken to the Supreme Court. In a conversation I had at the time with Attorney-General Taft he said it was an important matter, and when the case was considered in the Supreme Court he desired me to appear on behalf of the United States and argue the case for the Government. I stated to him I would gladly do so. He thought it would be just to the House of Representatives which had passed this amendment, as well as to myself who had moved it, that I should be heard.

To prove the truth of this statement, I will quote the following extract from a letter written by Attorney-General Taft, November 9, 1877, to a member of this House at that time:

Without wishing to deprive Mr. SPRINGER of compensation for his argument, I am bound to say, however, that my authorizing him to assist in the argument did not arise from any want of legal assistance in the Department of Justice, but from a desire that Mr. SPRINGER and the House of Representatives might be satisfied that their views of the act were properly presented.

This statement of Attorney-General Taft discloses the motive which prompted him to authorize my employment as counsel in the case. The reason is creditable to him, and conclusively demonstrates that my appearance in the case was not only professionally honorable and free from all criticism, but in fulfillment of a public duty which I owed to the House of Representatives, of which I was a member.

I desire to state now, and my recollection is clear upon that point, that the suggestion first came from the Attorney-General that I should appear for the Government in that case, and not from me.

To that fact I have made affidavit heretofore and am ready to make it again, if necessary. The case was appealed, and I was immediately notified by Attorney-General Taft. I have here his original letter in which he notified me that an appeal had been taken, stating also that the case had been advanced and would be heard at a very early day, which fact, he stated, involved prompt attention to the preparation for the argument. I proceeded to prepare for the argument, as suggested. I will ask this letter to be printed as a part of my remarks.

The letter is as follows:

DEPARTMENT OF JUSTICE,
*Washington, January 27, 1877.*

MY DEAR SIR: I have instructed the district attorney of Philadelphia to appeal the centennial case as you request; I consented, also, on the request of the centennial board, that the case might be brought forward on the docket of the Supreme Court, so that it may be heard without much delay. This seemed to be reasonable, in order to facilitate that board in making a final settlement of their centennial responsibilities. It involves, however, prompt attention to the preparation for the argument.

Yours, very truly,

ALPHONSO TAFT,
*Attorney-General.*

Hon. WM. M. SPRINGER, *M. C.*

I have here also a copy of the brief which I submitted in behalf of the Government, covering 40 printed pages, printed at the Government Printing Office, by order of the Attorney-General. I have also a transcript of the record of the case in the Supreme Court. I have also copies of the briefs and arguments—very able arguments they were—submitted by the gentleman who appeared for the board of finance. The case was argued in the Supreme Court, each side being allowed the usual time, two hours. Mr. Smith, the Assistant Attorney-General, stated to the court that the principal argument for the Government would be made by me, that he would not discuss the merits of the case at any length, but would confine himself to a formal statement of the facts, leaving it to me to make the principal argument.

That was done. The court heard the arguments, and after a few weeks they decided the case. The decision will be found in 4 Otto, 500, and it will be seen from an examination of the record that the Supreme Court, with the exception of Mr. Justice Strong, unanimously reversed the decision of the court below, and ordered this money to be paid into the Treasury, and it was paid in pursuance of a mandate of the Supreme Court of the United States. That ended my connection with the case as a lawyer. It has been stated frequently in the press that I had demanded and received $10,000 for this service; and it was stated by the honorable gentleman from Pennsylvania yesterday, that I had "claimed a fee of $10,000 for having astutely inserted" the amendment into the bill which provided for the repayment of this money to the Government. I state here that I have never asked heretofore that $10,000, or any sum of money, be paid me for my professional services in that case, nor do I ask it now. What I did in the matter was this: I filed in the petition-box, in the Forty-fifth Congress, my petition as a citizen, calling attention to my services in this matter, and submitting a copy of the briefs in the case, and an affidavit setting forth the facts. That affidavit remained on the files of this House until this day, when I withdrew it a few minutes ago, and I have it now in my hand. In my petition I asked, not that anything should be paid to me, but that the case should be referred to the Court of Claims, with the right of appeal as in other cases, leaving that court to determine whether my services were of any value to the United States or not.

When I went before the Committee on the Judiciary I was asked to consent that a sum should be fixed as compensation for my services and inserted in a bill which should be reported to the House. I said I preferred that that should not be done; that I did not desire to receive any compensation from a body of which I was a member; that all I asked was to be permitted to go into court like any other citizen, and show there the services I had rendered, and their value, and get a judgment for the amount, if the court should so decide. That petition was considered by the Judiciary Committee, and on the 21st day of February, 1878, General Butler, of Massachusetts, by the unanimous instruction of the committee, reported a bill to the House referring the claim to the Court of Claims, like other cases, and in his report, which I hold in

my hand, he set forth the circumstances of the services rendered by me, and had the kindness to say that those services were valuable to the Government, that the claim was a just and reasonable one, and that the remedy provided for in the bill reported to the House should be afforded.

I will ask permission of the House to print with my remarks the bill and report thereon.

The bill is as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Court of Claims is hereby directed to take jurisdiction of the claim of Hon. WILLIAM M. SPRINGER, and determine the amount, if any, due him for professional services rendered the United States in the case of the centennial board of finance and others against the assistant treasurer of the United States at Philadelphia, lately decided in the Supreme Court.

The following is the report of the committee thereon:

Mr. BUTLER, from the Committee on the Judiciary, submitted the following report:

[No. 237, to accompany bill H. R. 3388.]

The Committee on the Judiciary, to whom was referred the bill in relation to the compensation of Hon. WILLIAM M. SPRINGER, for professional services rendered the United States, having considered the subject, beg leave to report:

That a suit in the nature of a bill of interpleader arose between the central board of finance of the centennial exhibition and the assistant treasurer of the United States at Philadelphia, involving the right of the United States to $1,500,000 claimed by the assistant treasurer on behalf of the United States, under the provisions contained in the act of February 16, 1876. This claim was duly heard before the circuit court of the eastern district of Pennsylvania and decided against the United States. Afterward, upon an appeal to the Supreme Court of the United States, the case was advanced on the docket and was decided in favor of the United States, and by such decision $1,500,000 was put into the Treasury of the United States for its use.

There was evidence before your committee tending to show that Mr. SPRINGER was employed by the Attorney-General of the United States to take charge of the cause as the leading counsel before the Supreme Court of the United States; that Mr. SPRINGER did prepare a brief in the cause and gave to it very considerable time and attention; argued it fully, the brief of which argument shows a good amount of labor in preparation, and skillfully presents the point before the court upon which the adjudication of the case was finally made.

Mr. SPRINGER was a member of Congress at the time the service was rendered, and so could not be appointed assistant district attorney and draw pay under the law regulating the Department of Justice, and hence he has made application to Congress that the Court of Claims may take jurisdiction of the case.

There appears to your committee to be no inhibition of law against his appearing in behalf of the United States, or, indeed, against the United States, as professional counsel in the duly constituted civil courts of the United States, while being such member of Congress; nor is your committee convinced that the law which provides that no officer of the United States shall receive pay other than his salary for any services rendered by him to the United States meets the case of Mr. SPRINGER, or was intended to include or does include such services as he rendered. Certainly it can not be claimed that a member of Congress is bound to try the causes of the United States in its law courts, or, if employed by the Attorney-General so to do for the best interests of the Government, that he ought not to be paid as any other counsel would be for like services. He doubtless would have been paid if there had been an appropriation out of which he could have been paid according to law.

Appreciating the delicacy of his position, Mr. SPRINGER's bill, presented to your committee, asked to have his claim for services referred to the Court of Claims for adjudication, so that he might not seem to be asking Congress, of which he was a member, to vote him a sum of money, but only that a proper court might adjudicate what was the value of his services to the Government, and pay him such sum as he merits. This, of course, relieves the committee from any discussion of what sum Mr. SPRINGER ought to be paid for his services, as that must be determined upon evidence by the Court of Claims.

In the judgment of your committee, the services of Mr. SPRINGER were valuable; the claim is a just and reasonable one, and the remedy set forth in the bill ought to be afforded.

The bill reported by the Judiciary Committee at that time went on the Calendar of Private Bills, but it was never reached, and there the matter has remained from that time to this. I have here, Mr. Speaker, a letter which I deem of considerable value to me personally, on account of the distinguished gentleman who wrote it—Hon. Richard T. Merrick, now deceased. In that letter Mr. Merrick states that he has investigated the matter, and gives his judgment as to the value of my services, and I think everybody will agree that on a question of that kind Mr. Merrick was a judge of the very highest competency and character. In this letter he states that my services were clearly worth to the Government $30,000, and that in making his estimate he had put the figure far below what would ordinarily be charged for like services in a case of similar magnitude between individuals. I will print Mr. Merrick's letter in full in the RECORD as a part of my remarks. It is as follows:

LINWOOD, *August* 8, 1878.

MY DEAR SIR: The necessity for passing back and forth between this place and Washington must excuse me for allowing your favor of the 31st ultimo to remain unanswered for so many days.

You inclose report, No. 237, submitted to the House with the bill referring your claim to the Court of Claims for adjudication, and ask my opinion as to the amount that ought to be paid to you for professional services in the case.

Independent of the statement contained in the report, I have a personal knowledge of your connection with the litigation from two or three interviews with you whilst you were preparing to argue the case in the Supreme Court, in which we discussed the questions involved.

You were deeply interested in the case, gave it much earnest thought and labor, and argued it with great ability. The judgment of the circuit court which had been obtained against the United States was reversed by the Supreme Court, and $1,500,000 thus saved to the Government.

Considering the amount involved and the peril in which it was placed by an adverse decision of the court below, and your successful effort to reverse that decision, I think that your compensation should certainly not be less than $30,000, being 2 per cent. only on the amount in litigation.

I will add that this is a very moderate estimate according to the ordinary rate of fees for the argument of cases in the Supreme Court of the United States, where the counsel succeeds in obtaining a reversal of the judgment below and secures to his client the entire fund in dispute.

Sincerely and truly, yours,

R. T. MERRICK.

Hon. WILLIAM M. SPRINGER.

Gentlemen must remember that in the case as it stood when I entered it there was a decision of the United States court below to the effect that this money belonged to the board of finance of the centennial exposition, and that no part of it should go to the Government; that at my request the case was appealed; that I appeared for the Government as its attorney to argue the case; that the Supreme Court unanimously reversed the judgment of the court below, and in pursuance of this decision the whole sum of $1,500,000 was paid into the Treasury of the United States. If that case had been between two great railroad corporations of this country, and my distinguished friend from Pennsylvania had been retained by one of those companies, and had made the principal argument in behalf of the company that took the appeal, had had the judgment against it reversed, and had thus secured to his clients by his services the sum of $1,500,000, would he have considered himself too highly paid if the sum which Mr. Merrick indicated had been tendered him?

But I will state for myself that I never had the slightest idea of receiving any such sum from the Government, nor did I desire to receive it. I only desired that the case should be heard by the Court of Claims in the first instance, and taken thence to the tribunal that heard the argument in the case, read the briefs, and knew what was done, and could well compare those services with the services of other attorneys appearing before them from day to day. I was willing to take whatever compensation that high tribunal would say I was entitled to as the attorney for the Government in that case.

Having made this statement, Mr. Speaker, I hope the honorable gentleman from Pennsylvania, for whom I have personally the highest regard, will do me the justice to retract the statement which he has made, and, so far as he can, withdraw it from the record.

Mr. BAYNE. How much did the Court of Claims find——

Mr. SPRINGER. The gentleman means the Supreme Court of the United States.

Mr. BAYNE. How much did the Court of Claims find you were entitled to?

Mr. SPRINGER. The bill which proposed to refer the matter to the Court of Claims was never passed at all; the question never went to the Court of Claims. The bill remained on the Calendar, and was never considered in the House.

Mr. TOWNSHEND. Did you receive anything for your services?

Mr. SPRINGER. I never received a cent for that service. If the honorable gentleman from Pennsylvania wants to do me justice, he can move the passage of a bill sending this case to the Court of Claims in order that I may get what it or the Supreme Court, on appeal, may decide the Government owes me. But whatever claim I may have in that regard, I presume I shall have to leave as a legacy to my posterity. [Laughter.]

Mr. KELLEY. Mr. Speaker, I should dislike very much to remember having done an injustice to the amiable gentleman from Illinois. I did not mean to do one; I do not mean to do one now, when I reaffirm in the language of the RECORD what I said yesterday. I then said, Mr. Speaker:

The people of Philadelphia and Pennsylvania, of New Jersey, and Massachusetts, and Delaware, and the individual subscribers to the stock, were not a little surprised when they found that there was a member of the Congress that appropriated the $1,500,000—who, by the way, is a member of this Congress also—who claimed a fee of $10,000 for having astutely inserted the clause in the bill making that loan on which he could go into court and enforce its repayment.

If there be wrong to the gentleman in that statement, I regret it; but I have lived long under what I have believed to be the well-founded expectation of that gentleman to receive $10,000 as a reward for having obtruded himself in this case upon the United States official whose duty it was to take charge of it. Such was the popular belief of the day; and I remember to have been waited upon by one who was recognized by me as a friend of that gentleman to ascertain whether if he preferred a professional claim in the matter I would oppose it, and I answered no; that if the gentleman entertained the idea of pressing such a claim I would be glad to have it put on record publicly. And when I was asked whether I thought $10,000 would be too large a fee for the recovery of a million and a half of dollars, I answered no; that if, in any case in which I might have been retained, I had gained an amount like that for my client, I should ask a much larger fee; and there the conversation ended. But I supposed, and now believe, that that gentleman came to me as the friend of my friend from Illinois.

I may feel a little more deeply than I should upon this subject of any claim or pretended claim for the professional services of a man who intervened in the case and magnified its importance and the importance of his possible service to officials who were charged with looking after and attending to the interests involved.

Sir, I am no longer as young as I was soon after I entered the bar; but I have carried from that time till the present the impressions derived from the seniors of a bar which was conspicuous as the foremost bar in the Union in the early days of the Government and until 1824, when the Erie Canal supplanted the commercial facilities offered by

Pennsylvania turnpikes, and Philadelphia became the second commercial city of the country. I grew up at the feet of those Gamaliels, and one lesson which they each and all taught, when evil occasion invited criticism of such matter, was that no man was entitled to a fee in litigation which he had engendered.

Mr. SPRINGER. One more word, with the indulgence of the House. I regret very much that after the statement I have made the gentleman from Pennsylvania insists upon his declaration that I demanded $10,000 for procuring the insertion in the bill of a clause making the appropriation a loan instead of a donation.

Mr. KELLEY. Will not the gentleman take in what I said?

Mr. SPRINGER. I thought I took it in. Will the gentleman read it again?

Mr. KELLEY. I spoke of the gentleman going into court. I did not allude to the fact that he invited himself to be put on the record as an attorney in the case and then went into court. I dealt gently with him. [Laughter.]

Mr. SPRINGER. And I shall deal gently with the distinguished gentleman from Pennsylvania. I always desire to treat him kindly and will do so now. He used these words:

> Who claimed a fee of $10,000 for having astutely inserted the clause in the bill making that a loan on which he could go into court and enforce its repayment.

Now, does the gentleman mean to say that I have ever demanded a fee of $10,000 for having inserted in a legislative bill of any kind in this House any provision whatever?

Mr. KELLEY. Will the gentleman say——

Mr. SPRINGER. Answer that question.

Mr. KELLEY. Yes, I am about to answer it. Now, will the gentleman from Illinois say that he did not invite attention of the United States legal authorities to the fact that there was a clause in it that suit ought to be instituted, and that he went into court to press that clause, and when the circuit court of the United States had decided—the suit which the district attorney of the United States when he had intervened in the case had declined to press—that he then pressed it? But, Mr. Speaker, I did not tell the whole story of his going into court, from court to court, from district attorney to Attorney-General, to show how important his services were. The thing had an ugly odor then, and I do not think it is savory now. [Laughter.]

Mr. SPRINGER. Mr. Speaker, the gentleman from Pennsylvania still insists on his statement with some limitations which the statement does not make.

Mr. KELLEY. The limitation appears in the RECORD of this morning, containing the report of what occurred yesterday.

Mr. SPRINGER. The gentleman states this in the RECORD, that I claimed a fee of $10,000 for having astutely inserted the clause in the bill making that a loan on which I could go into court and enforce its repayment. That is the language of the gentleman. Does he adhere to that statement?

Mr. KELLEY. I do not mean that he demanded a fee for inserting that clause.

Mr. SPRINGER. Then you withdraw that statement?

Mr. KELLEY. If I may state——

Mr. SPRINGER. Well, you withdraw that statement.

Mr. KELLEY. Allow me to speak for myself. I do not think the gentleman demanded a fee for inserting that clause. If I am understood as saying that he demanded $10,000 for inserting that clause, I am misunderstood. What I mean to say is that, knowing the purport of his own clause, he was the one man among more that 50,000,000 of American citizens who felt that the citizens of Philadelphia and the subscribers to that exposition from Pennsylvania, Delaware, New Jersey, and Massachusetts ought to be made to pay its burdens, and who, following his own tracks, hunted them until he stripped them of their investment, patriotic as it was. [Applause.]

Mr. SPRINGER. Now, Mr. Speaker, the gentleman's statement is satisfactory so far as withdrawing the statement he made. He does not now say all that I quoted from his remarks, but withdraws that part wherein he said I claimed a fee of $10,000 for inserting this provision in the bill.

Mr. KELLEY. I did not mean to say that.

Mr. SPRINGER. I desire to say that if the gentleman means to state that I demanded a fee for inserting that clause in the bill, he states what is not true and utters that for which there is no foundation either in my conduct then or since. If he means, however, merely to state I pursued that case with all the zeal and ability I had to the highest court in the country and obtained from that tribunal a decision that the stockholders of the centennial exposition were not entitled to that money, but that it belonged to the people of the United States, and should go into the Treasury, where it did go——

Mr. KELLEY. My proposition yesterday——

Mr. SPRINGER. Allow me to finish my sentence. If the gentleman imputes that as disreputable conduct on my part, I beg to assure him that I am proud of my record in that case and regard it as the best service I have rendered the people since I have been a member of Congress. That is the judgment of my constituents, also, who have returned me here to six Congresses in succession, since that time. [Applause.]

Mr. KELLEY rose.

Mr. SPRINGER. One moment further. The governor of the State of Pennsylvania informed the United States in 1872 that all provisions were made for the pay of the expenses of that exposition, and that not one dollar would be asked of the Government of the United States to pay for that exposition. Every bill which passed Congress on this subject was based upon the fact that the expenses of that exposition were to be borne by the people interested in it and not by the Government of the United States. The Supreme Court of the United States in its decision, in 4th Otto, to which I have referred, bears me out in relation to the language of my amendment in this case, and I will read it:

> Giving that signification to the word in this case, we encounter no difficulties. The statutes are complete, and there is nothing to supply. Everything is in harmony, and no strained construction is required. All accounts are easily adjusted, without resort to unusual proceedings.

Thus the court held that all the statutes passed (and there were several acts passed on the subject) were in harmony with each other, including the act last passed requiring the money appropriated to be paid back to the United States.

The gentleman says that the people of Pennsylvania are entitled to great credit for having gotten up this exposition. New York wanted it, other States wanted it, the merchants, the railroad interests, and the hotel interests in every city and State desired this centennial exposition held in their locality.

And why, Mr. Speaker? Because it was well known that thousands of people from every part of this country, from the Lakes to the Gulf, and from California to Maine, would rush to that city which secured its location. Philadelphia secured the prize. Visitors to the exposition staid there from one day to three or four weeks, or perhaps months, and they left millions of dollars in that city. The other places that were competitors for the exposition never objected to having these benefits received by the people of Philadelphia. When the citizens of Philadelphia and Pennsylvania and other States put their money into the stock of this exposition it was done with the expectation that it was a contribution to the great celebration there, and that the compensation to them for the money subscribed would be in the increased transportation on the railways, in the increased business of their merchants, in the traffic on the street railways, and in the profits to owners of livery-stables, keepers of boarding-houses, and the great gain which would come to all of the other manifold interests which reaped millions of dollars profit out of it.

Mr. KELLEY. I beg leave to say to the gentleman from Illinois that I would like to make my interruption while he is still on the floor, for he may want to reply to it, and I do not want, after he shall have closed his remarks, to again call his attention to the matter.

Mr. SPRINGER. I will yield to the gentleman now.

Mr. KELLEY. The gentleman proclaims the fact that this was one of the most honored, honorable, and to-be-remembered events of his life. It might have been so if it had not been followed by the suggestion of reward on the part of the man who, according to his own statement, deserves credit for having inserted the clause upon which that claim was to be fixed. I do not think the average professional sense can possibly feel that the gentleman should derive any satisfaction from looking back on that record, winding up with General Butler's bill to send WILLIAM M. SPRINGER'S claim for professional services to the Court of Claims to adjust the amount he had earned.

Mr. SPRINGER. I want to say to the gentleman from Pennsylvania again, and I say it with a full knowledge of all the facts involved, that the first suggestion for my appearance in this case came from the Attorney-General of the United States, Attorney-General Taft. He was a Republican Attorney-General, as the gentleman well knows, and I was not at that time in such intimate relations towards the Republican party—a time when we were engaged in the midst of the heated contest of 1876 in relation to the occupancy of the Presidential chair—to ask favors of any kind from the representatives of that party.

He asked this favor of me, to argue the case, for the reasons stated by him in the letter from which I have already quoted, and in view of the fact that it was close upon the time when a change of administration was to take place. That change of administration did, in fact, take place between the period of my employment in that connection and the arguing of the case. A new Attorney-General came in, who was not familiar with the facts of the case. It was at that time I was requested by Attorney-General Taft to appear on behalf of the Government of the United States, and represent its interests. I had no thought at the time, nor did the Attorney-General, I presume, think of any consideration for my services. That question did not enter my mind. But I had moved in the House the amendment upon which the decision of the court at Philadelphia turned, and I felt it my duty as a representative of the people to urge upon the Attorney-General the importance of taking the case to the Supreme Court of the United States, which I did in person, and in the letter to which I have already referred.

Mr. KELLEY. Let me ask the gentleman whether the Attorney-

General asked the gentleman to go to Philadelphia and take charge of the case?

Mr. SPRINGER. I did not go to Philadelphia. I left the case there to the tender mercies of the people of that city, who by their importunities and pleadings, which must have been very effective, induced the presiding judge to decide that the money belonged to them. But when that case came, on an appeal, to the highest tribunal in the country, every member thereof, except the justice who tried it below, decided that it belonged to the people of the United States. It was upon their mandate, and not upon the slight intimation the gentleman suggests, that the money was paid into the Treasury of the United States.

So far as my professional and official conduct is concerned in this matter, I submit it with perfect confidence to my colleagues on this floor, to my constituents, and to my country. I shall be governed by the dictates of my own conscience in the discharge of my official duties here and of my professional duties elsewhere. If the gentleman from Pennsylvania would take as good care of his own honor in matters of legislation as he would require me to do, we would not probably have heard some allegations which have been made in past Congresses in regard to members being interested in legislation. [Applause.]

JOHN H. JONES AND THOMAS D. HARRIS.

Mr. CROUSE, from the Committee on War Claims, by unanimous consent, submitted a report on the bill (H. R. 37) for the relief of John H. Jones and Thomas D. Harris, with an amendment; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CONTESTED ELECTION—THOBE VS. CARLISLE.

Mr. CRISP. I now call up the contested-election case of Thobe *vs.* Carlisle, from the Sixth district of Kentucky. I presume the members of this House have read and are familiar with the report of the majority and the report of the minority in this case, and the individual views which one member of the committee has presented, as the reports have been sent to members through the mail.

Mr. BURROWS. Will the gentleman from Georgia allow me to say that it is impossible that members can be familiar with the reports, as they were not delivered until this morning?

Mr. CRISP. I think the gentleman is in error. The report was sent in the mails last evening to members.

Mr. BURROWS. It was not delivered at my residence until this morning. I mention the fact in order that the gentleman may explain the case fully.

Mr. CRISP. Perhaps, then, Mr. Speaker, I had best give a somewhat full history of this case.

Mr. STRUBLE. I rise to a question or order. For my part I have not had time to examine the report of the committee in this case, and I presume that the gentleman from Georgia is about to submit a summary of that report as well as arguments in support of it. I, for one, desire to hear him, which I can not do while so much confusion prevails in the Hall.

The SPEAKER *pro tempore*. The point of order is well taken. Gentlemen in front of the Chair will be seated.

Mr. CRISP. In the Sixth district of Kentucky, at the election for Congress in 1886, by the official returns Mr. Carlisle received 6,476 votes and Mr. Thobe received 5,651 votes, showing a majority for the sitting member of 825 votes. Within the time prescribed by statute Mr. Thobe served on Mr. Carlisle a notice of contest. That notice of contest contained a great number of specifications not necessary to be now read to the House. They may be summarized, and they are summarized in the report as being a claim that the contestant received a thousand votes in the district which were not counted for him; that the ballot-boxes at some of the precincts were opened before the time prescribed by law; that the officers of election at some of the precincts were not divided between the different political parties as they should have been under the statute of Kentucky; and there was an amended notice, in which he alleged that duplicate returns were not made out by the managers as the law directs.

The contestee replied to this notice, denying generally and specifically every allegation except the one as to the failure to divide the election officers between the two political parties, and alleged as to that that in certain precincts that could not be done because there were no Republicans in the district qualified to act as election officers.

Those were the issues between the parties. The contestant took testimony in the district for seven days, or parts of seven days, out of the forty that the statute allowed him for taking testimony. There the case rested, the contestee taking no testimony. There the case rested until August, 1887, when this testimony was transmitted by the notary before whom it was taken to the Clerk of the House. In that state of the case the contestant appeared before the Committee on Elections in person and by counsel, and asked that the case might be reopened, so that further testimony might be taken; or failing in that, that a committee might be appointed to visit the district and investigate the character of the election that was held there in 1886. In support of that motion the contestant presented certain affidavits, letters, and papers, which will be found printed as an appendix to the report in this case.

The contestee, who up to that time had never appeared in the case except to cross-examine the witnesses down in the district—at that stage of the case the contestee asked the privilege of filing affidavits in reply or in denial of the affidavits that had been filed by the contestant. That privilege was given him, and when the committee again proceeded to consider the case the contestee presented the affidavits and papers which appear in the record in the case.

The first question, Mr. Speaker, that was considered by the committee was the motion to reopen the case. The reasons assigned by the contestant in support of the motion you will find stated in the report. One reason urged was that his counsel had been untrue to him; and the minority of the Committee on Elections in the report submitted by them in this case press that charge and seem to think that the action of the majority of the committee in proceeding with this case under the facts presented in the affidavits was improper and unjust to the House and to the contestant. It becomes necessary, therefore, to call the attention of the House to the character of the papers presented by the contestant and the character of the reply made by the contestee.

The contestant in the case alleges in his own affidavit that his attorney professed to him that he could establish the necessary facts; that he knew all about the witnesses in the case, and that he alone, without the special aid or assistance of the contestant, would prepare his case, would procure the witnesses, and would do everything that was necessary to establish the right of the contestant to a seat. He says that very soon after the taking of the testimony began he discovered a lukewarmness on the part of his attorney, an indifference on the part of his attorney which indicated to him he had lost interest in the case; and then he says that from a conversation with his counsel he inferred that his counsel had probably sold out, as he expresses it, to the friends of the contestee.

That, Mr. Speaker, is a very grave charge against his counsel. If this House were fully satisfied that the counsel of the contestant had thus deceived him, had thus betrayed him, it would go very far toward inducing them to give that gentleman another opportunity to present his case.

In reply to that charge, the contestee presents evidence which will be found in the record. He presents the evidence of the counsel assailed; he presents the evidence of other witnesses, and perhaps it may be proper to call attention to what those witnesses say. Mr. Wood, the gentleman assailed, denies under oath, specifically, the charges that are made by the contestant. He denies that he made the statement that he would himself procure the evidence. He denies that the contestant committed his case unreservedly to him. He denies every substantial allegation made by the contestant going to show that he, Wood, had been in any manner derelict in his duty, or had in any regard betrayed his trust.

But the contestee does not rely alone upon the statement of Mr. Wood. He shows by affidavits of others, by the affidavit of the notary before whom the evidence was taken, the conduct of Mr. Thobe himself, which, it seems to me, is a complete refutation of the charge which he now makes, that Mr. Wood was unfaithful to him. Mr. Thobe charges, as gentlemen will recollect, that he sought to procure or to induce his attorney to forward the papers here, that he did everything he could to induce him to procure the testimony of witnesses and to forward it, but that this attorney, whilst promising from day to day so to do, continually neglected and thereby endangered and damaged his case. I want to call the attention of the House to the evidence of the notary who took the testimony, a man by the name of Tinley.

This notary says that some three or four months elapsed between the time of the taking of said testimony and its being forwarded to Washington; that this delay was the result of Mr. Thobe's tardiness in the payment of his fees; that he does not recall the date of Mr. Thobe's calling at his office and requesting him to get the papers, but that he (Thobe) did call and so request; that affiant then demanded of Mr. Thobe payment of his fees, the amount of which seemed to astonish him, and during the conversation which followed—I commend this to the attention of the House—during the conversation which followed, Thobe said to him, in the presence of other witnesses (whose affidavits I will produce), that he did not like to pay out any money in the matter; that he never wanted to go into it, and would like now, he said, to get out of it; and, continuing, he remarked that the labor clubs had forced him into it and had promised him assistance, but that their assistance had failed to materialize. He further said that this was the only day's work he had lost on account of this business, and that he would not have lost this, nor would he pay out any money, but for the imputations and slurs that were being cast upon him and Mr. Wood (the attorney whom he now accuses of faithlessness) by his own party; which imputations and slurs were to the effect that he and Mr. Wood had been bought up; and, simply, as he said, to show his labor friends and supporters that he had not sold out, he would send on what little testimony there was in his behalf to Washington, and let J. Hale Sypher do what he could with it, for, he said, "from what I have

heard of Sypher's reputation, he can do a great deal with it," and sending the papers to Washington would at least, he said, remove the imputation of fraud on his part in the matter.

That is the affidavit of Mr. Tinley as to the statements of Mr. Thobe in August, at the time the testimony was sent on here. Bear in mind that the testimony was taken in February and March. In the affidavit now presented to the committee the contestant says that even during the taking of the testimony he was impressed with the belief that his counsel was dilatory and was not doing what he ought to do; yet in August thereafter he states to the notary who took the testimony that he only sends the testimony on to Washington now in order that the labor clubs might not impute to him and to his counsel, this same Mr. Wood, any improper motives in the conduct of the case. In this record you will find the affidavit of a junior Mr. Wood, who says that he heard the same conversation and that it was substantially as set forth in the affidavit. Mr. Speaker, speaking as one member of the committee, and I think in that respect I can speak for the majority, I am fully persuaded that the contest on the part of Mr. Thobe, with whatever motive it may have been begun, was abandoned—abandoned by him and his attorney after an earnest effort to establish what they had charged in their notice of contest. It languished. No further efforts were made because they felt that they had exhausted what they could do, and the case stood just in that attitude. Speaking for myself, sir, I believe that but for an inspiration that came from Washington, and not from Kentucky, the case would have remained just as it was at that time. I make that statement, sir, because I think the record in the case justifies and demands it.

Mr. STRUBLE. I would like to ask the gentleman whether it is the finding of the majority of the committee that the contestant did abandon his contest at any period after he commenced it.

Mr. CRISP. There is no statement in the report that he did abandon the contest. I said distinctly, Mr. Speaker, that, speaking as one member of the committee, I believed that he did, and believed that the majority of the committee so thought. The House will find in this record, among the papers presented by the contestant, certain letters which have satisfied me at least that the inspiration for the further prosecution of this contest came from Washington, and did not originate in Kentucky.

Bear in mind the contestant's statement, that he did not originally want to go into the case; that he would get out of it now if he could; that he did not want to pay any money out in the contest; that the labor clubs had promised to help him, but their help had failed to "materialize;" and then turn to the record in the case which you have before you. You will find a series of letters attached to the affidavit of Mr. Wood, the counsel, whose bona fides and good faith have been assailed. These letters throw a flood of light upon the case and the reasons for the prosecution of this contest.

The contestant in his affidavit charges that one reason why Mr. Wood, his attorney below, became offended and abandoned his contest was that he employed as associate counsel, or as counsel in the case, one J. H. Sypher, of this city, a gentleman whose name is perhaps not unknown to members of this House. The record discloses the fact that a series of letters passed between Mr. Wood, the counsel in Kentucky, and Mr. Sypher, the gentleman in Washington, whom it was proposed to employ, and that Mr. Lee Crandall was the medium through whom these letters passed. In those letters you will find that the counsel or the contemplated counsel here is laboring to satisfy Mr. Wood that no reputable lawyer in Washington would appear in an election case unless he has a written power of attorney, the form of which appears in the record. By that form of power of attorney the party delegates to his counsel the exclusive management of his case. It is, gentlemen, the power of attorney with which you are all familiar, which counsel present and file when they appear in any of the Departments of the Government. It has no more application to a case pending before the House of Representatives than it would have to any case in any court of any State.

The counsel in Kentucky insists that the power of attorney must not be given, because it commits to Mr. Sypher the exclusive control of the case. Mr. Sypher replies that he can not appear, and no reputable counsel can appear, without it. And in these letters he offers inducements to Mr. Thobe to execute this power of attorney, although he says in the letters that he has no desire to come into the case.

It seems that Mr. Crandall originally suggested the employment of Mr. Sypher, and was the mutual friend of him and Mr. Thobe. Mr. Sypher and Mr. Crandall had frequent conversations about the case. These letters which have passed have been put in the record. You will find by reference to them various statements which I think illustrate the reason why this contest was carried on. Mr. Sypher, in a letter of December 1, 1886, to Mr. Crandall, says:

> DEAR SIR: Our mutual friend and brother, Mr. Jeffers, has handed me Mr. Thobe's letter of November 23, addressed to you. As I am not informed as to the contents of your letters to Mr. Thobe and his attorney, Mr. Wood, I do not understand what Mr. Thobe means by saying that "he can't possibly take the case out of Mr. Wood's hands."
>
> It was not my intention or purpose to have him do so, and if you wrote him to do so, it was not at my suggestion. My idea was that Mr. Wood should continue in the case exactly as he began, and not to change or alter his professional relations in any way, but that I would assist him in preparing the notice of contest, and aid him in taking the testimony, if necessary, and when the case came here take charge of it. There is no lawyer in this country, not familiar with the special and peculiar practice of contested cases before Congress, but that requires assistance when he comes here.
>
> In fifteen years' experience in such cases in Congress, I have never known of a single successful prosecution which was not conducted by an attorney here on the ground who was familiar with this intricate practice. Then, let me say to you again, and not to be misunderstood, that I would positively refuse to come into this case unless by the consent and desire of Mr. Wood, who is the attorney. But if I should agree to become associated with Mr. Wood in the case when it comes here, I should insist upon managing it, so as to insure success. I have never lost a case, and I will not put my reputation in any attorney's keeping who has not had equal experience in the practice. The political and diplomatic management of such cases has quite as much to do with success or failure as the technical legal proceedings, and it is in these matters that I have decided advantages over any lawyer from a distance.

Then you will find a further statement which I think justifies the inference I draw. In a letter of December 10, 1887, Mr. Sypher says:

> Knowing my views and relations as to the order of K. of L., you suggested my employment as counsel. We discussed fully the whole case, and among other things the matter of "ways and means" to carry on a costly contest. It was agreed between us that if I was empowered officially—

That is by this power of attorney—

> if I was empowered officially to represent Mr. Thobe I might enlist the interest not only of all my Republican friends in the House, but that I might be able to induce some of my wealthy and powerful protection friends to contribute something towards the expenses of Mr. Thobe's contest. These are matters which I do not like to write about, as from the publications I have seen concerning this contest I have great reason to doubt the discretion of both Mr. Wood and his client. The power of attorney about which Mr. Wood complains is the usual printed form used by all attorneys in Washington. What I meant particularly in saying in a former letter that I would expect to take charge of the case here, was assuming that the case would, like all others of the kind, run for six to eighteen months and sometimes the entire Congress, two years.

In a letter of Mr. Blakely, one of the counsel in this case, to Mr. Sypher, the leading counsel who appeared before the committee, will be found a further statement which I wish to read. After reciting a great many alleged errors we find this statement:

> Your theory of the "ways and means" as expressed in your letter of the 5th instant is correct, except in one minor detail. You ask, "How much of this can we prove?" I say, all that I have set out herein and vastly more.

Now mark you, this is a letter from the counsel of Mr. Thobe residing in Kentucky to the counsel of Mr. Thobe residing in Washington. He further says:

> I telegraph you to-night. Do not fail to send me by telegraphic order, if you have not already done so, the $50. *The conference is the objective point*, and I need the *cash* for a venture in that direction.
>
> Your statement in regard to my remittance after the elections to-day is perfectly satisfactory so far as my fee is concerned, but as my expenses through Boone and Pendleton, in the main, have been borne by Mr. Thobe, I must request you to remit by telegraphic order the $50 *at once*.

This is a letter voluntarily filed by the contestant in the case, and from this letter it appears that the ways and means were furnished, and the carrying on of this contest advised, in Washington and not in Kentucky.

It appears that counsel in Kentucky, where Mr. Thobe lives, when he wanted his fee did not call on Mr. Thobe, his neighbor, but applied to his counsel here in Washington. It appears when expenses were to be furnished to carry on the contest he did not apply to his neighbor, Mr. Thobe, but applied to his counsel here in Washington. And he says one reason why this fee should be paid at once is that Mr. Thobe had himself borne some part of the expense of the contest.

Mr. Speaker, I infer from the evidence, some of which I have read to you, that the contestant in this case told the exact truth when he said that he did not want to remain in this case; that he did not want to pay a dollar out in this case; that but for the fact that his labor friends had accused him and Mr. Wood of selling out he would not pay a dollar in the case, and that he only sent the papers on now to satisfy them he and his counsel had not betrayed them, and to leave it to Mr. Sypher, in Washington, to make as much as possible out of the papers; to leave to him the management, the furnishing of the means, and suggesting the ways; to leave it to him to secure the aid of his Republican friends in the House; to leave it to him to manage the case diplomatically, so as to have it linger, as such cases do linger, from six months to two years, on the Calendar of the House; and to leave it to Mr. Sypher to get from his rich protection friends throughout the country money to help in the prosecution of this case.

I think a careful and impartial examination of the affidavits will satisfy any man who is reasonably free from bias and prejudice that such is the exact truth in this case.

Now, when we go from that question and come to questions of fact presented by the affidavits of the contestant, all fair-minded men must admit that the charges and allegations made by the contestant are overwhelmingly refuted. The minority of the committee, I understand, do not deny that.

This is not a case where one witness swears to the existence of a certain state of facts and another denies it, and the committee and House are called upon to determine between them; this is a case where in most instances contestee produces the affidavit of the witness by whom contestant avers that he can prove a charge, and such witness proves the contrary. Here is a sample: Contestant avers that on the evening of the day after the election contestee admitted to Horace Cambron that he was defeated. The contestee produces the affidavit of Mr. Cambron, in which he says that no such fact can be proven by

him, for it is not true. Again, he presents the affidavit of one John J. Pearce that there was a meeting of friends of Mr. Carlisle in Covington for the purpose of defeating and overthrowing the election of Mr. Thobe. The contestee produces the affidavits of his neighbors in the city of Covington, where the meeting is said to have been held, that they had never heard of any such meeting.

He produces the affidavit of the custodian of the public building, of the clerk of the court, of the postmaster, in which they say no such meeting was held. Mr. Pearce alleges in his affidavit that he can show by one P. Casey that the meeting was held. The defendant produces an affidavit of P. Casey in which he states that no such thing can be shown by him, for it is not true.

The contestant states he can show by Mr. John J. Pearce that in seven out of eight precincts of Carroll County the votes were fraudulently returned; that the names on the register of voters in each precinct were in the same handwriting, showing they must necessarily be forgeries.

The contestee produces the affidavits of the election officers and the clerks who wrote the lists, who swear it is their writing, and was done at the time of the election; that each particular list is correct. And further, the contestee produced in the committee-room the clerk of Carroll County, the custodian of its public records, who presented to the committee the records themselves, an inspection of which shows the affidavit of Pearce to be absolutely and necessarily false. Pearce could not have been innocently in error, because he says in his affidavit—

I have examined these returns; I am an expert; I have been called to testify in court as to handwriting, and I state to you the returns in each one of these precincts is in the same handwriting.

The committee examined each one of those original returns, produced under the order of the county court of Carroll County, and it appears from such examination that the names in every precinct were in a different handwriting. So that this charge must be considered absolutely out of the case.

As to every allegation made by the contestant, or nearly all, there is a complete and an emphatic denial, not only by witnesses of credibility, but by the evidence of witnesses by whom the contestant claimed he could prove the facts alleged.

Mr. LAIRD. There are several original copies of the returns, are there not—two or more?

Mr. CRISP. I do not know whether there were two, or not.

Now, Mr. Speaker, the minority of the committee, as I understand them, make no question upon the fact that on the record as made before the motion was entered in the committee the contestee is entitled to his seat. I understand, I say, that no point is made upon that.

But the minority say that the committee were in too great haste in disposing of this case. They say, and how they can say it they can explain, for I can not understand—they say that the contestant made a strong *ex parte* showing to establish certain facts; and then they say that in that state of the case it is incumbent upon the House, without considering the affidavits in response, to reopen the case. Gentlemen claim that there are two precedents sustaining their motion to reopen the case; they are simply mistaken. The cases cited by them do not sustain their proposition, and are not like the case at bar in any respect.

Gentlemen cite the case of Sypher in the Forty-third Congress. They state that in that case there was no notice of contest, no evidence was taken, and that upon a mere memorial from the person claiming to have been elected the House ordered the Committee on Elections to investigate the matter and opened the case, allowing notice to be served and evidence taken.

If gentlemen had taken the trouble to examine that case they would have found this state of facts: That in the State of Louisiana at that time there were five returning boards, each claiming to be the proper tribunal to count and certify the vote; that Mr. Sypher appeared here with a certificate from the Lynch board, and that Mr. Lawrence appeared with a certificate from one of the other boards, and both came before the House claiming to have the *prima facie* right. Neither could contest the seat because each claimed the seat under his credentials. Mr. Lawrence had a certificate, and Mr. Sypher had a certifieate. They came here under that state of facts and presented their claim, and it was decided to seat Mr. Sypher upon the *prima facie* case; and when they did, then, for the first time, Mr. Lawrence became aware of the fact that he was a contestant in the case.

He could not have been expected to serve notice of contest and take testimony when he held a certificate and claimed that he was entitled to be seated on the *prima facie* case. These are the facts. Is that a precedent for this case, where, under the statutes of the United States, contestant serves notice within the time prescribed, takes testimony, personally neglects and practically abandons his case, and then comes here and asks to have it reopened? Certainly gentlemen can not claim the Sypher case to be a precedent for the motion urged in this.

You will find that case reported among the contested-election cases of the Forty-third Congress, and an examination of it will fully sustain my statement of it here. I may say in passing that when they come to consider that case, in which one of the gentlemen now appearing as counsel here was a party, the committee found his certificate was fraudulently obtained, or rather I should say that it was fraudulently issued by the board; that the board had actually made and signed a certificate for Lawrence, after which there were presented to them some seventeen hundred affidavits, which they counted as votes for Sypher, and which the committee found upon an examination of the case were, to use their own expression, "manufactured."

The other case is that of Mr. BUTTERWORTH in the Forty-sixth Congress. In that case, Mr. Speaker, Mr. BUTTERWORTH and his colleague (Mr. Young) were sitting members. There was no notice of contest, but there was a memorial from the citizens, or some part of them, of the city of Cincinnati asserting or alleging that there had been two or three thousand United States marshals appointed to override the will of the people; that they had taken charge of the polls in Cincinnati and had countenanced all manner of fraud and iniquity. In that state of the case the House of Representatives adopted a resolution not to contest the seat of Mr. BUTTERWORTH, but that a subcommittee might be appointed to visit Cincinnati and take testimony to ascertain the truth or falsity of the charge; and on motion of the distinguished gentleman from Ohio who died as President of the United States, the motion was enlarged so that they might inquire as to the manner of the execution of the law in reference to the appointments of marshals at Federal elections. Is that a precedent for this case? These are the only two cases that can be found, I believe, where this action has been had.

Mr. BRUMM. Will the gentleman allow me?

Mr. CRISP. With pleasure.

Mr. BRUMM. In the case of Cook *vs.* Cutts was the case not reopened and the parties permitted to take additional testimony?

Mr. CRISP. It is quite possible.

Mr. BRUMM. I am quite positive that it is true.

Mr. CRISP. Perhaps the gentleman did not comprehend my point. The minority insist that this case ought to be opened; aver that it has been the practice of the House to open cases even without any notice of contest, and cite these two cases as instances. I concede that there are cases where the House has extended time for taking testimony——

Mr. BRUMM. That is only where there is an issue of fact that has not been decided. Is not that the case?

If the gentleman from Georgia will permit me, is not this the trouble here—first I understand you have agreed that the counsel for contestant have botched his case, or at least that there is incompetency, if not worse, on the part of one if not more of the counsel? It is alleged that there are certain facts at issue in this case that the contestant wants to have a chance to investigate. If there are facts that are at issue, and there is no contradiction except by *ex parte* affidavits, would not that case come exactly within the case of Cook *vs.* Cutts, there being only questions of fact at issue that were not decided without regard to the exact law and points in the case?

Mr. CRISP. If I understand the view presented by the gentleman from Pennsylvania [Mr. BRUMM], it is only in line with the views of the distinguished gentlemen who have filed a minority report in the case. As I understand their report, they claim that whenever a contestant files an affidavit alleging frauds and irregularities in an election it is the duty of the House, without any regard to the truth or the falsity of the charge, without allowing any affidavits to be filed in rebuttal, without making any investigation as to the character of the witnesses by whom the charge is preferred, to order the case to be reopened. That is the view of the minority in this case. I do not think it tenable, and if the House agree with me that the contestee has a right to deny by *ex parte* affidavit the charges that the contestant makes by *ex parte* affidavit, then there can be no question that the evidence is overwhelmingly in favor of contestee, and carries with it conviction that the charges of contestant are untrue. The minority will not and do not deny this. But their proposition is that however irresponsible the witness, however vague the charge, that where under oath it is alleged there were frauds in an election then it is the duty of the House to take anew the evidence.

Mr. BRUMM. In other words, if the gentleman will allow me, wherever there is an issue of fact, and that issue is created on *ex parte* affidavits on both sides, they claim it is the duty of the committee to investigate those facts. That is my position exactly.

Mr. CRISP. That means exactly what I said, that whenever affidavits are presented, no matter how worthless, no matter how untrue, no matter how absurd——

Mr. BRUMM. Are you not assuming that fact? There are simply *ex parte* affidavits on both sides. Are you not assuming that on one side those affidavits are worthless and untrue?

Mr. CRISP. I understand the gentleman's claim to be that where the contestant claimed that he showed by affidavit certain facts, and the contestee claims that he has produced affidavits which refute the alleged facts, the committee must reopen the case. That is the proposition. I say in this case the only point the contestant makes in his affidavit, as has been well said by the distinguished gentleman from Illinois, my colleague on the committee [Mr. ROWELL]—the only point he makes of any consequence is that seven of the eight precinct returns of Carroll County were all in one handwriting. Mr. Pearce swears that the names of the voters were all in the same handwriting. The contestee produces the original returns and they show Mr. Pearce's affi-

davit to be untrue. Are you to open the case, or are you to appoint a commission to go to Kentucky to look at the returns, which we have seen and you can see? Is that the proposition?

Mr. BRUMM. Is the gentleman from Georgia not assuming now that the returns shown to be different from the statement made in regard to them are absolutely correct? May the facts not show that they are fraudulent?

Mr. CRISP. If human testimony can show anything it shows that those returns are correct.

Mr. BRUMM. You have only *ex parte* testimony as to that.

Mr. CRISP. And so is the charge which is made based on the *ex parte* testimony of witnesses shown to be irresponsible.

Mr. BRUMM. On your assumption.

Mr. CRISP. It is not assumption. It is an opinion based upon the testimony of credible, respectable citizens.

Mr. BRUMM. And counteracted by other testimony by other respectable citizens.

Mr. CRISP. Not at all. Pearce says the record of Carroll County returns show the registers of the voters' names are all in the same handwriting. The Committee on Elections have inspected those original records, and from that inspection say the statement of Pearce is not true.

Mr. OUTHWAITE. May I suggest that there is no evidence or claim made that these are not the original returns?

Mr. CRISP. None whatever.

Mr. BRUMM. It might be the proper time to make that claim now.

Mr. CRISP. The gentleman's claim is exactly what I said. It is that wherever an affidavit was presented, no matter how well satisfied the committee or the House may be that the affidavit is false, you must reopen the case. He says you can not investigate on *ex parte* affidavits the question of the truth or falsity of the charge. That means that for the purpose of opening the case you must accept it as true.

Mr. Speaker, I deny that proposition. There is no court on earth that, on a motion for a new trial on the ground of newly discovered evidence, would not hear the reply to the proposition made by the party making the motion. There is no case where you propose to do that by an *ex parte* affidavit where a tribunal will not hear a reply to the party making the motion.

Mr. BRUMM rose.

The SPEAKER *pro tempore* (Mr. RICHARDSON). Does the gentleman from Georgia yield?

Mr. CRISP. I should like to proceed with my argument. That is all there is in the case. The proposition of the minority of the committee is just this, that the contestant, having submitted certain affidavits charging fraud in this election, asks to open the case.

The contestee submits affidavits and records in reply, which, to the minds of your committee, overwhelmingly establish the fact that if you opened the case the contestant could not prove one single charge that he makes. Is the House of Representatives going to do the idle, the futile, thing of opening this case and sending down to Kentucky to give the contestant the opportunity to prove something which the evidence already on file will convince any impartial, unbiased mind he can not possibly prove? That evidence, too, furnished by the very witnesses by whom he says he will prove his case.

Mr. LAIRD. Will the gentleman permit a question?

Mr. CRISP. Yes, sir.

Mr. LAIRD. Conceding that the votes of Carroll County would stand investigation, are there enough other votes challenged to change the result?

Mr. CRISP. I do not understand, Mr. Speaker, that that would change the result. I do not so understand it. There is absolutely nothing, sir, but the proposition that I have stated. If this House is willing to establish a rule in a contested-election case, where there has been due notice of contest, where there has been full opportunity to take testimony, and where testimony has been taken only seven out of the forty days allowed by law, that, upon a hearing more than twelve months after the election, a party may present an *ex parte* affidavit charging fraud, and that the other side shall not be heard in the same manner before the same forum, then you may open this case.

But if you believe, as we believe, that when affidavits are presented in that way, it is not only the privilege, but it is the duty of the committee and the House to take the case and examine the evidence offered and see what substantial good could result from the reopening of the case, and, if they are of the opinion that no good could result, if they are of the opinion that the case made by the contestant is absolutely and wholly refuted by the case made by the contestee, they will then and there dispose of the case and settle it. Then this case should not be reopened, no amount of investigation can change the result, and to open this case will set a precedent under which any contestant or contestee can, at great expense to the Government, extend a contest over six months, or indeed two years, as suggested by contestant's counsel.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. BRUMM. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended. There are some facts that I would like to bring out——

Mr. CRISP. I thank the gentleman, but other members of the committee desire to speak.

Mr. BRUMM. That would not interfere with their speaking; the time is unlimited.

Mr. CRISP. I thank the gentleman, but will now give way to other gentlemen who desire to be heard. The gentleman from Illinois [Mr. ROWELL] desires to occupy some time.

The SPEAKER *pro tempore*. Some gentleman representing the views of the minority of the committee will now be heard.

Mr. LYMAN was recognized.

Mr. HOUK. Mr. Speaker, had not we better defer this to some subsequent day? Let it go over until to-morrow or next day, so that we may have time to examine the case.

A MEMBER. Yes; let us have a chance to examine these affidavits.

Mr. HOUK. We have not had time to examine and read these records, and I ask——

The SPEAKER *pro tempore*. Does the gentleman from Iowa [Mr. LYMAN] yield to the gentleman from Tennessee?

Mr. LYMAN. What is the proposition, Mr. Speaker?

The SPEAKER *pro tempore*. The gentleman from Tennessee will state it.

Mr. HOUK. We have no sacred characters here. Let us go into this case and examine it properly and know what we are doing.

The SPEAKER *pro tempore*. Does the gentleman from Iowa [Mr. LYMAN] yield to the gentleman from Tennessee [Mr. HOUK]?

Mr. LYMAN. I think I had better not, sir.

Mr. HOUK. Well, Mr. Speaker, I move that we adjourn this case until this day week.

The SPEAKER *pro tempore*. The gentleman from Iowa [Mr. LYMAN] has the floor, and the gentleman from Tennessee [Mr. HOUK] can not make a motion in his time.

Mr. LYMAN. Mr. Speaker, as I was about to say, when interrupted by the gentleman from Tennessee, I am not very familiar with the rules of the House, and therefore I will ask the Chair to state how much time I have at my disposal.

The SPEAKER *pro tempore*. The gentleman has one hour.

Mr. LYMAN. And will other members of the minority have the same time as a matter of course?

The SPEAKER *pro tempore*. Until the House by its action changes the order that will be recognized as the order of business, and each member of the committee will be entitled to an hour.

Mr. LYMAN. Mr. Speaker, in the position which I shall take in this case I am actuated by no political or partisan motives whatever; nor am I actuated by any personal motives. Indeed, there are members of this House on both sides, I think, who have heard me say more than once that if any other gentleman than a member of my own political party was to occupy the chair of Speaker of this House, I should prefer that it should be the contestee in this case. I mention this simply to show that I am actuated by no personal motive, and that I am acting simply in pursuance of what I conceive to be my duty as a member of the Committee on Elections, and a member of this House. If the question involved in this case had come to a vote upon the printed record as it stood at the time the committee was organized, there can be no question as to what that vote would have been. The vote would have been unanimous. There would have been no division in the committee; for, as has been stated, the record as then presented disclosed no cloud in law upon the title of the contestee to the seat.

During the able argument to which we have just listened extracts have been read from correspondence between Mr. Sypher, the Washington attorney of the contestant, and another gentleman who, I believe, had some connection with the contest at a prior time. Now, whatever may be said of that correspondence, it has nothing to do in my judgment with the question which the minority of the Committee on Elections desire to present to this House. The private correspondence of Mr. Sypher with other gentlemen ought not, in my judgment, to influence in the least the vote of any member on this floor upon the resolution presented by the majority of this committee. If those letters, coming from the source from which they do come, prove anything, they sustain the allegation which the contestant makes here that he has been betrayed by his attorneys in Covington; for those letters come here as an exhibit attached to the affidavit of Mr. Wood; and coming from Mr. Wood, the local attorney of the contestant in this case, the man whom he charges with having betrayed his interests, they establish his position in that regard; and that is the only bearing they have on this case; only in that view ought they have any influence upon any member here. Mr. Wood had no business to send those letters here. Whatever their weight may be they were received by him as the attorney of the contestant from one who afterward became also his attorney. Mr. Wood had no right to send them here. They come here attached as an exhibit to his affidavit procured at the instance and in the interest of the contestee.

Mr. HEARD. Will the gentleman yield for a question?

Mr. LYMAN. Yes, sir.

Mr. HEARD. Does not the evidence before the committee show that at the time those letters were sent here Mr. Wood, the attorney who sent them, had terminated his relations as attorney and that the senior counsel of the contestant, Mr. Sypher, had, as is shown by the public prints (because the committee-room was open during the discussion),

vigorously and mercilessly assailed Mr. Wood, charging him with having given away or sold out his case? These letters, as I understand, were sent as a defense of Mr. Wood.

Mr. LYMAN. Granting that to have been the fact—that the relation of Mr. Wood as an attorney of the contestant had ceased, which was the fact—that is no excuse, no reason why any attorney at law should betray the interests of any one who had ever been his client.

Mr. HEARD. I concede that. There is no issue on that point. I simply stated it in a narrative way; my point being that those letters were sent here in response to charges made by counsel here involving the character of the attorney in Kentucky, who sent those letters here in defense of his character.

Mr. BRUMM. That does not alter the case at all.

Mr. LYMAN. They were sent here after the contestant had charged upon his Covington attorney that he had mismanaged his case, but they constituted no defense to any charge of that kind. They have no reference in the slightest degree to any charge the contestant had made against Mr. Wood. Their publication was simply a base and inexcusable betrayal by counsel of one who had been his client.

Now an assault is made on the character of Mr. Pearce, who makes an affidavit in this case. He said in his affidavit that a day or two after the election of the 2d of November, 1886, there was a meeting of the friends of the contestee in the city of Covington. It is said on behalf of the contestee that Mr. Pearce is not to be believed, that this cause ought not to be reopened and this House made cognizant of the facts in reference to that matter because five or six gentlemen of Covington, Ky., who say they are the most intimate political friends of the contestee, have said they were not at that meeting, were not advised of it, and never heard of it. Any member of this House could make a similar affidavit, that he was not present at any such meeting, was not invited to attend it, and never heard of it.

Why, when such business as this is going on, if any such there was, it is not the respectable part of the community, the gentlemen of integrity, who are invited to such consultations—consultations called for the purpose of devising ways and means by which the choice of the people for their Representative may be overthrown. These affidavits may be true; yet they tend only to establish the allegation that the contestant has made—not only that he has been betrayed, but that steps were taken to overthrow by fraudulent means the choice of the people of that district.

Again, it is argued that the only point which ought in any manner to entitle the contestant to a rehearing is in reference to the poll-lists from Carroll County; and gentlemen say it has been demonstrated beyond controversy that the affidavits of Mr. Pearce and others in that regard are false. They say that the original poll-lists are here; that the committee had an opportunity to inspect them; that every member of the House may inspect them, and that the inspection will demonstrate the affidavit of Mr. Pearce to be false.

Mr. OUTHWAITE. The gentleman speaks of the affidavits of Mr. Pearce "and others." Will he mention any "others" who made any affidavits sustaining Mr. Pearce?

Mr. LYMAN. I beg the gentleman's pardon. I believe I committed the same error in the committee on one occasion. I am not certain that there are any affidavits on that point besides the affidavit of Mr. Pearce. I do not care whether there are or not. I may grant for the purpose of what I have to say that Mr. Pearce's affidavit was the only one on that question.

I was about to say, when interrupted, that it is taken for granted that the members of the committee have seen, and that members of the House may see, the original poll-lists from seven precincts of Carroll County. Now, I submit—and this is the only comment I have to make upon the minority views of my colleague on the committee, the gentleman from Illinois [Mr. ROWELL]—that on these *ex parte* showings we have no right to take that for granted. That is one of the points on which the House wants further information before passing upon the question who is entitled to a seat from the Sixth district of Kentucky.

Mr. MCKENNA. Are those returns here?

Mr. LYMAN. I do not know. What purported to be the returns were before the committee. I do not know whether they are here now or not. I must say that the appearance of those returns was very suspicious to my mind at least, if not to the minds of others. If those are the original poll-lists, they have been through an election day in the various precincts of Carroll County; they have been handled by clerks in those precincts, and, so far as my experience goes, those persons are not always the most careful or the best educated. The paper on which these returns are written is clean, undefaced, unsoiled, except so far as the writing may be a defacement.

If it be true that the papers are the original returns, then the man who swears that the returns from the seven precincts of Carroll County are all in the same handwriting has committed deliberate perjury; for these are not in the same handwriting; no man, whether an expert or non-expert, would suspect for a moment that they were in the same handwriting.

All I suggest on this point is that there is room for doubt as to whether the Committee on Elections has seen the original poll-list from Carroll County. That is one of the questions we want to examine. If the *ex parte* showing made by the contestant upon this question be true, then the wrong gentleman has a seat in this House from that district; if it be not true, the right gentleman occupies the seat. This is the very turning-point in this contest—what was the vote in Carroll County? Were the original returns from seven out of the eight precincts of Carroll County in the same handwriting, made up after the election, or were they not, as claimed by the contestee?

Mr. Speaker, at the first meeting of the committee for the purpose of considering this case, the contestant, by his counsel, appeared before the committee and presented this motion:

Motion to investigate the conduct of the election held November, 1886, for a Representative in Congress from the Sixth Congressional district of Kentucky:
1. By select committee, as was done in the case of the First and Second Congressional districts of Ohio by the Forty-sixth Congress, first session.
2. By resolution to reopen case and take testimony, as was done by Forty-third Congress in case of Lawrence *vs.* Sypher and Davidson *vs.* Smith.
3. By summoning witnesses before this committee.

That was the motion, and those were the three propositions which the contestant presented to the committee at its first meeting for the consideration of this case.

A strong *ex parte* showing was made by affidavits and otherwise in support of said motion or proposition, which showing in the view of the minority committee tended very strongly to establish the following facts, to wit:

1. That great and inexcusable frauds were committed in the conduct of the last Congressional election in the Sixth Congressional district of Kentucky, whereby the apparent defeat of contestant was accomplished.

2. That when it was discovered that by the vote of the people of that district the contestant was elected, there was evinced a determination on the part of the friends of contestee to prevent such a result being announced and the certificate of election being given to contestant.

3. That forgery was actually committed for that purpose, whereby the contestant was deprived of the said certificate.

4. That election returns were tampered with and changed for such purpose and with such result.

5. That telegrams had been sent on the night of election to have the returns withheld for the purpose of altering them in behalf of the sitting member.

6. That the necessary testimony was not taken to establish such facts within the time required by the rules of law and of this House because contestant was betrayed and deceived by his attorney, and because he supposed from the representations of his said attorney that the same had been taken, and that the case was fully prepared on his part for submission to this House within the time provided by the law and the rules of the House.

Now, the minority of the committee claim there was a strong *ex parte* statement showing the facts I have rehearsed in your hearing. As was stated by my friend, the chairman of the committee [Mr. CRISP], this morning, up to this time the contestee made no appearance before the committee. We were furnished with a request on the part of the contestee that time should be given so that he might examine this showing to determine what course he should pursue.

Without a dissenting voice the time asked was granted. At the expiration of that time the contestee came in, and, as has been said already, made a statement in answer to this *ex parte* showing which had been made.

I care not how strong gentlemen may believe that showing to have been. I do not intend here to-day to discuss that question for one moment. In my view of what ought to be and is the law, and ought to be the rule of this House, it makes no difference how strong it was. That showing was read. The various affidavits were read, which are printed as an appendix to the report of the committee. No member of the Committee on Elections till the time this vote was taken, in my judgment, had read one of these affidavits. My judgment is, up to that time not one of these affidavits produced by the contestee had ever been in the hands of any member of that committee. Time was asked for the purpose of allowing the members of the committee to examine this *ex parte* showing which had been made by the contestee. By a vote of the committee, and I trust I do not get beyond what is proper when I say this—by a vote of that committee that request for time was refused.

Mr. CRISP. Will the gentleman candidly say to the House that every affidavit presented by the contestee was read in the hearing of every member of the committee?

Mr. LYMAN. I will say so, and I did say so. Every member of the committee was present.

Mr. CRISP. What is the point in the fact that the members had not seen them, if they had heard them?

Mr. LYMAN. The point is this: Some of the members of the committee desired to read them. They desired to go through those affidavits in order to see what they purported to be. We wanted to read those affidavits upon which we were asked to determine a question of so much importance to this House as the seating the Speaker of the House of Representatives. We only had them read by the attorney of the contestee. They were an *ex parte* showing. But as I have already said the request made to examine that showing on the part of the contestee was absolutely denied by the majority of the committee.

Mr. JOHNSTON, of North Carolina. What purpose did you wish to establish, the affidavits having already been read in the hearing of every member of the committee?

Mr. LYMAN. The gentleman asks me to go into the discussion of a question of ethics and mathematics.

Mr. JOHNSTON, of North Carolina. No. You say the affidavits were *ex parte*, and you were ready to go on the record to what was in the affidavits——

Mr. LYMAN. No; I did not say so, and do not propose to say so.

Mr. JOHNSTON, of North Carolina. That is not your position, then.

Mr. LYMAN. If you will listen patiently with your ears and eyes open——

Mr. JOHNSTON, of North Carolina. I have my ears and eyes open.

Mr. LONG. Do you say the members of the committee were not permitted to read everything before the committee?

Mr. HOUK. The remarks which have just been made cause me to ask to be heard. While it is a fact we were permitted to read the affidavits, we were not permitted to examine them as we wished.

Mr. LYMAN. In answer to an interrogatory propounded by the gentleman from Massachusetts, I wish to say this, that it is a fact the committee was not permitted for want of time to read the affidavits which had been presented by the contestee in answer to the showing of the contestant; but without any examination or without a showing, we were compelled to vote first upon a motion to ask the House to reopen the case, and then upon the resolution which the majority of the committee have presented here.

Now, that was not an honest, fair treatment of the minority of this committee. There are too many members of this House who have been accustomed to proceedings of this kind—I mean proceedings where testimony is to be considered and affidavits weighed—to know that any gentleman in order to act intelligently upon matters of that kind must have an opportunity of examination as to what he is called to vote upon. That opportunity was denied not only to the minority of the committee, but all the committee were deprived of that privilege. Granting, therefore, and conceding the superior intelligence of my friends, the majority of the committee, who may not have required that examination, I am compelled to say that it was desirable, at all events, the minority should have that privilege.

Mr. MILLIKEN. On what account were they denied it; what excuse was urged?

Mr. LYMAN. A majority voted against it in committee. [Laughter.]

Mr. BRUMM. That is just it; brute force.

Mr. MILLIKEN. I wanted to know what excuse was given for it.

Mr. LYMAN. And I have told you.

Mr. CRISP. Will the gentleman from Iowa allow me for a moment, as this is perhaps hardly just to the committee?

Mr. LYMAN. I certainly do not want to do injustice.

Mr. CRISP. I believe the gentleman does not, and therefore I took the liberty of interrupting him for a moment.

Mr. LYMAN. Certainly.

Mr. CRISP. After the reading of these affidavits——

Mr. TOWNSHEND. Does my friend from Georgia state that the affidavits were read?

Mr. CRISP. I do.

Mr. LYMAN. I said they had been read.

Mr. HOUK. They were not all read.

Mr. CRISP. By the kindness of my friend from Iowa, I would like just now to reply to what seems to be upon the minds of my friends from Massachusetts and from Maine, that by some means or other members of the committee were refused or denied the right to read the affidavits to which the gentleman from Iowa refers.

Mr. HOUK. Mr. Speaker, I ask the chairman of the committee if this is not a fact: did I not ask time to read these affidavits, and was not that refused by brute force?

Mr. OUTHWAITE. You wanted two weeks.

Mr. HOUK. No, sir; I wanted time.

Mr. BRUMM. And it should have been given if it required a month.

Mr. CRISP. I want to state with the permission of the gentleman exactly what took place.

Mr. BUCKALEW. I rise to a question of order.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. BUCKALEW. I desire to know whether this House is to be precipitated into an unseemly debate between members on the floor as to what took place in a committee of the House. As I understand the general parliamentary practice, the proceedings in committee are not matters for public announcement on the floor of the House. I can not see, therefore, that any good result can arise from prolonging the discussion in this shape. Bad feeling must necessarily be engendered, and I ask the Chair to decide now whether it is competent for members to discuss publicly the proceedings in a committee.

The SPEAKER *pro tempore*. The Chair will state——

Mr. CRISP. Mr. Speaker, if any ruling is to be made about the propriety of the conduct of other members of the House, in response to the point of order raised by the gentleman from Pennsylvania, I wish to be heard upon it.

The charge is made distinctly, by a member of the Committee on Elections, that the other members of that committee, by a majority vote in the committee-room, were refused the privilege of looking at certain affidavits filed in the case under consideration. That statement forces me to say what took place if the members of the House and the Chair will permit me.

Mr. LYMAN. I have no objection.

Several MEMBERS. Go on.

Mr. CRISP. There seems to be no objection except on the part of the gentleman from Pennsylvania.

Mr. LYMAN. Only I do not want it to come out of my time.

Mr. CRISP. Not at all. I just want the House to understand the facts, because I do not wish the committee to be put in a wrong position.

After the reading of the affidavits and the submission of the case to the committee we went into executive session, or had the room to ourselves. Under our rules we have three hours for debate after a case is submitted, one hour and a half on each side. Nobody claimed the time or desired debate. Questions were submitted, but there was no request for debate. The contestant and his friends could have talked for an hour and a half, or could have examined papers for that length of time, under the rules of the committee, and there could have been no objection. They did nothing except submit a motion on the part of the gentleman from Tennessee to continue the case for eight days, which the majority voted down.

Mr. LYMAN. Well, I do not see that anything that I have said is at all controverted by the statement of the chairman of the committee. I said that by a majority vote in the committee we were refused an opportunity to examine the affidavits which had been read. My friend, the gentleman from Tennessee [Mr. HOUK], says they were not all read. That is true, but it was stated that it was an unnecessary consumption of time to read the affidavits, which were exactly the same as others which had been read. I desire to be entirely fair in what I say, and I am sorry that I said a word as to what occurred in committee on account of the dynamite which it has exploded here.

We were called upon to vote in succession upon the questions I have named, with the results shown by the various reports of the committee and its individual members.

Now, then, as has been suggested in the course of this debate, it does seem to me that here was presented too grave a question to be decided simply on *ex parte* showings on either or both sides. If the showing made by the contestant be true, this House ought to know it. If it be true that the returns and the poll-lists from seven out of eight precincts of Carroll County were in the same handwriting; if they were manufactured for the occasion after the report had gone to the entire country by the Associated Press that the contestee was beaten; if they were manufactured after that time, this House wants to know it. If it be true that on the night after the election, when the returns from the two principal counties in the district in which Newport and Covington are situated—I forget at this moment their names—showed that the contestant undoubtedly was elected, telegrams were sent to the outlying counties to withhold returns until they could be fixed up, this House wants to know it. If it be true that there was a meeting of the contestee and his friends, or of his friends alone, to devise means by which this disaster to the contestee might be avoided, this House wants to know it. And I say that it is not just to this House, it is not just to the contestant, and the contestee ought to deem it not just to him, that so important a question as that should be tried in that summary manner.

Mr. HEARD. Will the gentleman from Iowa permit me a question?

Mr. LYMAN. Yes, sir.

Mr. HEARD. I will ask the gentleman if there was any evidence whatever presented to the committee as to the sending of any such telegrams as he alludes to, and if it was not suggested to the counsel for the contestant that those telegrams should be presented, or some evidence of them, if he expected the committee to consider and seek for them?

Mr. LYMAN. The gentleman from Missouri can not have read the printed record before the committee, or he would not have asked me that question. There was evidence before the committee; it was in the printed record that there had been telegrams sent, and the agent of the telegraph company refused to produce them.

Mr. HEARD. I meant in connection with the application for reopening the case. I understand, so far as the record is concerned, there is no difference between us.

Mr. LYMAN. The gentleman from Missouri is too good a lawyer to stand upon any such question as that. He knows the whole record was before the committee, and that record showed there had been telegrams sent.

Mr. OUTHWAITE. What kind of telegrams?

Mr. LYMAN. We do not know, because the agents of the telegraph company refused to produce them; but my friend from Ohio knows the way to produce them when they are wanted at the proper time.

I am only speaking now as to what this committee acted on. If these charges are not true that the contestant has made; if the showing that contestant has made is unfounded, why is it, I ask, that the contestee and his friends are standing here so persistently blocking every road to an investigation? Is he afraid of the truth? Are his friends upon this floor afraid of the truth? Does he doubt—I ought to say do his friends doubt—their ability to go into the Sixth district of Kentucky and establish beyond all controversy that these charges of contestant are not true, if it be a fact that they are not true? The fact that there is such a constant denial, such a persistent determination that the events of the election in the Sixth district of Kentucky shall not be investigated, suggests strongly to my mind that there is something wrong down there; and I can conceive of no good reason why the contestee should be so persistent in his determination that the facts of that election shall not be investigated.

Now, all that the contestant asks is that these facts shall be investigated; and I am free to say here as a member of the Committee on Elections and as an individual member of this House that if the evidence shall not establish these allegations made by the contestant I shall be as ready on the final vote as any gentleman on the other side of the House to vote to retain the contestee in his seat. But if they shall be established, if they can be established, I want to know it; and I know no good reason why this House should not take the proper steps to ascertain whether that is so or not.

We are not without precedents. The precedents have already been alluded to by the gentleman who has preceded me. In the Forty-third Congress there were two sitting members from the State of Louisiana whose seats, when Congress met, were claimed by two other gentlemen. There was no notice of contest; there was no vote taken. The matter went to the Committee on Elections, and that committee made this report to the House:

Mr. Spear, from the Committee on Elections, reported the following resolutions; which were read, considered, and agreed to, namely:

"*Resolved*, That Effingham Lawrence and E. C. Davidson, from the First and Fourth Congressional districts of Louisiana, respectively, be permitted to serve on J. Hale Sypher and George L. Smith, who are sitting members of the same districts, respectively, notices of contest within twenty days from the passage of this resolution; and that the said sitting members be permitted to answer the same within twenty days after the service thereof.

"*Resolved*, That the time for the taking of testimony in each of said contested-election cases is hereby extended ninety days from the time the answer is allowed to be filed to the notice of contest."

After Congress has met gentlemen in that case are permitted to serve notice of contest, and the time is extended to allow them to take testimony in order to contest the right of the sitting members, Mr. Sypher and Mr. Smith, to sit in this House. What the result of that contest was I do not know, but I am under the impression that the contestees prevailed.

A MEMBER. The contestants prevailed.

Mr. LYMAN. I am informed by a gentleman near me that the contestants prevailed. I care nothing about that. The reason I bring the action of Congress in that case up here now is to show that we have a precedent for the action which the contestant claims ought to be taken in this case. And so in the Forty-sixth Congress, Hon. BENJAMIN BUTTERWORTH, who is an honored and able member of this House, and ex-Lieutenant-Governor Young, of the State of Ohio, were the sitting members from the First and Second districts of that State, respectively. They came here with their regular certificates; there were no conflicting certificates, as has been suggested by the chairman of the committee [Mr. CRISP]. Messrs. BUTTERWORTH and Young came here with undisputed credentials, and were seated as members of the Forty-sixth Congress. A memorial came up in the early days of the first session of that Congress, signed by less than twenty-five citizens of Cincinnati, a great city with hundreds of thousands of inhabitants. In that great city, which these two gentleman represented, there were found just twenty-three men to sign a memorial alleging that there had been fraud in their election. What did Congress do? Congress appointed a committee of seven, of which the contestee in this case was the chairman, and sent that committee to Ohio to investigate the election in the two districts in question. In the discussion of that memorial upon this floor, the contestee in this case used this language:

I mean to say just this, that under the Constitution of the United States this House has the absolute and uncontrollable power, at any time and under any circumstances, to inquire into and determine the election, return, and qualifications of its own members, and that the act of Congress to which the gentleman from Ohio alludes (the act providing for contesting elections in the House) is a mere practice act, if I may use the expression, which prescribes the method of proceeding in certain cases, that is, in cases where there are regular contests in respect to a seat on this floor; but that legislation does not, and in the nature of things could not, affect the constitutional power which belongs to this House, and which belongs inherently to every legislative body, to judge of the election, return, and qualifications of its own members.

In the course of the same debate, Mr. BUTTERWORTH, one of the sitting members who occupied in relation to that case the same position which the contestee here occupies in relation to the present case, said:

I am heartily in favor of the adoption of the resolution. All I ask of the House is a free, full, and fair investigation, not only to purify this House of unworthy members, but as a warning to evildoers, that if there shall be found a taint of fraud affecting the title of my colleague or myself to our seats, all I ask is that we be unseated, as unworthy to sit upon this floor.

That was the language of one of the sitting members in that case, Mr. BUTTERWORTH. Mr. Young, the other sitting member involved in the memorial, said:

I rise now only to say that I fully indorse what my colleague, Mr. BUTTERWORTH, has said, and give free consent on my part to an investigation that will take in every point now embraced in the resolution and to say that I do not want to be here unless I have a clear title to it.

Commendable words! Commendable acts! How striking the contrast between these words and acts and those of the sitting member in the case at bar! I have shown, then, that we are not without precedents, precedents established by this House, if not exactly parallel cases, as it is claimed by the chairman of the committee they are not, cases at least parallel in principle; that principle being that this House ought to know who have been selected by the various Congressional districts of this country by the majority of the legal voters of those districts.

Now, Mr. Speaker, I have said about all I desire to say in opposition to the report of the majority of the committee. The minority think and believe, and in that belief they are sincere and conscientious as members of the committee and of the House, not influenced or actuated by any political or personal feeling—they believe, I say, that a case is presented here which demands investigation. The contestant is of the same political party as you gentlemen on the other side of the House. This is not a political contest.

The contestant is poor. He says his case has been mismanaged. He says he has been deceived; that he is unversed in the rules and practices of law; that he supposed his case was ready for presentation to this House. He is not asking for this seat unless he is entitled to it by the votes of an absolute majority of the legal voters of the Sixth Congressional district of Kentucky, cast on the 2d day of November, 1886. He asks only that this House take such steps as shall be adequate to ascertain who received the majority. If he did not get the majority, he is content with his present position outside of these walls. If he did receive a majority of the legal votes, he says that out of respect to the vote which was cast and the wishes of the legal voters of the Sixth Congressional district, he wants to sit here among you. He has that right. The fact that he is poor, the fact that he is a laboring man, that he earns his bread by the toil of his hands, entitles him to no more consideration than you would accord to anybody else; but do not forget, gentlemen, that at the same time these things entitle him to no less consideration. Let us treat him fairly. Let us say to this hard-handed son of toil, "You shall have your rights, whatever they are, before the American Congress. If you have been elected, this House will ascertain that fact and you shall be seated; if you have not been elected, this House will find that out and leave you where you now are."

Mr. BUCHANAN. One question for information. Those books which were produced before your committee—were they authenticated?

Mr. LYMAN. They were not books; they were sheets.

Mr. BUCHANAN. Poll-lists, then.

Mr. LYMAN. They purported to be the poll-lists of various precincts. They purported to be authenticated by the judges, or inspectors of the election, whatever the officers may be called.

Mr. BUCHANAN. But is there with them any affidavit showing the committee that the sheets thus produced are the sheets used at the election?

Mr. LYMAN. There are affidavits tending to show that they are the original poll-lists.

Mr. BUCHANAN. Whose affidavits?

Mr. LYMAN. I do not know—some *ex parte* affidavits.

Mr. CRISP. But they were brought here and produced by their custodian, the clerk of the court.

Mr. BUCHANAN. But I do not find any statement that the books thus produced are the books he had in his custody.

Mr. CRISP. You will find other affidavits.

Mr. BUCHANAN. Are these lists attached as exhibits to any affidavits?

Mr. LYMAN. No, sir.

Mr. STRUBLE. Did the gentleman wish to be understood as saying that while this case was being heard by the committee certain affidavits produced in support of the contestee were not allowed to be examined personally by the minority of the committee?

Mr. LYMAN. I do not want to be misunderstood on that point. I did not intend to say that we were not allowed to examine those affidavits. But there was a motion made by the gentleman from Tennessee that a further hearing of the case be postponed in order that there might be an opportunity to examine them; and that motion was voted down. We had not such opportunity to examine them as we desired. I do not mean to say that they were pocketed or withheld from us, so that we could not get them; they were not; they were in the possession of the clerk of the committee.

Mr. MILLIKEN. Does the gentleman say that he was not granted time to examine them?

Mr. LYMAN. Yes, sir.

Mr. McKENNA. Had you any reason to suspect that those affidavits had not been read correctly?

Mr. LYMAN. Well, that is a leading question.

Mr. MCKENNA. You must go that far if you desire to make the point good.

Mr. LYMAN. Oh, no; I am not obliged to take that position.

Mr. Speaker, I now yield the remainder of my time to my colleague on the committee, the gentleman from Massachusetts [Mr. LODGE].

Several MEMBERS (to Mr. LODGE). Speak in your own time.

Mr. LYMAN. If the gentleman from Massachusetts can be recognized, I will reserve the remainder of my time.

Mr. CRISP. Before the discussion proceeds further, I would like to see whether we can come to some understanding as to when the debate shall terminate and a vote be taken.

Mr. LYMAN. One or two other members of the committee desire to speak, and also the gentleman from Illinois [Mr. ADAMS].

Mr. ADAMS. Although not a member of the committee, I would like to occupy some time. I do not often occupy the attention of the House, and I should not like to be limited in point of time.

Mr. LYMAN. I think the members of the committee can get through in another hour.

Mr. COOPER obtained the floor.

Mr. LODGE. I thought I was recognized by the Chair.

The SPEAKER *pro tempore*. The gentleman from Massachusetts, if he should proceed now, could only occupy ten minutes. The Chair has recognized the gentleman from Ohio [Mr. COOPER], a member of the committee.

Mr. COOPER. Mr. Speaker, while it is always unpleasant to differ with those for whose judgment we have profound respect and about whose honesty of purpose we have no question, I desire to submit a few of the reasons why I concur with the majority of the committee and dissent from the views of my colleague on the committee [Mr. LYMAN] who has just taken his seat.

I believe, sir, that there ought to be a period in the term of a member of this House when he can be relieved from the menace of a proposed contest, when he may be conscious that the time has elapsed for the challenging of his right to be here. I believe that the provisions of our statute providing when contests may be originated, how conducted, and when terminated are politic, wise, and just. The contestant in the present case seemed to understand this, and in due time served notice of contest upon the sitting member that he would undertake to prove that he and not the contestee had been elected to represent the Sixth Kentucky district in the Fiftieth Congress. He commenced taking testimony in that behalf, yet, as the record shows, and as is conceded here, he was unable to produce, and has not filed, a syllable of testimony justifying his claim or impeaching or casting a stain upon the claim of the sitting member.

The only testimony which the contestant took was testimony tending to show that there were irregularities in the organization of the election boards and in the conduct of the election in certain precincts in Kenton and Campbell Counties, in which precincts he, the contestant, had a large majority, and which if thrown out would have destroyed every pretense of his claim. He was verifying the old story of the man who, seated on a limb, sawed it off between where he sat and the trunk of the tree. [Laughter.]

The testimony being closed, and the time for taking testimony having elapsed, the contestant appeared before the committee and invoked it to reopen this case, which the committee, of course, had no power to grant; but the committee might have recommended to the House the adoption of a resolution to that effect, and the House with its plenary power could ignore or override the statutes which govern the committee. And, sir, even at this late day, if the contestant had procured and presented to us testimony from which it could be reasonably, or, I will say, probably or possibly inferred that it was in his power to prove that he had received a majority of the legal votes cast at the election, I, for one on the committee, would have voted to give him that opportunity.

But what is the case as presented by the testimony? The testimony is *ex parte* on both sides, and no more *ex parte* on the part of the contestee than on the part of the contestant. What does the contestant suggest as a reason why this case should now be reopened, or rather inaugurated on the part of the House? For, Mr. Speaker, it will be remembered there was no memorial before the committee signed by any one. I have never seen one, nor have I seen anybody who ever read or heard of one being in existence signed by any person. If there is a memorial anywhere it has not come to the committee, and was not in the possession of the committee.

But he brought some affidavits there of himself and of somebody else, tending to show that there was a conspiracy on the part of the sitting member and some others, originating at a meeting of Mr. Carlisle and his friends, to deprive the contestant of his rights under and by virtue of the election. Upon that point he had only his own affidavit to support his claim, he not pretending to have any personal knowledge of the matter, and without anything upon which to found his claim except some idle rumors floating around the streets of Covington. In contradiction to that affidavit, we have the affidavit of the contestee, who ought to know where he was, and what he did, and of other parties who are unimpeached, and who are unimpeachable and admitted to be honorable men, who testify to a state of facts showing the allegations made on the part of the contestant were unfounded, and could not possibly be true.

It was impossible for Mr. Carlisle to be at that alleged meeting in the nature of things, because he was far away from there, at another place. It is demonstrated, I repeat—it is proven beyond a reasonable doubt—that the allegation of the meeting and conspiracy on the part of the friends of the contestee to deprive the contestant of his right to a seat on this floor is entirely unfounded, and but idle chaff that was floating in the atmosphere, under all circumstances. In regard to this charge of conspiracy, I insist that the affidavits prove that it never existed and this meeting was never held; and in the second place, if it ever had been, it could never have been proved by these parties.

Next he claims the case should be reopened because the sitting member is alleged to have admitted on the day after the election that he had been defeated. What if he did? It would have been but the expression of his opinion as to what might be the result of the pending count not yet ascertained. It would amount to nothing. But this is denied by the contestee. In the first place, he swears that he never made any such admission, and in the second place, the party who is alleged to have heard it from the lips of the coutestee denies that he heard it or ever said he had heard it. Both witnesses deny that the language attributed to the contestee was ever uttered.

Mr. GOFF. Will the gentleman permit me to ask him a question?

Mr. COOPER. Certainly.

Mr. GOFF. If I correctly read the affidavit of Mr. Thobe, he says that Mr. Carlisle was with the reporter of an evening newspaper, of The Telegraph, I believe.

A MEMBER. Horace Cambron.

Mr. GOFF. He also states that the remarks of Mr. Carlisle on that occasion were reduced to writing and published in the paper represented by that reporter. Let me ask the gentleman this question: Has that paper ever been produced before the committee?

Mr. COOPER. No, sir; nor the affidavit of the alleged reporter, which has never been produced.

Mr. GOFF. I thought perhaps it might be a matter of evidence of peculiar weight where a party swears that another had stated a matter which had been published, that in the denial of it, the publication itself, in which it was claimed to have appeared, had been produced.

Mr. COOPER. It was not there; nobody produced or claimed to be able to produce it.

Mr. LYMAN. Was there any evidence that a search had been made for it; and that that particular number of the paper could not be found?

Mr. COOPER. There seems to have been some sort of an affidavit in reference to such search and failure to find the paper.

Mr. WILLIAMS. Let me ask if this whole thing is not on somebody's affidavit?

Mr. COOPER. Yes, the whole trouble is in reference to an affidavit that some newspaper man made, not of matter that he heard himself, but claimed to have heard from somebody else.

Mr. WILLIAMS. But is not even *ex parte* evidence better than no evidence in reference to grave charges of fraud?

Mr. COOPER. We will see whether there is any substance in the charges of fraud as I proceed.

Mr. Speaker, what are the charges of fraud as alleged? It is, as has been well said by my colleague on the committee [Mr. ROWELL], in his report, the gravamen of this allegation, upon which we are requested to open up the case, that a gentleman who claimed that he had some experience and ability as an expert had examined these returns from Carroll County, and upon such examination they showed upon their face that they were all written by the same hand, including the signatures of the election officers. That was an exceedingly grave charge, and if true it would show that a monstrous fraud had been committed there, and that this whole question of that election should be opened up to careful inquiry, no matter what might be the result.

If so grave and monstrous an outrage had been committed upon the ballot-box as is there alleged, it was worthy of the most serious consideration. But, sir, how can such a charge be established? By what means can it be proven, or is it susceptible of proof, if the House should undertake the work of affording the contestant an opportunity to establish his allegations.

If the charge be true, it might be proved by the testimony of parties who committed the outrage. It might be proved by the testimony of the judges and the clerks of the election in those precincts, if they could testify, when brought forward, that they did not sign the poll-books, the tally-sheets, or the returns in question in Carroll County; or it might be established by the testimony of experts, showing that forgery had been committed; but I undertake to say here that, with the exception of a single affidavit of this man Pearce, there is a total want of testimony supporting the charge. But that is not all. I say further, and challenge contradiction of my statement, that all the testimony which could possibly be brought forward to throw light upon this question, either by a commission or by subpœnaing witnesses, or by any other process of investigation that the House might order, even if the time were ex-

tended until the great archangel sounded the last trumpet, has been already produced before the committee, showing the baseless character of the charge of fraud.

Mr. BRUMM. Give us some evidence on that point.

Mr. COOPER. You can read it in the record.

Mr. BRUMM. But that is not entirely satisfactory.

Mr. COOPER. I do not know what might satisfy my distinguished friend, the gentleman from Pennsylvania; but I take it that the testimony there will satisfy any reasonable man.

Mr. BRUMM. Will it do any harm to enlighten us?

Mr. COOPER. It will do no good; and that which occupies the time of the House and expends the people's money vainly does harm.

What is the testimony on this point? The sitting member first produces the testimony of prominent experts, men whose position in business life qualifies them and justifies them in saying that they are experts in handwriting; cashiers and other officers of banks with whom the men in that immediate vicinity, and who presided at this election, were in daily business contact. These men tell us that they are familiar with the signatures of these election officers, and that they have examined the returns and found them genuine. Affidavits are produced of the judges and clerks of the election, honest men I take it, and quite a number of them Republicans, Mr. Speaker—ay, gentlemen, Republicans of Kentucky—who testify that this election was fairly held; that there was a free, fair election and an honest count; that their signatures to the returns are true and genuine; and they testify further, that some of them were earnest and active opponents of the sitting member, vigilantly looking after the interests of their candidate, the contestant, and they know that there was an honest count and return.

Mr. WILLIAMS. You say that they were Republicans. How did they vote?

Mr. COOPER. I do not know. They swore they were Republicans, and although it may be, and is, so high an honor to be a Republican that a man may step out of his way to proclaim it, I presume that they swore to the truth. [Laughter.]

That is not all. They say the returns were produced before the committee.

Mr. CUTCHEON. How can they be identified?

Mr. COOPER. I will read, if you please, from the affidavit. I have here the affidavit of the clerk himself, which, if I understand language, does show what I have said. I call attention to the affidavit of Mr. R. F. Harrison, which begins on page 40 of the record and is completed on page 41. He says this:

> Affiant says that the said poll-books and certificates are still in his custody, and that by an order of the county court of said county of Carroll, made on the 11th day of January, 1888, which is hereto appended, affiant has been permitted to withdraw the same from his office as clerk of the court of said county, and they are all herewith exhibited to the committee.

And they were exhibited and were examined by the committee, and it was conceded by everybody, the minority as well as the majority, that there could be no question about the genuineness of these returns, and that any statement that these returns were forged, that these papers, including the signatures of the officers, were all in the same handwriting, was wholly unfounded, to put it as mildly as possible.

Mr. LYMAN. I wish to ask my colleague on the committee, where is the evidence that those returns before the committee are the returns about which the clerk swore?

Mr. COOPER. They came here with the affidavit of the clerk, and I think it is unworthy the dignity of this House to stand here splitting hairs on such a point as that.

Mr. OUTHWAITE. I wish to ask my colleague, did any one in the committee question the genuineness of those papers?

Mr. COOPER. If any such question was made it was not in my presence, or at least not in my hearing; and I do not believe any member of the House has any doubt upon that question now.

Mr. LYMAN. What allegation?

Mr. COOPER. That they were not the same returns that were forwarded by the clerk.

Mr. LYMAN. That they were not the same returns that were forwarded to the returning officers.

Mr. COOPER. I am not talking about that.

Mr. LYMAN. That is what we want to get at.

Mr. COOPER. But that we examined the identical returns covered by the affidavit of the clerk nobody questions.

Mr. CUTCHEON. I wish to ask the gentleman whether there has been any impeachment of the character of Mr. Pearce?

Mr. COOPER. I do not know anything about that gentleman's character; and I do not know that there has been any impeachment of the character of Mr. Pearce, or anybody else in this case.

Mr. O'FERRALL. I may be permitted to suggest to my colleague on the committee that the poll-books were brought here by their proper custodian.

Mr. LYMAN. How does the gentleman know that?

Mr. O'FERRALL. He appeared with them there in the committee-room.

Mr. LYMAN. Do you know him?

A MEMBER. Perhaps he, too, was forged.

Mr. COOPER. There is no question but a gentleman claiming to be the clerk of the county court of Carroll County came into the committee-room, and claiming to be such, delivered these returns to the clerk of the committee, and nobody then challenged the proposition that he was the person he claimed to be.

Mr. O'FERRALL. And he came exhibiting the order of the court authorizing him to bring the books here.

Mr. COOPER. He exhibited all the credentials and paraphernalia which could accompany such a messenger, and I do not understand how it can be insinuated that these returns came here or that this man got possession of them in an improper way.

Mr. LYMAN. I simply say I do not know.

Mr. COOPER. Are we to presume every man who comes here to appear before a committee is a scoundrel and a forger? The contestant's counsel were present—two of them. Modesty may have prevented them from making any such question at that time. [Laughter.]

Mr. EZRA B. TAYLOR. Will my colleague permit me to interrupt him for a moment?

Mr. COOPER. Yes, sir.

Mr. EZRA B. TAYLOR. The point made by the contestant as it presents itself to my mind is this: That the returns as first made were right; that Mr. Carlisle was defeated; and that afterwards they were cooked up, the returns in Carroll County being in the same handwriting. Now, it is claimed that the returns here show that they were not in the same handwriting. I ask my colleague, was there any evidence before the committee to show that the returns on which Mr. Carlisle was declared to be elected were the returns before the committee?

Mr. COOPER. The affidavit of the clerk shows they were the original returns.

Mr. ROWELL. And he was one of the election officers.

Mr. CRISP. Will my colleague permit me to suggest to him, in reply to his colleague from Ohio, that there is the affidavit of Nat B. Lewis, who says he is a Republican; that he examined these poll-books in the county clerk's office, and they are in the same condition that they were when he signed them; that there is the affidavit of W. H. Hisle, clerk of the election in another precinct, who says the same thing; that there are the affidavits of Mosgrove, Gilkner, and Long to the same effect; also the affidavit of a Knight of Labor, Mr. Leep? These men and others swore that they examined the returns; that they examined the returns on file in the county court of Carroll, and that they are in the same condition as when signed on the day of election. The clerk of the county of Carroll appeared in the committee-room and presented these returns with an affidavit in which he said that these returns were those on which the count was made; and these witnesses told you that the returns they examined there in January were the identical returns and in the same condition as they were in November, 1886.

Mr. COOPER. Permit me to say further that these gentlemen who swore they were, and appeared to have been, the officers of the election, some of whom were Republicans, also swear that the actual count as made by them on the night of the election corresponded precisely with the returns here.

Mr. EZRA B. TAYLOR. That is the only statement which has been made here that touches my point.

Mr. COOPER. I understand that I am within the record when I state that that is established.

Mr. WARNER. Will the gentleman allow me a question?

Mr. COOPER. I think I must decline to yield further; there are so many gentlemen making speeches in my time. [Laughter.]

Now, Mr. Speaker, I will not be tedious, but I wish to repeat that not only do the affidavits of the officers of election show that these are the returns, but they also show that the actual ballots cast and counted by them verified the correctness of the count, as it appears here by this return, and that the result of the election in the various precincts in that county was precisely as it now appears from the returns. Now, then, in the face of these facts, Mr. Speaker, what good result can possibly come from action by this House reopening this case? In what way are these alleged frauds or forgeries to be proved, if not by the very men who are here upon record as disproving them, and in that way affirming a negative? How can it be possible to make a case stronger?

Mr. HENDERSON, of Iowa. Will the gentleman yield for a question?

Mr. COOPER. Yes, sir; if it is not too long.

Mr. HENDERSON, of Iowa. It will not be long. There has been some discussion here, and apparently some feeling, in regard to the question of giving time in committee for members to examine those affidavits——

Mr. COOPER. I will come to that in a moment. Mr. Speaker, I approach the discussion of what took place in the committee-room with very great hesitation and delicacy. I certainly would not have been the one to thrust it in here; but as this seems to be a sort of confessional on that subject, I desire to say that when a member of the committee, my friend from Tennessee, I believe [Mr. HOUK], moved that the consideration of the case be postponed for eight or ten days, I voted with him on that proposition. Although I did not desire any further time to come to a conclusion upon the case myself, I was quite willing, and more than willing, that any other gentleman who desired it should

have any reasonable time to reread and examine thoroughly the affidavits and the records in this case. But with that view the majority of the committee did not agree. Mr. Speaker, in the interest of fairness, I wish to say that all the affidavits on both sides, with the exceptions which I shall mention in a moment, were carefully and intelligently read in the committee-room.

The distinguished chairman of the committee himself read the affidavits of the contestant, or a portion of them. There were two or three affidavits for the contestee which were not fully read to the committee, but their substance was stated. The committee were told that they were merely cumulative as to certain points, and no member expressed any desire whatever to have them read; on the contrary, it was unanimously signified that no such desire existed. Now, Mr. Speaker, in the face of these facts, I ask again what good result can follow from the adoption of a resolution to reopen this case? What can be hoped from it? The Louisiana case is cited, a case which I do not understand to be by any manner of means on all-fours with this. In that case there was a question as to which of two returning boards, each claiming to be a lawfully organized board, was authorized to give a certificate to the member-elect.

The Cincinnati case is also cited. In that case there was a memorial asking for an investigation of the election, but here the committee have no memorial before them, nor do I understand that the House has any memorial before it. If it has, I have no knowledge of the fact. I wish to say further, that the result of the investigation upon that memorial in the First and Second districts of Ohio was not such as to encourage similar investigations. A committee went forth from this House, clothed with all the authority the House could give them, and sat in solemn council in the city of Cincinnati until they got tired, at an expense to this Republic of over $60,000, and then they returned without having found anything upon which to even predicate a report. I submit, therefore, without desiring to weary the House with words of mine, that the passage of a resolution by this House to reopen this case would be an injustice to the contestee, an injustice to the contestant, and a wrong to this House itself and to the people whom we represent.

It would be an injustice to the contestee that upon such a thin, shadowy, unsubstantial showing as has been made in this case, a showing which of itself demonstrates the utter impossibility of establishing the claim set up, he should be subjected to the annoyance and the expense incident to such a contest. I grant you that, high as his position may be as Speaker of this House, the duties of which office he has discharged in a manner challenging the respect and admiration not only of the House itself, but of the whole nation—I grant you that his high position does not entitle him to any more consideration or to any other measure of justice than that which is due to the humblest member of this House—if there be differences of degree here, which I do not understand to be the case. But I do claim for him that he is entitled to just the same measure of consideration and protection from unfounded and unjustifiable annoyance that any other member of this House is, and I submit that this House would do itself a wrong and any member a wrong, whoever he may be, by subjecting such member to the annoyance and expense of a contest of this kind, compelling him to expend his time, and to withdraw his attention from the discharge of his high and responsible duties as a member, in order to "cavort" around over the country, following a contestant upon such a showing. Such a proceeding would be an injustice to this contestant, because it would be an invitation to him on the part of the House to spend his time and money in the vain effort to find proof which does not exist—an invitation to attempt to accomplish the impossible feat of establishing that which is not capable of being established.

I see it is given out by the contestant, or his friends, through the press that he will carry this contest before the voters of the Sixth Congressional district of Kentucky at the next election—a resolution which I commend—an enterprise in which I wish him success; and I hope to live long enough to congratulate him upon the successful issue of his contest before that tribunal.

I submit further it would be a wrong to this House for it to occupy its time and attention, which ought to be devoted to the interests of the public, upon a contest the determination of which is so obvious and the result so incontestable as that in this case.

Mr. Speaker, I propose to yield now to my friend from Illinois [Mr. ROWELL].

Mr. EZRA B. TAYLOR. Before the gentleman takes his seat, I would like to ask him one question.

Mr. COOPER. I will answer gladly, if I can.

Mr. EZRA B. TAYLOR. Is it true there was evidence before the committee showing that some of the polls in that district were opened on the day before the law allowed them to be opened?

Mr. COOPER. Not at all. There was such an allegation in regard to a single precinct, the precinct of Verona. That matter, however, was successfully explained to the committee, as I have no doubt my colleague on the committee [Mr. ROWELL] will successfully explain it to the House. There was no such occurrence even in the Verona precinct, the only precinct as to which such an allegation was made.

I will only say, in conclusion, that giving this contestant the benefit of every vote which he specifically challenges, he still has no claim here to the seat.

Mr. SOWDEN. Did I understand the gentleman to say that the counsel for the contestant were present at the time of the reading of those affidavits?

Mr. COOPER. Certainly.

Mr. SOWDEN. Was not the contestant himself also present?

Mr. COOPER. Not when the affidavits were read by the contestee, as I remember.

Mr. SOWDEN. But his counsel were present?

Mr. COOPER. Both his counsel were present.

Mr. ROWELL. I do not design to detain the House by any lengthy remarks. It is always pleasant to be found in harmony with those colleagues upon a committee with whom you affiliate politically, and I regret that I am obliged to differ with some of my party friends in this case. It is sometimes said that all the evidence needed to be presented to the Committee on Elections in a case of this kind is evidence showing the political parties to which the contestee and the contestant belong. So far as my action is concerned, I wish to give the lie to that expression and that belief. I want to try to make in every case a record which shall be law for every other case, and not to make law for each individual case in accordance with party predilection.

Let it be remembered that this case came before the committee as an election contest under the statutes regulating the proceedings in such cases; that it is not the case of a memorial sent to the committee to determine whether the action of the voters in any Congressional district shall be investigated, but a question whether the contestant is entitled to a seat claimed by him in pursuance of the statute, or whether the contestee is entitled to retain his seat.

As has already been said, there was and there could be no difference of opinion among members of the committee upon the original record as presented to the committee. There was presented but a single question of law, and that question capable of decision in but a single way, so that there could be no doubt as to the result upon that question. The contestant comes before the committee and files a motion for a recommendation to the House that a committee go to Kentucky and investigate the conduct of the election in the Sixth Congressional district. Now, in accordance with the well-established practice, a motion of that kind in a pending case, to be successful, should be supported by some proof. What does the contestant do? He brings before the committee four affidavits, the affidavit of himself and three other persons. In his own affidavit he alleges no fact upon personal knowledge. He reiterates substantially the same thing that he had put into his notice of contest. Now, I understand an application for a rehearing, in order to have weight before a court, must be accompanied by the affidavits of witnesses having personal knowledge of the facts upon which the rehearing is to be granted.

There is no claim of personal knowledge. It is a simple affidavit of hearsay, an affidavit based upon information and belief. But other affidavits follow, and in neither of them is alleged one fact which could possibly be material in the investigation of this case.

It is said that the sitting member expressed the opinion on the night after the election that he had been defeated. What if he did? Would that be a legitimate question to be proved in the contest? The question of whether, on the night after the election, the Speaker or anybody else believed one person or another had been elected can have no possible bearing upon the question of who was elected.

So that in the affidavit of the contestant and in the affidavits of two other persons there is raised upon personal knowledge no question to be decided, not one, either to be met by counter-affidavits or to be investigated in proof. The only question presented on plain personal knowledge is to be found in the affidavit of Mr. Pearce, who alleges of his own knowledge that the returns of Carroll County, in seven out of eight precincts of Carroll County, were in one and the same handwriting. If that affidavit was true it shows that the returns of Carroll County were forgeries. But whether enough to change the result of the election, it was so grave a charge it ought to be investigated in the interest of all elections. Now, I understand when an affidavit is so presented by one man purporting to have knowledge of facts, and another and opposing affidavit is presented by some other person claiming to have knowledge of the same facts, it raises a question to be sent to a jury.

But if I understand court proceedings, when there is a plea of a record it raises no issue of fact to be submitted to a jury, but it raises a question to be submitted to the court itself. Now, the only question to be met in the affidavits of the contestant or the personal knowledge of any witness is the question of the forgeries of the returns of the precincts of Carroll County. Everything else is so much bosh. Every other allegation of personal knowledge is the allegation of immaterial fact; and we by opening this case shall be establishing as a precedent that anybody who has been a candidate for Congress may neglect to proceed according to the statutes, and when Congress assembles come in and file his affidavit that he believes certain things may be proven, and then that we must send out committees to investigate that question. Then there is an end of contest under the statutes and an end of security for any member who received a certificate and comes here.

As regards the affidavit of Pearce, there was brought before the committee the clerk who was the legal custodian of these precinct returns, who was by law one of those whose duty it was to open these ballots

when they were returned, the third day after the election, to count the ballots and make up the returns of the count, and to keep in custody the returns sent in from the precincts. That clerk brings with him those returns, which he declares have been in his custody as their legal custodian from the day when they were returned to him and when they were brought before the committee by order of the court. They have all the prerequisites of a record. They have all the force of a solemn record of a court presented to us by the legal custodian of that record. It stood before us as a plea of a record, and the returns were submitted to us for inspection and decision as to whether they were all in one handwriting. We did inspect the record, and the affidavit impeaching it was proved to have been a false affidavit. By examination it would be found in the printed form the blanks were filled up in the handwriting of the clerk, as they should be, before being sent out to the several precincts, and I take it, in the examination of this peculiar handwriting of the clerk Pearce satisfied his conscience in saying there was the same peculiar handwriting in each one of these returns.

Now, what issue of fact was raised which we ought to take cognizance of? The single one, and that one settled beyond all peradventure—an issue to be determined on inspection and not by the testimony of witnesses.

Why, it is said, "Give us an opportunity and we will prove that these are not the original returns; give us an opportunity and we will prove that the records of a court are not the records of a court." Now, I do not propose to open the case, so far as my vote is concerned, to give anybody an opportunity to attempt to falsify the solemn records made in pursuance of law by the courts of Kentucky or anywhere else, because it is too herculean a task for anybody to attempt.

Mr. BRUMM. How do you know they were the records of the court?

Mr. ROWELL. Because they are identified and verified, as the law provides, by the custodian of the records, and by order under the seal of the judge of that court himself.

Mr. BRUMM. But the custodian of the records is also the custodian of the seal.

Mr. ROWELL. Certainly.

Mr. BRUMM. Then you have simply one man against one man, one official against another, one oath against another oath.

Mr. ROWELL. Every record, every certificate brought here by every member who comes here with the great seal of the State upon it, is precisely the same character of record; and you might just as well challenge that seal, and declare that the Clerk of this House did not know that somebody had not stolen the seal and put it on without authority; or that the officer provided by law had not himself committed a forgery and perjury.

Mr. BRUMM. When it is challenged under oath there is an issue raised, no matter whether it is a question even as to the seal of the State, for it is after all only the action of the individual that places it there.

Mr. ROWELL. It is not challenged under oath except by one man, himself not the custodian of these records, himself not capable of identifying what the records are in any court. The only way you may identify the records when produced in evidence is to bring the regular legal custodian, and not some outside party to swear to them.

Mr. BRUMM. Does the gentleman pretend that the legal custodian of a record, who is also the legal custodian of the seal attached to the record which is the evidence of the action of the court, that if that custodian has falsely placed the seal of his office upon a piece of paper, and committed a perjury by swearing it is on original paper, that you will shut your eyes and not tolerate an investigation into the fact, when that fact is challenged under oath? That is all the question involved in this case; and I would like to know the gentleman's view of that subject.

Mr. ROWELL. No, I do not exactly claim that; but I do claim that when some unknown party files an *ex parte* affidavit that the records are, in his judgment, in one and the same handwriting, that the solemn records of the case, identified by the legal custodian that the people have placed over them, are so conclusive that there is scarcely a shadow cast across them by somebody whom I do not know coming in and offering an affidavit that he thinks the records are all in one handwriting.

Mr. BRUMM. But you do not even know the clerk. You know one as well as the other.

Mr. ROWELL. No, I do not know the clerk; but I know that he has the confidence of the lawful authorities of the State of Kentucky. I know that the official in question has the confidence of the people to the extent that he manages estates; the interests of children are intrusted to his keeping and care, and I know in the solemn way official records are identified that these records are before us.

Now, if we are to engage in the business of investigation at the beck and call of everybody, we ought to go into this investigation. But the committee had to consider the things before them. It was not a question of public policy. It was a simple question of a contested election made up first by a record taken in pursuance of law, but second by affidavits filed for a new trial, and these affidavits were gotten up to secure that.

Mr. BRUMM. Are you not rather in error when you say that this is an application for a new trial?

Mr. ROWELL. No, sir.

Mr. BRUMM. I beg pardon; I think you are. An application for a new trial is always made after the verdict. It is pending a trial of the facts themselves and the issue that an application is made upon an affidavit for a fair opportunity to traverse the facts alleged to exist in this case. One of the facts alleged is that the attorneys had divulged the secrets of their client.

Mr. ROWELL. Well, perhaps technically the application was not made after the verdict; but it was in the nature of a verdict after all.

Mr. BRUMM. Who delivered it?

Mr. ROWELL. It was after the verdict of the committee, because it was substantially conceded that the verdict upon the record could be but one way. There was and could be no difference of opinion among men that had any knowledge of legal questions. So that it was a motion—well, put it in another way—that it was a motion to reopen the case and go back to the people and try to take some more testimony, the same rule that would be applied after an order of court to close testimony, and the day of closing had passed for the parties to come in and ask a new order reopening the hearing. And when seeking to do that they must bring the affidavits of the witnesses who purport to know the facts and not the affidavits of the interested party upon information and belief.

Mr. STEELE. These returns, as I understand, were identified and sworn to by a number of others besides the clerk.

Mr. ROWELL. Yes; they were identified by oceans of affidavits. But the affidavits of fact on the one side and the affidavits of fact on the other have raised an issue of fact that ought to be submitted to the jury, and hence I considered none of the affidavits except the one identifying these returns, because it is a proper way to identify them. I treat this matter simply as I would treat a plea of a record submitted to the court and not to the jury.

I would like, if I could find it in my conscience, to reopen this case, because this contestant seems to believe that if it was reopened something would turn up. But when a contestant comes before a committee and says, "I can prove certain things by witnesses whose names I withhold from this committee, and whose names I will disclose after a committee is appointed to investigate," such a statement does not come to me with very much persuasive force in favor of reopening the case.

Mr. WARNER. Will the gentleman yield to me for a question?

Mr. ROWELL. Yes, sir.

Mr. WARNER. If I understand the gentleman's position correctly, it is that an issue of fact should not have been passed on by the Committee on Elections on *ex parte* affidavits.

Mr. ROWELL. That is correct.

Mr. WARNER. I will ask the gentleman if it is not now an issue of fact whether these returns that come themselves out of the jurisdiction of the court without any process here in Washington before the committee were the returns which were alleged?

Mr. ROWELL. My friend from Missouri is mistaken. It was not a question of fact resting in the knowledge of witnesses. These records were not out of the jurisdiction of the court without legal authority. These records were here by order of the court. They were here in the custody of their proper custodian. They are identified as the records; and you can not bring against the record parol testimony.

Mr. WARNER. I presume the gentleman has consulted the laws of Kentucky. I understand him to say that these records are here within the jurisdiction of the court and by proper order of the court. Is there any law of the State of Kentucky that authorizes the clerk to take the records of that court beyond the jurisdiction of that State?

Mr. ROWELL. I have not examined the laws of Kentucky, but there is a presumption in favor of the legal judgment of a court.

Mr. WARNER. Then do I understand the gentleman to give this as the opinion of the committee, that it is a presumption if the clerk comes here with the records that they are correct?

Mr. ROWELL. No, sir. You do not correctly understand me in that way. But when a court makes an order, I say that presumptively it has adjudged according to law.

Mr. WARNER. If the court make an order without its jurisdiction, I ask the gentleman what would be the effect in that case?

Mr. ROWELL. If the court makes an order without having jurisdiction in a case, its order is a nullity when the lack of jurisdiction appears.

Mr. COOPER. If my colleague will allow me to make a suggestion, what difference does it make whether there was an order or not, if it be true that the records came here and were before the committee?

Mr. ROWELL. Not a bit. We got a chance to see the records without going to Carroll County. The material question here is a plea of record, and that is to be determined by inspection and not by the examination of witnesses. That is all there is in this case; and if that be so, the minority should have joined the majority in the declaration that there is no occasion for this House to reopen the case in this proceeding of Mr. Thobe to contest the right of the sitting member to a seat. What action I might take on a proper memorial is a question for other consideration. It is not one to be considered in this contested case when the record is presented to the committee.

For these reasons I have been compelled to withhold my signature from the views of my associates of the minority side of the committee,

much as it would have gratified me to join them in recommending the reopening of the case.

Mr. LODGE rose.

The SPEAKER *pro tempore*. The gentleman from Massachusetts [Mr. LODGE] is entitled to the floor, as a member of the committee, for one hour.

Mr. LODGE. As the committee has been put in the confessional on the matter of forcing a vote in regard to the affidavits, I should like to state exactly what occurred for the benefit of the House. We listened to the affidavits of the contestee during the entire morning; we then took a recess and came in, if my memory serves me right, at half past 1 o'clock.

Mr. BUCKALEW. I call the gentleman to order.

The SPEAKER *pro tempore*. What is the gentleman's question of order?

Mr. BUCKALEW. I raise the point of order that it is not in order to debate the proceedings in the committee, and the gentleman who now holds the floor has given notice that he proposes to re-enter that field of debate which had been interrupted. For that reason I interpose.

Mr. JOHNSTON, of Indiana. I should like to say a word on the point of order. I want to ask the gentleman from Pennsylvania [Mr. BUCKALEW], if it is in order for the secrets of the committee-room to be given out and published in the public prints, whether it is not in order for a member of that committee to tell on this floor just what did happen in the committee-room?

Mr. LONG. I suggest, if there is anything in this point of order, it is made too late, as this has already been a matter of discussion.

Mr. RYAN. Certainly. Discussion has proceeded upon the theory that it was right.

The SPEAKER *pro tempore*. The point of order is not made too late. It can be made at any time during the progress of the debate.

Mr. LODGE. Mr. Speaker, I should not have raised this question of what took place in the committee, but it has been discussed freely on this floor. When it was under discussion between the gentleman from Iowa [Mr. LYMAN] and the chairman of the committee, the honorable gentleman from Georgia [Mr. CRISP], the point of order was not pressed by the gentleman from Pennsylvania [Mr. BUCKALEW], and I think that as a mere matter of courtesy each member of the committee might be allowed to make a statement.

Mr. BUCKALEW. Under the circumstances, Mr. Speaker, I will not press the point.

Mr. LODGE. We came in, as I remember, at about half past 1. It was moved by the gentleman from Tennessee [Mr. HOUK] that a week should be allowed for the documents on both sides to be printed, and an opportunity given us to read and examine them. That motion was voted down without discussion, and that was the whole of that business.

Now, as to the position of the minority. Speaking as one of those who signed the minority report, their position seems to me an extremely simple one. The case on the original record as it has been so ably argued by the chairman of the committee both in his report and before the House this afternoon, is perfectly plain. It requires no argument. On the case as made up on the printed record there was no room for question. Every man on that committee would have voted in favor of the contestee. But a motion was made to reopen the case. Affidavits were presented by the contestant's counsel and by the contestant himself. Those affidavits were met a week later by counter-affidavits, which, I freely admit, rebut them entirely. I am not going to weary the House by discussing those affidavits. I desire to make this one point: If we are going to try election cases on affidavits, why does the practice act of this House provide that they shall be tried by taking testimony?

Mr. HEARD. Will the gentleman permit a question?

Mr. LODGE. Yes.

Mr. HEARD. I understand the gentleman from Massachusetts to concede that upon the record there is no issue between us—that we are all agreed.

Mr. LODGE. So I understand.

Mr. HEARD. And I understand the gentleman now to admit that so far as those affidavits are concerned, they are completely answered by those presented in rebuttal. Therefore, I ask him, what was there for us to try, and what is there to induce us to reopen the case?

Mr. LODGE. I am coming to that. There was a week taken to get those rebutting affidavits, and the very able gentlemen in charge of the case of the contestee would have been much duller than I suppose them ever to be if they could not, in that time, procure affidavits to rebut those presented for the contestant. The point I submit is this: The practice of the House before the present practice act, the practice of the House to-day under the existing practice act, is not to try election cases by affidavit.

Mr. ENLOE. Will the gentleman permit a question?

Mr. LODGE. I can not yield. I have but very little to say, and I will soon come to an end. The next point is that the practice act, as we all know, shuts out further evidence. The question, then, is simply whether the House will settle this case on affidavits, or whether it considers the case one of sufficient gravity to reopen it. It seemed to me in its significance and its meaning, it seemed to me in the allegations that were made, too important a case to be settled in this way. It seemed to me that it was a case that deserved the attention of the American Congress. It seemed to me that, considering particularly the enormous disparity of political position between the contestant and the contestee, we should proceed with great circumspection and not quite so hastily as we have proceeded. In the case of Butterworth and Young, which has been cited on this floor, there was no notice of contest; there was no contest made; there was simply a petition from less than twenty-five citizens of Cincinnati, alleging fraud.

In a week probably a bushel basketful of affidavits could have been brought in rebutting the statements in that memorial; but the honorable Speaker of this House, who was at that time a member on this floor, stood here and advocated in the most liberal terms the opening of that case, which was as much excluded by the practice act as the present case is excluded by the present practice act. I think the attitude which he then assumed, of going beyond and through the practice act when the seat of a member of this House was called in question, was the correct attitude. The ground which he then took I believe to be the correct ground, and I think so, not only on account of the importance of removing the slightest taint which may attach to the seat of any member, but also because I think it is very important that a false impression of the attitude of this House in this particular case should not go forth to the country.

The contestant was not a Republican candidate. He was the candidate of certain labor organizations and of the labor party. He is a poor man. He has been unable to bear the expenses of this contest. There is no doubt whatever—any one who reads the record and the testimony of his counsel will admit—that his case was shockingly mismanaged. He comes here and in a large measure throws himself upon the mercy of the committee and of the House. There is, as every man knows, a widespread belief among the great working classes of this country that the power of corporations, the power of "trusts," the power of "rings," the power of men in high authority, backed by money and influence, has enormous weight in all legislative bodies in this country. Whether that belief is erroneous—and I am happy to say that I believe it to be—matters not. That belief is abroad; and it is an unwholesome, a dangerous belief.

It is the kind of vague theory to which agitators opposed to every form of order and society appeal. And I do think that when an honest man, whose affiliations are with the working classes, and who ran as their especial candidate, comes before this House asking simply for a hearing—for this contestant says that if there is one majority against him he does not desire to be seated—I do believe that it can do no harm to any man or any body of men or to the interests of the people to allow a hearing of the case.

It has been said that in the Cincinnati case the committee went out, spent some time and a great deal of money, and then came back without enough to hang a report upon. Suppose they did; when allegations of this sort are made in regard to an election to this House, and when the contestant is such a man as I have stated, I think this House can afford, as has been said in the report of the minority of the committee, to temper justice with a very large measure of generosity. And I can not reconcile to my mind the policy which has been alluded to by my colleague on the committee, the gentleman from Ohio [Mr. COOPER], of limiting contests. I can not see why the contestee should desire to assume the attitude which has been assumed by his friends and counsel in this case. The examination of the case has been hurried. Every effort has been made to stop the investigation. It seems to me (speaking for myself) that if allegations of this sort were made in any contest as to my right to a seat, I should for my own sake wish the matter to be probed to the bottom.

For these reasons I signed the minority report, because I think no harm and no injustice can be done by a further examination of this case. I do not base this position upon the question of affidavits or upon the printed record; I urge it simply as a matter of good policy, of exact and equal justice to all. [Applause].

Mr. CRISP. I now ask unanimous consent that the contestant [Mr. Thobe] be allowed to address the House, if he desires to do so.

The SPEAKER *pro tempore*. It is customary to grant such requests by unanimous consent. The Chair hears no objection.

Mr. CRISP. I hope that members will remain here, so that we may vote on this question this evening.

Mr. THOBE (the contestant). Mr. Speaker, I am not here with any set speech prepared by my attorneys or anybody else. I claim simply that right which every American citizen has the right to claim under the law, to hear that which may be advanced against him and to reply to it. Now for the first time have I seen the affidavits which have been before the committee. I dispatched to the chairman of the committee Monday morning before I left home, Cincinnati, to come here, to please withhold the report of the committee and prevent action of the House until I arrived in Washington. I brought with me a protest, and I would like the Clerk to read it.

The Clerk read as follows:

*To the honorable the Committee on Elections,*
*House of Representatives, Fiftieth Congress:*

I, George H. Thobe, on my own behalf and on behalf of a majority of the qualified electors of the Sixth Congressional district of Kentucky, protest hereby against your committee reporting adversely on the question of reopening the contest between myself and John G. Carlisle until I have had an opportunity to examine the affidavits filed by Mr. Carlisle and to file counter-affidavits thereto.

I represent to your committee that upon the mere request of Mr. Carlisle he was given one week in which to file affidavits adverse to those filed by me in support of the motion to reopen the case; yet, notwithstanding the opportunity granted to him, your committee, within one hour after discussion on the motion, decided adversely thereto.

Right and justice demanded, and still demand, at least a reasonable time in which I may examine the affidavits filed on behalf of the Speaker of the House, and oppose them by affidavits of citizens of equal standing and reputation.

This, by the action of your committee, has been denied me.

I do not care to call the attention of your committee to the fact that I am the first candidate of the Union Labor party, myself a mechanic, and whose friends are in the humble walks of life, to contest for my right to a seat in the House of Representatives, nor that the contestee is the Speaker, but I do call your attention earnestly to the fact that I am contesting only for the freedom of elections and the right of the electors to choose whom they will to represent them, be he lawyer or be he mechanic.

There is not an affidavit, so far as has been stated in the public prints as having been filed on behalf of the Speaker, but can be controverted successfully.

If others were filed, of which I have had no notice, I am entitled to the same rights, so far as asserting my title to my seat, as is the distinguished Speaker.

If any proof were needed to establish the fact that my cause was mismanaged and betrayed by Logan A. Wood, the fact that he delivered up letters to the contestee which were given to him by me while we occupied the relation of attorney and client should be all-sufficient. The obligations of confidence do not cease when an attorney is discharged, nor whether he quits a cause because of the refusal of a client to perform for him political services at a nominating convention.

I deny his statement that I only furnished him $43. I furnished him over $250.

I charge that if the "poll-books of Carroll County," exhibited before your committee, were other than I have charged them to be, then they were not the poll-books which were in the office of that county clerk when examined on my behalf.

I call the attention of your committee to the disparity of resources possessed by me compared with those possessed by the Speaker of the House, the contestee, since, in defiance of the laws of Kentucky prohibiting such acts under pains and penalties, the county clerk of Carroll County, a sworn officer, takes beyond the limits of his county, not in obedience to a subpœna from any court nor from your committee, a portion of the records of his office; and not only beyond the limits of his county, but beyond the boundaries of the Commonwealth.

I deny as utterly untrue, in every particular, the affidavit said to have been filed, to the effect that I said that I did not want to go into the case, and would like to get out of it; nor that if it had not been for the "slush" cast at me and at L. A. Wood, I would get out of the case; nor that "I intended to send the papers to Washington, that General Sypher might make what he could out of it;" nor that I thought "that it would be a great deal."

I do not know the full extent of that affidavit, because no time was given to examine it; but so far as I have been advised of it by the public prints, I charge it to be untrue.

As to all other affidavits filed herein, of which I have not been advised, I claim the right to examine and refute them.

I charge that the sole reason why the deposition of Col. R. W. Nelson was not taken and presented to your committee, was solely because of the insistence by counsel for the contestee that the names should be given of the gentlemen whom he met, or who met him in Covington, after the election, when it was said that Carlisle was beaten unless something could be done; but that before refusing to proceed further with his deposition Colonel Nelson had deposed that they were close personal and political friends of Speaker Carlisle, and gentlemen of high standing, and influential in Covington.

I charge that the statements as to the conference of certain friends of Mr. Carlisle held after the election are true; that it was matter of common notoriety after the election that such conference was held; and a reopening of this case would establish the facts charged with reference to it.

There are many gentlemen of standing in the Democratic party other than those who have disclaimed knowledge of such conference.

Neither the qualities nor the abilities of myself nor of the Speaker enter into the question; but the same rights your committee granted to him I demand for myself in the name of law, of right, of justice, and of the people of the Sixth Congressional district of Kentucky, who elected me their Representative in Congress, and who, if the action of your committee be not reversed, will be denied their choice at the polls.

I claim only the right which the humblest citizen may claim under the law—to hear that which has been advanced against my cause, and to reply to it.

GEORGE H. THOBE.

Sworn and subscribed to before me this 17th day of January, A. D. 1888.
[SEAL.] ROBT. V. HUGHES,
*Notary Public.*

Mr. THOBE (the contestant). Mr. Speaker, I submitted that sworn statement, which has just been read, to the Committee on Elections, and it was rejected, disregarded, and returned to me by the chairman, with the following letter:

HOUSE OF REPRESENTATIVES, U. S.,
*Washington, D. C., January* 18, 1888.

SIR: The chairman of the committee received inclosed affidavit yesterday. To-day he submitted it to the committee, and was directed to return it to you with statement that so far as this committee is concerned the case referred to therein is closed.

Very respectfully,

CHARLES F. CRISP.

J. H. SYPHER, Esq.

Here, then, is a flat and indignant refusal of the committee to even hear me; and they indecently rushed the report through the committee and submitted it to the House before I could reach the Capitol. If I was a criminal charged with a heinous crime I could not have been treated with less respect to my rights as a citizen by this partisan committee.

Mr. Speaker, I made this contest in good faith, and not by word or by a single action have I ever shown it was not in good faith. I was legally elected by the qualified voters of the Sixth district of Kentucky. It was commonly understood and announced that my majority was over 2,900. In Kenton and Campbell it was larger than the entire vote in the other six counties.

Much stress has been laid by the gentleman from Ohio [Mr. COOPER] upon the affidavit of Cambron, who made an affidavit as to what Mr. Carlisle said in an interview printed in the Cincinnati Evening Telegram. Now what was it he did say? We have been able to find, after much trouble, one copy, and perhaps the only one which is preserved, of that paper of November 3, 1886. We had these printed [holding up a pink copy] and scattered throughout the district. Let me read from this copy:

[From the Evening Telegram, last edition, Vol. 2, No. 187.]

CINCINNATI, OHIO, *November* 3, 1886.

MR. CARLISLE TALKS.

The Telegram met Mr. Carlisle in Covington this morning and had quite a chat with him. The Speaker is smiling, and looks on his very probable defeat with the utmost composure. He said:

"The result is entirely owing to the fact that Democrats felt no concern whatever in my election, and would pass the polls with the remark that 'that man Thobe would not get 100 votes!' Why, there was money, and plenty of it, furnished by manufacturing concerns back of this movement. They went round quietly before the election, and were thoroughly organized in every precinct in the district. The district was flooded with their tickets just before the election. If my information is correct, and I have no reason for doubting it, Mr. Thobe will be the next Congressman; and I will feel a sense of personal relief that I have not felt before for ten years. I will feel that a heavy load has been lifted from me."

The other copies of this edition have been burned or destroyed by Carlisle's partisans. For this copy a gentleman was offered $20, and perhaps it is the only one in existence in that neighborhood.

That was the talk. I do not come here and ask for my seat. I say simply, gentlemen, I ask for simple justice and fair play. I have a memorial here containing the signatures of 3,000 voters—more signatures of voters than perhaps some members received votes at their election. [Laughter and applause.] All we ask is simply to investigate and learn just what my majority was in the district. In fact, I had an admitted majority of over 2,000 when the polls closed.

There was particular stress put upon the fact that the contestee's affidavit was here. I saw only a little synopsis of it. I did not know to what extent it went. I should like to have had time to have put in that protest, and to have stated what is the opinion of gentlemen in regard to this matter of mine of equal standing in their community with any upon this floor.

But I must submit, it is a pitiable spectacle for the Speaker of the House of Representatives to bolster himself up by his own affidavit to maintain himself in a seat in this House upon a fraudulent title.

If you do not grant this prayer to investigate this election, but close down, I do not think you are doing justice to the election laws and to the ballot-box of this country. One of the speakers during this debate has said—the gentleman from Ohio [Mr. COOPER]—that the time had expired, and therefore he had voted against opening the case.

The chairman of the committee, the gentleman from Georgia, stated that seven days were only used to take proof. That is true, and I will tell you how it was. A few days after the election Senator VOORHEES was interviewed, and in that published interview he said, "Why Thobe will stand but a slim chance of a hearing, much less of the seat." And the attorney I employed, Logan A. Wood, in whom I had full confidence, about the beginning of December, 1886, in a published card of over a column and a half, referred to it, and quoted language of a gentleman from Kentucky, Hon. Mr. MCCREARY, where he was said to have stated in an interview that if Carlisle's majority was 10,000 I would still contest. In that card or report my attorney says the frauds are so glaring on all hands that they can be easily proven.

Mr. MCCREARY. Let me ask what paper that alleged interview was in?

Mr. THOBE. In the Cincinnati Commercial.

Mr. MCCREARY. By whom written?

Mr. THOBE. By my attorney, Logan A. Wood.

Mr. MCCREARY. And that purports to be an interview with me?

Mr. THOBE. No; that interview is copied from the Courier-Journal, which purported to contain an interview with you, and he (Wood) replied to it.

Now, gentlemen, I wish to explain to the members of the committee and of the House why I think it no more than just that I should have an opportunity of reopening this case. I ask simply to have justice and fair play, nothing more. The very fact that I intrusted these letters to that attorney, Wood, and went to my work day by day, he telling me that I should not lose any time, that he would attend to it, and I working, so that by my wages I could pay him—and I did pay him between $250 and $300, although he states in his affidavit that all that he ever received was $43. That statement is false, and he knows it. It is true that I received a small amount from an organization in Cincinnati; but on the second day after the election I paid him, Wood, in the presence of five or six witnesses, went to the bank and drew out all the money I had there, $95, and on the 16th of November I paid him $50 more, and then afterwards sums of $25 and $10, making up the whole amount I stated, in the aggregate being not less than $250. But now he comes and says that "Thobe only paid him $43." He

said in that card there was no question that great frauds had been committed; that they were so glaring that they could be easily proved when the time came to take testimony. And, by the way, in this card which he published, he refers to three or four prominent Democrats who were heard talking on the street corners, using such language as, "This is getting dangerous for the Speaker and his party. We must buy the Thobe party off." Then, in his own room, he says to me, "Thobe, we have got them; they are getting afraid; we can make some money out of them." This part of the statement he denies, but he does not deny having the conversation.

But I still had confidence in him; that he would go on and attend to my case; and I urged him day after day to do so. In the meanwhile he told me that Carlisle's answer was enough to unseat him. I said time and time again if I could not show the people that a fraud had been committed, and that I was legally and fairly entitled to the seat, I would not make the contest.

I said, "If I can not do so I will decline to enter it." I was honest in my intentions. In the last seven days my attorney did take a little testimony in Covington; and if you had seen Carlisle's attorney sitting there laughing and smiling while that was going on you would know what he thought it would amount to. It was then being reported, gentlemen, that the Thobe case did not amount to anything, and that they still had hopes the case would not be opened and Thobe would not have a chance to prove the facts that he alleged. It is not to be expected, gentlemen, that men holding positions in that Democratic stronghold will volunteer to give testimony against one of their own party in such a case. But you can get that testimony by having a proper committee duly authorized. They are honest men and will tell the truth, and you will find that a conference was held by Carlisle's friends and that something was done to bring in enough votes from these six outlying counties to overcome my majority of 2,062 in Kenton and Campbell Counties.

Gentlemen, here are something like 3,000 voters whose names are appended to this memorial. They are not bankers nor wealthy merchants, but they are men like myself, who labor in the shops, factories, and farms of the Sixth district. Two-thirds of them are voters living in Covington and employed across the river in Cincinnati. Here are the papers, and the names will show for themselves.

It has been stated that I was getting voters from Cincinnati to sign their names to this petition, because it happened that I went there to the factories to ask them to sign. But the facts are that those persons that I went to there were employed in the factories of Cincinnati, but not a man has signed this paper except those who lived and voted in that district. Still an effort has been made to show that all of these names were fraudulent. Why should this House determine to refuse to reopen the case? No previous House of Representatives has disregarded such a petition. No American Congress has ever attempted to deny the right of petition and do justice in such a case. If you do so in this case, you establish a precedent without a parallel in the history of our country.

Gentlemen, I am sorry that the working class of our country have begun to lose confidence in the security of the ballot; and if the ballot is not pure and honest, what laws can you make that will be just and secure the rights of the people? [Applause.]

I am proud of Kentucky, where I was born, but there are many things there that I am not proud of. Twenty-seven years ago I was an apprentice boy at my trade. If I had then been in a lawyer's office reading law, perhaps I might stand a little different now.

But I do not consider it a very great honor exactly to be a member of this House. [Great laughter.] Gentlemen, what I meant by the remark was this: that I think the mechanic who invents something useful, the farmer and the miner who discharge their duties faithfully, are just as honorable and noble, and just as much entitled to respect, as any citizens of this country. If every member here were like the Kentuckian whom we all admire, who would rather be right than be President, these seats would be filled by the right men. When you can say that in your long lives of public service you were never influenced by pecuniary or selfish motives, but had a single eye to the welfare of your people, then we would have the legislation we ought to have and there would be realized what Ingersoll has beautifully said, that under this flag of ours the weakest must be protected and the strongest must obey.

I am not here asking for favors. Simple justice is all I ask, and that is all that those petitioners in my district are asking. In seeking to reopen this case I do not make any capital or propose to make any, because I am a working man. I am sorry some people think they might be under some obligation in regard to their vote in this matter because of the difference between myself and the distinguished Speaker. But I do not dwell on that for a moment. The humblest citizen has as much right and is entitled to as much as the highest.

Gentlemen, I do not wish to take up much time. If I had had time to look over those affidavits I might have made some notes in regard to them. I did make a few while the discussion was going on.

Reference has been made to the fact that in some cases the ballot-boxes were opened before the proper day for counting the vote. That was in Trimble County. The ballot-boxes were opened and the ballots counted on the second day, while the law directs that that shall be done on the third day. Some 300 votes were counted for Mr. Carlisle and 3 for me. In every county I received some votes.

When I have met some of the first men in that district and I have asked, "Do you honestly believe Mr. Carlisle was elected?" they answer, "No." The feeling there is that Mr. Carlisle was not elected, but was defeated, but you can not expect those gentlemen to come forward and testify. If, however, you put them on the witness-stand they will tell the truth.

My local attorney in Covington told me what had been said on the Sunday after the election by a prominent politician: "We will fix that fellow; he has been a Democrat for so many years and has now turned against us, and we will fix him." I have no party there to back me, no officials in those counties to take my part as the Democratic party has. The Republican party is doing nothing in my behalf down there, and I never asked them to do anything for me. I have simply asked for justice. The great majority of the votes I received came from the workingmen, who had been trying for long years to get a fair chance.

Gentlemen, can you afford to not investigate this matter thoroughly? I make no threats and do not want to be understood so. I expect to never lose confidence in the ballot, which is the only remedy I see by which the people can redress any wrong that may befall this country and its people.

Mr. BRUMM. If the gentleman will allow me to interrupt him, I will suggest that he send that memorial up to the desk and have it made part of his remarks.

Mr. THOBE. I will do so.

*To the Congress of the United States:*

The undersigned, citizens and electors of the Sixth Congressional district of the State of Kentucky, respectfully represent: That at the election for member of Congress in the said district, held on Tuesday, the 2d day of November, A. D. 1886, in accordance with the acts of Congress and the laws of the State of Kentucky in that behalf made and provided, there was not a full, fair, and impartial expression of a majority of the qualified voters of said Congressional district in regard to their choice for a member of Congress for said district in the Fiftieth Congress of the United States, for the following reasons:

1. That in the matter of the appointment, service, and qualifications of the election officers, there was an open, intentional, and corrupt violation of law, in that the said election officers were not appointed in the interest of a fair election and an honest count and return of the vote so cast, but were appointed to aid and assist in the election of J. G. Carlisle, the candidate of the Democratic party, to the injury and prejudice and defeat of George H. Thobe, the opposing candidate of the Union Labor party.

2. That gross frauds were perpetrated and committed by the supporters and partisans of John G. Carlisle, in his interest and for his benefit, in the counties of Trimble, Grant, Gallatin, Campbell, Carroll, Boone, Pendleton, and Kenton.

3. That the returned majority of 825 votes which it was alleged was received by John G. Carlisle in the said Congressional election is false and fraudulent.

4. That your memorialists further charge, in consequence of the outrageous frauds perpetrated at the election and in the district aforesaid, John G. Carlisle was falsely and wrongfully returned as a member-elect from said Congressional district, and he, the said Carlisle, now occupies and holds said seat to the injury and prejudice of a majority of the legally qualified electors of the said State and Congressional district.

5. And because in many election precincts in the counties of the said Sixth district of Kentucky the polls were not opened until after the hour of 6 o'clock, and were closed before 4 o'clock of said day, in open violation of the laws of Kentucky, thereby preventing many persons from voting for said Thobe who otherwise would have voted for him.

And your memorialists herewith present a number of affidavits in support of the allegations herein contained, and they aver that the charges therein can be substantiated by a great number of reliable and credible witnesses.

Wherefore your petitioners respectfully request in the interest of good government and of honest and impartial elections, to the end that an honest ballot and a fair count may be had in the State and district aforesaid, that your honorable body may direct to be made and make a thorough and searching investigation into the matters herein set forth as to the conduct and results of said election in the State and Congressional district aforesaid, to the end that full and complete justice may be done in the premises.

Mr. Speaker, the signers of this memorial are voters of the Sixth Kentucky district. Does any member of this House suppose these 3,000 voters would sign such a petition if the contest was not being prosecuted in good faith? They are in earnest and so am I, and all we ask is justice, and we do not believe you can afford to deny us. Great stress was laid on the poll-books of Carroll County. The gentleman who investigated them on two or three occasions told me they were in one handwriting. Private marks were made on them. He made a private mark on each one of those poll-books that no one else knew.

I feel now certain in my own mind that those poll-sheets presented here to the committee were not the original ones. I have every reason to believe that the gentleman sent in my behalf put a private mark on those poll-books. If those produced have that private mark, right and well. So much for the great stress laid on the poll-books from Carroll County. But I assert here and now that if this House will reopen this case and investigate the matter honestly and thoroughly, it will be found that the poll-sheets produced on behalf of the Speaker are as false and fraudulent as the certificate on which he holds his seat in this House. Those poll-sheets are spurious and were manufactured and dumped upon the committee and this House to save the Speaker.

Mr. BRUMM. Were you present when these poll-books were before the committee?

Mr. THOBE. I was not, and I never saw them. The committee accepted these spurious papers without question.

Gentlemen, if I can not prove that that conference of Carlisle's friends was held after the election, and that something was done, as I have

charged, to change the honest result, I am willing to rest my case on that.

If a committee would go down to Covington and subpœna gentlemen of high standing there and examine them, then if we could not prove that a conference was held I would give up the fight. I am positive about it, gentlemen. It was common talk. Not enough votes were polled to overcome the large majority of the workingmen in those two counties, which was 2,062. If my attorney, L. A. Wood, had been true to me, there is no doubt he could have proven these facts; and because he was not true to me I wish to have this case reopened, in any way you gentlemen see fit, and I am certain that we will prove up this case to your satisfaction. The people there do not wish to volunteer their testimony, but their testimony can be had by a committee. Another thing, gentlemen; it has been said again and again in conversation by men of character and high standing, "Mr. Carlisle was defeated; but then, look at the man Thobe. It is better to say nothing about it and let Carlisle hold the seat than to have that man Thobe." But, gentlemen, the people have made inquiries in regard to this man Thobe, and they have found that he is not quite as bad a man as they thought he was. They have found that he has six children, and that he sends them to school. He has a boy eighteen years old now in the State of the gentleman from Georgia [Mr. CRISP], at Atlanta, working at bricklaying, and another going to school at Lexington. I own my own home, where I was born and raised, in Covington, and when I went to Indiana some years ago, the first thing was to get a home, and I own a home there still. I have always taken an interest in elections and in the affairs of this Government, and all I ask is justice in this matter. During our campaign we distributed some sixty thousand copies of our "platform," and the two paragraphs that we dwelt most upon were these:

Fourth. Should encourage home industries, make such liberal appropriations for internal improvements as shall meet all the industrial demands of the country and develop its resources, and so afford employment for otherwise unemployed labor; and should prohibit the importation or employment of all contract, convict, or pauper labor.

Sixth. Should maintain and protect the purity and freedom of the ballot, and the rights and interests of citizenship at all times, in all places, and under all circumstances by the whole power of the Government, State and National.

Gentlemen, the workingmen are in earnest in this matter. It was talked about at all their public meetings, and all they asked or ask now is justice and fair play. I well remember that when I used to read the Bible as a school-boy the Ark of the Covenant always seemed to me the most sacred thing possible, but I believe to-day that every citizen ought to think just as much of the ballot-box. The ballot-box should not be handled like a plaything.

Mr. MILLIKEN. Will the gentleman allow me to ask him a question?

Mr. THOBE. Yes, sir.

Mr. MILLIKEN. It has been stated, or the opinion has been expressed here in the course of the debate, that the gentleman [Mr. Thobe] at one time gave up his case, and that his present movement in asking it to be reopened was inspired from Washington. What I desire to ask is whether that be true, or whether it be true that he is now proceeding of his own motion, inspired by what he believes to be the justice of his case?

Mr. THOBE. It is utterly untrue that I did not want to go into this contest, or that I ever thought of abandoning it; utterly untrue. I can prove by twenty or thirty of the leading workingmen of Covington that on the first Sunday after the election, when my first attorney said to them that it would be an easy matter to prove fraud and to seat their candidate, I insisted on the contest. I was not forced into it by anybody else, and I will state again that in no instance have I said anything or done anything that could in the least imply that I did not enter into the contest in good faith.

Mr. LODGE. Will the gentleman permit a question?

Mr. THOBE. Yes, sir. I like to be asked questions.

Mr. LODGE. On page 51 of the report of the committee is the affidavit of Horace Cambron, from which I read:

Affiant says that he never caused to be published in said paper any item to the effect that Mr. Carlisle admitted his defeat, nor was any such item ever published to affiant's knowledge; but the files of that paper prior to a change of ownership about six or seven months ago were not preserved, and affiant does not know where to find a copy of said issue.

Is that paper in which the affiant denies that any such publication was made the one in which it was made?

Mr. THOBE. That is the paper.

Mr. LODGE. I ask the gentleman to send the paper to the Clerk's desk that the publication may be read.

Mr. THOBE. November 3 is the date of the paper. I ask the Clerk to read the passages which are marked.

The Clerk read as follows from the Evening Telegram, published at Cincinnati, Wednesday evening, November 3, 1886:

There are yet eight precincts to be heard from in Kenton County, and all in Campbell, except Dayton and Bellevue, so that it is utterly impossible, judging by the surprises already received, to form any accurate idea as to the result.

MR. CARLISLE TALKS.

The Telegram met Mr. Carlisle in Covington this morning and had quite a chat with him. The Speaker is smiling and looks on his very probable defeat with the utmost composure. He said:

"The result is entirely owing to the fact that Democrats felt no concern whatever in my election, and would pass the polls with the remark that 'that man Thobe would not get 100 votes.' Why, there was money, and plenty of it, furnished by manufacturing concerns back of this movement. They went round quietly before the election and were thoroughly organized in every precinct in the district. The district was flooded with their tickets just before the election. If my information is correct, and I have no reason for doubting it, Mr. Thobe will be the next Congressman, and I will feel a sense of personal relief that I have not felt before for ten years. I will feel that a heavy load has been lifted from me."

CARLISLE—THE BIG KENTUCKIAN PROBABLY A DEFEATED MAN.

At 12 o'clock the indications are that Hon. John G. Carlisle is a beaten man. But for more definite information see next edition. Republicans are claiming the election of their candidate by 500.

Mr. STRUBLE (to the Clerk). Read the name of that paper.

Mr. THOBE. It is a Carlisle paper—the Evening Telegram, of Cincinnati—the issue of November 3, 1886.

Mr. BOUTELLE. Do the names of the publishers or editors appear?

Mr. THOBE. The reporter of that paper who wrote the article was Mr. Horace Cambron, formerly a lawyer, who stated to my local attorney that he would hate to make an affidavit in regard to the interview, because Mr. Carlisle was a particular friend of his, and he had named his son after the Speaker. [Laughter.] In that interview Mr. Carlisle says:

If my information is correct, and I have no reason for doubting it, Mr. Thobe will be the next Congressman.

How did he get his information? Some particular friends of his gave it to him; and I can say that if I wished to do so, I could mention the names of half a dozen prominent gentlemen who said to others the day after the election, "Mr. Carlisle is defeated, but he won't be defeated to-morrow."

Now, gentlemen, can you afford to pass this question by without a full investigation, when, if you do so, every man in that district will believe that I was elected? All I ask is simply an investigation.

One word more and I am done. I was legally elected a member of this House by the legally qualified voters of my district. I was defrauded and cheated out of my legal majority by ballot-box stuffing and false counting. I was betrayed and sold out by my original counsel in the contest. I have been denied the right to furnish the legal proofs, to expose the frauds committed, and to establish my right to the seat to which I was elected. I submit my appeal for justice to this House, and in the name of the industrial classes who voted for me, and of whom I am proud to be an humble member, and in the name of the three thousand signers of this petition, I respectfully demand that justice be done in this matter. [Applause.]

Mr. McCREARY. In justice to myself as well as Mr. Thobe, I wish him to state again in what connection he referred to me, so that if necessary I may make the proper explanation.

Mr. ROGERS. I raise the point of order that there is so much confusion on the floor members can not hear what is going on.

Mr. THOBE. I wish to be understood——

The SPEAKER *pro tempore*. The contestant will suspend a moment. Gentlemen of the House will be seated. Does the contestant yield to the gentleman from Kentucky?

Mr. THOBE. Yes, sir.

Mr. McCREARY. In order that justice may be done to myself as well as to Mr. Thobe, I ask him to repeat what he has stated in the course of his remarks in reference to myself, so that I may understand exactly the purport of his language.

Mr. THOBE. That was in the Commercial of December, 1886. It was in reply to an interview published in the Courier-Journal in reference to the gentleman from Kentucky [Mr. McCREARY], wherein it was stated that if Carlisle's majority was ten thousand, I would still contest the election. In reply to that my attorney, Logan A. Wood, wrote a column and a half, and also dwelt on the interview published before that with "the Tall Sycamore of the Wabash," in which he said that I would not even get a hearing. The article to which I refer could be read if the House desired, showing the exact language that Logan A. Wood used, mentioning Mr. McCREARY's name, and also various other names.

Mr. McCREARY. Was that a statement in Mr. Wood's card, or did it purport to be an interview with me?

Mr. THOBE. Oh, no; he just wrote, a card after reading what the Courier-Journal said.

Mr. McCREARY. Mr. Wood wrote a card after reading what the Courier-Journal said?

Mr. THOBE. That is it exactly.

Mr. McCREARY. Mr. Speaker, I think it proper I should say now that I never at any time said that no matter what the result of that election might be Mr. Thobe would contest it. I was never interviewed at Louisville about the Carlisle-Thobe election, and I never said at any time anything in regard to it, except that I desired the returns to be counted fairly, that I believed they would be so counted, and that when the result was announced, I wanted it to be in accordance with the law and with the votes as they had been cast by the people of that district. [Applause.]

Mr. MATSON. I wish to ask the contestant whether he did not state the alleged interview with Senator VOORHEES too strongly when

he said the Senator had stated that he (Mr. Thobe) would not even get a hearing.

Mr. THOBE. Those are the words.

Mr. MATSON. Let me refresh the gentleman's memory a little. Did not Senator VOORHEES state, or rather did not the alleged interview represent him as stating, that Mr. Carlisle was very popular with both sides of the House, and that the Republicans would be very sorry to see him lose his seat? Was not that about it?

Mr. THOBE. If you will look over the files of the paper to which I have referred——

Mr. MATSON. Have you the paper?

Mr. THOBE. No, sir.

Mr. MATSON. Do you say the language represented to have been used in that interview was that you would not even get a hearing?

Mr. THOBE. My attorney wrote a column and a half in reply to that article. The language was that I would stand but a slim chance of getting even a hearing.

Mr. MATSON. I wish to say that I read that article myself; and I am sure that Senator VOORHEES was not represented as saying that the gentleman (Mr. Thobe) would not even get a hearing. That is my recollection.

Mr. THOBE. "Would stand a slim chance."

Mr. MATSON. No, sir; the language was not anything like that.

Several MEMBERS. Regular order!

The SPEAKER *pro tempore*. The regular order is for the contestant to proceed.

Mr. THOBE. Mr. Speaker, I would not like to see party lines drawn on this question. I trust that members will vote as their consciences dictate. When I left home the impression prevailing there, especially among the industrial classes, was that, there being a majority of Democrats in this House, they would vote solidly against investigating this matter. I told them I did not believe that statement; that they would be fair; and I hope they will be fair now. All I ask is a simple investigation, and the facts I have stated can be established. The people there have no doubt of the future, but say that it did look doubtful at one time, but it is all cleared up now.

I ask that the memorial to which I have referred be made a part of my remarks as read.

Mr. CRISP. What is that request?

The SPEAKER *pro tempore*. The contestant asks that a memorial to which he has referred be made a part of his remarks.

Mr. CRISP. Is it understood that all the names are to be printed?

Mr. ROGERS. He says he does not desire the names printed.

Mr. THOBE. I will state that there are twelve hundred more on the way.

The SPEAKER *pro tempore*. Without objection the memorial as read will be printed without the names.

There was no objection.

It is as follows:

Memorial for reopening the case for new testimony from Grant, Gallatin, two precincts of Pendleton, four precincts of Trimble, and the Eighth ward of Covington (Kenton); also from Kenton and Campbell Counties.

*To the Congress of the United States:*

The undersigned citizens and electors of the Sixth Congressional district of the State of Kentucky respectfully represent: That at the election for member of Congress in the said district, held on Tuesday, the 2d day of November, A. D. 1886, in accordance with the acts of Congress and the laws of the State of Kentucky in that behalf made and provided, there was not a full, fair, and impartial expression of a majority of the qualified voters of said Congressional district in regard to their choice for a member of Congress for said district in the Fiftieth Congress of the United States, for the following reasons:

1. That in the matter of the appointment, service, and qualifications of the election officers there was an open, intentional, and corrupt violation of law, in that the said election officers were not appointed in the interest of a fair election and an honest count and return of the vote so cast, but were appointed to aid and assist in the election of J. G. Carlisle, the candidate of the Democratic party, to the injury and prejudice and defeat of George H. Thobe, the opposing candidate, of the Union Labor Party.

2. That gross frauds were perpetrated and committed by the supporters and partisans of John G. Carlisle in his interest and for his benefit in the counties of Trimble, Grant, Gallatin, Campbell, Carroll, Boone, Pendleton, and Kenton.

3. That the returned majority of 825 votes which it is alleged was received by John G. Carlisle in the said Congressional election is false and fraudulent.

4. That your memorialists further charge in consequence of the outrageous frauds perpetrated at the election and in the district aforesaid, John G. Carlisle was falsely and wrongfully returned as the member elect from said Congressional district, and he, the said Carlisle, now occupies and holds said seat to the injury and prejudice of a majority of the legally qualified electors of the said State and Congressional district.

5. And because in many election precincts in the counties of the said Sixth district of Kentucky the polls were not opened until after the hour of 6 o'clock, and were closed before 4 o'clock of said day, in open violation of the laws of Kentucky, thereby preventing many persons from voting for said Thobe who otherwise would have voted for him.

And your memorialists herewith present a number of affidavits in support of the allegations herein contained, and they aver that the charges therein can be substantiated by a great number of reliable and credible witnesses.

Wherefore your petitioners respectfully request, in the interest of good government and of honest and impartial elections, to the end that an honest ballot and a fair count may be had in the State and district aforesaid, that your honorable body may direct to be made and make a thorough and searching investigation into the matters herein set forth as to the conduct and results of said election in the State and Congressional district aforesaid, to the end that full and complete justice may be done in the premises.

*To the Congress of the United States:*

The undersigned citizens and electors of the Sixth Congressional district of the State of Kentucky respectfully represent: That an election for a member of Congress in the said district was held on Tuesday, the 2d day of November, A. D. 1886, in accordance with the acts of Congress and the laws of the State of Kentucky in that behalf made and provided; and your memorialists represent that at the election held upon the day last mentioned there was not a full, fair, and impartial expression of a majority of the qualified voters of said Congressional district in regard to their choice for a member of Congress for said district in the Fiftieth Congress of the United States, for the following reasons:

1. That in the matter of the appointment, service, and qualifications of the election officers there was an open, intentional, and corrupt violation of law, in that the said election officers were not appointed in the interest of a fair election and an honest count and return of the votes so cast, but were appointed to aid and assist in the election of J. G. Carlisle, the candidate of the Democratic party, to the injury and prejudice and defeat of George H. Thobe, the opposing candidate, of the Union Labor party.

2. That gross frauds were perpetrated and committed by the supporters and partisans of John G. Carlisle in his interest and for his benefit in the counties of Trimble, Grant, Gallatin, Campbell, Carroll, Boone, Pendleton, and Kenton.

3. That the returned majority of 825 votes which it is alleged was received by John G. Carlisle in the said Congressional election is false and fraudulent.

And that your memorialists further charge in consequence of the outrageous frauds perpetrated at the election and in the district aforesaid, John C. Carlisle was falsely and wrongfully returned as the member elect from said Congressional district, and he, the said Carlisle, now occupies and holds said seat to the injury and prejudice of a majority of the legally qualified electors of the said State and Congressional district.

And your memorialists herewith present a number of affidavits in support of the allegation herein contained, and they aver that the charges herein can be substantiated by a great number of reliable and credible witnesses.

Wherefore your petitioners respectfully request, in the interest of good government and of honest and impartial elections, to the end that an honest ballot and a fair count may be had in the State and district aforesaid, that your honorable body may direct to be made and make a thorough and searching investigation into the matters herein set forth as to the conduct and results of said election in the State and Congressional district aforesaid, to the end that full and complete justice may be done in the premises.

Mr. CRISP. I move that the House do now adjourn. [Cries of "Let us take a vote!"] Very well, I will withdraw that motion and demand the previous question upon the adoption of the resolutions, which seems to be the desire of the House.

Mr. LYMAN. I desire to offer a substitute for the resolution proposed by the committee.

The SPEAKER *pro tempore*. But the gentleman from Georgia has demanded the previous question.

Mr. CRISP. I do not desire to exclude that, of course.

Mr. LYMAN. I supposed not from our conversation. I do not wish to discuss it, but ask to have it read.

The Clerk read as follows:

*Resolved*, That the contest of George H. Thobe, an elector residing in the Sixth Congressional district of Kentucky, questioning the election of John Griffin Carlisle as a member of the House of Representatives and his right to represent such district in this House, is of such importance to the sitting member, and to the people of the country, regardless of party, that it is entitled to a full, thorough, and impartial investigation, and without expressing any opinion upon the merits of such contest:

*Be it resolved*, That all the papers be printed and referred to a select or subcommittee of the Election Committee of this House, with power to sit during the sessions of Congress, and to send for persons and papers, administer oaths, and employ a clerk and a stenographer, and to visit such places as may be necessary to ascertain the full truth; and the expenses necessarily incurred in the execution of this order shall be paid out of the contingent fund of the House.

The previous question was ordered.

The SPEAKER *pro tempore*. The first question is upon agreeing to the substitute of the gentleman from Iowa.

Mr. LODGE. On that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 125, nays 132, not voting 66; as follows:

YEAS—125.

| | | | |
|---|---|---|---|
| Adams, | Crouse, | Hovey, | Perkins, |
| Allen, C. H. | Dalzell, | Hunter, | Peters, |
| Allen E. P. | Darlington, | Jackson, | Plumb, |
| Anderson, A. R. | Davis, | Johnston, J. T. | Reed, |
| Anderson, J. A. | Dingley, | Kean, | Rockwell, |
| Arnold, | Dorsey, | Kennedy, | Russell, C. A. |
| Atkinson, | Dunham, | Kerr, | Ryan, |
| Baker, C. S. | Farquhar, | La Follette, | Sawyer, |
| Baker, Jehu | Finley, | Laidlaw, | Scull, |
| Bayne, | Flood, | Laird, | Shively, |
| Boothman, | Foran, | Lehlbach, | Smith, |
| Bound, | Fuller, | Lind, | Spooner, |
| Boutelle, | Funston, | Lodge, | Stephenson, |
| Bowden, | Gallinger, | Long, | Stewart, J. W. |
| Bowen, | Gear, | Lyman, | Struble, |
| Brewer, | Gest, | Mason, | Symes, |
| Brower, | Goff, | McComas, | Taylor, J. D. |
| Browne, T. H. B. | Grout, | McCullogh, | Thomas, G. M. |
| Browne, T. M. | Guenther, | McKenna, | Thomas, O. B. |
| Brown, C. E. | Hare, | McKinley, | Thompson, A. C. |
| Brumm, | Haugen, | McKinney, | Turner, E. J. |
| Buchanan, | Henderson, D. B. | Milliken, | Vandever, |
| Bunnell, | Henderson, T. J. | Moffitt, | Wade, |
| Burrows, | Hermann, | Morrill, | Warner, |
| Butler, | Hiestand, | Morrow, | Weaver, |
| Bynum, | Hires, | Nutting, | West, |
| Cannon, | Hitt, | O'Donnell, | Whiting, William |
| Caswell, | Holmes, | Osborne, | Wickham, |
| Cheadle, | Hopkins, A. J. | Owen, | Williams, |
| Clark, | Hopkins, S. I. | Parker, | Yardley, |
| Cogswell, | Houk, | Patton, | Yost. |
| Conger, | | | |

NAYS—132.

| | | | |
|---|---|---|---|
| Abbott, | Barry, | Blount, | Burnes, |
| Anderson, C. L. | Biggs, | Breckinridge, C. R. | Campbell, T. J. |
| Anderson, G. A. | Blanchard, | Breckinridge, WCP | Candler, |
| Bankhead, | Bland, | Bryce, | Caruth, |
| Barnes, | Bliss, | Buckalew, | Catchings, |

| | | | |
|---|---|---|---|
| Chipman, | Hatch, | McMillin, | Snyder, |
| Clardy, | Hayes, | McRae, | Sowden, |
| Clements, | Heard, | Merriman, | Springer, |
| Cobb, | Hemphill, | Montgomery, | Stahlnecker, |
| Compton, | Henderson, J. S. | Moore, | Stewart, Charles |
| Cothran, | Herbert, | Morgan, | Stewart, J. D. |
| Cowles, | Hogg, | Neal, | Stockdale, |
| Crain, | Holman, | Newton, | Stone of Ky. |
| Crisp, | Hooker, | Oates, | Stone of Mo. |
| Culberson, | Howard, | O'Ferrall, | Tarsney, |
| Dargan, | Hutton, | O'Neall, J. H. | Taulbee, |
| Davidson, A. C. | Johnston, T. D. | O'Neill, J. J. | Thompson, T. L. |
| Dibble, | Jones, | Outhwaite, | Tillman, |
| Dockery, | Kilgore, | Peel, | Tracey, |
| Dougherty, | Landes, | Perry, | Townshend, |
| Dunn, | Lane, | Phelan, | Turner, H. G. |
| Elliott, | Lanham, | Pidcock, | Vance, |
| Enloe, | Latham, | Rice, | Walker, |
| Fisher, | Lee, | Richardson, | Washington, |
| Forney, | Lynch, | Robertson, | Wheeler, |
| French, | Macdonald, | Rogers, | Whiting, J. R. |
| Gay, | Mahoney, | Rowland, | Whitthorne, |
| Gibson, | Maish, | Rusk, | Wilkins, |
| Glass, | Mansur, | Sayers, | Wilkinson, |
| Granger, | Martin, | Scott, | Wilson, Thomas |
| Greenman, | Matson, | Seney, | Wilson, W. L. |
| Grimes, | McAdoo, | Shaw, | Wise, |
| Hall, | McCreary, | Simmons, | Yoder. |

NOT VOTING—66.

| | | | |
|---|---|---|---|
| Allen, J. M. | Davenport, | Lagan, | Pugsley, |
| Bacon, | Davidson, R. H. M. | Lawler, | Randall, |
| Belden, | De Lano, | Maffett, | Rayner, |
| Belmont, | Ermentrout, | McClammy, | Romeis, |
| Bingham, | Felton, | McCormick, | Rowell, |
| Brown, J. R. | Fitch, | McShane, | Russell, J. E. |
| Burnett, | Ford, | Mills, | Sherman, |
| Butterworth, | Gaines, | Morse, | Spinola, |
| Campbell, Felix | Glover, | Nelson, | Steele, |
| Campbell, J. E. | Grosvenor, | Nichols, | Taylor, E. B. |
| Carlton, | Harmer, | Norwood, | Thomas, J. R. |
| Cockran, | Hayden, | O'Neill, Charles | Weber, |
| Collins, | Hopkins, S. T. | Payson, | White, J. B. |
| Cooper, | Hudd, | Penington, | White, S. V. |
| Cox, | Kelley, | Phelps, | Wilber, |
| Cummings, | Ketcham, | Post, | Woodburn. |
| Cutcheon, | Laffoon, | | |

So the substitute was rejected.

Mr. CRISP. I ask unanimous consent to dispense with the reading of the names.

Mr. STRUBLE. I object.

Mr. CRISP. I understand the previous question is still operating upon the other two resolutions.

Mr. BOUTELLE. Had not we better have the vote first announced on this?

The SPEAKER *pro tempore*. The Clerk will first announce the pairs.

The following pairs were announced until further notice:

Mr. BURNETT with Mr. GROSVENOR.

Mr. SPINOLA with Mr. THOMAS, of Illinois.

Mr. GLOVER with Mr. GAINES.

Mr. COCKRAN with Mr. WHITE, of New York.

Mr. CUMMINGS with Mr. FITCH.

Mr. BACON with Mr. WEBER.

Mr. ALLEN, of Mississippi, with Mr. HAYDEN.

Mr. CAMPBELL, of Ohio, with Mr. BUTTERWORTH.

Mr. DAVIDSON, of Florida, with Mr. O'NEILL, of Pennsylvania, until January 23.

Mr. MCCORMICK with Mr. PENINGTON, until January 28.

Mr. ERMENTROUT with Mr. KETCHAM.

Mr. FELIX CAMPBELL with Mr. HOPKINS, of New York.

Mr. COLLINS with Mr. DAVENPORT.

Mr. MILLS with Mr. PAYSON.

Mr. HUDD with Mr. BELDEN.

Mr. MORSE with Mr. HARMER.

Mr. RAYNER with Mr. JOHN R. BROWN.

Mr. NORWOOD with Mr. ROMEIS.

Mr. LAFFOON with Mr. CUTCHEON, on this vote.

Mr. CARLTON with Mr. DE LANO.

Mr. BELMONT with Mr. SHERMAN.

Mr. RANDALL with Mr. KELLEY.

Mr. FORD with Mr. STEELE, on this vote.

Mr. MCCLAMMY. I am paired with Mr. NICHOLS. Were he present, I would vote "nay;" he would vote "yea."

Mr. LANHAM. My colleague, Mr. MILLS, is absent from the House, by reason of sickness.

Mr. BRUMM. It seems to me that several gentlemen sitting around here—— [Cries of "Regular order!"]

The SPEAKER *pro tempore*. For what purpose does the gentleman rise?

Mr. BRUMM. There may be an error in the recapitulation of the vote. We heard the name of the gentleman from South Carolina [Mr. TILLMAN] announced as having voted "nay." He voted "ay" on the first call.

The SPEAKER *pro tempore*. That is correct; but the gentleman himself corrected the vote immediately.

The result of the vote was then announced as above recorded.

The SPEAKER *pro tempore*. The question is on agreeing to the first resolution reported by the committee.

Mr. CRISP. On that question I demand the yeas and nays.

The SPEAKER *pro tempore*. The Clerk will report the resolutions.

The Clerk read as follows:

*Resolved*, That George H. Thobe was not elected a Representative to the Fiftieth Congress of the United States from the Sixth district of Kentucky.

*Resolved*, That John G. Carlisle was duly elected a Representative to the Fiftieth Congress of the United States from the Sixth district of Kentucky, and is entitled to his seat.

The yeas and nays were ordered.

The SPEAKER *pro tempore*. The Chair desires to know if the gentleman from Georgia demanded the yeas and nays on both resolutions.

Mr. CRISP. On the first one only.

Mr. BRUMM. I desire to make a parliamentary inquiry. Are we to vote on the report of the majority or of the minority first?

The SPEAKER *pro tempore*. The question is on agreeing to the first resolution reported by the majority of the committee.

Mr. CRISP. If it is the wish of the House, there is no objection to taking the vote on both resolutions; the one that Mr. Thobe was not, the other that Mr. Carlisle was elected.

The SPEAKER *pro tempore*. Is there objection to the vote being taken on both resolutions?

There was no objection.

Mr. CRISP. I ask that the Clerk again report the resolutions.

The resolutions were again read.

Mr. KERR. I ask if we have the parliamentary right to have the two questions divided.

The SPEAKER *pro tempore*. The Chair submitted to the House the proposition that the vote should be taken on both resolutions, and no one objected.

The question was taken; and there were—yeas 139, nays 3, not voting 181; as follows:

YEAS—139.

| | | | |
|---|---|---|---|
| Abbott, | Dockery, | Lee, | Sayers, |
| Anderson, C. L. | Dougherty, | Lynch, | Scott, |
| Anderson, G. A. | Dunn, | Macdonald, | Seney, |
| Bankhead, | Elliott, | Mahoney, | Shaw, |
| Barnes, | Enloe, | Maish, | Shively, |
| Barry, | Foran, | Mansur, | Simmons, |
| Biggs, | Forney, | Martin, | Snyder, |
| Blanchard, | French, | Matson, | Sowden, |
| Bland, | Gay, | McAdoo, | Springer, |
| Bliss, | Gibson, | McCreary, | Stahlnecker, |
| Blount, | Glass, | McKinney, | Steele, |
| Breckinridge, C. R. | Granger, | McMillin, | Stewart, J. D. |
| Breckinridge, W. C. P. | Greenman, | McRae, | Stewart, Charles |
| Bryce, | Grimes, | Merriman, | Stockdale, |
| Buckalew, | Hall, | Montgomery, | Stone of Ky. |
| Burnes, | Hare, | Moore, | Stone of Mo. |
| Campbell, T. J. | Hatch, | Morgan, | Tarsney, |
| Candler, | Hayes, | Neal, | Taulbee, |
| Cannon, | Heard, | Newton, | Thompson, T. L. |
| Caruth, | Hemphill, | Oates, | Tillman, |
| Catchings, | Henderson, D. S. | O'Ferrall, | Townshend, |
| Chipman, | Herbert, | O'Neall, J. H. | Tracey, |
| Clardy, | Hogg, | O'Neill, J. J. | Turner, H. G. |
| Clements, | Holman, | Outhwaite, | Vance, |
| Cobb, | Hooker, | Peel, | Walker, |
| Compton, | Howard, | Perry, | Washington, |
| Cooper, | Hutton, | Phelan, | Wheeler, |
| Cothran, | Johnston, T. D. | Pidcock, | Whitthorne, |
| Cowles, | Jones, | Rice, | Wilkins, |
| Crain, | Kilgore, | Richardson, | Wilkinson, |
| Crisp, | Laffoon, | Robertson | Wilson, Thomas |
| Culberson, | Landes, | Rogers, | Wilson, W. L. |
| Dargan, | Lane, | Rowell, | Wise, |
| Davidson, A. C. | Lanham, | Rowland, | Yoder. |
| Dibble, | Latham, | Rusk, | |

NAYS—3.

| | | |
|---|---|---|
| Brumm, | Hovey, | Laidlaw. |

NOT VOTING—131.

| | | | |
|---|---|---|---|
| Adams, | Butler, | Fisher, | Hunter, |
| Allen, C. H. | Butterworth, | Fitch, | Jackson, |
| Allen, E. P. | Bynum, | Flood, | Johnston, J. T. |
| Allen, J. M. | Campbell, Felix | Ford, | Kean, |
| Anderson, A. R. | Campbell, J. E. | Fuller, | Kelley, |
| Anderson, J. A. | Carleton, | Funston, | Kennedy, |
| Arnold, | Caswell, | Gaines, | Kerr, |
| Atkinson, | Cheadle, | Gallinger, | Ketcham, |
| Bacon, | Clark, | Gear, | La Follette, |
| Baker, C. S. | Cockran, | Gest, | Lagan, |
| Baker, Jehu | Cogswell, | Glover, | Laird, |
| Bayne, | Collins, | Goff, | Lawler, |
| Belden, | Conger, | Grosvenor, | Lehlbach, |
| Belmont, | Cox, | Grout, | Lind, |
| Bingham, | Crouse, | Guenther, | Lodge, |
| Boothman, | Cummings, | Harmer, | Long, |
| Bound, | Cutcheon, | Haugen, | Lyman, |
| Boutelle, | Dalzell, | Hayden, | Maffett, |
| Bowden, | Darlington, | Henderson, D. B. | Mason, |
| Bowen, | Davenport, | Henderson, T. J. | McClammy, |
| Brower, | Davidson, R. H. M. | Hermann, | McComas, |
| Brower, | Davis, | Hiestand, | McCormick, |
| Browne, T. H. B. | De Lano, | Hires, | McCullogh, |
| Browne, T. M. | Dingley, | Hitt, | McKenna, |
| Brown, C. E. | Dorsey, | Holmes, | McKinley, |
| Brown, J. R. | Dunham, | Hopkins, A. J. | McShane, |
| Buchanan, | Ermentrout, | Hopkins, S. L. | Milliken, |
| Bunnell, | Farquhar, | Hopkins, S. T. | Mills, |
| Burnett, | Felton, | Houk, | Moffitt, |
| Burrows, | Findlay, | Hudd, | Morrill, |

| | | | |
|---|---|---|---|
| Morrow, | Phelps, | Spinola, | Weaver, |
| Morse, | Plumb, | Spooner, | Weber, |
| Nelson, | Post, | Stephenson, | West, |
| Nichols, | Pugsley, | Stewart, J. W. | White, J. B. |
| Norwood, | Randall, | Struble, | White, S. V. |
| Nutting, | Rayner, | Symes, | Whiting, J. R. |
| O'Donnell, | Reed, | Taylor, E. B. | Whiting, William |
| O'Neill, Charles | Rockwell, | Taylor, J. D. | Wickham, |
| Osborne, | Romeis, | Thomas, G. M. | Wilber, |
| Owen, | Russell, C. A. | Thomas, J. R. | Williams, |
| Parker, | Russell, J. E. | Thomas, O. B. | Woodburn, |
| Patton, | Ryan, | Thompson, A. C. | Yardley, |
| Payson, | Sawyer, | Turner, E. J. | Yost. |
| Penington, | Scull, | Vandever, | |
| Perkins, | Sherman, | Wade, | |
| Peters, | Smith, | Warner, | |

Mr. PETERS. I ask unanimous consent to dispense with the reading of the names of members voting.

Objection was made.

The SPEAKER *pro tempore*. On the resolutions reported by the majority of the committee there are—yeas 139, nays 3. No quorum has voted.

Mr. HOGG. I move that the House do now adjourn.

Mr. CRISP. I rise to a question of order. I desire to ask if the House should now adjourn whether the vote upon the pending resolutions would not be the first thing in order to-morrow morning after the reading of the Journal?

The SPEAKER *pro tempore*. The Chair is inclined to think so, as the resolutions present a question of the highest privilege.

The motion of Mr. HOGG was agreed to; and accordingly (at 6 o'clock and 3 minutes p. m.) the House adjourned.

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PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred as indicated below:

By Mr. ROGERS: A bill (H. R. 5518) granting a pension to Henry Kauffield—to the Committee on Invalid Pensions.

By Mr. LANDES: A bill (H. R. 5519) for the relief of William H. Pursley—to the Committee on Military Affairs.

By Mr. TOWNSHEND: A bill (H. R. 5520) for the relief of DeWitt Anderson—to the Committee on Invalid Pensions.

By Mr. HITT: A bill (H. R. 5521) for the relief of James A. Fenley—to the Committee on Invalid Pensions.

By Mr. TOWNSHEND: A bill (H. R. 5522) for the relief of Elijah Martin—to the Committee on Pensions.

Also, a bill (H. R. 5523) for the relief of George Cook—to the Committee on Military Affairs.

Also, a bill (H. R. 5524) for the relief of Hiram Somerville—to the Committee on War Claims.

By Mr. POST: A bill (H. R. 5525) granting a pension to Mrs. Jane Potts—to the Committee on Invalid Pensions.

By Mr. OWEN: A bill (H. R. 5526) to correct the military record of Thomas Lindersmith—to the Committee on Military Affairs.

Also, a bill (H. R. 5527) granting back pay to Willis A. Graham—to the Committee on Claims.

By Mr. HOLMAN: A bill (H. R. 5528) granting a pension to Mrs. Mary C. Murray—to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 5529) granting a pension to Flora Heath—to the Committee on Invalid Pensions.

By Mr. HOVEY: A bill (H. R. 5530) for the relief of Thomas Harris—to the Committee on Invalid Pensions.

By Mr. GEAR: A bill (H. R. 5531) granting a pension to Solomon W. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5532) granting a pension to Ursul Voiturier—to the Committee on Invalid Pensions.

By Mr. FINLEY: A bill (H. R. 5533) granting a pension to James N. Guthrie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5534) for the benefit of the soldiers of the late Forty-ninth Regiment of Kentucky Volunteer Infantry—to the Committee on Claims.

Also, a bill (H. R. 5535) granting a pension to Louisa J. Tucker—to the Committee on Invalid Pensions.

By Mr. LAFFOON: A bill (H. R. 5536) for the relief of Robert C. Speed—to the Committee on the Post-Office and Post-Roads.

By Mr. BLANCHARD: A bill (H. R. 5537) for the relief of Bertrand and Gaudin Cazes—to the Committee on War Claims.

By Mr. COMPTON: A bill (H. R. 5538) authorizing the Secretary of the Treasury to issue bonds to Albert V. Conway, substituted trustee for certain registered United States bonds redeemed or assigned by the Government upon forged assignments—to the Committee on Ways and Means.

By Mr. SHAW: A bill (H. R. 5539) for the relief of John J. Coughlin—to the Committee on Claims.

By Mr. RUSK: A bill (H. R. 5540) for the relief of Mary Ann Furlong and Hattie M. Cranford—to the Committee on War Claims.

Also, a bill (H. R. 5541) granting a pension to Christine Bergner—to the Committee on Invalid Pensions.

By Mr. C. H. ALLEN: A bill (H. R. 5542) for the relief of Mary Danahy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5543) granting a pension to Michael Griffin—to the Committee on Invalid Pensions.

By Mr. FORD: A bill (H. R. 5544) granting a pension to John Shine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5545) granting a pension to Nancy F. Jennings—to the Committee on Invalid Pensions.

By Mr. J. R. WHITING: A bill (H. R. 5546) granting a pension to David Keys—to the Committee on Invalid Pensions.

By Mr. CHIPMAN: A bill (H. R. 5547) for the relief of Patrick Hart, United States Army—to the Committee on Military Affairs.

By Mr. BLAND: A bill (H. R. 5548) for the relief of Gillem Rogers—to the Committee on War Claims.

By Mr. SAWYER: A bill (H. R. 5549) for the relief of Warren Shaw—to the Committee on War Claims.

By Mr. WILLIAMS: A bill (H. R. 5550) for the relief of Sarah C. Morrison—to the Committee on Naval Affairs.

By Mr. WICKHAM: A bill (H. R. 5551) granting a pension to Marcus De Moss—to the Committee on Invalid Pensions.

By Mr. KENNEDY: A bill (H. R. 5552) granting a pension to Mary E. Bell—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 5553) granting a pension to R. B. Vunk—to the Committee on Invalid Pensions.

By Mr. HARMER: A bill (H. R. 5554) granting an increase of pension to Joseph W. Tyler—to the Committee on Invalid Pensions.

By Mr. NEAL: A bill (H. R. 5555) granting a pension to David Coffiet—to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 5556) granting a pension to Elias C. Weldon—to the Committee on Invalid Pensions.

By Mr. M. A. SMITH: A bill (H. R. 5557) for the relief of Elijah W. Dobbs, Mariano G. Samaniego, and H. C. Hooker—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 5558) for the relief of William Franklin Grounds—to the Select Committee on Indian Depredation Claims.

By Mr. BUTLER: A bill (H. R. 5559) granting a pension to Capt. John M. Ellis, of Tennessee—to the Committee on Invalid Pensions.

By Mr. J. T. JOHNSTON: A bill (H. R. 5560) granting a pension to Oren M. Harlan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5561) granting a pension to Benjamin F. Peer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5562) granting a pension to Mary Bolen, widow of Andrew Bolen—to the Committee on Invalid Pensions.

By Mr. J. J. O'NEALL: A bill (H. R. 5563) for the relief of James Grace—to the Committee on Claims.

By Mr. MATSON: A bill (H. R. 5564) for the relief of William M. Handley—to the Committee on Military Affairs.

By Mr. OUTHWAITE: A bill (H. R. 5565) for the relief of Henry B. Hunter—to the Committee on Claims.

By Mr. KENNEDY: A bill (H. R. 5566) granting a pension to Robert E. Kersey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5567) granting a pension to John M. Dowell—to the Committee on Invalid Pensions.

By Mr. MILLIKEN: A bill (H. R. 5568) for the relief of Hozea Knowlton—to the Committee on Military Affairs.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. H. ALLEN: Papers in the case of Mary Danahy and of Michael Griffin, for relief—to the Committee on Invalid Pensions.

By Mr. G. A. ANDERSON: Petition of 118 citizens of the Twelfth district of Illinois, for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. BLANCHARD: Letter of C. A. Pierson, of Louisiana, relating to his war claim—to the Committee on War Claims.

By Mr. BOUTELLE: Petition of John Dillon, for an invalid pension—to the Committee on Invalid Pensions.

Also, petition of Sarah Boden, for a dependent mother's pension—to the Committee on Invalid Pensions.

By Mr. BOWEN: Letter of the Clinch Valley Coal and Iron Company of Philadelphia, and telegrams from Pulaski Iron Company, Pulaski, Va., and also from Pocahontas, Va.—to the Committee on Ways and Means.

By Mr. BURROWS: Petition of Erastus Murphy and others, citizens of Berrien County, Michigan, for amendment of the patent laws—to the Committee on Patents.

By Mr. BUTLER: Petition of Mrs. Caty Jones, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. FELIX CAMPBELL: Petition of citizens of Brooklyn, N. Y., with outline specification, for the erection of a monument in that city in memory of prison-ship martyrs of the American Revolution—to the Committee on Military Affairs.

By Mr. T. J. CAMPBELL: Petition of Reinhold Werner, Company D, Twenty-eighth Regiment New York Volunteers, for a pension—to the Committee on Invalid Pensions.

By Mr. DINGLEY: Petition of A. J. Roberts and others, of Norway,

Me., for the establishment of a Government postal-telegraph system—to the Committee on the Post-Office and Post-Roads.

By Mr. DUNHAM: Resolutions of the Grand Army of the Republic, of Indiana, for arrearages of pension to Mrs. Mary Hawke, widow of Arthur J. Hawke, late lieutenant-colonel Forty-ninth Indiana Volunteers—to the Committee on Invalid Pensions.

By Mr. ENLOE: Petition of M. A. McKinney, administratrix of J. P. McKinney, of Henderson County, Tennessee, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. ERMENTROUT: Memorial of James Cunningham, against the reduction of postage—to the Committee on the Post-Office and Post-Roads.

By Mr. FORD: Petition for the relief of John Shine, late of Company L, Seventh Regiment Michigan Cavalry—to the Committee on Invalid Pensions.

By Mr. FULLER: Petition of 25 attorneys of Des Moines, Iowa, for increase of salaries of United States judges—to the Committee on the Judiciary.

By Mr. GEAR: Petition of Solomon W. Reed, for a special-act pension—to the Committee on Invalid Pensions.

Also, petition of Ursul Voiturier, for a pension—to the Committee on Invalid Pensions.

By Mr. GLASS: Petition of C. Jones and of J. B. Harper, of Gibson County, Tennessee, for reference of their claim to the Court of Claims—to the Committee on War Claims.

By Mr. GOFF: Petition of J. R. McMillan and 97 others, for the relief of the State troops of West Virginia for services rendered in the war for the preservation of the Union—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: Petition of the Marietta (Ohio) Centennial Monument Association, for aid to erect a monument—to the Committee on the Library.

By Mr. GROUT: Memorial of Fred. L. Houghton, for repeal of law prohibiting advertising on fourth-class matter—to the Committee on the Post-Office and Post-Roads.

By Mr. HARMER: Petition of the Pneumatic Gun Carriage and Power Company, relating to House bill No. 1555, to provide for the public defense—to the Committee on Military Affairs.

Also, memorial of the Philadelphia Board of Trade, in favor of a protective tariff—to the Committee on Ways and Means.

By Mr. HEARD: Petition of citizens of Dallas County, and of the Sixth district of Missouri, in favor of granting a pension to Daniel Bills—to the Committee on Invalid Pensions.

By Mr. HERMANN: Petition of John Cain, for relief for teamsters in the Mexican war—to the Committee on Pensions.

By Mr. HIRES: Petition of the gold and silver beaters of the United States, for increase of duty on certain articles—to the Committee on Ways and Means.

By Mr. HITT: Petition of Erastus Colton and 116 others, citizens of Shirland, Winnebago County, Illinois, against the admission of Utah—to the Committee on the Territories.

Also, petition of 117 citizens of the Sixth district of Illinois, for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. HOOKER: Petition of William Evans, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. HOPKINS: Petition of Ike Wertheim and others, of Richmond, and of W. J. Seabury and others, of Lynchburgh, Va., for increased compensation of letter-carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. J. T. JOHNSTON: Petition and papers of Benjamin F. Peer, for special-act pension, to accompany bill—to the Committee on Invalid Pensions.

Also, petitions of Mary Bolen and others, for a pension, to accompany bill—to the Committee on Invalid Pensions.

By Mr. KENNEDY: Petition of Robert E. Kersey for increase of pension—to the Committee on Invalid Pensions.

By Mr. MORROW: Resolutions of a mass-meeting of citizens of San Francisco, December 28, 1887, against Chinese immigration—to the Committee on Foreign Affairs.

By Mr. NEAL: Petition and papers in the case of John Massoner, to accompany House bill 4731, for his relief—to the Committee on War Claims.

Also, petition of Mary J. Fowler, of Monroe County, Tennessee, for reference of her claim to the Court of Claims—to the Committee on War Claims.

Also, petition of David Coffiet, for special-act pension—to the Committee on Invalid Pensions.

Also, petition of John Stewart, of Bledsoe County, Tennessee, for payment of his war claim—to the Committee on War Claims.

By Mr. NELSON: Petition of C. G. Odell, of Eagle Bend, Minn., for additional pension legislation—to the Committee on Invalid Pensions.

By Mr. NUTTING: Petition of M. M. Carter and 47 others, citizens of New York, for repeal of limit of arrears-of-pension act—to the Committee on Invalid Pensions.

By Mr. CHARLES O'NEILL: Resolutions of the Board of Trade of Philadelphia, for a protective tariff for the protection of American industries, and condemning the doctrine of free trade—to the Committee on Ways and Means.

By Mr. OWEN: Petition to place the name of James B. Burton on the muster-roll of Company A, Second Regiment Indiana Volunteers—to the Committee on Military Affairs.

By Mr. PATTON: Petition of 25 citizens of Twentieth district of Pennsylvania, in favor of Government telegraphs—to the Committee on the Post-Office and Post-Roads.

Also, petition of Bucknell University, of Lewisburgh, Pa., in favor of international copyright law—to the Committee on Patents.

By Mr. PHELAN: Petition of William H. Park, of Hardeman County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. POST: Petition of Henry Kreiling, John McGinnis, and 57 others, members of the Grand Army of the Republic, of Peoria, Ill., for repeal of the limitation on the payment of arrears of pension—to the Committee on Invalid Pensions.

By Mr. PUGSLEY: Petition of 199 citizens of Ross County, Ohio, including J. B. Dixon Post, Grand Army of the Republic, for the passage of a service pension bill—to the Committee on Invalid Pensions.

By Mr. RANDALL: Petition of Frederick Welz, for a pension—to the Committee on Invalid Pensions.

By Mr. SAWYER: Petition of Warren Shaw, of Pembroke, Genesee County, New York, for relief—to the Committee on War Claims.

By Mr. SENEY: Petition of Toledo Produce Exchange, favoring telegraph postal system—to the Committee on the Post-Office and Post-Roads.

By Mr. HENRY SMITH: Memorial of the Merchants' Association and Chamber of Commerce of Milwaukee, Wis., for a public building—to the Committee on Public Buildings and Grounds.

By Mr. SYMES: Resolution of Denver (Colo.) Chamber of Commerce, for confirmation of title to cemetery land—to the Committee on the Public Lands.

Also, six petitions of sundry citizens of Colorado, for a Government postal-telegraph system—to the Committee on the Post-Office and Post-Roads.

By Mr. G. M. THOMAS: Paper in the claim of P. O. Collins—to the Committee on War Claims.

By Mr. S. V. WHITE: Petition of John H. Turney and others, for a pension—to the Committee on Invalid Pensions.

By Mr. J. R. WHITING: Petition of David Keys, for a special-act pension—to the Committee on Invalid Pensions.

By Mr. WILLIAMS: Petition of Sarah Morrison, for relief—to the Committee on Naval Affairs.

By Mr. W. L. WILSON: Papers to accompany bill for the relief of John Lyons—to the Committee on Military Affairs.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. ATKINSON: Of citizens of Eagle Foundry, Pa.

By Mr. BANKHEAD: Of citizens of Alabama; of I. B. Tult and others, of Belmont; of Thomas White and 50 others, of Corona; of S. L. Gelmorre and others, of Rye, Marion County; of M. T. Wreigte and others, of Barnesville; of H. H. Sarten and others, of Humphrey; of O. C. Young and others; of I. A. Johnson and others, of Alabama.

By Mr. T. H. B. BROWNE: Petition of citizens of Accomack, Va.

By Mr. BUTLER: Of citizens of Myers, Greene County, of Harmony, Washington County, and of Edson, Hawkins County, Tennessee.

Also, of citizens of Logantor, Vinco County, and of Maples, Granger County, Tennessee.

By Mr. ENLOE: Of J. I. Dale and 65 others, of Buchanan, Henry County, Tennessee.

By Mr. GLASS: Of citizens of Dry Hill, Tenn.

By Mr. GOFF: Of H. T. Edwards and others, of Baxter County, West Virginia.

By Mr. HERBERT: Petition of S. J. Bonzeman and 23 others, of Violette, Crenshaw County, Alabama.

By Mr. S. I. HOPKINS: Petition of C. B. Finch and others, of Old Hickory, Botetourt County, Virginia.

By Mr. T. D. JOHNSTON: Of G. M. Harris and others, of Montford, McDowell County, North Carolina.

By Mr. LEE: Of citizens of Owens, King George County; of Frederick Hull, Virginia.

By Mr. McCLAMMY: Of citizens of Rise, Moore County, and of Snead's Ferry, and Richlands, Onslow County, North Carolina.

By Mr. NEAL: Of T. B. Mosely and others, Laynesville, Sequatchie County, and D. R. Reed, of Odgen, Rhea County, Tennessee.

By Mr. OATES: Of L. W. Simmons and 250 others, of New Topia, Barbour County, Alabama.

By Mr. O'FERRALL: Of Josiah Strader and others, of Giles County, Virginia.

By Mr. OUTHWAITE: Of T. W. Norris and 55 others, of Alton, Franklin County, Ohio.

By Mr. PUGSLEY: Of citizens of Reesville, Clinton County, Ohio.

By Mr. ROGERS: Of citizens of Brazils, Saline County, Arkansas.
By Mr. ROWLAND: Of citizens of Whitley, Stanly County; and of Hornet, Mecklenburgh County, North Carolina.
By Mr. SCULL: Of citizens of Pocahontas, Somerset County, Pennsylvania.
By Mr. WHEELER: Of William F. Ford and 36 others, of Fordton; of William B. Gross and 30 others, of Alabama, and of A. A. Simpson, of Simpson, Ala.
By Mr. WHITTHORNE: Of W. S. Cotham and others, of Hickman County, Tennessee.
Also, of J. F. Black and others, of Giles County, Tennessee, and of A. J. McClarer, of Williamson County, Tennessee.
By Mr. YARDLEY: Of D. C. Leaw and others, of Brownsburgh, Bucks County, Pennsylvania.
By Mr. YOST: Of citizens of Mount Sidney; of Letcher, Bath County, Virginia.

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## HOUSE OF REPRESENTATIVES.

### SATURDAY, *January* 21, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

TRUST AND POOL COMBINATIONS.

Mr. BACON. I submit a report from the Committee on Manufactures, and ask its present consideration.

The Clerk read as follows:

The Committee on Manufactures, to which was referred House resolution 69, relating to an investigation of certain trusts, respectfully report back said resolution with the accompanying resolution as a substitute therefor, and with the recommendation that the original resolution lie on the table, and that the substitute be adopted in lieu thereof.

Mr. PAYSON. Let the substitute be reported.

The Clerk read the substitute, as follows:

Whereas it is alleged that certain individuals and corporations in the United States engaged in manufacturing, mining, or dealing in some of the necessaries of life have combined for the purpose of controlling or curtailing the production or supply of the same, and thereby increasing their price to the people of the country, which combinations are known as associations, trusts, pools, and like names, but are not incorporated under the laws of any State; and

Whereas such combinations not only injuriously affect commerce between the States but impair the revenues of the United States as derived from its duties on imports: Therefore,

*Resolved*, That the Committee on Manufactures be, and the same is hereby, directed to inquire into the names and numbers and extent of such alleged combinations, under whatever name known, their methods of combination or doing business, their effect upon the prices of any of the necessaries of life to the people of the country, upon its internal or foreign commerce, and its revenues from import duties, together with any and all other matters relating to the same which may call for or suggest legislation by Congress, and report the same to the House with such recommendations as the said committee may agree upon.

And for these purposes the Committee on Manufactures is authorized to sit during the sessions of the House, to employ a stenographer, to administer oaths, examine witnesses, to compel the attendance of persons and the production of papers.

And the expense of such investigation shall be paid out of the contingent fund of the House.

Mr. RANDALL. What is proposed to be done with it?

The SPEAKER *pro tempore*. The gentleman asks unanimous consent that it be considered now.

Mr. RANDALL. I object. I do not object to its reference.

Mr. BRECKINRIDGE, of Arkansas. The gentleman concedes what he can not withhold. Everybody knows that he can not object to the reference of the resolution.

The SPEAKER *pro tempore*. The resolution will be referred to the House Calendar.

SURVEY AND ALLOTMENT OF INDIAN RESERVATIONS.

The SPEAKER *pro tempore* laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Interior of an appropriation for surveying and allotting the Indian reservations for the current fiscal year, for pay of special agents and necessary expenses; which was referred to the Committee on Appropriations, and ordered to be printed.

PRESSMEN, TREASURER'S OFFICE.

The SPEAKER *pro tempore* also laid before the House a letter from the Treasurer of the United States, submitting an amended estimate for salaries of pressmen in his office for the next fiscal year; which was referred to the Committee on Appropriations, and ordered to be printed.

ARICKAREE, GROS VENTRE, AND MANDAN INDIANS.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate for carrying into effect the agreement between the commissioners of the United States and the Arickaree, Gros Ventre, and Mandan tribes of Indians; which was referred to the Committee on Indian Affairs, and ordered to be printed.

TREATIES WITH KICKAPOO INDIANS.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Interior of appropriation for fulfilling treaties with Kickapoo Indians; which was referred to the Committee on Indian Affairs, and ordered to be printed.

PRESSES, TREASURER'S OFFICE.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Treasurer of the United States of an appropriation for the purchase of additional presses for the use of his office; which was referred to the Committee on Appropriations, and ordered to be printed.

SHIP JOANNA.

The SPEAKER *pro tempore* also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of findings of fact and conclusions of law in the matter of the ship Joanna; which was referred to the Committee on War Claims.

PETER TARGONE.

The SPEAKER *pro tempore* also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of findings of fact in the case of Peter Targone; which was referred to the Committee on War Claims.

RED CLOUD AND RED LEAF INDIANS.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Interior of appropriations for the payment to the Red Cloud and Red Leaf bands of Sioux Indians for ponies taken by the military; which was referred to the Committee on Appropriations, and ordered to be printed.

THOMAS C. DICKEY.

Mr. JOHNSTON, of North Carolina. Mr. Speaker, I ask unanimous consent to take from the Committee of the Whole the bill (H. R. 484) for the relief of Thomas C. Dickey, and put it upon its passage.

The SPEAKER *pro tempore*. The bill will be read, after which the Chair will ask for objections.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to Thomas C. Dickey, late postmaster at Murphy, N. C., the sum of $275, out of any moneys in the Treasury not otherwise appropriated.

Mr. BREWER. Has that bill been considered by a committee?

Mr. JOHNSTON, of North Carolina. It has been considered and has received a favorable report.

Mr. HOLMAN. I wish to inquire of the gentleman from North Carolina whether this case is not covered by existing law.

Mr. JOHNSTON, of North Carolina. No, sir; it is not. The bill passed the last House, and it is a proper bill.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

There was no objection.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. JOHNSTON, of North Carolina, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

UNSATISFACTORY MAIL SERVICE.

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to offer for reference the resolution which I send to the desk.

The resolution was read, as follows:

*Resolved*, That the Postmaster-General be directed to inquire into and inform the House of Representatives of the cause and foundation of the grievances complained of in the subjoined editorial taken from the Capital, a daily newspaper published at Topeka, Kans., under date of January 11, 1888, and also to inform the House whether the almost universal complaint prevailing in the West against the present unsatisfactory mail service results from the appointment of inexperienced and incapable employés or from inadequate and insufficient appropriations to meet the wants of the Post-Office Department and the needs of the people, or whether it results from other causes, and if so, what.

[From the Capital, official State paper.]

THE MAIL SERVICE OF KANSAS.

Never at any time in the history of Kansas has there been in the United States mail service such an utter disregard of the rights of the people as at this time. Notwithstanding the great increase in population, the stupid attempt on the part of the Administration to make a record for economy has cut down the clerical force necessary to properly distribute the mails at large offices and in the mail trains, and it is consequently too small to do the work. Tons of mail matter pass through Kansas on the trains westward that can not be disposed of by the force allowed by the Post-Office Department. The result is that it is carried past the towns where it belongs, and brought back after two or three days' absence in Colorado or New Mexico. It is not the fault of the railway clerks, because the Department asks of them a task that it is not possible for them to perform. The people of Kansas have been patient, and the press has been lenient over this Democratic folly. Mails going west are so heavy that men working to the extent of their strength, doing more than double duty, can not handle them.

Appeals to the Department at Washington for adequate help to take care of this important public service are unheeded. The railway mail service through Kansas has become criminally neglected, and it is time this attempt of the Democratic party to make capital by a show of false economy should be brought to the attention of Congress. In reply to continued appeals for the Department to send a man to examine the railway mail service in Kansas, a man came, and overlooking the tons of mail that could not be distributed in time to be thrown off at the towns where it belonged, he succeeded in having two or three clerks fined

for not having the regulation gold-lace band on their caps, and thus civil-service reform was indorsed and the record of the party for economy maintained.

Objection was made.

ELECTION CONTEST—THOBE VS. CARLISLE.

Mr. LANHAM. I call for the regular order.

The SPEAKER *pro tempore*. The regular order is the call of committees for reports of a private nature.

Mr. DOCKERY. What disposition was made of the resolution just read?

The SPEAKER *pro tempore*. Objection was made to its consideration.

Mr. CRISP. I submit that under the rules of the House the regular order to-day, immediately after the reading of the Journal, is the execution of the order of the House made yesterday under the operation of the previous question. The pending question is upon the resolutions reported by the Committee on Elections in the contested-election case of Thobe *vs.* Carlisle.

The SPEAKER *pro tempore*. If the gentleman from Georgia calls up that question, it takes precedence.

Mr. CRISP. I ask that the consideration of that question be resumed, and the vote be taken upon the pending motion.

The SPEAKER *pro tempore*. The Chair will state the position of the question. At the adjournment last evening the House had voted by yeas and nays upon the resolutions reported by the majority of the Committee on Elections, and no quorum had voted.

Mr. HOGG. I desire to make a parliamentary inquiry. Can a motion be now made to reconsider the vote by which the substitute of the gentleman from Iowa, [Mr. LYMAN] was rejected? Can that motion be made pending the call of the yeas and nays?

The SPEAKER *pro tempore*. Did the gentleman vote on the prevailing side?

Mr. HOGG. I voted in the negative.

The SPEAKER *pro tempore*. The gentleman can enter that motion.

Mr. HOGG. I now move that the vote——

The SPEAKER *pro tempore*. It is not in order to debate it. The House in the execution of its order is taking a vote by yeas and nays.

Mr. HOGG. I simply wish to make the motion—not to offer any remarks in support of it. I move that the vote by which the substitute offered by the gentleman from Iowa was rejected be reconsidered.

Mr. CRISP. I submit that nothing is in order now except the vote by yeas and nays.

Mr. HOGG. I am not debating my proposition.

Mr. CRISP. No motion is in order; the only business in order is to take the vote.

The SPEAKER *pro tempore*. The gentleman can enter the motion to reconsider. A motion to reconsider is in order at any time on the day when the original proposition is voted upon, or on the succeeding day. The question is now on the resolutions reported by the gentleman from Georgia [Mr. CRISP] on behalf of the majority of the Committee on Elections. On that question the yeas and nays were yesterday ordered and taken; but no quorum appeared. The Clerk will now call the roll. That is the only matter now in order.

The Clerk, proceeding to call the roll, called the name of Mr. ABBOTT.

Mr. ANDERSON, of Kansas. I call for the reading of the pending resolutions.

The Clerk read as follows:

*Resolved*, That George H. Thobe was not elected a Representative to the Fiftieth Congress of the United States from the Sixth district of Kentucky.

*Resolved*, That John G. Carlisle was duly elected a Representative to the Fiftieth Congress of the United States from the Sixth district of Kentucky, and is entitled to his seat.

Mr. CHIPMAN. I rise to a parliamentary inquiry. Mr. Speaker, would it be in order for me now to ask unanimous consent to offer a resolution which I will send to the Chair?

[Cries of "Regular order!"]

The SPEAKER *pro tempore*. It would not be in order at this time. The roll-call has begun; and the order of the House for the yeas and nays must be executed.

Mr. CHIPMAN. I wish to offer a motion——

Mr. CRISP. I object.

Several MEMBERS. Regular order!

Mr. CHIPMAN. A motion to reconsider the vote by which the substitute of the gentleman from Iowa [Mr. LYMAN] was defeated.

The call of the yeas and nays was resumed.

Mr. BYNUM (when his name was called) said: I ask consent to explain my vote.

Mr. STEELE. Regular order!

The SPEAKER *pro tempore*. No debate is in order during a roll-call.

Mr. STEELE. I call for the regular order.

The SPEAKER *pro tempore*. The regular order is to proceed with the call of the roll.

The question was taken; and there were—yeas 140, nays 6, not voting 177; as follows:

YEAS—140.

| | | | |
|---|---|---|---|
| Abbott, | Dibble, | Lane, | Russell, J. E. |
| Allen, J. M. | Dockery, | Lanham, | Rusk, |
| Anderson, C. L. | Dougherty, | Lynch, | Sayres, |
| Anderson, G. A. | Dunn, | Macdonald, | Scott, |
| Bacon, | Elliott, | Mahoney, | Seney, |
| Bankhead, | Enloe, | Maish, | Shaw, |
| Barnes, | Ermentrout, | Mansur, | Shively, |
| Barry, | Forney, | Martin, | Simmons, |
| Biggs, | French, | Matson, | Snyder, |
| Blanchard, | Gay, | McCreary, | Sowden, |
| Bland, | Gibson, | McKenna, | Springer, |
| Blount, | Glass, | McKinney, | Stahlnecker, |
| Breckinridge, C. R. | Granger, | McMillin, | Steele, |
| Bryce, | Greenman, | McRae, | Stewart, Charles |
| Buckalew, | Grimes, | McShane, | Stewart, J. D. |
| Burnes, | Hall, | Merriman, | Stockdale, |
| Bynum, | Hare, | Moore, | Stone of Ky. |
| Campbell, T. J. | Hatch, | Morgan, | Tarsney, |
| Candler, | Hayes, | Neal, | Taulbee, |
| Cannon, | Heard, | Newton, | Thompson, T. L. |
| Caruth, | Hemphill, | Oates, | Tillman, |
| Catchings, | Henderson, J. S. | O'Ferrall, | Tracey, |
| Clardy, | Herbert, | O'Neall, J. H. | Townshend, |
| Clements, | Hogg, | Outhwaite, | Turner, H. G. |
| Cobb, | Holman, | Peel, | Vance, |
| Cockran, | Hooker, | Perry, | Walker, |
| Collins, | Howard, | Phelan, | Washington, |
| Cooper, | Hudd, | Post, | Wheeler, |
| Cothran, | Hutton, | Randall, | Whitthorne, |
| Crain, | Johnston, T. D. | Rice, | Wilkins, |
| Crisp, | Jones, | Richardson, | Wilkinson, |
| Culberson, | Kilgore, | Robertson, | Wilson, Thomas |
| Dargan, | Laffoon, | Rogers, | Wilson, W. L. |
| Davenport, | Lagan, | Rowell, | Wise, |
| Davidson, A. C. | Landes, | Rowland, | Yoder. |

NAYS—6.

| | | | |
|---|---|---|---|
| Baker, Jehu | Browne, T. M. | Hovey, | Laidlaw. |
| Brewer, | Cheadle, | | |

NOT VOTING—177.

| | | | |
|---|---|---|---|
| Adams, | Darlington, | Kennedy, | Plumb, |
| Allen, C. H. | Davidson, R. H. M. | Kerr, | Pugsley, |
| Allen, E. P. | Davis, | Ketcham, | Rayner, |
| Anderson, A. R. | Delano, | La Follette, | Reed, |
| Anderson, J. A. | Dingley, | Laird, | Rockwell, |
| Arnold, | Dorsey, | Latham, | Romeis, |
| Atkinson, | Dunham, | Lawler, | Russell, C. A. |
| Baker, C. S. | Farquhar, | Lee, | Ryan, |
| Bayne, | Felton, | Lehlbach, | Sawyer, |
| Belden, | Finley, | Lind, | Scull, |
| Belmont, | Fisher, | Lodge, | Sherman, |
| Bingham, | Fitch, | Long, | Smith, |
| Bliss, | Flood, | Lyman, | Spinola, |
| Boothman, | Foran, | Maffett, | Spooner, |
| Bound, | Ford, | Mason, | Stephenson, |
| Boutelle, | Fuller, | McAdoo, | Stewart, J. W. |
| Bowden, | Funston, | McClammy, | Stone of Mo. |
| Bowen, | Gaines, | McComas, | Struble, |
| Breckinridge, W. C. P. | Gallinger, | McCormick, | Symes, |
| Brower, | Gear, | McCullogh, | Taylor, E. B. |
| Browne, T. H. B. | Gest, | McKinley, | Taylor, J. D. |
| Brown, C. E. | Glover, | Milliken, | Thomas, G. M. |
| Brown, J. R. | Goff, | Mills, | Thomas, J. R. |
| Brumm, | Grosvenor, | Moffitt, | Thomas, O. B. |
| Buchanan, | Grout, | Montgomery, | Thompson, A. C. |
| Bunnell, | Guenther, | Morrill, | Turner, E. J. |
| Burnett, | Harmer, | Morrow, | Vandever, |
| Burrows, | Haugen, | Morse, | Wade, |
| Butler, | Hayden, | Nelson, | Warner, |
| Butterworth, | Henderson, D. B. | Nichols, | Weaver, |
| Campbell, Felix | Henderson, T. J. | Norwood, | Weber, |
| Campbell, J. E. | Hermann, | Nutting, | West, |
| Carlton, | Hiestand, | O'Donnell, | White, J. B. |
| Caswell, | Hires, | O'Neill, Charles | White, S. V. |
| Chipman, | Hitt, | O'Neill, J. J. | Whiting, J. R. |
| Clark, | Holmes, | Osborne, | Whiting, William |
| Cogswell, | Hopkins, A. J. | Owen, | Wickham, |
| Compton, | Hopkins, S. I. | Parker, | Wilber, |
| Conger, | Hopkins, S. T. | Patton, | Williams, |
| Cowles, | Houk, | Payson, | Woodburn, |
| Cox, | Hunter, | Penington, | Yardley, |
| Crouse, | Jackson, | Perkins, | Yost. |
| Cummings, | Johnston, J. T. | Peters, | |
| Cutcheon, | Kean, | Phelps, | |
| Dalzell, | Kelley, | Pidcock, | |

No quorum voted.

During the roll-call—

Mr. CRISP. I move to dispense with the reading of the names.

Mr. WILLIAMS. I object.

The Clerk announced the following pairs, for this day:

Mr. BELMONT with Mr. SHEEMAN.

Mr. PIDCOCK with Mr. BELDEN.

Mr. MILLS with Mr. DE LANO.

Mr. COMPTON with Mr. THOMPSON, of Ohio.

Mr. BRECKINRIDGE, of Kentucky, with Mr. HAYDEN.

Mr. RAYNER with Mr. MCCOMAS.

Until further notice:

Mr. CAMPBELL, of Ohio, with Mr. BUTTERWORTH.

Mr. CUMMINGS with Mr. FITCH.

Mr. BURNETT with Mr. GROSVENOR.

Mr. SPINOLA with Mr. THOMAS, of Illinois.

Mr. GLOVER with Mr. GAINES.

Mr. MCCLAMMY with Mr. NICHOLS, on the contested election of Thobe *vs.* Carlisle.

Mr. DARLINGTON with Mr. SOWDEN, on all political questions and banking bill from Monday until Wednesday next.

Mr. BURNES with Mr. STONE, of Missouri, on the banking bill.

Mr. LAWLER with Mr. STAHLNECKER, on the banking bill.

Mr. DAVIDSON, of Florida, with Mr. O'NEILL, of Pennsylvania, until January 23, at 2 o'clock p. m.

Mr. MCCORMICK with Mr. PENINGTON, on all political questions, until the 28th instant.

The vote was then announced as above recorded.

The SPEAKER *pro tempore*. The gentleman from West Virginia [Mr. HOGG] made the motion, as the Chair understood, to reconsider the vote by which the substitute was rejected. That motion will not be in order until the vote on ordering the previous question has been reconsidered.

Mr. HOGG. Then I make that motion.

Mr. CRISP. And pending that motion I move the House do now adjourn.

Mr. JACKSON. I call for the regular order of business. Nothing is in order but the call of the roll, as a quorum did not vote on the last roll-call.

The SPEAKER *pro tempore*. To adjourn or order a call, the rules say.

The House divided; and there were—ayes 106, noes 96.

The SPEAKER *pro tempore*. The House agrees to adjourn.

Mr. BRUMM. I demand the yeas and nays on that motion.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 140, nays 122, not voting 61; as follows:

YEAS—140.

| | | | |
|---|---|---|---|
| Abbott, | Enloe, | Latham, | Russell, J. E. |
| Allen, J. M. | Ermentrout, | Lee, | Rusk, |
| Bacon, | Fisher, | Lynch, | Sayers, |
| Bankhead, | Foran, | Mahoney, | Scott, |
| Barnes, | Forney, | Maish, | Seney, |
| Barry, | French, | Mansur, | Shaw, |
| Biggs, | Gay, | Martin, | Shively, |
| Blanchard, | Gibson, | Mason, | Snyder, |
| Bland, | Glass, | Matson, | Sowden, |
| Blount, | Granger, | McAdoo, | Springer, |
| Breckinridge, C. R. | Greenman, | McCreary, | Stahlnecker, |
| Bryce, | Grimes, | McKinney, | Stewart, Charles |
| Bynum, | Hall, | McMillin, | Stewart, J. D. |
| Campbell, T. J. | Hare, | McRae, | Stockdale, |
| Candler, | Hatch, | McShane, | Stone, of Ky. |
| Caruth, | Hayes, | Merriman, | Stone, of Mo. |
| Catchings, | Heard, | Montgomery, | Tarsney, |
| Chipman, | Hemphill, | Moore, | Taulbee, |
| Clardy, | Henderson, J. S. | Morgan, | Thompson, T. L. |
| Clements, | Herbert, | Neal, | Tillman, |
| Cobb, | Hogg, | Newton, | Tracy, |
| Cockran, | Holman, | Norwood, | Townshend, |
| Collins, | Hooker, | Oates, | Turner, H. G. |
| Cothran, | Howard, | O'Ferrall, | Vance, |
| Cowles, | Hudd, | O'Neall, J. H. | Walker, |
| Crain, | Hutton, | Outhwaite, | Washington, |
| Crisp, | Johnston, T. D. | Peel, | Weaver, |
| Culberson, | Jones, | Perry, | Wheeler, |
| Dargan, | Kilgore, | Phelan, | Whiting, J. R. |
| Davidson, A. C. | Laffoon, | Randall, | Wilkins, |
| Dibble, | Lagan, | Rice, | Wilkinson, |
| Dockery, | Laird, | Richardson, | Wilson, Thomas |
| Dougherty, | Landes, | Robertson, | Wilson, W. L. |
| Dunn, | Lane, | Rogers, | Wise, |
| Elliott, | Lanham, | Rowland, | Yoder. |

NAYS—122.

| | | | |
|---|---|---|---|
| Adams, | Cutcheon, | Jackson, | Phelps, |
| Allen, C. H. | Dalzell, | Johnston, J. T. | Plumb, |
| Allen, E. P. | Darlington, | Kelley, | Post, |
| Anderson, A. R. | Davenport, | Kennedy, | Pugsley, |
| Anderson, C. L. | Davis, | Kerr, | Reed, |
| Anderson, J. A. | Dingley, | Ketcham, | Rockwell, |
| Baker, C. S. | Dorsey, | La Follette, | Rowell, |
| Baker, Jehu | Dunham, | Laidlaw, | Russell, C. A. |
| Bayne, | Farquhar, | Lehlbach, | Ryan, |
| Bootham, | Finley, | Lind, | Sawyer, |
| Boutelle, | Flood, | Lodge, | Scull, |
| Bowen, | Fuller, | Long, | Spooner, |
| Brewer, | Funston, | Lyman, | Steele, |
| Brower, | Gaines, | McCullogh, | Stephenson, |
| Browne, T. M. | Gallinger, | McKenna, | Stewart, J. W. |
| Brown, C. E. | Gear, | McKinley, | Strubie, |
| Brown, J. R. | Gest, | Milliken, | Taylor, E. B. |
| Brumm, | Goff, | Moffitt, | Taylor, J. D. |
| Buchanan, | Grout, | Morrill, | Thomas, G. M. |
| Buckalew, | Guenther, | Morrow, | Thomas, O. B. |
| Bunnell, | Haugen, | Nelson, | Thompson, A. C. |
| Burnes, | Henderson, D. B. | Nutting, | Turner, E. J. |
| Burrows, | Henderson, T. J. | O'Donnell, | Wade, |
| Butler, | Hiestand, | O'Neill, J. J. | Warner, |
| Cannon, | Holmes, | Osborne, | West, |
| Caswell, | Hopkins, A. J. | Owen, | Wickham, |
| Cheadle, | Hopkins, S. L. | Parker, | Williams, |
| Clark, | Hopkins, S. T. | Patton, | Yardley, |
| Conger, | Houk, | Payson, | Yost. |
| Cooper, | Hovey, | Perkins, | |
| Crouse, | Hunter, | Peters, | |

NOT VOTING—61.

| | | | |
|---|---|---|---|
| Anderson, G. A. | Belmont, | Bowden, | Butterworth, |
| Arnold, | Bingham, | Breckinridge, WCP | Campbell, Felix |
| Atkinson, | Bliss, | Browne, T. H. B. | Campbell, J. E. |
| Belden, | Bound, | Burnett, | Carlton, |
| Cogswell, | Hayden, | Morse, | Thomas, J. R. |
| Compton, | Hermann, | Nichols, | Vandever, |
| Cox, | Hires, | O'Neill, Charles | Weber, |
| Cummings, | Hitt, | Penington, | White, J. B. |
| Davidson, R. H. M. | Kean, | Pidcock, | White, S. V. |
| De Lano, | Lawler, | Rayner, | Whiting, William |
| Felton, | Macdonald, | Romeis, | Whitthorne, |
| Fitch, | Maffett, | Sherman, | Wilber, |
| Ford, | McClammy, | Simmons, | Woodburn. |
| Glover, | McComas, | Smith, | |
| Grosvenor, | McCormick, | Spinola, | |
| Harmer, | Mills, | Symes, | |

So the motion was agreed to.

Mr. WISE. I ask unanimous consent to dispense with the reading of the names.

Mr. WEST. I object.

The Clerk then recapitulated the names of those voting.

The following additional pair was announced:

Mr. HARMER with Mr. WHITTHORNE on this vote.

LEAVE OF ABSENCE.

Pending the announcement of the vote, leave of absence was granted as follows:

To Mr. DARLINGTON, until Wednesday next, on account of important business.

To Mr. FORD, for one day, on account of important business.

To Mr. THOMPSON, of Ohio, indefinitely, on account of important business.

To Mr. COGSWELL, for this day, on account of important business.

To Mr. HIRES for five days, on account of important business.

To Mr. BAYNE, for Monday and Tuesday next.

AMENDMENT TO THE BANK BILL.

By unanimous consent, Mr. DUNN was granted leave to print in the RECORD a proposed amendment to the bill (H. R. 1733) relating to the issue of circulating notes to national banks.

The proposed amendment is as follows:

Add to the bill the following:

"SEC. 2. That hereafter any national banking association may deposit gold and silver bullion with the Treasurer or any assistant treasurer of the United States, in amounts not less in value than $10,000, and receive therefor certificates in denominations of $5, $10, $20, $50, $100, and $500, as the depositor may elect, prepared as now provided by law for the United States notes, fractional parts of $10 on any deposit of bullion to be paid for in coin. Such certificates shall be receivable in all parts of the United States for customs, taxes, and all other public dues, and shall be a legal tender in payment of all debts, public and private, except where payment in coin is expressly stipulated. They shall be redeemable on presentation at the Treasury, or subtreasury in the city of New York, in coin.

"SEC. 3. That the value or ratio to gold at which certificates shall be issued on silver bullion deposited under this act shall be its actual ratio or market value at the time of deposit, to be determined by the Secretary of the Treasury for each calendar month by taking the average selling price of silver bullion, as expressed in gold dollars, in the open market in New York city, during the preceding month, which price, so determined, shall be the value or ratio to gold at which certificates shall be issued during the succeeding month: *Provided*, That certificates shall not be issued on silver bullion at a value above the ratio of silver to gold as now fixed by law for standard gold and silver coins.

"SEC. 4. That silver bullion deposited under this act shall be received subject to all the provisions of law as to assaying, melting, and refining when below standard, casting into ingots or bars, the same as if deposited for coinage: *Provided*, That coins struck at European mints, and ingots and bars made by melting down such coins, shall be excluded from the provisions of this act.

"SEC. 5. That when any of the certificates herein authorized are redeemed in coin they shall be canceled and destroyed; but certificates which come back into the Treasury by being received for customs, taxes, or other public dues, or in exchange for lawful money, shall not be canceled, but shall be held as cash, and may be reissued or paid out again, as current money, for all debts and demands owing by the United States, except where payment in coin is expressly stipulated.

"SEC. 6. That on the taking effect of this act the monthly coinage of silver dollars under the act of February 28, 1878, shall be stopped, and in lieu of such monthly coinage the Secretary of the Treasury is hereby authorized and required to cause the coinage, from time to time, of standard silver dollars and gold coins from the bullion deposited under this act in amounts sufficient to supply any demand that may arise for coin for circulation, or that may be required to pay coin obligations of the Government: *Provided*, That concurrently with the coinage of any bullion for which certificates have been issued under this act the Secretary of the Treasury shall cause to be destroyed certificates equal in value to the bullion so coined at the time of its deposit.

"SEC. 8. That this act shall take effect 188—."

The result of the vote was then announced as above recorded; and accordingly (at 1 o'clock and 25 minutes p. m.) the House adjourned.

PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred as indicated below:

By Mr. DUNHAM: A bill (H. R. 5569) to authorize the President to restore Tenedore Ten Eyck to his former rank in the Army, and to place him upon the retired-list of Army officers—to the Committee on Military Affairs.

By Mr. G. A. ANDERSON: A bill (H. R. 5570) granting a pension to Samuel Harrop—to the Committee on Invalid Pensions.

By Mr. TOWNSHEND: A bill (H. R. 5571) for the relief of Thomas J. Cover—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5572) for the relief of Albert McConnell—to the Committee on Military Affairs.

By Mr. GRIMES: A bill (H. R. 5573) for the relief of James W. Hightower—to the Committee on War Claims.

By Mr. CHEADLE: A bill (H. R. 5574) granting a pension to Benjamin F. Byers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5575) granting a pension to James J. Snyder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5576) granting a pension to Joan Richardson, widow of Jonathan H. Richardson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5577) to correct the military record of Second Lieut. James M. Sinks—to the Committee on Military Affairs.

Also, a bill (H. R. 5578) to correct the military record of Abraham Smith, and to pay him all moneys due him—to the Committee on Military Affairs.

By Mr. LEE: A bill (H. R. 5579) for the relief of James F. Robertson—to the Committee on Claims.

By Mr. LAFFOON: A bill (H. R. 5580) for the relief of Thomas J. Fowler—to the Committee on War Claims.

Also, a bill (H. R. 5581) for the relief of Isom Johnson—to the Committee on War Claims.

Also, a bill (H. R. 5582) for the relief of Isom Johnson, administrator—to the Committee on War Claims.

Also, a bill (H. R. 5583) for the relief of Thomas Osburn—to the Committee on War Claims.

By Mr. STONE, of Kentucky: A bill (H. R. 5584) for the relief of Turner C. Goodrum—to the Committee on War Claims.

By Mr. GAY: A bill (H. R. 5585) for the relief of the estate of Dr. Joseph H. Pugh, deceased, late of Thibodeaux, La.—to the Committee on War Claims.

By Mr. ROBERTSON: A bill (H. R. 5586) for the relief of W. R. Wimbish—to the Committee on War Claims.

Also, a bill (H. R. 5587) for the relief of Mrs. Mary M. Roberts, wife of John M. Roberts, of East Feliciana Parish, Louisiana—to the Committee on War Claims.

Also, a bill (H. R. 5588) for the relief of Mrs. Hermina Martel, wife of B. Martel, of St. Landry Parish, Louisiana—to the Committee on War Claims.

By Mr. HOOKER: A bill (H. R. 5589) for the relief of John A. Heard—to the Committee on War Claims.

By Mr. WARNER: A bill (H. R. 5590) for the relief of James D. Cook—to the Committee on War Claims.

Also, a bill (H. R. 5591) for the relief of John McFall—to the Committee on War Claims.

By Mr. BLAND: A bill (H. R. 5592) granting a pension to Samuel Cody—to the Committee on Invalid Pensions.

By Mr. GALLINGER: A bill (H. R. 5593) granting an increase of pension to Laura L. Wallen—to the Committee on Pensions.

By Mr. KETCHAM: A bill (H. R. 5594) granting a pension to Elizabeth Snyder—to the Committee on Invalid Pensions.

By Mr. LAIDLAW: A bill (H. R. 5595) for the relief of Giles B. Overton, late captain of the Fourteenth Regiment of United States Infantry—to the Committee on Military Affairs.

By Mr. WASHINGTON: A bill (H. R. 5596) for the relief of Mary Elizabeth Young—to the Committee on Claims.

By Mr. HARE: A bill (H. R. 5597) granting a pension to Jacob Rue—to the Committee on Invalid Pensions.

By Mr. CRAIN: A bill (H. R. 5598) for the relief of Albert Wood—to the Committee on Claims.

By Mr. GOFF: A bill (H. R. 5599) granting an increase of pension to Enoch Childers—to the Committee on Invalid Pensions.

By Mr. CRAIN: A bill (H. R. 5600) for the relief of Albert Wood—to the Committee on Claims.

By Mr. BACON: A bill (H. R. 5601) granting a pension to Susan R. Lusk—to the Committee on Invalid Pensions.

By Mr. BOWEN: A bill (H. R. 5602) for the relief of Bernhard Raff—to the Committee on Claims.

The Committee on Military Affairs was discharged from the further consideration of the joint resolution of the House (H. Res. 26) to provide for the preparation and printing of an illustrated catalogue of the Army Medical Museum, and the same was referred to the Committee on Printing.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. H. ALLEN: Petition of Letter-Carriers' Association of Lowell, Mass., for increased compensation—to the Committee on the Post-Office and Post-Roads.

By Mr. C. L. ANDERSON: Papers in the claim of Alfred G. Persen, of Alcorn County, and of R. H. Bustin, of Scott County, Mississippi—to the Committee on War Claims.

By Mr. BACON: Petition of Susan R. Lusk, mother of Sidney Lusk, for a special-act pension—to the Committee on Invalid Pensions.

By Mr. BLAND: Petition of citizens of Kent County, Maryland, for increase of pension to Rebecca C. Bailey—to the Committee on Invalid Pensions.

By Mr. BLANCHARD: Petition of Narcisse Prudhomme, of Natchitoches Parish, Louisiana.

By Mr. BLISS (by request): Petition of James Roach, of District of Columbia, for an increase of pension—to the Committee on Pensions.

By Mr. C. R. BRECKINRIDGE: Papers in the case of Henry M. Quattleburn, of Jefferson County; of William M. Crosby, of White County, and of Micajah Lamb, of Arkansas County, Arkansas—to the Committee on War Claims.

Also, petition of Robert Booth, jr., executor of Robert Booth, of White County; and of Jonathan Elms, of Washington County, Arkansas, for reference of claim to the Court of Claims—to the Committee on War Claims.

By Mr. BIGGS: Papers in the case of Maurice G. Griffith—to the Committee on Claims.

By Mr. T. H. B. BROWNE: Papers in the claim of Martha Cock, of Prince George County, Virginia—to the Committee on War Claims.

By Mr. DALZELL: Petition of the Standard Underground Cable Company, for payment for underground cables connecting the Capitol with the Executive, War, and Navy Departments—to the Committee on Appropriations.

By Mr. DAVENPORT: Petition of Hobart College for the passage of an international copyright law—to the Committee on Patents.

By Mr. FARQUHAR: Papers in the case of Margaret A. Poland, of Loudoun County, Virginia—to the Committee on War Claims.

By Mr. FORNEY: Petition of J. L. Murphy, of Woodruff County, and of Martin Redden, of Cherokee County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, papers in the claims of Martin Redden; of Cain Leach; of William H. Huff, and of James L. Campbell, of Alabama—to the Committee on War Claims.

By Mr. GREENMAN: Petition of citizens of Troy and Lansingburgh, N. Y., for the repeal of that portion of the pension laws limiting time of application—to the Committee on Invalid Pensions.

By Mr. D. B. HENDERSON: Paper and resolution from the Cigarmakers' Union, No. 88, of Dubuque, Iowa, for the retention of taxes on cigars and tobacco—to the Committee on Ways and Means.

By Mr. HIESTAND: Papers in the case of John Reynolds, of Dayton, Ohio—to the Committee on War Claims.

By Mr. HOGG: Papers in the case of D. M. Miller, to accompany House bill 1133—to the Committee on Invalid Pensions.

By Mr. HOOKER (by request): Petition of citizens of Tacoma, Wash.—to the Committee on Ways and Means.

By Mr. A. J. HOPKINS: Petition of 193 citizens of the Fifth district of Illinois, for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. LAFFOON: Papers in the case of Francis M. Nisbet—to the Committee on War Claims.

Also, petition of M. E. Carrico, widow of Pleasant B. White, of Christian County, Kentucky, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. MACDONALD: Petition of P. Cudmore, of Fairbanks, Rice County, Minnesota, and 243 others, in favor of an amendment of the Constitution to protect the people from alien land ownership and monopoly—to the Committee on the Judiciary.

By Mr. McCOMAS: Papers in the case of Arthur W. Sweeney—to the Committee on Claims.

By Mr. MILLIKEN: Petition of Hosea Knowlton, for removal of charge of desertion—to the Committee on Military Affairs.

By Mr. MORGAN: Petition of James S. Woods, of Panola County, Mississippi, for reference of claim to the Court of Claims—to the Committee on War Claims.

By Mr. MORRILL: Petition of D. H. Mitchell, for payment of his claim—to the Committee on Claims.

By Mr. O'FERRALL: Papers in the claim of Thornton O. Wyndham, of Clark County, and of William C. Harrison, of Rockingham County, Virginia—to the Committee on War Claims.

By Mr. PEEL: Papers in the case of John N. Curtis and Thomas Austin; of John N. Curtis; of James F. Wilson, and of William Bryant, of Arkansas—to the Committee on War Claims.

Also (by request), petition of J. W. Parish & Co., for relief—to the Committee on War Claims.

By Mr. PETERS: Petition of D. W. Steinmell and 42 others, citizens of Newton, Kans., for fractional paper currency—to the Committee on Banking and Currency.

Also, petition of T. C. Cutler and 48 others, citizens of Newton, Kans., for reduced postage on seeds, bulbs, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. ROBERTSON: Petition of Herinina Martel, wife of B. Martel, in relation to her war claim—to the Committee on War Claims.

By Mr. HENRY SMITH: Memorial of the school board of Milwaukee, for a nautical school on the Great Lakes—to the Committee on Naval Affairs.

By Mr. STONE, of Kentucky: Papers in the case of Charles Halle—to the Committee on War Claims.

By Mr. T. L. THOMPSON: Petition of citizens and the Chamber of Commerce of Eureka, Cal., for an appropriation to improve their harbor—to the Committee on Rivers and Harbors.

By Mr. VANDEVER: Petition of lumbermen of the Pacific coast

against admitting free lumber from British America--to the Committee on Ways and Means.

By Mr. WASHINGTON: Petition of executor of W. H. Cherry, of administrator of Phillip Brown, and of E. P. Boudurant, of Davidson County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WHEELER: Petition of J. H. Carter, of James M. Thanason, one of heirs of W. K. Craig, of Colbert County; of John Lawler, of Robert H. Strong, and of William P. McBride, of Madison County; of James B. Davis, of James A. Meal, of Lovel B. Walker, of J. W. Todd, of James D. Coffman, and of Silas H. Scott, of Limestone County; of widow of Joseph A. Hardwick, of Daniel J. Ray, of John Kachelman, of George W. Stutts, of administrator of John McKelvey, of Francis Wilkes, of John Jones, of Caroline Holland, and of Caswell Gooch, of Lauderdale County; of administrator of Lindsey Allen, of Franklin County; of W. R. Hill, administrator of C. B. Hill, of Jackson County; of C. A. Staples, administrator of Ellis Toon, of Jackson County; of Daniel Thompson, of Tuscumbia, Ala.; and of Hiram W. Eberly, for reference of their several claims to the Court of Claims—to the Committee on War Claims.

Also, papers in the claim of Stephen J. Matthews and of Thomas A. Wallace, of Lauderdale County, Alabama—to the Committee on War Claims,

By Mr. WHITTHORNE: Petition of heirs of James E. Bryant, of Maury County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. J. R. BROWN: Of citizens of Virginia, of Galveston, Pittsylvania County; of Ararat, of Bateman, Patrick County; of Duncan's, Floyd County, and of Horse Putnam, Henry County, Virginia.

By Mr. COWLES: Of citizens of North Carolina.

By Mr. ERMENTROUT: Of William Wilhelm and others, of Berks County, Pennsylvania, and of M. Z. Gergee and others, of Berks County, Pennsylvania.

By Mr. GRIMES: Of S. G. Dude and others, of Heard County, Georgia.

By Mr. HOOKER: Of citizens of Rankin County, Mississippi.

By Mr. McCLAMMY: Of citizens of Summerville, Harnett County, and of Sloan, Duplin County, North Carolina.

By Mr. NEWTON: Of citizens of Simsboro, La.; of Harrisonburgh, of Caldwell, of Ruston, and of Redwine, La.

By Mr. OUTHWAITE: Petition of Frank McDaniel and 71 others, of Buckeye Cottage, Perry County, Ohio.

By Mr. PETERS: Of 15 citizens of Okaw, Kans.

By Mr. RICHARDSON: Of L. L. Bobbs and others, of Moore County, Tennessee.

By Mr. ROWLAND: Of citizens of Poplar Hill, Anson County, North Carolina.

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## SENATE.

### MONDAY, *January* 23, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of the proceedings of Thursday last was read and approved.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting a report from the Commissioner of Indian Affairs on the subject of the agreements negotiated with the Chippewa Indians in Minnesota; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

He also laid before the Senate a communication from the Attorney-General, stating, in response to a resolution of January 18, 1888, in relation to the employment of Charles R. Westbrook as assistant attorney to the district attorney for the southern district of New York, that the Department has no official knowledge of such employment of Charles R. Westbrook, has no correspondence upon its files in relation thereto, nor any information as to compensation paid him for any such services; which was read.

Mr. HALE. I have just come in from the Committee on Appropriations and did not hear the reading of the communication. I hope it will be printed and lie on the table for the present, so that I may examine it.

The communication was ordered to lie on the table and be printed.

The PRESIDENT *pro tempore* laid before the Senate a communication from the clerk of the Court of Claims, transmitting the findings of fact and conclusions of law of that court in a certain spoliation claim under the act approved January 28, 1885; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore*. The Chair presents a petition, numerously signed by citizens of New Jersey and elsewhere, praying that W. S. Cogswell may be placed upon the retired-list of the Navy. The petition will be referred to the Committee on Naval Affairs.

The PRESIDENT *pro tempore* presented resolutions adopted by the mayor and city council of Des Moines, Iowa, in favor of the proposed world's exposition in honor of the four hundredth anniversary of the discovery of America by Columbus; which were referred to the Select Committee on the Centennial of the Constitution and the Discovery of America.

He also presented a petition of numerous citizens of Illinois and a petition of 103 citizens of Georgia, in favor of prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented a petition of business men of the District of Columbia, praying that the stone-cutting for the new Library building be done in the District of Columbia; which was referred to the Select Committee to Provide Additional Accommodations for the Library.

Mr. BECK. I present the petition of the surveyor of customs at Louisville, Ky., and I believe all, certainly a large majority, of the importers of that city, praying for the passage of Senate bill 532, the bill introduced by the Senator from Missouri [Mr. COCKRELL], amending the statutes relative to the immediate transportation of dutiable goods so as to allow them to pay at home when the goods come under a *pro forma* invoice as well as when there is a regular invoice, they being cut off now unless they produce the invoice in ten days, while the citizens at the port of landing have the privilege which is denied to them. I move the reference of this petition to the Committee on Finance.

The PRESIDENT *pro tempore*. The petition will be so referred, if there be no objection.

Mr. BECK. I beg pardon; we have the subject before us in another form in the Committee on Finance; but I understand from the Senator from Missouri [Mr. COCKRELL] that the bill has gone to the Committee on Commerce. I ask that the petition be referred to that committee.

The PRESIDENT *pro tempore*. It will be so referred.

Mr. BECK. I have been requested by Dr. Norvin Green, president of the Western Union Telegraph Company, to present the memorial of that company in the form of a remonstrance against the passage of what is known as the postal-telegraph bill. The memorial is a very full presentation of the case. I have consulted with the chairman of the Committee on Post-Offices and Post-Roads, who, by the request of his committee, desires that the memorial should be printed and referred to them, they having the subject under consideration.

The PRESIDENT *pro tempore*. The memorial will be referred to the Committee on Post-Offices and Post-Roads, and printed, if there be no objection.

Mr. VOORHEES presented a petition signed by 138 citizens of the Fifth, Eighth, and Eleventh Congressional districts of Indiana, praying for the passage of the bill prohibiting the manufacture, sale, and importation of alcoholic liquors in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. VANCE presented the petition of Nathaniel Magruder, a citizen of the District of Columbia, praying compensation for injury to his property in West Washington, caused by grading streets; which was referred to the Committee on the District of Columbia.

Mr. HARRIS. I present a resolution adopted by the board of health of the county of San Diego, California, praying for the establishment of a quarantine station at the harbor of San Diego. I also present resolutions passed by the Legislature of Virginia favoring the full equipment of the quarantine station at St. Charles. I move the reference of these resolutions, with the accompanying letter from the Surgeon-General of the Marine-Hospital Service, to the Committee on Epidemic Diseases.

The motion was agreed to.

Mr. DOLPH presented a petition of the Board of Trade of Portland, Oregon, praying for the passage of Senate bill 22, for the establishment of a Government assay office in that city; which was referred to the Committee on Finance.

He also presented resolutions adopted by the Nevada, Eastern Oregon, and Idaho Wool Growers' Association, remonstrating against the repeal of the duty upon wool; which were referred to the Committee on Finance.

He also presented a resolution of the National Board of Trade, favoring adequate appropriations for the improvement of rivers and harbors; which was referred to the Committee on Commerce.

Mr. STEWART. I present resolutions adopted by the Nevada, Eastern Oregon, and Idaho Wool Growers' Association, remonstrating against the repeal of the duty on wool. The resolutions are short and pointed, and I ask that they be printed and referred to the Committee on Finance.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

Mr. TELLER presented the petition of J. L. Harrison, J. B. Henderson, and other citizens of the District of Columbia, praying for an appropriation of $60,000 to improve certain streets in the Meridian Hill

subdivision; which was referred to the Committee on the District of Columbia.

Mr. MANDERSON presented a petition of the Farmers' Alliance of Nebraska, praying for a revision of the tariff; which was referred to the Committee on Finance.

Mr. BLAIR. I present the petition of H. A. White and 2,700 others, who are members of various colored churches throughout the South, transmitted to me by Rev. C. R. Harris, treasurer of Stanford Seminary, North Carolina, who says:

I send you by this mail 2,700 more petitions.

I presented a petition from the same source a few days since. Like that petition, this one prays for the enactment of the educational bill into a law. I move that it lie on the table.

The motion was agreed to.

Mr. BLAIR. I present the petition of Rev. J. C. Henderson, Rev. A. M. Newton, F. A. Jones, M. D., and other officers of the Woman's Christian Temperance Union, praying for the passage of the educational bill. The locality of the petitioners is not given. I move that the petition lie on the table.

The motion was agreed to.

Mr. VEST presented resolutions adopted by the board of directors of the Commercial Exchange of Kansas City, Mo., in favor of extending the jurisdiction of certain United States courts over the Indian Territory; which were referred to the Committee on the Judiciary.

He also presented the petition of Mrs. Belle T. Dodds and other citizens of Sylvania, Dade County, Missouri, praying for the prohibition of the liquor traffic in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. HOAR. I present the petition of Oliver Ames, governor of the Commonwealth of Massachusetts; Hugh O'Brien, mayor of the city of Boston; Alexander H. Rice, late governor of the Commonwealth; Charles W. Eliot, and Julius H. Seelye, presidents of colleges in that State; Dr. Edward Everett Hale, Phillips Brooks, Andrew P. Peabody, Leverett Saltonstall, Edwin D. Mead, and a large number of other persons, eminent scholars, men of letters, clergymen, and in other various walks of life, a committee representing a mass meeting held at Tremont Temple, in Boston, on the 12th of November, 1887, to welcome the British deputation of peace and arbitration, praying that the desire of that deputation may be granted by Congress, or by the treaty-making power, and that a treaty be made with Great Britain providing for a settlement by arbitration of all future disputes between these two nations which can not be settled by diplomatic agency.

This British deputation represents a large number, I believe a majority, of the present members of the British Parliament, and a large number of other persons of rank and influence and distinction in that country.

Some jealousy has arisen lest this present message, which has come so recently from Great Britain, may be intended to affect in some manner matters which are now in course of negotiation between these two countries, and which I have no doubt will be adjusted by peaceful and ordinary diplomatic methods, or by the good sense of the two nations without diplomatic intervention. I am satisfied that there is no foundation for that jealousy; that the existence of the fishery disputes or of any other which may have arisen between this country and Great Britain has no connection whatever with this deputation, but that it relates to a larger and more comprehensive purpose.

I desire to say in moving the reference of the petition to the Committee on Foreign Relations, that it seems to me one of the most important and interesting questions which can be brought before the Senate at the present time. This message is a message which it well becomes Great Britain and the United States on the one hand to send and on the other to receive and welcome. These two nations speak the same language, are of the same blood, have largely the same pursuits and the same interests; and the evil which it is sought to avert—an evil to mankind in a thousand ways, evil because of its waste of human life and of treasure and of the great forces which may be so beneficent when turned into peaceful channels—is especially an evil, as it constitutes the greatest and most serious burden which presses upon the neck of the laboring classes of mankind.

The great armaments which are kept up by the European nations operate chiefly as a burden upon their poor and laboring classes; not upon their dominant classes, but upon the classes to whom the sympathy of the American people always goes out. On the continent of Europe every peasant or workingman who is born is born with a soldier upon his back, and he goes through life with the armed man clinging to his neck and pressing him down into the dust.

The cost of a single ship of war is much greater than the cost of a first-class university. The cost of our own late war, the result of which I know and concede is worth all the cost, still is so great that if the amount were put out at interest at 5 per cent., the interest would pay all the expenses of government, national and State both, in this country forever.

I say again, it seems to me this message, which comes from so high an authority in Great Britain, is one which is well worth the respectful attention of the American people.

I move that the petition be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. HOAR presented a petition of 99 citizens of the Ninth and Eleventh Congressional districts of Massachusetts, praying for the enactment of a law prohibiting the manufacture and sale of intoxicating liquors in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. SPOONER presented a petition of the members of the faculty of Milton College, at Milton, Wis., praying for the speedy enactment of an international copyright law; which was referred to the Committee on Patents.

He also presented resolutions adopted by the Chamber of Commerce of Milwaukee, Wis., approving the report of the Vessel-Owners' Association of Cleveland, Ohio, recommending legislation by Congress providing for the clearing of obstructions to navigation, etc., upon the lakes; which were referred to the Committee on Commerce.

He also presented resolutions adopted by the Chamber of Commerce of West Superior, Wis., favoring an appropriation by Congress for the harbor of Superior, Wis.; which were referred to the Committee on Commerce.

Mr. STOCKBRIDGE presented a petition of 235 citizens of the Second, Third, Eighth, and Eleventh Congressional districts of Michigan, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. HISCOCK presented a petition of the faculty of Wells College, New York, praying for the speedy enactment of an international copyright law; which was referred to the Committee on Patents.

He also presented the petition of Catherine McQuade, praying that she be granted a widow's pension; which was referred to the Committee on Pensions.

He also presented the petition of the Historical Society of Jefferson County, New York, praying that an appropriation be made for the erection of a suitable monument on the battle-field at Sackett's Harbor, N. Y.; which was referred to the Committee on Military Affairs.

He also presented a petition of 108 citizens of the Twenty-second, Twenty-fourth, Twenty-seventh, and Twenty-eighth Congressional districts of New York, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. FARWELL presented the petition of J. C. Phillips, of Chicago, Illinois, praying to be reimbursed moneys expended in organizing the Sixteenth Regiment of Missouri Volunteers, by order of General Frémont; which was referred to the Committee on Military Affairs.

He also presented a petition of members of the Faculty of the Lake Forest University, at Lake Forest, Ill., praying for the speedy enactment of an international copyright law; which was referred to the Committee on Patents.

He also presented resolutions adopted by the board of health of Rockford, Ill., favoring the passage of a bill to form a national quarantine that will insure better protection against epidemic diseases; which were referred to the Committee on Epidemic Diseases.

Mr. DAVIS presented the petition of P. Cudmoor and 158 other citizens of Minnesota, praying that certain articles be put on the free-list, that internal-revenue taxes be abolished, etc.; which was referred to the Committee on Finance.

Mr. QUAY presented resolutions adopted at a meeting of the Philadelphia Board of Trade, January 16, 1888, in favor of a protective policy; which were referred to the Committee on Finance.

He also presented a memorial from citizens of Pennsylvania, remonstrating against the admission of Utah as a State with polygamy; which was referred to the Committee on Territories.

He also presented a memorial from citizens of Pennsylvania, remonstrating against the evils of convict-labor; which was referred to the Committee on Education and Labor.

He also presented a petition of the Standard Underground Cable Company, of the District of Columbia, praying payment for underground cables connecting the Capitol with the Executive, War, and Navy Departments, etc.; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of 137 citizens of the Twelfth, Eighteenth, and Twenty-third Congressional districts; a petition of 97 citizens of the Seventeenth Congressional district; and a petition of 17 citizens of the Thirteenth Congressional district, State of Pennsylvania, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. WILSON, of Iowa, presented resolutions in the form of a memorial of the cigar-makers' union, of Dubuque, Iowa, remonstrating against the repeal of the internal-revenue tax on cigars and tobacco; which were referred to the Committee on Finance.

Mr. SHERMAN presented the petition of the faculty of Heidelberg College, at Tiffin, Ohio, and the petition of Charles W. Super, president, and other members of the faculty of the Ohio University, at Athens, Ohio, praying for the passage of an international copyright law; which were referred to the Committee on Patents.

He also presented resolutions adopted by the Toledo (Ohio) Produce Exchange, relative to the exclusion of American pork from France and

Germany; which were referred to the Committee on Foreign Relations.

Mr. PADDOCK presented the petition of R. B. Windham, J. M. Patterson, and 75 other citizens of Plattsmouth, Nebr., praying that an appropriation be made for a public building for post-office purposes in that city; which was referred to the Committee on Public Buildings and Grounds.

Mr. CAMERON presented petitions of citizens of the Seventeenth, Eighteenth, and Twenty-sixth districts of Pennsylvania, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. GRAY presented the petition of Robert King, of Sussex County, Delaware, late a private in Company H, First Regiment Delaware Infantry Volunteers, praying for the removal of the charge of desertion against him; which was referred to the Committee on Military Affairs.

He also presented the petition of Thomas Mitchell, of Sussex County, Delaware, late a private in Company B, Third Regiment Delaware Infantry Volunteers, praying for the removal of the charge of desertion against him; which was referred to the Committee on Military Affairs.

He also presented the petition of Cyrus B. Wilson, of Sussex County, Delaware, late private in Company H, First Regiment Delaware Infantry Volunteers, praying for the removal of the charge of desertion against him; which was referred to the Committee on Military Affairs.

He also presented the petition of David R. Salmons, of Sussex County, Delaware, late private in Company H, First Regiment Delaware Infantry Volunteers, praying for the removal of the charge of desertion against him; which was referred to the Committee on Military Affairs.

He also presented the petition of Mary J. Goslee, mother of George H. Goslee, late private in Company D, Third Regiment Delaware Volunteer Infantry, praying to be allowed a pension; which was referred to the Committee on Pensions.

He also presented the petition of Stephen H. Warrington, of Sussex County, Delaware, late private in Company A, Baltimore Battalion, in the Mexican war, praying to be allowed a pension for wounds received in the Mexican war; which was referred to the Committee on Pensions.

Mr. HALE presented the petition of Mrs. Mary J. McGregor, of Augusta, Me., praying that she be granted a widow's pension; which was referred to the Committee on Pensions.

Mr. TURPIE presented the petition of the faculty of Hanover College, Indiana, praying for the speedy enactment of an international copyright law; which was referred to the Committee on Patents.

Mr. MITCHELL presented two petitions of citizens of Oregon, praying that increased compensation be granted to fourth-class postmasters; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. PASCO presented a petition of J. H. McClalland and other citizens of Chipola, Fla., and a petition of William S. Videon and 190 other citizens of Osceola, Fla., praying that increased compensation be allowed fourth-class postmasters; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. EVARTS presented the petition of the faculty of Hobart College, at Geneva, N. Y., praying that an international copyright law be enacted; which was referred to the Committee on Patents.

Mr. EDMUNDS presented a petition of 87 citizens of the Second Congressional district of Vermont, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. PLATT presented a petition of 40 citizens of Washington Territory, a petition of 73 citizens of the District of Columbia, a petition of 89 citizens of the First and Third Congressional districts of Connecticut, and a petition of 12 citizens of the Third Congressional district of Connecticut, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. HAWLEY presented the petition of Isaac C. Lewis and 78 others, citizens of the Second Congressional district of Connecticut, praying for the passage of the bill to prohibit the manufacture and sale of intoxicating liquors in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. PALMER presented a petition of 77 citizens of the Third and Tenth Congressional districts of Michigan; a petition of 27 citizens of the Tenth Congressional district of Michigan; and a petition of 156 citizens of the First, Fifth, and Eleventh districts of Michigan, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. BERRY presented a petition of the mayor and city council of Fayetteville, Ark., praying that an appropriation be made to grade, build, and macadamize the route to the national cemetery at that place; which was referred to the Committee on Military Affairs.

Mr. HAMPTON presented the petition of the faculty of South Carolina College at Columbia, S. C., praying for the speedy enactment of an international copyright law; which was referred to the Committee on Patents.

Mr. PLUMB presented a petition of 113 citizens of the Seventh Congressional district of Kansas, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. VANCE presented the petition of the faculty of Davidson College, North Carolina, praying for the passage of an international copyright law; which was referred to the Committee on Patents.

Mr. COCKRELL presented a petition of the members of the faculty of the Central Wesleyan College, at Warrenton, Mo., and a petition of the members of the faculty of Christian University, at Canton, Mo., praying for the enactment of an international copyright law; which were referred to the Committee on Patents.

### REPORTS OF COMMITTEES.

Mr. TELLER, from the Committee on Public Lands, to whom was referred the bill (S. 423) to enable the State of Colorado to select indemnity school lands, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 424) relating to lands in Colorado lately occupied by the Uncompahgre and White River Ute Indians, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 687) to authorize the Secretary of the Treasury to convey to Anson Rudd, of the State of Colorado, certain real estate in the county of Fremont, in said State, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 109) for the relief of Thomas H. Norton and James McLean, reported it without amendment, and submitted a report thereon.

Mr. PLATT, from the Committee on Patents, to whom was referred the bill (S. 500) for the relief of Mrs. Sarah Elizabeth Holroyd, widow and administratrix of the estate of John Holroyd, deceased, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Indian Affairs, to whom was referred the bill (S. 2) for the relief of the Mission Indians in the State of Colorado, reported it with amendments, and submitted a report thereon.

He also, from the Committee on Territories, to whom was referred the bill (S. 185) to provide for the admission of the State of Dakota into the Union, and for the organization of the Territory of Lincoln, reported it with an amendment, and submitted a report thereon.

Mr. BUTLER. I desire to give notice that the minority of the Committee on Territories will ask leave to submit a minority report on the Dakota bill. I understand the bill is accompanied by a report of the majority. The minority would like to have a little time in which to prepare a minority report.

The PRESIDENT *pro tempore*. That opportunity will be afforded. The bill will be placed on the Calendar.

Mr. DOLPH, from the Committee on Public Lands, to whom was referred the bill (S. 558) for the relief of certain settlers upon the school lands of Washington Territory, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 664) for the relief of William R. Wheaton and Charles H. Chamberlain, of California, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 555) to establish an additional land district in the State of Oregon, reported it with amendments.

Mr. DOLPH. I am directed by the Committee on Public Lands to report back adversely the bill (S. 556) providing for the resurvey of certain public lands in the State of Oregon. The bill proposes to provide for the resurvey of a certain township in that State embracing what is known as Warner Lake. Correspondence received from the Secretary of the Interior and the Commissioner of the General Land Office shows that the matter to be provided for by the bill has been anticipated by the Interior Department, and that the resurvey has been ordered. Therefore I report back the bill adversely, and move that it be indefinitely postponed.

The motion was agreed to.

Mr. BERRY, from the Committee on Public Lands, to whom was referred the bill (S. 1082) for the relief of I. R. B. Moore, reported it with an amendment, and submitted a report thereon.

Mr. COCKRELL, from the Committee on Public Lands, to whom was referred the bill (S. 458) for the relief of the legal representatives of David Walter Jones, reported it with an amendment, and submitted a report thereon.

Mr. STEWART. I am directed by the Committee on Mines and Mining, to whom was referred the bill (S. 1176) to authorize the sale to aliens of certain mineral lands, to report it with an amendment in the nature of a substitute. The substitute is identically the same as the bill introduced by the Senator from California. We think his is a bill covering the question exactly.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. PLUMB. I am directed by the Committee on Public Lands to report back with amendments the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes. I give notice to the Senate that I shall at an early day ask that the bill be considered and passed.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. PLUMB. I am also directed by the Committee on Public Lands, to whom were referred the bill (S. 557) to protect certain purchasers of

lands from the Northern Pacific Railroad Company, and the bill (S. 1496) to forfeit certain lands herefore granted for the purpose of aiding in the construction of railroads, and for other purposes, to report them with the recommendation that they be indefinitely postponed, the substance of them having been embraced in Senate bill 1430, which I have just reported favorably.

The PRESIDENT *pro tempore*. The committee will be discharged and the bills will be indefinitely postponed, if there be no objection.

Mr. PLUMB, from the Committee on Public Lands, to whom was referred the bill (S. 1022) to relinquish the interest of the United States in certain lands in Kansas, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the bill (S. 457) for the relief of Electa Brace, and the bill (S. 248) granting bounty land to Laura Prine, asked to be discharged from their further consideration and that they be referred to the Committee on Military Affairs; which was agreed to.

JACKSON (MISS.) MUNICIPAL ELECTION.

Mr. EDMUNDS. I report from the Committee on the Judiciary the resolutions which I send to the desk, and I ask for their present consideration.

The PRESIDENT *pro tempore*. The resolutions reported by the Senator from Vermont will be read.

The Chief Clerk read as follows:

Whereas by a resolution of the Senate adopted on the 12th January instant, the Committee on the Judiciary was instructed to inquire into the suppression of the votes of colored citizens of Jackson, Miss., at the recent municipal election in that city, and into the alleged participation in such suppression by the United States attorney and by a deputy collector of internal revenue and a deputy marshal, and to report the facts to the Senate; and

Whereas it is desirable, in respect of inquiring into the alleged participation of the United States district attorney, the deputy collector of internal revenue, and deputy United States marshal in the suppression of the votes of the colored citizens mentioned in said resolution, that the Committee on the Judiciary have authority to send for persons and papers: It is therefore

*Resolved*, That the Committee on the Judiciary be, and it is hereby, authorized to send for persons and papers in respect of its inquiry into the said alleged participation of officers of the United States in said matter.

The said committee is authorized to sit during the sessions of the Senate, either as a full committee or by any subcommittee thereof, and any such subcommittee shall, for the purpose of such investigation, be a committee of the Senate to all intents and purposes.

*Resolved*, That said committee have authority to employ a stenographer in making said inquiry.

Mr. EDMUNDS. I will state that these resolutions, I believe, meet the approval of all the gentlemen of the committee who were present, and they were all present excepting the present presiding officer [Mr. INGALLS]. So I presume there will be no objection to them.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolutions?

Mr. VEST. I wish to state as a member of the committee that I consented to the reporting of these resolutions because it went without saying that they would be adopted; but, as a matter of fact, I do not believe in any such inquiry. I saw, however, that it was a foregone conclusion that the resolutions would be adopted, and therefore I consented to this modified form, confining the investigation to United States officials alone. I am opposed to the whole thing.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolutions.

The resolutions were agreed to.

Mr. EDMUNDS. From the same committee I report a resolution which must go to the Committee on Contingent Expenses. It provides for paying the expenses of the investigation.

The resolution was read, and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

*Resolved*, That the necessary expenses of the Committee on the Judiciary or any subcommittee thereof, in making the inquiries into certain matters alleged to have occurred at Jackson, Miss., and as directed by the resolutions of the Senate of the 12th instant and of the 23d instant, be paid out of the appropriation for the miscellaneous items of the contingent fund of the Senate upon vouchers to be approved by the chairman of said committee.

INTERNATIONAL EXHIBITION AT MELBOURNE.

Mr. SHERMAN. I am directed by the Committee on Foreign Relations to report without amendment the joint resolution (H. Res. 72) relating to the invitation of the British Government to the Government of the United States to participate in the international exhibition at Melbourne to celebrate the founding of New South Wales; and for reasons which I will state, if the Senate will give me a moment, I ask for the present consideration of the joint resolution.

The Committee on Foreign Relations some time ago unanimously recommended the adoption of the provision of this joint resolution, and directed that it should be moved as an amendment to the urgent deficiency appropriation bill; but since that time the House of Representatives has passed, I believe without much division, a similar joint resolution. The Committee on Foreign Relations now report back the House joint resolution, and ask that the Senate agree to it.

If this invitation is to be accepted and a commission is to be sent to Australia, there is a necessity that it should be now organized. I trust, therefore, that as the subject-matter has been pretty fully debated in the other House (and I am prepared to give the Senate any information on the subject if desired) that we shall have a vote upon it now.

The PRESIDENT *pro tempore*. If there be no objection, the joint resolution will be considered by the Senate as in Committee of the Whole, and read at length.

Mr. HOAR. If there be no debate. If there be debate, I shall ask the Senator to put it over until the routine business is concluded.

Mr. SHERMAN. Very well; I do not desire to debate it.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution; which was read, as follows:

Whereas the British Government has extended to the Government of the United States an invitation to participate in the international exhibition which is to be held at Melbourne, beginning on the 1st day of August, 1888, to celebrate the centenary of the founding of New South Wales: Therefore,

*Resolved, etc.*, That said invitation is accepted, and that there be, and there hereby is, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $50,000, or so much thereof as may be necessary to effect the purpose of this resolution, to be expended in the discretion of the Secretary of State for the purpose of such representation at said exhibition.

SEC. 2. That it shall be the duty of the Secretary of State to transmit to Congress a detailed statement of the expenditures which may have been incurred under the provisions of this resolution, together with any reports which may be made by the representatives of this country at said exhibition.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

BILLS INTRODUCED.

Mr. MANDERSON introduced a bill (S. 1560) granting a pension to Mrs. —— North, dependent mother of the late Col. Frank North, a Pawnee scout; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1561) to provide for the completion of the quarters, barracks, and stables at Fort Robinson and at Fort Niobrara, in the State of Nebraska; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BUTLER introduced a bill (S. 1562) for the relief of C. Augusta Urquhart; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1563) relative to claims of certain Northern creditors; which was read twice by its title, and referred to the Committee on Claims.

Mr. SPOONER introduced a bill (S. 1564) for the relief of importers of animals for breeding purposes in certain cases; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 1565) to regulate the salary and provide for the payment of the expenses of the district judge of the United States for the western district of Wisconsin; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1566) to regulate the salary and provide for the payment of the expenses of the district judge of the United States for the eastern district of Wisconsin; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. HOAR introduced a bill (S. 1567) to give a pension of $100 per month to persons who, in the military or naval service of the United States, and in the discharge of duty, have lost both hands or the use of both hands; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WALTHALL (by request) introduced a bill (S. 1568) to promote the efficiency of the Signal Service; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HARRIS introduced a bill (S. 1569) to authorize the construction of a bridge across the Mississippi River, at Memphis, Tenn.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. STEWART introduced a bill (S. 1570) to amend the organic law of Utah Territory; which was read twice by its title, and referred to the Committee on Territories.

Mr. SHERMAN introduced a bill (S. 1571) for the relief of John H. Jones and Thomas D. Harris; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 1572) for the relief of John Kouns; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 1573) for the relief of Sarah Morrison, dependent mother of George F. Morrison, lieutenant-commander, United States Navy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. DAVIS introduced a bill (S. 1574) for the erection of a post-office building at St. Paul, Minn.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

Mr. HISCOCK introduced a bill (S. 1575) granting an increase of pension to William Wallace Young; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DAVIS introduced a bill (S. 1576) for the relief of the heirs of Joseph Anderson; which was read twice by its title, and referred to the Committee on Claims.

Mr. HISCOCK introduced a bill (S. 1577) granting a pension to Mary H. Casler; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1578) for the relief of the administrators of the estate of Isaac P. Tice, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1579) to facilitate the giving of bonds required by law; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. HARRIS (by request) introduced a bill (S. 1580) to amend an act entitled "An act incorporating the Capitol, North O Street and South Washington Railway Company;" which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. EUSTIS introduced a bill (S. 1581) for the relief of Bertrand and Gaudin Cazes; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1582) for the relief of the estate of Lucien Goyaux; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1583) to confirm to Lucretia Williams the title to one square league of land in the State of Florida; which was read twice by its title, and referred to the Committee on Private Land Claims.

Mr. REAGAN introduced a bill (S. 1584) granting an increase of pension to Isaac Gibson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DANIEL introduced a bill (S. 1585) praying for the location of scrip issued under the acts of August 31, 1852, and June 22, 1860; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. CHANDLER introduced a bill (S. 1586) to provide additional flag officers for squadrons; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1587) in reference to the election of Representatives in Congress; which was read twice by its title, and referred to the Committee on Privileges and Elections.

Mr. PADDOCK introduced a bill (S. 1588) to amend an act entitled "An act to provide additional regulations for homestead and pre-emption entries of public lands," approved March 3, 1879; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1589) for the relief of Isaac N. Thompson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. QUAY introduced a bill (S. 1590) to authorize the construction of the Ohio Connecting Railway Company Bridge; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1591) granting an increase of pension to Madison M. Meredith; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WILSON, of Iowa, introduced a bill (S. 1592) to continue the publication of the Supplement to the Revised Statutes; which was read twice by its title, and referred to the Committee on the Revision of the Laws.

Mr. EVARTS introduced a bill (S. 1593) for the relief of Giles B. Overton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1594) granting arrears of pension to Mrs. Clarissa Munson, widow of Elias Y. Munson, for his services of ninety days in the war of 1812, which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1595) to increase the pension of Mrs. Rebecca A. Craw; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1596) in relation to oaths in pension and other cases; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1597) to increase the pensions of widows in certain cases; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1598) granting to Truman A. Morton a pension of $24 a month since his discharge; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1599) correcting the military record of Lieut. James O'Rourke; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1600) to refer the claim of Alice E. De Groot and Theodore R. B. De Groot, administrators of William H. De Groot, deceased, to the United States Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

Mr. DOLPH introduced a bill (S. 1601) to amend "An act to restrict the ownership of real estate in the Territories to American citizens," etc., approved March 3, 1887; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. TELLER (by request) introduced a bill (S. 1602) relating to procedure in pension cases; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SAWYER (by request) introduced a bill (S. 1603) for the relief of Thornton Smith; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. STANFORD introduced a bill (S. 1604) for the relief of Jonathan D. Stevenson, of California; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1605) for the relief of Lieut. Col. Edward E. Eyre; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1606) referring the claim of Robert W. Dunbar to the Court of Claims; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. PLUMB introduced a bill (S. 1607) granting a pension to Robert A. Bride or McBride; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1608) for the relief of Charles E. Wheeler; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1609) for the relief of James McLaughlin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1610) to increase certain pensions; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DANIEL introduced a bill (S. 1611) to provide for the final settlement of the transportation account with the Richmond and Danville Railroad Company; which was read twice by its title, and referred to the Committee on Railroads.

He also introduced a bill (S. 1612) to provide for the closing of parts of two alleys in square one hundred and thirty-two (132) in the city of Washington, D. C., and for the relief of Charles Early and Corbin Warwick; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HOAR. I introduce a joint resolution to obtain the freedom of certain canals and ship-railways therein named for the American mercantile marine. These canals and railways are in foreign countries, and I suppose eventually the joint resolution should go to the Committee on Foreign Relations; but as it relates principally to the commerce of the country I desire, in the first place, that it shall be considered by the Committee on Commerce.

The joint resolution (S. R. 40) as to obtaining the freedom of certain canals and ship-railways therein named for the American mercantile marine was read twice by its title, and referred to the Committee on Commerce.

Mr. VOORHEES introduced a joint resolution (S. R. 41) authorizing the publication of an edition of The Treasury of the Confederate States; or, Documentary History of the Financial, Fiscal, and Commercial Measures of the Confederate States, edited by Raphael P. Thian; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Printing.

Mr. HARRIS introduced a joint resolution (S. R. 42) extending the provisions of an act entitled "An act relating to arrears of taxes in the District of Columbia," approved March 3, 1887; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

### AMENDMENT TO A BILL.

Mr. HEARST submitted an amendment intended to be proposed by him to the bill (S. 215) amendatory of the act for the benefit of the States of Texas, Colorado, Oregon, Nebraska, California, Kansas, and Nevada, and the Territories of Washington and Idaho, and Nevada when a Territory; which was referred to the Committee on Military Affairs, and ordered to be printed.

### POSTAL-TELEGRAPH INVESTIGATION.

Mr. SAWYER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay the stenographer authorized by the resolution of the 19th instant to report the arguments, evidence, etc., for the Committee on Post-Offices and Post-Roads on the subject of the postal telegraph, out of the contingent fund of the Senate.

### ACTION OF THE NAVY DEPARTMENT.

Mr. CHANDLER submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Navy be directed to inform the Senate what plans, designs, drawings, or specifications of ships or marine engines have been purchased or procured in foreign countries by or in behalf of the Navy Department and from whom they have been obtained; and to state what plans, designs, drawings, or specifications so purchased or procured have been adopted in whole or in part for vessels or engines now under contract or construction; and also to transmit to the Senate a statement of the cost to the Government of each of such plans, designs, drawings, and specifications; and also an account of all expenditures made by the Navy Department since March 20, 1885, under the appropriations for information from abroad, and for emergencies and extraordinary expenses arising abroad.

Mr. CHANDLER submitted the following resolution; which was read:

*Resolved*, That the Secretary of the Navy be directed to transmit to the Senate a statement of the changes made from the original plans of the Chicago, Boston, Atlanta, and Dolphin in addition to those specified in a communication from the Navy Department to the House of Representatives of February 11, 1885 (constituting House Executive Document No. 220, Forty-eighth Congress, second session) and in a communication from said Department to the Senate of

May 24, 1886 (constituting Senate Executive Document No. 153, Forty-ninth Congress, first session), together with the cost of such additional changes in each case; and that the Secretary be directed also to furnish the Senate with copies of all documents and correspondence on file in said Department, written since March 5, 1886, in any way concerning the aforesaid vessels, which are not contained in the annual reports of said Department, including all reports of boards and of commanding officers and engineer officers; and all log-books kept while the vessels have been in motion since said date, and all the evidences of settlements and payments made since said date by the United States, and of any unsettled claims on account of said vessels; and that the Secretary be directed further to state the present condition of the Atlanta, Boston, and Chicago, and the reasons for the delay in their completion and reception into active service.

Mr. CHANDLER. I ask for the present consideration of the resolution.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. BECK. I do not propose to object to this or the preceding resolution, but they are very comprehensive, and I do not see any member of the Committee on Naval Affairs on this side in the Chamber. Is there any objection to laying them over until to-morrow, so that they may be printed?

Mr. CHANDLER. Not at all.

The PRESIDENT *pro tempore*. The resolution lies over under the rule.

Mr. BECK. There are two of them, I think.

Mr. CHANDLER. The first resolution offered by me was agreed to.

Mr. HARRIS. Perhaps it might be as well to let them both go over until to-morrow.

The PRESIDENT *pro tempore*. The Senator from Tennessee suggests a reconsideration of the vote by which the first resolution was adopted.

Mr. HARRIS. So that both may be printed.

Mr. CHANDLER. I have no objection to that course.

The PRESIDENT *pro tempore*. The reconsideration will be ordered, if there be no objection. Both resolutions will go over and be printed.

Mr. CHANDLER submitted the following resolution, which was read:

*Resolved*, That the Secretary of the Navy be directed to transmit to the Senate information concerning all naval vessels and machinery and armor for the same, and all naval ordnance and gun metal, for constructing or furnishing which contracts have been made by the Navy Department since March 4, 1885, as follows:

1. Copies in the case of each contract of the advertisement, and of the written or printed conditions and rules for tests and inspections upon which proposals were invited.
2. A schedule of the proposals received and awards made.
3. A copy of the contract made.
4. A statement showing the time within which the contract was to be performed, and the present condition of the work, and the payments made thereon, with copies of the reports and correspondence upon which each payment was made.

And that the Secretary be directed also to inform the Senate whether or not since said contracts have been made any of the terms or conditions of any of them have been altered, or any agreements have been made for changes in the quality of material or work, or any of the stipulations or rules for tests and inspections have been relaxed or varied; and, if so, to state the circumstances and causes of any such alteration, change, or variation.

Mr. BECK. Let that be printed along with the other resolutions submitted by the Senator from New Hampshire.

The PRESIDENT *pro tempore*. The resolution will lie over until to-morrow, and be printed, under the rule.

## PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 20th instant approved and signed the act (S. 261) to amend the law concerning the Commissioner of Fish and Fisheries.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, returned, in compliance with the request of the Senate, the bill (S. 928) in relation to marriage between white men and Indian women.

The message also announced that the House had passed a resolution for printing 10,000 copies of the President's message and accompanying reports of the majority and minority of the Pacific Railroad Commission for the use of the House.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 484) for the relief of Thomas C. Dickey;

A bill (H. R. 1604) to change the time of the sessions of the circuit court of the western division of the western district of Missouri; and

A bill (H. R. 5514) to amend section 4883 of the Revised Statutes.

## MASSACHUSETTS STATE CLAIMS.

Mr. DAWES submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Treasury be, and he is hereby, directed to report to the Senate as early as practicable what progress has been made by his Department in examining the claim of the State of Massachusetts for expenses incurred and paid at the request of the President and Secretary of State during the war in protecting the harbors and strengthening the fortifications on the coast, now on file with the Third Auditor, under the act of July 27, 1861, in pursuance of the authority and direction of the act of July 7, 1884; and how early the "report of the amount to Congress" therein required will be made.

## ISAAC D. SMEAD & CO.

Mr. DAWES submitted the following resolution; which was read:

*Resolved*, That the commissioners of the District of Columbia be, and they are hereby, directed to furnish the Senate with a detailed statement of the entire amount paid by the District government to Isaac D. Smead & Co. from the date they commenced work for the District to the present time, giving in connection with each payment its amount, date, kind of work done, and designation of the building in which it was done; also to report whether there was any competition or whether any proposals were invited for said work before contract was entered into therefor, and, if so, to furnish specific information in regard to the same.

Mr. McPHERSON. Let that lie over.

The PRESIDENT *pro tempore*. The resolution lies over under the rule.

## CŒUR D'ALENE RESERVATION.

Mr. MITCHELL submitted the following resolution; which was read:

Whereas it is alleged that the present area of the Cœur d'Alene Indian reservation, in the Territory of Idaho, embraces 480,000 acres of land; that there are according to the statistics in the Indian Bureau only about four hundred and seventy-six Indians in the tribe now occupying such reservation, or more than 1,000 acres to each man, woman, and child; that Lake Cœur d'Alene, all the navigable waters of Cœur d'Alene River, and about 20 miles of the navigable part of St. Joseph River, and part of St. Mary's, a navigable tributary of the St. Joseph, are embraced within this reservation, except a shore-line of 3½ miles at the north end of the lake, it being alleged that this lake and its rivers tributary constitute the most important highways of commerce in the Territory of Idaho, and are, in fact, the only navigable waters, except Snake River, now used for steam-boat navigation in the Territory; that all boats now entering such waters are subject to the laws governing the Indian country, and all persons going on such lake or waters within the reservation lines are trespassers; and

Whereas it is further alleged that the Indians now on such reservation are located in the extreme southwest corner of the same, around De Smet Mission, near the town of Farmington, in Washington Territory, where the land is good for agriculture; and it being further alleged that all that part of such reservation lying between Lake Cœur d'Alene and Cœur d'Alene River and that part between the Cœur d'Alene River and St. Joseph River is a territory rich in the precious metals and at the same time being of no real value or benefit to the Indians: Therefore,

*Resolved*, That the Secretary of the Interior be, and he is hereby, directed to inform the Senate as to the extent of the present area and boundaries of the Cœur d'Alene Indian reservation in the Territory of Idaho; whether such area includes any portion, and if so, about how much, of the navigable waters of Lake Cœur d'Alene and of Cœur d'Alene and St. Joseph Rivers; about what proportion of said reservation is agricultural, grazing, and mineral land, respectively; also the number of Indians occupying such reservation; also on what portion of such reservation the Indians now thereon are located; also whether, in the opinion of the Secretary, it is advisable to throw any portion of such reservation open to occupation and settlement under the mineral laws of the United States, and, if so, precisely what portion; and also whether it is advisable to release any of the navigable waters aforesaid from the limits of such reservation.

Mr. DAWES. I do not know that there is any objection to the adoption of the resolution, but all the information called for in reference to the character of that reservation is in the report of the Commissioner of Indian Affairs, already printed and on file; and so far as the Secretary of the Interior is directed by the resolution to inquire whether it is proper or feasible to reduce the reservation, I will say that recent legislation has authorized the Secretary to do that very thing whenever in his opinion it is beneficial to the Indians. All that is a matter of enactment now, so that without coming to Congress for that purpose the Secretary of the Interior can initiate any negotiation suggested by the resolution. However, I do not object to its passage. I only make this statement so that the Senator from Oregon may address his arguments and considerations to the Secretary himself without coming to Congress for aid.

Mr. MITCHELL. I simply want the information in a condensed form, and I want the advice of the Secretary of the Interior on the subject directly.

Mr. McPHERSON. I think the resolution is a very important one, and should be printed and lie over.

The PRESIDENT *pro tempore*. The resolution will lie over and be printed.

Mr. MITCHELL. I give notice that I shall call it up to-morrow morning.

## THE PRESIDENT'S ANNUAL MESSAGE.

The PRESIDENT *pro tempore*. If there be no further morning business, that order is closed.

Mr. FRYE. I move to take from the table the motion of the Senator from Ohio [Mr. SHERMAN] to refer the annual message of the President of the United States to the Committee on Finance.

The PRESIDENT *pro tempore*. The Senator from Maine moves that the Senate now proceed to the consideration of the motion of the Senator from Ohio, that the President's annual message be referred to the Committee on Finance.

The motion was agreed to; and the Senate resumed the consideration of the motion to refer.

Mr. FRYE said:

Mr. PRESIDENT: The President of the United States, in his annual message, has thrown down the gauntlet of "free trade," with, I admit, a thin veneer of disguise—too thin, however, to deceive the people. His remarkable declaration of policy has, of course, been received in England with undisguised joy. She has been seeking our markets with a persistency that never tired, a courage that never failed, a faith never hopeless, though for a quarter of a century the defenses against her aggressions have been formidable, and now she hails with unconcealed delight the announcement that these defenses are to be razed. Listen to the comments of her press congratulating her people,

and at the same time mercilessly stripping off the President's flimsy disguises:

[From the Saturday Review.]

It may be taken for granted that the President has not acted without previously consulting the leaders of the Democratic party and securing their approval. He and they have taken up again the old free-trade policy of the South Carolina politicians, unconnected with what, in the jargon of American politics, was called the sectional question.

[From The Sepectator.]

His terse and telling message has struck a blow at American protection such as could never have been struck by any fair-trade league, such, indeed, as would have been greatly weakened by the operations of any fair-trade league. * * * He has fired a shot at the protectionists which will be all the more effective for his refusal to discuss the theoretic issue. * * *

[From the People's Journal, Dundee.]

A great sensation has been created by President Cleveland's Message, and if the policy which it indicates be carried out, it will produce almost as much effect in this country as in America. The tariff reform which the President recommends goes as far, at least, as the abolition or reduction of the duties on raw materials. Should Congress give effect to this proposal, its immediate result would be an enormous stimulus to English industry.

[From the Scotsman.]

The President proposes a radical reduction in the duties on raw materials, or even their free importation, as a way of compensating manufacturers for the sacrifice which they are asked to make. The free importation of iron, coal, and wool would be a great boon to British producers; if it were accompanied with reductions in the tariff upon cotton, woolen, and other manufactures the artisans of this country would derive a marked benefit from it. If once the United States finds herself on the road to free trade she will hardly know where to stop, for the principle which President Cleveland, as the head of the Democratic party, lays down is really that no import duties are justifiable which are not levied solely for purposes of revenue.

[From the Glasgow Herald.]

"It is a condition which confronts us; not a theory." Precisely so. Words almost identical with these have been used, and with enormous effect, in this country by Adam Smith, by Richard Cobden, by Sir Robert Peel. President Cleveland may say to others, therefore, and think what he chooses, but he has precipitated the inevitable struggle between free trade and protection in the United States, and that is tantamount to saying that he is on the side of free trade.

[From the Haddingtonshire (Scotland) Courier.]

This much is certain, that another fierce contest is impending in America over the principle at issue. If it terminates, as it may be hoped it will do, in the direction of a relaxation of those imposts that now so vexatiously hamper commercial intercourse between Great Britain and the United States, we may look to an impetus being given to our home trade that will go far to make up for the depression of late years.

[The London Iron and Steel Trades Journal.]

The facts set forth in the President's message, though by no means new, are now brought so prominently under the notice of the American Congress and of American citizens that a violent stimulus must be given to the party which advocates entire freedom of trade.

[The London Iron.]

The message of President Cleveland to the United States Congress is the preliminary to a movement which, we trust, will gain in strength.

[The London Ironmonger.]

Dealing with the message as it stands, it would certainly seem to indicate a greater leaning towards free-trade principles on the part of the United States Cabinet than has been observable hitherto."

"Mr. Cleveland's policy," said the Times, "may not establish free trade in the strict sense of the term, but it will to a great extent make trade free."

"The President," said the Daily News, "does not seem to perceive the effect of his own arguments, or even the meaning of his own words. His statement that the question of free trade is irrelevant is astounding and preposterous. Mr. Cleveland has persuaded himself to think, or finds it convenient to say, that the principle of fostering native industries by duties on foreign imports can be made compatible with the principle of regulating the burdens upon the people by the needs of the public service. It is pure delusion. Protection, albeit indefensible, is the height of wisdom compared with proposals which combine all the evils of interference with all the risks of liberty."

"His real meaning is that the scheme by which the artificial fabric of domestic enterprise has been built up in America is fundamentally vicious. He demands in effect that there should be a tariff for revenue purposes only."

[From "A member of Parliament" by cable to the free-trade New York Herald.]

To convert the United States is indeed a triumph. The Cobden Club will henceforth shet up a special shrine for the worship of President Cleveland, and send him all its publications gratis. Cobden founded free trade; Cleveland saved it. Such is the burden of the song all through England to-day.

[By special cable dispatch to the free-trade New York World.]

LONDON, *December* 10.

The English papers continue to devote much space to what they call "Mr. Cleveland's delaration in favor of free trade." From the average English comment the public here has been led to believe that free trade is now as good as adopted in the United States. It is considered here (in England) that free trade with us (in America) is just what is needed to revive drooping English industries. The Times, this morning, devotes a column to the American situation, denoucing Mr. Blaine for holding on to what it calls "the absurd principle of protection."

[From the London Post.]

We must regard the message of the President of the United States as being a distinct pronouncement in favor of free trade.

We shall be much mistaken if the effect of this State communication will not be to strengthen considerably the case of free traders in all parts of the world. It will be regarded as a step in the right direction by all who believe in the soundness of free-trade principles.

[From the London Times.]

It is calculated that to give effect to Mr. Cleveland's policy, duties to the amount of some £16,000,000 a year, about two-fifths of the entire customs revenue, must be surrendered. This operation may not establish "free trade" in the strict sense of the term, but it will to a great extent make trade free.

As was to be expected, the protectionists have taken the alarm, and, as our correspondent at Philadelphia informs us, they are organizing for a determined resistance. They are, no doubt, right in believing that, whatever may be said of preserving the essence of the protective system and of ignoring free trade, the tariff can not be reduced to the strict proportions of a revenue corresponding to the limited and diminishing necessities of the Federal Government without admitting a great flood of foreign competition.

[From the London Standard.]

"In readjusting the tariff," he adroitly explains, "the interests of American labor and our manufactures should be carefully considered. Relief from the hardships of the present tariff," he goes on to say, "should be devised with especial precaution against imperiling the existence of the manufacturing interests, but"—there is much virtue in the "but"—"such existence should not mean excessive profits."

Mr. Cleveland has used such praiseworthy candor in his positive treatment of the evils of the existing faulty system, that this soothing parenthesis, which the whole context proves to be a polite nothingness, may well be pardoned. When the inevitable consequences of adherence to a protectionist tariff are set forth by a man in Mr. Cleveland's position in the language which he has used, free trade becomes at once a living issue. There is an end of the truce, of the makeshifts, of the hollow compromises between the rival factions to keep the delicate subject in the background of the platforms. If the Congress does not forthwith expunge the scandals of the customs lists the next Presidential campaign will be fought out, not on the obsolete cries of Republican and Democratic strife, but on the new question whether the people are—simply because it suits the convenience of certain manufacturing rings that foreign competition should be rigorously excluded—to be mulcted year after year of enormous sums which the Treasury does not need, and which it can not employ.

These exposures of the President's purpose, these expressions of redundant joy, these prophecies of the realization of long-deferred hopes, would have multiplied without limitation, if warning had not come that English opinions must be restrained in their utterance, or the full fruition of English hopes might be endangered. They heard the warning cry of the London Pall Mall Gazette:

English free-traders would be well advised if they moderated the ecstacy of their jubilation over President Cleveland's message. Every word which they say in its favor will be used as a powerful argument against the adoption of its recommendations.

They promptly gave heed, and these English free-traders assumed a new role, became congratulatory of America, complimentary of our statesmen, prophets "of a marvelous prosperity to visit our borders," seers with bright visions of our disenthralled Republic, "successfully competing with their own country in the markets of the world." Is it possible that England has seen the shining of a light from heaven, and suddenly been converted into a great philanthropist? Has she come to recognize our country as "her daughter beyond the seas," entitled to her affectionate regard? Did she ever in all the history of her marvelous success permit the rights of any other nation to impede her progress in commerce or manufacturing? I admit freely her sagacity, her clear-sightedness, her promptness in action, her success in diplomacy, her power, but I deny emphatically that she ever before indicated any sympathy in our prosperity, and I assert with equal emphasis that she has never permitted an opportunity to injure us to pass unimproved.

I receive her congratulations now for all that they are worth in the light of her past conduct. But ought not these fresh and unwarned declarations of her press at least to put us on our guard? Ireland once supported in reasonable comfort 8,000,000 of people. Her manufacture of linen, silk, wool, and cotton, protected by tariffs, and encouraged by subsidies, absorbed her capital, employed her laborers, promoted a diversity of industries, and insured prosperity. England, was her next friend, advised, cajoled, and flattered her in to the belief that she could raise raw materials on her fertile soil, sell them to her, buy of her the manufactured products more cheaply than she could make them, and that free trade would be a national blessing. Beguiled by her, Ireland consented, her tariff was gradually repealed, horizontally destroyed, her subsidies withdrawn. Since then she has been raising raw material, selling it to England, buying her manufactured goods of her at prices determined by England alone, and to-day, with only 5,000,000 of people, is the poorest, most distracted and harassed country on earth. She drank the free-trade cup which England pressed to her lips to the very dregs. Thomas Francis Meagher, the Irish patriot, in a speech made at Dublin in 1847, thus summarized the results to his afflicted country of England's friendship and advice:

The cotton manufacture of Dublin, which employed 14,000 operatives, has been destroyed; the 3,000 silk looms of the Liberty have been destroyed; the stuff and serge manufactures, which employed 1,491 operatives, have been destroyed; the calico looms of Balbriggan have been destroyed; the flannel manufacture of Rotterdrum has been destroyed, the blanket manufacture of Kilkenny has been destroyed; the camlet trade of Bandon, which produced £100,000 a year, has been destroyed; the worsted and stuff manufactures of Waterford have been destroyed; the rateen and frieze manufactures of Carrick-on-Suir have been destroyed; one business alone survives, thrives, and flourishes, and dreads no bankruptcy. * * * That favored and privileged and patronized business is the Irish coffin-makers.

And yet, England hopes and the Democratic party expects that every Irish-American citizen of this Republic shall, in the coming Presidential election, vote for Mr. Cleveland and free trade!

Portugal, Egypt, India, China, and, indeed, our own country, in its early life, can bear abundant testimony to the blighting influences of England's peculiar policy. But all her victories in the past would pale into comparative insignificance in the presence of that she is now so confidently contemplating in the promise of Mr. Cleveland's message. One of the greatest of her free-trade writers and speakers declared, years ago, that her proudest achievement would be the subjugation of the American market, and that she thinks she beholds close at hand, accomplished, too, at a time for her the most fortunate possible.

She finds herself with her markets open to the world, whilst nearly all the nations of the earth have, partially at least, closed theirs to her. She sees her industries suffering from a competition under which some

of them can not long survive; her silk manufactures almost destroyed; where once in London alone there were 90,000 operatives, now only 8,000; Germany and Belgium capturing one-half of her colonial trade in iron and steel manufactures, competing successfully in her own home market to her loss of over $800,000,000 in four years; James Adamson, president of the British Iron and Steel Association, in his inaugural address, delivered only a short time since, declaring that this industry would be driven to the wall without protection or a reduction of wages; her cotton industry crippled; the manufacturers of Manchester, in convention only a few months ago, declaring that lower wages or protection against Germany and Belgium must be had; millions of men and women seeking for work and finding none; thousands and tens of thousands of hungry men marching through the streets of London, even into that holy of holies, Westminster Abbey, with banners inscribed "bread or work;" nearly one-fifth of the population of London indoor paupers or requiring outdoor relief; her agricultural lands mortgaged for 58 per cent. of their worth, shrinking in value the last ten years more than one-half, and her farm laborers decreasing more than one-third, while those remaining work for from 1 shilling 6 pence to 2 shillings a day. In her distressed condition she hears the voice of President Cleveland proclaiming that "our present tariff laws," the very laws that partially close against her the best market in the world, are "the vicious, inequitable, and illogical source of unnecessary taxation," and who can wonder that her people should deafen our ears with their "hears! hears?"

She sees him adopt, as the slogan of the political battle of 1888, that fundamental doctrine of the free-trader of the past ages, exploded ten thousand times by cold facts, "the tariff raises the price to consumers of all articles imported and subject to duty, by precisely the sum paid for such duties," and why should they not indorse him as the great champion of their interests. She listens to his invitations to participate in the best market in the world, and knowing that such a participation would start her halting machinery, employ her millions of hungry, idle, laborers, why shouldn't they hail him as their great deliverer?

But, Mr. President, I come to a question more important to us here than England's attitude. Will the Democratic party indorse and sustain their chief? They have for a score or so of years been masquerading as reformers, in the garb of "tariff for revenue only with incidental protection," "of tariff for revenue exclusively," even in manufacturing sections as mild-mannered protectionists. In the South, where, until recently, there has been but little diversity in industries, they have been bolder in their utterances, but for the last few years, even there, blinded it may be by the smoke of iron furnaces, or bewildered by the noise of the loom and shuttle, now and then some bold man dares proclaim himself a friend of protection! But the Senator from Missouri [Mr. VEST] a few days since, said, on the floor of the Senate, that he indorsed every line, word, and letter of the message, while the Senator from Indiana [Mr. VOORHEES] in his elaborate speech, in cold blood, laboring under no excitement, declared "it is true to the teachings and principles of the Democratic party, from its foundation, eighty-seven years ago, to the present day."

The Senator from Tennessee [Mr. HARRIS] in a speech made elsewhere, announced that his vote would never be given to the protection of any industry whatever. Indeed, I am inclined to the opinion that the party really believes "our tariff legislation to be vicious and illogical," that a duty is a tax paid by the consumer. And why should it not? The controling element of the Democratic party is in the South, and can to-day determine its principles as readily as it could before the rebellion, when it forced it into the championship of slavery. As to their position there can be little, if any, doubt. When they adopted a Constitution for the Confederacy, a portion of one article, agreed upon with entire unanimity, as I am informed, was in these words:

> But no bounties shall be granted from the Treasury, nor shall any duties or taxes on importations from foreign nations be laid to promote or foster any branch of industry.

The Democratic Representatives of this part of our country learn and forget very slowly; and, in my opinion, the most of them still hold to that Confederate doctrine, and are totally blind to the marvelous changes wrought in their midst. For fifty years they have been inspiring the Democratic party to fidelity to the shibboleth of free trade, and whatever disguises the party may have adopted, however frequently it may have masqueraded before the public, however elastic it may have made its platforms, whenever it has been called upon to act it has fully justified the President's message as sound Democratic doctrine. In the Forty-fourth Congress they controlled the House, and have from then to now, except during the Forty-seventh, and for that entire time they have kept the whole country disturbed by their frantic efforts to revise the tariff, which has but one meaning in a Democratic dictionary—to reduce duties. Fernando Wood, William R. Morrison, and Randolph Tucker have been chairmen of the Committee on Ways and Means, all three of them open, undisguised free-traders. Mr. MILLS, of Texas, now presides over the deliberations of that committee—almost cranky in his advocacy of the same doctrine.

The Speaker of the House, Mr. CARLISLE, in his devotion to the work of destroying our present tariff, arrogated to himself almost despotic power in his refusal during the last Congress to recognize any member of the House to offer for immediate consideration any proposition to reduce the surplus unless it should first have been submitted to a Democratic caucus. At the opening of every Congress since and while they have had a majority in the House their war cry has been "Revise the tariff!" and every bill reported from their committee as a revision, if enacted into law, would have sacrificed many of our industries to the greed of Great Britain. They have even gone to the absurd extent of reporting favorably a horizontal reduction along the whole line of duties. The Democratic Secretary of the Treasury, too, helps to swell the choral song of free trade. In his annual report he says:

> And now there is left only the revenue from customs taxation to be considered. Here is where the reduction should be made. * * * Add to the free-list as many articles as possible. Reduce duties upon every dutiable article to the lowest point possible.

In other words, strike down our "vicious" tariff. But the honorable Secretary does not rest here. He sees another direction in which we can legislate in the interests of Great Britain, and promptly seizes upon it. He says, in the same report:

> A citizen of the United States may buy a foreign-built vessel in a foreign port; he may put the United States flag upon it and trade with all the countries of the world except his own. Our Government will protect him with all its power in such trade; but if he brings his ship with our flag upon it to one of our ports, our Government will confiscate it or impose prohibitory duties. He may, however, put the flag of any other country on that same ship and bring it to his home without molestation by our Government; it is then protected by the power of a foreign country. It is difficult to understand why it would not be well to so change our navigation laws as to allow foreign-built ships owned by our citizens to come and go between this and other countries while bearing the flag of the country of their owners.

What the Secretary means in the first ten lines of this quotation is beyond my comprehension. I have always believed that the only way to determine the nationality of a vessel was by an examination of her papers, and it is an entirely novel doctrine that a flag settles the question. There is hardly a foreign steamship entering an American port that does not hoist the American flag. Nor was I aware before that a vessel could trade at any port of any commercial country without carrying such papers, regardless of the flag she was flying. The last four lines are unmistakable. The Secretary advises the prompt repeal of our laws which provide that no foreign-built vessel shall be admitted to an American register, also, of course, of all restrictions now protecting our coastwise trade. In other words, the Secretary accedes to the demands of Great Britain that she, with her cheap coal, iron, steel, and labor, shall build all of our ships. To be sure they are 90 per cent. labor; what of that? This Administration, from President down, prefers to employ, feed, and clothe English workmen to American. To be sure, such a surrender would destroy our coastwise fleet and trade; but what of that, the English and Canadians would serve our people more cheaply.

To be sure our ship-yards would disappear, our skilled ship-carpenters and mechanics forget their cunning, our sailors become unknown; but what of that, England could supply our necessities. To be sure a maritime nation without ships, ship-yards, and sailors might as well be without a constitution, would properly fall into contempt in the presence of the world; but what of that, our mother England has maritime power enough for the whole family, and will surely take care of her own.

Mr. President, it seems to me we may safely assume that the Democratic party, while it may not have the courage or the honesty of the President, does enjoy the same convictions as to the vicious, illogical, and inequitable character of our tariff laws; that, if by cheating the people as to their real sentiments, they can secure another lease of power, obtain control of the Senate, then we may bid farewell to any policy of protection illustrated in legislation.

Mr. President, the Republicans rejoice in the courage of the President, and take up his free-trade gauntlet.

They join the issue tendered and emphatically declare that our tariff laws, instead of being "vicious, inequitable, and illogical," are and have been promotive of a marvelous prosperity. That instead of "the duty increasing the tax to the purchaser" the effect of it has almost invariably been a reduction of cost to the consumer. Why, Mr. President, we live in a country wonderfully endowed, splendidly equipped for a successful struggle with any other. Our fertile lands can feed a billion of people as readily as they now sustain sixty millions. We have a seacoast almost limitless, within our borders one-half of all the fresh water in the world, located in lakes and rivers, as if our necessities and convenience had alone been consulted; as many miles of railroad as the rest of the world, and as a legitimate consequence, the lowest rates of freight to be found anywhere. We have inexhaustible mines of iron and coal in twenty-four of our States and Territories; even mountains of iron like Pilot Knob and Iron Mountain, said to contain 500,000,000 of tons of good quality, accessible. We have copper, lead, tin, gold, silver, granite, slate, lime-rock, marble, mountains of salt and sulphur. Our capacity for wool-growing and for cotton-raising has never yet been tested. Texas alone can easily produce all the cotton we manufacture at home and export. We are possessed to-day of the finest machinery and the best tools, with a skill in their manufacture able to respond to all demands that may be made upon it. We have more inventive genius than any two of the nations of Europe. Our business men are energetic, bold, and sagacious, our laborers the best

in the world, active, hopeful, and ambitious. With all these advantages we can not compete successfully with the countries of Europe. Why not? There is, there can be but one answer, we are handicapped by the cheap labor there.

Why, is labor a factor in production sufficient to overcome all of our advantages? Undoubtedly it is. Labor, on the average, makes one-half the cost of all production. I do not mean to assert that the cost of a yard of cheap cotton cloth is one-half labor, but iron ships, machinery, furnaces, forges, and factories are 90 per cent. labor. A year or two since I was in the Waltham Watch Factory. The superintendent showed me some watch screws so fine that the naked eye could not see the thread. I asked him to figure out their cost by the ton. He complied, and found it to be a little over $4,600,000, seven times more precious than gold, and yet laying in the earth the ore was not worth more than one dollar and a half. Whether the labor converting the ore into the screw was one or two dollars a day would make a marvelous difference in its cost. But the free-trader insists that after all there is not much difference between the cost of labor here and in Europe; that the living is not so expensive there as here. Now, this is a question which must be settled according to the facts. It is fundamental, vital; and a mistake in its determination may be fatal to our industries.

The PRESIDING OFFICER (Mr. DOLPH in the chair). The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business.

Mr. SHERMAN. I hope the unfinished business will be informally laid aside and the Senator from Maine allowed to proceed.

The PRESIDING OFFICER. If no objection be made, that will be the order.

Mr. BLAIR. I make no objection this morning.

The PRESIDING OFFICER. The Senator from Maine will proceed.

Mr. FRYE. During the year, the opportunity offering, I investigated as thoroughly as I could the condition of labor in Europe. My information was gathered largely from European investigators and from the men and women who worked. I found that to obtain it from the employers was difficult, and when obtained it was unreliable, wages being generally exaggerated. They were fond of dealing in averages. They arrived at these by disregarding numbers. For instance, in a cotton mill nearly all of the employés are women, a few skilled men being required to look after the machinery, to whom fair wages are paid. The superintendent in answer to your inquiry would reply, "We pay from $2 a week to $8, the average being $4 or $5." He never volunteered the information that while one hundred of his employés earned $2 a week, only two were paid $8. Our consuls are entitled to great credit for their unceasing efforts to arrive at the facts, but their sources of information have generally necessarily been the employers, and some of it I know has been incorrect. I visited personally factories, furnaces, forges, shipyards, iron and coal mines, and talked whenever I could with the workmen, and in my conclusions as to facts do not think I can be mistaken.

ITALY.

Italy is not, I admit, a serious competitor of ours to-day, but, if I mistake not her spirit, means soon to be. She is not a power to be ignored in the great struggle of the nations for commercial and manufacturing supremacy. She has nearly 30,000,000 of people, an army of 500,000 men, a navy greatly superior to ours, powerful coast defense, supports and encourages her merchant marine by bounties and subsidies. King Humbert is one of the most sagacious rulers in all Europe, and understanding thoroughly that to make his country prosperous and powerful the people must be employed, he is doing his utmost to encourage manufacturing enterprises, with a success, too, which is little known outside his own borders. During ten years the increase shipment of cotton from India to Italy has been 175 per cent., while that to England for the same period shows a decided decrease. What are the wages? In a government lace factory, employing hundreds of women and girls, making the finest thread laces in the world, the earnings were from 8 to 12 cents a day. One woman, who had worked there for forty years, the most skilled in the factory, succeeded in earning 12 cents a day, as I saw by the pay-roll of the mill. The superintendent of a cotton mill near Naples, employing mostly women, told me that they were excellent workmen, willing, contented, and cheerful; that their wages averaged 20 cents a day, while the men worked for 40. In a marble yard I found the earnings to be from 40 to 60 cents a day. Forty cents a day was regarded as good pay for an able-bodied man. In the silk mills 20 cents for women and from 40 to 50 for men would secure all the laborers wanted. The farming was done almost entirely by women at from 16 to 20 cents a day. I never saw there any improved farm implements. Should they be furnished, four out of five of these women could be relieved from out door work and go into the mills. Indeed; there seems to be no end to the men and women willing to work for the lowest wages and yet with nothing to do. It is difficult to conceive of a progress in manufacturing which shall create in twenty years a demand for labor sufficient to increase to any great extent the wages.

BELGIUM.

Belgium is a competitor, and to England a most alarming one. It is a perfect bee-hive. The women make the land blossom like a rose at daily wages from 20 to 25 cents. In the lace factories at Brussels the skilled women, who in Italy were earning 12 cents a day, could command 20. In the cotton mills 25 cents a day was regarded as satisfactory wages for women, from 40 to 50 for men. In the iron and steel works $4 a week would furnish an ample supply of common laborers, while skilled labor seldom averaged more than $5 or $6. Miners of iron and coal received from $3.75 to $4 a week.

Mr. GRAY. I hope the Senator will be able to tell us how it is that the protective policy there and the system of bounties and subsidies, for the obtaining of which he says King Humbert was the sagacious promoter, has not operated to raise this scale of wages.

Mr. FRYE. I did not suppose the Senator would ever ask that question. I have heard others ask it a great many times, and I have heard England pointed out over and over again as a free-trade country that has higher wages than countries with a tariff like Germany or Italy. It ought to be as plain as A B C to any man. How did the English scale of wages ever get above the scale of wages in France, Germany, and Italy? It got above their scale of wages when they were all free-trade countries and when England was a protective-tariff country with the very highest kind of a protective tariff, and under that protective policy of Great Britain her scale of wages was raised while the scale of wages in these free-trade countries was kept down.

How can a protective tariff increase wages? There is only one way on the face of the earth that a protective tariff increases wages, and that is by making a demand for labor, by building mills and opening mines and erecting furnaces and forges, and thereby creating a demand for labor, and the moment labor gets ahead of the supply then your wages begin to go up. That is what the protective tariff does for wages; and to-day in Germany, in the iron and steel manufactories, they are increasing their wages, and not in the others. Why not? Because even under their protective tariff, adopted only in 1879 or 1880, the demand has not yet got to be beyond the supply.

Mr. GRAY. That is your answer?

Mr. FRYE. That is my answer. Now take Germany.

GERMANY.

My conclusion was that the wages in Germany were hardly as high as in Belgium. Agricultural laborers seemed to be plenty at 20 cents a day, while women wood-sawyers in the streets of Munich were content with the same. I was told by a German statistician, an investigator of the labor problem, that the cotton-mills, employing mostly women, could hire them for anything they pleased to pay, and that some corporations without soul were taking advantage of this condition and paying wages "atrocious in their meagerness." To test the influence of their tariff on wages, a call was made upon 233 establishments, engineering, iron and steel, where, presumably, the highest wages are paid, for returns for the years 1879 and 1886. The responses show that the average wages paid before were about 15 shillings a week, and 16 shillings 6 pence in 1886, while the increase of workmen in these industries was 30,000. The supply of labor still exceeded the demand, and the rise had been small. I see that one of our consuls reports the average wages of women employed in the German factories to be $2.38 a week. I am clearly of opinion that he is deceived, that he procured these figures from the employers and not from the employed. I am entirely confident that one can employ all the women he requires at 25 cents a day to do any kind of work.

At Stuttgart, an important manufacturing point, there is an immense corset factory and the wages actually paid were not one-third of those in a like concern in the United States. The entire product was shipped to this country and invoiced at one-half of its market price. Hon. Charles P. Kimball, formerly Democratic candidate for governor of Maine, received the appointment from Mr. Cleveland to the consulship at this city. Three months after his arrival he wrote me: "I came here a free-trader; I am now a high protectionist. With present wages in America the attempt to compete with these Germans is absurd. Why the wages are a mere bagatelle. Our party should be looking to an increase rather than to a decrease in duties." I am quoting this letter from memory, but the substance is correctly given. Mr. Kimball paid a first-class coachman 2 marks (48 cents) a day and he boarded himself. From careful inquiries addressed to our consuls, to gentlemen investigating the labor problem, to employers and employed, I am entirely satisfied that the average annual earnings of able-bodied men in Germany will not exceed $115, and of women $85, while the agricultural laborers and the women employed in out-of-door work earn still less.

ENGLAND.

But England is the free-trader's paradise, and her scale of wages higher than in any continental country, is cited as proof positive that a tariff is no protector of wage-workers, forgetting that this scale was largely influenced by the highest kind of protection, regorously enforced by England until she believed that her wealth, her machinery, and her skilled workmen could control the markets of the world. Neither her manufacturers nor her laborers to-day participate in this admiration of her fiscal policy. Wages all over Great Britain are low and decreasing. Eighty thousand women are working in her cotton-mills at Manchester for from 30 to 35 cents a day, while the manufacturers are insisting

upon a decrease, to enable them to compete with Germany and Belgium. Two shillings, and in favored localities, two and six-pence a day are the highest wages paid to common men laborers, while hundreds of thousands can not get work at that. I saw, on the magnificent docks at Liverpool, thousands of men, hungry-looking men, daily asking for work, work at any price, work if only an hour, so that they might buy bread for their children. The streets of the great cities are full of idle men, not willingly so, but from necessity, and great armies of police are required to preserve the peace. She is to-day supporting in her poor houses more than a million of people, and how many more receive ontdoor relief no man can tell. Her silk industry is almost destroyed, her cotton is suffering, her iron and steel being supplanted by that of Germany and Belgium, her ship-building not employing one-half of the usual compiement of men.

I heard Mr. Bradlaugh declare in a speech in Parliament that agriculture was ruined; that half of the farm laborers could get no work; that those employed received the pittance of a shilling or a shilling and sixpence a day. If I should describe the condition of English laborers in his words I should be charged with gross exaggeration. This being England's condition to-day, what utter nonsense to talk about high wages there. I say that men and women there will to-day work for what they can get, and that the wages actually paid are not more than one-half of those paid in our Northern States.

SCOTLAND.

Scotland is in no better condition. In Glasgow, where Mr. Bright said forty-one thousand families out of every one hundred thousand lived each in one room, the army of the unemployed is perfectly immense, the evidences of pinching poverty horrible. The great works on and near that marvelous river, the Clyde, are painfully slack in business, ship-building greatly depressed, the most of the iron used, until recently mined and worked at home, is now imported from Spain, and wages are adjusted by the employers. While I was there all the ship-yards, furnaces, forges, and factories in and for 10 miles around the city shut down for an entire week on account of a two-days fair.

The Langloan iron works, located here, do an immense business, cover 35 acres of land, run seven furnaces, produce 300 tons of iron daily, consume in its production 500 tons of coal. The average haul of the coal is only 2 miles, and the cost delivered 5s. The average wages illustrate the highest paid labor. Skilled workmen are paid from 3s. to 7s. a day, the large majority not over 4s; their coal-miners from $5.59 a week to $5.88, iron-miners from $5.34 to $5.59 per hand, foremen from $6.25 to $6.32 a week, common laborers from 54 cents to 62 a day. I had a curiosity to visit Paisley, knowing that the enormous thread mills had their duplicates in our own country, at Newark and Pawtucket, run by the same owners. The hands employed there and here are nearly all women. The business is such as to require careful selection. The operatives were neat in appearance, active, attentive to their work, and satisfactory to their employers. Their earnings at the Paisley mills averaged about $2.80 a week. A month or two since I was at Pawtucket; found the average weekly wages of the same class of workers, on precisely the same work and for the same owners, to be nearly $8 a week. Mr. Coates, of the firm, told me that the help in Paisley were as active, efficient, and attended to as many machines or spindles as at Pawtucket. It is impossible to find a more reliable and faithful illustration of the difference in wages in Great Britain and America than this.

IRELAND.

It is hard for me to understand how any moderately decent rate of wages can prevail in this afflicted country. More than half of the people, men and women, seemed to be entirely out of work. As you ride through the country hundreds will follow your carriage, some of them for miles, begging for a penny. Agriculture seems practically dead. Out of the 250,000 tenants of small holdings, 5 acres and less, many, if not the most, formerly worked on the farms in England and Scotland during each summer, earning and saving enough to pay their rents, while their wives and children cared for the home lot. But now the farmers of England and Scotland cannot employ more than two-thirds of their own, so that resource is cut off. In some counties almost half of the inhabitants are now receiving help. Pauperism is fearfully increasing. They raise an abundance of wool, are willing to work for the lowest wages, and nearly all their mills are idle. What little cotton manufacturing they had seems to have disappeared, and even the linen industry has greatly declined. I hardly see how any rate of wages could be fixed.

They might depend upon the greed of the manufacturer and the hunger of the worker. The very best of house servants could be obtained for $1 a week. Flax breakers asked about $4 a week, hacklers about the same, spinners and weavers $2 to $2.50. The women at work on the farms, I was told by good authority, were glad of 20 cents a day. Of the countries I visited, the wages in Switzerland and Italy were the lowest, Germany next, then Belgium, then France, while those in England were highest. Now, Mr. President, as to the cost of living. A conversation I had with an American consul will illustrate this. The consul had just concluded a report to the State Department with, "the cost of living for the laborer here is not half so great as in the United States." I called his attention to the statement, and asked him if beef was any cheaper there? No, was the reply. Pork? no; mutton? no; flour? no; butter? no; cheese? no; bacon? no. I asked him to name some necessary of life that was cheaper. He named clothing. I asked him if cotton underwear, such as they used, was cheaper than in America. He admitted it was not. I had already experimented in that, and discovered, by paying for it, that it was considerably higher. He, however, stood by woolen clothing. This I carefully investigated, and concluded the investigation in Boston on the day of my return. I have no hesitation in saying that our machine ready-made clothing, better made, more neatly fitted, can be purchased by the laborer here as cheaply as it can be in Great Britain. The consul finally said that I misunderstood the force of his report; that what he meant to be understood was that the laborer there did not expend for his living more than one-half as much as he did in the United States. This I readily admit, and am rejoiced that our workingmen can expend twice as much. If, however, free-trade policy prevails, they will have an opportunity to compete in economy with the laborers abroad.

On the Continent almost everything consumed by workingmen is fearfully taxed. It is estimated that in Italy 30 per cent. of the wages are required for taxes. In Russia, church and state take about one-half. In Germany, a Swiss porter without family, without a dollar of property, paid as his tax $17 a year. I saw his receipt. But after all, the cost of living to the workman has no bearing at all on the question of our ability to compete. It is only significant as to the question, how shall he live when free trade has done its perfect work and his wages have been reduced to the European standard.

Now, Mr. President, this difference in the cost of labor has been becoming more vital every day. In my opinion 10 per cent. protection from 1830 to 1840 had as much efficiency as 40 per cent. now. Why? Fifty years ago the countries of the earth were widely apart, communication between them slow, uncertain, and dangerous, freights enormously high, the profits insisted upon by merchants and manufacturers excessive. Mr. Bright, in a speech in Parliament about that time, arguing that America as an independent country was a more valuable customer of England than she possibly could have been as her colony, said, "on all the goods exported to America during the last quarter of a century you have made a net profit of 40 per cent." These conditions and these circumstances alone afforded us great protection against their products and effectually weakened the force of their competition. But now all these nations are touching elbows, the distances between are of little or no account; in time New York and Liverpool are no further apart than New York and San Francisco; in cost of freight not half so far; communication is regular, certain, constant.

The great interior cities have been brought close to the seaports by railroads. In but a few days' time the bulk of any and all of the products of any one of the nations can be dumped onto the wharves of another. Excessive profits have disappeared. Whether or not there shall be any profit to the manufacturer at all depends upon his skill in organization, his economy in manufacturing, his immediate appropriation of every improvement in machinery—the largest possible production from any given amount of power. England, fifty years ago, with her advantage in machinery and skilled labor, had no fear of the competition of any country, however much cheaper its labor might be, while to-day she admits that Germany, and Belgium, and France are sorely pressing her. Now, Mr. President, confronted with the living facts of to-day, laying aside all fanciful theories, generally founded on error, can this Republic, with all her admitted advantages, compete with Great Britain and the nations of the Continent, even in her own markets, with labor here from one to two hundred per cent. higher than there? It can in only two ways:

First. By enacting into law the policy of protection; that is, nearly equalizing labor by a duty.

Second. By reducing the wages paid our laborers nearly to the level of European wages.

The first method, fortunately, is now no experiment. It has been on trial for a quarter of a century and its fruits are known. During that time, though for four years, millions of men were converted from producers to destroyers, though lives were sacrificed by the hundreds of thousands, though treasure was expended and property destroyed by the billions, yet we increased in population a million a year—more than England, France, Germany, and Austria combined in the same time. We increased in wealth from $17,000,000,000 to $43,000,000,000—a billion a year. Mulhall, the English statistician, no enthusiast in our favor, says that this Republic for a quarter of a century has laid up every year $885,000,000—almost half as much as the saving of the whole world. Gladstone says: "England's daughter beyond the seas is passing by the mother at a canter," and she passed by her long ago—almost distanced her in the race. Mulhall gives the value of the annual product of Great Britain manufactories, mines and forestry, $4,500,000,000, an increase since 1850 of 30 per cent. The same product in the United States, as appears by the census of 1880, was valued at $5,500,000,000, an increase since 1860 of 160 per cent.

Since 1860 our farms have doubled in number, increased in value from $6,000,000,000 to over $10,000,000,000, while their product has increased from $1,800,000,000 in 1860 to $3,600,000,000 in 1880.

Mr. EDMUNDS. We want to change the balance on to the English side.

Mr. FRYE. That is what I have been charging.

Mulhall gives the entire product of Great Britain, farms and all, in 1880, as worth $6,200,000,000, $172 to an inhabitant; her exportations same year $1,300,000,000, leaving consumed at home $136 worth to an inhabitant. The entire product of the United States for the same year was valued at $10,000,000,000, $200 to an inhabitant, and, more significant of prosperity than any other statement, $9,176,000,000 of it were consumed at home. Our home market consumed more than Great Britain's home consumption and exportation combined. Our home market disposed of double in value the combined exports of Great Britain, France, Germany, Russia, Holland and Austria.

Great Britain has 20,000 miles of railroad, while we have 130,000, reaching 2,300 counties of our 44 States and Territories. We have grown weak in but one direction, our foreign carrying trade, which, during this period, has been absolutely without protection; but our coastwise fleet has grown to magnificent proportions, three times as large as Great Britain's, five times greater than that of any other country. This has been protected by our navigation laws, and yet the honorable Secretary of the Treasury can see no reason why they should not be repealed. These results, Mr. President, are terrible blows to theoretical free trade, and yet, sir, we have not accomplished all that we ought the past year. The completed returns show that we imported last year, notwithstanding the "vicious" tariff:

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| Iron and steel and their manufactures | $54,618,986 |
| Wool and its manufactures | 60,586,614 |
| Flax, hemp and jute manufactures | 33,807,283 |
| Silk manufactures | 31,264,277 |
| Cotton manufactures | 29,500,000 |
| Total | 209,777,160 |

The same returns show that the increased importations of these manufactures over that of 1886 amounted to nearly $25,000,000; that the increase came when the duties had been slightly reduced. Now nearly all of these manufactures might just as well have been produced at home, two or three hundred thousand more of our people employed, a million more supported, a larger market insured. The most of these goods were those in the manufacturing of which labor was the most important element, its cheapness abroad enabling the foreign manufacturer to pay the duty and sell the goods in our market to the exclusion of ours. The duties on these products ought, in my opinion, to be increased; but is there a Democrat of all those frantic for the revision of the tariff who admits, even in his dreams, that any duty should be raised?

The second method by which competition is possible to us, the reduction of wages to the European standard, I do not care to discuss—a resort to it would destroy our industries, and imperil the very life of the Republic. It would degrade our laboring men and women, take from them all the stimulus of hope and ambition, reduce them to a condition worse than that of the foreign worker. They could not live as the European does, for they have known something better. Many things have become necessities to them and to their families which are luxuries elsewhere. And yet free trade would inevitably work out this result.

Mr. President, what is this tariff which so provokes the hostility of the Democratic party; so arouses the warm indignation of the President, and leads him to such vigorous denunciation?

They say, first, that it is a cunning device of the Republican party to care for capital; to protect bloated manufacturers; to build up monopolies; to make the rich richer and the poor poorer, and the President appeals to the patriotism of these greedy manufacturers to surrender some of their ill-gotten gains. Why, sir, how utterly absurd. The capital, the money of this country needs no especial protection. It is amply able to care for itself. If invested it finds its business unprofitable, it can readily change its investment; if located at one point it gains no adequate returns, it can easily locate at another; it may even, as it does occasionally, leave the country and build up an industry in another; it may avoid all business enterprise, invest itself in United States bonds, where it is perfectly safe and pays no taxes, or in State, county, town, and railroad bonds, or it may deposit itself in national or savings banks. But, Mr. President, capital is excessively timid. A tariff encourages it to locate itself here at home, to come out from banks and bonds, go into factories of wool, cotton, and silk, into machine shops, into furnaces and forges, into an active development of the vast resources of this country, thus creating and sustaining a constantly increasing demand for labor, which inevitably results in advancing wages for the workman. The tariff does its beneficent work of protection where protection most is needed. It guards the laborer here against the competition of the cheap wages of Europe.

Without it as a safeguard, when times were hard, when European countries had, as they do every now and then, enormous surpluses of manufactured products piled up at home, our markets would be flooded, our factories closed, our laborers out of work, or if business continued wages would necessarily suffer a serious reduction.

Again: Suppose we had free trade, manufacturing in this country would not cease. Iron, steel, cotton, wool, and silk would still be worked by busy hands, but the hearts of the workers would no longer be buoyant with hope, their homes no longer comfortable and happy. They must work and weep, or starve. Then, indeed, might monopoly become possible, and capital despotic, for the cheaper the wages, the more likelihood of the ownership of the worker.

Mr. President, where are the enormous profits of the manufacturer the President asks them to yield in part? That such were realized, both at home and abroad, years ago, I admit, but that day has gone forever. Competition is so fierce that the margin for gain is exceedingly small. I am personally familiar with the operations of manufacturers of fabrics, indeed, live in a city devoted to the business, and I assert, without fear of contradiction, that the manufacturers of New England of cotton, wool, and silk have not for the last five years averaged a net profit of over 6 per cent. I assert further that a guaranty to them of such a profit for the next ten years would be eminently satisfactory.

But, says the President, the tariff raises the prices to consumers by precisely the sums paid for such duties, or in other words, a duty is a tax paid by the purchaser, and yet he may examine the entire list of the industries of this country, encouraged and sustained by the protective tariff, and not one can be found justifying his proposition, except sugar, and that only because up to now, for climatic reasons, competition has not done its perfect work. I assert the very contrary, that even "the present vicious, iniquitable, and illogical" tariff laws have decreased to the consumer the prices of all the products of protected industries, other than sugar, by more than 25 per cent. since they have been in force, and if I had time could bring forward to its support hundreds of unimpeachable witnesses.

Mr. EUSTIS. Sugar is cheaper when the tax is highest, it seems.

Mr. FRYE. That is the general rule. I could bring a good many witnesses to that. I only want to bring a few, however.

Under the encouragement of our tariff, that is a duty of about 58 per cent., the manufacture of glass has increased enormously in this country, employing thousands of men at good wages, and yet you can buy a foot of plate glass to-day for $1 which cost $2.50 in 1860.

In 1860 salt was free; the price at Chicago was $2 a barrel. In 1861 a duty of 6 cents a hundred was laid—later on 24 cents a hundred—and in 1880 it was selling in Chicago for 75 cents a barrel, and now in Michigan for 60 cents.

WORSTED CLOTHS.

In 1860 there were 3 mills in the country, wages low, business poor, production small. We encouraged it with a heavy duty, and in 1883 we were running 5,000 looms, employing 75,000 workmen, consuming 50,000,000 pounds of wool, producing 15,000,000 yards annually, with a capital of $30,000,000. During this time worsted cloths declined in price from 35 to 40 per cent. In 1883 the duty was reduced; by a vicious construction of the law a greater reduction still was made; now one-third of our looms are idle. In 1883 we imported a little less than $500,000 worth of these goods, last year nearly $5,000,000. If the President succeeds in inducing Congress to still further reduce, all of our mills will close, we shall once more import all we need from England, and the prices will go back to those of 1860.

POTTERY.

In 1860 pottery carried a revenue duty of 24 per cent. The business was insignificant, the wages low; only two or three thousand people employed. The Morrill tariff act levied a duty of 40 per cent., subsequently increased to 55, and to-day we make pottery in every State in the Union, except Florida, employ an immense force of help, pay wages higher than in 1860, and yet as much can be bought now for $2.50 as could be then for $4.

COTTON GOODS.

The duty on some of the cheaper lines of cotton goods is nearly as great as the price of the fabric, and yet they were never furnished to the people as cheaply as now. They are retailing in my city at a lower price than in Manchester, England.

SILK.

Silk manufacture in this country is almost entirely due to the Morrill tariff act, which laid a duty of over 50 cent. In 1860 only 4,000 workmen were engaged in the business. To-day 40,000 men and women are employed; capital invested, $17,000,000; annual pay-roll, $9,000,000; product valued at $50,000,000. In New Jersey alone in 1886 the production of the silk looms was worth $28,000,000, employed 20,000 people, paying them annually nearly $7,000,000.

How about the prices? I give the decline as shown by the price lists of 1865 and 1882:

| | Per cent. |
|---|---|
| Machine twist | 56 |
| Fine silks and scarfs | 53 |
| Serges and twilled silks | 62 |
| Handkerchiefs | 62 |
| Ribbons | 54 |
| Laces | 50 |
| Dress goods | 30 to 35 |

Take soda-ash. We use it in enormous quantities in the manufacture of glass, soap, and for bleaching purposes. Six years ago we imported all we used and paid $48 a ton. A duty was laid on it of one-quarter cent a pound. Six hundred thousand dollars of English capital was induced to come to Syracuse, unite with an equal amount there, erect an immense factory, which I had the pleasure of visiting a short time since. The product of the mill was 150 tons daily, requiring for its

production 300 tons of lime rock, 300 tons of salt, 300 tons of coal, and 5 tons of ammonia; all, while in the earth, of little value, 90 per cent. of the worth of the manufactured product being labor. This concern employs directly 750 men; wages average $1.75 a day, while the English wages in the same business average a little less than a dollar. How about the price? During the first quarter of their operations in 1884 the price fell to $45 a ton; the second quarter to $36, while in the last invoice I saw, only a month or two since, it was a shade less than $30. But why pursue this further? Ten thousand such witnesses might be summoned and testify as clearly and convincingly as these, and then the free-trader, with the President of the United States, championing his cause, would still insist that a duty was a tax paid by the consumer. Well, Mr. President, why is it not, and how does a protective tariff decrease the price to consumers?

The worsted manufacture will illustrate it. We were purchasing all of our goods in England; there the price was determined, not here. Of course the highest possible was fixed. We imposed a heavy duty on the cloths, and for a brief period prices strengthened, but encouraged by this protection capital emerged from the banks, bonds were converted into money, worsted mills were built all over the North until $20,000,000 were invested. Then we established the market price, not England. Competition at home became a powerful factor in its determination. The mills were thoroughly reorganized, economy became a science, the inventive genius of the country was called upon for new and improved machinery; it responded generously, as it always does here, the product was doubled with the same power, and the prices continually fell, while the wages of the operatives increased.

Now, Mr. President, suppose this Administration succeeds in destroying this industry, what will be the inevitable result?

Home competition will disappear, we shall no longer regulate the market; what cloths we need we shall buy abroad. England once more determines the conditions on which we shall buy, and the prices will go back. If, however, all of our industries were equally exposed to the pernicious effects of free trade, they might not be destroyed. Manufacturing might, and probably would, continue here, but the price of it would have to be paid by the poor laborer, in scanty wages, hard work, poor living, and destroyed homes. The total extinguishment of one industry is easy, for its laborers would not consent to a reduction of wages which would enable it to live, but would find employment in those that survived. The doctrine of the President, that the wages of those employed in the protected industries alone are affected is too absurd to require refutation.

But, Mr. President, there is a surplus. What shall be done with that? I object to the surplus just as vehemently as does the President. We need nothing more, and ought to have nothing more than a working surplus. Democratic incapacity has afflicted us with this evil, and if we are not careful the same incapacity, in providing a remedy for the disease, will, by mistake, administer poison to the patient. The disposition of this surplus does not seem to me a very serious problem. Some of it ought to be wisely expended in the restoration of our merchant marine, in the building of a navy, in the erection of necessary coast and harbor fortifications, in the education of the people. But if the only thing desirable is to stop the inflow of money, that can be easily effected. Not, however, by the method proposed by the President, and indorsed by his Secretary of the Treasury.

A readjustment or revision of the tariff can be depended upon to reduce revenues only by two methods, one by extending the free-list, the other by an increase of duties and the consequent discouragement of importations. The latter would provoke the hostility of every free-trader in the country, while the former would cripple or destroy many of our industries. There is no middle course, for any reduction of duty less than a repeal only tends to invite increased importation, and to insure a greater revenue. The annual report of the Secretary of the Treasury shows this clearly. By reference to it we find a small decrease of duty on wool, manufactures of wool, of iron, steel, and silk, while the increase revenue in 1887 over 1886 from these articles alone was $10,908,460. Knit goods fairly illustrate this position. By the act of 1883 the duty was reduced 10 per cent., now about 15. During the years 1881, 1882, and 1883, under the old tariff, we imported 1,318,807 pounds, and collected as duty $1,722,483.

For the years 1884, 1885, and 1886, under the reduced duties, we imported 3,433,480 pounds, an increase of 2,114,573 pounds, and there was paid into the Treasury $3,617,864, an increase in the revenue from this source of $1,894,881. Worsted cloths afford another illustration. The act of 1883 made a slight reduction on the wool and on the cloth, but an unjust classification resulted in a reduction on the cloths of, I should think, from 15 to 20 per cent. What followed? The year before this act took effect our importations of these cloths amounted to a little less than $500,000. Then an increase commenced which resulted, last year, in an importation of nearly $5,000,000, a decrease of duty of 20 per cent., an increase of revenue of 500 per cent. The same result followed the reduction on yarns, on dolmans, cloaks, and other outside garments, on raw, combing, clothing, carpet wools, and shoddy.

Now, suppose Congress, in response to the message of the President, reduces the tariff along the whole line 20 or 30 per cent. Is not an increase of revenue inevitable? Then, surely, our industries would have been crippled for nothing, our laborers sacrificed without compensation, our market surrendered without pay.

But if the earnest purpose is to stop the inflow of money into the Treasury, then as the Senator from Georgia [Mr. BROWN] proposes, we can repeal all of the internal-revenue taxes, and it is accomplished. The Democrats and their allies, the brewers and saloon-keepers, need not worry so about the temperance sentiment of the country. That is very rapidly crystallizing into the opinion that the tax on spirits ought to be repealed, in the best interests of temperance. One of my objections to this proposition is that it would keep from the Treasury too much money, that an exigency might arise, as in 1875, requiring the reimposition of these taxes, always a difficult thing to do.

We can repeal the tobacco tax and $30,000,000 will stay in the pockets of the people. Repeal the tax on all spirits used in the mechanic arts and in manufactures—ten millions more are provided against. If in the list of dutiable articles any can be found the importation of which will not compete with a successful production of the like at home, place them on the free-list. It seems to me that sugar clearly comes within this specification. It has been highly protected for many years, carries to-day the heaviest tax of any article necessary for consumption, 78 per cent. ad valorem, and yet while its use has steadily increased its production in this country has not increased at all in thirty years. It is the only protected article illustrating the fidelity to truth of the President's free-trade doctrine, that a duty is a tax paid by the consumer.

Mr. EUSTIS. Will the Senator allow me a word?

Mr. FRYE. With pleasure.

Mr. EUSTIS. Does the Senator understand that it is possible for a capitalist to engage in increasing an industry where that industry is exposed to such violent threats of destruction as are being made year after year by the leaders of the Republican party?

Mr. FRYE. Mr. President, what does the Senator from Louisiana say to the threats that have been coming from the Democratic party ever since they have had power in the national House of Representatives to every single industry in the United States of America, except sugar?

Mr. EUSTIS. I deny it.

Mr. FRYE. I served on the Committee of Ways and Means in the Forty-fourth Congress when Ferdinand Wood was chairman, and I was on a subcommittee to revise the tariff, and I say the bill that committee finally agreed upon was a menace to every single industry that I know of in the country, except rice and sugar.

Mr. EUSTIS. Those bills, as I understand them, were for the revision of the tariff, and to destroy the inequalities, and what both political parties denounced as the iniquities of the tariff. I do not mean to say that the duty on sugar is a protective tax.

Mr. FRYE. That is what it is for.

Mr. EUSTIS. If the Senator will allow me a moment to read an extract; I do not want to interrupt him——

Mr. FRYE. I am nearly through, but I yield.

Mr. EUSTIS. No; go on.

Mr. FRYE. I was saying we were in need of money in 1875, and the Secretary of the Treasury sent to the House of Representatives a statement as to the condition of the finances and a request that new taxation should be levied somewhere; and where did we levy it? We put a duty of 25 per cent. on sugar, because we knew we could get money from sugar in the quickest and the most certain way to meet the exigency of the Treasury. The title of the act is "An act to provide for the exigencies of the Government," and that duty of 25 per cent. is still on sugar. Where is the exigency?

Mr. EUSTIS. I should like to ask the Senator one question.

The PRESIDENT *pro tempore*. Does the Senator from Maine yield to the Senator from Louisiana?

Mr. FRYE. Certainly.

Mr. EUSTIS. When you increased the duty on sugar by 25 per cent. in 1875, was not everything then in this country taxed to the highest point, and was not sugar selected because it was considered a tax which the people could more cheerfully endure than any other? It is a tax which protects the sugar-planter only remotely and incidentally. For every $10 of the tax that is derived from the import duty on sugar $9 go into the United States Treasury and $1 to the benefit of the protection of the sugar-planter. Why was that article selected if it was not that it could bear taxation more equally and more evenly than any other?

Mr. FRYE. I told the Senator a moment ago why it was selected. It was selected because people were compelled practically from necessity to use sugar. We knew perfectly well that the most certain way to answer the demands of the hungry Treasury then was to put that tax on sugar. We put it there for money and nothing else, not for protection, but to relieve the Treasury. What I complain of is not that it was put there, but that it is there now, and here is the President of the United States declaring that the Treasury is so plethoric that it is a standing menace to the Republic itself, and yet that duty of 25 per cent. still remains.

Mr. President, I would repeal the duty on sugar. I tried my best in 1883 when the tariff was under revision in the Senate of the United States to get that 25 per cent. off, and then 40 per cent. off, and nearly every Democrat in the Senate voted against my amendments. I asked

the Senator from Texas [Mr. COKE], I remember perfectly well, to inform me or the Senate why it was that he, a free-trader, voted against every amendment to reduce the duty on sugar, and he replied frankly that it was because it was a duty for revenue only.

Mr. EUSTIS rose.

Mr. FRYE. I decline to be interrupted any further, because I am getting very tired.

Mr. President, I say I am in favor of taking the duty off sugar and giving it to the people cheap. It is in fact the only duty paid by the consumer, is paid, too, by every family in the country—the only one that fails to encourage home production, and in my opinion ought to be repealed. But I would not destroy this industry, feeble as it is, nor would I discourage the present attempts to make sugar from beets or sorghum.

In the repealing act I would provide for a direct bounty on every pound of sugar produced in this country equivalent to the duty now levied. I would make further provision that this repeal should not apply to the sugar product of any country laying an export duty, nor to sugar brought into our ports in any vessels other than those of the country exporting or our own, nor to such exportation from countries refusing to our ships in their ports precisely the same treatment in light-house dues and other charges as we grant to theirs in our ports, or making less favorable terms for the entry of any of our products than are made by it to the goods of other countries.

This repeal would probably reduce our revenues next year $60,000,000, and the bounties paid would amount to seven millions more. A further reduction would not be safe, for "exigencies" are liable to confront us, as they did in 1875.

If this should be regarded as too radical, resulting in too great a decrease of revenue, we could reduce the duty on sugar one-half, and then it would bear the highest rate imposed on any article of food, except rice. If, however, the only purpose is to destroy the protective principle in the tariff, then, of course, the President and his Secretary of the Treasury have submitted to Congress a plan absolutely certain of success.

Mr. President, we have a splendid country, perfectly marvelous in its possibilities. It ought to lead the world in a lofty, pure civilization, in religion, education, temperance, in the arts, sciences, literature, and in material progress. Who of us doubts its glorious future, if only we remember that we are Americans; if only our administration of affairs, and our legislation shall be earnestly directed to the promotion of the best interests of our people, [Applause in the galleries.]

## REGULATION OF IMMIGRATION.

Mr. PALMER. I desire to give notice at this time that I will call up a bill now lying on the table, which was introduced by me, entitled a bill (S. 553) to regulate immigration, to-morrow morning immediately after the morning hour, for the purpose of submitting a few remarks.

## AID TO COMMON SCHOOLS.

The PRESIDENT *pro tempore*. The Senate, as in Committee of the Whole, resumes the consideration of the unfinished business, being the bill (S. 371) to aid in the establishment and temporary support of common schools, the pending question being on the amendment submitted by the Senator from Kansas [Mr. PLUMB] to strike out section 2, and insert in lieu thereof what will be read.

The Chief Clerk read the words proposed to be inserted, as follows:

SEC. 2. That such money shall annually be divided among and paid out in the several States and Territories and in the District of Columbia, in proportion to their population, respectively, according to the census of 1880: *Provided*, That all of said money remaining undistributed at the date of the publication of the returns of population as shown by the census of 1890, shall be divided as aforesaid in proportion to the population according to said census of 1890.

Mr. BLAIR. I desire to present some further suggestions in the way of testimony showing the necessity of this aid to common schools in the Southern States. I have understood that the chairman of the Committee on Appropriations may desire to go on with an appropriation bill; but if he does not, I will proceed with this matter at the present time.

It may be remembered by those who were present at the close of the discussion of this bill last Wednesday—other matters have intervened and have occupied the attention of the Senate—that one of the Senators from Texas was making some explanation in regard to the difficulty experienced there in the pay of teachers. It will be remembered that there was a deficit, or a delay at least, in the payment of teachers, that the aggregate amount which was unpaid was something like a million dollars, and it was explained by the suggestion that there had been a drought in that State, and for the relief of that drought it was necessary that there should be an appropriation of about $10,000 worth of seeds, and the suggestion was made that this was an uncommon state of the country.

If that was a true explanation there was a million dollars due in the wages of teachers and $10,000 was necessary to provide for the relief of the drought, and then further a suggestion was made that this difficulty was not one of long standing; that it came about casually and as a consequence of the destitution of moisture in that State. I have now in my possession a letter from the superintendent of public instruction for that State upon this very point, Mr. O. H. Cooper. It seems that the teachers and others interested have been applying to him, as to the treasurer and other State authorities, to know why it is that the money is not ready when the services have been rendered. I read the other day a reply to a letter of one of the county treasurers. This officer, Mr. Cooper, is the superintendent for the entire State, and he replies to a teacher writing from Coryell County, who, like others, has not been paid:

AUSTIN, TEX., *January* 5, 1888.

DEAR SIR: I have read with interest your letter of January 2, setting forth the embarrassing and vexatious delays which you in common with many other faithful and earnest teachers in Texas suffer year after year in collecting your wages after you have done your work. The cause of this trouble is beyond the reach of the executive officers of the government. It lies in the defective laws regulating the school finances. Let the teachers agitate this subject until our lawmakers understand that the time can not longer be postponed when the financial administration of the school system must be placed on a sound and correct business basis. Public opinion needs to be enlightened on the defects in our school system.

O. H. COOPER.

This, from the highest educational authority in the State, would seem to indicate that the explanation of the Senator needed some explanation itself. I have here the biennial report of the superintendent of public instruction for the year 1886, a Mr. Baker. It seems he has been succeeded by Mr. Cooper, and as bearing on the question of the reliability of some of the returns of superintendents and others in the Southern States which have been cited as an evidence that the deductions from the census were not to be relied upon, I will introduce what he says in criticising the reports that he has to rely upon from the counties, for it must be understood that the superintendent of education makes up his report from the statistics which are furnished to him by teachers and by county and by other officers. At page 11 of the report of 1886 Mr. Baker says:

Another evil consists in the unreliability and, in many instances, absurdity of the statistics furnished by county judges, when furnished at all.

I ask attention to this in connection with the statistics which have been furnished and relied upon so largely from the New York Post, which Senators seem to think are to be accepted as a reply to everything that has ever been urged in any of these debates founded on the sworn returns of the Government.

A few specimens culled at random will give a better idea. The official reports show that for the scholastic year ending August 31, 1885, Webb County had an average school term of four hundred days, and that the tuition of the children of that county cost between $20 and $21 per month—

Whereas in that State where the highest cost obtains of any in the Union, Massachusetts, that cost has never been fixed at more than $22 the entire year, but in Webb County, Texas, according to their returns, it seems the schools cost per month the same amount—

while tuition in Hopkins County only costs 14¼ cents per month;—

Twenty dollars and $21 in the other county—

that Red River, with a scholastic population of 4,085 had an average daily attendance of only 43 and a total daily attendance of 199,583; while Runnels County had an average daily attendance of 152 and a total daily attendance of only 192.

Grayson County, with a scholastic population of 6,832, had an average daily attendance of only 56, although she had 102 schools; and Shelby, with a population of 2,051, had an average daily attendance of 34.

The total daily attendance is from 100 to 120 times greater than the average daily attendance, but in Liberty County last year they tallied with each other.

The total daily attendance in Montgomery County was 1,801, average daily attendance 1,801, with 583 pupils studying natural philosophy; while Ellis County, with a scholastic population nearly twice as large, had only 12 studying natural philosophy, Travis County only 3, and Austin City 31.

Now, if the Legislature of the State were to appropriate enough money for a six months' term at the same rate as the actual cost of the Webb County schools for 1884–'85, it would take about $13,000,000.

Which is more than is expended in all the Southern States, leaving out Missouri and Maryland.

On the other hand, if the appropriation was made on the Hopkins County basis, it would only require $89,986.71 to maintain the schools of the State for six months.

* * * * * * *

Nothing approximating a complete diagnosis of our school affairs can be had until the Legislature establishes a school system, and it seems to me that the first step towards the establishment of a system would be the creation of the office of county superintendent of schools, and the complete annihilation of county judges, treasurers, assessors, and boards of examiners as school officers and a merger of their duties into the office of county superintendent. In this officer the State would have a responsible agent, charged with the duty of keeping accurate accounts, of obtaining thoroughly reliable statistics, and administering the school affairs of the State honestly, intelligently, and in accordance with the best business methods.

He goes on making further useful suggestions, showing that he is a competent officer, and that he realizes the nature of the difficulties he has to engage with. He speaks further of the failure of officers to make reports at all. He says:

An inspection of the accompanying tables will show that several county judges, county treasurers, city superintendents, and city treasurers have failed to make reports to this department as directed by law. I have used every exertion to secure these reports. The Legislature can not be accurately informed of the condition of affairs unless the officers of government make prompt and faithful reports to the proper departments.

He deals with the matter of taxation, and in conclusion he says:

In this connection it may be well to state that many districts and committees are practically without school-houses. The schools are being taught in rented houses, in dwellings, in church houses, and public halls. The time has arrived

for looking these matters squarely in the face, and the situation demands provision for present needs and active preparation for future wants.

The report is for 1886, a late report. It is not one of the obsolete returns; it is since this marvelous reform has taken place, since this entire transformation!

Mr. COKE. If the Senator will allow me, I will state that every Legislature that has met for several years past has been amending and improving the laws on the subject. They are rapidly developing into a complete system, and the last report shows that the annual school revenues are about $3,750,000, which is every dollar that is needed when the Legislature shall have perfected our school system as it should be.

Mr. BLAIR. The Senator stated that three times before. I have here the last report of the Commissioner of Education, the report for 1885–'86. I desire to introduce some matter from this as bearing on the alleged statistics which are said to falsify everything that has ever been introduced in this debate before. I have taken some tables to be found in this report of the present Commissioner of Education, who is strongly in favor of the enactment of this bill into a law, basing that on his knowledge of the condition of the South, that it is and still continues an actual necessity. This report contains tables which are founded upon a principle or idea that I have never seen embodied in any other report, and one which most excellently exhibits the actual condition of education as it is proceeding throughout the country.

Assuming that sufficient education is to be obtained in the common schools between the ages of six and fourteen inclusive, these tables are constructed in such a way as to show the proportion of the attendance that actually took place between those ages, and also including the additional attendance of those who are younger and those who are older, and the ratio of that actual and total attendance to the total number of those between the ages of six and fourteen. I find that the ratio of attendance in 1885 and 1886 to the population between the ages of six and fourteen was, in several of the States, what I shall proceed to give. They have not been able to obtain the returns of all the States, and I take those which illustrate the actual situation best.

I wish first, however, to call attention to the fact that in every State there will be those attending the schools who are less than six, and there will be others attending the schools who are over fourteen years of age. In fact, in some of the Southern States it is still the truth that colored people, and I think perhaps some of the white people, are attending the schools who have attained their majority. In Alabama there are 46.75 per cent., that is to say, less than one-half, including all that attend school of the population between six and fourteen. The actual attendance is 46.75 per cent. of the number who are there in that State between the ages of six and fourteen.

In Florida—and I call attention to Florida because that is a State which has been contrasted with New Hampshire, and it has been alleged in statistics which have been cited by the three Senators who have argued against this bill, that education is as advanced now in Florida as in the State of New Hampshire—in Florida the proportion of all who attend school to those between six and fourteen is 50.64 per cent., or one-half. In Louisiana it is 33.43 per cent.; that is to say, one-third as many attend school as there are those within the State between six and fourteen. In Maryland the ratio is 49.04 per cent., less than half; in Mississippi, 65.51 per cent.; in North Carolina, 56.45 per cent.; in South Carolina, 52.44 per cent.; in Virginia, 48.23 per cent.—all about one-half. On the other hand, of the Northern States where the schools have been longer established and there is money to support them, in California the total attendance compared to the number of children between six and fourteen is 79.22 per cent.; in Colorado, 87.55 per cent.; in Connecticut, 75.89 per cent.; in Illinois, 78.11 per cent.; in Indiana, 83.39 per cent.; in Kansas, 84.89 per cent.; in Massachusetts, 91.06 per cent.; in New Hampshire, 88.10 per cent.; in New York, 71.25 per cent.; in Ohio, 81.05 per cent.; in Oregon, 81.67 per cent.; in Pennsylvania, 74.66 per cent.; in Vermont, 85.59 per cent.; in the District of Columbia, 68.07 per cent.; and in Dakota Territory, 80.82 per cent.

Mr. COKE. What about Texas?

Mr. BLAIR. I think Texas is not given. There are no returns from Texas.

Now, in the matter of expenditure in the several States, as between the Northern States and Southern States and the actual necessity for aid, it appears that in 1885–'86 in Alabama, with a population of 1,467,384, there was an expenditure of $741,244; in Wisconsin, with a population of 1,563,423, there was an expenditure of $3,645,160; in Arkansas, with a population of 935,058, there was an expenditure of $866,892; in Nebraska, with a populaiton of 740,645, there was an expenditure of $2,350,869; in Louisiana, with a population of 1,008,951, there was an expenditure of $450,030; in California, with a population of 1,001,293, there was an expenditure of $3,505,931; in Florida, with a population of 338,406, there was an expenditure of $385,800; in Vermont, with a population of 333,155, there was an expenditure of $599,515; in Georgia, with a population of 1,694,809, there was an expenditure of $711,090; in Iowa, with a population of 1,766,239, there was an expenditure of $4,660,000; in Kentucky, with a population of 1,801,831, there was an expenditure of $700,790, while in Michigan, with a population of 1,912,181, there was an expenditure of $4,332,968; in Mississippi, with a population of 1,237,453, there was an expenditure of $840,776; in Minnesota, with a population of 1,117,798, there was an expenditure of $2,371,990; in North Carolina, with a population of 1,525,341, there was an expenditure of $671,116; in Kansas, with a population of 1,284,809, the expenditure was $3,849,017; in South Carolina, with a population of 1,085,789, there was an expenditure of $425,903; in Connecticut, with a population of 670,807, there was an expenditure of $1,791,666; in Tennessee, with a population of 1,723,996, there was an expenditure of $1,047,223, while in Massachusetts, with a population of 1,942,141, there was an expenditure of $7,151,075; Indiana, with a population of 2,061,008, spent $5,214,198, while Texas, with 2,027,895 population, expended $2,166,633.

I have here massed together the school expenditures for 1885 and 1886 in most of the Southern States. I do not know but that I have them all. Here is the list. I have all with the exception of Missouri, Maryland, and Delaware. Missouri has a large fund, and her expenditure, I think, is nearly $5,000,000 yearly. This report makes the entire expenditure for all school purposes throughout the country $111,304,927. That is much the largest estimate I have ever seen. I do not know whether it can be authenticated. I hope it is as much as that. It is variously estimated at from about $90,000,000 up to this amount. In the States which I have enumerated here, Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia, and West Virginia, the total reaches $11,497,574.

Mr. COKE. I ask the Senator if that is based on the last census?

Mr. BLAIR. The figures I am giving now?

Mr. COKE. Yes, sir.

Mr. BLAIR. I am not giving the population. I am giving the expenditures. That can be easily ascertained by comparing the table with the census returns.

Mr. COKE. I call the Senator's attention to the fact that the amount put down as having been expended by Texas is a million dollars less than shown by the statement of Mr. Cooper, the superintendent.

Mr. BLAIR. I do not know how that may be. These are returns made the last year, 1885–'86. Is the Senator aware of any great increase of taxation in Texas by one-third the present year?

Mr. COKE. My colleague some days ago read a letter from the comptroller of Texas, in which he stated that the actual annual school fund for the last scholastic year was $3,700,000. Where does the table the Senator read come from?

Mr. BLAIR. That is taken from the last reports of the superintendents of public instruction. Does the Senator give any reason why the teachers are not paid, the letter of the superintendent showing that a million dollars nearly is behindhand now?

Mr. COKE. The reason of that has been explained to the Senate. Perhaps the Senator has forgotten it.

Mr. REAGAN. I had not heard any complaint as to the non-payment of teachers when I sent to the comptroller for the amount of the school fund.

Mr. BLAIR. I will simply say in regard to this matter in Texas that I do not want this to degenerate into an interstate controversy. I suppose that the State of Texas is doing what it can, and I find no fault; but I do state that the Senators fail to appreciate the actual difficulties with reference to the education of their own population, and I submit these figures, these complaints, and the fact that at least twice the teachers of the State in convention have resolved strongly and earnestly for the enactment of this bill into a law on the ground that funds are necessary in Texas. I do submit those facts to the consideration of the Senate.

I was about to give the expenditure in the States which I enumerated in the year 1885–'86, being the last returns that are available to us. Those States contain over 17,000,000 population, not one-third, but nearly one-third of the population of this country; and it is a well-known fact that, relatively, population from natural causes is increasing more rapidly in the South than in the North, so that I think it is no more than fair to presume that at least one-third of the educatable population of the country is to be found in the States which I have enumerated, and the aggregate of expenditures, according to these latest returns in those States, is $11,497,574, while the total expenditure for the whole country is $111,304,927, all these returns coming from the same authority. It should be understood still further——

Mr. REAGAN. Will the Senator allow me one moment?

Mr. BLAIR. Very well.

Mr. REAGAN. I only want to call the Senator's attention to the fact that in some of the States he enumerated there are laws which authorize localities, school districts, to vote moneys by taxation for school purposes.

Mr. BLAIR. The table includes all those.

Mr. REAGAN. I do not know whether the estimates he has presented embrace what the people tax themselves for by vote in the school districts, which amounts to a very large sum of money each year.

Mr. BLAIR. It does, and I understand this table includes the entire expenditure from all sources of which returns are available.

Mr. REAGAN. If that is the table furnished by the superintendent of public instruction for the year 1884–'85, then I will state to the Senator that it does not embrace those items.

Mr. BLAIR. I understand it to embrace them, and the Senator will find it so.

With reference to the condition of Louisiana I find a quotation from Governor McEnery, which I will read, in addition to that which has already been placed in the possession of the Senate relative to the condition of education in that State. He says in an address very lately:

With an increasing population illiteracy increases in ratio greater than the increased population. And this is particularly true of this State, for every year we are drawing from the illiteracy of South Carolina, Georgia, Mississippi, and Alabama by the introduction of colored laborers. This illiteracy among the masses has not escaped my attention. In the address I delivered before the State Educational Society, at Monroe, in August, 1885, I said:

"We will have to go beyond the common school and the university, among the masses of the people and educate them, first, as to the necessity for the establishment of public schools, the sacrifices to be made for this purpose, and show that it is the best investment that the people can make—leading to economy in government, the lessening of crime, the creation of new industries, the accumulation of wealth, and the decrease of taxation; and educate them, secondly, to the proper understanding of the rights and duties of citizenship, the functions of government, and the appreciation of free institutions. I am safe in saying that not one-half of the voting population of Louisiana have any knowledge whatever of these subjects, yet they are eligible to the highest office in the State, sit as jurors, and determine questions affecting property, liberty, and life."

And further, to the same effect, I wish now to read from the report of the Commissioner of Education for the year last preceding, on the illiteracy of the South and the necessity of national aid. I will send this to the desk to be read.

The Chief Clerk read as follows:

TEACHERS FOR COLORED SCHOOLS.

The South also suffers particularly from the want of qualified teachers in the elementary schools. In his report to the trustees of the Slater fund, Dr. Haygood, the general agent, writes as follows:

"Many of the teachers in the colored public schools are pitiably incompetent—the statement need not be qualified by the word 'colored,' if we were considering the whole case of the public schools in the Southern States. Many of them lack not only scholarship and training, but moral character. As a rule, there is good reason to believe that they do the best they can; not a few of them do admirably well; some do their work so efficiently and usefully as to justify the belief that the colored people are capable of furnishing fit material for making teachers of the most approved quality. The defects of these colored teachers are so great as to create an urgent necessity for training better ones; their excellences and their successes are sufficient to justify the best hopes of success in the effort, and to vindicate the judgment of those who make large investments of money and service to give to colored students opportunity for thoroughly preparing themselves for the work of teaching the children of their people."

As I have before stated, the provision for training teachers continually increases, but it is far below the requirement, and only a small proportion of the well-trained teachers go into the rural districts, which, with their short terms, miserable school-houses, and utter lack of appliances, offer no inducement to competent teachers. While both races are affected by these drawbacks, it is the colored people whose welfare is most seriously threatened. In my judgment there is no graver problem before us than the adequate and appropriate training of these people, who, after years of servitude, were suddenly invested with the rights and duties of citizenship. They require a training specially adapted to their wants, a training in which the moral and industrious aptitudes shall receive equal attention with the intellectual. These conditions are well understood; the methods, the subjects of instruction, the material appliances required for the development of the colored population of the South have been fully considered, and I am satisfied that if the means were forthcoming the work would go rapidly forward to satisfactory results.

ILLITERACY IN THE SOUTH.

The fact of steady progress in the educational system of the South has given rise to the belief in many quarters that the deficiency in the means of public education which existed in that section at the close of the civil war has been very nearly overcome, and that the States in question are amply able to rid themselves of the evils of illiteracy, which made such an alarming showing in the census of 1880.

On account of this erroneous impression, which some find it for their interest to foster, it is to be regretted that we have not from all of the Southern States more recent statistics than those of 1880, setting forth the various conditions by which literacy and illiteracy are determined. In accordance with the law of Virginia, during the months of June and July, 1885, a census was taken in that State of all persons residing within the school districts between the ages of five and twenty-one years. This census enables us to form the following comparisons with the showings of the United States census of 1880:

*Census of* 1880.—Population 10 to 20, both inclusive: White, 205,360; unable to write, 43,688; percentage, 21. Colored, 160,338; unable to write, 101,320; percentage, 63.

*Census of* 1885.—Population 10 to 20, both inclusive: White, 212,524; unable to read, 26,374; percentage, 13. Colored, 136,975; unable to read, 55,368; percentage, 40.

*Census of* 1885.—Population 7 to 15 years of age: White, 189,382; unable to write, 72,492; percentage, 38. Colored, 145,663; unable to write, 98,132; percentage, 67.

Of the white population between 7 and 15 years of age who can not write, 29,846, or 15.7 per cent., are between 10 and 15 years of age, and of the colored population, 50,705, or 34.8 per cent. The State census of 1885 does not give precisely the same data as the United States census, inability to write having been made in the former the test for persons between 7 and 15 years, and in the latter for those between 10 and 20. It can not, however, escape notice that the proportion of illiterates between 7 and 15 years of age in 1885 is greater than the proportion between 10 and 20 in 1880; also that the number of colored illiterates between 10 and 15 years in 1885 bears to the colored population between 7 and 15 a larger ratio than that of the colored illiterates between 10 and 20 years of age to the colored population between those years in 1880. The corresponding comparison for the whites indicates a slightly more favorable condition in 1885. With respect to this census Hon. R. R. Farr, the State superintendent, says:

"The percentage of illiteracy of each class and sex is given, and affords a curious study, and admonishes us that it will take a steady and persistent fight to meet and overcome the army of illiterates which is embraced within the school period, to say nothing about those who are under the prescribed age, and who will soon require school facilities. We know of no way to generally remove the illiteracy of our adult population; as a rule that will stand as a canker in the body-politic, a source of much danger and of inestimable loss to the State. But there is every reason why the State and nation should remove the illiteracy from our young generation by furnishing ample school facilities for all the different classes and conditions of the present and future school population and then by some practicable method compel them to acquire at least the rudiments of a common education. The safety and progress of the State and nation demand this, to say nothing of humanity and religion. It is not remarkable that the percentage of illiteracy of the colored school population is so much greater than that of the white. The one is the offspring of an ancestry of illiteracy, and consequently without any opportunity of home training; the other, the descendants of an intelligent and refined people, surrounded by all those home influences which are such potent factors in the education and elevation of a people. It may be safely assumed, as a rule, that all the education, be it ever so little, that is possessed by the colored school population has been derived from one class or another of public education; and when we remember that in this State they have only had the advantage of some fifteen years' school facilities, their progress is wonderful, deserving of the highest praise, and shows conclusively that they have the capacity to acquire an education, and that all they need is fair school facilities to enable them soon to remove the burden of their illiteracy from the body-politic."

It should be remembered in this connection that Virginia is one of the most favored of the States included in the table before us. In density of population it is surpassed by two of those States only, in the amount of taxable property by four, and in the amount of school income by two. The school system has been administered by superintendents of great energy, and the teaching force includes an unusually large proportion of qualified teachers, from all of which it may be inferred that Virginia is making as rapid progress in the struggle against illiteracy as any one of the Southern States.

Mr. BLAIR. I am now willing to give way to a motion to proceed to the consideration of executive business, as I understand that is desired by many Senators.

EXECUTIVE SESSION.

Mr. EDMUNDS. With the permission of my friend from New Hampshire, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty-two minutes spent in executive session the doors were reopened, and (at 4 o'clock and 12 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 24, 1888, at 12 o'clock m.

## NOMINATIONS.

*Executive nominations received by the Senate the 23d day of January*, 1888.

DISTRICT ATTORNEY.

John Blair Hoge, of the District of Columbia, to be attorney of the United States for the District of Columbia, in the place of Augustus S. Worthington, whose commission expires January 23, 1889.

FISH COMMISSIONER.

Marshall McDonald, of the District of Columbia, to be Commissioner of Fish and Fisheries, as authorized by an act of Congress approved January 20, 1888.

POSTMASTERS.

John W. Ross, to be postmaster at Washington, in the county of Washington and District of Columbia, in the place of Frank B. Conger, whose commission expired December 20, 1887.

John H. Currey, to be postmaster at Nashville, in the county of Davidson and State of Tennessee, in the place of Anna B. Cheatham, deceased.

## HOUSE OF REPRESENTATIVES.

### MONDAY, *January* 23, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Saturday was read.

Mr. CRISP. Mr. Speaker, it appears from the Journal as read by the Clerk that the gentleman from West Virginia [Mr. HOGG] entered a motion to reconsider the vote by which the previous question was ordered. I want to say, sir, I think there is some mistake about that. The gentleman from West Virginia, as the Journal states, moved to reconsider the vote by which the substitute offered by the gentleman from Iowa [Mr. LYMAN] was rejected. The Chair at the moment permitted him to do so, but subsequently, upon reflection, stated that the motion would not then be in order. Watching, as I think vigilantly, the proceedings, I failed to hear any motion upon the part of the gentleman from West Virginia that the vote ordering the previous question should be reconsidered.

The only purpose I have in making this statement is that I should have objected to such a motion if made. Gentlemen here around me did not hear the motion, and the first knowledge I had that such a motion was submitted, or was admitted, was on reading the RECORD of yesterday morning, and gentlemen will see upon an examination what it contains. I say the only object I have in calling attention to it is, that I can not be deprived of the privilege of objecting to the motion to reconsider that vote on the ground that the execution of the order of the House, in ordering the previous question, had been partly carried out, and that therefore, under well-established rules, it could not be reconsidered.

I will not make a question on the Journal if the Chair understands the rule as I do, that the mere entering of the motion to reconsider would not preclude any point of order being made upon it whenever it is sought to be acted upon. I do not want, of course, to get up any issue about the Journal, and I merely call attention to the point.

If it is true that the point of order may be made upon the motion to reconsider whenever it is proposed to call it up, I have no objection to the Journal standing as it is, although, according to my recollection and the recollection of gentlemen sitting around me, it is not correct.

Mr. REED. Either the motion was entered or it was not.

Mr. CRISP. In my opinion, and in that I think I am sustained by brother members and the clerks at the desk, it was not entered.

Mr. REED. How did it get into the Journal?

Mr. CRISP. That I can not answer.

Mr. REED. Is it on account of our having a new Journal Clerk?

Mr. CRISP. I do not know.

The SPEAKER *pro tempore*. The Chair will state its recollection to be in conformity with the Journal. The gentleman from West Virginia can state whether he made the motion or not.

Mr. HOGG. I wish to say that when the House convened on Saturday morning I asked the question which the RECORD discloses, whether it would be in order, pending the call of the yeas and nays, to move to reconsider the vote whereby the substitute of the gentleman from Iowa was rejected. The Chair answered that it would be in order to submit the motion, but that the consideration of it would be deferred until the yeas and nays had been disposed of. That motion was entered as a matter of record, not for consideration at the time the motion was made, but for future consideration and to reserve the rights of those who desired action upon that motion.

Now, the yeas and nays were called, and upon the announcement of the vote it was disclosed that there was not a quorum voting upon the question of adopting the resolution reported by the Committee on Elections. Then I made a motion to reconsider the vote by which the yeas and nays were ordered upon the question of agreeing to the resolutions, and the gentleman from Georgia hearing the motion said:

Pending that motion—

Recognizing the one I had just made—

I move that the House do now adjourn.

And pending the consideration of the motion which I had made the House did adjourn. That is in conformity with the RECORD. The RECORD discloses the true course of the procedure in that matter.

Mr. CRISP. It is apparent from the statement now made by the gentleman from West Virginia [Mr. HOGG] that the Journal is wrong. That gentleman now states that he made a motion to reconsider the vote by which the yeas and nays were ordered. The Journal states that he made a motion to reconsider the vote by which the previous question was ordered. Therefore it is apparent the Journal is not correct.

Now as to the statement of the RECORD, I know that to be incorrect where it states that the gentleman from Georgia said:

Pending that motion I move that the House do now adjourn.

I had intended to call attention to that, and have sought the notes of the reporter for that purpose. I did not say "pending the motion," because I had no knowledge of any such motion; nor had the gentlemen around me, or the clerks at the desk.

But what I wanted to emphasize is that the statement of the gentleman from West Virginia shows that the Journal is wrong. It shows that he entered the motion to reconsider the vote by which the previous question was ordered; whereas he now states he made a motion to reconsider the vote by which the yeas and nays were ordered.

And further, I insist that no motion that is made or entered by any member of this House can be considered as a pending motion unless it is acknowledged and stated by the Chair. The mere fact that a gentleman rises and says "I move so and so," without the Chair entertaining and stating it to the House, amounts to nothing; such a motion is a nullity. The only way whereby a motion can be considered as pending is where the Chair states, in accordance with the rules, that the gentleman from so and so makes such a motion; and in the absence of such a statement the mere remark of a gentleman on the floor that he makes such a motion is not, in the contemplation of parliamentary law, making a motion. It is not accepted; it is not received; it is not before the House. How often do we see a gentleman rise here and there and make a motion, which the Chair does not at the time entertain; and in such a case it can in no sense be construed as a motion pending before the House. According to the rule the Chair must state the motions that are made before they can be accepted by the House.

Therefore, Mr. Speaker, I suggest that the Journal is incorrect in the particular that I have referred to.

Mr. HOGG. I have before me in the RECORD the exact language of the Chair, after the motion I made to reconsider the vote by which the substitute had been rejected had been entered on the Journal. And there seems to be some misapprehension as to the motive which actuated that motion. It seemed to be thought it was made for immediate consideration, which I knew was not in order pending the vote upon the original resolutions reported from the committee under the call of the yeas and nays. Therefore the Chair, realizing that fact, understanding what I proposed by my original motion, used this language:

The SPEAKER *pro tempore*. The gentleman from West Virginia [Mr. HOGG] made the motion, as the Chair understood, to reconsider the vote by which the substitute was rejected. That motion will not be in order until the vote on ordering the previous question has been reconsidered.

In order, therefore, to make myself distinctly understood I replied, "Then I make that motion;" not repeating the language, but following up the language used by the Chair. Both those expressions must be taken together in order to convey the intention of the mover.

Mr. CRISP. Is that the way in which the gentleman stated the motion a few moments ago?

Mr. HOGG. It is precisely the way in which I intended to do it.

Mr. CRISP. Perhaps the gentleman had his intention on Saturday, but did not carry it out. Certainly I never heard it.

The SPEAKER *pro tempore*. The Chair does not understand the gentleman from Georgia to make a motion to correct the RECORD?

Mr. CRISP. I merely call the attention of the Chair to what I think is an incorrect statement in the Journal.

The SPEAKER *pro tempore*. The Chair will state for the guidance of the House hereafter that a motion to reconsider is of the highest privilege and can be entered at any time even pending a motion to adjourn. It has been ordered to be entered pending the consideration of a conference report. It has been so ruled every time from Speaker Stevenson down, and by various Speakers since. It has been ruled that a motion to reconsider having only two days in which to be entered shall be entered whenever the member can obtain the floor for that purpose. But all rights as to points of order and as to the consideration of the motion, whether it is a valid motion or not, are of course reserved; and when the motion comes up in its order all points of order are reserved for the action of the Chair.

The RECORD is accurate according to the recollection of the Chair. The gentleman from West Virginia first made a motion to reconsider the vote by which the substitute was rejected. Afterward, upon a suggestion of the Chair, he modified his original proposition so as to make it a motion to reconsider the vote by which the previous question was ordered, the previous question operating on both the substitute and the original resolution, and being partly executed. So that the RECORD is absolutely correct in recording both these motions, the motion to reconsider the order for the previous question having been substituted by the gentleman from West Virginia for his prior motion. When these motions come up, if they should ever come up in order, the gentleman from Georgia or any other gentleman will be recognized to make the point of order as to the propriety or validity of the motions. If there be no objection, the Journal of Saturday last will be approved. The Chair hears no objection.

ORDER OF BUSINESS.

Mr. CRISP. I call for the regular order.

QUESTION OF PRIVILEGE.

Mr. BRUMM. I rise to a question of privilege. I have read in the Washington Post of yesterday what purports to be an interview between a reporter of that paper and the honorable chairman of the Committee on Elections [Mr. CRISP]. I presume that gentleman has read this interview, and I take it for granted that what purports to have been said by him was actually said. I also find in that paper an editorial making certain charges. I shall ask the Clerk to read the interview and the editorial, and then I wish to say something upon this subject.

The SPEAKER *pro tempore*. The Clerk will read.

Mr. TOWNSHEND. I submit that the gentleman from Pennsylvania [Mr. BRUMM] has not stated any question of privilege, and before any extract from a newspaper has been read he ought to make such a statement.

The SPEAKER *pro tempore*. The Chair can not yet determine whether this is a question of privilege or not, under the rules.

Mr. TOWNSHEND. But I submit that the Chair ought to be able to determine that from the statement of the gentleman from Pennsylvania, not from any extract which may be read from any newspaper.

Mr. BRUMM. If I did not so state before, I state now that both articles I wish to have read reflect upon the personal character of a very large minority in this House in their representative capacity.

Mr. TOWNSHEND. I submit to the Chair whether the gentleman has stated a question of privilege.

The SPEAKER *pro tempore*. The Chair will have read the rule as to questions of privilege.

The Clerk read as follows:

RULE IX.

QUESTIONS OF PRIVILEGE.

Questions of privilege shall be, first, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members individually in their representative capacity only; and shall have precedence of all other questions, except motions to fix the day to which the House shall adjourn, to adjourn, and for a recess.

The SPEAKER *pro tempore*. The gentleman from Pennsylvania states that he rises to a question of privilege affecting the rights of the House collectively, or affecting the rights, reputation, or conduct of members individually in their representative capacity. The Chair understood the gentleman to make that statement.

Mr. BRUMM. Yes, sir.

Mr. TOWNSHEND. I did not understand the gentleman at first as I do now.

The SPEAKER. The Clerk will proceed with the reading.

The Clerk read as follows:

THE REPUBLICAN TACTICS—WHAT JUDGE CRISP THINKS OF THE OPPOSITION IN THE HOUSE—A DENIAL FROM MR. CARLISLE OF THE PUBLISHED REPORT THAT HE WOULD ASK TO HAVE THE CONTEST REOPENED.

"How do you account for the opposition of the Republicans to voting on the Thobe-Carlisle case?" asked a Post reporter last night of Judge CRISP, chairman of the House Elections Committee.

"Their action in that regard is inexplicable to me," responded Judge CRISP, "unless it is based wholly upon a desire to make some political capital among people who do not or will not consider the facts in the case. Mr. Thobe has been afforded two opportunities to submit his proofs, first, in Kentucky last February, and second, before the Committee on Elections on the 6th of this month. The evidence presented to the committee consists of certain affidavits, all that he asked to file. After they were filed Mr. CARLISLE was allowed one week in which to file affidavits in denial of Mr. Thobe's. He was not permitted to make any new countercharges, and filed affidavits directly in rebuttal of those filed by Mr. Thobe. After the affidavits of Mr. CARLISLE were filed, Mr. Sypher, the counsel of Mr. Thobe, was permitted to argue the case before the committee. He asked no further time. The case was then closed by consent of both Mr. Thobe and Mr. CARLISLE. The committee considered and passed upon it. Nine Democrats and two Republicans, Messrs. ROWELL and COOPER, united in the majority report. The other members of the committee, although filing a minority report, concede that the case made by the affidavits of Mr. Thobe was completely rebutted by the affidavits filed by Mr. CARLISLE. They so state in their report. The House is asked to reopen the case when the whole committee agree that there is no evidence before them or in the record which would in any degree impeach the fairness of the election."

"Is there any precedent for opening this case?" asked the reporter.

"No; there is no precedent for such action. The speech of Mr. Thobe in the House fails to show any new matter of complaint. The charges he makes are vague and general, and the names of no witnesses by whom he proposes to prove anything are cited. I believe, in the language of Mr. COOPER, 'there ought to be a period in the term of a member of the House when he can be relieved from the menace of a proposed contest—when he may be conscious that the time has elapsed for the challenging of his right to be here.' I do not believe that the House has any right to reopen a contest that has begun under the statute unless the whole evidence presented to it is such as to make it at least reasonably probable that the contestant can establish his right to the seat. The very able arguments of Mr. COOPER and Mr. ROWELL, leading Republicans, members of the Committee on Elections, gentlemen who are thoroughly familiar with the whole evidence in the case, ought to satisfy any reasonable man that there is absolutely no merit in the contest of Mr. Thobe. If there is any doubt of this in the mind of any member of the House, it must arise from the fact that he has not carefully considered the evidence in the case."

"What is the position of the Republican members who are acting with the majority?" asked the reporter.

"I can not answer you better," replied Judge CRISP, "than by quoting from Mr. ROWELL's speech:

"'The only question to be met in the affidavits of the contestant or the personal knowledge of any witness is the question of the forgeries of the returns of the precincts of Carroll County. Everything else is so much bosh. Every other allegation of personal knowledge is the allegation of immaterial fact; and we, by opening this case, shall be establishing as a precedent that anybody who has been a candidate for Congress may neglect to proceed according to the statutes, and when Congress assembles come in and file his affidavit that he believes certain things may be proven, and then that we must send out committees to investigate that question. Then there is an end of contest under the statutes, and an end of security for any member who received a certificate and comes here.' And that gives the position of the whole Democratic party in the House. Even if the case should be opened so as to give Mr. Thobe a third opportunity to be heard, and the committees should find against him, what assurance have we that he would not again ask for a hearing on the plea that justice had not been done him? Most men who have a case in court or before a legislative body have to be satisfied with an opportunity once to present their case. Mr. Thobe has twice been accorded this privilege, and neither he nor his friends have any cause for complaint at the House refusing him a third hearing.

"If the House should reopen the case it would, I think, establish a dangerous precedent which would return to torment us. No member would feel secure in his seat. Every defeated candidate would be encouraged to contest the seat of his successful opponent, and much useless expense would be entailed upon the people."

Speaker CARLISLE last night authorized a Post reporter to publish an absolute denial of the rumor that he intended to ask the House to do what Mr. Thobe desires. His own words were, "I have not contemplated such a step. The House must take its own course in the case without dictation or attempted dictation from me."

Mr. DIBBLE. I rise to a point of order.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. DIBBLE. Without going into the question whether the article just read affects the rights of individual members or their reputation or conduct in their representative capacity, I submit that this is not a question of privilege of the order which affects the rights of the House collectively; that at most it affects only the rights, reputation, and conduct of members individually—as stated by the gentleman from Pennsylvania, a large minority of members, but still not the House as a whole.

Now, Mr. Speaker, my point of order is, that there is now pending before this House a question of high privilege, affecting the right of a member to his seat, and that until this question is settled the House can not take up and settle, contrary to objection, a question of no higher privilege than the one pending. The regular order has been demanded, and the question of privilege to the decision of which the House is now about to proceed is certainly of as high dignity as that which the gentleman from Pennsylvania proposes to submit, and must be decided before the other can be in order.

Mr. BRUMM. Mr. Speaker——

The SPEAKER *pro tempore*. The Chair is ready to decide the point of order.

Mr. DIBBLE. The rule covering this point is Rule IX.

The SPEAKER *pro tempore*. The Clerk will read Rule IX.

The Clerk read as follows:

Questions of privilege shall be, first, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members individually in their representative capacity only.

Mr. BURROWS. May I call the attention of the Chair to a passage in the Digest commenting upon the rule just read? It is on page 457, and I ask that it be read.

The Clerk read as follows:

It has, however, become the well settled practice, when a member rises to a "question of privilege" based upon a newspaper publication, for the Chair to hold that such publication must assail or reflect upon the member in his representative or official capacity; that is, connecting him with alleged corrupt or improper influences as to pending or proposed legislation.

The SPEAKER *pro tempore*. The Chair was about to have that portion of the rule or of the Digest read, when the gentleman from Michigan rose. Now, the Chair does not see from the reading of the extract from a newspaper——

Mr. BRUMM. Mr. Speaker, I was simply going to state before the Chair ruled——

The SPEAKER *pro tempore*. The Chair suggested to the gentleman from Pennsylvania, if he had anything to say, the Chair would hear him.

Mr. BRUMM. Mr. Speaker, I simply wish to say whether the point of order would have been well taken or not is not material. At that time I assumed probably the point of order may have been in order at the proper time, but not at this time. The Chair having permitted me to make my statement and having allowed to be read the article I complain of, the matter is now before the House. This privileged question, therefore, being in order, having been recognized by the Chair, it is now too late to raise the point of order.

The SPEAKER *pro tempore*. The Chair will state that he listened to the gentleman from Pennsylvania to hear his statement and to hear the extract read, but did not allow the gentleman to raise the question of privilege. The Chair was about to have read that extract which the gentleman from Michigan had read, which, if it means anything, means the connection of a member with improper things pending proposed legislation. The Chair does not see that this does connect members in that way—in that gross way suggested by the rule.

Beside, the Chair is ready to rule that when a question of privilege of this kind is raised in the presence of another question of privilege of the highest order, going to the organization of this body in an effective way, it will not receive any other question of privilege until the pending one is disposed of. The Chair therefore overrules the point of order of the gentleman from Pennsylvania.

Mr. BRUMM. Only one of the articles was read. [Cries of "Regular order!"]

The SPEAKER *pro tempore*. The Chair will hear what the gentleman from Pennsylvania has to say.

Mr. BRUMM. The Chair will hear me.

The SPEAKER *pro tempore*. The gentleman will proceed.

Mr. BRUMM. One article was read, but the other article has not been read. The Chair has made up his mind on one article only. I call the Chair's attention to the point where it is stated we voted for political purposes, impugning the motives that we had—that we had not examined the question—which, in my judgment, is a direct charge of corruption against those who voted to investigate this case.

Mr. TOWNSHEND. Is this debatable?

The SPEAKER *pro tempore*. The Chair sees no reason to change his ruling. The regular order is demanded.

Mr. BRUMM. I appeal from the decision of the Chair.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. BRUMM. I will withdraw the appeal.

The SPEAKER *pro tempore*. The pending question is on the adoption of the resolution of the majority of the committee, a quorum not having appeared on the last vote, and the roll will be again called.

The question was taken; and it was decided in the affirmative—yeas 164, nays 7, not voting 152; as follows:

YEAS—164.

| | | | |
|---|---|---|---|
| Abbott, | Cobb, | Hall, | Matson, |
| Allen, J. M. | Collins, | Hare, | McAdoo, |
| Anderson, C. L. | Compton, | Hatch, | McCreary, |
| Anderson, G. A. | Cooper, | Hayes, | McKenna, |
| Bacon, | Cothran, | Heard, | McKinney, |
| Bankhead, | Cox, | Hemphill, | McMillin, |
| Barnes, | Crain, | Henderson, J. S. | McRae, |
| Barry, | Crisp, | Herbert, | McShane, |
| Biggs, | Culberson, | Hogg, | Merriman, |
| Blanchard, | Dargan, | Holman, | Mills, |
| Bland, | Davenport, | Hooker, | Montgomery, |
| Bliss, | Davidson, A. C. | Howard, | Moore, |
| Blount, | Davidson, R. H. M. | Hudd, | Morgan, |
| Breckinridge, C. R. | Dibble, | Hutton, | Morse, |
| Breckinridge, W. C. P. | Dockery, | Johnston, T. D. | Neal, |
| Bryce, | Dougherty, | Jones, | Newton, |
| Buckalew, | Dunn, | Kilgore, | Norwood, |
| Burnes, | Elliott, | Laffoon, | Oates, |
| Burnett, | Enloe, | Lagan, | O'Ferrall, |
| Bynum, | Ermentrout, | Landes, | O'Neall, J. H. |
| Campbell, Felix | Fisher, | Lane, | O'Neill, J. J. |
| Campbell, J. E. | Ford, | Lanham, | Outhwaite, |
| Campbell, T. J. | Forney, | Latham, | Peel, |
| Candler, | French, | Lawler, | Perry, |
| Cannon, | Gay, | Lee, | Phelan, |
| Carleton, | Gibson, | Lynch, | Pidcock, |
| Caruth, | Glass, | Macdonald, | Post, |
| Catchings, | Glover, | Mahoney, | Randall, |
| Chipman, | Granger, | Maish, | Rayner, |
| Clardy, | Greenman, | Mansur, | Rice, |
| Clements, | Grimes, | Martin, | Richardson, |

| | | | |
|---|---|---|---|
| Robertson, | Shively, | Stone, of Mo. | Washington, |
| Rogers, | Simmons, | Tarsney, | Wheeler, |
| Rowell, | Snyder, | Taulbee, | Whiting, J. R. |
| Rowland, | Springer, | Thompson, T. L. | Whitthorne, |
| Russell, J. E. | Stahlnecker, | Tillman, | Wilkins, |
| Rusk, | Steele, | Townshend, | Wilkinson, |
| Sayers, | Stewart, Charles | Tracey, | Wilson, Thomas. |
| Scott, | Stewart, J. D. | Turner, H. G. | Wilson, W. L. |
| Sehey, | Stockdale, | Vance, | Wise, |
| Shaw, | Stone, of Ky. | Walker, | Yoder. |

NAYS—7.

| | | | |
|---|---|---|---|
| Baker, Jehu | Buchanan, | Hovey, | Laidlaw. |
| Brewer, | Cheadle, | Kerr, | |

NOT VOTING—152.

| | | | |
|---|---|---|---|
| Adams, | Davis, | Kean, | Reed, |
| Allen, C. H. | De Lano, | Kelley, | Rockwell, |
| Allen, E. P. | Dingley, | Kennedy, | Romeis, |
| Anderson, A. R. | Dorsey, | Ketcham, | Russell, C. A. |
| Anderson, J. A. | Dunham, | La Follette, | Ryan, |
| Arnold, | Farquhar, | Laird, | Sawyer, |
| Atkinson, | Felton, | Lehlbach, | Scull, |
| Baker, C. S. | Finley, | Lind, | Sherman, |
| Bayne, | Fitch, | Lodge, | Smith, |
| Belden, | Flood, | Long, | Sowden, |
| Belmont, | Foran, | Lyman, | Spinola, |
| Bingham, | Fuller, | Maffett, | Spooner, |
| Boothman, | Funston, | Mason, | Stephenson, |
| Bound, | Gaines, | McClammy, | Stewart, J. W. |
| Boutelle, | Gallinger, | McComas, | Struble, |
| Bowden, | Gear, | McCormick, | Symes, |
| Bowen, | Gest, | McCullogh, | Taylor, E. B. |
| Brower, | Goff, | McKinley, | Taylor, J. D. |
| Browne, T. H. B. | Grosvenor, | Milliken, | Thomas, G. M. |
| Browne, T. M. | Grout, | Moffitt, | Thomas, J. R. |
| Brown, C. E. | Guenther, | Morrill, | Thomas, O. B. |
| Brown, J. R. | Harmer, | Morrow, | Thompson, A. C. |
| Brumm, | Haugen, | Nelson, | Turner, E. J. |
| Bunnell, | Hayden, | Nichols, | Vandever, |
| Burrows, | Henderson, D. B. | Nutting, | Wade, |
| Butler, | Henderson, T. J. | O'Donnell, | Warner, |
| Butterworth, | Hermann, | O'Neill, Charles | Weaver, |
| Caswell, | Hiestand, | Osborne, | Weber, |
| Clark, | Hires, | Owen, | West, |
| Cockran, | Hitt, | Parker, | White, J. B. |
| Cogswell, | Holmes, | Patton, | White, S. V. |
| Conger, | Hopkins, A. J. | Payson, | Whiting, William |
| Cowles, | Hopkins, S. I. | Penington, | Wickham, |
| Crouse, | Hopkins, S. T. | Perkins, | Wilber, |
| Cummings, | Houk, | Peters, | Williams, |
| Cutcheon, | Hunter, | Phelps, | Woodburn, |
| Dalzell, | Jackson, | Plumb, | Yardley, |
| Darlington, | Johnson, J. T. | Pugsley, | Yost. |

So the resolutions were adopted.

Mr. CUMMINGS. I am paired with my colleague [Mr. FITCH], with the quorum proviso. As my vote is not necessary to make a quorum I withdraw it.

Mr. SOWDEN. I am paired with Mr. DARLINGTON. I voted "aye" upon this question, our pair containing a reservation that it should not break a quorum. I understand there is a quorum without my vote. Hence I withdraw it, and I want this statement to go on record.

The SPEAKER *pro tempore*. It will go on record.

Mr. STOCKDALE. I would ask if there is a quorum without my vote?

The SPEAKER *pro tempore*. A quorum has voted, and the Clerk will announce the pairs, if any.

The following pairs were announced:

Mr. SPINOLA with Mr. THOMAS, of Illinois, until further notice.

Mr. MCCORMICK with Mr. PENINGTON, on all political questions until the 28th instant.

Mr. MCCLAMMY with Mr. NICHOLS, on the contested-election case.

The result of the vote was then announced, as above recorded.

Mr. CRISP moved to reconsider the vote by which the resolutions were adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

## MESSAGE FROM THE PRESIDENT.

A message from the President of the United States, in writing, was communicated to the House, by Mr. PRUDEN, one of his secretaries.

The message also announced the approval of the following bill:

An act (H. R. 3318) relating to permissible marks, printing or writing, upon second, third, and fourth class mail matter, and to amend the twenty-second and twenty-third sections of the act entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes."

## CORRECTION OF THE RECORD.

Mr. ENLOE. Mr. Speaker, I rise to make a correction of the RECORD.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. ENLOE. In the RECORD of the 21st of January, in the report of the speech of Mr. Thobe, the contestant for a seat on this floor, I find there is a reflection upon the character of the Committee on Elections and upon the action of the committee, which reflection was not uttered by him in his speech on this floor, but was incorporated afterwards in the revision of his speech. And I wish to state that it was not only no part of his remarks upon the floor, but it goes to the discredit of this publication, which ought to be a correct record of the proceedings of Congress, that such an insertion should be permitted to stand. It is an abuse of the privileges of this body, and I call the attention of the House to it.

I ask the Clerk to read that portion of his speech from the RECORD to which I have referred. It is the part immediately following the reading of the memorial to which he alludes.

The Clerk read as follows:

Mr. Speaker, I submitted that sworn statement, which has just been read, to the Committee on Elections, and it was rejected, disregarded, and returned to me by the chairman, with the following letter:

"HOUSE OF REPRESENTATIVES, U. S.,
"*Washington, D. C., January* 18, 1888.

"SIR: The chairman of the committee received inclosed affidavit yesterday. To-day he submitted it to the committee, and was directed to return it to you with statement that so far as this committee is concerned the case referred to therein is closed.

"Very respectfully,

"CHARLES F. CRISP.

"J. H. SYPHER, Esq."

Here, then, is a flat and indignant refusal of the committee to even hear me; and they indecently rushed the report through the committee and submitted it to the House before I could reach the Capitol. If I was a criminal charged with a heinous crime I could not have been treated with less respect to my rights as a citizen by this partisan committee.

Mr. ENLOE. Now, I simply desire to say that Mr. Thobe did not use any such language, and the language he did use contained no such reflection upon a committee of this House. The Official Reporter, I understand, says the same thing; that it was incorporated in the revision.

This alleged letter of Mr. CRISP was not read in the hearing of the House; and I want to say further: I am informed that, not being a member of the House, Mr. Thobe had no right to revise his remarks in that manner, by interpolating language that was not uttered on the floor. And furthermore, I wish to say that it is an abuse that members of the House should incorporate in the CONGRESSIONAL RECORD language that has not been uttered upon the floor; and I shall protest against it as often as it occurs, for this RECORD has gone to the country time and again, not as a faithful and accurate record of the proceedings and business of this House, but has been a living lie upon those proceedings. [Cries of "Regular order!"]

Mr. HOGG. I would like to ask the chairman of the Committee on Elections a question.

The SPEAKER *pro tempore*. The regular order has been demanded, which is the call of States and Territories for the introduction of bills.

## ACCEPTANCE OF PORTRAITS OF EX-SPEAKERS.

Mr. GIBSON. Mr. Speaker, I wish to submit a resolution and ask its reference to the Committee on Printing. I understand it to be a privileged resolution.

Mr. ENLOE. Mr. Speaker, I object to that part of the RECORD which I have caused to be read, and desire to supplement that objection with the motion to strike it out and substitute what actually took place.

The SPEAKER *pro tempore*. The regular order has been demanded.

Mr. ENLOE. But this is a question of privilege to have the RECORD corrected.

Mr. JONES. I wish to submit a privileged report.

The SPEAKER *pro tempore*. There is a privileged matter now pending, which the Clerk will read.

The Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That there be printed 10,000 copies of the addresses delivered in the House of Representatives, on January 19, 1888, upon the presentation of the portraits of Speakers Sedgwick, Varnum, and Banks, for the use of the House.

The SPEAKER *pro tempore*. This resolution will be referred to the Committee on Printing.

## ORDER OF BUSINESS.

Mr. ENLOE. Mr. Speaker, I think I am entitled as a matter of privilege to have the motion submitted.

The SPEAKER *pro tempore*. Another matter of privilege is pending, however. The gentleman from Alabama states that he rises for that purpose.

## OBSTRUCTIONS IN THE WILLAMETTE.

Mr. JONES. I am instructed by the Committee on Rivers and Harbors to report back the resolution I send to the desk.

The Clerk read as follows:

Whereas the Willamette River, in Oregon, one of the largest navigable and shipping rivers of the Pacific coast, by repeated freshets has so far become deflected from its original channel near the city of Corvallis and by its destruction of the banks as now seriously to threaten the near prevention of navigation at this point and the abandonment of Corvallis as a shipping mart unless timely aid be rendered; and

Whereas five sand-bars have formed in said river between Corvallis and Oregon City and are now formidable impediments to navigation, and urgent necessity exists for immediate improvement: Therefore,

*Resolved*, That the Secretary of War be requested to inform this House what special action, if any, has been undertaken by the Government, or what is deemed specially necessary, to remedy the imminent dangers to said navigation and commerce on the Willamette River in Oregon.

The Committee on Rivers and Harbors, to whom was referred the foregoing resolution of inquiry, introduced by Mr. HERMANN, having had the same under considerations, beg leave to report it favorably to the House, and recommend its adoption.

The resolution was agreed to.

second time, referred to the Committee on Ways and Means, and ordered to be printed.

SHEEP-DIPPING POWDERS.

Mr. BAKER, of New York, also introduced a bill (H. R. 5661) to exempt sheep-dipping powders from customs duties; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PENSIONS.

Mr. BAKER, of New York, also introduced a bill (H. R. 5662) to grant pensions for service in the Army, Navy, and Marine Corps of the United States; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

TWENTY-FIRST NEW YORK CAVALRY.

Mr. BAKER, of New York, also introduced a bill (H. R. 5663) for the relief of the surviving members of the Twenty-first Regiment New York Cavalry Volunteers; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

POST-OFFICE CLERKS.

Mr. COX introduced a bill (H. R. 5664) for the classification of clerks in first-class post-offices, and for fixing salaries of the same; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

INSPECTION OF FOREIGN STEAM-VESSELS.

Mr. COX also introduced a bill (H. R. 5665) to amend section 4400 of the Revised Statutes of the United States, as to the inspection of foreign steam-vessels; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

SECTION 905, REVISED STATUTES.

Mr. SAWYER introduced a bill (H. R. 5666) amending section 905 of the Revised Statutes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

OBSTRUCTIONS IN THE HUDSON.

Mr. MAHONEY introduced a bill (H. R. 5667) authorizing the removal of certain obstructions in the Hudson River opposite Poughkeepsie, in the State of New York; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

INCLOSING FORT JOHNSON, NORTH CAROLINA.

Mr. ROWLAND introduced a bill (H. R. 5668) to provide for inclosing the Government reservation at Fort Johnson, at Southport, N. C.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PUBLIC BUILDING, CHARLOTTE, N. C.

Mr. ROWLAND also introduced a bill (H. R. 5669) to provide for the erection of a public building at Charlotte, N. C.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

REVENUE-CUTTER, NEW BERNE, N. C.

Mr. SIMMONS introduced a bill (H. R. 5670) for the construction of a revenue-cutter for New Berne, N. C., to replace the revenue-cutter Stevens; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

FREEDMAN'S SAVINGS BANK.

Mr. SIMMONS also introduced a bill (H. R. 5671) to reimburse the depositors of the Freedman's Savings and Trust Company for losses incurred by the failure of said company; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

SILVER COINS OF THE UNITED STATES.

Mr. SIMMONS also introduced a bill (H. R. 5672) to prescribe the weight of standard silver for certain coins of the United States, to enlarge the legal-tender character of the half-dollar, and to permit the issue of silver certificates upon deposits of the same; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

VALIDATION OF PATENTS.

Mr. E. B. TAYLOR introduced a bill (H. R. 5673) to give validity to certain patents for inventions which were irregularly executed; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

THE FISHERIES CONTROVERSY.

Mr. BUTTERWORTH offered a resolution expressive of the sense of the House in regard to the adjustment of the differences between the United States and Great Britain and the Dominion of Canada in the matter of the fisheries; which was referred to the Committee on Foreign Affairs, and ordered to be printed.

PENSIONS.

Mr. GROSVENOR introduced a bill (H. R. 5674) granting pensions to ex-soldiers who are incapacitated for the performance of manual labor, and providing for pensions to dependent relatives of deceased soldiers and sailors; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PUBLIC BUILDING, PIQUA, OHIO.

Mr. WILLIAMS introduced a bill (H. R. 5675) to provide for the erection of a public building at Piqua, Ohio; which was read a first and second time, referred to the Committee on Public Buildings, and Grounds, and ordered to be printed.

RAILWAY MAIL SERVICE.

Mr. CAMPBELL, of Ohio, introduced a bill (H. R. 5676) to amend "An act to designate, classify, and fix the salaries of persons in the railway mail service," approved July 31, 1882; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

ISLAND IN THE GREAT MIAMI.

Mr. CAMPBELL, of Ohio, also introduced a bill (H. R. 5677) to relinquish the title of the United States to an island in the Great Miami River; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PENSION LEGISLATION.

Mr. CAMPBELL, of Ohio, also introduced a bill (H. R. 5678) amendatory of and supplementary to "An act granting pensions to soldiers and sailors of the Mexican war, and for other purposes," approved January 29, 1887; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

CHINESE IMMIGRATION.

Mr. HERMANN introduced a bill (H. R. 5679) abrogating all treaties heretofore made and now operative between the United States Government and the Chinese Empire in so far as they, or any of them, provide for, recognize, or permit the coming of Chinese to the United States, and in so far as they or any of them inhibit the United States from absolutely prohibiting the coming of Chinese to the United States; and repealing all acts of Congress in so far as they, or any of them, recognize or permit the coming of Chinese to the United States; and absolutely prohibiting the coming of Chinese to the United States, excepting only diplomatic, consular, and other officers, and prohibiting the landing of any Chinese therein, excepting only such diplomatic or other officers; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

LIFE-SAVING STATION AT CAPE PERPETUA.

Mr. HERMANN also introduced a bill (H. R. 5680) making an appropriation for the establishment of a life-saving station and providing for a life-saving crew at Cape Perpetua, in the State of Oregon; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

HERDING ON THE PUBLIC DOMAIN.

Mr. HERMANN also presented a memorial of the Legislature of Oregon, for legislation prohibiting aliens from using the public domain for herding purposes; which was referred to the Committee on the Public Lands.

SURVEY OF BAY OF TILLAMOOK.

Mr. HERMANN also presented a memorial of the Legislature of Oregon for the survey of the bay and bar of Tillamook, in the State of Oregon; which was referred to the Committee on Commerce.

MONONGAHELA NAVIGATION COMPANY.

Mr. DALZELL introduced a bill (H. R. 5681) to provide for the purchase or condemnation of the entire property and appurtenances of the Monongahela Navigation Company, a corporation of Pennsylvania; which was read a first and second time, referred to the Committee on Rivers and Harbors, and ordered to be printed.

OFFICERS OF UNITED STATES COURTS IN SOUTH CAROLINA.

Mr. PERRY introduced a bill (H. R. 5682) to provide distinct district attorneys, marshals, and clerks for the eastern and western judicial districts of the State of South Carolina, and to regulate the terms of the circuit and district courts of the United States for said districts; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

REAL ESTATE IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL (by request) introduced a bill (H. R. 5683) to authorize the commissioners of the District of Columbia to complete a contract for the sale of certain real estate to Job Barnard; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

WASHINGTON AND GEORGETOWN RAILROAD COMPANY.

Mr. HEMPHILL (by request) also introduced a bill (H. R. 5684) to amend an act entitled "An act to incorporate the Washington and Georgetown Railroad Company," approved May 17, 1862, and acts amendatory thereto; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

UNITED STATES COURTS IN TENNESSEE.

Mr. BUTLER introduced a bill (H. R. 5685) to establish a circuit and district court at Johnson City, Tenn.; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

POST-OFFICE BUILDING, BRISTOL, TENN.

Mr. BUTLER also introduced a bill (H. R. 5686) to erect a post-office building in the city of Bristol, State of Tennessee; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

POST-OFFICE BUILDING, MORRISTOWN, TENN.

Mr. BUTLER also introduced a bill (H. R. 5687) to erect a post-office building in the city of Morristown, Tenn.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

CONGRESSIONAL CONCURRENT LEGISLATION.

Mr. BUTLER (by request) also introduced a bill (H. R. 5688) to disseminate Congressional concurrent legislation among the people; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

"FUTURES" IN AGRICULTURAL PRODUCTS.

Mr. ENLOE introduced a bill (H. R. 5689) to punish dealing in "futures" in agricultural products; which was read a first and second time, referred to the Committee on Agriculture, and ordered to be printed.

SALE OF LAND, HOUSTON, TEX.

Mr. STEWART, of Texas, introduced a bill (H. R. 5690) authorizing the Secretary of the Treasury to sell block of land 108 in the city of Houston, Tex.; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

ROAD TO NATIONAL CEMETERY.

Mr. LEE introduced a bill (H. R. 5691) making an appropriation to construct a road and approaches from the city of Alexandria, Va., to the national military cemetery near that city; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PENSIONS.

Mr. HOPKINS, of Virginia, introduced a bill (H. R. 5692) to grant an increase of pension to survivors of the war of 1812; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

PAY OF ENSIGNS, UNITED STATES NAVY.

Mr. WISE introduced a bill (H. R. 5693) to regulate the pay of ensigns in the United States Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

ASSISTANTS TO CHIEFS OF BUREAUS, NAVY DEPARTMENT.

Mr. WISE also introduced a bill (H. R. 5694) to provide for the appointment of assistants to the chiefs of Bureaus of the Navy Department; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

PURCHASE OF LAND, NORFOLK NAVY-YARD.

Mr. WISE also introduced a bill (H. R. 5695) for the purchase, for naval purposes, of 79 acres of land belonging to William Schmoele, jr., south of the Norfolk navy-yard; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

BEACON LIGHT, CAPE CHARLES CITY, VA.

Mr. THOMAS H. B. BROWNE introduced a bill (H. R. 5696) to establish beacon lights at the entrance to the harbor of Cape Charles City, in Virginia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

ICE BOAT, POTOMAC RIVER.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 5697) to provide an ice boat or boats to facilitate the navigation of the Potomac River; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PUBLIC BUILDING, ONANCOCK, VA.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 5698) to purchase a site and erect a public building in the town of Onancock, Va.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

OYSTER STATIONS, GWYNN'S AND TANGIER ISLANDS.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 5699) to establish stations at Gwynn's and Tangier Islands, in Virginia, for the culture of the oyster and other shell-fish; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

HOG ISLAND.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 5700) to facilitate the transportation of life-saving and light-house supplies at Hog Island, Virginia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

NARROWS ISLAND BAR, CHESAPEAKE BAY.

Mr. THOMAS H. B. BROWNE (by request) also introduced a bill (H. R. 5701) for the establishment of a light-house on Narrows Island Bar, in Chesapeake Bay; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

ASSISTANT ASTRONOMERS, UNITED STATES NAVAL OBSERVATORY.

Mr. GOFF introduced a bill (H. R. 5702) defining the positions and salaries of assistant astronomers at the United States Naval Observatory, and for other purposes; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

PACIFIC RAILROADS.

Mr. THOMAS, of Wisconsin, submitted the following joint resolution (H. Res. 88); which was read a first and second time:

IN THE HOUSE OF REPRESENTATIVES.

Whereas the President in his message transmitting the report of the United States Pacific Railroad Commission to Congress January 17, 1888, after referring to a statement furnished to him showing how some of the operations of the directors of the Central Pacific road strongly condemned by the commissioners are defended by the directors themselves, says, "In view of this statement and the facts developed in the commissioners' reports it seems proper to recall the grants and benefits derived from the General Government by both the Union and Central Pacific Companies for the purpose of aiding the construction of their roads," and while clearly stating that "executive power must be exercised according to existing laws," calls attention to the fact that executive discretion is probably not broad enough to reach such difficulties, and invokes Congress in this language, to wit: "If donated lands are not yet granted to these companies, and if their violations of contract and of duty are such as in justice and morals forfeit their rights to such lands, Congressional action should intervene to prevent further consummation:" Therefore,

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That all further patents or approvals of lands heretofore granted to the Union Pacific Railroad Company and the Central Pacific Railroad Company to aid in the construction of their several lines of railway be withheld until a final accounting and settlement be had in pursuance of law by and between the United States and said railroad companies, and complete and ample indemnification be given by said railroad companies or their beneficiaries to secure the Government of the United States against ultimate loss.

The SPEAKER *pro tempore* (Mr. HATCH in the chair). The resolution will be referred to the Committee on Pacific Railroads.

Mr. ANDERSON, of Kansas. I make the point of order that the resolution should go to the Committee on the Public Lands, as it concerns the public lands.

Mr. OUTHWAITE. But it is a reference to public lands granted or intended to be granted to the Pacific railroads, and is properly referable to the Committee on Pacific Railroads.

The SPEAKER *pro tempore*. The Chair thinks the resolution should be sent to the Committee on Pacific Railroads.

Mr. THOMAS, of Wisconsin. I make the motion, Mr. Speaker, that it be referred to the Committee on the Public Lands.

The question was put to the House.

The SPEAKER *pro tempore*. The ayes seem to have it.

Mr. OUTHWAITE. I demand a division.

Mr. THOMAS, of Wisconsin. Let the title be read.

The SPEAKER *pro tempore*. The resolution has been read.

Mr. DUNHAM. We do not know what it is we are voting on, and I ask that the resolution be again read.

The SPEAKER *pro tempore*. The resolution has been read in its entirety.

The House divided; and there were—ayes 32, noes 50.

Mr. HOLMAN. I make the point of order of no quorum and demand tellers.

Mr. SPRINGER. Have the title again read.

The SPEAKER *pro tempore*. There is no title. The entire resolution has been read. The gentleman from Indiana makes the point of no quorum.

Mr. HOLMAN. To enable us to understand the resolution, I ask it be again read.

The joint resolution was again read.

Mr. OUTHWAITE. I would like unanimous consent to make a brief statement of my objections to its reference to the other committee.

The SPEAKER *pro tempore*. Under the rule the reference must be made without debate,

Mr. OUTHWAITE. I understand that, but I simply ask unanimous consent to make a very brief statement to the effect that this bill has already, by the action of this House, been referred to the Committee on Pacific Railroads, and they have had it under consideration. This resolution is simply taking away from the committee that which has already been referred to it by the House.

Mr. HOLMAN. It is manifest that this does not belong to that committee, but to the Committee on the Public Lands.

Mr. WEAVER. I would like unanimous consent to make a brief statement.

The SPEAKER *pro tempore*. The Chair will state that under the former action of the House referring the President's message on this subject to the Committee on Pacific Railroads the Chair decided that this resolution should be appropriately referred to that committee.

The gentleman from Wisconsin moved that it be referred to the Committee on the Public Lands, and upon that the House is now dividing. The point that no quorum has voted being made the Chair will order tellers.

Mr. HOLMAN and Mr. OUTHWAITE were appointed tellers.

The House again divided; and the tellers reported—ayes 90, noes 83.

So the joint resolution was referred to the Committee on the Public Lands.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had passed, without amendment, the joint resolution (H. Res. 72) relating to the invitation of the British Government to the Government of the United States to participate in the international exhibition at Melbourne, to celebrate the founding of New South Wales.

REPAYMENT TONNAGE TAX.

Mr. GUENTHER introduced a bill (H. R. 5703) to amend section 2931 of the Revised Statutes; which was read a first and second time.

Mr. GUENTHER. I ask the reference of that bill to the Committee on Claims, as I think it properly belongs there.

The SPEAKER *pro tempore*. The Chair will state that this is in the nature of an act to amend an existing law, and relates to the subject-matter referred under the rules of the House to the Committee on Merchant Marine and Fisheries. While it may embody a claim, it must go, under the rules of the House, to that committee.

The bill was referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

PORT OF ENTRY AT SUPERIOR, WIS.

Mr. HAUGEN introduced a bill (H. R. 5704) providing for the establishment of a port of entry at Superior, in the county of Douglas, State of Wisconsin; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

FEES OF EXAMINING SURGEONS.

Mr. CLARK introduced a bill (H. R. 5705) establishing the fees and expenses of examining surgeons; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MEDALS TO SOLDIERS AND SAILORS OF THE LATE WAR.

Mr. CLARK also introduced a bill (H. R. 5706) authorizing the Secretary of War and the Secretary of the Navy to issue bronze, silver, and gold medals to the honorably discharged soldiers and sailors of the United States of the late war; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

RATIFICATION OF AGREEMENT WITH CERTAIN INDIANS.

Mr. GIFFORD introduced a bill (H. R. 5707) to ratify and confirm the agreement with the Indians of Fort Berthold agency, in Dakota; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

LEGISLATIVE ASSEMBLIES, ETC., TERRITORIES.

Mr. DUBOIS introduced a bill (H. R. 5708) to amend sections 1847, 1852, 1857, 1862, and 1885 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

DIVISION OF IDAHO TERRITORY.

Mr. DUBOIS also submitted a memorial of the Legislature of Idaho Territory against any division of Idaho Territory; which was referred to the Committee on the Territories.

Mr. DUBOIS. Inasmuch as this is a matter of great importance to the people of that Territory, I ask unanimous consent that it be printed in the RECORD.

The SPEAKER *pro tempore*. The Chair will recognize the gentleman, after the call is over, to make that request.

Some time subsequently—

Mr. DUBOIS. I now renew my request to have the memorial printed in the RECORD.

There was no objection, and it was so ordered.

It is as follows:

DEPARTMENT OF THE INTERIOR,
*Secretary's Office, Idaho.*

UNITED STATES OF AMERICA,
*Territory of Idaho, ss:*

I, Edward J. Curtis, secretary of the Territory of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of the original council joint memorial No. 1, passed at the fourteenth session of the Idaho Legislature, 1886-'87, approved by the governor January 12, 1887, as the same appears on the files of this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the Territory. Done at Boisé City, the capital of Idaho, this 9th day of January, A. D. 1888.

[SEAL.]

E. J. CURTIS,
*Secretary of Idaho.*

Council joint memorial No. 1.

*To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:*

Your memorialists, the council and house of representatives of the Legislative Assembly of the Territory of Idaho, respectfully represent that

Whereas during the thirteenth session of the Legislative Assembly of said Territory of Idaho a joint memorial was passed by said Legislature, praying and asking that when the Territory of Washington is admitted into the Union as a State, that that portion of the Territory of Idaho known as "North Idaho," comprising the counties of Idaho, Nez Perce, Shoshone, and Kootenai, should be annexed to said Washington Territory and accepted as a portion of the State of Washington when admitted into the Union as such; and

Whereas your memorialists, comprising the fourteenth session of the Legislative Assembly of the said Territory of Idaho, would further represent that the grievances, burthens, and insurmountable barriers then complained of in the joint memorial to Congress, passed by the thirteenth session of the Legislature, since then have been almost entirely obviated by the construction of railroads and the opening and building of public thoroughfares through that portion of Idaho which was then sought to be annexed and made part of the Territory or State of Washington, thus making the capital of Idaho as accessible as either the capital of Montana or Washington; and

Whereas your memorialists would further represent that another effort was also made during the session of Congress to attach that portion of our Territory known as "North Idaho" to the Territory of Montana, and when admitted as a State to become part and parcel of the State of Montana; and

Whereas the original area of Idaho Territory embraced 326,373 square miles, which has since been reduced to about 86,000 square miles by the formation of the Territories of Montana and Wyoming out of her domain; and

Whereas we would further represent that by the further slicing propositions which are being agitated another scheme is being inaugurated, that when the disintegration should be consummated in favor of either Washington or Montana, the balance of what may be left of the Territory of Idaho is proposed to be annexed to and form part of the State of Nevada; and

Whereas your memorialists would further represent that our citizens, during the lapse of twenty-four years and upwards, have endured all the privations incidental to a pioneer life; their homes, whether in the valleys or in the mining camps of the mountains, have been secured and beautified under most trying disadvantages. Our mining and agricultural resources, with the aid of railroad facilities, are at present beginning to dawn with prosperity. Our population is greatly multiplying year by year, and all the material elements which make up to place us as one among the States of the Union are gradually and surely increasing. That the idea of segregating nearly one-third of the area of our fair Territory and one-third of our population was conceived and nurtured more especially for political rather than social, commercial, and substantial objects.

Your memorialists further represent that since the passage of the joint memorial, passed at the thirteenth session of the Legislature, the debt of Idaho Territory has been materially increased by the erection of a capitol building and insane asylum; that this debt was increased with the aid and consent of the members from "North Idaho," and that under the bill now pending before Congress it is proposed to segregate the Territory, but no portion of the debt or care of convicts in the penitentiary or patients in the insane asylum is to follow; that by segregating this portion of Idaho it would leave the balance of this Territory at the mercy of the Mormon element in Southeastern Idaho: Therefore,

*Be it resolved by the council and house of representatives of the Territory of Idaho now assembled*, That we most earnestly protest against any proposition to sever any portion of Idaho with a view of attaching or annexing to any other State or Territory, believing that any such move would prove disadvantageous to any hopes for statehood in the future, and further recognizing the fact that, after the enjoyment and occupancy of the domain for nearly a quarter of a century which Congress had once ceded to us through an organic act, now, at this late day, it would be unjust and impolitic to disintegrate the Territory in any manner or form.

*Resolved*, That the secretary of the Territory be, and hereby is, instructed to transmit certified copies of this joint memorial and resolution, immediately upon its approval by the governor, to our Delegate in Congress, one copy to be transmitted to the President of the United States and one copy each to the President of the United States Senate and the Speaker of the House of Representatives in Congress, with the request that the same may be presented to their respective bodies.

Passed the council January 5, 1887.

ALEXANDER E. MAYHEW,
*President of the Council.*

Passed the house of representatives January 8, 1887.

WM. B. THEWS,
*Speaker of the House of Representatives.*

Approved January 12, 1887.

EDWARD A. STEVENSON,
*Governor.*

[Indorsed.]

I hereby certify that the within council joint memorial No. 1 originated in the council of the Legislative Assembly of Idaho Territory during the fourteenth session.

JAMES H. WICKERSHAM,
*Chief Clerk of the Council.*

RIGHT OF WAY THROUGH FLATHEAD INDIAN RESERVATION.

Mr. TOOLE introduced a bill (H. R. 5709) to grant the right of way through the Flathead Indian reservation to the Missoula and Northern Railroad Company; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

FORT SELDEN MILITARY POST.

Mr. JOSEPH introduced a joint resolution (H. Res. 89) authorizing and directing the Secretary of War to enlarge the military post at Fort Selden, N. Mex., and appropriating $100,000 for the purpose; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

BOARD OF INDIAN COMMISSIONERS.

Mr. JOSEPH also introduced a bill (H. R. 5710) to establish a board of commissioners to examine, adjust, and report on all claims arising out of Indian treaties and depredations committed by Indians, and for other purposes; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

BOUNDARY LINE OF DOÑA AÑA COUNTY, NEW MEXICO.

Mr. JOSEPH also introduced a bill (H. R. 5711) to repeal an act entitled "An act to establish the boundary line of Doña Aña County," in the Territory of New Mexico; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

ADDITIONAL ASSOCIATE JUSTICE, UTAH.

Mr. CAINE introduced a bill (H. R. 5712) providing for an additional associate justice of the supreme court of the Territory of Utah, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

TARIFF ON LEAD.

Mr. CAINE also submitted resolutions of the council and house of representatives of the Legislative Assembly of the Territory of Utah in opposition to any reduction in the tariff on lead; which were referred to the Committee on Ways and Means.

RIGHT OF WAY THROUGH FORT RUSSELL MILITARY RESERVATION.

Mr. CAREY introduced a bill (H. R. 5713) to authorize the Cheyenne Street Railroad Company to build its road on and across the Fort D. A. Russell military reservation; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

LEASING SCHOOL AND UNIVERSITY LANDS, WYOMING.

Mr. CAREY also introduced a bill (H. R. 5714) authorizing the leasing of the school and university lands in the Territory of Wyoming, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER *pro tempore* (Mr. COX having resumed the chair). The call of States and Territories is completed. The Chair will now recognize the gentlemen who were not in their seats when their States were called.

BOOKS FOR CONGRESSMEN.

Mr. TAULBEE submitted the following resolution; which was read, and referred to the Committee on Printing:

*Resolved*, That the Committee on Printing inquire into and report the reason why members of Congress can not procure books standing to their credit on the books of the Doorkeeper, if such fact exists.

RECORDS OF WAR OF REBELLION.

Mr. FARQUHAR introduced a bill (H. R. 5715) for the reissue of the first five volumes of the Records of the War of the Rebellion; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

OTTER CREEK, LAKE CHAMPLAIN.

Mr. STEWART, of Vermont, introduced a bill (H. R. 5716) for establishing a light-house at the mouth of Otter Creek, Lake Champlain; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

DISCHARGES, ETC., IN PUBLIC PRINTING OFFICE.

Mr. CUTCHEON. I send to the desk a privileged resolution, and ask that it be read.

The Clerk read as follows:

Whereas it is reported that a considerable number of employés have been recently discharged from the force of the Public Printer, and that others have been granted involuntary furloughs, thereby reducing the force employed in the office of the Public Printer; Therefore,

*Resolved*, That the Public Printer be directed to report to this House whether he has recently discharged or furloughed any of his force, and if so, how many, and for what reasons such discharges and furloughs have been made at a time when the printing ordered by this House is largely in arrears.

Also, whether in making such discharges and furloughs regard has been had to section 1754 of the Revised Statutes, by giving the preference to honorably discharged soldiers and sailors.

Mr. CUTCHEON. I ask the present consideration of the resolution.

Mr. RANDALL. I submit that that resolution does not present a privileged question.

The SPEAKER *pro tempore*. It is not in order at this time for consideration under the call for bills and resolutions.

Mr. RANDALL. I have no objection to its going to the Committee on Printing.

Mr. CUTCHEON. I will withdraw it for the present.

AIR SHIP.

Mr. DUNHAM introduced (by request) a bill (H. R. 5717) making an appropriation of $150,000 to enable A. de Bausset to build an air ship to convey passengers and freight through the air, and for other purposes; which was read a first and second time.

Mr. BURROWS. Let the bill be read.

The bill was read at length.

Mr. MILLIKEN. I move that the bill be referred to the Committee on Ventilation and Acoustics.

The SPEAKER *pro tempore*. If there be no objection, that reference will be made.

The bill was referred to the Select Committee on Ventilation and Acoustics, and ordered to be printed.

DONATION OF CONDEMNED MUSKETS, ETC.

Mr. REED introduced a bill (H. R. 5718) to donate condemned muskets to the Nahum Mitchell Post, Grand Army of the Republic, Maine; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

RETIREMENT OF NAVAL OFFICERS.

Mr. KEAN introduced a bill (H. R. 5719) authorizing the voluntary retirement of certain officers of the United States Navy who have rendered conspicuous services in battle or who have served thirty years in the Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

DONATION OF CONDEMNED CANNON.

Mr. HOLMES introduced a bill (H. R. 5720) granting a condemned cannon and carriage to Opedyke Post, No. 322, Department of Iowa, Grand Army of the Republic; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

POST-OFFICE APPROPRIATIONS.

Mr. OWEN introduced a bill (H. R. 5721) amending section 10 of an act approved March 3, 1879, making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

CLERKS FOR COMMITTEE ON INVALID PENSIONS.

Mr. WALKER submitted the following resolution; which was read, and referred to the Committee on Accounts:

Whereas it appears from the RECORD that about four-tenths of all the bills introduced into this House are referred to the Committee on Invalid Pensions for its action: Therefore,

*Resolved*, That each subcommittee of the Committee on Invalid Pensions be authorized to employ a clerk during the session of Congress, to be paid for from the contingent fund of the House at the rate of $6 per day.

COOSA RIVER.

Mr. HERBERT introduced a joint resolution (H. Res. 90) to authorize sites for necessary locks and dams on the Coosa River to be purchased; which was read a first and second time, referred to the Committee on Rivers and Harbors, and ordered to be printed.

BUSINESS OF COMMITTEE ON PACIFIC RAILROADS.

Mr. OUTHWAITE submitted a resolution setting apart certain days for the consideration of measures reported from the Committee on Pacific Railroads; which was referred to the Committee on Rules.

AMENDMENT OF NATIONAL-BANK BILL.

Mr. BLAND. I ask unanimous consent to have printed in the RECORD a substitute for the bill (H. R. 1733) relating to the circulation of national banks.

There was no objection.

The proposed substitute is as follows:

SECTION 1. It shall be lawful for any national banking association to deposit gold or silver bullion of standard weight and fineness in any amount not less than $100 with the Treasurer of the United States, and to receive therefor coin notes in such denominations as the depositor shall prefer, the same to be of any denominations now authorized for gold or silver certificates: *Provided*, No such coin note shall be of a larger denomination than $500; such coin notes to be issued in amount equal to the value of the bullion so deposited, the value of said bullion to be the market value of the same in the city of New York, to be ascertained and determined from month to month by the Secretary of the Treasury under such rules and regulations as he may establish for that purpose; that said coin notes shall be a legal tender for all purposes for which gold or silver certificates are now a legal tender, and when held by any national banking associations shall be counted as part of their reserve. Said coin notes shall be redeemed by the Government in gold or silver coin at the option of the Government when presented at the office of the Treasurer or any assistant treasurer of the United States for that purpose.

SEC. 2. The bullion, when deposited under the provisions of this act, shall become the property of the Government, and the Secretary of the Treasury shall cause the same to be coined, from time to time, in sufficient quantities to redeem coin notes and to meet other obligations of the Government.

SEC. 3. The Secretary of the Treasury is hereby authorized and required to establish such rules and regulations as may be necessary to carry into effect the provisions of this act.

PUBLIC LANDS FOR SCHOOL PURPOSES.

Mr. McRAE introduced a bill (H. R. 5722) to grant the thirty-sixth section of land to certain States for public schools and other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

SECTION 461, REVISED STATUTES.

Mr. McRAE (by request) also introduced a bill (H. R. 5723) to amend section 461 of the Revised Statutes, regulating the fees for the exemplification of land patents, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

EXTRADITION OF CRIMINALS.

Mr. CHIPMAN introduced a joint resolution (H. Res. 91) in relation to the extradition of criminals; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

NEWBURGH CENTENNIAL.

Mr. BACON introduced a joint resolution (H. Res. 92) for the printing of the report of the Newburgh, N. Y., centennial celebration; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

CHANGE OF REFERENCE.

On motion of Mr. SIMMONS the bill introduced by him to-day (H. R. 5670) for the construction of a revenue-cutter for New Berne, N. C., was withdrawn from the Committee on Appropriations and referred to the Committee on Commerce.

TARIFF ON WOOL.

Mr. CAINE presented resolutions of the Chamber of Commerce of Salt Lake City, protesting against any reduction in the tariff on wool and woolens; which, by unanimous consent, were ordered to be printed in the RECORD.

The resolutions are as follows:

*To the honorable the Senate and House of Representatives of the United States in Congress assembled:*

The wool-growers of Utah Territory, representing a capital of $8,000,000, beg to submit to you, through their Chamber of Commerce, the following preamble and resolutions by them adopted at their convention, held this 9th day of January, 1888.

Whereas the wool-growers of Utah Territory, being duly assembled in convention, in the city of Salt Lake, this 9th day of January, 1888, representing 2,500,000 sheep and a capital of $8,000,000 invested, and an annual yield of 12,000,000 pounds of wool; and

Whereas any reduction in the present tariff on wool would seriously cripple, if not destroy, the wool interests of the Territory, thereby throwing out of employment thousands of men, and causing hardship throughout the Territory: Therefore,

*Be it resolved*, That we, the wool-growers in convention assembled, protest against any reduction in the tariff as relates to wool and woolens.

*Resolved*, That we pledge ourselves to work for the maintenance of the present tariff on wool and woolen goods and to stand by all committees and associations in giving full and complete protection to all the American industries in need of the same, and cordially invite their co-operation in this matter.

*Resolved*, That we call upon our Delegate to Congress to do all in his power to aid in protecting interests of such vital importance to us.

We ask a careful consideration of our claims, and your memorialists will ever pray.

W. S. McCORNICK,
*President Salt Lake Chamber of Commerce.*

M. J. FORHAN,
*Secretary.*

At a mass meeting of the wool-growers of Utah, held in the city of Salt Lake, January 9, 1888, the foregoing resolutions were heartily indorsed, and we respectfully request our Delegate to Congress to use his influence in preventing any repeal of the tariff on wool.

CHARLES CRANE,
*President Territorial Wool-Growers' Association.*

J. H. HINMAN,
*Secretary.*

CLOSING ALLEYS IN WASHINGTON, ETC.

Mr. PHELAN introduced a bill (H. R. 5724) to provide for the closing of parts of two alleys in square 132 in the city of Washington, D. C., and for the relief of Charles Early and C. Warwick; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

CLOCK FOR CUSTOM-HOUSE AT MEMPHIS.

Mr. PHELAN also introduced a bill (H. R. 5725) to authorize the purchase of a clock for the custom-house at Memphis, Tenn.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

DEFINING AND REGULATING MANUFACTURE, ETC., OF LARD.

Mr. PHELAN also introduced a bill (H. R. 5726) to define lard and to regulate the manufacture, sale, importation, and exportation thereof; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

DISCHARGES, ETC., IN PUBLIC PRINTING OFFICE.

Mr. CUTCHEON. Mr. Speaker, I withdraw the request which I made for the immediate consideration of the resolution introduced by me a while ago in relation to discharges of employés by the Public Printer, and consent that it be referred to the Committee on Printing.

The resolution was so referred.

CHARGES AGAINST THE ALASKA COMMERCIAL COMPANY.

Mr. WOODBURN. Mr. Speaker, I ask unanimous consent that the resolution introduced by me for the appointment of a committee to investigate the truth of charges made by the governor of Alaska against the Alaska Fur Company be printed in the RECORD.

There was no objection, and it was so ordered.

The resolution is as follows:

Whereas A. P. Swineford, the governor of Alaska Territory, in his report to the Secretary of the Interior for the fiscal year 1887, arraigns the Alaska Commercial Company for a flagrant and outrageous abuse of the powers and privileges conferred upon it by the Government of the United States, in the manner following, to wit:

"The fur trade of Alaska is practically monopolized by the Alaska Commercial Company, a non-resident corporation, which does not confine its operations to the seal islands leased to it by the Government, but holds and possesses most of the Aleutian chain and the greater part of the mainland as a principality of its own, over which it exercises undisputed sway and control. Clothed by the Government with a monopoly of the seal-fur trade, by which it has profited to the extent of many millions, it has, octopus-like, thrown out its great tentacles and gathered to itself about all there is of value in the fur trade of the whole Territory. It has, by the power of its great wealth, driven away all competition and reduced the native population, wherever its operations are not supervised by Government officials, to a condition of helpless dependence, if not one of absolute and abject slavery. Unhampered by a healthy competition, it offers and compels acceptance by the natives, on pain of starvation, such beggarly prices for their peltry that it manages invariably to keep them in its debt and at its mercy. In order to more effectually monopolize the trade in furs, it at one time marked and mutilated the coin of the United States and refused to receive any other from the natives in payment for goods necessary to their comfort and well-being. Its insatiable greed is such that it is not content with robbing the poor native in the price it sets upon the product of his dangerous toil, but it robs him also in the exorbitant prices it exacts for the goods given in exchange. And there is no appeal; no alternative. There are no other trading stations in all that vast section, and the natives must pay the price asked and accept that which is offered—the first a hundred per cent. advance on the amount at which the same goods are sold to the whites, and the last low enough to add still another hundred per cent. to the company's profit. As, for instance, there is no timber on the Aleutian Islands, and the native who goes out to hunt the sea-otter has no time to provide himself with fuel by gathering drift-wood from the shores, as many are able to do. He must have fuel for the winter, and the company generously takes his sea-otter skins at half their real cash value and pays him in coal at $40 per ton—coal of the same quality as that which it sells to the few white residents for $20. The native who dares to sell his furs for cash to others than the agents of the company finds that his money has no purchasing power at perhaps the only trading station within a distance of several hundred miles, and is thus starved into submission.

"While all this and much more is true concerning its treatment of the native people, instances are not lacking where it has boycotted and driven away from the islands Government officials who, intent upon the honest, faithful discharge of their duties, have incurred the displeasure or refused to do the bidding of its agents. In fact it possesses the power to compel compliance with its every exaction, and wherever it has obtained a foothold neither white man nor native can do more than eke out a miserable existence, save by its sufferance. Without mail communication other than that supplied by the corporation, which is their master, the native people of the sections thus dominated are effectually walled in by the great waters which lie between them and the most advanced outskirts of trade and civilization, and in the absence of all competition are forced to sell their furs at whatever rates the agents of the company may be pleased to offer, and accept payment in goods at prices which no community of people not entirely helpless could or would tolerate. Its paid agents and lobbyists are kept at the national capital to oppose any and every effort that may be made to promote the welfare of Alaska through such legislation as will encourage immigration and the enlistment of capital in the development of the natural wealth hidden away in her forests, streams, and mountains; its every aim and effort is in the direction of prolonging its existence and strengthening its tyrannical hold by a blocking of the wheels of progress; and to its pernicious influence is due the fact that Alaska is not to-day largely populated with an industrious, enterprising, prosperous people; that millions where there are now only hundreds have not long ere this been invested in the development of her many varied, and, as I honestly believe, incomparably great natural resources. I have positive information of flagrant violations of the law and executive orders in relation to the importation and sale of breech-loading fire-arms by its agents; its oppression and robbery of the natives is notorious; the partial responsibility at least of the Government for the wrongs to which the inoffensive native people of the Aleutian Islands and the whole of Northwestern Alaska have been and are still being subjected can not be ignored or denied.

"If it can not legally be rescinded, the lease to and contract with this company ought not to be renewed. It is not, in my opinion, necessary to the preservation of seal life or the seal-fur industry that the islands on which the rookeries are located should be leased to any corporation or individual, but if it be held that I am wrong in that regard, then I do not hesitate to aver that it would be better for Alaska, better for the Government, and, above all, far better for the enslaved Aleuts that every fur seal in Alaskan waters should be exterminated at one fell swoop than that such a blighting monopoly should be perpetuated. It is manifestly the duty of Government to protect the weak against the strong, to shield the poor and helpless from wrong and oppression; yet here we have thousands of the latter class, who by solemn treaty stipulation were guarantied enjoyment of "all the rights, advantages, and immunities of citizens of the United States," practically enslaved, and a professedly free and liberal Government not only creating but actually protecting their oppressions, and that, too, against a restless spirit of enterprise which, unhindered, would people the best portions of Alaska with a thrifty population and add untold millions to the wealth of the nation.

"I have said that the leasing of the seal islands is not necessary to the preservation of the industry; neither is it, as so persistently claimed, and as I was at first inclined to believe, essential that a fur-seal monopoly should be maintained in order to secure the largest revenue to the Government. Manifestly, the natives of the seal and adjoining islands have the first and best right to profit by an industry which may truly be said to have come to them by inheritance. They are not Indians, but a peaceful, honest people of much natural intelligence, and capable of transacting business for themselves. They can nearly all read and write in their own or the Russian language, and if most of the younger men and women on St. Paul and St. George are not fairly well educated in English, the fact can only be accounted for on the theory that the Alaska Commercial Company has not complied faithfully with that provision of its contract which requires it to maintain schools on those islands for at least eight months in each year.

"Instead of practically enslaving them by farming out to others that which is theirs by right of inheritance, it seems to me that the Government should secure to them at least a fair share of the profits, and that its duty is to protect and, if possible, perpetuate the seal fisheries for their benefit, and not in the almost exclusive interest of organized greed and corporate monopoly. To accomplish this it is only necessary that regulations be promulgated by the proper department prohibiting the killing of seals on the islands of St. Paul and St. George by any but natives, prescribing the number that may be killed in each year, the mode of killing, and imposing all the other restrictions now in force. It would require no greater number of agents to supervise the killing by natives than are now employed to watch and guard the interests of the Government, if as many. The skins could then be sold in open market by the natives themselves, in the presence of or by a Government agent acting in their behalf, and whose duty it should be made to collect from purchasers a Government tax of not less than $5 on each skin sold. By such a plan a much larger permanent revenue would be assured to the Government, the natives secured in the free enjoyment of their rights, and a monopoly wholly inimical to the best interests of the Territory shorn of a large part of its tyrannical power. Conceived (as there is abundant evidence to show) in corruption, born in iniquity, and nurtured and grown strong and insolent on ill-gotten gains wrung from a hapless and helpless people, this giant monopoly, which rests like a blighting curse upon the progress and welfare of this great Territory, should be shorn of its corruptly-secured, much-abused franchise with no more delay than may be absolutely necessary.

"The mortality rate as compared to the number of births furnished me by the authorities of the Greco-Russian Church indicates the gradual extinction of the native people, particularly the Aleuts on Ounalaska Island, the population of which was 1,065 in 1882; 326 deaths have since been recorded, while there have been only 158 births. During the past summer an epidemic carried off a large number of the people at Belkofsky and on the Shumagin Islands; a very heavy rate of mortality is also reported from Kenai and Bristol Bay, occasioned by pulmonary diseases, to which the natives, owing to exposure and want of proper

precaution, are generally subject. In my opinion, if some effective measures are not taken to ameliorate their condition the complete extinction of the native inhabitants of the Aleutian Islands and on some parts of the mainland will be a question of comparatively short time only. A removal of the disabilities imposed by the grinding monopoly which has destroyed their every ambition, and made them reckless of lives scarcely worth the living, would give them new hope, and tend to an indefinite prolongation of their existence as a people. The civil government is powerless in the premises, having as yet been unable by reason of the absence of mail communication or means of transportation, to extend to them the poor protection of its qualified, limited, and altogether doubtful authority. To a higher governmental power, one they do not know in their present deplorable condition of abject dependence how to reach, and if they did would not dare appeal to, must they look for a redress of wrongs which would not for so long a time have been quietly endured by any people anywhere in the slightest degree less patient and helpless;" and

Whereas the foregoing statements are substantially corroborated by other officers and citizens of the Government having knowledge thereof; and

Whereas the charges therein contained involve the rights, liberties, and property of American citizens, the development and prosperity of one of the most important Territories of the Union, and the character and honor of the nation itself, the obligations of duty resting upon the Administration now in power as well as upon Congress to the American people demand that Congress investigate at once the truth of the statements hereinbefore recited from the report of Governor Swineford, to the end that if found true the extraordinary powers and privileges heretofore granted by Congress to said company be promptly rescinded and such provisions made as will protect the property of the Government and the rights of American citizens in the Territory of Alaska: Now, therefore,

*Be it resolved*, That the Speaker of the House of Representatives be, and is hereby, authorized and instructed to appoint a committee of five members of the House, whose duty it shall be to inquire into the truth of the statements hereinbefore recited, and whether the lease under which said company is now operating is conducive to the best interests of the Government of the United States, and whether it would be just and expedient for the Government to terminate the same and to take charge of the said islands and to take upon itself the care and custody of the seal life on said islands and of the waters of the Alaska Territory, and that said committee shall, when so constituted, be authorized to employ a stenographer, with full power to send for persons and papers, books, and vouchers, and report thereon with all convenient speed to this House.

SPOLIATION OF PUBLIC LANDS.

Mr. BUCHANAN. Mr. Speaker, I ask that the resolution introduced by me in relation to fraudulent practices in connection with the public lands be also printed in the RECORD.

There was no objection, and it was so ordered.

The resolution is as follows:

Whereas the Irish World of January 21, instant, asserts the following:

"A SAMPLE OF LAND STEALING.

"The story of the way the California Redwood Company came into the possession of 64,000 acres of most valuable timber land, estimated to be worth $22,000,000, shows the kind of barefaced fraud that has been practiced upon the Government by foreign land thieves. What is known as the California Redwood Company consists of an English president and a Scotch board of directors. Some time ago these land thieves determined to steal from the American people the lands we have spoken of. It was true that bribery and perjury of the most startling kind would have to be resorted to before they could carry out their designs. They, however, cared very little for that. They had made up their minds to cheat the United States of $22,000,000 worth of land, and they were not going to be deterred by the prospect of having to go into the bribery and perjury business by the wholesale.

"They began by hiring an agent whose duty it was to get persons to make fraudulent entries, which were immediately transferred to the syndicate of foreign thieves. The consideration in each case was $50 for the 160 acres thus transferred. Four hundred men were each bribed with this sum to make entries under the homestead act, which were immediately deeded to the Redwood Company. In every case the entry included a part of the timber land that the foreign syndicate wanted to steal. Whenever there was difficulty about obtaining American citizens to perjure themselves in the interest of the land thieves, orders were given to have sham naturalization papers made out for foreigners who never intended to become bona fide citizens of the United States.

"In the county where the stolen lands are situated 309 aliens filed with the clerk of the county court their sworn declaration of intention of becoming citizens of the United States, a preliminary indispensable in order to make a land entry. Although four years have elapsed since these declarations were made, only 37 of those making them have up to date taken out their final papers. The following testimony of the keeper of a sailors' boarding-house shows the way in which the business of making false entries was conducted:

"'Marks and Beach (the agents of the Scotch syndicate) came to me and proposed that I should have some seamen boarding at my house, awaiting to be shipped, file land entries. He agreed to pay me the entry fees of twelve. I agreed, and we fixed up the business. After the twelve men, all I had in the house, had filed at the land office on numbers given by Marks, I had them go before the notary public, and they signed twelve deeds in blank. Most of these men were not citizens of the United States. I saw the men sign. Then I shipped the men off to sea as quickly as possible.'

"In this case it was not necessary to go through the formality of getting out first papers, as the alien sailors who made the entries could be easily shipped out of the way and no further inquiries would be made about them. As each of the twelve men supplied by the boarding-house keeper entered a claim for 160 acres, the Scotch syndicate obtained 1,920 acres of rich timber land for the insignificant sum of $600, their agent having given each of the sailors $50 for deeding his claim to the syndicate.

"By frauds of this kind a band of English and Scotch thieves have stolen from the Government land whose value exceeds by seven millions the amount that England was compelled to pay to the United States for the damages done by the Alabama. Judged by the standard of the Geneva award, the California Redwood Company, composed exclusively of Englishmen and Scotchmen, has done once and a half as much injury to the United States as was done by the privateer that England sent forth to drive the Stars and Stripes from the seas. When we consider that the syndicate we have been speaking of is only one of many similar English corporations that are engaged in the business of stealing our public lands, we can form an estimate of the amount of plunder gathered in by these foreign land thieves. There is enough of evidence to prove the frauds by which large slices of the public domain have been stolen by foreign syndicates. Under these circumstances the duty of Congress is plain. It should compel the foreign land thieves to restore to the people of the United States every foot of land they have stolen;" and

Whereas it is matter of common knowledge that similar frauds have been practiced upon other parts of the public domain: Therefore,

*Resolved*, That the Committee on the Public Lands are hereby directed to examine what further legislation, if any, is needed to protect the Government from such fraudulent practices, and what further legislation, if any, is necessary to secure to the Government a reclamation of lands thus fraudulently obtained, with leave to report at any time by bill or otherwise.

PRINTING.

Mr. WILKINS offered a resolution authorizing the printing of certain documents; which was referred to the Committee on Printing.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The Chair will now call the committees for reports.

Mr. HERBERT. I move that the House adjourn.

The motion was not agreed to.

SECTION 5209, REVISED STATUTES.

Mr. ADAMS, from the Committee on the Judiciary, reported back with a favorable recommendation the bill (H. R. 1215) to amend and re-enact section 5209 of the Revised Statutes of the United States; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

NAVIGATION LAWS.

Mr. DINGLEY, from the Committee on the Merchant Marine and Fisheries, reported as a substitute for House bill 1486 a bill (H. R. 5728) to amend the laws relating to the navigation, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

The original bill, H. R. 1486, was laid on the table.

LAND SALES IN CALIFORNIA.

Mr. MCKENNA, from the Committee on the Public Lands, reported back with a favorable recommendation the bill (H. R. 1235) granting to the State of California 5 per cent. of the net proceeds of the cash sales of public lands in said State; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

SPANISH AND MEXICAN LAND GRANTS.

Mr. HAYES, from the Committee on the Territories, reported back with a favorable recommendation the bill (H. R. 1968) to provide for the judicial investigation and determination of the validity of Spanish and Mexican land grants in New Mexico, Arizona, and the territory acquired of Mexico, and for other purposes; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

CLAIMS OF ACCOUNTING OFFICERS.

Mr. STONE, of Kentucky, introduced a bill (H. R. 5727) for the allowance of certain claims reported by the accounting officers of the United States Treasury; which was referred to the Committee on War Claims, and ordered to be printed.

PUBLIC BUILDING, GREENVILLE, S. C.

Mr. DIBBLE, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 1805) for a public building at Greenville, S. C.; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

PUBLIC BUILDING, ASHEVILLE, N. C.

Mr. JOHNSTON, of North Carolina, from the Committee on Public Buildings and Grounds, reported back with amendment the bill (H. R. 1697) for the erection of a public building in the city of Asheville, N. C.; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

PUBLIC BUILDING, SPRINGFIELD, MO.

Mr. WADE, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 1611) for the erection of a public building at Springfield, Mo.; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

PUBLIC BUILDING, MONROE, LA.

Mr. NEWTON, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 1483) for the erection of a public building at Monroe, La.; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

PUBLIC BUILDING, PORTSMOUTH, OHIO.

Mr. KENNEDY, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 1712) for the erection of a public building at Portsmouth, Ohio; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

FORT OMAHA, NEBR.

On motion of Mr. NEAL, by unanimous consent, the Committee on Public Buildings and Grounds was discharged from the further consideration of the bill (H. R. 1618) to provide for the sale of the site of Fort Omaha, Nebr., the sale or removal of the improvements thereof,

and for a new site and the construction of suitable buildings thereon; and the same was referred to the Committee on Military Affairs.

MALINDA VEST.

Mr. WALKER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 863) granting a pension to Malinda Vest; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

EMILY B. NEWELL.

Mr. GALLINGER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 442) granting a pension to Emily B. Newell; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

LAURA A. WRIGHT.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 445) granting a pension to Laura A. Wright; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

ALBERT G. FIFIELD.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 443) granting an increase of pension to Albert G. Fifield; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

MRS. MARY JANE CASE.

Mr. FRENCH, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 85) granting a pension to Mrs. Mary Jane Case; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

SQUIRE ADMIN.

Mr. MORRILL, from the Committee on Invalid Pensions, reported back with amendment the bill (H. R. 4812) to grant a pension to Squire Admin; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

BRIDGE OVER MISSOURI RIVER, LEXINGTON, MO.

Mr. DUNHAM, from the Committee on Commerce, reported back favorably the bill (H. R. 2578) to authorize the construction of a bridge over the Missouri River, at or near the city of Lexington, Mo.; which was referred to the House Calendar, and the accompanying report ordered to be printed.

The call of the committees having been completed—

Mr. McCREARY. I move that the House adjourn.

The motion was agreed to; and accordingly (at 3 o'clock and 45 minutes p. m.) the House adjourned.

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PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred as indicated below:

By Mr. HERBERT: A bill (H. R. 5729) for the relief of J. R. Stott—to the Committee on Claims.

By Mr. OATES: A bill (H. R. 5730) for the relief of Edward Byrne—to the Committee on Claims.

By Mr. WHEELER: A bill (H. R. 5731) for the relief of Amos L. Moody, administrator of the estate of Argy L. Garner, deceased, and for the benefit of Miss Sallie Bettie Cameron—to the Committee on War Claims.

Also, a bill (H. R. 5732) for the relief of James Moore—to the Committee on War Claims.

Also, a bill (H. R. 5733) for the relief of William Rodgers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5734) to reimburse the trustees of the Methodist Episcopal Church of Huntsville, Madison County, Alabama—to the Committee on War Claims.

Also, a bill (H. R. 5735) to refer the claim against the United States of the Methodist Episcopal Church of Huntsville, Ala., to the Court of Claims—to the Committee on War Claims.

By Mr. PEEL: A bill (H. R. 5736) for the relief of heirs of Samuel B. Derryherry—to the Committee on War Claims.

By Mr. MORROW: A bill (H. R. 5737) for the relief of Philip Loney—to the Committee on Claims.

By Mr. VANDEVER: A bill (H. R. 5738) granting a pension to James A. Bolton—to the Committee on Invalid Pensions.

By Mr. T. J. HENDERSON: A bill (H. R. 5739) granting a pension to Simon S. Smith—to the Committee on Invalid Pensions.

By Mr. HITT: A bill (H. R. 5740) granting a pension to Anson Ward—to the Committee on Invalid Pensions.

By Mr. MASON: A bill (H. R. 5741) to recognize Elias J. Beymer as an enrolling officer, and for the relief of his widow and minor children—to the Committee on Military Affairs.

Also, a bill (H. R. 5742) for the relief of Caroline Fuglestadt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5743) for the relief of Mrs. Emily Horton—to the Committee on Pensions.

Also, a bill (H. R. 5744) granting a pension to Arthur H. Howe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5745) to relieve Thomas Dunne of the charge of desertion—to the Committee on Military Affairs.

By Mr. ADAMS: A bill (H. R. 5746) for the relief of Jacob J. Walser—to the Committee on Claims.

Also, a bill (H. R. 5747) granting a pension to Emma Zimmerman—to the Committee on Invalid Pensions.

By Mr. TOWNSHEND: A bill (H. R. 5748) for the relief of A. D. Tomlinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5749) for the relief of R. J. Hyde—to the Committee on Military Affairs.

By Mr. GEST: A bill (H. R. 5750) for the relief of Quincy McNeil—to the Committee on Military Affairs.

By Mr. LAWLER: A bill (H. R. 5751) for the relief of Margaret M. Hatch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5752) for the relief of Julia Triggs—to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 5753) for the relief of Solomon Davis—to the Committee on Claims.

By Mr. J. T. JOHNSTON: A bill (H. R. 5754) granting a pension to Malinda Lemon—to the Committee on Pensions.

By Mr. CAREY: A bill (H. R. 5755) granting a pension to Peter Kenney—to the Committee on Invalid Pensions.

By Mr. MATSON: A bill (H. R. 5756) granting a pension to David Gibbons—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 5757) granting a pension to Ernest Mueller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5758) granting a pension to Livinia Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5759) granting a pension to John H. Rountree—to the Committee on Invalid Pensions.

By Mr. GEAR: A bill (H. R. 5760) granting a pension to Hiram Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5761) granting a pension to Orson Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5762) for the relief of Stephen A. Toop—to the Committee on Military Affairs.

By Mr. FUNSTON: A bill (H. R. 5763) for the relief of David C. Allen—to the Committee on War Claims.

Also, a bill (H. R. 5764) granting a pension to Philip S. Likes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5765) granting a pension to B. F. Runkle—to the Committee on Invalid Pensions.

By Mr. MORRILL: A bill (H. R. 5766) granting a pension to Miss Cappie Harsh, daughter of Daniel Harsh—to the Committee on Invalid Pensions.

By Mr. CARUTH: A bill (H. R. 5767) for the relief of Henry S. Saunders—to the Committee on War Claims.

By Mr. McCREARY: A bill (H. R. 5768) for the relief of William T. Saunders, administrator of Susan Saunders—to the Committee on War Claims.

Also, a bill (H. R. 5769) for the relief of H. S. Powell—to the Committee on Claims.

Also, a bill (H. R. 5770) for the relief of William J. Landrum—to the Committee on Claims.

Also, a bill (H. R. 5771) for the relief of Mary Elkins—to the Committee on War Claims.

Also, a bill (H. R. 5772) for the relief of Dr. O. P. Hill—to the Committee on War Claims.

Also, a bill (H. R. 5773) for the relief of B. B. Young—to the Committee on War Claims.

Also, a bill (H. R. 5774) to place the name of Jane Pruitt on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5775) to place the name of Rebecca A. Vanarsdall, of Mercer County, Kentucky, on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5776) to place the name of William L. Burgess on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5777) to place the name of Henry B. Gabbard on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5778) to restore the name of Robert N. Doughty to the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5779) granting a pension to Mary C. Davis—to the Committee on Invalid Pensions.

By Mr. LAGAN: A bill (H. R. 5780) for the relief of Catharine Dougherty—to the Committee on Invalid Pensions.

By Mr. REED: A bill (H. R. 5781) for the relief of Hannah H. Latham—to the Committee on Invalid Pensions.

By Mr. BOUTELLE: A bill (H. R. 5782) granting a pension to Hannah Fickett—to the Committee on Invalid Pensions.

By Mr. ROCKWELL: A bill (H. R. 5783) granting a pension to Elizabeth Steadman—to the Committee on Invalid Pensions.

By Mr. J. E. RUSSELL: A bill (H. R. 5784) for the relief of C. I. Nourse—to the Committee on Claims.

By Mr. TARSNEY: A bill (H. R. 5785) for the relief of Jane A. Lusk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5786) granting a pension to Perry Dixon—to the Committee on Invalid Pensions.

By Mr. O'DONNELL: A bill (H. R. 5787) granting a pension to Lottie E. Dilley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5788) granting a pension to Lucy Hale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5789) granting a pension to Ellen M. Thiers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5790) granting a pension to Mary A. Whitney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5791) granting a pension to Mary W. Smalley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5792) granting a pension to Mary A. Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5793) granting a pension to Eliza Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5794) for the relief of James W. Sears—to the Committee on War Claims.

Also, a bill (H. R. 5795) for the relief of Francis M. Potter—to the Committee on War Claims.

By Mr. RICE: A bill (H. R. 5796) for the relief of Theodore B. Beaulieu—to the Committee on Indian Affairs.

Also, a bill (H. R. 5797) for the relief of the heirs of Joseph Anderson—to the Committee on War Claims.

By Mr. NELSON: A bill (H. R. 5798) for the relief of Andrew J. Boss—to the Committee on Military Affairs.

By Mr. CLARDY: A bill (H. R. 5799) for the relief of the legal representatives and suvivors of the late firm of Child, Pratt & Fox—to the Committee on Claims.

Also, a bill (H. R. 5800) to relieve Louis Knorr of the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 5801) granting a pension to Jules Lassource—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5802) granting a pension to Willis Sebastian—to the Committee on Invalid Pensions.

By Mr. STONE, of Missouri: A bill (H. R. 5803) granting a pension to Robert C. Wright—to the Committee on Invalid Pensions.

By Mr. WADE: A bill (H. R. 5804) granting a pension to Francis M. Goodman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5805) granting a pension to A. Carney—to the Committee on Invalid Pensions.

By Mr. McSHANE: A bill (H. R. 5806) granting a pension to William Frakes—to the Committee on Invalid Pensions.

By Mr. DORSEY: A bill (H. R. 5807) granting a pension to John McCool—to the Committee on Invalid Pensions.

By Mr. MAHONEY: A bill (H. R. 5808) granting a pension to Mark Costello—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5809) granting a pension to Timothy Donoghoe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5810) granting a pension to Herminie M. A. Jaeger—to the Committee on Invalid Pensions.

By Mr. BELDEN: A bill (H. R. 5811) granting a pension to Edward L. Smith—to the Committee on Invalid Pensions.

By Mr. MOFFITT: A bill (H. R. 5812) granting a pension to Catharine Tierney—to the Committee on Invalid Pensions.

By Mr. MAHONEY: Joint resolution (H. Res. 93) to incorporate the People's Real Estate Tontine in the District of Columbia—to the Committee on the District of Columbia.

By Mr. COCKRAN: A bill (H. R. 5813) for the relief of Mary Walsh—to the Committee on Invalid Pensions.

By Mr. NUTTING: A bill (H. R. 5814) for the relief of Alonzo Koon—to the Committee on Military Affairs.

By Mr. S. V. WHITE: A bill (H. R. 5815) for the relief of Ann Coleman, widow of Granville Peck—to the Committee on Claims.

By Mr. T. J. CAMPBELL: A bill (H. R. 5816) for the relief of Strauss, Bianchi & Co.—to the Committee on Claims.

By Mr. A. J. HOPKINS: A bill (H. R. 5817) to place Mary M. Biggs, an Army nurse, on the pension-roll—to the Committee on Invalid Pensions.

By Mr. FELIX CAMPBELL: A bill (H. R. 5818) to authorize the United States district court for the northern district of California to proceed in the case of the executors and heirs of Augustin de Yturbide, deceased, appellants, against the United States, appellees, and hear and determine the same on its merits—to the Committee on the Judiciary.

By Mr. KETCHAM: A bill (H. R. 5819) to provide for the muster and pay of certain officers and enlisted men of the volunteer forces—to the Committee on Military Affairs.

By Mr. BROWER: A bill (H. R. 5820) for the relief of the Kernersville Manufacturing Company—to the Committee on Claims.

By Mr. KENNEDY: A bill (H. R. 5821) to pension Robert E. Kersey—to the Committee on Invalid Pensions.

By Mr. J. D. TAYLOR: A bill (H. R. 5822) to grant a pension to Squire R. Little—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5823) granting a pension to George S. Parks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5824) granting a pension to John Lappert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5825) to remove certain disabilities in the case of R. S. Forbes—to the Committee on Military Affairs.

By Mr. BUTTERWORTH: A bill (H. R. 5826) granting a pension to W. W. Bradley—to the Committee on Invalid Pensions.

By Mr. SENEY: A bill (H. R. 5827) granting a pension to Elizabeth A. Ingerson—to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 5828) granting a pension to Andrew Shullenberger—to the Committee on Invalid Pensions.

By Mr. J. E. CAMPBELL: A bill (H. R. 5829) for the relief of Joseph Driskill—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 5830) granting to the Newport and King's Valley Railroad Company the right of way through the Siletz Indian reservation—to the Committee on Indian Affairs.

Also, a bill (H. R. 5831) granting a pension to M. T. Lindsey, of Oregon—to the Committee on Pensions.

Also, a bill (H. R. 5832) granting a pension to Thomas M. Seweard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5833) to pension to Christopher Lehman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5834) to provide compensation to Isaac Bailey, of Douglas County, Oregon, for Indian depredations committed by Piute and Modoc Indians on Pitt River, in California—to the Select Committee on Indian Depredation Claims.

By Mr. ATKINSON: A bill (H. R. 5835) granting a pension to Sarah R. McCormick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5836) granting a pension to Charles F. Hurts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5837) granting a pension to William Sweger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5838) for the relief of Hiram J. Steinberger—to the Committee on Military Affairs.

Also, a bill (H. R. 5839) for the relief of George Smith—to the Committee on Military Affairs.

By Mr. HARMER: A bill (H. R. 5840) granting a pension to Abraham Tyson—to the Committee on Invalid Pensions.

By Mr. BOUND: A bill (H. R. 5841) granting a pension to Sarah Seesholtz, widow of Reuben Seesholtz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5842) for the relief of Abram Heckendorn—to the Committee on Invalid Pensions.

By Mr. HALL: A bill (H. R. 5843) for the relief of Robert Dougherty—to the Committee on Accounts.

Also, a bill (H. R. 5844) to increase the pension of William Clark—to the Committee on Pensions.

By Mr. BINGHAM: A bill (H. R. 5845) granting a pension to Mary A. McKee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5846) to restore Charles H. Campbell to the rank of captain in the Army—to the Committee on Military Affairs.

By Mr. SPOONER: A bill (H. R. 5847) granting a pension to Elizabeth Twigg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5848) granting a pension to Susan G. Wood—to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 5849) granting a pension to Caswell N. Kirk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5850) granting a pension to James Goff, of Tennessee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5851) for the relief of Marshall J. Grubb, of Tennessee—to the Committee on Military Affairs.

Also, a bill (H. R. 5852) for the relief of Capt. Elias Beal, of Tennessee—to the Committee on Military Affairs.

By Mr. GLASS: A bill (H. R. 5853) for the relief of Daniel Bond—to the Committee on Claims.

By Mr. RICHARDSON: A bill (H. R. 5854) for allowance of certain claims reported by the accounting officers of the United States Treasury—to the Committee on War Claims.

By Mr. WHITTHORNE: A bill (H. R. 5855) to amend an act entitled "An act incorporating the Capitol, North O Street and South Washington Railway Company"—to the Committee on the District of Columbia.

By Mr. CRAIN: A bill (H. R. 5856) for the relief of Robert Carrick—to the Committee on Military Affairs.

By Mr. WISE: A bill (H. R. 5857) for the relief of the heirs of Mark Davis, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5858) to provide for the final settlement of the transportation account with the Richmond and Danville Railroad Company—to the Committee on Claims.

Also, a bill (H. R. 5859) to remove the political disabilities of Orris A. Browne, of Virginia—to the Committee on the Judiciary.

By Mr. T. H. B. BROWNE: A bill (H. R. 5860) to establish a breakwater at Chincoteague Inlet, Virginia—to the Committee on Commerce.

By Mr. LEE: A bill (H. R. 5861) providing for payment to F. H. Bates, late military instructor at the Washington High School, District of Columbia, of certain moneys heretofore appropriated—to the Committee on the District of Columbia.

By Mr. BOWDEN: A bill (H. R. 5862) for the relief of James F. Carr—to the Committee on War Claims.

By Mr. LEE: A bill (H. R. 5863) authorizing the Richmond and Danville Railroad Company to lay tracks, etc., in the District of Columbia—to the Committee on the District of Columbia.

By Mr. M. A. SMITH: A bill (H. R. 5864) granting to the Colorado River Canal Company the privilege of constructing a dam across the Colorado River at Stevenson's Island, Arizona—to the Committee on Commerce.

Also, a bill (H. R. 5865) for the relief of Michael McKenna, alias David Dutton—to the Committee on Military Affairs.

By Mr. HOGG: A bill (H. R. 5866) for the relief of Patrick V. Dolan—to the Committee on Claims.

By Mr. JOSEPH: A bill (H. R. 5867) for the relief of Andrew Cameron—to the Committee on Claims.

By Mr. VOORHEES: A bill (H. R. 5868) for the relief of Jacob Kuntz, alias John Walters—to the Committee on Military Affairs.

By Mr. LIND: A bill (H. R. 5869) to remove the charge of desertion against Daniel W. Selleck—to the Committee on Military Affairs.

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Changes in the reference of bills improperly referred were made in the following cases, namely:

A bill (H. R. 149) granting a pension to Rachel Barnes—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 456) for the relief of the widow of Lieut. John F. Stewart—Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 664) for the relief of George Baggs—Committee on Claims discharged, and referred to the Select Committee on Indian Depredation Claims.

A bill (H. R. 732) for the relief of Fannie Pemberton, formerly Fannie Glass—Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 794) for the relief of Wilton F. Ward—Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 795) for the relief of Ansyl Potter—Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 886) for the relief of Felix McKetterick—Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 953) for the relief of William Johnson—Committee on Invalid Pensions discharged, and referred to the Committee on Claims.

A bill (H. R. 380) granting a pension to Winifred Bleoffin—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 382) granting a pension to Catherine G. Bodfish—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. E. P. ALLEN: Petition of citizens of the Second Congressional district, State of Michigan, praying for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. J. M. ALLEN: Petition of Thomas W. Walker, of Jacob Walker, of Benjamin Powell, of John W. Stevens, and of Josiah Walker, of Alcorn County, Mississippi, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. G. A. ANDERSON: Papers in the case of W. H. H. Hardin—to the Committee on Military Affairs.

By Mr. ATKINSON: Papers in the case of Samuel A. Sanderson, for relief—to the Committee on War Claims.

By Mr. BLAND: Petition of Gillam Rogers, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. BOUND: Petition of Mrs. Sarah Sushottz, for a pension—to the Committee on Invalid Pensions.

Also, petition of Abram Heckendom, Washington, D. C., for pension—to the Committee on Pensions.

Also, resolution telegraphed as passed by the town of Pocahontas, Va., and the citizens of east Tazewell County, Virginia, protesting against putting coal and iron on the free-list, and asking permission to be heard before the Committee of Ways and Means before a bill is reported—to the Committee on Ways and Means.

By Mr. BOUTELLE: Petition of Mrs. Nancy Pomeroy, for a pension—to the Committee on Invalid Pensions.

Also, petition of Mrs. Melvina Grunya, for relief—to the Committee on Invalid Pensions.

By Mr. BOWEN: Petition and papers of Stephen Hancock, of Craig County, Virginia, for payment of his war claim—to the Committee on War Claims.

By Mr. T. M. BROWNE: Petition of citizens of Wayne and Randolph Counties, Indiana, to prohibit the manufacture, sale, etc., of alcoholic liquor in the District of Columbia—to the Committee on the Alcoholic Liquor Traffic.

By Mr. BUCHANAN: Petition of Board of Trade of Newark, N. J., for a public building in that city—to the Committee on Public Buildings and Grounds.

By Mr. BUTLER: Papers in the claim of Jonathan Newman, of Pryor F. Yoe, of John Henry, and of Thomas Nelson, of Jefferson County; of Isaiah Standifer, of Claiborne County, and of W. H. Jolly, of Grainger County, Tennessee—to the Committee on War Claims.

Also, petition of Russell Kite, for a pension—to the Committee on Invalid Pensions.

Also, memorial of A. E. Redstone, chairman national executive committee, relative to the purchase of bonds and bank-note circulation—to the Committee on Banking and Currency.

By Mr. J. E. CAMPBELL: Petition of Daniel Shock, for a special-act pension, to accompany bill—to the Committee on Invalid Pensions.

By Mr. CANNON: Petition of Rev. Joseph Brown and others, Arcola, Ill., against admission of Utah—to the Committee on the Territories.

By Mr. CASWELL: Petition of W. C. Whitford, president of Milton College, and the faculty, and of citizens of Wisconsin, for an international copyright law—to the Committee on Patents.

By Mr. COLLINS: Petition of Hugh Watt, of Boston, Mass., for relief—to the Committee on War Claims.

Also, petition of citizens and steamship owners of Boston, asking for a better improvement of Boston Harbor—to the Committee on Rivers and Harbors.

By Mr. COOPER: Petition of Capt. Frederick Ford, for relief—to the Committee on War Claims.

By Mr. CUMMINGS: Papers in the case of Semon, Bache & Co., for relief—to the Committee on Claims.

Also, petition of Catherine McQuade, widow of Thomas McQuade, for a pension—to the Committee on Pensions.

By Mr. R. H. M. DAVIDSON: Of W. T. Kimble and others, of Bascom, Jackson County, Florida, for increase of compensation of fourth-class postmasters.

By Mr. DAVIS: Petition of Andrew Ingrahm and others, of New Bedford, Mass., in favor of international copyright—to the Committee on Patents.

By Mr. DIBBLE: Petition of M. B. Ryan, heir of John S. Ryan, of Charleston, S. C., for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, petition of the members of the faculty of South Carolina College, in favor of an international copyright law—to the Committee on Patents.

By Mr. DUBOIS: Protest of the Board of Trade of Hailey, Idaho, against any division of said Territory—to the Committee on the Territories.

Also, protest of 250 citizens of Idaho, against any division of said Territory—to the Committee on the Territories.

Also, protest of the county commissioners of Cassia County, Idaho, against any division of said Territory—to the Committee on the Territories.

By Mr. DUNHAM: Memorial of the National Board of Trade relative to the improvement of our rivers and harbors—to the Committee on Rivers and Harbors.

By Mr. ERMENTROUT: Memorial of ex-Union Prisoners' Association, for the passage of the pension bill presented by the National ex-Union Prisoners of War Association—to the Committee on Invalid Pensions.

By Mr. FISHER: Petition of D. Carter and others, asking for a harbor of refuge at False Presque Isle, Michigan—to the Committee on Rivers and Harbors.

By Mr. FRENCH (by request): Petition of 78 citizens of the Second district of Connecticut, for prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. FUNSTON: Papers in the case of D. C. Allen, for relief—to the Committee on War Claims.

Also, petition of B. F. Runkle, for relief—to the Committee on Invalid Pensions.

By Mr. GEAR: Petition of Stephen A. Toop, praying for relief from the charge of desertion—to the Committee on Military Affairs.

By Mr. GIBSON: Petition of citizens, asking for an appropriation of $10,000 for improving Sassafras River, in Kent County, Maryland—to the Committee on Rivers and Harbors.

By Mr. GRANGER: Petition of Eugene Ward and others, and of C. J. Seymour and others, for increase of pay of clerks in the post-office at Bridgeport, Conn.—to the Committee on the Post-Office and Post-Roads.

By Mr. GRIMES: Papers in the claim of C. M. Bethume, formerly postmaster at Talbottom, Ga.—to the Committee on Claims.

By Mr. GROSVENOR: Memorial of Dr. Charles W. Super, president of the Ohio University, at Athens, Ohio, and the faculty, for an international copyright law—to the Committee on Patents.

Also, papers of Robert C. Berry, to accompany House bill 4592—to the Committee on Military Affairs.

By Mr. GROUT: Petition of Hon. D. C. Dennison and others, of Royalton, praying that Congress grant a pension to Reuben Spaulding—to the Committee on Invalid Pensions.

By Mr. MCADOO: Protest of steam-railroad conductors in the State of New Jersey, against House bill 4289—to the Committee on Labor.

By Mr. HAYES: Petition of Ernest Mueller, for original pension; of John H. Rountree, for pension—to the Committee on Invalid Pensions.

Also, petition of Lavina Wright, for pension—to the Committee on Invalid Pensions.

By Mr. HIESTAND: Petition of citizens of the Ninth Congressional district, Pennsylvania, against the admission of Utah as a State with polygamy—to the Committee on the Territories.

By Mr. D. B. HENDERSON: Resolution of the Waterways Convention held at Dubuque, Iowa, January 17 and 18, 1888, relative to Senate bill 275—to the Committee on Commerce.

By Mr. HERMANN: Protests from the wool-growers of Eastern Oregon, Nevada, and Idaho, against disturbance of the tariff on foreign wools—to the Committee on Ways and Means.

Also, memorial of the Oregon Legislature, for survey of the bay and bar of Tillamook, in the State of Oregon—to the Committee on Rivers and Harbors.

Also, petition of citizens of the Pacific coast, asking that no change be made in the tariff on lumber; also, of citizens of Gray's Harbor, Washington Territory, for retaining the present duty on foreign lumber; also, of citizens of Seattle, in Washington Territory, for retention of present duty on foreign lumber—to the Committee on Ways and Means.

By Mr. JACKSON: Petition of R. A. Moore, M. D., and 61 others, citizens of the Twenty-fourth district of Pennsylvania, against the admission of Utah—to the Committee on the Territories.

By Mr. MCKENNA: Petition of salt producers of California, protesting against the reduction of duty on salt—to the Committee on Ways and Means.

Also, memorial of the California State Horticultural Society, against the removal of duties from foreign fruits and fruit products—to the Committee on Ways and Means.

By Mr. KETCHAM: Petition of Elizabeth J. Graham, for relief—to the Committee on Claims.

By Mr. MCCOMAS: Papers in the case of Valoreus G. Austin—to the Committee on War Claims.

By Mr. MCSHANE: Petition of citizens of Nebraska, asking that the Indian Territory be thrown open to settlement—to the Committee on Indian Affairs.

By Mr. MATSON: Petition of David Gibbons, of Joppa, Ind., for an invalid pension—to the Committee on Invalid Pensions.

Also, petition of Rev. Dr. A. T. Slatt, president, and other members of the faculty of Franklin College, Franklin, Ind., in favor of an international copyright law—to the Committee on Patents.

By Mr. MORGAN: Papers in the claim of Andrew Smith; of Willis Dean; of Eliza M. Chappel; of Maria J. Cloud; of Eliza McKee, and of John Carruth, of Mississippi—to the Committee on War Claims.

Also, papers in the claim of estate of John C. Thompson, and of James F. Hogan—to the Committee on Claims.

Also, petition of William W. Clayton, of Mississippi, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. MORROW: Petition of mill owners, employés, loggers, merchants, citizens, etc., of Gray's Harbor, Shoal Water Bay, Port Ludlow, Port Gamble, and Seattle, Wash., in relation to removal of tariff on lumber—to the Committee on Ways and Means.

By Mr. MORSE: Petition of citizens, owners, and representatives of steam-ship companies, etc., of Boston, Mass., asking for appropriation for the improvement of Boston Harbor—to the Committee on Rivers and Harbors.

By Mr. NELSON: Petition of the St. Paul (Minn.) Jobbers' Union against the drummers' tax—to the Committee on Ways and Means.

Also, petition of same relative to railroad transportation in certain cases—to the Committee on Commerce.

By Mr. NEWTON: A bill appropriating $10,000 for the survey for the improvement of the Ouachita River from its mouth, in Louisiana, to Camden, Ark., by means of locks, dams, and other methods of improving said river—to the Committee on Rivers and Harbors.

By Mr. NUTTING: Petition of E. T. Frisbee, president of Wells College, New York, and 11 others of the faculty, in favor of international copyright—to the Committee on Patents.

By Mr. O'DONNELL: Petition of 17 citizens of Burlington, Mich., in favor of the Blair bill—to the Committee on Education.

By Mr. OWEN: A bill authorizing the survey for a canal connecting the waters of Lake Michigan and the Calumet River—to the Committee on Rivers and Harbors.

By Mr. PATTON: Petition of Howard Matley, and of Peter Schaddle, for pensions—to the Committee on Invalid Pensions.

By Mr. PENINGTON: Papers in the case of owners of private dies, for relief—to the Committee on Claims.

By Mr. PERKINS: Resolution of the Kansas Pharmaceutical Association, asking for the removal of the special-license tax on druggists who only sell liquor for mechanical, medicinal, and scientific purposes, and for the exemption from internal revenue, etc.—to the Committee on Ways and Means.

By Mr. PHELAN: Papers in the claim of Robert H. Cleer, of Mrs. Sarah E. Norton, of Reuben B. Bass, of Mrs. J. D. Scott, of William L. Vance, and of Julia C. Bailey, administratrix of Sylvester Bailey, of Tennessee—to the Committee on War Claims.

Also, petition of William J. Bishop, of Fayette County, and of D. E. Durvitt, administrator of A. D. Neilson, of Hardeman County, Tennessee, for payment of their claims—to the Committee on War Claims.

By Mr. PUGSLEY: Petition praying for the passage of the Palmer bill for the extirpation of cattle diseases, from L. G. Delano and others, of Ross County, Ohio—to the Committee on Agriculture.

By Mr. RICE: A bill to authorize a survey to be made for a canal to connect Lake Superior with the St. Croix River—to the Committee on Rivers and Harbors.

By Mr. ROCKWELL: Petition of Elizabeth Steadman, for a mother's pension—to the Committee on Invalid Pensions.

Also, petition of clerks in the post-office at Springfield, Mass., for increase of compensation—to the Committee on the Post-Office and Post-Roads.

By Mr. ROMEIS: Memorial of the Toledo Produce Exchange, asking Congress to provide additional light-houses, fog-signals, and life-saving stations on the chain of lakes—to the Committee on Commerce.

Also, memorial of the business men of Sandusky, Ohio, asking Congress to provide additional light-houses and fog-signal stations on the chain of lakes—to the Committee on Commerce.

By Mr. RYAN: Petition of the State Normal School at Emporia, Kans., for an international copyright law—to the Committee on Patents.

Also, petition of John Nicodemus, for special-act pension for increase pension—to the Committee on Invalid Pensions.

By Mr. STAHLNECKER: Petition of the National Agricultural Convention to shade our water sources, etc., by planting of trees—to the Committee on Agriculture.

By Mr. SAWYER: Petition for an amendment to section 905 of the Revised Statutes—to the Committee on the Judiciary.

By Mr. SENEY: Petition of Rev. Dr. George W. Willard, president of Heidelberg College, Tiffin, Ohio and others, in favor of an international copyright—to the Committee on Patents.

Also, petition of citizens of Washington Territory, against reduction of the duty on lumber—to the Committee on Ways and Means.

By Mr. SHAW: Petition of Francis H. Bankard, for relief—to the Committee on Claims.

Also, petition of Arthur W. Sweeney, for relief—to the Committee on Claims.

By Mr. SHIVLEY: Petition of Elias E. Barnes, of Washington, D. C., for investigation as to the cause of delay in the construction of the foundations of the Government Library building—to the Committee on the Library.

By Mr. SOWDEN: Petition of Selden J. Coffin and others, of Northampton County, Pennsylvania, protesting against the admission of Utah, etc.; and of John F. Sheppard and others, protesting against the admission of Utah with polygamy—to the Committee on the Territories.

By Mr. SPOONER: Petition of Nathaniel Blydenburg, for a pension—to the Committee on Invalid Pensions.

Also, petition of Susan G. Wood, for special-act pension—to the Committee on Invalid Pensions.

By Mr. J. D. STEWART: Papers in the claim of John Smith; of Henry G. Andrews; of Ausborn J. Casey; of Bartlett J. Walker; of John W. Hamrick; of Charles. P. Coursey; of Nancy J. Lee; of William Shadnik; of John W. Wood; of James P. Carlton, agent; of John N. Smith; of Ezekiel P. Moore; of James Z. Ford; of Thomas Mitchell; of William T. Conine; of Mahala Winn; of Lemuel M. Murphy; of William Shadrick, agent for Nancy Shadrick; of William J. Rivers; of David B. Anderson; of Benjamin Cooper; of Isabella J. McMaster; of Margaret Garrison; of William Cagle; of Margaret Beavers; of James J. Cowan; of Jeremiah Wells; of Thomas Dye, and of Andrew J. Wells, of Georgia—to the Committee on War Claims.

By Mr. STRUBLE: Petition of Henry D. Fuller, late private in Company F, Twenty-eighth Iowa Volunteers, for a pension—to the Committee on Invalid Pensions.

Also, petition of Charles C. Penniman, for removal of charge of desertion—to the Committee on Military Affairs.

Also, petition of John Boles, for special-act pension—to the Committee on Invalid Pensions.

By Mr. SYMES (by request): Petition of John B. Wolff, for pay of pension due to Capt A. W. Hicks—to the Committee on Invalid Pensions.

Also, petition of Mrs. M. A. Kretchmar (formerly Miles), for relief—to the Committee on Indian Affairs.

Also, petition of Anne Lucas, for payment of allowance mispaid—to the Committee on Claims.

By Mr. TAULBEE: Petition of Richard Anderson, for relief—to the Committee on Claims.

By Mr. WHEELER: Petition of heirs of Eliza J. Rudden, late of Jackson County, and of John Hurst, of Colbert County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WILLIAM WHITING: Petition of Gilligan, commander Post 71, Grand Army of the Republic, of Holyoke, Mass., relating to pensions—to the Committee on Invalid Pensions.

By Mr. WHITTHORNE: Papers in the case of Tolbert C. Ankeny, and of Mrs. Sarah Loftice, of Tennessee, for relief—to the Committee on War Claims.

By Mr. WILKINS: Petition for an international copyright law—to the Committee on Patents.

By Mr. WISE: Papers in the case of N. H. Van Zandt—to the Committee on Pensions.

By Mr. YOST: Memorial of citizens of West Virginia, protesting against the reduction of the duty on coal and coke, and asking that representatives of their interest may be heard by the Committee on Ways and Means—to the Committee on Ways and Means.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. C. L. ANDERSON: Of John Smith and others, of Lake Como, Jasper County, and of S. D. Russell and others, of Missionary, Jasper County, Mississippi.

By Mr. BARRY: Of H. W. McQuinn and others, of Mississippi, and of Thomas Williams and others, of Mississippi.

By Mr. BUTLER: Of citizens of Clover Bottoms, Sullivan County; of citizens of Key Station, Johnson County; of citizens of Boring, Sullivan County; of citizens of Vance's Tank, Sullivan County, and of citizens of Bloomingdale, Sullivan County, Tennessee.

By Mr. CANDLER: Of W. W. Erwin, T. J. Haralson and others, Union County, Georgia.

Also, of M. A. Painter, A. M. Brockman and others, of Georgia.

By Mr. CRISP: Of J. M. Coogle and others, of Marion County, Georgia.

By Mr. R. H. M. DAVIDSON: Of W. T. Dees and others, of Mayo, La Fayette County, Florida, and of John Crowley and others, of Miakka, Fla.

By Mr. ENLOE: Of R. W. Caffey and others, of Caffey, McNairy County, Tennessee.

By Mr. GALLINGER: Of A. A. Gibson and others, of Walpole, N. H.

By Mr. HAYES: Of citizens in the Second Congressional district of Iowa.

By Mr. HERMANN: Of citizens of Parkersburgh, in Coos County, Oregon.

Also, of citizens of Rock Point, Jackson County, and of citizens of Hebo, Tillamook County, Oregon.

By Mr. LANHAM: Of citizens of Comanche and Somerville Counties, Texas.

By Mr. LEE: Of citizens of La Grange, King George County, Virginia.

By Mr. McCLAMMY: Petition of citizens of Norval, Harnett County, North Carolina, and of citizens of Gray's Creek, Cumberland County, North Carolina.

By Mr. McKINLEY: Of citizens of North George, Columbiana County, Ohio.

By Mr. RICHARDSON: Of J. A. Reagon and others, of Bedford County, Tennessee.

By Mr. ROGERS: Of citizens of Arkansas, and of citizens of Crow, Scott County, Arkansas.

By Mr. SOWDEN: Of John Smith and others, of Lehigh County, and of Alfred W. Hendricks and others, of Lehigh County, Pennsylvania.

Also, of Francis Weiss and others, of Lehigh County, Pennsylvania.

By Mr. CHARLES STEWART: Of citizens of Humble, Tex.

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## SENATE.

### TUESDAY, *January* 24, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

INDUSTRIAL HOME IN UTAH.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, on motion of Mr. CULLOM, was, with the accompanying papers, referred to the Committee on Territories, and ordered to be printed.

*To the Senate and House of Representatives:*

I transmit herewith the first report of the board of control created by the act of Congress approved August 4, 1886 (24 Stat., 252), for the management of an industrial home in the Territory of Utah, containing a statement of the action of the board in establishing the home, and an account of expenditures from the appropriation made for that purpose in the act above mentioned.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 23, 1888.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of March 2, 1887, certain information concerning the rules and regulations in force at the custom-house in New York during the years 1876 and 1878, and at Baltimore during the years 1871, 1872, 1873, 1874, and 1875; which, with the accompanying papers, was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of January 17, 1888, certain information concerning the amount of revenue collected by the Government under the provisions of the internal-revenue law, and the amendments thereto; which, with the accompanying papers, was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting a report from the Commissioner of the General Land Office, with supplementary inclosures, in the matter of the private land claim in New Mexico known as the Las Padillas or El Tajo tract, No. 146; which, with the accompanying documents, was, on motion of Mr. CULLOM, referred to the Committee on Private Land Claims, and ordered to be printed.

NATIONAL ACADEMY OF SCIENCES.

The PRESIDENT *pro tempore* laid before the Senate a letter from O. C. Marsh, president, transmitting a report of the operations of the National Academy of Sciences during the past year; which, with the accompanying report, was referred to the Committee on Printing.

INDIAN MARRIAGES.

The PRESIDENT *pro tempore* laid before the Senate the following message from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES,
*January* 20, 1888.

*Ordered*, That the Clerk be directed to return to the Senate, in compliance with its request, the bill (S. 928) in relation to marriage between white men and Indian women.

The PRESIDENT *pro tempore*. The Chair calls the attention of the Senator from South Carolina [Mr. BUTLER] to the message from the House of Representatives.

Mr. BUTLER. I withdraw the motion to reconsider the vote by which the bill was passed, if I have the right to do so. I have examined the bill as it passed the Senate and I see that it was amended to conform to my views. Therefore I have no objection to it.

The PRESIDENT *pro tempore*. If the motion to reconsider is withdrawn by unanimous consent, the bill stands passed.

Mr. EDMUNDS. I should like to hear the bill read at length. I did not happen to be present when it was passed.

Mr. VEST. I do not see the senior Senator from Texas [Mr. COKE] in his seat; but he spoke to me yesterday about this bill, and he is interested in its reconsideration. I hope the bill will lie over for the present until he comes into the Chamber.

The PRESIDENT *pro tempore*. The message of the House of Representatives will lie on the table for the present.

HOUSE BILLS REFERRED.

The bill (H. R. 484) for the relief of Thomas C. Dickey was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

The bill (H. R. 1604) to change the time of the sessions of the circuit court of the western division of the western district of Missouri was read twice by its title, and referred to the Committee on the Judiciary.

The bill (H. R. 5514) to amend section 4883 of the Revised Statutes was read twice by its title, and referred to the Committee on Patents.

PRINTING OF PACIFIC RAILWAY COMMISSION REPORT.

The PRESIDENT *pro tempore* laid before the Senate the following concurrent resolution of the House of Representatives; which, on motion of Mr. CULLOM, was referred to the Committee on Printing:

*Resolved by the House of Representatives (the Senate concurring)*, That there be printed for the use of the House 10,000 copies of the President's message and accompanying reports of the majority and minority of the Pacific Railroad Commission.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented resolutions adopted by the Chamber of Commerce of Salt Lake City, Utah, and indorsed by a convention of the wool-growers of the Territory of Utah, representing two million five hundred thousand sheep and an invested capital of $8,000,000, remonstrating against any reduction in the tariff upon wool or woolens; which were referred to the Committee on Finance.

He also presented a memorial of citizens of the District of Columbia, remonstrating against the granting of a right of way to the Baltimore and Ohio Railroad Company, or the building of a tunnel through or under Tenth or Eleventh streets east for the use of that road; which was referred to the Committee on the District of Columbia.

He also presented two petitions numerously signed by citizens of the District of Columbia, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. VOORHEES presented the petition of William Gallagher, of Elkhart, Ind., praying for an increase of pension; which was referred to the Committee on Pensions.

He also presented the petition of Charlotte Frederick, of Evansville, Ind., praying for a pension as the widow of Louis Frederick, late of

United States gunboats Tyler, etc., Mississippi Flotilla; which was referred to the Committee on Pensions.

He also presented the petition of W. R. Hicks, of Ligonier, Ind., praying that he be granted a pension; which was referred to the Committee on Pensions.

Mr. CULLOM presented a memorial of the board of county commissioners of Idaho County, Idaho Territory, remonstrating against the division of Idaho Territory by the annexation of any of the counties of Idaho to Washington Territory; which was referred to the Committee on Territories.

He also presented a petition of 35 citizens of the Eleventh Congressional district of the State of Illinois, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented resolutions adopted by the board of health of the city of Rockford, Ill., favoring the enactment of legislation providing for a national quarantine to prevent the introduction of cholera into the United States; which were referred to the Committee on Epidemic Diseases.

Mr. VEST presented resolutions adopted by the board of directors of the Commercial Exchange, of Kansas City, Mo., favoring legislation for the purpose of governmental control of the system of telegraphy in the United States; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. TELLER. In behalf of the senior Senator from Virginia [Mr. RIDDLEBERGER], who is unable to make himself heard, owing to some difficulty in his throat (and for the first time in his life he is unable to talk), I present the petition of 28 citizens of the Second Congressional district of West Virginia and the petition of 71 citizens of the Eighth Congressional district of Virginia, praying for prohibition in the District of Columbia. I move that the petitions be referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. BATE presented a petition of 205 citizens of the Second Congressional district of Tennessee, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. JONES, of Arkansas, presented a petition of 50 citizens of the Fifth Congressional district of Arkansas, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. STOCKBRIDGE presented a petition of 126 citizens of the Third and Fourth Congressional districts of Michigan, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. HISCOCK presented the petition of George Steph, of Utica, N. Y., praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. COCKRELL presented resolutions adopted by the board of directors of the Commercial Exchange of Kansas City, Mo., declaring that the jurisdiction of the civil laws of the United States ought to be extended over the Indian Territory, and provision made for process against defaulting debtors absconding into that Territory; which were referred to the Committee on Indian Affairs.

He also presented a resolution adopted by the Exchange Building Association of Kansas City, Mo., in favor of the adoption by the Government of the telegraph postal system; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. MITCHELL presented resolutions adopted at a meeting of the Nevada, Eastern Oregon, and Idaho Wool-Growers' Association, held at Winnemucca, Nev., January 3, 1888, remonstrating against a reduction of the tariff on wool; which were referred to the Committee on Finance.

He also presented a petition of citizens of Oregon, praying that increased compensation be allowed fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. STEWART presented the petition of William Schaus, of New York City, praying for a refund of certain import duties alleged to have been wrongfully paid by him; which was referred to the Committee on Claims.

Mr. GIBSON presented two petitions signed by D. L. Green and other citizens of Louisiana, praying that increased compensation be allowed to fourth-class postmasters; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. MORGAN presented a petition of the members of the faculty of the Marion Military Institute, at Marion, Ala., praying for the speedy enactment of an international copyright law; which was referred to the Committee on Patents.

Mr. CAMERON presented a petition from citizens of the Ninth Congressional district of Pennsylvania, praying that Utah be not admitted as a State with polygamy; which was referred to the Committee on Territories.

He also presented a petition of 64 citizens of the Twenty-third Congressional district of Pennsylvania, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. EVARTS. I present the petition of David Dudley Field, Abram S. Hewitt, and three others, constituting a committee appointed at a public meeting of citizens of New York, in favor of a treaty between the United States and the United Kingdom of Great Britain and Ireland providing for an arbitration of any differences arising between the two countries. The petition has been carefully and ably drawn in the representation and enforcement of the principal topics that relate to this subject; and in asking that it be referred to the Committee on Foreign Relations I beg leave to ask that it may be printed in the RECORD.

The PRESIDENT *pro tempore*. The Senator from New York asks that the petition he has just presented may be printed in the RECORD. Is there objection? The Chair hears none, and the petition will be referred to the Committee on Foreign Relations and printed in the RECORD.

The petition is as follows:

*To the Senate and House of Representatives of the United States of America in Congress assembled:*

The memorial of the undersigned respectfully represents that five of them were appointed by the mayor of the city of New York to be a committee, of which he was to be *ex officio* a member, pursuant to a resolution of a public meeting of citizens, to urge upon the Congress and the President the making of a treaty with Great Britain for the settlement by arbitration of differences that may arise between that country and our own; and in pursuance of this appointment they beg leave to present this memorial.

The occasion of the meeting was to receive a deputation of Englishmen who had come hither to present to the Congress and President a memorial signed by 233 members of the House of Commons, in favor of a treaty between the United States of America and the United Kingdom of Great Britain and Ireland, stipulating for a reference to arbitration of all differences between the two countries which could not be settled by diplomacy. The fact of such a memorial is a signal manifestation of confidence and good-will, and the characters of those who signed it and of those who presented it require for it respectful attention. As citizens of a friendly nation we can not be insensible to this manifestation, and as lovers of peace we can not be inattentive to the direction in which public sentiment is tending among the people from whom we derived our origin. Our pride of country will not suffer us to lag behind our English brethren in the interchange of fraternal sentiments and in co-operation for the welfare of man.

The aim of the proposal is to confirm the friendship and increase the security of each nation. Not that each is not strong enough to repel all attacks, but we know by what suffering and sacrifice an attack is repelled, and therefore how wise and prudent it is to lessen the chances of its coming.

If we look beyond ourselves, it is something to consider what may be the effect of such a treaty as we propose upon the future of mankind. While it is true that if our two nations can not agree to form such a treaty no other nations can, it is also true that when once we shall have made it our example must have an influence upon other branches of the human family. If the world should see, as we hope it will, that the two great English-speaking nations have promised to live in peace with each other, and have kept the promise and prospered in the keeping, it would not be long before the spectacle would attract the attention and the sympathy of other nations, and by the force of self-interest lead them to disburden themselves of their intolerable armaments and leaving the ranks of unprosperous war take the side of prosperous peace.

It is the daily prayer of one of the churches of Christendom, "Give us peace in our time, O Lord," and a like prayer goes up from every holy temple.

War is not what it used to be in the days of our fathers. The General of our Army has lately declared, on a public occasion, that the weapons of warfare have become so destructive that they must needs cause wars to cease and oblige nations to resort to arbitration for the settlement of their disputes, or, he might have added, modern warfare will reduce mankind to the barbarism of the primeval ages.

War being an unspeakable evil, how shall a nation be prevented from attacking another for some cause, real or feigned, some grievance or some pretense? This is our answer: "By agreeing beforehand that it will not attack without first offering to submit its grievances to impartial arbitrators." This would at once put an end to simulated grievances and furnish a remedy for real ones. It would substitute the arbitrament of reason for the arbitrament of the sword. It is easy for a cavalier to say that an agreement to arbitrate made before a dispute began will not be kept when the passions become hot in its progress. This, however, can not be known until the method has been tried. Show us the instance in which an agreement to submit to arbitration the differences between two nations has been broken, and we will admit that the objection may have force.

Since the general pacification of 1815 there have been nearly sixty instances of arbitration for the settlement of international disputes, some of them involving the great questions of international right and some only the ascertainment of extent of injury. The following is a list, imperfect perhaps, but sufficiently accurate to show that the measure is not only not visionary but eminently practicable:

1. Arbitration between the United States and Great Britain in 1816 (about St. Croix River and the lakes).
2. The United States and Great Britain in 1818 (about obligation to restore slaves). Referred to the Emperor of Russia.
3. The United States and Spain in 1819 (respecting Florida claims).
4. The United States and Great Britain in 1827 (about boundaries). Referred to the King of the Netherlands.
5. The United States and Denmark in 1830.
6. Belgium and Holland in 1834.
7. France and England in 1835.
8. The United States and Mexico in 1839.
9. The United States and Portugal in 1851. Referred to the Emperor of the French.
10. The United States and England in 1853.
11. The United States and New Granada in 1857.
12. The United States and Chili in 1858.
13. The United States and Paraguay in 1859.
14. The United States and Costa Rica in 1860.
15. The United States and Ecuador in 1862.
16. Great Britain and Brazil in 1863.
17. The United States and Peru in 1863.
18. The United States and Great Britain in 1863 (about Hudson's Bay Company).
19. The United States and Ecuador in 1864.
20. The United States and Venezuela in 1866.
21. France and Prussia in 1867.
22. Turkey and Greece in 1867.
23. England and Spain in 1867.
24. The United States and Mexico in 1868.
25. The United States and Peru in 1868.
26. The United States and Peru in 1869. Referred to the King of the Belgians.
27. The United States and Brazil in 1870.
28. Great Britain and Portugal in 1870.
29. The United States and Spain in 1871.
30. The United States and Great Britain (on the Alabama) in 1871.
31. The United States and Great Britain in 1871 (about sundry claims).

32. The United States and Great Britain (the San Juan dispute) in 1871.
33. The United State and Great Britain (about Nova Scotia fisheries) in 1871.
34. Great Britain and Brazil in 1873. Referred to United States and Italian ministers at Rio.
35. Italy and Switzerland in 1874. Referred to United States minister in Italy.
36. Great Britain and Portugal (about Delagoa Bay) in 1875. Referred to the President of the French Republic.
37. China and Japan in 1876.
38. Persia and Afghanistan (Seistan arbitration) in 1877.
39. Great Britain and Liberia in 1879.
40. The United States and Spain (about Cuba) in 1879.
41. Great Britain and Nicaragua in 1879.
42. The United States and France in 1880.
43. The United States and Costa Rica in 1881.
44. France and Nicaragua in 1881.
45. Chili and Colombia in 1881.
46. Great Britain and Nicaragua (about Mosquito Indians) in 1881.
47. Chili and Argentine Republic (about Straits of Magellan, etc.) in 1881. Referred to the President of the United States.
48. Holland and Hayti in 1882.
49. The United States and Hayti in 1884.
50. The United States and Spain in 1885.
51. England and Germany (about the Fiji Islands).
52. The United States and Denmark in 1887.
53. Germany and Spain (about the Caroline Islands). Referred to the Pope.
54. England, France, and Italy with Chili (about losses in the war between Chili and Peru).
55. Peru and Japan (about the seizure of a Peruvian bark).
56. Nicaragua and Costa Rica (about boundary). Referred to President Cleveland in July, 1887.
57. The Berlin congress of 1878 was really a court of arbitration, held by seven principal powers, to settle the claims of all the different states in the Balkan Peninsula.
58. The Danubian commission, established in 1856, is really a standing international arbitration.

These are instances of occasional arbitration; arbitration entered into as a controversy happened to arise. Within the last two decades a strong movement has been made towards permanent agreements to arbitrate, either general, for all differences, or special, for questions of a particular character, as, for example, the interpretation of treaties.

The history of this movement is instructive. In July, 1872, a resolution, moved by Mr. Henry Richard, was passed by the British House of Commons in favor of an instruction to the foreign secretary to "enter into communication with foreign powers with a view to the further improvement of international law and the establishment of a general system of international arbitration." The example was soon followed in other countries. In November, 1873, a resolution was passed unanimously by the Italian Chamber of Deputies in favor of arbitration. In March, 1874, the Second Chamber of the Swedish Diet adopted a similar resolution. So did the States-General of the Netherlands in the November following. In January, 1875, a motion to the same effect was carried in the Belgian Chamber of Deputies and afterwards adopted unanimously by the Senate. Although the question has not yet been formally brought forward in the French Assembly, a resolution was carried there in 1878 referring a petition that had been presented on the subject to the minister of foreign affairs, "to whom," it was added, "shall be left in charge to determine the opportune moment when this idea, already tried with success, should be submitted for the consent of states whose constitution and principles are best adapted for seeking in concert its realization."

In 1878, an Italian statesman, Mr. Mancini, knowing that his government was about to negotiate or renew treaties of commerce with other countries, carried a resolution in the Italian Chamber recommending that such treaties be accompanied by a stipulation for settlement by arbitration of controversies respecting their interpretations or the consequences of their violations. He was afterwards appointed minister for foreign affairs, and himself negotiated some eighteen or nineteen treaties, each accompanied by the arbitral stipulation, one of which was concluded with Great Britain in 1883.

The Berlin congress of 1884, in which fifteen different powers were represented, held for the settlement of the relations between the different states on the Congo, contained a provision for arbitration in case of disputes between these states.

Switzerland in 1883 proposed to the United States to enter into an arbitral convention for thirty years, binding the contracting parties to submit any differences arising between them to a tribunal of three members, one to be chosen by each party and the third by those two, or, if they should disagree, by a neutral government. Regarding this proposal the President made use of the following language in his annual message to Congress:

"The Helvetian Confederation has proposed the inauguration of a class of international treaties for the referment to arbitration of grave questions between nations. This Government has assented to the proposed negotiation of such a treaty with Switzerland."

Colombia and Honduras have entered into a treaty by which they have bound themselves to submit all differences to arbitration, the arbitrator to be the President of the United States for the time being, if the parties do not agree upon a different arbitrator.

Our own country has not only shown its own disposition in favor of arbitration by the repeated agreements that we have mentioned, but by many expressions of public men. A resolution in favor of general arbitration was passed by the House of Representatives in 1874. One was introduced into the Senate in 1882. Another is now pending in the Senate.

President Grant by example and by precept recommended such a course to his countrymen. In an address to a Philadelphia society, after his return from a voyage around the world, he said, "Though I have been trained as a soldier, and have participated in many battles, there never was a time when, in my opinion, some way could not have been found of preventing the drawing of the sword. I look forward to an epoch when a court recognized by all nations will settle international differences instead of keeping large standing armies, as they do in Europe."

Presidents Hayes and Garfield did not hesitate to declare their concurrence in the same views.

These instances answer the objection that arbitration for the settlement of international disputes is not a practical measure. Other objections have been made, but we think it easy to answer them. It has been said that for a nation to bind itself beforehand to submit its disputes to arbitrators is to waive its independence. They who say this forget that the engagement is reciprocal, and that when we bind ourselves not to make war upon England, she also binds herself not to make war upon us, and that would be a great step in advance towards that peace on earth which we profess to believe is to follow the military ages, and to be demanded alike by the dictates of reason and the precepts of religion. We do not bind ourselves to submit to wrongs of aggression; we but agree not to commit the wrongs ourselves. When, soon after the close of the last war with England, we agreed with her to keep only a nominal force of ships of war on the Great Lakes, we were not shorn of our independence any more than she was shorn of hers. We agreed that it was better for us, and for all our people on both sides of the line, that the waters of these inland seas should be reserved for the white sails of commerce, without menace or disquiet from rival armaments. We bound ourselves, as great and brave nations, to do what great and brave men do in private life: walk peacefully and confidently, under the protection of mutual faith and honor.

It has been asked, Why provide against possible contention? Wait for its coming, and then, if diplomacy fail us, resort to arbitration. We answer, that this is not the way men do in civilized communities. They provide beforehand the requisite machinery for terminating disputes, because that is the best for the peace and order of society. The fact that repression is ready tends to prevent aggression. The effervescence of passion finds a vent, and an explosion from pent-up forces is prevented.

It has been said that a promise in all cases to arbitrate would deprive us of weapons of retaliation, less than war, like those threatened lately in respect of the fisheries. We answer, that it is war and war only, the great, dominant, overwhelming evil, which it is the aim of the present movement to prevent. It is the bloody conflict of arms, the human butchery, the cities bombarded, the homes decimated, the widows and children left desolate; it is these which we seek to prevent, and it is the means of preventing them that we are urging upon Congress, the Executive, and the country.

It has been said that a tribunal of arbitration would furnish no radical cure for international jealousies. Perhaps it would not. It is war, not jealousies, that the proposal of arbitration seeks to prevent. Courts of law do not furnish a radical cure, nor any cure at all, for jealousies between citizens of the same State or the same city. Whoever thought of that as a reason for abolishing the tribunals of justice?

It has been said that our experience of international arbitration has not been encouraging. This is said because the Halifax tribunal decided against us. But what about the Alabama tribunal, which decided for us? Do we measure our approval by our success? What, moreover, will our adversaries say? They lose if we gain. The objectors forget that when two engage in an arbitration or a lawsuit, one or the other must lose. But what is the loss of ten millions or a hundred millions compared with the loss of a great war to both the combatants? It has been said that the cost of the battle of Solferino would have sufficed to build a ship-canal across the Isthmus of Darien.

Another class of objectors bid us to bear in mind the unfriendly feelings which the English people have frequently manifested towards us; the two cruel wars we have had with them, and the disdain with which they have sometimes, though long ago and ignorantly, affected to treat us, and would make these recollections reasons for not agreeing to arbitration with them now. To our minds these are the very reasons for providing beforehand an honorable means of settling possible disputes. We might add that we have something better to do than to brood over the hates of buried generations.

Yet even in the old days of misapprehension and distrust there were not wanting words of conciliation and promise of mutual forbearance. The first treaty concluded between Great Britain and the United States, under their present Constitution, declared that there should be a "firm, inviolable, and universal peace" between the English King and people and our people, and it provided for two arbitrations to adjust reciprocal claims of English subjects and American citizens for injuries sustained during the war. By a separate article of the treaty it was "expressly stipulated that neither of the contracting parties would (will) order or authorize any acts of reprisal against the other on complaints of injuries or damages, until the said party should (shall) first have presented to the other a statement thereof and verified by competent proof and evidence, and demanded justice and satisfaction, and the same should (shall) either have been refused or unreasonably delayed."

We know that it is one of the traditions of our Republic to avoid entangling alliances, and we do not wish to break the tradition. The treaty which we advocate creates no entanglement and no alliance. It would not bind us to help our kinsmen beyond the sea any more than it would bind them to help us. On the contrary, it would bind them to let us alone, if we let them alone. The tradition has not prevented our entering into many treaties; the statute-books are full of them. There are treaties of amity and commerce with every civilized country on the face of the earth, filled with minute regulations for the conduct of government and people, and we are at this moment engaged in daily transactions, numberless in fact, under a postal convention, concluded at Berne, in 1874, by which we have bound ourselves to twenty other sovereign states.

The people of the United States may take pride to themselves that in so many instances they have submitted their differences to the decision of arbitrators, and have done so oftener than any other people in the world. We shall thus be following only our own precedents if we propose the policy of arbitration to any of our associates in the family of nations, and more than all if we propose it to our kindred over the water, one with us in blood, one in speech, and one in free institutions.

We beg, therefore, most respectfully to ask from Congress the passage of a joint resolution, requesting the President to propose to the Government of Great Britain the making of a treaty between the two nations, for a limited period at least, providing in substance that in case a difference should arise between them respecting the interpretation of any treaty which they have made or may hereafter make with each other, or any claim of either under the established law of nations, or respecting the boundary of any of their respective possessions, or respecting any wrong alleged to have been committed by either nation upon the other or its members, or any duty omitted, it shall be the earnest endeavor of both the contracting parties to accommodate the difference by conciliatory negotiation; and that in no event shall either nation begin a war against the other without first offering to submit the difference between them to arbitrators, chosen as may be then agreed, or if there be no different agreement, then by three arbitrators, one to be chosen by each party, and an umpire by those so chosen; it being understood, however, that arbitration as thus provided for shall not extend to any question respecting the independence or sovereignty of either nation, its equality with other nations, its form of government, its internal affairs, or its continental policy.

And your memorialists, as in duty bound, will ever pray, etc., etc.

DAVID DUDLEY FIELD.
ANDREW CARNEGIE.
MORRIS K. JESSUP.
CHARLES A. PEABODY.
DORMAN B. EATON.
ABRAM S. HEWITT.

NEW YORK; *January* 10, 1888.

Mr. HALE presented a petition of the American Forestry Congress and other citizens of the United States, praying for legislation to protect American forest and timber lands; which was referred to the Committee on Agriculture and Forestry.

Mr. ALLISON presented a petition of the Cigar-Makers' Union, No. 88, of Dubuque, Iowa, praying for the retention of the internal-revenue tax on cigars and tobacco; which was referred to the Committee on Finance.

Mr. DAVIS presented a petition of the president and faculty of Carleton College, at Northfield, Minn., praying for the enactment of an international copyright law; which was referred to the Committee on Patents.

He also presented a petition of the St. Paul (Minn.) Jobbers' Union, praying for the abolition of all taxes and licenses levied upon com-

mercial travelers; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the St. Paul (Minn.) Jobbers' Union, praying for an amendment of the interstate-commerce act; which was referred to the Committee on Interstate Commerce.

Mr. GEORGE presented a petition of members of the faculty of Mississippi College, at Clinton, Miss., and other citizens of that State, praying for the speedy enactment of an international copyright law; which was referred to the Committee on Patents.

Mr. HAMPTON presented a petition of citizens of South Carolina, praying that an appropriation be made for the improvement of the Congaree River, in that State; which was referred to the Committee on Commerce.

Mr. SAWYER presented a petition of 136 citizens of the Eighth and Second Congressional districts of Wisconsin, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. SPOONER presented a memorial of citizens of Superior, Wis., remonstrating against the passage of Senate bill 361, granting to the Duluth, Superior and Wisconsin Railroad the right to build a bridge over navigable waters of the United States at the head of Lake Superior, to wit, between Connor's Point, in the State of Wisconsin, and Rice's Point, in the State of Minnesota; which was referred to the Committee on Commerce.

Mr. HOAR presented a petition of 73 citizens of the Sixth Congressional district of Massachusetts, praying for the passage of a bill prohibiting the manufacture and sale of alcoholic beverages in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. QUAY presented a petition of 206 citizens of the Twenty-fourth and Twenty-first Congressional districts of Pennsylvania, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. FARWELL presented five petitions of citizens of the Fourth, Fifth, Sixth, Twelfth, and Eighteenth Congressional districts of Illinois, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. CALL. I present the petition of Erich Brand, B. M. Wichers, John R. Osburn, J. W. Wells, and other citizens of the State of Florida and county of Fernando, praying for the forfeiture of the grant of public lands made in 1856 to the State of Florida for the construction of certain lines of railroad in that State. The petitioners allege that these roads have never been built in compliance with the terms of the act of Congress, that they are not now built, and that no grant has ever been made by the State of Florida to any of these corporations of the lands obtained under this grant. The petitioners further allege that they are settlers upon the public lands who have placed valuable improvements upon them, and that they are now notified by persons claiming these railroad grants that they can not have their lands unless they pay $30 an acre. They submit correspondence with the agents of the railroad company, and ask Congress to enact certain legislation for their protection. I move that the petition be referred to the Committee on Public Lands.

The motion was agreed to.

### RAILROAD RECEIVERS.

Mr. CALL. I give notice, in connection with the petition I have just presented, that on Monday next, after the morning hour, I shall ask leave to address some observations to the Senate upon the resolution which I submitted on the 12th of December, and which now lies on the table, looking to such legislation as may be necessary to protect creditors in their liens on railroads under the management of receivers.

### THE CONGRESSIONAL LIBRARY BUILDING.

Mr. VEST. I present the memorial of Elias E. Barnes, of the city of Washington, in regard to the work being done on the Congressional Library building; and I wish to say a few words in relation to the matter before asking the reference of the memorial to the appropriate committee.

Soon after the holiday recess I offered a resolution inquiring into the cause of the delay in the construction of the Congressional Library building. As I have received a large number of communications, some of them anonymous, and others from persons of whom I know nothing, in regard to that resolution, making all sorts of charges against the architect, I wish to say that I submitted that resolution without consultation with anybody. I do not know the Mr. Barnes whose memorial I hold in my hand, and who is a contractor on the foundation for that building. I used the words of the resolution deliberately, without consultation with any human being. I happened to be passing by the site of the Library building and I was astounded to find that after some five months the foundation, even, had not been prepared. It struck me as a remarkable state of case, considering the amount of money we had appropriated and the elaborate preparations which had been made for the construction of that building, and as a public official and a citizen of the United States I felt it my duty to offer the resolution.

After the resolution was offered I had a conversation with Mr. Spofford, who is upon the commission, and with Mr. Clark, the public architect, and they gave such entirely antagonistic reasons why the work had not gone on that I was confirmed in the propriety of having acted as I did.

In response to that resolution I find a report from the Library Commission which I glanced over and which gives Mr. Smithmeyer's side of the case. In this memorial, which I have not read and which was brought to me last night by the attorney of Mr. Barnes, I presume his side of the question is given.

Without knowing anything about the merits of the question, but with full knowledge of the *personnel* of the commission, acquired by reason of my having served for ten years upon the Committee on Public Buildings and Grounds, I wish to say that if the commission remains as it is now constituted the youngest man in Washington City will never see that building completed. The relations between the public architect and Mr. Smithmeyer are such that they will never agree, in my judgment, upon any proposition connected with that building.

With that remark, I simply submit this memorial, without taking any sides in the controversy, and with the view only that the building shall be completed as rapidly as possible.

I move the reference of the memorial to the Committee on Additional Accommodations for the Library.

The motion was agreed to.

Mr. VOORHEES subsequently said: While I was absent from my seat a few moments ago the Senator from Missouri [Mr. VEST] presented the memorial of Elias E. Barnes on the subject of cement, etc., for the Congressional Library building. The memorial was referred to the Committee on Additional Accommodations for the Library, and I ask that it may be printed so that it will be convenient to look at; and at the proper time I shall have something to say on the subject.

Mr. VEST. Let it be printed.

The PRESIDENT *pro tempore*. The memorial will be printed, if there be no objection.

### REPORTS OF COMMITTEES.

Mr. MORRILL. I am directed by the Committee on Finance, to whom was referred the bill (S. 511) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861, to move that it be indefinitely postponed, the subject having already been acted upon by the Senate.

The bill was postponed indefinitely.

Mr. SPOONER, from the Committee on the District of Columbia, to whom was referred the bill (S. 155) relating to the manufacture and sale of gas in the city of Washington, in the District of Columbia, and amendatory of an act entitled "An act regulating gas-works," approved June 23, 1874, reported it without amendment.

Mr. QUAY, from the Committee on Pensions, to whom was referred the bill (S. 122) granting a pension to Samuel Lane, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the petition of John F. Ballier, late colonel Ninety-eighth Regiment Pennsylvania Volunteers and brevet brigadier-general, praying to be allowed an increase of pension, submitted a report thereon, accompanied by a bill (S. 1613) granting an increase of pension to John F. Ballier; which was read twice by its title.

He also, from the same committee, to whom was referred the petition of Phillipe Ray, of Philadelphia, Pa., praying to be allowed a pension, submitted a report thereon, accompanied by a bill (S. 1614) granting a pension to Phillipe Ray; which was read twice by its title.

Mr. SAWYER. I am directed by the Committee on Pensions, to whom was referred the bill (S. 827) granting restoration of pension to Thomas Mosher, to ask to be discharged from its further consideration, and that it be indefinitely postponed. The pension proposed by the bill has been allowed at the Pension Office.

The bill was postponed indefinitely.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (S. 1499) for the relief of Mary A. Lewis, widow of Joseph N. Lewis, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

Mr. JONES, of Arkansas. On the 19th instant I made a report on the bill (H. R. 1213) to punish robbery, burglary, and larceny in the Indian Territory. By mistake I sent the wrong paper up to be printed. I ask unanimous consent to withdraw that report and substitute the report which I send to the Secretary's desk.

The PRESIDENT *pro tempore*. The substitution will be made by unanimous consent, no objection being made.

Mr. BLAIR, from the Committee on Pensions, to whom was referred the bill (S. 549) granting a pension to Hannah R. Langdon, reported it without amendment, and submitted a report thereon.

### BILLS INTRODUCED.

Mr. CAMERON introduced a bill (S. 1615) to erect a public building at Allentown, Pa.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1616) for the erection of a public building in Lancaster, Pa.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. CULLOM introduced a bill (S. 1617) for the relief of John M. Eddy, Elizabeth K. Carroll, Alice B. Eddy, and Frank M. Eddy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. REAGAN introduced a bill (S. 1618) to pay William Bradfield for carrying the mails; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. VOORHEES introduced a bill (S. 1619) to provide for the formation and admission into the Union of the State of Montana; which was read twice by its title, and referred to the Committee on Territories.

Mr. RIDDLEBERGER introduced a bill (S. 1620) for the relief of Esther A. Keyser; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CALL introduced a bill (S. 1621) relating to the catching of fish by subjects of foreign governments in the waters of the United States; which was read twice by its title, and referred to the Committee on Fisheries.

Mr. MANDERSON introduced a bill (S. 1622) authorizing the erection of a bridge across the Missouri at Ponca, Nebr.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1623) to amend an act entitled "An act to authorize a retired-list for privates and non-commissioned officers of the United States Army who have served for a period of thirty years or upward;" which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. STOCKBRIDGE introduced a bill (S. 1624) to confirm sales of lands made by the United States in the Marquette and State Line grant in the State of Michigan; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. DAVIS introduced a bill (S. 1625) to amend section 7 of an act entitled "An act to amend the statutes in relation to the immediate transportation of dutiable goods and for other purposes," approved June 10, A. D. 1880; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1626) to amend the act of March 3, 1877, entitled "An act amending the pension law so as to remove the disability of those who, having participated in the rebellion, have, since its termination, enlisted in the Army of the United States and became disabled;" which was read twice by its title, and referred to the Committee on Pensions.

Mr. WILSON, of Iowa, introduced a bill (S. 1627) to amend section 25 of the act of March 3, 1879, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes;" which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. HOAR introduced a bill (S. 1628) fixing the time for the meeting of Congress; which was read twice by its title, and referred to the Committee on Privileges and Elections.

He also introduced a bill (S. 1629) granting a pension to Erastus B. Burnham; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WILSON, of Maryland, introduced a bill (S. 1630) to provide for the construction of the Maryland and Delaware free ship-canal as a means of military and naval defense and for commercial purposes; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

He also (by request) introduced a bill (S. 1631) to incorporate the Washington and Sandy Spring Narrow Gauge Railroad and Street Railway Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. STEWART introduced a bill (S. 1632) to refund moneys collected from William Schaus, at the port of New York, on an oil painting not subject to duty; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLUMB introduced a bill (S. 1633) to extend the southern and western boundaries of the State of Kansas, and for other purposes; which was read twice by its title, and referred to the Committee on Territories.

Mr. ALLISON introduced a bill (S. 1634) for the relief of John J. Adams; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. BLAIR introduced a bill (S. 1635) to regulate the payment of pensions to pensioners under guardianship; which was read twice by its title, and referred to the Committee on Pensions.

Mr. VEST introduced a bill (S. 1636) to amend section 1910 of chapter 2, title 23, of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. HARRIS. By request, without knowing anything as to the merits of the bill, I introduce a bill and ask its reference to the Committee on the District of Columbia.

The bill (S. 1637) to repeal the acts incorporating the Washington and Georgetown and Metropolitan Railroad Companies, to sell at public auction the routes of said companies, and to grant new charters for corporations to operate said routes, and thereby, and otherwise, to secure revenue to the District of Columbia from its street railroads, was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FAULKNER introduced a bill (S. 1638) granting a pension to William Richardson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 1639) to amend "An act to provide for the adjustment of land grants made by Congress to aid in the construction of railroads, and for the forfeiture of unearned lands, and for other purposes," approved March 3, 1887, and for the relief of bona fide purchasers of the lands reclaimed by such readjustment; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1640) to amend sections 2275 and 2276 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. DANIEL introduced a bill (S. 1641) to establish a permanent quarantine station at or near Cape Charles, Virginia; which was read twice by its title, and referred to the Committee on Epidemic Diseases.

Mr. CHANDLER introduced a bill (S. 1642) granting a pension to Mrs. Mary Johnston; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1643) for the relief of Albert D. Spalter; which was read twice by its title, and referred to the Committee on Revolutionary Claims.

He also introduced a bill (S. 1644) providing compensation to voluntary signal observers at present recognized in the Signal Service, and allowing them all the necessary instruments required for observation; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1645) to amend section 2 of the act approved June 11, 1878, entitled "An act providing for a permanent form of government for the District of Columbia;" which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HISCOCK introduced a bill (S. 1646) to increase the appropriation for a public building at Troy, N. Y.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. COKE introduced a bill (S. 1647) providing for the construction of a public building at Texarkana, on and across the boundary line between the States of Texas and Arkansas; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

### PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. GRAY it was

*Ordered*, That the petition and papers of Mrs. Margaret R. Jones, widow of Col. William Hemphill Jones, be withdrawn from the files, under the rules.

### PACIFIC RAILWAY COMMISSION REPORT.

Mr. HOAR. I desire, if this be a proper time, to call up the motion to reconsider the vote sending the President's message in regard to the Pacific railroads to a special committee.

The PRESIDENT *pro tempore*. The Senator from Massachusetts moves that the Senate proceed to the consideration of the motion offered by the Senator from Maryland [Mr. GORMAN] on a previous day to reconsider the vote by which the Senate agreed to the appointment of a select committee for the consideration of the Pacific Railway Commission report.

Mr. HOAR. Mr. President, I believe that on consideration there will be no considerable objection in the Senate to the passage of the original resolution.

My purpose in making the motion was twofold. It is known that the Judiciary Committee, a standing committee of this body, has had this subject under consideration in one way and another for a good while. Of course I should be the last Senator to question the capacity of that committee to deal with that or any other subject within its jurisdiction; but it so happens that it is a necessity for that committee to deal with the business before it without giving any hearings to persons interested. The pressure of business is so great that if the committee depart from that rule it must leave a very large part of its ordinary business unconsidered at every session.

It is exceedingly important that legislation on this subject, which is of great public interest and concern, which involves dealing with accounts and figures in ascertaining what it is in the power of these roads to do on the one side, and what would be the absolute security for the Government on the other, should be considered by a committee that can summon the parties, or their representatives, and can summon the officers of the Government and the representatives of its interests to their personal presence.

In the next place, this subject was, with the concurrence of the Senate, of course, sent by Congress to a special commission. It has been made the object of a special executive message. It would seem, therefore, eminently proper that so important a matter, involving more than a hundred millions of debt shortly to become due to the Government, should be dealt with by a special committee.

Under these circumstances I trust my honorable friend from Maryland will yield to the force of the suggestion which I have made.

Mr. GORMAN. Mr. President, when I entered the motion for a reconsideration, it was simply under the general impression that a subject of this magnitude, like all the main questions which come before the Senate, would be much better considered by one of the standing committees of the body.

However, for the reasons stated by the Senator from Massachusetts a moment since, and for others which have come to my knowledge, I think possibly the best disposition of this question is to have it considered by a special committee. But, I suggest to the Senator from Massachusetts, if he will permit the vote by which the resolution was adopted to be reconsidered, to amend his resolution so as to create a

committee of seven instead of five. I understand that if the committee were so formed it would give more general satisfaction. I therefore suggest to him, if the vote be reconsidered, that there be a simple increase of the committee to seven.

Mr. HOAR. I make no objection to that.

Mr. EDMUNDS. Mr. President, as the chairman of the Committee on the Judiciary, for one I shall be extremely glad to have that committee relieved of the amount of labor that has hitherto been necessary in the consideration of this subject.

The only legislation we have so far had that asserted any rights of the Government in respect of these railways and grants, came from the Committee on the Judiciary; and it has, twice I am sure, on this subject of ending the affair in the best way possible, reported measures that, if the Senate had agreed to them, these railways would probably have accepted. The upshot of those measures, stated shortly, would have been to have given the United States a security upon every species of property that these railways have acquired, either directly or indirectly, and in whosever name or under whatever form they might stand, to have a security and a mortgage covering every possible available asset in the resource of these companies.

It provided, it is true (and necessarily, if we adopt the President's suggestion of not taking these roads at the end of seven or eight years from now), for giving a long time for payment. If accepted by the companies it would have saved the United States many millions of dollars—the precise amount I have forgotten—on a disputed question of interest on the payments that we are now making upon the coupons of the bonds of the United States, the liability to pay which the companies denied, and in respect of which there is considerable reason to fear the legal right of the United States may be somewhat doubtful. I state it with great moderation. But the committee insisted upon it that if we were to give this length of time and have this universal security, the United States must be reimbursed to a large extent—one-half, I believe, at least—for the interest upon the money that we are paying out, although the companies denied their liability to pay a single cent of it. That would have saved a great many millions of dollars.

But we have reported and reported, and the Senate has not thought it fit to adopt the measures that we have suggested, and therefore I am sure that every member of the committee will be glad to be relieved from any further labor in the business, and have the best special committee that can be devised to take hold of it and see if they can propose anything which will meet the approval of the Senate.

That something ought to be done, and done speedily, I believe; for I think that every day, instead of improving, rather injures the situation in respect of the safety of the United States with regard to the enormous sums that we have advanced. So I shall be very glad if the Senate will have a select committee to see whether they can propose anything that will be better for the interest of the United States than what the Committee on the Judiciary has endeavored to do.

Mr. VEST. Mr. President, I want to supplement what has been so well stated by the Senator from Vermont by simply saying that since this resolution was adopted, to which I made no opposition with my colleagues on the Committee on the Judiciary, some have supposed that it might be regarded as a reflection on that committee to take this subject away from that committee, where it has been considered very carefully, and put it in the hands of a special committee. It has been suggested that that might be considered as a reflection upon the competency of the Judiciary Committee to act upon the question. I must confess that that aspect of the case never presented itself to me until it was suggested.

As the Senator from Vermont has stated, this question was sent to the Judiciary Committee, then before a subcommittee consisting of the Senator from Massachusetts [Mr. HOAR], the Senator from Vermont [Mr. EDMUNDS], and myself. We worked earnestly and faithfully to formulate a bill. It did not suit me entirely as it did not suit the views of the other members of the committee in all respects; but it was the very best measure we could at that time recommend. It came to the Senate and no attention whatever was paid to it. All sorts of reflections and insinuations were made in the press of the country about the motives of the committee in reporting such a measure. I thought then and think now that it was the very best that could be done, for the greatest calamity that could happen to this Government would be its being forced in any sort of way to take possession of these railroads. We reported a measure which saved millions of dollars to the Government, which I repeat was the very best that in my opinion could be made. The Senator from Vermont says it was treated with perfect indifference, except by the newspapers, and they maligned and abused everybody connected with that report.

Now, sir, for myself individually, I want nothing more to do with it, except to cast my vote when this special committee, which I hope will be created, shall make its report. As a member of the Committee on the Judiciary, I do not propose to serve upon any committee connected with this matter. For one, I have done all in my power to discharge my duties as I thought they ought to be discharged, and I am done with the subject, except the responsibility of a Senator in voting upon any measure that may be proposed.

Mr. HOAR. Mr. President, I should like to add one word, to show the importance in a matter of this kind of having a committee that can give parties a hearing.

When the measure for the extension of the indebtedness of these roads was framed, a measure was originally introduced and reported from the committee which required the roads to pay a certain sum of money yearly, beginning with a smaller sum and increasing until the whole payment should be made. That was considered on reflection too favorable to the roads, and the committee then authorized a report by which the larger payment was to be made first and the payments gradually diminished year after year.

On that being called to the attention of the representatives of the two principal roads concerned, it appeared that in the case of one, and I think it was still more so in the case of the other, that sum would entirely exhaust the receipts of the road, leaving nothing for various necessary annual expenditures. Accordingly a measure was carefully devised, which I reported to the committee in the first place, and it received their assent, which was intended to equalize the payments so that they could be made at the beginning of the period of extension instead of at the end of the period of extension alike. I was myself personally responsible for that opinion. The Committee on the Judiciary took it upon my authority, and no other member of that committee had the slightest responsibility for it, except so far as any gentleman who accepts a computation of a clerk on the authority of another, without going over it himself, is held to be responsible.

After that had been reported to the Senate, by the authority of the committee, my honorable friend from Ohio [Mr. SHERMAN], who sits next to me, and who looks after matters pretty sharply, called my attention to the fact that the sum which we proposed should be paid annually to the United States would not be sufficient in regard to quite a number of millions of dollars to repay the indebtedness to the United States; in other words, there was an error against the Government in that calculation. I called the attention of the committee to it in private after the Senator had told me of it, and I stated in the Senate that when the bill came up a correction would necessarily be made in that particular. Well, it was not long before a large portion of the press of the country began to cast on the different members of the Judiciary Committee a charge of having a corrupt understanding with those roads in the preparation of this report. Whatever there was of responsibility for that error belongs to me, and no other human being. Whatever credit is due for the discovery of it belongs to the honorable Senator from Ohio, and no other human being, so far as I know.

If we had had, before I made that report, the presence of the representatives of the Government with a skillful accountant, and the presence of the representatives of the roads, that error never would have occurred. But the Judiciary Committee not only, as I have stated already, is compelled to do its business without giving hearings, but ordinarily it is the custom of that committee, for very good reasons which have prevailed ever since it was organized, probably, to refuse to disclose its report on any matter until the report is absolutely made to the Senate. Such a special committee as is proposed will certainly avoid any such mistake as that.

Mr. PLATT. I do not rise to oppose this motion, but simply to make an observation or two on the situation.

I should be exceedingly glad if the Judiciary Committee felt that they could continue the work which the Senate once assigned to them and consider this matter and report upon it, and I feel that the Judiciary Committee ought to do it. I judge from what has been said here this morning that the reason the Judiciary Committee declines to do it is purely from a feeling of sensitiveness on the part of the members of that committee. My very great respect for the members of that committee will probably lead me to indulge them in the exercise of this sensitiveness and to vote for the special committee; but it is unfortunate, I think.

The members of the Judiciary Committee are selected not only for their great legal ability, but for their great familiarity with public affairs and their general ability to deal with a question of this sort. I know that they have been subjected to criticisms which are unpleasant; but that falls to the lot of all Senators. In the short time I have been here, and in the few reports which I have made, I have found that the Senate not only does not accept the reports of the committee which I represent in many instances, but in a great many instances unceremoniously sets them aside. I have sometimes felt sensitive myself under such circumstances; and I have had some little criticism in the newspapers about my motives and conduct. I think it the common lot of all Senators that when they attempt to discharge their duty, and to do it conscientiously and without fear or favor of any man, somebody will arise to criticise them and ascribe to them improper motives. I simply rose to say that if the committees of this body are to refuse or decline or to ask to be excused from the consideration of matters simply because of public criticism, or even contemptuous treatment of their reports by the Senate, we can not get along with the business of the body.

It seems to me that the appointment of a special committee here is simply to create another committee to receive the criticism which might otherwise fall upon the Judiciary Committee. As I said, I do not oppose the motion, but I wanted simply in these few words to state what appears to me, to use the phrase of a distinguished man, the condition of affairs.

Mr. COKE. Mr. President, I desire to say, as a member of the Judiciary Committee, that I believe that committee can deal with these

questions, and that the duty need not be imposed on a special committee. I feel no embarrassment myself touching the subject. I think the Judiciary Committee, if the matter is left with that committee, will do the subject full justice.

Mr. GEORGE. Mr. President, I desire to express my concurrence with what has just been said by the Senator from Texas [Mr. COKE]. I feel no embarrassment, so far as I am concerned, in examining and reporting upon this important question, nor do I feel any chagrin at any criticisms which the action of the committee heretofore on this subject has received from the Senate, or the press.

The PRESIDENT *pro tempore*. The question is on the motion to reconsider the vote by which the message was referred to a special committee.

The motion was agreed to.

Mr. GORMAN. I now move to amend, by striking out "five" and inserting "seven."

The PRESIDENT *pro tempore*. The Senator from Maryland moves to amend the resolution.

Mr. HOAR. I accept that amendment.

Mr. SABIN. I ask for the reading of the resolution as it now stands.

The PRESIDENT *pro tempore*. The Chair is informed that the resolution was never reduced to writing, but is merely journalized upon the motion of the Senator from Massachusetts [Mr. HOAR].

Mr. EDMUNDS. Let us have the Journal entry.

The PRESIDENT *pro tempore*. The Journal entry will be read.

Mr. HOAR. It is the ordinary motion to commit to a special committee of five.

The PRESIDENT *pro tempore*. The Senator from Minnesota asks that the motion may be read. It will be read as it appears on the Calendar.

The CHIEF CLERK. "A resolution to authorize the appointment of a select committee of five to which shall be referred the message of the President on the Pacific railroads.

"January 18, 1888—Mr. HOAR; agreed to. Motion to reconsider entered."

The PRESIDENT *pro tempore*. Does the Senator from Minnesota desire a further statement of the resolution?

Mr. SABIN. Do I understand that there is a motion pending before the Senate now?

The PRESIDENT *pro tempore*. The motion is to amend the resolution, the vote by which it was adopted having been reconsidered, by striking out "five" and inserting "seven" as the number of the special committee.

Mr. HOAR. When the President's message was read I made a motion that it be committed to a special committee of five members to be appointed by the Chair. That was the motion, and it is now pending. Now, if I may, I accept the modification to make the number seven.

The PRESIDENT *pro tempore*. The Chair understands, the resolution not having been adopted, that it is under the control of the Senator from Massachusetts, the mover, to modify it.

Mr. HOAR. I so modify it.

The PRESIDENT *pro tempore*. The Senator from Massachusetts modifies the resolution, and it will be read as modified?

The CHIEF CLERK. "A resolution to authorize the appointment of a select committee of seven, to which shall be referred the message of the President on the Pacific railroads."

The PRESIDENT *pro tempore*. The question is, Will the Senate agree to the motion as modified?

Mr. SAULSBURY. I understand the motion for a select committee proceeds from the Judiciary Committee itself.

Mr. EDMUNDS. Not from the Judiciary Committee itself, but with the entire concurrence of many gentlemen who are members of that committee.

Mr. SAULSBURY. The Judiciary Committee, I think, would like to be discharged from the consideration of the subject. It involves great questions of law which are to be considered by the special committee if appointed. I think myself that the objection is mainly that the Judiciary Committee has heretofore been criticised for its acts in reference to this question; but that does not concern the Senate. That committee, I suppose, enjoys the confidence of the members of the Senate for the diligence and ability they devote to questions of this kind, and the fact of its being taken away from that committee and referring it to a select committee may cause the impression on the country that it was because of a want of confidence in either the capacity or the fairness of that committee to deal with the question. Personally I prefer that the matter should be sent back to the Committee on the Judiciary.

The PRESIDENT *pro tempore*. The Journal entry will now be read.

The Chief Clerk read as follows:

The message was read; and, on motion by Mr. HOAR,
*Ordered*, That it be referred, with the accompanying report, to a select committee of five Senators, to be appointed by the Chair.

Mr. HOAR. I understand that this is not, in our parliamentary parlance, correctly described as a resolution; it is an ordinary motion. Rule XXII says:

When a question is pending no motion shall be received but—
To adjourn—
And among the number is—
To commit;
To amend.

Under our parliamentary practice communications from the Executive, like petitions and like communications from the heads of Departments, are before the Senate for disposition. Of course they are not before the Senate like a pending bill or resolution, and the parliamentary motions applicable to them enumerated in this Rule XXII are to refer and to amend. I made the ordinary motion to refer.

The PRESIDENT *pro tempore*. The Chair so holds.

Mr. HOAR. Now, I desire to say, in reply to the Senator from Delaware, that in making the motion I did not urge or suggest any of the reasons to which he has replied. The ground upon which I base this motion is that this is a subject which must be dealt with by a committee that can give a hearing to officers of the Government on the one side and to the parties interested on the other, which the Judiciary Committee can not; and second, that having been made by the Senate a subject of such special method of consideration that it concurred in a law referring it to a special commission, and having been made by the President of the United States the subject of a special message, it in that way is properly segregated, singled out from the ordinary business of the Senate, and it is proper to give it to the consideration of a special committee created for that purpose.

I understand that the suggestions about reflections on the Judiciary Committee are merely made by individual members of the committee as a ground for their statement that they did not desire, as far as they were personally concerned, to hold on to any jurisdiction; that is all; but the ground for the motion is what I have stated.

Mr. SABIN. Is this resolution subject to amendment?

The PRESIDENT *pro tempore*. It is.

Mr. SABIN. I move that the reference be made to the Committee on Railroads.

The PRESIDENT *pro tempore*. The Chair would state to the Senator from Minnesota that he need not resort to that. A motion to refer to a standing committee takes precedence of a motion to refer to a select committee; it needs no amendment.

Mr. SABIN. I move, then, that the President's message on this subject be referred to the Committee on Railroads.

The PRESIDENT *pro tempore*. The motion has priority, and must be first decided.

Mr. SABIN. If this is a question of taking this subject from the Judiciary Committee I have no desire whatever to interfere with it; but if it becomes a question of business, as I understand it has arrived at that stage, I can see no earthly object in creating a special committee. We seem to have arrived at such a point in the Senate that when any subject of special importance is brought before it a special committee must be formed to take it away from the proper and regular standing committees. If there is any reflection on any side, it certainly must be upon the Committee on Railroads, which, I will say to the Senate, has ample time to give all the hearings necessary to any and all parties interested. If other committees are informed on all subjects that properly come before that committee, it may as well be abandoned.

Mr. HOAR. This is not a question which has anything to do with the jurisdiction of the Railroads Committee; it is not a question of the railroad policy of the country; it is not a question of building new railroads; it is not a question of submitting old railroads to new regulations of any character. It is a question pure and simple of securing an honest debt due the United States. If you are going to take any general committee other than the Judiciary Committee, it would seem that the Committee on Finance would be more proper. At any rate, the jurisdiction of the Railroads Committee is as far from this question as that of any committee of the body.

Mr. SABIN. May I ask the Senator from Massachusetts if this question was not originally before the Railroad Committee in its inception, a few years ago?

Mr. HOAR. Not this particular question. Doubtless the question of constructing the Union Pacific Railroad and the Central Pacific Railroad may have been before the Railroad Committee, because then, like every construction of a new railroad by the Government, the question was where the road should go and what should be its charter, its obligations, and so on.

Mr. SABIN. The Senator speaks from personal knowledge on this matter. I was not in the Senate at that time, but I am informed, on what I suppose to be undoubted authority, that when the trouble first arose between the Government and these railway companies it was a matter treated by the Committee on Railroads and afterwards referred to the Committee on the Judiciary, embracing, as it was supposed, judicial questions which that committee was alone responsible for and should act upon. If I am mistaken in this, I should like to be corrected.

The PRESIDENT *pro tempore*. Shall the message and accompanying reports be referred to the Committee on Railroads?

Mr. MITCHELL. Mr. President, I have no preference for any particular committee in this matter, but I desire to correct the Senator from Massachusetts [Mr. HOAR].

This subject was originally before the Committee on Railroads of the Senate in 1878. At the same time the same subject was before the Judiciary Committee of the Senate. There was something of a con-

test between those two committees over bills introduced and referred respectively to those two committees. Each of those committees in 1878 reported a bill to the Senate; one was reported by the honorable Senator from Ohio, Mr. Thurman, and was known as the Thurman bill; the other was reported from the Railroad Committee by Senator Matthews, then a Senator from Ohio, and now an associate justice of the Supreme Court of the United States. The bill known as the Thurman funding bill, I believe, received the unanimous assent, perhaps—but I do not know about that—of the Judiciary Committee. The bill reported by Senator Matthews received the unanimous approval, if I remember correctly, of the Committee on Railroads.

There was a contest in the Senate as to which of these two bills should be adopted, a somewhat vigorous contest. It was contended by leading lawyers upon the part of the Railroad Committee, as constituted at that time, led by Senator Matthews, of Ohio, that the Thurman bill was unconstitutional. It was alleged, again, by a great many other Senators then in this body, and I believe by every member of the Railroad Committee at that time, that as a business proposition the Thurman bill would prove a failure.

There was a vigorous contest, as I say; but the Thurman bill was finally adopted, and it became a law.

The question as to its constitutionality was raised, and it was carried to the Supreme Court of the United States, as we all know, and there by a divided court, a full minority dissenting, it was declared to be constitutional. It became the law of the land, and these railroad companies owing this immense debt to the Government became subject to its operation, and what has been the result? As everybody knows, it has proved just what was prophesied at the time in this Senate by myself and others, an absolute and complete failure as a business proposition. If the bill reported by Senator Matthews at that time from the Railroad Committee had become the law of the land, we should to-day, instead of having six or seven million dollars, or whatever the amount is, in the sinking fund, have had some thirty million dollars in that fund, the whole question between the Government and these railroad companies would have been settled, and the Government would have been in fair position to recover back every cent of this immense indebtedness, although the times of payment would, of course, have been postponed to a considerable distance in the future.

I simply rose to correct the Senator from Massachusetts in the remark inadvertently made, that this subject had never been before the Railroad Committee of this body. It was there; it was thoroughly investigated by that committee, of which, I believe, the Senator from Massachusetts [Mr. DAWES], the honorable Senator's colleague, was a member at that time.

Mr. HOAR. I did not say it had never been before the Railroad Committee.

Mr. MITCHELL. I understood the Senator from Massachusetts to say in answer to the Senator from Minnesota that this question had never been before the Railroad Committee; that the question as to granting the original franchises had been before that committee, but not the question of the funding of the indebtedness.

Of course I have great respect, as we all have, for the Judiciary Committee of the Senate. It is composed of the ablest lawyers in this body, as we all know, but it is admitted to-day that twice heretofore they have unfortunately made very great mistakes in regard to this matter. It is conceded, I think, by everybody now everywhere that the Thurman funding act has been an absolute failure as a business proposition, looking to the settlement of this great controversy—involving so many millions of dollars—between the Government and the Pacific Railroad Companies.

As my friend from Massachusetts has just stated, he unfortunately made a mistake at the last session of Congress in the matter of computation, which he was willing, of course, to correct when the mistake was suggested to him by the Senator from Ohio.

As far as I am concerned, I do not care where this message goes; perhaps it had better go to a special committee. I have no interest in it one way on the other, except to see a final settlement of the great controversy on a basis alike fair and honorable to the Government and the companies. I have only stated this piece of legislative history in respect to the subject-matter.

Mr. EDMUNDS. Mr. President, I can not let the observations of the Senator from Oregon pass without a word or two of remark.

The Thurman bill was reported in 1878, I think at the time the Senator referred to, from the Committee on the Judiciary, receiving, I think, the substantially unanimous approval of all the members of the committee. There were some of us who thought it did not go far enough in exacting the percentages that should be paid into the Treasury from year to year; but it did contain what the railroad interest resisted here to their utmost in pushing the bill from the Railroad Committee. I do not mean that any Senator was in the railway interest, but the interest on the outside, the atmosphere, that we know is brought to bear about telegraphs and railroads and everything that is large and heavy, and they tried to compel the Senate to vote in a provision that the Thurman bill should stand for twenty years as a contract between the railroads and the United States unalterable.

That was resisted by the Committee on the Judiciary and defeated; and it was stated then and there by Judge Thurman, and the rest of us who supported him, that we did not intend to leave Congress for a single day without the authority that we asserted as a legislative power to control and direct their performances from time to time. If that bill had had no other virtue in it, if it had not put a dollar into the Treasury instead of the ten or twelve millions that it has, it would have had the virtue of asserting a legislative control over this business that the Supreme Court itself was obliged to accede to.

It does not do, therefore, to say that the Thurman bill is a failure. It is the only success that we have had within anybody's recollection in laying the hand of the law upon these great corporations and upon their influence, and I hope we shall continue to assert that right through some committee or other.

The PRESIDENT *pro tempore*. Will the Senate agree to the motion to refer the message and reports to the Committee on Railroads?

The motion was not agreed to.

The PRESIDENT *pro tempore*. The question recurs upon the adoption of the resolution offered by the Senator from Massachusetts [Mr. HOAR] to refer the message and reports to a special committee of seven Senators.

The question being put, a division was called for; and the ayes were 44——

Mr. COKE. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BECK. I only desire to say that I shall vote for the select committee because that seems to be the wish of a number of gentlemen connected with the Judiciary Committee. I prefer that the message should go there because I believe that is the committee best qualified to deal with it; still I shall vote for a select committee because the members of the Judiciary Committee wish it.

The Secretary proceeded to call the roll.

Mr. QUAY (when his name was called). I am paired with the Senator from West Virginia [Mr. FAULKNER] on political questions. If he were present, I should vote "yea." This not being a political question, I vote "yea."

The roll-call was concluded.

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN]. If he were present, I should vote "yea."

Mr. BECK. The Senator may vote.

Mr. MANDERSON. I shall vote, then.

The result was announced—yeas 55, nays 15; as follows:

YEAS—55.

| | | | |
|---|---|---|---|
| Aldrich, | Dawes, | Hiscock, | Pugh, |
| Allison, | Dolph, | Hoar, | Quay, |
| Bate, | Edmunds, | Ingalls, | Sawyer, |
| Beck, | Eustis, | Jones of Nevada, | Sherman, |
| Blair, | Evarts, | Manderson, | Stanford, |
| Blodgett, | Farwell, | Mitchell, | Stewart, |
| Bowen, | Frye, | Morgan, | Stockbridge, |
| Butler, | Gorman, | Morrill, | Teller, |
| Call, | Gray, | Paddock, | Turpie, |
| Cameron, | Hale, | Palmer, | Vest, |
| Chace, | Hampton, | Pasco, | Voorhees, |
| Chandler, | Harris, | Payne, | Wilson of Md. |
| Colquitt, | Hawley, | Platt, | Wilson of Iowa. |
| Cullom, | Hearst, | Plumb, | |

NAYS—15.

| | | | |
|---|---|---|---|
| Berry, | George, | McPherson, | Saulsbury, |
| Cockrell, | Gibson, | Ransom, | Spooner, |
| Coke, | Jones of Arkansas, | Reagan, | Walthall. |
| Davis, | Kenna, | Sabin, | |

ABSENT—6.

| | | | |
|---|---|---|---|
| Blackburn, | Daniel, | Riddleberger, | Vance. |
| Brown, | Faulkner, | | |

So the resolution was agreed to.

MISSISSIPPI RIVER BRIDGE AT BURLINGTON, IOWA.

Mr. WILSON, of Iowa. I ask unanimous consent that the Senate proceed to the consideration of Senate bill 290, Calendar number 103, being a bill to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Mississippi River at or near Burlington, Iowa. I hope there will be no objection. The bill will not occupy any considerable time, and will not involve discussion.

Mr. CULLOM. Has it been reported from a committee?

Mr. WILSON, of Iowa. It has been reported with several amendments to which there is no objection.

Mr. HALE. I am very desirous that the Senate should proceed to consider the deficiency bill because it is important that it should have speedy passage. I will not antagonize this motion of the Senator from Iowa provided it is the understanding that his bill will not give rise to debate.

Mr. WILSON, of Iowa. Certainly. There will be no occasion for debate.

The PRESIDENT *pro tempore*. The Senator from Iowa moves that the Senate proceed to the consideration of the bill named by him.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 290) to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Mississippi River at or near Burlington, Iowa.

The bill was reported from the Committee on Commerce with amendments. The first amendment was in line 5, section 1, after the word "maintain," to insert "if in the opinion of the Secretary of War the same

be a public necessity;" in line 7, strike out "suitable place," and insert "place suitable to the interests of navigation;" in line 22, between the words "the" and "passage," insert "safe and convenient;" in line 23, after the word "kinds," strike out "for the transit of;" and in line 24, before the words "foot-passengers," strike out "for;" so as to make the section read:

That the Burlington and Illinois Bridge Company, its successors and assigns, be, and they are hereby, authorized to construct and maintain, if in the opinion of the Secretary of War the same be a public necessity, a railroad, wagon, and foot-passenger bridge across the Mississippi River at a place suitable to the interests of navigation at a point at or near the city of Burlington, Iowa, and to lay on or over said bridge a track or tracks for the more perfect connection of any railroad or railroads that are or shall be constructed to said river, on either or both sides thereof, at or opposite said point, under the limitations and conditions hereinafter provided; that said bridge shall not interfere with the free navigation of said river beyond what is necessary in order to carry into effect the rights and privileges hereby granted; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, the cause may be tried before the circuit court of the United States in and for any district in which any portion of said bridge or obstruction touches. Said bridge shall be constructed to provide for the passage of railroad trains, and for the safe and convenient passage of wagons and vehicles of all kinds, animals, and foot-passengers, for such reasonable rates of toll as may be fixed from time to time by the Secretary of War: *Provided*, That the proviso regarding wagons, animals, foot-passengers, and so forth, shall not influence the location of said bridge in its relation to the interests of navigation.

The amendment was agreed to:

The next amendment was in line 18, section 2, after the word "than," to strike out "one" and insert "two;" in line 19, after the word "hundred," to strike out "and sixty;" in line 27, after the word "of," to strike out "not less than 30 feet above low-water mark and;" so as to read:

SEC. 2. That any bridge built under the provisions of this act may, at the option of the company building the same, be built as a draw-bridge or with unbroken and continuous spans: *Provided*, That if the said bridge shall be made with unbroken and continuous spans, it shall give clear head-room of not less, in any case, than 55½ feet above extreme high-water mark, as understood at the point of location, nor shall the spans of said bridge give a clear width of water-way of less than 250 feet, and the piers of said bridge shall be parallel with the current of said river, and the main span shall be over the main channel of the river and give a clear width of water-way of not less than 300 feet: *And provided further*, That if any bridge built under the provisions of this act shall be constructed as a draw-bridge, the same shall be constructed as a pivot draw-bridge, with a pivot over the main channel of the river at an accessible and navigable point and with spans giving a clear width of water-way of not less than 200 feet on each side of the central or pivot pier of the draw, and the next adjoining span or spans to the draw shall give a clear width of water-way of not less than 250 feet: *Provided*, That if the pivot pier of said bridge shall be constructed within less than 410 feet of the west shore of said river the span constructed west of said pivot pier may be less than 250, and said spans shall give a clear head-room of not less than 10 feet above extreme high-water mark; and the piers of said bridge shall be parallel with the current of the river where said bridge shall be erected.

The amendment was agreed to.

The next amendment was in line 24, section 5, after the word "permanent," to insert "and easily navigated;" and in the same line, after the word "channel," to insert "for a distance of not less than 1 mile above the bridge location;" so as to read:

And the said bridge shall be constructed with such aids to the passage of said bridge, in the form of booms, dikes, piers, or other suitable and proper structures for confining the flow of water to a permanent and easily navigated channel, for a distance of not less than 1 mile above the bridge location, and for the guiding of rafts, steam-boats, and other water-craft safely through the draw and raft spans, as the Secretary of War shall prescribe and order to be constructed and maintained at the expense of the company owning said bridge.

The amendment was agreed to.

The next amendment was to insert as a new section the following:

SEC. 6. That if actual construction of the bridge herein authorized shall not be commenced within two years from the passage of this act, and be completed in four years from the same date, the rights and privileges hereby granted shall cease and be determined.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The Chair calls the attention of the Senator from Iowa to a typographical error, apparently, which should be corrected. It will be stated.

The CHIEF CLERK. In line 3 of section 4 "passages" should be stricken out and "passage" inserted; so as to read:

Shall have and be entitled to equal rights and privileges in the passage of the same.

Mr. ALLISON. The text is right. That amendment is not necessary.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL RECOMMITTED.

Mr. PALMER. Mr. President——

Mr. PLUMB. I move to recommit the bill (S. 15) providing in certain cases for the forfeiture of wagon-road grants in the State of Oregon to the Committee on Public Lands. It has been suggested with some apparent force that there are amendments to be adopted in the bill to make it more effectively cover the purpose for which it was designed, and those amendments, I think, should be first considered in committee. I therefore move that the bill be recommitted for the purpose of considering it.

Mr. DOLPH. That bill was introduced by myself, and with a single amendment passed the Senate at the last session. I think the amendment of the committee strikes out one of the best provisions of the bill. If there is any prospect of restoring that provision, I am ready to consent to a recommittal. I have been waiting to call up the bill on the Calendar and have it passed. If the chairman agrees that the amendment can be offered in the Senate best, I would rather that the bill should not be recommitted, but I will not insist on opposing the motion.

The motion to recommit the bill was agreed to.

MESSENGER FOR PRESS GALLERY.

Mr. ALDRICH. I ask the Senator from Michigan to yield to me to offer a resolution for reference.

Mr. PALMER. I do not wish to keep yielding; I think my patience has been taxed somewhat.

The PRESIDENT *pro tempore*. The resolution of the Senator from Rhode Island will be read.

The resolution was read, and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

*Resolved*, That the Sergeant-at-Arms be, and he is hereby, authorized and directed to appoint a special messenger, who shall attend upon the Press Gallery of the Senate, and be paid out of the miscellaneous items of the contingent fund.

AID TO COMMON SCHOOLS.

Mr. BLAIR. I ask that the bill (S. 371) to aid in the establishment and temporary support of common schools may be reprinted for the use of the Senate.

The PRESIDING OFFICER (Mr. COCKRELL in the chair). That order will be made, unless objection be interposed.

RESTRICTION OF IMMIGRATION.

Mr. PALMER. I now move to proceed to the consideration of Senate bill 553.

Mr. HALE. Mr. President——

The PRESIDENT *pro tempore*. The Senator from Michigan moves that the Senate proceed to the consideration of the bill (S. 553) to regulate immigration.

Mr. PALMER. In doing so I would ask the forbearance of the Senator from Maine [Mr. HALE], who I know has the right of way on an appropriation bill; but my remarks will not be extended, and the rest of the day is his. I think he can yield without detriment to the public service.

Mr. HALE. I can not refuse to yield to that appeal, but I give notice that at the close of the Senator's remarks I will ask the Senate to go on with the deficiency bill.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 553) to regulate immigration.

Mr. PALMER. Mr. President, in introducing this bill I desire to disclaim any intention thereby to prevent any capable, honest, industrious, law-abiding person from seeking a home on American soil.

My life has been spent among an admixture of foreign-born and native citizens. My affiliations, social, secular, and religious, have never been determined by any test of country or creed. I number among my friends many of foreign birth who are, and wherever they might be placed would be, a credit to humanity. Foreign-born boys were among the playmates of my childhood; foreign-born men and women have been among the companions of my maturer years.

The country and all of us have been better for their coming. They have added to the material wealth of the nation, and what is of far greater value, they have contributed to its moral and intellectual well-being. It is in deference to their opinions and convictions, as well as to the sentiments of the native born, that I ask that this measure or some one more efficient shall prevail.

Conditions have changed since we became a Government, and are constantly changing, necessitating legislation as evils become apparent. That which might have been desirable fifty years ago may have ceased to be so at present, and that which was never desirable in our immigration may have assumed such proportion as to call for restrictive legislation.

We have used many devices to induce immigration. Government has supplied information, which, if used, could not act otherwise than as an attraction to other peoples. States have published books showing the advantages within their borders for immigrants, and the time is not remote when their commissioners have been sent abroad to turn the incoming tide to their respective localities. It has been our fault, if fault it was, that we have welcomed indiscriminately the migrations of the Aryan race. I do not fear that we shall suffer the fate of the Briton, who invited the Saxon over to help him turn back the Picts and Scots, and then sank away under the domination of the superior race; still there are other conquests than those of force. The contest is now waging which, under the protection of law, will push the superior members of a race to the wall in the fierce competition for work wherein the inferior members, by reason of fewer wants and lower aspirations enabling them to accept lower wages, will, if no check be interposed, come out victor in the battle for bread. It will in that case be not the "survival of the fittest," but the degradation of the best. If we desire that the American workingman shall retain his superiority over the underpaid laborer of Europe, we must from time to time interpose such obstacles as will deter the influx of those who will degrade his labor by undue competition—a competition which joyfully accepts lower wages than the American laborer now receives, because it is an improvement on the wages hitherto received by the new comer, and because his wants have been repressed by his environment.

Much has been done for our country and the laborers and artisans who have created our wealth by the duties imposed on goods manufactured by foreign labor; but by that very process we have stimulated immigration, which although in the main beneficent in its operation, now threatens, if continued without selection, to aggravate evils already apparent, and to lower the standard of our people in lowering the wages of those who toil.

We are working out under the most favorable conditions a new civilization. We have a clear field with all of history to select from in law, literature, tradition, and customs. To acquit ourselves of our trust, to work out the problem of the future of America, it is absolutely essential that we scrutinize with care not only the factors we now have, but also those which are being constantly injected into our national life. We have taken the initial step, in excluding a race not homogeneous; is it not advisable to select the most desirable from our own race, instead of welcoming the dregs with the wine?

OUR POPULATION AND IMMIGRATION.

Our first census (1782) exhibited a total, in round numbers, of 2,389,000 souls, one-third of whom, it is estimated by Dr. Loring, were born on the other side of the Atlantic. Subsequent decennial numberings show our progress in population to have been constant and unprecedented, although, thus far, not beyond our capacity to sustain.

*Total population of the United States.*

| | | | |
|---|---|---|---|
| 1790 | 3,929,214 | 1840 | 17,069,453 |
| 1800 | 5,308,483 | 1850 | 23,191,876 |
| 1810 | 7,239,881 | 1860 | 31,443,321 |
| 1820 | 9,633,822 | 1870 | 38,558,371 |
| 1830 | 12,866,020 | 1880 | 50,155,783 |

Previous to 1820 our Government made no effort to secure and preserve annual statistics of immigration, but since that date a reasonable accuracy has been observed at the principal ports of entry in customs districts and specific data obtained.

Accepting the generally received estimate of 250,000 as the number of immigrants between the establishment of the nation and the enactment of the passenger act, March 2, 1819, the official tables herewith presented show a total of 14,266,760 arrivals of actual immigrants prior to October 1, 1887, and as from the necessities of the case this can not include all those entering by sea or crossing our frontiers from Canada and Mexico, the assumption of fifteen millions in round numbers as the total accretion of population from foreign sources may be considered as a conservative estimate.

*Statement showing total annual immigration into the United States from 1820 to September 30, 1887, inclusive.*

| | | | |
|---|---|---|---|
| 1820 | 8,385 | 1854 | 427,833 |
| 1821 | 9,127 | 1855 | 200,877 |
| 1822 | 6,911 | 1856 | 195,857 |
| 1823 | 6,354 | 1857 | 246,945 |
| 1824 | 7,912 | 1858 | 119,501 |
| 1825 | 10,199 | 1859 | 118,616 |
| 1826 | 10,837 | 1860 | 150,237 |
| 1827 | 18,875 | 1861 | 89,722 |
| 1828 | 27,382 | 1862 | 89,005 |
| 1829 | 22,520 | 1863 | 174,524 |
| 1830 | 23,322 | 1864 | 193,195 |
| 1831 | 22,633 | 1865 | 247,453 |
| 1832 | 60,482 | 1866 | 314,917 |
| 1833 | 58,640 | 1867 | 310,965 |
| 1834 | 65,365 | 1868 | 289,145 |
| 1835 | 45,374 | 1869 | 385,287 |
| 1836 | 76,242 | 1870 | 356,303 |
| 1837 | 79,340 | 1871 | 346,938 |
| 1838 | 38,914 | 1872 | 437,750 |
| 1839 | 68,069 | 1873 | 422,545 |
| 1840 | 84,066 | 1874 | 260,814 |
| 1841 | 80,289 | 1875 | 191,231 |
| 1842 | 104,565 | 1876 | 157,440 |
| 1843 | 52,496 | 1877 | 130,502 |
| 1844 | 78,615 | 1878 | 153,207 |
| 1845 | 114,371 | 1879 | 250,565 |
| 1846 | 154,416 | 1880 | 593,703 |
| 1847 | 234,968 | 1881 | 720,045 |
| 1848 | 226,527 | 1882 | 730,349 |
| 1849 | 297,024 | 1883 | 570,316 |
| 1850 | 369,980 | 1884 | 461,346 |
| 1851 | 379,466 | 1885 | 350,510 |
| 1852 | 371,603 | 1886 | 334,203 |
| 1853 | 368,645 | 1887, to October 1 | 411,000 |

VALUE OF IMMIGRANTS.

Political economists differ widely as to the capital value of immigrants. Doctor Engel, of Berlin, director of the Prussian statistical bureau, computes the cost of raising a manual laborer to the fifteenth year in Germany at 750 thalers. Mr. Kapp, one of the commissioners of New York, in 1871, assumed the capital value of each male at $1,500 and of each female at $750, in currency. Edward Young, chief of our Bureau of Statistics at that time, basing his estimate on the producing and consuming power, instead of the original cost, finds $800 to be the average value of our immigrants. At this latter figure, which commends itself upon examination as reasonable and conservative, these 15,000,000 of adopted citizens have contributed $12,000,000,000 worth to the real wealth of the country. The estimates as to the amount of money in the possession of each immigrant at the time of landing vary from $80 to $150. Assuming the lowest figure, the aggregate cash importation would be $1,200,000,000. About 25 per cent. of the immigrants are under fifteen years of age and less that 15 per cent. over forty, leaving 60 per cent. in the prime of life, qualified for immediate service in developing our territory and forwarding our enterprises.

Vast as has been their contribution to the nation's wealth, it by no means measures their proportionate worth in the total which represents our civilization, prosperity, and power. They have digged our canals, built our railways, burrowed in our mines, reclaimed and made fruitful the wilderness. In addition, the names of Hamilton, Gallatin, Morris, Girard, Agassiz, Watson, Slater, Ericsson, Schaff, Guyot, Ingham, Moran, Draper, Parton, Asbury, and Hopkins suggest a catalogue, too long for enumeration, of foreign-born citizens eminent in the advance of statesmanship, commerce, science, invention, education, art, literature, and morals; and when the integrity and perpetuity of the Government of their choice was assailed by internal foes, they hastened to enlist under its flag and consecrate their lives and fortunes to its defense. From Bull Run to Appomattox, on weary marches, in enervating camps, in the deadly charge, in stubborn defenses, in the ranks and at the council board, their sturdy arms and loyal hearts gave generous service.

The PRESIDING OFFICER (Mr. COCKRELL in the chair). The Senator will suspend till the Chair lays before the Senate, as is his duty at this hour, the unfinished business, being Senate bill No. 371.

Mr. BLAIR. I ask that that bill be temporarily laid aside.

The PRESIDING OFFICER. The unfinished business will be temporarily laid aside, and the Senator from Michigan will proceed.

EVILS OF UNRESTRICTED IMMIGRATION.

Mr. PALMER. Between the establishment of our Government and the breaking out of the war of the rebellion 5,293,760 aliens had landed on our shores. During the four years of strife only 546,466 were received, but since January 1, 1865, 8,426,534, or more than 58 per cent. of the total, have been added. The census enumerators in 1880 found 6,679,943 foreign-born residents, and 3,577,769 have been registered since January 1, 1881, making the present probable imported population of the United States nearly or quite ten millions of souls; but, inasmuch as, according to the Malthusian law of increase, about seventy-five years would be required to render our population as dense as that of France, there is no present numerical reason for prohibiting the influx, save possibly the crowding of the labor market. The growing disquiet of workingmen and anxiety of property-holders are not properly based upon the volume of immigration, but upon its character and distribution. An undue and oppressive competition in wages is felt at industrial centers; our charities, reformatories, and penal institutions are overtaxed, and, worst of all, there is seen a growth of classes, un-American and hard of assimilation, which menace the public peace and threaten to overturn all established law and usages.

The observation and investigation of the thoughtful and the patriotic appears to be crystallizing to a conviction that our country, with sixty millions of people and fifty billions of wealth, has passed at least beyond the need of immigration; that it is fully capable of self-support and self-defense, and, while neither completed development, strained resources, nor fear of early overpopulation require the exercise of its right of exclusion, the time has come to put in operation its right of selection. In other words, it is time for America to go out of the "asylum" business; to cease to be complacently regarded as the "Universal Colony" of the Old World; to deny the use of its shores as a dumping-ground for the vicious and delinquent human product of other nations; it should compel recognition henceforth as a land of opportunities for those, and for those only, who desire to become American citizens in the highest and broadest sense, and whose physical, mental, and moral qualifications are such as render their coming profitable to the Republic.

With us are found the highest wages, the largest liberty, and the easiest procurement of comforts and competency in the world, and we should exercise a wise discretion in sharing these advantages, to the end that they be not lessened by the acts or delinquencies of the beneficiaries.

UNDESIRABLE IMMIGRANTS.

An examination of the statistics of immigration between 1872 and the present year will show that less than 11 per cent. were skilled laborers, and more than 48 per cent. were without occupation.

*Total immigration classified by occupation.*

| Year. | Professional. | Skilled. | Miscellaneous. | Occupation not stated. | Without occupation. | Total. |
|---|---|---|---|---|---|---|
| 1873 | 2,980 | 48,792 | 168,724 | 4,868 | 234,439 | 459,803 |
| 1874 | 2,477 | 38,700 | 117,041 | 4,233 | 150,889 | 313,339 |
| 1875 | 2,426 | 33,803 | 84,546 | 1,291 | 105,432 | 227,498 |
| 1876 | 2,400 | 24,200 | 72,275 | 910 | 70,201 | 169,986 |
| 1877 | 1,885 | 21,000 | 55,650 | 673 | 62,643 | 141,857 |
| 1878 | 1,510 | 16,531 | 57,806 | 738 | 61,884 | 138,469 |
| 1879 | 1,639 | 21,362 | 73,053 | 897 | 80,875 | 177,826 |
| 1880 | 1,773 | 49,929 | 188,109 | 2,194 | 215,252 | 457,257 |
| 1881 | 2,812 | 66,457 | 244,492 | 8,140 | 347,530 | 669,431 |
| 1882 | 2,992 | 72,664 | 310,501 | 10,619 | 392,210 | 788,992 |
| 1883 | 2,450 | 62,505 | 216,549 | 46,660 | 275,658 | 603,322 |
| 1884 | 2,284 | 55,061 | 184,195 | 31,665 | 245,387 | 518,592 |
| 1885 | 2,097 | 39,817 | 141,702 | 15,398 | 196,332 | 395,346 |
| 1886 | 2,078 | 36,522 | 137,651 | 496 | 157,456 | 334,203 |
| Total | 31,803 | 587,349 | 205,229 | 128,782 | 2,596,188 | 5,396,416 |

Several factors in this aggregate may well be viewed with concern. Chinese immigration has been already checked, but that of the lower grades of Slavonians, Hungarians, Russian Jews, Servians, Italians, and other races similarly unwholesome in kind, if not in degree, is increasing; while from Germany, Bohemia, and elsewhere, mingled with thousands of honest home seekers, come the fanatical followers of Bakunin, social wolves, honoring no flag, revering nothing as sacred, defying and despising all laws and rights of persons or property, whose emblem of ochlocracy is colored with innocent blood, lighted by incendiary torches, and saluted by dynamite bombs.

The introduction of large masses of foreign laborers whose standard of living is lower than ours and whose stay is designed to be temporary, may stimulate production for a time, but, if it be repeated or prolonged, must compel a lowering of the standard of life among native competitors, add a stigma to labor, and degrade its character and subsequent efficiency.

The appeal from our workingmen for "white men's wages" is more than a catch cry, and should be heeded by those who have the preservation of our free institutions in view and keeping, while the accepted aphorism that "an ounce of prevention is better than a pound of cure," should need small urging to secure the consent of all to the rigid exclusion of communists, anarchists, and nihilists.

DEFECTIVE, DEPENDENT, AND DELINQUENT CLASSES.

In our repressive and corrective treatment of the Mormon problem no attention has been thus far given to preventive applications at the main source of supply, although, in 1881, an eminent investigator said:

But for the steady influx of foreigners the dreadful features of the Mormon Church, polygamy and the exaltation of the church over the state, would die out in America in two generations.

Our laws have long forbidden the landing of criminals, paupers, lunatics, idiots, and persons unable to take care of themselves, but their enforcement has been left to the vigilance of boarding officers at the moment of their arrival. The last obtainable general statistics, those of the census of 1880, showed 88,246 foreign-born persons among our defective, dependent, and delinquent classes, in public asylums, almshouses, and prisons, and in this enumeration the children of foreign-born parents are classed as natives. While our imported citizens at that time constituted but 13½ per cent. of our total population they furnished more than 28½ per cent. of our insane, nearly 22 per cent. of our prisoners, more than 34 per cent. of our paupers in almshouses, and nearly 44 per cent. of the inmates of work-houses and houses of correction.

*Defective, dependent, and delinquent classes—Census of* 1880.

| | Native. | Foreign born. | Per cent. of foreign born. |
|---|---|---|---|
| Insane | 65,651 | 26,346 | .286+ |
| Idiots | 72,888 | 4,007 | .052+ |
| Blind | 40,599 | 8,329 | .170+ |
| Deaf mutes | 30,507 | 3,371 | .099+ |
| Paupers in almshouses | 44,106 | 22,961 | .342+ |
| Prisoners | 46,338 | 12,917 | .218+ |
| Prisoners in penitentiaries | 24,731 | 5,892 | .192+ |
| Prisoners in reformatories | 10,356 | 984 | .086+ |
| Prisoners in work-houses and houses of correction | 4,425 | 3,439 | .437+ |
| Total | 339,601 | 88,246 | |

Children of foreign-born parents are classed in these statistics as "natives."

RESULTS IN NEW YORK.

In this connection I will read an extract from a very suggestive and instructive paper presented before the National Convention of Charities and Corrections at Omaha, last September, by Dr. C. S. Hoyt, the secretary of the State Board of Charities of the State of New York:

The whole number of inmates of the poor-houses and alms-houses of New York, including the insane in the asylum department of New York City, Kings and various other counties, during the year ending September 30, 1886, as reported to the State Board of Charities, was 68,529, of whom 27,075 were native and 41,454 foreign born. Estimating the present population of the State at 6,000,000, as generally accepted, with the relative proportion of native to the foreign-born population as found by the Federal census of 1880, its native population now in round numbers is 4,560,000, or 76 per cent., and its foreign population 1,440,000, or 24 per cent. Upon this basis the proportion of its native-born inhabitants who were in poor-houses and alms-houses, as indoor paupers, in 1886, was 1 to every 168 of its native population, while the proportion of those of foreign birth who were in those institutions in the course of the year was 1 to every 35 of its foreign-born population, the ratio being nearly five times greater than the ratio in the native population. We have no exact data as to the nativity of the outdoor paupers relieved in the State during the year, but careful observation and the general testimony of the officers charged with the administration of this form of public relief lead to the belief that the disparity in the ratio of foreign-born to native paupers of this class to the population was even greater than in that of its indoor paupers.

The number of insane committed to its various State hospitals for acute cases during the year 1886, as reported by the respective medical superintendents, and coming mainly from the rural counties, was 1,248, of whom 868 were of native and 380 of foreign birth, it being an excess of nearly 42 per cent. in the ratio of the insane in the foreign-born population over the ratio of the insane arising from the native population. The ratio of foreign insane as compared with the ratio of native insane in the asylums of New York City, Kings and other counties, with populous centers, is universally conceded to be much greater than in the State hospitals, but under the present system of reporting by these institutions extended and exact figures in this respect can not be given. A recent investigation into the New York City Lunatic Asylum, or Ward's Island, devoted wholly to men, showed that its extremely crowded wards contained 1,916 patients, two-thirds of whom, according to the sworn testimony of the medical superintendent, were of foreign birth, the ratio being more than three times greater than in the insane coming from the native population, or in nearly exact figures, an excess of 857 patients in the institution in consequence of such undue proportion of foreign-born over native insane, arising from the respective foreign and native populations. In the Monroe County Lunatic Asylum, embracing the city of Rochester, 60 per cent. of its patients last year, according to a recently published address of the county superintendent of the poor, were of foreign birth, while only 27 per cent. of the population of the county were foreign-born. The insane in these asylums, as well as in the other city and county asylums referred to, belong almost wholly to the pauper class, and most of them, therefore, become subjects of public relief and care through life, the burden and expense of which, under the settlement laws of the State, are required to be borne by the locality upon which they may chance to fall.

The admissions to the State Asylum for Insane Criminals at Auburn in 1886, according to the report of the medical superintendent, were 75. Of these 48 were natives and 27 foreign-born. This shows an excess of more than 75 per cent. in the ratio of insane criminals of foreign birth committed to the institution during the year as compared with the ratio of native-born insane criminals coming from the native population.

The Willard Asylum to October 1, 1886, has received 3,964 chronic insane patients since its opening in 1869; and the Binghamton State Asylum 1,292 since its opening in 1881, making a total of 5,256. Of these 3,208 were native and 1,894 of foreign birth, while the birth-places of 154 have not been ascertained. This gives a proportion of insane of foreign birth in these institutions of nearly 2 to 1, when compared with the proportion of insane in them of native birth arising from the native population. All of these insane have been paupers, chargeable to the respective counties from which they were sent, and with but few exceptions they have been and are likely to continue as life dependents upon those counties.

The whole number of convictions in its courts during the year ending October 31, 1886, for all grades of offenses, according to the report of the secretary of state, was 89,601, of whom proportionately the foreign-born were nearly three times greater than the native-born, and the records of its prisons, penitentiaries, work-houses, and jails also show an undue ratio of foreign over native born inmates.

PROPOSED RESTRICTIONS.

The design of such proposed changes in the laws regulating and restricting immigration as are found in this bill is to provide for the exclusion of dependent, delinquent, and dangerous classes through an inspection and investigation where their characters are known, instead of at the port of entry where they are unknown, and to effect this with the least possible hardship or inconvenience to desirable immigrants.

The first, third, fifth, sixth, seventh, eighth, and ninth sections are substantially the same as at present, with such alterations in the laws as are required to give effect to the new provisions in sections 2 and 4. Section 2 follows the form and language of section 2 of the act to regulate immigration now in force to the last clause, which is changed to read as follows:

And if on such examination there shall be found among such passengers any adult person not a citizen of the United States, and not provided with a certificate from the United States consul for the district of his residence and from which he proposes to emigrate, setting forth substantially that the said consul is satisfied upon diligent inquiry that he is a suitable and desirable person for residence and citizenship in the United States, they shall report the same in writing to the collector of such port, and such persons shall not be permitted to land.

Section 4 is as follows:

That the Secretary of State shall establish such rules and regulations and issue from time to time such instructions to consuls of the United States, not inconsistent with law or with treaty obligations, as shall enable well-disposed and worthy persons who desire to become residents or citizens of the United States to obtain certificates of character and fitness therefor from the consul of the district in which they reside, without hardship or unreasonable delay; which certificate shall contain, in addition to other specifications required by this act, or which may be prescribed by the Secretary of State, the full name of the individual receiving the same, the place of birth, age, occupation, last legal residence, physical marks or peculiarities, and all facts necessary for the identification of such individuals; but no certificate shall be granted to any convict, except those convicted of political offenses, nor to any lunatic, idiot, or any person unable to take care of himself or herself without becoming a public charge, nor to any anarchist, nihilist, or any person hostile to the principles of the Constitution or form of government of the United States, nor to any believer or professed believer in the Mormon religion, who fails to satisfy the consul upon examination that he or she intends to and will conform to and obey the laws of the United States, nor to any person included in the prohibition in the act to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, the Territories, and the District of Columbia, approved February 26, 1885, or in acts amendatory to said act.

The first clause of section 9 of Article I of the Constitution, "The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808," carries with it the power to prohibit immigration subsequent to that date, and the exclusion of slaves, Chinese, and contract labor has been already undertaken by Congress.

SUGGESTIONS OF UNITED STATES CONSULS.

In April, 1886, Secretary Bayard, realizing the growing importance of this question and the necessity for comprehensive data in its consideration and determination, addressed a circular letter to consular officers of the United States in Europe, instructing them to report upon the extent and character of the emigration from their several districts to the United States. The result of this inquiry was transmitted to Congress under date of February 10, 1887, and I will ask the Clerk to read from that report, on page 46, a portion of the communication of Edmund Jussen, consul-general at Vienna.

The Chief Clerk read as follows:

AUSTRIA-HUNGARY—REPORT OF CONSUL-GENERAL JUSSEN.

In complying with your circular of April 27, 1886, I have no recent statistics to guide me, and must rely entirely upon such private information as I have been

enabled to obtain, and upon the reports of the statistical bureau, published in January, 1886, and covering no later period than the year 1884.

From this report it appears that in the year 1884 Austria lost 7,215 of its subjects by emigration, of which 5,788 emigrated with and 1,427 without the consent of the government, and that in the year 1883 about the same number, namely, 7,366, emigrated from Austria. This report contains the admission that the effort to ascertain what particular foreign countries were the destination of these emigrants was quite in vain, and that inquiries in this behalf at the foreign consulates of Austria-Hungary were of no avail whatever.

The report admits further that the information published by foreign statistical bureaus is the most reliable and only source from which the Austrian Government can ascertain how many of its subjects leave their Austrian homes and to what particular country they emigrate.

An Austrian can cross the line without a passport without much difficulty, and can go on board ship at Havre, Rotterdam, or Antwerp without being asked for his papers or having his character inquired into. Those emigrants who obtain passports generally belong to the better classes and are not members of the dangerous elements. The young men who want to escape military service, the ultra-socialist, the anarchist, the men who have lost all social and business footing here, the bankrupt, embezzler, and swindler stops not to obtain permission of the government, and naturally the authorities have no sort of record here either as to the number or the place of destination of this class of emigrants.

There is no prospect, at least as far as Austria is concerned, that the emigration of these classes to the United States will ever be controlled by the authorities here to such an extent as to directly or indirectly benefit our country.

The government would, as a matter of course, prohibit, if it could do so, the emigration of all young men subject to military duty; but it is quite natural that it feels no regret to get rid of the ultra-socialist and anarchist, and that it is quite willing the bankrupt and swindler should depart for foreign countries, and that the paupers should find support away from home, and it is therefore not to be expected that the Austrian passport system will be amended in the direction of preventing these incumbrances on society from crossing the line of the Empire outward bound.

In view of these facts and circumstances, I would suggest that the only practical effort in the direction of controlling this sort of emigration to our Republic would seem to be a direct supervision by the United States consuls in their respective districts as to all emigrants desiring to leave that district for the United States. Although any Austrian may leave the Empire without the consent of his government, he can not land and settle in the United States except under certain conditions and on certain terms which the United States can prescribe. Would it, therefore, not be feasible to require by proper legislation that every emigrant landing in the United States should present a certificate from the United States consul of the district from which he emigrated, setting forth that consular inquiries as to the character, etc., of the applicant were satisfactorily answered, the extent of such inquiry to be prescribed by the instructions of the Department? The labor involved would of course be considerable, and could not possibly be performed with the clerical assistance at present allowed to consular officers, but the object to be gained would certainly be more than an equivalent for an increase of the consular expense account.

As far as Austria is concerned, there would be no difficulty in obtaining detailed information as to the character, antecedents, etc., of every subject dwelling within its borders. Although the Austrian authorities lose sight of the emigrant as soon as he crosses the line, they guard him very closely while he lives upon Austrian soil. It would, of course, be for the Department to decide to what extent and in what direction official information as to an emigrant should be regarded as conclusive, and I understand also that it will be extremely difficult to prescribe the line to be drawn between the refusal and the granting of a consular certificate or passport; but in spite of all, the question remains, what other practical remedy could be adopted to prevent the immigration of these dangerous elements in the United States?

The labor and agricultural classes of Bohemia probably supply the greatest number of emigrants to the United States, and among the Bohemian industrial laborers some of the most violent ultra-socialists are to be found. The great majority of these Bohemian laborers, both of the industrial and agricultural class, are illiterate and ignorant in the extreme. They stand in great awe of the police authorities at home. They are generally very robust and vigorous men; industrious and capable of great physical labor and exertion.

Mr. PALMER. On page 54, Henry Sterne, consul at Budapesth, in concluding his report on the Hungarian emigrants, writes what I ask the Secretary to read.

The Chief Clerk read as follows:

I am of the opinion that with the present condition of the labor market in the United States there is no room there at present for this class of people. I even believe that under more favorable conditions in the United States these Slovacks are not a desirable acquisition for us to make, since they appear to have so many items in common with the Chinese.

Like these, they are extremely frugal, the love of whisky of the former being balanced by the opium habit of the latter.

Their ambition lacks together in quality and quantity. Thus they will work similarly cheap as the Chinese, and will interfere with a civilized laborer earning a "white" laborer's wages.

Like the Chinese, again, they are very exclusive people, and though American institutions may go a great way towards removing this defect, it will surely require generations to make them enlightened citizens where emigrants of other nations only needed a few years. Of their habits I shall not speak, since the changed situation would undoubtedly act wonders in this respect in a short time.

Another main objection to them is that, like the Chinese, they do not intend to remain in our country, not even as long as the latter, though like some of these, also, an occasional Slovack may "stick." But to show how sincere and strong their intention is to return home when they emigrate, I will state what I have from very good authority, namely, that some of the better-to-do families give their daughters in marriage to men upon the special condition that after a reasonably lengthy honeymoon, the husband must go to America to make his fortune, when he may come back again to his wife, and while thus away they all conscientiously supply their families with the necessary means of living, thus again like the Chinese, becoming no permanent benefit to the United States, their earnings never staying in the country.

To say a last word about these "Slovacks," they are, after all, a people more to be pitied than anything else, but "charity should begin at home."

Mr. PALMER. I now ask the Secretary to read what Consul Loening, at Bremen, says on page 150 of the report.

The Chief Clerk read as follows:

BREMEN.

Bremen is the principal rendezvous for emigrants, from all over the middle, eastern, and northern parts of Europe. The Turk and the Norwegian together climb up the side of a "Lloyd" steamer on sailing day, seeking new homes in America.

From this crowd of emigrants from all over the world that congregates here on the day of sailing, I have very little opportunity of personally judging their condition or characteristics; but from what I see and hear, I believe that the Bohemians, Hungarians, Poles, Italians, and poor Russian Jews, who emigrate to the United States now, are a worthless lot.

Mr. PALMER. I also ask the Secretary to read what Consul Tanner, of Chemnitz, says as to the social condition of the class who emigrate from Saxony, on page 159:

The Chief Clerk read as follows:

SOCIAL CONDITION.

From what I have said above it may be inferred that the social condition of the class that emigrate is very low. Many of them huddle together in one room, which is full of lice and other vermin. Cleanliness is their worst enemy, and virtue is unknown and unpracticed among them. They live on nothing but a crust of dry, dark bread, and spend all they can earn on strong liquors. Apart from such drink they live on about 7 or 8 cents per day.

The better class of emigrants that we receive are those who come under the head in the table of mechanics; but even these are not the best artisans in Germany.

Mr. PALMER. On page 185, William W. Lang, consul at Hamburg, gives suggestive information relative to the migration of the dangerous classes. I will ask the Secretary to read it.

The Chief Clerk read as follows:

Another cause promotive of emigration is found in the *socialistengesetz* (socialistic law). This law was enacted by the force of public sentiment, aggravated by the two attempts on the life of the venerable Emperor William, and deprives many, on account of their political opinions, of their privileges, and relegates them to the administrative power of the police. Under the provisions of this law a person who is suspected of socialistic views may be banished from the city where he lives. Also, by this law certain cities are placed partially under martial law, namely: Berlin, Hamburg, Leipsic, Chemnitz, and more recently Spremberg.

As other German States pursue a like course, the socialist finds himself forced to seek shelter and home in some other country. The greater number of socialists who have emigrated have gone directly to the United States. This may be stated as the only way in which the German Government exerts an influence which would encourage emigration, and, if it does this, it is indirectly.

Criminals are never banished; on the contrary, they are forbidden to leave the country until they have suffered the penalty which the law inflicts. If they escape, every effort is made to recapture them. Banishment has never been adopted by the German Government as a method of riddance of the mischievous and turbulent elements of society; even penal settlements have ever been repulsive to the ideas of the Imperial Parliament. As the bulk of German emigration goes to the United States, so also the majority of the criminals and refuse of society that leave the country find their way there.

The freedom of our republican form of government, the liberty of the press, and the right to hold public assemblies have proved to be a congenial encouragement to socialistic agitators.

An opinion prevails that leading members of the German socialistic party are going to the United States for the purpose of consolidating and molding into one solid, compact party the German socialists who have heretofore emigrated there, and who are now acting in a separate and unorganized way. A natural sequence of the unmolested condition of the socialists in America as compared with their condition in Europe and detailed in their letters from banished colaborers in the cause in America is thought to be the leading reason for the large exodus of socialists from the states of Europe to the United States.

Anarchists are merely the radical elements of the socialistic party. Every true social-democrat will become an anarchist if he follows the rules, precepts, ideas, and teachings of his party. Socialism is the blossom and anarchy is the fruit from seed sown by Barleau, Lasalle, Marx, and other eminent social-democrats. The strict police regulations of the German Government suppress anarchism by sheer force, but it may be a question pregnant with alarm that two-thirds of the social-democrats who have and are emigrating to the United States may not grow step by step under our free institutions more and more radical in their views and demands, thus becoming anarchists and the disturbers of the peace and order of society.

Mr. PALMER. In his annual report Consul-General Mueller writes (see page 326) what I ask the Secretary to read.

The Chief Clerk read as follows:

Before, however, passing this subject, I may be permitted to refer to the ever-increasing emigration from Roumania, Galicia, and Russian provinces, which I believe to be injurious to the interests and to the development of our country. The class of people emigrating from said countries, with slight exceptions, are known to be mentally and physically neglected, if not crippled, notorious invalids, unfitted to perform manual labor or to earn their livelihood by honest work, nor is there any likelihood that they ever become educated to American citizenship. These people, grown up under the worst influences, hated, despised, persecuted, and suppressed, lack manhood, self-reliance, and ambition, are neither disposed to nor capacitated for work, and bare of almost any quality to assimilate themselves with American civilization. In the absence of the nobler instincts of life, they will ever prove a disagreeable burden to themselves and to their adopted country.

It is an open secret that organized and systematic efforts are being made in the above-mentioned countries to get rid of the poor and helpless Jews by forcing them to emigrate, by compelling them, if need be. From information I learn that this emigration will increase from month to month, soon to assume more formidable proportions, unless preventive measures are being devised—measures which will protect the United States against the exportation thither of paupers, criminals, and semi-barbarians.

Russia, Austria, Turkey, or any other country should no longer be accommodated to rid themselves, at the expense of the United States, of the degraded products of their own make.

Mr. PALMER. Mr. President, it will be said by some, and with a show of reason, that the means of exclusion proposed by this bill will be insufficient; that consuls will have neither the time nor the means to make an effective examination on which the enabling certificate may be based; and that, no matter how diligent they may be, many undesirable persons will be accredited. Conceding this to be true, is the attempt at selection to be abandoned entirely because, from the nature of the case, the examination can not be critically exact?

From the extracts from consular reports cited it appears that there have been many emigrants from localities coming under their supervision whose coming to us they deprecate and against whom they would discriminate had they an opportunity. Would not the enumeration of apparently defective and delinquent persons be increased

by a careful examination? Are there not many emigrants now landing who would be discredited at a glance by the consul?

The examination, no matter how cursory, would make it more difficult for the paupers, idiots, and the insane to get embarkation; it would be more difficult for convicts, for their reputation would be a matter of record. It would be more difficult for polygamous Mormons and their flocks, for the converts are known and the sources of supply. As for the chronic disturbers of law and order, men and women whom adverse surroundings have educated and cruel fate has consecrated to an apostleship of the bloody hand and incendiary torch, whose hopes for humanity can see the only road to the promised land over the fallen columns of despoiled and burning cities and the embers of once peaceful homes, their exclusion would be easy, for they would avow themselves; again, under the police surveillance of other countries, these people are known and their record is kept.

Some may say, to what end should these men be excluded, when their disciples with the germs of the anarchistic or nihilistic school already developing within them are admitted and their books have wide circulation among us?

The answer, I conceive, to that objection is this: That many so imbued would, amid other and more favorable surroundings, shrink from a propagandism which had for its acknowledged agencies "poison and poniard." They would revolt from a school that had elevated the science of destruction into a system of philosophy, from a religion whose gospel is the sword and whose prophecies are read in letters of fire and punctuated by the bullet of the assassin.

This moral distemper should be guarded against as strictly as physical contagion.

It is almost certain, Mr. President, that the lamentable occurrence of the Chicago riot, tragic in its beginning and ending, where American justice, long delayed, but more terrible because delay could not abate its relentless pursuit nor avert the retributive blow, would have happened had not discontent, unmoored by false doctrines, been stimulated to ruthless acts by the infectious example of agitators from abroad. The crime was un-American. To the credit of our foreign-born citizens be it said that the martyrs to and defenders of law and order upon that fatal evening were in a great part our country's adopted sons, who knew that liberty without law was license.

I do not fear, Mr. President, that anarchy could exist for any length of time in an American city, but when we consider that five thousand Jacobins (according to Taine) kept Paris, then a city of seven hundred thousand people, a people noted for their desperate bravery, in abject fear for fourteen months, a period to which the mental condition of the inhabitants gave a name as unique as it is descriptive, the "Reign of Terror," the presence of these promoters of violence and the personal agitation of their pernicious ideas must give us pause.

The methods of the Jacobins were the same as those advocated by the anarchist and nihilist, namely, "a series of assassinations and audacious and even mad enterprises, horrifying the powerful and dazzling the people till they believe in the triumph of the revolution."

I do not contend, Mr. President, that this bill is all that could be desired; but I believe it is a step in the right direction, and a step which our people, native and foreign born, desire to see taken. I believe it will make the evasion of our present laws more difficult and compel in addition thereto, what the enlightened sentiment of our people demands, a moral quarantine.

Mr. President, I move that the bill be referred to the Committee on Foreign Relations, and I ask that the tables of statistics which I submit shall be printed in the RECORD. I would read them but that I wish to save time.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Foreign Relations, and the tables printed in the RECORD, as requested by the Senator from Michigan, if there be no objection.

The tables are as follows:

PASSENGER MOVEMENT AND IMMIGRATION.

*Number and nationalities of alien passengers arrived in the United States during each year from* 1820 *to* 1867, *and of immigrants only during each year from* 1868 *to* 1886.

[NOTES.—*a* Prior to the year 1820 no official record was kept of the arrivals of alien passengers. It is estimated, however, that the total number arrived in the United States from the foundation of the Government to the year 1820 was 250,000. *b* The years 1820 to 1831 and from 1843 to 1850, inclusive, are fiscal years ending September 30; all other years are calendar years.]

| | Countries. | 1820. | 1821. | 1822. | 1823. | 1824. | 1825. | 1826. | 1827. | 1828. | 1829. | 1830. | 1831. | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | England | 1,782 | 1,036 | 856 | 851 | 713 | 1,002 | 1,459 | 2,521 | 2,735 | 2,149 | 733 | 251 | 1 |
| 2 | Ireland | 3,614 | 1,518 | 2,267 | 1,908 | 2,345 | 4,888 | 5,408 | 9,766 | 12,488 | 7,415 | 2,721 | 5,772 | 2 |
| 3 | Scotland | 268 | 293 | 198 | 180 | 237 | 113 | 230 | 460 | 1,041 | 111 | 29 | 226 | 3 |
| 4 | Wales | ..... | 11 | 13 | 69 | 33 | 11 | 6 | ..... | 17 | 3 | 7 | 131 | 4 |
| 5 | Great Britain, not specified | 360 | 1,870 | 154 | ..... | 261 | 969 | 624 | 1,205 | 1,559 | 916 | 384 | 1,867 | 5 |
| | Total British Isles | 6,024 | 4,728 | 3,488 | 3,008 | 3,609 | 6,983 | 7,727 | 13,952 | 17,840 | 10,594 | 3,874 | 8,247 | |
| 6 | Austria | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 6 |
| 7 | Belgium | 1 | 2 | 10 | 2 | 1 | 1 | 2 | 7 | 2 | ..... | ..... | 1 | 7 |
| 8 | Denmark | 20 | 12 | 18 | 6 | 11 | 14 | 10 | 15 | 50 | 17 | 16 | 23 | 8 |
| 9 | France | 371 | 370 | 351 | 460 | 377 | 515 | 545 | 1,280 | 2,843 | 582 | 1,174 | 2,038 | 9 |
| 10 | Germany | 968 | 383 | 148 | 183 | 230 | 450 | 511 | 432 | 1,851 | 597 | 1,976 | 2,413 | 10 |
| 11 | Gibraltar | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 11 |
| 12 | Greece | ..... | ..... | ..... | ..... | 5 | ..... | 4 | ..... | 7 | 1 | 3 | ..... | 12 |
| 13 | Hungary | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 13 |
| 14 | Italy (continental) | 25 | 62 | 32 | 32 | 41 | 58 | 50 | 35 | 30 | 16 | 3 | 28 | 14 |
| 15 | Italy (insular): Sardinia | 5 | ..... | 1 | 1 | 2 | 17 | 6 | ..... | ..... | ..... | ..... | ..... | 15 |
| 16 | Sicily | ..... | ..... | 2 | ..... | 2 | ..... | 1 | ..... | 4 | 7 | 1 | ..... | 16 |
| | Islands of the Mediterranean: | | | | | | | | | | | | | |
| 17 | Corsica | ..... | ..... | ..... | 1 | ..... | ..... | ..... | 1 | ..... | ..... | ..... | ..... | 17 |
| 18 | Crete | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 18 |
| 19 | Malta | ..... | ..... | ..... | ..... | ..... | 1 | ..... | ..... | ..... | ..... | ..... | ..... | 19 |
| 20 | Netherlands | 49 | 56 | 51 | 19 | 40 | 37 | 176 | 245 | 263 | 169 | 22 | 175 | 20 |
| 21 | Norway | } 3 | 12 | 10 | 1 | 9 | 4 | 16 | 13 | 10 | 13 | 3 | 13 | 21 |
| 22 | Sweden | | | | | | | | | | | | | 22 |
| 23 | Portugal | 35 | 18 | 28 | 24 | 13 | 13 | 16 | 7 | 14 | 9 | 3 | ..... | 23 |
| 24 | Roumania | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 24 |
| 25 | Russia | 14 | 7 | 10 | 7 | 7 | 10 | 4 | 19 | 7 | 1 | 3 | 1 | 25 |
| 26 | Finland | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 26 |
| 27 | Poland | 5 | 1 | 3 | 3 | 4 | 1 | ..... | 1 | 1 | ..... | 2 | ..... | 27 |
| 28 | Spain | 139 | 191 | 152 | 220 | 359 | 273 | 436 | 414 | 209 | 202 | 21 | 37 | 28 |
| 29 | Switzerland | 31 | 93 | 110 | 47 | 253 | 166 | 245 | 297 | 1,592 | 314 | 109 | 63 | 29 |
| 30 | Turkey in Europe | 1 | ..... | 4 | 2 | 2 | ..... | 2 | 1 | 6 | 1 | 2 | ..... | 30 |
| | Total Europe, not British Isles | 1,667 | 1,207 | 930 | 1,008 | 1,356 | 1,560 | 2,024 | 2,767 | 6,889 | 1,929 | 3,343 | 4,792 | |
| | Total Europe | 7,691 | 5,935 | 4,418 | 4,016 | 4,965 | 8,543 | 9,751 | 16,719 | 24,729 | 12,523 | 7,217 | 13,039 | |
| 31 | Arabia | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 31 |
| 32 | Armenia | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 32 |
| 33 | Burmah | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 33 |
| 34 | China | 1 | ..... | ..... | ..... | ..... | 1 | ..... | ..... | ..... | 1 | ..... | ..... | 34 |
| 35 | India | 1 | ..... | 1 | ..... | 1 | ..... | 1 | 1 | 3 | 1 | ..... | 1 | 35 |
| 36 | Japan | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 36 |
| 37 | Persia | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 37 |
| 38 | Syria | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 38 |
| 39 | Asia, not specified | 3 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 39 |
| | Total Asia | 5 | ..... | 1 | ..... | 1 | 1 | 1 | 1 | 3 | 2 | ..... | 1 | |
| 40 | Algeria | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 40 |
| 41 | Egypt | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 41 |
| 42 | Liberia | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... | ..... | 42 |
| 43 | Morocco | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 43 |

*Number and nationalities of alien passengers arrived in the United States during each year from* 1820 *to* 1867, *and of immigrants only from* 1868 *to* 1886—Continued.

| | Countries. | 1820. | 1821. | 1822. | 1823. | 1824. | 1825. | 1826. | 1827. | 1828. | 1829. | 1830. | 1831. | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 44 | South Africa | | | | | | | | | | | | | 44 |
| 45 | Africa, not specified | 1 | 2 | | | | 1 | | 4 | 6 | | 2 | 2 | 45 |
| | Total Africa | 1 | 2 | | | | 1 | | 4 | 6 | 1 | 2 | 2 | |
| 46 | Quebec and Ontario | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 46 |
| 47 | Manitoba | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 47 |
| 48 | Nova Scotia | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 48 |
| 49 | New Brunswick | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 49 |
| 50 | Prince Edward Island | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 50 |
| 51 | British Columbia | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 51 |
| 52 | Newfoundland and Labrador | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 52 |
| 53 | British North American provinces, not specified | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 53 |
| | Total British North American provinces | 209 | 184 | 204 | 167 | 155 | 314 | 223 | 165 | 267 | 409 | 189 | 176 | |
| 54 | Mexico | 1 | 4 | 5 | 35 | 110 | 68 | 106 | 127 | 1,089 | 2,290 | 983 | 692 | 54 |
| 55 | British Honduras | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 55 |
| 56 | Costa Rica | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 56 |
| 57 | Guatemala | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 57 |
| 58 | Central America, not specified | | | | | | | | | | | | | 58 |
| | Total Central America | 2 | | 3 | | 10 | 8 | 12 | 7 | 5 | 10 | 50 | 3 | |
| 59 | Argentine Republic | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 59 |
| 60 | Brazil | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 60 |
| 61 | Chili | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 61 |
| 62 | Ecuador | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 62 |
| 63 | Guiana | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 63 |
| 64 | Peru | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 64 |
| 65 | United States of Colombia | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 65 |
| 66 | Venezuela | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 66 |
| 67 | South America, not specified | | | | | | | | | | | | | 67 |
| | Total South America | 11 | 8 | 7 | 20 | 25 | 67 | 63 | 54 | 77 | 73 | 137 | 42 | |
| 68 | Antigua | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 68 |
| 69 | Bahamas | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 69 |
| 70 | Barbadoes | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 70 |
| 71 | Cuba | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 71 |
| 72 | Curaçoa | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 72 |
| 73 | Guadeloupe | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 73 |
| 74 | Hayti | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 74 |
| 75 | Jamaica | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 75 |
| 76 | Martinique | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 76 |
| 77 | Nevis | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 77 |
| 78 | Porto Rico | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 78 |
| 79 | St. Croix | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 79 |
| 80 | St. Thomas | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 80 |
| 81 | Trinidad | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 81 |
| 82 | West Indies, not specified | | | | | | | | | | | | | 82 |
| | Total West Indies | 164 | 107 | 159 | 160 | 259 | 389 | 427 | 227 | 652 | 517 | 937 | 1,281 | |
| | Total America | 387 | 303 | 378 | 382 | 559 | 846 | 831 | 580 | 2,090 | 3,299 | 2,296 | 2,194 | |
| 83 | Azores | 3 | | | | | 1 | | 4 | 3 | 1 | 1 | | 83 |
| 84 | Bermuda | | | | | | | | | | | | | 84 |
| 85 | Canary Islands | 3 | | | 1 | 1 | 6 | 12 | | 5 | 243 | | | 85 |
| 86 | Cape Verde | | | 1 | 1 | | 1 | 1 | | | | | 1 | 86 |
| 87 | Madeira | | 1 | 5 | | | 1 | | 1 | 9 | 46 | 7 | 1 | 87 |
| 88 | St. Helena | | | | | | | | | | | | | 88 |
| | Total islands of the Atlantic | 6 | 1 | 6 | 2 | 1 | 9 | 13 | 5 | 17 | 290 | 8 | 2 | |
| 89 | Australia | | | 2 | | | | | | | | | | 89 |
| 90 | Hawaiian Islands | 1 | | | | | | | | | | | 1 | 90 |
| 91 | New Zealand | | | | | | | | | | | | | 91 |
| 92 | Society Islands | | | | | | | | | | | | | 92 |
| 93 | Pacific Islands, not specified | | | | | | | | | | | | | 93 |
| | Total islands of the Pacific | 1 | | 2 | | | | | | | | | 1 | |
| 94 | Greenland, Iceland, and Faroe Islands | | | | | | | | | | | | | 94 |
| 95 | Countries not stated | 294 | 2,886 | 2,106 | 1,954 | 2,386 | 799 | 241 | 1,566 | 537 | 6,405 | 13,799 | 7,394 | 95 |
| 96 | Born at sea | | | | | | | | | | | | | 96 |
| 97 | Picked up at sea | | | | | | | | | | | | | 97 |
| | Total all other countries | 294 | 2,886 | 2,106 | 1,954 | 2,386 | 799 | 241 | 1,566 | 537 | 6,405 | 13,799 | 7,394 | |

RECAPITULATION.

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Europe | 7,691 | 5,935 | 4,418 | 4,016 | 4,965 | 8,543 | 9,751 | 16,719 | 24,729 | 12,523 | 7,217 | 13,039 |
| Asia | 5 | | 1 | | 1 | 1 | 1 | 1 | 3 | 2 | | 1 |
| Africa | 1 | 2 | | | | 1 | | 4 | 6 | 1 | 2 | 2 |
| America | 387 | 303 | 378 | 382 | 559 | 846 | 831 | 580 | 2,090 | 3,299 | 2,296 | 2,194 |
| Islands of the Atlantic | 6 | 1 | 6 | 2 | 1 | 9 | 13 | 5 | 17 | 290 | 8 | 2 |
| Islands of the Pacific | 1 | | 2 | | | | | | | | | 1 |
| All other countries | 294 | 2,886 | 2,106 | 1,954 | 2,386 | 799 | 241 | 1,566 | 537 | 6,405 | 13,799 | 7,394 |
| Aggregate aliens b | 8,385 | 9,127 | 6,911 | 6,354 | 7,912 | 10,199 | 10,837 | 18,875 | 27,382 | 22,520 | 23,322 | 22,633 |

a Not stated.

b It has been estimated that about 98 per cent. of the total aliens arrived were immigrants.

*Number and nationalities of alien passengers arrived in the United States during each year from* 1820 *to* 1867, *and of immigrants only from* 1868 *to* 1886—Continued.

| | Countries. | Sept. 30, 1831, to Dec. 31, 1832. | 1833. | 1834. | 1835. | 1836. | 1837. | 1838. | 1839. | 1840. | 1841. | 1842. | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | England | 944 | 2,966 | 1,129 | 468 | 420 | 896 | 157 | 62 | 318 | 147 | 1,743 | 1 |
| 2 | Ireland | 12,436 | 8,648 | 24,474 | 20,927 | 30,578 | 28,508 | 12,645 | 23,963 | 39,430 | 37,772 | 51,342 | 2 |
| 3 | Scotland | 158 | 1,921 | 110 | 63 | 106 | 14 | 48 | | 21 | 35 | 24 | 3 |
| 4 | Wales | | 29 | 1 | 16 | 2 | 6 | | | | 55 | 38 | 4 |
| 5 | Great Britain, not specified | 4,229 | | 9,250 | 8,423 | 12,578 | 11,302 | 5,215 | 10,209 | 2,274 | 15,951 | 20,200 | 5 |
| | Total British Isles | 17,767 | 13,564 | 34,964 | 29,897 | 43,684 | 40,726 | 18,065 | 34,234 | 42,043 | 53,960 | 73,347 | |
| 6 | Austria | | | | | | | | | | | | 6 |
| 7 | Belgium | | | 3 | 1 | | | 14 | 1 | 2 | 106 | 44 | 7 |
| 8 | Denmark | 21 | 173 | 24 | 37 | 46 | 109 | 52 | 56 | 152 | 31 | 35 | 8 |
| 9 | France | 5,361 | 4,682 | 2,989 | 2,696 | 4,443 | 5,074 | 3,675 | 7,198 | 7,419 | 5,006 | 4,504 | 9 |
| 10 | Germany | 10,194 | 6,988 | 17,686 | 8,311 | 20,707 | 23,740 | 11,683 | 21,028 | 29,704 | 15,291 | 20,370 | 10 |
| 11 | Gibraltar | | | | | | | | | | | | 11 |
| 12 | Greece | 1 | 1 | | 7 | 28 | 5 | 4 | | 3 | | 1 | 12 |
| 13 | Hungary | | | | | | | | | | | | 13 |
| 14 | Italy (continental) | 2 | 1,093 | 103 | 56 | 107 | 36 | 82 | 76 | 28 | 166 | 93 | 14 |
| 15 | Italy (insular): Sardinia | | | 1 | | | | | 6 | | | 3 | 15 |
| 16 | Sicily | 1 | 6 | 1 | 4 | 8 | | 4 | 2 | 9 | 13 | 4 | 16 |
| | Islands of the Mediterrancan: | | | | | | | | | | | | |
| 17 | Corsica | 2 | | | | | | 1 | 2 | | | 1 | 17 |
| 18 | Crete | | | | | | | | | | | | 18 |
| 19 | Malta | | 5 | | | 2 | | | | | 66 | 1 | 19 |
| 20 | Netherlands | 205 | 39 | 87 | 124 | 301 | 312 | 27 | | 57 | 214 | 330 | 20 |
| 21 | Norway | 313 | 16 | 42 | 31 | 57 | 290 | 60 | 324 | 55 | 195 | 553 | 21 |
| 22 | Sweden | | | | | | | | | | | | 22 |
| 23 | Portugal | 5 | 633 | 44 | 29 | 29 | 34 | 24 | 19 | 12 | 7 | 15 | 23 |
| 24 | Roumania | | | | | | | | | | | | 24 |
| 25 | Russia | 52 | 159 | 15 | 9 | 2 | 19 | 13 | 7 | | 174 | 28 | 25 |
| 26 | Finland | | | | | | | | | | | | 26 |
| 27 | Poland | 34 | 1 | 54 | 54 | 53 | 81 | 41 | 46 | 5 | 15 | 10 | 27 |
| 28 | Spain | 106 | 516 | 107 | 183 | 180 | 230 | 202 | 428 | 136 | 215 | 122 | 28 |
| 29 | Switzerland | 129 | 634 | 1,389 | 548 | 445 | 383 | 123 | 607 | 500 | 751 | 483 | 29 |
| 30 | Turkey in Europe | | 1 | 1 | | 3 | | | 1 | 1 | 6 | 2 | 30 |
| | Total Europe, not British Isles | 16,426 | 15,547 | 22,546 | 12,090 | 26,781 | 30,313 | 16,005 | 29,914 | 38,083 | 22,256 | 26,599 | |
| | Total Europe | 34,193 | 29,111 | 57,510 | 41,987 | 70,465 | 71,039 | 34,070 | 64,148 | 80,126 | 76,216 | 99,946 | |
| 31 | Arabia | | | | | | | | | | | | 31 |
| 32 | Armenia | | | | | | | | | | | | 32 |
| 33 | Burmah | | | | | | | | | | | | 33 |
| 34 | China | | | | 8 | | | | | | 2 | 4 | 34 |
| 35 | India | 4 | 3 | 6 | 8 | 4 | 11 | 1 | | 1 | 1 | 2 | 35 |
| 36 | Japan | | | | | | | | | | | | 36 |
| 37 | Persia | | | | | | | | | | | 1 | 37 |
| 38 | Syria | | | | | | | | | | | | 38 |
| 39 | Asia, not specified | | | | 1 | | | | | | | | 39 |
| | Total Asia | 4 | 3 | 6 | 17 | 4 | 11 | 1 | | 1 | 3 | 7 | |
| 40 | Algeria | | | | | | | | | | | | 40 |
| 41 | Egypt | | | | | | | 4 | | | | | 41 |
| 42 | Liberia | | | | | | | | 8 | | | | 42 |
| 43 | Morocco | | | | | | | 4 | | | | | 43 |
| 44 | South Africa | | | | | | | | | | | | 44 |
| 45 | Africa, not specified | 2 | 1 | 1 | 14 | 6 | 2 | 2 | | 6 | 14 | 3 | 45 |
| | Total Africa | 2 | 1 | 1 | 14 | 6 | 2 | 10 | 8 | 6 | 14 | 3 | |
| 46 | Quebec and Ontario | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 46 |
| 47 | Manitoba | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 47 |
| 48 | Nova Scotia | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 48 |
| 49 | New Brunswick | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 49 |
| 50 | Prince Edward Island | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 50 |
| 51 | British Columbia | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 51 |
| 52 | Newfoundland and Labrador | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 52 |
| 53 | British North American provinces, not specified | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 53 |
| | Total British North American provinces | 698 | 1,194 | 1,020 | 1,193 | 2,814 | 1,279 | 1,476 | 1,926 | 1,938 | 1,816 | 2,078 | |
| 54 | Mexico | 827 | 779 | 885 | 1,032 | 798 | 627 | 211 | 353 | 395 | 352 | 403 | 54 |
| 55 | British Honduras | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 55 |
| 56 | Costa Rica | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 56 |
| 57 | Guatemala | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 57 |
| 58 | Central America, not specified | | | | | | | | | | | | 58 |
| | Total Central America | 6 | 18 | 9 | 4 | | 4 | | | | | 1 | |
| 59 | Argentine Republic | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 59 |
| 60 | Brazil | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 60 |
| 61 | Chili | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 61 |
| 62 | Ecuador | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 62 |
| 63 | Guiana | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 63 |
| 64 | Peru | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 64 |
| 65 | United States of Colombia | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 65 |
| 66 | Venezuela | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 66 |
| 67 | South America, not specified | | | | | | | | | | | | 67 |
| | Total South America | 174 | 27 | 74 | 145 | 146 | 91 | 72 | 49 | 36 | 219 | 102 | |

a Not stated.

*Number and nationalities of alien passengers arrived in the United States during each year from 1820 to 1867, and of immigrants only from 1868 to 1886—Continued.*

| | Countries. | From January 1 to September 30, 1843. | 1844. | 1845. | 1846. | 1847. | 1848. | 1849. | 1850. | From October 1 to December 31, 1850. | 1851. | 1852. | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 68 | Antigua | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 68 |
| 69 | Bahamas | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 69 |
| 70 | Barbadoes | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 70 |
| 71 | Cuba | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 71 |
| 72 | Curaçoa | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 72 |
| 73 | Guadeloupe | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 73 |
| 74 | Hayti | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 74 |
| 75 | Jamaica | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 75 |
| 76 | Martinique | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 76 |
| 77 | Nevis | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 77 |
| 78 | Porto Rico | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 78 |
| 79 | St. Croix | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 79 |
| 80 | St. Thomas | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 80 |
| 81 | Trinidad | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 81 |
| 82 | West Indies, not specified | | | | | | | | | | | | 82 |
| | Total West Indies | 880 | 771 | 1,241 | 1,351 | 1,251 | 1,338 | 1,073 | 2,903 | 268 | 1,929 | 1,232 | |
| | Total America | 2,854 | 3,740 | 5,035 | 5,525 | 5,231 | 7,989 | 8,904 | 13,730 | 2,038 | 9,703 | 7,695 | |
| 83 | Azores | 8 | 23 | 5 | 15 | 21 | 20 | 48 | 180 | | 103 | 178 | 83 |
| 84 | Bermuda | | | | | | | | | | | | 84 |
| 85 | Canary Islands | | | | | | | | | | | | 85 |
| 86 | Cape Verde | | 1 | 2 | | | | | | | | | 86 |
| 87 | Madeira | | | | | | | | | | | | 87 |
| 88 | St. Helena | | | | 3 | 3 | | | | | 8 | | 88 |
| | | | | | | | | | | | 2 | 4 | |
| | Total islands of the Atlantic | 8 | 24 | 7 | 18 | 24 | 20 | 48 | 180 | | 113 | 182 | |
| 89 | Australia | | | | | | | | | | | | 89 |
| 90 | Hawaiian Islands | 4 | | | | 1 | 3 | | 17 | | | | 90 |
| 91 | New Zealand | | | | | | | | | | | | 91 |
| 92 | Society Islands | 1 | | | | | | | | | | | 92 |
| 93 | Pacific islands, not specified | | | | | | | | | | | | 93 |
| | Total islands of the Pacific | 5 | | | | 1 | 3 | | 17 | | | | |
| 94 | Greenland, Iceland, and Faroe Islands | | | | | | | | | | | | 94 |
| 95 | Countries not stated | 599 | 86 | 18 | 2,546 | 583 | 472 | 1,557 | 45,131 | 554 | 135 | 1,238 | 95 |
| 96 | Born at sea | | | | | | | | | | | | 96 |
| 97 | Picked up at sea | | | | | | | | | | | | 97 |
| | Total all other countries | 599 | 86 | 18 | 2,546 | 583 | 472 | 1,557 | 45,131 | 554 | 135 | 1,238 | |

RECAPITULATION.

| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Europe | 49,013 | 74,745 | 109,301 | 146,315 | 220,117 | 218,025 | 286,501 | 250,939 | 57,384 | 369,510 | 362,484 | 1 |
| 2 | Asia | 11 | 6 | 6 | 11 | 12 | 8 | 11 | 7 | | 2 | 4 | 2 |
| 3 | Africa | 6 | 14 | 4 | 1 | | 10 | 3 | | | 3 | | 3 |
| 4 | America | 2,854 | 3,740 | 5,035 | 5,525 | 5,231 | 7,989 | 8,904 | 13,730 | 2,038 | 9,703 | 7,695 | 4 |
| 5 | Islands of the Atlantic | 8 | 24 | 7 | 18 | 24 | 20 | 48 | 180 | | 113 | 182 | 5 |
| 6 | Islands of the Pacific | 5 | | | | 1 | 3 | | 17 | | | | 6 |
| 7 | All other countries | 599 | 86 | 18 | 2,546 | 583 | 472 | 1,557 | 45,131 | 554 | 135 | 1,238 | 7 |
| | Aggregate aliens b | 52,496 | 78,615 | 114,371 | 154,416 | 234,968 | 226,527 | 297,024 | 310,004 | 59,976 | 379,466 | 371,603 | |

a Not stated. b It has been estimated that about 98 per cent. of the total aliens arrived were immigrants.

*Number and nationalities of alien passengers arrived in the United States during each year from 1820 to 1867, and of immigrants only from 1868 to 1886—Continued.*

| | Countries. | 1853. | 1854. | 1855. | 1856. | 1857. | 1858. | 1859. | 1860. | 1861. | 1862. | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | England | 28,867 | 43,901 | 38,871 | 25,904 | 27,804 | 14,638 | 13,826 | 13,001 | 8,970 | 10,947 | 1 |
| 2 | Ireland | 162,649 | 101,606 | 49,627 | 54,349 | 54,351 | 26,873 | 35,216 | 48,637 | 23,797 | 23,351 | 2 |
| 3 | Scotland | 6,006 | 4,605 | 5,275 | 3,297 | 4,182 | 1,946 | 2,293 | 1,613 | 767 | 657 | 3 |
| 4 | Wales | 222 | 816 | 1,176 | 1,126 | 769 | 316 | 332 | 610 | 401 | 536 | 4 |
| 5 | Great Britain, not specified | 2,481 | 4,325 | 2,250 | 14,331 | 25,724 | 12,056 | 9,712 | 14,513 | 9,477 | 12,499 | 5 |
| | Total British Isles | 200,225 | 160,253 | 97,199 | 99,007 | 112,840 | 55,829 | 61,379 | 78,374 | 43,472 | 47,990 | |
| 6 | Austria | | | | | | | | | 49 | 94 | 6 |
| 7 | Belgium | 87 | 266 | 1,506 | 1,982 | 627 | 184 | 25 | 53 | 153 | 169 | 7 |
| 8 | Denmark | 32 | 691 | 528 | 173 | 1,635 | 232 | 499 | 542 | 234 | 1,658 | 8 |
| 9 | France | 10,770 | 13,517 | 6,044 | 7,246 | 2,397 | 3,155 | 2,579 | 3,961 | 2,326 | 3,142 | 9 |
| 10 | Germany | 141,946 | 215,009 | 71,918 | 71,028 | 91,781 | 45,310 | 41,784 | 54,491 | 31,661 | 27,529 | 10 |
| 11 | Gibraltar | | | | | | | | | | | 11 |
| 12 | Greece | 12 | 1 | | 2 | 4 | | 1 | 1 | 1 | 5 | 12 |
| 13 | Hungary | | | | | | | | | 2 | 17 | 13 |
| 14 | Italy (continental) | 267 | 984 | 1,024 | 962 | 632 | 889 | 764 | 770 | 764 | 541 | 14 |
| 15 | Italy (insular): Sardinia | 232 | 219 | 5 | 380 | 343 | 257 | 159 | 185 | 47 | 25 | 15 |
| 16 | Sicily | 56 | 60 | 23 | 23 | 32 | 94 | 9 | 64 | | | 16 |
| | Islands of the Mediterranean: | | | | | | | | | | | |
| 17 | Corsica | | | | | | | | | | | 17 |
| 18 | Crete | | | | | | | | | | | 18 |
| 19 | Malta | | 2 | | | | 2 | | 1 | 3 | | 19 |
| 20 | Netherlands | 600 | 1,534 | 2,588 | 1,395 | 1,775 | 185 | 290 | 351 | 283 | 432 | 20 |
| 21 | Norway | 3,364 | 3,531 | 821 | 436 | 1,712 | 2,430 | 1,091 | 298 | 28 | 66 | 21 |
| 22 | Sweden | | | | 721 | | | | | 588 | 826 | 22 |
| 23 | Portugal | 95 | 72 | 205 | 128 | 92 | 177 | 46 | 122 | 47 | 72 | 23 |
| 24 | Roumania | | | | | | | | | | | 24 |
| 25 | Russia | 3 | 2 | 13 | 9 | 25 | 246 | 91 | 65 | 33 | 79 | 25 |
| 26 | Finland | | | | | | | | | 1 | | 26 |
| 27 | Poland | 33 | 208 | 462 | 20 | 124 | 9 | 106 | 82 | 48 | 63 | 27 |

*Number and nationalities of alien passengers arrived in the United States during each year from* 1820 *to* 1867, *and of immigrants only from* 1868 *to* 1886—Continued.

| | Countries. | 1853. | 1854. | 1855. | 1856. | 1857. | 1858. | 1859. | 1860. | 1861. | 1862. | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 28 | Spain | 1,091 | 1,433 | 951 | 786 | 714 | 1,282 | 1,283 | 932 | 448 | 348 | 28 |
| 29 | Switzerland | 2,748 | 7,953 | 4,433 | 1,780 | 2,080 | 1,656 | 833 | 913 | 1,007 | 643 | 29 |
| 30 | Turkey in Europe | 15 | 7 | 9 | 5 | 11 | 17 | 10 | 1 | 5 | 11 | 30 |
| | Total Europe, not British Isles | 161,351 | 245,289 | 90,530 | 87,076 | 103,384 | 55,525 | 49,570 | 62,832 | 37,728 | 35,720 | |
| | Total Europe | 361,576 | 405,542 | 187,729 | 186,083 | 216,224 | 111,354 | 110,949 | 141,206 | 81,200 | 83,710 | |
| 31 | Arabia | | | | | | | | | 2 | 2 | 31 |
| 32 | Armenia | | | | | | | | | | | 32 |
| 33 | Burmah | | | | | | | | | | | 33 |
| 34 | China | 42 | 13,100 | 3,526 | 4,733 | 5,944 | 5,128 | 3,457 | 5,467 | 7,518 | 3,633 | 34 |
| 35 | India | 5 | | 6 | 13 | 1 | 5 | 2 | 5 | 6 | 5 | 35 |
| 36 | Japan | | | | | | | | | 1 | | 36 |
| 37 | Persia | | | | | | | | 1 | 1 | | 37 |
| 38 | Syria | | | | | | | | | | | 38 |
| 39 | Asia, not specified | | | 8 | 1 | | | 2 | 6 | | | 39 |
| | Total Asia | 47 | 13,100 | 3,540 | 4,747 | 5,945 | 5,133 | 3,461 | 5,479 | 7,526 | 9,638 | |
| 40 | Algeria | | | | | | | | | | | 40 |
| 41 | Egypt | | | | 1 | | 2 | 2 | | | | 41 |
| 42 | Liberia | | | | | 2 | 4 | 1 | 12 | 6 | | 42 |
| 43 | Morocco | | | | | | | | | | | 43 |
| 44 | South Africa | | | | | | | | 13 | 8 | | 44 |
| 45 | Africa, not specified | 8 | | 14 | 5 | 23 | 11 | 8 | 101 | 33 | 12 | 45 |
| | Total Africa | 8 | | 14 | 6 | 25 | 17 | 11 | 126 | 47 | 12 | |
| 46 | Quebec and Ontario | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 434 | 1,017 | 46 |
| 47 | Manitoba | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | | | 47 |
| 48 | Nova Scotia | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 1,497 | 1,887 | 48 |
| 49 | New Brunswick | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 18 | 26 | 49 |
| 50 | Prince Edward Island | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 11 | 50 | 50 |
| 51 | British Columbia | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | | | 51 |
| 52 | Newfoundland and Labrador | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 33 | 213 | 52 |
| 53 | British North American provinces, not specified | | | | | | | | | 86 | 82 | 53 |
| | Total British North American provinces | 5,424 | 6,891 | 7,761 | 6,493 | 5,670 | 4,603 | 4,163 | 4,514 | 2,069 | 3,275 | |
| 54 | Mexico | 162 | 446 | 420 | 741 | 133 | 429 | 265 | 229 | 218 | 142 | 54 |
| 55 | British Honduras | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 7 | | 55 |
| 56 | Costa Rica | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 2 | | 56 |
| 57 | Guatemala | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | | | 57 |
| 58 | Central America, not specified | | | | | | | | | 12 | 27 | 58 |
| | Total Central America | | 24 | 1 | 303 | 2 | 11 | 4 | 8 | 21 | 27 | |
| 59 | Argentine Republic | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 3 | | 59 |
| 60 | Brazil | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 9 | 1 | 60 |
| 61 | Chili | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 8 | 2 | 61 |
| 62 | Ecuador | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | | | 62 |
| 63 | Guiana | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 12 | 6 | 63 |
| 64 | Peru | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 13 | 5 | 64 |
| 65 | United States of Colombia | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | | | 65 |
| 66 | Venezuela | (a) | (a) | (a) | (a) | (a) | (a) | (a) | (a) | 11 | | 66 |
| 67 | South America, not specified | | | | | | | | | 41 | 132 | 67 |
| | Total South America | 38 | 136 | 191 | 184 | 83 | 131 | 155 | 208 | 97 | 146 | |

RECAPITULATION.

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Europe | 361,576 | 405,542 | 187,729 | 186,083 | 216,224 | 111,354 | 110,949 | 141,206 | 81,200 | 83,710 | 1 |
| 2 | Asia | 47 | 13,100 | 3,540 | 4,747 | 5,945 | 5,133 | 3,461 | 5,479 | 7,526 | 3,638 | 2 |
| 3 | Africa | 8 | | 14 | 6 | 25 | 17 | 11 | 126 | 47 | 12 | 3 |
| 4 | America | 6,039 | 8,533 | 9,260 | 9,058 | 6,811 | 5,821 | 5,468 | 6,343 | 2,763 | 4,175 | 4 |
| 5 | Islands of the Atlantic | 264 | 271 | 177 | 360 | 679 | 303 | 418 | 323 | 287 | 161 | 5 |
| 6 | Islands of the Pacific | | 31 | 12 | 10 | 12 | 36 | 48 | 9 | 21 | 34 | 6 |
| 7 | All other countries | 720 | 356 | 145 | 172 | 21,610 | 462 | 929 | 154 | 74 | 255 | 7 |
| | Aggregate aliens *b* | 368,645 | 427,833 | 200,877 | 200,436 | 251,306 | 123,126 | 121,282 | 153,640 | 91,918 | 91,985 | 8 |
| 8 | Less aliens not intending to reside in United States | | | | 4,179 | 3,937 | 3,371 | 2,459 | 3,181 | 2,098 | 2,819 | 9 |
| 9 | Less died on the voyage | | | | 400 | 424 | 254 | 207 | 222 | 98 | 161 | |
| | Total immigrants | | | | 195,857 | 246,945 | 119,501 | 118,616 | 150,237 | 89,722 | 89,005 | |

*a* Not stated. *b* It has been estimated that about 98 per cent. of the total aliens arrived were immigrants.

*Number and nationalities of alien passengers arrived in the United States during each year from* 1820 *to* 1867, *and of immigrants only from* 1868 *to* 1886—Continued.

| | Countries. | 1863. | 1864. | 1865. | 1866. | 1867. | 1868. | 1869. | 1870. | 1871. | 1872. | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | England | 24,065 | 26,096 | 15,038 | 3,559 | 36,972 | 11,107 | 55,046 | 59,488 | 61,174 | 72,810 | 1 |
| 2 | Ireland | 55,916 | 63,523 | 29,772 | 36,690 | 72,879 | 42,747 | 51,290 | 56,628 | 61,463 | 69,761 | 2 |
| 3 | Scotland | 1,940 | 3,476 | 3,037 | 1,638 | 7,582 | 1,949 | 12,415 | 11,829 | 12,135 | 14,565 | 3 |
| 4 | Wales | 705 | 628 | 146 | 23 | 143 | 163 | 1,225 | 672 | 1,348 | 755 | 4 |
| 5 | Great Britain, not specified | 40,172 | 23,228 | 64,244 | 90,304 | 7,944 | 51,677 | 27,740 | 22,481 | 7,817 | 14 | 5 |
| | Total British Isles | 122,798 | 116,951 | 112,237 | 131,614 | 125,520 | 107,583 | 147,716 | 151,089 | 143,937 | 157,905 | |
| 6 | Austria | 57 | 190 | 100 | 48 | 667 | 387 | 2,523 | 5,283 | 4,770 | 5,100 | 6 |
| 7 | Belgium | 301 | 389 | 741 | 1,254 | 730 | 1,578 | 1,003 | 1,039 | 158 | 964 | 7 |
| 8 | Denmark | 1,492 | 712 | 1,149 | 1,892 | 1,436 | 2,019 | 4,282 | 3,041 | 2,346 | 3,758 | 8 |
| 9 | France | 1,838 | 3,128 | 3,583 | 6,855 | 5,237 | 3,936 | 4,118 | 3,585 | 5,780 | 13,782 | 9 |

*Number and nationalities of alien passengers arrived in the United States during each year from* 1820 *to* 1867, *and of immigrants only from* 1868 *to* 1886—Continued.

| | Countries. | 1863. | 1864. | 1865. | 1866. | 1867. | 1868. | 1869. | 1870. | 1871. | 1872. | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 10 | Germany | 33,162 | 57,276 | 83,424 | 115,892 | 133,426 | 123,070 | 124,788 | 91,779 | 107,201 | 155,595 | 10 |
| 11 | Gibraltar | | | | | | | | 1 | 4 | 3 | 11 |
| 12 | Greece | 4 | 5 | 7 | 10 | 10 | 8 | 17 | 15 | 10 | 18 | 12 |
| 13 | Hungary | 28 | 40 | 322 | 45 | 25 | 8 | | 1 | 119 | 1,032 | 13 |
| 14 | Italy (continental) | 537 | 597 | 919 | 1,287 | 1,612 | 1,402 | 2,182 | 2,940 | 2,927 | 7,239 | 14 |
| 15 | Italy (insular): Sardinia | 1 | | | | | | | | 2 | 1 | 15 |
| 16 | Sicily | 9 | 3 | 5 | 95 | 12 | 4 | | | 11 | 81 | 16 |
| | Islands of the Mediterranean: | | | | | | | | | | | |
| 17 | Corsica | | | | | | | | 3 | | | 17 |
| 18 | Crete | | | | | | | | | | | 18 |
| 19 | Malta | | | 2 | 3 | | | | | 8 | 1 | 19 |
| 20 | Netherlands | 416 | 708 | 779 | 1,716 | 2,223 | 652 | 1,309 | 970 | 1,122 | 2,006 | 20 |
| 21 | Norway | 227 | 70 | 3,258 | 7,849 | 1,739 | 6,461 | 17,718 | 12,356 | 11,307 | 10,348 | 21 |
| 22 | Sweden | 1,400 | 2,179 | 2,851 | 4,784 | 5,316 | 13,958 | 24,115 | 12,009 | 11,659 | 14,645 | 22 |
| 23 | Portugal | 86 | 240 | 365 | 344 | 126 | 245 | 265 | 291 | 59 | 370 | 23 |
| 24 | Roumania | | | | | | | | | | | 24 |
| 25 | Russia | 77 | 256 | 181 | 287 | 205 | 204 | 589 | 766 | 1,005 | 1,311 | 25 |
| 26 | Finland | | | 2 | | | | | | 24 | 71 | 26 |
| 27 | Poland | 94 | 165 | 528 | 412 | 310 | 248 | 87 | 424 | 832 | 2,606 | 27 |
| 28 | Spain | 500 | 917 | 692 | 718 | 904 | 816 | 1,112 | 511 | 618 | 558 | 28 |
| 29 | Switzerland | 690 | 1,396 | 2,889 | 3,823 | 4,168 | 3,261 | 3,488 | 2,474 | 2,824 | 4,031 | 29 |
| 30 | Turkey in Europe | 16 | 11 | 14 | 18 | 26 | 13 | 10 | 13 | 21 | 34 | 30 |
| | Total Europe, not British Isles | 40,935 | 68,282 | 101,811 | 147,302 | 158,231 | 158,270 | 187,648 | 137,502 | 152,817 | 223,554 | |
| | Total Europe | 163,733 | 185,233 | 214,048 | 278,916 | 283,751 | 265,853 | 335,364 | 288,591 | 296,754 | 381,459 | |
| 31 | Arabia | | 1 | | | 28 | | | 1 | | 1 | 31 |
| 32 | Armenia | | | | | | | | | | | 32 |
| 33 | Burmah | | | | | | | | | | 6 | 33 |
| 34 | China | 7,214 | 2,975 | 2,942 | 2,385 | 3,863 | 10,684 | 14,902 | 11,943 | 6,030 | 10,642 | 34 |
| 35 | India | | 6 | 5 | 17 | 2 | 1 | 2 | 32 | 13 | 10 | 35 |
| 36 | Japan | | | | 7 | 67 | 14 | 96 | 74 | 25 | 15 | 36 |
| 37 | Persia | 1 | | | | 1 | | | 4 | | | 37 |
| 38 | Syria | | | | 2 | | 2 | | | 2 | 3 | 38 |
| 39 | Asia, not specified | | | | | | | | 4 | 1 | 11 | 39 |
| | Total Asia | 7,216 | 2,982 | 2,947 | 2,411 | 3,961 | 10,701 | 15,000 | 12,058 | 6,071 | 10,688 | |
| 40 | Algeria | | | | | | | | | | 5 | 40 |
| 41 | Egypt | | | | 4 | | 4 | | 3 | 3 | 3 | 41 |
| 42 | Liberia | 1 | | 10 | | | 14 | | | 8 | 13 | 42 |
| 43 | Morocco | | | | | | | | | 9 | 1 | 43 |
| 44 | South Africa | | 21 | 2 | | | 34 | 12 | 9 | 3 | 8 | 44 |
| 45 | Africa, not specified | 2 | 16 | 37 | 29 | 25 | 11 | 19 | 12 | 2 | 10 | 45 |
| | Total Africa | 3 | 37 | 49 | 33 | 25 | 63 | 31 | 24 | 25 | 40 | |
| 46 | Quebec and Ontario | 252 | 150 | 17,427 | 24,982 | 18,965 | (a) | (a) | (a) | 19,509 | 33,103 | 46 |
| 47 | Manitoba | | | | | | (a) | (a) | (a) | | | 47 |
| 48 | Nova Scotia | 2,724 | 2,719 | 3,091 | 1,232 | 2,171 | (a) | (a) | (a) | 11,396 | 4,943 | 48 |
| 49 | New Brunswick | 56 | 112 | 81 | 14 | 46 | (a) | (a) | (a) | 5,771 | 668 | 49 |
| 50 | Prince Edward Island | 84 | 197 | 432 | 87 | 289 | (a) | (a) | (a) | } 2,863 | { 789 | 50 |
| 51 | British Columbia | | | | | | (a) | (a) | (a) | } | { 296 | 51 |
| 52 | Newfoundland and Labrador | 198 | 268 | 308 | 84 | 203 | (a) | (a) | (a) | 369 | 489 | 52 |
| 53 | British North American provinces, not specified | 150 | 190 | 247 | 5,701 | 1,704 | | | | 21 | | 53 |
| | Total British North American provinces | 3,464 | 3,636 | 21,586 | 32,150 | 23,378 | 10,894 | 30,921 | 53,340 | 39,929 | 40,288 | |
| 54 | Mexico | 96 | 99 | 193 | 239 | 292 | 275 | 371 | 461 | 493 | 604 | 54 |
| 55 | British Honduras | | 1 | | 1 | (a) | (a) | (a) | (a) | | | 55 |
| 56 | Costa Rica | | | | | (a) | (a) | (a) | (a) | | | 56 |
| 57 | Guatemala | | 1 | | | (a) | (a) | (a) | (a) | | | 57 |
| 58 | Central America, not specified | 2 | | | 3 | 4 | 3 | 8 | 25 | 10 | 13 | 58 |
| | Total Central America | 2 | 2 | | 4 | 4 | 3 | 8 | 25 | 10 | 13 | |
| 59 | Argentine Republic | | | | 4 | | | | 3 | 23 | 5 | 59 |
| 60 | Brazil | | | | 1 | 3 | 8 | 18 | 14 | 17 | 27 | 60 |
| 61 | Chili | 1 | 1 | 12 | | | 1 | 1 | 4 | 7 | 6 | 61 |
| 62 | Ecuador | | | | | | | | | 1 | 1 | 62 |
| 63 | Guiana | | | | 12 | 8 | 3 | 2 | 12 | 12 | 20 | 63 |
| 64 | Peru | 4 | 1 | | 4 | 7 | 2 | | 5 | 18 | 17 | 64 |
| 65 | United States of Colombia | | 1 | | | | | 1 | 8 | 1 | 34 | 65 |
| 66 | Venezuela | | 9 | 4 | | 7 | 5 | 2 | 9 | 25 | 8 | 66 |
| 67 | South America, not specified | 89 | 140 | 132 | 273 | 199 | 126 | 35 | 29 | 6 | 5 | 67 |
| | Total South America | 94 | 152 | 148 | 294 | 224 | 145 | 59 | 84 | 110 | 123 | |
| 68 | Antigua | | | | | | | | | | 1 | 68 |
| 69 | Bahamas | 51 | 193 | 194 | 96 | | | 8 | 110 | 386 | 369 | 69 |
| 70 | Barbadoes | | 8 | 8 | | | | 7 | 23 | 46 | 11 | 70 |
| 71 | Cuba | 149 | 98 | 326 | 299 | 333 | 392 | 2,627 | 642 | 693 | 776 | 71 |
| 72 | Curaçoa | | | | | | | | | | | 72 |
| 73 | Guadeloupe | | | | | | | | | 1 | 2 | 73 |
| 74 | Hayti | 5 | 3 | 7 | 6 | 6 | 7 | 5 | 18 | 14 | 21 | 74 |
| 75 | Jamaica | | | 6 | 5 | 2 | 46 | 2 | 16 | 10 | 37 | 75 |
| 76 | Martinique | | | | | | | | | 1 | 3 | 76 |
| 77 | Nevis | | | | | | | | | | | 77 |
| 78 | Porto Rico | | | 6 | 9 | 7 | 10 | 1 | 15 | 31 | 36 | 78 |
| 79 | St. Croix | | | 1 | | | | | 20 | 23 | 22 | 79 |
| 80 | St. Thomas | | | | | | | | | 5 | 3 | 80 |
| 81 | Trinidad | | | | 4 | | | | | 2 | 1 | 81 |
| 82 | West Indies, not specified | 286 | 416 | 303 | 476 | 469 | 403 | 366 | 265 | 16 | 19 | 82 |
| | Total West Indies | 491 | 718 | 851 | 895 | 817 | 858 | 3,016 | 1,109 | 1,228 | 1,301 | |
| | Total America | 4,147 | 4,607 | 22,778 | 33,582 | 24,715 | 12,175 | 34,375 | 55,019 | 41,770 | 42,329 | |
| 83 | Azores | 227 | 460 | 530 | 349 | 342 | 307 | 419 | 560 | 785 | 1,120 | 83 |
| 84 | Bermuda | | 3 | 17 | 5 | 4 | | 3 | 5 | 102 | 10 | 84 |
| 85 | Canary Islands | | 1 | | | 1 | | | | | 5 | 85 |
| 86 | Cape Verde | | | | 1 | 40 | | | 1 | 3 | 6 | 86 |

a Not stated.

*Number and nationalities of alien passengers arrived in the United States during each year from* 1820 *to* 1867, *and of immigrants only from* 1868 *to* 1886—Continued.

| | Countries. | 1863. | 1864. | 1865. | 1866. | 1867. | 1868. | 1869. | 1870. | 1871. | 1872. | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 87 | Madeira | ..... | ..... | 2 | 1 | 3 | 3 | ..... | ..... | 2 | 2 | 87 |
| 88 | St. Helena | ..... | 2 | 4 | 2 | 1 | ..... | ..... | 7 | 24 | 25 | 88 |
| | Total islands of the Atlantic | 227 | 466 | 553 | 358 | 391 | 310 | 452 | 573 | 916 | 1,168 | |
| 89 | Australia | 17 | ..... | 35 | 12 | 1 | 1 | 33 | 9 | 1,109 | 1,669 | 89 |
| 90 | Hawaiian Islands | 12 | 5 | 36 | ..... | ..... | ..... | ..... | ..... | 145 | 224 | 90 |
| 91 | New Zealand | ..... | 1 | 2 | 1 | ..... | ..... | ..... | 11 | 3 | 3 | 91 |
| 92 | Society Islands | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 30 | 17 | 92 |
| 93 | Pacific Islands, not specified | ..... | ..... | ..... | 1 | ..... | ..... | ..... | 3 | 1 | ..... | 93 |
| | Total islands of the Pacific | 29 | 6 | 73 | 14 | 1 | 1 | 33 | 23 | 1,288 | 1,913 | |
| 94 | Greenland, Iceland, and Faroe Islands | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 94 |
| 95 | Countries not stated | 927 | 86 | 7,671 | 3,254 | 2,877 | 41 | 32 | 9 | 37 | 20 | 95 |
| 96 | Born at sea | ..... | 1 | 1 | ..... | 1 | 1 | ..... | 6 | 77 | 133 | 96 |
| 97 | Picked up at sea | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 97 |
| | Total all other countries | 927 | 87 | 7,672 | 3,254 | 2,878 | 42 | 32 | 15 | 114 | 153 | |

RECAPITULATION.

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Europe | 163,733 | 185,233 | 214,048 | 278,916 | 283,751 | 265,853 | 335,364 | 288,591 | 296,754 | 381,459 | 1 |
| 2 | Asia | 7,216 | 2,982 | 2,947 | 2,411 | 3,961 | 10,701 | 15,000 | 12,058 | 6,071 | 10,688 | 2 |
| 3 | Africa | 3 | 37 | 49 | 33 | 25 | 63 | 31 | 24 | 25 | 40 | 3 |
| 4 | America | 4,147 | 4,607 | 22,778 | 33,582 | 24,715 | 12,175 | 34,375 | 55,019 | 41,770 | 42,329 | 4 |
| 5 | Islands of the Atlantic | 227 | 466 | 553 | 358 | 391 | 310 | 452 | 573 | 916 | 1,168 | 5 |
| 6 | Islands of the Pacific | 29 | 6 | 73 | 14 | 1 | 1 | 33 | 23 | 1,288 | 1,913 | 6 |
| 7 | All other countries | 927 | 87 | 7,672 | 3,254 | 2,878 | 42 | 32 | 15 | 114 | 153 | 7 |
| | Aggregate aliens | 176,282 | 193,418 | 248,120 | 318,568 | 315,722 | ..... | ..... | ..... | ..... | ..... | |
| 8 | Less aliens not intending to reside in the United States | 1,690 | 221 | 658 | 3,651 | 4,757 | ..... | ..... | ..... | ..... | ..... | 8 |
| 9 | Less died on the voyage | 68 | 2 | 9 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 9 |
| | Total immigrants | 174,524 | 193,195 | 247,453 | 314,917 | 310,965 | 289,145 | 385,287 | 356,303 | 346,938 | 437,750 | |

*Number and nationalities of immigrants arrived in the United States during each year ending December* 31, *from* 1873 *to* 1886, *inclusive.*

| | Countries. | 1873. | 1874. | 1875. | 1876. | 1877. | 1878. | 1879. | 1880. | 1881. | 1882. | 1883. | 1884. | 1885. | 1886. | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | England | 69,600 | 43,396 | 30,040 | 21,051 | 18,122 | 19,581 | 40,997 | 64,190 | 76,547 | 70,893 | 61,432 | 53,270 | 44,710 | 58,422 | 1 |
| 2 | Ireland | 75,848 | 47,688 | 29,969 | 16,506 | 13,791 | 17,113 | 27,651 | 84,799 | 70,909 | 72,937 | 83,654 | 58,589 | 49,795 | 52,912 | 2 |
| 3 | Scotland | 13,008 | 8,765 | 5,739 | 4,383 | 3,408 | 3,709 | 8,728 | 14,495 | 16,451 | 15,957 | 10,839 | 8,791 | 10,174 | 13,916 | 3 |
| 4 | Wales | 868 | 558 | 419 | 294 | 232 | 311 | 1,046 | 948 | 1,316 | 1,633 | 1,439 | 1,011 | 931 | 1,343 | 4 |
| 5 | Great Britain, not specified | 31 | 15 | 12 | 9 | 1 | 1 | 2 | 6 | 7 | 8 | 6 | 95 | 2 | 8 | 5 |
| | Total British Isles | 159,355 | 100,422 | 66,179 | 42,243 | 35,554 | 40,706 | 78,424 | 164,438 | 165,230 | 161,428 | 157,351 | 121,756 | 105,610 | 126,601 | |
| 6 | Austria | 6,943 | 6,891 | 6,039 | 6,047 | 4,376 | 4,881 | 6,259 | 18,252 | 21,437 | 18,315 | 17,928 | 20,688 | 16,456 | 22,066 | 6 |
| 7 | Belgium | 1,306 | 705 | 623 | 454 | 367 | 454 | 753 | 1,484 | 1,939 | 1,129 | 1,673 | 1,722 | 1,363 | 1,641 | 7 |
| 8 | Denmark | 5,095 | 3,188 | 1,951 | 1,624 | 1,617 | 2,688 | 3,532 | 8,778 | 8,551 | 12,769 | 9,747 | 7,633 | 5,870 | 6,634 | 8 |
| 9 | France | 10,813 | 8,741 | 8,607 | 6,723 | 5,127 | 4,658 | 4,121 | 4,939 | 5,653 | 5,560 | 4,016 | 3,690 | 3,138 | 4,085 | 9 |
| 10 | Germany | 133,141 | 56,927 | 36,565 | 31,323 | 27,417 | 31,958 | 43,531 | 134,040 | 249,572 | 232,269 | 184,389 | 155,529 | 107,668 | 86,301 | 10 |
| 11 | Gibraltar | 8 | 5 | 4 | 16 | 1 | ..... | 2 | 17 | 4 | 4 | 7 | ..... | 7 | 11 | 11 |
| 12 | Greece | 37 | 20 | 27 | 24 | 18 | 13 | 23 | 22 | 17 | 177 | 25 | 56 | 171 | 106 | 12 |
| 13 | Hungary | 892 | 852 | 747 | 475 | 540 | 632 | 1,518 | 6,668 | 6,756 | 11,602 | 12,308 | 10,708 | 9,181 | 18,110 | 13 |
| 14 | Italy (continental) | 7,473 | 5,787 | 3,315 | 2,862 | 3,610 | 5,163 | 9,027 | 12,756 | 20,101 | 29,349 | 29,512 | 14,441 | 15,480 | 30,472 | 14 |
| 15 | Italy (insular): Sardinia | ..... | 8 | ..... | 1 | 1 | ..... | ..... | ..... | ..... | 75 | ..... | ..... | ..... | ..... | 15 |
| 16 | Sicily | 34 | 72 | 29 | 116 | 48 | 226 | 14 | 25 | 2 | 13 | 25 | 52 | 5 | 93 | 16 |
| | Islands of the Mediterranean: | | | | | | | | | | | | | | | |
| 17 | Corsica | ..... | 1 | 1 | 1 | ..... | ..... | 1 | ..... | 1 | ..... | ..... | 2 | ..... | ..... | 17 |
| 18 | Crete | ..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 18 |
| 19 | Malta | 4 | 10 | 5 | 2 | 7 | 1 | 2 | 1 | 4 | ..... | ..... | 4 | 8 | 1 | 19 |
| 20 | Netherlands | 4,640 | 1,532 | 1,073 | 709 | 872 | 652 | 1,199 | 3,730 | 10,812 | 7,830 | 4,926 | 3,731 | 2,499 | 2,667 | 20 |
| 21 | Norway | 18,107 | 6,581 | 4,465 | 6,031 | 4,333 | 5,216 | 9,488 | 23,054 | 26,967 | 27,197 | 21,295 | 13,906 | 11,692 | 13,859 | 21 |
| 22 | Sweden | 14,351 | 4,336 | 6,031 | 5,204 | 4,774 | 6,176 | 16,659 | 46,723 | 55,892 | 60,413 | 32,596 | 24,017 | 21,508 | 32,222 | 22 |
| 23 | Portugal | 34 | 52 | 1,212 | 816 | 552 | 648 | 576 | 161 | 59 | 89 | 650 | 186 | 593 | 71 | 23 |
| 24 | Roumania | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 15 | 55 | 81 | 116 | 781 | 301 | 2,204 | 24 |
| 25 | Russia | 3,490 | 7,447 | 4,369 | 6,787 | 3,370 | 4,216 | 3,784 | 5,278 | 8,193 | 17,497 | 6,907 | 15,122 | 16,517 | 25,980 | 25 |
| 26 | Finland | 113 | 4 | 23 | 21 | 8 | 22 | 19 | 247 | 320 | 708 | 1,107 | 407 | 434 | 840 | 26 |
| 27 | Poland | 2,863 | 1,449 | 707 | 854 | 320 | 554 | 876 | 2,488 | 6,283 | 4,246 | 2,151 | 4,369 | 3,101 | 6,356 | 27 |
| 28 | Spain | 486 | 571 | 529 | 597 | 542 | 432 | 534 | 420 | 405 | 328 | 245 | 334 | 319 | 452 | 28 |
| 29 | Switzerland | 3,223 | 2,436 | 1,641 | 1,572 | 1,512 | 2,051 | 3,834 | 8,498 | 11,628 | 11,839 | 11,433 | 8,215 | 5,126 | 4,518 | 29 |
| 30 | Turkey in Europe | 78 | 21 | 36 | 46 | 25 | 23 | 34 | 62 | 50 | 118 | 80 | 187 | 155 | 178 | 30 |
| | Total Europe, not British Isles | 210,131 | 107,637 | 77,999 | 72,305 | 59,237 | 70,676 | 105,787 | 277,658 | 435,101 | 441,658 | 341,136 | 285,850 | 221,592 | 258,847 | |
| | Total Europe | 369,486 | 208,059 | 144,178 | 114,548 | 94,791 | 111,382 | 184,211 | 442,096 | 600,331 | 603,086 | 498,497 | 407,606 | 327,202 | 385,448 | |
| 31 | Arabia | ..... | ..... | ..... | 13 | ..... | 1 | 1 | 8 | 4 | 12 | 6 | 69 | 28 | 7 | 31 |
| 32 | Armenia | 2 | ..... | 4 | 1 | 1 | ..... | ..... | 16 | 10 | 5 | 30 | 27 | 13 | 59 | 32 |
| 33 | Burmah | ..... | ..... | ..... | 9 | ..... | ..... | ..... | ..... | 2 | ..... | ..... | ..... | ..... | ..... | 33 |
| 34 | China | 18,154 | 16,651 | 19,033 | 16,879 | 10,379 | 8,468 | 9,189 | 7,011 | 20,711 | 35,614 | 381 | 84 | 57 | 8 | 34 |
| 35 | India | 22 | 15 | 15 | 22 | 17 | 9 | 15 | 39 | 14 | 12 | 5 | 30 | 25 | 14 | 35 |
| 36 | Japan | 25 | 4 | 3 | 6 | 4 | 1 | 7 | 7 | 8 | 3 | 58 | 39 | 154 | 168 | 36 |
| 37 | Persia | 7 | 1 | 2 | 2 | 1 | ..... | ..... | 2 | 2 | 1 | ..... | 3 | 4 | ..... | 37 |
| 38 | Syria | 1 | 1 | 1 | 10 | ..... | 35 | ..... | 9 | ..... | ..... | ..... | ..... | ..... | 44 | 38 |
| 39 | Asia, not specified | 10 | 32 | 30 | 113 | 5 | 1 | 4 | 6 | 26 | 16 | 82 | 59 | 23 | 23 | 39 |
| | Total Asia | 18,221 | 16,704 | 19,088 | 17,055 | 10,407 | 8,518 | 9,218 | 7,098 | 20,775 | 35,657 | 542 | 311 | 304 | 323 | |
| 40 | Algeria | 3 | 2 | 2 | 9 | 1 | 1 | 2 | ..... | 5 | 14 | ..... | ..... | 2 | 3 | 40 |
| 41 | Egypt | 4 | 8 | 3 | 3 | ..... | 1 | 3 | ..... | 4 | 41 | 3 | 8 | 9 | 35 | 41 |
| 42 | Liberia | ..... | 1 | 19 | 14 | ..... | ..... | ..... | 1 | 7 | 2 | ..... | ..... | 7 | 1 | 42 |
| 43 | Morocco | ..... | 3 | ..... | ..... | ..... | 2 | ..... | 1 | 3 | ..... | ..... | ..... | 4 | 2 | 43 |

*Number and nationalities of immigrants arrived in the United States during each year ending December 31, from 1873 to 1886, inclusive*—Continued.

| | Countries. | 1873. | 1874. | 1875. | 1876. | 1877. | 1878. | 1879. | 1880. | 1881. | 1882. | 1883. | 1884. | 1885. | 1886. | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 44 | South Africa | 2 | 1 | 6 | ..... | ..... | 7 | 1 | 3 | 11 | 1 | ..... | 4 | 1 | 2 | 44 |
| 45 | Africa, not specified | 4 | 7 | 1 | 17 | 5 | 4 | 10 | 5 | 7 | 12 | 6 | 18 | 10 | 9 | 45 |
| | Total Africa | 13 | 22 | 31 | 43 | 6 | 15 | 16 | 10 | 37 | 70 | 9 | 30 | 33 | 52 | |
| 46 | Quebec and Ontario | 22,242 | 23,744 | 18,490 | 15,545 | 15,591 | 24,533 | 40,883 | 112,712 | 76,971 | 68,141 | 54,105 | 39,985 | ..... | ..... | 46 |
| 47 | Manitoba | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 446 | 1,163 | 1,398 | 1,143 | 524 | ..... | ..... | 47 |
| 48 | Nova Scotia | 4,453 | 3,970 | 2,555 | 3,200 | 4,206 | 3,282 | 6,425 | 17,870 | 12,425 | 12,693 | 6,435 | 5,103 | ..... | ..... | 48 |
| 49 | New Brunswick | 1,346 | 1,867 | 1,119 | 1,494 | 1,215 | 1,458 | 3,811 | 5,929 | 2,006 | 2,400 | 2,150 | 1,239 | ..... | ..... | 49 |
| 50 | Prince Edward Island | 780 | 435 | 311 | 437 | 488 | 349 | 1,144 | 1,722 | 1,648 | 1,528 | 644 | 291 | ..... | ..... | 50 |
| 51 | British Columbia | 282 | 446 | 839 | 484 | 553 | 372 | 842 | 782 | 611 | 427 | 2,300 | 164 | ..... | ..... | 51 |
| 52 | Newfoundland and Labrador | 405 | 134 | 106 | 58 | 68 | 108 | 162 | 300 | 274 | 322 | 173 | 182 | 202 | ..... | 52 |
| | Total British North American possessions | 29,588 | 30,596 | 23,420 | 21,218 | 22,121 | 30,102 | 53,267 | 139,761 | 95,188 | 86,909 | 66,950 | 47,888 | 202 | ..... | |
| 53 | Mexico | 473 | 442 | 682 | 532 | 478 | 473 | 550 | 437 | 244 | 532 | 411 | 381 | ..... | ..... | 53 |
| 54 | British Honduras | ..... | 11 | 1 | ..... | 7 | 4 | 1 | 41 | 8 | 2 | 14 | ..... | 4 | 4 | 54 |
| 55 | Costa Rica | ..... | ..... | 3 | ..... | 1 | ..... | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 55 |
| 56 | Guatemala | ..... | 1 | 1 | 1 | 3 | ..... | 4 | ..... | 1 | ..... | ..... | ..... | ..... | ..... | 56 |
| 57 | Central America, not specified | 34 | 9 | 9 | 13 | 25 | 14 | 21 | 1 | 24 | 3 | 12 | 23 | 7 | 32 | 57 |
| | Total Central America | 34 | 21 | 14 | 14 | 36 | 18 | 27 | 42 | 33 | 5 | 26 | 23 | 11 | 36 | |
| 58 | Argentine Republic | 9 | 1 | 7 | 6 | 4 | ..... | 2 | 5 | 1 | 9 | 3 | 4 | 12 | 2 | 58 |
| 59 | Brazil | 37 | 29 | 27 | 28 | 10 | 11 | 26 | 21 | 17 | 20 | 26 | 13 | 8 | 23 | 59 |
| 60 | Chili | 17 | 12 | 21 | 20 | 2 | 2 | 1 | 4 | ..... | 1 | 3 | ..... | 1 | 8 | 60 |
| 61 | Ecuador | ..... | 2 | ..... | 2 | ..... | ..... | 1 | ..... | 4 | ..... | ..... | ..... | 2 | ..... | 61 |
| 62 | Guiana | 27 | 6 | 7 | 3 | 4 | 2 | 1 | 7 | 3 | 17 | 12 | 2 | 9 | ..... | 62 |
| 63 | Peru | 8 | 17 | 10 | 11 | 19 | 17 | 8 | 1 | 4 | 5 | 1 | ..... | ..... | ..... | 63 |
| 64 | United States of Colombia | 35 | 23 | 22 | 20 | 21 | 7 | 23 | 27 | 22 | 5 | 9 | 4 | 9 | 369 | 64 |
| 65 | Venezuela | 23 | 20 | 34 | 37 | 14 | 16 | 9 | 51 | 16 | 24 | 11 | 27 | 10 | 20 | 65 |
| 66 | South America, not specified | 12 | 19 | 11 | 8 | 4 | 6 | 19 | 3 | 18 | 7 | 2 | ..... | ..... | 14 | 66 |
| | Total South America | 168 | 129 | 139 | 135 | 78 | 61 | 90 | 119 | 85 | 88 | 67 | 50 | 51 | 436 | |
| 67 | Antigua | 3 | 1 | ..... | 1 | ..... | ..... | 2 | 5 | 12 | 3 | 11 | ..... | 13 | ..... | 67 |
| 68 | Bahamas | 82 | 435 | 460 | 559 | 248 | 289 | 361 | 297 | 415 | 424 | 311 | 694 | 341 | 35 | 68 |
| 69 | Barbadoes | 30 | 34 | 42 | 32 | 25 | 22 | 13 | 18 | 33 | 24 | 6 | 9 | 21 | 5 | 69 |
| 70 | Cuba | 1,089 | 1,147 | 899 | 880 | 614 | 494 | 898 | 1,406 | 418 | 773 | 987 | 1,341 | 1,991 | 2,961 | 70 |
| 71 | Curaçoa | 5 | 1 | 3 | 14 | 1 | 1 | 3 | 1 | 3 | 4 | ..... | 2 | 2 | 8 | 71 |
| 72 | Guadeloupe | 7 | ..... | 2 | 1 | 2 | ..... | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 72 |
| 73 | Hayti | 16 | 27 | 2 | 10 | 21 | 4 | 24 | 35 | ..... | 12 | 1 | 2 | 5 | 12 | 73 |
| 74 | Jamaica | 30 | 28 | 32 | 23 | 41 | 34 | 17 | 21 | 53 | 22 | 6 | 23 | 18 | 67 | 74 |
| 75 | Martinique | 1 | 7 | 5 | ..... | 9 | ..... | 1 | ..... | ..... | 1 | ..... | ..... | ..... | ..... | 75 |
| 76 | Nevis | 3 | 3 | 2 | 1 | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 76 |
| 77 | Porto Rico | 28 | 21 | 32 | 17 | 5 | 13 | 10 | 37 | 20 | 12 | 12 | 28 | 9 | 17 | 77 |
| 78 | St. Croix | 47 | 22 | 12 | 4 | 17 | 11 | 7 | ..... | 17 | 34 | 13 | 10 | 28 | 12 | 78 |
| 79 | St. Thomas | 1 | 5 | 15 | 9 | ..... | 18 | 5 | 7 | ..... | 2 | 2 | ..... | 1 | 4 | 79 |
| 80 | Trinidad | 3 | 4 | 4 | 4 | ..... | 7 | 6 | 2 | 5 | 6 | 2 | ..... | 2 | 1 | 80 |
| 81 | West Indies, not specified | 629 | 14 | 20 | 13 | 26 | 30 | 24 | 37 | 33 | 77 | 87 | 29 | 290 | 713 | 81 |
| | Total West Indies | 1,974 | 1,749 | 1,530 | 1,568 | 1,010 | 923 | 1,312 | 1,866 | 1,009 | 1,394 | 1,438 | 2,138 | 2,721 | 3,835 | |
| | Total America | 32,157 | 32,937 | 25,785 | 23,467 | 23,723 | 31,577 | 55,246 | 142,225 | 96,559 | 88,928 | 68,892 | 50,480 | 3,075 | 4,307 | |
| 82 | Azores | 1,397 | 1,262 | 989 | 906 | 791 | 873 | 741 | 682 | 1,225 | 1,457 | 1,276 | 1,755 | 823 | 1,206 | 82 |
| 83 | Bermudas | 45 | 61 | 21 | 29 | 18 | 13 | 6 | 29 | 40 | 61 | 19 | 55 | 28 | 8 | 83 |
| 84 | Canary Islands | ..... | 16 | 2 | 2 | 3 | 3 | 2 | ..... | 1 | ..... | ..... | ..... | ..... | ..... | 84 |
| 85 | Cape Verdes | 27 | 36 | 1 | 48 | ..... | 6 | ..... | 1 | 21 | 15 | 27 | 48 | 50 | 66 | 85 |
| 86 | Madeira | 3 | 1 | 7 | 2 | ..... | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... | ..... | 86 |
| 87 | St. Helena | ..... | 3 | 1 | 2 | 1 | ..... | 1 | 3 | ..... | ..... | ..... | ..... | ..... | ..... | 87 |
| 88 | Atlantic islands, not specif'd | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 14 | 3 | 9 | 13 | 88 |
| | Total islands of the Atlantic | 1,472 | 1,379 | 1,021 | 989 | 813 | 896 | 751 | 716 | 1,287 | 1,533 | 1,336 | 1,861 | 910 | 1,293 | |
| 89 | Australia | 863 | 1,224 | 941 | 1,257 | 743 | 634 | 834 | 1,122 | 904 | 947 | 427 | 542 | 400 | 579 | 89 |
| 90 | Hawaiian Islands | 134 | 210 | 133 | 20 | ..... | 1 | 2 | 2 | ..... | 5 | 284 | 420 | 345 | 674 | 90 |
| 91 | New Zealand | 10 | 3 | 5 | 4 | 2 | ..... | 1 | ..... | 1 | 2 | 1 | 4 | 3 | 1 | 91 |
| 92 | Society Islands | 43 | 29 | ..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... | ..... | ..... | ..... | ..... | 92 |
| 93 | Pacific islands, not specified | ..... | 1 | 1 | ..... | ..... | ..... | ..... | 1 | 4 | 3 | ..... | ..... | ..... | 14 | 93 |
| | Total islands of the Pacific | 1,050 | 1,467 | 1,080 | 1,281 | 745 | 635 | 837 | 1,125 | 910 | 957 | 712 | 966 | 748 | 1,268 | |
| 94 | Greenland, Iceland, and the Faroe Islands | 4 | 182 | 11 | 30 | 1 | 168 | 252 | 348 | 31 | 36 | 251 | 9 | 29 | 147 | 94 |
| 95 | Countries not stated | 4 | 3 | 2 | 4 | ..... | 1 | ..... | 1 | ..... | ..... | ..... | ..... | ..... | ..... | 95 |
| 96 | Born at sea | 138 | 61 | 35 | 23 | 16 | 15 | 34 | 81 | 105 | 82 | 77 | 83 | 60 | 49 | 96 |
| 97 | Picked up at sea | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 3 | 10 | ..... | ..... | ..... | ..... | ..... | 97 |
| | Total all other countries | 146 | 246 | 48 | 57 | 17 | 184 | 286 | 433 | 146 | 118 | 328 | 92 | 89 | 196 | |

RECAPITULATION.

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Europe | 369,486 | 208,059 | 144,178 | 114,548 | 94,791 | 111,382 | 184,211 | 442,096 | 600,331 | 603,086 | 498,497 | 407,606 | 327,202 | 385,448 | 1 |
| 2 | Asia | 18,221 | 16,704 | 19,088 | 17,055 | 10,407 | 8,518 | 9,218 | 7,098 | 20,775 | 35,657 | 542 | 311 | 304 | 323 | 2 |
| 3 | Africa | 13 | 22 | 31 | 43 | 6 | 15 | 16 | 10 | 37 | 70 | 9 | 30 | 33 | 52 | 3 |
| 4 | America | 32,157 | 32,937 | 25,785 | 23,467 | 23,723 | 31,577 | 55,246 | 142,225 | 96,559 | 88,928 | 68,892 | 50,480 | 3,075 | 4,307 | 4 |
| 5 | Islands of the Atlantic | 1,472 | 1,379 | 1,021 | 989 | 813 | 896 | 751 | 716 | 1,287 | 1,533 | 1,336 | 1,861 | 910 | 1,293 | 5 |
| 6 | Islands of the Pacific | 1,050 | 1,467 | 1,080 | 1,281 | 745 | 635 | 837 | 1,125 | 910 | 957 | 712 | 966 | 748 | 1,268 | 6 |
| 7 | All other countries | 146 | 246 | 48 | 57 | 17 | 184 | 286 | 433 | 146 | 118 | 328 | 92 | 89 | 196 | 7 |
| | Total immigrants | 422,545 | 260,814 | 191,231 | 157,440 | 130,502 | 153,207 | 250,565 | 593,703 | 720,045 | 730,349 | 570,316 | 461,346 | 332,361 | 392,887 | |

NOTE.—Immigrants from the British North American possessions and Mexico have not been included since July 1, 1884.

*Number and nationalities of immigrants arrived in the United States during the nine months ending September 30, 1887.*

| Countries. | Number of immigrants. | Countries. | Number of immigrants. |
|---|---|---|---|
| England | 63,988 | Central America, not specified | 31 |
| Ireland | 62,538 | | |
| Scotland | 17,471 | Argentine Republic | 9 |
| Wales | 1,387 | Brazil | 16 |
| Great Britain, not specified | 4 | Chili | 2 |
| | | Guiana | 7 |
| Total Great Britain and Ireland | 145,388 | Peru | 1 |
| | | United States of Colombia | 194 |
| Austria | 15,203 | Venezuela | 33 |
| Bohemia | 3,672 | South America, not specified | 1 |
| Hungary | 10,073 | | |
| Belgium | 2,403 | Total South America | 263 |
| Denmark | 8,091 | | |
| France | 3,811 | Antigua | 3 |
| Germany | 88,725 | Bahamas | 32 |
| Gibraltar | 3 | Barbadoes | 25 |
| Greece | 378 | Cuba | 2,584 |
| Italy | 38,057 | Curaçoa | 11 |
| Sicily | 71 | Hayti | 20 |
| Malta | 2 | Jamaica | 17 |
| Netherlands | 4,608 | Porto Rico | 30 |
| Norway | 15,971 | St. Croix | 16 |
| Portugal | 102 | St. Thomas | 3 |
| Roumania | 409 | Trinidad | 6 |
| Russia | 19,052 | West Indies, not specified | 721 |
| Finland | 1,866 | | |
| Poland | 3,855 | Total West Indies | 3,468 |
| Spain | 320 | | |
| Sweden | 42,768 | Total America | 3,762 |
| Switzerland | 5,079 | | |
| Turkey in Europe | 162 | Azores | 1,133 |
| Heligoland | 2 | Bermuda | 2 |
| | | Cape Verdes | 14 |
| Total all other Europe | 264,683 | Islands of Atlantic, not specified | 11 |
| Total Europe | 410,071 | | |
| | | Total islands of the Atlantic | 1,160 |
| Arabia | 1 | | |
| Armenia | 83 | Australia | 401 |
| China | 28 | Hawaiian Islands | 738 |
| India | 29 | New Zealand | 1 |
| Japan | 163 | Islands of the Pacific, not specified | 9 |
| Persia | 1 | | |
| Turkey in Asia | 210 | Total islands of the Pacific | 1,149 |
| Asia, not specified | | | |
| Total Asia | 515 | Born at sea | 50 |
| Egypt | 5 | | |
| Morocco | 1 | Total immigrants (nine months) | 416,731 |
| South Africa | 1 | | |
| Africa, not specified | 17 | | |
| Total Africa | 24 | | |

*Table exhibiting the total number of immigrants arrived at the ports of New York, Boston, Philadelphia, Baltimore, New Orleans, and San Francisco, from the principal foreign countries during the months of October and November,* 1887.*

| Countries. | Number of immigrants. | |
|---|---|---|
| | October, 1887. | November, 1887. |
| England and Wales | 9,467 | 5,315 |
| Scotland | 6,023 | 2,737 |
| Ireland | 2,116 | 1,337 |
| Total Great Britain and Ireland | 17,606 | 9,389 |
| Germany | 9,480 | 8,388 |
| France | 620 | 995 |
| Bohemia and Hungary | 1,020 | 2,093 |
| Austria, other | 1,703 | 1,805 |
| Russia | 1,075 | 2,195 |
| Poland | 239 | 618 |
| Sweden and Norway | 5,780 | 3,407 |
| Denmark | 524 | 456 |
| Netherlands | 293 | 270 |
| Italy | 3,016 | 1,619 |
| Switzerland | 769 | 421 |
| All other countries | 665 | 653 |
| Total immigrants | 43,699 | 31,979 |

*The returns for December have not all been received.

NOTE.—The arrivals of immigrants in the customs districts above specified comprise about 98 per cent. of the immigration into the entire country.

Total immigration (eleven months) ..... 492,409

WM. F. SWITZLER,
*Chief of Bureau.*

TREASURY DEPARTMENT, BUREAU OF STATISTICS, *January* 9, 1888.

DEFICIENCIES IN APPROPRIATIONS.

Mr. HALE. I move that the Senate proceed to the consideration of the deficiency bill.

Mr. BLAIR. I hope the Senator will be satisfied to let the unfinished business be laid aside informally, temporarily, while we go on with the appropriation bill.

Mr. HALE. I have no objection to that.

The PRESIDENT *pro tempore*. The Senate resumes the consideration of the unfinished business, being the bill (S. 371) to aid in the establishment and temporary support of common schools. It is proposed to lay the bill aside informally for the consideration of the bill referred to by the Senator from Maine. The Chair hears no objection to that course.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 4271) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1887, and for prior years, and for other purposes.

Mr. HALE. I ask unanimous consent that the formal reading of the bill be dispensed with, and that it be read for amendment, considering first the amendments proposed by the Committee on Appropriations as they are reached in the reading.

The PRESIDENT *pro tempore*. That order will be followed, if there be no objection.

Mr. HALE. In starting out I only wish to say that this is the old deficiency bill that failed of passage at the close of the last session of the last Congress, owing to its being sent so late to this body that it was impossible to consider it and to pass it, and secure its perfection before the expiration of the Congress. This bill has been made up, in the other branch of Congress, mainly upon the basis of the items of the bill which were agreed to in conference at the last Congress, leaving off other items which were then disagreed to by the conferees, the object being to send us a clean bill, to which little or no objection could arise, in order that it might have speedy passage. And the Committee on Appropriations of the Senate recognizing that have dealt very lightly with the bill in the way of amendment. In fact, I may say there is nothing substantial put on that the House did not incorporate in the bill. The bill, as it goes back to the House with the amendments agreed to, is not only not larger than the House bill, but two thousand dollars smaller. I ask now that the bill may be read for amendment.

The PRESIDENT *pro tempore*. The reading of the bill will proceed.

The Chief Clerk proceeded to read the bill, and, having read to line 14 on page 4——

Mr. HALE. The committee have an amendment which I offer, in line 11, page 4, in the appropriations for the Bureau of Engraving and Printing, to strike out all after the word "dollars" to the end of the paragraph, as follows:

And the number of plate-printers and plate-printers' assistants may, by direction of the Secretary of the Treasury, be increased to 200 and 230, respectively.

And to insert in lieu thereof:

And the number of printers' assistants at $1.50 a day may, by direction of the Secretary of the Treasury, be increased to 38, and the number of printers' assistants at $1.25 a day reduced to 176.

The amendment was agreed to.

The reading of the bill was resumed. The first amendment reported by the Committee on Appropriations was, under the head of "appropriations for the District of Columbia," in section 1, line 1, on page 11, after the word "office," to strike out "$172.70" and insert "$1,727;" so as to read:

To reimburse Frederick Douglass for record-books and general indices purchased and paid for by him while recorder of deeds, for use of his office, $1,727.

The amendment was agreed to.

The next amendment was, in section 1, on page 30, under the head of "Senate," to strike out the clause from line 8 to line 12, inclusive, as follows:

For compensation of officers, clerks, messengers, etc., in the employ of the Senate for the fiscal year ending June 30, 1887, $14,229.08.

The amendment was agreed to.

The next amendment was, in section 1, line 16, on page 30, under the same head, to increase the appropriation "for fuel, oil, and cotton waste for heating department" from "$2,000" to "$2,894.27."

The amendment was agreed to.

The next amendment was, in section 1, line 18, on page 30, under the same head, to increase the appropriation "for furniture and repairs of furniture" from "$3,000" to "$3,249.29."

The amendment was agreed to.

The next amendment was, under the same head, in section 1, after line 20, on page 30, to insert:

For packing-boxes, $41.83.

The amendment was agreed to.

The next amendment was, under the same head, in section 1, line 24 of page 30, to increase the appropriation "for folding speeches and pamphlets," from "$4,500" to "$6,778.33."

The amendment was agreed to.

The next amendment was, under the same head, in section 1, line 1 of page 31, to reduce the appropriation "for miscellaneous items, exclusive of labor," from "$5,000" to "$3,962.70."

The amendment was agreed to.

The next amendment was, under the same head, in section 1, line 11 of page 33, after the word "Forestry," to insert the name "(C. S. Wilbur);" so as to make the clause read:

For clerk of Senate Committee on Agriculture and Forestry (C. S. Wilbur) from the 4th day of March to the 1st day of July, 1887, $708.

The amendment was agreed to.

The next amendment was in the appropriations for "Government Printing Office," in section 1, line 17 of page 37, after the words "RECORD folders," to insert "proof-readers, copy-holders;" so as to make the clause read:

That the sum of $10,000, or so much thereof as may be necessary, is hereby appropriated to pay 25 per cent. in addition to the amount paid for day labor to the employés of the Government Printing Office, such as compositors, pressmen, stereotypers, laborers, press-feeders, RECORD folders, proof-readers, copy-holders, and engineers, who were exclusively employed on the night forces of the Government Printing Office during the second session of the Forty-ninth Congress.

Mr. HALE. A further examination of this subject discloses to the committee the fact that the persons employed in the Printing Office under the names of proof-readers and copy-holders receive already for night work as much as or more than the 25 per cent., and therefore the committee recommend that the amendment found in those words be disagreed to.

The PRESIDENT *pro tempore*. The amendment will be disagreed to, if there be no objection.

Mr. HALE. I think the Senator from Connecticut [Mr. HAWLEY] has an amendment to this clause, and as it has already been dealt with I suppose his amendment would be in order now.

Mr. HAWLEY. I could wish that this whole paragraph had been subjected to a more thorough examination. I do not find that either in the other House or in the Senate the Public Printer has been sent for, or any careful examination made of this matter. It was brought forward, I think, by employés of the Printing Office with entirely honorable motives to secure extra pay for night work to a certain class of employés who it was claimed did not receive it.

There is no certainty that $10,000, or what is appropriated here, will pay the debts authorized to be paid, for I think that sum is not based upon any detailed explanation by the Public Printer.

To show how the paragraph would stand if it had been amended as the committee reported, I read from a statement furnished me from the printing office by the petitioners for this change. They show that the proof-readers have been receiving $4.44 a day or 55 cents an hour, and for night work $6, an increase of $1.56.

Mr. HALE. That is, that they are already receiving it.

Mr. HAWLEY. They have already been receiving it.

Mr. HALE. So I understand.

Mr. HAWLEY. There is no reason in the world why they should be put in. This statement shows that the copy-holders' rate of pay has been $3.20 a day, and for night work $5.

Mr. HALE. That is more than the 25 per cent.

Mr. HAWLEY. That is more than the 25 per cent. The statement further shows that the floor-hands have been receiving per day, $4, or 50 cents an hour for eight hours' work, and are paid $5.66⅔ a night for night work; that laborers who got $2 during the day have been receiving $2.50 for night work. So, I can not comprehend why proof-readers and copy-holders ask to have the words in italics inserted. The committee have now stricken them out, I understand.

Mr. HALE. The Senator has noticed that we have had those words stricken out.

Mr. HAWLEY. Yes, the committee have just asked to withdraw that amendment. While I have serious doubts as to the wisdom of the whole paragraph, I shall not undertake to antagonize it now, because there is a measure of justice in it. At the suggestion of the Public Printer, I move to insert at the close of the paragraph the following proviso:

*Provided*, That in estimating the said 25 per cent., credit shall be given the Government for whatever has already been paid the said employés above the rates for day work.

Mr. HALE. I suggest to make the proviso read "for whatever has already been or is being now paid."

Mr. HAWLEY. Yes, if you wish those words in, I have no objection to them.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Connecticut [Mr. HAWLEY] will be read, as modified.

The SECRETARY. It is proposed to add the following proviso:

*Provided*, That in estimating the said 25 per cent., credit shall be given the Government for whatever has already been paid, or is now being paid, the said employés above the rates for day work.

Mr. HALE. I do not perceive any objection to this amendment. I will give the history of the matter in brief, and I do so because the Senator from Connecticut has suggested that further examination might have brought out the facts earlier.

This whole subject was not one that was put upon the bill by the Committee on Appropriations; but the Committee on Printing in the last Congress brought the matter before the Senate, and the Senate incorporated the provision in the bill. That committee had made examinations from day to day, and were in consultation with the Public Printer. The Senate accepted the clause as reported by that committee, and so it was found on the bill. When the bill was reconstructed in the Committee on Appropriations the words "proof-readers and copy-holders" were inserted at the suggestion of a Senator who was a member of the committee and also a member of the Committee on Printing. As I have said, further examination by him and by me and by the committee has disclosed the fact that these proof-readers and copy-holders were already receiving as much as or more than the 25 per cent. additional for night work. Therefore the words have been struck out on my motion.

Now, the Senator from Connecticut comes in with an amendment which still further perfects the clause. It is not right that any of these employés who have had their wages already raised because of night work should get the 25 per cent. that is intended to be applied to the employés who do not get it already. The amendment which the Senator has proposed seems to cover just the point of the case, and I hope it will be adopted.

The amendment was agreed to.

The reading of the bill was resumed and continued to the seventh line of page 39.

The PRESIDENT *pro tempore*. The Chair calls the attention of the Senator from Maine to the language as it appears in the text in line 7, page 39:

Charles Morgan, eighty hundred and five dollars and eighty-seven cents.

Mr. HALE. That may be passed over for the present. I presume it should be $805.87; but the clerk of the committee will hunt the matter up and I will return to it.

The reading of the bill was resumed, and continued to page 46.

Mr. HALE. If the Secretary will turn back to page 39, I will have the misprint rectified in line 7. It should read:

Charles Morgan, $805.83.

The PRESIDENT *pro tempore*. The amendment will be agreed to, if there be no objection. There is a misprint of "80" for "8."

The reading of the bill was resumed and continued to line 10 of page 48.

Mr. HALE. In the name of "J. V. Sweetting," the second "e" should be left out so as to conform to the name below. It should be "Swetting."

The PRESIDENT *pro tempore*. The amendment will be agreed to, if there be no objection.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriations to pay judgments of the Court of Claims, in section 1, line 20, of page 52, to change the name "John G. Tufts" to "John Q. Tufts;" so as to read:

John Q. Tufts, $113.

The amendment was agreed to.

The next amendment was, in section 1, to strike out the clause beginning on line 19 of page 54, as follows:

To pay the judgment of the Court of Claims in favor of the Pacific Railroad, $85,396.24, being in addition to the sum of $44,800.74, appropriated by the act approved August 4, 1886, to pay a judgment in favor of said Pacific Railroad, which two sums shall be in full satisfaction of the judgment in favor of the Pacific Railroad reported to Congress in the House Executive Document No. 29, Fiftieth Congress, first session.

Mr. HALE. When the committee recommended striking out this clause, a controversy had arisen as to who would be the real beneficiaries of the appropriation; and the committee thought it better to strike out the clause until that had been settled. It has since been settled that the money should go according to the appropriation made by the other House, and therefore I ask that the amendment be disagreed to.

The amendment was rejected.

The reading of the bill was resumed and continued to line 20, page 56.

The PRESIDENT *pro tempore*. In line 20 on page 56 there is an error apparently in the type.

Mr. PLATT. Two letters are dropped out.

Mr. HALE. It should read "$692.70."

The PRESIDENT *pro tempore*. It will be corrected so as to read "$692.70."

The next amendment of the Committee on Appropriations was in the appropriations to pay judgments of the Court of Claims, in section 1, line 3 of page 27, to strike out the name "Tamer" and insert "Tanner;" so as to read:

Zera L. Tanner, $692.70.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment was in section 1, line 10 of page 61, in the appropriations to pay judgments of the Court of Claims, after the word "all," to strike out "one hundred and eighty-four thousand seven hundred and eighty-eight dollars and sixteen," and insert "ninety-nine thousand three hundred and ninety-one dollars and ninety-two;" so as to make the clause read:

In all, $99,391.92: *Provided*, That none of the judgments herein provided for shall be paid until the right of appeal shall have expired.

Mr. HALE. That amendment should be disagreed to, to conform to the amendment on page 54 to pay the judgment of the Court of Claims in favor of the Pacific railroads.

The amendment was rejected.

The reading of the bill was resumed and continued to line 24, on page 65.

The PRESIDENT *pro tempore*. On page 65, in line 23, before the word "prior," the word "and" will be inserted.

The reading of the bill was resumed and continued to line 23, on page 69.

The PRESIDENT *pro tempore*. The letter "F" will be inserted before "or" in line 23, to correct a typographical error.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in section 3, page 76, line 21, before the word "numbered," to strike out "claim" and insert "claims;" in line 22, after the words "eight thousand six hundred and forty-six," to insert "and nine thousand four hundred and ninety-five;" and in line 34, after the word "thousand," to strike out "nine hundred and forty-eight dollars and four," and insert "eight hundred and fifty-four dollars and seventy-nine;" so as to make the clause read:

For deficiency in postal revenues, 1885 and prior years, except the claims designated as A 1, A 2, and A 3, and the claims numbered 8646 and 9495 in said Executive Document No. 32, $49,854.79.

The amendment was agreed to.

The PRESIDENT *pro tempore*. This completes the amendments reported from the Committee on Appropriations.

Mr. HOAR. I desire to move, on the twenty-sixth page, at the end of line 6, under the general provisions for the Post-Office Department, the amendment which I send to the desk.

The PRESIDENT *pro tempore*. The Chief Clerk will state the proposed amendment.

The CHIEF CLERK. At the end of line 6, on page 26, insert:

That the proper officers of the Post-Office Department are hereby authorized and directed to credit in the accounts of William E. Blunt, postmaster at Haverhill, Mass., the sum of $260.03, being the value of certain postal funds which were stolen from the safe inside the post-office on the night of the 31st day of October, 1883, without the fault or negligence of said postmaster.

Mr. HOAR. I desire to say in support of the amendment that there came from the Postmaster-General or one of his assistants, at the last Congress, a letter certifying to the fact, showing that this loss occurred without the fault of the officer, and recommending the payment of this sum. That letter was referred to the Committee on Post-Offices and Post-Roads, the passage of this provision recommended, and the item was inserted in the deficiency bill, in this same bill which we have now before us, at the close of the last session. It was stricken out, I believe, in conference by the insistence of the other House.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Massachusetts [Mr. HOAR].

Mr. HALE. I think, perhaps, that when I have explained the methods pursued by the committee in making up this bill the Senator will not seek to urge the amendment on this bill.

Whatever may be the merits of the case, and however certain this item may be to go on some future deficiency bill, it is one of the provisions upon which the conference committee came to loggerheads in the last Congress and could not agree. Therefore it was struck out by the report of the conference committee. It was not one of the items agreed to.

There is a large class of such items, and in making up this bill it was not deemed advisable to go into those old questions; but the bill is confined to items agreed upon by the conferees. Not even all of those are included, but none outside have been put on this bill. There are many of them; they will come up in other deficiency bills. There will be additional auditing and testing and scrutiny in the Departments, and then they will be presented, so that I judge no objection can be made to them either in the other House or here.

But, striving to get a bill that should not give rise to controversy, hoping, as I do, that we shall send this bill back in such shape that there will be no conference at all and no delay, I trust that the Senator will not, under the circumstances, urge the amendment any further.

Mr. PLATT. May I ask the Senator having charge of the bill a question?

Mr. HALE. Certainly.

Mr. PLATT. Do I understand the Senator to say that all the items which were agreed upon by the conference committee of last year are included in this bill?

Mr. HALE. No; I have just said that not only did we not put on those items which were disagreed to, but there are some items which were then agreed to in conference committee that the other House has left out in the bill now before us, and the Senate Committee on Appropriations has not deemed it advisable to put them on in order not to raise a controversy again.

Mr. PLATT. They agreed last year to them, and why should we not insist upon them this year?

Mr. HALE. In some cases the operation of time has disposed of the items. A deficiency that might be estimated in January of last year for the general service of the Government in a particular Department up to the 1st of July, 1887, if it failed to be appropriated for, would not be needed now, because the service would have been pinched, the Department would have got along without the money, and there would now be no necessity for appropriating it. That is true in some cases.

On the other hand, the House of Representatives have left off the bill certain provisions which will have to be appropriated for soon, which they are now considering on another bill that will be soon before the Senate.

Mr. PLATT. Which items the Committee on Appropriations on the part of the Senate think are just and ought to have been provided for a year ago.

Mr. HALE. The other House ought to have put them on the present bill, but the Committee on Appropriations, of the Senate, for reasons which I can refer to later, if necessary, did not think it worth while to raise the controversy now with the other House.

Mr. HOAR. Of course, after the statement of the Senator from Maine that this deficiency bill which must be passed promptly, has been made up with that understanding on the part of the committee that has it in charge, I can not properly press the amendment upon this bill, but I shall move it either on the regular Post-Office appropriation bill or the general deficiency bill, as may seem best hereafter. I shall, therefore, not press the amendment at the present time. I withdraw the amendment.

The PRESIDENT *pro tempore*. The amendment is withdrawn.

Mr. HAWLEY. I move to insert after line 9 on page 26 the amendment which I offered the other day, which has been printed and referred to the committee, omitting all after line 9 in the printed amendment.

Mr. PLATT. I suggest that the amendment come in after line 6.

Mr. HAWLEY. Very well; after line 6, as my colleague suggests.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Connecticut will be stated.

The CHIEF CLERK. On page 26, after line 6, it is proposed to insert:

For manufacture of adhesive postage and special-delivery stamps, $6,881.45.
For manufacture of stamped envelopes, newspaper-wrappers, and letter-sheets, $85,237.78.
For manufacture of registered-package, tag, official, and dead-letter envelopes, $17,813.49.

Mr. HAWLEY. Now, Mr. President, those items amount to $89,935.72. They are for goods furnished by a firm of my constituents, which goods the Government sold previous to last July, or shortly after; for which goods the Government has the money, and for which money my constituents are paying 6 per cent. interest at bank.

This is the deficiency bill of which the gentleman spoke. The next deficiency bill is one to cover deficiencies for the current year. My amendment belongs to this first and real urgent deficiency bill, to pay something that was due in cash before the first of last July. I trust some members of the Senate will please listen to me, because I am arguing a case of most absolute and incontestable justice.

The committee—

The committee in the other House—I believe there is no objection to my reading a document of the other House—

The committee have taken as a basis for the preparation of the bill House Executive Documents numbered 19, 29, and 32, transmitted to the present session of Congress, but in considering these estimates they have confined themselves to only such items of public expense as were provided for in the general deficiency bill as agreed upon in conference at the last session, but which failed to become a law; but all items agreed upon in said conference which are manifestly no longer necessary, because of the lapse of time or the change of condition in the public service, are either entirely excluded or so altered in their terms, etc.

I affirm that it is not true within half a million dollars. I affirm that they left out what is as much due as the President's board bill, to the extent of something like half a million.

Before the last fiscal year expired the Postmaster-General begged Congress to appropriate money so that he could buy envelopes to supply the public. Congress put that in the deficiency bill. Here is the last March bill, the bill which failed. Here in that bill are the items to which I refer. They were not so closely estimated there as they are now. I will show you that they are estimated to the cent now in the Department, and that exactly what is to be paid is known just as well now as it will be six months hence. On the forty-first page of the old bill are these items:

For manufacture of adhesive postage and special-delivery stamps, $5,000.
For manufacture of stamped envelopes, newspaper-wrappers, and letter-sheets, $137,000.
For manufacture of registered-package, tag, official, and dead-letter envelopes, $10,000.

Making a very considerably larger sum than is now asked for, because the fiscal year has closed and the exact sum due is known.

Hear, if you please, what the Postmaster-General says about this exact debt due to constituents of mine:

The amounts due for supplies of paper, adhesive stamps, and envelopes of both kinds ought to be included in one urgent deficiency bill and promptly provided, because they are properly payable during the year past on delivery of the purchased articles, and but for the considerate favor of the contractors in furnishing the needed supplies the service would have suffered. No increase in price was paid in any case, and no obligation to pay interest incurred; and the earliest possible discharge of these debts is an obligation upon the honor of the Government.

That is from the annual report of the Postmaster-General, and he re-

quests the payment in a letter he sent to the chairman of the Committee on Appropriations on this subject.

Now, understand the case. The Government would have been without envelopes for the service about the first of last May. It begged the Plimpton Company, of Hartford, Conn., to go on with the work, saying they must trust the Government. The Plimpton Company say, "Very well, we will go on; we do not expect any interest, and know we can not get the money before next December any way;" but they did think they would get it in December. They borrowed the money needed for their manufacture. They are carrying notes now to the amount of $85,000 in the Hartford banks and paying 6 per cent. interest upon them. Having done the Government a favor in furnishing a large number of envelopes, the Government having sold the envelopes and having the cash in its own drawers, they are now asked to wait for a second deficiency bill against the advice of the Postmaster-General, who says the prompt payment of this item is a matter of honor. I think I have made a clear case.

Mr. HALE. I am rather glad that the Senator from Connecticut has moved this amendment, because it gives an opportunity to state the actual condition in which the committee of the Senate found itself in reference to this appropriation and some others of the same kind of merit.

The deficiency bill failed last year because, as everybody knows, although it is large, embracing many items and needing very careful and close scrutiny, it was never reported to the other House until the 25th day of February, seven days before final adjournment. It was then considered in the other House, and three days after was first sent to the Senate, so that this body did not get it, its committee had no opportunity to examine it, to consider its provisions, to formulate proposed amendments, until four days before the expiration of the session and of the Congress. Under those conditions, working day and night, the Senate was not able to pass the bill, get it into conference, have it considered there, and passed upon finally, so that it would become a law; and it died because the Congress died.

There were many items in dispute between the two Houses which had been adjusted in conference, and that conference report, as I have said, failed to become a law because it could only be offered within an hour or less than an hour of the end of the session. But the record of all the controverted subjects existed in the committee, and when the House Committee on Appropriations proceeded to deal with this old bill, the natural course one would consider would have been either to go into all the contested items and make a new bill or to take the uncontested items and seek to pass them. The latter was the general rule adopted, but there were very marked exceptions, and the case covered by the amendment of the Senator from Connecticut is one. The case involving appropriations for the finishing of the new ships and their armament is another. The case for the appropriation covering the aqueduct, or the finishing of the tunnel through which the water is to be conveyed to us here, is another.

What reason controlled the committee in the other body or the body itself for leaving off those items of obvious necessity, has thus far failed to appear. That they are as necessary now as they were last winter, as necessary now as when they were agreed upon by the conferees of the two Houses, is apparent to every one. They are not of the class of cases to which I before adverted where time has disposed of them, because they are items that must be paid for at some time; but the House of Representatives chose to leave them off, and the Senate Committee on Appropriations was confronted, as it has long been, as it will be again during this session, now on the opening of the session, with this attitude on the part of the other body. Here are appropriations that are manifestly needed for the service of the Government which are left off, and obviously it must be on the theory that the Senate will put them on.

Then, as everybody knows who reads the papers and who follows the debates and sees the course of business, it will be said when the deficiency bill or any other appropriation bill goes back to the House that the Senate in its extravagance has added so many hundred thousand dollars to each bill; and early and late, Mr. President and Senators, we shall hear that constantly throughout this Congress, as we have heard it heretofore, and elaborate tables and memoranda and records will be made up at the end of the session in which it will be shown that extravagance, or what is claimed to be so, exists here and not there, and that this body in its extravagance, in its lack of proper economy in the management of public funds, has added to every bill.

The Committee on Appropriations of the Senate has become restive under this. It does not believe that the committee or the body should be subjected to such reproach as that, and it believes, and I believe, that the evil will never be cured until the Senate concludes, in considering these subjects for the operation and management of the Departments of the Government, to take a House bill as it is, let the Departments see where the trouble is, let them understand that where the bills originate, the body in sympathy with the Departments politically—and I do not speak of this as a political question, because it is not in the Committee on Appropriations—should provide for their wants. The restiveness that is felt there under this practice of the other body is just as great on the part of Democrats as on the part of Republicans, and I think it is so here in the body. It is not a political question, but it is a reproach urged against the Senate that it is extravagant, and the committee have concluded to take this bill from the House of Representatives practically as the House sent it here, and let the Departments see to it that hereafter their representations of the necessity for the use of money shall be made in season at the other end of the Capitol; that the House of Representatives shall be confronted with the necessity, and shall also see plainly and clearly that obvious items shall not be left off appropriation bills merely with the expectation and belief that the Senate will put them on, for so long as we go on and add these items and relieve the Departments upon the theory that the public service demands it, just so long it will be claimed at the other end that we are extravagant, increasing their appropriations, and at the close of every session we shall be confronted with the columns of figures of what we have done.

I say again that evil will never be cured; we shall never cease to be subjected to this pressure until we take a stand and say, "If you believe that these Departments can run with these small appropriations, let them try it for six months or for a year."

I have given plainly and frankly to the Senator from Connecticut the reason why this appropriation, which he has stated the reasons for so clearly, has been left off here. It is not better than certain other appropriations. There will be another bill, what is called the urgency deficiency appropriation bill, in a few days; I learn that the House committee is considering one; and, in view of the fact that the Senate Committee on Appropriations did not put these items into this bill and did not report them to this body, that the House committee is considering them, and they are likely, I may say, to be taught a lesson, and they will be on the next bill, I think it is better for good legislation, I think we shall stand better if we stick to the bill as the committee has reported it, just as the House has sent it to us. Hard as it may be in individual cases, it will be only a few days; but what little time is lost now, what hardship comes in one case—and I do not seek to make that smaller than it really is—all of us will gain in the benefit that we shall derive during the rest of the session on the numerous appropriation bills that will come before us; but if we put on now everything which has been left off, that will be expected always.

Mr. HAWLEY. Mr. President, this is, then, about the case, to state it frankly: Instead of adopting all that was agreed upon by everybody in the old deficiency bill, which bill ought to have given money enough to carry the Government through the last fiscal year, the committee of the other House has left off more than half a million of dollars. The Senator gives us to understand that the House expects the Senate, Democrats as well as Republicans, to put that on, and that they will be able then to point to the extravagance of the Senate in adding to appropriation bills. I do not care what they point to; I do not care what they say. Here is the fact that a contractor with the Government in his foolish generosity to us says, "You will not have any stamps if I do not work my mill, and I will work two months without a cent; I will borrow money at 6 per cent. interest to carry them on, and ask no interest from you, if you will try to get me paid next December as well as you can when Congress gets together." That money he is borrowing and paying interest for now. The Government has sold the envelopes and has the money in its Treasury, and now we are asked to assist the Appropriations Committee of the Senate in a little combat with the House Appropriations Committee, and sacrifice ourselves for this great, broad, general principle!

Sir, do it at somebody else's expense besides that of my constituent. Let him have his money; pay $9,000 for what you owe just as truly as you do for your shoes, your bread, and your butter. You have had our product for six months, you have sold our goods, and we are paying 6 per cent. to carry the debt now. I should like to know how you are going to reconcile my Connecticut friend to the broad principles of grand strategy that involve the carrying on of that kind of a fight with the House committee.

I sympathize with the Senator from Maine; I think I should feel a good deal as the Appropriations Committee feel. It is all very well to say that you are not going to yield and add to the bill; but I say you should pay your honest, indisputable debts if you add a million dollars to the bill.

My friend speaks of an urgent deficiency bill. No, sir; the urgent deficiency bill pertains to the probable deficiencies of the current fiscal year. So far as my item is concerned, this applies to a deficiency of last year, the exact state of which was ascertained and stated in the report of the Postmaster-General, who says it is a matter of honesty to pay it in an urgent deficiency bill.

Mr. HALE. One word, Mr. President. This is no controversy, no "combat," to use the word of the Senator from Connecticut, between the two committees. It has not assumed any phase of that kind. It is a question rather of self-respect on the part of this whole body. It is transferred from the room of the Committee on Appropriations to the Senate Chamber. Here in the very first bill that comes over we are confronted with this practice at the other end of the Capitol. Now, it is a hardship to the Senator's constituent. The case that he urges is plain, it is obvious, and we have thought in the Committee on Appropriations many times that the items which are left off appropria-

tion bills are obvious items that nobody could object to because it is supposed that we will put them on for the reason that they are such. That is intolerable.

It is not the debatable items in many cases that are left off, but it is the items about which no man can make demur, about which no question can be raised, such as the item covered by the amendment of the Senator from Connecticut, that are left off bills on purpose as we fear, that seeing how urgent they are, how undoubted the strength of their claim, the Senate must put them on. I repeat, sir, it is intolerable.

Now, it is for the Senate to decide. If the Senate takes this attitude and undertakes to carry it out there will never be a case where there will not be a hardship, there will never be a case where it will not grind somebody. I am sorry it grinds the constituent of the Senator from Connecticut; but this other practice has been grinding us ever since I have been a member of this body and a member of this committee, and there is no good reason why in considering the estimates which are made by the Departments after proper auditing and scrutiny, and after proper certification showing that there has been adjudication in the most solemn forms, these appropriations should be left off the bills that originate in the other end of the Capitol. There is no good reason why it should be so.

Debatable questions enough will arise where the two Houses will be in honest antagonism, and where the Senate will seek to put upon appropriation bills subjects that are objectionable to the committees of the House and to the entire body; but there is no sense, there is no justice, it is, I say again, intolerable that items upon which there is no dispute should be left off for no reason whatever that can be given. And every particle of testimony, every one of the reports upon which the Senate committee act being before the House committees when they consider the subjects, and all information that is at our door being at their door, it is intolerable, sir, that we should be continually confronted with such items being left off; and the Senate committee have recommended that the Senate take its stand here. It is for the Senate to decide what it will do in the matter. The committee has done its duty.

Mr. STEWART. Mr. President, I do not see why the Senate should be dishonored by not paying a debt acknowledged to be due, because somebody else will not do its duty. How can we escape the responsibility? It seems to me it is our duty to put on all legitimate amendments. Here is a case where a debt is acknowledged and there is no question of it. I do not think we should be a party to bad faith or to teaching the public that the Government of the United States will not keep faith with its creditors and pay its debts. I would put on every claim about which there was no question, where there was an honest debt due, and I would pass the bill. If anybody else wanted to repudiate at the other end, the responsibility will not rest on us. I believe in taking a stand right now.

The case made by the Senator from Connecticut is absolutely plain; it is a shame to let the matter stand longer. The case is perfect, and it is dishonoring the Senate to pass a bill and omit that claim. Send it back to the House and let them repudiate it if they will, but not us. The country will find out who has done right and who has done wrong. All we have to do is to take care of our own consciences and do right here. I am in favor of the amendment, and I am in favor of every proposition as clearly right as that, and I hope the Senate will put it on and will stand by the bill in that form. The country is intelligent and will find out who is right and who is wrong. Because others say we are extravagant we should not be scared from doing our duty in that regard, and I hope that the amendment of the Senator from Connecticut will prevail. I want to vote for it. I hope the Senate will stand by it.

Mr. PLATT. Mr. President, I do not know that I ought to delay the Senate any longer with this discussion, but I sympathize very much with the position which the Senator having this bill in charge has taken in this matter. I agree that the situation is intolerable, and I have felt it in past sessions and I feel it now. But it seems to me that we ought not to draw the line on this item, and I will tell the reason why I think we ought not to do so.

This is for a debt which the Government owes where it has had the material. As my colleague says, it has sold the material, not used it, got the money for it, and the money is in the Treasury of the United States, and our constituents need that money. They are not rich men; they can not afford to wait. It seems to me that we may draw the line at another class of cases when the House refuses to make appropriations for deficiencies to carry on the Government in the future. There, I think, we might take our stand. We might say to the House, "If you will not appropriate for what is necessary to carry on the Government during the rest of the fiscal year, we will accept the situation, and the Government works and the Government needs shall not be attended to;" but I do not think we ought to go so far as to say that we will not pay a debt about which there is no question, where the Government has the money; and, indeed, I think, in this particular thing the Committee on Appropriations may very fairly assume that the House overlooked it, that it made a mistake.

Mr. HALE. The same documents which have been referred to were before the House committee which were before our committee. There is not a particle of additional information here that was not there.

Mr. PLATT. But just look at it. This deficiency bill that came from the House last year included this as being an item which it was necessary to appropriate for in order to carry on the Government until the end of the fiscal year, which was June 30, 1887. Here are the three items in the old bill, which the proper Department estimated would be required to carry on the operations of the Government until June 30, 1887. That was in March, 1887. It comes over here, it is the print of the House bill which contains that, and now it can not be possible that the Committee on Appropriations in the House, having recommended that an appropriation should be made to carry on that work, and knowing, as the Senator says, that notwithstanding the failure of the appropriation it had been done, and that the Government owed for it, would deliberately leave it out.

Mr. HALE. Just what has been done.

Mr. PLATT. I do not believe that it was deliberate; I think it must have been a mistake. I should scarcely feel justified in standing here and assuming that the House Committee on Appropriations and the House itself, having estimated for this matter as one which was necessary to carry on the operations of the Government nearly a year ago, knowing that the work had been performed and that the Government owed every cent of it, and that there was no doubt about the amount that it owed, has now deliberately left it out. It is a pretty violent presumption, and I think the better way is to assume that in the haste of getting this deficiency bill over here, it is not the desire of the House and of its Appropriations Committee to refuse to pay the debts of the Government due more than seven months, that they overlooked this item, and the moment their attention is called to it they will gladly and joyfully put it in.

Mr. HALE. Several Senators have notified me of other amendments they wish to propose to this bill. It is very clear, therefore, that we shall not be able to finish it to-night.

Mr. HAWLEY. Let us have a vote.

Mr. HALE. I move that the Senate do now adjourn.

The PRESIDENT *pro tempore*. The Senator from Maine moves that the Senate do now adjourn. Before putting the question on that motion, the Chair lays before the Senate the regular order, which is the bill (S. 371) to aid in the establishment and temporary support of common schools. The question is on the motion to adjourn.

The motion was agreed to; and (at 4 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 25, 1888, at 12 o'clock m.

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## HOUSE OF REPRESENTATIVES.

### TUESDAY, *January* 24, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

#### INDUSTRIAL HOME, UTAH TERRITORY.

The SPEAKER *pro tempore* laid before the House the following message from the President of the United States; which was read, with the accompanying papers referred to the Committee on the Territories, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith the first report of the board of control, created by the act of Congress approved August 4, 1886 (24 Stat., 252), for the management of the industrial home in the Territory of Utah, containing a statement of the action of the board in establishing the home, and an account of expenditures from the appropriation made for that purpose in the act above mentioned.

GROVER CLEVELAND.

EXECUTIVE MANSION, *January* 23, 1888.

#### DEFICIENCIES, COAST AND GEODETIC SURVEY.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Superintendent of the Coast and Geodetic Survey, of appropriations to supply deficiencies for expenses of that bureau for the current fiscal year; which was referred to the Committee on Appropriations, and ordered to be printed.

#### DEFICIENCY, REVENUE-CUTTER SERVICE.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate of deficiency in appropriations for the expenses of the revenue-cutter service for the current fiscal year; which was referred to the Committee on Appropriations, and ordered to be printed.

#### ESTABLISHMENT OF LIGHTS, ETC.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting estimates from the Light-House Board of appropriations for the establishment of light stations, lights, etc.; which was referred to the Committee on Appropriations, and ordered to be printed.

TARIFF ON CHAMPAGNE.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting correspondence in relation to the tariff on champagne, etc.; which was referred to the Committee on Ways and Means, and ordered to be printed.

PRIVATE LAND CLAIM, NEW MEXICO.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Interior, transmitting, with a letter from the Acting Commissioner of the General Land Office and inclosures, a report of the surveyor-general for New Mexico upon the private land claim of Las Padillas or El Tajo tract; which was referred to the Committee on Private Land Claims.

SURVEY OF THE GAULEY AND MEADOW RIVERS.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, a report of the examination and survey of the Gauley and Meadow Rivers, West Virginia; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

CLOTHING FOR NON-COMMISSIONED OFFICERS, ORDNANCE BUREAU.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War, transmitting a letter from the Chief of Ordnance, with inclosures, recommending that an allowance of clothing be made to certain non-commissioned officers of the Ordnance Department; which was referred to the Committee on Military Affairs, and ordered to be printed.

JEKYL AND MOSQUITO CREEKS.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports of examinations and surveys of Jekyl Creek, Georgia, and a part of Mosquito Creek, South Carolina; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WEST, for one week, on account of business.

To Mr. LAIDLAW, until Monday next, on account of sickness in his family.

To Mr. COCKRAN, extension of leave heretofore granted for ten days.

To Mr. SPINOLA, indefinitely, on account of sickness.

To Mr. CARLTON, indefinitely, on account of sickness.

To Mr. STRUBLE, for this day, on account of important business.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. MILLIKEN to withdraw permanently from the files of the House papers filed by A. K. Choate with the Committee on Invalid Pensions in the Forty-ninth Congress upon which an unfavorable report was made.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The Chair will now call the committees for reports.

BILLS OF LADING CONCLUSIVE EVIDENCE.

Mr. OATES, from the Committee on the Judiciary, reported back favorably the bill (H. R. 1527) to make bills of lading conclusive evidence in certain cases; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

UNITED STATES WAR STEAM-SHIP HARTFORD.

Mr. WHITTHORNE, from the Committee on Naval Affairs, reported back favorably the bill (H. R. 1237) providing for the repair of the United States steam-ship Hartford; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

BUILDING FOR SIGNAL OFFICE, WASHINGTON.

Mr. MILLIKEN, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 4359) for the purchase of a site, including the building thereon, and also for the erection of the necessary store-houses for the use of the office of the Chief Signal Officer of the Army, at the city of Washington, D. C.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

WILLIAM P. THORNE.

Mr. LANHAM, from the Committee on Claims, reported back favorably the bill (H. R. 2365) for the relief of William P. Thorne; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN SNODDY.

Mr. LANHAM also, from the Committee on Claims, reported back favorably the bill (H. R. 2974) for the relief of John Snoddy; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN C. WEAVER.

Mr. O'NEALL, of Indiana, from the Committee on War Claims, reported back with a favorable recommendation the bill (H. R. 108) for the relief of John C. Weaver; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The call of committees for reports has been completed.

CHANGE OF REFERENCE.

Mr. OWEN. I rise for the purpose of securing a proper reference for a bill which seems to have been improperly referred. I understand that it is not the rule that a bill improperly referred shall be sent by the committee which receives it to its proper committee.

The SPEAKER *pro tempore*. The Chair would say it is.

Mr. OWEN. On the 9th of this month I introduced a bill for the erection of a public building at Logansport, Ind. By some mistake it got into the box for private bills. This morning the clerk of the Committee on Public Buildings and Grounds tells me that committee has not yet received it.

The SPEAKER *pro tempore*. A public bill should go through the regular channel of presentation in the House. If there be no objection, the change of reference desired by the gentleman from Indiana will be made.

There was no objection.

TERM OF COURT AT QUINCY, ILL.

Mr. ADAMS, from the Committee on the Judiciary, reported back with a favorable recommendation the bill (H. R. 1312) to provide for a term of court at Quincy, Ill.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

REWARDING ESQUIMAUX.

Mr. DAVIS, from the Committee on Commerce, reported back with a favorable recommendation the bill (H. R. 1528) to reward the Esquimaux natives of the Arctic Ocean for acts of humanity to shipwrecked seamen; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

CLERK TO COMMITTEE ON ELECTIONS.

Mr. GRIMES. I desire to present a privileged report from the Committee on Accounts.

The resolution referred to the committee (on motion of Mr. CRISP) was read, as follows:

*Resolved*, That the Committee on Elections be allowed a clerk, to be paid out of the contingent fund of the House, until June 30, 1888, at the rate of $2,000 per annum; and that the Committee on Appropriations be, and hereby is, instructed to provide for an annual clerk to the Committee on Elections for the next fiscal year in the legislative, executive, and judicial appropriation bill at the rate of $2,000 per annum.

The report of the committee was read, as follows:

The Committee on Accounts has had under consideration a resolution referred by the House, providing that the clerk of the Committee on Elections should be an annual instead of a session clerk, and report as follows:

By an act approved March 2, 1887, it is made the duty of the Clerk of the House to open the sealed packages of testimony in contested-election cases and cause the same to be printed and indexed. No provision is made for compensation to any clerk for the labor thus imposed. Necessarily this labor must be done during the vacation between the adjournment of Congress on the 4th of March and its reassembling in December following. Your committee learn from the Clerk of the House that he was personally engaged last spring and summer for months in reading proof from the Printing Office of the testimony in contested-election cases and preparing indexes thereto. Your committee believe that this duty should not be imposed upon the Clerk of the House without giving him some clerical assistance, and it seems appropriate that the clerk of the Committee on Elections should render such service. Your committee has prepared an amendment requiring the clerk of the Committee on Elections to do this work under the direction of the Clerk of the House, and, thus amended, the passage of the resolution is recommended.

PROPOSED AMENDMENT.

Add:

"*Resolved further*, That the clerk of the Committee on Elections shall, under the direction of the Clerk of the House, aid and assist in the preparation and indexing of the records in contested-election cases."

Mr. GRIMES. I think that the report of the committee explains itself, and unless some gentleman wishes to ask a question, I desire a vote upon the resolution and amendment.

The SPEAKER *pro tempore*. The first question is upon the amendment offered by the gentleman from Georgia [Mr. GRIMES].

Mr. TOWNSHEND. I desire to make a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. TOWNSHEND. I desire to know if we are in the hour for the consideration of reports of committees.

The SPEAKER *pro tempore*. We are not. The gentleman from Georgia made this as a privileged report from the Committee on Accounts.

Mr. HOLMAN. I call for the reading of the amendment again.

The amendment was again read.

Mr. CUTCHEON. Gentlemen about me were not aware that this was a matter for action and did not listen to the reading of the report. For one I should like to hear some explanation of it.

Mr. GRIMES. I can only ask that the report be read again. It explains itself.

The SPEAKER *pro tempore*. The Clerk will again read the report.

The report was again read.

The amendment proposed by the committee was agreed to, and the resolution as amended was adopted.

Mr. GRIMES moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The Chair will now recognize gentlemen who were not in their seats when their committees were called for reports.

PROTECTION OF GIRLS IN THE DISTRICT.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported a bill (H. R. 5870) as a substitute for the bill (H. R. 1496) to amend the Revised Statutes relating to the District of Columbia for the protection of girls and for the punishment of the crime of rape; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

RECORD OF WILLS IN THE DISTRICT.

Mr. HEMPHILL also, from the Committee on the District of Columbia, reported back with a favorable recommendation the bill (H. R. 1514) relating to the record of wills in the District of Columbia; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

JOHN FARLEY.

Mr. STONE, of Kentucky, from the Committee on War Claims, reported back with a favorable recommendation the bill (H. R. 341) for the relief of John Farley; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LUCINDA M'GUIRE.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported a bill (H. R. 5871) for the relief of Lucinda McGuire; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARTHA L. RUSSELL AND OTHERS.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back with a favorable recommendation the bill (H. R. 565) for the relief of Martha L. Russell, Mary A. Howse, and Lula H. Howse; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ESTATE OF FRANCIS M. MURRAY.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back with an amendment the bill (H. R. 251) for the relief of the estate of Francis M. Murray, deceased; which was referred to the Committee of the Whole House on thePrivate Calendar, and, with the amendment and the accompanying report, ordered to be printed.

JAMES S. CLARK & CO.

Mr. STONE, of Kentucky, also, from the Committee on Claims, reported back with a favorable recommendation the bill (H. R. 3500) for the relief of James S. Clark & Co.; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

QUARANTINE STATION, CAPE CHARLES, VIRGINIA.

Mr. WISE, by unanimous consent, introduced a bill (H. R. 5872) to establish a permanent quarantine station at or near Cape Charles, Virginia; which was read a first and second time, referred to the Committee on Agriculture, and ordered to be printed.

BAPTIST COLLEGE, LEXINGTON, MO.

Mr. THOMAS, of Wisconsin, from the Committee on War Claims, reported back with an amendment the bill (H. R. 2601) for the relief of the Baptist Female College of Lexington, Mo.; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ALFRED H. THOMAS.

Mr. THOMAS, of Wisconsin, also, from the Committee on War Claims, reported back with a favorable recommendation the bill (H. R. 1067) to amend the war record of Alfred H. Thomas, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

FANNIE B. RANDOLPH AND DORA L. STARK.

Mr. THOMAS, of Wisconsin, also, from the Committee on War Claims, reported a resolution referring the claim of Fannie B. Randolph and Dora L. Stark to the Court of Claims; which was referred to the Committee of the Whole House on the Private Calendar. The report also recommended that the bill (H. R. 2411) for the relief of Fannie B. Randolph and Dora L. Stark be laid on the table.

GEORGE W. SAULPAW.

Mr. THOMAS, of Wisconsin, also, from the Committee on War Claims, reported a bill (H. R. 5873) for the relief of George W. Saulpaw; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ROMAN CATHOLIC CHURCH AT CHATTANOOGA.

Mr. HIESTAND, from the Committee on War Claims, reported back with a favorable recommendation the bill (H. R. 1073) for the relief of the Roman Catholic Church of St. Peter and St. Paul at Chattanooga, Tenn.; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

AGREEMENT WITH GROS VENTRE AND OTHER TRIBES.

Mr. HARE, from the Committee on Indian Affairs, reported back with a favorable recommendation the bill (H. R. 1956) to ratify and confirm an agreement with the Gros Ventre, Piegan, Blood, Blackfeet, and River Crow Indians in Montana; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

HEIRS OF F. I. WHEELER.

Mr. BROWER, from the Committee on War Claims, reported a bill (H. R. 5874) for the relief of the heirs of the late Francis I. Wheeler; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

STEAMER PLANTER.

Mr. BROWER also, from the Committee on War Claims, reported back with a favorable recommendation the bill (H. R. 3580) for the relief of the pilot and crew of the steamer Planter; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JAMES PRICE.

Mr. BROWER also, from the Committee on War Claims, reported back with a favorable recommendation the bill (H. R. 3805) for the relief of James Price; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JAMES H. GILBERT.

Mr. KERR, from the Committee on Claims, reported back with a favorable recommendation the bill (H. R. 2067) for the relief of James H. Gilbert; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PAY OF CUSTOM-HOUSE EMPLOYÉS.

Mr. KERR also, from the Committee on Claims, reported back with a favorable recommendation the bill (H. R. 2068) authorizing the Secretary of the Treasury to pay certain citizens of Chicago, employés of the custom-house, for extra time and service; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

DISCHARGES, ETC., IN THE PUBLIC PRINTING OFFICE.

Mr. RICHARDSON, from the Committee on Printing, submitted the following report:

"Whereas it is reported that a considerable number of employés have been recently discharged from the force of the Public Printer, and that others have been granted involuntary furloughs, thereby reducing the force employed in the office of the Public Printer: Therefore,

"*Resolved*, That the Public Printer be directed to report to this House whether he has recently discharged or furloughed any of his force, and if so, how many, and for what reasons such discharges and furloughs have been made at a time when the printing ordered by this House is largely in arrears.

"Also, whether in making such discharges and furloughs regard has been had to section 1754 of the Revised Statutes, by giving the preference to honorably discharged soldiers and sailors."

The committee have considered the resolution, and direct it to be returned with the recommendation that it pass.

Mr. RICHARDSON. I demand the previous question on the adoption of the resolution.

The previous question was ordered, and the resolution was agreed to.

Mr. RICHARDSON moved to reconsider the vote by which the resolution was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PRINTING FOR COMMITTEES.

Mr. RICHARDSON also, from the Committee on Printing, submitted the following report:

Resolution to authorize certain committees of the House to print documents and papers for the use of said committees, with the following substitute:

*Resolved*, That the Committee on the Territories, the Committee on the Public Lands, the Committee on Agriculture, the Committee on the Judiciary, the Committees on Indian Affairs, on Labor, on Military Affairs, and the Committee on Rivers and Harbors be authorized to have printed and bound such papers and documents for the use of said committees as they may find necessary connected with subjects respectively considered by the said committees during the present Congress: *Provided*, The amount to be printed by the Committee on the Territories shall not exceed the sum of $500; the Committee on the Public Lands, not to exceed $100; the Committee on Agriculture, not to exceed $100; the Com-

mittee on the Judiciary, not to exceed $200; the Committee on Indian Affairs, not to exceed $100; on Labor, not to exceed $500; on Military Affairs, not to exceed $500; on Rivers and Harbors, not to exceed $300.

Mr. RICHARDSON. I wish to say that in each case the Committee on Printing conferred——

The SPEAKER *pro tempore*. The House will come to order, so that the remarks of the gentleman from Tennessee [Mr. RICHARDSON] may be heard.

Mr. OATES. I wish to ask the gentleman from Tennessee what business there is before the Committee on Labor to authorize so much larger an expenditure for the printing of that committee than for many other important committees, for instance the Committee on the Judiciary.

Mr. RICHARDSON. Mr. Speaker, I was about to say that the Committee on Printing, in all these cases, conferred with the chairmen of the respective committees named in the resolution and the report, and while a limit is placed upon the amount which each committee will be permitted to expend, that limit is only fixed by our committee upon consultation with the chairman of the committee indicated and upon his statement that the amount named would be ample for his committee. It is not expected in each case that the entire amount allowed will be consumed. I move the previous question on the adoption of the report of the committee.

The previous question was ordered; and under the operation thereof the substitute reported by the committee was agreed to, and the resolution as amended by the substitute was adopted.

Mr. RICHARDSON moved to reconsider the vote by which the resolution as amended was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

GEORGE W. BARR.

Mr. CUTCHEON, by unanimous consent, reported back with amendments, from the Committee on Military Affairs, the bill (H. R. 935) to grant an honorable discharge to George W. Barr from the Army; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

AGRICULTURAL REPORT FOR 1887.

Mr. FUNSTON, by unanimous consent, introduced a resolution to print 1,000 copies of the report of the Commissioner of Agriculture for the year 1887; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

CHINESE IMMIGRATION.

Mr. BELMONT. I ask unanimous consent that the reference of a bill (H. R. 5659) introduced yesterday, and which relates to the subject of Chinese immigration, be changed from the Committee on the Judiciary to the Committee on Foreign Affairs.

The SPEAKER *pro tempore*. If there be no objection, the change of reference will be made.

There was no objection, and it was ordered accordingly.

FORT BROWN MILITARY RESERVATION, TEXAS.

Mr. TOWNSHEND. I call for the regular order.

The SPEAKER *pro tempore*. The regular order is the call of committees for one hour for the consideration of bills heretofore reported from committees. The hour commences at twelve minutes before 1 o'clock; and the call rests with the Committee on Military Affairs.

Mr. TOWNSHEND. I call up for present consideration a resolution of inquiry addressed to the Secretary of War in relation to the purchase of Fort Brown military reservation, Texas. I ask that there be some understanding between those who are in favor of this resolution, which has been reported by the Committee on Military Affairs, and those who oppose it, with reference to length of debate. I would like very much to have the debate closed and the resolution acted on to-day. I wish to be perfectly fair toward those representing each side of this question, and therefore I propose that the time be divided equally. I suggest that thirty minutes be allowed each side for debate. The whole thirty minutes on the side of the committee will probably not be consumed, because, as I have said, we wish to have a vote to-day.

Mr. RANDALL. Let the resolution be read.

The SPEAKER *pro tempore*. The resolution will be read as a matter of course.

The Clerk read, as follows:

Whereas it appears by an act passed March, 1885, the sum of $160,000 was appropriated to enable the Secretary of War to acquire a good and valid title for the United States to the Fort Brown reservation, Texas, and to pay and extinguish all claims for the use and occupation of said reservation, provided that no part of this sum should be paid until a complete title be vested in the United States;

Whereas it is alleged that disputes have arisen between the claimants as to their respective shares of this appropriation, and that the Secretary of War has not paid any part of said amount;

Whereas by an act of Congress passed in 1873 the sum of $25,000 was appropriated for the purchase of the grounds and payment of the said Fort Brown, and in the report of General Sherman as to the sufficiency of the said sum, it is alleged that the payment of $160,000 therefor would be a fraud on the Government;

Whereas it is alleged that it will appear from the documentary evidence in the War Department, the Quartermaster-General's Office, also the evidence of officials now in Washington who have served at said post, likewise the testimony of other citizens which can be obtained, that the sum of $50,000 would be a large price to pay for said reservation, including rent for the use and occupation of the same: Therefore,

*Resolved*, That the Committee on Military Affairs be instructed to investigate the subject-matter herein named, with authority to send for persons and papers; also to inquire into and report as to what necessity exists, if any, for a military post at said point, and the cost to the United States of said post since 1865.

*Resolved*, That the Secretary of War be directed to withhold the payment of any part of said sum of $160,000 for the grounds and rents of the said Fort Brown reservation.

The report of the Committee on Military Affairs was read, as follows:

Mr. TOWNSHEND, from the Committee on Military Affairs, submitted the following report (to accompany Mis. Doc. 70):

The Committee on Military Affairs, to whom was referred the resolution relating to the Fort Brown, Texas, reservation, have considered the same and recommend its adoption, with the following amendment: Strike out the word "directed" and insert the word "requested" in lieu thereof.

Mr. TOWNSHEND. I yield ten minutes to the gentleman from Nebraska [Mr. LAIRD].

The SPEAKER *pro tempore*. The Chair understood the gentleman from Illinois to make some proposition about dividing the time.

Mr. TOWNSHEND. The time will be equally divided. I have arranged that with the gentleman from Texas [Mr. CRAIN].

Mr. CRAIN. Are we to understand that the debate will close to-day?

Mr. TOWNSHEND. I stated that I desired to have the debate close, so that we might take action on the resolution to day, if such is the will of the House. If the question is not disposed of to-day, it will of course go over until to-morrow, and we shall have another hour for its consideration.

Mr. CRAIN. I understand there is to be an equal division of time.

Mr. TOWNSHEND. I wish to be perfectly fair toward those opposing the resolution, and will divide the time equally. For the present, I yield ten minutes to the gentleman from Nebraska [Mr. LAIRD].

Mr. CRAIN. Before the debate commences, I would like to be informed whether an amendment is in order now.

The SPEAKER *pro tempore*. Whenever the gentleman obtains the floor for that purpose an amendment will be in order. The gentleman from Illinois [Mr. TOWNSHEND] now holds the floor, and has yielded ten minutes to the gentleman from Nebraska [Mr. LAIRD].

Mr. LAIRD. There are two questions presented by the resolution: First, whether the sum of $160,000 appropriated (this sum of $160,000 under discussion was an item tacked on to the sundry civil bill in the second session of the Forty-eighth Congress without the knowledge of the House and without discussion. This bill carrying this item was approved March 3, 1885. It was to enable the Secretary of War to acquire good and valid title for the United States to the Fort Brown military reservation, Texas, to pay and extinguish all claims for the use and occupation of said reservation by the United States. See United States Statutes at Large, vol. 23, page 507) March 3, 1885, as an item in the sundry civil bill of the second session of the Forty-eighth Congress is an unreasonable sum to pay for the use and occupation of Fort Brown, Texas, from 1846 to 1886, forty years, and for the title to said Fort Brown and the reservation, in all, 358 acres of land.

Second, whether it is desirable to continue Fort Brown from this time forward as a military post.

If the House should decide that it was not desirable to continue Fort Brown longer as a military post, then so much of the item of $160,000 appropriated as was to be applied to the purchase of the site and reservation can be deducted from the principal sum, without any unnecessary discussion of the question of the value of the fee to the 358 acres of land now used or reserved by the military authorities of the United States, in which case the question would be simply what is reasonably due from the United States for the rent of the Fort Brown reservation, 358 acres, from 1846 to the present?

Fort Brown is a point on the Rio Grande River in the State of Texas. It is opposite to and about one mile distant from Matamoras, Mexico. The present site and reservation has been in the possession of the United States since 1846, when it was taken possession of as an act of war by General Taylor, commanding the army of the United States on that portion of the Mexican frontier.

The title to the reservation has never been acquired by the Government, although the question of so doing seems to have been often discussed by military officers. Formerly the prevailing opinion among them seems to have been favorable to the purchase of the site; latterly the clear weight of opinion is against its purchase at any price, and against its longer maintenance as a military post.

The nearest approach to a settlement of the purchase-price of this property on the part of the United States, which I have been able to find, is the report of the board of Army officers convened under the authority of an act of Congress March 3, 1873, the same being an act to provide for the purchase of land by the Secretary of War for the United States, in the State of Texas, for the sites of forts and military posts. (17 United States Statutes at Large, p. 614; act limited to three years from passage.)

This board of officers reported January 16, 1874, in favor of the purchase of the site and reservation of Fort Brown for a military post, and state that they are of the opinion that $25,000 is a fair valuation for the same. This recommendation is approved by General Sheridan, commanding the Army; by Mr. Belknap, then Secretary of War, and

by General Grant, then President. The report of that board, together with the indorsements, is as follows:

FORT BROWN, TEXAS.

SAN ANTONIO, TEX., *January* 16, 1874.

SIR: At a meeting of the board convened under authority of act of Congress approved March 3, 1874, held this day, the following resolution was passed:

"*Resolved*, That if the United States have not a valid claim thereto, the board recommend the purchase of the tract or parcel of land lying upon the Rio Grande River, adjacent to the city of Brownsville, Tex., upon which the post of Fort Brown is situated, and known as the military reservation (containing 320 acres, more or less), for the use of the United States for said military post. The board is of the opinion that $25,000 is a fair valuation for this tract."

The southern portion below old Fort Brown is of little or no value, but it is deemed advisable to include it in the recommendation by reason of its location.

The property just mentioned is in litigation, but a receiver has been appointed by the district court, who is authorized by special order to rent or sell it, and receive the moneys therefor. The land upon which the national cemetery at Brownsville is situated was purchased in this way.

Very respectfully,

S. B. HOLABIRD,
*Deputy Quartermaster-General, U. S. Army.*
A. P. MORROW,
*Major Ninth Cavalry.*
W. T. GENTRY,
*Captain Nineteenth Infantry.*

The ASSISTANT ADJUTANT-GENERAL,
*Headquarters Department of Texas, San Antonio, Tex.*

[Indorsements.]

HEADQUARTERS DEPARTMENT OF TEXAS,
*San Antonio, Tex., January* 26, 1874.

Approved and respectfully forwarded to the assistant adjutant-general, Military Division of the Missouri.

C. C. AUGUR,
*Brigadier-General, U. S. Army.*

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HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
*Chicago, Ill., February* 26, 1874.

Respectfully referred to the assistant inspector-general, Military Division of the Missouri.

By command of Lieutenant-General Sheridan.

R. C. DRUM,
*Assistant Adjutant-General.*

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
ASSISTANT INSPECTOR-GENERAL'S OFFICE,
*Chicago, March* 20, 1874.

Respectfully returned to the adjutant-general of the division, having been examined and contents noted.

A. BAIRD,
*Assistant Inspector-General, U. S. Army.*

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
*Chicago, March* 20, 1874.

Approved and respectfully forwarded to headquarters of the Army.

P. H. SHERIDAN,
*Lieutenant-General, Commanding.*

Approved and respectfully submitted to the President.

WM. W. BELKNAP,
*Secretary of War.*

WAR DEPARTMENT, *April* 13, 1874.

EXECUTIVE MANSION, *April* 14, 1874.

Approved.

U. S. GRANT.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
*Washington, April* 20, 1874.

Official copies.

E. D. TOWNSEND,
*Adjutant-General.*

An act of Congress, March 3, 1875 (vol. 18 U. S. Statutes at Large, part 3, page 391), was passed appropriating the sum of $25,000 for the purchase of this property, pursuant to the recommendation of this board, but nothing came of it, owing, so far as your committee is able to ascertain, solely to the fact that the title was so in dispute that no satisfactory conveyance could be given to the land. This act expired by its own limitation in three years after its passage.

1. The first question presented under the resolution of inquiry is, what is a reasonable rental for this property from 1846 to 1886?

In 1869 W. A. Wainwright, captain and assistant quartermaster, United States Army, reports by letter February 20, 1869, addressed to Quartermaster-General United States Army, giving it as his judgment that $1,000 per year would be a just allowance for the rent of the reservation ground at Fort Brown. In part, the letter of Captain Wainwright is a follows:

OFFICE ASSISTANT QUARTERMASTER, U. S. ARMY,
*Brownsville, Tex., February* 20, 1869.

GENERAL: I have the honor to hand you, per express, the papers in Cavazos' claim, received January 26, 1869, and to submit original letters in answer to my request as to the fair amount due as rent for the military reservation at this post, and my report and opinion on the same.

Abstract of valuation for rent of land on which Fort Brown (United States military reservation) is situated, at Brownsville, Tex., containing 358 acres.

| | Per annum. |
|---|---|
| John McAllen values at $1.50 per acre | $537.00 |
| Samuel P. Gelston values at $1.50 per acre | 537.00 |
| R. Dalzell | 1,000.00 |
| A. Werbiski values at $10 per acre | 3,580.00 |
| S. A. Belden | 15,000.00 |

The reports or statements of Messrs. McAllen, Gelston, and Dalzell are below what I consider a fair rental value, though from conversation with these gentlemen I am convinced that their valuation is based upon the best of reasoning, especially that of Mr. McAllen, who shows forth in his letter that he would be willing to rent his lands at the same, or less, and refers to the little value of Brownsville and its surroundings were it not for the military reservation or post at this place. From this springs a question upon which rests the whole matter of the rent of the land. It is claimed by Mr. Trainer, the agent, that my report should embrace a certain amount of money for rent per year, or so many years from the time the Government first took possession, and an increase as the town increased in size. I contend that if any difference is made in the amount of rent per year, it should be a decrease, for was it not for the military post at this place there would be no Brownsville, and it is firmly believed that a donation of 1,000 acres in as good a position as this could be had if it would be the means of retaining the post, provided the Government intended abandoning this.

From experience of one year at this post, I feel that I am prepared to say that four-fifths of the money circulated here is expended by the Government, and that when the present buildings of the post are finished and nothing is left but to take care of the property here the trade of the city will greatly decrease. The transient people, mostly Jews, will take residence at some other points, and the business will settle down to its former level. While it is the intention of this office to be just to claimants, and at the same time not forget the interests of Government, it does appear like systematic peculation to present and endeavor to collect such an account against the Government as the bill inclosed with the papers in this claim shows, being nearly five times as much as the value of the land itself. There is from the reservation line to the lagoon, on the northwest side of the reservation, 120 acres of fine land, and could it be settled that the town would increase without the reservation, same would be valuable—say, near the estimate of Mr. Belden—the remainder is nothing but sediment, a fine, soft, washy sand that is of no value whatever, and is only used for corrals and such purposes as does not require any extra soil.

By reference to a plan of the reservation and line of the Rio Grande River, in 1846, forwarded the Quartermaster-General from this office January 31, 1869, it will be seen that much of the ground has been lost, and it still continues to lose.

Action is now being taken to save as much of it as possible, but only to protect and save that which is most valuable.

The papers in this case are very voluminous, and it is not deemed necessary to lengthen this report; and, in conclusion, I would state that the sum of $1,000 per annum, it is believed, would be a just amount for the rent of the United States military reservation grounds at this post.

I have the honor to be, general, very respectfully, your obedient servant,

W. A. WAINWRIGHT,
*Captain and Assistant Quartermaster, United States Army.*

Bvt. Maj. Gen. M. C. MEIGS,
*Quartermaster-General, U. S. Army, Washington, D. C.*

In May, 1869, Captain Wainwright writes commenting on his letter of February 20, 1869, and therein explains the apparently exorbitant estimate for rent made by Mr. Werbiski, showing that his estimate of $10 an acre, supposed to be for rent, was in reality his estimate of the value of the fee in the land. This letter is as follows:

OFFICE ASSISTANT QUARTERMASTER UNITED STATES ARMY,
*Brownsville, Tex., May* 29, 1869.

GENERAL: I have the honor to return herewith copy of my letter to you dated February 20, 1869, with memorandum of remarks on same attached, made by you in reference to the claim for rent, etc., of the United States military reservation at this post.

In reply to your first interrogatory I would state, that the 358 acres occupied by the post of Fort Brown, and known as the United States military reservation, is a portion of the original grant known as the "Potrero Espiritu Santo," the boundaries of said grant being minutely described in "Wallace's Reports, United States Supreme Court, volume 6, Cavazos *vs.* Trevenie, page 773." I inclose herewith a small tracing showing the boundary of this extensive tract or grant known as the "Agostadero" or "Potrero Espiritu Santo."

Secondly. The original grant did include the city of Brownsville and this 358 acres occupied by Fort Brown, but the title to the incorporated city limits of the city of Brownsville, including this reservation, is now and has been, since 1853, in litigation; and I can find no record or information relative to this United States military reservation being in any way set apart as the share of the present claimant (Maria Josefa Cavazos), as her share of the original grant.

Since the receipt of the copy of my letter with your remarks attached thereto, I have given this case close attention. In reply to the interrogatory "What land in that region is now or was when the United States forces captured Brownsville worth $10 per acre?" I would state that there was none and is none at present, except town lots; and it is fair to presume that had not the United States Government selected this site as a military reservation and improved it as it is for permanent occupancy, it could now be purchased of the bona fide owners (if there are such) at a price not to exceed $2 per acre for fee-simple.

The United States military reservation has made Brownsville what it is, and without it Brownsville would soon be numbered and spoken of as a town that once existed. Brownsville in itself has no natural advantages, and the idea presented by the claimant, that the United States military reservation encroaches upon and thereby contracts the limits of the town is absurd; the town has and will always seek the reservation, and the benefits to be derived from it. Almost any of the lands adjoining the city can be bought for from 50 cents to $2 per acre.

In regard to my former report as to a reasonable rent to be paid for the use of these grounds per year, Mr. Werbiski informs me that he was mistaken in the intent of my communication to him; that the price he gave, namely, $10 per acre, was intended as his valuation of the premises for title in fee-simple, and not $10 per acre rent per annum.

I inclose a copy of my communication to various parties requesting their opinion, which is considered to be plain, and could not have been misunderstood.

This last statement of Mr. Werbiski will take the place of the one previously forwarded you with my report. On a further examination and consideration of the case in question, I think Mr. Samuel A. Belden may be indirectly interested in the premises, he having been, I find, a party at interest in a number of lawsuits relative to title of a number of tracts of land embraced in this original extensive land grant, and is still a heavy land-holder in this vicinity; consequently a large price for the reservation grounds would increase the value of his lands. I therefore consider that his statement should not be taken into consideration.

Mr. John McAllen is an old resident, a man of vast property and good sound judgment. I consider that his opinion should have great weight in the adjustment of this claim for rent. Mr. Gelston is also a man of extensive acquaintance; knows this frontier in every respect; is a man of much experience and excellent judgment.

These men are both disinterested parties, as also Mr. Werbiski, and all men of wealth and standing in this community.

* * * * * * *

I have the honor to be, general, very respectfully, your obedient servant,

W. A. WAINWRIGHT,
*Captain and Assistant Quartermaster, United States Army.*

Maj. Gen. M. C. MEIGS,
*Quartermaster-General, U. S. Army, Washington, D. C.*

A letter from John McAllen, a citizen of Brownsville, Tex., explaining his reason for the estimate for rent which he makes, accompanies the report of Captain Wainwright, and I make this letter, together with the one from Mr. Gelston on the same subject, a part of my remarks:

BROWNSVILLE, *February* 5, 1869.

SIR: I have the honor to acknowledge the receipt of your esteemed note wishing my opinion in regard to the annual rent of the land known as the Government reserve at the aforesaid post. In my opinion it is worth $1.50 per acre, as I should be happy to have the opportunity to rent to the Government the lands at Edinburgh or any other place along the Rio Grande where I am owner or agent, and should consider myself well paid at this rate or less, for, if Fort Brown had not been established where it is now, the land of Brownsville and surroundings would have been of little value.

I have the honor, sir, to be, your most obedient,

JOHN McALLEN.

Capt. W. A. WAINWRIGHT,
*United States Quartermaster, Fort Brown, Texas.*

BROWNSVILLE, TEX., *February* 16, 1869.

DEAR SIR: In answer to your communication of the 5th instant, asking my opinion as to a reasonable amount for the United States Government to pay as a rent for the lands now occupied by the Government as a military reservation at this place, etc., I have the honor to state that in my opinion $1.50 per acre per annum would be a fair and just compensation for said lands.

Very respectfully, your obedient servant,

SAM. P. GELSTON.

W. A. WAINWRIGHT, Esq.,
*Captain and Quartermaster, U. S. A., Fort Brown, Texas.*

Quartermaster-General Meigs, in a letter dated July 20, 1869, and addressed to the then Secretary of War, Hon. John A. Rawlins, put the just annual rent of this property at $500, and says, commenting on that sum: "If it is set at $500 a year it will far exceed any reasonable interest upon the capital which represents the value of the land; indeed, will exceed this probable total actual capital." I give here the entire letter:

QUARTERMASTER-GENERAL'S OFFICE,
*Washington, D. C., July* 20, 1869.

SIR: I have the honor to return the papers in the case of the claim for damages to and rent of the site of Fort Brown, near Brownsville, Tex., since its first occupation during the Mexican war, amounting to $130,416.

The case has been carefully examined, and the full abstract prepared in this office brings me to the following conclusions:

The value of the lands, some 358 acres, embraced within the reservation does not now exceed on the average $2 to $10 per acre in fee-simple.

Were the post abandoned, a new site in as healthy a locality and equally commanding the river could be purchased for from 50 cents to $2 per acre. (See report of Captain Wainwright, pages 16 and 17, report and abstract herewith.)

The claim for $50,726.20 for damages to crops, fences, etc., arising during the war with Mexico, is clearly not within the competence of the Quartermaster's Department to settle.

The just annual rent which should be paid for the use of the 358 acres, embraced within what has been called the military reserve of Fort Brown, is very small. If it is set at $500 a year, it will far exceed any reasonable interest upon the capital which represents the value of the land; indeed, will exceed this probable total actual capital.

The Attorney-General, upon the papers heretofore submitted to him, has decided that it would be safe to consider Mrs. Cavazos as the owner so far as to settle with her for rent from the 20th of November, 1853, to date.

For rents accruing before the 20th November, 1853, the other heirs have equal legal rights with her, her interest amounting to only one undivided third part of the whole tract.

But since this case was before the Attorney-General certain papers have been received, principally through Captain Wainwright, assistant quartermaster, etc., which show that legal proceedings are still in progress affecting the title to the land in question.

I recommend that the case be again referred to the Attorney-General, with request that he will advise the War Department what effect, if any, these papers may have upon the status of the case.

The assertion that a former Secretary of War, Mr. Conrad, had rendered a decision fixing the amount of rent that should be paid, seems to be disproved by the papers herewith. (See page 23 of the report and abstract.)

The assertion that a contract was at any time made, fixing the rate of rent by any competent officer of the Army, seems equally disproved. (See pages 3 and 4 of said report and abstract.)

I am of opinion that it would not be safe for the War Department, in the present status of the case, to pay rent to any one for this land, and for the payment of the rents charged for so many years past there has been no appropriation made by Congress.

The existence of such a claim was unknown to the Quartermaster-General until within a few months, and no item for its payment was included in the estimates submitted to Congress.

Out of the appropriations for the present fiscal year a rent of $500 for the current year might be paid, provided the Secretary does not, in view of the whole case, think that too much.

I am, very respectfully, your obedient servant,

M. C. MEIGS,
*Quartermaster-General and Brevet Major-General, U. S. A.*

Hon. JOHN A. RAWLINS,
*Secretary of War, Washington, D. C.*

The same act of Congress which authorized the purchase of Fort Brown in 1875, and appropriated $25,000 therefor (act of March 3, 1875, vol. 18, U. S. Statutes at Large, part 3, p. 391), also authorized the purchase of Ringgold Barracks at $10,000, Fort Duncan (Eagle Pass) at $10,000, and directed the Secretary of War to accept title to the site and reservation of Fort McIntosh free. Fort McIntosh, which was so donated to the United States, is located at Laredo, a city of 6,000 inhabitants, on the Rio Grande, 125 miles above Ringgold Barracks, and has two railroads crossing at that point into Mexico.

It is understood that the sum of $10,000 paid for Ringgold Barracks included all charges for use and occupation. Ringgold is also on the Rio Grande, at what is called Rio Grande City. It is a place of considerable importance, and was occupied by the United States about the same time that Fort Brown was.

As a circumstance to be considered in estimating the value of the use of the land near Brownsville on which Fort Brown is located, it is to be remembered that the census of 1880 shows a decrease in the population of the city from 1870; and further, it appears from a letter of the Acting Secretary of the Treasury to the House of Representatives, in answer to its resolution passed in the first session of the Forty-ninth Congress (see Executive Document No. 238), that there was for the year 1886 $22,438.70 of customs duties collected at Brownsville, Tex., at a cost to the Government of $42,428.50, or a cost of $1.89 in expense for every dollar of duties received.

As a circumstance reflecting light on the question of the value of the fee to the land in question and rental thereof, it appears in a statement of John D. M. Call, acting comptroller of the State of Texas, that the average assessed value of land in Cameron County, Texas, that being the county in which Fort Brown is located, for the year 1886 was 461.8 cents per acre.

2. The second proposition of the resolution has to do with the purchase of the site and reservation of Fort Brown.

This is purely a military question. The United States certainly does not want 358 acres of real estate at Brownsville, Tex., for any other than military purposes, and if it does not want land there for that purpose it does not want it at all.

In his report for the year 1882, General Sherman, commanding the armies of the United States, uses this language in reference to the post under consideration:

Fort Brown is subject to overflow, and during this year has been afflicted with yellow fever in its worst form. I advise its absolute abandonment.

Ringgold Barracks being the property of the United States, and with reasonably good barracks, should be held a few years until the extension of the railroad down the valley of the Rio Grande from Laredo will enable us to dispatch troops to any threatened point promptly, when Ringgold Barracks may also be allowed to pass away.

The strategic points of the Texas frontier are: San Antonio, McIntosh, and Duncan on the Lower Rio Grande; Fort Davis, with Presidio and Camp Rice, on the Upper Rio Grande; and Fort Bliss. (Forty-seventh Congress, second session, Ex. Doc. 1, part 2, p. 11.)

The General of the Army, in the further consideration of the subject of obsolete military posts, declares the post of Fort Brown to be obsolete, and recommends the abandonment of the same.

The following military posts are obsolete and ought to be abandoned. To accomplish this end Congress should be asked for authority to dispose of all the buildings and materials which can not be moved, and to sell the reservations, or to transfer the same to the Interior Department for sale or grant under existing laws for the disposition of the public domain, namely:

* * * * * * *

Fort Brown, Texas.

(Same document as above.)

Previous to this report, namely, February 10, 1880, General Sherman recommends the renewal of the appropriation of 1874 for $25,000 for the purchase of Fort Brown, and that it be tendered the holders of the title, and if refused, then that the post of Fort Brown, Texas, be dismantled and the garrison removed to Ringgold Barracks. He says:

Fort Brown has been held by United States troops since 1846; is located opposite the somewhat important Mexican town of Matamoras; is only important for that reason and no other.

The text of his letter is here given:

HEADQUARTERS OF THE ARMY,
*Washington, D. C., February* 10, 1880.

Respectfully returned to the honorable Secretary of War, recommending that he submit it to the proper committee of Congress, asking a renewal of the appropriation of $25,000; that if such appropriation be made the sum be tendered the devisee of Señora Cavazos, or the real owner thereof, and if this price be refused, that the post of Fort Brown, Texas, be dismantled and the garrison removed to Ringgold Barracks.

Fort Brown has been held by United States troops since 1846; is located opposite the somewhat important Mexican town of Matamoras; is only important for that reason and no other.

There are some valuable buildings there needed for the shelter of troops, but in a military sense the site has no more strategic value than any other mile on the Lower Rio Grande.

The Adjutant-General will send a copy of this paper and indorsements to the department commander, General Ord.

W. T. SHERMAN, *General.*

General Sherman makes a further reference to the matter January 24, 1881, saying, "I understand that the Rio Grande is rapidly cutting away the bank" (American bank), "endangering the site of Fort Brown. This may be the reason why the owners of the ground are so anxious to sell to the United States."

The text of this letter is also given.

HEADQUARTERS OF THE ARMY,
*Washington, January* 24, 1881.

Respectfully submitted to the Secretary of War.

I understood Colonel Otis, Twentieth Infantry, recently brought to Fort Leavenworth from Fort Brown, to say that the Rio Grande River was rapidly cutting away the bank, endangering the site of Fort Brown. This may be the reason why the owners of the ground are so anxious to sell to the United States.

W. T. SHERMAN, *General.*

In April, 1883, General Sherman again refers to this subject, this time in a letter calling the attention of the Secretary of War to a letter from General Sheridan. He says:

General Sheridan confirms what I have heretofore repeatedly reported, that the new railroads of Texas have entirely left out Fort Brown, and that it will be unwise to buy the site or expend any money thereon henceforward.

Letter of April 25, 1883, to Secretary of War. This is indorsed by Secretary Lincoln as follows:

The views of the General are concurred in.

ROBT. T. LINCOLN,
*Secretary of War.*

The following is the letter in full:

HEADQUARTERS OF THE ARMY,
*Washington, D. C., April 25, 1883.*

This letter is respectfully submitted to the honorable Secretary of War, inviting his special attention thereto.

General Sheridan confirms fully what I have hitherto repeatedly reported, that the new railroads of Texas have entirely left out Fort Brown, and that it will be unwise to buy the site or expend any money thereon henceforward.

W. T. SHERMAN, *General.*

The views of the General are concurred in.

ROBERT T. LINCOLN,
*Secretary of War.*

WAR DEPARTMENT, *April* 28, 1883.

The letter of General Sheridan to General Sherman, which called forth these comments, is in part as follows:

The ground on which some of it (Fort Brown) is built is being cut out by the river, and will eventually be washed away, from present indications, and I think it would be about as well to let the washing go on. * * *

The old post has served its purpose and we should not spend any more money on it.

No money from the appropriation for the defense of the Rio Grande frontier should be spent in acquiring title to Fort Brown. This point has been left behind by Forts McIntosh, Duncan, and Bliss.

The following is the letter in full:

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
*Chicago, Ill., April* 23, 1883.

MY DEAR GENERAL SHERMAN: While I did not go to Fort Brown on my recent trip to Texas, I accumulated as much information about it as I could.

There is no harbor there, and probably never will be at the mouth of the Rio Grande. Brazos Santiago is a fairly good harbor for Texas, but the present railroad system in Mexico cuts it off, and diminishes the commercial value of Matamoras and Brownsville, and Fort Brown is of importance only as a revenue-post in the commerce between those points. Two companies are sufficient there; it probably will never be a base of military operations, and it is in the yellow fever zone. The ground on which some of it is built is being cut out by the river, and will eventually be washed away, from present indications, and I think it would be about as well to let the washing go on. The ground does not belong to us, and our loss would be very little. We never get much for abandoned posts any way. The old post has served its purpose, and we should not spend any more money on it. No money from the appropriation for the defense of the Rio Grande frontier should be spent in acquiring title to Fort Brown. This point has been left behind by Forts McIntosh, Duncan, and Bliss.

I am, my dear General, yours, truly,

P. H. SHERIDAN,
*Lieutenant-General.*

In a letter to the Secretary of War, of June 2, 1884, General Sheridan, referring to this matter, says:

The present site of Fort Brown is in litigation, and there is also danger of its being washed away, and while I will now consent that there should be a two-company post there, I doubt the advisability of purchasing the present site, and would prefer that in the future a new one, near Brownsville, be selected.

The letter is as follows:

HEADQUARTERS OF THE ARMY,
*Washington, June* 2, 1884.

Respectfully submitted to the honorable Secretary of War. The present site of Fort Brown is in litigation, and there is also danger of its being washed away, and while I will now consent that there should be a two-company post there, I doubt the advisability of purchasing the present site, and would prefer that in the future a new one, near Brownsville, be selected.

P. H. SHERIDAN,
*Lieutenant-General.*

Article V of the treaty of Guadalupe Hidalgo, executed February 2, 1848, fixes the middle of the deepest channel of the Rio Grande, or the Rio Bravo del Norte, as the boundary line between the two countries, and as a consequence, if it be decided to purchase and maintain Fort Brown this country will have to appropriate money to defend the site from the action of the river, or it may find itself in the awkward position of having purchased a site and established a military post which under the dual operation of the treaty and the river may become the property of Mexico.

Mr. Speaker, the question to be answered by the House in ordering this investigation is whether 358 acres of wild, uncultivated land, useless for any purpose, save grazing, covered with grease-wood and mesquite brush, and which doubtless cost less than $1,000, original capital, is worth in fee and rent for forty years $160,000.

The committee are willing to find a reasonable value, as an investment, for the land and allow a reasonable interest on the amount as the rental, and no more.

We see no reason why the Government should be mulcted in $160,000, either through the carelessness of Congress or the ignorance or indifference of its military officers.

Mr. TOWNSHEND. Mr. Speaker, how much time is remaining?

The SPEAKER *pro tempore*. Forty minutes of the time remain.

Mr. TOWNSHEND. The gentleman from Nebraska consumed only ten minutes.

The SPEAKER *pro tempore*. But the gentleman from Illinois withdrew his call for the regular order and allowed some time to expire.

Mr. TOWNSHEND. I did not understand that that was to be taken from the time allowed for consideration.

The SPEAKER *pro tempore*. The Chair will deal liberally with gentlemen in reference to time, as there was a misunderstanding, and will assume that forty-five minutes yet remain.

Mr. TOWNSHEND. I yield twenty-eight minutes to the gentleman from Texas [Mr. CRAIN].

Mr. CRAIN. I desire first to submit an amendment which I send to the desk.

The Clerk read as follows:

Amend the resolution by striking out the following words:

"Also to inquire into and report as to what necessity exists, if any, for a military post at said point, and the cost to the United States of said post since 1865."

Mr. CRAIN. Mr. Speaker, I desire to yield five minutes of my time to the gentleman from Pennsylvania [Mr. SCOTT], and I hope when I shall have consumed the remainder of the time allotted to me the Chair will notify me, so as to reserve that portion for him according to my promise.

Mr. Speaker, it seems to me that the question of an investigation of the amount to be paid for the site of Fort Brown comes up at a very late day. It strikes me as very singular that the Cerberus of the Treasury and the chairman of the Committee on Military Affairs, both of whom were members of the Committee on Appropriations which made this appropriation in the Forty-eighth Congress, should not then have discovered the reasons why the Government of the United States ought not to pay the amount which was appropriated by the act which they recommended and which that Congress passed. I excuse the gentleman from Nebraska [Mr. LAIRD] because, although it is a familiar principle of law that *ignorantia legis neminem excusat*, he is not familiar with the facts in this case except in so far as some individual has made himself a siphon between outside individuals and the gentleman from Nebraska.

Why is it that the gentleman from Indiana [Mr. HOLMAN], when he was a member of the Appropriations Committee that recommended the appropriation for the expenditure of this sum of money, did not raise his voice in the committee in opposition to the amount, if, as he alleges, it was too large? Why is it that he did not, in consonance with that reputation which he has made for himself throughout the country as the watch-dog of the Treasury, oppose the passage of the appropriation act which provided that the owners of the site of Fort Brown should receive the sum which was recommended by the committee? Why was it, I ask further, that the gentleman who has the distinguished honor of adorning and animating the chairmanship of the Committee on Military Affairs did not, when a member of the Committee on Appropriations which recommended this item and asked the House to adopt it, oppose the measure instead of sitting silently by and permitting the House of Representatives of the Forty-eighth Congress to pass without comment the item appropriating this amount for the purchase of the fort?

Mr. TOWNSHEND. Does the gentleman desire an answer?

Mr. CRAIN. Certainly.

Mr. TOWNSHEND. While I am under obligation to the gentleman for the compliment which he has paid to the chairman of the Committee on Military Affairs——

Mr. CRAIN. Do not take up too much of my time.

Mr. TOWNSHEND. I wish to say distinctly that my recollection is clear that as a member of the Committee on Appropriations I opposed the appropriation of the enormous sum which was proposed to be employed in this purchase.

I stood then where I stand to-day, in the belief that it was an exorbitant sum, and I have great doubt in my mind whether there is any need whatever for a fort at that point.

Mr. CRAIN. The gentleman from Illinois does not stand to-day where he stood then. He may have opposed it in committee, but to-day he opposes it on the floor of the House, and he did not oppose it on the floor of the House then.

Mr. TOWNSHEND. I did not occupy then the position I do now on the Committee on Military Affairs.

Mr. CRAIN. I suppose if the gentleman did not occupy that position now he would not take the stand he does to-day.

Nearly four years after the passage of an act, which was either recommended by the members of the Committee on Appropriations or tacitly acquiesced in, we have two members of that committee coming before this House and telling the House that the appropriation for the purchase of this property was excessive, if not fraudulent. And upon what basis does the gentleman from Indiana [Mr. HOLMAN]—who is not in his seat now, but was a moment ago, when I commenced to discuss this proposition—upon what basis does he present this resolution to the House? Sir, he presents it upon vague, general, indifferent allegations, and I will tell the gentleman from Nebraska [Mr. LAIRD] that this question was discussed, and fully discussed, in the Senate of the United States. Objection was made to this item in the Senate of the Forty-eighth Congress, and after an extended and exhaustive debate upon the very question which is raised on this resolution the Senate coincided with the House, and the appropriation item became a law.

But, Mr. Speaker, I oppose, not the investigation in reference to the price to be paid, although Fort Brown is in my district and although the Forty-eighth Congress has appropriated this sum of money, which is pronounced to be less than the property is worth, not for the site alone, but for the use and occupation for more than forty years. I am not opposed to an investigation of this question. If by any accident, if by

any negligence of the Committee on Appropriations, or of the gentleman from Indiana [Mr. HOLMAN], the Forty-eighth Congress passed a law appropriating more money for this property and its use and occupation for over forty years than they were worth, then I, as a representative of the people of this country, do not propose to stand in my place here and oppose any investigation of that question. If the price is either excessive or fraudulent, the people of this country ought not to be compelled to pay that price.

I do not oppose any investigation of the question whether $160,000 was too much or not for the fee of the property and for its use and occupancy since the year 1846, when the fort was erected by General Taylor; but I do oppose, Mr. Speaker, the extension of the rights of this special committee of investigation to inquire into the necessity for the continuance of Fort Brown. I do it, first, because the history of this country shows that such an investigation is unnecessary and useless. Suppose that the gentleman from Nebraska and the other distinguished gentlemen on the Committee on Military Affairs were to bring in a report to this House saying the continuance of Fort Brown was a necessity, and as against that I produced letters from the commanding general of the Department of Texas and the commanding general of the Army, what would the gentleman do? And I ask the gentleman from Nebraska, I ask him to answer the question now, if that subcommittee is appointed will you not inquire from the commander-in-chief of the Army and from the commander of the Department of Texas whether it is necessary to continue Fort Brown opposite the city of Matamoras? The gentleman, if he pleases, will answer the question right now.

Mr. LAIRD. I find General Sherman in his report and letters——

Mr. CRAIN. The gentleman will please answer my question. If that committee is appointed would you not call on General Sheridan and General Stanley, the commander-in-chief of the Army and the commander of the department of Texas, to testify whether it is necessary to continue that fort? Or would you act on your own judgment?

Mr. LAIRD. I would act on military authority. The military authority is against the continuance of the post. We have letters from General Sherman and others.

Mr. CRAIN. General Sherman is not in command of the Army now.

Mr. LAIRD. He was in his time.

Mr. CRAIN. I have a letter from General Sheridan, in which he asserts that the continuance of Fort Brown is a necessity. I will read it.

HEADQUARTERS ARMY OF THE UNITED STATES,
*Washington, D. C., January* 11, 1888.

SIR: In reply to your letter of the 9th instant, I have the honor to inform you that I have been familiar with Fort Brown, Texas, since 1854. It is situated on the east bank of the Rio Grande, near Brownsville, Tex., and opposite the Mexican town of Matamoras, and during the war with Mexico was a very important station. It is now connected by rail with Point Isabel, 22 miles distant, on the Gulf of Mexico, but has no railway connection with other points in the United States, and there are no other railroads in that section of Texas. It is the principal trading town for that region of the State, and through it much of the commerce of Northeastern Mexico finds its outlet to the Gulf. Matamoras, Mexico, has a population of about 20,000; Brownsville, Tex., of about 6,000, and between them and near the present post the changes in the channel of the Rio Grande through the action of the periodical overflows is continually liable to transfer territory from this country to Mexico, or the reverse, with all the possibilities of confusion and trouble consequent upon such conditions.

For these various reasons I believe a garrison should be maintained at Fort Brown, and most likely for a long time to come. The presence of a large force is not necessary, but it will probably always be advantageous to keep there about two or three companies for such emergencies as might arise, as, owing to its rather isolated position, troops can not readily be assembled there, and I also esteem it of great importance to continue the post as a check on smuggling, which is very prevalent along that portion of the Rio Grande.

Very truly, yours,

P. H. SHERIDAN,
*Lieutenant-General.*

Hon. W. H. CRAIN,
*House of Representatives.*

Now, the gentleman has told us that if this subcommittee were appointed it would look to the General of the Army for information upon the question whether this post should be continued or not, and when I produce and read upon this floor with the acquiescence—nay, with the consent, because I asked the General of the Army for his consent—when I produce and read upon this floor a statement made by him officially, to the effect that it is necessary to continue the post, why, I ask, ought this House to authorize the Committee on Military Affairs to make a special investigation on the subject? I repeat what I have said, that I do not oppose an investigation in regard to the price for the fee, or for the use and occupancy, and if the gentleman from Nebraska [Mr. LAIRD] will permit me to state the proposition that he and the gentleman from Indiana [Mr. HOLMAN] made to me— —

Mr. LAIRD. I will.

Mr. CRAIN. I have the permission of the gentleman from Nebraska to make this statement. When the gentleman from Indiana [Mr. HOLMAN] and the gentleman from Nebraska [Mr. LAIRD] approached me on this subject in the last Congress, I told them both that individually I was perfectly willing there should be an investigation of this charge of excess in the payment, but that I would oppose an inquiry as to the necessity of the continuance of the post, and they then made the proposition to me, both of them together, that they would strike out of the resolution the part which provides for an investigation of that question if I would agree that the other part of it should pass. To that I did agree; but, as the gentlemen know, obstacles were interposed at the other end of the Capitol which prevented the carrying out of the agreement, or quasi agreement, made between them and me. If they were willing to submit that proposition to me then, I ask them why they do not accept the amendment which I have proposed? In addition to the statements made in the letter from the Lieutenant-General which I have just had read, I have a letter from the commander of the Department of Texas upon the same subject, and I doubt not that the Committee on Military Affairs and this House will regard his testimony as competent as perhaps the best testimony that can be adduced upon this question, because I believe that the House would prefer—I say it with all due respect to the ex-military gentlemen on the Committee on Military Affairs—I believe that this House would prefer the evidence of gentlemen in the active service of their country to-day to any testimony which might be given either by civilians or by gentlemen who have made their army records in the past history of this country.

Under date of January 14, 1888, General Stanley, in command of the Department of Texas, writes as follows, in response to a letter from me inviting his opinion as to the necessity for the continuance of the post at Fort Brown:

SIR: In answer to your letter of the 19th instant I have the honor to state that the post of Fort Brown is built upon a reservation of 358¼ acres of land immediately adjoining the town of Brownsville, Tex., and situated on the Rio Grande River, by river route 65 miles and by land 22 miles above the mouth of that river. It is the most southern post of the United States, excepting Key West, Fla. It is connected with Point Isabel and ocean navigation by a narrow-gauge railroad 22 miles in length. Immediately opposite is the Mexican city of Matamoras, which is fortified with earthworks, and where the Mexican Government usually keeps two regiments of troops, and the headquarters of a brigadier-general. The post was established in 1846 by General Taylor, at the outbreak of the Mexican war, and has been occupied by United States troops ever since, excepting the interval of the civil war, when it was held as a very important post by the Confederate authorities. The improvements on the reservation consist of about forty buildings of more or less value. Of these, twelve are of brick and substantial; the remainder of frame, in fair condition, but needing repairs. Fort Brown, as a military station, is an absolute necessity, and occupies a very important point geographically and strategically on our Mexican frontier. Granting that we have no desire for Mexican territory, and hoping that we may never again have war with Mexico, the necessity for this post still remains.

There you have the testimony of the commander of the Department of Texas, in conjunction with the testimony of the Lieutenant-General of the Army.

General Stanley continues:

The nearest military post to Fort Brown is Fort Ringgold, 100 miles by land, 300 by river, and on the left bank of the Rio Grande. The frequency of thefts of horses and cattle and of crimes of violence to persons and robberies of stores and ranches on the frontier between Ringgold and Fort Brown has made it necessary to keep up two special stations with a detachment of troops at each, one at Santa Maria, 25 miles from Fort Brown, and one at Edinburgh, 58 miles from Fort Brown.

Matamoras, opposite to Fort Brown, has a population of 18,000, and is the principal city in the State of Tamaulipas, which has a population of 120,000. This State of Tamaulipas is noted for the turbulent, warlike, and aggressive character of its people. It is safe to say that one-half the revolutions that have disturbed the Republic of Mexico since their independence in 1822 have had their origin in this State. The great revolution that placed the present executive of Mexico in power had its beginning right at Matamoras and Brownsville. The central government of Mexico hold a large force of soldiers in Tamaulipas, and yet not a year passes without rebellions, robberies by wholesale, and invariably when intimidated the discomfited party flee to our side of the Rio Grande in a mood to appropriate anything they can lay their hands upon.

For these reasons alone Fort Brown must continue a military post; its facilities for transportation and the improvements already made upon the reservation make it preferable to any point on the Lower Rio Grande filling the necessary conditions.

Yours respectfully,

D. S. STANLEY,
*Brigadier-General, U. S. A., Commanding Department of Texas.*

I have another letter to the same effect from the commander-in-chief of the Army, dated yesterday.

The SPEAKER *pro tempore*. The gentleman from Texas [Mr. CRAIN] has now five minutes of his time remaining. He intimated to the Chair that he desired to give five minutes to some other gentleman.

Mr. CRAIN. Mr. Speaker, before taking my seat I want to call attention to one other matter. In the first place, there are $75,000 worth of buildings on that site. If the reservation be abandoned, those buildings belong to the owners of the property. In the next place, there is a cemetery there; and in a letter from the commander-in-chief of the Army it is stated that 3,000 soldiers are buried there. Now, since I have been a member of this House I have seen large appropriations made here for the maintenance of national cemeteries. I have voted cheerfully for those appropriations, because I believed them to be right.

Side by side as they fell in the moss-covered dell
We have tenderly laid them at rest.
Who shall tell us to-day the blue from the gray
By the sods that lie cold on their breast?

Bloom the roses as red on the moss-covered bed
And the mocking-bird carols as free;
Droops the willow as low on friend as on foe;
Sigh the zephyrs as soft as the sea.

* * * * * *

Lightly tread o'er the grave where we've buried the brave;
Scatter roses and garlands o'er all.

Were they right, were they wrong, 'tis to God they belong;
'Tis His to reject or receive.
Ours to honor the clay of the blue and the gray;
Doubly ours to forget and forgive.

If it be true, Mr. Speaker, that we should appropriate money for the maintenance of national cemeteries where Union soldiers are buried, where Confederate soldiers are buried, does not the same reason apply to the maintenance and continuation of the cemetery at Fort Brown, where 3,000 graves attest the fact that their inmates died in the service of their country? [Applause.]

The SPEAKER *pro tempore*. The gentleman from Texas has two minutes of his time remaining, which, as the Chair understands, the gentleman from Pennsylvania [Mr. SCOTT] proposes to occupy.

Mr. SCOTT. Mr. Speaker, it would be impossible in the time allotted to me, two minutes, to even briefly discuss the resolution before the House, or to make any statement in connection with the same going into the merits of the case. The whole discussion appears to have turned on the question whether we shall maintain a military post at Fort Brown regardless of the equities involved in the bill, which passed this House in the Forty-ninth Congress, in connection with the military reservation at Fort Brown, or whether the parties from whom the land was taken are entitled to a just compensation for the same or not.

Briefly, the facts are substantially as follows: General Taylor, under the direct orders of the Secretary of War, about the year 1845, took possession of 360 acres of land, upon which the present Fort Brown is erected. Under the direction of the Secretary of War condemnation proceedings were begun on the part of the Government in the courts of Texas, and an award was made in favor of the owners of the land for about the sum of $40,000.

After this award had been made the legal authorities of the Government endeavored to have the award set aside as being excessive; and this application was refused by the court before whom the appeal was made.

Over forty years have now passed and the Government has remained in possession of the land taken under these condemnation proceedings, and not one cent has ever been paid by the Government under the award. During this long period the original owners of the land have been paying the taxes upon it, as I am informed, and have been subject to other expenses. It was not till the Forty-ninth Congress, after a careful hearing before the committees of the two Houses and a full discussion of the merits of the case in the Senate and in the House, that a bill to compensate the original owners for the land so taken was passed. It was not till after the passage of this bill, appropriating the sum of $160,000 to pay the original owners, that any adverse claimants appeared as owners of this property.

[Here the hammer fell.]

Mr. SPRINGER. I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCOTT] be allowed five minutes additional, not to be taken out of the hour.

Mr. TOWNSHEND. I stated at the opening of the debate that I would like to have action on this resolution to-day. If the hour can be extended, I have no objection to the request of the gentleman from Illinois [Mr. SPRINGER]. If there is to be an extension, let it be understood that the hour be extended ten minutes—five minutes for the opposition and five minutes for the committee.

The SPEAKER *pro tempore*. If there be no objection, the hour will be extended ten minutes. The Chair hears no objection.

Mr. SCOTT. And it was only after the bill to compensate these owners had passed the Forty-ninth Congress that adverse claims as to the title were raised. The proper law officers of the Government admitted that these adverse claimants had only a shadow of title to the land in dispute, but declined certifying to the Secretary of War that the title of the parties from whom this land was taken was absolutely perfect, and required the original owners of the land to remove these shadows of claims upon it. By legal proceedings taken in the courts of Texas during the year 1887 the title of the original owners was declared absolutely perfect, thereby removing the only objection that the Attorney-General had to certifying the title of the land in the parties from whom it was taken; and on the day just prior to the meeting of the present Congress the Attorney-General certified to the Secretary of War that the title proposed to be conveyed by the original owners or the heirs or assigns of Cavazos was a perfect title.

The resolution introduced by the gentleman from Indiana [Mr. HOLMAN] and which has now been reported by the Committee on Military Affairs, and which is now under consideration, looked merely to the question of whether the amount appropriated by the last Congress was an equitable and just sum for the land so taken. I do not understand that the gentleman from Indiana raised the question of whether the present occupation of Fort Brown was a military necessity to-day or not. The Government has been in undisputed possession of this tract of land for over forty years. It has expended large sums of money in the erection of forts and Government buildings. They have never paid one cent compensation to the owners of the land taken for this purpose; and as I have said, during this long period the original owners or their heirs or assigns have been subject to a large expenditure of money in their efforts to procure a just compensation for the lands so taken and in other incidental expenses in connection therewith.

But after the lapse of thirty or forty years, when military emergencies had ceased to exist that required this land to be taken for military purposes, after an award had been made by what we can not but infer an impartial jury, where not only the Government but the owners of the land were heard, certain Government officials have directed *ex parte* examinations and reports to be made as to the value of this property, and it is upon these *ex parte* examinations and reports, very largely, that the resolution of the gentleman from Indiana has been introduced, claiming that the amount authorized to be paid under the bill which passed the Forty-ninth Congress is in excess of the value of the land taken.

Now, Mr. Speaker, taking the amount of the original award in favor of the owners of this property, allowing 5 per cent. interest on the amount so awarded, and adding thereto the taxes and other expenses that these claimants could justly ask the Government to pay, the amount of money that they would be entitled to to-day would be fully three times the amount provided to be paid them under the bill which passed the last Congress; and at this late day is the action of the last Congress to be reconsidered by this Congress, and are these claimants to be kept out of their just dues?

What can any investigation possibly show or prove that is not now known? The low valuation put upon this land by the Government experts, or a fair rental for same during the time the Government has occupied it, including a reasonable rate of interest and other expenses to which the original owners have been subjected, and which should be paid by the Government, would exceed the sum appropriated at the last Congress of $160,000. In my judgment, the sum of $160,000, covered by the bill passed in the last Congress, is not in excess of the amount to which these claimants are justly entitled.

[Here the hammer fell.]

Mr. TOWNSHEND. Mr. Speaker, I merely want to say that these arguments upon the part of the gentleman from Texas [Mr. CRAIN] and the gentleman from Pennsylvania [Mr. SCOTT] seem to be based upon a wrong impression of the facts as they exist. They seem to be laboring under an apprehension that the committee has already made an investigation under the orders of the House. That is not the true condition of affairs at all. The only question before the House is this: Is there a sufficient statement of facts presented to us to warrant the House to order the investigation? After that investigation is made the remarks of the gentlemen may be appropriate; but it is certainly premature now to discuss the merits of the question.

The only question presented is as to the probability of the truth of the information, which would warrant the House in making the investigation so as to prevent a fraud from being practiced on the Government, and also in order to ascertain whether it is proper to abandon or keep up what might be demonstrated to be an entirely useless post.

I yield now five minutes to the gentleman from Pennsylvania [Mr. RANDALL].

Mr. RANDALL. I do not know that I shall want that much time.

Allusion has been made to the action of the Committee on Appropriations in connection with the subject of the pending resolution. I was a member of the Appropriations Committee which first considered this matter. It came to the attention of the committee by a bill which Mr. Ochiltree, of Texas, introduced on the 17th day of April, 1884, and which proposed to appropriate $160,000 as payment for this property. The committee referred that bill to the War Department, and the War Department reported that $160,000 should be paid.

It will be remembered that this property was occupied as far back, I think, as 1846, and if I am wrong in that some one will, I hope, correct me.

Mr. HOLMAN. The Government took possession of the property in 1846, but no purchase was ever made.

Mr. RANDALL. There never was for many years any one to give a clear title to the property. However, in 1884, the question came up, and the Committee on Appropriations by a majority vote placed in the deficiency bill not $160,000, as recommended by the War Department, but about $121,000, and I think the reduction to that sum was based upon the ground that the United States was not bound to pay any interest or anything whatever in this connection during the four years of the civil war. The House approved, and the proposition went to the Senate.

Mr. CRAIN. How much did it appropriate?

Mr. RANDALL. I can give the gentleman the exact figures. I have them here.

Mr. CRAIN. The round numbers will answer.

Mr. RANDALL. The exact figures are $121,684.

Mr. CRAIN. So that the Committee on Appropriations admitted that the property was worth that much?

Mr. RANDALL. A part of the committee.

Mr. CRAIN. Well, the majority?

Mr. RANDALL. Yes; it passed the committee.

Mr. CRAIN. And the House adopted the same view, did it not?

Mr. RANDALL. The House passed the item in that shape, but the Senate rejected it. It got into conference, and the committee of conference on the part of the House receded from the amendment, and from the payment of anything, if I am correct in my recollection.

It again appeared the second time in the Forty-eighth Congress, second session, and the committee again passed it, and so did the House.

I am able to say, by reference to the record of the Appropriations Committee, that my own vote was recorded against it.

Mr. CRAIN. But the committee was for it?

Mr. RANDALL. The committee was for it. I thought the price was excessive, and that was the ground of my opposition to it. It went to the Senate and the Senate amended it by reducing the sum to $75,000, which was the amount reported by the Senate committee to the Senate. And that reduction I remember very well was induced by the fact that the then Secretary of War, Mr. Lincoln, agreed to the view which I have suggested, that the amount was excessive and that he could buy the property for $75,000. That is my present recollection.

Mr. CRAIN. Will the gentleman allow a question?

Mr. RANDALL. Certainly; for if I am wrong I should be glad to be corrected.

Mr. CRAIN. Of course I know the gentleman would not willfully mislead the House, but I will read a letter from the then Secretary of War, addressed to the gentleman from Pennsylvania, the chairman of the Committee on Appropriations:

WAR DEPARTMENT, *Washington City, May* 3, 1884.

SIR: Acknowledging the receipt of the telegram of yesterday's date requesting that the information called for by letter from the Committee on Appropriations, House of Representatives, of the 22d ultimo, in relation to H. R. 6625, "A bill to appropriate the sum of $136,000 to pay the owners of the Fort Brown reservation in Texas for rents due thereon by the Government from 1846 to 1884," be furnished to-day if possible, I have the honor to state that the Quartermaster-General of the Army, to whom the subject was referred, reports under date of the 30th ultimo, as follows:

"In the opinion of the Quartermaster-General the rental value of the site of Fort Brown from 1846 to 1866 was at least equal to $2,500 per annum, which for twenty years makes a sum of $50,000. There is no question in his mind that from 1866 to date the value of the rental, considered relatively to prices paid for similar property in the State of Texas, was and is at least $3,600 per annum, which for eighteen years gives a sum of $64,800, or a total sum of $114,800. The difference between this calculation and the sum named in the bill, namely, $21,200, is a fair, equitable amount to offset deferred payment and the natural differences of opinion that arise in determining values of this land. It was alleged in 1873 and 1874 that the property was taxed at or about $1,000 per annum. Estimates of the value of this site have varied from $25,000 to $75,000."

Very respectfully, your obedient servant,

ROBERT T. LINCOLN,
*Secretary of War.*

Hon. S. J. RANDALL,
*Chairman of the Committee on Appropriations,*
*House of Representatives.*

Mr. RANDALL. I do not think the Secretary in his letter, which the gentleman has just read, controverts the position that I think, as well as my memory will permit, he took before the committee of the Senate that $75,000 was an adequate sum.

There was added to the proposition the proviso of which I have a copy here:

That no part of this sum shall be paid until a good title is vested in the United States and the full amount of said sum shall be paid directly to the owners of the property.

There was a controversy as to the parties to whom the money should go, and therefore the Senate made the provision that it should go directly to the owners of the property; that is, those persons who would give title. When that proposition was amended by the Senate committee it was after a discussion, as the gentleman states, and the original sum, $160,000, was inserted by the Senate. That has never changed my mind on this subject, because I argued in the committee and everywhere else that this amount was excessive, and therefore I shall vote for any proposition which looks to the equitable fixing of a price for this property. I concede the owners ought to be paid rental.

As to the other question, whether the Government of the United States now needs this property or not, I am not so competent to give advice to the House as I am on the first branch of the subject. But I conceive the Military Committee of the House, in conjunction with the military officers of the Government, might have that discretion given them.

The gentleman from Nebraska has just handed me a letter signed by General Sherman, and asks me to read it.

Mr. CRAIN. That has been read already.

Mr. LAIRD. Oh, no; this is different.

Mr. RANDALL. I hope the House will adopt the recommendation of the committee. It is the safe course to pursue. If there is any fraud in this matter let us develop it. I do not know that there is any fraud, but simply believe the price is excessive; and I hope the House will permit an investigation in that direction.

[Here the hammer fell.]

Mr. TOWNSHEND. How much time have I remaining?

The SPEAKER *pro tempore*. The gentleman has eight minutes remaining.

Mr. TOWNSHEND. I desire to yield three minutes of that time to the gentleman from Indiana [Mr. HOLMAN].

Mr. CRAIN. I should like to have two minutes.

Mr. TOWNSHEND. I can only yield for a question.

Mr. CRAIN. Then I desire to ask the gentleman a question.

Mr. TOWNSHEND. I will yield for a question, but not for a speech, as I have only eight minutes left. I am willing, however, that the time shall be extended.

Mr. CRAIN. Then I desire to make a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. CRAIN. I wish to know how it is that the chairman of the Committee on Military Affairs has so much time? He obtained unanimous consent to extend the time of the gentleman from Nebraska ten minutes, of which the gentleman from Nebraska occupied five minutes and the gentleman from Pennsylvania [Mr. SCOTT] five minutes. Now, he claims eight minutes more.

Mr. TOWNSHEND. Let the Chair make a statement as to the time.

The SPEAKER *pro tempore*. The Chair undertook to divide the extension of the time equally, and has been doing so.

Mr. TOWNSHEND. Of my eight minutes I yield three to the gentleman from Indiana [Mr. HOLMAN].

Mr. HOLMAN. There is no embarrassment in this matter in consequence of any purchase made by the Government. The land was never bought by the United States. The military forces of the United States took possession of it in 1846, and have remained in possession ever since, except during the late war. An attempt was made years ago to condemn the land for Government use under the laws of Texas, but the proceeding from some cause was a failure.

In the closing hours of the Forty-eighth Congress this sum of $160,000 was appropriated by way of an offer for the land if a good title could be given. If a good title could be given at any time in the past to the land it was only within a very recent period.

In 1875 the sum of $25,000 was appropriated to purchase the land, which was then deemed the full value of it. The gentleman from Texas is mistaken in assuming that there have been any laches or negligence in this matter on my part or of any member of the Committee on Appropriations. The bill passed appropriating the $160,000 in the closing hours of the Forty-eighth Congress on very unsatisfactory statements.

Mr. CRAIN. As is usually the case with the deficiency appropriation bills.

Mr. HOLMAN. It is something very unusual, I think; but it occurred in this instance. A portion of the members of that committee resisted the measure, among them myself.

In the next Congress, the Forty-ninth, as soon as the facts could be ascertained, I introduced in the House a resolution, the same as the one pending, and reintroduced it this session, and it has been pending here substantially from the first session of the Forty-ninth Congress to the present.

Mr. CRAIN. Will the gentleman permit me one moment?

Mr. HOLMAN. Yes, sir.

Mr. CRAIN. Did you not propose to me in the last Congress to accept the amendment which I have offered to-day?

Mr. HOLMAN. I will not say that I did not. I would not like to put my memory against that of the gentleman from Texas; his memory might be more reliable than mine. I do not recall the fact, but I wish to have it stand as he puts it. I would not question his recollection of the fact.

But I think both questions should be considered. The first is as to what is a fair value of this land. The Government, if it retains the land, should pay a fair value, with interest on that value. I am confident from the information I have that the $160,000 is beyond all measure in excess of the value of the property, taking rents and all into account, and that matter should be investigated. But the other question, whether the property should be retained as a military post, is one which should be inquired into notwithstanding the opinions which have been expressed.

The SPEAKER *pro tempore*. The gentleman from Illinois [Mr. TOWNSHEND] is entitled to the floor.

Mr. CRAIN. Mr. Speaker, with the consent of the chairman of the Committee on Military Affairs, I ask the House to allow me two minutes more.

Mr. TOWNSHEND. I am willing that the request of the gentleman from Texas shall be granted if the time be extended two minutes on the other side.

The SPEAKER *pro tempore*. Unanimous consent is asked for an extension of the time for two minutes on each side. Is there objection?

There was no objection, and it was so ordered.

Mr. CRAIN. I do not think, Mr. Speaker, that the gentleman from Pennsylvania [Mr. RANDALL] fully understood the nature of my proposition. I agree with him that it is right that there should be an investigation of the question whether we are paying too much for this site or not; but my amendment simply proposes that the committee shall not undertake to investigate the question of the necessity for the continuance of the post, because the only evidence, or the best evidence, upon which they could determine that question is already before the House, in the nature of letters from the Lieutenant-General commanding the Army and from the major-general commanding the Department of Texas, and both those officers state it is absolutely necessary that the post should be continued.

Mr. RANDALL. We have nothing to fear there.

Mr. CRAIN. No, we have nothing to fear, but, as a retrencher and reformer, I am opposed to appropriating the people's money for the purpose of enabling a committee to investigate a question which is settled in advance.

Mr. TOWNSHEND. How much time have I left, Mr. Speaker?

The SPEAKER *pro tempore*. The gentleman has six minutes left.

Mr. TOWNSHEND. I yield two minutes to the gentleman from Michigan [Mr. CUTCHEON].

Mr. CUTCHEON. Mr. Speaker, as has been already said by the gentleman from Pennsylvania [Mr. RANDALL], the safe thing to do in this case is to investigate. There appears to have been a very excessive appropriation for the purchase and quieting of the title of the Fort Brown reservation. I heard the present Lieutenant-General of the Army say, in the room of the Committee on Military Affairs, that, from the best information he had, he supposed this property was not worth to exceed $25,000; and, in the light of the letters read by the gentleman from Nebraska [Mr. LAIRD], and the statements made upon this floor, it seems to me that there is but one proper course for the Congress to take, and that is to investigate before they pay their money. It is not now a question whether we will abandon Fort Brown or not. The question is whether we will further inform ourselves before we pay over $160,000 of the people's money. I have been asked, "How in the world did this ever get into the sundry civil bill in 1885?" Well, I do not know how it got in, but I know one thing, the Military Committee is not responsible for it.

Mr. RANDALL. It got in by a vote of the House, against my opposition.

Mr. CUTCHEON. Yes, it got in by a vote of the House. It went from the House to the Senate. The Senate Committee on Appropriations recommended an amendment which will be found in the RECORD of March 3, 1885, page 2350, reducing the amount from $160,000 to $75,000. The chairman of the Senate committee, Mr. ALLISON, urged the adoption of that amendment. It was opposed, as will be seen by reference to the RECORD, by Senator COKE, of Texas, and by Senator Maxey, of Texas:

Mr. COKE. Mr. President, I hope the amendment of the committee will not be concurred in. I make no objection to the proviso. I simply object to striking out $160,000 and inserting in lieu thereof $75,000.

Again he said:

I submit that the amendment of the committee should not prevail, and that the sum of $160,000 should be paid for this land.

Mr. Maxey said:

I submit the question in the hope that the Senate will not concur with the action of the Committee on Appropriations. My point, as was made by my colleague, advises only non-concurrence in the striking out of $160,000 and the insertion of $75,000.

Mr. ALLISON said:

After what has been said by the two Senators from Texas, I shall occupy only a moment. As the Senators from Texas say, this is an old matter. In the first place, it has no business on this bill. It is purely a private claim, and it is a private claim that so far as I know has never been considered by any of the standing committees of this body. * * * What I object to is that this question comes in here from the House of Representatives this year on an appropriation bill for the purchase of the property at $160,000, when last year it came in the same appropriation bill for rent at $121,000. * * *

I submit to the Senate that the proposition to pay $160,000 for the property with no further information than we now have respecting it would be an unjust payment from the Government of the United States to the persons who have been claiming this property from 1853 to 1879.

* * * * * * *

The PRESIDENT *pro tempore*. The question is on agreeing to the recommendation of the Committee on Appropriations.

Mr. ALLISON. I will modify the amendment of the committee. I do not want even by implication to say that we are obliged to pay $75,000.

The PRESIDENT *pro tempore*. The question now is on the first amendment of the Committee on Appropriations, in line 2027, striking out "$160,000" and inserting "$75,000."

Mr. HARRIS. I ask for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 15, nays 20; as follows:

YEAS—15.

| | | | |
|---|---|---|---|
| Allison, | Chace, | Hoar, | Plumb, |
| Blair, | Dawes, | McMillan, | Sewell, |
| Cameron of Pa. | Edmunds, | Miller of N. Y. | Wilson. |
| Cameron of Wis. | Harrison, | Mitchell, | |

NAYS—20.

| | | | |
|---|---|---|---|
| Brown, | Hampton, | Jones of Nevada, | Vance, |
| Call, | Harris, | McPherson, | Van Wyck, |
| Coke, | Jackson, | Mahone, | Voorhees, |
| Fair, | Jonas, | Manderson, | Walker, |
| Gibson, | Jones of Florida, | Sawyer, | Williams. |

Mr. TOWNSHEND. Mr. Speaker, I wish again to impress upon the House that the only question now is as to whether an investigation shall be made or not. The investigation will not be an expensive one, because the officers of the War Department, who will be called upon to testify, are in the city, and they will doubtless be the main source of information on the subject. Besides that, there are other persons now in the city from Brownsville who are cognizant of all the facts, gentlemen who have been residents of the town for many years.

I will say further, Mr. Speaker, that the Committee on Military Affairs have no great desire to investigate this matter.

All they wish is that the House may have an opportunity to protect the Treasury from what is regarded by many good men as a fraud about to be perpetrated upon it. This resolution did not originate with the Committee on Military Affairs; it was introduced in this House and referred to that committee, and we have simply responded to the resolution by saying that there does seem to be a state of facts sufficient to warrant an investigation. General Meigs, who investigated the value of this property in 1869, reported that a fair rental for the property would not exceed $500 a year. In addition to that, officers who have been quartered at Fort Brown have told me that, in their judgment, the property was not worth more than $25,000. Now, Mr. Speaker, I demand the previous question.

Mr. CRAIN. I do not object to investigation. All I object to is an investigation as to the necessity for continuing the post.

Mr. TOWNSHEND. Then we are all agreed.

Mr. CRAIN. Yes; except as to my amendment.

Mr. TOWNSHEND. Mr. Speaker, I ought to have stated that the majority of the committee have authorized me to say that they are in favor of permitting the gentleman from Te as to offer his amendment.

The SPEAKER *pro tempore*. The amendment will be read.

The Clerk read as follows:

Amend the resolution by striking out the following words:

"Also to inquire into and report as to what necessity exists, if any, for a military post at said point, and the cost to the United States of said post since 1865."

The SPEAKER *pro tempore*. The gentleman from Illinois [Mr. TOWNSHEND] demands the previous question on the bill and the amendment.

The previous question was ordered.

Mr. TOWNSHEND. I ask unanimous consent that the hour be extended until this resolution is disposed of.

The SPEAKER *pro tempore*. If there be no objection, that arrangement will be made. The Chair hears no objection. The first question is upon the amendment proposed by the gentleman from Texas [Mr. CRAIN].

The question being taken on the amendment of Mr. CRAIN, there were—ayes 36, noes 129.

Mr. CRAIN. I call for the yeas and nays.

The yeas and nays were not ordered.

So the amendment was not agreed to.

Mr. TOWNSHEND. I now ask for a vote on the amendment reported by the committee.

The amendment of the Committee on Military Affairs was read as follows:

Strike out in the first line of the resolution the word "directed" and insert "requested."

The amendment was agreed to.

The resolution as amended was adopted.

Mr. TOWNSHEND moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

### RAILROAD BRIDGE ACROSS THE MISSISSIPPI AT MEMPHIS.

Mr. PHELAN. I ask unanimous consent to call up for present consideration the bill (H. R. 2927) to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.

Mr. DUNN. Let the bill be read and a statement made, subject to objection.

The SPEAKER *pro tempore*. The gentleman from Arkansas [Mr. DUNN] reserves the right to object.

The bill was read, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Kansas City and Memphis Railway and Bridge Company, a corporation created and organized under and by virtue of the laws of the State of Arkansas, its successors and assigns, be, and the same are hereby, authorized and empowered to erect, construct, and maintain a bridge over the Mississippi River, from or near the town of Hopefield, in the State of Arkansas, to or near the taxing district of Shelby County, commonly known as the city of Memphis, in the State of Tennessee. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of the corporation by which it may be built, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot-passengers, for such reasonable rates of toll as may be approved from time to time by the Secretary of War.

SEC. 2. That any bridge built under this act and subject to its limitations shall be a lawful structure, and shall be recognized and known as a post-route, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops, and munitions of war of the United States than the rate per mile paid for the transportation over the railroad or public highways leading to the said bridge, and it shall enjoy the rights and privileges of other post-roads in the United States.

SEC. 3. That the said bridge shall be made with unbroken and continuous spans. The two middle or channel spans thereof shall not be less than 600 feet in length in the clear, and no span shall be less than 450 feet in length in the clear. The lowest part of the superstructure of said bridge shall be at least 65 feet above extreme high-water mark, as understood at the point of location, and the bridge shall be at right angles to and its piers parallel with the current of the river. No bridge shall be erected or maintained under the authority of this act which shall at any time substantially or materially obstruct the free navigation of said river; and if any bridge erected under such authority shall, in the opinion of the Secretary of War, obstruct such navigation, he is hereby authorized to cause such change or alteration of said bridge to be made as will effectually obviate such obstruction; and all such alterations shall be made and all such obstructions be removed at the expense of the owner or owners of said bridge; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river caused or alleged to be caused by said bridge, the case may be brought in the circuit court of the United States within whose jurisdiction any portion of said obstruction or bridge may be located: *Provided further*, That nothing in this act shall be so construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers, or to exempt this bridge from the operation of the same.

SEC. 4. That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway

trains or cars over the same, and over the approaches thereto, upon payment of a reasonable compensation for such use; and in case the owner or owners of said bridge and the several railroad companies, or any one of them, desiring such use shall fail to agree upon the sum or sums to be paid, and upon rules and conditions to which each shall conform in using said bridge, all matters at issue between them shall be decided by the Secretary of War, upon a hearing of the allegations and proofs of the parties.

SEC. 5. That any bridge authorized to be constructed under this act shall be built and located under and subject to such regulations for the security of navigation of said river as the Secretary of War shall prescribe; and to secure that object the said companies or corporations shall submit to the Secretary of War, for his examination and approval, a design and drawings of the bridge and a map of the location, giving, for the space of 2 miles above and 2 miles below the proposed location, the topography of the banks of the river, the shore-lines at extreme high and low water, the direction and strength of the currents at all stages, and the soundings, accurately showing the bed of the stream, the location of any other bridge or bridges, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until the said plan and location of the bridge are approved by the Secretary of War the bridge shall not be built; and should any change be made in the plans of said bridge during the progress of construction, such change shall be subject to approval of the Secretary of War.

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved, and the right to require any changes in said structure, or its entire removal, at the expense of the owners, whenever Congress shall decide that the public interests require it, is also expressly reserved.

SEC. 7. That it shall be the duty of the Secretary of War, on satisfactory proof that a necessity exists therefor, to require the company or persons owning said bridge to cause such aids to the passage of said bridge to be constructed, placed, and maintained at their own cost and expense, in the form of booms, dikes, piers, or other suitable and proper structures for the guiding of rafts, steam-boats, and other water-craft safely through the passage-way, as shall be specified in his order in that behalf; and on failure of the company or persons aforesaid to make and establish such additional structures within a reasonable time, the said Secretary shall proceed to cause the same to be built or made at the expense of the United States, and shall refer the matter without delay to the Attorney-General of the United States, whose duty it shall be to institute, in the name of the United States, proceedings in any circuit court of the United States within whose jurisdiction such bridge or any part thereof is located, for the recovery of the amount so expended by the Government and all costs of such proceedings; and all moneys accruing from such proceedings shall be covered into the Treasury of the United States.

SEC. 8. That if the construction of the bridge hereby authorized shall not be commenced within one year from the time this act takes effect, and be completed within four years after the same date, then this act shall be void, and all rights hereby conferred shall cease and determine.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

Mr. DUNN. I desired to reserve objection until the gentleman from Tennessee [Mr. PHELAN] had made a statement.

The SPEAKER *pro tempore*. Objection will be reserved.

Mr. PHELAN. Mr. Speaker, I can meet the objection of the gentleman from Arkansas [Mr. DUNN] by reference to a letter which may either be read or, by unanimous consent, published in the RECORD—a letter addressed to me by General George H. Nettleton, president of the Kansas City, Springfield and Memphis Railroad Company, who will be one of the chief incorporators of this bridge. In this letter he incloses a circular letter addressed to all the roads centering at Memphis, offering each of them equal and fair participation in the construction and management of this bridge.

Mr. DUNN. In order to facilitate an understanding of this matter, I will state that I have always insisted that any new charter for a bridge at that point should contain a provision securing to all roads centering there the right to participate fully in the construction, ownership, and management of the bridge, so that no one railroad company should have a monopoly in this matter. As a provision of this kind does not appear in this bill, I have desired the gentlemen from Tennessee to place upon record a statement which shall satisfy the House that this right has been secured to the roads interested. In my judgment, the right ought to be secured by a provision in the bill; but the gentleman, as I understand, says an arrangement has been made which is satisfactory to all the roads interested. I make this statement that the House may judge for itself as to the sufficiency of this security.

Mr. PHELAN. I will state that the representatives of the various roads appeared before the Committee on Commerce and gave their full consent to the passage of this bill as in nowise affecting them injuriously.

Mr. WEAVER. All the roads?

Mr. PHELAN. Yes, sir. I will state further that the public at Memphis has had full information as to this bill, and it has been heartily indorsed by the Merchants' Exchange, the Cotton Exchange, by the business men of that city, and by the people on both sides of the river.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

Mr. DUNN. Let the document to which the gentleman has referred be read.

Mr. RANDALL. It occurs to me that there should be in the bill some provision covering the point raised by the gentleman from Arkansas.

Mr. PHELAN. I will state to the gentleman that this bill has already been passed once by the Senate, and has twice been approved by the Committee on Commerce of this House. In it all interests are protected, and the roads concerned are themselves satisfied.

Mr. RANDALL. I think parties who have heretofore objected held similar rights under an act of Congress.

Mr. PHELAN. Yes, sir.

Mr. RANDALL. The parties objecting heretofore were parties to whom, according to my recollection, a charter had been granted. I think the agreement which the gentleman from Tennessee has stated should be incorporated in this bill, so that no monopoly may be created.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

Mr. DUNN. Let the letter to which the gentleman has referred be read, before objection is withdrawn, because it is the very essence of this matter.

The Clerk read as follows:

KANSAS CITY, MO., *January* 17, 1888.

DEAR SIR: In reply to the following question, asked in yours of the 8th instant, "Are you willing for the roads east of the river each to name an incorporator and to have the privilege of subscribing to what part of the capital stock of said company?" I send with this a copy of form of letter prepared by me to be sent by the treasurer of the Kansas City, Springfield and Memphis Railroad Company to each of the railroad companies terminating at Memphis, which I think will satisfactorily answer your question.

As soon as I learn that the letters have been sent out I will inform you.

I have received several letters from Mr. Van Benthuysen, copies of which I have sent to Colonel Learnard.

Very truly, yours,

GEO. H. NETTLETON,
*President.*

Hon. JAMES PHELAN, M. C.,
*Washington, D. C.*

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OFFICE OF THE KANSAS CITY, SPRINGFIELD AND MEMPHIS RAILROAD COMPANY,
*Boston, Mass., January —, 1888.*

In 1883 this company completed its railroad to the city of Memphis, Tenn., and since that time all its passenger and freight cars to and from that point have been transferred across the Mississippi River by ferry. The management has for some time felt that the increased traffic on its road demanded better facilities for transfer than boats could furnish, and realizing that this need would constantly grow more urgent, and as this company is at present more largely interested in the matter than any other, it has during the past year obtained from the State of Arkansas a charter for a railway and bridge company, and has caused surveys, borings, soundings, and estimates of the probable cost of a bridge and approaches to be made, and has also taken steps to obtain the consent of Congress to the building of such bridge.

It having been suggested that it would be for the interest of all the railroad companies entering Memphis to participate in the ownership and operation of such a bridge, the management of this company hereby invites the co-operation of other railroad companies referred to in its construction and in obtaining the consent of Congress thereto. The following is, in brief, an outline of what has occurred to us as the proper basis of a scheme to carry out the purpose of the subscribers:

First. The necessary funds to be provided by issuing bonds and a small amount of stock. Each company interested in the enterprise to subscribe and pay for an equal amount thereof, the latter to be secured by mortgage on the property.

Second. Each associate company to be entitled to representation in the directorship of the bridge company.

Third. All companies using the bridge to pay tolls therefor, which shall be fixed by the directors of the bridge company so as to amount as near as may be to a sum sufficient to pay the interest on all the bonds outstanding and all the expense connected therewith, and for the maintenance and repairs of the bridge.

If at the end of any six months the amount of tolls falls short of the sum required for the purposes above specified, then the associate companies shall pay to the bridge company on demand the amount of such deficit, each company paying to the bridge company on demand the deficit in the same proportion as that in which they may have contributed to the earnings during said six months.

If the amount of such tolls exceeds the sum so required, the excess shall be repaid to the associate companies in the same proportion as above, it being the intention that the tolls shall amount to no more than is needed to pay the ordinary expenses of maintenance and interest on the cost of construction, and that any surplus interest shall be redistributed to the companies (members of the bridge company) furnishing the traffic which produced it.

It is proper to state that the surveys and estimates referred to were under Mr. George S. Morison, civil engineer, of New York City, who estimates the cost of the bridge and approaches at $2,000,000, which interest during construction and land at Memphis would probably swell to $2,500,000.

If your company desires to participate in the enterprise, I shall be glad to have you so state at an early day.

A copy of this invitation has been sent to each of the following companies:

Louisville and Nashville Railway Company, Louisville, New Orleans and Texas Railway Company, Mississippi and Tennessee Railroad Company, Little Rock and Memphis Railroad Company, Chesapeake, Ohio and Southwestern Railroad Company, Memphis and Charleston Railway Company, Kansas City, Memphis and Birmingham Railroad Company, Missouri Pacific Railway Company.

Yours, very truly,

—— ——,
*Treasurer.*

To —— ——, ——.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

Mr. DUNN. I suggest to the gentleman from Tennessee that he obtain unanimous consent for the consideration of the bill, and then prepare a short amendment providing that all the companies named shall participate in the construction and use of this bridge on the terms stated in the communication which has been read. If such a provision were incorporated, the bill could no doubt pass at once. I do not desire to obstruct the passage of a proper bill, but I do not want to consent to the passage of a measure which does not protect the public interests in the commerce which is to pass over that bridge. When those interests are saved I am content.

Mr. PHELAN. If the gentleman, having the power under the rules of the House, insists on that, I will yield.

Mr. DUNN. I hope the gentleman will not consider it in that light. I have simply made a suggestion to him, and if he understands the rules of the House he will know that, having unanimous consent to consider a bill, it must then be disposed of.

Mr. PHELAN. Will there be unanimous consent to consider it?

Mr. DUNN. That is what I suggest.

Mr. PHELAN. I ask, then, for unanimous consent.

The SPEAKER *pro tempore*. There is no objection, and the bill is before the House.

Mr. DUNN. If the gentleman will prepare the proviso himself——

Mr. PHELAN. No; I will let the gentleman from Arkansas prepare the proviso, and when he has submitted it I will ask a vote of the House on it.

Mr. DUNN. I call for the reading of the report.

The Clerk read as follows:

Mr. PHELAN, from the Committee on Commerce, submitted the following report, to accompany bill H. R. 2927:

The Committee on Commerce, to whom was referred the bill (H. R. 2927) to authorize the Kansas City and Memphis Railway Bridge Company to construct a bridge across the Mississippi River at Memphis, Tenn., having had the same under consideration, respectfully report as follows:

This bill contains substantially the same provisions contained in the bill introduced in the House of Representatives on May 24, 1886, and reported with amendments on July 17, 1886. The amendments made by the Committee on Commerce to that bill have been incorporated into the body of this bill. The only points of difference between the amended and reported bill of July 17, 1886, and the present are as follows: "The Kansas City and Memphis Railroad and Bridge Company" has been changed to "The Kansas City and Memphis Railway and Bridge Company."

The second section of the bill of July 17, 1886, contains the following words, which follow the words "post-route, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States," namely, "or for passengers or freight passing over said bridge."

In section 4 of the bill of July 17, 1886, which refers all matters at issue in regard to the use of the bridge to the Secretary of War, is the following proviso, namely:

"*Provided*, That the provisions of section 2 in regard to charges for passengers and freight across said bridge shall not govern the Secretary of War in determining any question arising as to the sum or sums to be paid to the owners of said bridge by said railroad companies for the use of said bridge."

These two clauses simply negative each other, and are stricken out. The words in section 2 are useless and would make it impossible to construct and operate the bridge, and the proviso in section 4 is merely added in order to destroy an impossible condition or limitation.

The report upon the bill as originally introduced in the first session of the Forty-ninth Congress, July 17, 1886, says:

"The bill, as introduced, contains provisions similar to an act of Congress approved February 25, 1885, authorizing the Tennessee and Arkansas Bridge Company and the Tennessee Construction and Contracting Company to construct and maintain a bridge across the Mississippi River at or near Memphis, in the State of Tennessee. By provisions of that act a bridge not less than 65 feet above extreme high-water mark, with continuous spans, two of which should not be less than 500 feet in length in the clear, and none less than 300 feet in the clear, was authorized.

"In the amendments presented by the committee to the present bill it is required that any bridge constructed under the provisions thereof shall be of continuous spans, the two middle or channel spans to be not less than 600 feet in length in the clear, and none to be less than 450 feet in length in the clear.

"The bill contains all the safeguards which it has been deemed prudent to incorporate in this class of legislation and such as were and are embraced in the act of February 26, 1885, authorizing the construction of a bridge at this point.

"The only objection urged to the passage of the bill is that two bridges should not be erected at this point, and there being already provision for one, no other should be authorized. As against this objection it is said that the parties holding the prior charter have no interest in the city of Memphis or any of the lines of railroad running to or from the same; that they have no approaches and no right of eminent domain by which to acquire same; that they have no money with which to construct and have taken no visible steps towards the construction of the same, though they have had eighteen months in which to begin. Your committee has not undertaken to settle these respective claims. There is and can be no doubt but that the interests of commerce demand the construction of a bridge across the Mississippi at this point, and that the same should be constructed at an early date.

"The question is, who can, will, and ought to construct the same. The parties seeking the present charter are the only ones interested directly in the construction of the bridge. The Kansas City and Memphis Railroad and Bridge Company asking the present right is practically identical with the Kansas City, Fort Scott and Gulf, and the Kansas City, Springfield and Memphis Railroad Companies, which own and operate the line from Kansas City to Memphis, 487 miles in length, and tributary lines in Missouri and Kansas, a total of over 800 miles. They are also constructing on the east of the river a line from Memphis to Birmingham, Ala., a distance of about 250 miles.

"In view of these facts, your committee are of opinion that the present applicants should not be denied the right to construct a bridge simply because other parties had previously been granted a right. The policy of those who have no interest in the construction of a bridge, receiving and holding a charter, to the exclusion of those who need and desire it, is not a good one, and certainly such a charter should not be permitted to stand in the way of those who desire to construct the same in the interest of commerce."

Since this report was made the line from Memphis to Birmingham, Ala., has been practically completed. In addition to this, since the above report was made, a new line of railroad from Bald Knob, Ark., on the Iron Mountain Railroad, has been constructed to a point opposite Memphis. Other roads are under survey, their construction being in a large measure dependent upon the building of a bridge across the Mississippi River at Memphis.

At the second session of the Forty-ninth Congress this committee made a unanimous report in favor of the amended bill of July 17, 1886. When the bill was under consideration during the first session of the Forty-ninth Congress, representatives of the Tennessee and Alabama Bridge Company and the Tennessee Construction and Contracting Company appeared before the committee and gave positive assurance that they intended to build, that negotiations for the necessary funds had been entered into and would be successful, that traffic contracts had been made for the transportation of freight across the bridge, and that if the bridge were not in process of construction before the second session of the Forty-ninth Congress the said companies then holding the grant of charter would not further oppose the granting a charter to another company. On the strength of these representations several members of the committee signed a minority report, in which they say:

"Without passing any opinion on the statements made before the committee, we desired, instead of the bill reported by the majority of the committee, to have a bill which should allow the bridge company now having the authority of Congress to build a bridge a reasonable time in which to show their ability and determination to construct a bridge, with the provision that if it failed to do so, then the Kansas City and Memphis Railroad and Bridge Company should be authorized to build a bridge at that place.

"It seemed to us unjust not to allow a reasonable time to the present bridge company to construct a bridge. And it seemed to us, also, that it would be unjust to the Kansas City and Memphis Railroad and Bridge Company to subject that company to unreasonable delay in building a bridge."

At the second session of the Forty-ninth Congress the bill of the previous session was again reported to the House, but was obstinately opposed by the friends of the outstanding charter, and they were again successful in preventing its passage. Nearly a year has elapsed, and the holders of the outstanding charter have done nothing to redeem their pledges. The conclusion is natural and reasonable that those now holding it are unable to raise the money necessary to build a bridge, and that their intentions are more speculative than practical. Congress can not be justly asked to retard a great work of general necessity in aid of a speculative scheme.

The committee recommend the passage of the bill.

Mr. DUNN. I now move the following amendment:

*Provided*, That the railroad companies whose roads now or may hereafter reach the taxing district of Memphis, Tenn., shall have the privilege of participating in the construction, ownership, and control of said bridge on the terms and in the manner set forth in a letter of invitation addressed by the Kansas City, Springfield and Memphis Railroad Company to the Louisville and Nashville Railway Company, the Louisville, New Orleans and Texas Railway Company, the Mississippi and Tennessee Railroad Company, the Little Rock and Memphis Railroad Company, the Chesapeake, Ohio and Southwestern Railroad Company, the Memphis and Charleston Railway Company, the Kansas City, Memphis and Birmingham Railroad Company, and the Missouri Pacific Railway Company, dated January —, 18—.

Mr. PHELAN. I should like to say in opposition that the amendment is immaterial and may be harmful; that the construction the court would necessarily put on that language is that those roads not included would necessarily be excluded. As I have drawn the bill all the roads constructed or being constructed are permitted to come in under its provisions.

Mr. DUNN. I understood the letter of invitation to be addressed only to those which are constructed or being constructed.

Mr. PHELAN. Also to those yet to be constructed.

Mr. DUNN. I ask the amendment be changed in its phraseology to conform with the statement of the gentleman from Tennessee.

The SPEAKER *pro tempore*. The gentleman modifies his amendment as he has stated.

Mr. ENLOE. I would like to ask the gentleman from Arkansas how it is possible for a company in process of construction, or one not even yet organized, that may in the future come to Memphis, to be expected to participate under the terms of that letter?

Mr. PHELAN. That is just what I have asked.

Mr. DUNN. The simple way would be to allow the roads to ask for an assessment of what their share would have been had they existed at the time the bridge was built, pay it in to the other roads, and become thereby participants to that extent. Of course the amount could be easily ascertained.

Mr. PHELAN. Mr. Speaker, now so far as the amendment is concerned, it is rendered absolutely immaterial and useless by the language of the fourth section of the bill before the House; and with the permission of the House I will read that section:

SEC. 4. That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains or cars over the same, and over the approaches thereto, upon payment of a reasonable compensation for such use; and in case the owner or owners of said bridge and the several railroad companies, or any one of them desiring such use, shall fail to agree upon the sum or sums to be paid, and upon rules and conditions to which each shall conform in using said bridge, all matters at issue between them shall be decided by the Secretary of War, upon a hearing of the allegations and proofs of the parties.

I defy human ingenuity to draw any amendment which will more thoroughly protect the rights of all participating roads, whether they are now established or may be established in the future, than is there presented in the use of that bridge. In other words, the amendment offered by the gentleman from Arkansas is immaterial and has no foundation even in a supposition of a possible evil yet to arise.

I hope the House will not adopt that amendment.

Mr. DUNN. Mr. Speaker, one word in reply to the gentleman from Tennessee. The section he has read is one which has been incorporated in all railway-bridge bills passed by Congress. All railroads have a right to run over and across the tracks of other roads. That is a necessary part of the law of interstate commerce and its regulations. All bridges that are authorized by law to be built are open to all trains which may reach them on any roads, on the terms fixed by the company happening to own the bridge, and subject to the regulations fixed by the proprietary company.

The difference here is that all the roads being joint owners and joint participants in the regulation and control of the bridge can, as partners in that concern, secure their rights better than outside parties simply desiring a right of way and the privilege accorded to other companies to use the bridge. All will understand the difference in that important respect.

Mr. PHELAN. Will the gentleman allow a question?

Mr. DUNN. Certainly.

Mr. PHELAN. Do not the letters which have been read fully cover the point in so far as that right is concerned? And does the gentleman know the name of one single road, or the representative of a single road, in operation to-day with its terminus at Memphis, which has requested him or anybody else to object to the passage of such a bridge bill before this House?

Mr. DUNN. I do not know of any, and certainly no one has asked me to object. I am acting now, I will say to the gentleman, upon this

question as I have ever acted, in what I conceive to be the public interests as affected by these bridge bills.

That bridge must be common to all the commerce of the Southwest. It ought not to be in the hands of any one railroad company which can so regulate the use of the structure as to place all rival and competing companies at some measure of disadvantage if it sees proper to do so. I want to go as far as possible to secure in this bill the public interests as involved in that matter. I understand and know that it is a very easy matter for the railroad companies to come to an agreement. That letter, with the obligation which it carries if carried into the bill, will secure all roads, and if they see proper to participate they can. If they do not, the other company can go on and build the bridge.

Mr. PHELAN. I now yield five minutes to the gentleman from Indiana [Mr. BYNUM].

Mr. BYNUM. Mr. Speaker, I am not interested at all in the construction of this bridge, nor have I any constituents who have any interest in it. But last Congress I reported a similar bill, which was under my charge during the session, and I think the House should have a clear understanding of the trouble over the construction of this bridge at Memphis before action is taken here.

The authority was first granted to another corporation, the Tennessee and Arkansas Bridge Company, to build the bridge. That company was composed of individuals who had no special interest in the construction of the bridge, except in as far as they might be benefited by the tolls to be assessed upon those who used it. In other words, they were not a railroad company which would have had use for it for the passage of trains.

When this present bill came before the Committee on Commerce, the incorporators of the measure came forward and objected to the passage of the bill, saying that only one bridge was needed; and serious objections came from the company holding the old charter. The bill passed over the short vacation, the old company promising that if they did not do something towards the construction of the bridge before the next session of Congress no further objection would be made to its passage. Nothing was done during the vacation. It was claimed that nothing could be done except during low stages of water. Nothing was done, however; but the same objection was made during the short session as was made during the preceding session of Congress, the old company still interposing its opposition. Nothing has been done, I am informed, by that company since that time. The only company that is directly interested in the construction of this bridge is the company which owns the road from Kansas City to Memphis.

Mr. DUNN. The gentleman is incorrect. Will he allow me to correct him? There are a number of railroads interested.

Mr. BYNUM. There are a number of surveys, but the only line that crosses the Mississippi River at Memphis is the Kansas City, Springfield and Memphis, which is a line running down to Birmingham, Ala. There are a number of other lines which terminate at Memphis on this side of the river, and one which terminates on the other side, but none cross the river. None of these railroad companies have ever come forward and uttered a word of objection to the passage of this bill. They have never come forward and asked to be incorporated in this bill. They have never come forward and asked any measure of relief whatever. I think I am stating the question fairly, with due deference to all interests, when I say that the only objection comes from the company holding the old charter.

Mr. DUNN. Let me ask the gentleman from Indiana if the parties representing the Memphis and Charleston, and the Memphis, Arkansas and Kansas City Railroads had not a bill in the last Congress?

Mr. BYNUM. I do not know as to that, but when this bill was considered before the committee they never came forward to a single member of the committee to utter a word of objection. They never appeared to ask any amendment to be adopted to this bill.

[Here the hammer fell.]

Mr. PHELAN. I yield two minutes to the gentleman from Alabama [Mr. WHEELER].

Mr. WHEELER. The impression of the gentleman from Indiana [Mr. BYNUM] that there has never been any objection to this bill is not altogether correct; and the error into which he has fallen calls for some explanation.

There are other railroads interested in the traffic which crosses the Mississippi River at Memphis, to an extent quite equal to that of the Kansas City and Memphis Railway Company.

The Memphis and Charleston Railroad Company, which runs for two hundred miles through my district, having its western terminus at Memphis, on the Mississippi River, is controlled by the same interests which are now constructing the Memphis, Arkansas and Kansas Railroad, the eastern terminus of which road will be at Memphis, thus forming a continuous line of railway communication (almost an air line) from the Southern Atlantic coast to the State of Kansas, and the connecting lines of railroad thence to the Pacific Ocean.

It is manifest that the people of my district would be placed at a great disadvantage if the railroad traffic and travel through their homes to the great West and Northwest were subjected to discriminations and exactions from which the traffic and travel from other localities were free. To prevent the possibility of such discrimination and exaction, on the first call of the States in Congress, I introduced bill H. R. 2014, which I hold in my hand, authorizing the Memphis, Arkansas and Kansas Railway Company and the Memphis and Charleston Railroad Company to construct a bridge across the Mississippi River at Memphis. This would have made a continuous line of the two railroads whose interests are identical, and would have protected the interests of my constituents—the object I had in view in proposing the measure. Subsequently the bill now under consideration (H. R. 2927) was introduced by the gentleman from Tennessee [Mr. PHELAN].

Negotiations were entered into by parties controlling the various railroads centering in Memphis, resulting in an agreement that the railroads desiring to unite in the construction of a bridge across the Mississippi at Memphis should be privileged to do so upon absolutely equal terms with the parties interested in the bill now before the House.

I have two telegrams dated January 18, one stating that the understanding is that the Kansas City people promise that all companies shall be admitted to participate in the construction and management of the bridge if their bill is passed. This telegram also says:

In that event we would unite in support of their bill, but before doing so we desire confirmation of this agreement.

The other telegram, subsequently received, says:

The understanding is perfect, and will assist in passing the bill desired by Kansas City people.

The bill desired by the Kansas City people is the one we are now considering, and the gentlemen who send these telegrams control the Memphis and Charleston Railroad and the Memphis, Arkansas and Kansas Railway, and they have a deeper interest in traffic and travel over the Mississippi River at Memphis than those connected with any other company or corporation.

It being evident from the telegrams to which I have called attention that the railroads mentioned in the bill introduced by myself—and consequently the interests of my constituents—are fully protected, and deeming it of the utmost importance to the rapidly increasing commerce and manufacturing industries of the localities affected that the bridge at Memphis be speedily constructed, I withdraw all opposition to the bill and beg to urge its immediate passage.

Mr. PHELAN. I move the previous question on the amendment and the bill.

The previous question was ordered.

The question being taken on the amendment offered by Mr. DUNN, it was not agreed to.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. PHELAN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

### JAMES H. GILBERT.

Mr. DUNHAM. I ask unanimous consent to discharge the Committee of the Whole House from the further consideration of the bill (H. R. 2067) for the relief of James H. Gilbert, and that it be put upon its passage. The bill has a unanimous report of the Committee on Claims of this Congress and of the last Congress.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and is hereby, directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $408 to James H. Gilbert, of Chicago, Ill., the same being balance due him on salary as deputy collector and clerk in charge of inspectors at Chicago custom-house.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill? The Chair hears none; and the bill is before the House.

Mr. DUNHAM. I ask that the bill be put upon its passage.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. DUNHAM moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

### OLEOMARGARINE.

Mr. LAWLER. I introduced a matter into the House before the committees were appointed relating to the tax on oleomargarine. I ask now that it be taken from the table. It was placed on the table merely because the committees had not been appointed. I desire to have it referred to the Committee on Ways and Means.

Mr. HATCH. I object, and demand the regular order.

The SPEAKER *pro tempore*. The gentleman from Missouri demands the regular order.

Mr. HATCH. I object to the request of the gentleman from Illinois, but withdraw the demand for the regular order.

### CONSOLIDATION OF CUSTOMS DISTRICTS.

Mr. BRECKINRIDGE, of Arkansas, by unanimous consent, introduced a bill (H. R. 5875) to authorize the consolidation of customs collection districts in certain cases, and to provide for the compensation of certain collectors and surveyors of customs; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

BRIDGE AT LEXINGTON, MO.

Mr. WARNER. I ask unanimous consent for the present consideration of the bill (H. R. 2578) authorizing the construction of a bridge over the Missouri River at or near the city of Lexington, Mo.

Mr. RANDALL. I think there must be some mistake about this. The bill does not appear on the Calendar.

Mr. WARNER. It was reported on Monday, and possibly it may not have been put on the Calendar. It was ordered to be taken up with the other bill by the Committee on Commerce.

The SPEAKER *pro tempore*. It does not appear on the Calendar.

Mr. WEAVER. I will ask the gentleman from Missouri [Mr. WARNER] whether this is the usual form of bill, and whether it has received the approval of the Secretary of War?

Mr. WARNER. The bill contains all the usual provisions. It has been reported back by the Committee on Commerce with the statement that it meets all the necessary requirements, and a recommendation that it do pass.

Mr. HENDERSON, of Iowa. Is the report unanimous?

Mr. WARNER. It is a unanimous report.

Mr. WEAVER. Let the report be considered as read, then.

The SPEAKER *pro tempore*. The gentleman from Missouri [Mr. WARNER] asks unanimous consent to take up this bill and consider it now. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. WARNER moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LIGHT-HOUSE AT COB POINT BAR.

Mr. COMPTON. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House be discharged from the further consideration of the bill (H. R. 1523) for the establishment of a light-house at Cob Point Bar, at the mouth of the Wicomico River, and that the bill be now taken up and passed. This bill comes here with a unanimous report of the Committee on Commerce of this Congress; it was so reported to the last Congress, and it has been twice recommended by the Light-House Board.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Maryland?

Mr. RANDALL. Let us have the bill read.

The bill was read, as follows:

*Be it enacted, etc.*, That there be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $15,000, or so much thereof as may be necessary, for the establishment of a light-house at or near Cob Point Bar, at the mouth of the Wicomico River, in the State of Maryland.

The committee recommended the following amendments:

Strike out the words, "there be appropriated out of any money in the Treasury not otherwise appropriated the sum of $15,000, or so much thereof as may be necessary, for the establishment of," and insert the words "be established" in line 6, and, at the end of the bill, add "at a cost not to exceed $15,000."

As amended the bill will read:

*Be it enacted, etc.*, That a light-house be established at or near Cob Point Bar, at the mouth of the Wicomico River, in the State of Maryland, at a cost not to exceed $15,000.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER *pro tempore*. The question is on the amendments proposed by the committee.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. COMPTON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JAMES H. YOUNG.

Mr. LONG. Mr. Speaker, I ask unanimous consent that the Committee on Invalid Pensions be discharged from the further consideration of the bill (H. R. 2467) to amend chapter 191 of the private acts of the Forty-ninth Congress, concerning James H. Young, and that it be now put upon its passage.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Massachusetts?

Mr. RANDALL. Let us hear it read.

The bill was read, as follows:

*Be it enacted, etc.*, That chapter 191 of the private acts of the Forty-ninth Congress of the United States is hereby amended so as to read as follows: "That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of James H. Young, formerly captain of Company L, Fifth Regiment Kansas Cavalry Volunteers."

SEC. 2. The provisions of this act shall take effect from the date of said amended act.

Mr. SPRINGER. I wish to ask the gentleman from Massachusetts what is the nature of this bill.

Mr. LONG. Its only object is to correct an error of designation in the bill of last year. In the bill of last year Mr. Young was described as of Company I, Sixth Kansas Volunteers. He did serve in that company and regiment, but his disabilities were incurred as captain of Company L, Fifth Kansas Cavalry Volunteers.

Mr. SPRINGER. Is that all the change?

Mr. LONG. That is all the change.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. LONG. I ask unanimous consent that the title of the bill be changed by inserting after the words "Forty-ninth Congress" the words "passed in the second session thereof."

The SPEAKER *pro tempore*. In the absence of objection the title will be so amended.

Mr. LONG moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ZEB WARD.

Mr. LANHAM, from the Committee on Claims, reported back with a favorable recommendation the bill (H. R. 68) for the relief of Zeb Ward; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JURISDICTION OF COURTS IN INDIAN TERRITORY.

Mr. ROGERS. I ask unanimous consent to have taken from the House Calendar and put on its passage the bill (H. R. 1204) conferring civil jurisdiction in certain cases arising in the Indian Territory on the United States courts which now or may hereafter exercise criminal jurisdiction over said Territory.

The SPEAKER *pro tempore*. Is there objection?

Mr. RYAN. I do not understand the character of the bill. Let it be read, the right of objection being reserved.

The bill was read, as follows:

*Be it enacted, etc.*, That the courts of the United States which now or may hereafter exercise criminal jurisdiction over the Indian Territory, or any part thereof, or over any Indian reservation, under the provisions of any statute of the United States, shall have and exercise civil jurisdiction also within the limits of the judicial district in which said courts are held: *Provided*, That this act shall not be so construed as to vest said courts with jurisdiction over controversies between Indians.

SEC. 2. That all original mesne and final process issued by any United States court which now has or may hereafter have criminal jurisdiction in the Indian Territory shall extend to and be extended in said Territory in like manner as in the district from which the process issued.

Mr. ROGERS. The report of the committee on this bill is very short, and I ask that it be read.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill? The Chair hears none. The report will be read.

The report (by Mr. ROGERS) was read as follows:

This bill was reported favorably from the Committee on the Judiciary in the Forty-ninth Congress, and passed the House of Representatives. It in no way violates any treaty, and only goes to the extent of authorizing such civil jurisdiction in the Indian Territory as the courts may rightfully exercise under the Constitution and laws of the United States.

The committee recommend its passage.

Mr. ROGERS. As appears by this report, this bill has been twice considered and favorably reported by the Judiciary Committee of this House, and was passed by the House in the last Congress. Unless some further explanation be desired, I ask that the bill be at once put on its passage.

Mr. PETERS. I wish to ask the gentleman whether this bill simply extends to civil cases the jurisdiction of courts that now have jurisdiction of criminal matters in the Indian Territory.

Mr. ROGERS. Certainly; that is all.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. ROGERS moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

DULUTH, RAINY LAKE RIVER AND SOUTHWESTERN RAILWAY.

Mr. NELSON. I ask unanimous consent to have taken from the House Calendar and put on its passage now the bill which I send to the desk; and, before the question is put upon consideration, I ask that the report, which is brief, may be read.

The bill, as proposed to be amended by the Committee on Indian Affairs, was read as follows:

A bill (H. R. 1584) granting the right of way to the Duluth, Rainy Lake River and Southwestern Railway Company through certain Indian lands in the State of Minnesota.

*Be it enacted, etc.*, That the right of way is hereby granted, as hereinafter set forth, to the Duluth, Rainy Lake River and Southwestern Railway Company, a corporation organized and existing under the laws of the State of Minnesota, for railroad purposes, through the lands in Northern Minnesota set apart for the use of the Bois Forte band of Chippewas by treaty dated April 7, 1866, commonly known as the Bois Forte Indian reservation, and through the unsurveyed lands belonging to the United States adjoining the southern boundary thereof; also through the Red Lake unceded Indian lands in the State of Minnesota, and

through the unsurveyed lands belonging to the United States adjoining the northwestern boundary thereof.

SEC. 2. That the line of said railroad shall extend from the city of Duluth, by the most convenient and practicable route, in a northwesterly direction, through the counties of St. Louis and Itasca, to the mouth of Rainy Lake River, south of the "Lake of the Woods," and at or near the boundary post on the highlands opposite to what is known as the Forte Louise reserve, on the Canadian side; thence northwesterly to or near the mouth of War Road River, thence southwesterly or westerly through the counties of Beltrami, Kittson, and Marshall, in the State of Minnesota, to the Red River of the North.

SEC. 3. That the right of way through the said Bois Forte Indian reservation and Red Lake unceded Indian lands, and the unsurveyed lands thereto adjoining, hereby granted to said company, shall be 75 feet in width on each side of the central line of said railroad as aforesaid; and said company shall also have the right to take from said lands adjacent to the lines of said road material, stone, earth, and timber necessary for the construction of said railroad, also ground adjacent to such right of way, for station buildings, depots, yards, machine-shops, side-tracks, turn-outs, and water-stations, not to exceed in quantity 300 feet in width and 3,000 feet in length for each station, to the extent of one station for each 10 miles of its road, except at its point at the mouth of Rainy Lake River aforesaid, in which case said company shall have the right to take 80 acres for station buildings, depots, yards, machine-shops, side-tracks, turn-outs, and water-stations, and other purposes.

SEC. 4. That it shall be the duty of the Secretary of the Interior to fix the amount of compensation to be paid the Indians for such right of way and lands, and provide the time and manner for the payment thereof; but no right of any kind shall vest in said railway company in or to any part of the right of way herein provided for until plats thereof, made upon actual survey for the definite location of such railroads, and including the points for station buildings, depots, yards, machine-shops, side-tracks, turn-outs, and water-stations, shall be filed with and approved by the Secretary of the Interior, and until the compensation aforesaid has been fixed and paid; and the surveys and construction and operation of such railroad shall be conducted with due regard for the Indians and in accordance with such rules and regulations as the Secretary of the Interior may make to carry out this provision.

SEC. 5. That said company shall not assign or transfer or mortgage this right of way for any purpose whatever until said road shall be completed: *Provided*, That the company may mortgage said franchise, together with the rolling-stock, for money to construct and complete said road: *And provided further*, That the right granted herein shall be lost and forfeited by said company unless the road is constructed and in running order within two years from the passage of this act.

SEC. 6. This act shall take effect and be in force from and after its passage and publication.

The report of the Committee on Indian Affairs (by Mr. NELSON) was read, as follows:

The Committee on Indian Affairs, to whom was referred the bill (H. R. 1584) granting the right of way to the Duluth, Rainy Lake River and Southwestern Railway Company through certain Indian lands in the State of Minnesota, beg leave to report as follows:

This railway company proposes to build a railroad extending from the city of Duluth, Minn., to a point on the international boundary where the Rainy Lake River empties into the Lake of the Woods, and thence in a southerly direction to the Red River of the North, on the boundary line between Minnesota and Dakota.

The course of the road is mainly through a vast and unsettled wilderness, valuable chiefly for its timber and minerals, both of which, for want of such a road, are now wholly inaccessible, especially from the American side of the boundary line. The most valuable part of the timber is on the southern slopes of the Rainy Lake River and its tributaries rising in Minnesota. This timber can now be floated by water down the Rainy Lake River into and through the Lake of the Woods, and thence down the Winnipeg River to Rat Portage, on the Canada Pacific Railroad, in the province of Manitoba, and this is undoubtedly the course this timber will take unless proper railroad facilities are soon furnished.

The western terminus of the proposed road is in the center of the upper part of the fertile Red River valley, an almost boundless prairie, thickly settled and rich in agricultural resources, but practically void of timber.

The chief minerals along the proposed line of road are rich and highly productive iron ores, which are not available for industrial purposes till brought to the lake shore at Duluth.

The main purpose and occasion for the proposed road is to carry easterly to the lake shore at Duluth the great wheat crop of the upper Red River valley and the valuable iron ores referred to above, and to carry the wood, lumber, and fuel, so abundant along the line of the road, to the people of the Red River valley, who are greatly in need of the same, thereby supplying their wants, and preventing the timber from being diverted to Canada.

The proposed road will run through the "Bois Forte" Indian reservation, in the northeastern part of Minnesota. This is a small reservation of 107,509 acres in area, and supposed to be occupied by some seven hundred Indians, who have but fourteen dwelling-houses, and 25 acres under cultivation on the reservation. In fact, the reservation is of little or no value for agricultural purposes, and the Indians live chiefly by hunting, fishing, and the gathering of berries, and roam all over the vast uninhabited expanse in Northeastern Minnesota.

The course of the road will also run through the northern half of the Red Lake reservation in Northwestern Minnesota. This "reservation" is unceded Indian territory, covers an area of 3,200,000 acres, and is occupied by about eleven hundred semi-civilized Indians, who live around the shores of Red Lake in the southern half of the reservation, and who do a little farming, but live mainly by hunting, fishing, logging, and the gathering of berries.

The object of this bill is to give the right of way through said reservations and through adjacent unsurveyed public lands to said railway companies.

So far as granting of right of way through the public lands is concerned, the provisions of the bill may be considered as surplusage, as this right exists and is conferred by chapter 152, volume 18, Statutes at Large, page 482, to as full an extent as in the bill.

In respect to the right of way through the Indian reservations the bill, when amended as hereinafter stated, is in all its details substantially like chapter 130, page 402, and chapter 336, page 545, volume 24, Statutes at Large—acts passed by the Forty-ninth Congress giving rights of way to certain railway companies through certain Indian reservations in the Territory of Montana.

These acts met the approval of the Secretary of the Interior and the Commissioner of Indian Affairs, and were carefully and deliberately considered by Congress. There is nothing in the condition of these Indians and the country affected by this bill that could require or would suggest a fairer or juster mode of procedure. Those acts of the Forty-ninth Congress to which reference has been made have in practice been found to work well and satisfactorily to the Indians, as in both instances the rights of way have been long since secured and the roads are already built.

In order that the company may not speculate in this right of way, and may be required to speedily construct the proposed road, and in order that this bill may conform to the two acts cited above, your committee recommend that section 5 be amended so as to read as follows:

"SEC. 5. That said company shall not assign or transfer or mortgage this right of way for any purpose whatever until said road shall be completed: *Provided*, That the company may mortgage said franchise, together with the rolling-stock, for money to construct and complete said road: *And provided further*, That the right granted herein shall be lost and forfeited by said company unless the road is constructed and in running order within two years from the passage of this act."

And that the bill when so amended do pass.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill? The Chair hears none.

Mr. NELSON. Mr. Speaker, unless some gentleman desires to ask a question, I think it is unnecessary for me, in view of the reading of the report, to enter into any explanation.

Mr. SPRINGER. Has this bill been reported by the Committee on Indian Affairs?

Mr. NELSON. Yes, sir; unanimously.

The SPEAKER *pro tempore*. It is on the Calendar of the House.

There being no objection, the House proceeded to the consideration of the bill.

The amendments reported by the Committee on Indian Affairs were agreed to; and the bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. NELSON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JOHN J. BROWN.

Mr. SHAW, by unanimous consent, reported back favorably from the Committee on Claims the bill (H. R. 21) for the relief of John J. Brown; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

CAPT. JOHN BURKHART.

Mr. HOLMAN. I ask unanimous consent to take from the Private Calendar for present consideration a bill which passed both Houses of Congress at the last session, but failed to reach the President in time for his approval, and which has been again reported favorably by the Committee on War Claims at the present session.

Mr. REED. Is this a private claim?

Mr. HOLMAN. It is a bill proposing to pay a gallant officer two or three hundred dollars for service rendered by him for which he has never received pay. The bill, as I have stated, passed both Houses at the last session, but failed to reach the President.

Mr. REED. This is one of the claims which the United States Government owes?

Mr. HOLMAN. Yes, sir; one which ought to have been paid long since.

The bill was read, as follows:

A bill (H. R. 2112) for the relief of Capt. John Burkhart.

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized and directed to pay to John Burkhart, late captain of Company F, One hundred and forty-sixth Regiment Indiana Volunteers in the late war, out of any money appropriated for the pay of the Army, the pay and emoluments of second lieutenant of said company from the 25th day of January, 1865, to the 1st day of March, 1865, and also the pay and emoluments of captain of said company from March 1, 1865, to the 1st day of August, 1865, and also the sum of $64, being money expended by him in the transportation of 51 enlisted men of said company from Brookville, Ind., to Sunman, Ind., by stage; deducting from the sum found due him as the pay and emoluments of second lieutenant and captain of said company for the periods above specified the sums of money that have been paid to the said John Burkhart for military service, either as a private or otherwise, rendered by him during the periods above specified.

Mr. HOLMAN. Mr. Speaker——

Mr. STEELE. I shall have to object to the consideration of this bill unless we be allowed to offer an amendment providing similar relief in the cases of all other persons who performed services of the same character on commissions issued in violation of law. This officer, it appears, was commissioned in violation of the statute of March 7, 1863, and in violation of General Order 183, War Department, June 30, 1863. Now, if an amendment be allowed providing that all officers or acting officers who performed similar services under similar conditions shall be paid, then I shall not object to the bill.

Mr. HOLMAN. My colleague [Mr. STEELE] is the last gentleman I should expect to raise objection to the passage of a bill of this kind. This bill passed the House last session by unanimous consent, and was also passed by the Senate, but failed to reach the President in time for his approval. The amount involved is only three or four hundred dollars, I think. This gallant soldier was not paid for services which he actually rendered. I hope my colleague will not throw any obstacle in the way of so meritorious a measure.

Mr. STEELE. In order that I may secure the co-operation of my eminent colleague in favor of a general law covering cases of this kind, I shall have to object to this bill.

The SPEAKER *pro tempore*. The gentleman from Indiana [Mr. STEELE] objects to the consideration of the bill.

Mr. HOLMAN. I do not think my colleague really intends to object to a bill of this kind, involving the just demands of a soldier.

Mr. STEELE. The necessity for this bill can only arise from the want of a general law on the subject, the passage of which I desire to secure.

Mr. HOLMAN. I will co-operate with my colleague in favor of such a general law if one can be made applicable, or any other just measure in the interest of the Union soldiers. I have uniformly supported all such measures. But I do not think he can afford to object to this bill.

Mr. STEELE. Well, I will try it.

The SPEAKER *pro tempore*. Objection being made, the bill is not before the House.

SALE OF NEW YORK INDIAN LANDS, KANSAS.

Mr. PERKINS. Mr. Speaker, I ask, by unanimous consent, to discharge the House Calendar from the further consideration of the bill (H. R. 1406) to provide for the sale of certain New York Indian lands in Kansas, reported from the Committee on Indian Affairs with amendments.

There was no objection, and it was so ordered.

The bill was read, as follows:

A bill to provide for the sale of certain New York Indian lands in Kansas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That those persons, being heads of families or single persons over twenty-one years of age, who have made settlement and improvement upon, and are bona fide claimants and occupants of, either in person or by tenant, the lands in Kansas which were allotted to certain New York Indians, and for which certificates of allotment, dated the 14th day of September, 1860, for 320 acres of land each, were issued to thirty-two of said Indians, shall be, and hereby are, authorized and permitted to enter and purchase at the proper land office, at any time within one year from the passage of this act, said lands so occupied by them, in tracts not exceeding 160 acres, according to the Government surveys, at $1.25 per acre, payment to be made in cash at time of purchase; and the moneys arising from such sales shall be paid into the Treasury of the United States, in trust for and to be paid to said Indians, respectively, to whom said certificates were issued, or to their heirs, upon satisfactory proof of their identity to the Secretary of the Interior, at any time within five years from the passage of this act; and in case such proof is not made within the time specified, then the proceeds of such sale, or so much thereof as shall not have been paid under the provisions of this act, shall become a part of the public moneys of the United States.

SEC. 2. That any lands not entered by such settlers at the expiration of twelve months from the passage of this act shall be offered at public sale, in the usual manner, at not less than $3 per acre, notice of said sale to be given by public advertisement of not less than thirty days; and any tract or tracts not then sold shall be thereafter subject to private entry at $3 per acre.

SEC. 3. That all acts and parts of acts inconsistent herewith are hereby repealed.

The amendments of the committee were read, as follows:

Lines 15 and 16, first section, strike out "one" and insert "two," and strike out "twenty-five" and insert "fifty."

Mr. SPRINGER. I ask that the report of the committee be read.

Mr. PERKINS. I think all that is necessary will be to allow me to make a brief statement. The report of the committee is very long.

Mr. RANDALL. All objections are reserved.

The SPEAKER *pro tempore*. That fact will be noted.

Mr. PERKINS. The report in this case is long, and, Mr. Speaker, with the permission of the House I will make a brief statement, and if then it is desired to have the report read it may be done.

In 1838 negotiations were had with New York Indians, in the States of New York and Wisconsin, looking to their removal west of the Mississippi River. A reservation containing 1,824,000 acres of land was reserved for them in what became the Territory of Kansas and what is now the State of Kansas. The treaty which was entered into with these Indians gave them five years to go there. But few availed themselves of that right; in fact it is claimed, with consistency, that none of these Indians availed themselves of that right. On the other hand, it is claimed that a few Indians did avail themselves of their right.

In 1858 the then Secretary of the Interior decided these were public lands; that the Indians had not gone there to avail themselves of the benefits accruing to them under the treaty, and hence they were public lands. That was in 1858, and settlers were then going into Kansas from Missouri and other States adjacent to it, and from the North and East, and settling on this and other lands. The condition of these lands was brought to the attention of the Secretary of the Interior, and he held, as I have already said, that these were public lands, as the Indians had not applied for them under the treaty.

Then in September, 1860, he issued his proclamation opening these lands to settlement. At last, a few Indians, some thirty in number, suggested to the Secretary of the Interior that they had applied under the treaty, and were entitled to protection. The Secretary of the Interior ordered two commissioners to go to Kansas and investigate the facts. They found upon investigation thirty-two Indians had gone there in time to entitle them to the provisions and benefits of the treaty.

Here, Mr. Speaker, as you will remember, is a tract of 1,824,000 acres of land. These commissioners found that only thirty-two Indians had gone in time to avail themselves of the treaty. Under the direction of the Commissioner of Indian Affairs allotments were made to these Indians. They were permitted to make their selection within the boundaries of that reservation, and in almost every instance they selected land already occupied by settlers. Yet these commissioners, under the order of the Commissioner of Indian Affairs, allowing allotments to be made to these thirty-two Indians, recognized their right to make their selection anywhere they pleased within the boundaries of the reservation. They were given allotment certificates for the lands which they had selected, but these Indians from that time to this have not been in possession of those lands, but they have been occupied by white settlers.

None of these Indians have ever been able to get control or possession of them, the settlers claiming the Indians did not go there in time to entitle them to the benefit of this treaty. But the Department found these thirty-two Indians had gone there in time, and hence the allotment certificates were issued to them. These lands have never been in their control or in their possession. The white settlers have occupied them all the time, cultivating them, making their homes there, doing what they could to improve these lands to make support and subsistence for themselves and families.

Now, this bill is introduced for the purpose of giving to the settlers an opportunity of getting title to the land, and also giving to the thirty-two Indians something for their claim. Thus far they have never been able to get anything, and neither have they gotten the lands. As an amicable adjustment, therefore, of the controversy between the settlers and the Indians, this bill is proposed.

The same bill was reported in the Forty-seventh Congress by the Committee on Indian Affairs. In the Forty-eighth Congress it was also reported by the same committee, and again by the Indian Affairs Committee of the present Congress, and there never has been a controversy between these parties on any feature of the bill except as to how much these settlers should pay. That has been the only question that has ever caused any confusion.

Mr. WEAVER. May I ask the gentleman a question?

Mr. PERKINS. With pleasure.

Mr. WEAVER. To whom do the proceeds of this sale inure?

Mr. PERKINS. The proceeds are to be paid into the Treasury of the United States for the benefit of these allottees, or their heirs, upon their identification to the Secretary of the Interior, and they are given five years in which to do this.

Mr. WEAVER. You mean the thirty-two Indians?

Mr. PERKINS. Yes, sir; or to their heirs where the Indians themselves have died.

Mr. SPRINGER. Mr. Speaker, it is unnecessary to continue this controversy, as I shall be obliged to object to the consideration of this bill to-day.

CAPTAIN JOHN BURKHART.

Mr. HOLMAN. Mr. Speaker, my colleague [Mr. STEELE] withdraws his objections to the bill which I asked consent a few moments ago to have considered in the House.

Mr. STEELE. I will withdraw the objection.

The SPEAKER *pro tempore*. This bill has been already read.

Mr. HOLMAN. The bill as reported by the committee directs this money to be paid by the Secretary of War. I wish to amend by making it the Secretary of the Treasury. There is an additional amendment proposed to the bill.

The SPEAKER *pro tempore*. The Clerk had better read the amendments.

The Clerk read as follows:

In the third line of the bill strike out the words "Secretary of War" and insert "Secretary of the Treasury." Also, in the same section, in the sixth line, after the word "money," strike out the words "appropriated for the pay of the Army" and insert "not otherwise appropriated."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. HOLMAN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

RALPH T. MOSES.

Mr. SOWDEN. I rise to submit a report from the Committee on Accounts.

The SPEAKER *pro tempore*. The Clerk will read it.

The Clerk read as follows:

The Committee on Accounts, to whom was referred the following resolution—"*Resolved*, That the Doorkeeper be authorized to employ Ralph T. Moses as assistant folder in the seal-room of the House, at a compensation of $2.50 per diem for the present session, to be paid out of the contingent fund of the House. Compensation to take effect from December 5, 1887"—having considered the same, respectfully report the following substitute, and recommend its adoption:

*Resolved*, That the Doorkeeper be authorized to employ Ralph T. Moses as assistant folder in the seal-room of the House, at the rate of $2.50 per diem during this present session, to be paid out of the contingent fund of the House.

Mr. RANDALL. I shall not object to that, but would like to inquire when the committee is going to cease having the House force increased?

Mr. SOWDEN. In answer to my friend from Pennsylvania, I will say that under this resolution the force of the House will not be increased, because the same party was provided for by the resolution of January 20, 1886, first session of the Forty-ninth Congress (see RECORD,

page 786); also in the second session of the same Congress by the resolution of January 31, 1887, which will be found on page 1204 of the RECORD.

The Doorkeeper says that it is absolutely necessary to an efficient discharge of this portion of the public service that this person shall be so employed; and therefore I demand the previous question upon the adoption of the substitute.

The previous question was ordered; under the operation of which the resolution as amended by the substitute was agreed to.

Mr. SOWDEN moved to reconsider the vote by which the resolution was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JOHN SNODDY.

Mr. LANHAM. I ask unanimous consent to take from the Private Calendar the bill (H. R. 2974) for the relief of John Snoddy, and put it upon its passage.

The bill was read, as follows:

*Be it enacted, etc.*, That the Postmaster-General be, and he is hereby, authorized and instructed to adjust and settle the claim of John Snoddy, postmaster at Big Springs, Tex., for money-order funds, amounting to $220, remitted by him to the postmaster at Dallas, Tex., January 22, 1887, and which said funds were stolen in transit by train robbers.

There being no objection, the bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. LANHAM moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JOHN HUMES.

Mr. DINGLEY. I ask unanimous consent to take from the Private Calendar the bill (H. R. 365) granting a pension to John Humes.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the pension laws, the name of John Humes, father of George W. Humes, deceased, late a private in Company E, Second Maine Cavalry Volunteers, Eliza Humes, the mother of said soldier, who was pensioned by act of Congress May 8, 1886, having died August 11, 1887.

Mr. DINGLEY. The report is very brief and will explain the bill. I ask that it be read.

The report was read, as follows:

That Eliza Humes, mother of George W. Humes, late a private in Company E, Second Maine Cavalry Volunteers, was pensioned by special act, May 8, 1886, as the dependent mother of said soldier; that said Eliza Humes died August 11, 1887, and that the present applicant is the husband of said Eliza Humes, deceased, and the father of the soldier, George W. Humes. The same facts which led to the granting of a pension to the mother of the soldier, now that she is deceased, apply to the father, who is eighty-one years of age and in needy circumstances. The evidence of dependence was fully set forth in the report of the committee of the Forty-ninth Congress, and it seems unnecessary to reprint it.

Your committee recommend that the bill be amended by striking out all after the word "volunteers," and with this amendment recommend its passage.

There being no objection, the amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. DINGLEY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

BOSTON NAVY-YARD.

Mr. MORSE. I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The Clerk read as follows:

*Resolved*, That the Secretary of the Navy is hereby requested to appoint a board of naval officers to consider the practicability of selling a tract of land adjoining the navy-yard at Boston, Mass., known as the navy-yard coal wharf, consisting of about 131,712 square feet, and to estimate the value thereof.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. HERBERT. What is this about?

Mr. MORSE. It is a mere inquiry.

The SPEAKER *pro tempore*. The Chair hears no objection, and the question is on the adoption of the resolution.

Mr. McADOO. I desire to have the resolution again read.

The resolution was again read.

Mr. HERBERT. Has that been referred to the committee?

Mr. MORSE. As I have said, it is a mere resolution of inquiry.

Mr. HERBERT. I think it ought to be referred to the committee.

Mr. MORSE. I will amend it so that the answer shall be sent to the Committee on Naval Affairs.

The SPEAKER *pro tempore*. Does the gentleman from Alabama object?

Mr. HERBERT. I do; but I have no objection to the resolution being referred.

The resolution was referred to the Committee on Naval Affairs.

Mr. STEELE. I move that the House do now adjourn.

ENROLLED JOINT RESOLUTION.

Pending the motion to adjourn,

Mr. FISHER, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled a joint resolution of the following title; when the Speaker *pro tempore* signed the same:

Joint resolution (H. Res. 72) relating to the invitation of the British Government to the United States to participate in the international exhibition at Melbourne, to celebrate the founding of New South Wales.

REPORT OF MILITARY ACADEMY VISITORS.

Mr. WHEELER. I desire to present the report of the Board of Visitors of the Military Academy at West Point for the past year.

The SPEAKER *pro tempore*. Does the gentleman from Indiana [Mr. STEELE] withhold his motion for that purpose?

Mr. STEELE. Yes, sir.

Mr. WHEELER. Mr. Speaker, in presenting the report of the president of the Board of Visitors to the Military Academy, I desire to ask present action on the resolution which I send to the Clerk's desk.

The high character of the distinguished president of the board must add much weight to the suggestions contained in the report.

They are made by a man whose philanthropic generosity is not limited by the boundaries of municipalities, States, sections, or peoples, but extends beyond oceans, to races foreign to us in language, customs, and ideas; a man whose purpose in life is to do good to mankind, and to help the weak and the lowly.

The recommendations of such a man upon the subject treated of in the report can not be too widely disseminated.

The report was referred to the Committee on Military Affairs, and ordered to be printed.

The resolution submitted by Mr. WHEELER was read, as follows:

*Resolved*, That the Public Printer be directed to print for the use of the House of Representatives 5,000 extra copies of the Report of the Board of Visitors to the Military Academy for the year 1887.

Mr. WHEELER. That is the same number that was printed last year.

The SPEAKER *pro tempore*. The resolution will be referred to the Committee on Printing.

Mr. WHEELER. I ask the present consideration of this resolution. It is the usual number printed for the use of the House.

The SPEAKER *pro tempore*. The gentleman from Alabama asks unanimous consent for the present consideration of the resolution which has been read.

Mr. BLOUNT. I think it should go to the Committee on Printing. That is the usual course. We can not have control over the printing unless through our committee. There have already been complaints by the Public Printer that the House has been imposing too much on him.

Mr. WHEELER. The gentleman from Georgia [Mr. BLOUNT] will observe I have submitted the proposition in the form of a resolution, limiting the expenditure proposed to $500.

If the expense to be incurred exceeded that sum, I should have submitted a joint resolution. It is not often that we have reports from a gentleman like Mr. George W. Childs, whose grand sympathetic heart and bank account are always tuned to the same music, but as the gentleman from Georgia [Mr. BLOUNT] insists that the resolution be referred to the Committee on Printing, and as the chairman of that committee assures me it shall be reported back very promptly, I will interpose no objection.

The SPEAKER *pro tempore*. Objection is made to the present consideration of the resolution. In the absence of objection, it will be referred to the Committee on Printing.

The motion of Mr. STEELE was then agreed to; and accordingly (at 3 o'clock and 58 minutes p. m.) the House adjourned.

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PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred as indicated below:

By Mr. C. R. BRECKINRIDGE: A bill (H. R. 5876) to remove the political disabilities of Thomas Jordan—to the Committee on the Judiciary.

By Mr. ROGERS: A bill (H. R. 5877) granting a pension to James C. Wilkinson—to the Committee on Invalid Pensions.

By Mr. VANCE: A bill (H. R. 5878) granting an increase of pension to Charles C. Fitts—to the Committee on Invalid Pensions.

By Mr. CANDLER: A bill (H. R. 5879) for the relief of George W. Hansard—to the Committee on War Claims.

By Mr. ADAMS: A bill (H. R. 5880) for the relief of James McCauley—to the Committee on War Claims.

By Mr. SPRINGER: A bill (H. R. 5881) for the relief of Edward T. Roe—to the Committee on Claims.

By Mr. MATSON: A bill (H. R. 5882) for the relief of Hiram Fox—to the Committee on Invalid Pensions.

By Mr. SHIVELY: A bill (H. R. 5883) granting a pension to Joseph S. Lewis—to the Committee on Pensions.

By Mr. A. R. ANDERSON: A bill (H. R. 5884) for the relief of Benjamin F. Raiff—to the Committee on War Claims.

Also, a bill (H. R. 5885) for the relief of John Barlow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5886) for the relief of W. D. Kinser—to the Committee on Invalid Pensions.

By Mr. LYMAN: A bill (H. R. 5887) granting a pension to Manuel Tibbs—to the Committee on Invalid Pensions.

By Mr. RYAN: A bill (H. R. 5888) for the relief of W. H. Boyd—to the Committee on War Claims.

By Mr. W. C. P. BRECKINRIDGE: A bill (H. R. 5889) for the relief of Oldham County, Kentucky—to the Committee on War Claims.

By Mr. TAULBEE: A bill (H. R. 5890) for the relief of J. M. Fidler and T. O. Marrs—to the Committee on War Claims.

Also, a bill (H. R. 5891) for the relief of John M. Fidler—to the Committee on War Claims.

Also, a bill (H. R. 5892) for the relief of Thomas O. Marrs—to the Committee on War Claims.

By Mr. FINLEY: A bill (H. R. 5893) granting a pension to John M. Sims—to the Committee on Invalid Pensions.

By Mr. BLANCHARD: A bill (H. R. 5894) for the relief of Mrs. Margaret Fuhr—to the Committee on Claims.

Also, a bill (H. R. 5895) to confirm to Lucretia Williams the title to one square league of land in the State of Florida—to the Committee on Private Land Claims.

By Mr. MILLIKEN: A bill (H. R. 5896) for the relief of Hiram F. Wordwell—to the Committee on Military Affairs.

By Mr. McCOMAS: A bill (H. R. 5897) for the relief of certain night inspectors in the customs service of the United States at the ports of New York and Baltimore—to the Committee on Claims.

By Mr. COLLINS: A bill (H. R. 5898) for the relief of Hugh Watt—to the Committee on War Claims.

Also, a bill (H. R. 5899) for the relief of the American Postal Machines Company—to the Committee on the Post-Office and Post-Roads.

By Mr. BURROWS: A bill (H. R. 5900) for the relief of Samuel G. Johnson—to the Committee on Invalid Pensions.

By Mr. HEARD: A bill (H. R. 5901) granting a pension to Daniel Bills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5902) for the relief of the heirs of Hiram McGowan—to the Committee on War Claims.

By Mr. BLAND: A bill (H. R. 5903) for the relief of Lewis Davis, a soldier of the war of 1812—to the Committee on Pensions.

Also, a bill (H. R. 5904) for the relief of Mrs. Elizabeth Gardener—to the Committee on War Claims.

By Mr. WARNER: A bill (H. R. 5905) for the relief of William Cullen—to the Committee on War Claims.

By Mr. GALLINGER: A bill (H. R. 5906) for the relief of Frances McNeil Potter—to the Committee on Invalid Pensions.

By Mr. McKINNEY: A bill (H. R. 5907) directing the Secretary of the Treasury to pay withheld bounties to certain non-commissioned officers of the Eighth New Hampshire Volunteers discharged as supernumeraries—to the Committee on War Claims.

By Mr. FITCH: A bill (H. R. 5908) to remove the charge of desertion against the name of James M. McNeil, alias James W. Gibson—to the Committee on Military Affairs.

Also, a bill (H. R. 5909) to remove the charge of desertion against the name of Joseph Attridge—to the Committee on Military Affairs.

By Mr. FELIX CAMPBELL: A bill (H. R. 5910) to amend section 6 of an act of Congress approved March 3, 1883—to the Committee on Military Affairs.

By Mr. MOFFITT: A bill (H. R. 5911) granting a pension to Elizabeth J. Hascall—to the Committee on Invalid Pensions.

By Mr. BACON: A bill (H. R. 5912) to provide for the payment to John Hunter of the award made to him for part of Hart Island in Westchester County, State of New York, condemned and taken for lighthouse purposes—to the Committee on Claims.

By Mr. BLISS: A bill (H. R. 5913) granting a pension to Thomas Shannon—to the Committee on Invalid Pensions.

By Mr. NUTTING: A bill (H. R. 5914) granting a pension to Rosa M. Thompson and her children, the widow and children of George A. Thompson, deceased—to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 5915) for the relief of John Holmes—to the Committee on Military Affairs.

By Mr. BOOTHMAN: A bill (H. R. 5916) granting a pension to Alfred Plummer, late of Company E, Thirty-eighth Regiment Ohio Volunteers—to the Committee on Invalid Pensions.

By Mr. ROMEIS: A bill (H. R. 5917) granting a pension to Harry M. Carley—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 5918) restoring to the pension-roll the name of Florian Lischewsky—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5919) restoring to the pension-roll the name of James Monohan, minor child of Richard Monohan, deceased—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5920) to increase the pension of Ellen M. Mitchell—to the Committee on Pensions.

By Mr. SCULL: A bill (H. R. 5921) granting an increase of pension to Hezekiah Hammer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5922) for the relief of Terrence Delozier—to the Committee on Claims.

By Mr. PATTON: A bill (H. R. 5923) to remove the charge of desertion from the military record of Amos Shirey—to the Committee on Military Affairs.

By Mr. HALL: A bill (H. R. 5924) to increase the pension of Samuel Schuler—to the Committee on Invalid Pensions.

By Mr. LEE: A bill (H. R. 5925) for the relief of Mary E. Stalcup, widow of Joshua Stalcup—to the Committee on War Claims.

By Mr. GUENTHER: A bill (H. R. 5926) for the relief of William H. Thomas—to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 5927) granting an increase of pension to Ernest Desjardins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5928) for the relief of Andrew A. Kelly—to the Committee on War Claims.

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Changes in the reference of bills improperly referred were made in the following cases, namely:

A bill (H. R. 891) granting a pension to Eliza Ann Shaver—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 1007) for the relief of Samuel A. Sanderson—Committee on Invalid Pensions discharged, and referred to the Committee on War Claims.

A bill (H. R. 2135) granting a pension to David Gentry—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2268) to place the name of Robert Chawner on the pension-roll—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2894) for the relief of Lacon R. Tillman—Committee on War Claims discharged, and referred to the Committee on Claims.

A bill (H. R. 3722) for the relief of Jennie D. Rice—Committee on Invalid Pensions discharged, and referred to the Committee on Claims.

A bill (H. R. 3851) granting a pension to Mrs. Mary Johnston—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. J. M. ALLEN: Papers in the claims of John W. Stevens, jr., of Thomas W. Walker, of Benjamin Powell, and of Josiah Walker, of Mississippi—to the Committee on War Claims.

By Mr. A. R. ANDERSON: Papers relating to bill for relief of Nancy J. Cline—to the Committee on Invalid Pensions.

By Mr. ATKINSON: Petition of 65 citizens of the Eighteenth district of Pennsylvania, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. BACON: Memorial in the matter of the application of John Hunter, of West Chester, Westchester County, New York, for relief—to the Committee on Claims.

By Mr. BARNES: Resolutions of the Legislature of Georgia, commending the National Colored Industrial Exposition—to the Committee on Appropriations.

By Mr. BELMONT (by request): Memorial of a committee of citizens of New York, David Dudley Field, chairman, urging upon Congress and the President a treaty with Great Britain to settle differences by arbitration—to the Committee on Foreign Affairs.

By Mr. BLAND: Papers in the claim of Lewis Daviss, to accompany bill—to the Committee on Pensions.

Also, petition and proof of Mrs. Elizabeth Gardner, to accompany bill—to the Committee on War Claims.

By Mr. BLANCHARD: Petition of John J. A. Martin, sole heir of Joseph Martin, of Natchitoches Parish, Louisiana, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. BOOTHMAN: Petition of T. F. Gillespie and others, for service pensions—to the Committee on Invalid Pensions.

By Mr. BOWDEN: Papers in the case of William E. Cathart, of Norfolk County, Virginia—to the Committee on War Claims.

By Mr. BOWEN: Petition of William Ball, of Lee County, Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, protest of citizens of Wythe County, Virginia, against the removal or reduction of the duties on coal and iron ore—to the Committee on Ways and Means.

By Mr. J. R. BROWN: Protest of citizens of Wythe County, Virginia, against the removal or reduction of the duty on coal and iron ore—to the Committee on Ways and Means.

By Mr. T. M. BROWNE: Petition of citizens of the District of Columbia, asking appropriation to improve streets in Meridian Hill subdivision—to the Committee on Appropriations.

By Mr. BUCHANAN: Memorial of American Forestry Association, relative to timber lands—to the Committee on the Public Lands.

By Mr. BUNNELL: Memorial of the American Forestry Congress and other citizens, relative to public forest lands—to the Committee on the Public Lands.

By Mr. BYNUM: Petition of John E. Balfe, for relief—to the Committee on Military Affairs.

By Mr. CAREY: Petition of Peter Kenney, for special-act pension—to the Committee on Invalid Pensions.

By Mr. COMPTON: Papers in the case of Gerard Wood—to the Committee on Military Affairs.

By Mr. CONGER: Papers to accompany bill for relief of Josiah M. Davisson—to the Committee on War Claims.

By Mr. DORSEY: Memorial of the Farmers' Alliance of Nebraska, for the removal of taxes from the necessaries of life, etc.—to the Committee on Ways and Means.

By Mr. DOUGHERTY: Petition of F. E. Harris, C. L. Bittinger, R. G. Wright, and others, for an appropriation of $5,000 to improve Blue Springs River, Florida, a tributary of the Withlacoochee—to the Committee on Rivers and Harbors.

By Mr. DUBOIS: Protest of Wool-Growers' Association of Nevada, Eastern Oregon, and Idaho, against reduction of tariff on wool—to the Committee on Ways and Means.

By Mr. DUNN: Petition of Mrs. Lizzie S. Harris, heir of William K. Sebastian, of Phillips County, Arkansas, for payment of her war claim—to the Committee on War Claims.

By Mr. ELLIOTT: A bill for the improvement of Winyaw Bay—to the Committee on Rivers and Harbors.

By Mr. FARQUHAR: Papers in the case of Alfred Breuer, for relief—to the Committee on Naval Affairs.

By Mr. FITCH: Petition of Henrietta Collinda, for a pension—to the Committee on Invalid Pensions.

Also, petition to remove the charge of desertion against Michael Pfoertner—to the Committee on Military Affairs.

By Mr. GAINES: Protest of citizens of Wythe County, Virginia, against the removal or reduction of the duties on coal and iron ore—to the Committee on Ways and Means.

Also, papers in the claim of Benjamin F. Childrey, and of Peyton A. Linney, of Virginia—to the Committee on War Claims.

By Mr. GLASS: Petition of C. P. Winkler, administrator of R. H. Wood, executor, and Nicholas P. Bond, of Shelby County, and of Jesse Hawkins, of Lincoln County, Tennessee, for payment of their war claims—to the Committee on War Claims.

Also, petition of William C. Martin, heir of W. D. Martin, of Lauderdale County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. GIFFORD: Petition of H. C. Ayers and others, of Plankinton, Dak., that a portion of the surplus to amount of $10,000 be applied to the construction of a public building at said city—to the Committee on Public Buildings and Grounds.

By Mr. GROUT: Petition of 88 citizens of the Second district of Vermont—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. HALL: Petition of Merchants and Manufacturers' Association of Titusville, Pa., for lessening the dangers of navigation—to the Committee on Commerce.

By Mr. HARE: Petition of sundry citizens of Montague and Sunset, Tex., asking that certain parties therein named be relieved from the payment of a certain bond—to the Committee on the Post-Office and Post-Roads.

By Mr. HATCH: Petition of faculty of Christian University, Canton, Ohio, for international copyright law—to the Committee on Patents.

Also, petition of John Diamond, treasurer of the Missouri State Alliance, to increase usefulness of the Agricultural Department—to the Committee on Agriculture.

By Mr. HAUGEN: Petition of 78 citizens of the Eighth district of Wisconsin, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. D. B. HENDERSON: Resolution of the Waterways Convention, held at Dubuque, Iowa, January 17 and 18, 1888, favoring appropriation for the Upper Mississippi—to the Committee on Rivers and Harbors.

By Mr. J. S. HENDERSON: Petition by the president and faculty of the University of North Carolina, favoring the removal of the duty on imported books—to the Committee on Ways and Means.

By Mr. HOWARD: A bill making an appropriation to repair the Government levee at Jeffersonville, Ind.—to the Committee on Rivers and Harbors.

By Mr. HUNTER: Petition of citizens of Greenville, Ky., for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. JACKSON: Petition of A. W. Acheron and 182 others, citizens of Washington, Pa.—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. LEHLBACH: Petition of Rudolph Haller, for relief—to the Committee on Invalid Pensions.

By Mr. LODGE: Petition of 73 citizens of the Sixth district of Massachusetts, for prohibition in District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. McADOO: Petition of numerous florists of Hudson County, New Jersey, in favor of admitting flower bulbs free of duty—to the Committee on Ways and Means.

By Mr. McCREARY: Petition of H. S. Powell, of Jackson County, Kentucky, for relief—to the Committee on Claims.

By Mr. McKINNEY: Papers to accompany House bills 5227 and 3849—to the Committee on Invalid Pensions.

By Mr. MACDONALD: Petition of Carleton College, Minnesota, in favor of international copyright—to the Committee on Patents.

By Mr. MERRIMAN: Petition of John H. Gleason, for pay for services as assistant assessor of internal revenue for the First district of Virginia—to the Committee on Claims.

By Mr. MORROW: Papers relating to claim of Philip Loney, late sergeant Company I, Ninth Regiment Infantry, for reimbursement of $553—to the Committee on Claims.

By Mr. NELSON: Papers in the case of Anna W. Osborne, for relief—to the Committee on Claims.

By Mr. NEWTON: A bill appropriating $5,000 for removing obstructions to and improving the navigation of Bayou Carnie, in North Louisiana, from Stern's Bluff to Shiloh, in said State—to the Committee on Rivers and Harbors.

Also, a bill appropriating $10,000 for the cleaning out and improving the navigation of Bayou Cocodra, in North Louisiana—to the Committee on Rivers and Harbors.

By Mr. O'DONNELL: Petition of 50 citizens of Vermontville, Mich., for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. O'FERRALL: Petition of H. T. Hartman, for extension of patent right—to the Committee on Patents.

Also, resolutions of Farmers' Alliance of Rockingham County, Virginia, for the passage of the pleuro-pneumonia bill—to the Committee on Agriculture.

By Mr. PATTON: Petition for the removal of the internal tax on tobacco—to the Committee on Ways and Means.

By Mr. PEEL: Petition of heirs of Samuel B. Derryberry for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. PHELPS: Petition of 74 citizens of the Fifth district of New Jersey—to the Committee on the Alcoholic Liquor Traffic.

By Mr. RICE: Petition of the St. Paul Jobbers' Union, for early action on bill known as the James bill, for abolition of taxes and licenses levied on commercial travelers—to the Committee on Ways and Means.

Also, petition of same, for amendment of the interstate-commerce law in its application to commercial travelers—to the Committee on Commerce.

By Mr. ROMEIS: Petition of 50 citizens of Ohio, for prohibition in District of Columbia—to the Committee on the Alcoholic Liquor Traffic.

By Mr. ROWELL: Petition for pension to John T. Emery—to the Committee on Invalid Pensions.

By Mr. ROWLAND: Petition for an appropriation to inclose Fort Johnson, N. C., to accompany House bill No. 5668—to the Committee on Military Affairs.

By Mr. C. A. RUSSELL: Petition of John E. Buckman and other citizens of Woodstock, Conn., in favor of prohibition in District of Columbia—to the Committee on the Alcoholic Liquor Traffic.

By Mr. RYAN: Evidence in the case of W. H. Boyd, late of the Eleventh United States Colored Troops—to the Committee on War Claims.

By Mr. SCULL: Papers in the case of Adam Dennis, for relief—to the Committee on Invalid Pensions.

By Mr. SENEY: Memorial of American Forestry Congress, respecting timber lands—to the Committee on the Public Lands.

By Mr. SHAW: Memorial of American Forestry Congress and others, relative to timber lands—to the Committee on the Public Lands.

Also, memorial of Minnie Lysles, widow of Alfred Lysles, for relief—to the Committee on Claims.

By Mr. J. D. TAYLOR: Petition of Joshua C. Whitten and 127 others, citizens of Mount Pleasant, Jefferson County, Ohio, against the admission of Utah as a State with polygamy—to the Committee on the Territories.

Also, petition of W. J. Shafer and others, praying for a law pensioning every honorably discharged soldier, dependent parent, widow, and minor child of a deceased soldier—to the Committee on Invalid Pensions.

By Mr. WHEELER: Petition of John H. Hundley, heir of John A. Hundley, of Limestone County, Alabama, for reference of claim to the Court of Claims—to the Committee on War Claims.

Also, petition of William Hamaker, of Madison County, Alabama, for reference of his claims to the Court of Claims—to the Committee on War Claims.

By Mr. S. V. WHITE: Papers in the claim of William Kendall—to the Committee on Claims.

By Mr. J. R. WHITING: Petition of M. N. Magan, C. M. Oldfield, and 35 others, for the construction of a harbor of refuge at Port Sanilac, Mich.—to the Committee on Rivers and Harbors.

By Mr. THOMAS WILSON: Petition of 139 citizens of the First district of Minnesota, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post Roads:

By Mr. C. L. ANDERSON: Of J. J. Daniel and others, of North Bend, Neshoba County, Mississippi.

By Mr. ARNOLD: Of citizens of Rhode Island.

Also, of Thomas G. Kenyon and others, of Rhode Island.

By Mr. BLANCHARD: Of S. H. Westbrook and 32 others; of J. J. Swann and 51 others; and of J. F. Lucius and 38 others, citizens of Louisiana.

By Mr. BROWER: Of John Bullock and others, of Granville County; of W. F. Highfill and others, and of N. F. Sullivan and others, of North Carolina.

By Mr. FINLEY: Of citizens of Priceville, Ky.

By Mr. GAINES: Of S. E. Wilkes, J. M. Flournoy, B. W. Lewis, and others, of Virginia.

By Mr. GRIMES: Of S. G. Duke, H. H. Cook, and other citizens of Heard County, Georgia.

By Mr. HARE: Of citizens of Keeter, Wise County, Texas.

By Mr. HATCH: Of citizens of Clark County, Missouri.

By Mr. S. I. HOPKINS: Of L. A. Pugh and 40 others, of Mount Zion, Campbell County, Virginia.

By Mr. HUNTER: Of J. W. Long and others, of Kentucky.

By Mr. McCLAMMY: Of citizens of Little River Academy, Cumberland County, North Carolina.

By Mr. McCREARY: Of J. E. Rader and others, of Kentucky.

By Mr. McRAE: Of citizens of Pike County, and of Polk County, Arkansas.

Also, of citizens of Silver Hill, Sevier County, Arkansas.

By Mr. MORGAN: Of W. B. Nowel and others, of Selden, Miss.

By Mr. NEAL: Of A. Denton and other citizens of Goodfield, Meigs County, Tennessee.

By Mr. NEWTON: Of citizens of Routan, La.

By Mr. OWEN: Of citizens of Tilman, Carroll County, Indiana.

By Mr. PEEL: Of citizens of Sexton, Ark.

By Mr. ROWLAND: Two petitions of citizens of Bennett, Anson County, North Carolina.

By Mr. J. D. TAYLOR: Of John Hanna and 67 others, of Wintersville, and of S. R. Henderson and 41 others, of Mitchell's Salt Works, Jefferson County; of James Mooney and 68 others, of Don; of James T. Bentley and 67 others, of Bannock; of Silas Duerig and 61 others, of Hendershot; of E. H. Snyder and 68 others, of Olivett, and of Andrew Smith and 59 others, of Wegee, Belmont County; and of John A. Raney and 20 others, of Ridge; of Robert McKelly and 30 others, of Crooked Tree, and of John Nesselwad and 29 others, from Olive Green, Noble County, Ohio.

By Mr. H. G. TURNER: Of W. M. Adams and others, of Chastain, and of C. Strickland and others, of Milltown, Ga.

By Mr. WILKINS: Of L. Kinsey and 25 others, of Wakatomicka, Coshocton County, and of Hiram Williams and 40 others, of Vanatta, Licking County, Ohio.

By Mr. WHITTHORNE: Of W. M. Murphree and others, of Hickman County, Tennessee.

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## SENATE.

### WEDNESDAY, *January* 25, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

#### EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting for the consideration of Congress a report from the Light-House Board in relation to the necessity for the establishment of a light and fog-signal at or near the outer shoal off Cape Hatteras, North Carolina; which, with the accompanying papers, was referred to the Committee on Commerce, and ordered to be printed.

#### MATTIE S. WHITNEY.

The PRESIDENT *pro tempore* laid before the Senate a communication from the clerk of the Court of Claims, transmitting the findings of fact filed by the court January 23, 1888, in the case of Mattie S. Whitney, administratrix of Franklin S. Whitney, *vs.* The United States; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

#### PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a resolution adopted by the board of county commissioners of Bernalillo County, in the Territory of New Mexico, favoring the passage of a law establishing a commission or court to settle the land titles in New Mexico; which was referred to the Committee on Private Land Claims.

Mr. CAMERON presented a petition of members of the North United Presbyterian Church of Philadelphia, Pa., praying for the passage of the Blair educational bill; which was ordered to lie on the table.

He also presented resolutions adopted by the Philadelphia (Pa.) Board of Trade, urging that the principle of protection should not be lost sight of in any revision of the tariff; which were referred to the Committee on Finance.

He also presented a petition of the faculty of Bucknell University, at Lewisburgh, Pa., praying for the passage of the international copyright law; which was referred to the Committee on Patents.

He also presented six memorials of citizens of the Sixth and Fourteenth Congressional districts of Pennsylvania, remonstrating against the admission of Utah as a State with polygamy; which were referred to the Committee on Territories.

He also presented a petition of 196 citizens of the Sixth, Twentieth, Twenty-first, and Twenty-fifth Congressional districts of Pennsylvania, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. VEST. I have been requested by the Woman's Christian Temperance Union of the District of Columbia, department of legislation and petition, to present a petition of 150 citizens of the Second Congressional district of Missouri, praying for the prohibition of the liquor traffic in this District. I move the reference of the petition to the Committee on the District of Columbia.

The motion was agreed to.

Mr. FRYE presented a petition of 150 citizens of the First Congressional district of Maine, praying for the prohibition of the sale and manufacture of alcoholic liquor in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. BUTLER presented a petition of citizens of South Carolina, praying that an appropriation be made for the improvement of the Congaree River; which was referred to the Committee on Commerce.

Mr. BROWN presented a petition of the Georgia Medical Society, praying that medical and surgical supplies, instruments, and appliances, including those used in the diagnosis as well as treatment of diseases, be imported free of import duty; which was referred to the Committee on Finance.

Mr. EVARTS presented a petition of the faculty of the Rochester University, at Rochester, N. Y., and a petition of the faculty of Vassar College, at Poughkeepsie, N. Y., praying for the passage of an international copyright law; which were referred to the Committee on Patents.

He also presented a petition of the faculty of Vassar College, at Poughkeepsie, N. Y., praying for the removal of the duty which is now laid on books and on apparatus for scientific investigation; which was referred to the Committee on Finance.

He also presented a petition of 52 citizens of the Twentieth Congressional district of New York, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. STOCKBRIDGE presented a petition of 49 citizens of the Third Congressional district of Michigan, and a petition of 25 citizens of the Sixth Congressional district of Michigan, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. SAWYER presented a resolution adopted by the Chamber of Commerce of Milwaukee, Wis., indorsing the action of the vessel-owners of Cleveland, Ohio, in their report looking toward the improvement of the Western lakes; which was referred to the Committee on Commerce.

Mr. BECK presented a petition of 31 citizens of the Seventh Congressional district of Kentucky, and a petition of 28 citizens of the Eighth Congressional district of Kentucky, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

#### REPORTS OF COMMITTEES.

Mr. SAWYER, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 968) for the relief of Leslie Bassett, reported it without amendment, and submitted a report thereon.

Mr. CHANDLER, from the Committee on Naval Affairs, to whom was referred the bill (S. 1370) for the relief of Assistant Engineer Howard D. Potts, United States Navy, reported it without amendment.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (S. 181) granting pensions to ex-soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to dependent relatives of deceased soldiers and sailors, reported it with amendments.

Mr. MANDERSON. The bill reported favorably with certain amendments by the Senator from Minnesota [Mr. DAVIS] is what is kown as the Grand Army pension bill. There will be, I know, a very large call upon members of the Senate for copies of the bill as amended by the committee, and as the expense will be very trifling, I move that 1,000 copies of the bill as proposed to be amended be printed in document form for the use of the Senate.

Mr. EDMUNDS. Additional copies?

Mr. MANDERSON. Additional copies.

Mr. EDMUNDS. Will the expense be less than $500?

Mr. MANDERSON. O, a great deal less.

The PRESIDENT *pro tempore*. The Chair thinks that under the rule a motion to print additional copies should be referred to the Committee on Printing.

Mr. MANDERSON. I ask that that reference be made.

The PRESIDENT *pro tempore*. The motion will be referred to the Committee on Printing.

Mr. SPOONER, from the Committee on Claims, to whom was referred the bill (S. 728) for the relief of William J. Martin, of Oregon, reported it without amendment.

Mr. QUAY, from the Committee on Claims, to whom was referred the bill (S. 603) for the relief of Thomas P. Morgan, jr., reported it without amendment.

Mr. HOAR, from the Committee on Claims, to whom was referred the bill (S. 416) for the relief of Mrs. Harriet H. Robinson, reported it without amendment, and submitted a report thereon.

Mr. PLATT, from the Committee on Patents, to whom was referred the bill (S. 852) for the relief of William C. Dodge, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 395) for the relief of Hyland C. Kirk and others, assignees of Addison C. Fletcher, reported it without amendment, and submitted a report thereon.

### DANIEL B. LUCAS.

Mr. JONES, of Nevada. I am instructed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution to pay Daniel B. Lucas, of West Virginia, compensation for expenses incurred in contesting the seat of Hon. CHARLES J. FAULKNER in the Senate, to report it favorably without amendment.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read the resolution, as follows:

*Resolved*, That there be paid to Daniel B. Lucas, of West Virginia, out of the contingent fund of the Senate, as compensation for expenses incurred in contesting the seat of Hon. CHARLES J. FAULKNER in the United States Senate, $1,000, the same to be in full for all claim for such expenses, and also for any claim to salary as Senator.

Mr. FAULKNER. I ask the unanimous consent of the Senate to consider the resolution at the present time.

The resolution was considered by unanimous consent, and agreed to.

### DISTRICT STREET-RAILWAY TAXES.

Mr. JONES, of Nevada. I am instructed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by the Senator from Wisconsin [Mr. SPOONER] on the 11th instant, to report it with an amendment in the nature of a substitute. I ask for the present consideration of the resolution and the adoption of the substitute.

The PRESIDENT *pro tempore*. The original resolution will first be read.

The Chief Clerk read as follows:

*Resolved*, That the Committee on the District of Columbia be, and it is hereby, directed to inquire whether the street-railway corporations of the District are paying a fair proportion of taxes, regard being had to the value of their franchise and property and the amount of their earnings; and also whether a just tax upon the gross earnings of said companies is not, in the public interest, preferable to the present system of valuing and taxing such property.

And the said committee may, in prosecuting such inquiry, send for persons and papers, administer oaths, and employ a stenographer; said committee to report by bill or otherwise.

The PRESIDENT *pro tempore*. The amendment reported by the committee as a substitute will now be read.

The Chief Clerk read as follows:

*Resolved*, That the Committee on the District of Columbia be, and it is hereby, directed to inquire whether the street-railway corporations of the District are paying a fair proportion of taxes, regard being had to the value of their franchise and property and the amount of their earnings; and also whether a just tax upon the gross earnings of said companies is not, in the public interest, preferable to the present system of valuing and taxing such property. In the prosecution of such inquiry said committee may send for persons and papers, administer oaths, employ a stenographer, and may report by bill or otherwise. The necessary expenses of such investigation shall be paid out of the contingent fund of the Senate upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT *pro tempore*. There being no objection to the present consideration of the resolution, the question is on agreeing to the amendment reported as a substitute.

Mr. HOAR. Mr. President, I should like to call your attention, as chairman of the Committee on the District of Columbia, and the attention of the Senate, to the fact that a very much more convenient form of resolution is to provide that the committee to whom any investigation of the kind is committed, or any subcommittee of their number, shall be a committee to inquire, etc. That makes the subcommittee itself a committee of the Senate for that particular purpose, and gives the subcommittee the power to administer oaths and to send for persons and papers without requiring always the presence of a quorum of the full committee.

I suggest that the resolution be modified in that way. Of course I have no special interest in this particular investigation.

The PRESIDENT *pro tempore*. The resolution was introduced by the Senator from Wisconsin [Mr. SPOONER].

Mr. SPOONER. I shall be glad to have the modification made as suggested by the Senator from Massachusetts.

The PRESIDENT *pro tempore*. The proposed modification will be stated.

Mr. SPOONER. Add after the words "District of Columbia" the words "or any subcommittee thereof."

Mr. HOAR. If the Secretary will allow me to look at the resolution, and the Senate will pass over the matter for a moment, I will suggest the point where the words should be inserted.

Mr. MANDERSON. As to the resolution that is under consideration, I hope that the scope of the inquiry may be enlarged. I see the proposition is to ascertain whether these corporations are paying their proper proportion of taxes. I should like very much to see an inquiry whether it is possible that the street railways of Washington may not by some process be compelled to make a quicker transit, and in lieu of the present slow methods of locomotion adopt a more improved method leading to rapidity by the use of cable tramway, or by the use of the electric motor. Certainly it is a very great evil that so much time should be consumed in going from one part of this city to another. The fact is, these corporations are not keeping pace with the march of public improvement in that direction, and I for one would like very much while this inquiry is being made that that subject-matter should also be included by the committee.

I suggest also, as to the matter of taxing, that not only are the methods pointed out by the resolution usual in the taxing of street-railway companies, but it is not unusual that an income should be raised by a license tax upon each car, which seems to be a very proper method for them to pay their proportion of the public expense. I should like very much to see the resolution enlarged in that direction, if it meets with the approval of the mover of the resolution.

Mr. SPOONER. It will be a sufficient reply to the remarks of the Senator from Nebraska to bring to his attention the fact that at the last session of Congress the entire subject of steam and street railways in the District of Columbia and their operation was referred by the Senate to a select committee. That committee has made commendable progress, and will be ready in due time, I think, to report upon that subject.

Mr. MANDERSON. I was not aware of that fact.

Mr. SHERMAN. Let the resolution be again read.

The PRESIDENT *pro tempore*. The resolution as proposed to be amended will be read.

The Chief Clerk read as follows:

*Resolved*, That the Committee on the District of Columbia, or any subcommittee thereof, be, and it is hereby, directed to inquire whether the street-railway corporations of the District are paying a fair proportion of taxes, regard being had to the value of their franchise and property, and the amount of their earnings; and also whether a just tax upon the gross earnings of said companies is not, in the public interest, preferable to the present system of valuing and taxing such property. In the prosecution of such inquiry said committee, or such subcommittee, may send for persons and papers, administer oaths, employ a stenographer, and may report by bill or otherwise. The necessary expenses of such investigation shall be paid out of the contingent fund of the Senate upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. HOAR. I suggest instead of the words "any subcommittee" to say "a subcommittee thereof."

The PRESIDENT *pro tempore*. The Chair would suggest that the resolution as read is an amendment reported by the Committee to Audit and Control the Contingent Expenses of the Senate, and the amendments submitted by the Senator from Massachusetts, the Chair supposes, must be voted upon to incorporate the words he proposes in the report of the committee. The amendments proposed by the Senator from Massachusetts will be read.

The CHIEF CLERK. After the word "Columbia," in the second line of the resolution, it is proposed to insert the words "or a subcommittee thereof."

The PRESIDENT *pro tempore*. Will the Senate agree to this amendment?

The amendment to the amendment was agreed to.

The PRESIDENT *pro tempore*. The next amendment will be reported.

The CHIEF CLERK. In line 18, after the word "committee," it is proposed to insert the words "or such subcommittee;" so as to read:

In the prosecution of such inquiry said committee, or such subcommittee, may send for persons and papers, etc.

The amendment to the amendment was agreed to.

Mr. BECK. I should like to see the resolution enlarged so as to instruct the committee to inquire whether the street railways of the city of Washington should not be required to furnish cars to accommodate the public and allow every person who pays fare to have a seat, and not be crowded, as the passengers frequently are, like pigs in a pen. I should like to see some inquiry made in that regard.

Mr. HARRIS. The Senator from Kentucky evidently was not in his seat a moment since, when the Senator from Wisconsin explained that a select committee was raised by resolution at the last session of Congress especially charged with the investigation of the whole sub-

ject, and that committee has it under investigation at the present time.

Mr. BECK. I was not in when the statement referred to by the Senator from Tennessee was made and did not hear it. For several years I have been endeavoring to see if we could not have some arrangement made whereby cars in the city of Washington could be provided so that passengers might be comfortably seated instead of being crowded as they have been, but as that matter is being investigated now, I have no suggestion to make in regard to the pending resolution.

The PRESIDENT *pro tempore*. Will the Senate agree to the amendment as amended?

The amendment as amended was agreed to.

The resolution as amended was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 365) granting a pension to John Humes;

A bill (H. R. 1204) conferring civil jurisdiction in certain cases arising in the Indian Territory on the United States courts which may now or may hereafter exercise criminal jurisdiction over said Territory;

A bill (H. R. 1523) for the establishment of a light-house at Cob Point Bar, at the mouth of the Wicomico River, in the State of Maryland;

A bill (H. R. 1584) granting the right of way to the Duluth, Rainy Lake River and Southwestern Railway Company through certain Indian lands in the State of Minnesota;

A bill (H. R. 2076) for the relief of James H. Gilbert;

A bill (H. R. 2112) for the relief of Capt. John Burkhart;

A bill (H. R. 2467) to amend chapter 191 of the private acts of the Forty-ninth Congress, passed at the second session, concerning James H. Young;

A bill (H. R. 2974) for the relief of John Snoddy;

A bill (H. R. 2578) to authorize the construction of a bridge over the Missouri River at or near the city of Lexington, Mo.; and

A bill (H. R. 2927) to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.

ENROLLED BILL SIGNED.

The message also announced that the Speaker *pro tempore* had signed the joint resolution (H. Res. 72) relating to the invitation of the British Government to the United States to participate in the international exhibition at Melbourne, to celebrate the founding of New South Wales; and it was thereupon signed by the President *pro tempore*.

BILLS INTRODUCED.

Mr. VEST introduced a bill (S. 1648) for the relief of J. B. Philipson; which was read twice by its title, and referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 1649) granting a pension to James Fairman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HISCOCK introduced a bill (S. 1650) for the relief of Maj. Gen. W. W. Averell; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1651) for the relief of Capt. Henry S. Pratt; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HALE introduced a bill (S. 1652) for the erection of a public building at Bar Harbor, in Maine; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. BLAIR introduced a bill (S. 1653) granting a pension to Catherine E. Babcock; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CAMERON introduced a bill (S. 1654) granting a pension to Mrs. Catherine Wagner; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1655) granting a pension to Mrs. Leah E. Lady; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1656) to promote Commodore Louis C. Sartori, now on the retired-list of the Navy, to be a rear-admiral on said list, in accordance with his original position on the Navy Register; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. BECK (by request) introduced a bill (S. 1657) for the relief of William Bayard, a citizen of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. COCKRELL introduced a bill (S. 1658) granting a pension to William H. Shivers; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BUTLER introduced a bill (S. 1659) to provide for the enrollment of a naval militia and the organization of naval reserve forces; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1660) authorizing the voluntary retirement of certain officers of the United States Navy who have rendered conspicuous services in battle or who have served thirty years in the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. SAWYER introduced a bill (S. 1661) granting a pension to Pliny Jewett; which was read twice by its title, and referred to the Committee on Pensions.

Mr. JONES, of Arkansas, introduced a bill (S. 1662) for the relief of James Trabue, Thornton Thatcher, Michael Callahan, and the widow of John Waters; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1663) authorizing the Little Rock and Alexandria Railway Company to build certain bridges in the State of Arkansas; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MITCHELL introduced a bill (S. 1664) for the erection of a public building for a post-office and United States land office at the city of The Dalles, Oregon; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. HAWLEY introduced a bill (S. 1665) granting a pension to Theresa B. Hoffman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DAVIS introduced a bill (S. 1666) to regulate the salary and provide for the payment of the expenses of the district judge of the United States for the district of Minnesota; which was read twice by its title, and referred to the Committee on the Judiciary.

ADMISSION OF DAKOTA.

Mr. BUTLER. I present a substitute for Senate bill 185, to enable the people of Dakota to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States. The bill was reported by the majority of the Committee on Territories on the 23d instant, and I offer this substitute on behalf of the minority of that committee. I ask that it be printed and placed upon the Calendar to accompany the bill.

The PRESIDENT *pro tempore*. The substitute will be printed and placed on the Calendar.

FOURTH INTERNATIONAL PRISON CONGRESS.

Mr. BROWN. The Fourth International Prison Congress is to meet in 1890 in St. Petersburg. The Russian Government brought the matter to the attention of our Government, and the President at the last session of Congress sent a special message to Congress recommending the appointment of a delegate to represent this Government in that congress. No final action was taken, however; no appropriation was made for it. The matter was again brought to the attention of the Secretary of State by the Russian minister during the present session, and a joint resolution was introduced authorizing the appointment of a delegate, and making an appropriation of $3,000 to bear his expenses. That resolution was referred to the Committee on Foreign Relations, and they authorized me to report it favorably, which I did a few days since. I now, at the suggestion of a member of the Committee on Appropriations, as the best way of securing action on the matter, submit the substance of the joint resolution, to be referred to the Committee on Appropriations, so that they may consider it as an amendment to the urgent deficiency appropriation bill when it shall reach the Senate.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Georgia will be referred to the Committee on Appropriations.

VENEZUELAN CLAIMS CONVENTION.

Mr. QUAY submitted the following resolutions; which were considered by unanimous consent, and agreed to:

*Resolved*, That the President be requested to communicate to the Senate, if not in his judgment incompatible with the interests of the public service, any correspondence between the Government of the United States and the Government of Venezuela in regard to the exchange of ratifications of the claims convention of December 5, 1885, between the United States and Venezuela, and also any correspondence between the Secretary of State and owners of Venezuelan certificates of award, or their attorneys, since December 5, 1886.

*And further resolved*, That the President be requested to inform the Senate whether ratifications of the aforesaid claims convention have been exchanged with the Venezuelan Government, and if not, what has prevented such exchange; also whether the funds which have been received from the Venezuelan Government on account of the Caracas awards have been distributed, and if not, upon what ground such distribution has been withheld; also what amount is in hand applicable to the payment of the said awards, and how the same is invested.

WARM SPRINGS INDIAN RESERVATION.

Mr. MITCHELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Interior be, and he hereby is, directed to transmit to the Senate a copy of the report made to him by Special Agents Gordon and Martin, of date December 29, 1887, under instructions from the Department of date October 7 and 8, 1887, directing them to investigate the north boundary line of the Warm Springs Indian reservation in the State of Oregon, and to report what line heretofore surveyed would nearest conform to the treaty; also that such copy of report be accompanied by a tracing showing the several lines of survey referred to in such report.

ACTION OF THE NAVY DEPARTMENT.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a resolution offered by the Senator from New Hampshire [Mr. CHANDLER] upon a previous day.

The Chief Clerk read the following resolution, submitted by Mr. CHANDLER January 23, 1888:

*Resolved*, That the Secretary of the Navy be directed to inform the Senate what plans, designs, drawings, or specifications of ships or marine engines have been purchased or procured in foreign countries by or on behalf of the Navy Department, and from whom they have been obtained, and to state what plans, designs, drawings, or specifications so purchased or procured have been adopted, in whole or in part, for vessels or engines now under contract or construction; and also to transmit to the Senate a statement of the cost to the Government of each of such plans, designs, drawings, and specifications, and also an account of all expenditures made by the Navy Department since March 20, 1885, under the appropriations for information from abroad, and for emergencies and extraordinary expenses arising abroad.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

Mr. MORGAN. Was the resolution offered this morning?

The PRESIDENT *pro tempore*. It was offered on a previous day, and laid over under the rules and ordered to be printed.

Mr. MORGAN. I have no objection to it.

The resolution was agreed to.

The PRESIDENT *pro tempore* laid before the Senate the following resolution, submitted by Mr. CHANDLER January 23, 1888:

*Resolved*, That the Secretary of the Navy be directed to transmit to the Senate a statement of the changes made from the original plans of the Chicago, Boston, Atlanta, and Dolphin in addition to those specified in a communication from the Navy Department to the House of Representatives of February 11, 1885 (constituting House Executive Document No. 220, Forty-eighth Congress, second session), and in a communication from said Department to the Senate of May 24, 1886 (constituting Senate Executive Document No. 153, Forty-ninth Congress, first session), together with the cost of such additional changes in each case; and that the Secretary be directed also to furnish the Senate with copies of all documents and correspondence on file in said Department written since March 5, 1886, in any way concerning the aforesaid vessels, which are not contained in the annual reports of said Department, including all reports of boards and of commanding officers and engineer officers, and all log-books kept while the vessels have been in motion since said date, and all the evidences of settlements and payments made since said date by the United States, and of any unsettled claims on account of said vessels; and that the Secretary be directed further to state the present condition of the Atlanta, Boston, and Chicago, and the reasons for the delay in their completion and reception into active service.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

Mr. BUTLER. I do not know that I have any objection to the information asked for in the resolution, but it seems to me from the scope of the resolution that it ought to go to the Committee on Naval Affairs, to be examined by that committee. Unless there is some good reason to the contrary, I shall make that motion.

The PRESIDENT *pro tempore*. The Senator from South Carolina moves that the resolution be referred to the Committee on Naval Affairs.

Mr. CHANDLER. I have no objection, Mr. President.

The motion to refer was agreed to.

The PRESIDENT *pro tempore* laid before the Senate the following resolution, submitted by Mr. CHANDLER January 23, 1888:

*Resolved*, That the Secretary of the Navy be directed to transmit to the Senate information concerning all naval vessels, and machinery and armor for the same, and all naval ordnance and gun metal for constructing or furnishing which contracts have been made by the Navy Department since March 4, 1885, as follows:

1. Copies in the case of each contract of the advertisement and of the written or printed conditions and rules for tests and inspections upon which proposals were invited.
2. A schedule of the proposals received and awards made.
3. A copy of the contract made.
4. A statement showing the time within which the contract was to be performed, and the present condition of the work, and the payments made thereon, with copies of the reports and correspondence upon which each payment was made. And that the Secretary be directed also to inform the Senate whether or not, since said contracts have been made, any of the terms or conditions of any of them have been altered, or any agreements have been made for changes in the quality of material or work, or any of the stipulations or rules for tests and inspections have been relaxed or varied; and, if so, to state the circumstances and causes of any such alteration, change, or variation.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

Mr. BUTLER. I see that the resolution only goes back as far as 1885. I move to amend the resolution by striking out "1885" and inserting "1880."

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from South Carolina.

Mr. CHANDLER. Mr. President, I have not the slightest objection to having laid before the Senate the information which the honorable Senator seems to desire. As a matter of fact, the whole of it has already been laid before the Senate precisely as this resolution calls for information concerning ships and contracts since March 4, 1885. I do not suppose that the Senator really wishes to duplicate upon the records of the Senate any information; and therefore I think the amendment is objectionable, and objectionable only for that reason.

The resolution as it stands without the amendment, calls simply for full information as to the action of the Navy Department since March 4, 1885, in reference to naval vessels and new naval ordnance, and is designed to give to the Senate all the information on that subject properly available in addition to what is contained in the reports of the Secretary of the Navy.

If the Senator will introduce his amendment in a separate form and will state to the Senate that there is any information which he desires to obtain that has not already been forwarded to Congress and printed, it will give me pleasure to vote for the resolution which he offers.

I am also entirely willing that the resolution which I have offered, with the amendment proposed by the Senator, should be referred to the Committee on Naval Affairs, and let the Committee on Naval Affairs consider how far this inquiry should be made; for I certainly am anxious for all the light that can be given by the present Secretary of the Navy, not only concerning the transactions of the Department since March 4, 1885, but also concerning all its transactions in previous years.

Mr. HALE. Mr. President, I hope the Senator from South Carolina will not insist upon his amendment for this reason: Much of the information that is called for by the original resolution of the Senator from New Hampshire has already been laid in one form or another before the Senate; but it will be a very convenient thing for the committees having these subjects specially in charge and for Senators to have it all in one document together, in considering the subjects that we have to introduce; and the sooner we get that the better.

Therefore I would be glad to see this resolution go through without referring it to the Naval Committee, in order that the Secretary of the Navy may at once have all the subject-matter treated by it put into one document, which he will transmit to us, I have no doubt, very gladly.

Mr. BUTLER. Do I understand the Senator from Maine to concur in the amendment I have offered?

Mr. HALE. I do not see the necessity of that information on the particular subject that we are considering. I would have that information, if necessary, as a separate thing. The Senator did not catch what I said, I think, on this particular part of the subject covered by the resolution of the Senator from New Hampshire. I said that it would be better to have that in one document by itself; that the Secretary would be glad to send it in; that it will cover many papers which he has already sent us, but we shall get it all together, treating upon this new construction since the dates which are given in the resolution.

Mr. BUTLER. I have not the slightest objection to the information being called for, and I have no doubt the Secretary of the Navy will be very glad to furnish it; but it seems to me that if we are going to get the information in regard to one set of contracts it would be very desirable to have the information relating to all of them. While it is true, perhaps, as suggested by the Senator from New Hampshire, that we have received the information as to the contracts made prior to 1885, yet, in order to pass intelligently upon them, it would seem to me that they ought all to be embraced in the same report. I shall therefore insist upon my amendment.

I desire not only the information which is called for in the form presented by the resolution, but also the information which would be embraced if my amendment were adopted. I can see no earthly objection to its coming in in that form.

I did not intend to ask that the pending resolution should go to the Committee on Naval Affairs, but to permit it, as far as my vote would do so, to be put upon its passage at once.

I trust the Senator from New Hampshire will recognize the propriety of embracing the additional information which my amendment will bring.

Mr. CHANDLER. I have said that I shall vote for the Senator's proposition covering the years between 1880 and 1885 if he will put it in a separate resolution and will state that the copies of contracts and copies from the records of the Department which he desires have not been previously transmitted to Congress and are not already in print and accessible to Congress. I undertake to say that four-fifths of all the documents which would be sent in in answer to the resolution as amended, concerning the period between 1880 and 1885, have already been transmitted to Congress and are now in print on the records of the Government and accessible to every one, while I also desire to say that the information called for by the resolution concerning the contracts since March 4, 1885, is not now in print and has not been transmitted to Congress, and probably nine-tenths of it is not at this moment accessible to any member of the Senate; and that is the distinction between the two propositions.

Mr. GORMAN. I trust the amendment of the Senator from South Carolina will be adopted. Congress, I have no doubt, will be very well instructed if we can have before us in a connected statement, in one document, the whole history of the contracts which have been made since the Government has entered upon the construction of war vessels of iron and steel, showing the progress we have made from 1880 to the present time. I submit to the Senator from New Hampshire that if he desires Congress to have this full information it can only be had by having in one statement from the Secretary of the Navy the history of these transactions.

Mr. President, it is perfectly well known that since 1880 we have made very great progress, not only in the designs of these ships and in the material of which they are constructed, but in the construction of the vessels themselves; and while the greater portion of the information that is covered by the amendment of the Senator from South Carolina from 1880 to 1885 has been transmitted to Congress, it has been in such a fragmentary way that it is almost impossible to get an idea of the whole history of these transactions. I therefore trust the amendment will be adopted.

Mr. BECK. The amendment covers contracts made prior to 1885.

Mr. GORMAN. Yes. Unquestionably the vessels contracted for between 1880 and 1884 are not yet completed. In point of fact they were taken out of the hands of the contractors and put in charge of the Government, and no intelligible and connected statement of the whole transaction can be made unless it covers the period between 1880 and 1885.

Mr. CHANDLER. I have already stated the only objection I have to extending the call as desired by the Senator from South Carolina. I have not the slightest objection to having printed in one book all the contracts that have been made for guns, ordnance, or naval material since 1880. The objection I see to having the resolution passed in the amended form is, first, what I have stated, that all the contracts between 1880 and 1885 have been once printed, and nearly all the other documents that would be called for during that period have been already printed, and it would be useless and a needless expense, as it seems to me, to print them again. But if the Senators think otherwise, and the Senate thinks otherwise, I have nothing to say.

The only other objection that I can think of would be that the amendment might serve to delay the answer to this resolution; but in order that Senators may be gratified and may see the exhibit from 1880 to 1888, and may have these documents all reprinted in connected form, if they desire it, I, so far as I am concerned, withdraw all opposition to the amendment of the Senator from South Carolina.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from South Carolina [Mr. BUTLER].

The amendment was agreed to.

The resolution as amended was agreed to.

Mr. CHANDLER. I now ask unanimous consent of the Senate to have the resolution which has been referred to the Committee on Naval Affairs recalled from that committee and acted upon at the present time.

The PRESIDENT *pro tempore*. The Senator from New Hampshire asks unanimous consent that the vote by which the resolution to which he alludes was referred to the Committee on Naval Affairs may be reconsidered. Is there objection?

Several SENATORS. Let it be read.

The PRESIDENT *pro tempore*. The resolution will be read for information.

The Secretary read as follows:

*Resolved*, That the Secretary of the Navy be directed to transmit to the Senate a statement of the changes made from the original plans of the Chicago, Boston, Atlanta, and Dolphin in addition to those specified in a communication from the Navy Department to the House of Representatives of February 11, 1885 (constituting House Executive Document No. 220, Forty-eighth Congress, second session), and in a communication from said Department to the Senate of May 24, 1886 (constituting Senate Executive Document No. 153, Forty-ninth Congress, first session), together with the cost of such additional changes in each case; and that the Secretary be directed also to furnish the Senate with copies of all documents and correspondence on file in said Department written since March 5, 1886, in any way concerning the aforesaid vessels, which are not contained in the annual reports of said Department, including all reports of boards and of commanding officers and engineer officers, and all log-books kept while the vessels have been in motion since said date, and all the evidences of settlements and payments made since said date by the United States, and of any unsettled claims on account of said vessels; and that the Secretary be directed further to state the present condition of the Atlanta, Boston, and Chicago, and the reasons for the delay in their completion and reception into active service.

Mr. BUTLER. I have not the slightest objection to that resolution passing at once provided the Senator from New Hampshire will consent to a similar amendment to it to that which I offered to the former resolution, so as to embrace the entire history of these vessels. I see that this resolution only calls for the correspondence since a certain period of 1886. I should like to have all the correspondence relating to the construction of these four vessels from the inception of their building to the present time.

Mr. CHANDLER. I ask the Senator whether he has read this book which I hold in my hand, sent in a year ago in answer to a call on this subject?

Mr. BUTLER. Mr. President, life is too short to read all the books that are sent in.

Mr. CHANDLER. I suggest this explanation for the Senator's benefit, that on the 5th of March, 1886, the Senator from Maine submitted a resolution, which was agreed to, calling for all information up to that date, which was sent to the Senate and is here printed.

The resolution which I now offer is a resolution that calls for similar information concerning these ships since that date, and the answer when printed as a supplement to this book will contain exactly what the Senator says he desires to read, but the first chapter of which I discover he has not yet had time to read.

Mr. BUTLER. Perhaps I have been very derelict in not reading the first chapter of that very interesting document, and I plead guilty; I have not read it. I should like very much, however, to have an opportunity of glancing over it before consenting to the passage of this resolution in its present form. I therefore suggest to the Senator from New Hampshire that he allow the resolution to lie over until to-morrow, until I can have that opportunity.

Mr. CHANDLER. I do not understand the Senator to want it to lie until he reads this book.

Mr. BUTLER. No, sir.

The PRESIDENT *pro tempore*. The resolution has been referred to the Committee on Naval Affairs. The pending question is on the reconsideration of the vote by which it was referred.

Mr. CHANDLER. I ask unanimous consent. Does the Senator from South Carolina object to it, after having amended the other resolution?

Mr. BUTLER. I object. I think it had better go to the committee.

The PRESIDENT *pro tempore*. Does the Senator from New Hampshire insist on his motion to reconsider?

Mr. CHANDLER. No; I withdraw the motion.

### ISAAC D. SMEAD & CO.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a resolution offered by the Senator from Massachusetts [Mr. DAWES] on a previous day, which will be read.

The Secretary read the resolution submitted by Mr. DAWES January 23, 1888, as follows:

*Resolved*, That the commissioners of the District of Columbia be, and they are hereby, directed to furnish the Senate with a detailed statement of the entire amount paid by the District government to Isaac D. Smead & Co. from the date they commenced work for the District to the present time, giving in connection with each payment its amount, date, kind of work done, and designation of the building in which it was done; also to report whether there was any competition or whether any proposals were invited for said work before contract was entered into therefor, and, if so, to furnish specific information in regard to the same.

The resolution was agreed to.

### CŒUR D'ALENE RESERVATION.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a resolution submitted by the Senator from Oregon [Mr. MITCHELL] on a previous day.

The Secretary read the following resolution, submitted by Mr. MITCHELL January 23, 1888, as follows:

Whereas it is alleged that the present area of the Cœur d'Alene Indian reservation, in the Territory of Idaho, embraces 480,000 acres of land; that there are, according to the statistics in the Indian Bureau, only about 476 Indians in the tribe now occupying such reservation, or more than 1,000 acres to each man, woman, and child; that Lake Cœur d'Alene, all the navigable waters of Cœur d'Alene River, and about 20 miles of the navigable part of St. Joseph River, and part of St. Mary's, a navigable tributary of the St. Joseph, are embraced within this reservation, except a shore-line of about 3½ miles at the north end of the lake, it being alleged that this lake and its rivers tributary constitute the most important highways of commerce in the Territory of Idaho, and are in fact the only navigable waters, except Snake River, now used for steam-boat navigation in the Territory; that all boats now entering such waters are subject to the laws governing the Indian country and all persons going on such lake or waters within the reservation lines are trespassers; and

Whereas it is further alleged that the Indians now on such reservation are located in the extreme southwest corner of the same, around De Smet Mission, near the town of Farmington, in Washington Territory, where the land is good for agriculture; and it being further alleged that all that part of such reservation lying between Lake Cœur d'Alene and Cœur d'Alene River and that part between the Cœur d'Alene River and St. Joseph River is a territory rich in the precious metals and at the same time being of no real use or benefit to the Indians: Therefore,

*Resolved*, That the Secretary of the Interior be, and he is hereby, directed to inform the Senate as to the extent of the present area and boundaries of the Cœur d'Alene Indian reservation in the Territory of Idaho; whether such area includes any portion, and if so, about how much of the navigable waters of Lake Cœur d'Alene, and of Cœur d'Alene and St. Joseph Rivers; about what proportion of said reservation is agricultural, grazing, and mineral land, respectively; also the number of Indians occupying such reservation; also on what portion of such reservation the Indians now thereon are located; also whether, in the opinion of the Secretary, it is advisable to throw any portion of such reservation open to occupation and settlement under the mineral laws of the United States, and if so, precisely what portion; and also whether it is advisable to release any of the navigable waters aforesaid from the limit of such reservation.

The resolution was agreed to.

The preamble was agreed to.

### INDIAN MARRIAGES.

Mr. DAWES. Yesterday a motion to reconsider the vote by which the Senate passed the bill (S. 928) in relation to marriages between white men and Indian women was withdrawn, and the bill was laid on the table in order that the Senator from Texas [Mr. COKE] might look at it. He is now present, and I should like to have him state what action he desires.

Mr. COKE. I have examined the bill, and I see that it covers the point which I wished to provide for. I have no objection to it now.

The PRESIDENT *pro tempore*. The bill then stands passed by the Senate and will be returned to the House of Representatives.

### HOUSE BILLS REFERRED.

The following bills from the House of Representatives were severally read twice by their titles, and referred as indicated below:

The bill (H. R. 365) granting a pension to John Humes—to the Committee on Pensions.

The bill (H. R. 1204) conferring civil jurisdiction in certain cases arising in the Indian Territory on the United States courts which now or may hereafter exercise criminal jurisdiction over said Territory—to the Committee on the Judiciary.

The bill (H. R. 1584) granting the right of way to the Duluth, Rainy Lake River and Southwestern Railway Company through certain Indian lands in the State of Minnesota—to the Committee on Indian Affairs.

The bill (H. R. 2067) for the relief of James H. Gilbert—to the Committee on Claims.

The bill (H. R. 2112) for the relief of Capt. John Burkhart—to the Committee on Military Affairs.

The bill (H. R. 2467) to amend chapter 191 of the private acts of the Forty-ninth Congress, passed at the second session, concerning James H. Young—to the Committee on Pensions.

The bill (H. R. 2974) for the relief of John Snoddy—to the Committee on Post-Offices and Post-Roads.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (H. R. 1523) for the establishment of a light-house at Cob Point Bar, at the mouth of the Wicomico River, in the State of Maryland;

A bill (H. R. 2578) to authorize the construction of a bridge over the Missouri River at or near the city of Lexington, Mo.; and

A bill (H. R. 2927) to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.

### LIGHT AND FOG-SIGNAL OFF CAPE HATTERAS.

Mr. FRYE. This morning there was laid before the Senate a communication from the Treasury Department, transmitting one from the Light-House Board touching the establishment of a light and fog-signal at or near the outer shoal off Cape Hatteras, North Carolina, and the order made was that it be printed. It is necessary for the Committee on Commerce to have these papers to use to-morrow morning. Therefore I ask that that order may be reconsidered, and that the papers and chart be referred to the Committee on Commerce without printing.

The PRESIDING OFFICER (Mr. PLATT in the chair). The Senator from Maine asks the Senate to reconsider the vote whereby the papers which he has mentioned were ordered to be printed. Is there objection? The Chair hears none.

Mr. FRYE. I now move a reference of the papers and chart to the Committee on Commerce without printing.

The PRESIDING OFFICER. The papers will be so referred.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the bill (S. 290) to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Mississippi River at or near Burlington, Iowa.

The message also announced that the House had passed a bill (H. R. 339) for the relief of J. E. Pilcher; in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following resolutions; in which it requested the concurrence of the Senate:

A concurrent resolution for the printing of 2,500 copies of the annual report of the health officer of the District of Columbia; and

A concurrent resolution for the printing of 43,000 copies of the report of the Commissioner of Education for 1886–'87.

### DEFICIENCIES IN APPROPRIATIONS.

The PRESIDENT *pro tempore*. Is there further morning business? If there is none, the order of morning business is closed.

Mr. HALE. I move that the Senate proceed to the consideration of the deficiency bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4271) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1887, and for prior years, and for other purposes, the pending question being on the amendment proposed by Mr. HAWLEY, on page 26, after line 6, to insert the following:

For manufacture of adhesive postage and special-delivery stamps, $6,884.45.

For manufacture of stamped envelopes, newspaper-wrappers, and letter-sheets, $65,237.78.

For manufacture of registered-package, tag, official, and dead-letter envelopes, $17,813.49.

Mr. HALE. Mr. President, this amendment and the situation which brings it before the Senate were pretty thoroughly discussed yesterday, and I do not now desire to occupy any further the attention of the Senate. That discussion disclosed to Senators the attitude which has been taken by the Committee on Appropriations and the reasons therefor, and, as I said last night, the committee has discharged its duty and the matter is left with the Senate. It is for Senators to decide, under all the conditions and circumstances, whether this amendment, covering subject-matter that should be appropriated for and speedily, ought to go on this bill. I leave it to the vote of the Senate.

Mr. DAWES. Mr. President, I am fully in sympathy with the Senators from Connecticut in the position they have taken in reference to this amendment. I, however, as a member of the Committee on Appropriations, agreed to the policy which has been presented by the Senator from Maine, and shall therefore vote with the committee.

At the same time that the claim presented by the Senators from Connecticut is full of merit and ought to be paid, and it is a reflection upon the Congress of the United States that they should hesitate to pay it, I want to say to the Senate that there are other claims of like character, and situated, if not precisely like this claim in reference to this bill, in such a situation in my opinion that they are quite as much entitled to the consideration of the Senate.

One of my constituents has a claim; it is not $80,000, it is $50,000. It was put into this deficiency bill last year and into the deficiency bill of the year before, and I am not quite certain that it was not in a deficiency bill the year previous to that. It originated in 1884 upon a contract entered into by the United States with one of my constituents to manufacture heavy guns, cast-iron guns, his being the only establishment at that time in the United States which was capable of manufacturing those guns, and that has gone down under the policy which is oppressing the citizens of Connecticut in the manner represented by the Senators from Connecticut. He also appealed from year to year to Congress to pay what was his due upon that contract, and failing to get it he has been obliged to borrow money to pay the interest upon his expenditure under that contract, and in consequence of the failure of the Government to keep its part of the contract the contract itself has expired, and the unfinished work is on his hands. The result is that he has come to a position where he is unable to borrow money to pay the interest. He is in a worse condition than the constituent of the Senators from Connecticut.

The proper Department has appealed to Congress at both ends of this Capitol to pay that money. It is admitted that it is due him. It has been put into at least two or three deficiency bills, but the committee of conference on the part of the House, pursuing the policy which struck at the claim of the constituent of the Senators from Connecticut, succeeded in the conference against my constituent's claim as they did not succeed with the conference in the last Congress in reference to the claim of the constituent of the Senators from Connecticut. That is the only difference; this has had the misfortune to be stricken out in conference three times because the committee on the part of the Senate did not hold on to it quite as strongly as they did in the last Congress to this claim of the constituent of the Senators from Connecticut.

Mr. HAWLEY. This was never stricken out. Nobody ever asked to have it stricken out.

Mr. DAWES. I say mine has been stricken out three times, and that is the difference between mine and that of the Senator from Connecticut.

Mr. STEWART. I should like to inquire if ever on any occasion while the subject has been before the Committee on Appropriations, there has been any difficulty in obtaining a provision in an appropriation bill to pay members of Congress? Have they not paid themselves, whether they paid others or not?

Mr. DAWES. I am not discussing that question or anything having relation to it. I am stating a fact which I supposed would reinforce the Senators from Connecticut by stating the condition of other claims.

I know this was not stricken out the last time, but I do not see that that affects the merit of it so much as the persistency of our committee of conference. I hope the Senate will adopt the amendment proposed by the Senator from Connecticut, although I am bound to stand by the Committee on Appropriations myself, because I have concluded that in the long run it would be the best policy to adopt in reference to all these claims.

Mr. CULLOM. May I ask the Senator, as he states that he will vote with the committee, but hopes the amendment will be adopted, is it the hope of the Senator that all other amendments which will be presented by different Senators of like character should be adopted and added to this bill also?

Mr. DAWES. I shall be entirely frank before I sit down.

Mr. CULLOM. I want to know how broad the Senator is going to make his rule.

Mr. DAWES. I think that every honest claim against this Government, especially of the character of that represented by the Senators from Connecticut, for work and services done for this Government, ought to be paid, and ought to be paid promptly.

I was of opinion, and I am still of opinion, that if we could intimate to the other House, and adhere to it, that they are to consider these claims in the same light that we are bound to consider them, in the end it would be better.

My constituent came here as the constituent of the Senators from Connecticut did, and appealed to this committee to put his claim in again, while his furnaces are stopped and his workmen are scattered; but when he was informed by the committee that this bill was to be taken as it came from the House he went away, hoping that in the next deficiency bill he would be more fortunate.

Now, all I have to say is that there is not a word that can be said against the claim, or the justice of it, presented in this amendment. If it is adopted I shall feel as if I ought to offer the amendment that my constituent is interested in; although, listening to the policy as concluded upon by this committee, I have not put it in order by offering it in advance as an amendment, and so a single objection could throw it out. If that is done I shall say to my constituent when he comes here again that he would be more fortunate if he would put the advocacy of his claim in the hand of the Senators from Connecticut than he would if he intrusted it to any effort of mine to secure payment.

Mr. HOAR. I should like to ask my colleague before he sits down what there is in the attitude of the conferees on the part of the House

which gives us any reason for supposing that this gentleman will be more fortunate than the others.

Mr. DAWES. I was not on the committee of conference, and therefore can not speak as to that point.

Mr. HOAR. I should like to have that question answered by some one.

Mr. PLATT. I rose for the purpose of asking the Senator from Massachusetts [Mr. DAWES], who is on the Appropriations Committee, if it does not interrupt him too much, to tell us, judging from past experience, when we shall be likely to get to the consideration of another deficiency bill here in the Senate?

Mr. DAWES. I think we shall put these just claims into any deficiency bill when it comes up, and when the Senate puts them in, a conference committee will do the best they can in their struggle with the House, and two-thirds of them will go out, and there will be little opportunity to distinguish which third ought to remain and what two-thirds ought to go out. That is my experience, which has been somewhat extended.

Mr. PLATT. But we have been waiting now about ten months to get this deficiency bill passed; and when it will be passed does not depend so much on this body as it does on another body.

Mr. DAWES. I am aware of that.

Mr. PLATT. But the question I asked was, when we should be likely ever to get at another deficiency bill.

Mr. DAWES. And whether you will get the deficiency bill or the regular appropriation bills through in proper shape or not by following the policy adopted by the committee is for the Senate to consider. The Senators from Connecticut should understand that the position taken by the Committee on Appropriations does not reflect upon the justice of their claim, nor does it reflect upon the justice of the claim of which I have spoken; but it is a question whether the Senate shall surrender its judgment of what is due to the creditors of the Government to any policy outside, or whether it shall take a stand which in the end will bring co-operation rather than antagonism.

Mr. STEWART. Mr. President, it appears that this trouble grows out of the desire of somebody to make a very economical showing to the country. Nobody is questioning the honesty of this claim. It is a debt admitted to be due. It occurs to me that it would be a good idea for those who are so anxious to show economy to abstain themselves from presenting their claims against the Government for a while, and I would suggest as a remedy for this if the Democratic House or the other House or anybody wants to repudiate an honest debt because they want to make an economical showing, postpone the appropriations to pay the salaries of members of Congress. I do not see why they can not wait just as well as this constituent of the Senators from Connecticut or the constituent of the Senator from Massachusetts. They will not be any more likely to go into bankruptcy. Suppose we should fail to pay all the officers of the Government getting over $2,000 per annum. They can better afford to wait than many of the people who are being destroyed by the delay of Congress.

I would suggest that the Senate can make a pretty good showing by requiring some of the higher officers of the Government to wait. They can afford it better than the poor men who have been doing work for the Government. Then we shall get down to the discussion of the legitimate question whether the Government shall be honest or dishonest, whether it shall pay its debts or not. If anybody is to trust the Government, let those who have the power to wait, like members of Congress, wait awhile. I think there should be no appropriation to pay members of Congress who do not come here and act honestly.

Mr. HARRIS. I desire to ask the Senator from Maine if the items contained in the amendment of the Senator from Connecticut have been examined by the committee and found to be just and due, but the payment withheld simply to await the necessary appropriation. Is that the state of the case or not?

Mr. HALE. Appropriations covering these items were estimated for last year. They were examined then. It was seen plainly that they covered the necessities of the Post-Office Department, that in essential particulars it could not do its business to the satisfaction of the public without these appropriations. In the Senate that proposition was maintained, and when we got into conference committee these items, which meet the assent of the Senator from Tennessee, were agreed to by both House and Senate conferees, and had the bill passed then these items would have gone in for the very reason suggested in the Senator's question, that they were needed. Now the Department comes in and shows that so great was the need that it went on and used the material, had the service performed, and yet against all that the other branch has left all these items off. The Committee on Appropriations, in leaving them off, attempt to raise no question about the items, about their necessity, about the importance of appropriations to cover them; no such question arises anywhere.

Mr. HARRIS. The Senator's answer is perfectly satisfactory to me, and I shall vote for the amendment of the Senator from Connecticut.

Mr. HAWLEY. I thought it very likely the vote would be taken immediately this morning, and I would not trespass on the Senate a moment longer but for the statement of the Senator from Massachusetts [Mr. DAWES], and I will make my statement now just as brief and clear as I possibly can.

Earlier than last February the Post-Office Department found that such was the extraordinary increase in the demand for adhesive stamps and envelopes that the appropriation for the previous year, which seemed to be very reasonable under the reduced price of these things, was going to run out and the Government would be without stamps and envelopes of some classes somewhere in May, absolutely without them, unable to answer the demand from a single post-office in the United States. Under the circumstances they said to my constituents, the manufacturers of these articles, "If you will go on and supply us as usual we will have you paid as soon as we can in December; but understand, we can not make any bargain; the law forbids it; you will have to do it on trust entirely."

My constituents made over $90,000 worth of articles, and for their goods, stock, and so on, borrowed the money at bank. The Government took those stamps and envelopes, sold them all in the market in the usual course of business, and has the money in its pocket. The Postmaster-General now says that this is a debt of honor, and but for the considerate favor of these contractors the Department would have been out of all those necessary articles. Here we are in the latter part of January, eight or nine months after they furnished these articles for which the cash on delivery was due.

The Cabinet is not at fault at all, in my judgment. My constituents are out of the money and the Government has the money in its own pocket, and the Postmaster-General in what I read yesterday says what I have told you, that but for the considerate favor of the contractors, the Department would have been out of these articles. I know personally that my constituents are carrying $85,000 in bank and paying 6 per cent. interest upon it for this simple, straightforward debt of common decency. It is not to be stigmatized as a claim, for that carries the idea with many members of Congress that it is a thing to be put off, of course.

If the Senator from Massachusetts should abandon any of his constituents, it is not my fault. I am not going to abandon mine. He says that he has a constituent who has not been paid for three years. That is the case of a contract for certain guns. It is a different thing and has got into the category of claims and ought to be considered before the Committee on Claims, perhaps. I do not know anything about that and I will not prejudice it. I only talk about this one claim, and I say it will be a damaging spectacle if the Government of the United States, after having begged a private citizen to help them out and go in debt for that purpose and pay interest for that purpose, should, having put the money into its own pocket, now, after the recommendation of the Postmaster-General, and after this has been in one deficiency bill, refuse to put it in again.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Connecticut [Mr. HAWLEY].

The amendment was agreed to.

Mr. REAGAN. Mr. President——

Mr. HALE. I have some committee amendments.

The PRESIDENT *pro tempore*. Under the order of the Senate, amendments of the Committee on Appropriations are first to be received.

Mr. HALE. There are two other amendments that come under the same class as the amendment offered by the Senator from Connecticut, and adopted by the Senate, items of necessity that were agreed to in the old conference, and as the Senate has adopted the amendment of the Senator from Connecticut I will offer the others.

The PRESIDENT *pro tempore*. The amendment proposed will be read.

The SECRETARY. Insert after line 16, page 16, the following:

To pay construction and armament of the steel cruisers Chicago, Boston, and Atlanta, namely: under the Bureau of Ordnance, $175,000; under the Bureau of Navigation, $2,500; under the Bureau of Construction and Repair, $40,000; and to reimburse the appropriation for construction and repair 1888 for amount expended therefrom on these cruisers, $43,691.25; in all, $261,191.25.

Mr. COCKRELL. I hope the Senate will not adopt that amendment. It is no deficiency whatever. There is no parallel between that amendment and the amendment offered by the Senator from Connecticut. In the case of the Senator from Connecticut, the amendment was put in the last deficiency bill, which failed during the last session, and it was put in because it was a deficiency which would exist before the 30th day of June last. That bill having failed, the deficiency was absolutely created. The work was done; the Government of the United States received the benefit of it. Now, this amendment was put into the deficiency bill last year, to be expended between that date and the 30th day of last June. It has not been expended. Not one cent of it, not a dollar of it, has been spent. It is a prospective deficiency, to be spent between this and the 1st day of next July, and I protest against it being inserted here. It is not a deficiency in any sense of the word.

Mr. CHANDLER. I should like to inquire of the Senator who has charge of this bill, whether this amendment reported by the Committee on Appropriations is substantially an amendment which was in the

deficiency bill that failed, and which was agreed to by the conference committee?

Mr. HALE. I have stated that that is the reason why I have offered it.

Mr. CHANDLER. I should like also to inquire whether or not this appropriation is recommended by the Secretary of the Navy as an appropriation which it is desirable to have made in this deficiency bill?

Mr. HALE. Not only that, Mr. President, but it is enforced very strongly by the Secretary of the Navy, who desires it to be incorporated in the first bill coming before the Senate, because the work on these ships is hung up.

Now, the Senator from Missouri says that this appropriation does not stand as well and as strong as that covered by the amendment which the Senate has just adopted. The situation was precisely the same last winter.

Mr. COCKRELL. That is true of last winter, but not now.

Mr. HALE. Last spring they were precisely the same. The need for these ships, that all of us have been interested in for years, to be finished, both in hull and in equipment, is just as great as the need of the Post-Office Department. We are all desirous that they should be finished. I should be glad to live long enough to see the day when one of these new ships will be found putting its nose into foreign waters and showing that it is to sail about the waters of the globe. Last spring the Navy Department submitted the estimates and showed the necessity for this as a deficiency to be expended during the fiscal year. The bill failed.

In the case of the Post-Office Department, the Postmaster-General took upon himself a risk that the law did not permit him to take. He was by law called upon to say that if Congress has not appropriated the money for these stamps, these envelopes, and these other materials, it is my duty to let the service suffer, and not spend the money, but wait until Congress appropriates it, because the law is specific and directs no expenditure beyond the appropriations. The Postmaster-General went on to expend the money for the sake of the service. The Secretary of the Navy might have done the same thing, but he did not.

Mr. HAWLEY. May I explain a moment? The Postmaster-General did not expend a dollar. The situation was perfectly understood by my constituent; he knew that he was throwing himself on the mercy of Congress. The Postmaster-General explained to him, and he knew that if he went and made another envelope for the Post-Office Department his right to compensation would be in the nature of a claim.

Mr. HALE. When I say "expended the money" I mean that he followed out the contracts for the materials and took and used them in the service. He might have said, "I can not do it because Congress has not appropriated." The Secretary of the Navy, though these ships were waiting for the final money to complete them, said, "I will follow the mandate of Congress; I will not spend this money; I will not go on; I will not put the contractors to the obligation of expending money, but I will wait, and when that bill is taken up again I have no doubt these things will be agreed to and they will go onto this bill;" and they ought to go onto this bill if the other goes on. The necessity was just as great, and this Department ought not to be punished because it conformed to the law and did not carry out the contract and furnish the material. These vessels remain hung up, and will; it may not be a matter of very many days; but if one of these items goes on the others ought to go on.

There is another item I shall move, and that is for the water supply here, which we are all interested in, suffering because of the want of money.

Mr. BECK. I desire to ask a question of the Senator from Maine. Are not all the items in the bill reported by the committee matters of actual expenditure for the fiscal year 1887 and for prior years?

Mr. HALE. Yes, sir.

Mr. BECK. Now, this proposition is to insert into this bill money for expenditures to be made in the fiscal year 1888, between this and the 1st of next July. Ought it not to come in the regular deficiency bill for this year and not as part of a deficiency bill providing for the expenditures of prior years?

Mr. HALE. Not by any means, because the operation of the passage of time has been, as the Senator will see in a moment, that hundreds of the items here that we have put into the bill come to just that condition he has stated; they will be expended in the year 1888, because that is the only time they can be, and the work will go on.

Mr. BECK. But they are for obligations created before this bill was postponed last year.

Mr. HALE. This was an obligation created before.

Mr. BECK. Is there not a bill now that we are expecting every day which will contain these items?

Mr. HALE. That I do not know.

Mr. BECK. That I understand is the case.

Mr. HALE. I do not know that. I presume if we postpone these items one after another, and select one item and put it on and do not select others now, in time they will get on; but I protest against the injustice of selecting out one of these items and putting it on and then not putting on the other when the needs are just as great in the one case as in the other.

Mr. PLUMB. Mr. President, there is a very decided difference between these items and the general run of items which enter into this bill, and I for one shall vote against putting anything else on this bill, because I want this bill to go through at the earliest possible moment. This bill will relieve more actual necessity than any appropriation bill passed by Congress for years. There is not a neighborhood in the United States that has not got from one to a dozen old soldiers in it who are waiting, praying, hoping that this bill will get through at the earliest possible moment in order to relieve their absolute, pressing necessities.

There ought not to be a moment's delay in passing this bill. There ought to be nothing put upon it that will result in any controversy whatever with the other House. Every day's delay that the Senate contributes to it will make it criminally culpable in the minds of these people. Here is a matter for war-ships and guns and armament of old ironclads of one kind or another lying on our coast that we can appropriate money to repair and complete and so on. If we go into that and get into a controversy about it with the other House, such as we have had heretofore, this bill may be delayed for weeks, and for what? Simply because we are not willing to avail ourselves of the proper opportunity for making these appropriations.

This bill is necessary to meet the negligences and shortcomings of the last Congress. Perhaps the House of Representatives did not put into it all that ought to have been put in; I do not think it did; but at all events it sent a bill here which provides for undoubted claims and meets a crying need. It was the duty of the Senate, as I think, to have taken it up and passed it without adding to it or subtracting from it, or at all events without doing anything that would contribute one moment's delay to its becoming a law.

We do know—not officially perhaps, because we can not know such things officially—that a bill is pending in the Committee on Appropriations of the other House known as the urgent deficiency bill, of a kind that has become rather common in the legislation of the past few years, and which is expected to be brought in at the early days of every session of Congress, to provide for things which can not wait until the regular deficiency bill is reached.

Mr. COCKRELL. I call attention to the fact that this bill has now been in the Senate twelve days since it passed the House.

Mr. PLUMB. That is a reason why there ought to be no further delay.

Mr. HALE. Let me call the attention of the Senator from Missouri to the fact that it remained in the House for six weeks before it was sent to us.

Mr. PLUMB. I am not going to apportion the responsibility. I admit, and not only admit but claim, that the House of Representatives is responsible for this delay. I only hold that we shall not put ourselves in a position to share any portion of the responsibility, as we shall do if we put on other items, especially items such as the Senator from Maine has moved. We shall have another deficiency bill here within ten or twelve days probably. If I remember aright the assurance was given in the House of Representatives when this bill was under consideration that in a few days another such bill would be reported.

Mr. COCKRELL. The general deficiency bill for 1888.

Mr. PLUMB. We have had information that the House committee was considering that bill, and that it is liable to come before us at any moment. That will be a bill which perhaps will not contain appropriations of as urgent a character as those we are considering now. It certainly will not represent claims which ought to have been appropriated for at the last session of Congress; it will be for deficiencies of an anticipatory kind, just such as is proposed by the amendment of the Senator from Maine.

This bill ought to pass. I do not say anything about the twelve days it has already been here, but those twelve days ought not to be added to by an additional twenty-four hours.

Mr. CHANDLER. Mr. President, I am not urging the Senate to put upon this bill any item which will occasion controversy between the Senate and the House of Representatives, or between the Senate committee of conference and the House committee of conference. I am only calling the attention of the Senate to the fact that this amendment, moved by the Senator from Maine, who has charge of this bill, is to put a clause upon the bill which was upon the deficiency bill that failed at the last Congress, and which was agreed to by both conference committees; and I now ask the Senator in charge of the bill, or the chairman of the Committee on Appropriations, if he will allow to be read the letter from the Secretary of the Navy requesting that this appropriation may be made upon this deficiency bill?

The PRESIDENT *pro tempore*. The paper will be read, if there be no objection.

Mr. HALE. I send the letter to the desk.

The Chief Clerk read as follows:

NAVY DEPARTMENT, *Washington, January 14, 1888.*

DEAR SIR: I inclose copies of the correspondence between the Department and Mr. Randall, chairman of the Appropriations Committee of the House, which will show that an item imperatively required by this Department failed insertion in the deficiency bill which is now in the Senate. The item was in the bill at the time that it failed last year. It is imperatively required. The ord-

nance work upon the new cruisers, the Boston, Atlanta, and Chicago, has now been delayed many months by reason of the failure of the deficiency bill at the last session of Congress. The ships are ready, but their armament is not. I beg that the items may be inserted in the Senate.

Very respectfully,

W. C. WHITNEY,
*Secretary of the Navy.*

Hon. WILLIAM B. ALLISON, *U. S. Senate,*
*Chairman Committee on Appropriations.*

Mr. CHANDLER. Now, I speak in behalf of the Secretary of the Navy, and concur with him in the hope that this appropriation may be put upon this bill, in order that these ships may be finished. I read in the Washington Post of January 24 what purports to be a statement of the condition of these vessels. It says:

The Chicago has already successfully undergone her sea test, and her final completion as a war vessel will be accomplished when her battery is delivered. She will not be sparred and rigged for some time.

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The finishing touches to the Boston in the way of equipment, rigging, etc., can not be added at present, for the reason that no money is available, and a further appropriation will be required for this purpose.

I do hope, Mr. President, that I shall have the pleasure of living to see these ships finished, and I hope to see them finished some time during the present Administration. But the condition which the Senate is called upon to confront is that an item which shall enable these ships to be finished, which was in the appropriation bill of the last Congress, agreed to by both conference committees, is left out by the House of Representatives at this time, and Administration Senators now oppose the request of their own Secretary of the Navy.

Mr. BECK. Mr. President, the letter of the Secretary of the Navy itself shows that the money that he wants to expend for these cruisers is to be expended during the fiscal year. He wants it; he wants it very urgently. This bill, as I said a few moments ago, provides for deficiencies that occurred during the fiscal year 1887 and two or three previous years; and although both Houses in the last Congress were willing to give the money and have it expended, the bill did not reach the President, was never enrolled; Congress adjourned by limitation at noon on the 4th of March, and hence that money was not expended.

A deficiency bill and an urgent deficiency bill will be presented perhaps within a week to this body containing the items for this fiscal year, of which that now presented is a part; and there will be no delay and no disposition to refuse it to the Secretary of the Navy; but when we are making up our accounts of the expenditures of the last fiscal year and of previous fiscal years, this does not form part of them, and this is to be expended during the present fiscal year, and therefore it ought to be charged to it; and for that reason, doubtless, the other House left it out of this bill.

It was a proper appropriation in the last bill because it was then expected to be expended before the 1st day of last July; but the failure of the bill prevented that being done. Now it is to be expended in this fiscal year, for which a bill will come up at once; and when the urgency and necessity for it are shown, as exhibited by the Secretary of the Navy in his letter, the money will be given perhaps as quickly as this can be agreed to and be available if this bill goes to a conference on disputed items.

Mr. CHANDLER. Will the Senator allow me to ask a question?

Mr. BECK. Certainly.

Mr. CHANDLER. The Senator is a member of the Committee on Appropriations?

Mr. BECK. That is true.

Mr. CHANDLER. I ask him whether there is upon this bill that is now being considered any appropriation that is not for money to be expended after the act passes?

Mr. BECK. The chairman can answer that better than I can, because the subcommittee of three in charge of this bill consisted of the Senator from Maine [Mr. HALE], the Senator from Iowa [Mr. ALLISON], and the Senator from Missouri [Mr. COCKRELL]. They have had charge of it specially, and I am not prepared to answer.

Mr. HALE. Let me answer the question.

Mr. CHANDLER. Let me explain first. If this bill appropriates only moneys which have been already expended, then I recognize the force of the argument of the Senator from Kentucky; but if it appropriates moneys that are yet to be expended for things yet to be done, then it seems to me it is about as expedient to finish these ships as it is to do any other future work. If the bill is what the Senator from Kentucky says it is, and what the Senator from Kansas says it is, a bill which merely pays debts already owed, where the money has been already expended or the work already done, then I have nothing further to say.

Mr. HALE. It is not so. The bill is full of items covering just such conditions as these.

Mr. COCKRELL. I should like the Senator to point out how many there are. I take issue on that proposition. I say the bill is not full of such items.

The PRESIDENT *pro tempore*. The Senator from Maine is entitled to the floor. Does he yield to the Senator from Missouri?

Mr. HALE. I will read one item:

Road to cemetery, Springfield, Mo.: That the citizens of Greene County, Missouri, are hereby authorized to improve or adorn, at their own expense, the road constructed by the Government from Springfield, Mo., to the national cemetery near that city, and said road shall be known and designated as Phelps Boulevard.

Mr. COCKRELL. How much is appropriated there, please tell me?

Mr. HALE. Then it is still more strongly open to objection if it is not an appropriation. It is a clause in a deficiency bill. The Senator has been making a point that he would not vote for anything that was not for a deficiency for money expended already, and here in one State this bill has a provision without regard to appropriations authorizing certain parties to go on and finish a road; and here just above it is—

Natchez Cemetery roadway: For completion of the macadamized or gravel road from the city of Natchez, Miss., to the national cemetery near that city, $6,000.

Here is an appropriation in Utah for an entirely new enterprise where money has not been expended, "for Industrial Christian Home." There is another for an expenditure on the Potomac River; and if I had time I could go through the bill and point out many others. Everybody who knows anything about deficiency bills knows that they are not simply for the payment of moneys that have already been expended. That is not their purpose; it is to make the service touch from year to year, and they run over several years in many cases. The distinction which has been raised here as to one amendment or another, that in one case the money has been expended and in another it has not been, is not a good distinction as applied to a deficiency bill.

Mr. McPHERSON. Will the Senator yield to me for a moment?

Mr. HALE. Certainly.

Mr. McPHERSON. It seems to me a most extraordinary spectacle that, in order to make an urgent deficiency bill like this tally with the book-keeping of the Committee on Appropriations, items of so much importance as the one now under discussion should be rejected from the bill.

Here are several ships that have cost the Government millions of dollars waiting for what? For an armament to be put on board those ships; and the Committee on Appropriations, after having been advised by the Secretary of the Navy of the necessity of an appropriation in order that he might contract for this work, in order that he might hasten the departure of these ships, say now it must not be put upon this bill because it interferes with our fiscal book-keeping!

If I understand aright the case of the constituents of the Senator from Connecticut, as explained by him yesterday, they proceeded at their own cost and expense to furnish stamps to the Post-Office Department in anticipation of its needs, and they were required to wait the pleasure of Congress. With a deficiency bill now pending before the Senate upon which appropriations of that character may be made, still many members of the Senate, particularly of the Committee on Appropriations, dissent from that view.

It seems to me as though these appropriations might be passed in both Houses of Congress in a good deal less time than it takes to discuss them here and settle whether they should be on this particular bill or some other. Certainly we need them, and to me that is sufficient. The urgent necessity is shown by the letter sent here by the Secretary of the Navy. Unless you appropriate the money a delay will be occasioned and these ships will not be put into practical use. I think that is a full answer to the question.

Mr. HALE. In looking over the bill I find many items of the class referred to where no money has been expended by the Government. For instance:

Court-house at Jefferson City, Mo.: For completion of the building, $11,000.

That ought to be done; that building ought to be completed. We agreed last year that it ought to be completed. The Government can not go on and expend this money until it gets the appropriation. It ought to be on this bill as it was on the old bill of last year where the controversy was settled. It is just so about these other items. I am willing for one to take the vote without occupying any more time.

Mr. REAGAN. Mr. President, it seems to me the Senate have lost sight of the fact that the appropriations necessary to carry on the Government are to be determined and fixed by Congress. The two Houses are the proper authority to settle the items which should be put upon such bills. The fiscal year expired, it seems, and some head of Department has gone on outside of the appropriations of Congress, not respecting the authority Congress gives him to expend money, but assuming to judge himself of the amount of money which should be expended.

It seems to me that the heads of Departments ought to adopt such a method that they will limit their expenditures to the money appropriated by Congress. Instead of doing that we treat these deficiency bills as if they were a matter of course and were justified by law. It may be that exigencies may sometimes arise which may render deficiency bills necessary; but now our practice here seems to ignore existing law with reference to the duties of Departments in making estimates and limiting themselves to the appropriations of Congress.

So far as I am concerned in reference to this and all other items where the heads of Departments choose to make a deficiency before the end of the fiscal year, I shall certainly vote against justifying it.

Mr. HALE. The Senator will bear in mind that in this case the Secretary of the Navy did just what he desires. He did not go on and expend the money. The amendment I have offered covers precisely the case the Senator has in mind. The Secretary, when Congress ad-

journed last March, instead of going on and spending this money, declined to do so because Congress had not given the appropriation, and now comes in on the first deficiency bill and asks that he may have the money to finish the vessels. He has complied with the law. Some of the other Departments did not.

The PRESIDENT *pro tempore*. The hour of 2 o'clock having arrived, the consideration of the unfinished business will be resumed, being the bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. HALE. I hope that may be informally laid aside until we finish the deficiency bill.

Mr. BLAIR. I have no objection.

The PRESIDENT *pro tempore*. The unfinished business will be laid aside, and the Senate resumes the consideration of the deficiency bill.

Mr. REAGAN. This is a deficiency, and it is said this money has not been expended.

Mr. HALE. Let me explain to the Senator. Does he not see that in finishing a ship, or arming a ship, as it approaches completion, the head of the Department who is building it discovers that the money he has is not sufficient? It is like a man building a house, or a railroad, or whatever may be done by human hands. He is confronted with that situation; he has got to have the money in order to finish the ship. What more can he do, what better can he do under the law than to stop the work, as the Secretary has done in this case, and report to Congress that he wants more money, and wait until Congress appropriates the money? He does not make the deficiency. The money has run out. What, I ask the Senator, would he have the Secretary to do in such a case beyond what the Secretary of the Navy has done in this case. When he finds the money is gone, he does not go on and run up debts, but he appeals to Congress and asks that in the very next deficiency bill that is passed the money may be given to him to finish the ship. What more can he do?

Mr. REAGAN. I now understand the Senator; and his statement makes a different case from that which I had in view in the remarks I made on this bill; but I still desire to be understood as objecting to the continual making of deficiency bills in disregard of the duty of the heads of Departments to conform their expenditures to the appropriations made by Congress. Congress should have the duty of voting the proper amount of money to be expended in the service of the different Departments of the Government, and the Departments should not be permitted to exceed the authority Congress gives them.

Mr. PLUMB. Mr. President, I did not make objection to the expenditure solely or mainly; my objection to the amendment is that it is going to make a controversy with the other House. The Senator from Maine, in anticipation of a row with the House of Representatives, wants to get this on this bill. There will be plenty of chances on succeeding bills for it. I do not want the class of claims of which I have spoken, which affect a very large class of citizens of the United States, a very meritorious class—a class of people whose claims for actual services rendered have been adjusted and allowed by the Departments which ought to have been paid last year—I do not want them to wait while the Senator from Maine and the House committee are negotiating and contending about a matter which will certainly be the subject of contention. It is trifling, in my judgment, with interests which ought to receive a great deal more kindly consideration at the hands of the Senate than they have heretofore received.

I think we ought to pass this bill without putting anything on it that the House of Representatives will probably object to. We shall have another deficiency bill after awhile, and these ships which have been waiting for the last twelve months for lack of this money can wait twenty or thirty days longer, and the contractors and all the men who are going to make profit out of the expenditure of that money can afford to abate something of their impetuosity for a few days, I think.

Mr. GORMAN. I regret very much that the Senator in charge of this bill is departing from the rule he laid down in his opening remarks on presenting the bill to the Senate.

This bill came to the Senate from the House, was sent to the Committee on Appropriations, and I understand it was the unanimous agreement of the committee that in view of the peculiar origination of the appropriation bills by another branch of this Government, it was unwise for us on a deficiency bill to attempt to consider all the measures that we thought properly belonged there at the last Congress. We adopted a rule that as the House of Representatives had seen proper to exclude all these items on this deficiency bill, reserving them for another that may come later on, the Senate ought to leave them off now, and not be put in the position of being forced in cases such as the one that the Senator from Connecticut has presented to the Senate and the one which the Senator from Maine now presents, to load up a deficiency bill in this body. There was nothing in the urgency of the case in any Department of the Government in our judgment that required it.

Now I submit to the Senator from Maine that there are a hundred other items equally meritorious, equally as urgent as the one which he presents, and that if the Senate determines that we are to go into these measures and consider each on its merits, then this bill ought to be recommitted to the committee, and let us consider every item that has come before the committee and present it to the Senate.

Mr. HALE. Let me ask the Senator if he does not clearly discern the reason why I offered this amendment. The whole question was brought up by the amendment offered by the Senator from Connecticut [Mr. HAWLEY]. After the attitude of the committee had been stated, the situation between the two Houses, and a pretty full debate, the Senate decided not to take that attitude, as it clearly had a right to do; and the Committee on Appropriations having performed its duty, and the Senate having concluded to put that item on, then I felt constrained to move this item, which, as I conceive, comes under the same category. There may be some distinction, but that is why I have offered it. I have not abandoned the grounds, I have lost none of my conviction as to what it would be desirable to do on these appropriation bills in order that we may not be confronted hereafter with the conditions that so beset us heretofore. But the Senate has taken upon itself the exercise of its discretion; and I am very sorry that while that amendment was pending, and while that critical point was coming, we did not hear from the Senator from Kansas in opposition to that amendment. I heard nothing from him until this amendment was offered, and I offered it because the Senate had concluded to depart from the policy laid down by the Committee on Appropriations. I do not care what the Senate does with it. It may take one course on one amendment and another course on another, but let us have the expression of the Senate on the subject.

Mr. BECK. Some gentleman rose to offer an amendment, and I understood the Senator from Maine to ask him to wait until he could offer amendments from the committee, and the amendment he offers now was an amendment from the committee as stated by him. Therefore other amendments were postponed that other Senators desired to offer until he could offer a committee amendment. I do not understand this to be a committee amendment.

Mr. HALE. It may be that my expression did not convey the whole idea. The subject had been before the committee and it was considered altogether. The understanding there was that these three items should go off. I have no doubt that if we had concluded to put one on, we should have concluded to put on all.

Mr. PLUMB. The Senator must speak for himself. I certainly would have voted against this one and protested against it strongly.

Mr. HALE. No distinction was made that I remember in committee upon them. Perhaps I was not justified in saying it was a committee amendment as considered by the committee, but the Senate had adopted the other amendment, and, being in charge of the bill, I wished to present an amendment before others came in, and I did it, I will say, on my own responsibility, feeling that as one amendment had been adopted I wanted the others of the same character.

Mr. COCKRELL. Did I not make the point expressly in the Appropriations Committee that the amendment of the Senator from Connecticut was on a different footing from this?

Mr. HALE. Undoubtedly.

Mr. COCKRELL. And showed the same distinction as has been shown here?

Mr. HALE. Undoubtedly; but the committee then went on and made no distinction, but put them all together and rejected the three.

Mr. COCKRELL. It excluded them all.

Mr. ALLISON. Mr. President, is it in order to state what occurred in committee?

The PRESIDENT *pro tempore*. The Chair knows no rule of the Senate that forbids the statement of what occurred in committee.

Mr. ALLISON. Then it is in order?

The PRESIDENT *pro tempore*. The Chair knows of no rule that forbids it.

Mr. GORMAN. I desire not to transgress the rules, but I will make the general statement that there was a reason for the action of the committee, and those of us on this side of the Chamber were perfectly prepared to stand by the chairman of the committee, and on this bill let it be understood that all the appropriations that are necessary to carry on the affairs of the Government should not be left off elsewhere, thereby forcing the Senate into the position of increasing appropriations and then being charged with extravagance.

There was a principle involved in it; not that the Senate should abdicate its right to put amendments on appropriation bills, but the fact was notorious that there was an attempt made, and it has been the custom for some time past, to put the Senate in the attitude of voting for large appropriations, appropriations necessary to carry on the affairs of the Government. But in the opinion of the Committee on Appropriations, and I may say the unanimous opinion of that committee, it was a wise thing to take this bill as it came from the House of Representatives, and let it be understood hereafter that it would only meet with fair consideration on the line that was drawn there. In my judgment it is absolutely necessary to the Senate that we should meet this question now.

As to the amendment of the Senator from Connecticut, I did not think it was necessary for us all to talk on that one amendment. The conditions of that appropriation are entirely different from the one we are

now considering. There was a case where I believe the executive officer was compelled to exceed his authority and have stamps and envelopes printed. The work was absolutely necessary for the conduct of the affairs of the Post-Office Department, and the contractor was laboring under great hardships. It was an exceptional case; and while I would have had him wait until the next deficiency bill comes along so as to conform to this general rule, still it could not be compared with this or any other amendment that may be offered to the bill. I think it was a strong case; but I say to the Senator from Maine, as to the amendment which he offers, that the Government will not suffer by not putting it on this bill. The guns wanted can wait for six months longer.

Mr. HALE. The Secretary says it is imperatively needed. He is not my Secretary.

Mr. GORMAN. I have never known a Secretary that did not say every appropriation he wanted was absolutely necessary. I have no doubt the work is needed. I have no doubt the people of this city would be greatly benefited if we would insert an appropriation in this bill that ought to be there for the completion of the water-works. I think the Government would save hundreds of thousands of dollars if all these needed appropriations were made in time. They certainly would in the water-works case, where the tunnel so far as constructed is lying idle and will be depreciated in value by remaining as it is.

Mr. HALE. That is one of the amendments of this class.

Mr. GORMAN. And yet the Senator knows that if the Senate is going to make a fight on these items much delay will ensue. I give the Senator notice that if he departs from the rule, he should select one or two cases and not make a fight on the rule laid down. So far as I am concerned I can not support it.

Mr. BECK. The Senator from Kansas has stated correctly that we ought to pass the bill as nearly as it came from the other House as possible and as soon as possible and get clear of it.

About the dealings of the committee with each other I desire to say this much more: In committee the Senator from Kansas [Mr. PLUMB], the Senator from Iowa [Mr. ALLISON], the chairman of the committee, and the Senator from Maine [Mr. HALE], as well as myself, agreed as to what should be done. While I am as ultra a partisan perhaps as any man on this floor, I do not approve of appropriation bills coming from the other end of the Capitol withholding provisions which ought to be made and then having them inserted in the Senate, and having the charge made that the House is an economical body and the Senate is an extravagant body.

Taking all the amendments my desire was that the Senate should acquiesce in this bill because it is right as far as it goes, and that the House should take the responsibility of sending over the other needed items to us. It is because of that, as the Senator from Maine very well knows, that all the gentlemen of the committee who entertain my political views did not want this body, especially in a Presidential year, to go into the canvass loaded down with charges of extravagance by adding on things that it might be said would not be put on but for our extravagance. I do not believe in that, and therefore I wanted to keep this bill, as the Senator from Kansas said, as near as we can in the condition in which it came from the other House, hoping these other things will come in another bill.

Mr. PLUMB. It is not a very important consideration, but the Senator from Maine has picked out three items which he thinks ought to go on the bill. The committee voted not to put them on. Now, because the Senate has voted down the committee on one proposition, the Senator from Maine turns around and assumes that all the others are to go on, overlooking the fact that if the whole question had been voted on in the committee, the committee would have put on not only the three amendments, but three times three, or perhaps ten times three, which would be just as germane to this bill, and just as necessary to conduct the Government as this, or much more so; but some amendments in which he happens to feel some peculiar interest are just crowded upon us in this way, and we do not have a chance to consider the whole question.

He is now determined that the House shall take this measure for the finishing of the ships or else lose the appropriations for the old soldiers. It is to be put on this bill because he is not willing to have it take its chance on a bill on which there will be some opportunity to give and take; but yielding to the disposition of the House now to repair the neglect of last session, whereby they would be willing, perhaps, to give something, he seeks to thrust it upon them at this time, thus cutting out the committee itself from a fair opportunity of presenting amendments of a similar character which some of us were ready to present, violating the most solemn understanding that ever existed in any committee of any body, in my judgment.

Mr. HALE. Mr. President, I do not think there is likely to be any great division in the Committee on Appropriations upon this or any other subject. We are in the habit of working together, and I presume will do so hereafter. My attitude has been simply this: I have violated no understanding, and do not propose to do so. The Committee on Appropriations directed me to make the fight on these items, and I made the fight when the first one came up. I did not bring it up; the Senator from Connecticut [Mr. HAWLEY] brought it up. That brought the fight on. The whole proposition that the Committee on Appropriations agreed to, consented to, acquiesced in by Democrats as well as Republicans, was brought up when the Senator from Connecticut moved his amendment.

I presented the case as I best could, as the committee had decided upon it and as I was directed to do, giving what assistance I could to the members of the committee, and then the Senate voted to put the proposition on. When that was done by the Senate, on my own responsibility, not for the committee, I thought it was wise that they should have the opportunity of passing upon other amendments that came in the same category that I have referred to before as having been on the bill as agreed upon by the conference at the last session. I do not say that that binds anybody, that we are obliged to take the bill just as the conferees agreed upon it at the last session, but it makes a distinctive category of cases, it separates and puts apart a class of propositions that does not include other propositions, and these three items, so far from being selected by me, as the Senator from Kansas intimates, were selected by the House of Representatives and left off the bill without any good reason being given. And when our committee considered them, though there may be a distinction between one and another, it was concluded not to put them on, and I was directed by the committee to make the fight.

I have not picked out these items. I want the Senate, having agreed to one of these propositions that the House left off, I think without reason, to have a chance to pass on the others. I do not care how my amendment fares; I do not care whether the Senate rejects this amendment or accepts it. The Senate ought to have an opportunity of voting upon it because it belongs to the category of the items which were agreed upon and which would have passed if Congress had sat twenty-four hours longer last March. That is all I am seeking to do here. All that I desire is a vote of the Senate on this proposition. Let it be rejected if the Senate choose; that will satisfy me.

Mr. ALLISON. Mr. President, this bill has undergone several stages; and I think in view of what has been said in respect to the attitude of members of the Committee on Appropriations, that I ought to say a word upon the entire subject; and I want to begin, in giving the history of this bill, with the last session.

If any Senator will turn to the discussion upon this bill elsewhere, since the present session began, it will be discovered that it was there stated that there was some sort of understanding—I do not know how that understanding exists—that this bill should include only those items that were agreed to in conference last year. I think it has been understood, in the main, that this bill as it came from the House of Representatives did not include what was in the bill of last year, as agreed to by the committee of conference of the two Houses. Now, it is worth while for us to consider some points beyond that.

It was stated elsewhere that this bill failed to receive the signature of the President of the United States at the last session because the Senate of the United States insisted upon putting on it items which ought not to be there, and it was openly stated that it was the resistance of the Senate to the elimination from this bill of the Choctaw claim and the Pacific Railway judgment that made this bill (being largely a bill for the benefit of the soldiers) to fail at the last session.

Mr. President, this bill which we have now before us was a general deficiency bill last year. It was not what it is now—the relic of a remnant of deficiencies. It was then a general deficiency, such as appears here every year, covering every branch of the service as respects the failure to make appropriations in advance for that service, and this bill had included in it many items requiring minute investigation. It did not come to this body until the evening of the 1st day of March, 1887; it came to this body after a recess on the 1st day of March, after 8 o'clock p. m., as is shown by the Journal of that day. It was then—being a bill of 100 pages or more—necessary that it should be printed, in order that the Committee on Appropriations could give it that intelligent consideration which the Senate required it to do. The bill was printed and did not reach the Appropriations Committee room until the morning of the 2d day of March, and on that day, as every member of the Committee on Appropriations will bear me out in the statement, we sat there during that entire day in the consideration of the bill.

The Senator from Maine, who is in charge of it, says that he brought it in here during the evening session of the 2d day of March. It was considered here not at great length. If Senators will turn, as I have turned this morning, to the CONGRESSIONAL RECORD and see the debate, they will discover that this bill was only debated about an hour or an hour and a half in all. The Choctaw claim, being a judgment of the Supreme Court of the United States, was put upon the bill on the motion of a Senator in this body, not upon the motion of the Committee on Appropriations, and it was put upon the bill without one word of utterance pro or con, as the RECORD shows. So that did not delay the consideration of the bill a single second of time, either here or in the committee of conference. The debate, as respects the judgment for the Pacific Railroad, did occupy perhaps half an hour of the time of this body.

After passing through the ordeal here the bill went to the House of Representatives, and did not reach there until the 3d of March, neces-

sarily, because it takes some time for the clerks of this body to prepare and engross the amendments. It came back here again, with the amendments disagreed to, on the 3d of March, when it was our duty at 12 o'clock of the 4th of March to adjourn the Forty-ninth Congress. This bill was considered by the conferees of the two Houses without many of the amendments being in print, because we had not time to print them. The Senate amendments agreed to in this body were not printed.

To claim anywhere that this bill is here now because of the delays of the Senate, or because of the fact that the Senate put upon it items to which the House could not agree, is a misstatement of the truth as respects the consideration of a deficiency bill.

A question is raised as to what was agreed to in conference. That conference, and I presume I can state it, was held between the hours of 3 in the morning and 7 or 8 in the morning of the 4th day of March, when this clock was put back. We sat there in that conference during those hours for the purpose of endeavoring, if possible, to facilitate the final consideration of the bill by the two Houses, so that it might receive the signature of the President. Although we sat until 8 o'clock in the morning, and then agreed to these items, I will say here in the presence of Senators that the conferees on the part of the Senate took this bill, although the Senate had placed upon it many important amendments, and said to the House conferees, "Gentlemen, do you agree to this or not? We are so anxious to pass this bill that we will forego, for the time being, the judgment of the Senate as respects many items, in order that the necessary appropriations may be made for the carrying on of the Government." In this deficiency bill were items for money that had already been expended, were items for money that it would be necessary to expend, as was stated, between the 3d day of March and the end of the fiscal year, the 30th of June. One of those items constituted a large deficiency in the Post-Office Department. It not only included the items which the Senator from Connecticut has had inserted in the present bill, but it included items for clerk-hire, for postal-railway clerk, and various other items which were essential to the conduct of the public service in that regard, and the failure of the bill crippled that service greatly. The result was that in the section of the country where I dwell the postal service never was in such condition of inefficiency as it is this day and this hour.

Mr. PLATT. Everywhere else, too.

Mr. ALLISON. I only speak of my own section. There was included in it this deficiency. I do not wish to discuss the amendment of the Senator from Connecticut [Mr. HAWLEY] which has already been agreed to. I admit that the Senator from Connecticut has a just regard for his constituents, who, in good faith doubtless, furnished articles to the Post-Office Department; but the Postmaster-General in receiving them violated the law, which the Senator from Texas has condemned the Postmaster-General for violating. The Postmaster-General violated a plain provision of statute in allowing the Government to incur an obligation as respects a service which had no appropriation of money to meet it. That was what was done with respect to that particular amendment, although the item was on this bill on the morning of the 4th of March, and if it had passed then would have passed according to law. But the Postmaster-General, acting, I have no doubt, according to the discretion he believed he had, rather than cause a partial failure of the postal service, did violate the law and receive these articles from the constituents of the Senator from Connecticut. That is all I care to say so far as that particular item is concerned.

That item was just as well known to the body that passed this bill before it came to us as it was known to us. The Postmaster-General, in his report, very properly and very wisely stated that he was obliged, because of the failure of the bill, to incur this responsibility, and he asked the House of Representatives and the Senate to make the necessary appropriation immediately, because he considered the obligation one of honor to these men, who were willing, in violation of law, to allow the Government to receive a portion of their labor and their manufacture.

There were upon this bill two other items; one relating to the tunnel that is now being constructed in the District of Columbia for the supply of water here, which we all agree about. It is an important thing. It was on this bill last year. Since the 1st day of November this tunnel has been filling up with water, and it will be a great expense to the Government, to the contractors, or to somebody, every day that this is delayed.

Now as respects the amendment which is under immediate consideration, that item was also in this bill before. We knew perfectly well, and everybody who has examined the subject, certainly every Senator here, knows perfectly well that these cruisers will be of no value on the ocean until the armament is provided, and everybody knows that we have been talking for years here and in the other branch about a new navy, and as the Senator from New Hampshire, who was Secretary of the Navy, I believe, when these vessels were inaugurated, said he hoped to live long enough to see these vessels floating upon the water, so do I.

These are three items that I submit to the Senator from Kansas that, as we understand this question, ought to be provided for. How that understanding prevails, I only refer to as disclosed in the discussion elsewhere; but these items stand in a little different relation from the other items which were discarded in this bill, as respects our duty to bring them forward immediately rather than wait for another bill. The Committee on Appropriations decided, I think I can say with unanimity, that none of these items should go upon this bill. Why? It was a singular fact that after we had gone through the bill last year and eliminated from it every practical objection that could possibly be made in the House of Representatives, and cut down the bill so that it contained only a few of the items that were put upon it in the Senate, it went back there, and with this understanding, I will say, on the part of people elsewhere, that the bill as then agreed to and then cut down should be put in anew and other things should be eliminated, they left off these three items. Why? I do not know what was the motive. A Senator once used to say here that that black drop called human motive could not always be disclosed or judged of. It so turns out that these three items constitute about 20 per cent. of this entire bill; so that when we came to make up the final situation at the close of this session it would be paraded against our committee, and against the Senate of the United States, that we had added 20 per cent. to these bills in the Senate in our extravagance!

Therefore, and I say it with great respect for the minority Senators upon the Committee on Appropriations, we have said hitherto in our committee and in the Senate that there had been no party division upon these subjects of appropriation; and they would not put us in the attitude as Republicans of presenting appropriations increasing our bills, even although they were necessary appropriations for the conduct of the public service or to pay some honest creditor. With unanimity the Committee on Appropriations decided that it would eliminate from this bill all these items, so that when the bill went back to the House of Representatives it would go back there at least in such form that no expert or arithmetician of that body or elsewhere could show that the extravagant Senate had put 20 per cent. upon the bill.

Mr. President, although I think these three items are mainly in the same line, I voted against the amendment of the Senator from Connecticut, although having great sympathy with his constituents as respects it, feeling that we ought not to do this in view of the fact that the Postmaster-General had violated a plain provision of law in order to carry on the Government so far as the Post-Office Department was concerned without calling an extra session of Congress, which for many reasons the President was bound to do when this and other bills failed on the 4th of March last.

Mr. HAWLEY. I submit to the Senator that his logic is very bad in that case. Why does he not impeach the Postmaster-General and pay my constituents?

Mr. ALLISON. The Senate having put this provision in the bill and this being the best argument on my part, I trust the Senator will not get excited on that particular topic. Besides that, I am to act as a judge if the Postmaster-General should be impeached, and I beg to be excused now in anticipation from expressing an opinion on that subject. So I will withdraw that remark.

Mr. BUTLER. I have listened with great interest to what the Senator from Iowa has said——

Mr. ALLISON. I know the Senator always does.

Mr. BUTLER. As I always do; but I should be very much obliged to him, and should feel very much instructed, if he would first tell us in this body precisely what the Committee on Appropriations intend, what they mean, what they desire us to do in this regard. I have heard one Senator from that committee say one thing, and another another, and another another. I should be very glad indeed if, as the representative of that committee upon this floor, he would say to us just what he wants us to do in regard to the matter. I will adopt him as my file-leader.

Mr. ALLISON. I am very much obliged to the Senator, and I will tell him what I propose to do without advising him as to what his duty is.

I shall vote against the amendment of the Senator from Maine because I believe that is the true policy of this body as respects this particular appropriation, although I should be glad to vote with him at any other time upon this subject. I shall vote against him also upon the water tunnel, although I believe that is the most pressing public service for which we can appropriate money at this time. But after the Committee on Appropriations have so decided, and as I believe wisely, I do not care to open up these questions again. Therefore it is that I hope the Senator from Maine will withdraw the amendment now proposed by him.

I have said thus much upon this bill for the purpose of showing to the Senate and to people elsewhere who may be interested in the subject that this great bill is not before the Senate now because of any fault of the Senate as respects any single matter in connection with it; that it is here because elsewhere it was delayed until such time as that it was impossible for it to be considered here. From whencesoever comes the statement that the bill failed last year because of the conduct of the Senate, I repeat it did not receive the bill until the night of the 1st of March, two days before we adjourned; that the Committee on Appropriations, which was bound in honor to consider it item by item, did not receive it until the morning of the 2d of March; and that, sitting hours that ought to have been devoted to sleep and to rest, and devoting that time to the consideration of the bill, they were only able to

bring it before the Senate at such time as that it was impossible to print it finally for consideration by the Congress of the two Houses. All I rose to say was to repel the idea that the Senate of the United States is in any sense responsible for these delays.

Mr. BECK. Mr. President, I only desire to say that since this debate begun I have taken pains to ascertain that a bill will be presented to us within a week from this time—I think within five days—containing all these important items of appropriation, and that it is very much better to consider them then than now. I have taken pains to ascertain that, without being able to say how.

Mr. HALE. Mr. President, if this amendment is going to give rise to the offering of many other amendments, as I have been told it will, owing to the desire I have to get through as soon as possible, I will withdraw it.

The PRESIDENT *pro tempore*. The amendment is withdrawn.

Mr. REAGAN. I move to amend the bill by striking out from line 7 to line 12, inclusive, on page 38, in the following words:

For payment of judgments and awards recovered against the United States for flowage damages caused by the improvement of the Fox and Wisconsin Rivers, in the State of Wisconsin, and reported to Congress by the Attorney-General in Senate Executive Document 94, Forty-ninth Congress, second session, as follows.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Texas [Mr. REAGAN].

Mr. REAGAN. Mr. President, I make this motion on which to predicate the observations I have to make, but my objection goes to all that part of the bill which extends from line 6, on page 38, to line 19, on page 49, except so much of it as proposes to repeal the act of 1875, under which it is insisted that these damages have grown up.

As the recital of the bill is that these payments are predicated upon judgments and awards, it may be that the Senate will consider itself bound by the judgments of the Court of Claims, and I know that ordinarily I should feel so bound.

Whether this amendment and my objections to this portion of the bill be sustained or not, I think it is right that a statement should be made to the Senate in regard to the history of this appropriation.

In 1846 the Government gave to Wisconsin three half sections of land to the mile on each side of the Fox and Wisconsin Rivers for the purpose of aiding Wisconsin when it became a State, for it seems it was then in process of coming into the Union, to form an open water-way for navigation between the Mississippi River and Lake Michigan. This land was in some way disposed of. I do not propose to discuss it further than to state that Wisconsin got the three half sections to the mile for the entire distance from Green Bay to the Mississippi River, that is, 960 acres of land to the mile. This land, I say, was in some way disposed of. Appropriations have been made by the Government to carry on this work. By the act of 1875 the right seems to have been secured to persons injured by the flowage of the lands, and under that act the judgments embraced in this bill and those in former bills have been brought before Congress for appropriation.

Subsequently to the disposition of the land granted in this case, the Government has spent about $2,000,000 in appropriations from time to time ranging from $175,000 to $250,000, perhaps in one or two years $500,000. The work it seems is now abandoned, and I was advised many years ago by the Chief of Engineers, or rather by his assistant, that it ought to have been abandoned sooner. This large amount of money has been expended.

I ought, however, to state that it seems when Wisconsin abandoned the prosecution of the work it turned the work over for prosecution by the Government of the United States, that is the improvement of the river, but reserving the water to the State of Wisconsin. Locks and dams were built at a number of places along the Fox River, furnishing very fine water-power. This water-power is occupied by private individuals, and numerous mills and manufactories are now carried on upon that river by the water-power furnished by the locks and dams built by the Government at an expense of $2,000,000, after the immense amount of lands above referred to had been previously granted.

In 1875 there was an appropriation of $25,000 to pay for condemned land and for flowage, it seems, that year. Then there have been one or two other items. There have been three appropriations made to pay commissioners for assessing the damages on account of flowage, and these payments altogether amount to some $10,000. The last Congress appropriated $91,301.11 to pay for flowage. The present bill appropriates a little over $130,000 more.

While we may not avoid the making of these appropriations, it may be useful, if not to us, to the people of some of the other States, to learn how to be enterprising and thrifty by following the example of Wisconsin in this case, in securing I do not know how much land, for I do not know the distance from Green Bay to the Mississippi River, but it must be some 400 miles. They obtained 960 acres of land to the mile, besides $2,000,000 in cash, and some additional appropriations. The work is still incomplete so far as the navigation between the Mississippi and Lake Michigan is concerned, but it is complete enough to furnish water-power for a great number of manufacturing establishments and mills along the Fox River at Government expense.

I think in making these appropriations it is right that we should understand we are making them to satisfy demands of that kind upon the Government, where there is no possible show of equity, but the strongest evidences of improper practices to obtain money from the Government, not for the purpose of public use, but for the benefit of the mill-owners and manufacturers along the river.

As I have stated, the items here cover eleven pages of this bill. It is recited in the paragraph which I propose to strike out that they are inserted on account of judgments and awards made under the act, I suppose, of 1875. If my amendment will not do any good in arresting such an appropriation this year, it may do good, as I suggested, in stimulating people in other States and other portions of the country to like thrift and enterprise in securing the enrichment of citizens out of the Federal Treasury.

Mr. HALE. Mr. President, this subject has been for years before Congress, and it comes about in this way: After the Government had commenced that great work, upon which vast sums of money had been expended, of improving the Fox and Wisconsin Rivers, questions arose as to damages that were done to owners of property lying upon the river and near by; and Congress in 1875 passed the act approved March 3, 1875, which is entitled "An act to aid in the improvement of the Fox and Wisconsin Rivers, in the State of Wisconsin." That act, in terms, recognizes the fact that claims for damages are arising from time to time against the Government on account of its works there, provides for adjudication of the subjects-matter, and that the Government should be represented by attorneys and proper representatives when the question of consideration of damages to the citizens should arise.

That act is the fundamental statute upon which these claims are presented. In accordance with that act the Government went on with its works, and from time to time claims were made because of damage from flowage and other causes resulting from the Government works. The matters were brought into court and a commission appointed, which was recognized by the Government, appearing before it and contesting the claims. Some dispute arising on certain of these claims, the Government took an appeal from the court which had appointed the commissioners and carried the case to the Supreme Court; and the Supreme Court decided that the machinery as put in operation by virtue of the fundamental statute was correct, and that the parties had, under the legislation of Congress and under the act of the Government, proper claims.

That having been established, the Attorney-General from year to year has certified these claims and they have been presented to us as regular estimates. As the foundation of the provisions which are found in the bill, in the regular Estimates, page 25 of Document No. 29, under the head of "Fox and Wisconsin River Improvements," is this estimate:

For payment of judgments and awards recovered against the United States for flowage damages caused by the improvement of the Fox and Wisconsin Rivers in the State of Wisconsin, and reported to Congress by the Attorney-General in Senate Executive Document No. 94, Forty-ninth Congress, second session, as follows.

The list follows, giving the names of the claimants and the amounts of their judgments. Those judgments having passed through the scrutiny of the court in which the Government was represented, and then through the Department, are certified to Congress and adopted by the House of Representatives. The Senate Committee on Appropriations has agreed to the propositions as embodied in the bill by the House of Representatives.

Now, as to whether there are any cases of undue claims or a disposition to mulct the Government, I am not informed. The Committee on Appropriations has not gone into the subject-matter of each distinctive case, but has found that the general appropriations rest upon the foundation of an enacted statute passed by Congress and approved by the President; that the proceedings have been in accordance with that statute; that the Government has been represented everywhere; and that to be certain of its rights it took an appeal, which was settled against it, and therefore the propositions have come up here.

I am glad to say that we have got about to the end of these claims, and that there is a provision in the bill, incorporated by the other House and agreed to thus far by the Senate, repealing the whole thing, and winding it up; and I suppose sooner or later we shall see the last of these claims. That is the reason why the provision is on the bill.

Mr. MCPHERSON. I should like to inquire of the Senator from Maine as to the character of these damages, if the committee went into that part of the subject. Is it for overflow upon the lands adjoining the river by reason of the damming up of water?

Mr. SAWYER. I will answer that question. Yes, that is the case. As the Senator from Maine stated, there was an act passed by Congress allowing the damages to be ascertained under the State law, and they were ascertained under our condemnation law. Commissions were appointed. A suit was taken to the Supreme Court of the United States and that court affirmed the judgment of the court below. After that there were a great many suits appealed to the circuit court, but in almost every case the plaintiffs obtained an increased judgment over the awards. Those cases were reported to the Attorney-General. The Attorney-General says, in a document which I have not in my hand,

because I did not suppose the provision would be attacked, that there was nothing else for the Government to do but to pay the awards.

As the Senator from Maine says, I think all the claims for damages have been settled.

At any rate there were a great many claims filed last summer. The commission first went along the river and then filed claims back. They reported one hundred and twenty-three claims amounting to $300,000. Those, of course, are not yet paid. This provision repeals the law, and if it is adopted I think it will wind up the business, except that there may be a little charge for the service of the commissioners last summer.

I hope the provision will not be stricken out, and I do not think it would be, if it was fully understood. It was fully discussed in the other House and put in there.

The PRESIDING OFFICER (Mr. PLATT in the chair). The question is on agreeing to the amendment proposed by the Senator from Texas [Mr. REAGAN].

The amendment was rejected.

Mr. EVARTS. I beg to call attention to the proviso in the clause on the fifth page regarding repayments to importers. The proviso begins at line 9. A provision is asked for by the Government to pay the obligations incurred in repayment of duties exacted beyond the rates fixed by law, and occasion is taken of this appropriation to introduce here a clause of general legislation. I will read the proviso:

*Provided*, That section 3011 of the Revised Statutes of the United States be, and the same is hereby, amended by inserting after the word "paid," in the seventh line, the following: "Together with costs of suit and interest at the rate of 3 per cent. per annum."

The gravamen of this proviso is in reducing the interest now called for by the statute in force as 6 per cent., or in whatever State at the rate of interest that there prevails. Now, this is general legislation. It has no concern with the appropriation or with the deficiency; and I propose to strike out the whole clause. If it should not be stricken out it is very important that it should be made apparent that this provision of this reduced rate of interest should only apply to suits and to claims which have not already accrued. The Senate will see at once that if a right of action has now accrued and is in suit or is in complete right of action to be sued, to take away a rate of interest that has already accrued and been accruing under the laws as they have existed is simply extracting so much money from the rightful and accrued claims of creditors.

Mr. HOAR. I lost part of the Senator's statement. Did the Senator state that where duties were paid under protest they now bear interest before judgment?

Mr. EVARTS. Yes; always.

Mr. HOAR. At what rate; 6 per cent.?

Mr. EVARTS. Whatever is the rate of the State in which the suit is brought.

The Treasury Department have not desired that this retroactive effect shall occur, and the Secretary of the Treasury has drawn a clause in the language here used with the intention that it shall not apply to any suit heretofore brought. The Committee on Appropriations of the other House asked also for a clause that would cover pending cases, and the Secretary of the Treasury gave them a clause to that effect, but accompanied it with this observation:

I do not, however, wish to be understood as recommending the latter course, inasmuch as these claims have to a great extent already accrued, and the obligations being now fixed under existing law, the effect of such legislation might be seriously inequitable if not found to be unconstitutional.

The House of Representatives has not followed the latter clause, but that which was regarded as operative only perspectively. As this provision takes its place in the text of the Revised Statutes, if it is adopted, I propose this precautionary clause: "But this provision shall not affect existing suits or demands." I use the words "suits" and "demands" because those are the words used in the section of the Revised Statutes, and that section, let me add, is exclusively applied to these very suits for the recovery of duties.

I move that the clause I have read shall be added, to make it clear by law that the views of the Secretary of the Treasury are right, that it shall have no operation upon accrued and existing claims.

The PRESIDING OFFICER. The Senator from New York will send his proposed amendment to the desk, and it will be read by the Secretary.

Mr. HALE. The Senator has moved to strike out the proviso. If he succeeds in that he does not want to add any amendment to it.

Mr. EVARTS. I shall move afterwards to strike out the whole provision, if I am in order.

Mr. HALE. Move to amend first.

Mr. EVARTS. I do not want to lose any right to strike it out as general legislation. I suppose that making it better does not alter my right to move to strike it out.

Mr. HALE. The Senator can take his choice, of course, in moving the amendment first or moving first to strike out the clause. If the clause is stricken out, he of course does not want to offer any amendment to it.

Mr. EVARTS. Then perhaps, as that is simpler, I shall move to strike out the general legislation.

The PRESIDING OFFICER. Does the Senator move to strike out the clause?

Mr. EVARTS. I move to strike out the proviso.

The PRESIDING OFFICER. The words proposed to be stricken out will be read.

The SECRETARY. Beginning in line 9, on page 5, it is proposed to strike out the following proviso:

*Provided*, That section 3011 of the Revised Statutes of the United States be, and the same is hereby, amended by inserting, after the word "paid," in the seventh line, the following: "Together with costs of suit and interest at the rate of 3 per cent. per annum."

Mr. EVARTS. I think every Senator will agree that this is a piece of general legislation, whether it is wise and just and equitable legislation, providing that the Government shall pay back to its importers what it had exacted illegally from them with only 3 per cent. interest, whereas when it sues them for their not paying what they owe the United States exacts from them 6 per cent. interest. Whatever Senators may think about that, we shall all agree that this is general legislation, as it seems to me. It is a change of the general laws regarding the payment of interest and the general provisions of law.

Aside from the particular section to which I refer, which is now under consideration, and is to be amended by the proviso which I desire to discard, it really introduces for the first time a rule that there shall be one rate of interest by which the debtors of the Government shall be held in their payments, and another and lower rate for the United States *in pari materia* concerning the same subject of debt. It is, therefore, plainly a disturbance of the general arrangements which make the law of interest. Wherever interest is recoverable by the Government or recoverable against the Government, it is on the same level of interest.

It is also special legislation concerning this general regulation on the statute-book of the matter of the collection of the revenue.

Mr. HALE. If the proposition covered by the proviso had been in the form of a Senate amendment to the House bill, it would be subject to the point of order suggested by the Senator from New York; but it comes to the Senate as a part of the bill which the House of Representatives passed. While that body has now stringent rules excluding general legislation upon appropriation bills, there is there, as here, no rule, however stringent, that will prevent any measure passing unanimously. This proposition, I believe, passed the other House *nem. con.* Nobody there invoked the rule. It is before the Senate as a part of the bill, and we can not deal with the question of order. So that question is disposed of in itself. Further than that, the Committee on Appropriations did not think it worth while, as a matter of wisdom, to interfere with this provision which the other House had put on.

The cases where duties have been exacted by the Government, paid by the importer, become the subject of protest and suit, and, in many cases, of judgments against the United States, are already favored cases. The rule generally is that the Government does not pay interest until after judgment. An exception has arisen in this case. Years ago the question was raised and it was passed upon by the Supreme Court, in which it was decided that interest applied after the payment to the Government and before judgment, upon which numerous cases have arisen. Many suits are found upon the dockets of the courts of the southern district of New York to recover sums wrongfully exacted, and interest upon them, and the claimants all the while are favored to this degree, that not only do they get from the Government interest, but they get it at the rate of 6 per cent. whenever the statute of the State in which the duties are exacted provides that rate. So the importers of New York have been getting back their money and 6 per cent. besides up to the date of judgment as well as afterwards. When they get their judgment it is as good as a bond of the Government.

It has been thought that this favored class, who are receiving interest from the Government, which pays interest on its debts when incorporated into a judgment, ought not to receive as much as 6 per cent.; that they ought to be content with 3 per cent. There are many who believe that all this interest ought to be stricken out, and that it should not be computed until the claim is embodied in a judgment like other classes of claims. I do not know but that an amendment will be moved here striking out the interest entirely. It has been suggested to me that such an amendment will be moved, but the other House did not consider it wise to go so far, neither did the Senate Committee on Appropriations, but left it at 3 per cent., which is about as fair a rate and which is as large as the Government is paying now upon any new engagements that it enters into, or on any new issue of bonds, and men can borrow money upon good security, as the Senator from Massachusetts [Mr. HOAR] suggests to me, at that rate.

Therefore the committee has not thought it wise to interfere with this provision. I hope that the Senator's amendment will not prevail, but that the clause will be left as the House left it, with these men getting 3 per cent., as hardly anybody else does against the Government, and that they will be content with that.

Mr. EVARTS. The Senator from Maine is, I think, inattentive to the ground of the suit and the claim on the part of the merchant. It arises from an illegal exaction enforced by an authority of Government against the importers which extracts from them money that they do

not owe. The original suits were at common law and on the direct right of a citizen to sue the collector for extorting from him a rate of duty that the law had not imposed. He was a wrongdoer; he was not executing the law; he was not putting the importer or merchant in the condition of a debtor to the Government; he compelled, by force of his power in office, a payment contrary to law.

There never has been, and I hope there never will be, in the country from which we draw our habits and our laws, or in our own, any impediment that will be thrown in the way of the full recourse of every citizen against oppression, and I hope that no qualification of his indemnity will be adopted as an insidious mode of accomplishing that oppression. Having that right at common law and by common right, the plaintiff in his judgment had a right to pursue the collector out of his own fortune for his having violated the law.

There was no favor asked of this Government in the matter. All that has supervened in the series of legislation has been this: that instead of leaving the collector to this pursuit, even to the point of execution, this right should be recognized as unchanged in quality. Nobody has ventured to say that any impediment should be thrown in the way of any importer or any citizen recovering money that was taken contrary to law. All that the legislation has done has been this: that although the judgment should be allowed, and the right of judgment should proceed upon the same ground, yet there should be certain protections to the collector. It required that there should be prompt suit, that there should be prompt protest, that there should be prompt appeal, and prompt decision by the Government, whether they would stand by the collector or not. Then further, and that is all they undertook in regard to the right of recourse, after that it was provided that though the right was passed upon in this same sense and nature, when the judgment was given against the collector it should not be enforced, but was then accompanied with a provision that it should be paid out of the Treasury.

Now, is it to be said that it is a wise thing that money shall be taken contrary to the statute from a citizen, and if he recovers judgment for it at the distance of three, or six, or nine, or more years, he shall have it without interest? What is that but a Congressional exaction contrary to law in the shape of proper indemnity as to the restoration? Is it, then, any more just, if you can not take away the whole interest, for you to claim that you have restored the money illegally taken when you do not restore it until ten years afterwards? Are you ready to say that by mere power of law, contrary to every regulation of interest provided for collections by the Government, or collections against it where they are are allowed, there shall be not 6 per cent. but in this case only 3 per cent. allowed?

It seems to me that Senators must understand that they are trifling with a direct, a universal, and an impregnable right to see that money is not taken from a citizen contrary to law. Everywhere we are at the mercy of collectors, everywhere the courts do not do justice between the importer and the Government, while they do justice between all other citizens and the public wherever that recourse is given.

Certainly it is quite true that when a measure has been inserted in a deficiency bill which on objection here could not be put in, as contrary to our rules, and which could not have been put on in the other House if it had been objected to there, a Senator can move to strike it out and appeal to the interest and the duty in proper legislation of this body that they will not tolerate general legislation in a deficiency appropriation bill. The present motion is to strike out. If that is not granted—I hope it will be—then I will consider the question of making very clear what I suppose the Treasury Department means to make it, that it shall not apply to accrued claims.

Mr. HOAR. I was inclined, when my attention was first called to this proposition, to think that the Government would have satisfied its duty to the citizen by providing a remedy for the recovery from the Government of the money exacted from him by the collector and a rate of interest for its detention equivalent to that which the Government was itself paying upon its loans directly, or as ascertained by the rate at which a Government bond is sold in the market. But I am satisfied on further reflection that that is an erroneous view, and that the Senator from New York is not only clearly right in his claim, but that he might have gone further and have insisted that the preservation of the present rule, instead of the amendment of the law proposed by the House of Representatives, is essential to the constitutionality of the whole proceeding.

The Constitution of the United States in the fifth article of amendment is express, as Senators well know, that

> No person shall * * * be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

Here is a person who is authorized by the power of the Government itself to seize without any lawful process, without any lawful occasion, without any lawful right, the property of the citizen, unless he shall pay to him a sum of money unlawfully exacted.

If we were to pass a law that in any such case as that which could be described the citizen should have a right to sue the despoiler in court, of course such an act, whether passed by Congress or by any State Legislature, would be held at once to be unconstitutional as depriving the citizen of a remedy in the courts and as indirectly making possible and without legal remedy the seizing of his property without due process of law. It has been held, just as it is held in the case of taking private property for a public use, such as a public building, or anything of that kind, that an ample remedy given by statute against the Government is to be presumed to be ample compensation in the one case or an ample remedy for a wrong in the other case, if it be a wrong.

And therefore I suppose the courts have sustained and would sustain (although that must have been a question of some doubt in the beginning) the law which, after a judgment is obtained against the collector, deprives the citizen of any execution against the private property of the wrongdoer and compels him to accept as a substitute a claim against the Treasury of the United States. But certainly that law could not be supported for a moment if it gave to the citizen, instead of the entire amount of the judgment he has recovered against the collector, 90 or 70, or 50 per cent. only of that judgment. His claim against the Treasury of the United States must be ample and complete and commensurate with his injury, or the constitutional provision is not satisfied.

It seems to me it is equally unconstitutional to provide that the citizen's property may be seized by the collector of the port of New York, and that he shall have not interest for the detention for three, four, or five years while his remedy is pending, or before the act of Congress passes which compensates him, as it would be to say that he should get but 75, or 80, or 90 per cent. of the amount of that judgment when he comes to be paid from the Treasury.

So, then, it is essential to the constitutionality of this whole matter, which the Government has adopted for its convenience, of substituting for a remedy against the collector a claim against the Treasury of the United States, that there shall be a provision for the payment of the principal sum and a sufficient and adequate rate of interest. It is not a sufficient and adequate rate of interest to compensate a citizen for the detention of money for a term of years to pay him the sum which a government of undoubted and unquestioned credit and strength can borrow money for.

I can not borrow money at 3 per cent., the rate which is now proposed to be fixed here, and I suppose there is no private individual in the country that can, as a rule; and therefore, in order to support this legislation at all under the Constitution, there must be a provision which not only provides for the recompense from the Treasury of the sum lost, but of a rate of interest equal to that which the ordinary average citizen in decent credit is obliged to pay to make up to himself money which is detained from him; and of course there can be no better means of ascertaining what that is than to ascertain what is the rate of interest which in each State the State Legislature finds a proper and reasonable sum for making such recompense for detention as between citizen and citizen.

That is the present and existing policy. If, then, you cut down this rate of interest from 6 per cent. to 3, in the case of the citizen of New York whose private property is taken by the collector and turned into the Treasury, you have deprived him of a portion of his constitutional remedy, just as much as if you deducted that difference between 3 per cent. and 6 per cent. from the principal of his claim.

It seems to me, therefore, that the honorable Senator from New York might with entire safety have gone even further than I understood him to go in his argument, and have assailed this proposition as contrary not only to the spirit but to the exact letter of the Constitution.

Mr. EVARTS. The question now is on the motion to strike out. When we come to the 3 per cent. provision I have already intimated that the only protection of that reduction would be a computation for future action.

Mr. HALE. It strikes me that the only fault with the fine reasoning of the Senator from Massachusetts which followed the equally fine reasoning of the Senator from New York is that they invest the subject of interest which attaches to the claim against the Government with the same solemnity and the same definitiveness as the original proposition that the Government shall not take private property without making indemnification.

Mr. HOAR. Now, will my friend allow me to put a question there? Does the Senator doubt that a provision that private property might be taken for public use, its value at the time of taking ascertained, and the money repaid without interest at a distance of four, five, or six years, would be unconstitutional?

Mr. HALE. That question is not raised here.

Mr. HOAR. That is the exact question.

Mr. HALE. That question is not raised here, because the proposition is not to deprive the citizen of some attaching rate of interest from the time when he has been deprived of his property. That proposition is not involved here. Whether I should argue that or not if it came up it is not necessary to assume here now; but to declare that because the Government is bound by the constitutional provision to indemnify the citizen for the property which it has taken carries with it an equal obligation that it must pay the rate of interest that the local statute fixes at the place where the payment has been exacted by the Govern-

ment is a great deal further than I would go or than I believe lawyers or judges generally would go.

The interest that follows a claim of this kind attaches to the original proposition. That the Government in declaring how the citizen shall seek his remedy, through what courts he shall apply, may not also declare that in its wisdom, that in the judgment of Congress a fair rate of interest that shall attach to that original claim shall be so and so, I do not believe. There is no sanctity about the local statute of New York that fixes 6 per cent., or of California that perhaps fixes 8, or another State that fixes 7, which obliges the Government to pay that as a matter of course because it has taken a man's property; but if there is anywhere any authority lodged in any tribunal to decide what that rate of interest shall be, it must be in Congress.

Suppose that it can not confiscate the citizen's right to interest as an attachment to his claim against the Government for money taken, who shall decide what that rate of interest is? I believe that Congress is the proper authority. It can not perhaps confiscate it entirely, but it is not obliged to say that because the exaction has been made in the port of Boston, therefore there attaches to it the rate of interest prescribed in Massachusetts, or that in California it is the rate prescribed there, or in New Orleans the rate that is prescribed there. Congress must have the power to fix in reason the amount of interest that shall go as an attachment to this claim that the citizen has against it for having taken his property. That is the basis, I take it, on which the other House put in this clause.

Mr. HOAR. Suppose what the Senator from Maine says is true, that the law-making power may fix the rate of interest, but they must fix a reasonable rate. My proposition is that no law-making power can put a rate which is clearly and manifestly below what is the average and proper rate of interest between private citizens.

Mr. HALE. Who shall decide it?

Mr. HOAR. We shall decide it; but nobody doubts that when the House of Representatives propose to us to fix this rate of 3 per cent., instead of 6 as it is now, they are making a rate below that at which private citizens in good credit can borrow money for three or four years as a rule.

Mr. HALE. Any man in New York, on the judgment of the United States in his favor, certified by a court having undoubted jurisdiction, can raise money at 3 per cent. any day upon that judgment.

Mr. EVARTS. On the contrary, in my judgment, according to the experience of the collections by these judgment creditors, they would gladly part with 25 per cent. of their judgments.

Mr. SHERMAN. Mr. President, I think that this discussion and this provision in this appropriation bill illustrate more strongly than any case I have known the absolute folly of attempting to legislate on most difficult questions of finance and law upon appropriation bills. Here is a bill called an "urgent deficiency bill," that has in it a great multitude of appropriations for debts clearly due, that have been due for months and years without bearing any interest, and yet the House of Representatives felt at liberty to attach a provision here which changes a law of forty years' standing, a law that has been practiced upon, relating to two separate classes of claims against the Government, having no relation to each other. First, this clause deals with claims of importers who, in order to get possession of their goods, deposit more money in the Treasury than is required to pay the duties, so that they may get immediate possession, leaving the question of the precise amount to be liquidated afterwards.

There is no confiscation about that. It is done as a matter of convenience, for the expedition of the transaction, for the convenience of the Government. In those cases no interest is paid by the Government, but as soon as the matter is liquidated the excess is paid over under existing laws; or if there is a controversy about the rate of duty, the collector decides what he thinks is right according to the law, and then the citizen, if dissatisfied, pays the amount and commences his suit for what he alleges to be the erroneous exaction of the collector. When that suit is commenced within the proper time and in the proper way, it may be pending for years, and there are now cases under the loose methods adopted in the city of New York where these suits have been left for years running after they have been brought. Finally, if judgment is rendered in favor of the importer, a judgment for the amount of the duties is rendered, and then, not in pursuance of express provision of law, but in pursuance of universal common law, where the collector has taken more than he ought to have taken, the law presumes that besides the money which the importer deposited over and above the amount found due, he shall have interest on that deposit.

In the one case, therefore, interest is paid, and in the other case interest is not paid; but this provision undertakes to say that in all such cases interest shall be paid at the rate of 3 per cent., besides the costs of suit. One effect of this is to increase the amount of interest that will be paid, because this provision, being an amendment to that section of the Revised Statutes which regulates the importation of goods, would apply to both classes of invoices, both classes of payments into the Treasury; and, if it applies at all, it will apply just as much to interest on the amount that is voluntarily paid by the importer in excess of the duties as upon the amount recovered in judgment.

Then the language is so loosely drawn that no man can tell what is meant by it. Let us look for a moment. The section referred to by this bill provides:

SEC. 3011. Any person who shall have made payment under protest and in order to obtain possession of merchandise imported for him, to any collector, or person acting as collector, of any money as duties, when such amount of duties was not, or was not wholly, authorized by law, may maintain an action in the nature of an action at law, which shall be triable by jury, to ascertain the validity of such demand and payment of duties, and to recover back any excess so paid.

According to the plain language of the law, he can only recover back the excess paid, but as this is a suit against the collector, the courts have uniformly declared that interest followed the claim. If the money was illegally exacted, as is claimed by the importer, then the interest followed the principal, and therefore the courts in New York have in some cases allowed as much interest as principal. Cases have run along for ten or fifteen years, and in some cases where I was required to pay, myself, as Secretary of the Treasury, the interest was in excess of the principal.

There was negligence on the part of the importer in failing to prosecute, probably, or in leaving it to the lawyer to do as he pleased, but in most cases the interest largely accrued. That interest was not authorized by express law, but authorized by the universal principle of justice that, where a debt is withheld, unreasonably, interest follows as a necessary consequence. That judgment is rendered not under express law, but upon the universal law applicable alike to the Government and to the individual.

Now, the provision comes in and proposes that in all this class of cases where there is a dispute arising as to the amount that should have been paid interest shall be allowed at 3 per cent.

The section I have read is to be amended by inserting, after the word "paid," in the seventh line, the following: "Together with the costs and interest at the rate of 3 per cent. per annum."

When does the interest commence? Is it to accrue after judgment? If it only means interest after judgment rendered, it would be one thing. When shall the interest commence?

Mr. HALE. From the date of payment.

Mr. SHERMAN. That would enormously swell the amount of interest to be paid, because in the great mass of these cases there is no interest now paid by the Government. There is no interest paid by the Government in any case except where excessive duties are collected by the collector. To change the existing law now in this way would cover a multitude of cases and thus deprive a man of the command of his property without law.

For instance, taking the doctrine stated by the Senator that this should go back to the time when the money was paid into the hands of the Government, suppose now, under the existing law, the man is entitled to 6 per cent.; suppose the amount of principal was $1,000 and the interest $500 now accrued, have we a right to say that that interest, which has accrued for many years, shall not be paid at the rate of 6 per cent. when the law requires it to be so paid? That would be unjust, that would be confiscation, a deprivation of a man's property actually accrued, because another section of the law provides expressly that on all judgments rendered against the United States in circuit and district courts interest shall accrue at the rate current in the State where the judgment was rendered. That is in a previous section of the Revised Statutes. That section ought to be referred to in case this legislation is passed.

Section 966 of the Revised Statutes of the United States, relating to the judiciary, provides that—

Interest shall be allowed on all judgments in civil causes.

And this is a civil cause. Mr. President, what I protest against is this kind of legislation on an appropriation bill, where we can not amend it; where we can not distinguish between different kinds of claims—those bearing interest and those not bearing interest. It seems to me, therefore, that the Committee on Appropriations ought to say to the House of Representatives, "This is a matter that properly ought to be considered by the Finance or the Judiciary Committee; we can not consider it; we can not see exactly the effect and operation of this clause, and it therefore ought to be omitted from this bill."

I have a long argument here by a very respectable gentleman in New York, known to most of the Senators, I suppose, in which he speaks of the hardships and difficulties that would accrue out of the passage of this provision. Those he represents only knew of it by seeing it in the newspapers by accident. Now, their attention is suddenly called to it, their interests are affected, and their whole manner of doing business is to be changed or affected by a hasty provision in what is called an "urgent deficiency bill."

Notwithstanding my familiarity with these laws, I can not understand the effect and application of this provision. I can not see to what extent it may be applied. I can see that honest men might contend for extending interest back to the origin of the claim, as the Senator from Maine does, or back only to the date of the judgment. Is it applicable to old judgments, or only to those which may be rendered hereafter? Is it applicable to old claims which have been running along previously, or only to new claims which may arise after this date? All these are important questions that ought to be defined by legislation.

I believe that a law should be carefully framed declaring as to all judgments rendered against a collector that they should be promptly presented and paid; but there is now authority of law without any special appropriation, a general law to refund excessive duties. These claims ought to be promptly presented and they should be promptly paid upon the judgment being rendered, and there ought to be some provision made by which these cases should not be lingering for year after year; there ought to be some provision that unless they are prosecuted duly and even with extraordinary haste they should draw no interest whatever and no interest should be allowed by the court. That provision ought clearly to be adopted. For instance, if men lay quietly upon a claim thus accruing year after year, the law ought to declare that unless the claim is prosecuted with due diligence no interest should be allowed by the court in pronouncing the judgment. That provision surely ought to be added.

Mr. HALE. Then the Senator admits that the law-making power may deal with the question of interest and regulate it?

Mr. SHERMAN. Undoubtedly. Nobody denies that. But the question is this: You are here dealing with it in a way that is entirely insufficient and utterly illogical. Congress may say that the courts of the United States shall allow no interest against the Government of the United States or against its officers when acting in the discharge of their duty. Congress may say that, but it would not be right for them to say it, because Congress has neglected the prompt discharge of its duty, and Congress ought not to impose a hardship on the citizen because it neglects to make the necessary appropriations.

I intend, if I have the opportunity, before this bill closes to offer to the Senate—whether it is in order or not I can not say—a provision that will give interest to those persons who had claims adjudicated in their favor at the last session of Congress, and who have been deprived of their interest, and the money withheld from them with an overflowing Treasury, because there was not sufficient diligence in Congress to pass the necessary appropriation. I do not blame the Senate for it; because, according to the statement made here yesterday, this deficiency bill was not sent here until a few days before the end of the session, when it was manifestly impossible for the Senate to act upon the bill properly. Therefore, the fault rests somewhere else; and yet it is a fault for which the claimants ought not to suffer.

There are hundreds of claims in this bill; I know nothing about their merits; but I assume that they are good claims. They have been found in some cases by tribunals like the Court of Claims, they have been passed upon in some cases by heads of Departments; in other cases by different kinds of tribunals authorized to pass upon them; and the claimants ought to have interest from the time their claims were adjudicated. A provision of that kind I should cheerfully vote for, and I should be willing also, where there was unreasonable delay and want of diligence on the part of the creditor, to deny all interest or reduce the rate of interest to 3 or even less than 3 per cent.

It is manifest, however, that this provision ought not to be kept here. It is totally ill-shaped, ill-made up, put in the wrong place, applicable not to the section of the Revised Statutes that is recited in the clause, but applicable to another section, a different law. I hope, therefore, that the committee will allow this clause to be stricken out and that they will stand by that action until some practical legislation on this subject can be made.

Mr. ALLISON. Mr. President, I am in sympathy with the statement made by the Senator from Ohio that it is an unwise thing to legislate on matters of importance upon an appropriation bill, and especially unwise to do so on a bill that requires some haste in its passage; but I can not agree with him as respects this particular amendment.

In the first place, I see no difficulty in construing the clause, as the Senator does. Having examined the clause with some care, I see that it only applies to existing conditions. It does not provide for interest in any case where interest is not allowed now; it only provides that where interest is now allowed and paid by the Government, the rate shall be 3 per cent. instead of 6 per cent.

This is not a new question in the Senate, in the House of Representatives, in our committee-rooms, or with Secretaries of the Treasury. Away back, as the Senator from Maine said awhile ago, I think as far as 1867, it was decided that in all cases where an importer had paid more money into the Treasury than the collector was entitled to exact from him it was a proper thing for the jury to allow interest from the time of such exaction, and I think since that time all Secretaries of the Treasury have in these cases of imported goods paid interest in New York, where the chief amount of customs duties is collected, upon every importation, at the rate of 6 per cent., where in the particular case, or in a similar case, the court had decided that the duty had been illegally exacted. That has been the rule in the courts for many years, and it has been the rule until, I think, it has grown to be an evil which requires the interposition of Congress for its correction.

The Senator from Ohio said truly that in some cases which came under his personal knowledge he was obliged to pay a greater sum in the way of interest than the principal sum deposited. Secretary Manning in his report—and, by the way, Secretary Manning drew this provision, and it was drawn with the utmost care and with the most careful supervision in the Treasury Department—intended to meet this evil. In a New York case a judgment was rendered a little over a year ago where the principal sum was $44,000 and the interest $84,000.

Mr. CHACE. That showed simply that the claimant was unjustly kept out of the claim for a long time.

Mr. ALLISON. I hope gentlemen will not get excited until I go over this question. I do not intend to criticise the reasons for that, but it may have been the fault of the district attorney in the city of New York; it may have been the fault of the importer, who probably was a foreigner and could get money at 2 or 3 per cent., and was quite well content with loaning the Government of the United States money at the rate of 6 per cent. I do not care to discuss the details of that case.

These cases have gone on until the present Secretary of the Treasury informs us in his annual report that some corrective should be applied. I hope that on such a question we shall all give credence to his statements. He has stated the situation of these suits; he says that the suits now pending in the district court for the southern district of New York will not be decided during this generation. I ask Senators whether they believe that is a wise condition of things? I agree with the Senator from Ohio that this anomalous position of things ought not to continue, and that some method should be provided to cure it. I agree with him also that this is in some respects an imperfect cure.

Mr. HOAR. Will the Senator inform the Senate, if he is himself informed, how soon a citizen can enter a suit, and, prosecuting it with diligence, in the city of New York, reach a judgment in a case? How many years will it take?

Mr. ALLISON. I think the Senator from Massachusetts has asked me a question which the legislation of Congress is required to answer. Of course the Senator from New York can answer the question much better than I can; but I do not believe that if a man was to commence his suit against the Government of the United States to-day in the city of New York and take his chances of trial upon that docket, having the cases called in their order and tried in their order, he demanding a jury, he could secure a jury trial in the circuit court in the city of New York short of two or three years.

Mr. HOAR. Now let me ask another question.

Mr. ALLISON. Let me get through with the first answer.

After he has secured his jury trial the Government of the United States, through its district attorney, may or may not be satisfied that twelve men gathered from the city of New York, I will not say from whence, are better able to judge as to whether an article is cotton or woolen, or whether it is silk or woolen, or both, than is an expert on the part of the Government who has decided with reference to this question.

The Government being thus dissatisfied may appeal that case to the Supreme Court of the United States, where it hangs up necessarily for four or five years more. That is the situation in every case, and it is the situation in the southern district of New York to-day.

But that is not the only situation. Here is a large class of importations resting upon a particular clause in the statute, as, for example, steel blooms coming in at one rate of duty and billets of steel coming in at another. The expert appraiser in New York decides that on a particular importation a merchant is required to pay the higher duty. The importer is not satisfied with that and he appeals.

In the mean time the billets of steel, or blooms of steel, or what not, pass into consumption, and either the men who made them on the other side have sold them at a lower rate in order to meet the competition here, or somebody else other than the man who brought them in as an importer pays the charges upon them. Every other importer who brings in that class of goods does not begin suit. He files, under section 2931, alluded to in this clause, his protest and he appeals.

He does not commence suit as a matter of fact, because he knows perfectly well the suit will not be tried, and because there is an understanding that the first suit begun shall be a test suit. There may be a thousand suits brought upon any one of these items of importation. There were pending in New York, as I am told, twenty-five hundred cases—that is, suits, protests, and appeals—depending upon the decision of the Supreme Court in what are known as the carton cases, and those carton cases were decided in favor of what is called the importers' view, and in every one of them, where the protest and appeal have been entered, the Government of the United States pays interest from the day of the exaction, pays it under existing law and under the decisions of the Supreme Court of the United States.

Mr. HOAR. Now, the Senator having answered my first question, that for three or four years the man doing his best to get his due will not get it in the city of New York, and that for four or five years more, making from six to eight or nine years in all, he will not get it if the Government appeals to the Supreme Court of the United States, saying nothing now about a new trial being ordered in New York, does the Senator think it just that the United States, having exacted that money from the man illegally and received it into its Treasury, should pay him only half interest for it?

Mr. ALLISON. I will answer the Senator's question by asking him another. Does he think that in every case the Government of the United States should pay that rate of interest which the importer is compelled to pay, and no more and no less?

Mr. HOAR. I think that the United States should pay that rate of

interest which in the community where the exaction is made is the current rate of interest paid by men in good credit. If 6 per cent. is too much, take 5, but 3 is manifestly, by the common experience of all mankind, too little.

The Senator will bear in mind that this is not the case of a man who lends money to the Government; it is not a man who made a contract with the Government; it is the case of a man whose legal remedy against the wrongdoer, which would give him the 6 per cent., the Government has taken away.

Mr. ALLISON. Very well; I understand all that phraseology perfectly well, and I will say that in my judgment there can be many cases put wherein there is injustice to the Government. Take this very bill; here are men in this bill who by a law of 1861 were entitled to receive bounty for volunteering in the service of their country as soldiers of the Republic, and they have stood by with that statute on the statute-books for a quarter of a century, and finally at the end of a quarter of a century they have been enabled to secure from the accounting officers of the Treasury that justice meted out to them, and yet under the accepted condition of all legislation and precedents as respects that class of claims, no interest at all has been allowed or will be allowed.

My answer to the Senator from Massachusetts is this: Here we put upon our statute-books certain laws respecting the importation of foreign merchandise. We do it, first, for the purpose of securing revenue, and next we do it for the purpose of enabling our own manufacturers to successfully compete with those people who live abroad in the production of these things. Under those laws the system has grown up which now exists as respects the revenue. It has so turned out that nine-tenths, or certainly three-quarters, of all the importations of imported goods that come within the provisions of the statutes which we are now considering are imported by men who do not live in this country at all, and who manufacture their goods in France, in Belgium, in Germany, at wages one-half the wages paid here; and then they import them through their own agents, get them through the custom-house at the lowest possible point, and if the appraiser differs from them they resort to legal methods which the law gives them to make a protest and appeal and go to the Supreme Court of the United States, and finally recover judgment against the United States, possibly for a misconstruction of the statute, and recover 6 per cent. interest against this Government when they are only paying 2 per cent. interest upon all their plant where these goods are manufactured. I say that it is the duty of this Government to stand in between and see that this class of men are not protected to a greater degree than other people are protected in this country.

I agree thoroughly with the Senator from New York that this provision should not be retroactive. It is not so now, as the Secretary of the Treasury decides. I would not have it apply to an existing condition of things.

Mr. EVARTS. Then the Senator does not object to my amendment, which makes that certain.

Mr. ALLISON. I do not, because I say what is not certain in the eyes of the Senators ought to be made certain, and the Secretary of the Treasury so states.

Mr. SHERMAN. The Senator quotes the Secretary of the Treasury. If there is any information from him we ought to have it before us. Besides that, we do not know who the Secretary is to be that will pass upon this provision.

Mr. ALLISON. I have not stated that I knew, as far as I am concerned, and I agree we should make perfectly certain this statute. I am only saying what we ought to do in the future. I have been a member of a committee that has undertaken in some respects to amend these laws. We have found these difficulties.

I have only stated a portion of them, because I do not wish to take up the time of the Senate in discussing them; but we find the method of importation in the city of New York and the method of undervaluation there to be one of the crying existing evils in our country, and so great is this evil that importations of large classes of goods are transferred from the regular people who have purchased them to people who act merely as the agents of manufacturers in other countries, and who come here and contest at every inch our importation laws as respects the construction of those statutes with regard to rates of duty.

There is now lying upon our tables a bill proposing a new method of treating the subject of appraisements and valuations, and one section of that bill provides that no interest at all shall be allowed. That may be a radical and extreme remedy, but it is a remedy agreed upon unanimously by the Committee on Finance, and I was instructed to report that bill. I merely mention this for the purpose of showing that here is an evil, and, although this is only a partial correction of it, I think it is in the right direction.

I thoroughly agree with Senators that we ought not to touch any existing claim; we should make it apply to all future importations. I would even go to that extent, so that in no sense would it do an injustice to any man who has hitherto made importations of goods.

I am not troubled about the constitutional question, because I think we can, if we choose, impose upon people who import goods hereafter such fair limitations and conditions as we see fit to impose by law; and therefore it seems to me that although this is a provision on an appropriation bill, which I regret, it is a provision which has received great consideration and the Committee on Appropriations did not see its way clear to strike it out.

Mr. EVARTS. Mr. President, probably I have naturally more conversance with proceedings in litigation in New York on these topics than any one else now in the Senate, and I desire to have it understood that all imputations upon the merchants of New York in regard to their pursuing their rights at law on a common footing with all that are protected by law on all subjects, rest upon no distinction in their conduct, no distinction in their interest, no distinction in their rights, than those that belong to every American or every foreigner entitled under our laws in asserting his rights.

Mr. ALLISON. Will the Senator allow me to interrupt him a moment? Does he intend to say that I attributed to the merchants of New York any other or different character from merchants in other localities?

Mr. EVARTS. No. Whatever you have said about anybody else outside of New York would, no doubt, have been in the same sense in which you alluded to New York; but you spoke only of the merchants in New York and of the foreigners and of the system of our importations and of certain mischiefs that grow out of our system of importations. About that the Senator is right. There are imperfect regulations. There are also very imperfect administrations, in my judgment, of the exactions of duty in the very matter about which we are talking.

But the merchants there find themselves menaced by a purely arbitrary proposition of law inserted in an urgency deficiency bill, and it is treated as if it was a new regulation of some item or detail of customs regulations. It strikes at the root of the matter whether a citizen is to be indemnified when his rights are invaded contrary to law, by being told that whereas in civil rights of contract in the absence of any express agreement about interest, but mere default giving a right to recover it, there is to be a full measure according to the vicinity in which the right is to be pursued, but when the attitude is not of contract between the merchant and the United States, but from the beginning to the end the United States is a tort-feasor, and he is only asking for indemnity under law for what has been done against him, contrary to the law, he shall have no interest. How can merchants, how can business men, how can honest men believe in this thrust at a particular right of theirs which exists by common law and common right against invasion contrary to law?

Senators have spoken of delays. Does any Senator believe that any plaintiff would have a disposition to delay a suit in order that his penalty might be postponed? We are told of a case of $44,000 of illegal exaction, clearly against the law, by this Government against the person from whom it exacted his substance. The Government exacted from him his substance, and now he can not get a penny out of the Treasury, though he has been pursuing it long in the courts we have opened to him in common with all other injured persons, until the delay, measured step by step by legal, regular interest, has cost him more than the original exaction—$84,000 of delay on $44,000 of original illegal exaction! How can you make an appeal in a Senate or in a House of Representatives to favor, to ameliorate, to propitiate such injustice as this?

There is a multitude of cases arising under the same clause because of the multitude of importers and of importations by the same importers, and this Government has required with precision and accuracy a protest accompanying every importation. Although the question has been raised, although the question has been agitated, although the courts have possession of it, the Government requires an absolute act of protest and the preservation of the evidence, and all the means of prosecuting the suit are to be preserved, and then when the suit is brought, does the Treasury wish that all those who have claims resting upon the same propositions of law and of fact shall add costs to their suits?

They have a right to sue and they and the lawyers have a right to advocate their cause; but as a matter of fact the great mass of the importers keep their position of right until they find that the statute of limitations is running against them. Is it a fault that they did not sue at the beginning instead of waiting until they are about to lose their right; and then their long delay of six years in beginning a suit is to be a saving of the Government and a loss to the importer? Then he commences his suit and he lets it lie, and he does not accumulate costs. Then when the time comes—and I speak now with observations as a lawyer, a good many years ago to be sure—that the plaintiffs must commence their suits, are they not to suppose that the Government will treat all alike?

When the point is determined in law, if men have not preserved their right by commencing suit within six years, are they to be deprived of their rights by this country because they had not aggregated costs by earlier suits?

There are people in this country besides members of the Government. There is not a merchant and there is not a business man in the city of New York that does not know that he has not exceeded his legal rights in any particular in the respects here spoken of.

And then it seems that when the courts provided by this Govern-

ment for our citizens involve delays in the courts of first instance for two, or three, or four, or five years, that is a reason for allowing less interest be paid to the suitor! And then when four years more are needed to finally dispose of these questions unless they are accelerated, as they generally may be on the motion of the Attorney-General, that delay is heaped up as an objection to claims made by this description of suitors and this description of our citizens. For myself, I would as rapidly as I could secure the result by legislation by paying out every dishonest dollar left in the Treasury due to a citizen or resident of the United States.

I find now that an argument for this mischief is drawn out of the fact that we perpetuate injustice and neglect to other people, and instead of arguing one justice done here towards justice to be done to others, the argument is, "Do not do justice here, because I can point you to other and greater instances in which injustice has been done."

Mr. President, it is a pity that the importers should be kept out of their money and of their interest. It is a pity that aggregation of demands on the Treasury should increase in this class. There was one rule in the free country from which we came; the English exchequer always had this rule: that when there was a doubt as to an exaction by the Government from a subject the doubt was to be given for the smaller exaction and not the larger. But now it seems, under such exigencies, or under such influences, or under such policies as have governed us, we solve the doubt in favor of the larger sum and drive the citizens to pursue us through the courts, and all this litigation has grown out of that condition of exaction; whereas if the doubt is by authoritative action solved for the lesser sum, then the Government can raise the question by its suit against the importer for the larger sum, and the question of interest will be turned over on the importer with regard to any money that may be recovered against him.

The subject-matter, the situation, the antagonism between the Government and the importer is to decide whether the suit should be brought by the Government for what he refused to pay or whether the suitor against the Government seeks to recover what he has paid. Is there a rule of interest one way and a rule of justice the other way? Is that so? It seems to me that at least the Senate should see to it that it will not commit itself to any injustice of this kind.

On the principle of general legislation, so far as I have heard from the Senator from Iowa and our friend the Senator from Maine, who has charge of this bill, not one voice has been raised here in defense of this as a proper mode of legislating through a deficiency bill.

A very great interest is felt in this matter, not merely by the gentlemen who have these suits and these claims, but the whole business and mercantile community in the city of New York are aroused on this subject. The principle in the future touches them, that by mere power of Government, against law, money can be taken from them under these importations, and they reduced to the reception of 3 per cent. interest in the future, when the Government can recover against them 6 per cent.

And now a word about this notion of a claim against the Government resting in suit being equal to a bond already in hand. Why, Mr. President, it has been one of the mischiefs of this litigation that the claimants have before them finally as a paymaster nobody but the United States, dependent on appropriations, dependent on the will of the United States, and the value of the suits against collectors (whose property itself could be made subject to prompt payment of a judgment but for your legislation) is substituted by the magnificent promise of the United States money. One of the mischiefs, I am frank to say, is that the claimants in that attitude so little regarded this as money in hand, in the sense of the United States being a good paymaster, that large obligations have been made to the profession and sacrifices have been incurred by sales of claims. That is a condition which is undesirable; nevertheless it grows out of one single thing, that the United States is the paymaster, and it is not a good one.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from New York. [Putting the question.] The "ayes" appear to have it.

Mr. HALE called for the yeas and nays.

Mr. EDMUNDS. The clause ought to come out as mere matter of legislative provision.

Mr. EVARTS. The motion is to strike it out on that ground.

Mr. HARRIS. Let the amendment be read again.

The SECRETARY. On page 5, beginning in line 9, it is proposed to strike out the following proviso:

*Provided*, That section 3011 of the Revised Statutes of the United States be, and the same is hereby, amended by inserting, after the word "paid," in the seventh line, the following: "Together with costs of suit and interest at the rate of 3 per cent. per annum."

Mr. EDMUNDS. I shall vote to strike this out on the ground (without going into the question of what provision we ought to make in the future by a law adequate to that purpose) that if this thing were proposed by the Committee on Appropriations in our own body as an amendment to this bill it would not be in order, and would not be in order upon just principles that an appropriation bill ought to contain appropriations to carry out existing law and not legislation. But the House of Representatives has sent it to us and the only way we can get it out is by an amendment. We can not get it out on a point of order. The House has sent us this provision making an important and radical change in existing laws, concerning the future as well as the past, and it is not the right thing, as our rules provide and as we all know the truth is and ought to be, to undertake to legislate in this way in appropriation bills.

When the question comes up on the bill reported by the Senator from Iowa, from the Committee on Finance, embracing this with many other subjects, we shall be enabled then to consider upon its merits, and disembarrassed from any other consideration, what provision ought to be made in the future for rapidly adjusting cases of this character.

I should hope, therefore, that the Senate, following our own principles that bind us in respect to anything we should put in, would strike this legislation out.

Mr. COCKRELL. What change does it make in existing law?

Mr. EDMUNDS. It strikes down the right of the person who sues to recover interest at the rate of 6 per cent., or the rate in the State, whatever it is (in New York 7, in Vermont 6), to 3 per cent. It is a permanent and regular change in existing law, which nobody will pretend would be in order if any member of the Senate or any committee of the Senate had proposed it. Therefore it has no place in this bill. I waive all discussion of how the law ought to be. It has no business here at all.

Mr. HALE. Mr. President, the amendment reduces the rate of interest that the Government now is paying to the New York importer who has paid his money over and gets it back, from 6 per cent. to 3 per cent. That is all there is of it. The Senate is to pass on the question whether the Government hereafter shall pay to these importers 6 per cent. or 3 per cent. The Committee on Appropriations think 3 per cent. is enough.

Mr. HARRIS. May I inquire of the Senator from Maine what the rule is under this section of the Revised Statutes, what the practice is, or the construction of that statute as to the time at which the interest begins?

Mr. HALE. There is no controversy about it. The interest begins at the time when the money is paid.

Mr. HARRIS. Then this provision simply reduces the rate of interest from 6 per cent. to 3, or from the rate of interest in the State?

Mr. HALE. Yes, sir; nearly all these cases occur in New York where the rate is 6 per cent., and it is a question of paying hereafter for new cases 6 per cent. or 3 per cent. The committee recommend 3 per cent.

Mr. CALL. This is not a case of the taking of private property for public use without due process of law or just compensation. It is the case of the execution of the law by an executive officer charged with a particular duty. In no sense can it be held to be analogous to the case of a seizure or taking and using of private property for public use. But the question does occur how far is it just that a man whose property is taken shall be compensated fully and entirely for it? It is a principle of universal law that in the redress of wrongs it is just to place the party wronged in the position where he was when the wrong was committed. It is true that this is impracticable in the ordinary exercise of jurisprudence, but it is the end sought to be obtained, and it is the just end.

I do not agree with my learned friend, the chairman of the Committee on Appropriations, as to the ground upon which he bases this provision of the bill. The foreigner who comes here under the invitation of our laws has all the rights of an American citizen. Nay, he has more rights to the full and just interpretation of the laws in his behalf than our own people. He has the right, not only under our laws, but also under the comity of nations. There is no wrong in being an importer; and, being here under the protection of our laws with his property here, he surely has a right to full compensation. This is equally true in respect to our own citizens, and the fact that a citizen is a New York importer does not deprive him of this right. Many of our most worthy and distinguished citizens are New York importers.

Now, what is the measure of damages which the law would provide if there were a law? If there was a law providing that damages should go to the extent that restitution should be made to him who was injured by an officer transgressing his duty or committing an error, what is the measure of damages that should be paid to him? It is fixed by universal consent. It is the rate of interest which prevails and the measure of damages which prevails at the place where the wrong is done, which is usually estimated in the form of interest. If you do not give him this measure of damages, you have no rule by which to estimate it. This measure of damages is the amount the Government has wrongfully taken from him and the value of the loss of the use of this amount. If you do not give him this sum which you have deprived him of, you may just as well say you will allow his property to be taken from him forcibly and without law, and you will give him back only a half, or a quarter, or none of it. This is the argument on which you propose in this bill to give him 3 per cent.

It is no answer to this proposition to say that the tribunals appointed by the Government for ascertaining the facts of the case are inefficient, that they delay, that they cause these wrongs to stand unredressed for years or for generations. The honorable chairman of the committee should provide a law in his capacity as a Senator here which would expedite the decision of these cases. This is the remedy for the delay

which the Government causes. It is a disgrace to American jurisprudence, it is a disgrace to American legislation and to this body that honest creditors of the Government, whose property has been taken without their consent, should for years and years be left without redress by our own inadequate legislation and the inefficient courts, which our own negligence and inattention permit. We are sent here and entrusted with power by the people to prevent the occurrence of such delays and wrongs.

Mr. President, if it were practicable to provide some general legislation here upon this subject, there is no subject more important than the correction of that condition of legislation which permits widows and orphans and worthy and honest citizens engaged in legitimate business under the invitation of our laws to become paupers and live in poverty their lives through because the Government officers have taken their property or money and they can not obtain it for the want of simple justice and of proper, careful, and intelligent legislation here.

There is no question that under the protection of our laws the importer, if he be a foreigner, without regard to the question of protection, is entitled to the full measure of damages which prevails between citizens at the place where the wrong is done. If a citizen, there can be no reason why the Government should do him wrong, and deprive him of the value of the use of his property because some officer of the customs has mistaken the law. If I had not been here so long and known of so many cases where a reputation for economy has been made at the expense of honest creditors, I should be surprised at a case which is sought to be defended on the ground that the man whose money has been taken and held unlawfully by the Government may possibly have borrowed it at 2 or 3 per cent., and because he was an importer—a New York importer. All men have a right to justice and to a speedy redress of wrongs, and our business is to see that they get both.

The PRESIDENT *pro tempore*. The Senator from Maine calls for the yeas and nays on this question.

Mr. CHANDLER. I wish to say a word in consequence of the last remark of the Senator from Maine, in which he said that the question on which we are to vote is simply whether we wish to reduce the rate of interest on these judgments from 6 per cent. to 3 per cent. I do not propose to vote on that question at this time if I can help it. I shall vote for the amendment proposed by the Senator from New York, because this subject is forced upon an appropriation bill, but I shall not vote to take up a subject of this importance upon a bill where the Senate have decided that they will not take up so important a subject as the completion of ships for the Navy of the Government.

The PRESIDENT *pro tempore*. Are the yeas and nays desired by one-fifth of the Senators present?

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHACE (when the name of Mr. ALDRICH was called). My colleague [Mr. ALDRICH] is paired with the Senator from Maryland [Mr. WILSON].

The roll-call was concluded.

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN], who is absent. If the Senator from Kentucky were present, I should vote "yea."

Mr. GIBSON. I am paired with the Senator from Iowa [Mr. WILSON].

Mr. EVARTS (after having voted in the affirmative). On the general topic which divides the two sides of the Senate I am paired with the Senator from Alabama [Mr. MORGAN], and I have noticed since I voted that he is not on the floor. I have asked his colleague whether I should count myself within that division of parties, and I desire to conform to what is the opinion over there. I have no desire to vote if I shall seem to trench on the pair by so doing.

Mr. COCKRELL. It is not a party question.

Mr. EVARTS. I have spoken to the Senator's colleague and he has expressed the opinion that I should not withhold my vote.

Mr. PUGH. I know nothing whatever as to how my colleague would vote on this question. I can only state that I do not regard it as a party vote, and if the pair only extends to such questions I have no doubt the Senator can vote.

The PRESIDENT *pro tempore*. Does the Senator from New York desire his vote to stand?

Mr. EVARTS. I adhere to my vote unless I hear something to the contrary from the other side.

The result was announced—yeas 24, nays 25; as follows:

YEAS—24.

| | | | |
|---|---|---|---|
| Blair, | Davis, | Hawley, | Sabin, |
| Blodgett, | Dolph, | Hiscock, | Sherman, |
| Brown, | Edmunds, | Hoar, | Spooner, |
| Chace, | Eustis, | Mitchell, | Stanford, |
| Chandler, | Evarts, | Platt, | Stewart, |
| Cullom, | George, | Quay, | Teller. |

NAYS—25.

| | | | |
|---|---|---|---|
| Allison, | Faulkner, | Jones of Arkansas, | Turpie, |
| Bate, | Frye, | Kenna, | Vance, |
| Berry, | Gorman, | Palmer, | Vest, |
| Cockrell, | Hale, | Pasco, | Walthall. |
| Coke, | Hampton, | Pugh, | |
| Colquitt, | Harris, | Ransom, | |
| Dawes, | Ingalls, | Sawyer, | |

ABSENT—27.

| | | | |
|---|---|---|---|
| Aldrich, | Daniel, | Manderson, | Riddleberger, |
| Beck, | Farwell, | Morgan, | Saulsbury, |
| Blackburn, | Gibson, | Morrill, | Stockbridge, |
| Bowen, | Gray, | Paddock, | Voorhees, |
| Butler, | Hearst, | Payne, | Wilson of Iowa, |
| Call, | Jones of Nevada, | Plumb, | Wilson of Md. |
| Cameron, | McPherson, | Reagan, | |

So the amendment was rejected.

Mr. EVARTS. I now move an amendment in order to make it certain that this clause is not retroactive upon any accrued interest. At the end of line 14, page 5, I move to add:

But this amendment shall not affect existing suits or demands.

Mr. HALE. There is no objection to that.

The amendment was agreed to.

Mr. SHERMAN. I desire to submit an amendment which I believe will do substantial justice. I move to add as an additional section the following:

SEC. —. That on each and every item by which money is appropriated to any individual or individuals named in the foregoing sections of this bill there shall be paid to the several respective payees therein named interest at the rate of 4 per cent. per annum from the 4th day of March, in the year of our Lord 1887, to the date of the passage of this bill, and the amount of said interest is hereby appropriated, payable out of any money in the Treasury not otherwise appropriated.

Mr. EDMUNDS. Mr. President, reluctantly, respecting the rule as to legislation on appropriation bills, I make the point of order that that is general legislation.

Mr. SHERMAN. I gave notice of the amendment, and submitted it to the Committee on Appropriations. It is an additional item of appropriation. I feel that in regard to those claims the great body of them are judgments of the Court of Claims; claims in favor of individuals where judgments have practically been pronounced by the Court of Claims, and in other cases by tribunals and Departments authorized to adjudicate cases of that kind; and they have been reported to Congress merely for an appropriation. Congress having failed for one year to make the appropriation, it is but just that these people should have interest at the rate of 4 per cent.

Mr. ALLISON. I do not think this amendment is subject to a point of order. It is a mere question of adding to these several appropriations a specific sum. We certainly have a right to do that.

Mr. EDMUNDS. Is the amendment reported from any committee?

Mr. ALLISON. It was sent to the Committee on Appropriations.

Mr. EDMUNDS. That is not enough.

Mr. ALLISON. I do not see why we can not increase these items if we please. I do not express at this time any opinion of the merits of the question; but having had an elaborate debate on the general question of interest, I should like to hear this discussed.

The PRESIDENT *pro tempore*. It is the opinion of the Chair that the amendment is not in order under the rule; but the Chair will avail himself of the right under the rules to submit the question to the Senate.

Mr. HOAR. Let the rule to which the Chair refers be read.

Mr. EDMUNDS. Read the whole of the appropriation rule.

The PRESIDENT *pro tempore*. The rule will be read.

The Chief Clerk read as follows:

RULE XVI.

AMENDMENTS TO APPROPRIATION BILLS.

1. All general appropriation bills shall be referred to the Committee on Appropriations, except bills making appropriations for rivers and harbors, which shall be referred to the Committee on Commerce; and no amendments shall be received to any general appropriation bill, the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the Departments.

2. All amendments to general appropriation bills moved by direction of a standing or select committee of the Senate, proposing to increase an appropriation already contained in the bill, or to add new items of appropriation, shall, at least one day before they are considered, be referred to the Committee on Appropriations, and when actually proposed to the bill, no amendment proposing to increase the amount stated in such amendment shall be received; in like manner amendments proposing new items of appropriation to river and harbor bills shall, before being considered, be referred to the Committee on Commerce; also amendments to bills establishing post-roads, shall, before being considered, be referred to the Committee on Post-Offices and Post-Roads.

3. No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject-matter contained in the bill be received; nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto; and all questions of relevancy of amendments under this rule, when raised, shall be submitted to the Senate and be decided without debate; and any amendment to a general appropriation bill may be laid on the table without prejudice to the bill.

Mr. SHERMAN. On hearing the rule read I have no doubt the point of order is well taken, if it is insisted upon, although I should hope equity would be applied in this case.

Mr. EDMUNDS. I insist upon the point simply to illustrate to the Senate the evil of our taking from the House changes in the law and additions to appropriation bills that we can not make ourselves; and I must stick to it.

The PRESIDENT *pro tempore*. The point of order is sustained.

Mr. HARRIS. I gave notice of a proposed amendment some days

ago, and indeed offered the amendment, and referred it to the Committee on Appropriations. I now offer the amendment, which is on page 26, after line 14, under "Judicial," to insert the following:

Fees of jurors: For fees of jurors, United States courts, being a deficiency for the fiscal year 1888, $150,000.

Fees of witnesses: For fees of witnesses, United States courts, being a deficiency for the fiscal year 1888, $300,000.

Pay of bailiffs, and so forth: For pay of bailiffs and criers, United States courts, being a deficiency for the fiscal year 1888, $75,000.

These are deficiencies for the current year estimated for. The only reason why I move it as an amendment to this particular bill is the fact that there is a court now in session in the western district of Tennessee without a dollar with which to pay witnesses, jurors, bailiffs, or any other of the expenses of the tribunal, and I shall be glad if this appropriation can be made in this bill, so that that embarrassment may be removed. That is all I desire to say, and I do not intend to detain the Senate with the amendment.

Mr. HALE. I hope the Senator will not insist upon this amendment.

Mr. HARRIS. I should be very glad to have the appropriation made.

Mr. HALE. The appropriations in it are for the next year, and such appropriations have always been put upon a regular appropriation bill.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Tennessee [Mr. HARRIS].

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

### AID TO COMMON SCHOOLS.

Mr. BLAIR and Mr. HALE addressed the Chair.

The PRESIDENT *pro tempore*. The Senator from Maine.

Mr. HALE. I was going to move that the Senate adjourn.

Mr. BLAIR. I wish to say a word. I desire to give notice to the Senate that to-morrow morning, immediately after the conclusion of the morning business, I shall move to proceed to the consideration of the school bill. I wish to remind the Senate that that bill has had the right of way since before the holiday adjournment and it has not received consideration for more than one-sixth of the time to which it was entitled. I hope the Senate will be disposed to push it through hereafter.

The PRESIDENT *pro tempore*. The Senate resumes, as in Committee of the Whole, the consideration of the unfinished business, which is the bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. HALE. I move that the Senate adjourn.

Mr. HARRIS. I ask the Senator from Maine to yield to a motion for a short executive session.

Mr. HALE. Unless there is some special reason that the Senator has I should not like to do that. It is very late.

Mr. HARRIS. The only reason is to have some matters referred to the appropriate committees.

Mr. HALE. I withdraw the motion to adjourn.

Mr. HARRIS. I move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. Before submitting the motion, the Chair will lay before the Senate business from the House of Representatives for reference.

### HOUSE BILL REFERRED.

The bill (H. R. 339) for the relief of J. E. Pilcher was read twice by its title, and referred to the Committee on Claims.

### REPORT OF COMMISSIONER OF EDUCATION.

The PRESIDENT *pro tempore* laid before the Senate the following concurrent resolution from the House of Representatives; which was referred to the Committee on Printing:

*Resolved by the House of Representatives (the Senate concurring)*, That of the report of the Commissioner of Education for 1886–'87, there be printed 6,000 copies for the use of the Senate, 12,000 copies for the use of the House of Representatives, and 25,000 copies for distribution by the Commissioner.

### REPORT OF DISTRICT HEALTH OFFICER.

The PRESIDENT *pro tempore* laid before the Senate the following concurrent resolution from the House of Representatives; which was referred to the Committee on Printing:

*Resolved by the House of Representatives (the Senate concurring)*, That there be printed by the Public Printer 2,500 copies of the annual report of the health officer of the District of Columbia; 100 for the use of the Senate, 350 for the use of the House of Representatives, and 2,050 copies for the use of the said health officer.

### EXECUTIVE SESSION.

The PRESIDENT *pro tempore*. The Senator from Tennessee [Mr. HARRIS] moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened, and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 26, 1888, at 12 o'clock m.

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## NOMINATIONS.

*Executive nominations received by the Senate the 25th day of January*, 1888.

### POSTMASTERS.

Samuel H. Emerson, to be postmaster at Malvern, in the county of Hot Spring and State of Arkansas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Jacob W. L. Little, to be postmaster at West Point, in the county of Troup and State of Georgia, in the place of Jacob W. F. Little, whose commission expires February 19, 1888.

Leonard G. Babcock, to be postmaster at Lexington, in the county of Middlesex and State of Massachusetts, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

George F. Richardson, to be postmaster at Newton Centre, in the county of Middlesex and State of Massachusetts, in the place of Lucy A. White, whose commission expired January 23, 1888.

Charles H. Cossitt, to be postmaster at Owosso, in the county of Shiawassee and State of Michigan, in the place of Nathaniel Ball, whose commission expired December 20, 1887.

William M. Bennett, to be postmaster at Jackson, in the county of Jackson and State of Michigan, in the place of William W. Van Antwerp, deceased.

Andrew W. Mehan, to be postmaster at Mason, in the county of Ingham and State of Michigan, in the place of Robert G. C. Knight, deceased.

James G. Buchanan, to be postmaster at Pontiac, in the county of Oakland and State of Michigan, in the place of Thomas F. Gerls, whose commission expires January 24, 1888.

Bertha Kleven, to be postmaster at Culbertson, in the county of Hitchcock and State of Nebraska, the appointment of a postmaster for the said office having, by law, became vested in the President from and after January 1, 1888.

Calvin M. Wherry, to be postmaster at North Platte, in the county of Lincoln and State of Nebraska, in the place of Adam Ferguson, resigned.

H. Fred Wiley, to be postmaster at Kearney, in the county of Buffalo and State of Nebraska, in the place of Egbert R. Watson, deceased.

Jennie B. Hosley, to be postmaster at West Lebanon, in the county of Grafton and State of New Hampshire, in the place of William P. Burton, whose commission expired January 21, 1888.

D. O. Corcoran, to be postmaster at Oxford, in the county of Butler and State of Ohio, in the place of Daniel P. Beaton, whose commission expired December 20, 1886.

Maurice Fitzgerald, to be postmaster at Conneautville, in the county of Crawford and State of Pennsylvania, in the place of William A. Hammon, whose commission expired January 15, 1888.

George Horton, to be postmaster at Sheffield, in the county of Warren and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

Buena Vista Wood, to be postmaster at Rock Hill, in the county of York and State of South Carolina, in the place of Buena Vista Wood, whose commission expires January 25, 1888.

Horace N. Montague, to be postmaster at Caro, in the county of Tuscola and State of Michigan, in the place of Farley Craw, whose commission expired January 21, 1888.

### SECRETARY OF LEGATION.

James R. Roosevelt, of New York, to be secretary of the legation of the United States at Vienna, *vice* James Fenner Lee, resigned.

### UNITED STATES ATTORNEY.

A. H. Longino, of Mississippi, to be attorney of the United States for the southern district of Mississippi, in the place of A. B. Harris, resigned.

### REGISTERS OF LAND OFFICES.

J. H. Craddock, of Marysville, Cal., to be register of the land office at Marysville, Cal., *vice* John C. Bradley, term expired.

Edward O. Miller, of Visalia, Cal., to be register of the land office at Visalia, Cal., *vice* Jeremiah D. Hyde, term expired.

H. W. Patton, of Los Angeles, Cal., to be register of the land office at Los Angeles, Cal., *vice* Joseph D. Bethune, resigned.

Jared A. Van Auken, of Georgetown, Colo., to be register of the land office at Central City, Colo., in the place of Richard Harvey, whose commission expired on the 21st day of January, A. D. 1888.

### RECEIVERS OF PUBLIC MONEYS.

Lewis C. Granger, of Oroville, Cal., to be receiver of public moneys at Marysville, Cal., *vice* Thomas J. Sherwood, term expired.

Robert Kennedy, of Shasta, Cal., to be receiver of public moneys at Shasta, Cal., *vice* William H. Bickford, resigned.

J. F. Linthicum, of Sacramento, Cal., to be receiver of public moneys at Sacramento, Cal., *vice* Charles F. Gardner, term expired.

John J. Orr, of Owenton, Ky., to be receiver of public moneys at Buffalo, Wyo., to fill an original vacancy.

Absalom H. Wear, of Cassville, Mo., to be receiver of public moneys at Springfield, Mo., *vice* William G. Hobbs, deceased.

INDIAN AGENT.

Edwin Eells, of Washington Territory, to be agent for the Indians of the Nisqually and S'Kokomish agency, in Washington Territory, *vice* Edwin Eells, term expired.

PROMOTIONS IN THE REVENUE SERVICE.

Second Lieut. Albert Buhner, of South Carolina, to be a first lieutenant in the revenue service of the United States, in the place of First Lieut. Jefferson A. Slamm, promoted.

Second Lieut. William C. De Hart, of New Jersey, to be a first lieutenant in the revenue service of the United States, in the place of First Lieut. Leander M. Keene, promoted.

Second Lieut. Walstein A. Failing, of New York, to be a first lieutenant in the revenue service of the United States, in the place of First Lieut. George Williams, deceased.

Third Lieut. Charles D. Kennedy, of Massachusetts, to be a second lieutenant in the revenue service of the United States, in the place of Second Lieut. George E. McConnell, promoted.

Third Lieut. John C. Moore, of Maryland, to be a second lieutenant in the revenue service of the United States, in the place of Second Lieut. Albert Buhner, promoted.

Third Lieut. George A. Starkweather, of Wisconsin, to be a second lieutenant in the revenue service of the United States, in the place of Second Lieut. Walstein A. Failing, promoted.

Third Lieut. Horace B. West, of Pennsylvania, to be a second lieutenant in the revenue service of the United States, in the place of Second Lieut. William C. De Hart, promoted.

## NOMINATION WITHDRAWN.

G. Brown Goode, to be Commissioner of Fish and Fisheries.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate, January* 19, 1888.

CONSUL-GENERAL.

Charlton H. Way, of Savannah, Ga., to be consul-general of the United States at St. Petersburg.

CONSULS.

Frank D. Hill, of Goodhue County, Minnesota, to be consul of the United States at Asuncion.

Henry F. Merritt, of Chicago, Ill., to be consul of the United States at Chemnitz.

Victor Vifquain, of Nebraska, to be consul of the United States at Colon (Aspinwall).

James C. Quiggle, of Clinton County, Pennsylvania, to be consul of the United States at Port Stanley and St. Thomas, Ontario.

D. M. White, of Peterborough, N. H., to be consul of the United States at Sherbrooke.

Edward P. Crane, of Schooley's Mountain, N. J., to be consul of the United States at Stuttgart.

Joseph Black, of Cleveland, Ohio, to be consul of the United States at Buda-Pesth.

SECRETARY OF LEGATION AND CONSUL-GENERAL.

James R. Hosmer, of New York City, N. Y., to be secretary of legation in Central American States and consul-general of the United States at Guatemala.

SECRETARY OF LEGATION.

Charles Chaillé Long, of New York City, N. Y., to be secretary of the legation of the United States to Corea.

COLLECTOR OF CUSTOMS.

Hyman Abraham, of Oregon, to be collector of customs for the district of Willamette, in the State of Oregon.

SUPERVISING INSPECTOR OF STEAM-VESSELS.

Henry S. Lubbock, of California, to be supervising inspector of steam-vessels for the first district.

DISTRICT JUDGE.

William J. Allen, of Illinois, to be United States district judge for the southern district of Illinois.

SPECIAL EXAMINER OF DRUGS, ETC.

Robert I. Bowie, of California, to be special examiner of drugs, medicines, and chemicals in the district of San Francisco, in the State of California.

APPRAISER OF MERCHANDISE.

Fred Klimper, of Ohio, to be appraiser of merchandise for the port of Cincinnati, in the State of Ohio.

RECEIVERS OF PUBLIC MONEYS.

George W. Parks, of Salt Lake City, Utah, to be receiver of public moneys at Salt Lake City, Utah.

Charles O. Stockslager, of Galena, Kans., to be receiver of public moneys at Hailey, Idaho.

REGISTERS OF THE LAND OFFICE.

Edward Burgess, of Culpeper, Va., to be register of the land office at Prescott, Ariz.

Henry R. Pendery, of Leadville, Colo., to be register of the land office at Leadville, Colo.

Frank P. Tanner, of Colorado, to be register of the land office at Gunnison, Colo.

Jacob T. Ake, of Ironton, Mo., to be register of the land office at Ironton, Mo.

James H. Walker, of Raton, N. Mex., to be register of the land office at Santa Fé, N. Mex.

Milton Montgomery, of Lincoln, Nebr., to be register of the land office at Chadron, Nebr.

Henry A. Yonge, of Beloit, Kans., to be register of the land office at Kirwin, Kans.

Samuel Demers, of Concordia, Kans., to be register of the land office at Concordia, Kans.

POSTMASTERS.

Robert M. Gardner, to be postmaster at Christiansburgh, in the county of Montgomery and State of Virginia.

Joseph Haussler, to be postmaster at Hoosick Falls, in the county of Rensselaer and State of New York.

Michael D. Murray, to be postmaster at Johnstown, in the county of Fulton and State of New York.

Giles M. Stoddard, to be postmaster at Groton, in the county of Tompkins and State of New York.

Connally T. Litchfield, to be postmaster at Abingdon, in the county of Washington and State of Virginia.

Peter A. Albert, to be postmaster at Holley, in the county of Orleans and State of New York.

William H. O'Donnell, to be postmaster at Jordan, in the county of Onondaga and State of New York.

Hanson C. Phelps, to be postmaster at Norwood, in the county of St. Lawrence and State of New York.

James M. Swift, to be postmaster at North Tarrytown, in the county of Westchester and State of New York.

James Garvin, to be postmaster at Morristown, in the county of St. Lawrence and State of New York.

Henry R. Royce, to be postmaster at Fonda, in the county of Montgomery and State of New York.

George T. Propper, to be postmaster at Wahpeton, in the county of Richland and Territory of Dakota.

## HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January* 25, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

PAY OF JURORS.

The SPEAKER *pro tempore* laid before the House a letter from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior in relation to an appropriation to pay jurors selected in proceedings in condemnation of the site for the Congressional Library; which was referred to the Committee on Appropriations, and ordered to be printed.

LIGHT AND FOG-SIGNAL, OUTER SHOALS, CAPE HATTERAS.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting a letter from the Light-House Board recommending the establishment of a light and fog-signal at outer shoals, Cape Hatteras; which was referred to the Committee on Commerce, and ordered to be printed.

ELEVATOR, PUBLIC BUILDING, COLUMBUS, OHIO.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting a letter from the Supervising Architect in relation to the estimate for an appropriation for an elevator for the public building at Columbus, Ohio; which was referred to the Committee on Appropriations, and ordered to be printed.

STATISTICAL ABSTRACT.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting the tenth number of the Statistical Abstract; which was referred to the Committee on Printing.

DISCRIMINATION AGAINST VESSELS.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting, with inclosure, in response to a resolution of the 16th January, 1886, in relation to alleged discrimination against vessels and cargoes destined for ports of the United States on the Great Lakes, an abstract from the report of the Commissioner of Navigation; which was referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

IMPROVEMENT OF BLACK WARRIOR AND OTHER RIVERS.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War, transmitting a letter from the Chief of Engineers in relation to the improvement of the Black Warrior, Kentucky, Cumberland, and Alleghany Rivers, and Ludington Harbor; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

FANNIE B. RANDOLPH AND DORA L. CLARK.

Mr. THOMAS, of Wisconsin. Mr. Speaker, I ask unanimous consent to take up for present consideration the resolution reported by the Committee on War Claims yesterday, referring the claim of Fannie B. Randolph and Dora L. Clark to the Court of Claims.

The SPEAKER *pro tempore*. The Chair is informed that the resolution has gone to the Printer.

LEAVE OF ABSENCE.

By unanimous consent, Mr. WHITING, of Michigan, was granted leave of absence for ten days on account of important business.

BRIDGE ACROSS STATEN ISLAND SOUND.

Mr. BELMONT, by unanimous consent, introduced a bill (H. R. 5929) to extend the time for the completion of a bridge across Staten Island Sound; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

THE READMISSION OF AMERICAN EXHIBITS.

Mr. BELMONT also, by unanimous consent, introduced a joint resolution (H. Res. 94) for the readmission, free of duty, of exhibits sent from the United States to the Paris Exposition of 1889; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

THE BARK CASHMERE.

Mr. MORROW, by unanimous consent, introduced a joint resolution (H. Res. 95) to enable the President of the United States to extend to certain inhabitants of Japan a suitable recognition of their humane treatment of the survivors of the crew of the American bark Cashmere; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

NATIONAL-BANK ACT.

Mr. DARLINGTON, by unanimous consent, introduced a bill (H. R. 5930) to amend section 62 of the act relating to national banking associations; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

REPORT OF THE COMMISSIONER OF EDUCATION.

Mr. RICHARDSON. Mr. Speaker, I send up a report from the Committee on Printing, and ask its present consideration.

The report was read, as follows:

IN THE HOUSE OF REPRESENTATIVES, *January* 16, 1888.

*Resolved by the House of Representatives (the Senate concurring)*, That of the report of the Commissioner of Education for 1886–'87, there be printed 6,000 copies for the use of the Senate, 12,000 copies for the use of the House of Representatives, and 25,000 copies for distribution by the Commissioner.

The committee having considered the concurrent resolution of the House, report the same with the recommendation that it pass. The estimated cost of printing the same is $20,371. The approximate cost of the amount of printing previously estimated upon for Congress within the present fiscal year is $531,099.20.

Mr. RICHARDSON. Mr. Speaker, this is the usual number of this report that has been printed heretofore, and I presume there will be no objection to the passage of the resolution.

The resolution was adopted.

Mr. RICHARDSON moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REPORT OF HEALTH OFFICER OF DISTRICT OF COLUMBIA.

Mr. RICHARDSON. I desire to present another report from the Committee on Printing—a resolution to print the report of the health officer of the District of Columbia.

Mr. MCADOO. I make the point of order that this is not a privileged report.

Mr. RICHARDSON. I do not understand it to be a privileged matter; but this is the usual resolution on this subject, and I think when the gentleman comes to consider the question he will not object.

The SPEAKER *pro tempore*. The Chair did not understand the gentleman from Tennessee to present this as a privileged report.

Mr. RICHARDSON. I did not.

Mr. MCADOO. I withdraw my objection.

Mr. RICHARDSON, from the Committee on Printing, to which was referred the joint resolution (H. Res. 65) authorizing the printing of 2,500 extra copies of the report of the health officer of the District of Columbia, submitted a report; which was read, as follows:

The committee have considered the resolution of the House No. 65, being a joint resolution to print 2,500 copies of the report of the health officer of the District of Columbia for the past year, and report as a substitute for said joint resolution a concurrent resolution, as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That there be printed by the Public Printer 2,500 copies of the annual report of the health officer of the District of Columbia; 100 for the use of the Senate, 250 for the use of the House of Representatives, and 2,150 for the use of the said health officer.

The estimated cost of printing same is $833.50. The approximate cost of the amount of printing previously estimated upon for Congress within the present fiscal year is $566,419.50. The committee recommend that the joint resolution do lie on the table.

The concurrent resolution reported by the Committee on Printing was adopted.

Mr. RICHARDSON moved to reconsider the vote by which the concurrent resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. RICHARDSON. In accordance with the report of the committee, I ask that the joint resolution (H. Res. 65) relating to this subject be laid on the table.

There being no objection, it was ordered accordingly.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The regular order is the call of committees for reports.

SAMUEL NOBLE.

Mr. SENEY, by unanimous consent, submitted the views of a minority of the Committee on the Judiciary upon the bill (H. R. 53) for the relief of Samuel Noble; which were laid on the table, and ordered to be printed.

INTERNAL-REVENUE LAWS.

Mr. HENDERSON, of North Carolina, from the Committee on the Judiciary, reported, as a substitute for the bill H. R. 4302, a bill (H. R. 5931) to amend the internal-revenue laws, and for other purposes; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed; and the bill H. R. 4302 was, by unanimous consent, laid on the table.

RECOVERY OF INTERNAL-REVENUE TAXES, ETC.

Mr. COLLINS, from the Committee on the Judiciary, reported back favorably the joint resolution (H. Res. 54) to provide for the recovery of internal-revenue taxes and penalties erroneously assessed and paid in certain cases; which was referred to the House Calendar, and the accompanying report ordered to be printed.

UNITED STATES COURT AT DULUTH, MINN.

Mr. COLLINS also, from the Committee on the Judiciary, reported, as a substitute for the bill H. R. 1582, a bill (H. R. 5932) to fix the places of holding the terms of the circuit and district courts in Minnesota; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed; and the bill H. R. 1582 was, by unanimous consent, laid on the table.

LIMIT TO ISSUE OF UNITED STATES NOTES, ETC.

Mr. LANDES, from the Committee on Banking and Currency, reported back with amendments a resolution submitted on the 16th instant by Mr. ANDERSON, of Kansas, requesting from the Secretary of the Treasury information relative to amount of United States notes in circulation in 1878 and since, etc.; which was referred to the House Calendar, and ordered to be printed.

CHARLES A. RUFFEE.

Mr. NELSON, from the Committee on Indian Affairs, reported back with amendment the bill (H. R. 2539) for the relief of Charles A. Ruffee; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

ANDREW GLEESON.

Mr. MANSUR, from the Committee on Claims, reported back favorably the bill (H. R. 2592) for the relief of Andrew Gleeson; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

WIDOW OF A. S. TUTT.

Mr. MANSUR, from the Committee on Claims, also reported back with amendment the bill (H. R. 2595) for the relief of the widow of John A. S. Tutt, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

JOHN S. BRAXTON.

Mr. BOWDEN, from the Committee on Claims, reported back favorably the bill (H. R. 613) for the relief of John S. Braxton; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

A. C. BRADFORD.

Mr. TAULBEE, from the Committee on Claims, reported back favorably the bill (H. R. 649) for the relief of A. C. Bradford; which was

referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

ESTATE OF HENRY H. SIBLEY.

Mr. TAULBEE also, from the Committee on Claims, reported back favorably the bill (H. R. 3007) for the relief of the legal personal representatives of Henry H. Sibley, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

Mr. KERR, by unanimous consent, submitted the views of a minority of the Committee on Claims upon House bill No. 3007; which were ordered to be printed with the report of the majority.

THOMAS A. OSBORN.

Mr. TAULBEE, from the Committee on Claims, reported back favorably the bill (H. R. 2216) for the relief of Thomas A. Osborn; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

GOTTLOB GROEZINGER.

Mr. TAULBEE also, from the Committee on Claims, reported back favorably the bill (H. R. 647) for the relief of Gottlob Groezinger; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

CHARLES L. SCUDDER.

Mr. TAULBEE also, from the Committee on Claims, reported back favorably the bill (H. R. 648) for the relief of Charles L. Scudder; which was referred to the Committee of the Whole House on the Private Calender, and the accompanying report ordered to be printed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced the passage of the bill (S. 290) to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Mississippi River at or near Burlington, Iowa; in which concurrence was requested.

SELLING LOTTERY TICKETS IN THE DISTRICT.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported, as a substitute for the bill H. R. 1839, a bill (H. R. 5933) to prevent the selling and advertising of lottery tickets in the District of Columbia; which was read a first and second time, referred to the House Calender, and, with the accompanying report, ordered to be printed.

House bill 1839 was laid upon the table.

MISSISSIPPI RIVER BRIDGE AT BURLINGTON, IOWA.

Mr. ANDERSON, of Iowa, from the Committee on Commerce, reported with amendment a bill (H. R. 2170) to authorize the construction of a railroad, wagon, and foot-passenger bridge at or near Burlington, Iowa; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

NEW YORK INDIAN LANDS, KANSAS.

The SPEAKER *pro tempore*. The call of committees for reports has been concluded, and bills will now be taken up under the rule for consideration.

Mr. PEEL. Mr. Speaker, on behalf of the Committee on Indian Affairs I call up for consideration at this time a bill (H. R. 1406) to provide for the selling of certain New York Indian lands in Kansas, which has been reported with an amendment.

The bill was read, as follows:

A bill to provide for the sale of certain New York Indian lands in Kansas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That those persons, being heads of families or single persons over twenty-one years of age, who have made settlement and improvement upon, and are bona fide claimants and occupants of, either in person or by tenant, the lands in Kansas which were allotted to certain New York Indians, and for which certificates of allotment, dated the 14th day of September, 1860, for 320 acres of land each, were issued to thirty-two of said Indians, shall be, and hereby are, authorized and permitted to enter and purchase at the proper land office, at any time within one year from the passage of this act, said lands so occupied by them, in tracts not exceeding 160 acres, according to the Government surveys, at $1.25 per acre, payment to be made in cash at time of purchase; and the moneys arising from such sales shall be paid into the Treasury of the United States, in trust for and to be paid to said Indians, respectively, to whom said certificates were issued, or to their heirs, upon satisfactory proof of their identity to the Secretary of the Interior, at any time within five years from the passage of this act; and in case such proof is not made within the time specified, then the proceeds of such sale, or so much thereof as shall not have been paid under the provisions of this act, shall become a part of the public moneys of the United States.

SEC. 2. That any lands not entered by such settlers at the expiration of twelve months from the passage of this act shall be offered at public sale, in the usual manner, at not less than $3 per acre, notice of said sale to be given by public advertisement of not less than thirty days; and any tract or tracts not then sold shall be thereafter subject to private entry at $3 per acre.

SEC. 3. That all acts and parts of acts inconsistent herewith are hereby repealed.

The amendment of the committee was read, as follows:

Lines 15 and 16, first section, strike out "one" and insert "two," and strike out "twenty-five" and insert "fifty."

Mr. PEEL. Mr. Speaker, this bill has been before the Committee on Indian Affairs both in the Forty-eighth and Forty-ninth Congresses. It received as thorough investigation at that time and during the present Congress as it was possible to give it. The only question which I understand has been debated, or, in other words, the only question about which there has been any difference, is in regard to the amount the settlers should pay for securing title to these lands. The original rates of other settlers similarly situated was one dollar and a quarter per acre; and a great many persons thought that was all these settlers should pay, as the history of this case shows conclusively that these settlers went on these lands in good faith and they were allotted to these Indians. When it was discovered that thirty-odd Indians were entitled to allotments the commissioners appointed to make these allotments saw proper to allow the Indians to make selection of these lands. They did not take possession of them at the time, and they have never been in possession of them. The title of the land has remained in this condition ever since. It is manifest to the committee that it is impossible to place these Indians in possession, because they can not be found, and the only way which their legal representatives can get any benefit is in the way here provided, that the land shall be sold and the money distributed to these Indians, if they shall be discovered, or to their legal representatives.

The price fixed below which these lands shall not be sold is $2.50 per acre. Under the circumstances the settlers upon these lands occupied them without paying taxes, and yet, as there has been a cloud over their titles, perhaps the detriment which they have suffered balances the amount which they were saved in the payment of taxes.

I now yield to the gentleman from Kansas [Mr. PERKINS] who has charge of the bill.

Mr. PERKINS. Mr. Speaker, members will remember that this is the bill called to the attention of the House on yesterday. I think there was some misunderstanding then as to its character. As I then stated there were originally in this tract of land 1,824,000 acres. The Government in 1838, by treaty with the New York Indians, some of whom were in the State of New York and some in the State of Wisconsin, provided that these Indians might remove west of the Mississippi River and occupy this reservation. They were given five years in which to do that, but few availed themselves of the benefits accruing to them under the treaty, and hence never occupied these lands. In 1858 the then Secretary of the Interior decided, as these lands had not been occupied by these Indians, they were public lands, and restored them to the public domain. After this decision by the Secretary of the Interior representations were made to him that a few Indians had gone there within the five years, and in 1860 two commissioners went to Kansas and investigated the facts, and these commissioners found thirty-two Indians had gone there in time to entitle them to the provisions of the treaty, and under instructions from the Indian Office these commissioners allotted lands to these thirty-two Indians and permitted them to make selection where they pleased within the boundaries of this tract of 1,824,000 acres.

Settlers for years had been coming in and occupying these lands, recognizing the fact that the Indians had not occupied them in pursuance of the treaty; and so in 1860 when the commission went out to allot the lands they made a report showing that they could only find thirty-two Indians who had gone there in keeping with the provisions of the treaty, and who were entitled to allotments.

The allotments were made to them, but according to the evidence in almost all, and perhaps in every case, the thirty-two Indians made selections of lands already occupied by settlers. Notwithstanding that occupancy, they were permitted to make their selections, and as a result, from that time to this they have not been able to get possession, because the settlers have been upon them all of these years.

The remaining portions of the reservation were sold to settlers at $1.25 per acre. To these thirty-two Indians 320 acres each of the lands were allotted, making the total of 10,240 acres. In 1873, if I remember correctly as to the date, when Judge Lowe, of Kansas, was in Congress, he secured the passage of a bill for the appraisement of the lands and their sale to the settlers under that appraisement. Under that act the lands were appraised, the rate being fixed at an average price of a little more than $5 an acre. The settlers thought it was an imposition upon them and a hardship to burden them with such an assessment, and they declared that they could not accept it; and hence but eight of the settlers accepted their lands under that appraisement.

These eight were taken and paid for at the appraised price, but the remaining lands were not taken; hence there are now but 9,335 acres remaining of the original allotment, occupied by some 75 or 100 settlers, and as they have been occupied all these years under these circumstances, the only question now, as it has been the only question for years, is what should the settlers be permitted to take the lands for?

Some think, and perhaps the gentleman from Louisiana [Mr. BLANCHARD], who in the Forty-seventh Congress was on the Committee on Indian Affairs, will argue, that they ought to be compelled to pay that appraised value. But the settlers, as I have said, think it a hardship and a burden upon them, and I think myself that they ought not to be compelled to pay that price, as it is their labor and industry that has made them valuable.

It undoubtedly would be a hardship upon them to make them pay the appraised value when their neighbors and all those surrounding them in that region got their lands at $1.25 an acre, and hence I fixed that price in the bill introduced by me at the beginning of the

session. But the committee thought as they had possession of the lands for twenty-five years without paying taxes, although embarrassed by the fact that they could not get a title, that they should pay at least $2.50 an acre, and the bill was reported in that shape to the House, providing that on the payment of that sum they could secure their titles.

Now, I know that is entirely satisfactory to the Indians. During all the years that this bill has been pending here not a single objection, not a single protest, has been made by a single Indian or the beneficiaries of that treaty to the proposed legislation. I challenge any member of this House to say if he has ever had his attention called to any protest or any word in opposition to the passage of the bill. In the Forty-seventh Congress, Mr. Cobb, who had been formerly a member of Congress from Kansas, was before the Committee on Indian Affairs as the attorney for these Indians, and he represented to the committee that they would be glad to take $2.50 an acre and have the matter definitely settled. In this same connection I might say that last year a man visited me at my home in Kansas and wanted to know if in my judgment it would be possible to secure the passage of a bill through Congress authorizing the allottees of this land to transfer and sell their allotments to others, and he said that if such a bill could be secured he could get the lands for $1 an acre, and the Indians would be glad to take that amount. I said to him, however, that in my judgment Congress would not consent to the passage of any bill which did not protect the settlers in the occupation of the lands.

Mr. WEAVER. Let me interrupt the gentleman to ask him a question. I want to call his attention to the second section of the bill as reported by the committee, which provides that if the settler does not pay $2.50 an acre, which is $400 for the quarter-section, inside of twelve months from the date of the approval of the bill, he can be sold out. In other words, it compels him to raise the $400 within twelve months, or else subjects him to the penalty of being sold out of his home; and I wish to ask the gentleman in that connection whether he does not think that feature ought to be stricken from the bill?

Mr. PERKINS. I think myself it is a very harsh provision. But the sense of the committee was that some such provision should be incorporated into the bill, as it was feared the settlers might not avail themselves of the provisions of the bill, and by not paying for the lands the Indians would get nothing.

Mr. WEAVER. Why would it not be more equitable to let the settlers pay for the lands at $1.25 per acre, in four equal annual installments?

Mr. PERKINS. I think myself that would be better.

Mr. WEAVER. I think it would be satisfactory to the Indians, too, because they are not pressing for the money. In fact, they are difficult to find. You would probably have to get out a search-warrant for the Indians to find them and get them to take the money, which would otherwise, under the provisions of this bill, be left lying idle in the Treasury of the United States.

Mr. PERKINS. My bill, which I introduced at the opening of the session, was intended to accomplish what the gentleman suggests. It has been the policy on the part of Congress to allow settlers under the operation of the homestead law to acquire title to their homes after they have lived upon the lands for five years, without the payment of any money except land-office fees.

But here are settlers who have been living on these lands in good faith for thirty years, and who are willing to pay a dollar and a quarter per acre for them, or, if necessary, two dollars and a half, as is proposed in this bill, and yet gentlemen are not satisfied.

Mr. WEAVER. Is it true they have had these lands all these years without paying taxes?

Mr. PERKINS. That is true; but as I suggested to the committee, on the other hand there has been a cloud on their title, on their occupation, and they have been greatly embarrassed thereby.

Mr. WEAVER. That was not their fault.

Mr. PERKINS. Certainly not.

Mr. McADOO. May I ask the gentleman from Kansas one or two questions?

Mr. PERKINS. Certainly.

Mr. McADOO. How many of these Indians are in Kansas, or where are they?

Mr. PERKINS. A few of them are in the State of Kansas, but the most of them that are living are in the Indian Territory.

Mr. McADOO. I will ask the gentleman further why the Government did not remove the settlers and enfore the selection made by the Indians.

Mr. PERKINS. For the reason suggested a moment ago, that the settlers were in possession when the lands were allotted to the Indians, and they have been occupied by settlers, and the Indians have never been able to get possession.

Mr. McADOO. Why did not the Government enforce the rights of the Indians and put the settlers off the lands?

Mr. PERKINS. Perhaps the gentleman can answer that question as well as I can. In the first place, since the first organization of Kansas as a State we have had what is known as the occupying-claimants act. This law provides that settlers under the circumstances of these can not be evicted until they are paid for the improvements they have made. These Indians have never been in a condition to put these settlers out and pay them for their improvements, nor could they in any way establish their right to the land in any court of justice.

Mr. WEAVER. May I ask the gentleman another question?

Mr. PERKINS. Yes, sir.

Mr. WEAVER. Is there not this other reason, that these were improved lands, but the Indians desired to take the improvements as well as the lands, and thus work great hardship to the settlers?

Mr. PERKINS. Undoubtedly.

Mr. McADOO rose.

Mr. PERKINS. Then, again, if the gentleman from New Jersey will permit me to suggest, the Indians have never desired to occupy these lands as farmers; they have not cultivated them or any lands allotted to them in Kansas. They have not desired them for purposes of cultivation, but of course they desired to secure for them what was possible in a pecuniary way.

Mr. WEAVER. Will the gentleman permit me to ask him another question?

Mr. PERKINS. With pleasure.

Mr. WEAVER. I understood the gentleman from Kansas to say that these lands were opened to settlement by the Interior Department.

Mr. PERKINS. Yes, sir; in 1858 they were declared to be public lands.

Mr. WEAVER. And it is under that declaration these settlers are occupying these lands?

Mr. PERKINS. Under that decision settlers poured in from Missouri and all the adjacent States and settled upon those lands; but they were not open to settlement by proclamation until September, 1860.

Mr. WEAVER. But they settled there after the decision of the Interior Department?

Mr. PERKINS. Yes; they settled there after that decision, although settlers had been going there before; because it was the settlers there who brought the attention of the Secretary of the Interior to the fact that those lands were not occupied by the Indians.

Mr. WEAVER. Then the settlers took the same view as the Interior Department?

Mr. COBB. But there was no law authorizing them to settle there. They had not been opened to settlement.

Mr. PERKINS. But prior to this allotment the Secretary had declared those lands public lands.

Mr. McADOO. May I ask the gentleman another question?

Mr. PERKINS. Yes, sir.

Mr. McADOO. Is it not the fact that the allotment to the Indians was made prior to 1858? If not, when was it made?

Mr. PERKINS. The allotments were made in 1860. The decision of the Secretary of the Interior made in 1858 was that they were public lands; that the Indians had not acquired them in accordance with the treaty. In 1860 two commissioners were sent out there and investigated, as I have suggested, the facts; and in September, 1860, the Secretary of the Interior issued the proclamation opening the lands to settlement.

Mr. WEAVER. I desire to ask the gentleman from Kansas another question. Was there not plenty of unoccupied land in the same reservation, which these Indians might have taken?

Mr. PERKINS. Undoubtedly there was at that time much vacant land within the boundaries of the proposed reservation.

Mr. COBB. I hope the gentleman from Kansas will make the House understand that prior to the opening of these lands to settlement there was no law under which these settlers could acquire any right on the lands on which they settled.

Mr. PERKINS. Except the usual right of settlers going on lands not yet thrown upon the market, and settling or squatting on them.

Mr. WEAVER. That has been the custom for many years.

Mr. COBB. And is it not a fact that after the lands were opened to settlement the right of these Indians was reserved?

Mr. PERKINS. There was no reservation; but after the lands were declared to be public lands these allotments were made.

Mr. COBB. These allotments had been made to the Indians before the settlers had any rights on those lands.

Mr. PERKINS. They were made before the proclamation of the Secretary of the Interior was issued opening the lands to settlers, but after the decision that they were public lands, and after, under that decision, hundreds of settlers had located upon them.

Mr. COBB. There is no doubt that at the time the proclamation was made opening the lands to settlement these men were mere squatters.

Mr. PERKINS. I do not concede that.

Mr. COBB. And furthermore, after these allotments were made to the Indians, as the gentleman stated the other day, and they failed to get possession of the lands which had been allotted to them because of the obstructions placed in their way by the settlers, these settlers, from that time to this, have occupied these lands, and have enjoyed all the benefits of them without paying one cent of taxes either to the State or to the General Government; and upon these considerations the committee thought that $2.50 an acre was a very low price.

Mr. PERKINS. Yes; that was the position of the committee, as I have already stated.

Mr. BUCHANAN. Will the gentleman from Kansas permit a question?

Mr. PERKINS. With pleasure.

Mr. BUCHANAN. Does this bill affect any lands outside of these thirty-two allotments?

Mr. PERKINS. Not at all.

Mr. BUCHANAN. Are these allotments occupied by actual settlers, or are they part of some large cattle ranch?

Mr. PERKINS. Oh, no; they are twenty-four pieces or more of land scattered promiscuously through the county wherever the allottees chose to make their selections. They are not contiguous parcels of land.

Mr. MCADOO. Will the gentleman yield to me for a few minutes?

Mr. PERKINS. I want to yield some time to the gentleman from Louisiana [Mr. BLANCHARD], and I wish, if possible, to have the bill disposed of within the hour.

Mr. BLANCHARD. I wish to say to the gentleman from Kansas [Mr. PERKINS] that I must have time to present this matter fully. I made a minority report upon it in the Forty-seventh Congress, and I wish time now to lay the subject fully before the House.

Mr. PERKINS. I shall give the gentleman whatever time he wants. I yield now, Mr. Speaker, to the gentleman from New Jersey [Mr. MCADOO].

Mr. MCADOO rose.

Mr. RANDALL. Mr. Speaker, I desire to direct the attention of the gentleman from Kansas [Mr. PERKINS] to this point. The friends of this bill control the hour, and they give notice that they want to pass the bill before the close of the hour. I submit, therefore, that there should be some arrangement by which half the time may be put under the control of gentlemen who do not favor the bill.

Mr. PERKINS. I am going to yield to the gentleman from Louisiana [Mr. BLANCHARD], who, I understand, is one of those gentlemen.

Mr. RANDALL. But one-half the time ought to be given to the other side as a matter of right.

Mr. PERKINS. Unless too much time is occupied with questions, I am willing that those who oppose the bill shall have twenty minutes.

Mr. RANDALL. This is an important bill, and the opponents of it have a right to as much time as the advocates of it, in order that members of the House may judge, upon the merits of the bill, whether they ought to vote for it or not.

Mr. PERKINS. I wish so say to the gentleman from Pennsylvania that, in my judgment, there are no gentlemen upon this floor who are opposed to the bill. The only question in controversy is the question of price.

Mr. RANDALL. The gentleman may be mistaken in that, and there may be a great deal more opposition when it is fully discussed.

Mr. PERKINS. Well, the only point, so far as I know, about which any question has been raised among those who have given the bill attention, is the question of price.

Mr. WEAVER. And the question of penalty also.

Mr. PEEL. I suggest to my colleague [Mr. PERKINS] that he inquire of the Chair how much of the time has been consumed.

Mr. PERKINS. Yes, I will ask the Chair how much of the hour remains.

The SPEAKER *pro tempore*. There are thirty-three minutes remaining.

Mr. PERKINS. Does the Chair take into consideration the time we have been waiting to get order?

The SPEAKER *pro tempore*. The Chair takes everything into consideration.

Mr. PERKINS. I do not think we ought to be charged with that time. I will ask those who are opposed to the bill if twenty minutes will be sufficient for them?

Mr. BLANCHARD. I will state to the gentleman from Kansas [Mr. PERKINS] that twenty minutes will not do, because I hold in my hands and desire to have read by the Clerk the reports made by Mr. Schurz, when he was Secretary of the Interior, and by the then Commissioner of Indian Affairs, which throw an entirely different light on this question from that in which it is presented by my friend from Kansas. In order that these two reports may be read to the House it will be necessary that I shall have more time than twenty minutes.

Mr. PERKINS. Well, if the gentleman desires to have those reports read, let them be read as a portion of his remarks, and then if it becomes necessary to extend the time we will do so. The only reason I made the suggestion about twenty minutes was that I thought it was desirable to dispose of the bill within the hour, if possible.

Mr. RANDALL. You have an hour to-morrow.

Mr. PERKINS. I know; but I thought we had better dispose of the bill to-day if we could. I yield now to the gentleman from Louisiana [Mr. BLANCHARD].

The SPEAKER *pro tempore*. How much time does the gentleman yield?

Mr. PERKINS. I yield twenty minutes, and if it becomes necessary we will extend the time.

Mr. BLANCHARD. Mr. Speaker, there is a side to this question other than that which has been presented. It is the side of the Indian, who has no direct representative upon this floor. I happened to be a member of the Committee on Indian Affairs in the Forty-seventh Congress, before which committee this question was brought. I was appointed a subcommittee to take it into consideration, and did so, and made a report to the full committee, recommending the passage of a vastly different measure from the one which is now before the House. The full committee did not adopt my views, but reported a bill to this House somewhat similar to the one now under consideration. Myself and others dissented, and the gentleman from Mississippi, Colonel HOOKER, and Mr. JONES, of Arkansas, joined me in a minority report which I now hold in my hand.

Mr. Speaker, a bill should be passed by Congress directing the sale for the benefit of these Indians of these lands in Kansas, which now for more than twenty years, perhaps as long as thirty years, have been in the possession of the present settlers, who have paid no taxes upon them and paid no rents to these Indians, and who now seek through the instrumentality of this bill to get these lands at one-fourth of their actual cash value to-day.

This matter, sir, relates back as far as 1838, when a treaty, a formal, binding treaty, on behalf of the Government of the United States was made with what were called the New York Indians. That treaty provided that for each Indian 320 acres of land west of Missouri should be set aside, to be held in fee-simple by patent from the President, in conformity with the provisions of the third article of the act of May 28, 1830. The treaty was carried into effect; and 320 acres of land were set apart to every one of these New York Indians whose identity could be established, thirty-two in number. The remainder of the land so set apart by this treaty was ordered to be sold and was sold.

In 1873 a law was passed by Congress directing that the lands owned by the thirty-two Indians should be appraised, in order that, as the Indians did not occupy them, and did not desire to occupy them, the lands should be sold for their benefit. Under that law of Congress these lands were appraised by a board appointed by the Secretary of the Interior; and I hold the report of the board in my hand.

Now, Mr. Speaker, bearing in mind that this bill directs that these lands shall be sold to these settlers at the paltry price of $2.50 per acre, I call the attention of the House to the fact that when these lands were appraised, as long ago as 1873, not an acre was appraised at less than $3.75; and a portion was appraised as high as $10 an acre.

Mr. WEAVER. Will the gentleman yield one moment?

Mr. BLANCHARD. Yes, sir.

Mr. WEAVER. That is in consequence of the settlement in Bourbon County, where Fort Scott is situated; and the Indians never improved that county; they never built up Fort Scott—never contributed a dollar in that way.

Mr. BLANCHARD. I did not yield for a statement, but for a question.

Mr. Speaker, it makes no difference whether these Indians contributed to the improvement of the county in the way the gentleman speaks of or not. The fact remains that by the solemn act of the Government of the United States these lands in the State of Kansas were set apart to these Indians. They or their heirs are in existence to-day, and every consideration of justice and equity demands that they should receive an adequate price for the lands. The object of this bill is to take away these lands from the Indians and give them to the settlers who have occupied them for upward of twenty years without payment of rent or taxes, at a price that is hardly one-fourth of what they are worth.

Mr. COBB. The gentleman will allow me to ask whether the appraisement to which he has referred does not include the value of the improvements put upon the land by the settlers?

Mr. BLANCHARD. I do not so understand. It is the appraised value of the lands, without the improvements. These settlers, I have no doubt, have paid taxes upon their improvements, but not upon the value of the land, because since 1838 the lands have been set apart to these Indians.

Mr. PERKINS. Surely the gentleman does not mean to make that statement.

Mr. BLANCHARD. I make it upon the authority of the Indian Commissioner.

Mr. PERKINS. The allotments were not made to these Indians until 1860.

Mr. BLANCHARD. Well, I may be mistaken as to the time, but the fact remains that the equitable interest in fee in these lands is in these Indians, and, as the gentleman concedes, has been since 1860. They have been deprived of the possession of the lands and the rents to which they were entitled; and all this time the settlers, for whom gentlemen here are so solicitous, have enjoyed without charge the occupancy of the lands. Now, I appeal for justice to these Indians. The Congress of the United States can not afford to do injustice to them under the terms of the treaty of 1838.

Mr. Speaker, a bill on this subject ought to pass, but not the one recommended by the Committee on Indian Affairs. We should rather adhere to the recommendations of Secretary of the Interior Schurz and

the Commissioner of Indian Affairs, Mr. Hayt, under him. I have prepared, and at the proper time will offer, an amendment to make the bill conform to the recommendations of the Indian Bureau and do substantial justice to the Indians.

Mr. WEAVER. Do I understand the gentleman to say that the fee of these lands is in these Indians, and has been since 1860?

Mr. BLANCHARD. An equitable interest in fee.

Mr. Speaker, some of these Indians went to Kansas at the time the lands were set apart to them, but there was a feeling of hostility there against them, and it was not safe for them to remain upon the lands. It was not safe for the Indian to remain there when the white man wanted the land, so the Indian left.

Mr. PERKINS. Does the gentleman wish to be understood as saying that settlers went to Kansas as early as 1838 and occupied these lands?

Mr. BLANCHARD. No; but about 1860.

I have as much feeling for bona fide settlers as any man on this floor; but I submit that the settlers upon these lands went there with their eyes wide open to the situation, knowing that the lands belonged to these Indians, and therefore they settled upon them at their own risk.

Mr. Speaker, I send up to be read as part of my remarks a letter to the Committee on Indian Affairs, by Mr. Schurz, when Secretary of the Interior, covering a report made to him by Mr. Hayt, Commissioner of Indian Affairs. This letter and report throw a flood of light upon this question, and show that what is attempted in this bill will, if perpetrated, be a wrong and injustice to the Indians.

Mr. HENDERSON, of Illinois. Will the gentleman permit me to ask him a question?

Mr. BLANCHARD. Certainly.

Mr. HENDERSON, of Illinois. The gentlemen says the fee of these lands is in the Indians. Now, the question I wish to ask him is, whether the patent to these lands ever was issued to any of these Indians?

Mr. BLANCHARD. The whole question is presented in the letter of the Secretary of the Interior and the report of the Indian Commissioner.

Mr. HENDERSON, of Illinois. I do not see how the fee could be in these Indians unless the Government had issued a patent or conveyance to them of this land. If that be so, that the Government did issue a patent to them, then it presents a different case.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR,
*Washington, D. C., April 6, 1878.*

SIR: I have the honor to acknowledge the receipt of your letter of the 8th January last, transmitting, for the consideration of the Department, bill H. R. 1177, entitled "A bill for the sale of certain New York Indian lands in Kansas."

The first section of the bill in question enacts that "those persons, being heads of families or single persons over twenty-one years of age, who have made settlement and improvement upon, and are bona fide claimants of and occupants of, either in person or by tenant, the lands in Kansas which were allotted to certain New York Indians, and for which certificates of allotment, dated the 14th day of September, 1860, for 320 acres of land each, were issued to thirty-two of said Indians, shall be, and hereby are, authorized and permitted to enter and purchase, at the proper land office, said lands so occupied by them, in tracts not exceeding 160 acres, according to the Government surveys, on paying therefor in lawful money of the United States at the rate of $2.50 per acre; and patents shall issue therefor as in other cases."

By article 2 of the treaty of January 15, 1838, with the New York Indians (7 Stat., 550), the United States agreed to set aside for the New York Indians, then residing in the State of New York, or in Wisconsin, or elsewhere in the United States, who have no permanent homes, a tract of land situated directly west of the State of Missouri, containing 1,824,000 acres; being 320 acres for each soul of said Indians, as their numbers are at present computed. Said lands were to be patented in fee-simple to the tribes or bands by patent from the President of the United States in conformity with the provisions of the third section of the act of May 28, 1830 (4 Stat., 411).

The United States further agreed to set aside the sum of $400,000 as a fund to provide for the removal of the New York Indians to the lands mentioned; which agreement was never fulfilled.

As early, however, as 1842, members of certain tribes in the State of New York and elsewhere, who thought themselves entitled to the lands under the provisions of the treaty, removed to the country west of the State of Missouri and settled therein; and from time to time others followed them, until a considerable number of Indians, as will be seen from census lists on file in the Indian Bureau, were found to be occupying these lands.

From death and the hostility of the settlers who were drawn in that direction by the fertility of the soil and other advantages, all of the Indians gradually relinquished their selections, until of the Indians who had removed thither from the State of New York only thirty-two remained in 1860.

The lands had been surveyed in the meanwhile, and under the instructions of the Department of the Interior a commission was appointed to determine certain points in relation to the allotments of lands to such Indians as might be entitled to the same under the treaty prior to giving, to such as might be found entitled thereto, evidences of their right to occupancy which should secure to them the tracts upon which they were living and be such identification thereof as would settle dispute in the future if under subsequent legislation perfect title should be provided, the treaty not granting the right to issue patents to individual Indians.

In accordance with the request of the Commissioner of Indian Affairs, based upon the report of the commissioners, the Department approved of the selections of the thirty-two Indians in question, and, on the 14th of September following, certificates of allotments were issued to each of said reservees.

In 1858 petitions from settlers in Kansas were presented to the Department asking that the lands be opened to settlement, and in December, 1860, the lands known as the New York Indian lands in Kansas, excepting those allotted, were accordingly opened to settlement.

But a short time elapsed, however, before troubles between the settlers and the Indians were of constant occurrence, and in 1873, when the act of February 19, 1873 (17 Stat., 466), was passed, the commissioners appointed thereunder to appraise the lands of the thirty-two New York Indians stated in their report that none of the allottees were to be found upon the lands. The files of the Indian Office show abundant proof that they did not voluntarily relinquish their occupation.

Be this question as it may, the act of February 19, 1873, fully recognized the right of the Indians or of their heirs to the proceeds of the lands; and applications are now before the Department, which when perfected will call by legal representation for nearly all of the proceeds of the allotments of lands in question.

By the act of February 19, 1873, provision was made for the benefit of certain settlers upon and occupants of certain Indian lands in Kansas, permitting such settlers to enter and purchase at the proper land office said lands so occupied by them, in tracts not exceeding 160 acres, according to the Government surveys, on paying therefor in lawful money of the United States the appraised value of said lands respectively, to be ascertained by three disinterested and competent appraisers, to be appointed by the Secretary of the Interior, who shall examine in person each tract and report under oath its value, exclusive of all improvements; and patents shall issue therefor as in other cases, but no sale shall be made under this act for less than $3.75 per acre.

All entries under this act were required to be made within two years from the promulgation of the necessary regulations for the sale of the lands. This act was amended by the act of June 23, 1874 (18 Stat., 273), extending the time in which payments for said lands were to have been made.

Some of the parties, settlers upon these lands, have paid in full, and upon all of the lands valuable improvements have been made. Some of those who have paid for their lands occupied those assessed at the highest valuation. No reason is given why in all these years, from 1860 up to the present time, those who are delinquent have failed under the favorable terms of occupancy to make the payments required, under the obligation willingly assumed by them.

The thirty-two Indians in question, each having located, by certificate of allotment, the particular quantity of land which they were severally entitled to receive under treaty stipulations, were, through no fault or negligence on their part, subsequently ousted from the possession of such lands by the encroachments of the settlers.

In this view of the case, and in view of the fact that treaty stipulations and legal enactments have secured to such of these allottees or their heirs as may now be living the benefits of the proceeds of these lands, and applications are now on file before the Indian Office for nearly all the proceeds of the claims covered by the thirty-two allotments, I am not prepared to entertain the proposition contained in the bill presented, or to recommend to Congress, after consideration of the liberality already extended by the Government to these settlers, any action looking toward a reduction of the sum which seems so justly due to the Indians.

The true test of the value of the lands in question would be their price in open market at a cash sale, and it is believed that if they were so offered the question of payment would be speedily settled.

I am, however, disinclined to advocate any measure which would seem to bear harshly upon the settlers, and have therefore concluded to recommend further time for payment, with the distinct understanding, on the part of those in possession of the lands, that payment on the terms fixed must be promptly made to avoid forfeiture.

Very respectfully,

C. SCHURZ, *Secretary.*

Hon. D. C. HASKELL,
*House of Representatives.*

The SPEAKER *pro tempore*. The gentleman's time has expired.

Mr. BLANCHARD. I desire more time.

Mr. PERKINS. I will yield to the gentleman five minutes more.

Mr. BLANCHARD. I do not think this matter should be hurried through.

Mr. WEAVER. I want to be heard myself on this bill.

Mr. BLANCHARD. I do not understand that I am limited in time.

Mr. PERKINS. I will yield to the gentleman from Louisiana ten minutes more.

Mr. BLANCHARD. I have had read only the letter of the Secretary of the Interior, Mr. Schurz. What goes more into detail on this subject is the report of E. A. Hayt, Indian Commissioner, to the Secretary of the Interior, and I ask that his report be printed in the RECORD with my remarks.

There was no objection, and it was ordered accordingly.

The report is as follows:

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
*Washington, March 29, 1878.*

SIR: I am in receipt, by reference from the House Committee on Public Lands, of bill H. R. 1178, providing for the sale of certain New York Indian lands in Kansas, and requesting the views of this office on the same.

I am also in receipt, by your reference for report, of a letter from the Hon. D. C. Haskell, dated January 18, 1878, inclosing a copy of the same bill, and requesting the views of this office thereon.

In connection therewith I have the honor to report that, by the second article of the treaty of January 15, 1838, with the New York Indians (7 Stat., 550), the United States agreed to set aside for the New York Indians, then residing in Wisconsin and New York, a certain tract of land, west of Missouri, containing 320 acres for each of said Indians, to be held in fee-simple, by patent from the President, in conformity with the provisions of the third article of the act of May 28, 1830 (4 Stat., 411), the proviso to which declares that "such lands shall revert to the United States if the Indians become extinct or abandon the same." The treaty vested the Indians with full power and authority to divide said lands, in severalty, among the different tribes and bands, and to sell and convey the same among each other, under such regulations as they might adopt. Indians not accepting and agreeing to removing within five years, or such other time as the President may from time to time appoint, to "forfeit all interest" in "the lands so set apart to the United States."

Under these provisions thirty-two New York Indians removed to and remained in the Territory now embraced in the State of Kansas prior to June 16, 1860, at which time the honorable Secretary of the Interior approved to them selections of 320 acres each, for which, on the 14th of September, 1860, certificates of allotment were issued to each of said reservees, the certificates specifying that the selections were for the exclusive use and benefit of the reservees, and were not subjected to be "alienated in fee, leased, or otherwise disposed of, except to the United States."

By an act approved February 19, 1873 (17 Stat., 466), Congress authorized such actual settlers as were then residing thereon to enter and purchase said lands in tracts of not exceeding 160 acres, at an appraised value of not less than $3.75 per acre, to be ascertained, under the direction of the Secretary of the Interior, by three appraisers appointed to value the same, the funds arising from the sale to be paid into the Treasury of the United States, in trust for such of said New York Indians or their heirs as might, within five years, establish their identity; and in absence of such proof within the time specified, the proceeds

of the sales to become a part of the public moneys of the United States: "*Provided*, That any Indian to whom any of said certificates was issued, and who is now occupying the land allotted thereby, shall be entitled to receive a patent therefor."

All entries under this act were required to be made within two years from the promulgation of the necessary regulations for the sale of the lands.

This act was amended by the act of June 23, 1874 (18 Stat., 273), so as to allow the payments to be made in two annual installments, the first payments to be made on or before the 30th day of September, 1875, and the remainder within one year thereafter, with interest at 6 per centum per annum.

The commissioners appointed under the act of 1873 to appraise the lands reported on the 26th of July, 1873, that none of the thirty-two New York Indians were living on the lands at that time or at the date of the act, but that all of said lands were then occupied by actual settlers, whose names were given in the report opposite the description of the tract on which they had respectively made settlement. The lands were valued by the appraisers at an average of $4.9076 per acre, and their report was approved by the Department September 30, 1873.

Instructions were issued by the Secretary under the same date, directing that the lands should be sold under the instructions of the General Land Office by the district land officers, who were directed to notify the settlers entitled to purchase by published advertisement of a general character, in a newspaper published in the vicinity of the land, that payment would be required within two years.

In pursuance of these instructions, as it appears from a letter of the honorable Commissioner of the General Land Office, dated July 3, 1877, the following sales have been made:

First. From N. ½ section 26, 23 S., 25 E., allotted to Joseph Johndroe, there has been sold, at $5 per acre, cash, to Benjamin Brown, the NE. ¼ of said section; consideration, $800.

Second. From N. ½ section 27, 23 S., 25 E., allotted to Margaret Johndroe, there has been sold, at $5 per acre, cash, to Nathaniel Oates, the S. ½ NE. ¼; consideration, $400.

Third. From the S. ½ of said section 27, allotted to Michael Gray, there has been sold, at $4.50 per acre, cash, to Nathaniel Oates, the N. ½ of SE. ¼; consideration, $360.

Fourth. From W. ½ section 4, 24 S., 25 E., allotted to James Scrimpsher, there has been sold, at $4.75 per acre, cash, to S. McEwing, the N. ½ of SW. ¼; consideration, $380.

Fifth. From N. ½ section 27, 23 S., 25 E., allotted to Margaret Johndroe, there has been sold, at $5 per acre, cash, to William M. Beckford, the N. ½ NE. ¼, and at $4.50 per acre to the same party, the N. ½ SW. ¼ of said section; consideration, $760.

Sixth. From the same allotment, there has been sold, at $4.50 per acre, and paid in full, in two installments, with $10.77 interest, to John Barrett, the S. ½ NW. ¼; consideration, including interest, $370.77.

Seventh. From the W. fractional ½, section 2, 24 S., 25 E., allotted to Joseph Fox, there has been sold, at $5 per acre, and paid in full, in two installments, with $23.80 interest, to Joanna Glendenning, the NW. fractional ¼, containing 156.76 acres; consideration, with interest, $822.60.

Eighth. And from the E. fractional ½ section 6, 24 S., 25 E., allotted to Mary Predome, there has been sold, at $6 per acre, to Levi T. Call, the W. ½ of S. E. ¼ of said section, amounting to $480, one-half of which was paid at date of purchase, September 29, 1875, and the balance with interest is still due and unpaid.

There has, therefore, out of an aggregate of 10,215.63 acres, valued at $50,850.05, been sold 879.76 acres for the sum of $3,858.80; leaving unsold 9,335.87 acres, valued at $46,991.25, or an average of $5.02½ per acre, which aggregate amount would, according to the terms of the act of February 19, 1873, if not claimed by the allottees or their heirs, inure to the United States at the end of five years, which have expired.

The bill under consideration proposes to reduce the aggregate value of the unsold lands over one-half, or to $23,339.68, and if the lands are not sold, at the diminished rate of $2.50 per acre, within one year, that patents shall issue in the names of the original allottees for the balance unsold.

With these provisions of the bill I am not inclined to concur, for the following reasons:

Under the treaty of 1838, the New York Indians were entitled to 1,824,000 acres of land in Kansas, and a removal fund of $400,000, which the United States never provided. Notwithstanding the failure of the United States in this regard, portions of the Indians removed to Kansas subsequent to the treaty, with a view to making that country their permanent home, but on account of their rapid depletion in number from sickness, a majority afterwards returned to New York.

By decision of April 19, 1858, the honorable Secretary of the Interior held that those of the New York Indians who had not removed had thereby forfeited their title to the reserve, and that the same should be opened to settlement; but in the execution of said decision, and prior to the proclamation of December, 1860, opening the lands to settlement, the allotments under consideration were made to the thirty-two Indians who were then in Kansas, and certificates were issued to them therefor.

It follows, therefore, that an equitable interest in fee in the lands vested in these Indians, by virtue of the grant contained in the treaty at the date of their removal and long prior to the settlement of Kansas, although the evidence of title did not issue until 1860.

They accordingly assumed the condition of legal ownership, by purchase, over the lands subsequently allotted to them, at an early day, and are entitled to the benefits of any appreciation of value arising from the settlement and improvement of the country.

This doctrine is, I am aware, in opposition to a somewhat prevalent opinion as to the right of the Indians. It has been urged in similar cases that as the Indians have not improved their lands they are not entitled to the advance in value incident to the settlement of the country. The purchase of wild lands, and holding of the same to await the improvement of the country, has been one of the most popular and safe, as well as the most remunerative methods of investment known, and I can see no grounds upon which Indians taking an equitable title in fee should be deprived of the benefits never denied to white purchasers of public lands, bought and held for speculative purposes only.

Informal claims have been filed in this office by the original allottees, or their heirs, covering nearly all the proceeds arising from the sale of these lands when sold.

There is no evidence on file in this office, aside from the letters of Mr. Haskell, showing that it is the desire of these Indians that the land should be sold at a reduced price.

The lands are in Bourbon County, one of the richest and most fertile counties in the State. They are within a few miles of Fort Scott, and near the line of the Missouri, Kansas and Texas Railroad—the Missouri River, Fort Scott and Gulf Railroad running nearly through the center of the body of the lands, which lie in close proximity to the corner of townships 23 and 24 in ranges 24 and 25 east. The records of the General Land Office show that there is scarcely a vacant forty-acre tract of land in or near the townships named. With these facts in view, it is safe to assume that the several tracts were, in 1873, worth the full amount at which they were appraised, and that, in view of the rapid development of the country and the present price of uncultivated lands in that vicinity, there has, at least, been no depreciation in their value.

The settlers have been in possession of these lands for years, to the exclusion of the Indians, and have had every advantage and opportunity to pay for the lands from the products of the same.

The title of the Indians is, under treaty stipulations, similar to those with the Shawnee, Miami, and other Indians in Kansas, whose lands have been held by the Supreme Court of the United States (5 Wall., 737) to be excluded from the jurisdiction of the State, and not subject to taxation, and it is fairly presumable that the settlers have availed themselves of the benefit arising under this decision.

For these and other reasons which might be urged, I can not recommend the passage of the bill in its present form. It is, however, very desirable that adequate legislation be had insuring the sale of these lands and the final settlement of all questions in connection therewith.

I have, therefore, to recommend that the bill be amended as follows: Strike out all after the word "office," in the twelfth line, and insert, in lieu thereof, the following:

"At any time within one year from the passage of this act said lands so occupied by them in tracts not exceeding 160 acres, according to the Government surveys, at not less than the appraised value of the said tracts, as heretofore ascertained by the Secretary of the Interior, in accordance with the provisions of the act of February 19, 1873, entitled 'An act to provide for the sale of certain New York Indian lands in Kansas,' payment to be made in three annual installments, one-third at date of entry, one-third at the end of one year from date of entry, and the balance in two years from date of entry, with interest on said amounts, respectively, from date of entry, at 6 per cent. per annum; and the moneys arising from such sales shall be paid into the Treasury of the United States in trust for, and to be paid to, said Indians, respectively, to whom said certificates were issued, or to their heirs, upon satisfactory proof of their identity to the Secretary of the Interior, at any time within three years from the passage of this act; and in case such proof is not made within the time specified, then the proceeds of such sale, or so much thereof as shall not have been paid under the provisions of this act, shall become a part of the public moneys of the United States.

"SEC. 2. That any lands not entered by such settlers at the expiration of one year from the passage of this act shall be offered at public sale, in the usual manner, at not less than the appraised value, notice of said sale to be given by public advertisement of not less than thirty days; and any tract or tracts not then sold, together with such tracts as have heretofore been or may hereafter be entered, and wherein default has been made in the payment of any portion of the purchase-money, or the interest thereon, as herein or heretofore provided, shall be thereafter subject to private entry at the appraised value of said tracts."

I inclose herewith a schedule showing the names of the thirty-two allottees named in this report, the description of the lands allotted to each, with the names of the settlers claiming the lands placed opposite the tract claimed by them.

The bill referred by the House committee, together with the letter of Mr. Haskell, with inclosure, is herewith respectfully returned.

I have the honor to be, very respectfully, your obedient servant,

E. A. HAYT, *Commissioner.*

HON. SECRETARY OF THE INTERIOR.

Mr. BLANCHARD. The letter of Mr. Schurz, the Secretary of the Interior, and the report of Mr. Hayt, Commissioner of Indian Affairs, agree that a bill should not be passed fixing an arbitrary price, as this bill proposes to do, upon these lands. The Secretary of the Interior and the Commissioner recommend that the lands be sold to the settlers now on them at their appraised value. If this be done these Indians would realize from $3.75 to $10 per acre for their lands, instead of $2.50 per acre, as this bill arbitrarily proposes.

I have here the official appraisement, giving the names of the Indians to whom these lands were allotted and the names of the settlers now on them, and it shows that these lands were appraised from $3.75 to $10 per acre.

The price which the Committee on Indian Affairs propose in the present bill is 50 cents less an acre even than the bill reported by the committee in the Forty-seventh Congress.

There might have been legislation upon this matter years ago, but no bill has ever been presented or reported from the Committee on Indian Affairs which meted out justice to the Indians; no bill has ever been urged which embodied the recommendations of the Secretary of the Interior and the Commissioner of Indian Affairs. Their recommendations have been just to the Indians; but every bill the passage of which has been attempted has sought to give the settler an undue advantage over the Indian by fixing an arbitrary price, one much less than the actual cash value of the land.

Now, in answer to the gentleman from Illinois [Mr. HENDERSON], who asked me whether it is not true that patents have not been issued to these lands, I will state that the report of Secretary Schurz which has been read shows that certificates of allotment were issued to the thirty-two Indians in question. An equitable interest in fee, then, is in the Indians, under the terms of the law and the treaty made with them.

Mr. MORSE. When we are talking about the price of these lands it does not matter in whom the fee may be.

Mr. BLANCHARD. An equitable interest in fee is in these Indians and this has been so declared by the Interior Department. The report of Secretary Schurz shows that the thirty-two Indians, or their representatives, have filed in the Indian Office evidence of their identity and right to the land or its proceeds. It therefore follows that "the search-warrant" for these Indians which the gentleman from Iowa spoke of will not be necessary. The Indians are in existence, their claims filed, their identity established, and whenever Congress provides for the sale of their lands at the proper value they will be on hand to receive the money so justly theirs.

If Congress enacts into law this bill which stipulates that the lands may be purchased by the settlers at $2.50 per acre, it will be permitting them to take at that inferior price lands worth from $7.50 to $10 per acre, and this, too, at the expense of and to the great detriment of the Indian owners.

Against that, sir, I protest now as I protested in the Forty-seventh

Congress, in the Forty-eighth Congress, and in the Forty-ninth Congress.

Mr. RANDALL. Will the gentleman from Louisiana permit me to ask him a question? He stated that the title to the 10,000 acres of land in controversy here was in the Indians.

Mr. BLANCHARD. I have so stated.

Mr. RANDALL. Then let me ask why the United States should intervene in this manner and undertake to give these lands away if the title is held by the Indians in fee?

Mr. BLANCHARD. I will state to the gentleman from Pennsylvania that there is necessity for some legislation upon the subject. The settlers who have the lands now in possession will continue to hold them in defiance of the rights of the Indians, and prevent them from getting possession of their property, just as they prevented those who went to take possession of the lands in 1860.

Therefore, legislation is necessary to protect the Indians in their rights. The only question is, how shall this be done? The lands ought to be sold at a fair price, and the money turned over to the Indians to whom the lands belong.

If something is not done the settlers will continue to hold the lands, and the Indians will receive no benefit from them whether in the way of sale or rent.

Mr. ROGERS. Will the gentleman from Louisiana permit an interruption?

Mr. BLANCHARD. I will yield for a question.

Mr. ROGERS. What is the evidence of the fact alleged by the gentleman that the fee to the lands in question is in the Indians?

Mr. BLANCHARD. It is so stated.

Mr. ROGERS. By whom, and how?

Mr. BLANCHARD. In the report of the Indian Commissioner, Mr. Hayt, which report has been referred to during the course of this discussion.

Mr. ROGERS. Does he say that the Government made a patent to the Indians?

Mr. BLANCHARD. He says that certificates of allotment provided for by the terms of the treaty have been issued to the Indians.

Mr. PAYSON. Let me interrupt the gentleman. I am sure he desires to be entirely accurate.

Mr. BLANCHARD. Certainly.

Mr. ROGERS. I have not concluded my question. I wanted to ask the gentleman from Louisiana, before leaving this point, if the fee is in the Indians, by what authority, or power, or right can the Government of the United States by legislation undertake to divest them of that title?

Mr. BLANCHARD. The former Commissioner of Indian Affairs states that an equitable interest in fee in the lands is vested in these Indians. This is a question that needs legislation for the reason I have given. The Indian should be protected. But if there be legislation directing the sale of these lands, which are not now and are never likely to be in the possession of the Indians, it should be legislation that will do justice to them.

Mr. PAYSON. I desire to call the attention of the gentleman from Louisiana, as well as other gentlemen, to a statement contained in this report, which seems to have been overlooked in this discussion. This says upon its face that the title to these lands is not in these Indians.

The treaty with these Indians provided, in terms, that the patents when issued should be in accordance with the statute of May 28, 1830. By reference to volume 4 of the Statutes at Large, page 411, a copy of which I hold in my hand, it will be seen that patents should only issue to the tribes, as tribes, and that until the patents shall issue there should be simply the right of occupancy on the part of the Indians. When the gentleman from Louisiana comes to compare the statement in the report in reference to these Indians with the statute to which I refer, he will find that the thirty-two Indians had the right of occupancy and that alone. That settles the question of title. It is shown also by the report that the Indians abandoned even that right because the lands were entered upon by other settlers. I say this simply that gentlemen may understand exactly the condition of the title as a title.

Mr. BLANCHARD. I will read briefly from the report——

The SPEAKER *pro tempore*. The hour for the consideration of this measure has expired.

ORDER OF BUSINESS.

Mr. DUNN. I demand the regular order.

The SPEAKER *pro tempore*. The Chair will state that the regular order is the unfinished business coming over.

PETER M'CANN.

Mr. SHAW. I present a privileged report from the Committee on Accounts.

The report was read, as follows:

The Committee on Accounts, having had under consideration the following resolution, submitted by Mr. RANDALL: "*Resolved*, That the Clerk of the House be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Peter McCann, father of James P. McCann, deceased, late messenger to the Committee on Appropriations, a sum equal to six months' salary as messenger aforesaid, and also the expenses attending his last illness and funeral, not to exceed the sum of $250," report back the same with the recommendation that it be adopted.

Mr. RANDALL. With the permission of the gentleman from Maryland [Mr. SHAW] I will state that this young man died during the last recess. He was one of the clerical force of the Committee on Appropriations. The Committee on Appropriations have made record unanimously as to the character of this employé. I should omit a duty, I think, unless I gave public expression here to what the committee with unanimity stated in a resolve which was made a matter of record, that a more obliging, intelligent, faithful officer they had never known, and his death caused great sorrow to each and all the members of that committee.

Mr. SHAW. Does the gentleman desire that the report shall be again read?

Mr. RANDALL. I do not. It is the usual resolution.

Mr. PAYSON. I ask that the report be again read.

The report was again read.

Mr. OATES. I rise to inquire of the chairman of the Committee on Accounts whether this sum of money is due to the father to whom it is to be paid for services of the deceased, or is it a mere gratuity?

Mr. SHAW. I suppose it is a mere gratuity.

Mr. OATES. Then I am opposed to it.

Mr. SHAW. But only following precedents established in numerous instances.

Mr. OATES. Then they are very bad precedents. I am in favor of paying all the debts the Government owes, but I am opposed to giving any gratuity.

Mr. RANDALL. I can only say in answer to the gentleman from Alabama [Mr. OATES] that this resolution is an exact copy of many similar ones passed under like circumstances.

Mr. OATES. Does the chairman of the Committee on Appropriations think those are good precedents?

Mr. RANDALL. I think where a faithful officer dies in the service of the Government it is a small matter to give his dependent relatives six months' pay. [Applause.]

Mr. OATES. It may be a small matter, but it is one which involves a principle.

Mr. RANDALL. I have found in my public life that the way to be consistent was by trying to be just; and I do not propose to yield my judgment in this case because I have allowed my judgment perhaps to be swayed in other like circumstances.

Mr. HENDERSON, of Iowa. Will the chairman of the Committee on Appropriations allow me to ask him a question?

Mr. RANDALL. Certainly.

Mr. HENDERSON, of Iowa. I wish to ask him whether we are doing anything more for the family of this deceased employé than we do for the families of members of our own body?

Mr. RANDALL. Not so much; and this man was a peculiarly faithful servant, and I am sure the gentleman from Iowa is ready to bear full testimony to that fact.

Mr. HENDERSON, of Iowa. I will say in reply that every member of the committee will vouch for that.

The resolution was adopted.

Mr. SHAW moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, returned to the House of Representatives the bill (S. 928) in relation to marriage between white men and Indian women, which was recalled from the House of Representatives at the request of the Senate.

WIDOW OF JOSEPH F. GUTZWILLER.

Mr. SHAW. I present another privileged report from the Committee on Accounts.

The report of the Committee on Accounts was read, as follows:

The Committee on Accounts, having had under consideration the following resolution, submitted by Mr. SENEY: "*Resolved*, That the Clerk of the House of Representatives be directed to pay out of the contingent fund of the House to the widow of Joseph F. Gutzwiller, deceased, late an employé of the House, a sum equal to his salary for six months, and also the expenses attending his last illness and funeral, not to exceed the sum of $250," report back the same with the recommendation that it be adopted.

The resolution was adopted.

Mr. SHAW moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PAY OF COMMITTEE CLERKS.

Mr. SHAW. I am instructed by the Committee on Accounts to report back with a favorable recommendation the joint resolution fixing the time when the pay of certain clerks to committees of the House of Representatives shall begin; and I ask for its present consideration.

The joint resolution was read, as follows:

*Resolved, etc.*, That the pay of clerks to committees of the House of Representatives which have been or may be hereafter authorized by the House, who are paid during the session only, shall begin from the time such clerks entered upon the discharge of their duties, which shall be ascertained and evidenced by

the certificate of the chairman of the several committees employing clerks for the session only.

The report of the committee was read, as follows:

The Committee on Accounts, to whom was referred the House joint resolution No. 29, would respectfully report that the object sought to be accomplished by this joint resolution was effected by legislation in the Forty-ninth Congress, which is now existing law, and that no further legislation is necessary. Your committee would therefore ask to be discharged from the further consideration of the resolution, and recommend that it lie upon the table.

The joint resolution was laid upon the table.

RAILROAD BRIDGE AT BURLINGTON, IOWA.

Mr. GEAR. I ask unanimous consent to take from the Speaker's table for present consideration the bill S. 290.

The title of the bill was read, as follows:

A bill (S. 290) to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Mississippi River at or near Burlington, Iowa.

The SPEAKER *pro tempore*. Is there objection to the consideration of this bill at the present time?

Mr. SPRINGER. Has the bill been referred to the Committee on Commerce?

Mr. GEAR. I will state, in reply to the gentleman from Illinois, that this is almost *verbatim*, with the exception of an amendment by the Senate, the same as the House bill No. 2170, which has been reported favorably by the Committee on Commerce of this House.

Mr. SPRINGER. Will the gentleman explain the difference between the two bills?

Mr. GEAR. The difference is this: The bill as passed by the Senate provides that the question of the erection of the bridge shall be subject to the decision of the Secretary of War, and it also provides, in the sixth section, that the bridge shall be commenced within two years and completed within four. The House bill has not that provision. That is the only difference.

The SPEAKER *pro tempore*. Is there objection to the consideration of the bill?

There was no objection.

Mr. SPRINGER. This bill has already passed the House once, I believe.

Mr. GEAR. No, sir; it has passed the Senate; it is now pending in the House, and it has the unanimous report of the committee.

Mr. SPRINGER. Let it be read.

The SPEAKER *pro tempore*. The bill will be read.

The bill was read, as follows:

*Be it enacted, etc.*, That the Burlington and Illinois Bridge Company, its successors and assigns, be, and they are hereby, authorized to construct and maintain, if in the opinion of the Secretary of War the same be a public necessity, a railroad, wagon, and foot-passenger bridge across the Mississippi River at a place suitable to the interests of navigation at a point at or near the city of Burlington, Iowa, and to lay on or over said bridge a track or tracks for the more perfect connection of any railroad or railroads that are or shall be constructed to said river, on either or both sides thereof, at or opposite said point, under the limitations and conditions hereinafter provided; that said bridge shall not interfere with the free navigation of said river beyond what is necessary in order to carry into effect the rights and privileges hereby granted; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, the cause may be tried before the circuit court of the United States in and for any district in which any portion of said bridge or obstruction touches. Said bridge shall be constructed to provide for the passage of railroad trains, and for the safe and convenient passage of wagons and vehicles of all kinds, animals, and foot-passengers, for such reasonable rates of toll as may be fixed from time to time by the Secretary of War: *Provided*, That the proviso regarding wagons, animals, foot-passengers, etc., shall not influence the location of said bridge in its relation to the interests of navigation.

SEC. 2. That any bridge built under the provisions of this act may, at the option of the company building the same, be built as a draw-bridge or with unbroken and continuous spans: *Provided*, That if the said bridge shall be made with unbroken and continuous spans, it shall give clear head-room of not less, in any case, than 55½ feet above extreme high-water mark as understood at the point of location, nor shall the spans of said bridge give a clear width of water-way of less than 250 feet, and the piers of said bridge shall be parallel with the current of said river, and the main span shall be over the main channel of the river and give a clear width of water-way of not less than 300 feet: *And provided further*, That if any bridge built under the provisions of this act shall be constructed as a draw-bridge, the same shall be constructed as a pivot draw-bridge, with a pivot over the main channel of the river at an accessible and navigable point and with spans giving a clear width of water-way of not less than 200 feet on each side of the central or pivot pier of the draw, and the next adjoining span or spans to the draw shall give a clear width of water-way of not less that 250 feet: *Provided*, That if the pivot pier of said bridge shall be constructed within less than 410 feet of the west shore of said river the span constructed west of said pivot pier may be less than 250 feet, and said spans shall give a clear head-room of not less than 10 feet above extreme high-water mark; and the piers of said bridge shall be parallel with the current of the river where said bridge shall be erected: *And provided also*, That said draw shall be opened promptly upon reasonable signal for the passage of boats, except when trains are passing over the draw; but in no case shall unnecessary delay occur in opening the said draw during or after the passage of trains.

SEC. 3. That any bridge constructed under this act and according to its limitations shall be a lawful structure, and shall be known as a post-route, and the same is hereby declared to be a post-route, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States, and for passengers or freight passing over said bridge, than the rate per mile paid for their transportation over the railroads and public highways leading to said bridge; and the United States shall have the right of way for postal-telegraph purposes across said bridge.

SEC. 4. That all railway companies desiring to use said bridge shall have and be entitled to equal rights and privileges in the passages of the same, and in the use of the machinery and fixtures thereof, and of all the approaches thereto, under and upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties, in case they shall not agree.

SEC. 5. That the structure herein authorized shall be built and located under and subject to such regulations for the security of the navigation of said river as the Secretary of War shall prescribe; and to secure that object the said company or corporation shall submit to the Secretary of War, for his examination and approval, a design and drawing of the bridge, and a map of the location, giving, for the space of 1 mile above and 1 mile below the proposed location, the topography of the banks of the river, the shore-line at high and low water, the direction and strength of the current at all stages, and the soundings, accurately showing the bed of the stream, the location of any bridge or bridges, and shall furnish such other information as shall be required for a full and satisfactory understanding of the subject; and until the said plan and location of the bridge are decided by the Secretary of War to be such as will not materially affect the interests of navigation, the bridge shall not be commenced or built; and should any change be made in the plan of said bridge during the progress of construction, such change shall be subject to the approval of the Secretary of War; and the said bridge shall be constructed with such aids to the passage of said bridge, in the form of booms, dikes, piers, or other suitable and proper structures for confining the flow of water to a permanent and easily navigated channel, for a distance of not less than 1 mile above the bridge location, and for the guiding of rafts, steam-boats, and other water-craft safely through the draw and raft spans, as the Secretary of War shall prescribe and order to be constructed and maintained at the expense of the company owning said bridge; and the said structure shall be at all times so kept and managed as to offer reasonable and proper means for the passage of vessels through or under said structure; and for the safety of vessels passing at night there shall be displayed on said bridge, from the hours of sunset to sunrise, such lights as may be prescribed by the Secretary of War; and the said structure shall be changed or removed at the cost and expense of the owners thereof from time to time, as Congress may direct, so as to preserve the free and convenient navigation of said river; and the authority to erect and continue said bridge shall be subject to revocation and modification by law, when the public good shall, in the judgment of Congress, so require, without any expense or charge to the United States.

SEC. 6. That if actual construction of the bridge herein authorized shall not be commenced within two years from the passage of this act, and be completed in four years from the same date, the rights and privileges hereby granted shall cease and be determined.

SEC. 7. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. GEAR. As there appears to be no objection, I demand the previous question on the third reading of the bill.

The previous question was ordered.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. GEAR moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

J. E. PILCHER.

Mr. CARUTH. Mr. Speaker, I ask unanimous consent to take from the Private Calendar and put upon its passage the bill (H. R. 339) for the relief of J. E. Pilcher.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and is hereby, authorized, out of the Texas indemnity fund, to pay to J. E. Pilcher the sum of $905, being the amount of one bond of $100 and $805 in paper money of the Republic of Texas: *Provided*, That he shall find that said claims are within the class of claims heretofore paid by the United States out of the said fund: *And provided further*, That the Secretary of the Treasury is satisfied that said bond and money are genuine.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

There was no objection.

Mr. CARUTH. A bill similar to this was passed in the Forty-ninth Congress, but it failed to reach the President in time for signature. This bill has been reported favorably from the Committee on the Judiciary, and if there be no objection, I now demand the previous question on the engrossment and third reading of the bill.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. CARUTH moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

TERRITORY OF CIMARRON.

Mr. SPRINGER. Mr. Speaker, I desire to present the memorial of citizens and of the Territorial council representing the settlers of what is called the Public Land Strip, praying for the organization of the territory of Cimarron. I ask that it be referred to the Committee on the Territories and ordered to be printed.

The SPEAKER *pro tempore*. It will be so ordered.

Mr. SPRINGER. I present also two memorials of persons claiming to be delegates, which should take the same course.

The SPEAKER *pro tempore*. They can be presented through the petition-box.

DIGEST OF RULES.

Mr. RICHARDSON. Mr. Speaker, I present a privileged report from the Committee on Printing, and ask its immediate consideration.

The SPEAKER *pro tempore*. The report will be read.

The Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, *January* 18, 1888.

*Resolved*, That 2,000 copies of the Digest of Rules for the first session of the Fiftieth Congress be printed for the use of the House.

The committee report as a substitute the following:

*Resolved*, That 2,500 copies of the Digest for the present session, prepared by Henry H. Smith, late Journal clerk, under the act of March 3, 1877, be printed and bound for the use of the House; the same to be printed under the direction of the Speaker and Clerk of the House.

Mr. RICHARDSON. Mr. Speaker, if no gentleman desires to be

heard on the subject, I move the previous question on the adoption of the substitute.

The previous question was ordered.

The SPEAKER *pro tempore*. The question now is on the adoption of the substitute.

The substitute was adopted, and the original resolution was laid on the table.

Mr. RICHARDSON moved to reconsider the vote by which the substitute was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

TAX ON OLEOMARGARINE.

Mr. LAWLER. Mr. Speaker, I ask unanimous consent to take from the table the resolution introduced by me some time since and refer it to the Committee on Ways and Means.

The SPEAKER *pro tempore*. What is the resolution?

Mr. LAWLER. It is a resolution taking the tax off oleomargarine.

Several members objected.

Mr. SPRINGER. Mr. Speaker, I understand that all my colleague desires is to have the resolution taken from the table and referred to the appropriate committee.

The SPEAKER *pro tempore*. Is there objection to the reference of the resolution indicated by the gentleman from Illinois?

Mr. LAWLER. If the House will allow me a word of explanation, I think there will be no objection. I introduced this resolution, which proposes not to interfere with the oleomargarine law, nor with the license fee of the wholesale or the retail dealer, but only to take off the 2 cents tax, which affects the consumer. I merely ask the reference of the resolution to the Committee on Ways and Means for its consideration; that is all. I introduced the resolution before the committees were appointed, and it was laid on the table until they should be appointed. Ever since the appointment of the committees I have been trying to get it up, and all I ask now is that it shall be referred to the Committee on Ways and Means.

Mr. MORGAN. I object.

Mr. SPRINGER. Let it go to the Committee on Agriculture.

Mr. PAYSON. I will ask my colleague [Mr. LAWLER] whether he is willing that it should go to the Committee on Agriculture.

Mr. LAWLER. I would rather have it laid on the table than sent to that committee.

INVESTIGATION OF CERTAIN TRUSTS.

Mr. BACON. I ask unanimous consent to take from the House Calendar a resolution reported by the Committee on Manufactures as a substitute for a resolution of the gentleman from Illinois [Mr. MASON] referred to that committee (House Miscellaneous Document No. 69).

The SPEAKER *pro tempore*. The resolution reported by the committee will be read.

The Clerk read as follows:

Whereas it is alleged that certain individuals and corporations in the United States engaged in manufacturing, mining, or dealing in some of the necessaries of life have combined for the purpose of controlling or curtailing the production or supply of the same, and thereby increasing their price to the people of the country, which combinations are known as associations, trusts, pools, and like names, but are not incorporated under the laws of any State; and

Whereas such combinations not only injuriously affect commerce between the States, but impair the revenues of the United States as derived from its duties on imports: Therefore,

*Resolved*, That the Committee on Manufactures be, and the same is hereby, directed to inquire into the names, and number, and extent of such alleged combinations, under whatever name known, their methods of combination or doing business, their effect upon the prices of any of the necessaries of life to the people of the country, upon its internal or foreign commerce, and its revenues from import duties, together with any and all other matters relating to the same which may call for or suggest legislation by Congress, and report the same to the House with such recommendations as the said committee may agree upon. And for these purposes the Committee on Manufactures is authorized to sit during the sessions of the House, to employ a stenographer, to administer oaths, examine witnesses, compel the attendance of persons and the production of papers. And the expense of such investigation shall be paid out of the contingent fund of the House.

Mr. RANDALL. Mr. Speaker, when this proposition was originally reported I objected to its immediate consideration for the reason that I did not think its language comprehensive enough to include an inquiry as to all "trusts" and "pools" which it might be desirable to investigate. These combinations are not peculiar to the United States. We have jurisdiction of inquiry only within the limits of the Union. The gentleman from New York [Mr. BACON], with whom I have conferred on this subject, has consented, as I have understood him, to amend this resolution so that the inquiry may embrace the "Standard Oil Company," the "Whisky Trust," and every organization in the nature of a "trust" or "pool," whether its operations relate to the necessaries of life or merely to the comfort of citizens in other particulars. [Laughter.]

This is a wide field, and if the Federal power can regulate these organizations, perhaps it might be useful to exercise the power of control. Not knowing, myself, how far our power in this regard may extend, I shall be glad to have a committee of this House appointed with the view of ascertaining whether we can adopt measures for the benefit of the people which the resolution presupposes to be desirable.

Mr. BACON. Mr. Speaker, this substitute was prepared by the Committee on Manufactures after conference with the gentleman from Illinois [Mr. MASON] who introduced the original resolution, our intention being to put it in such form and language as would enable a committee of this House to examine into and lay before the House the facts with regard to such combinations as are referred to in the preamble. We believe it does now embrace all such combinations. It certainly was so intended. The gentleman from Pennsylvania [Mr. RANDALL], however, whose experience of course entitles his views to deference, believes that a change of language will make the proposition more certainly comprehensive. Understanding it to have been the purpose of the committee to embrace every such trust or combination which, owing to the fact that it is not incorporated, is not within the reach, perhaps, of the laws of any State, I see no objection to introducing into the resolution certain language which the gentleman has suggested. These alterations, as it seems to me, will not affect the purport of the resolution; but I desire to make the proposition conform to the gentleman's views, as I understand he is anxious to have all these subjects investigated.

I will state the changes which the gentleman has proposed. After the words "necessaries of life" in the preamble, the gentleman proposes to insert the words "and other products for sale;" so as to make the preamble read:

Whereas it is alleged that certain individuals and corporations in the United States engaged in manufacturing, mining, or dealing in some of the necessaries of life and other products for sale have combined, etc.

I understand the gentleman's criticism to be that the resolution in the form reported would not embrace the "Whisky Trust," the Standard Oil Company——

Mr. RANDALL. I desire to embrace also gas companies and all "trusts."

Mr. BACON. The gentleman wishes to include "trusts" of every description, and he suggests, as I understand, that some of the articles to which these "trusts" relate are not "necessaries of life." The committee, as I understand, see no objection to the changes which the gentleman proposes; and if he will send his amendments to the Clerk's desk, no objection will come from me, at any rate, to their insertion.

Mr. O'NEILL, of Missouri. I understand the whole object of this resolution is to investigate these gigantic "trusts."

Mr. BACON. To investigate these "trusts," whether gigantic or small.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution? The Chair hears none.

Mr. BRECKINRIDGE, of Arkansas. It may be proper to state that the committee was satisfied the "trusts" referred to by the gentleman from Pennsylvania were included in the proposition as reported.

Mr. RANDALL. It can do no harm to make the language plainer.

Mr. BRECKINRIDGE, of Arkansas. Of course the committee is perfectly willing such organizations should be specified; but we were certain they were not excluded.

Mr. RANDALL. The gentleman is certain they were not excluded; I want to be certain they are included. There are two amendments which I have suggested—one to the preamble and one to the resolution itself.

The SPEAKER *pro tempore*. The Clerk will read the first amendment of the gentleman from Pennsylvania.

The Clerk read as follows:

Amend the preamble so as to read:

"Whereas it is alleged that certain individuals and corporations in the United States engaged in manufacturing, mining, or dealing in some of the necessaries of life and other productions have combined for the purpose of controlling or curtailing the production or supply of the same," etc.

Mr. WEAVER. Would that include express companies?

Mr. BACON. No, sir; not as I understand it.

Mr. RAYNER. A number of these "trusts" are made up of different companies which, having been incorporated by different States, have entered into these combinations. Does this include such organizations?

Mr. BACON. It does, as we understand.

Mr. RAYNER. I think it excludes one of the very companies you ought to get at, the Standard Oil Company. I think that is excluded by the terms of the resolution.

Mr. BRECKINRIDGE, of Arkansas. Then I trust the language will be so amended as to include every such organization. That was the intention of the committee.

Mr. BRUMM. I hope the resolution will be amended so as to include the large anthracite-coal monopolies.

Mr. RAYNER. It does not include them now.

Mr. BRUMM. It ought to do so.

Mr. BACON. I think the House is under a misapprehension in regard to what this resolution contemplates. In the opinion of the committee, this House has no right to institute an investigation into the private affairs of any corporation formed under the laws of any State and transacting business solely within the limits of the State of which it is a corporation.

Mr. RAYNER. Allow me to ask the gentleman a question.

Mr. BACON. Permit me to finish my statement.

Mr. RAYNER. It is in that connection.

Mr. BACON. In a moment. But the committee understand that where a combination or combinations have been formed, partly of private individuals and partly of corporations, which corporations are not incorporated in the same States and reach over State lines and engage in interstate commerce, and such combinations are not in the power of the State Legislature creating such corporations, they are therefore within the reach of the legislative power of this body, and for that reason, as it is without any question the right of this House to make this investigation, we have put in only those combinations not incorporated under the laws of any State, so that they can not refuse to come here and answer any question put to them nor shelter themselves under their State charters.

Mr. RANDALL. I suggest to the gentleman from Maryland to strike out the words "any incorporated," as that would reach the result he has in view.

Mr. RAYNER. I ask whether corporations incorporated in the State of Pennsylvania, having the right to transact business under that incorporation in other States, and a number of States give that right, whether such corporations would be reached by this resolution?

Mr. BACON. Yes, they would be reached by the resolution if they are in combination with any other corporation.

Mr. SPRINGER. I wish to offer an amendment which I think will answer the purpose.

Mr. BACON. Gentlemen, one at a time. [Laughter.] I will answer every question as intelligently as I can, but I must answer them in their order.

Mr. EZRA B. TAYLOR. Mr. Speaker, is there room there for another? [Laughter.]

The SPEAKER *pro tempore*. Gentlemen will retire to their seats and preserve order.

Mr. BACON. I will yield to the gentleman from Wisconsin [Mr. GUENTHER].

Mr. GUENTHER. I wish to ask whether you will have the power to compel the attendance of witnesses and the production of contracts relating to these combinations?

Mr. BACON. That is embraced in the power granted by the resolution.

Mr. GUENTHER. Power to compel attendance of witnesses and to compel them to testify and produce papers.

Mr. BACON. The committee will have all the power the House has.

Mr. BRUMM. Would your resolution include a combination of corporations chartered in one State for, say, mining purposes, who combine not only with each other, but with individual mining proprietors whose collieries are in other States, and who also combine with carrying companies, although their charters may all be from one State, yet their rights extend to other States; would your resolution cover combinations of that kind?

Mr. BACON. If I understand the language of the resolution, it does; and it was so intended to do.

Mr. BRUMM. Then I hope it will be adopted.

Mr. MCADOO. Does it include combinations of foreign agents or agents of foreign manufactories in the United States to raise the price of imported articles? [Cries of "Louder!"] Will this inquiry reach a combination on the part of agents for the sale of foreign goods in the United States to raise the price of those foreign goods and to depress the price of domestic products?

Mr. BACON. Yes; I think it will.

Mr. MCADOO. Then I hope it will be adopted.

Mr. SPRINGER. I wish to correct an impression which I think the chairman inadvertently made upon the House, and that is as to the right of Congress to get information on this subject. The gentleman seems to give out the impression that we had no right to seek information from corporations of a State doing business in such State. If it were a question of legislation it would be different, but as a question of information this House has a right to go anywhere within the jurisdiction of the United States, inquire of anybody or company or corporation as to the business he or it is doing—to get information of anybody or any corporation as to his or its action. We have done it in procuring the Census Report, a volume containing more information than was ever published by any government in the world, which I regard as a most useful publication and one reflecting great credit on our Government. In the matter of information, we have the right to ask these corporations what they are doing, how many men they employ, the character of their business, the price paid, etc. All these questions have been asked, by the authority of Congress, by the Census Office throughout all the States in the Union. Its agents have gone from house to house asking the ages of the children and of the members of each family. I therefore think we should strike out the words which have been indicated.

Mr. RAYNER. I have an amendment to offer.

Mr. SPRINGER. I understand the gentleman from Maryland has an amendment to offer which accomplishes the object which I desire to accomplish. [Cries of "Regular order!"]

Mr. BACON. In reply to the gentleman from Illinois I will say that while I have no doubt of the right of the House or any member of it, or of any member of the committee, to ask questions for information, I have nevertheless grave doubt of the right of the Government to compel answers to questions which do not in some way deal with matters in reference to which this House can legislate.

I do not understand that the author of this resolution or the committee that reported it have come into this House asking for any authority to go out and take a census. All they ask of the House is authority to compel the giving of such information as will come within what they believe to be the legitimate power of this House to legislate in regard to these pools and combinations; and in the resolution of inquiry which we ask the House to adopt here we have restricted its operation in accordance with what, in the judgment of the committee, and as we are advised by other gentlemen who are learned in the law and experienced in the practice of this House, is within the full power of the House to grant.

I yield now to the gentleman from Pennsylvania [Mr. SCOTT] for a question.

Mr. SCOTT. The gentleman from New York has practically answered the question I desired to ask. Still I wish to call his attention to this point: Suppose the investigation is ordered by the House, and the committee find that there has been a combination and a conspiracy between a corporation in one State and certain citizens of that State for the purpose of advancing the price of certain commodities which enter into the daily consumption of the people; do I understand the gentleman from New York to claim, in view of that condition of affairs, that there is any power vested in this House, by authority of the Constitution or laws, to remedy that abuse inside of the State limits? Do I understand him to claim that Congress has any jurisdiction or that there is on the statute-books of the United States any law that makes such a combination or conspiracy a wrong against which you could proceed for redress? Or if you ascertain the existence of such a combination, would you have to proceed to redress the evils by some other method? And if so, I ask the gentleman to tell me by what method. Or if you find such a state of facts as the resolution alleges to exist, do you propose to go into the State courts to remedy the abuse? And, in fine, let me ask, what has Congress to do with the question at all? Are not the States amply able to take care of themselves and protect the people within their limits against that combination or that conspiracy if it exists? If they are not, sir, I want to know where your law or where the Constitution gives you authority to take the step you here propose, and if by the passage of this resolution you are not usurping to yourself an authority that is not delegated to you under the Constitution? That is the question.

Mr. HOPKINS. Let me say to the gentleman from New York, this resolution is simply to investigate as to the facts alleged. After those facts are gathered by the committee they will be accompanied by a report, and it is then for the House to determine what action it will take upon that report.

Mr. SCOTT. I beg leave to call the attention of the gentleman to the fact that we made an investigation by a select committee, which was authorized to go to St. Louis, Mo., and to report to the Congress then in session on the great strike and labor trouble prevailing in that region. What did that investigation amount to?

Mr. HOPKINS. Let me answer the gentleman by another question: Because one criminal is acquitted, is that a reason for ceasing to try to enforce the criminal laws?

Mr. SCOTT. I am not trying to acquit any criminal. [Laughter.]

Mr. BACON. In answer to the gentleman from Pennsylvania, I can only say that it seems to me the suggestions he makes in regard to the constitutional limitations and powers of the House over this subject will more properly apply to the legislation which the House may undertake to enact after the resolution now presented has been enforced. But here is a crying abuse, something that everybody understands, which the newspapers tell us daily is committing a serious injury to the best interests of the people of the country. It has been held by the State courts to be beyond their power of correction. The purpose of this resolution of the gentleman from Illinois, as I understand it, is to ascertain the accuracy of this information, and when the facts are laid before Congress for it to apply such remedy as may be within its legislative power to apply. That is the purpose of the investigation and the reason it seems wise to the committee to adopt it.

I now yield to the gentleman from Illinois who introduced the resolution.

Mr. MASON. Mr. Speaker, there seems to be a misunderstanding as to the meaning and intent of this resolution. I did not intend at the time I drew and introduced the resolution that its effect should be to appoint a "smelling committee" to invade the borders of the States and investigate the affairs of the people doing business within State lines under State laws and charters. The resolution simply recites that there is a large class of trusts and combinations which, by reason of a monopoly and by combination, can increase the price of certain of the necessaries of life, mentioning particularly coal, sugar, and other necessaries of life.

The object of the resolution was to ascertain, if possible, what effect these combinations of trusts have had upon the prices of these necessaries of life; whether or not, by reason of the tariff, they are thus enabled to place a greater price upon them, and that is certainly a sub-

ject within the jurisdiction of Congress. There are some industrious and energetic men in this country who would like to have a corner upon sunshine and levy a tariff of a thousand dollars each on every ray of foreign sunlight.

The tariff laws, we believe in Chicago, are sometimes perverted from their legitimate purposes, and are turned against the people for the benefit of those who should not have such privileges.

Mr. NELSON. Will the gentleman from Illinois allow me a question?

Mr. MASON. Yes, sir.

Mr. NELSON. Have you any doubt in your own mind but that the tariff laws indirectly co-operate to aid these trusts?

Mr. MASON. I will say in response to the gentleman from Minnesota that I have no doubt there is a class of trusts and a class of men who take advantage of the tariff laws. We who believe in a high protective tariff think there should be some way to avoid taking advantage of the laws and perverting them from their proper purpose. But so far as I am concerned, expressing also, I believe, the sentiments of the people of my district, I presume, if there is a proper way of meeting that, this committee can report a proper bill, but if there is no way to protect the people from these exactions of trusts except the revision of the tariff, so far as I am concerned I am ready to vote for that now.

Mr. DINGLEY. Will the gentleman permit me a single question?

Mr. MASON. Yes, sir.

Mr. DINGLEY. I think this resolution speaks of a trust which has raised the price of anthracite coal.

Mr. MASON. I think not. It recites that a sugar trust has raised the price of sugar. The original resolution has been amended since perhaps the gentleman from Maine saw it.

Mr. DINGLEY. Is there any duty imposed on anthracite coal?

Mr. MASON. No, sir.

Mr. DINGLEY. Then this has nothing directly to do with the tariff?

Mr. MASON. I think the gentleman is right in that statement, if anthracite coal is included in the resolution.

Mr. MILLIKEN. The gentleman from Pennsylvania seems to be very anxious to include anthracite coal, and there is no tariff on that article.

Mr. BRUMM. Is it not true the greatest monopolies we have in this country are the monopolies of such things as can not be produced abroad or come into competition with American products? First, there is coal-oil. We never import coal-oil. Next, there is the Western Union Telegraph monopoly; that can not be interfered with by foreign competition. Next, there is anthracite coal. We have got all the anthracite coal in the world, at least of this peculiar kind, and there is never a ton of it imported, and there is no tariff on it. What I have mentioned will include about all the greatest monopolies we have got.

Now, if there is no tariff on them and no competition with foreign producers, how can the tariff in that sense have any effect on these monopolies?

Mr. MASON. I do not think it can have any effect on them. I have been under the impression that this body has no jurisdiction over the affairs of States. If the gentleman wishes to amend this resolution, or to offer some other to take in a larger field for observation and examination, I have no objection. But this merely looks to one relief.

Mr. MILLIKEN. Will the gentleman permit me a question?

Mr. MASON. Yes, sir.

Mr. MILLIKEN. If the tariff has nothing to do with these trusts, why drag it into the debate upon this resolution?

Mr. MASON. If the gentleman will consider for a moment he will perceive that I have said nothing of that kind. But if he had paid attention he would have comprehended that the tariff on sugar has a good deal to do with allowing the sugar trust to increase prices.

Mr. MILLIKEN. Perhaps I might understand that better if it were explained. But I will agree with the gentleman to repeal the duty on sugar, if he wants to do that.

Mr. MASON. If the duty on sugar raises the price of sugar so that producers and dealers can sell it at a given price, if you take off the duty then this trust can not exist except by taking in by a syndicate all the sugar products of the world.

Mr. RANDALL. Will the gentleman permit me to ask him a question?

Mr. MASON. Yes, sir.

Mr. RANDALL. Do you not consider that the price of sugar, like that of most other commodities, is regulated by the natural law of demand and supply?

On what may be considered the average grade of sugar of 90 degrees the duty is 2 cents; and during the existence of that duty of 2 cents sugar has been lower in price than at any time in the history of the country.

Mr. MASON. Then, would the gentleman argue, if the people of this country take off the $60,000,000 they pay in duty on sugar the sugar would be higher in price?

Mr. RANDALL. I think the price would be regulated by the natural law of demand and supply. As I have stated, the 2 cents tax has not raised the price, but lowered it.

Mr. MASON. Then I do not see how the sugar trust can exist——

Mr. RANDALL. I know nothing about the sugar trust, and I care nothing about it. But I can state the business reason why sugar is higher than six months ago; and that is because the excessive production in the four great sugar-producing countries of Europe and Cuba, the United States, and elsewhere was so great that they could not sell all that was produced.

Now, it has come to the knowledge of these people that there must be a decrease in the production of sugar, and we are therefore informed that the sugar product this year will be about three hundred thousand tons less than it was last year, and the effect of that has been to raise the price of sugar about a cent a pound.

Mr. MASON. If the "sugar trust," which everybody knows has been formed within the past twelve months, has not increased the price of sugar, will the gentleman explain the object of the organization of the trust?

Mr. RANDALL. I do not care what the object is, but if it is to get a higher price for sugar, the very best way to defeat it is to call public attention to the subject in the manner provided for in this resolution.

Mr. MASON. Very well; you, then, are for the resolution. I am much obliged to you.

Mr. CUTCHEON. Mr. Speaker, may we have the resolution reported once more?

Mr. RAYNER. Mr. Speaker, I desire to propose an amendment to the pending amendment.

Mr. BACON. I yield three minutes to the gentleman from Maryland.

Mr. RAYNER. I am heartily in favor, Mr. Speaker, of the resolution, but my opinion about it is that it does not go far enough, because it excludes from its operation the very sort of trusts that ought to be included under it. By its terms, the resolution expressly excludes every corporation incorporated by a State. In other words, if there is a corporation incorporated by the State of Maryland that has combined with another corporation, incorporated by the State of Pennsylvania, for the purpose of "pooling" or otherwise controlling the market, and raising prices, such a combination, by the terms of this resolution, is excluded from its operation. Therefore, I say the resolution does not go far enough. It has been very well said by the gentleman from Pennsylvania [Mr. BRUMM] that the question of tariff is only an incidental question in reference to this resolution. There are many corporations that have combined together in relation to which the question of tariff does not arise at all. Take, for example, the case of the Western Union Telegraph Company, which has combined with or swallowed up every other telegraph company in the country for the purpose of controlling prices. Take what is probably the most important case that will come under the consideration of this committee, the Standard Oil Company. What is the Standard Oil Company? It is not a combination of individuals at all. It is a combination of different corporations, each one of which has been created by the sovereignty of its particular State, and which has combined with other corporations to go into that "trust."

[Here the hammer fell.]

Mr. RAYNER. Will the gentleman give me a little more time?

Mr. BACON. I can not.

Mr. RAYNER. Just one minute more.

Mr. BACON. Mr. Speaker, how much time have I?

The SPEAKER *pro tempore*. The gentleman has fifteen minutes remaining.

Mr. BACON. Then I yield one minute more to the gentleman from Maryland.

Mr. RAYNER. Take the case that is now agitating the public mind to a large extent, the case of the Reading coal strike. The Philadelphia and Reading Railroad Company is a corporation created by the State of Pennsylvania. The physical termini of the road are within that State, but it ships its products all over the country. That company has entered into a conspiracy to strike down labor in the Schuylkill region and to raise the price of coal, yet it is excluded from the operation of this resolution, because the resolution expressly says that it is not to include any corporation created by a State. If you are going to have an investigation of these pools and combinations, you should include them all.

Mr. GROSVENOR. The gentleman is mistaken about the scope of the resolution.

Several members addressed the Chair.

The SPEAKER *pro tempore*. The Chair will state the question. The gentleman from Maryland [Mr. RAYNER] proposes an amendment to the pending amendment, which will be read:

The Clerk read as follows:

Strike out in the last paragraph all after the word "names," which occurs in next to the last line of said paragraph.

A MEMBER. How will it read as amended?

The SPEAKER *pro tempore*. The amendment strikes out the words "but are not incorporated under the laws of any State."

The Chair is inclined to think that this is not an amendment to the pending amendment. It does not cohere with the pending amendment. The gentleman can withdraw his amendment now and offer it later. The Chair will recognize the gentleman from Maryland here-

after for that purpose. There is one pending amendment, and the only proposition in the nature of an amendment admissible now is an amendment to that.

Mr. BACON. I yield two minutes to the gentleman from West Virginia [Mr. WILSON].

Mr. WILSON, of West Virginia. Mr. Speaker, I simply desire to call the attention of my friend from Maryland [Mr. RAYNER] to the language of this preamble. The language to which he objects is part of the preamble, not a part of the resolution, and upon an examination of that language he will find that it is not subject to the criticism which he makes upon it. It does not exclude corporations that are individual members of such trusts; it simply recites that the trusts, pools, combines or combinations, or whatever names they may be known under, are not incorporated, but it does not exclude such combinations whether the individual members of them are corporations or individuals. I do not think, therefore, that the resolution is open to the criticism of the gentleman from Maryland.

Mr. RAYNER. Of course the preamble does not make the law; I know that very well. But if the gentleman will look at the resolving part he will find this:

*Resolved*, That the Committee on Manufactures be, and the same is hereby, directed to inquire into the names, number, and extent of such alleged combinations, etc.

Now, what are "such alleged combinations?" "Such alleged combinations" in the preamble exclude the very class of corporations which it is most desirable to reach.

Mr. WILSON, of West Virginia. I do not understand, Mr. Speaker, that these alleged combinations or trusts are incorporated at all.

Mr. SPRINGER. Oh, yes.

Mr. WILSON, of West Virginia. They are voluntary associations of individuals and corporations. The individual members of these combinations or trusts are incorporated, but the combinations or trusts themselves are not incorporated.

Mr. BRECKINRIDGE, of Arkansas. We have no objection to the amendment of the gentleman from Maryland.

The SPEAKER *pro tempore*. The Chair will have read the amendment proposed by the gentleman from Pennsylvania [Mr. RANDALL], which is the pending amendment.

The Clerk read as follows:

In the second line of the preamble, after the word "manufacturing," insert "producing."
In the third line, after the word "life," insert "and other productions."
In line 5 of the resolution, after the word "life," insert "and of all such productions."

Mr. DUNN. I desire to offer an amendment to that amendment.

The SPEAKER *pro tempore*. The Chair will state that the first of the amendments just read is, properly speaking, the only one pending. The amendment of the gentleman from Arkansas [Mr. DUNN] will have to be made to that amendment.

Mr. DUNN. I want to make an amendment to the amendment.

Mr. McCREARY. I desire to offer a substitute for the amendment proposed by the gentleman from Pennsylvania. My proposition is to strike out the preamble. I see no reason for a preamble which simply recites that it is "alleged" by certain individuals that certain facts exist. What we want is simply to adopt the resolution; it is not necessary to state what is "alleged" by certain individuals. Therefore, as a substitute for the pending amendments, I move to strike out the preamble so that we may then adopt the resolution.

Mr. BRECKINRIDGE, of Arkansas. If the preamble were struck out, the whole resolution would have to be modified.

The SPEAKER *pro tempore*. A substitute can not be voted on till the text is perfected.

Mr. BACON. It seems to me, Mr. Speaker, this discussion has reached a point where all gentlemen desiring to express themselves on the subject-matter of the resolution have done so, and I therefore move the previous question.

Mr. LYNCH. I have an amendment which I desire to offer.

The SPEAKER *pro tempore*. The gentleman from New York has demanded the previous question.

Mr. GUENTHER. I rise to a parliamentary inquiry. Would it be in order now to ask unanimous consent that the time of the gentleman from New York be extended for one hour so that he may parcel out that hour to other members who wish to address the House on this question?

The SPEAKER *pro tempore*. The gentleman from New York, having the floor, has demanded the previous question.

Mr. GUENTHER. Then I ask unanimous consent that the time of the gentleman from New York be extended for one hour.

Several members objected.

Mr. BRECKINRIDGE, of Arkansas. We do not want this thing talked to death.

Mr. GUENTHER. I have no purpose of that kind—just the contrary. I want a resolution adopted which will amount to something.

Mr. BRECKINRIDGE, of Arkansas. The committee think this resolution very comprehensive and effective.

Mr. GUENTHER. If witnesses refuse to appear or to produce papers when called for there is no power to compel them under this resolution.

Mr. WILSON, of West Virginia. The committee can come to the House and obtain the necessary power.

Mr. BRECKINRIDGE, of Arkansas. I think the resolution in its present form is sufficient.

Mr. RANDALL. I desire to have the Chair state whether the previous question, if now ordered, would prevent the House from voting on the proposition of the gentleman from Maryland.

Mr. HATCH. That is pending.

Mr. RANDALL. I would like to know from the Chair whether it is pending.

The SPEAKER *pro tempore*. It is not pending.

Mr. RANDALL. Then the previous question should be voted down, so that the House may have an opportunity to vote on the amendment of the gentleman from Maryland.

A MEMBER. Let it be considered as pending by unanimous consent.

The SPEAKER *pro tempore*. If there be no objection, the amendment of the gentleman from Maryland will be considered as pending. The Chair hears no objection.

Mr. BACON. I now call the previous question on the resolution and pending amendments, and I insist on a vote.

Mr. HOPKINS, of Illinois. I rise to a parliamentary inquiry. Would it be in order to move to recommit this resolution, with the amendments, to the Committee on Manufactures?

Mr. ANDERSON, of Kansas. Oh, no.

Mr. HOPKINS, of Illinois. It must be apparent to the House that every member has some amendment which he desires to offer. Now, it seems to me, if the resolution is to be adopted, it ought to be properly considered, and should be made broad enough to cover all the subjects it is intended to embrace. The only way of accomplishing this is to recommit the resolution, with the amendments, and let the Committee on Manufactures report a resolution in proper shape.

The SPEAKER *pro tempore*. The gentleman from Illinois has the right to make the motion he has indicated.

Mr. HOPKINS, of Illinois. I move, then, to recommit the resolution, with the amendments, to the Committee on Manufactures, so that they may report a new resolution to the House.

Mr. GROSVENOR. I move to amend that motion by adding the instructions which I send to the desk.

The Clerk read as follows:

And if the said committee report, by bill or otherwise, a provision looking to the regulation of the business of companies formed and hitherto controlled and regulated by State laws, passed by the Legislatures of the several States of the Union, then that said committee report a proper eulogy and epitaph commemorative of the life, public service, and death of the ancient doctrine of State's rights, with the time and circumstances of the abandonment of said doctrine by the Democratic party.

[Laughter.]

Mr. RANDALL. I make a point of order on the amendment that it is not germane.

The SPEAKER *pro tempore*. The Chair sustains the point of order.

Mr. BRUMM. I move to amend by striking out all of the first line of the resolution after the word "resolved," and inserting the following:

That a special committee of the House be appointed, and.

The SPEAKER *pro tempore*. The question is on the amendment of the gentleman from Pennsylvania.

Mr. RANDALL. Is not the question on ordering the previous question?

The SPEAKER *pro tempore*. The question is on the amendment to the motion to recommit.

Several MEMBERS. What is the question?

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from Illinois [Mr. HOPKINS] to recommit, to which the gentleman from Pennsylvania [Mr. BRUMM] moves an amendment.

Mr. BRUMM. I call for the reading of the motion as it will be if amended.

The Clerk read the motion as it would be if amended.

The SPEAKER *pro tempore*. The question recurs on the amendment of the gentleman from Pennsylvania.

Mr. DUNN. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. DUNN. Is it in order now to substitute the Judiciary Committee for the Committee on Manufactures?

Mr. RANDALL. This committee has originated it.

The SPEAKER *pro tempore*. It would not be germane to the pending amendment.

The question recurred on Mr. BRUMM'S amendment, and it was rejected.

Mr. DUNN. I move to strike out "Manufactures" and insert "Judiciary."

The amendment was rejected.

Mr. LYNCH. I move the following amendment.

The Clerk read as follows:

Amend by inserting in the second line of the preamble, after the word "engaged," the words "as common carriers or."

Mr. RAYNER. Let that amendment be again read.

The amendment was again read.

Mr. BACON. Is this an amendment of the resolution or of the motion to recommit?

The SPEAKER *pro tempore*. Of the motion to recommit.

Mr. RAYNER. Read it as it will be if amended.

The amendment was read as it would be if amended.

Mr. BACON. I now demand the previous question on the motion to recommit.

The SPEAKER *pro tempore*. The gentleman has not the floor.

Mr. HOLMES. I ask the gentleman to withdraw it.

Mr. LYNCH's amendment was agreed to.

Mr. HOPKINS, of Illinois. I demand the previous question on my motion to recommit.

Mr. BACON. I hope that will be done.

Mr. BRUMM. I wish to include, merely, "internal revenue."

The SPEAKER *pro tempore*. The question is on the demand for the previous question.

The previous question was ordered; and under the operation thereof the motion to recommit was disagreed to.

Mr. BACON. I now demand the previous question on the adoption of the resolution and amendments.

Mr. GUENTHER. Is it time to offer a substitute?

Mr. BURROWS. If this resolution prevail will it not be in order for the House at any time to enlarge the scope of this inquiry? [Cries of "Regular order!"]

The previous question was ordered.

The SPEAKER *pro tempore*. The question first recurs upon the amendment, which the Clerk will read.

The Clerk read as follows:

After the word "manufacturing," in the second line of the preamble, insert "producing."

Mr. RANDALL. I hope that will be agreed to.

The amendment was adopted.

The Clerk read as follows:

In the third line of the preamble, after the word "life," insert "and other productions."

Mr. BACON. That is right.

The amendment was agreed to.

The Clerk read as follows:

In the fifth line of the resolution, after the word "life," insert "and all productions."

Mr. BACON. That is right.

The amendment was agreed to.

Mr. RAYNER. I move, in the first paragraph, after the word "names," to strike out "which are not incorporated under the law of any other State."

The amendment was agreed to.

Mr. WEAVER. Let the resolution be read as amended.

The SPEAKER *pro tempore*. It has been read.

The resolution, as amended, was then adopted.

Mr. BACON moved to reconsider the vote by which the resolution, as amended, was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JOSEPH COX.

Mr. BROWNE, of Indiana. I move, by unanimous consent, to discharge the Committee on Invalid Pensions from the further consideration of the bill (H. R. 2131) for the relief of Joseph Cox, administrator of Charles Pasters, deceased, and to put it upon its passage at this time.

The bill was read, as follows:

Whereas Charles Pasters, of Randolph County, Indiana, was, on the 12th day of January, A. D. 1884, granted a pension, for which a certificate was then and there duly issued to him; that there was due said Pasters on said certificate the sum of $493.73; that a voucher for said sum was duly executed by said Pasters, in his lifetime, and returned to the proper United States pension agent at Indianapolis, Ind.; and

Whereas said Pasters, on the 25th day of January, A. D. 1884, and before he received the check for said sum, died, leaving no widow or child surviving him; and

Whereas afterwards, to wit, on the 31st day of January, A. D. 1884, the United States pension agent aforesaid issued a check for the sum aforesaid payable to said Pasters; and

Whereas said check was delivered to Joseph Cox, who was the duly appointed administrator of said Pasters, as a part of his (said Pasters's) estate; and

Whereas the said Cox, as such administrator, under the direction of the circuit court of said Randolph County, applied, in good faith, the proceeds of said check, to wit, the sum aforesaid, to the payment of the funeral expenses and other indebtedness of said Pasters; and

Whereas the United States has brought suit against the said Joseph Cox to recover the sum aforesaid: Therefore,

*Be it enacted, etc.*, That said Joseph Cox be, and he is hereby, fully acquitted and discharged from all liability to the United States on account of the collection of the check aforesaid, or the appropriation thereof, or of its proceeds, or of the sum of the $493.73 so allowed said Charles Pasters, deceased, as aforesaid.

Mr. BROWNE, of Indiana. I wish to say that the Pension Office is in favor of this bill, and the suit is suspended to enable me to get this relief.

There was no objection, and the Committee on Invalid Pensions was discharged from the further consideration of the bill; and it was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. BROWNE, of Indiana, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. BLAND. I move that the House do now adjourn.

Mr. PAYSON. I ask unanimous consent to present a bill for reference.

Mr. BLAND. Very well.

SALES OF CERTAIN PUBLIC LANDS.

Mr. PAYSON, by unanimous consent, introduced a bill (H. R. 5934) to confirm certain sales of public lands, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

The motion of Mr. BLAND was then agreed to; and accordingly (at 3 o'clock and 15 minutes p. m.) the House adjourned.

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PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred as indicated below:

By Mr. WHEELER: A bill (H. R. 5935) for the relief of F. W. Carroll—to the Committee on War Claims.

By Mr. VANDEVER: A bill (H. R. 5936) granting a pension to Mary L. Mannon—to the Committee on Invalid Pensions.

By Mr. MASON: A bill (H. R. 5937) for the relief of A. M. Benjamin—to the Committee on Military Affairs.

Also, a bill (H. R. 5938) for the relief of John C. Phillips—to the Committee on Military Affairs.

By Mr. BYNUM: A bill (H. R. 5939) for the relief of Matthew E. Jackson—to the Committee on Military Affairs.

Also, a bill (H. R. 5940) for the relief of George Gallahue—to the Committee on Military Affairs.

Also, a bill (H. R. 5941) granting a pension to Nicholas Klock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5942) granting a pension to John McCurley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5943) granting a pension to John Sheafer—to the Committee on Invalid Pensions.

By Mr. HOLMES: A bill (H. R. 5944) granting a pension to John T. Lane—to the Committee on Invalid Pensions.

By Mr. CONGER: A bill (H. R. 5945) granting a pension to Joanna W. Turner—to the Committee on Invalid Pensions.

By Mr. LYMAN: A bill (H. R. 5946) for the relief of Sarah C. Hyland, widow of Edward F. Hyland—to the Committee on Invalid Pensions.

By Mr. A. R. ANDERSON: A bill (H. R. 5947) for the relief of officers and men of Thirty-fourth Regiment Iowa Infantry Volunteers—to the Committee on Military Affairs.

By Mr. RYAN: A bill (H. R. 5948) for the relief of Charles E. Wheeler—to the Committee on War Claims.

Also, a bill (H. R. 5949) for the relief of Lipman Meyer—to the Committee on War Claims.

By Mr. FUNSTON: A bill (H. R. 5950) to increase the pension of John Smith—to the Committee on Invalid Pensions.

By Mr. LAFFOON: A bill (H. R. 5951) to provide for the issue to William Clabaugh of bonds of the District of Columbia on account of the M street bridge across Rock Creek, in the city of Washington—to the Committee on the District of Columbia.

Also, a bill (H. R. 5952) for the relief of S. B. Younglore—to the Committee on War Claims.

By Mr. G. M. THOMAS: A bill (H. R. 5953) for the relief of Margaret Holland—to the Committee on Invalid Pensions.

By Mr. LAGAN: A bill (H. R. 5954) for the relief of Catherine M. Pritchard—to the Committee on War Claims.

By Mr. RAYNER: A bill (H. R. 5955) for the relief of Peter Targarona—to the Committee on Claims.

By Mr. O'DONNELL: A bill (H. R. 5956) to increase the pension of Israel C. Wells—to the Committee on Invalid Pensions.

By Mr. HEARD: A bill (H. R. 5957) granting a pension to Aaron Sternes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5958) granting a pension to Morgan Welsh—to the Committee on Invalid Pensions.

By Mr. CUMMINGS: A bill (H. R. 5959) granting an increase of pension to Michael Corbin—to the Committee on Invalid Pensions.

By Mr. FITCH: A bill (H. R. 5960) granting a pension to Charles Ludemann—to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 5961) to increase the pension now paid to Mrs. D. P. Woodbury—to the Committee on Invalid Pensions.

By Mr. BROWER: A bill (H. R. 5962) for the relief of John S. Leary and Matthew N. Leary, jr., executors of Matthew N. Leary, deceased—to the Committee on War Claims.

By Mr. SIMMONS: A bill (H. R. 5963) for the relief of William L. Palmer—to the Committee on War Claims.

Also, a bill (H. R. 5964) granting a pension to Garrett C. Moge—to the Committee on Invalid Pensions.

By Mr. J. E. CAMPBELL: A bill (H. R. 5965) for the relief of the heirs-at-law of Charles K. Smith, jr.—to the Committee on Military Affairs.

By Mr. WICKHAM: A bill (H. R. 5966) granting a pension to Mrs. Lepha A. Osborn—to the Committee on Invalid Pensions.

By Mr. SCULL: A bill (H. R. 5967) to remove the charge of desertion against Jacob L. Brand—to the Committee on Military Affairs.

By Mr. RANDALL: A bill (H. R. 5968) to ascertain the relations to commerce of Smith's Island and Windmill Island in the Delaware River, between Philadelphia, Pa., and Camden, N. J., and to improve the navigation of Delaware River—to the Committee on Rivers and Harbors.

By Mr. OSBORNE: A bill (H. R. 5969) granting a pension to Philip Arner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5970) granting a pension to Henry Barkey—to the Committee on Invalid Pensions.

By Mr. SCULL: A bill (H. R. 5971) granting a pension to Joseph Riggle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5972) granting a pension to Elwood P. Scotten—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5973) granting a pension to Henry McKinney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5974) granting a pension to Christiana Schneider—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5975) granting a pension to Sarah L. Bryan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5976) to remove the charge of desertion against Thomas Amey—to the Committee on Military Affairs.

Also, a bill (H. R. 5977) to remove the charge of desertion against Jacob L. Dilling—to the Committee on Military Affairs.

Also, a bill (H. R. 5978) to remove the charge of desertion against James Mathews—to the Committee on Military Affairs.

Also, a bill (H. R. 5979) to remove the charge of desertion against Herman Gaudig—to the Committee on Military Affairs.

By Mr. ENLOE: A bill (H. R. 5980) for the relief of Jacob F. Fisher—to the Committee on War Claims.

By Mr. T. H. B. BROWNE: A bill (H. R. 5981) for the relief of Frank Hanlein, of Washington, D. C.—to the Committee on War Claims.

Also, a bill (H. R. 5982) for the relief of George Field—to the Committee on the District of Columbia.

By Mr. BOWDEN: A bill (H. R. 5983) for the relief of Luke F. Johnson—to the Committee on War Claims.

By Mr. T. J. HENDERSON: A bill (H. R. 5984) for the relief of James Gaster—to the Committee on Claims.

By Mr. GOFF: A bill (H. R. 5985) to increase the pensions of Mrs. Mary Ann Cross, Mrs. Minnie L. Gardner, and Mrs. Lillie May Pavy to $30 a month—to the Committee on Invalid Pensions.

By Mr. CLARK: A bill (H. R. 5986) granting an increase of pension to Frederick Moser—to the Committee on Invalid Pensions.

By Mr. DUBOIS: A bill (H. R. 5987) granting a pension to James Larsen—to the Committee on Invalid Pensions.

By Mr. JOSEPH: A bill (H. R. 5988) for the relief of William Ivers—to the Committee on War Claims.

By Mr. BOWDEN: A bill (H. R. 5989) to remove the charge of desertion from Michael Sullivan, alias Michael Murphy—to the Committee on Military Affairs.

Also, a bill (H. R. 5990) granting a pension and arrears of pension to Patrick Foley—to the Committee on Invalid Pensions.

By Mr. WADE: A bill (H. R. 5991) for the relief of John T. Wasson—to the Committee on War Claims.

Also, a bill (H. R. 5992) for the relief of Elizabeth Painter, widow of John Painter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5993) granting a pension to Martin Epperson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5994) granting a pension to Lucretia Henson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5995) granting a pension to W. M. Vancman—to the Committee on Invalid Pensions.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. E. P. ALLEN: Petition of 114 citizens of the Second district of Michigan, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. A. R. ANDERSON: Papers in the case of Benjamin F. Raiff, for relief—to the Committee on War Claims.

By Mr. ATKINSON: Petition of 200 citizens of New Bloomfield; of 100 citizens of Waynesborough; of 100 citizens of Saluvia, and 110 citizens of Greencastle, Pa., against the admission of Utah as a State—to the Committee on the Territories.

By Mr. C. S. BAKER: Petition of Dr. M. B. Anderson, president, and others of the faculty of the University of Rochester, N. Y., in favor of an international copyright law—to the Committee on Patents.

By Mr. BANKHEAD: A bill to provide for the improvement of the Sipsey River, Alabama—to the Committee on Rivers and Harbors.

Also, a bill to provide for the improvement of the Tombigbee River, in Alabama and Mississippi—to the Committee on Rivers and Harbors.

By Mr. BOUND: Petition and remonstrance of citizens of Harrisburg, and of Dauphin, Pa., against the admission of Utah as a State—to the Committee on the Territories.

By Mr. BOUTELLE: Petition of George B. Page and 132 others, citizens of the Fourth district of Maine, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. C. R. BRECKINRIDGE: Papers in the case of B. F. Richardson, and of estate of Moses S. McCord—to the Committee on War Claims.

By Mr. J. R. BROWN: Petition of William F. Williams, administrator of James Williams, of Greenbrier County, West Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. BUTTERWORTH: Petition of L. B. Wynne and others, for an appropriation to pay salaries due but withheld on account of failure to comply with technical rule in matter of taking and subscribing official oath—to the Committee on Appropriations.

By Mr. FELIX CAMPBELL: Petition of the board of supervisors of Kings County, New York, urging an appropriation for a monument at Brooklyn, N. Y.—to the Committee on Military Affairs.

By Mr. T. J. CAMPBELL: Joint resolution authorizing and requiring the Secretary of War to contract for the improvement of Harlem River navigation—to the Committee on Rivers and Harbors.

By Mr. CARUTH: Papers relating to the granting of a pension to Emily Goodall—to the Committee on Invalid Pensions.

Also, papers relating to the home for Mexican veterans—to the Committee on Military Affairs.

By Mr. COGSWELL: Petition of Henry C. Richardson, for compensation for property captured by the Nez Percé Indians—to the Select Committee on Indian Depredation Claims.

By Mr. COMPTON: Petition of 19 citizens of the Fifth district of Maryland, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. COX: Memorial of superintendents of blind asylums in the United States, for the enactment of a law to promote the higher instruction of the blind, etc.—to the Committee on Education.

By Mr. CRAIN: Papers in the case of Lewis Parker, for relief—to the Committee on War Claims.

By Mr. ENLOE: Petition for the relief of Lindsey Sanders, of Bethel, McNairy County, Tennessee—to the Committee on Invalid Pensions.

Also, papers in the case of V. B. Walker, for relief—to the Committee on War Claims.

By Mr. FORNEY: Petition of J. P. Roberson, of Seddon, Ala., for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, a bill for the improvement of the Coosa River, in Alabama and Georgia—to the Committee on Rivers and Harbors.

By Mr. FRENCH (by request): Petition of 75 citizens of the Second district of Connecticut, for prohibition in District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. FUNSTON: Petition of citizens of Allen County, Kansas, to increase the pension of John Smith, late of Company G, Second New York Heavy Artillery—to the Committee on Invalid Pensions.

By Mr. GEST: Petition of 36 citizens of the Eleventh district of Illinois, for prohibition in District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. GROUT: Memorial of A. A. Surgeon and A. P. Frick, with proposed measure of relief—to the Committee on Military Affairs.

By Mr. HEMPHILL (by request): Protest of Harvey Spalding and 99 others, citizens of the District of Columbia, against the right of the Baltimore and Ohio Railroad to tunnel under Tenth and Eleventh streets—to the Committee on the District of Columbia.

By Mr. HOOKER: Papers in the claim of Samuel B. Harris and of Maria C. Buie, of Mississippi—to the Committee on War Claims.

Also, petition for an international copyright law—to the Committee on Patents.

By Mr. S. I. HOPKINS: Petition of citizens of Wythe County, Virginia, against the removal or reduction of the duty on coal and iron ores—to the Committee on Ways and Means.

By Mr. JOSEPH: Papers in the case of William Ivenz, for relief—to the Committee on War Claims.

By Mr. KENNEDY: Petition of W. S. Foster and 37 others, for the passage of a bill for the suppression of contagious diseases among cattle—to the Committee on Agriculture.

By Mr. KETCHAM: Petition of Professor James M. Taylor and 26 others, of the faculty of Vassar College, Poughkeepsie, N. Y., for the removal of the duty on books and on apparatus for scientific investigation—to the Committee on Ways and Means.

Also, petition of Professor James M. Taylor and 23 others, of the faculty of Vassar College, Poughkeepsie, N. Y., for the speedy enactment of an international copyright law—to the Committee on Patents.

By Mr. LAFFOON: Memorial of William Clabaugh, as to M street bridge, District of Columbia—to the Committee on the District of Columbia.

By Mr. LEE: Papers in the case of Sarah A. Beckham, of Sarah A. Freeman, of John Lowry, of William Hough, of Oliver Bartley, of John R. Hornbaker, of John W. Jones, of Robert Waters, of Robert Green, of Mrs. William Francis, of Willis Long, and of Martha A. Boxley, of Virginia—to the Committee on War Claims.

By Mr. McCULLOGH: Petitions of citizens of the Twenty-fourth district of Pennsylvania, and of Rev. A. B. Miller, president of Waynesburgh College, and 100 others, citizens of Greene County, Pennsylvania, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. McKINLEY: Petition of 98 citizens of Gray's Harbor, of 1,037 citizens of Port Gamble and Port Ludlow, Wash., and of 198 mill-owners, loggers, and others, citizens of Oregon and Washington Territory, against any disturbance of the existing tariff on lumber—to the Committee on Ways and Means.

By Mr. MANSUR: Petition of 150 citizens of the Second district of Missouri, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. MILLIKEN: Petition of Alonzo Snow and others, for the improvement of Bagaduce River, in Hancock County, Maine—to the Committee on Rivers and Harbors.

By Mr. MOFFITT: Petition of H. T. Cowen and others, to establish a system of telegraphy—to the Committee on the Post-Office and Post-Roads.

Also, petition of L. Solomon and others, for repeal of the law limiting pension-arrears act—to the Committee on Invalid Pensions.

By Mr. MORGAN: Papers in the claim of John D. Baum; of Michael F. Woods; of Mrs. Angeline Floyd; of John G. Campbell, and of E. P. Ward, of Mississippi—to the Committee on War Claims.

By Mr. MORSE: Petition of Paint and Oil Club of New England for the enactment of such legislation as will relieve those who sell pure alcohol only from the burden of a special license tax—to the Committee on Ways and Means.

By Mr. NELSON: Petition and supporting affidavits for the improvement of Big Stone Lake, Minnesota—to the Committee on Rivers and Harbors.

By Mr. O'DONNELL: Petition of 113 citizens of Eaton Rapids, Mich., for increase of pension of Israel C. Wells—to the Committee on Invalid Pensions.

By Mr. PERRY: Petition of J. E. Hoffman and others, for an appropriation to continue the improvement of the Congaree River, South Carolina—to the Committee on Rivers and Harbors.

By Mr. REED: Petition of David D. Spear, M. D., and other citizens of Maine, for the improvement of the Hawasukett River—to the Committee on Rivers and Harbors.

By Mr. RICHARDSON: Petition of Martin Enlers; of administrator of Susan Burt, of Bedford County, and of executor of A. M. Stovall, and of administrator of Samuel Warren, of Franklin County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. SENEY: Memorial of Cleveland Vessel-Owners' Association for legislation to secure better protection to navigation—to the Committee on Commerce.

By Mr. SHAW: Petition of Hazlett F. Owens, for a pension—to the Committee on Invalid Pensions.

Also, petition of Marine Engineers' Association, No. 32, of Baltimore, Md., for relief—to the Committee on Claims.

By Mr. SHIVELY: Petition of Joseph S. Lewis, a soldier of the Seminole war—to the Committee on Invalid Pensions.

By Mr. SPRINGER: Petition and papers of John Dale, claiming to be elected a Delegate to the Fiftieth Congress—to the Committee on the Territories.

Also, petition of O. G. Chase, claiming to be elected a Delegate to the Fiftieth Congress—to the Committee on the Territories.

By Mr. STOCKDALE: Petition of Washington Weir, executor of Levi B. Field, and of the heirs of Cyrus Marsh, of Adams County, and of Joseph R. Aumock, heir of Sophia Aumock, of Amite County, Mississippi, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. STONE, of Kentucky: Papers in the claim of Daniel T. Hedges and others—to the Committee on Claims.

By Mr. WADE: Petition of Martin Epperson, for a special-act pension—to the Committee on Invalid Pensions.

Also, petition of John T. Wasson, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, petition of ex-soldiers, for equalization of bounties—to the Committee on Invalid Pensions.

By Mr. WHEELER: Petition of William S. Legg, of Limestone County; of John Lawler, of Madison County; of J. P. Bynum, administrator of Robert Bynum, of Jackson County; of J. A. Patterson, of Colbert County, and of A. J. Shelton, of Lawrence County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WILLIAMS: Petition of 13 veteran soldiers of Miami County, Ohio, asking for amendments to pension laws—to the Committee on Invalid Pensions.

By Mr. YARDLEY: Petition of Samuel F. Engle, of Montgomery County, Pennsylvania, for the abolition of the tax on tobacco, and the removal of the bail bond or the reduction of the same—to the Committee on Ways and Means.

By Mr. YOST: Memorial of citizens of Wythe County, Virginia, protesting against the reduction of duty on coal or coke, and asking a hearing before the committee—to the Committee on Ways and Means.

Also, papers in the claim of Zachariah F. Colbreath; of John Engleman; of Jacob Stover; of William T. Fauber; of W. D. Hemp; of Peter Elinger; of Jacob B. Carwell, and of Michael Carwell, of Virginia—to the Committee on War Claims.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. ATKINSON: Of citizens of Spence Hill, of Sarah and Aitch, and of Scotland, Pa.

By Mr. J. E. CAMPBELL: Of citizens of Brazier, Clermont County, Ohio.

By Mr. CARUTH: Of citizens of Prospect, Ky.

By Mr. ERMENTROUT: Of Samuel Hartz and others, of Berks County, Pennsylvania.

By Mr. McCULLOGH: Of citizens of Boyle, Westmoreland County, Pennsylvania.

By Mr. MANSUR: Of 55 citizens of Missouri.

By Mr. ROWLAND: Of citizens of Gibraltar, N. C.

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## SENATE.

THURSDAY, *January* 26, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 13th instant, a report from the Lieutenant-General of the Army, relative to the removal of the garrison from Fort Canby, in Washington Territory; which, with the accompanying papers, was ordered to lie on the table and be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of 128 citizens of the District of Columbia, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. VANCE presented a petition of 78 citizens of the District of Columbia, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. FARWELL presented a petition of the Chicago (Ill.) Board of Trade, praying for retaliatory legislation against France and Germany for excluding American meat; which was referred to the Committee on Foreign Relations.

Mr. SHERMAN. I present a petition of members of the Society of Friends, assembled in conference at Richmond, Ind., in favor of peace arbitration with Great Britain. This is a highly respectable body of men, whose principles lead them to advocate this policy perhaps more strongly than any other portion of the people of the United States, and as such their petition is entitled to respectful consideration. I move that the petition be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. SHERMAN presented a petition of members of the faculty of Otterbein University, at Westerville, Ohio, and a petition of members of the faculty of Denison University, at Granville, Ohio, praying for the passage of an international copyright law; which were referred to the Committee on Patents.

He also presented a petition of 48 citizens of Ohio, praying for the passage of the bill for the extirpation of contagious pleuro-pneumonia; which was referred to the Committee on Agriculture and Forestry.

Mr. STOCKBRIDGE presented a petition of 80 citizens of the Second Congressional district, a petition of 92 citizens of the Ninth Congressional district, and a petition of 50 citizens of the Third Congressional district of the State of Michigan, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. QUAY presented a petition of the faculty of Franklin and Marshall College, in Pennsylvania, praying for the passage of an international copyright law; which was referred to the Committee on Patents.

He also presented a petition of 130 citizens of the Twenty-seventh Congressional district of Pennsylvania, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a memorial of citizens of the Nineteenth Congressional district of Pennsylvania, and a memorial of citizens of the Sixth Congressional district of Pennsylvania, remonstrating against the admission of Utah as a State with polygamy; which was referred to the Committee on Territories.

Mr. SPOONER presented a petition of 20 residents of the Sixth Congressional district of Wisconsin, and a petition of 245 citizens of Wisconsin, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented a memorial of 3,700 adult male residents of the District of Columbia, remonstrating against the enactment of a law prohibiting the manufacture and sale of spirituous and fermented liquors in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. HALE presented the petition of George B. Page, and 134 other citizens of the Fourth Congressional district of Maine, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. ALLISON presented a petition of 134 citizens of the Second and Third Congressional districts of Iowa, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. TURPIE presented a petition of ex-soldiers, sailors, and marines, praying for the passage of a law to increase the pension for the disability of total deafness; which was ordered to lie on the table.

Mr. CAMERON presented the petition of Chief Engineer James W. King, United States Navy, praying to be restored to the rank on the retired-list which he formerly held while on the active-list; which was referred to the Committee on Naval Affairs.

Mr. BLODGETT presented a memorial of 136 railroad conductors on the Pennsylvania Railroad, remonstrating against the passage of a bill for licensing railroad conductors; which was referred to the Committee on Interstate Commerce.

Mr. CULLOM presented a petition of 125 citizens of the Fifth, Tenth, and Twelfth Congressional districts of Illinois, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented resolutions adopted by the board of directors of the Chicago (Ill.) Board of Trade, urging the enactment of retaliatory legislation against foreign Governments which prohibit the exportation of American salted pork to their countries; which were referred to the Committee on Foreign Relations.

Mr. COKE presented a petition of members of the faculty of the Agricultural and Mechanical College of Texas, at College Station, Tex., praying for the speedy enactment of an international copyright law for the better security of literary property; which was referred to the Committee on Patents.

Mr. PLUMB presented a petition of 108 citizens of the Third and Fourth Congressional districts of Kansas, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented the petition of D. H. Mitchell, of Kansas, praying to be reimbursed for certain supplies furnished by him to the Government during the years 1868 and 1869; which was referred to the Committee on Claims.

Mr. EVARTS presented a petition of the faculty of Rensselaer Polytechnic Institute, of Troy, N. Y., praying for the speedy enactment of an international copyright law; which was referred to the Committee on Patents.

Mr. FRYE presented the petition of William Dé W. Hyde and other members of the faculty of Bowdoin College, at Brunswick, Me., praying for the speedy enactment of an international copyright law; which was referred to the Committee on Patents.

Mr. DANIEL presented three petitions of citizens of Virginia, praying for the passage of the bill for the extirpation of pleuro-pneumonia; which were referred to the Committee on Agriculture and Forestry.

He also presented three petitions of citizens of Virginia, praying that fourth-class postmasters may be allowed increased compensation; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of citizens of the District of Columbia, praying for the submission to the people of that District of the question of the prohibition of the manufacture and sale of intoxicating liquors therein; which was referred to the Committee on the District of Columbia.

He also presented a petition of 214 citizens of the District of Columbia, a petition of 82 citizens of the District of Columbia, and a petition of 370 citizens of the District of Columbia, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. HOAR presented the petition of the Chamber of Commerce of the city of Boston, Mass., praying for an international conference in regard to the adoption of measures to provide greater security for life at sea; which was referred to the Committee on Foreign Relations.

### REPORTS OF COMMITTEES.

Mr. ALLISON. I am instructed by the Committee on Appropriations, to whom was referred the bill (H. R. 4881) making an appropriation to carry into effect the provisions of an act approved March 2, 1887, entitled "An act to establish agricultural experimental stations in connection with the colleges established in the several States under the provisions of the act approved July 2, 1862, and of the acts supplementary thereto," to report it with an amendment.

I ask unanimous consent that after the completion of the morning business the bill may be taken up.

The PRESIDENT *pro tempore*. The Senator from Iowa asks unanimous consent that the bill reported by him be taken up immediately after the conclusion of the morning business. Is there objection?

Mr. EDMUNDS. Let that be suspended for a few minutes.

Mr. BLAIR. I did not understand the observation of the Senator from Vermont.

Mr. EDMUNDS. I asked that the matter of unanimous consent about the agricultural bill be suspended for a few moments until I can look at it, as it has just been reported.

Mr. ALLISON. Very well.

Mr. EDMUNDS subsequently said: Referring to House bill 4881, making appropriations for the agricultural college establishments, I have examined it and have no objection to make, myself, to the request of the Senator from Iowa [Mr. ALLISON].

Mr. BLAIR. I have no objection to the consideration of the bill if it can be acted upon without debate. I will reserve the right to object if it leads to discussion, as I gave notice that I would move to take up the educational bill at the conclusion of the morning business, and I am desirous to have the day to complete my remarks on the subject.

Mr. TELLER. Is it in order to introduce a bill?

The PRESIDENT *pro tempore*. That order has not yet been reached. Reports of committees are in order.

Mr. SPOONER, from the Committee on Claims, to whom was referred the bill (S. 1024) for the relief of John A. Fairfax, asked to be discharged from its further consideration, and that it be referred to the Committee on Claims; which was agreed to.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 475) for the relief of the estate of Thomas L. Price, deceased, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1473) to authorize the Chicago, Kansas and Western Railway Company to build its road across the Fort Hays military reservation, reported it without amendment, and submitted a report thereon.

Mr. DAVIS, from the Committee on Military Affairs, to whom was referred the bill (S. 1295) for the relief of soldiers and sailors who enlisted or served under assumed names, while minors or otherwise, in the Army or Navy during the war of the rebellion, reported it with amendments.

Mr. DAWES. A bill from the House of Representatives, concerning civil jurisdiction of the courts of the United States in the Indian Territory, has been referred to the Committee on the Judiciary. I report from the Committee on Indian Affairs a resolution of the board of directors of the Commercial Exchange of Kansas City, Mo., praying that the jurisdiction of the civil laws of the United States be extended over the Indian Territory, and ask that the committee be discharged from its further consideration, and that it be referred to the Committee on the Judiciary.

The report was agreed to.

Mr. HALE, from the Committee on Naval Affairs, to whom was referred the bill (S. 1273) for the relief of Wilbur F. Cogswell, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. RANSOM. I am instructed by the Committee on Commerce to report back the bill (S. 1283) making an appropriation for the erection of a light-house on or near Diamond Shoal, off Cape Hatteras, North Carolina, with a recommendation that it pass. A report accompanies the bill, which I will submit as soon as it is copied, and at a very early day I shall ask the Senate to take up the bill.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. JONES, of Arkansas, from the Committee on Claims, to whom was referred the bill (S. 313) for the relief of R. R. Tinsley, reported it without amendment, and submitted a report thereon.

Mr. GORMAN, from the Committee on Commerce, to whom was referred the bill (S. 1091) to establish a light-ship off False Cape, seacoast of Virginia, reported it without amendment, and submitted a report thereon.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a bill (H. R. 2131) for the relief of Joseph Cox, administrator of Charles Pasters, deceased; in which it requested the concurrence of the Senate.

### BILLS INTRODUCED.

Mr. TELLER introduced a bill (S. 1667) granting a pension to John Hill; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BERRY introduced a bill (S. 1668) for the relief of A. M. Woodruff; which was read twice by its title, and referred to the Committee on Claims.

Mr. WALTHALL introduced a bill (S. 1669) authorizing the Mississippi and Louisiana Bridge and Railroad Company of Natchez, Miss., to construct a bridge over the Mississippi River at or near Natchez, Miss.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. GIBSON introduced a bill (S. 1670) for the relief of the Union National Bank of Louisiana; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 1671) for the relief of Martin Kenofsky; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1672) for the relief of Mrs. Eliza E. Hebert; which was read twice by its title, and referred to the Committee on Claims.

Mr. BROWN introduced a bill (S. 1673) for the relief of Morgan Rawls; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. McPHERSON (by request) introduced a bill (S. 1674) to authorize the reduction of United States bonds and of the circulation of the national banks; which was read twice by its title, and referred to the Committee on Finance.

Mr. TURPIE introduced a bill (S. 1675) authorizing and directing the Secretary of War to purchase certain real estate lying opposite the depot of the quartermaster's department at Jeffersonville, Ind., and to have erected thereon two buildings to be occupied by the military storekeepers on duty at said depot, the cost of said grounds and buildings not to exceed $25,000; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. STEWART introduced a bill (S. 1676) for the relief of Andrew J. Barnes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. SHERMAN introduced a bill (S. 1677) for the relief of the heirs at law of Charles K. Smith, jr.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1678) granting a pension to Mrs. Margaret Pickering-Copeland; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PLUMB introduced a bill (S. 1679) making a donation to the Kansas Veteran Association of two condemned brass cannon and two hundred stand of small-arms and equipments; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1680) authorizing the Secretary of War to deliver to the Plainville Post, No. 298, of the Grand Army of the Republic at Plainville, Kans., six condemned brass cannon for monumental purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1681) to amend section 461 of the Revised Statutes of the United States, regulating fees for exemplification of land patents, and for other purposes; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Lands.

He also introduced a bill (S. 1682) for the relief of Meyer B. Haas; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 1683) granting a pension to Mrs. Jane Flynn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1684) granting a pension to Robert Noble; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1685) granting a pension to Mrs. Betsy C. Green; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MANDERSON introduced a bill (S. 1686) for the relief of George S. Fisher; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Foreign Relations.

He also introduced a bill (S. 1687) to restore J. Rock Williamson to the pension-roll; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 1688) to regulate commerce carried on by telegraph; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. HISCOCK introduced a bill (S. 1689) amending section 4414 of the Revised Statutes of the United States, fixing the compensation of inspectors of hulls and boilers in the several districts of the United States; which was read twice by its title, and referred to the Committee on Commerce.

Mr. QUAY introduced a bill (S. 1690) for the removal of the charge of desertion from the military record of John Donnelly; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CAMERON introduced a bill (S. 1691) to equalize the rank and pay of certain staff officers of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. HARRIS introduced a bill (S. 1692) for the relief of Mosby & Hunt, of Memphis, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

Mr. VEST introduced a bill (S. 1693) granting a pension to Isaac Smith; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1694) for the relief of John L. Cunningham; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1695) granting a pension to Elizabeth W. Adair; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1696) for the relief of Lewis I. Cundiff; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 1697) to grant the right of way through the Indian Territory to the St. Louis and San Francisco Railway Company for the purpose of constructing a railway, and for other purposes; which was read twice by its title.

Mr. COCKRELL. I move that the bill be referred to the Committee on Indian Affairs, and I hope they will report it very soon.

The motion was agreed to.

Mr. GORMAN introduced a bill (S. 1698) for the relief of the legal representatives of Lieut. Francis Ware, deceased, of the Revolutionary war; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Revolutionary Claims.

He also introduced a bill (S. 1699) authorizing the Secretary of the Treasury to issue bonds to Albert V. Conway, substituted trustee, for certain registered United States bonds redeemed or assigned by the Government upon forged assignments; which was read twice by its title, and referred to the Committee on Finance.

Mr. HAWLEY introduced a bill (S. 1700) authorizing the Librarian of Congress to purchase "Townsend's Library of National, State, and Individual Records, comprising a collection of historical records concerning the origin, progress, and consequences of the late civil war;" which was read twice by its title, and referred to the Committee on the Library.

Mr. WILSON, of Iowa, introduced a bill (S. 1701) authorizing the construction of a high wagon-bridge across the Missouri River at or near Sioux City, Iowa; which was read twice by its title, and referred to the Committee on Commerce.

Mr. ALLISON introduced a bill (S. 1702) granting a pension to Joanna W. Turner; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DANIEL introduced a bill (S. 1703) for the relief of Reuben Ragland; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. EVARTS introduced a bill (S. 1704) to increase and grant arrears of pension to George H. Lawrence; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. RIDDLEBERGER introduced a bill (S. 1705) to provide for continuing the grading and paving of the approaches to the national cemetery near Danville, Va.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. EVARTS introduced a bill (S. 1706) for the relief of Charles Gallagher, of New York; which was read twice by its title, and referred to the Committee on Claims.

Mr. DOLPH introduced a bill (S. 1707) to provide for the issue of patents to certain persons for donation claims under the act approved September 27, 1850, commonly known as the "donation law;" which was read twice by its title, and referred to the Committee on Public Lands.

Mr. TELLER introduced a joint resolution (S. R. 43) providing for the printing of decisions of the Department of the Interior regarding public lands and pensions, for sale; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Printing.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. GIBSON, it was

*Ordered*, That the papers in the matter of the claim of the Union National Bank of Louisiana be taken from the files of the Senate and referred to the Committee on Claims, no adverse report having been made on the same.

On motion of Mr. GIBSON, it was

*Ordered*, That all the depositions, proofs, documents, and papers of every kind filed by W. W. Handlin, of New Orleans, relating to his claim against the Government of Nicaragua, with the Senate Committee to Inquire into all Claims of Citizens of the United States against the Government of Nicaragua, and now in possession of the Senate, may be withdrawn by Mr. W. W. Handlin upon his filing his receipt therefor.

JOSEPH COX.

The PRESIDENT *pro tempore*. Are there further concurrent or other resolutions?

Mr. VOORHEES. I do not rise to offer a resolution under that order of business, but there is a bill here from the other House, for the relief of the administrator of a soldier who has been sued upon an account, which I should be glad to have taken up, with the consent of the Senate,

and acted upon at this time, if that be in order. It is a bill for the relief of Joseph Cox, administrator of Charles Pasters, deceased, and is now lying on the desk. It is recommended by the Pension Bureau, and there is an urgency in the matter.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a bill from the House of Representatives.

The bill (H. R. 2131) for the relief of Joseph Cox, administrator of Charles Pasters, deceased, was read twice by its title.

Mr. VOORHEES. I ask that the bill be put upon its passage.

The PRESIDENT *pro tempore*. The Senator from Indiana asks that the Senate now proceed to the consideration of the bill. Is there objection to its present consideration?

Mr. VOORHEES. I will explain it. Pasters was a pensioner entitled to some four hundred and odd dollars, and the certificate was sent to Indianapolis for its payment. Before he received the money he died, and it went into the hands of his administrator, who expended the sum in his necessary funeral expenses; but having no way to settle that, he has been sued in the United States court. This bill is to acquit him of liability, he having honorably expended this money which was due this man who died before he got it himself. That is the explanation, and on that I think the bill ought to pass.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. BLAIR. I reserve the right to object if it leads to debate.

Mr. VOORHEES. Yes; of course, if it leads to trouble it may go over.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Whereas Charles Pasters, of Randolph County, Indiana, was, on the 12th day of January, A. D. 1881, granted a pension, for which a certificate was then and there duly issued to him; that there was due said Pasters on said certificate the sum of $183.73; that a voucher for said sum was duly executed by said Pasters, in his lifetime, and returned to the proper United States pension agent at Indianapolis, Ind.; and

Whereas said Pasters, on the 25th day of January, A. D. 1881, and before he received the check for said sum, died, leaving no widow or child surviving him; and

Whereas afterwards, to wit, on the 31st day of January, A. D. 1881, the United States pension agent aforesaid issued a check for the sum aforesaid payable to said Pasters; and

Whereas said check was delivered to Joseph Cox, who was the duly appointed administrator of said Pasters, as a part of his (said Pasters's) estate; and

Whereas the said Cox, as such administrator, under the direction of the circuit court of said Randolph County, applied, in good faith, the proceeds of said check, to wit, the sum aforesaid, to the payment of the funeral expenses and other indebtedness of said Pasters; and

Whereas the United States has brought suit against the said Joseph Cox to recover the sum aforesaid: Therefore,

*Be it enacted, etc.*, That said Joseph Cox be, and he is hereby, fully acquitted and discharged from all liability to the United States on account of the collection of the check aforesaid, or the appropriation thereof, or of its proceeds, or of the sum of the $183.73 so allowed said Charles Pasters, deceased, as aforesaid.

Mr. DAWES. I should like to have the Senator explain what was illegal in that transaction. I did not catch it.

Mr. VOORHEES. There was nothing illegal, but the money, instead of passing into the hands of the pensioner, passed into the hands of his administrator, the pensioner having died before it reached him.

Mr. DAWES. How does the United States have a claim on him under those circumstances?

Mr. VOORHEES. I do not know. I know they have sued the administrator, and I know that this measure will stop the suit and end the trouble.

Mr. HOAR. I can answer my colleague's question.

Mr. VOORHEES. I should be very glad if the Senator would.

Mr. HOAR. Precisely that case occurred in our State. The Pension Office held—I suppose correctly; I have not investigated it—that one of its checks payable to the soldier does not pass to the executor or administrator or legal representative. A case arose a year ago in Norfolk County, Massachusetts, in which the administrator collected several thousand dollars and paid it all out for the expenses of the last sickness and the debts of the soldier, the intestate. Then he was called and had to pay the money back to the Government, and he is here now with a bill to be reimbursed that money from the Treasury. He satisfied himself that he could not defend against the claim of the United States. I have not myself examined the foundation of that opinion, but I suppose it is correct.

Mr. VOORHEES. That is satisfactory.

Mr. DAWES. My query was why the check did not belong to the administrator.

Mr. COCKRELL. In due course of law it should.

Mr. VOORHEES. I think we have heard a very satisfactory statement.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

ORDER OF BUSINESS.

Mr. ALLISON and Mr. BLAIR addressed the Chair.

The PRESIDENT *pro tempore*. The Senator from New Hampshire.

Mr. ALLISON. I was going to ask to take up the bill I reported.

The PRESIDENT *pro tempore*. The Chair recognized the Senator from New Hamphire.

Mr. ALLISON. So I observed.

Mr. BLAIR. I give way for the purpose of the consideration of the Senator's bill if it does not lead to debate.

Mr. QUAY. I ask leave to present a petition.

The PRESIDENT *pro tempore*. Morning business is not yet concluded. The Chair will receive the petition.

PENSIONS FOR DEAFNESS.

Mr. QUAY. I present a petition adopted by ex-soldiers, sailors, and marines at the headquarters of the Silent Army of Deaf Soldiers, Sailors, and Marines, Indianapolis, Ind., praying for the passage of Senate bill No. 509, authorizing an increase of pensions in certain cases. In this connection I move that the Senate proceed to the consideration of the bill to which the petition refers.

The PRESIDENT *pro tempore*. Before submitting the motion the Chair will receive other morning business, if there be any. [A pause.] If there be no further morning business that order is closed.

Mr. ALLISON. I ask to take up——

The PRESIDENT *pro tempore*. The Senator from Pennsylvania has been recognized.

Mr. ALLISON. I beg pardon; I do not wish to interfere with the Senator from Pennsylvania.

The PRESIDENT *pro tempore*. The Senator from Pennsylvania moves to proceed to the consideration of the bill (S. 509) authorizing an increase in pensions in certain cases.

Mr. QUAY. I will withdraw the motion for the purpose of enabling the Senator from Iowa to take up his bill, with the understanding that this bill shall take precedence after that bill has gone through.

The PRESIDENT *pro tempore*. The Chair can not recognize any understanding between Senators. If the Senator from Pennsylvania withdraws his motion the Senator from Iowa is recognized.

Mr. ALLISON. I move, then, to proceed to the consideration of House bill 4881.

Mr. BLAIR. Before the Senator proceeds, as there seems to be such a general desire to consider bills on the Calendar during the morning hour, I, perhaps, ought not to press the motion which I have suggested against what seems to be the general will of Senators, and I will waive it until the school bill has its right in regular order.

The PRESIDENT *pro tempore*. The Senator from Iowa moves that the Senate proceed to the consideration of the agricultural-experiment-stations bill.

Mr. SAULSBURY. I object. The bill was reported this morning, and Senators ought to have an opportunity to consider it before it is called up for final action.

The PRESIDENT *pro tempore*. The Senator from Delaware objects, and the bill goes over, under the rule.

Mr. COCKRELL. The Calendar.

Mr. QUAY. I renew my motion.

Mr. ALLISON. Then I ask that the bill be printed with the amendment.

The PRESIDENT *pro tempore*. That order will be made.

Mr. QUAY. I move to proceed to the consideration of Senate bill 509.

The PRESIDENT *pro tempore*. The Senator from Pennsylvania moves that the Senate proceed to the consideration of the bill (S. 509) authorizing an increase in pensions in certain cases.

Mr. QUAY. That is a bill which is recommended, and which was recommended formerly, by the Commissioner of Pensions.

Mr. COCKRELL. We can not hear a word on this side.

The PRESIDENT *pro tempore*. Business will be suspended until order is restored in the Chamber.

Mr. QUAY. I was saying simply that this bill was one which sometime ago was recommended by the Commissioner of Pensions, I think three years ago, and it has been again recommended in his recent report for the past year. Its effect is simply to increase the pensions of those totally deaf from $13 per month to $30 per month. It provides further that in case of partial deafness the Commissioner of Pensions shall have absolute discretion in rating the amount of the pension. The Committee on Pensions reported the bill unanimously.

The Senator from Missouri [Mr. COCKRELL] certainly understands the disability which total deafness produces. If the Senator from Missouri were stricken to-day with it, he would be utterly disqualified for his duties in the Senate, of which he is so valuable a member, and there is not an officer of the Senate, from page to President, who could discharge his duty. The Senator from Missouri would not employ a clerk so totally disabled in his law office; no merchant and no business man would employ a book-keeper or salesman so disabled; and no employer of manual labor, other matters being equal, would employ a deaf workman.

The bill, it seems to me, is just and fair, and, having received the indorsement of the Department and the unanimous indorsement of the committee, it ought to pass.

Mr. COCKRELL. What is the present rate?

Mr. QUAY. The present rate is $13 per month. The increase is $17 per month. The number of those affected by the increase for total deafness is 275. What the increase of expense to the Treasury will be,

owing to the rating for partial deafness, I am not able to say; but it is fair to expect that the Commissioner of Pensions, who has behaved wisely and liberally in his office, will discharge his duty properly in establishing the rate, and that the entire expense for partial deafness will not exceed that for total. I would say that the entire increased expense to the Treasury can not probably exceed $100,000 a year.

Mr. COCKRELL. Then I understand the bill simply changes——

The PRESIDENT *pro tempore*. One moment. The Senate has not yet decided to proceed to the consideration of the bill. The question is on agreeing to the motion of the Senator from Pennsylvania to proceed to the consideration of the bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes that hereafter all persons on the pension-rolls of the United States, or who may hereafter be thereon, drawing pensions on account of loss of hearing, shall be entitled to receive, in lieu of the amount now paid in case of such disability, the sum of $30, in cases of total deafness, and such proportion thereof in cases of partial deafness as the Secretary of the Interior may deem equitable; the amount paid to be determined by the degree of disability existing in each case.

Mr. COCKRELL. This changes the existing law so as to allow a rating from $30 down—$30 for total disability, and then down according to the degree of disability, whereas under the existing law the rating is from $13 down.

Mr. QUAY. Yes, sir; the rate is fixed absolutely at $30 for total deafness, and it is left within the discretion of the Commissioner of Pensions as to partial deafness.

The PRESIDENT *pro tempore*. The bill will be read at length.

The Chief Clerk read the bill.

Mr. COCKRELL. Let the report be read.

The PRESIDENT *pro tempore*. The report will be read.

The Secretary read the report submitted by Mr. QUAY January 17, 1888, as follows:

The Committee an Pensions, to whom was referred Senate bill 509, beg leave to report the same with a favorable recommendation, and in this connection would call attention to the fact that the increase authorized by this bill was recommended by the Commissioner of Pensions in his reports for 1885, 1886, and 1887. In his report for the latter year he uses the following language:

"I desire to renew my recommendations made in my reports for 1885 and 1886 as to additional legislation in behalf of those who are afflicted with deafness from the service. The present rate is not commensurate with the degree of disability resulting, and I respectfully recommend that a total of $30 per month for total deafness (with intermediate grades, to be determined according to the degree of disability) be fixed by law. The number of applicants under this provision is and would be very small, and the amount to be disbursed inconsiderable."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. HAWLEY. If the bill relates only to cases of deafness, I suggest that the title be changed to indicate that. If it refers only to deafness, the title should show it.

Mr. QUAY. There is no objection to an amendment of the title.

The title was amended so as to read: "A bill authorizing an increase of pensions in cases of deafness."

ORDER OF BUSINESS.

Mr. HOAR. I move that the Senate proceed to the consideration of Calendar No. 44, being the bill (S. 495) for the relief of Albert H. Emery. I desire to state that this bill has passed the Senate half a dozen times, and passed both branches at the last session, but reached the President too late for his examination.

The PRESIDENT *pro tempore*. The Senator from Massachusetts moves that the Senate proceed to the consideration of the bill named by him.

Mr. PLUMB. Is the amount named in this bill the amount agreed on by the two Houses?

Mr. HOAR. Yes, sir.

Mr. COCKRELL. I hope the Senator will let us take up the Calendar. We shall soon reach that case.

Mr. HOAR. The Senator from Kansas put me a question which I answered inadvertently, according to the best of my belief. I would rather investigate carefully before I give that answer as final. I will let it remain for a moment.

Mr. COCKRELL. Let us have the Calendar in regular order.

The PRESIDENT *pro tempore*. The first bill on the Calendar will be stated.

Mr. TELLER. Are these bills called up subject to objection?

The PRESIDENT *pro tempore*. They will be subject to objection.

Mr. TELLER. There are a number of them that will lead to extensive debate, and it does not seem worth while to call them up.

Mr. COCKRELL. They can be objected to.

The PRESIDENT *pro tempore*. The Calendar of general orders will be in order until 2 o'clock, each bill being subject to objection, and each Senator being entitled to speak for five minutes and only once on each bill.

Mr. SHERMAN. I will ask to take up a bill that was considered here and laid over at the suggestion of the Senator from Kansas [Mr. PLUMB], to offer an amendment. It came up in due order, and is standing on the Calendar.

Mr. COCKRELL. Let us have the Calendar in order.

Mr. SHERMAN. This is a bill partly finished, and we may not reach it. I hope the Senator will not object, because it is a bill which if passed at all ought to be passed promptly.

Mr. COCKRELL. What is the title of it?

Mr. SHERMAN. It is Order of Business 27, being the bill (S. 1029) to amend an act to restrict the ownership of real estate in the Territories to American citizens, etc., approved March 3, 1887. There is no controversy about it.

Mr. COCKRELL. There are a hundred bills on the Calendar about which there is no controversy.

Mr. SHERMAN. I move that the Senate proceed to the consideration of that bill.

Mr. COCKRELL. That will almost necessarily lead to discussion.

The PRESIDENT *pro tempore*. The Senator from Ohio moves that the Senate proceed to the consideration of the bill (S. 1029) to amend an act to restrict the ownership of real estate in the Territories to American citizens, etc., approved March 3, 1887. If there be objection——

Mr. COCKRELL. I object, and call for the Calendar. Let us have the regular order. That bill will be reached in a short time.

Mr. SHERMAN. I will let the Calendar run along, but I want this bill acted on this morning. Perhaps we may reach it. I withdraw the motion.

The PRESIDENT *pro tempore*. The first bill on the Calendar will be stated.

PORTLAND COLLECTION DISTRICT LIMITS.

The bill (S. 24) to extend the limits of the port of Portland as a port of entry was announced as first in order on the Calendar, and the Senate, as in Committee of the Whole, proceeded to consider it.

Mr. MANDERSON. I desire to ask the Senator from Oregon whether the points named in this bill were named in the act of 1880 and excluded under the option permitted by the act to the Secretary of the Treasury.

Mr. DOLPH. This simply extends the port of entry across the river, which is only a quarter or a third of a mile, so as to allow steamers to load and unload at the railroad wharves.

Mr. MANDERSON. Then it is not to extend the privilege of transportation to these points?

Mr. DOLPH. Nothing of that kind. It is only to extend the limits of the port so that vessels may unload on the other side of the river where the railroad is.

Mr. COCKRELL. There is no occasion for the second section of the bill. I move to strike it out.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out section 2, as follows:

SEC. 2. That this act shall take effect from and after the date of its passage.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PORTS IN WASHINGTON TERRITORY.

The bill (S. 25) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, 1880, was considered as in Committee of the Whole. It proposes to extend the privileges of the seventh section of the act approved June 10, 1880, to the ports of Seattle and Tacoma, Wash.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PORT OF DELIVERY AT PORT ANGELES.

The bill (S. 28) to create a port of delivery at Port Angeles, in the district of Puget Sound, Washington Territory, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LAND SALES IN CALIFORNIA.

The bill (S. 418) granting to the State of California 5 per cent. of the net proceeds of the cash sales of public lands in said State was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDENT *pro tempore*. The question is on agreeing to the preamble.

The preamble was agreed to.

CALIFORNIA SCHOOL LANDS.

The bill (S. 419) to enable the State of California to take lands in lieu of the sixteenth and thirty-sixth sections found to be mineral lands was announced as next in order.

Mr. EDMUNDS. I should like that bill to go over. I want to look at it. I remember we had the subject up once before.

The PRESIDENT *pro tempore*. The bill will go over under objection.

W. H. TIBBITS.

The bill (S. 190) for the relief of W. H. Tibbits, was considered as in Committee of the Whole.

The preamble recites that it appears from the records of the General

Land Office that W. H. Tibbits did in good faith, on the 4th of January, 1872, make homestead entry of the northeast quarter of section 21, township 9 north, range 11 east, in the State of Nebraska, and resided thereon for the full period of time required by existing statutes, and improved and cultivated the same; and that the land was patented to the Burlington and Missouri River Railroad at a time subsequent to the homestead entry, and sold by the company to other parties. The bill therefore authorizes Tibbits, or his legal representatives, to locate 160 acres of any of the public lands, subject to private entry at $1.25 per acre, of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDENT *pro tempore*. The question is on agreeing to the preamble.

The preamble was agreed to.

CLAIMS OF MISSOURI.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 473) to authorize the Secretary of the Treasury to cause to be examined certain vouchers filed, or to be filed, by the State of Missouri, or her agent or agents, for sums claimed to be due from the Government of the United States on account of payments made by said State since April 22, 1882, to the officers and enlisted men of her militia forces for military services rendered to the United States in the suppression of the rebellion, as evidenced by the proper pay-rolls heretofore filed with, examined, and accepted by the Government of the United States, and to report to Congress.

Mr. EDMUNDS. Was there any report in that case?

Mr. COCKRELL. A full report embracing the whole case.

Mr. EDMUNDS. I should like to hear the report read.

The PRESIDENT *pro tempore*. The report will be read.

The Secretary read the following report submitted by Mr. COCKRELL, December 20, 1887:

The Committee on Military Affairs, to whom was referred Senate bill 473, have duly considered the same, and submit the following report:

A bill precisely similar to the present one was favorably reported by this committee and passed by the Forty-eighth and Forty-ninth Congresses and was favorably reported in the House of Representatives, but no final action was taken in either Congress.

During the late war the State of Missouri paid, laid out, and expended large sums of money for the United States in enrolling, equipping, and provisioning militia forces to aid in suppressing the rebellion.

On April 17, 1866, Congress passed an act entitled "An act to reimburse the State of Missouri for moneys expended for the United States in enrolling, equipping, and provisioning militia forces to aid in suppressing the rebellion," approved April 17, 1866.

Under said act the United States reimbursed and paid to the State of Missouri the sum of $7,220,827.33, and received and had filed in the Treasury Department the pay-rolls and vouchers showing the expenditures and their payment, in whole or in part, by said State. At the time this reimbursement was made there were large sums due from State, incurred and assumed by said State, but not then actually paid by the State, and consequently not reimbursed. Afterwards said State paid the greater part of said sum, and Congress passed an act entitled "An act to authorize the Secretary of the Treasury to examine the evidence of payments made by the State of Missouri since April 17, 1866, to the officers and privates of the militia forces of said State for military services actually performed in the suppression of the rebellion, in full concert and co-operation with the authorities of the United States, and subject to their orders, and to make report thereof to Congress," approved January 27, 1879.

Under this act the Secretary of the Treasury made the examination and reported to Congress April 24, 1882 (Executive Document No. 134, House of Representatives, Forty-seventh Congress, first session), recommending the payment to the State of Missouri of the sum of $234,594.10 on the fourth installment, as a reimbursement to said State of expenditures so made. And said sum was duly appropriated and paid to said State.

The rolls and vouchers filed by said State, and now in the Treasury Department, show that there still remained some amounts due from and incurred by said State which had not been paid by said State at the date of the last adjustment by the Treasury Department, on April 22, 1882, and which were consequently not reimbursed to said State.

On March 22, 1883, the General Assembly of the State of Missouri passed an act entitled "An act to provide for the payment of certain claims against this State for military service rendered during the late civil war, as shown by the pay-rolls delivered to the General Government by the Stevenson commission in January, 1867, and for the collection of any money thus expended from the Government of the United States, and to appropriate money therefor," approved March 22, 1883. Under this law any person holding a claim against the State of Missouri for military service during the late war, which claim appears on the "record of unpaid claims" in the office of the adjutant-general of Missouri, "as well as on the pay-rolls of Missouri military organizations, now on file in the Treasury Department of the United States," and which claim has not been paid by the State or audited by the State military commission created under authority of the law of March 19, 1874, was authorized to file the same in the office of the adjutant-general of the State within nine months from the date of said act, and if not so presented to be forever barred. The nine months have elapsed, and all such claims have been presented or are now barred.

In adjusting such claims the adjutant-general of Missouri was required "to apply to the Third Auditor of the Treasury Department of the United States for a statement of the exact amount, if anything, shown by the pay-rolls on file in said Department to be due to said claimant after deducting all proper payments and stoppages appearing on said rolls or the records of said Department," before auditing or allowing any such claim.

The adjutant-general of Missouri has audited the claims so presented, and the State now seeks reimbursement of the amounts so audited and paid. This bill directs the Secretary of the Treasury to examine such claims for such payments by the State since April 22, 1882, and to report the result of such examination to Congress for its further action.

In the last Congress the Committee on Military Affairs received from the Treasury Department the following communications upon said similar bill:

"TREASURY DEPARTMENT, *January* 23, 1884.

"SIR: I have the honor to acknowledge the receipt of your letter of the 12th instant, inclosing for consideration copy of bill (S. 940) 'to authorize the Secretary of the Treasury to cause to be examined certain vouchers filed, or to be filed, by the State of Missouri, or her agent or agents, for sums claimed to be due from the Government of the United States on account of payments made by said State since April 22, 1882, to the officers and enlisted men of her militia forces for military services rendered to the United States in the suppression of the rebellion, as evidenced by the proper pay-rolls heretofore filed with, examined, and accepted by the Government of the United States, and to report to Congress.'

"In reply I inclose herewith copy of a report in the matter, dated the 19th instant, from the Second Comptroller of the Treasury, to whom your letter, with its inclosure, has been referred.

"Very respectfully,

"H. F. FRENCH, *Acting Secretary.*

"Hon. F. M. COCKRELL,
*"United States Senate.*

"SECOND COMPTROLLER'S OFFICE, TREASURY DEPARTMENT,
*"Washington, D. C., January* 19, 1884.

"SIR: In compliance with your direction of the 15th instant, I have the honor to report in relation to Senate bill 940, herewith inclosed, that the act of April 17, 1866 (14 Stat., p. 38), created a commission to examine and report upon claims of the State of Missouri similar to the claims mentioned in the inclosed Senate bill.

"The committee reported, claims embraced in the report were audited and payment made, and the act was held to be no longer operative.

"An act was passed January 27, 1879 (20 Stat., 266), authorizing the presentation of similar claims paid by the State of Missouri subsequent to April 17, 1866, directly to the Treasury Department, and claims thus presented have been audited and payment made, in pursuance of a report of the Third Auditor and Second Comptroller, which was transmitted to the Secretary of the Treasury on April 22, 1882; and it is the opinion of the accounting officers that there is now no authority for payment of claims which the State may have assumed and paid subsequent to the transmission of that report, namely, April 22, 1882.

"No reason is seen why the inclosed bill, No. 940, is not in proper form to authorize payment of all claims therein mentioned which have been paid by the State since the date last mentioned.

"Of course the word 'of,' in line 12, should be omitted.

"The papers referred are herewith returned.

"Very respectfully,

"W. W. UPTON, *Comptroller.*

"Hon. CHARLES J. FOLGER,
*"Secretary of the Treasury."*

Upon the foregoing facts your committee report said bill back to the Senate and recommend that it be passed.

Mr. EDMUNDS. I am a little afraid of the last phrase in that bill. Let the latter clause be read, showing what the Secretary of the Treasury is to do; I think it is to report to Congress certain amounts. If the Secretary will read it, I should like to move an amendment.

The PRESIDENT *pro tempore*. The clause will be read.

The Secretary read as follows:

And to report to Congress, at the earliest practicable day, the result of such examination, and the amount, if anything, which appears to be due to said State on account of the expenditures so made.

Mr. EDMUNDS. I move to amend by inserting after the word "State"—I think that is the proper place—the words "according to the laws of the United States," so that the investigation shall be confined to what all the other States have been paid, that class of expense which Congress authorized the States to incur. I presume there will be no objection to the amendment. The bill very likely means that now, but I want to make it clear.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Vermont will be read.

The SECRETARY. In line 19, after the word "State," it is proposed to insert "according to the laws of the United States;" so as to read:

And to report to Congress, at the earliest practicable day, the result of such examination, and the amount, if anything, which appears to be due to said State, according to the laws of the United States, on account of the expenditures so made.

Mr. COCKRELL. There is no objection to that. This bill is in the form of three others which have been already passed by the Senate.

Mr. EDMUNDS. I presume it would bear the same construction, but I want to make it sure.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDENT *pro tempore*. The question is on agreeing to the preamble.

The preamble was agreed to.

CLASSIFICATION AND VALUATION OF FOREIGN MERCHANDISE.

The bill (S. 977) to regulate the importation of foreign merchandise and to secure uniformity in the classification and valuation thereof, and for other purposes, was announced as next in order.

Mr. BECK. That is too important a bill to be taken up now.

The PRESIDENT *pro tempore*. Shall the bill retain its place on the Calendar?

Mr. BECK. That is the undervaluation bill, which will perhaps take some days. Let it take its place on the Calendar.

Mr. PLUMB. Why not take it up now and have it disposed of? If it is an important bill, why should it go over to the latter part of the session?

Mr. BECK. I do not want it to go over to the latter part of the session; but every member of the Finance Committee knows it will take days of discussion.

Mr. PLUMB. Why not have the discussion now?

Mr. SHERMAN. I think it ought to be taken up after notice.

Mr. ALLISON. I think the bill will require longer discussion than can be had under the five-minute rule. I hope it will be passed over for the present. I desire to give notice now, however, that at an early day I shall ask the Senate to consider the bill.

The PRESIDENT *pro tempore*. The Senator from Kentucky objects to the consideration of this bill.

Mr. BUTLER. There are many bills on the Calendar that we can get through without objection. I trust this bill will go over, as it will lead to discussion.

The PRESIDENT *pro tempore*. The bill goes over, retaining its place on the Calendar.

SETTLERS ON DES MOINES RIVER LANDS.

The bill (S. 287) to quiet title of settlers on the Des Moines River lands, in the State of Iowa, and for other purposes, was announced as next in order.

Mr. SHERMAN. I take it, although I have no objection to the passage of the bill, that, as a matter of course, it will not be acted on now.

Mr. EVARTS. I object.

Mr. WILSON, of Iowa. I hope the Senator from New York will not object to allowing the bill to retain its place on the Calendar, being passed over informally now.

Mr. EVARTS. I have no objection to that.

The PRESIDENT *pro tempore*. The bill will be passed over, retaining its place on the Calendar.

MARY S. LOGAN.

The bill (S. 257) granting a pension to Mary S. Logan was considered as in Committee of the Whole. It provides for placing on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mary S. Logan, widow of the late John A. Logan, a major-general of United States volunteers in the late war for the Union, and paying her a pension for and during her natural life at the rate of $2,000 per annum.

Mr. BERRY. Mr. President, when a bill similar to this was before the Senate in January last I briefly stated that while I had no hope of defeating its passage, I was opposed to it. I opposed it then, I oppose it now, because I believe that any bill which seeks to give the widow of a major-general $2,000 a year while the widow of a private soldier receives but $12 per month is wrong in principle. I believe that any legislation which selects the widows of two or three major-generals and provides for them a pension of $2,000 a year, while the widows of other major-generals, equally deserving and more destitute, receive but $30 per month, is unjust and can not be defended.

It has long been the boast of our people that in this Republic all are free and equal, that the Government recognizes no classes and enacts no class legislation. All parties have frequently declared that they favored equal and exact justice to all and special privileges to none. Yet it is proposed by this bill, reported favorably by the Committee on Pensions, to pay Mrs. Logan $2,000 a year as a pension, while the widow of a private soldier who fell in battle, leaving his family helpless and dependent, receives $144 a year.

It is true, Mr. President, that there is a vast difference in the amount paid a major-general and a private soldier while they are in the military service, but this distinction and difference is defended and justified upon the theory that it is necessary to pay a large salary in order to secure the ablest men and best military talent that the country affords. But no such reason can be urged to justify a distinction in the amount paid as a pension to the widows of the officer and soldier. Pensions are not given on account of talent or distinguished services rendered. Pensions are not graded, or ought not to be, by the rank of the soldier. They are given for the purpose of preventing the soldier who is disabled in battle, or his widow in case of his death in the service, from suffering for the necessaries of life.

It has frequently been said by those who advocate pensions that there is an implied contract, an implied promise upon the part of the Government at the time of enlistment that in case the soldier should suffer permanent injury or fall in battle that he or his widow, as the case may be, shall not become dependent upon public charity. And it has also been urged that it was not only the duty of the Government to protect and provide for them, but that it was good policy and economy to do so; and the reason given is that if the Government refused to do this that in future wars it would be impossible to obtain a volunteer soldiery, and the Government would be compelled to resort to force or pay large bounties to procure an army.

If these are the true reasons why pensions are given, then, if any difference is made in amount paid, the private soldier or his widow should be preferred rather than the officer. No Government will ever have any difficulty in procuring major-generals or brigadier-generals, or, judging from the number we meet, even colonels. The difficulty is to procure privates. And if the pension is given to prevent the widow from becoming dependent upon the public, then again the widow of the private soldier should be preferred for the reason that the major-general, with his large pay and superior advantages and opportunities, is often enabled in his lifetime to provide and leave for the support of his widow and children a competent estate, while the private soldier, upon whom the chief hardships fall, with his pay of $13 or $15 per month, in almost every instance, necessarily leaves his widow wholly dependent upon the pension given by the Government.

As I view it, Mr. President, there should be no difference; the widow of the officer and private soldier are alike entitled to the protection of the Government, not one more than the other, and in giving pensions there should be equality and each receive the same amount. But if I am wrong in this position, if it can be successfully contended, as I have heard it argued, that the widow of the officer has been accustomed to comforts and luxuries to which the widow of the private soldier is a stranger, and that each should be supported by the Government in a style befitting the rank held by the husband, then, I would ask, upon what theory of right or principle of justice the committee selects the widow of General Logan and gives her a pension of $2,000 a year, while the widows of other major-generals receive under the law, as I am informed, $30 per month?

Even if pensions were graded by the rank of the soldier or the quality of service rendered, it can not be truthfully said that the services of General Logan were so far superior to that of other major-generals as to justify this difference in amount. No one wishes, at least I am sure that I do not, to underrate the services of General Logan, but it seems to me that it is unfair to the widows of other major-generals and gross injustice to the reputation of other officers to select one or two and prefer them to all others.

The PRESIDENT *pro tempore*. The Senator's time has expired under the rule.

Mr. CULLOM. I hope the Senator will be allowed what time he desires.

The PRESIDENT *pro tempore*. Is there objection to the Senator from Arkansas proceeding? The Chair hears no objection.

Mr. BERRY. But it was said by the Senator from Illinois when the former bill was presented that the granting of a pension to Mrs. Hancock was a precedent for this and a case precisely in point. It is not directly in point, because General Hancock was in the military service at the time of his death, and General Logan had severed his connection with the Army more than twenty years before he died; but waiving this difference, for I admit there is no difference in principle if General Logan's death was the result of exposure and wounds received in the Army, and admitting that it is a precedent for this, then I say it is a bad precedent and one that should not be followed. Much evil legislation has been secured by following precedents, often made without due deliberation or full knowledge of the facts, and they are frequently claimed as precedents when the facts and circumstances are totally different. In the deficiency bill which passed yesterday there was a clause giving the widows of the late Senators Pike and Logan a full year's salary, $5,000 each. What right has Congress to give the widow of a Senator $5,000 more than the widow of any one else?

I remember reading at the time it was proposed to give Mrs. Lincoln a pension it was objected that it would be wrong as a precedent, but the objection was answered by saying that the circumstances were peculiar, and that it could not be used to induce Congress to grant other pensions; that the President lost his life in time of war, and that as Commander-in-Chief the circumstances were the same as though he had fallen in battle. Yet, but a few years had passed, and it was used as a precedent, and to-day Mrs. Tyler, Mrs. Polk, Mrs. Garfield, and Mrs. Grant are each drawing a pension of $5,000 per year. It is said that Mrs. Hancock's case is a precedent for this, and if this bill becomes a law I presume that in a short time the widow of every major-general will be allowed a pension of $2,000 a year. In fact, I can not see how any Senator who favors this bill can oppose making the law general.

Mr. President, one of the great dangers, as I regard it, which confront us in the future is the building up of classes, creating a class, a favored class, who toil not, but are supported in luxury and idleness by the toil and constant labor of another class. We have already laid the foundation for a civil pension-list by passing laws which authorize judges of the United States courts to draw their salaries after they have ceased to perform the duties. The line that marks the distinction between the office-holder and the people is growing broader, deeper, and more distinct. There is a continual cry for larger salaries and greater privileges, and every man who objects or protests is denounced as narrow and illiberal.

Tax laws which force from the people an amount of money largely in excess of the sum required for an economical administration of public affairs encourage and furnish an excuse for almost every species of extravagance and reckless expenditure. All of this extravagance and this favoring of one class above another is in direct contradiction to that simplicity and that equality which characterized the Republic in the earlier days and which made it strong in the love and affection of the people, and already it is plain to be seen that the confidence of the great mass of the people is greatly diminishing and there is a great want of faith in the power and disposition of public officials to be just to all and to secure to each citizen equal rights and equal privileges.

This tendency to extravagance and the disposition to discriminate in favor of particular individuals has been especially noticeable in the matter of pensions. Year by year and Congress by Congress the pension-list has grown, and now, twenty-three years after the close of the war, the sum to be annually appropriated has reached about $80,000,000, and the end is not yet. It would seem that almost every man who was either directly or remotely connected with the Army is seeking to get his name upon the pension-roll, and those who are already receiving a pension are in many instances seeking to increase the amount.

Senators are almost daily receiving petitions and letters from individuals, and resolutions from Grand Army posts, all seeking to swell

the appropriation for pensions. Upon a former occasion I said that I believed that it was bad policy to make so large a body of men dependent upon the Government, rather than depend upon their own energy, their own labor, and skill; that it was demoralizing to those who received the pension, discouraging to their less fortunate neighbors, and contrary to the genius and spirit of free government.

But great as I conceive the evils that flow from this to be, they are small in comparison to those which will follow if we make it the settled policy of this Government to allow the widows of military officers a sum so much in excess of that which is paid to the widow of the private soldier, as this bill proposes to give Mrs. Logan. The injustice to the widow of the private soldier is so great and the policy so different from that professed by all parties, that I can not believe that it will be approved, when fully understood, either by those who were soldiers in the Union Army or by the people of the United States.

Mr. President, I wish to repeat that which I said upon the passage of the bill in the last Congress—that no prejudice against the character of General Logan, or want of appreciation of the services rendered by him, caused me to oppose this bill. No one could have been associated with General Logan without admiring the open, frank, bold, and fearless manner with which he met and discussed all public questions. He was the most distinguished of the volunteer soldiers; he was preeminently the champion and friend of the soldier, and the ablest advocate that they ever had on this floor. Mrs. Logan, his widow, for whose benefit this bill is offered, is admired and honored by all parties and the people of every section of the Union. Few ladies are better known and none more respected; but all this does not change the principle involved in the bill, and I do not believe that General Logan in his lifetime wished for legislation that would secure to his widow rights or privileges that were not given to the widows of other officers, his comrades in arms.

Mr STEWART. Mr. President, no patriotic man would withhold from any widow of a soldier who served in the war for the Union a pension equal to that now proposed for the widow of General Logan, if it were possible to grant that much to all. But it is impossible to reward all as we desire. That is no reason, however, why we may not honor the memory of a few conspicuous examples of the generals who led our armies.

I do not believe there is a widow of a soldier in all the land who would not rejoice to know that the widow of John A. Logan had been remembered by the country he so faithfully served. He was justly the idol of the volunteer soldiers; he was identified with them from the beginning of the war until the day of his death, and never on any occasion, in the halls of Congress or elsewhere, failed to serve them as a gallant leader and a devoted friend. He had no superior among the many brave and gallant volunteers who exposed their lives for the Union.

In recognizing his gallant and faithful services to his country by providing for his widow, we manifest our appreciation and respect for every Union soldier. There is not one of them who would not rejoice at the passage of this bill. They recognize the fact that what we are about to do for Mrs. Logan is impossible to do for all, and they are willing that the conspicuous services of any of their comrades shall be justly rewarded.

It is right that there should be reward and honor in store for those who excel in the service of their country. Conspicuous examples must be recognized to furnish the youth models for emulation. They must be taught that the country is not unmindful of the heroes who have conferred honor upon her flag.

The lives and conduct of our great men are most potential examples for the generations to come. What would this country be without Washington, Lincoln, and Grant? What would have been the condition of free institutions to-day but for the services of such soldiers as Logan? We will recognize that fact and do honor to his memory, and furnish an example to the soldiers who shall hereafter be called upon to fight the battles of the Union, of our appreciation of heroic services.

Nobody will be aggrieved by the passage of this bill. The Senator from Arkansas will certainly be personally gratified, although he feels compelled to vote against the bill. I, for one, am especially pleased to have this opportunity to manifest by my vote the respect which I entertain for the memory of General Logan, and hope, on further reflection, the Senate will be unanimously in favor of the bill.

Mr. HOAR. I wish, Mr. President, simply to say in a single sentence or two that I think the Senator from Arkansas overlooks the principle upon which this bill is based. It is true that so far as personal merit goes the same bravery, the same self-devotion, the same patriotism existed in the bosom of many a private soldier as existed in the bosom of the greatest general; and if mere desert were the test we ought to pay the same rate of compensation during the service, we ought to erect the same monuments, utter the same eulogies, have the same statues in public squares and other public places in our chief cities for the soldier as for the general; but it is utterly impossible, as has been said by the Senator from Nevada, to do that.

But it is the interest as much of the private soldier and of those who are concerned in his fame, that these conspicuous public honors should be paid to the military leader in his lifetime and after his death, and that these ample and generous provisions should be made for his widow and orphan children after his death, as it is of the great military chieftain himself.

It has been said that the secret of Napoleon's success as a general was that he persuaded every French soldier that he carried the baton of a marshal in his knapsack; and unquestionably there is nothing more inspiring to the courage and zeal of the private soldier than to feel that by merit he may be promoted to the chief places of military command, and that when so promoted he will occupy the chief place in the gratitude and the affection of his countrymen.

When you confer this pension for life on the widow of this illustrious soldier, the tones of whose voice we seem almost even now to hear in this Capitol, and whose form almost rises before our eyes, it has been so identified for a generation with the civil and military life of this people—when you pay that honor, you are paying an honor to the widow of every private soldier in the land. It is not John A. Logan; it is not the wife of John A. Logan, it is the possibility of the private soldier of this country which you are holding up to public honor and respect.

Many a citizen of the United States is entitled, if mere devotion and public spirit and public benefit are alone concerned, to equal compensation from the Treasury to that which we pay to the President of the United States; but in establishing the salary of that great office, in providing a pension for the President's widow, we mean that this, the most conspicuous position in American civic life, shall be adorned appropriately, that it may be a proper object of attraction and ambition and pride to every citizen of the Republic. There is not a boy in a red school-house on the hills of Vermont, or on a plantation in the State of my friend from Arkansas, who does not feel a greater self-respect when he thinks that the possibility of attaining to the illustrious position of President of the United States as under our form of Government is his; and he likes to contemplate the dignity of the office and the munificence of the salary which the American people attach to it. That is still more true of the relation of the private soldier to a general of the Army.

I believe, Mr. President, that if the policy which is now under discussion, of making a liberal provision for the widows of men like Grant, and McPherson, and Thomas, and Logan, and Hancock, and erecting their statues in conspicuous places in our chief cities were submitted to a vote, the widows and the orphans of the private soldier would be more unanimous in the expression of their approbation than the widows and the orphans of the men belonging to the class who are themselves directly honored.

Mr. DAVIS. Mr. President, I wish in the first place to ask that the question may be taken on the amendment reported and that it be rejected. The amendment to the name in the body of the bill and the amendment to change the title were reported under mistaken information. They only change the middle letter of Mrs. Logan's name.

I had not intended to speak upon this measure. I had not supposed that a measure which had commended itself to the last Senate, which had received the approval of the country and the enthusiastic indorsement of that large body of men of whom General Logan was the type, would require any advocacy from me at this time; and it is with extreme regret that I have heard the objections which have been urged to the passage of this bill by the Senator from Arkansas.

In all time, Mr. President, great nations like this have delighted in honoring their transcendent citizens who, like General Logan, have illustrated in many capacities the virtues of the institutions under which they were reared.

I hold in my hand a precedent established by the Congress of the United States which induces me to call the attention of the Senate to the remarkable parallel between two men. One of these men was General Logan, the other was General James Shields. Both had served in the Mexican war; each had been a member of this body; each had rendered distinguished service in the war of the rebellion; each bore down to his grave honorable wounds received in the service of his country. Mrs. Shields was pensioned by the Congress of the United States at the rate of $100 a month, and I do not recollect that any objection was made that she was getting a larger pension than she would have received had she been the widow of a private soldier.

I know of no finer example to the American youth than is afforded by the career of the late General Logan. Commencing a life of comparative obscurity, thrown early into the turbulence of politics, extricating himself from political embarrassments which seemed in the beginning to hamper his efforts to give his entire duty and devotion to the Union, joining the Army in a capacity comparatively subordinate, going from battle to battle until there is inscribed opposite his name a roll of combats prouder than any which adorns the name of any marshal of Napoleon, running a career which if he had run it in foreign lands would have ennobled him and entailed that nobility upon his descendants to the remotest generation, falling with his armor on, almost, in the Senate—his career illustrates in the highest degree the heights to which the American youth in their noblest aspirations may reach. I say I know of no finer example in our history than is afforded by the achievements of General Logan.

But this claim, in addition to its basis upon the transcendent services of this extraordinary man, rests upon other grounds fully displayed in his record.

General Logan, as much as the private who died in the hospital tent, laid down his life for his country and died of wounds and disabilities which he received in its service. The evidence of that fact is plenary

from the most distinguished medical authorities who served during the war, and who are known to have attended him during his last sickness and who had knowledge of his infirmities from the time when he left the service.

I speak with some competency on this matter, for I myself saw General Logan during the siege of Vicksburg upon his bed of sickness.

I hope there will be no opposition to the bill.

Mr. REAGAN. Mr. President, as I shall not vote for this bill, I desire to state in a very few words my reasons for the vote I shall cast.

I agree that in the case of General Logan, as in the case of men who have rendered similar service, I am always glad of an opportunity to honor those who have served their country well and faithfully, and to honor their memories when they are no more among us; but we should be careful in doing this not to violate great fundamental principles and endanger the very character of our Government.

The founders of the Government prohibited to Congress the power to grant titles of nobility, and prevented the States from conferring titles of nobility. This rests on the idea that there should be no class in this country preferred above others, and that all should stand alike and be equal before the law; that the public servant, when employed in the discharge of his public duty, should receive the compensation provided for him by law, and that at the end of his service he should be treated as other citizens are.

We have fallen into the habit in later years of creating what seems to me to be the basis of an American aristocracy. We commenced after three-quarters of a century had rolled by since the foundation of the Government to retire the judiciary on pay for life after they had arrived at seventy years of age and had been ten years in service. We then provided for retiring the military officers on pay and for retiring naval officers on pay, and within the last year or two there have been here and in the other House more than a dozen bills providing for retiring on life pay various classes of employés—I need not stop to enumerate them. All this tends to the creation of a privileged class to be supported by the labor and the taxes imposed on other people. All of it is anomalous and not in consonance with our system of government, but is in accord with the system of Great Britain and the other countries where the province of the Government is to create privileged classes by conferring on them titles and revenues derived from the labor of others and not from their own proper resources.

I submit these remarks now because I shall perhaps not have occasion to speak on this question again, and I hope I shall not have occasion to vote upon it. I can vote for no bill which allows any person to receive pay from the Government without rendering service for it. I say this with all proper respect to the memory of General Logan, and with all proper respect for his very excellent wife. I have not voted for any such measure heretofore, and do not expect to do so hereafter. I have opposed all efforts to enlarge the numbers of the privileged class supported out of the public treasury and on the taxes and labor of other people when they are contributing nothing themselves to the support of the Government.

The very classes that we select for these bounties and benefits from the Government are generally those who least need them. We do not seem to select the poor, the helpless, the dependent. If the Government is to go into charity, why select the favored classes, who least need it?

I repeat, that it is un-American; it is not in accord with our system of Government, with the spirit of our institutions, to create a privileged class to be supported off the labor and off the taxes of other people.

I state this briefly as the reason I shall vote against this bill and all other bills of similar character.

The PRESIDENT *pro tempore*. The hour of 2 o'clock having arrived, the Senate resumes the consideration of the unfinished business.

Mr. CULLOM. I think there will be no further discussion on the Logan bill, and I hope we shall have a vote upon it.

Mr. BLAIR. Let the unfinished business be temporarily laid aside for the purpose of a vote.

The PRESIDENT *pro tempore*. If there be no objection, the unfinished business will be temporarily laid aside; and the amendment to the pending bill reported by the Committee on Pensions will be stated.

The CHIEF CLERK. In line 6 it is proposed to strike out the letter "S" and insert "A," so as to read "Mary A. Logan."

The PRESIDENT *pro tempore*. Did the Chair understand the chairman of the committee to say that the amendment should not be agreed to?

Mr. DAVIS. Yes, sir. It was based on a misapprehension. The name in the original bill is correct.

Mr. CULLOM. Yes, it is.

The amendment was rejected.

Mr. BERRY. I ask for the yeas and nays on the passage of the bill.

Mr. CALL. Mr. President, I shall vote for this bill and take very great pleasure in doing so, and I desire to put upon record the reasons why I shall vote for it.

If my friend, the Senator from Texas, could make good the objection which he has stated, I should vote against it. If there is any ground for the assertion that to reward distinguished merit is un-American and creates a privileged class, then, however much I might be in favor of rewarding distinguished merit, I should vote against the bill. But there is no ground in reason for these objections. There never was and there never will be and never ought to be a Government in which merit, eminent virtue, and public services from the people and in the poorest class was not rewarded; and there can be no society in which rewards are not given to virtue, in which the people in their representative capacity say to the faithful public servant, "Obscurity, neglect, suffering shall come to your wife and children if you give your life and your best efforts for the public good."

Sir, it is a principle of public policy which the people of a free republic cherish and should cherish more than those of a monarchy, that the humblest citizen who gives his life or renders great public benefaction shall be rewarded with public honors from the state and from the people in their collective capacity.

I recognize in General Logan a man of this description. I recognize in the public opinion of the Northern States that he served gallantly and with great merit an obligation to respect that public opinion, and I for one shall vote a pension to his widow. I shall regret to see the time when the public policy shall be to punish virtue, to say to all men, "You must stand on a dead level in respect to your desire to render public service; virtue, and self-sacrifice, and noble actions shall have no reward, no encouragement, no public recognition."

Several SENATORS. Vote! Vote!

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, and read the third time.

The PRESIDENT *pro tempore*. The question now is on the passage of the bill. The Chair understood the Senator from Arkansas [Mr. BERRY] to desire that the yeas and nays be entered on the Journal.

Mr. BERRY. Yes, sir; I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. JONES, of Arkansas (when his name was called). I am paired with the Senator from Oregon [Mr. MITCHELL]. As I presume if he were present he would vote on the same side of the question as I should, I vote "yea."

Mr. MANDERSON (when his name was called). I transfer the general pair that I have with the Senator from Kentucky [Mr. BLACKBURN] to the Senator from Rhode Island [Mr. ALDRICH], and vote "yea."

The roll-call having been concluded, the result was announced—yeas 55, nays 7; as follows:

YEAS—55.

| | | | |
|---|---|---|---|
| Allison, | Dolph, | Hoar, | Quay, |
| Bate, | Eustis, | Ingalls, | Ransom, |
| Blair, | Evarts, | Jones of Arkansas, | Sabin, |
| Blodgett, | Farwell, | Jones of Nevada, | Sherman, |
| Bowen, | Faulkner, | Kenna, | Spooner, |
| Brown, | Frye, | McPherson, | Stanford, |
| Butler, | George, | Manderson, | Stewart, |
| Call, | Gibson, | Morgan, | Stockbridge, |
| Cameron, | Gorman, | Paddock, | Teller, |
| Chandler, | Hale, | Palmer, | Vest, |
| Cullom, | Hampton, | Payne, | Voorhees, |
| Daniel, | Hawley, | Platt, | Walthall, |
| Davis, | Hearst, | Plumb, | Wilson of Iowa, |
| Dawes, | Hiscock, | Pugh, | |

NAYS—7.

| | | | |
|---|---|---|---|
| Berry, | Colquitt, | Reagan, | Vance. |
| Coke, | Harris, | Saulsbury, | |

ABSENT—14.

| | | | |
|---|---|---|---|
| Aldrich, | Cockrell, | Morrill, | Sawyer, |
| Beck, | Edmunds, | Pasco, | Turpie, |
| Blackburn, | Gray, | Riddleberger, | Wilson of Md. |
| Chace, | Mitchell, | | |

So the bill was passed.

The amendment to the title reported by the Committee on Pensions to change the name "Mary S. Logan" to "Mary A. Logan" was rejected.

MRS. APOLLINE A. BLAIR.

The PRESIDENT *pro tempore*. The Senate resumes the consideration of the unfinished business.

Mr. VEST. I ask unanimous consent now to take up the next bill on the Calendar, which was reported in connection with the bill just passed.

Mr. CULLOM. I hope that request will be granted. It will not take any time.

Mr. VEST. It will not give rise to any debate. It is a bill to place the widow of General Frank P. Blair on the same basis with the widow of General Logan.

Mr. SHERMAN and others. That is right.

The PRESIDENT *pro tempore*. The Senator from Missouri asks unanimous consent that the Senate proceed to the consideration of the bill referred to by him.

Mr. BLAIR. I suppose the request is that the pending business be temporarily laid aside?

The PRESIDENT *pro tempore*. The Senator from Missouri asks unanimous consent.

Mr. BLAIR. I object to unanimous consent. If the Senator will make the request to lay the unfinished business aside temporarily, I shall not object.

Mr. VEST. I do not wish to displace the regular business. I simply want the two bills to go to the House together.

Mr. SHERMAN. That is right.

Mr. BLAIR. But the Senator's request is that the pending business be laid aside.

The PRESIDENT *pro tempore*. The Senator from Missouri asks unanimous consent that the Senate now proceed to the consideration of the bill (S. 574) to increase the pension of Mrs. Apolline A. Blair.

Mr. BLAIR. With the understanding that it does not displace the unfinished business and will not lead to debate, I shall not object.

Mr. VEST. That is my understanding. I ask that the bill the Senator has in charge be temporarily laid aside until Mrs. Blair's bill can be acted on.

The PRESIDENT *pro tempore*. If there be no objection, the bill (S. 574) to increase the pension of Mrs. Apolline A. Blair is before the Senate as in Committee of the Whole, and will be read at length.

The bill was read. It provides that hereafter Apolline A. Blair, widow of the late Francis P. Blair, jr., a major-general of the United States volunteers in the late war for the Union, shall be paid, for and during her natural life, a pension of $2,000 per annum, in lieu of the pension of $50 per month now paid to her.

The bill was reported to the Senate without amendment.

Mr. BERRY. I recognize the fact that it is useless to ask for a division. I wish to state, however, that the same objections which I had to the other bill I have to this, and I shall vote "no" on its passage.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. EVARTS. I ask that the yeas and nays be called on the passage of the bill. ["No!" "No!"] I desire them.

The PRESIDENT *pro tempore*. On the question of the passage of the bill the Senator from New York desires that the yeas and nays may be entered in the Journal. Are they desired by one-fifth of the Senators present?

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. JONES, of Arkansas (when his name was called). I am paired with the Senator from Oregon [Mr. MITCHELL], but with the positive understanding that he would vote "yea," if present, on this bill, I vote "yea."

The roll-call was concluded.

Mr. MANDERSON. I announce a pair between the Senator from Kentucky [Mr. BLACKBURN] and the Senator from Rhode Island [Mr. ALDRICH].

The result was announced—yeas 54, nays 6; as follows:

YEAS—54.

| | | | |
|---|---|---|---|
| Allison, | Dolph, | Ingalls, | Sabin, |
| Bate, | Eustis, | Jones of Arkansas, | Sawyer, |
| Blair, | Evarts, | Kenna, | Sherman, |
| Blodgett, | Farwell, | McPherson, | Spooner, |
| Bowen, | Faulkner, | Manderson, | Stanford, |
| Brown, | Frye, | Morgan, | Stewart |
| Butler, | George, | Paddock, | Stockbridge, |
| Call, | Gibson, | Palmer, | Teller, |
| Cameron, | Gorman, | Payne, | Vest, |
| Chace, | Hampton | Platt, | Voorhees, |
| Chandler, | Hawley, | Plumb, | Walthall, |
| Cullom, | Hearst, | Pugh, | Wilson of Iowa. |
| Daniel, | Hiscock, | Quay, | |
| Dawes, | Hoar, | Ransom, | |

NAYS—6.

| | | | |
|---|---|---|---|
| Berry, | Colquitt, | Reagan, | Vance. |
| Coke, | Harris, | | |

ABSENT—16.

| | | | |
|---|---|---|---|
| Aldrich, | Davis, | Jones of Nevada, | Riddleberger, |
| Beck, | Edmunds, | Mitchell, | Saulsbury, |
| Blackburn, | Gray, | Morrill, | Turpie, |
| Cockrell, | Hale, | Pasco, | Wilson of Md. |

So the bill was passed.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker *pro tempore* had signed the enrolled bill (S. 290) to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Mississippi River, at or near Burlington, Iowa; and it was thereupon signed by the President *pro tempore*.

LIGHT-HOUSE AT DIAMOND SHOAL, NORTH CAROLINA.

Mr. RANSOM. I reported this morning, from the Committee on Commerce, the bill (S. 1283) making an appropriation for the erection of a light-house on or near Diamond Shoal, off Cape Hatteras, North Carolina, and had permission to submit a written report. I now submit the report, to accompany the bill.

The PRESIDENT *pro tempore*. The report will be received and printed, under the rule.

AID TO COMMON SCHOOLS.

The Senate, as in Committee of the Whole, resumed consideration of the bill (S. 371) to aid in the establishment and temporary support of common schools, the pending question being on the amendment proposed by Mr. PLUMB to strike out section 2 and in lieu thereof to insert:

SEC. 2. That such money shall annually be divided among and paid out in the several States and Territories and in the District of Columbia in proportion to their population, respectively, according to the census of 1880: *Provided*, That all of said money remaining undistributed at the date of the publication of the returns of population as shown by the census of 1890 shall be divided as aforesaid in proportion to the population according to said census of 1890.

Mr. BLAIR. Mr. President, before proceeding further with the introduction of evidence in this case, the duty to which I propose to address myself to-day as I did the last time I had the honor to address the Senate, I wish to answer a question which was propounded by the Senator from Massachusetts not now in the Chamber [Mr. HOAR] touching the relative taxation borne by the city of Charleston and the city of Boston, general taxation and special taxation for the maintenance of schools.

I find by the returns of 1880, the latest authority I have, that the direct school tax on property in Boston is 2.54 mills on the dollar, while the rate of taxation in the city of Charleston for the same purpose was at the same time 3 mills on the dollar. Turning now to general taxation for all purposes, the rate of taxation in the city of Boston was $1.24 upon every $100, while the general taxation at the same time in the city of Charleston upon the valuation was $3.10 per $100.

Mr. BUTLER. In that connection I should like to make a little explanation of what I stated here the other day upon that subject. I stated that the taxation, in round numbers, of the city of Charleston for all purposes was about 3 per cent. I observed the next morning in the RECORD I was put down as having said 2 per cent. I simply desire to correct that at this late day. The taxation in Charleston is about 3 per cent. for all purposes, I understand.

Mr. BLAIR. The Senator's statement was substantially the same as that I made. The rate in Charleston is 3.1 per cent., while in the city of Boston the tax is 1½ per cent. for all purposes, while the rate of special taxation for school purposes is also higher in Charleston than in the city of Boston.

I now ask the consent of the Senate to insert some tables for reference as part of my remarks, one being a table containing a computation of the amounts to be received by the various States and Territories and the District of Columbia of the amount specified in this bill, based upon the number of persons who could not write in 1880, as provided in the bill before the Senate. I should like also to introduce a table showing the relative illiteracy, and several others which I will specify to the Reporter.

*Preliminary computation of amounts to be received by the States and Territories, excluding the District of Columbia, of* $77,000,000 *distributed on the basis of the number of persons who could not write in* 1880, *as per Senate bill* 194.

[Prepared by the Bureau of Education, January, 1886, at the request of Hon. H. W. BLAIR.]

| States and Territories. | Total population, census of 1880. | Persons who could not write in 1880. | Quota of each State and Territory for the— | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | Whole time. | First year. | Second year. | Third year. | Fourth year. | Fifth year. | Sixth year. | Seventh year. | Eighth year. |
| | | | *Dollars.* | *Dollars.* | *Dollars.* | *Dollars.* | *Dollars.* | *Dollars.* | *Dollars.* | *Dollars.* | *Dollars.* |
| United States | 50,155,783 | 6,214,180 | 77,000,000.00 | 7,000,000.00 | 10,000,000.00 | 15,000,000.00 | 13,000,000.00 | 11,000,000.00 | 9,000,000.00 | 7,000,000.00 | 5,000,000.00 |
| Alabama | 1,262,505 | 433,447 | 5,370,848.45 | 488,258.95 | 697,512.78 | 1,046,269.14 | 906,766.59 | 767,264.07 | 627,761.49 | 488,258.95 | 348,756.39 |
| Arizona | 40,440 | 5,843 | 72,388.30 | 6,580.75 | 9,401.08 | 14,101.61 | 12,221.40 | 10,341.19 | 8,460.96 | 6,580.73 | 4,700.54 |
| Arkansas | 802,525 | 202,015 | 2,503,170.97 | 227,561.00 | 325,087.14 | 487,630.72 | 423,613.29 | 357,595.86 | 292,578.43 | 227,561.00 | 162,543.57 |
| California | 864,694 | 53,430 | 662,051.95 | 60,186.54 | 85,980.77 | 128,971.25 | 111,775.00 | 94,578.85 | 77,382.69 | 60,186.54 | 42,990.39 |
| Colorado | 194,327 | 10,474 | 129,783.50 | 11,798.50 | 16,855.00 | 25,282.48 | 21,911.45 | 18,540.50 | 15,169.49 | 11,798.50 | 8,427.50 |
| Connecticut | 622,700 | 28,424 | 352,202.22 | 32,018.38 | 45,740.55 | 68,610.83 | 59,462.72 | 50,314.61 | 41,166.49 | 32,018.38 | 22,870.28 |
| Dakota | 135,177 | 4,821 | 59,737.09 | 5,430.64 | 7,758.06 | 11,637.09 | 10,085.48 | 8,533.87 | 6,982.25 | 5,430.64 | 3,879.03 |
| Delaware | 146,608 | 19,414 | 240,559.17 | 21,869.02 | 31,241.45 | 46,862.08 | 40,612.89 | 34,365.60 | 28,117.31 | 21,869.02 | 15,620.73 |
| Florida | 269,493 | 80,183 | 993,548.79 | 90,322.62 | 129,032.31 | 193,548.46 | 167,742.00 | 141,935.54 | 116,129.08 | 90,322.62 | 64,516.16 |
| Georgia | 1,542,180 | 520,416 | 6,448,482.66 | 586,225.70 | 837,465.28 | 1,256,197.92 | 1,088,704.87 | 921,211.81 | 753,718.75 | 586,225.70 | 418,732.64 |
| Idaho | 32,610 | 1,778 | 22,031.23 | 2,002.84 | 2,861.20 | 4,292.24 | 3,719.64 | 3,147.32 | 2,575.44 | 2,002.84 | 1,430.60 |
| Illinois | 3,077,871 | 145,397 | 1,801,616.46 | 163,783.31 | 233,976.16 | 350,964.24 | 304,169.01 | 257,373.78 | 210,578.54 | 163,783.31 | 116,988.08 |
| Indiana | 1,978,301 | 110,761 | 1,372,441.26 | 124,767.39 | 178,239.12 | 267,358.68 | 231,710.86 | 196,063.04 | 160,415.21 | 124,767.39 | 89,119.56 |
| Iowa | 1,624,615 | 46,609 | 577,532.84 | 52,502.99 | 75,004.27 | 112,506.39 | 97,505.54 | 82,504.69 | 67,503.84 | 52,502.99 | 37,502.14 |

*Preliminary computation of amounts to be received by the States and Territories, excluding the District of Columbia, etc.*—Continued.

| States and Territories. | Total population, census of 1880. | Persons who could not write in 1880. | Quota of each State and Territory for the— | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | Whole time. | First year. | Second year. | Third year. | Fourth year. | Fifth year. | Sixth year. | Seventh year. | Eighth year. |
| | | | *Dollars.* | *Dollars.* | *Dollars.* | *Dollars.* | *Dollars.* | *Dollars.* | *Dollars.* | *Dollars.* | *Dollars.* |
| Kansas | 996,096 | 39,476 | 489,147.72 | 44,467.97 | 63,525.68 | 95,288.51 | 82,583.38 | 69,878.25 | 57,173.10 | 44,467.97 | 31,762.84 |
| Kentucky | 1,648,690 | 348,392 | 4,316,930.63 | 392,448.24 | 560,640.34 | 840,960.42 | 728,832.36 | 616,704.38 | 504,576.30 | 392,448.24 | 280,320.16 |
| Louisiana | 939,946 | 318,380 | 3,945,051.48 | 358,641.04 | 512,344.35 | 768,516.52 | 666,047.66 | 563,578.79 | 461,109.91 | 358,641.04 | 256,172.17 |
| Maine | 648,936 | 22,170 | 274,708.81 | 24,973.53 | 35,676.47 | 53,514.79 | 46,379.41 | 39,244.12 | 32,108.82 | 24,973.53 | 17,838.24 |
| Maryland | 934,943 | 134,488 | 1,666,442.88 | 151,494.81 | 216,421.15 | 324,641.73 | 281,357.50 | 238,063.27 | 194,779.04 | 151,494.81 | 108,210.58 |
| Massachusetts | 1,783,085 | 92,980 | 1,152,116.61 | 104,737.87 | 149,625.54 | 214,438.31 | 184,513.20 | 164,588.09 | 134,662.98 | 104,737.87 | 74,812.77 |
| Michigan | 1,636,937 | 63,723 | 789,592.67 | 71,781.15 | 102,544.50 | 153,816.76 | 133,307.86 | 112,798.96 | 92,290.05 | 71,781.15 | 51,272.25 |
| Minnesota | 780,783 | 34,246 | 423,060.02 | 38,914.55 | 55,592.21 | 83,388.31 | 72,269.87 | 61,151.43 | 50,032.99 | 38,914.55 | 27,796.10 |
| Mississippi | 1,131,597 | 373,201 | 4,624,339.33 | 420,394.48 | 600,563.55 | 900,845.43 | 780,732.72 | 660,619.91 | 540,507.19 | 420,394.48 | 300,281.78 |
| Missouri | 2,168,380 | 208,754 | 2,586,674.03 | 235,152.18 | 335,931.65 | 503,897.50 | 436,711.19 | 369,524.86 | 302,338.51 | 235,152.18 | 167,965.85 |
| Montana | 39,159 | 1,707 | 21,151.46 | 1,922.86 | 2,746.95 | 4,120.40 | 3,571.02 | 3,021.64 | 2,472.23 | 1,922.86 | 1,373.47 |
| Nebraska | 452,401 | 11,528 | 142,843.63 | 12,985.78 | 18,551.12 | 27,826.66 | 24,116.46 | 20,406.24 | 16,696.00 | 12,985.78 | 9,275.56 |
| Nevada | 62,266 | 4,069 | 50,419.04 | 4,583.55 | 6,547.93 | 9,821.88 | 8,512.30 | 7,202.72 | 5,893.13 | 4,583.55 | 3,273.96 |
| New Hampshire | 346,991 | 14,302 | 177,216.30 | 16,110.57 | 23,015.11 | 34,522.76 | 29,919.74 | 25,316.62 | 20,730.59 | 16,110.57 | 11,507.55 |
| New Jersey | 1,131,116 | 53,249 | 659,809.18 | 59,982.65 | 85,689.50 | 128,534.26 | 111,296.35 | 94,258.46 | 77,120.55 | 59,982.65 | 42,844.75 |
| New Mexico | 119,565 | 57,156 | 708,220.88 | 64,383.72 | 91,976.78 | 137,965.09 | 119,569.75 | 101,174.41 | 82,779.06 | 64,383.72 | 45,988.37 |
| New York | 5,082,871 | 219,600 | 2,721,066.98 | 247,369.73 | 353,385.32 | 530,077.98 | 459,400.92 | 388,723.86 | 318,046.79 | 247,369.73 | 176,692.66 |
| North Carolina | 1,399,750 | 463,975 | 5,749,121.37 | 522,647.41 | 746,639.14 | 1,119,958.70 | 970,630.88 | 821,303.06 | 671,975.23 | 522,647.41 | 373,319.57 |
| Ohio | 3,198,062 | 131,847 | 1,633,718.21 | 148,519.84 | 212,171.20 | 318,256.78 | 275,822.55 | 233,388.32 | 190,954.07 | 148,519.84 | 106,085.60 |
| Oregon | 174,768 | 7,423 | 91,978.52 | 8,361.68 | 11,945.26 | 17,917.88 | 15,528.84 | 13,139.79 | 10,750.73 | 8,361.68 | 5,972.66 |
| Pennsylvania | 4,282,891 | 228,014 | 2,825,324.98 | 256,847.72 | 366,925.32 | 550,387.98 | 477,002.92 | 403,617.86 | 330,232.75 | 256,847.72 | 183,462.63 |
| Rhode Island | 276,531 | 24,793 | 307,210.44 | 27,928.22 | 39,897.46 | 59,845.19 | 51,866.70 | 43,887.21 | 35,907.71 | 27,928.22 | 19,948.73 |
| South Carolina | 995,577 | 360,848 | 4,592,792.26 | 416,617.48 | 595,167.82 | 892,751.83 | 773,718.27 | 654,684.61 | 535,651.04 | 416,617.48 | 297,583.91 |
| Tennessee | 1,542,359 | 410,729 | 5,089,262.62 | 462,660.24 | 660,943.20 | 991,414.78 | 859,226.15 | 727,037.52 | 594,848.87 | 462,660.24 | 330,471.60 |
| Texas | 1,591,749 | 316,432 | 3,920,913.78 | 356,446.71 | 509,209.58 | 763,814.36 | 661,972.45 | 560,130.54 | 458,288.62 | 356,446.71 | 254,604.79 |
| Utah | 143,963 | 8,826 | 109,363.10 | 9,942.10 | 14,203.00 | 21,304.50 | 18,463.90 | 15,623.30 | 12,782.70 | 9,942.10 | 7,101.50 |
| Vermont | 332,286 | 15,837 | 196,236.51 | 17,839.68 | 25,485.26 | 38,227.89 | 33,130.84 | 28,033.79 | 22,936.73 | 17,839.68 | 12,742.63 |
| Virginia | 1,512,565 | 430,352 | 5,332,498.25 | 484,772.57 | 692,532.24 | 1,038,798.35 | 900,291.91 | 761,785.47 | 623,279.01 | 484,772.57 | 346,266.12 |
| Washington | 75,116 | 3,889 | 48,188.66 | 4,380.79 | 6,258.27 | 9,387.40 | 8,135.75 | 6,884.10 | 4,332.44 | 4,380.79 | 3,129.13 |
| West Virginia | 618,457 | 85,376 | 1,057,895.33 | 96,172.30 | 137,389.00 | 206,083.51 | 178,605.71 | 151,127.91 | 123,650.10 | 96,172.30 | 68,694.50 |
| Wisconsin | 1,315,497 | 55,558 | 688,429.03 | 62,583.64 | 89,405.20 | 134,107.64 | 116,226.61 | 98,345.58 | 80,464.67 | 62,583.64 | 44,702.60 |
| Wyoming | 20,789 | 556 | 6,889.40 | 626.31 | 894.73 | 1,132.08 | 1,143.14 | 984.20 | 805.25 | 626.31 | 447.36 |

TABLE 3.—*Public school statistics of the United States in* 1880, *with number of teachers and pupils in private schools, prepared by Commissioner of Education.*

| States. | School age. | School population. | Enrolled in public schools. | Average daily attendance. | Average duration of school in days. | Expenditures in the year—per capita of pupils enrolled in public schools. | Number of public schools. | Teachers in public schools. | Teachers in private schools.* | Pupils in private schools.* | Available school funds (permanent). | Permanent school fund, including portions not now available. | Interest on permanent fund, including rents of school lands. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Alabama | 7-21 | 388,003 | 179,490 | 117,978 | 80.0 | $2.08 | 4,594 | 4,615 | ..... | ..... | $2,528,950 | ..... | $138,013 |
| Arkansas | 6-21 | 247,547 | 70,972 | ..... | ..... | ..... | 3,100 | 1,827 | ..... | ..... | *b*144,875 | *b*$190,186 | *b*14,269 |
| California | 5-17 | 215,978 | 158,765 | 100,966 | 146.6 | *b*17.17 | 2,803 | 3,595 | ..... | 14,953 | 2,906,800 | 2,104,465 | 180,909 |
| Colorado | 6-21 | 35,566 | 22,119 | 12,618 | *b*89.0 | 17.80 | ..... | 678 | ..... | ..... | 56,000 | ..... | *u*7,041 |
| Connecticut | 4-16 | 140,235 | 119,694 | *h*78,421 | 179.2 | 11.01 | 1,630 | 100 | 512 | 13,900 | 2,021,346 | 2,021,346 | 112,188 |
| Delaware | 6-21 | 35,459 | 27,823 | ..... | *d*158.0 | 8.12 | 561 | 594 | ..... | ..... | 448,999 | ..... | 26,697 |
| Florida | 4-21 | 88,677 | 34,315 | 27,046 | ..... | ..... | *i*1,131 | 1,095 | ..... | ..... | 246,900 | ..... | *v*17,962 |
| Georgia | 6-18 | *a*433,444 | 236,533 | 145,190 | ..... | 1.99 | *b*5,916 | 6,000 | 1,680 | 48,452 | ..... | ..... | ..... |
| Illinois | 6-21 | 1,010,851 | 704,041 | 431,638 | 150.0 | 9.61 | 11,964 | 22,255 | 1,497 | 60,440 | 9,049,302 | 9,049,302 | 503,119 |
| Indiana | 6-21 | 703,558 | 511,283 | 321,659 | 136.0 | 7.96 | 9,383 | 13,578 | *n*592 | *n*12,112 | ..... | 9,055,255 | *b*631,914 |
| Iowa | 5-21 | 586,556 | 426,057 | 259,836 | 148.0 | 11.25 | 11,084 | 21,508 | 474 | 12,724 | 3,484,411 | ..... | 282,902 |
| Kansas | 5-21 | 340,647 | 231,434 | 137,667 | 107.0 | 7.85 | 5,233 | 7,780 | 979 | *b*6,205 | 2,207,550 | 11,815,519 | 454,608 |
| Kentucky | *a*6-20 | 545,161 | 265,581 | *e*193,874 | 102.0 | 3.85 | ..... | 6,764 | ..... | ..... | ..... | 1,755,682 | 114,172 |
| Louisiana | 6-18 | 273,845 | 68,440 | 45,626 | 118.0 | *b*6.74 | 1,494 | 2,025 | *o*247 | *o*4,404 | ..... | 1,130,867 | 30,320 |
| Maine | 4-21 | 214,656 | 149,827 | 103,113 | 120.0 | 6.53 | ..... | 6,934 | ..... | ..... | 438,287 | ..... | 27,995 |
| Maryland | 5-20 | *c*276,120 | 162,431 | 85,778 | *f*210.0 | 8.64 | 2,300 | 3,125 | ..... | ..... | 906,229 | ..... | 52,116 |
| Massachusetts | 5-15 | 307,321 | 306,777 | 233,127 | 177.0 | *e*14.93 | 5,570 | 8,595 | ..... | 20,259 | 2,086,886 | ..... | 138,016 |
| Michigan | 5-20 | 506,221 | 362,556 | *e*213,898 | 141.0 | *b*8.11 | 6,695 | 13,949 | 703 | 18,854 | 2,880,942 | 3,240,949 | 226,955 |
| Minnesota | 5-21 | *d*271,428 | 180,248 | *e*117,161 | 94.0 | *b*8.42 | *m*4,064 | 5,215 | ..... | ..... | 4,449,728 | 15,000,000 | 250,485 |
| Mississippi | 5-21 | 426,689 | 236,704 | 156,761 | 77.5 | 2.70 | *b*5,367 | 5,560 | ..... | ..... | *b*315,229 | ..... | 126,223 |
| Missouri | 6-20 | 723,484 | 476,376 | *e*219,132 | *b*100.0 | ..... | 8,641 | 10,447 | ..... | ..... | 8,950,806 | ..... | *w*626,245 |
| Nebraska | 5-21 | 142,348 | 92,549 | *e*60,156 | 109.0 | 12.29 | 2,922 | 4,100 | ..... | ..... | 3,323,217 | *e*20,794,810 | 134,625 |
| Nevada | *b*6-18 | *e*10,295 | *b*7,590 | *b*5,108 | ..... | ..... | ..... | *b*184 | ..... | ..... | *b*380,000 | ..... | ..... |
| New Hampshire | *b*5-21 | *b*72,102 | *b*65,048 | *b*43,910 | *b*101.5 | ..... | 2,528 | *b*3,582 | ..... | 62,066 | ..... | ..... | *b*24,809 |
| New Jersey | 5-18 | 330,685 | 204,961 | 115,194 | 192.0 | 9.48 | ..... | 3,447 | 572 | 43,530 | 1,454,007 | 2,515,785 | 100,600 |
| New York | 5-21 | 1,641,173 | 1,031,593 | 573,089 | 179.0 | 10.09 | *m*20,500 | 30,730 | ..... | *q*139,476 | *r*7,295,807 | ..... | *x*170,000 |
| North Carolina | 6-21 | 439,324 | 225,606 | 147,802 | 54.0 | 1.12 | 5,563 | 4,139 | ..... | ..... | *s*200,000 | 5531,555 | 8,000 |
| Ohio | 6-21 | *b*1,043,320 | 747,138 | 476,279 | 150.0 | 8.59 | 12,043 | 23,684 | 292 | 28,650 | ..... | ..... | 245,745 |
| Oregon | 4-20 | 59,015 | 37,533 | 27,435 | 89.6 | 8.37 | 5895 | 1,314 | 222 | 3,744 | *s*52,830 | ..... | 30,910 |
| Pennsylvania | 6-21 | *f*1,200,000 | 937,310 | 601,627 | 147.0 | ..... | *b*18,386 | 21,375 | *p*947 | *p*24,066 | ..... | ..... | *y*1,920,000 |
| Rhode Island | 5-15 | 52,273 | 44,780 | 29,065 | *b*184.0 | 11.63 | 224 | 1,205 | 208 | 6,676 | 240,376 | 260,950 | 12,448 |
| South Carolina | 6-16 | *g*228,128 | 134,072 | ..... | 77.0 | 2.42 | 2,973 | 3,171 | ..... | ..... | ..... | ..... | ..... |
| Tennessee | 6-21 | 544,862 | 290,141 | 191,461 | 68.0 | ..... | 5,522 | 5,945 | 1,665 | 41,668 | *g*2,512,500 | *g*2,512,500 | ..... |
| Texas | 8-14 | 230,527 | 186,786 | ..... | *h*73.0 | ..... | 6,127 | 4,261 | ..... | ..... | ..... | 63,385,571 | 41,623 |
| Vermont | 5-20 | *d*92,831 | 75,238 | 48,606 | 125.0 | ..... | 2,616 | 4,326 | ..... | ..... | *b*669,987 | ..... | 563,699 |
| Virginia | 5-21 | 555,807 | 220,736 | 128,404 | 113.0 | 3.82 | 4,854 | 4,873 | 1,699 | 25,692 | ..... | 1,468,765 | ..... |
| West Virginia | 6-21 | 210,113 | 142,850 | 91,704 | 99.0 | 4.43 | *b*3,725 | 4,134 | ..... | ..... | 423,989 | 423,989 | 15,329 |
| Wisconsin | 4-20 | 483,229 | 299,258 | 197,510 | 162.5 | 7.51* | 5,984 | 10,115 | 804 | 25,938 | 2,747,844 | 2,905,112 | 184,409 |
| Total for States | ..... | 15,128,078 | 9,679,675 | 5,743,839 | ..... | ..... | 187,005 | 280,143 | 12,993 | 569,239 | ..... | ..... | 6,792,048 |

*As far as reported by State superintendents; accompanying is a more specific report on this point, which approximately exhibits (if we exclude the preparatory work done by private normal schools) the number of private institutions, with teachers and pupils in them, giving secondary or superior instruction in each State and Territory. *a* For whites; for colored 6-16. *b* In 1879. *c* Census of 1870. *d* In 1878. *e* Estimated. *f* In 1875. *g* In 1877. *h* For the winter. *i* In white schools only. *j* In cities; 176 in counties. *k* In evening schools, 61. *l* In the counties; 153 in cities and towns. *m* Approximately. *n* Private schools in public buildings. *o* In 1879; exclusive of New Orleans private schools. *p* In 1879; exclusive of Philadelphia. *q* In academies and private schools. *r* Includes the United States deposit fund, as reported in 1878, amounting to $1,014,521. *s* In State and United States 4 percents, ordered to be sold by the last Legislature. *t* Exclusive of 1,000,000 acres of swamp land made subject to entry sale by last Legislature. *u* From rents in 1879. *v* State apportionment. *w* Includes revenue from other funds. *x* Apparently does not include interest on the United States deposit funds. *y* State appropriation in lieu of interest on permanent fund.

TABLE 3.—*Public school statistics of the United States in* 1880, *with number of teachers and pupils in private schools, etc.*—Continued.

| Territories. | School age. | School population. | Enrolled in public schools. | Average daily attendance. | Average duration of school in days. | Expenditure in the year—per capita of pupils enrolled in public schools. | Number of public schools. | Teachers in public schools. | Teachers in private schools. | Pupils in private schools. | Available school funds (permanent). | Permanent school fund, including portions not now available. | Interest on permanent fund, including rents of school lands. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Arizona | 6-21 | 7,148 | 4,212 | 2,847 | 100.0 | ..... | ..... | 101 | ..... | ..... | ..... | ..... | ..... |
| Dakota | 5-21 | 12,030 | 8,042 | 3,170 | 88.0 | ..... | ..... | 286 | ..... | ..... | ..... | ..... | ..... |
| District of Columbia | 6-17 | 43,558 | 26,439 | 20,637 | 193.0 | $14.87 | *f*325 | 433 | ..... | ..... | $60,385 | $60,385 | $2,225 |
| Idaho | 5-21 | ..... | 6,758 | ..... | ..... | ..... | 155 | *g*160 | ..... | *e*5,000 | ..... | ..... | ..... |
| Indian | ..... | *c*11,444 | *c*6,098 | *c*3,944 | ..... | ..... | 212 | *h*196 | ..... | ..... | *j*3,634,425 | ..... | 186,359 |
| Montana | 4-21 | 7,070 | 3,970 | 2,506 | 96.0 | ..... | 153 | 163 | ..... | ..... | ..... | ..... | ..... |
| New Mexico | *a*7-18 | *d*29,312 | *a*5,151 | ..... | *a*132.0 | ..... | *a*138 | *a*147 | *a*31 | *a*1,259 | ..... | ..... | ..... |
| Utah | 6-18 | 40,672 | 24,326 | 17,178 | 128.0 | ..... | *b*373 | 517 | ..... | ..... | ..... | ..... | ..... |
| Washington | *b*5-21 | *b*24,223 | *b*14,032 | *b*9,585 | *b*87.5 | *b*8.15 | 340 | *b*560 | *b*31 | *b*451 | ..... | ..... | ..... |
| Wyoming | *b*7-21 | ..... | *b*2,090 | *b*1,287 | ..... | ..... | ..... | *b*49 | ..... | ..... | ..... | ..... | ..... |
| Total for Territories | ..... | 175,457 | 101,118 | 61,154 | ..... | ..... | 1,696 | 2,610 | 112 | 6,921 | ..... | ..... | 188,584 |
| Grand total | ..... | 15,803,535 | 9,780,773 | 5,804,993 | ..... | ..... | 188,701 | 282,753 | 13,105 | 567,160 | ..... | ..... | 6,580,632 |

*a* In 1875. *b* In 1879. *c* In the Cherokee, Choctaw, and Creek Nations. *d* Census of 1870. *e* In the five civilized tribes. *f* Approximately. *g* Number necessary to supply the schools. *h* In 1877. *i* Estimated average number of pupils. *j* Funds in the five civilized tribes, whole or part interest of which is used for school purposes.

TABLE 5.—*Illiteracy in the United States, census of* 1880.

| States and Territories. | Total population. | Total population who can not read, ten years of age and over. | Per cent. of total population who can not read. | Total population who can not write, ten years of age and over. | Per cent. of total population who can not write. | Total white population. | Total white population who can not write, ten years of age and over. | Per cent. of total white population who can not write. | Total colored population. | Total colored population who can not write, ten years of age and over. | Per cent. of total colored population who can not write. |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Alabama | 1,262,505 | 370,279 | 29.33 | 433,447 | 34.33 | 662,185 | 111,767 | 16.88 | 600,320 | 321,680 | 53.58 |
| Arizona | 40,440 | 5,496 | 13.59 | 5,842 | 14.45 | 35,160 | 4,824 | 13.72 | 5,280 | 1,018 | 19.28 |
| Arkansas | 802,525 | 153,229 | 19.09 | 202,015 | 25.17 | 591,531 | 98,542 | 16.66 | 210,994 | 103,473 | 49.04 |
| California | 864,694 | 48,583 | 5.62 | 53,430 | 6.18 | 767,181 | 26,090 | 3.40 | 97,513 | 27,340 | 28.04 |
| Colorado | 194,327 | 9,321 | 4.80 | 10,474 | 5.39 | 191,126 | 9,906 | 5.18 | 3,201 | 568 | 17.74 |
| Connecticut | 622,700 | 20,986 | 3.37 | 28,424 | 4.56 | 610,769 | 23,763 | 4.38 | 11,931 | 1,661 | 13.92 |
| Dakota | 135,177 | 3,094 | 2.29 | 4,821 | 3.57 | 133,147 | 4,157 | 3.13 | 2,030 | 664 | 32.71 |
| Delaware | 146,608 | 16,912 | 11.54 | 19,414 | 13.24 | 120,160 | 8,346 | 6.95 | 26,448 | 11,068 | 41.85 |
| District of Columbia | 177,624 | 21,541 | 12.13 | 25,778 | 14.51 | 118,006 | 3,988 | 3.38 | 59,618 | 21,790 | 36.55 |
| Florida | 269,493 | 70,219 | 26.06 | 80,183 | 29.75 | 142,605 | 19,763 | 13.86 | 126,888 | 60,420 | 47.62 |
| Georgia | 1,542,180 | 446,683 | 28.96 | 520,416 | 33.75 | 816,906 | 128,934 | 15.78 | 725,274 | 391,482 | 53.98 |
| Idaho | 32,610 | 1,384 | 4.24 | 1,778 | 5.45 | 29,013 | 784 | 2.70 | 3,597 | 994 | 27.63 |
| Illinois | 3,077,871 | 96,809 | 3.15 | 145,307 | 4.72 | 3,031,151 | 132,426 | 4.37 | 46,720 | 12,971 | 27.76 |
| Indiana | 1,978,301 | 70,008 | 3.54 | 110,761 | 5.60 | 1,938,798 | 100,398 | 5.18 | 39,503 | 10,363 | 26.23 |
| Iowa | 1,624,615 | 28,117 | 1.73 | 46,609 | 2.87 | 1,614,600 | 44,337 | 2.75 | 10,015 | 2,272 | 22.69 |
| Kansas | 996,096 | 25,503 | 2.56 | 39,476 | 3.96 | 952,155 | 24,888 | 2.61 | 43,941 | 14,588 | 33.20 |
| Kentucky | 1,648,690 | 258,186 | 15.66 | 348,392 | 21.13 | 1,377,179 | 214,497 | 15.58 | 271,511 | 133,895 | 49.31 |
| Louisiana | 939,946 | 297,312 | 31.63 | 318,380 | 33.87 | 454,954 | 58,951 | 12.96 | 484,992 | 259,429 | 53.49 |
| Maine | 648,936 | 18,181 | 2.80 | 22,170 | 3.42 | 646,852 | 21,758 | 3.36 | 2,084 | 412 | 19.99 |
| Maryland | 934,943 | 111,387 | 11.91 | 134,488 | 14.38 | 724,693 | 44,316 | 6.12 | 210,250 | 90,172 | 42.89 |
| Massachusetts | 1,783,085 | 75,635 | 4.24 | 92,980 | 5.21 | 1,763,782 | 90,658 | 5.14 | 19,303 | 2,322 | 12.03 |
| Michigan | 1,636,937 | 47,112 | 2.88 | 63,723 | 3.89 | 1,614,560 | 58,932 | 3.65 | 22,377 | 4,791 | 21.41 |
| Minnesota | 780,773 | 20,551 | 2.63 | 34,546 | 4.42 | 776,884 | 33,506 | 4.31 | 3,889 | 1,040 | 26.74 |
| Mississippi | 1,131,597 | 315,612 | 27.89 | 373,201 | 32.98 | 479,398 | 53,448 | 11.15 | 652,199 | 319,753 | 49.03 |
| Missouri | 2,168,380 | 138,818 | 6.40 | 208,754 | 9.63 | 2,022,826 | 152,510 | 7.54 | 145,554 | 56,244 | 38.64 |
| Montana | 39,159 | 1,530 | 3.91 | 1,707 | 4.36 | 35,385 | 631 | 1.78 | 3,774 | 1,076 | 28.51 |
| Nebraska | 452,402 | 7,830 | 1.73 | 11,528 | 2.55 | 449,764 | 10,926 | 2.43 | 2,638 | 602 | 22.82 |
| Nevada | 62,266 | 3,703 | 5.95 | 4,069 | 6.53 | 53,556 | 1,915 | 3.58 | 8,710 | 2,154 | 24.73 |
| New Hampshire | 346,991 | 11,982 | 3.45 | 14,302 | 4.12 | 346,229 | 14,208 | 4.10 | 762 | 94 | 12.34 |
| New Jersey | 1,131,116 | 39,136 | 3.46 | 53,249 | 4.71 | 1,092,017 | 44,049 | 4.03 | 39,099 | 9,200 | 23.53 |
| New Mexico | 119,565 | 52,994 | 44.32 | 57,156 | 47.80 | 108,721 | 49,597 | 45.62 | 10,844 | 7,559 | 69.71 |
| New York | 5,082,871 | 166,625 | 3.28 | 219,600 | 4.32 | 5,016,022 | 208,175 | 4.15 | 63,849 | 11,425 | 17.09 |
| North Carolina | 1,399,750 | 367,890 | 26.28 | 463,975 | 33.15 | 867,242 | 192,032 | 22.14 | 532,508 | 271,943 | 51.07 |
| Ohio | 3,198,062 | 86,754 | 2.71 | 131,847 | 4.12 | 3,117,920 | 115,491 | 3.70 | 80,142 | 16,356 | 20.41 |
| Oregon | 174,768 | 5,376 | 3.08 | 7,423 | 4.25 | 163,075 | 4,343 | 2.66 | 11,693 | 3,080 | 26.34 |
| Pennsylvania | 4,282,891 | 146,138 | 3.41 | 228,014 | 5.32 | 4,197,016 | 209,981 | 5.00 | 85,875 | 18,033 | 21.00 |
| Rhode Island | 276,531 | 17,450 | 6.31 | 24,793 | 8.97 | 269,939 | 23,544 | 8.72 | 6,592 | 1,249 | 18.95 |
| South Carolina | 995,577 | 321,780 | 32.32 | 369,848 | 37.15 | 391,105 | 59,777 | 15.28 | 604,472 | 310,071 | 51.30 |
| Tennessee | 1,542,359 | 294,385 | 19.09 | 410,722 | 26.63 | 1,138,831 | 216,227 | 18.99 | 403,528 | 194,495 | 48.20 |
| Texas | 1,591,749 | 256,223 | 16.10 | 316,432 | 19.88 | 1,197,277 | 123,912 | 10.35 | 394,512 | 192,520 | 48.80 |
| Utah | 143,963 | 4,851 | 3.37 | 8,826 | 6.13 | 142,423 | 8,137 | 5.71 | 1,540 | 689 | 44.74 |
| Vermont | 332,286 | 12,993 | 3.91 | 15,837 | 4.77 | 331,218 | 15,681 | 4.73 | 1,068 | 155 | 14.61 |
| Virginia | 1,512,565 | 360,495 | 23.83 | 430,352 | 28.45 | 880,858 | 114,692 | 13.02 | 631,707 | 315,660 | 49.97 |
| Washington | 75,116 | 3,191 | 4.25 | 3,889 | 5.18 | 67,199 | 1,429 | 2.13 | 7,917 | 2,469 | 31.07 |
| West Virginia | 618,457 | 52,041 | 8.41 | 65,376 | 13.80 | 592,537 | 75,237 | 12.70 | 25,920 | 10,130 | 39.12 |
| Wisconsin | 1,315,497 | 38,693 | 2.94 | 55,558 | 4.22 | 1,309,618 | 54,233 | 4.14 | 5,879 | 1,325 | 22.52 |
| Wyoming | 20,789 | 427 | 2.05 | 556 | 2.67 | 19,437 | 374 | 1.92 | 1,352 | 182 | 13.46 |
| Total | 50,155,783 | 4,923,451 | 9.82 | 6,239,958 | 12.44 | 43,402,970 | 3,019,080 | 6.96 | 6,752,813 | 3,220,878 | 47.70 |

DEPARTMENT OF THE INTERIOR, CENSUS OFFICE, *Washington, D. C., February* 26, 1884.

SIR: In response to your communication of this day, inclosing certain printed tables relating to the public schools and to the illiteracy of the United States by States, I beg to return the same, with such changes in the figures as are necessitated by the records of this office.

The columns of the table of illiteracy reading "Total colored population" should be altered to read "inclusive of Chinese, Japanese, and civilized Indians."

Very respectfully,

GEO. W RICHARDS, *Acting Superintendent.*

Hon. ALBERT S. WILLIS, M. C., *House of Representatives.*

TABLE 7.—*The white and colored adult males and the adult male illiterates of the two races, with percentages, for each State and Territory.*

[From the census of 1880.]

| States and Territories. | Total white male adults. | Illiterate white male adults. | Per cent. | Total colored male adults. | Illiterate colored male adults. | Per cent. |
|---|---|---|---|---|---|---|
| Alabama | 141,461 | 24,450 | 17.3 | 118,423 | 96,408 | 81.4 |
| Arkansas | 136,150 | 21,349 | 15.7 | 46,827 | 34,300 | 73.2 |
| California | 262,583 | 12,615 | 4.8 | 66,809 | 16,857 | 25.2 |
| Colorado | 92,088 | 3,627 | 3.9 | 1,520 | 289 | 19.0 |
| Connecticut | 173,759 | 9,501 | 5.5 | 3,532 | 696 | 19.7 |
| Delaware | 31,902 | 2,955 | 9.3 | 6,396 | 3,787 | 59.2 |
| Florida | 34,210 | 4,706 | 13.8 | 27,489 | 19,110 | 69.5 |
| Georgia | 177,967 | 28,571 | 16.1 | 143,471 | 116,516 | 81.2 |
| Illinois | 783,161 | 44,536 | 5.7 | 13,686 | 5,271 | 38.5 |
| Indiana | 487,698 | 33,757 | 6.9 | 10,739 | 4,345 | 40.5 |
| Iowa | 413,633 | 16,202 | 3.9 | 3,025 | 1,001 | 33.4 |
| Kansas | 254,949 | 7,998 | 3.1 | 10,765 | 5,623 | 52.2 |
| Kentucky | 317,579 | 54,956 | 17.3 | 58,642 | 43,177 | 73.6 |
| Louisiana | 108,810 | 16,377 | 15.1 | 107,977 | 86,555 | 80.2 |
| Maine | 186,659 | 8,420 | 4.5 | 664 | 144 | 21.7 |
| Maryland | 183,522 | 15,152 | 8.3 | 48,584 | 30,873 | 63.5 |
| Massachusetts | 496,692 | 30,951 | 6.2 | 5,956 | 941 | 15.8 |
| Michigan | 461,557 | 26,390 | 5.7 | 6,120 | 1,852 | 30.2 |
| Minnesota | 212,399 | 12,372 | 5.8 | 1,852 | 364 | 33.5 |
| Mississippi | 108,254 | 12,473 | 11.5 | 130,278 | 99,068 | 76.0 |
| Missouri | 508,165 | 40,665 | 8.0 | 33,042 | 19,028 | 57.6 |
| Nebraska | 128,198 | 3,836 | 3.0 | 844 | 256 | 30.3 |
| Nevada | 25,633 | 1,173 | 4.6 | 5,622 | 1,194 | 21.2 |
| New Hampshire | 104,901 | 5,264 | 5.0 | 237 | 42 | 17.7 |
| New Jersey | 289,965 | 15,902 | 5.5 | 10,670 | 3,560 | 33.4 |
| New York | 1,388,692 | 76,745 | 5.5 | 20,059 | 4,521 | 22.5 |
| North Carolina | 189,732 | 44,420 | 23.4 | 105,018 | 80,282 | 76.4 |
| Ohio | 804,871 | 40,373 | 5.0 | 21,706 | 7,041 | 32.4 |
| Oregon | 51,633 | 1,669 | 3.2 | 7,993 | 2,005 | 25.1 |
| Pennsylvania | 1,070,392 | 65,985 | 6.2 | 23,892 | 6,845 | 28.6 |
| Rhode Island | 75,012 | 7,157 | 9.5 | 1,886 | 467 | 24.8 |
| South Carolina | 86,900 | 13,924 | 16.0 | 118,889 | 93,010 | 78.2 |
| Tennessee | 250,055 | 46,948 | 18.8 | 80,250 | 58,601 | 73.0 |
| Texas | 301,737 | 33,085 | 11.0 | 78,639 | 59,669 | 75.9 |
| Vermont | 95,307 | 6,734 | 7.1 | 314 | 82 | 26.1 |
| Virginia | 206,248 | 31,474 | 15.3 | 128,257 | 100,210 | 78.1 |
| West Virginia | 132,777 | 19,055 | 14.4 | 6,384 | 3,830 | 60.0 |
| Wisconsin | 338,932 | 21,221 | 6.3 | 1,550 | 474 | 30.6 |
| Arizona | 18,046 | 2,150 | 11.9 | 2,352 | 422 | 17.9 |
| Dakota | 50,962 | 1,678 | 3.3 | 641 | 210 | 32.8 |
| District of Columbia | 31,955 | 1,350 | 4.2 | 13,918 | 7,520 | 54.0 |
| Idaho | 11,669 | 319 | 2.7 | 3,126 | 869 | 27.8 |
| Montana | 19,636 | 410 | 2.1 | 1,908 | 483 | 25.3 |
| New Mexico | 30,981 | 14,898 | 48.1 | 3,995 | 2,779 | 89.8 |
| Utah | 32,078 | 2,137 | 6.7 | 695 | 356 | 51.2 |
| Washington | 24,251 | 642 | 2.6 | 3,419 | 1,126 | 32.9 |
| Wyoming | 9,241 | 160 | 1.7 | 939 | 84 | 8.9 |
| Total | 11,343,005 | 886,659 | 7.8 | 1,487,344 | 1,022,151 | 68.7 |

TABLE 12.—*Amount raised by taxation for support of public schools in each State and Territory during the year* 1880.*

[Prepared by Bureau of Education, at request of Hon. H. W. BLAIR.]

| States and Territories. | Amount received from taxation. | | | States and Territories. | Amount received from taxation. | | |
|---|---|---|---|---|---|---|---|
| | From State tax. | From local tax. | Total. | | From State tax. | From local tax. | Total. |
| Alabama | $130,000 | a$120,000 | $250,000 | North Carolina | $(314,719) | | $314,719 |
| Arkansas | b111,605 | 77,475 | 189,080 | Ohio | $1,558,207 | $5,155,879 | 6,714,086 |
| California | 1,318,209 | 1,393,572 | 2,711,781 | Oregon | 133,477 | 79,562 | 213,039 |
| Colorado | | c336,333 | c336,333 | Pennsylvania | | 7,064,116 | 7,046,116 |
| Connecticut | 210,353 | 1,066,314 | 1,276,667 | Rhode Island | 80,800 | 414,852 | 495,652 |
| Delaware | | d151,045 | d151,045 | South Carolina | | | 440,110 |
| Florida | (140,530) | | 104,530 | Tennessee | | | j698,776 |
| Georgia | e345,790 | 125,239 | 471,029 | Texas | k678,603 | | k678,603 |
| Illinois | 1,000,000 | 5,735,478 | 6,735,478 | Vermont | 113,173 | 304,318 | 417,491 |
| Indiana | f1,456,834 | f2,108,302 | f3,625,136 | Virginia | 596,516 | 665,459 | 1,261,975 |
| Iowa | | 4,227,300 | 4,227,300 | West Virginia | 212,753 | 490,432 | 702,185 |
| Kansas | | 1,276,786 | 1,276,786 | Wisconsin | l25,000 | 2,198,581 | 2,223,581 |
| Kentucky | 535,354 | g382,038 | 917,392 | Arizona | | | m67,028 |
| Louisiana | 356,000 | h94,000 | h450,000 | Dakota | | 123,643 | 123,643 |
| Maine | 224,565 | 596,295 | 820,860 | District of Columbia | | 474,556 | 474,556 |
| Maryland | 491,406 | 721,571 | 1,212,977 | Idaho | | 48,017 | 48,017 |
| Massachusetts | | 4,372,286 | 4,372,286 | Indian Territory | | | |
| Michigan | i397,758 | 2,074,073 | 2,453,831 | Montana | n64,643 | 5,256 | 69,899 |
| Minnesota | 257,689 | 1,073,837 | 1,331,526 | New Mexico | | | |
| Mississippi | | 334,769 | 334,769 | Utah | 63,041 | 43,337 | 106,378 |
| Missouri | | 2,163,330 | 2,163,330 | Washington | f102,201 | f3,319 | f105,520 |
| Nebraska | 73,808 | 713,155 | 786,963 | Wyoming | | f7,056 | f7,056 |
| Nevada | | | | | | | |
| New Hampshire | | | f544,716 | Total | (419,249) | | o70,371,435 |
| New Jersey | 1,017,785 | 724,413 | 1,742,198 | | 14,287,570 | 53,913,986 | |
| New York | 2,750,000 | 6,925,992 | 9,675,992 | | | | |

*Table No. 12 gives the amount received in each State from interest on funds and rent of lands. The total from taxation is $70,371,435, from funds and rents, $6,580,632; total, $76,952,067.

a From poll-tax. b State apportionment, which here probably includes the income of the State school fund for 1880, the State tax, and so much of the ordinary State revenues as may be set apart for the purpose by the Legislature. c From county and district tax, fines, etc. d This amount raised for white schools. e This includes rental of State railroad ($150,000). f In 1879. g Includes tax on billiards and dogs. h Estimated. i From township tax. j Includes income from permanent fund. k State appropriation. l Special for building purposes. m Total income as reported for 1880, the greater part of which comes from Territorial, county, and district taxes. n From county tax. o Includes $1,750,630 reported as derived from taxation and given in the column of totals but not appearing in the first two columns.

TABLE 16.—*Changes in assessed valuation of property in Southern States, 1870–'80.*

| States. | Assessed valuation in 1870. | Assessed valuation in 1880. | Increase. | Decrease. | Increase in population. | | |
|---|---|---|---|---|---|---|---|
| | | | | | White. | Colored. | Total.a |
| Virginia | $365,439,917 | $308,455,135 | | $56,984,782 | 168,769 | 118,775 | 287,402 |
| West Virginia | 140,538,273 | 139,622,705 | | 915,568 | 168,504 | 7,906 | 176,443 |
| North Carolina | 130,378,622 | 156,100,202 | $25,721,580 | | 188,772 | 139,627 | 328,389 |
| South Carolina | 183,913,337 | 133,560,135 | | 50,353,202 | 104,438 | 188,518 | 289,971 |
| Georgia | 227,219,519 | 239,472,599 | 12,253,089 | | 177,980 | 179,991 | 358,071 |
| Florida | 32,480,843 | 30,938,309 | | 1,542,534 | 46,458 | 35,001 | 81,745 |
| Alabama | 155,582,595 | 122,867,228 | | 32,715,367 | 140,801 | 124,593 | 265,513 |
| Mississippi | 177,278,890 | 110,628,129 | | 66,650,761 | 96,502 | 206,090 | 303,675 |
| Louisiana | 253,371,890 | 160,162,439 | | 93,209,451 | 92,889 | 119,445 | 213,031 |
| Texas | 149,732,929 | 320,364,515 | 170,631,586 | | 632,537 | 139,909 | 773,170 |
| Arkansas | 94,528,843 | 86,409,364 | | 8,119,479 | 229,416 | 88,497 | 318,054 |
| Kentucky | 409,544,294 | 350,563,971 | | 58,980,323 | 278,487 | 49,241 | 327,679 |
| Tennessee | 253,782,161 | 211,778,538 | | 42,003,623 | 202,712 | 80,820 | 283,839 |
| | | | b 202,868,844 | | | | |
| | 2,573,792,113 | 2,370,923,269 | 208,606,245 | 411,475,090 | 2,525,355 | 1,478,413 | 4,006,982 |

a This total includes the white, colored, 686 Chinese, 1 Japanese, and 2,527 civilized Indians. b Net decrease.

I also present in this connection some figures that ought to be put in tabulated form:

*Expenditures in* 1885–'86, *as shown by last report of Commissioner of Education* (1885–'86).

| States. | Population. | Expenditures. |
|---|---|---|
| Alabama | 1,467,384 | $741,244 |
| Wisconsin | 1,563,423 | 3,645,160 |
| Arkansas | 935,058 | 866,892 |
| Nebraska | 740,645 | 2,350,869 |
| Louisiana | 1,008,951 | 450,030 |
| California | 1,001,293 | 3,595,931 |
| Florida | 338,407 | 385,800 |
| Vermont | 333,155 | 599,515 |
| Georgia | 1,694,609 | 711,890 |
| Iowa | 1,766,239 | 4,660,000 |
| Kentucky | 1,801,831 | 700,890 |
| Michigan | 1,912,181 | 4,332,968 |
| Mississippi | 1,237,453 | 840,776 |
| Minnesota | 1,117,798 | 2,371,990 |
| North Carolina | 1,525,341 | 171,116 |
| Kansas | 1,284,809 | 3,849,017 |
| South Carolina | 1,085,789 | 425,903 |
| Connecticut | 670,807 | 1,791,666 |
| Tennessee | 1,723,996 | 1,047,223 |
| Massachusetts | 1,942,141 | 7,151,075 |
| Indiana | 2,061,008 | 5,214,198 |
| Texas | 2,027,895 | 2,166,633 |

*School expenditures* 1885–'86 *in following States, having more than* 17,000,000 *inhabitants and about one-third the school population of the whole country.*

| | | | |
|---|---|---|---|
| Alabama | $741,244 | South Carolina | $425,903 |
| Arkansas | 866,892 | Tennessee | 1,047,223 |
| Florida | 385,000 | Texas | 2,166,633 |
| Georgia | 711,990 | Virginia | 1,453,103 |
| Kentucky | 700,790 | West Virginia | 1,036,874 |
| Louisiana | 450,030 | | |
| Mississippi | 840,776 | Total | 11,497,574 |
| North Carolina | 671,116 | | |

Total expenditure of whole country as shown by last report of Commissioner of Education, $111,304,927. Total expenditure in thirteen States named, $11,497,574, or, for about one-third the children of school age, one-eleventh of the school expenditure.

*Ratio of attendance,* 1885–'86, *to population between* 6 *and* 14 *years, as shown by Report of Commissioner of Education.*

| | | | |
|---|---|---|---|
| Alabama | 46.75 | Mississippi | 65.51 |
| Florida | 50.64 | North Carolina | 56.45 |
| Louisiana | 33.43 | South Carolina | 52.44 |
| Maryland | 49.04 | Virginia | 48.23 |
| California | 79.22 | New Hampshire | 88.10 |
| Colorado | 87.55 | New York | 71.25 |
| Connecticut | 75.89 | Ohio | 81.05 |
| Illinois | 78.11 | Oregon | 81.67 |
| Indiana | 83.39 | Pennsylvania | 74.66 |
| Kansas | 84.89 | Vermont | 85.59 |
| Maine | 98.85 | District of Columbia | 68.07 |
| Massachusetts | 91.01 | Dakota | 80.82 |

I call now the attention of the Senator from Missouri [Mr. VEST] for a moment to some facts bearing upon what seemed to be the principal point in his address to the Senate a few days since, saving the constitutional question which he argued at great length and, it is proper to say, with great power. He seemed to draw the deduction that intelligence and crime ran together, and if any conclusion could be deduced from the tendency of his remarks and of his tables, it was to the effect that intelligence was the source of crime, while ignorance appeared to be the source of virtue.

I have here some facts embodied in an address by Col. Dexter A. Hawkins, of New York City, and declared by him to be extracted from various authorities, and the substance boiled down in this statement, which is as follows:

In France, in 1868, one-half of the inhabitants could not read nor write. From this half came 95 per cent. of the persons arrested for crime. From the other, the educated half, came only 5 per cent. In other words, a given number of children, suffered to grow up illiterate, produced nineteen times as many persons arrested for crime as the same number would if educated, at least to the extent of the elementary branches.

In the Grand Duchy of Baden, from 1854 to 1861—seven years—the government, by a rigorous system of universal compulsory elementary education, reduced the number of prisoners actually arrested 51 per cent., and the number of crimes committed 54 per cent.

In the six New England States, in 1870, 7 per cent. only of the inhabitants above ten years of age were unable to read and write; and yet this 7 per cent. produced 80 per cent. of the criminals. Or, in other words, a given number of children in New England at that time suffered to grow up illiterate produced fifty-three times as many criminals as the same number would if educated to the extent of the curriculum of the public schools. This fact is a complete vindication of the moral effect of the New England system of public education, Cardinal Antonelli to the contrary notwithstanding.

In the State of New York, in 1880, the illiterates produced eight times their pro rata proportion of the criminals in that State; that is, a given number of children brought up illiterate on the average produced eight times as many criminals as the same children would have produced if educated to the extent of the curriculum of the public schools.

In the city of New York, in 1870, among the illiterates, one crime was committed for every 3 persons; while among the literates there was only one crime to every 27 persons. Or, in other words, the ignorant class in that city furnishes nine times the criminals they would if educated in the public schools.

In the Commonwealth of Pennsylvania, in 1870, the illiterates, according to their numbers, committed seven times as many crimes as the literate class.

In Pennsylvania, Ohio, and Illinois, taken together, the illiterates committed ten times as many crimes, according to their numbers, as the literate class.

Take the whole of the United States together, according to the census of 1870, the illiterates committed ten times their pro rata proportion of crimes.

In Pennsylvania, in the years 1879 and 1880, one-thirtieth of the population above ten years of age could neither read nor write, and this one-thirtieth committed one-sixth part of the crimes, or nearly six times its proper proportion. But if we class with the illiterates the criminals who could barely read and write, but who had no education beyond bare reading and writing, it will then appear that the one-thirtieth of the population of Pennsylvania that is illiterate commits one-third of the crime, or more than fourteen times its legitimate proportion.

A careful examination of the statistics of twenty States shows the following average results:

First. That one-sixth of all the crime in the country is committed by persons wholly illiterate.

Second. That one-third of the crime in the country is committed by persons wholly or substantially illiterate.

Third. That the proportion of criminals among the illiterate class is, on the average, ten times as great as it is among those who have been instructed in the elements of a common-school education or beyond.

Fourth. That the expense imposed upon society to protect itself against a few thousand criminals, most of whom were made such through the neglect of society to take care of their education when young, is one of the heaviest of the public burdens. In the city of New York it is 50 per cent. more than the whole cost of the public schools.

In that city the annual appropriation for police, criminal courts, reformatories, jails, and penitentiaries is over five millions of dollars; while that for the training of the 385,000 school children in the city is only $3,500,000.

The average attendance at the schools in 1880 was 138,329. The "compulsory school age"—that is, the age within which all children are required by law in the State of New York to attend school—is eight to fourteen years. The number of children of this age in the city of New York in June, 1880, was 144,474; while the average attendance on the public schools of children of all ages from five to twenty-one in that year in the city was only 133,095. As a logical consequence of this neglect of education the city jails and almshouses are crammed and taxes are high.

The city, in its meager provision for education, and its enormous taxation for criminals (to use an old but expressive adage) "saves at the spigot but loses at the bung."

What is true of the metropolis of the country is equally true of every city, town, village, and neighborhood.

These facts could be multiplied almost without limit.

The examination of the statistics of criminality and illiteracy in the census of any civilized state or country will give results substantially in harmony with the above.

Carlyle says:

"If the devil were passing through my country, and he applied to me for instruction on any truth or fact of this universe, I should wish to give it to him. He is less a devil knowing that three and three are six than if he didn't know it; a light spark, though of the faintest, is in this fact; if he knew facts enough, continuous light would dawn on him; he would (to his amazement) understand what this universe is, on what principles it conducts itself, and would cease to be a devil."

And in this line I wish to state deductions from the census and also from the inquiries of economists in other lands bearing on the relative value of educated and uneducated labor—educated, I mean to say, in the common rudiments of learning, such as we give to our common people in our common schools. I take this from an address by the Commissioner of Education:

It should be remembered, in addition to the short period in which schools are already taught in the South, that there are 2,702,835 children of age not enrolled for instruction. Take another comparison: Charleston, S. C., now levies a tax of 3 mills on a dollar; but to furnish the children of that State a fair approach to the instruction given those in Massachusetts would require a tax on the property of the State of nearly 3 cents on the dollar. This the friends of education in Massachusetts or any other State would hesitate to propose in their own case.

* * * * * * * *

I must not pause to elaborate these points, but supposing (1) that the labor of an illiterate is increased in value 25 per cent. by teaching him to read and write, 50 per cent. by fairly educating him, and 75 per cent. by giving him a thorough training; and (2) that the average value of the labor of illiterates is the same as the average wages paid employés in manufactories, then the following computations give sound conclusions:

By the census of 1880, the number of persons of twenty-one years and upward in the Southern States who were unable to write was 2,984,387. If 75 per cent. of them should be taught to read and write, it would increase the value of the labor of 2,238,290 persons 25 per cent. The present value of their labor is, approximately, $248 a year each. The increase of value would be $62 a year per capita, a total of $138,773,980. If 15 per cent. of the illiterates should be fairly educated, it would increase the value of the labor of 447,658 persons 50 per cent., or from $248 to $372 a year each. The total of this annual increase would be $55,509,592. If the remaining 10 per cent. of illiterates should have the value of their labor increased 75 per cent. by being thoroughly trained, the industrial value of 298,439 persons would be raised from $248 to $434 a year each, a total of $55,509,654. By adding the three totals just given, it is seen that the increase which would come to the industrial value of illiterates in the Southern States would be, were they educated as indicated, $241,727,220 a year.

Many times the amount that it is proposed in this bill to appropriate to education during the full course of eight years. The difficulty with the calculation of the Senator from Missouri was that he instituted a comparison, not between the illiterate classes in any given community, but upon such data as he had, whether reliable or unreliable; he instituted a comparison between illiterates in one section of country, in rural districts, with other parts of the country thickly populated, where the people were of a different race, different habits, different training, residing largely in large cities and thereby subject to many temptations. There is also to be considered that much of his unfavorable comparison resulted from the fact that where the larger number of arrests were made there was a more stringent effort at the execution of the laws. The comparison, in order to be fair at all, must be between the literates and illiterates, members of the same community. It was by instituting the comparison in this way that the astounding results which I have stated to the Senate were reached.

I wish to call attention now to what is shown by one of the tables which I have submitted. In the Southern States proper, in order to furnish a school three months in length to all the children throughout those States, it is necessary to have aid in the construction of what may be termed the educational plant alone. The building of the necessary houses and the furnishing of the necessary apparatus, and giving the necessary education of not over two or three years' training to teachers in normal schools, requires at least an expenditure of thirty-six millions. That amount will be necessary in order to bring the average condition of the means of education throughout the Southern States up to anything like an inferior comparison with what they are in the Northern States; and I have already shown that even in the North illiteracy is overgrown, and in many cases it is more than overgrown, in comparison with the progress of common-school education.

The tables I have submitted also show the comparative ability of the two sections of the country to endure taxation, and I respectfully call the attention of the Senate to a careful examination of these tables.

I wish here to read a short extract from the report of the superintendent of schools of the State of New York. I read the other day something from a recent message of the governor of the State of Connecticut. This is the latest report from New York that is bound, so far as I know. There is another report made to the Legislature by the superintendent of the State of New York. This is the report of last year; but I will say that from the newspaper abstract of the report of the present year the facts stated in the report of the preceding year are again emphasized as not only being true, but as being unquestioned. The State of New York has one of the best school systems to be found anywhere in the country, with an enormous fund and a wealthy people, giving with great willingness, as a general rule, the necessary taxation for the support of schools. He says:

From the data in our possession it seems that 59 per cent. of the school population attended the public schools at some time during the year.

That was the year 1886, this being the report of 1887. The report is dated January 4, 1887.

In 1880 it was 62 per cent., and in 1870 it was 69 per cent.

So that from 1870 to 1880 the proportion of the school population who attended school at all decreased from 69 to 62 per cent., and from 1880 to 1886 it fell off from 62 to 59 per cent.

The average attendance, taking the entire year together, was 36 per cent. of the children of school age; in 1880 it was 35 per cent., and in 1870, 32 per cent. The average time each child attended school during the last year was twenty-two and one-tenth weeks; in 1880, it was twenty and four-tenth weeks; and in 1870, it was seventeen and six-tenths weeks. From these figures, it is apparent that while the children who do attend the schools come with greater regularity than formerly, still the whole number who attend the schools for some period of the year, in proportion to the whole number of school age, has been growing smaller since 1870, notwithstanding the "compulsory education act" enacted in 1874.

The figures showing the percentage of school population which actually attends the schools will be misleading, and indicate the non-attending class to be larger than it really is, unless it be borne in mind that the private schools and academies are not taken into account, and that the "school age" is made to cover a period commencing before most children are sent to school and extending several years beyond the time when most have commenced work. The number in the public schools and the private schools and academies at some time during the year was 68 per cent. of the school population.

It is believed that these figures are reliable with perhaps this exception. There has been no census since 1880, and the number of children of "school age" reported since that time has, undoubtedly, in some cases, been estimated. The estimates can not, however, be far out of the way. Again, it would be strange if many of the private schools had not failed of being reported by local school officers.

It then suggests some further legislation by the State.

The Senator from Vermont [Mr. EDMUNDS] desires a short executive session, and I give way to him to make a motion for that purpose.

EXECUTIVE SESSION.

Mr. EDMUNDS. It is highly necessary for the public interest that there should be a brief executive session, not with a view of the Senate adjourning afterwards, but a very brief executive session; and I accordingly move it.

The PRESIDING OFFICER (Mr. PUGH in the chair). The Senator from Vermont moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened.

AID TO COMMON SCHOOLS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 371) to aid in the establishment and temporary support of common schools, the pending question being on the amendment of Mr. PLUMB.

Mr. BLAIR. I will say to the Senator from Massachusetts [Mr. HOAR], who was not present when it was referred to awhile ago, that the rate of taxation in the city of Charleston is 3.10 mills on the dollar for school purposes, while in the city of Boston it is 1.54 mills for school purposes.

Mr. HOAR. The Senator said the other day "for all purposes."

Mr. BLAIR. For all purposes the taxation in the city of Charleston is 3.10 cents on the dollar, while in Boston it is 1.24 cents; that is to say, it is 1¼ per cent. in Boston and it is 3.10 per cent. in Charleston, being very much higher for both school and general purposes in the latter than the former.

I have here a table in which the States of the country are arranged in groups. The New England States have an average valuation per capita of $661. The Southern States have an average valuation per capita of $155. The Western States have an average valuation per capita of $334; the Middle States of $473; the Territories of $211; while the average valuation of the entire country is $327 for purposes of taxation. The table is as follows:

TABLE 15.—*Showing assessed valuation of real and personal property; total population by States, groups, and grand total; also average valuation per capita for the several States and groups.*

| States. | Total assessed valuation. | Total population. | Valuation per capita. |
|---|---|---|---|
| NEW ENGLAND STATES. | | | |
| Maine | $235,978,716 | 648,936 | $363 |
| New Hampshire | 164,755,181 | 346,991 | 474 |
| Vermont | 86,806,775 | 332,286 | 261 |
| Massachusetts | 1,584,756,802 | 1,783,085 | 888 |
| Rhode Island | 252,536,673 | 276,531 | 912 |
| Connecticut | 327,177,385 | 622,700 | 525 |
| Totals for the group | 2,652,011,532 | 4,010,529 | 661 |
| SOUTHERN STATES. | | | |
| Virginia | 308,455,135 | 1,512,565 | 203 |
| West Virginia | 139,622,705 | 618,457 | 225 |

TABLE 15.—*Showing assessed valuation of real and personal property, totals, etc.*—Continued.

| States. | Total assessed valuation. | Total population. | Valuation per capita. |
|---|---|---|---|
| SOUTHERN STATES—continued. | | | |
| North Carolina | $156,100,202 | 1,399,750 | 111 |
| South Carolina | 133,560,125 | 995,577 | 134 |
| Georgia | 239,472,599 | 1,542,180 | 155 |
| Florida | 30,938,309 | 269,493 | 114 |
| Alabama | 122,867,228 | 1,262,505 | 97 |
| Mississippi | 110,628,129 | 1,131,597 | 97 |
| Louisiana | 161,162,439 | 939,946 | 170 |
| Texas | 320,364,515 | 1,591,749 | 201 |
| Arkansas | 86,409,364 | 802,525 | 107 |
| Kentucky | 350,563,971 | 1,648,690 | 218 |
| Tennessee | 211,778,538 | 1,542,359 | 137 |
| Totals for the group | 2,370,923,266 | 15,257,393 | 155 |
| WESTERN STATES. | | | |
| Ohio | 1,534,360,508 | 3,198,062 | 479 |
| Indiana | 727,815,131 | 1,978,301 | 367 |
| Illinois | 786,616,394 | 3,077,871 | 255 |
| Michigan | 517,666,359 | 1,656,937 | 316 |
| Wisconsin | 438,971,751 | 1,315,497 | 333 |
| Iowa | 398,671,251 | 1,624,615 | 245 |
| Minnesota | 258,028,687 | 780,773 | 330 |
| Missouri | 532,795,801 | 2,168,380 | 245 |
| Kansas | 160,891,689 | 996,096 | 161 |
| Nebraska | 90,585,782 | 452,402 | 200 |
| Colorado | 74,471,693 | 194,327 | 372 |
| Nevada | 29,291,459 | 62,266 | 469 |
| Oregon | 52,522,084 | 174,768 | 300 |
| California | 584,578,036 | 864,694 | 676 |
| Totals for the group | 6,187,266,625 | 18,524,989 | 334 |
| MIDDLE STATES. | | | |
| New York | 2,651,940,006 | 5,082,871 | 521 |
| New Jersey | 572,518,361 | 1,131,116 | 506 |
| Pennsylvania | 1,683,459,016 | 4,282,891 | 393 |
| Delaware | 59,951,643 | 146,608 | 409 |
| Maryland | 497,307,675 | 934,943 | 531 |
| District of Columbia | 99,401,787 | 177,624 | 559 |
| Totals for the group | 5,564,578,488 | 11,756,053 | 473 |
| TERRITORIES. | | | |
| Arizona | 9,270,214 | 40,440 | 226 |
| Dakota | 20,321,530 | 135,177 | 150 |
| Idaho | 6,444,876 | 32,610 | 197 |
| Montana | 18,609,802 | 39,159 | 475 |
| New Mexico | 11,363,406 | 119,565 | 95 |
| Utah | 24,775,279 | 143,963 | 172 |
| Washington | 23,810,693 | 75,116 | 316 |
| Wyoming | 13,621,829 | 20,789 | 655 |
| Totals for the group | 128,213,629 | 606,819 | 211 |
| Grand totals | 16,902,993,543 | 50,155,783 | 337 |

It will be seen that the Southern States, with reference to the entire country, including themselves, have a capacity to bear taxation which is represented by the relation of 155 to 327, and by examining the statement which I have submitted, their capacity to bear taxation as compared with other sections of the Union can be easily ascertained.

I have stated that to give a good school of three months' length in the Southern States to all the children requires an expenditure for schoolhouses, and for the qualification of teachers, and the furnishing of the necessary apparatus of upwards of $36,000,000. That amount would be necessary to bring them to the point of offering facilities to be educated to meet all the children of school age. Of course that item is already supplied at the North, and taxation at the North is largely applied to the running expenses of the schools themselves.

If $15,000,000, which is the highest sum that under the provisions of this bill is to be distributed in any one year—more than twice the sum which is to be distributed the first year—if $15,000,000 are divided upon the basis of illiteracy, the individual child will receive for his education—in California, $15.12; in Colorado, $14.34; in Connecticut, $10.71; in Nevada, $14.40; in New Hampshire, $10.07; in Rhode Island, $11.36; in the District of Columbia, $13.61; and in Massachusetts, $19.21; while in Alabama, after this division is made, mind you, more than twice what they get the first year, added to their own, what is already raised—in Alabama the individual child will receive $3.64; in Arkansas, $3.13; in Florida, $3.75; in Georgia, $4.30; in Kentucky, $3.67; in Louisiana, $4.96; in Mississippi, $4.90; in Virginia, $3.94; in West Virginia, $4.31; in North Carolina, $3.26, and in South Carolina, $5.05.

Since the census there has been in some States and some localities an increase of taxation, so that these amounts will be in some localities decreased. The extension of the school system to all parts of the States is not so apparent, but the increase in any event would be but slight, and as compared with the present expenditure it will be noted that this is a division of $15,000,000, the calculation for which is given, so that actually the increase next year, if this fund should be made available in these States, would not be sufficient to bring them up, even with their present contribution, to the amount which is stated in what I have read to the Senate.

I have already placed in the possession of the Senate some recent statements from the State of Virginia. Since I did so I have received from Mr. YOST, a member of the other House from Virginia, some additional letters from school authorities, which I will read to the Senate. I look upon these as of special value, because they are from men whose official duty compels them to know, or in fact makes it unavoidable that they should know, the actual condition of the schools within their jurisdiction; and there is no reason to doubt that what they say is fairly applicable to the entire State.

I read first a letter from William C. Corson, county superintendent of the public schools of Cumberland County, Virginia, dated January 16, 1888, addressed to Hon. J. YOST, House of Representatives, Washington, D. C. He says:

DEAR SIR: Your communication of the 5th January to hand. With much pleasure I now proceed to answer the interrogatories therein contained in reference to the public schools of my county.

First. Total school population, according to the census of 1880, 4,121; white, 1,053; colored, 3,068.

Second. Total enrollment, session of 1886-'87, 1,889; white, 685; colored, 1,204.

Third. Total average daily attendance, 1051; white, 456; colored, 595.

Fourth. Length of school session, 5.02 months.

Fifth. Cost per pupil enrolled, $4.68 per session.

Sixth. Cost per pupil in average attendance, $8.41 per session.

Thus it will be seen that out of a total school population as far back as 1880—and during the six years this sort of population has undoubtedly rapidly increased—out of what was then a total of 4,121 there were 1,889 enrolled, which is less than one-half, and 685 whites, a little more than half the whites, and 1,204 colored, which is much less than half the colored population that should be attending school, while the average daily attendance is 1,000 as compared with the 4,000 who should attend the schools. Mr. Corson goes on:

Seventh. The condition of school-houses.

I call the attention of the Senate to this matter especially, as there seems to be an inclination to consider this expenditure wholly with reference to the necessity of the tuition of the child, the payment of the teacher. The money, with the exception of the $2,000,000 which goes to assist in the construction of school-houses in sparsely-settled localities, among poor populations, is to be expended in the actual running of the schools, so that the local taxation which is now available for teachers and school-houses, and the like, must hereafter, if school-houses are to be provided, be very much more largely expended in the direction of providing the plant. That has got to be done from some source, and it is believed a much smaller amount would be expended hereafter from the local taxation for the payment of teachers.

Seventh. Condition of school-houses: About one-half of our school-houses are comfortable and well furnished; the others, cheap log buildings, poorly lighted, and in every way unsuited for the purpose. We greatly need more and better houses, but are unable to build with our present means.

Eighth. Salaries of teachers: Teachers are paid from $20 to $30, according to the grade of superintendent's certificates held by the teacher. It is difficult to secure competent, efficient teachers for the meager pay we can offer. The short five months' session I regard the most objectionable feature of our public-school system.

Ninth. Improvements demanded: More and better school-houses, with good furniture, longer sessions, an increase of teachers' pay, and means to furnish indigent pupils with text-books. The Blair bill would give us the money to remedy all these defects and enable us to make our public schools what they should be—the pride and glory of our land. I rejoice to know that you are among the friends of the bill, and you may rest assured that your constituents in this county will, to a man, help to hold up your hands whilst battling to gain this great boon for your State and your country. The public schools are the only hope for the education of the children of the people, and an earnest zeal in behalf of this great cause is, to my mind, the strongest evidence of true patriotism. Virginia is doing all she can to educate her children, but it would require double the amount annually appropriated to meet the pressing needs of her public schools.

A very small per cent. of our white people are able to educate their children in private schools, and such schools are entirely out of the question among the colored race. The education of the negroes is greatly retarded on account of the extreme poverty of this race; the parents are too poor to buy the necessary text-books for their children. Often in visiting the colored schools I find from three to half a dozen pupils trying to prepare their lessons from one book. The public funds are so limited that the district boards do not feel warranted to expend more than a few dollars each year to furnish books to indigent pupils. The name of every member of the Fiftieth Congress who works and votes for the Blair educational bill will be honored in Virginia and his memory will be cherished and revered to the latest generations. Allow me to thank you in behalf of the people of Cumberland for the interest which you manifest in the cause of public education.

Very respectfully,

WM. C. CORSON.

That is addressed to Mr. YOST, a member of the other House. Mr. YOST has also furnished me the following letter, signed by C. T. Jordan, superintendent of schools for Augusta County, Virginia:

STAUNTON, VA., *January* 13, 1888.

DEAR SIR: Owing to my absence your favor of 5th instant has just been received, and I hasten to reply.

First. The school population of Augusta County is 10,947.

Second. The enrollment for 1886-'87 was 7,149.

Third. The average daily attendance was 4,629.

Fourth. Length of session, five months.

Fifth. The cost of tuition per pupil enrolled was 79 cents.

Sixth. The cost of tuition per pupil, in daily average attendance was $1.20.

Seventh. The school-houses are in a fairly good condition, but are in most cases

destitute of good blackboards, wall maps, globes, and other aids to teaching as are needful to secure the best results with the least cost.

Eighth. Average salaries: White males, $27.79 per month; white females, $26.30; colored males, $25.44; colored females, $24.70.

Ninth. We need trained teachers, skilled teachers. Skilled labor is always expensive; it has a high value; to secure these trained teachers we must offer such compensation as will enable them to qualify themselves for the work. We can never have professional teachers until we can pay salaries large enough to induce professional teachers to teach in our public schools.

It will be seen that at an average they get only five months' work, and that at these low rates per month there is no encouragement for any intelligent person to engage in teaching. Mr. Jordan proceeds:

Hence the first thing we need is more money. It should be borne in mind that our public schools have superseded a great many good private schools, and unless as good instruction is given in the public schools as was given in these private schools, the adoption of the public-school system will be a great sin.

The efficiency of our present system of public education could be greatly increased by paying the district trustees an amount equivalent to the work required of them. At present they receive no pay; consequently much important work is neglected by them.

What we need is money. We have the material; we can utilize it if we can pay a reasonable sum to get what we must have to do good work.

I have written hastily, but will be glad to give you any further information when called upon.

With kind regards, I am, very respectfully, etc.,

C. T. JORDAN,
*Superintendent Schools, Augusta County.*

Hon. JACOB YOST, M. C.,
*Washington, D. C.*

Another superintendent, G. E. McCarkle, superintendent of Alleghany County, writes:

ALLEGHANY COUNTY, VIRGINIA.

School population: White, 2,153; colored, 602; total, 2,755.
Enrollment: White, 1,234; colored, 247; total, 1,481.
Average daily attendance: White, 864; colored, 140; total, 1,004.
Average length of session, 4.97 months.
Cost per pupil enrolled: White, 82 cents; colored, 63 cents.
Cost per pupil in average daily attendance: White, 62 cents; colored, 53 cents.
Average salaries of teachers: Male, $27.37; female, $26.07.
Condition of school-houses: Very bad and no money to improve them. Our school system is in a very bad condition and is very unpopular, all because we have not the funds to improve it.

I have a statement from G. E. Caskie, superintendent of public schools for Nelson County, Virginia, addressed to Mr. YOST. Mr. Caskie writes as follows:

LOVINGSTON, VA., *January* 9, 1888.

SIR: Yours of the 5th instant received. In answering the interrogatories therein propounded I will use the figures shown by my annual report for the school year ending July 31, 1887. I do this because I suppose it would be fairer than to take any one month of the present session as the basis of my answers.

First. The school population of this county is, according to the last census, 1885: White, 3,594; colored, 3,185; total, 6,779.

Second. The enrollment for last session was: White, 2,151; colored, 1,660; total, 3,811.

Third. The average daily attendance during the same period was: Whites, 1,157; colored, 704; total, 1,861.

Fourth. The length of the school session is five months. There are three schools in the county which run six months; all the others run only five months, except such as are closed sooner because of failure to make the required average, or some reason of that sort. The average last year was just five months.

Fifth. The cost of the whole system (including all expenses—my salary and everything) last year was 59 cents per month per pupil enrolled, or $2.95 for the session per pupil enrolled.

Sixth. The cost for last session, including everything, was $1.21 per month per pupil in average daily attendance, or $6.05 for the session per pupil enrolled.

Seventh. There are now in this county ninety schools, of which about twenty-five houses belong to the school board; the residue are cabins, log houses, etc., which the people let us have. Of the twenty-five which we own, about eight are good houses; the others are mostly log, about two-thirds of which are hewed logs and the others just built of round poles. Of those furnished by the patrons about the same proportion of hewed and round log buildings exists. With the exception of the eight mentioned above, all of these houses are in bad repair, some much more so than others. Some are hardly fit to be occupied at all. Last year I was forced to condemn some, and if I did my duty I would condemn others now. Some of them have board roofs, held on with logs or rocks; some others have sliding windows—*i. e.*, plank windows without any glass—and when you open the window to let in the light you leave a hole. In many of these houses the chinking is knocked out and the teacher has to daub it up with mud as best he can.

I think I may safely say that all the furniture we have, including desks, benches, tables, chairs, etc., for the ninety schools, is not worth over $40. The benches usually, in fact with very few exceptions, have no backs, and in many instances are made by splitting a log in two and boring holes in which legs are put, thus making two benches. With the exception of a very few schools, a few of these benches, a small blackboard, and a plank nailed to the side of a house for a writing desk, constitute the furniture. There is not a map, globe, chart, or anything of that sort in a single school in the county.

Eighth. Our teachers are paid according to the grade of certificate they hold—first grade, $30 per month; second grade, $25; third grade, $20. The average salary last year was $23.74. Owing to the lack of funds, the trustees often prefer a third to a first grade teacher, because they are cheaper. Of course this injures the schools very much.

Ninth. To cover the county and provide school facilities to all of the people we need about fifteen or sixteen more schools. The country is so broken and mountainous that it requires a larger number of schools than if it were more level. Our aim now is to so locate the schools that no person will be over 2 miles from a school. Yet in many cases they are 3 miles, and in some instances 3½ or 4 miles. In bad weather these latter persons are practically debarred of all school privileges, and irregular attendance makes the school but little benefit to the scholar, and the scholar a disadvantage to the school. We need houses fearfully, and where we have them we need to repair them. We need school apparatus, maps, globes, charts, etc. We should run the schools for at least two months longer each year, and in the small towns and villages, where the children are not compelled to work, the schools should be run for nine months.

Owing to scarcity of funds we are unable to pay the school trustees any salary. Hence they can not give the time and attention to the duties of their office which are necessary for the proper performance of those duties; and of course the county superintendents are badly paid. They should be able to give their whole time to the schools.

Hoping that your efforts in behalf of the "Blair bill" may be successful,

I remain, yours respectfully,

G. E. CASKIE.

Hon. J. YOST, *Washington, D. C.*

I turn now to a communication I have just received from the State of Tennessee, a letter from Col. William J. Sykes, under date of January 15, 1888, addressed to myself. He says:

MEMPHIS, TENN., *January* 15, 1888.

DEAR SIR: I send you my speech on Federal aid. I have taken great interest in this question, although I am no school teacher, nor school director, nor school superintendent. I have no children nor grand-children to go to public schools. I sent for the pamphlet issued by the New York Evening Post on "The bill to promote mendicancy." It is anything but conclusive, and is very easily answered. I intend to write them a private letter on the subject. Federal aid is essential if we ever wish an efficient system of public schools in the Southern States. I consider you one of the best friends the Southern States have.

I wish you would let me know where the Christian Union, to which the Evening Post so often alludes, is published, and where Mr. Mayo lives. Whenever the subject is fully discussed in the Southern States the people without regard to party will be in favor of it. I have written a letter to the Nashville American showing that we never can have an efficient system in Tennessee without Federal aid. If it comes before I send this letter, I will inclose it. I will be glad to hear from you.

Yours, truly,

WM. J. SYKES,
*19 West Court Street, Memphis, Tenn.*

I presume the Senator from Tennessee [Mr. HARRIS] knows Mr. Sykes well, and that he is a responsible gentleman. At all events his address, which he sends to me, indicates that. The address is on the subject of "Federal aid to education, its constitutionality, its justice, and its necessity." It was delivered August 9, 1886. He goes over the question from the standpoint of a Democrat. He says:

I am for it because it is Democratic. The national convention which nominated Grover Cleveland for President and Thomas A. Hendricks for Vice-President adopted as a part of its platform the following:

"We favor the diffusion of free education by common schools, so that every child in the land may be taught the rights and duties of citizenship."

This must have referred to national aid to education. The Federal Government has nothing to do with purely local matters—

How true that is! We hear that corroborated every day in the Senate—

and a national convention would not say anything in reference to them. The great body of our laws are purely local, therefore the national convention had nothing to say about these laws, because the Federal Government had nothing to do with them. The fact that the national convention did speak out on this question showed that they considered it a national question. Whether the States as States should encourage education—public-school education—if it had been merely a local question, could not have been interfered with by a national convention, which looked only to matters requiring Federal legislation. This is conclusive as to the Democratic party in convention assembled.

I am glad that the Senator from Missouri [Mr. VEST] is here to catch the idea of his Democratic friend from Tennessee. He goes on:

NO FEDERAL CONTROL.

It is sometimes said we should not permit the Federal Government to control our State schools. To this I agree in the fullest manner and to the largest extent. But aiding our State schools and permitting us to control them in every particular is anything but control of our State schools.

He goes on to discuss the subject fully and cites some authorities. He seems to appreciate the efforts made by Northern Senators. He says:

I am glad that so many Northern Senators have been liberal and wise enough to adopt the basis of illiteracy for the distribution of this fund. Illiteracy is not only injurious to the State in which it exists, but it is injurious to the country as a whole, and well did Mr. Jefferson characterize education as one of "the great foundations of prosperity and union." Let us be fully agreed upon the principle of national aid to education, and then the details of the measure can be arranged with satisfaction to all parts of the Union.

I can not, of course, introduce much of this address, but there are some other points in it which I should like to notice. I will read another short extract from the same address upon the inefficiency of our present system. Mr. Sykes says:

Our present public-school system is a failure, notwithstanding the earnest, energetic efforts that have been put forth to render it efficient. Only 192,463 of our scholastic population, which is 609,028, are in daily attendance upon the schools, and only 373,877 enrolled pupils. There are only 25,569 enrolled pupils at private schools, and 20,503 in daily attendance. Wherever funds are sufficient more children are in school. In Obion County 7,563 out of 10,450 are enrolled, and in Williamson County only 5,200 are enrolled out of a scholastic population of 10,200. Obion County has a school fund of $26,477.50, and Williamson County a school fund of $20,382.63.

With the money we would get under the educational bill we could establish more industrial colleges, where all kinds of industry could be taught, and we could so improve our free-school system as to make it efficient.

Every species of labor and of mechanical employment might be taught in these industrial schools. Young men and young women might leave them prepared to make an honest living by labor. Labor would be rendered in the highest degree honorable, and all would be taught to respect not only the labor but the laborer. Statistics show that wherever there is the most education there labor is the most profitable as well as the most honored. Education—profitable, valuable education—is now not confined to boys, but extends to their sisters, until now they are becoming self-sustaining and independent. A glorious consummation!

You can not reasonably expect much immigration into Tennessee until you establish and sustain good public schools, since laboring people, who constitute our most valuable immigrants, will not go into any State where there are not good public schools. These you can not get without Federal aid; therefore it is essential to the development and improvement of the State. If this measure should be defeated and the people deprived of good public schools, they will hold the men who defeat it responsible, and fearful will be the responsibility.

From the State of Kentucky I have received several communications

which I will read. The first is a communication from the president of the Teachers' Association of the State, R. W. Roark, and is as follows:

GLASGOW, KY., *December* 28, 1887.

DEAR SIR: I want to help by setting forth a few facts which possibly may be of some value. I find them true not only of Kentucky, but of many of the other Southern States.

It will be borne in mind that this is a communication from the presiding officer of the State Association of Teachers for the State of Kentucky. It is hardly possible that there could be a communication from higher authority upon this subject. He proceeds:

First, then, the large towns and cities in Kentucky illustrate what might be in the country districts—*i. e.*, the establishment of good graded schools, with good buildings, furniture, and well-paid teachers, is strongly opposed; but when once established these schools receive a warmer support than in the North. The people are always ready to tax themselves to support them.

He says that before the schools are established the people strongly oppose them, and after they are established they are always ready to support them, even more so than the people of the North. I read this because it is applicable from his observations to the other parts of the South. He proceeds:

In the light of this fact let us look at two points:

First, conditions of education in Kentucky; second, needs (or need) of education in Kentucky.

First, conditions:

1. Teachers. Teaching does not offer money enough to tempt competent men and women; therefore the work falls largely into the hands of inefficient boys and girls who want to make a little "spending money." Such teachers—and the older ones who are in the work—consequently teach for the small amount of money involved, and for that only. They must, then, make out a living by doing something else at least half the time. There is very little professional spirit, of course, manifested by such a body. The teachers are shifting constantly from one school to another, and from teaching to other business. These teachers will gladly teach for the beggarly sum of $1.65 per capita which the State pays, and have been known to "throw in" a month in order to outbid a competitor! The people are not pleased, and the whole educational system falls into disrepute. Local taxation for helping such malpractice as the pupils suffer from will not be entertained without much educating of the people themselves.

2. Buildings. Such teachers will, of course, be content to teach in any sort of house, and do do so, although the law grants them to dismiss until "things are fixed." The buildings in the country are inferior to barns in very many cases; they have no furniture (worth the name), no blackboards, no apparatus. Here, in this town, claiming 3,000, and where three districts "cornered," we have had no school-house until this year! The teachers have been accustomed to supply their own furniture and to rent a house at their own expense. Glasgow supports two private schools very well.

3. County superintendents get beggarly pay, for the most part; and, like the teachers, have no professional spirit. Many of them can not, and few try to, give any tone to the schools. These officers have to eke out a living by some other work, and many of them are farmers, more yet are broken-down lawyers or patientless doctors, etc. They are careless of the kind of teachers they grind out through the examination mill. They hold institutes, and, so far as can be seen, pocket the fees themselves, etc.

4. Trustees (directors) are cut by same pattern. Few want the place; those who take it are often guilty of the most shameful neglect of duty or of the grossest nepotism—the bane of so many of our schools. No honor or dignity attaches to the place, and so it falls into all sorts of hands. The question these officers ask an applicant is—so often—not "What work can you do?" but "What is your price?" They try to secure the cheapest teacher, let him board himself and do his own janitoring.

5. Public opinion of the common schools is necessarily at a low ebb in such a state of affairs—must be to permit them. The schools are so worthless that many refuse to send to them. The people have no confidence in or respect for the profession of teaching in common schools. Then the old Southern aristocratic idea that the "common schools" are "poor folks'" schools prevails so largely. The rich man sends his children to good private schools, and does not feel like paying tax to keep up schools for his poor neighbor.

A point I always try to drive home is that although the South is Democratic politically it neglects the most democratic of all institutions, the public school. One very baneful result of such indifference is the springing up here and there, at almost every cross-roads, of catch-penny "seminaries," "colleges," "academies," etc., which are wholly irresponsible, wholly mercenary, and wholly unfit.

Second. Needs: There is one fundamental need; that is, more money. Growth of public sentiment would follow inevitably. We need money. To illustrate generally, the present work of the Kentucky State Teachers' Association must be educative, educative of the teachers, the people; educative rather than technical or professional. But lack of money prevents teachers from attending either annual meetings or State district meetings, or even county meetings, keeps them out of the reading circle, keeps them away from everything that might help to educate. The same applies to county superintendents. It is easy to see money is needed to help stir up public appreciation of our educational condition. Take the points as before:

1. Pay the teachers more, and we can get better ones; better ones will be in the market. Our own good ones will stay in the State and other good ones will come in. The work will become professional, and that means permanency of workers and growth of spirit.

2. While Federal money may not give us buildings, yet a better class of teachers, secured by increased pay, will insist upon better buildings, better furniture, better apparatus, etc., and will be able to so interest the public in their work and to so demonstrate the value of good work and good tools that better houses, furniture, etc., will come as a matter of course by subscription and local taxation.

3. If county superintendents had more money to handle the people would surely be more careful, at least in small towns and in the country, to place better men than now in the office. And if there were a living in the office, worthy and competent men would offer themselves as candidates, or be called out. In this State the county superintendent can exert a vast influence for good, if he be of the right sort. Our schools would be greatly improved by simply putting the right men in the office of county superintendent.

4. It is plain the same cause (more money) would operate to secure better trustees (directors) in the districts, for the people would elect, or the superintendents appoint, at least outside of city politics, worthier men than now to supervise the school, and select the teacher to whom this increase of money should be paid. Give these local officials relief on the money question and they would soon learn to ask, "Who is fitted?" not, as now, "Who is cheapest?" Experience with our city schools proves that when considerable money is involved the office of trustee grows in dignity, and worthy men are willing to serve, sometimes desire strongly to serve, though there is no salary or chance for nepotism.

5. As a natural result of all the facts above set forth, the people would have more confidence and interest in the public schools and would give them their influence and patronage. Whenever it is made plain that as good or better an education can be secured for a trifling tax as can be had by payment of large sums for private tuition, it is easy to see what will follow.

Then good public schools mean the death from inanition of the worthless, harmful cross-roads private schools, "academies," "seminaries," etc., with which the South is literally cursed. The demand would be for well-equipped colleges, whether private or State, and that they should do collegiate work, not primary and intermediate, as now. A State normal would surely be one result of this demand. Let me emphasize the peculiar fact, though it be irrelevant, that Kentucky sustains a good normal for the negroes, but none for whites, who must get professional instruction where they can.

I have written in this way because I know you were already in possession of the general facts of illiteracy, attendance, etc., and I wanted you to see some things as we do who work near them. I have tried to be suggestive and to state some salient difficulties.

I have stated the general rule. I am glad there are many gratifying and noteworthy exceptions to the conditions above given.

I shall be glad to be of service to you in any way.

Cordially,

R. N. ROARK,
*President Glasgow Normal School,*
*President Kentucky State Teachers' Association.*

Senator H. W. BLAIR,
*Washington, D. C.*

I have just received, under postmark of January 20, a letter from Mrs. Margaret Anderson Watts, of Louisville, Ky., dated January 20, 1888, addressed to myself. She goes on to say that she will give me some facts concerning her own city, and proceeds:

I have attended several State teachers' associations, and out of about one hundred and fifty counties in the State there were not over fifty counties represented. Great stress was laid upon the fact that many of the counties were destitute of schools, and in some of the counties where they had schools they were not kept open but for a short time during the year. It does not matter what the newspapers and politicians say concerning the need of Federal aid for school purposes in the South, let any one who is true to himself and his country travel through Kentucky where the railroads have not penetrated, and the ignorance of the people is appalling.

The Courier-Journal, the leading paper of this city, is doing its best to deceive the people, trying to build up the sickly Democrats by flattery, saying that Kentucky has done all that was asked or expected to be done by the State.

For several winters past we women have made application to our Legislature for an appropriation to build a home for friendless women. We could not secure one dollar from the State. The cry was that the State was not in a financial condition to render such aid. The purpose of the home for friendless women was to educate them, of course, for many of the inmates were from fifteen to twenty years of ago, and more than half of them could not read and write. If the State of Kentucky is so able to educate all of her youth, why was the aid withheld from us who plead so earnestly for the small and insignificant amount of $5,000? I do not wish to intrude upon your valuable time, but would be glad to have you read my report at our last convention. I cut it out of the pamphlet and inclose it.

Respectfully,

MARGARET ANDERSON WATTS.

This lady is one of the leading members of the Woman's Christian Temperance Union, and from her report I read a few extracts. She says:

It is too late in the day to argue about the expediency of land grants, or to what other purposes this heap of gold and silver could be applied. Money is what is needed now to lift the weight of illiteracy and ignorance off of the people.

It is too late now to discuss State rights. The seceding States have been reconstructed some years ago. The restoration of the Union proves the power of the National Government. As much harmony exists now as can exist while the discord of ignorance grates so harshly upon the ears of the educated.

It is too late now for the women of so great an organization as the World's Woman's Christian Temperance Union to be silenced. Every subject connected with the welfare of humanity is a part of its existence. The women are pressing forward earnestly for the removal of illiteracy and ignorance, using whatever means God appoints to accomplish it.

It is too late now to say that women are too pure to touch politics. If this be true, then they are too pure for this world! A large proportion of the inhabitants of this world are women. They breathe the same atmosphere; they live under the same laws; they suffer the same annoyances, and feel keenly the same unjust oppression that partisan political voters do. How can they avoid being touched by politics, however unclean such may be?

She signs the report "M. A. Watts." Other matters she discusses ably, but I will not take the liberty to read them now.

I have here an address by Judge Beckner, an eminent citizen of Kentucky. In inclosing the address he writes me a personal letter under date December 3, 1887. This letter, with the consent of the Senate, as there are six or seven pages, I will ask to have printed in the RECORD with the other matter.

The letter is as follows:

WINCHESTER, KY., *December* 3, 1887.

DEAR SIR: I know of no measure likely to engage the attention of Congress of so much importance to the people of Kentucky as the Blair bill. We need its aid. Our pro rata, or per capita, for school purposes is $1.90. This gives to each school of forty pupils the sum of $76 with which to conduct a school for an entire year. Under our State constitution, the districts can not be compelled to supplement this per caput with local taxation. In the cities and larger towns of course there are graded schools, but even in a large majority of the county seats there are no free schools save those carried on from the proceeds of the per capita distribution. In the country districts the situation is deplorable. In richer sections of the State subscription schools are carried on for several months in each year, but even these are, as a general thing, under the control of a cheap class of teachers. Our people take a deeper interest in education now than they did a few years ago, but the apathy is still distressing. Under the census of 1880 nearly 30 per cent. of our population over ten years of age could not read or write, and the same could be said of 22 per cent. of our white population. Since then I doubt if the percentage has improved.

If we could be awakened to a proper interest in the education of the masses, there are difficulties to be encountered which those raised in the Eastern States can not easily understand. Compare Kentucky, for instance, with Massachusetts. Here we have over 40,000 square miles of territory; there they have only 7,000. Here we had only three hundred and fifty millions of taxable valuation

under the census of 1880. There it was about sixteen hundred millions. Here the per caput is $1.90. There it is five times as much. How shall we on less than one-fourth the valuation raise enough school revenue to scatter over six times as much territory four times as much to each child? It is impossible; and yet the schools of Massachusetts are none too good, and we need the best even more than does that enlightened State with its two and a half centuries of common schools and its abundant colleges, to say nothing of its intelligent founders and its homogeneous population.

And then, again, we have the problem of two races that will not mingle in the schools. This is a question which many in the North do not understand, but it is a most serious and troublesome one with us. The negroes came out of slavery with habits and conditions that made them unfit for the association that mixed schools would bring. The greatest trouble that common schools meet with in the South is the demagogical cry of their enemies that they will lead to mixed schools. An eminent citizen who ought to know better condescended in the State canvass last summer to urge this as an objection to Federal aid. Had he taken the trouble to read the Blair bill he would have seen that there is nothing in its provisions to prevent the States from controlling, in every respect, the schools to which its aid would go.

And then, again, in Kentucky we have the prejudice against common schools which has come to us from Virginia. In all the Southern States the idea of pauper schools found early lodgment, but when Jefferson indicated that a system based on this idea would be a failure he was not understood. The ruling elements south of Mason and Dixon's line under the old régime were not much in favor of the education of the masses, and the traditions of the elders are obstacles to progress not easily overcome. The close of the war found the seceded States conquered provinces. They had to begin anew, and accepted conditions that would most readily enable them to rise. Kentucky was not subjugated, and her people are more stubborn about changes. There is a large element here (and in high places, too) who are willing to see pauper schools conducted, but who are not in sympathy with the idea of the common school, which means educational facilities for all that are good enough for the best. We will not have adequate provision for popular education for generations to come if your beneficent scheme fails. If we could have the efficiency of our system increased, which can not be done without more money, the people would see the value of the improvement and would not consent to return to the old conditions. Population and wealth would speedily increase, and the Constitution would be so changed as to give the Legislature power to pass laws sufficient to compel local aid in every district. The sentiment in favor of Federal aid is rapidly gaining ground in Kentucky. I am a Jeffersonian Democrat in politics, but take more interest in school questions than in those of any other nation. The feeling in favor of the Blair bill elected three Republicans to Congress from Kentucky in 1886. It will increase the number in 1888 if the Democratic leaders do not learn wisdom before their conventions are held.

I see no reasonable hope for schools for the children of this State sufficient for their proper education within the next generation or two unless Federal aid comes right speedily. It is more than a blunder for any Southern man to oppose it. He ought to be *anathema maranatha* in every household where there is a child. I do most ardently hope that you and the other good men of Congress may suceed in accomplishing what will be entitled to rank third in the great achievements of American statesmanship in the interests of humanity—first, the Declaration of Independence; second, the abolition of slavery, and, third, provision for the education of the masses, to whom must be intrusted the preservation of our liberties. They who oppose Federal aid in the South are of a class who insisted that slavery was a Divine institution, and would no doubt have been opposed to the revolutionary and unconstitutional course of those who severed the ties that bound America to Great Britain. I inclose a copy of an address which I prepared in the summer of 1886, and which, through the zeal of friends of the cause, was scattered throughout Kentucky to the extent of 50,000 copies. If I had the means and ability, I would canvass the State and stir the people until no public man would dare to stand out against the light and knowledge which the passage of your bill would certainly bring.

Yours, sincerely,

W. M. BECKNER.

Hon. H. W. BLAIR,
*Washington City, D. C.*

From Georgia I have communications which should be placed before the Senate. First, I will read an extract from a letter from Mr. R. R. Wright, who is a prominent colored citizen, and the same gentleman whom the honorable Senator who now is presiding [Mr. PUGH in the chair] will remember as a witness before the Committee on Education and Labor some four years ago. He was the last witness who was examined by the committee, and is a gentleman of great intelligence, a teacher himself, and now editor of what I should judge to be one of the leading colored papers in the country. He says:

AUGUSTA, GA., *January* 4, 1888.

MY DEAR SIR: I have just returned from a pretty thorough tour of the State. During my absence I have taken occasion to ascertain whether the demand for national aid for education were as urgent now as ever. I have it to say to you that it is, in the opinion of hundreds of people with whom I have conversed, even more urgent. You of course know that there are but few places in the State where schools are in session more than sixty-five days. In many places, even in the large cities, children by the hundreds can not enjoy these few days for the lack of teachers and school room. I sincerely hope, not only for the sake of Richmond County's illiterates, but for the sake of the illiterates throughout Georgia and the South, that you will not hold up until the bill becomes a law. With their eyes upon the crying need for this aid, the Southern white and black man care nothing for the technical opposition urged by some gentlemen.

You are aware of the fact that we held a most enthusiastic meeting here last year, urging the passage of the bill. The meeting was presided over by the mayor and addressed by the most prominent white and colored citizens in the city.

At the last meeting of our State Teachers' Association, to which the governor, General John B. Gordon, delivered the welcome address, the following resolution was passed and a telegram sent you:

"*Be it resolved by the State Teachers' Association, assembled in the capitol of Georgia*, That this body telegraph to Senator BLAIR our hearty approval of his godly effort to relieve the illiterates of the South by the passage of the educational bill.

"*Resolved further*, That we request and urge our Senators and Representatives to use every honorable endeavor in their power to secure the adoption of said bill, commonly called the Blair educational bill."

This body was made up of teachers from all over the State, and of both white and colored teachers, earnestly engaged in the work of educating the people.

The people are with you; God is with you; and we believe that you will finally succeed.

Yours, sincerely,

RICHARD R. WRIGHT,
*Principal Ware High School.*

Senator H. W BLAIR.

From Dodge County, in the State of Georgia, I have this communication:

Henry Coleman, dealer in general merchandise—

But who, it seems, is county school commissioner of Dodge County—

EASTMAN, GA., *December* 20, 1887.

DEAR SIR: At a meeting of the county school commissioners, in the city of Atlanta, during the month of July, a resolution, which I had the honor to introduce, was unanimously adopted requesting the Senators and Representatives to encourage the passage of your educational bill. Public sentiment in Georgia is for it. In this county the number of white children attending public schools is 1,221; colored, 610; an increase from last year of 38 per cent. whites and 23 per cent. of colored. The fund that is appropriated by the State does not meet the requirements, and unless national aid is given the public-school system is in danger.

Pardon for the liberty I take in writing, but I feel it a sense of duty to give you this information.

I remain, your obedient servant,

HENRY COLEMAN,
*County School Commissioner, Dodge County, Georgia.*

Hon. H. W. BLAIR.

Mr. DAWES. Why does not the State pay more? It is a rich State.

Mr. BLAIR. If you examine the valuation of the State and compare it with that of other States, you will find that they are paying as high taxes for all purposes as most other States. They are rich, but it is in the ground mainly, and it has got to be dug out. Most of the capital that is going to the South is, as you know, being invested in a way that does not help the schools. People first construct houses; they develop their mines; they erect their manufactories; they do not go to educating their children. Northern people do not go down there with Northern capital for that purpose.

Another thing: I imagine that Northern people going down there, many of them, the capitalists, are perfectly willing that the average condition of the people should remain pretty much as it is; that they are not anxious to educate them. Labor is cheap, and it will always remain cheap until it is educated. On the other hand, it never will consume much until it is educated, and the development of the South will make a market at the South for all her increased productions.

Mr. DAWES. If the Senator has any evidence upon which he founds the statement which he has just made, that Northern people go down into Georgia and such States as Georgia to invest their capital, with a desire that the people there shall continue, if they are now, in ignorance in order that labor shall be cheap—if he has any evidence upon which he makes that remark, I should like to have it put on the record with his statement.

Mr. BLAIR. The statement has not been made. I do not propose that the Senator shall make a statement for me to go on the record. He has misapprehended me entirely. I said this——

Mr. DAWES. I should like to have the Senator make it so clear that other Northern people as well as myself will understand it. I am afraid they will mistake him as I have done myself.

Mr. BLAIR. I will endeavor to do so. I made no such statement. I say this, that I believe the primary purpose of the investment of capital from the North or from any other country in the South is the development of her wealth for the purpose of self-appropriation. I say that that is the rule throughout the universe, so far as I know the universe. Men do not go there to educate the people; they go there to build factories, to develop mines, to establish diversified industries, on account of the money that they hope to make thereby. They understand, many of them, of course, that intelligence is an improvement of any community. They do not object to the increase of intelligence; but they are not interested especially in the increase of intelligence to the extent of going there with their capital with that view. That is not their purpose; it is not their primary design; they go for the investment of capital. But I say in regard to cheap labor that I believe as a rule the capitalistic elements of the country are willing that labor should continue cheap because it lessens the price of commodities, whether at the North or at the South.

Mr. DAWES. Did not the Senator say he believed that Northern capitalists went down there perfectly willing, if not desirous, that labor should remain cheap and in ignorance?

Mr. BLAIR. I did not say "if not desirous." If I did say it, I certainly did not design to do so. I believe that the object of the investment of capital in the South is the development of industries and the making of money, and that is why the surplus of Northern capital overflows and goes to the South; and I think that unless along with this there be a development, an elevation, an evolution, and a betterment of the condition of the common people of the South, the laboring people of the North and the fixed capital of the North will feel——

Mr. DAWES rose.

Mr. BLAIR. The Senator will please not interrupt me. The fixed capital of the North and the labor of the North will soon find in competition with their home production a cheaper commodity visiting every Northern market, competition with which will be infinitely more troublesome to Northern industries than that which we provide against by our protective tariff. It is absolutely indispensable to the safety of the capital, of the labor, of the industrial condition of the masses of Northern people, owing to the free trade which exists between the States, and which must always exist between the States, that the competition aris-

ing from the development and diversification of the industries of the South, based as it is upon their cheaper labor, should in some way be met. Otherwise it is inevitable that the prices of Northern labor must fall to the prices of Southern labor.

One of the great objects which I, as an individual, have in this bill, so far as my own people are concerned, is to do them good by providing for the general development of the Southern people, by the elevation of the masses, so that they shall comprehend their rights; that by the attainment of intelligence and skill and consequent knowledge of those wants which go to make up civilized life, they shall be able to ask and to receive as wages for their labor that increased compensation which is indispensable in order to have a proper purchasing power. When that is done the result will be that the South will herself become the great market for all that she produces. That will be the result of a general elevation of the people of the South and a homogeneous condition of all the people throughout the country. It will relieve the North from that free-trade competition which is inevitable in the near future, for many of the industries of the South are to-day meeting with the productions of the North in the markets of the North, and taking them away from the North.

That must inevitably result in a competition when everything is produced at the South that is produced at the North, for it is unrestricted; there is no tariff; it is free trade between the States; and it must inevitably result in a competition ruinous to the existing rate of wages and the existing condition of civilization, which is simply the existence and the satisfaction of wants on the part of the common people of the North; and so of the capital of the North, which is fixed there, and can not make its transit and invest itself in the Southern portion of the country, and thus take advantage of the cheap condition of labor which now exists in the South.

On the other hand, it might be said that the operation of a bill of this kind in developing and elevating and improving the condition of the masses of the people at the South, by making labor more expensive, would be injurious to the development of the industries of the South. But that is not true at all, for as you develop the masses of the people at the South, as you give them intelligence to comprehend what belongs to a more highly civilized condition of life, and increase their wages, they become a consuming power, precisely as at the North. The people of the North, the producers of the North, the manufacturers, find in the North itself the principal market wherein they dispose of their productions.

Mr. DAWES. Now, will the Senator yield? I ask him if he does not think that the capitalist of the North understands that question just as well as he does, and that the more intelligent the laborer is the greater the reward? Does he not think that the intelligent capitalist of the North who takes his capital down into the Southern country understands that just as well as he does, and that the more intelligent the laborer, the employé, is the greater his return will be? Why then does the Senator say that capitalists in the North seek to invest their capital in Southern States and at the same time are perfectly willing, if not desirous, that the employés shall remain ignorant?

Mr. BLAIR. The Senator again uses a phrase which I have already repudiated. I said simply that the primary purpose of the Northern capitalist in going to the South is a business motive. He goes there because there are resources, there is cheaper labor, and for the time being he can manufacture with his surplus capital at a cheaper rate than at the North and reach markets which he otherwise could not reach.

Mr. DAWES. If it is for remuneration, and the Senator goes on to argue that remuneration is greater where there is a greater intelligence, then if the Northern capitalist is intelligent and understands what is his interest, it is just as much for his interest when he gets down in the Southern States to see to it that his employé is an intelligent man as it is when he is in the North.

Mr. BLAIR. That is a good argument; it is a legitimate conclusion. I did not say it was not a good argument; it is the argument I am making. I was talking of the primary motive which always leads capital from one section to another section, or from one country to another, and I was pointing to a class of people who are the masses of our people at the North, the laboring, working element of the North, and to a coming competition from the South, based on the free trade between a cheaper form of labor, a cheaper form of production at the South than at the North; and I point to it, too, as something for the consideration of Northern capital, the great mass of which must continue, as it is now fixed, in the Northern States.

As to the intelligence of the Northern capitalist, of course he has intelligence. I am not so tender-footed about saying something that may possibly affect the feelings of Northern capitalists. I have no purpose in advocating this bill but the general good of the whole country, and I am thinking something of the good of my own section of the country as well as of the South in reckoning from an industrial standpoint. I say to-day, under the solemnity of my convictions and my responsibility here in this seat, that I believe the North is as much interested in the passage of this bill as is the South. We are spending life and are ready to endure death to prevent a reduction of the tariff. We consider it absolutely indispensable for the continuance of the prosperity of Northern industry, and why? Because we fear that if the tariff is reduced the productions of the Old World will come in here and swamp our industries, break them down, and turn our people loose upon some other occupation or turn them loose in simple idleness and want and destitution. We therefore keep up our tariff and fence out foreign productions, and fence out foreign industry—at least we propose to do it, and have already done it in the case of Chinamen.

Everybody knows that all kinds of labor at the South average scarcely anything more in actual cash than 50 per cent. of what we pay to the Northern laborer. I have seen the Southern laborer in the factory, the white laborer, as skillful, and I believe even more skillful than the average white laborer at the North employed in the factory. The same Anglo-Saxon blood, the same sort of blood that was in the factories of Lowell and elsewhere in New England forty years ago is in the factories of the South to-day, not so well educated as it ought to be and as it gladly would be. The fire in the eyes, the deftness of the fingers, the handiness of the work in the mills is, I think, in excess of that which is developed in the mills of the North to-day, coming as the operatives do, not from the loins of New England, but from other countries as well; and I believe that man for man, operative for operative, in the Southern mills they will produce as much to-day as they do in the North. Yet they do not consume as much; production does not cost as much.

We have no tariff against the South. We want no tariff against the South. We are politically joined and must continue so; but unless there be a homogeneous condition produced throughout the whole country it is inevitable that the labor where it is the highest must sink to the cost of the labor where it is lowest, and there is no way to change the price of labor among the masses of the people of the South but by educating them and developing them. They will see then their wants. They will read the newspapers, and there is another want. They will desire that which goes to make up a higher civilization. They will demand proper pay. They know what compensation the Northern laborer gets, and they will increase their own wages accordingly. If necessary, they will combine, as workmen do at the North, and sustain themselves in these great conflicts with capital. What is the result? The cost of production will become uniform with the cost of production at the North.

But our country is increasing immensely at the South as well as at the North, and with this multiplication of wants among the common people of the South will come added to it the purchasing power of which I spoke. From their increased wages will come the power to consume at home, and there is the market for all the increased productions of the South, no matter to what extent it may be carried.

That is my theory so far as the Northern people are concerned in advocating a distribution of this money in such a way as to give the South, so far as her schools are concerned, the benefit of the great mass of it; and I think the South will get along and feel the pinch less than will the North unless something of this kind is done. I say the South will feel the pinch less, because that which a man has had and enjoyed it is difficult for him to surrender. If he has had a better house, a better garment, a better education, if in the thousand respects which appertain to the higher enjoyments of life he has had his wants satisfied, when he is deprived of them, when his purchasing power disappears by the reduction of his wages, he inevitably suffers; but the man who never enjoyed these things, or the family which never possessed them, gets along in the same old way.

I have here a letter from Mobile, Ala., on the same subject, from Philip Joseph, which I will submit:

MOBILE, ALA., *January* 4, 1888.

DEAR SIR: Herewith please find copy of thirty-second annual report of superintendent of education of the State of Alabama. It is for 1886, six years since the census. It is the latest report. The State superintendent of education in this State and all of the county superintendents are Democrats, so that presumably the figures furnished are not unfavorable to their side. I have thought you would prefer drawing your own inferences from these tables; but I beg to invite attention to page 89, wherein you will find the white scholars taught per teacher are an average of 39, while the average colored is 48—in favor of the whites nearly 30 per cent.

In cities (pages 96-97) the annual school terms range from 140 to 200 days, the latter term existing in Birmingham only, where there has been a great influx of energy and capital. In all other places in country districts, from 40 to 75 days, an average of about three months. Fifty-nine days' schooling in Walker County, where the boasted coal deposits exist (see pages 92, 93, 94, 95). You will observe that tuition to colored children is almost wholly confined to orthography, reading, writing, and arithmetic; and even in these elements the number of colored children taught is very much less than the whites.

Only 12,157 colored children are taught grammar, 3,742 history, and 348 algebra (see page 95). Average length of school term, including the cities, 87.25 days (see page 98). Outside of the cities, no comfortable school-house or furniture is provided at all for the colored children or the poorer whites; churches or rude cabins are used for this purpose. Pages 84, 85, 86 show the comparative salaries paid, but you will see that the compensation to colored teachers is less than that paid to white teachers. In a number of districts throughout this State no colored schools exist.

My personal knowledge and observation of the condition of education among the children of both races in the States of Alabama, Georgia, Florida, Mississippi, and Louisiana would warrant me in saying that the need of national aid to schools is as great now as when "the Blair educational bill" was first introduced by you, eight years ago.

I inclose letter from an old teacher and ex-secretary of the Mobile County school board, referring to the schools in this city and county.

Very truly, yours,

PHILIP JOSEPH.

Hon. H. W. BLAIR, *United States Senate.*

Here is a telegram showing the action of the Teachers' Association of Georgia:

ATLANTA, GA., *May* 13, 1887.

SIR: By a unanimous vote of the Georgia State Teachers' Association, I am directed to express its hearty sympathy for you in your struggle for popular education.

G. A. GOODWIN,
*Recording Secretary.*

Hon. H. W. BLAIR.

I have a letter from Rev. A. G. Haygood, which I am very desirous of reading. He is the agent of the Slater fund. His position is analogous to that of the superintendent of the Peabody fund. He says:

DECATUR, GA., *November* 24, 1887.

DEAR SIR: Go on with the bill for national aid. It is more needed in the South with each year; illiteracy outgrows wealth. The South is not able to carry its double burden of ignorance and poverty. The nation put on the negro the burden of citizenship before he was ready, and the nation owes it to him; the nation owes it to the South, that more than any other section feels the danger of an illiterate vote strong enough to control elections; the nation owes it to itself. The South is not prosperous outside a few cities. Where the burden pinches most, in the rural districts, the people are poor and unable to carry their burden. The nation has a vast surplus. Teach these people it made free before they were ready.

The census states the facts and makes the argument.

My work carries me through the South from Washington to Texas. I see the things of which I write.

Respectfully,

A. G. HAYGOOD,
*General Agent of the John F. Slater Fund.*

Hon. H. W. BLAIR, *Washington City.*

I have here a letter from West Virginia, which is as follows:

BEVERLY, RANDOLPH COUNTY, WEST VIRGINIA, *April* 27, 1887.

DEAR SIR: Yours of the 21st instant at hand requesting me to give you certain information and opinion as to national aid to public schools. West Virginia is not as needy as some of her Southern sisters, but when her present sources of taxation are considered and her needs for present necessities summed up, the absolute necessities are apparent. It is unnecessary to argue the matter. Our Senators and Representatives are favorable to the measure. I am convinced that four-fifths of our people would sign a petition for national aid, and an equal portion would vote for it were it submitted to them.

Yours, truly,

B. L. BUTCHER.

Hon. H. W. BLAIR,
*Washington, D. C.*

I have received the following letter from Mississippi:

WALNUT GROVE, MISS., *January* 2, 1888.

DEAR SIR: Your letter of late date asking for information on the state of education is at hand.

There is so much that ought to be said that I do not know where to begin, but if there is any section of country that needs Federal aid to education more than any other, it is Central Mississippi. The public-school system of this State is worse than a mockery. Under the law we can only have four months of free school during the year. The maximum salary is $55 per month and the minimum $15, but there are few who get more than $35 per month. This salary is paid in three to twelve months after it is due—oftener the latter than the former. The effects of such a system are apparent. The best teachers, as a rule, seek more lucrative positions in other States, and the second and third grade schools are kept—not taught—by those who are not equal to the task in education and, in many cases, in natural endowment.

There are a few leaders who are laboring earnestly for the great cause of education, but the great mass of the people lie dormant. The awakening has not come to them yet, and I fear it never will unless we can get more money with which to back the school system. The people as a body do not yet see the importance of universal education. We need more active men and women, more true teachers, in the field, and in order to get them we must have more money. Those who know anything of the state of affairs, as a rule, are favorable toward your bill, though many never heard of its existence. I have been doing all in my power to enlighten them, but it is a very difficult process. I send you herewith a copy of my paper, from which you will see that I am an advocate of "Federal aid."

Hoping that you may be successful in your efforts in behalf of popular education, I am, with best wishes,

Yours, truly,

W. C. ROATEN.

Hon. H. W. BLAIR,
*Washington, D. C.*

I have here the proceedings of the State Teachers' Association of the State of Arkansas, in 1887. It resolved as follows:

Whereas existing conditions are such as to render it impossible to turn back the tide of illiteracy that is bearing down upon us without long years of labor, much expenditure of local revenue; and

Whereas this Government reaps the benefit of whatever is or has been expended by any portion of it for the promotion of intelligence:

*Be it resolved*, That the Arkansas State Teachers' Association, in convention assembled, recognizing the wisdom that prompts immediate and systematic steps being taken towards the removal of illiteracy from all portions of our land, does hereby express its sentiments in favor of such national aid as shall supplement State school funds, the expenditure of which we firmly believe to be necessary to our contentment and well-being.

*Be it further resolved*, That a copy of these resolutions be furnished our Representatives in Congress and the various State papers.

On motion of Mr. Sampson the resolutions were adopted by a rising vote.

The work of the association having reached its closing, the retiring president presented the incoming president the gavel, and no further business appearing, the Arkansas State Teachers' Association was declared adjourned *sine die*.

J. J. DOYNE, *Secretary.*

I have here what perhaps should be read in this connection, a letter from Hon. Robert C. Winthrop, for many years, as is well known, the president of the board of trustees of the Peabody fund. Since his connection with that board he has always been a strong advocate of Federal aid to common-school education, exclusively, perhaps, or primarily, in the South, and he has been a strong advocate of this bill. Time after time he has so expressed himself to me and to many others. He writes a letter under date of January 25, 1887, addressed to Rev. Dr. Stearns, chancellor of the New York University:

BOSTON, *January* 25, 1887.

MY DEAR SIR: I was glad to learn by your kind letter of the 11th instant that you were proposing to make Mr. Peabody's great gift for the schools of the South the subject of special commemoration at the normal college on the 7th of February next.

Twenty years will then have been completed since his letter of trust was placed in my hands. The original letter is before me at this moment, dated "Washington, February 7, 1867," with the autograph signature of George Peabody. You have just called it "one of the most remarkable and important letters ever written in this country." The munificent endowment which it announced was the first practical manifestation on a grand scale of that spirit of conciliation by which alone the wounds of the civil war could be healed and peace restored to our land. That letter gave also the earliest impulse to that cause of common-school education which was vital to the regeneration of the States impoverished and devastated by the war. And still further, it afforded the grand example, which has been so happily followed in later years, of a rich man pouring out millions during his lifetime for the relief and welfare of his fellow-countrymen in their distress. In all these ways Mr. Peabody's letter of the 7th of February, 1867, was indeed most remarkable and most important, and one of these days it will find a place among the most precious manuscripts of our country, perhaps in the new Congressional Library at Washington.

Congress, as you may remember, awarded a costly gold medal to Mr. Peabody in grateful recognition of his patriotic philanthropy, and his letter of trust may well be ultimately assigned to the archives of the Government.

Meantime that letter has already accomplished great results. Every expectation and hope of the writer has been fulfilled. Excellent school laws in all the Southern States, thriving common schools in many of the cities and towns, and a deep pervading interest in the work of education animating the whole people, all unite in attesting the influence and inspiration of Mr. Peabody's letter. Your own normal college, with its more than one hundred Peabody scholarships, is a noble illustration of what, I trust, it is destined to accomplish in still larger measure in future years.

Of those to whom the letter was addressed, sixteen in all, five only are living, and only four are still members of the board of trustees. I can not be too grateful to a kind Providence that I have been privileged to preside over this distinguished board from the first, agreeably to the appointment of Mr. Peabody himself. He had taken me into his confidence six or seven months before his letter was signed, and I had promised to watch over his great trust so long as health and strength should permit me. It has been one of the greatest satisfactions of my life to do so, and will be to the end.

Education is the great necessity of our country. Free government can rest securely on no other basis than free schools. Increasing millions of people, with votes in their hands which they can neither write nor read, are a standing menace to the safety of our institutions and the purity of our elections. With a surplus revenue in our Treasury which Congress seems incapable either to reduce or squander, it is lamentable that all national aid for the children of the schools should continue to be denied or evaded. But I dare not dwell on this topic. Believe me, dear Dr. Stearns, with the warmest wishes for the prosperity and welfare of the normal college at Nashville,

Your friend and servant,

ROBERT C. WINTHROP.

Rev. Dr. STEARNS,
*Chancellor of Nashville University.*

I have observed, introduced by some Senator in the debate, a statement that General Armstrong, of the Virginia Normal Institute, has lately developed into an opponent of national aid to education. I can not believe it. He was early one of the active agents in initiating these movements, and always supported them. I have here a report of his as late as 1886, in which he strongly advocates the employment of additional aid for the benefit of common-school education. If he has changed his mind since that time I can only say that it is against the universal testimony of educators in the South as far as I know. The great mass of educators North and South, the great educational bodies, the religious bodies, the intelligent gentlemen, the observers, and all who seem to have actual knowledge of the facts, as far as I know, with scarce an exception, testify uniformly in this same direction.

The school itself is a charity, and it has been extraordinary that a man living in a State which is going behind in the matter of literacy, and himself supported by the charity of that State and of the National Government in his institution—that he of all men should come out against the existing order of development of things and protest against anything like national aid. I have understood it to be stated that this is the case with General Armstrong. I do not believe in the story of his having ceased to be an advocate of national aid. I will read what he said in his report of 1886:

The movement in this State is active. * * *

The nation which freed and enfranchised four million of slaves, thereby creating most serious and dangerous political conditions, has felt its responsibility, and has from time to time attempted to do something towards cultivating intelligence and moral sense of its new-made citizens. The "Blair bill" is the last expression of this feeling, and has failed.

Undeniably, a better measure might have been prepared. Too much was asked for in too short a time, and this mistake gave some justification to the cry of "pauperizing the South."

That, allow me to observe, is a matter of opinion. The whole amount which this bill would give in the first year is only $7,000,000 for the entire country, and the amount expended in the entire South would be less than is expended in many a single Northern State, and such a statement as that must be made in very comprehensive ignorance of the facts.

Undeniably a better measure might have been prepared. Too much was asked for in too short a time, and this mistake gave some justification to the cry of "pauperizing the South." The fifteen millions given by Northern charity for Southern (chiefly negro) education have had a tremendous mental and moral result.

Just so. It has not belittled the people; it has not taken away their self-dependence and reliance. It is said to have been a good thing

coming from private charity. It is difficult to see how it would make any difference to the child if the money that educates him comes from the nation, from the State, from the parent, or from a charity. If there is a self-reliant and intelligent gentleman here on this floor he has received his education not from himself, but from an outside source; and to supply education in this country has cost millions and millions beyond the amount with which this bill undertakes to supplement the efforts of the States themselves. As to its producing a bad effect upon the people who are now subject to taxation and who are too poor to suffer additional taxation, I will say that they are now, with all their poverty, bearing greater percentages of burden in many cases than are the rich and wealthy States of the North.

The three and a half millions of Government money issued by the educational department of the Freedmen's Bureau between 1865 and 1870 was the means of teaching a million black children to read and write. It did broad foundation work for the institutions that were to follow it, and, in my opinion, wise and legitimate means can be found for using national aid against that worst enemy of republics, an ignorant population. The need of it for the enormous mass of illiterate blacks and whites is unquestionable.

The need of national aid he is speaking of again:

There is danger in neglect of them, and we who know what the trouble of the past has been, see the trouble ahead and feel that the worst is yet to come.

This is found in the Virginia school report of 1886, the sixteenth annual report of the superintendent of public instruction, for the year ending July 31, 1886. It is absolutely incomprehensible that since then, there having been no change of facts or circumstances, General Armstrong has pronounced any well-considered opinion to the contrary.

I have here the Progressive Teacher, published at New Orleans, which seems to be a paper published in the school teachers' interest. It is dated "New Orleans, January 15, 1887." That is a misprint in the date. It should be 1888. Speaking of Alabama, it says:

No State in the Union possibly is at this time making such gigantic strides towards material development as is the State of Alabama.

Numerous railroads are being surveyed and built through the territory. Towns are springing into existence as if by magic. New and better residences are being built in town and village. Manufacturing enterprises of gigantic proportions are going up in many sections. Her great iron furnaces outnumber those of any other State. Capital is pouring into her lap. Her population is rapidly increasing. The present is probably the most important period in the history of this great State.

With all this material prosperity, what of her public schools? What of her school-houses? Three months in the year, and often in a miserable hut or an open, barn-like church. Not enough money spent on them to arouse an interest in the public school. Salaries so meager for teacher and superintendent that no man can live by this work. Half-paid, and therefore half-prepared, teachers. Fifty per cent. of illiteracy, and that on the increase. What is the remedy? More money, more money! This is the only remedy. Can our legislators not see that the amount spent does not accomplish the purpose for which it is intended? Can they not see that the force is lost by being scattered? That twice the amount will do four times the good? No system can accomplish anything without support. Nothing can run itself, and to half-way do a thing is not wise. Give the schools a chance. Give the children a chance. Ignorance is dangerous. The safety of a republic lies in the intelligence of its citizens. We must educate or suffer for our negligence. But what can a public-school system do with only 50 cents per capita for its educatable children? Not much. Would not Alabama better double her appropriation or double her endeavors to have the Blair bill passed by the Congress?

Now in regard——

Mr. HAWLEY. Before the Senator passes from that I should like to make an inquiry.

Mr. BLAIR. Allow me to make one observation while it is in my mind. In regard to the allegation that in all instances States fail to tax themselves according to their capacity to endure taxation, I think, from the facts I have submitted, that is shown not to be so; but even if that were so, with whom are we dealing? We are not dealing alone with the interests of the States; we are not dealing with those too old to attend school and who have on themselves the burden of life, who must live and who must die under substantially the conditions which now surround them.

We are dealing with the children, not of the State alone, but of the whole country. The question is whether they shall be educated. The child can not wait while we are dawdling here as to whether we shall compel the States to pay it all or will give our aid; and if the States fail to realize the necessity of educating their children, if the States or municipalities in the States by reason of the fact that they are unaccustomed to the common schools, by reason of the conditions which formerly existed but are passing away—if, by reason of these former conditions, they have failed to appreciate the necessity of education (for it is an indispensable necessity with reference to the future), are we to permit this to go on, having the means, having the constitutional power—I speak now to those who believe in that constitutional power—simply because even the people do not want it? Are we to fail to give it, and, by such means as are in our power, see as to its proper distribution and judicious use? On the principle contended for, you should have refused the $15,000,000 of Northern charity and over that which has found its way South.

How would the Peabody fund have accomplished the great good which it has accomplished if this idea were to be followed? That was an impulse from a remote corner of the Republic, from a single individual, and the same principle which carries benevolence wherever it will do good, and which is invited from the locality where it is expended and where it must locate itself, requires that this great nation apprehending the want shall relieve that want; and when once it has been relieved, when once people understand the necessity of this institution, how it will promote their interests and the interests of their children, morally, mentally, materially, in every way, they will stand by the common school, as they do in our Northern States, until the death, for they will feel that its destruction would be death.

Mr. HAWLEY. I wished, while the Senator was talking about Northern capital going South, and about Alabama, to measurably correct what I think is a mistaken impression which he has imbibed. Florida, for example, judging by his own reports, has shown a great deal of public spirit and energy about the matter of education. I have been in the habit of attributing that, to a considerable extent, to the Northern people who go down there, most of them with some means, and some of them quite well off, as the world goes, and who carry with them their early traditional impressions in regard to popular education.

One thing more as to the importation of Northern capital into the South. The Senator's remarks about Alabama remind me of the fact that two very large and flourishing towns, in one case a new town and another growing to be such, were established by capital from Connecticut. I refer for one to Anniston, and for the other to the Shelby Iron Works. I happen to know in regard to one of them particularly, and the other by inquiry, that there is nobody in the South more favorable to religious and intellectual education than those two concerns that went down there according to the Senator's idea simply to carry away the dollars from the locality. There are to be found churches and school-houses in Anniston, I think, entirely built up by the corporation, and in Shelby they have assisted public education and are generous and public-spirited people who carried not only their capital, but their traditions with them.

Mr. BLAIR. I dislike that Senators should attempt to place me in a false attitude. I have said nothing, I have thought nothing that justifies the conclusion to which the Senator from Connecticut seems to have arrived in his own mind that I was complaining.

Mr. HAWLEY. Let me explain now. I do not mean that the Senator said anything more than this, that they went down there with their capital honestly and in the ordinary mercantile way, but that their purpose was to go there to make money. I say they carried with them higher purposes than mere money-making.

Mr. BLAIR. I said that capital seeking the South went there to improve its chances. I did not say that citizens from the North going South, locating themselves permanently there, and becoming a part of the community, knowing what was necessary for the benefit of their own families, which by reflex action would affect the happiness of the community, and their children in time to come—I did not say that those people did not carry Northern institutions with them. They do that, and from undoubtedly as high motive as anybody does good to others while doing good to himself. That is all true and all right. I was speaking of the necessity of some attention to this matter on the part of the people of the North who are to remain in the North, the capital and the industry in the North, that it was important to them that the development of the masses of the Southern people should go on with equal step with the development of their industries, in order that the South might not become the great competing producing country under the operation of the protective-tariff idea, which is the great source of danger to our Northern industries and our institutions. The mass of the people of the North get the great proportion of that which is produced there—they get it in wages—but no man can get anything that he has not the ability to pay for.

All admit that the purchasing power of the Northern laborer is better because he has in his wages greater purchasing power than the laborer at the South; but when you give the laborer at the South corresponding intelligence he will know then what belongs to him; he will ask high wages, and he will get his pay, and it becomes part of the component cost of production, and with these wages he consumes at home and he will buy at home, and the South becomes then like the most advanced communities at the North.

In this same paper there is a short editorial upon national aid. I had perhaps better not take the time of the Senate to read it. It is largely devoted to the advocacy of this measure, or something which has a prospect of the results contemplated by this measure.

I desire to have read, which I ask the Secretary to read for me, a letter from Dr. A. D. Mayo, which I find in the Springfield Daily Republican. I suppose the Senate will understand that Dr. Mayo, a Northern gentleman, a citizen of Massachusetts, has for the last thirty or more years devoted himself, I think wholly, to a peripatetic acquaintance with the condition of Southern education, keeping up his connection with Northern educators and carrying from the North all that he could to the South, and devoting himself with ability and zeal and success to the general good of the Southern as well as the Northern people, and to the course of education, that has made him one of the great benefactors of his time. He has been assailed, as all men are assailed who amount to anything, and he has written this letter, which I think will be instructive to the Senate, and I ask to have it read from the desk.

The Secretary read as follows:

NATIONAL AID TO EDUCATION.

*To the Editor of the Republican:*

The enemies of the Blair educational bill, who flatter themselves that national aid to education is a lost cause, will probably be enlightened by the immediate passage of a similar measure through the Senate. Then for the third time within five years this important legislative act will appear at the bar of the House, claiming the ordinary right of a fair discussion on its merits. We believe it will not be a wholesome or safe exercise of the powers vested in a few leaders to prevent such consideration again as in the past.

The main ground of open opposition to the measure has already been outlined in the opposition press. But it is evident that the most obstinate opponents and most vital reasons for this persistent opposition are behind the scenes. One thing is demonstrated already—that every man, North or South, opposed to the present tendency and importance of the public-school system, and who desires for any reason to curtail its power, will be found in his own place with a decided negative. It is not necessary to disparage the motives of this formidable host arrayed in opposition to the American public school; but the fact remains, and the friends of national aid will be compelled to meet and overcome every form of this hostility. Of course there are friends of the public school now and then influential, who will act on the same line; but the "old guard" of the opposition, North and South, remains.

It only needs a glance at the ostensible grounds of opposition to dispose of some that have been vigorously worked. The attempt to disparage national aid by painting Senator BLAIR as a crank, and fastening its authorship and chief advocacy upon unreliable and visionary schoolmen, disappears with the fact that the Blair bill is simply the Senate bill wrought into its present form after five years of the most searching criticism by the leaders of both parties and sections, assisted by the most eminent public-school men of the North and South. Any bill that passes the Senate will be of the same sort.

The great debate of three years ago in the Senate, one of the ablest, broadest, and most vital in all ways since the war, effectually disposed not only of the "constitutional" objection, but of the pretense that this is a new question sprung upon the country. The bill has passed muster before almost every great lawyer in the Senate, and is demonstrated to be in the direct line of the national policy from the beginning. Nothing would please its friends better than that the ex-governor of South Carolina, Lawyer Chamberlain, should execute his threat of carrying it before the Supreme Court.

The grounds of opposition this winter will be, first, that public interest in the bill has died; second, that the South is getting on well enough now without it; third, that it would paralyze home effort if passed.

The question must turn finally on the attitude of the South. The opinions and theories of educational philosophers, politicians, and even important journals in the North will finally be tested by the deliberate and growing conviction of the competent class of the Southern people, with the grounds of their faith. It is not understood, as it should be, that this bill is neither a theory of a few schoolmen, a political bribe offered to the South, or anything but a legitimate cause that has grown in a natural way from a growing public necessity, and was never so powerful when clearly understood as to-day. When Mr. HOAR pushed through the House his original bill, he represented the most advanced and reliable estimate of Southern needs by the best-informed common-school public of the South. The measure originated in this quarter, and from the first almost every eminent public-school man of the South has been its determined advocate.

The growth of public Southern opinion in the ex-Confederate States has been irresistible, overcoming every form of opposition, till only five of the twenty-two Senators of that section have opposed it in the Senate, and three of them misrepresent Tennessee, Alabama, and South Carolina. Each of these eleven States, if polled to-day, would cast a heavy majority of the white with the solid column of the colored vote in the affirmative. If Texas is excepted, even there the common-school public is practically unanimous, as shown by repeated demonstration of its representative teachers. The Southern opposition is most powerful in Maryland, Kentucky, and Missouri. But in each of those States the leading public-school men are almost unanimous in its favor, and the general public less informed because not pressed by such imperative need. With one or two exceptions every leading Southern journal is its advocate. Within the past year Southern public opinion has rapidly developed, as shown in the adoption of the measure by the Democratic leaders of Virginia, the revolt of the Democratic governor of Tennessee from the Harris plank in the State platform, and by the growing impatience with every Congressman in open opposition. It is as easy to deny this and to keep exclusively among the opposition as to live for a year in Boston in eminent families who have lost faith in republican institutions or to walk on the shady side of the street; but the fact remains.

The grounds of this conviction, by that portion of the Southern people who look to universal education through the common school for the only permanent relief of the ills that worry and the perils that threaten Southern society, are easy to be seen. All assertions, doctoring of statistics, optimistic expectations, and oratorical buncomb, North and South, to the contrary notwithstanding, these cold facts remain:

First. That of 6,000,000 children and youth in need of a good country district school in the sixteen Southern States, not 3,000,000 are to-day in constant and effective attendance on any school four months in the year, to say nothing of the brief term of school years possible for the Southern girl and boy.

Second. That to achieve this the common school public of the South has lashed the Southern people very near to the dead-line of taxation for education, many of their towns now exceeding, and the whole South falling but little below, the North in its expenditure, according to valuation.

Third. While the valuation of New England equals, and of Massachusetts and New York largely excels, the whole South, and the savings banks of Massachusetts could pocket the State of Georgia, it is idle to talk of the possibility of meeting this emergency by home effort for years to come. There is no such general boom down South as justifies any reasonable expectation of large immediate increase in the school funds. To-day, Massachusetts expends half as much on her 500,000 school children as the whole South on its 6,000,000. Meanwhile, the barbarism we call illiteracy broods, a threatening cloud, over the abyss of the lower side of Southern life.

Turn and twist and declaim as we may, this is the situation as reported by men like Drs. Haygood and Curry, President Johnston, Governor Thompson—indeed everybody who has looked this thing through to the end. If there is any better cause than this which the common-school Southern public now present to the country we are not informed of it.

The fear that the Southern school public will be "demoralized" by a yearly gift of some $8,000,000, which would afford less than $2 per capita for each school child, leaving then the expenditure less than one-fourth per capita of Massachusetts, is not well grounded. National aid for education, in every possible form, has been showered upon the fourteen Northern States west of the Alleghanies for more than a generation; and to-day these States lead the world in the zeal of home effort for the common school. The Southern people are no exceptional race, and the voting of moderate national aid to encourage, stimulate, and finally help to establish a good six-months' country district and an eight-months' graded town school of the American type, is one of the most imperative duties of Congress. It required years of work, with two Presidential vetoes, to secure the agricultural and mechanical college land grant to all the States in 1862. It will not require half the time to carry a judicious measure for national aid in the present emergency of Southern educational affairs.

A. D. MAYO.

Mr. BLAIR. Mr. President, I have a letter of three pages from a colored clergyman at Mobile, Ala.:

MOBILE, ALA., *January* 2, 1888.

DEAR SIR: I have kindly been asked by Hon. Philip Joseph, of this city, to write you a letter concerning the colored schools or colored school system of the State of Georgia. I am a native of Georgia and in my earlier life was engaged in the public schools. I am now a preacher in the Methodist itinerancy in the State of Alabama. Now, so far as the schools in the State of Georgia are concerned, I will say I believe we have only one large school in the State that gets any public fund; that is the Atlanta University, that gets $8,000 annually; there are other graded schools that get smaller amounts. Most all of the larger towns in the State have public schools, I mean the cities, that run from six to nine months during the year. The teachers are paid according to the grade of their certificate, and in all cases the white teachers through the State get the largest amount of salary. Now, as to what we call the country schools, in the more rural districts, I must say that in most places those poor people have only the advantage of about three months' school. There may be in some localities a little longer session, but no country school in the State of Georgia ever runs nine months and very few of them run longer than three months in the year, and most places the colored teachers get very poor pay. I have given you a synopsis of the colored schools of the State of Georgia which is simply true. I hope this may do the good for which it is intended, and ere long that grand old Blair educational bill shall take the lead of education for the colored.

I am sincerely, yours for the bill,

M. L. BLALOCK.

Mr. H. W. BLAIR, *Washington, D. C.*

The Florida School Journal, published at Lake City, Fla., in its issue of November, 1887, contains a letter from A. J. Russell, State superintendent of public instruction, from which I extract the following paragraph:

There are many teachers who have managed to barely scrape through, and obtained a third-class certificate and are content to rest upon that. Some I know of, who have held just such a certificate for five, six, and even ten years, sometimes re-examined, sometimes the certificate is hastily renewed by the county superintendent by writing the word "renewed" across the face of the old certificate for the coming year.

From Columbia, S. C., I have this letter:

OFFICE OF THE CAROLINA TEACHER,
*Columbia, S. C., December 23, 1887.*

MY DEAR SIR: Since the receipt of yours of the 14th I have done such work in the line it proposed as my limited time would allow, and have started your letter on the rounds in order that each may have the benefit of your timely suggestions without subjecting you to so much writing.

The inclosed letters will show something of the sentiment among Southern editors, and the same feeling is gaining favor among the people. They begin to realize, as they never have before, the necessity of education for all, and when they get to this point the provisions of the "Blair bill" are not objectionable at all.

Inclosed you will also find editorials clipped from the Charleston (S. C.) News and Courier, which I am sure will interest you, if they have not already come to your notice. I shall send you all such that come to me.

Please accept my thanks for the "educational bill," as well as for your kind letter, and believe me,

Very respectfully, yours,

W. L. BELL.

Hon. H. W. BLAIR,
*United States Senator, Washington, D. C.*

THE BLAIR BILL.

It is often easier to procure the passage of a bad law, or one of doubtful utility, than one that promises the greatest good to the greatest number. When men's passions are excited they are quick enough to put their will into shape if they have the power, and in legislative bodies the majority has the power. Laws for the general welfare, however, are everybody's business alike, and the rule is, in most cases, that these wait for consideration until others of particular interest are out of the way.

The history of the Blair educational bill illustrates this rule. It is one of the most important measures to the whole country that has been introduced into Congress in the last twenty years. It looks to the education of the people to qualify them to be good citizens, and provides for the education of a class of persons who are numbered by the million, and who will not be educated if the bill fails to become a law. Yet it has been held back and suffered to remain inoperative, while hundreds of measures of little or no concern, except to politicians or limited private interests, have been hurried through Congress without difficulty.

We believe that the Blair bill will pass sooner or later. Every day shows more and more the need of some such law. Every year that is lost means so many more ignorant and dangerous voters who have passed beyond hope of redemption or improvement. The bill ought to pass this session, since it has been delayed too long already. The Senate Committee on Education are unanimous in favor of its passage in the shape in which it passed the Senate in the last Congress, and it will probably be sent to the House at an early day.

No more important measure will demand the attention of that body, even at this most important session, and the Congressmen from the South particularly, who know how urgently help is needed here in the cause of popular education, should see to it that the Blair bill has a fair and full hearing.

* * * * * * *

Southern Congressmen who have opposed the Blair bill heretofore would do well to study closely the educational situation in the South and satisfy themselves whether there has been any such material progress in that direction in the past year as to warrant them in continuing their opposition. The Southern States might do a vast deal more than they are now doing for the cause of popular education and still make but little impression on the number of illiterates. And there is no prospect of their doing very much more with their own means for many years to come.

The Senator from Connecticut [Mr. HAWLEY] has left the Chamber, but with regard to his reference to the State of Florida, I wish to say that I hope it is correct. I do not desire to disparage anything he says, but I put against it what I have just read from there.

The late Mr. Taft, in his report to the Commissioner of Education this year, occupies five or six pages. The States are brought into comparison by the relation of actual attendance to the number of school

children of the ages between six and fourteen, that is, within the years during which the common schools generally give education, and it seems by that test that Florida has only some 50 per cent. of children who attend school, while in New Hampshire by the same test 88.1 per cent. attend, and in Vermont almost 100 per cent., and so generally throughout the North the average attendance is nearly, if not quite, double what it is in the Southern States of those who are of the educatable age.

If therefore the schools were of the same quality, attendance for the same number of days would carry instruction to only about one-half the number of pupils in the one case, and in the other case the entire number would be receiving instruction.

Then, further, the character of the schools has quite as much to do with the benefit received from them as the length of time of attendance. This description of the condition, inevitable from the circumstances surrounding them of a great number of the Southern schools which must be the case in Florida, as well as elsewhere, shows that the attendance for one hundred days on one of their schools would not probably be 50 per cent. of the like benefit there would be in attendance on Northern schools, which have competent teachers, suitable plant, and everything necessary for instruction.

I will not trouble the Senate further at the present time with the general discussion of the question; but as various points may come up I shall take part in the debate only as I am compelled to do so incidentally while others are speaking. Having confined myself to a presentation of the testimony in this case brought down to the present time by competent witnesses from all parts of the country, I submit to the Senate that if there ever was any need of national aid to education that need continues and is increasing and not diminishing.

Mr. MORGAN. Mr. President——

ADJOURNMENT TO MONDAY.

Mr. BUTLER. I move that when the Senate adjourn to-day it adjourn to meet on Monday next. ["Oh, no!"]

The PRESIDENT *pro tempore*. The Senator from South Carolina moves that when the Senate adjourn to-day it be to meet on Monday next.

Mr. TELLER. I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Mississippi [Mr. WALTHALL]. Otherwise I should vote "nay."

Mr. SPOONER (when his name was called). I am generally paired with the Senator from Kentucky [Mr. BLACKBURN], but I am informed that if he were present he would vote "yea." I therefore vote "yea."

The roll-call having been concluded, the result was announced—yeas 30, nays 17; as follows:

YEAS—30.

| | | | |
|---|---|---|---|
| Bate, | Davis, | Hearst, | Palmer, |
| Beck, | Evarts, | Hiscock, | Platt, |
| Brown, | Faulkner, | Ingalls, | Reagan, |
| Butler, | George, | Kenna, | Riddleberger, |
| Chandler, | Gorman, | McPherson, | Spooner, |
| Cockrell, | Gray, | Mitchell, | Vest, |
| Cullom, | Harris, | Morgan, | Wilson of Iowa. |
| Daniel, | Hawley, | | |

NAYS—17.

| | | | |
|---|---|---|---|
| Allison, | Colquitt, | Hoar, | Turpie, |
| Berry, | Dawes, | Pugh, | Vance. |
| Blair, | Dolph, | Sawyer, | |
| Blodgett, | Eustis, | Sherman, | |
| Coke, | Frye, | Teller, | |

ABSENT—29.

| | | | |
|---|---|---|---|
| Aldrich, | Gibson, | Pasco, | Stewart, |
| Blackburn, | Hale, | Payne, | Stockbridge, |
| Bowen, | Hampton, | Plumb, | Voorhees, |
| Call, | Jones of Arkansas, | Quay, | Walthall, |
| Cameron, | Jones of Nevada, | Ransom, | Wilson of Md. |
| Chace, | Manderson, | Sabin, | |
| Edmunds, | Morrill, | Saulsbury, | |
| Farwell, | Paddock, | Stanford, | |

So the motion was agreed to.

Mr. RIDDLEBERGER. Mr. President——

Mr. MORGAN. Mr. President——

Mr. BUTLER. I presume the Senator from Alabama does not desire to proceed this evening; so I move that the Senate do now adjourn.

The PRESIDENT *pro tempore*. The Senator from Alabama is entitled to the floor upon the pending bill. The Senator from Virginia rose.

PERSONAL EXPLANATION.

Mr. RIDDLEBERGER. I desire to state that I was absent this morning from the Senate Chamber by reason of an engagement to meet a member of the House of Representatives, when the votes were taken on the passage of the bill (S. 257) granting a pension to Mary S. Logan, and the bill (S. 574) to increase the pension of Mrs. Apolline A. Blair. I desire to state that if I had been present I should have voted for the passage of both those bills.

Mr. BUTLER. I move that the Senate do now adjourn.

The motion was agreed to; and (at 4 o'clock and 44 minutes p. m.) the Senate adjourned until Monday, January 30, 1888, at 12 o'clock m.

CONFIRMATIONS.

*Executive nominations confirmed by the Senate January* 23, 1888.

TERRITORIAL ASSOCIATE JUSTICE.

Stephen De Wolfe, of Montana, to be associate justice of the supreme court of the Territory of Montana.

TERRITORIAL CHIEF-JUSTICE.

Newton W. McConnell, of Tennessee, to be chief-justice of the supreme court of the Territory of Montana.

DISTRICT CHIEF-JUSTICE.

Edward F. Bingham, of Ohio, to be chief-justice of the supreme court of the District of Columbia.

RECEIVER OF PUBLIC MONEY.

Alexis E. Lemee, of Natchitoches, La., to be receiver of public moneys.

SUPERVISING INSPECTOR OF STEAM-VESSELS.

Marshall Parks, of Virginia, to be supervising inspector of steam-vessels for the third district.

UNITED STATES MARSHAL.

John W. Emerson, of Missouri, to be marshal of the United States for the eastern district of Missouri.

COLLECTORS OF CUSTOMS.

John Madigan, of New York, to be collector of customs for the district of Dunkirk, in the State of New York.

John W. Martin, of New York, to be collector of customs for the district of Genesee, in the State of New York.

UNITED STATES ATTORNEYS.

George S. Peters, of Ohio, to be attorney of the United States for the Territory of Utah.

Emory B. Sellers, of Indiana, to be attorney of the United States for the district of Indiana.

George E. Pritchett, of Nebraska, to be attorney of the United States for the district of Nebraska.

Clarence H. Pitkin, of Vermont, to be attorney of the United States for the district of Vermont.

Thomas E. Haydon, of Nevada, to be attorney of the United States for the district of Nevada.

Owen A. Galvin, of Massachusetts, to be attorney of the United States for the district of Massachusetts.

Whitaker M. Grant, of Iowa, to be attorney of the United States for the district of Alaska.

UNITED STATES CONSULS.

Thomas W. Hotchkiss, of New York, to be consul at Ottawa, Ontario.

Jacob L. Doty, of Brooklyn, N. Y., to be consul at Tahiti, Society Islands.

George Osgood Prince, to be consul at Moscow.

L. Austin Spalding, of Lockport, N. Y., to be consul at Aix-la-Chapelle.

Lewis Gebhard Reed, of Brooklyn, N. Y., to be consul at Barbadoes.

Henry F. Downing, of New York City, N. Y., to be consul at St. Paul de Loando.

John O. Bridges, of Massena, N. Y., to be consul at Brockville, Ontario.

PROMOTIONS IN THE NAVY.

*Engineer Corps.*

Passed Assistant Engineer Burdett C. Gowing, to be a chief engineer in the Navy.

Passed Assistant Engineer Absalom Kirby, to be a chief engineer in the Navy.

Passed Assistant Engineer Entwistle, to be a chief engineer in the Navy.

Passed Assistant Engineer Nathan P. Towne, to be a chief engineer in the Navy.

POSTMASTERS.

John Meehan, to be postmaster at St. Mary's, in the county of Pottawatomie and State of Kansas.

Joseph L. Mattingly, to be postmaster at Sedan, in the county of Chautauqua and State of Kansas.

Alfred M. McPherson, to be postmaster at Galena, in the county of Cherokee and State of Kansas.

Cornelius S. Mace, to be postmaster at St. John, in the county of Stafford and State of Kansas.

John M. Landis, to be postmaster at Oswego, in the county of Labette and State of Kansas.

Charles F. Buchhalter, to be postmaster at Armourdale, in the county of Wyandotte and State of Kansas.

Archibald G. Buchanan, to be postmaster at Abilene, in the county of Dickinson and State of Kansas.

John W. Brown, to be postmaster at Ness City, in the county of Ness and State of Kansas.

Frank S. Blades, to be postmaster at Sterling, in the county of Rice and State of Kansas.

John F. Baker, to be postmaster at Ellsworth, in the county of Ellsworth and State of Kansas.

William W. Threlkeld, to be postmaster at Scott, in the county of Scott and State of Kansas.

Louis E. Humrichouse, to be postmaster at Dighton, in the county of Lane and State of Kansas.

Lewis R. Norton, to be postmaster at Westfield, in the county of Hampden and State of Massachusetts.

Henry N. Pardee, to be postmaster at Northford, in the county of New Haven and State of Connecticut.

Charles H. Edwards, to be postmaster at Portland, in the county of Middlesex and State of Connecticut.

Isaac R. Wilkinson, to be postmaster at Pawtucket, in the county of Providence and State of Rhode Island.

Charles H. George, to be postmaster at Providence, in the county of Providence and State of Rhode Island.

Susan C. Lewis, to be postmaster at Olneyville, in the county of Providence and State of Rhode Island.

Frank E. Fitzsimmons, to be postmaster at Lonsdale, in the county of Providence and State of Rhode Island.

John F. Galvin, to be postmaster at East Greenwich, in the county of Kent and State of Rhode Island.

Daniel W. Pratt, to be postmaster at Farmington, in the county of Franklin and State of Maine.

Oliver N. Goldsmith, to be postmaster at Englewood, in the county of Cook and State of Illinois.

John W. Arnold, to be postmaster at Lockport, in the county of Will and State of Illinois.

Lewis H. Wilcox, to be postmaster at Corunna, in the county of Shiawassee and State of Michigan.

Elvin L. Sprague, to be postmaster at Traverse City, in the county of Grand Traverse and State of Michigan.

George W. Brown, to be postmaster at Cherokee, in the county of Crawford and State of Kansas.

William F. Troughton, to be postmaster at Seneca, in the county of Nemaha and State of Kansas.

Seneca B. Sproule, to be postmaster at Greensburgh, in the county of Kiowa and State of Kansas.

George S. Selvidge, to be postmaster at Meade Centre, in the county of Meade and State of Kansas.

Leonidas T. Reese, to be postmaster at Smith Centre, in the county of Smith and State of Kansas.

Anna E. Ratcliffe, to be postmaster at Cimarron, in the county of Gray and State of Kansas.

Patrick J. Morgan, to be postmaster at Solomon City, in the county of Dickinson and State of Kansas.

John B. Kessler, to be postmaster at Ottawa, in the county of Franklin and State of Kansas.

Isaac E. Johnson, to be postmaster at Syracuse, in the county of Hamilton and State of Kansas.

David S. Gardiner, to be postmaster at Downs, in the county of Osborne and State of Kansas.

James N. Fike, to be postmaster at Colby, in the county of Thomas and State of Kansas.

George W. Farrelly, to be postmaster at Chanute, in the county of Neosho and State of Kansas.

John E. Chapman, to be postmaster at La Cygne, in the county of Linn and State of Kansas.

Daniel D. Murphy, to be postmaster at Red Jacket, in the county of Houghton and State of Michigan.

John G. Mansfield, to be postmaster at Buchanan, in the county of Berrien and State of Michigan.

Julius Granger, to be postmaster at Fort Gratiot, in the county of St. Clair and State of Michigan.

Leon Ephraim, to be postmaster at Manistique, in the county of Schoolcraft and State of Michigan.

William Dester, to be postmaster at Berrien Springs, in the county of Berrien and State of Michigan.

Martin Cremer, to be postmaster at Ypsilanti, in the county of Washtenaw and State of Michigan.

John H. Chapman, to be postmaster at Whitehall, in the county of Muskegon and State of Michigan.

Theron L. Arnold, to be postmaster at Three Rivers, in the county of St. Joseph and State of Michigan.

Thomas F. Gorman, to be postmaster at Whitinsville, in the county of Worcester and State of Massachusetts.

Clarence L. Clark, to be postmaster at Janesville, in the county of Rock and State of Wisconsin.

Sarah Hodgdon, to be postmaster at Deming, in the county of Grant and Territory of New Mexico.

Robert H. Hopper, to be postmaster at Kingston, in the county of Sierra and Territory of New Mexico.

*Executive nominations confirmed by the Senate January 26, 1888.*

UNITED STATES ATTORNEY.

John Blair Hoge, of the District of Columbia, to be attorney of the United States for the District of Columbia.

ASSOCIATE JUSTICE.

Martin V. Montgomery, of Michigan, to be associate justice of the supreme court of the District of Columbia.

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## HOUSE OF REPRESENTATIVES.

### THURSDAY, *January* 26, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

RECEIPTS AND EXPENDITURES, TREASURY DEPARTMENT.

The SPEAKER *pro tempore* laid before the House a letter from the Secretary of the Treasury, transmitting statement of receipts and expenditures of that Department for the fiscal year ended June 30, 1885; which was referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

MARRIAGE BETWEEN WHITE MEN AND INDIAN WOMEN.

The SPEAKER *pro tempore* also laid before the House the bill (S. 928) in relation to the marriage of white men and Indian women, recalled by resolution of the Senate on the 25th instant; which was read a first and second time, and referred to the Committee on the Judiciary.

CHANGE OF REFERENCE.

The SPEAKER *pro tempore*. A communication from the clerk of the Court of Claims, transmitting findings of fact in the French spoliation claim "Ship Joanna," was erroneously referred to the Committee on War Claims. Without objection, that committee will be discharged from its further consideration, and the same will be referred to the Committee on Appropriations.

There was no objection, and it was so ordered.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. HOPKINS, of Virginia, for four days.

DIRECT TAX.

Mr. ELLIOTT, by unanimous consent, introduced a bill (H. R. 5996) to settle claims arising out of the execution of the direct-tax act of Congress, in Beaufort district, South Carolina; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PETITIONS REFERRED UNDER THE RULE.

Mr. JACKSON. Mr. Speaker, I rise to a question of privilege.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. JACKSON. Within the last ten days I have, in accordance with the rules of this House, sent to the desk and had deposited in the petition-box, for reference, certain petitions addressed to the Congress, asking for legislation, that have not appeared in the RECORD at the proper time. One of these petitions was from the citizens of my district against the admission of the Territory of Utah as a State, another was a petition asking Congress to increase the compensation of fourth-class postmasters, and a third was a numerously-signed petition by citizens of Pennsylvania asking the passage of a law prohibiting the manufacture and sale of intoxicating liquors within the District of Columbia.

In the case of neither petition did there appear in the CONGRESSIONAL RECORD of the following morning any notice of its presentation. Under the rule lists of these petitions are made up in the Clerk's office and sent for publication in the RECORD. I made inquiry, and in one case the petition clerk made search and found one of the petitions some time after among other papers, and on the following day it appeared noted in the RECORD. The others have not as yet been noticed in the RECORD, so far as I have been able to learn. One of these was presented yesterday, and another on Friday last, and the other on the Thursday preceding.

I desire, therefore, to call the attention of the proper officers of the House to some apparent oversight or clog in the machinery regulating this part of the proceedings of the House.

I need not say that this is a matter of considerable importance, not only to members of Congress themselves but to the people whom they represent, who desire to know that their petitions are duly presented and referred, as the right of petition is one of the highest privileges of the citizen, and one that should in no manner be abridged. A notice in the RECORD at the time is the only way our constituents have of knowing that their petitions have been properly presented to Congress. The officers of the House are usually so accurate and careful in their duties that I know they will prefer to have their attention called to

the matters I have stated. I am aware that the new rules make it very difficult to properly refer petitions promptly, and it may be that the Clerk is not furnished with sufficient help for the purpose.

The SPEAKER *pro tempore*. The Chair will state that as this is operating under a new rule, it is possible some friction arises at first; but the Chair hopes and believes that time will remove the trouble of which the gentleman complains.

INTERNATIONAL ARBITRATION.

Mr. BROWNE, of Indiana. Mr. Speaker, I ask unanimous consent to put in the RECORD the memorial of the Society of Friends of the United States, England, Canada, and Ireland, asking the establishment of an international tribunal to secure peace on earth and good-will amongst men.

There was no objection.

The memorial is as follows:

*To the Senate and House of Representatives of the United States:*

The memorial of members of the Society of Friends assembled in a conference at Richmond, Ind., the 28th, 29th, and 30th of 9th month, 1887, respectfully showeth: That we have met in conference as delegates from the religious Society of Friends in America, with the presence and concurrence of delegates from England and Ireland, to consider the great question of peace and good-will among nations. The people of the world are now happily at peace with each other. Let us seize this opportunity to prepare for a perpetual peace. Surely the sword has devoured enough, and the time has come for Christian nations to heed the message from heaven to the shepherds of Judea on the advent of the Messiah, "On earth peace, good-will towards men."

We rejoice to observe that successive administrations during the last twenty years have been seeking to introduce arbitration as a means of settling international disputes. We especially rejoice that during the last Congress the United States Senate unanimously approved a bill designed to promote an agreement between all independent American nations to submit any future differences to arbitration.

We hail as an evidence of advanced Christian civilization and of true national fraternity the memorial in favor of international arbitration presented to our President by 233 members of the British House of Commons, who pledge themselves to urge their government to accept a treaty with the United States containing provisions by which any dispute which may arise between the two nations shall be peaceably adjusted by this means.

It is time that the two great English-speaking nations, having the blood of a common ancestry and making Christianity their common law, should add to their constitutional guaranties of civil liberty a united pledge of perpetual peace.

We desire that our beloved country may respond to the aforementioned memorial, and that our President may be authorized to propose to the Queen of Great Britain and to arrange with her government that arbitration shall in future be used as the means of settling any disputes between the two countries which can not be adjusted by diplomatic agency.

Desiring that our heavenly Father, who can raise up nations to honor Him, or chastise them for disobedience, may give you wisdom and willingness to do what is right, in His love and fear, we are, with great respect, your friends.

Signed on behalf and by authority of the aforesaid conference.

AUGUSTINE JONES,
*Chairman.*

WM. G. HUBBARD,
HANNAH W. BLACKBURN,
*Secretaries.*

Timothy B. Hussey, for New England Yearly Meeting; Mary J. Weaver, for New York Yearly Meeting; Joseph Sholl, for Philadelphia Yearly Meeting; Mary W. Thomas, for Baltimore Yearly Meeting; Abigail F. Mendenhall, for North Carolina Yearly Meeting; Edward G. Wood, for Ohio Yearly Meeting; Daniel Hill, for Indiana Yearly Meeting; Barnabas C. Hobbs, for Western Yearly Meeting; John T. Hanson, for Iowa Yearly Meeting; Washington Hadley, for Kansas Yearly Meeting.

Supported by: George Gillett, of London Yearly Meeting; George Grubb, of Dublin Yearly Meeting; Samuel Rogers, of Canada Yearly Meeting.

COMMITTEE SERVICE.

Mr. CHEADLE. Mr. Speaker, soon after the announcement of the committees of the House I requested the Speaker to excuse me from service on the Committee on Claims, but I presume that in consequence of his sickness no action has been taken upon the request. I now renew it, and respectfully ask to be excused from service on that committee.

The SPEAKER *pro tempore*. Without objection, the request of the gentleman from Indiana will be granted.

There was no objection.

SECTION 683, REVISED STATUTES.

Mr. CASWELL, from the Committee on the Judiciary, reported back with a favorable recommendation the bill (H. R. 1860) to amend section 683 of the Revised Statutes of the United States; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

CITIZENS OF THE DISTRICT.

Mr. CASWELL also, from the Committee on the Judiciary, reported back with an adverse recommendation the bill (H. R. 1809) to authorize United States courts to take cognizance of cases in which a citizen of the District of Columbia is a party, the same as if he were a citizen of a State; which was laid on the table, and the accompanying report ordered to be printed.

UNITED STATES COURTS IN NEWARK, N. J.

Mr. PARKER, from the Committee on the Judiciary, reported back with an amendment the bill (H. R. 1648) providing for the holding of United States courts in the city of Newark, N. J.; which was referred to the House Calendar, and, with the amendment and accompanying report, ordered to be printed.

JOHN J. COUGHLIN.

Mr. SHAW, from the Committee on Claims, reported back with a favorable recommendation the bill (H. R. 5539) for the relief of John J. Coughlin; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM GRAY.

Mr. SHAW also, from the Committee on Claims, reported back with a favorable recommendation the bill (H. R. 750) for the relief of William Gray; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. MCCOOK, its Secretary, informed the House that the Senate had passed, with amendments in which the concurrence of the House was requested, the bill (H. R. 4271) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1887, and for prior years, and for other purposes.

FORFEITURE OF LANDS GRANTED TO MINNESOTA.

Mr. LIND, by unanimous consent, introduced a bill (H. R. 5997) to forfeit certain lands heretofore granted to the State of Minnesota; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The call of committees for reports has been completed.

Mr. DINGLEY. I ask the attention of the Chair for a moment. When the Committee on Merchant Marine and Fisheries was called in the morning hour the other morning, a bill they desired to have considered had not been printed, and that committee was passed over. I ask unanimous consent that that committee be called after the business now pending in the morning hour is disposed of. The bill makes some slight amendments to the shipping act.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Maine?

Mr. PERKINS. If I understood the gentleman from Maine correctly, I do not desire to interpose any objection to his request. I understood him to ask that the bill he indicates be taken up in addition to the morning hour.

The SPEAKER *pro tempore*. At the expiration of the morning hour. The Chair hears no objection to the gentleman's request. The call of committees for the consideration of bills in the morning hour rests with the Committee on Indian Affairs. The gentleman from Arkansas [Mr. PEEL] is entitled to the floor.

Mr. PERKINS. Before the gentleman from Arkansas proceeds I would like to ask if we can not come to some understanding with regard to the time to be consumed by the pending bill. I will say to the Chair there are a number of gentlemen who would like to speak five or six or seven minutes; and I ask unanimous consent that the time of the morning hour be extended twenty minutes, so that we may have thirty minutes for debate on each side and then twenty minutes for the consideration of amendments. If there be no objection that arrangement will give thirty minutes to those in opposition and thirty minutes to the friends of the bill.

Mr. MCADOO. If that request is granted, I wish to claim the time in opposition.

Mr. PERKINS. I am not particular who controls the time in opposition. We propose to give thirty minutes to those against the bill, and I am quite willing the gentleman from New Jersey should control that time.

Mr. WEAVER. And there will be no objection to amendments being offered?

Mr. PERKINS. The amendments can be offered during the twenty minutes we have provided.

The SPEAKER *pro tempore*. Is there objection to extending the morning hour twenty minutes, as requested by the gentleman from Kansas [Mr. PERKINS]?

There was no objection, and it was so ordered.

COINAGE OF THREE-CENT PIECES.

Mr. BLAND. I ask the gentleman from Arkansas to yield to me that I may make a report.

Mr. PEEL. I yield for that purpose.

Mr. BLAND, from the Committee on Coinage, Weights, and Measures, reported back with a favorable recommendation the bill (H. R. 4342) to discontinue the coinage of the three-cent piece; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

EXEMPLIFICATIONS OF LAND PATENTS.

Mr. MCRAE. The gentleman from Arkansas yields to me to make a report.

The SPEAKER *pro tempore*. It is not in order in the morning hour to entertain requests to submit reports. Hereafter such requests will not be entertained.

Mr. MCRAE, from the Committee on the Public Lands, reported back with a favorable recommendation the bill (H. R. 5723) to amend section 451 of the Revised Statutes, regulating fees for the exemplifications of

land patents, and for other purposes; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

NEW YORK INDIAN LANDS, KANSAS.

The House resumed the consideration of the bill (H. R. 1406) to provide for the sale of certain New York Indian lands in Kansas.

Mr. PEEL. Mr. Speaker, I suppose that all who listened to the discussion of this bill yesterday discovered that the only question in dispute, or that ever has been in dispute, is as to the price to be paid for these lands. That, I think, was clearly shown yesterday. Notwithstanding the argument made here in opposition to this bill, in reference to the title to these lands, the case narrowed itself down to that one proposition; and while upon this subject I desire to call the attention of my friend from Louisiana [Mr. BLANCHARD] to the fact that he, unintentionally of course, to some extent misled the House with regard to the title held by the Indians, the allottees of these lands. I understood him to say repeatedly that they owned the fee title in the property. If that was true, then Congress would have no right to interfere with the lands one way or the other. If they owned the fee—in other words, if the patent had issued from the Government to these allottees, or to any other individuals—the question would be beyond Congressional action, and would be a matter entirely for the courts. In order that the House may correctly and fully understand the real title, the real rights, which these allottees acquired under these allotments, I ask to have the Clerk read the portion which I have marked of the letter of the Commissioner of Indian Affairs accompanying his report made to the Forty-seventh Congress, which was alluded to yesterday by my friend from Louisiana.

The Clerk read as follows:

Under these provisions, thirty-two New York Indians removed to and remained in the territory now embraced in the State of Kansas prior to June 16, 1860, at which time the honorable Secretary of the Interior approved to them selections of 320 acres, for which, on the 14th of September, 1860, certificates of allotment were issued to each of said reservees, the certificates specifying that the allotments were for the exclusive use and benefit of the reservees, and were not subject to be alienated in fee, leased, or otherwise disposed of, except to the United States.

Mr. PEEL. The House will observe from the statement made by the Commissioner that the allottees received certificates of allotment only, in which it was particularly specified that the lands allotted were inalienable, and that the allottees were not allowed to lease, assign, or transfer those lands to any one except the Government of the United States. That was the real character of the title, and the only title which these allottees acquired under that allotment.

Now, the question for the House is, how much is that worth? It has been said, and not controverted, that these allottees can not acquire possession of this property. Notwithstanding any wrongs that may have been done to them originally in this matter, I think it is not profitable to stop to recount those wrongs at this late day, and the only question for this House to determine is whether $2.50 per acre, as provided in this bill, is sufficient consideration for the character of title which these allottees hold under the certificates of allotment. That is simply a question of opinion, and I for one have no objection to any gentleman offering an amendment to increase the compensation to what his judgment may dictate as right and proper. Let any gentleman who thinks fit offer such amendment, and let the House vote upon the question. In my judgment, when you take into consideration the flimsy title which the allottees acquired under these allotments, which title really amounts to nothing when you consider that possession of the lands is beyond their control or right, $2.50 or $3 an acre, or some such price, would be ample for these settlers to pay. This, Mr. Speaker, is all that I desire to say on this occasion. I only took the floor for the purpose of informing the House, by the extract which I have had read, of the real character of the title in question and the point really at issue in this controversy. I now yield the floor to my colleague [Mr. PERKINS], the gentleman who has charge of the bill.

Mr. PERKINS. I yield five minutes to my colleague [Mr. RYAN], of Kansas.

Mr. RYAN. Mr. Speaker, this bill proceeds upon the theory that thirty-two of these New York Indians have at least some color of right to the lands in controversy. In view of our relations as a nation to the Indians this may, perhaps, be proper. We ought rather to err on the side of justice toward those who are wards of the nation than otherwise.

But the fact is, Mr. Speaker, that those Indians have not in law even a color of right to these lands. Under the original treaty they had a right to a tribal occupation of these lands. It was provided by that treaty that a patent might be issued to them under the provisions of the law of 1830. The law of 1830 provided that a fee-simple title could only be granted to the tribe, to Indians only in their tribal capacity, and then only to hold the same so long as they occupied them. The law expressly provided that when occupation ceased the lands should revert to the United States.

Now, it is not pretended here by anybody that there ever was any tribal occupation of those lands by the New York Indians. Undoubtedly the object of that treaty was to get those tribes of New York Indians out of the State of New York and upon this Western territory; but they did not choose to go. They did not go, and the $400,000 provided by that treaty for their removal was never used, because the Indians never went. It is claimed that a few individual members of these New York tribes did go out there and did live for a time upon these lands in common; and in 1860 the Department, without any more authority than I have, issued allotment certificates to those thirty-two Indians for these lands.

Now, it will not be pretended that there was any authority of law for that. The Secretary had no more right in law to issue a certificate to them than to me. It was provided by the treaty itself that if these several tribes or any of these tribes should occupy these lands they might use the lands among themselves either in common or in severalty; but all authority for that purpose was confined strictly to the Indians themselves and left to their own discretion. There never was any tribal authority whatever for the severalty occupation of these thirty-two Indians; and they subsequently abandoned absolutely these lands. If they ever occupied them in 1860 at all, there is no evidence that they ever occupied them since that time; but I am assured by men who have been well acquainted with the oldest settlers there for many years—the United States attorney for the district of Kansas told me this morning—that since that time certainly these Indians had never occupied these lands; they had voluntarily gone back to their tribe, the place where their ancestors were buried, as all Indians usually do who for a time go roaming over the country.

Mr. CUTCHEON. I would like to ask the gentleman a question. Have these lands been held subject to entry at the local land office in Kansas since 1860?

Mr. RYAN. Certainly not.

Mr. CUTCHEON. They have been segregated from the public domain?

Mr. RYAN. Certainly; because of the unlawful action of the Department in allotting them to these Indians.

[Here the hammer fell.]

Mr. PERKINS. Mr. Speaker, I desire to reserve the residue of time remaining to the friends of this bill, and will hereafter yield to the gentleman from Illinois [Mr. PAYSON]. The gentleman from New Jersey [Mr. MCADOO] on the other side can proceed now.

The SPEAKER *pro tempore*. The gentleman from Kansas has sixteen minutes remaining.

Mr. PERKINS. I desire to yield six minutes to the gentleman from Illinois.

Mr. PAYSON. I will reserve that time until the gentleman from New Jersey shall have been heard.

Mr. MCADOO. Mr. Speaker, I can best present my objections to this bill by stating the story of these Indians as I understand the case. In 1838 there was in the State of New York a remnant of the once powerful Six Nations of Indians, probably the greatest confederation of the aborigines of this continent, whose savage valor is conspicuous in our history. The State of New York was being rapidly settled. The irrepressible tide of white immigration made it apparent to the Indians that they must go with their red brethren to the West. The United States Government selected as a western reservation for these Indians about 1,800,000 acres in the then Territory of Kansas. By a solemn treaty with the Indians this land was set apart for the New York tribes of Indians, whether in that State or in the State of Wisconsin, and a removal fund of some $400,000 was provided, which, however, was never paid out. After this treaty had been made between the Indians and the Government, two hundred and fifty of these semi-civilized Indians, under the leadership of one Dr. Hogeboom, removed to the State of Kansas and located upon this reservation. From that time up to the year 1860 these lands were not public lands, but were the Indian reservation of the New York Indians and known as such to all persons. One provision of the treaty was that the Government would allot to each individual member of these Indian tribes 320 acres.

Mr. PERKINS. Will the gentleman permit me a moment?

Mr. MCADOO. Certainly.

Mr. PERKINS. I do not wish to trespass on the gentleman's time, but I know he desires to state the facts accurately.

Mr. MCADOO. Certainly.

Mr. PERKINS. I wish, therefore, to call the gentleman's attention to a mistake into which he is falling. The treaty provides that a patent shall issue to the tribe, and confers upon the tribe the right to make individual selections and allotments; but there is no authority of that kind reserved to the Government of the United States.

Mr. MCADOO. But the Government of the United States sent out commissioners for the purpose of making allotments; and they did make allotments in 1860. Now, right here is a question between the gentleman from Kansas and myself. Yesterday I asked him whether these lands had been allotted to these thirty-two individual Indians who resided on the reservation, before the land had been opened to public settlement or afterward. He said it was afterward.

Mr. PERKINS. Let me explain——

Mr. MCADOO. At least I so understood him.

Mr. PERKINS. If the gentleman will permit me, I will repeat what I said. I said that in 1858, when the then Secretary of the Interior

decided that these lands were public lands, some of the Indians called his attention to the fact that they had acquired rights under these treaties; and commissioners were sent out who investigated the facts, and found that there were thirty-two Indians upon the reservation. Then, in 1860, the Secretary issued his proclamation opening these lands to settlement. But the allotments were made before.

Mr. McADOO. As to that I will in a few moments read the report of the Indian Commissioner. In 1858 or 1860 the United States Government sent out a commission to find out what had become of these two hundred and fifty Indians who had removed from the State of New York. The commissioner took a great deal of evidence as to the history of this settlement in Kansas. He found that there were thirty-two Indians remaining on this reservation. And, Mr. Speaker, the evidence taken by this commissioner as to the treatment of these comparatively civilized, peaceful red men, the real pioneers in that settlement, would, if these men were anything but Indians, if they had white, black, or yellow skins, excite the universal sympathy of all mankind. The sworn evidence presents a sad story, and not overcreditable to us in our dealing with this strange race.

Mr. Speaker, I will read a few extracts to this House from the evidence presented on the part of the settlers upon these lands as to what these semi-civilized, helpless people endured at the hands—it may not be of the men who now occupy the lands—but at the hands of the men who were then surrounding them and pouring into this the most fertile portion of the then Territory of Kansas.

Dr. Block swears he went onto the New York Indian lands in 1853, and remained there until 1858, when he was kicked about, and had his house torn down one night by a man named Keller, when he left.

Sally Abner swears she went onto the New York Indian lands in 1853, on Indian Creek, and that about three months afterwards their house was burned down, with all her furniture.

Sally Littleman swears she came to Kansas twenty-one years ago (that is, in 1838). One year ago she was threatened by a man named Perry, when she and her husband left and went to the house of C. Seth. Soon after the death of her husband she returned to her place and found Bassmore Hutton in possession, who told her she should not live there nor cultivate the land. Last spring Mike Hadrick, from Missouri, borrowed her two-horse wagon and did not return it. In 1856 Riply borrowed her husband's oxen to break, and then drove them to Missouri and kept them. Five years ago three ponies were stolen, and her husband found them in possession of one Thompson and brought them home, and soon after three men, armed with guns, came and took them.

Daniel Martin swears he came to Kansas in 1854, and went onto the New York Indian tract in 1855, and was driven off by a white man, who threatened to shoot him if he did not leave, and he went and settled on land near the Osage River, where he now resides.

Angelina Charters swears she came to Kansas fourteen years ago (1845), and went directly onto the New York Indian lands near the Little Osage River, and built a house, but "there was so much disturbance and threatening made by the whites, and such hard times, that she left, and a white man named Atkins took the house and claim and sold it to another man."

Mutah Gideon Williams swears she came to Kansas in 1839; that her husband was murdered by two white men, Jack Miller and Tom Morrow, who cut his throat a year ago last fall.

Now, sir, a great deal has been said, and can truthfully be said, and a great deal will be said on behalf of the white settlers on these lands, and we are following our usual course in dealing with Indians when the House draws away from the side of these unfortunate and wronged red men and gives its entire sympathy to the white pioneers of the West. Civilization, busy and complacent, has little time for the case of these children of Hagar. Now these simple and poor people from New York, who were in many cases as much civilized as their white neighbors, were as much entitled to justice as any white men on these Kansas lands.

In my judgment it is not a matter to excite laughter, this story of one of these humble women who was induced by the solemn treaty of our Government to leave her native State of New York, leave the forests and hills, the valleys and the lakes to which she and her people had been accustomed from a time unknown to history, and go to the then wild, unwooded plains of Kansas, where she was so maltreated, subjected to indignity, robbed, cheated, and ruthlessly driven from her new home, and where her people were treated as though they had no rights under our Government or claims on our common humanity.

The gentleman from Kansas [Mr. PERKINS] disputes as to the time these allotments were made, and as to whether these were public lands at the time they were made. I will read to the House from the statement of Mr. Hayt, the former Indian Commissioner. Here is a statement in a nutshell so far as the right and title of these red men to these lands are concerned:

Under the treaty of 1838 the New York Indians were entitled to 1,824,000 acres of land in Kansas, and a removal fund of $400,000, which the United States never provided. Notwithstanding the failure of the United States in this regard, portions of the Indians removed to Kansas subsequent to the treaty, with a view to making that country their permanent home, but on account of their rapid depletion in number from sickness a majority afterwards returned to New York.

By decision of April 19, 1858, the honorable Secretary of the Interior held that those of the New York Indians who had not removed had thereby forfeited their title to the reserve, and that the same should be opened to settlement; but in the execution of said decision, and prior to the proclamation of December, 1860, opening the lands to settlement, the allotments under consideration were made to the thirty-two Indians who were then in Kansas, and certificates were issued to them therefor.

It follows, therefore, that an equitable interest in fee in the lands vested in these Indians, by virtue of the grant contained in the treaty at the date of their removal and long prior to the settlement of Kansas, although the evidence of title did not issue until 1860.

The first link in the chain of this title is the treaty made with this tribe of Indians. Under that treaty the tribe became the possessor of this tract of 1,824,000 acres upon a condition-subsequent; that is, that they should avail themselves, or any number of them should avail themselves, of the treaty within a limited time. Two hundred and fifty of these people, accepting the solemn pledge of the Government, went on these lands and settled there. But, sir, when the Government came to make these allotments they found from the hard treatment they had endured, from the change of climate to which they had been subjected, but thirty-two of these poor people remained upon the lands, and to them allotment was made. Now, the first individual members of that tribe having gone there before the period mentioned in the treaty had expired, they acquired a title, and now have an individual title to these lands. Why, Mr. Speaker, the very fact that this bill is before Congress, the fact that it has been in many preceding Congresses, is the best argument as to the right and title of these red men to the land claimed in Kansas; for if this was a part of the public domain, if these white men went on it and settled under the ordinary rules established by the Government and made their settlements, then they are the legal owners, and can so claim before a court of law or in the Department of the Interior.

I wish to call the attention of the House to one or two features of this bill which to me are somewhat suspicious.

I notice in the first section of the bill not alone are the men who actually occupy these lands to buy them at $1.25, as first provided, and now amended and increased to $2.50 per acre, but tenants are also to be permitted to purchase them. What is the meaning of that word "tenant" in this bill? We are asked as a Congress to do justice to innocent white settlers who did not know their title was clouded by this Indian treaty when they settled upon these lands and went on to cultivate them. But who are these tenants? Why are they to be protected and cared for? To whom are they the tenants? Who is their landlord? They are the tenants of speculators in Western lands, tenants it may be of those who, with savage ferocity, lacking common honesty and genuine civilization, drove off at the muzzle of the shotgun or the point of the knife these Indians from the claims which had been allotted to them and installed in their place their own tenants. They and their kind will be beneficiaries under this bill as it now reads.

Now, Mr. Speaker, the late able Commissioner of Indian Affairs who made this terse and vigorous statement in opposition to this bill when it was before Congress on a former occasion suggested what to my mind is the proper course to be pursued in regard to this measure, that it be recommitted, and that these lands be sold for something akin to their market value for the benefit of these Indians. I have little doubt, sir, and I call the attention of the House to the fact, that as these lands are located in Bourbon County, Kansas, a most fertile portion of the State, they are worth to-day, if sold in open market, not less than $5 an acre.

A MEMBER. Not less than twenty.

Mr. McADOO. A gentleman suggests $20 an acre; but if they are sold by the Government to these people now occupying them for $3.75, or $4, or $5 an acre, the margin between that sum and the actual open market value of the lands will do more than compensate these settlers for any improvements they might have put upon them.

Before yielding the floor I wish to give notice to gentlemen advocating this bill that I will move its recommittal to the Committee on Indian Affairs with instructions, and I enter that motion now.

I reserve the balance of my time.

The SPEAKER *pro tempore*. The gentleman has eight minutes of his time remaining.

Mr. McADOO. I yield four minutes of that to the gentleman from Mississippi [Mr. HOOKER].

## SPECIAL DEFICIENCY BILL.

On motion of Mr. BURNES, the bill (H. R. 4271) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1887, and for prior years, and for other purposes, returned from the Senate with amendments, was taken from the Speaker's table, the amendments ordered to be printed and numbered, and referred to the Committee on Appropriations.

## NEW YORK INDIAN LANDS, KANSAS.

Mr. HOOKER. Mr. Speaker, I desire to say but a word in reference to the bill which has been reported from the Committee on Indian Affairs, upon the question raised by the gentlemen making or favoring that report as to whether the fee-simple title to the lands in question was in the United States or in the Indians themselves.

It seems to me, sir, that the report of the Secretary of the Interior at that time and the Commissioner of Indian Affairs settles that question beyond all dispute, and I ask particular attention to the following extracts from the report of E. A. Hayt, Commissioner of Indian Affairs, bearing date March 29, 1878.

Under these provisions [the treaty in question] thirty-two New York Indians removed to and remained in the territory now embraced in the State of Kansas prior to June 16, 1860, at which time the honorable Secretary of the Interior approved to them selections of 320 acres each, for which, on the 14th of September, 1860, certificates of allotment were issued to each of said reservees, the certificates specifying that the selections were for the exclusive use and benefit of

the reservees, and were not subject to be alienated in fee, leased, or otherwise disposed of, except to the United States.

* * * * * * *

Under the treaty of 1838 the New York Indians were entitled to 1,824,000 acres of land in Kansas, and a removal fund of $400,000, which the United States never provided. Notwithstanding the failure of the United States in this regard, portions of the Indians removed to Kansas subsequent to the treaty, with a view to making that country their permanent home, but on account of their rapid depletion in number from sickness, a majority afterwards returned to New York.

By decision of April 19, 1858, the honorable Secretary of the Interior held that those of the New York Indians who had not removed had thereby forfeited their title to the reserve, and that the same should be opened to settlement; but in the execution of said decision, and prior to the proclamation of December, 1860, opening the lands to settlement, the allotments under consideration were made to the thirty-two Indians who were then in Kansas, and certificates were issued to them therefor.

It follows, therefore, that an equitable interest in fee in the lands vested in these Indians, by virtue of the grant contained in the treaty, at the date of their removal and long prior to the settlement of Kansas, although the evidence of title did not issue until 1860.

* * * * * * *

The lands are in Bourbon County, one of the richest and most fertile counties in the State. They are within a few miles of Fort Scott, and near the line of the Missouri, Kansas and Texas Railroad—the Missouri River, Fort Scott and Gulf Railroad running nearly through the center of the body of the lands, which lie in close proximity to the corner of townships 23 and 24 in ranges 24 and 25 east. The records of the General Land Office show that there is scarcely a vacant forty-acre tract of land in or near the townships named. With these facts in view, it is safe to assume that the several tracts were, in 1873, worth the full amount at which they were appraised, and that, in view of the rapid development of the country, and the present price of uncultivated lands in that vicinity, there has, at least, been no depreciation in their value.

The settlers have been in possession of these lands for years, to the exclusion of the Indians, and have had every advantage and opportunity to pay for the lands from the products of the same.

The title of the Indians is, under treaty stipulations, similar to those with the Shawnee, Miami, and other Indians in Kansas, whose lands have been held by the Supreme Court of the United States (5 Wall., 737) to be excluded from the jurisdiction of the State, and not subject to taxation, and it is fairly presumable that the settlers have availed themselves of the benefit arising under this decision.

Also, I ask your attention to the following extract from a communication of Secretary Schurz of date April 6, 1878:

In accordance with the request of the Commissioner of Indian Affairs, based upon the report of the commissioners, the Department approved of the selections of the thirty-two Indians in question, and, on the 14th of September following, certificates of allotment were issued to each of said reservees.

In 1858 petitions from settlers in Kansas were presented to the Department asking that the lands be opened to settlement, and in December, 1860, the lands known as the New York Indian lands in Kansas, excepting those allotted, were accordingly opened to settlement.

But a short time elapsed, however, before troubles between the settlers and the Indians were of constant occurrence, and in 1873, when the act of February 19, 1873 (17 Stat., 466), was passed, the commissioners appointed thereunder to appraise the lands of the thirty-two New York Indians stated in their report that none of the allottees were to be found upon the lands. The files of the Indian Office show abundant proof that they did not voluntarily relinquish their occupation.

Be this question as it may, the act of February 19, 1873, fully recognized the right of the Indians or of their heirs to the proceeds of the lands; and applications are now before the Department, which when perfected will call by legal representation for nearly all of the proceeds of the allotments of lands in question.

By the act of February 19, 1873, provision was made for the benefit of certain settlers upon and occupants of certain Indian lands in Kansas, permitting such settlers to enter and purchase at the proper land office said lands so occupied by them, in tracts not exceeding 160 acres, according to the Government surveys, on paying therefor in lawful money of the United States the appraised value of said lands respectively, to be ascertained by three disinterested and competent appraisers, to be appointed by the Secretary of the Interior, who shall examine in person each tract and report under oath its value, exclusive of all improvements; and patents shall issue therefor as in other cases, but no sale shall be made under this act for less than $3.75 per acre.

From these extracts it is evident that the Department of the Interior took the same view that I take in reference to this question, namely, that under the terms of the treaty in question these Indians were entitled to that land; and that the thirty-two persons who made their settlements and to whom allotments were made by the Department under the terms of the treaty, were vested with an equitable fee-simple title in the lands because of the considerations which operated upon them to execute the treaty which was supposed at the time to be equally beneficial both to the United States Government and to the Indians.

Mr. PAYSON. Let me interrupt the gentleman to ask, if that be true, how can Congress divest them of their fee?

Mr. HOOKER. Congress has not the power to divest them of their fee at all. The Commissioner of Indian Affairs, as I have shown, says that the Indians have an equitable title; in other words, that they have an equitable interest in fee in the lands. Congress, therefore, can not divest them of that equitable interest, but it can do this: it can and ought to carry out, in terms, the purpose and intent of the treaty by which the Indians acquired this equitable title in the lands; and whether the fee-simple has been divested out of the United States, and vested in the Indians absolutely or not, can there be any reason, I ask gentlemen, for the proposition here suggested, that the land shall be sold at an arbitrary price? The report of a commission which went out to investigate this question under the act of 1873 decided these lands to be worth $4 an acre. That was some twelve or fifteen years ago; and if the lands were worth $4 an acre at that time, I ask if it is reasonable to suppose that they have been diminishing in value since, and are less valuable to-day than they were then?

And if there be a disposition to divest the Indians of their equitable title and give it to actual settlers upon this part of the public domain, let it be done by a commission on appraisement, which is provided for in the proposition I had the honor to submit when I was a member of the Committee on Indian Affairs in the Forty-seventh Congress, in connection with my friend, the gentleman from Louisiana [Mr. BLANCHARD], who was the chairman of the subcommittee. In that Congress—the Forty-seventh—we recommended that the bill then pending upon this subject, if passed, should be amended by striking out from the fifteenth and sixteenth lines of section 1 the words "at not less than $3 per acre," and inserting in lieu of it "the appraised value of the said tracts, as heretofore ascertained by the Secretary of the Interior, in accordance with the provisions of the act of February 19, 1873, entitled 'An act to provide for the sale of certain New York Indian lands in Kansas.'"

We proposed that this amendment should be made a part of that act, and that the lands should be sold to the actual settlers at the appraised value. That became a law, but the settlers afterwards applied for an extension of the time allowed them for payment. That was granted to the actual settlers. So, Mr. Speaker, whether there has been or has not been an absolute divestiture of title from the United States and the vesting of title in the Indians themselves, they are entitled to the equitable fee, and ought to be paid and are entitled to be paid for the lands, if at all, what they are worth according to an appraisement made in this manner and not according to an arbitrary sum to be fixed by Congress, which has no power to do this, whether it be with reference to the property of an Indian or a white man.

I append as a part of my remarks the second article of the treaty referred to:

ARTICLE 2. In consideration of the above cession and relinquishment on the part of the tribes of the New York Indians, and in order to manifest the deep interest of the United States in the future peace and prosperity of the New York Indians, the United States agree to set apart the following tract of country, situated directly west of the State of Missouri, as a permanent home for all the New York Indians now residing in the State of New York, or in Wisconsin, or elsewhere in the United States, who have no permanent homes, which said country is described as follows, to wit: Beginning on the west line of the State of Missouri, at the northeast corner of the Cherokee tract, and running thence north along the west line of the State of Missouri 27 miles to the southerly line of the Miami lands; thence west so far as shall be necessary, by running a line at right angles and parallel to the west line aforesaid to the Osage lands, and thence easterly along the Osage and Cherokee lands to the place of beginning, to include 1,824,000 acres of land, being 320 acres for each soul of said Indians as their numbers are at present computed. To have and to hold the same in fee-simple to the said tribes or nations of Indians, by patent from the President of the United States, issued in conformity with the provisions of the third section of the act entitled "An act to provide for an exchange of lands with the Indians residing in any of the States or Territories, and for their removal west of the Mississippi," approved on the 28th day of May, 1830, with full power and authority in the said Indians to divide said lands among the different tribes, nations, or bands in severalty, with the right to sell and convey to and from each other, under such laws and regulations as may be adopted by the respective tribes, acting by themselves or by a general council of the said New York Indians, acting for all the tribes collectively. It is understood and agreed that the above-described country is intended as a future home for the following tribes, to wit: the Senecas, Onondagas, Cayugas, Tuscaroras, Oneidas, St. Regis, Stockbridges, Munsees, and Brothertowns, residing in the State of New York, and the same is to be divided equally among them according to their respective numbers, as mentioned in a schedule hereunto annexed.

The SPEAKER *pro tempore*. The gentleman from New Jersey has four minutes more than the Chair formerly stated. He has now eight minutes of his time remaining.

Mr. MCADOO. I yield four minutes to the gentleman from Louisiana [Mr. BLANCHARD].

Mr. BLANCHARD. Perhaps I stated the question a little too broadly on yesterday, when I said that the legal fee in these lands was in the Indians. I find upon a re-examination of the report of the then Commissioner of Indian Affairs that the status of the Indians with reference to these lands before his bureau was that they had an equitable interest in fee in these lands.

The bill under consideration, Mr. Speaker, permits these lands to be sold at a dollar and a quarter an acre. The Committee on Indian Affairs have recommended that those words, "a dollar and a quarter an acre," be stricken out, and the words "two dollars and a half an acre" be inserted. Two dollars and a half an acre is not one-third of the actual cash value at this time of those lands. There should be legislation on this subject as well to protect the Indians as the settlers, but that legislation should be in accordance with the recommendations of the Indian Bureau. I therefore send up an amendment, which I offer as a substitute for the amendment recommended by the committee. I ask the Clerk to read it.

The Clerk read as follows:

Substitute for the amendment offered by the Committee on Indian Affairs:

Strike out in lines 15 and 16 of section 1 the words "at $1.25 per acre," and insert in lieu thereof "the appraised value of said tract as heretofore ascertained by the Secretary of the Interior in accordance with the provisions of the act of February 19, 1873, entitled 'An act to provide for the sale of certain New York Indian lands in Kansas.'"

Also, strike out in line 4 of section 2 the words "$3 per acre" and insert "the appraised value."

The SPEAKER *pro tempore*. The Chair understands this amendment is pending.

Mr. BLANCHARD. If that amendment be adopted it will make this bill exactly conform to the recommendations of the Indian Bureau, and it will then be doing substantial justice alike to these Indians and these settlers. I hold in my hand a statement of the appraised value

of these lands as made under the act of Congress of 1873; and that appraisement shows that not one acre of these lands was appraised for less than $3.75 an acre, and it went from that up to $10 an acre.

Mr. LONG. Will the gentleman allow me a question?

Mr. BLANCHARD. Yes, sir.

Mr. LONG. Does this matter as to appraisement provide for deducting the value derived from improvements?

Mr. BLANCHARD. I will state to the gentleman from Massachusetts that the instructions to these appraisers when they were sent out by the Interior Department was to appraise the actual value of the lands exclusive of the improvements.

Mr. LONG. That would be the appraised value provided for by your amendment.

Mr. BLANCHARD. Yes; the appraised value provided for by my amendment is without regard to the improvements.

Mr. LONG. Has the gentleman any idea what the value would be after deducting the improvements?

Mr. BLANCHARD. The value after deducting the improvements is exactly the value placed upon the lands by these appraisers from $3.75 to $10 an acre. The improvements belong to the settlers. The lands belong to these Indians to the extent they have an equitable interest in fee in them.

Mr. McADOO. I reserve the remainder of my time.

Mr. PAYSON. I think the differences of opinion which have been expressed with reference to this bill grow out of what I regard to be an entire misapprehension on the part of the gentlemen who have spoken on the other side of the Chamber as to the legal status of this land. I undertake to say here at the outset that it is susceptible of the very easiest demonstration that notwithstanding the opinion of the Commissioner of Indian Affairs, whose report has been referred to so frequently here, these Indians, the beneficiaries of this bill, have no interest whatever in these lands and never had an interest in them beyond the bare right of occupancy. That expression may be as well understood by gentlemen who are laymen as by lawyers; and to the demonstration of that proposition I now address myself.

First, the Government, at that time, did not deal with Indians as Indians, and this treaty which was made with the Six Nations dealt with them as a nation and as an entirety. The treaty provided in terms that if they should remove from the lands which they then occupied in New York and Wisconsin to the then Territory of Kansas, a reservation containing 1,800,000 acres of land should be set apart for them, and also provided that when they should remove, as a tribe, the Indians themselves might make the allotment of this land to the individual members, not exceeding 320 acres to each individual; and provided for an evidence of title, which was that a patent should issue to the tribe under the provision of the act of 1830, which is this:

> That the United States will cause a patent or grant to be made and executed to them for the same, provided that such land shall revert to the United States if the Indians shall become extinct or cease to occupy the same.

There is the provision of the act of Congress providing for the patent which was to issue to these Indians as a tribe, allotments to be made by the Indians themselves among themselves; and whatever rights passed by reason of the treaty, by reason of the act of Congress, and by reason of the patent, were to cease and determine if the Indians should become extinct or should cease to occupy the lands. Now, Mr. Speaker, it is undisputed as to the history of this transaction, that the Six Nations never attempted to remove to Kansas. As a tribe they never accepted any of the provisions of this treaty. No steps ever were taken by them, as a tribe, with reference to it in any way whatever. That is undisputed. A few scattered Indians—no estimate makes the number exceed 300—went off one by one, to the promised land. They got there and went upon these lands; but, as is stated by the Commissioner of Indian Affairs, by reason of sickness in consequence of their not being used to the climate, the blizzards sweeping across the prairies of Kansas—by reason of sickness, discontent, and dislike to the locality, nearly all of them returned to New York. But in 1860, thirty-two of those Indians were still found there.

At that time the land was declared to be public land, but because these few Indians were still remaining, the Secretary of the Interior, without warrant of law—and I ask the special attention to this point of gentlemen who are insisting here that there was a fee, or any interest in the fee, or any legal right whatever on the part of these Indians to those lands, I ask the attention of those gentlemen to this point—the Secretary of the Interior, without any authority of law whatever, did appoint a commission and did make these allotments. Now, what right attached by reason of that action, even assuming that the Secretary had the power to appoint the commission? It simply gave the Indians the right of occupancy of a half section of land each, and that alone. Nobody will pretend anything else from the treaty, from the statute, or from the action of the Department under it; and even if a patent had gone from the Government to the tribe, as a tribe, as soon as the occupancy of the land ceased the right of the Indians to it would be determined.

Nobody disputes or will dispute that proposition. I agree that the then Commissioner of Indian Affairs says that an equitable interest in the fee attached. That was his opinion. It might have been good for him, but I do not believe that any lawyer who looks at the language of the treaty and of the statute will indorse that opinion. But the Indians abandoned these lands. Where is there anything tending to show that they were driven off by people who went out there? Where is there anything tending to show that the right of occupancy which they had was taken from them by force? There is nothing of the kind in the record; and I appeal to the authority of the gentleman from Kansas that the fact is as I have stated, that there was an abandonment by the Indians of their right of occupancy.

Mr. LA FOLLETTE. Will the gentleman yield for a correction—the reading of two lines from the official record?

Mr. PAYSON. Yes, sir.

Mr. LA FOLLETTE. I read from the letter of Secretary Schurz:

> The files of the Indian Office show abundant proof that they did not voluntarily relinquish their occupation.

Mr. PAYSON. Well, Mr. Speaker, nothing has appeared in this debate as to that. At all events, the occupancy has ceased, and here are left these twenty-four half sections.

Mr. LONG. Thirty-two.

Mr. PAYSON. The gentleman from Massachusetts corrects me by saying thirty-two, but I am accurate in saying twenty-four, because eight of these tracts have been already provided for by legislation. The Indians abandoned their occupancy, and settlers went upon these lands.

Some gentleman on the other side asked the question, why the rights of those settlers were not recognized by the Interior Department. For the plain reason, as has been stated time and again in this House, that when any public land is placed in a state of reservation by the Interior Department no settlement rights are ever recognized by any local land office. This land was placed in a state of reservation by the then Secretary of the Interior, so that to-day it stands as public land, free and clear from any claim of title save the record evidence of its reservation in behalf of these Indians, which reservation, until removed by competent authority, prevents the settlers from acquiring any right. So the question here is, how much shall these men be compelled to pay? I do not sympathize, Mr. Speaker, with the sentimentality which runs out in favor of an Indian who can not be found or heard of as against a white man who is in possession of Government lands.

In the race that has been going on, and that is going on to-day in the Southwest between the cattle-men and the settlers, I have always insisted that I preferred babies to calves on the public lands. So I am in favor of protecting the men who went out in the early day upon the frontiers of Western Kansas. I know something of the privations which they endured, because I was a pioneer myself in the early days in Illinois. I went there when the smoke was still rising from the tepees of the Indians in Northern Illinois. I know something, I say, of the hardships of pioneer life, and I am not in favor now and here of compelling men who endured what those men endured to pay more for the little homes they have built up for themselves there than their neighbors round about them were compelled to pay, a dollar and a quarter an acre.

Mr. BLANCHARD. The gentleman has stated that these Indians could not be found. Perhaps he is not aware that in the files of the Interior Department is a list of the names of these Indians, which list I hold in my hands.

Mr. PAYSON. I know all about that. I have made my statement because the gentleman from Kansas [Mr. PERKINS], whom I do not now see in his seat, stated, when advocating this bill yesterday, that the committee was not advised of the whereabouts of any of these Indians, except some two or three; that the rest of them could not be found.

Mr. BLANCHARD. Here is a list of their names.

Mr. PAYSON. Yes; but that document was issued years ago.

Mr. HOOKER. I would like to ask the gentleman what title the Government of the United States acquired to the lands on Green Bay, which the Indians ceded? Was it simply a title of occupancy?

Mr. PAYSON. No, sir. The Government acquired because the lands ceded in Wisconsin had passed by patent, as these lands never did.

Mr. HOOKER. Did they not pass by the treaty?

Mr. PAYSON. Nothing of that kind passed by the treaty. Let me ask my friend from Mississippi whether the treaty does not provide that the evidence of title shall be a patent issued under the provisions of the statute of 1830?

Mr. HOOKER. Unquestionably. But the point of my inquiry is whether the Government ceded these lands to the Indians in Kansas on account of their relinquishing to the Government of the United States all their right, title, and interest in the lands on Green Bay?

Mr. PAYSON. Why, Mr. Speaker, that question does not arise here in any way.

This bill is sufficiently liberal for any rights of the Indians, and in my judgment imposes all the burdens on the settlers which should be borne by them, and I hope it may pass as reported by the committee.

Mr. McADOO. I desire to ask how much of my time remains.

The SPEAKER *pro tempore*. The gentleman from New Jersey [Mr.

McADOO] has four minutes remaining, and the gentleman from Kansas ten.

Mr. McADOO. I reserve my time.

The SPEAKER *pro tempore*. This time runs into the twenty minutes' extension.

Mr. PERKINS. I have, as I understand, ten minutes for debate.

The SPEAKER *pro tempore*. Yes, sir.

Mr. PERKINS. I yield three minutes to the gentleman from Iowa [Mr. WEAVER].

Mr. WEAVER. I reserve my time. I simply wish to offer an amendment when the proper occasion arrives.

Mr. PERKINS. Then I yield three minutes to the gentleman from Alabama [Mr. COBB], a member of the committee.

Mr. COBB. Mr. Speaker, it can not be pressed upon the attention of this House with too much emphasis that these Indians, about whom we are talking to-day, never acquired any right, legal or equitable, under the treaty stipulations of 1838. The provisions of that treaty were never carried into effect; and if they were, there was by the stipulations of that treaty an express reservation of the rights of the United States to this land as provided by the treaty of 1830; and by reference to the provisions of the latter treaty it is perfectly clear that no provision was ever made under the operation of which these Indians, either as a tribe or as individuals, could acquire a legal, fee-simple, absolute title to these lands; they could only acquire the right of occupancy.

But I have no time to press this point. I allude to it simply for the purpose of showing that even if these thirty-two Indians held these lands under the treaty stipulations of 1838, they as individuals never had a legal title to them. But inasmuch as the stipulations of the treaty of 1838 were never executed, these separate thirty-two Indians never acquired any right whatever under that treaty.

It is true that the Interior Department did undertake at a particular time to set apart to these thirty-two Indians a certain quantity of land for each; but this was done without any authority of law whatever, and the act of the Interior Department in that behalf was wholly and entirely void. It is true that under the act of 1873 the action of the Interior Department was so far recognized that these lands which, under the direction of the Interior Department, had been assigned to these thirty-two Indians were reserved from the entry then provided as to other lands.

[Here the hammer fell.]

Mr. PERKINS. I desire to yield two minutes to the gentleman from Texas [Mr. HARE].

Mr. COBB. I would like one minute to answer a question just asked me.

Mr. PERKINS. I yield a moment more to the gentleman.

Mr. COBB. It was my purpose, Mr. Speaker, if I had the time, to assail directly this report of the Indian Commissioner, and to show that any concessions therein made are not based upon law and can not be accepted as the ground of any action on our part. The whole argument here in opposition to the report of the committee is based upon that report of the Indian Commissioner; and if I had opportunity I could show beyond question that the conclusions of this officer as to fact and law are erroneous; so that any argument founded upon that report must mislead this House.

Mr. PARKER. Why, then, do you propose to pay the Indians anything?

Mr. COBB. Simply because I want to do abundant justice to them; that is all.

Mr. HARE. Mr. Speaker, as I understand, these Indians never did have a perfect legal or equitable title to these lands. It may be admitted that they had a colorable equitable title in this, that the Government, in its action in reference to these Indians, gave them the right of occupancy; but in case of alienation these lands were to be sold to no other party than the Government of the United States. Simple occupancy, then, with power to alienate to the Government, is their title, a title which could not, so far as title is concerned, have any marketable value. The settler comes in and by purchase extinguishes the title of the Government. Thus we have the colorable equity of the Indian and the title by purchase of the settler.

Mr. McADOO. Will the gentleman permit me to ask him where there is evidence that any of these white settlers ever purchased any of these lands?

Mr. HARE. I so understood.

Mr. McADOO. No, sir; they never made any purchase whatever.

Mr. HARE. I understood that to be the case.

Mr McADOO. No, sir; it is not.

Mr. HARE. I may be mistaken about that, but they settled on them with a view to purchase. The Indian title is what is under consideration. The Indian holds a bare equity by reason of occupancy of these lands, and in case of alienation can only sell to the United States. They can not have title which will be equal to its marketable value. Therefore, in adjusting the value of the title the Indians hold, it should be measured with that of the settler.

The SPEAKER *pro tempore*. The gentleman's time has expired.

Mr. HOOKER. I would like to ask the gentleman from Texas, before he closes, if the Indians got no title to the lands under the treaty of 1838, did the Government of the United States get any title to the Green Bay lands which the Indians conceded to the United States as consideration?

Mr. PERKINS. I believe I am entitled to the floor, and will yield for a moment to the gentleman from Iowa to make his motion.

Mr. WEAVER. I move to strike out the words "cash at the time of purchase," in lines 16 and 17, and insert in lieu thereof "four annual installments, with interest at the rate of 4 per cent. per annum from the date of the first payment." I also move to amend by striking out section 2 of the bill.

Mr. PERKINS. I will reserve the remaining portion of my time, yielding to the gentleman from New Jersey [Mr. McADOO], who has a few moments remaining.

The SPEAKER *pro tempore*. The gentleman from Kansas has four minutes of his time remaining, and the gentleman from New Jersey also has four minutes of his time remaining.

Mr. McADOO. There are pending, Mr. Speaker, two or three motions, one from myself, to recommit, one from the gentleman from Louisiana [Mr. BLANCHARD], and one from the gentleman from Iowa [Mr. WEAVER].

While I have the floor I now propose a substitute for the one proposed by the gentleman from Louisiana, which is substantially the same as that offered by him, except it provides these settlers shall pay for these lands by installments. But I wish before doing that to take notice of the remark made by the gentleman from Illinois.

The gentleman from Illinois has said with a great deal of enthusiasm that he is in favor of babes instead of steers on the public domain. I agree with him. I am also an advocate of babies instead of steers, but I do not wish these fathers to get play-grounds for their progeny by driving away the red men at the muzzle of the gun and the point of the bowie-knife from their own lands.

I agree as to the sentimentality surrounding this bill. I have often witnessed a torrent of mingled indignation and sympathy poured out on questions of racial sentiment in this House. I have seen this House stirred from its lowest depths to its highest altitude in behalf of the Chinese murdered in Wyoming Territory; and I would like to see an occasional ebullition of like feeling on the part of the House for the poor Indians massacred in Kansas, from whom their lands were taken by force.

Now I ask the Clerk to read the amendment which I have offered as a substitute to the one proposed by the gentleman from Louisiana [Mr. BLANCHARD], which is the one suggested by the former Commissioner of Indian Affairs.

The Clerk read as follows:

Strike out and insert as follows:

"At any time within one year from the passage of this act said lands so occupied by them in tracts not exceeding 160 acres, according to the Government surveys, at not less than the appraised value of the said tracts, as heretofore ascertained by the Secretary of the Interior, in accordance with the provisions of the act of February 19, 1873, entitled 'An act to provide for the sale of certain New York Indian lands in Kansas,' payment to be made in three annual installments, one-third at date of entry, one-third at the end of one year from date of entry, and the balance in two years from date of entry, with interest on said amounts, respectively, from date of entry, at 6 per cent. per annum; and the moneys arising from such sales shall be paid into the Treasury of the United States in trust for, and to be paid to, said Indians, respectively, to whom said certificates were issued, or to their heirs, upon satisfactory proof of their identity to the Secretary of the Interior, at any time within three years from the passage of this act; and in case such proof is not made within the time specified, then the proceeds of such sale, or so much thereof as shall not have been paid under the provisions of this act, shall become a part of the public moneys of the United States.

"SEC. 2. That any lands not entered by such settlers at the expiration of one year from the passage of this act shall be offered at public sale, in the usual manner, at not less than the appraised value, notice of said sale to be given by public advertisement of not less than thirty days; and any tract or tracts not then sold, together with such tracts as have heretofore been or may hereafter be entered, and wherein default has been made in the payment of any portion of the purchase-money, or the interest thereon, as herein or heretofore provided, shall be thereafter subject to private entry at the appraised value of said tracts."

Mr. McADOO. I want to call the attention of the gentleman from Louisiana to that substitute.

Mr. BLANCHARD. I will accept it at the proper time.

Mr. PERKINS. I yield now one minute to the gentleman from Iowa [Mr. WEAVER].

Mr. WEAVER. A word in explanation of the amendment I have offered. The bill as reported from the committee compels the settlers to pay $2.50 per acre, or $400 for each quarter-section, and to do that within twelve months, or, under the second section of the bill, the lands must be offered at public sale and they will be sold out.

The effect of that section is to run the settler directly into the trap of the loan agent and compel him to borrow money to meet that payment inside of twelve months. Hence I offer the amendment.

[Here the hammer fell.]

Mr. PERKINS. Mr. Speaker, in conclusion of this debate I desire to ask the House simply whether it will do justice to these men who for thirty years have occupied these lands in good faith, who have improved them and cultivated them, and sustained themselves and those dependent upon them by their labor upon them, or whether it will

run wild with the sentiment that ignores justice to everybody and does justice to none.

There is not a beneficiary of these allottees, or any one of the allottees, who can be found to oppose this bill. In fact, in the Forty-seventh Congress the beneficiaries had an attorney to represent them before the Committee on Indian Affairs, asking legislation giving the right to sell the lands to the settlers at $2.50 an acre, and no protest against such action has ever come up or been made by any one of them in opposition to such legislation.

It is not shown by any evidence on file, nor is it claimed by any one conversant with the facts, that any of the Indians in question have occupied any one of these thirty-two pieces of land allotted to them.

There has never been, so far as the evidence shows, any actual occupancy by the Indians. The thirty-two Indians were simply within the borders of that great reservation, embracing 1,824,000 acres; but it is not claimed or shown in any manner that they ever occupied a single acre of the thirty-two pieces allowed to them. The settlers were there upon the lands, and the Indians selected lands already occupied in good faith by actual settlers because of the fact that two years before the Secretary of the Interior had decided that these lands had not been secured by the Indians and were public lands. These settlers went upon them in pursuance of that decision, and have held possession continuously.

Now, the treaty in question was made in 1838, and was promulgated and approved in 1840, and by its terms these Indians were to go upon the lands within five years. If you observed the reading of the dates and figures given by the gentleman from New Jersey [Mr. MCADOO] you saw that not one of the Indians went there within the five years as required by the treaty.

As was shown by the arguments of my colleague [Mr. RYAN] and the gentleman from Illinois [Mr. PAYSON], there was to be a tribal occupation of the lands in obedience to the terms of the treaty. The treaty was made with them as a tribe, and they were to occupy the lands as a tribe, and it was not reserved under the treaty that the Government should allot in severalty land to any of the individual Indians who chose to go upon them. But the committee, over-anxious to do justice to the allottees, have been willing to do more than justice to the Indians, and provide in this manner that they shall be the actual beneficiaries under the treaty, allowing at the same time these settlers who have been working and starving there for years an opportunity to protect and secure their homes.

[Here the hammer fell.]

The SPEAKER *pro tempore*. The time allowed for debate has expired.

Mr. PERKINS. I now demand the previous question upon the engrossment and third reading of the bill and pending amendments.

The previous question was ordered.

The SPEAKER *pro tempore*. The first question will be taken upon the committee's amendments, which the Clerk will report.

The Clerk read as follows:

The committee propose to amend the bill by striking out "$1.25," where it occurs in the first section, and inserting "$2.50."

Mr. BLANCHARD. Mr. Speaker, I offered a substitute for that amendment.

The SPEAKER *pro tempore*. The Chair will state that the text of the bill must first be perfected before the substitute is in order.

The amendment of the committee was adopted.

The SPEAKER *pro tempore*. The question is now upon the amendment in the nature of a substitute proposed by the gentleman from Louisiana.

Mr. BLANCHARD. I desire to accept the substitute proposed by the gentleman from New Jersey for mine, which is the recommendation of the Indian Bureau.

The SPEAKER *pro tempore*. If there be no objection, that will be done.

Mr. WEAVER. I believe the vote should first be taken upon my amendment, which was offered before the substitute.

The SPEAKER *pro tempore*. The Chair understands the gentleman from Louisiana to accept the substitute of the gentleman from New Jersey.

Mr. WEAVER. But my amendment is to the text of the bill. It perfects the bill, and I am satisfied the House desires that amendment to be adopted.

The SPEAKER *pro tempore*. But the Chair understands the gentleman from Louisiana to accept the substitute of the gentleman from New Jersey.

Mr. WEAVER. That is a very different question. I never consented to that substitute and the House has never consented. The gentleman from Louisiana may accept it, but it is for the House to act upon it.

The SPEAKER *pro tempore*. Objection being made, the Chair will put the question to the House again. Is there objection to the substitute?

Mr. HENDERSON, of Illinois. I would inquire whether the amendment of the gentleman from Iowa should not first be voted upon before action is taken on the substitute?

The SPEAKER *pro tempore*. Objection being made, the Chair will cause the several amendments to be reported and voted upon in the order in which they were presented.

The first amendment has been adopted.

The question now is on the amendment proposed by the gentleman from Iowa, which has been read.

Mr. WEAVER. My amendment also provides for striking out the second section of the bill, which is the penalty section.

Mr. BLANCHARD. My acceptance of the substitute of the gentleman from New Jersey places his substitute where mine was. Are we not entitled to a vote upon that substitute before we are called upon to vote upon the amendment of the gentleman from Iowa?

Mr. WEAVER. The gentleman has no power to accept a substitute for the House.

The SPEAKER *pro tempore*. The Chair put that question to the House, and objection was made.

The question is on the amendment of the gentleman from Iowa [Mr. WEAVER], which is in the nature of a substitute.

Mr. WEAVER. It is not a substitute, but simply an amendment to perfect the bill.

The question was taken on the amendment of Mr. WEAVER; and on a division there were—ayes 49, noes 79.

So the amendment was rejected.

The SPEAKER *pro tempore*. The question is on agreeing to the substitute proposed by the gentleman from New Jersey, which has been read.

Mr. WEAVER. I offered two amendments. There is another amendment pending, to strike out the second section.

The SPEAKER *pro tempore*. We have not yet come to the second section. The question is on the substitute of the gentleman from New Jersey.

Mr. BLANCHARD. Let it be read.

The proposed substitute was again read.

The SPEAKER *pro tempore*. The Chair was not advised that the substitute of the gentleman from New Jersey applied to the second section as well as the first; so that, properly, the amendment of the gentleman from Iowa will take precedence. The vote will therefore be on the amendment of the gentleman from Iowa, which the Clerk will read.

The Clerk read as follows:

Amend by striking out the second section of the bill.

Mr. BLANCHARD. Do we take the vote now on the amendment of the gentleman from Iowa?

The SPEAKER *pro tempore*. Certainly. We perfect the text before taking the vote on the substitute.

Mr. WEAVER. Let the second section, proposed to be stricken out, be read.

The Clerk read the second section, as follows:

SEC. 2. That any lands not entered by such settlers at the expiration of twelve months from the passage of this act shall be offered at public sale, in the usual manner, at not less than $3 per acre, notice of said sale to be given by public advertisement of not less than thirty days; and any tract or tracts not then sold shall be thereafter subject to private entry at $3 per acre.

Mr. WEAVER. If that section remains, the settlers will be sold out in less than twelve months or be compelled to borrow money from a loan agent.

Mr. BLANCHARD. Was it not that amendment that the House voted down awhile ago?

The SPEAKER *pro tempore*. It was not. The extension of twenty minutes for the consideration of this bill has expired.

Mr. PERKINS. I ask unanimous consent that the time be extended ten minutes for the purpose of completing the bill.

Mr. MCADOO. I object.

Mr. PERKINS. I would like to call the attention of the gentleman from New Jersey to the fact that I think it was not understood we were consuming any part of the twenty minutes in debate, and it certainly is not ten minutes since the debate closed. It was my understanding that we had reserved twenty minutes to dispose of the amendments.

Mr. MCADOO. If I withdraw my objection, shall we have a vote on my substitute?

Mr. PERKINS. Certainly. I do not limit my request to the extension of ten minutes, but until we complete the bill.

The SPEAKER *pro tempore*. The Chair hears no objection, and the time will be extended ten minutes.

The question being taken on the amendment offered by Mr. WEAVER, there were—ayes 21, noes 109.

So (further count not being called for) the amendment was not agreed to.

The SPEAKER *pro tempore*. The question is now on the amendment, in the nature of a substitute, proposed by the gentleman from New Jersey [Mr. MCADOO].

The question being taken, there were—ayes 81, noes 83.

Mr. MCADOO. I call for the yeas and nays.

The yeas and nays were ordered, 37 members voting therefor.

Mr. COBB. Let the proposed substitute be read.

The substitute was again read.

The question was taken; and there were—yeas 99, nays 151, not voting 73; as follows:

YEAS—99.

| | | | |
|---|---|---|---|
| Abbott, | Cowles, | Kean, | Penington, |
| Allen, C. H. | Crisp, | La Follette, | Pidcock, |
| Anderson, C. L. | Cutcheon, | Lagan, | Randall, |
| Baker, C. S. | Dargan, | Landes, | Rice, |
| Baker, Jehu | Davidson, R. H. M. | Latham, | Richardson, |
| Barnes, | Davis, | Lawler, | Robertson, |
| Barry, | Dibble | Lee, | Rowland, |
| Blanchard, | Enloe, | Lehlbach, | Shaw, |
| Blount, | Ermentrout, | Lodge, | Sowden, |
| Bryce, | Finley, | Lynch, | Spooner, |
| Buckalew, | French, | Mahoney, | Stahlnecker, |
| Burnett, | Fuller, | Mansur, | Stewart, J. D. |
| Bynum, | Glass, | McAdoo, | Stockdale, |
| Campbell, Felix | Granger, | McClammy, | Stone of Ky. |
| Campbell, T. J. | Greenman, | McCreary, | Tarsney, |
| Candler, | Hall, | McKinley, | Townshend, |
| Caswell, | Hemphill, | McMillin, | Turner, H. G. |
| Catchings, | Henderson, J. S. | Montgomery, | Vandever, |
| Cheadle, | Hires, | Moore, | Walker, |
| Chipman, | Hogg, | Morgan, | Washington, |
| Clardy, | Holman, | Neal, | Wheeler, |
| Clements, | Hooker, | Norwood, | Whitthorne, |
| Cogswell, | Hovey, | O'Neill, J. J. | Wilkinson, |
| Compton, | Hutton, | Outhwaite, | Wilson, W. L. |
| Cothran, | Jones, | Parker, | |

NAYS—151.

| | | | |
|---|---|---|---|
| Adams, | Dingley, | Ketcham, | Reed, |
| Allen, E. P. | Dockery, | Laffoon, | Rockwell, |
| Allen, J. M. | Dorsey, | Laird, | Rogers, |
| Anderson, A. R. | Dougherty, | Lane, | Romeis, |
| Anderson, G. A. | Dunn, | Lanham, | Rowell, |
| Anderson, J. A. | Elliott, | Lind, | Ryan, |
| Atkinson, | Farquhar, | Lyman, | Sawyer, |
| Bacon, | Fisher, | Macdonald, | Sayers, |
| Bankhead, | Flood, | Maish, | Scott, |
| Belden, | Ford, | Martin, | Scull, |
| Bland, | Forney, | Mason, | Seney, |
| Bliss, | Funston, | McComas, | Sherman, |
| Boothman, | Gaines, | McKenna, | Simmons, |
| Bound, | Gallinger, | McKinney, | Smith, |
| Bowden, | Gear, | McRae, | Snyder, |
| Bowen, | Gest, | McShane, | Springer, |
| Breckinridge, C. R. | Goff, | Milliken, | Steele, |
| Brewer, | Grosvenor, | Mills, | Stephenson, |
| Browne, T. M. | Grout, | Moffitt, | Stewart, Charles |
| Brown, J. R. | Guenther, | Morrill, | Stone of Mo. |
| Brumm, | Hare, | Morse, | Symes, |
| Bunnell, | Harmer, | Nelson, | Taulbee, |
| Burrows, | Hatch, | Newton, | Taylor, E. B. |
| Butterworth, | Haugen, | Nichols, | Taylor, J. D. |
| Campbell, J. E. | Heard, | Nutting, | Thomas, G. M. |
| Cannon, | Henderson, T. J. | Oates, | Thomas, O. B. |
| Caruth | Herbert, | O'Donnell, | Tillman, |
| Clark, | Hiestand, | O'Neill, Charles | Turner, E. J. |
| Cobb, | Holmes, | Osborne, | Wade, |
| Conger, | Hopkins, A. J. | Owen, | Weaver, |
| Cooper, | Hopkins, S. T. | Patton, | White, J. B. |
| Crain, | Hudd, | Payson, | White, S. V. |
| Crouse, | Hunter, | Peel, | Whiting, William |
| Culberson, | Jackson, | Perkins, | Wickham, |
| Cummings, | Johnston, J. T. | Perry, | Wilson, Thomas |
| Dalzell, | Kelley, | Peters, | Yardley, |
| Darlington, | Kennedy, | Post, | Yost. |
| Davidson, A. C. | Kerr, | Pugsley, | |

NOT VOTING—73.

| | | | |
|---|---|---|---|
| Arnold, | Dunham, | Long, | Struble, |
| Bayne, | Felton, | Maffett, | Thomas, J. R. |
| Belmont, | Fitch, | Matson, | Thompson, A. C. |
| Biggs, | Foran, | McCormick, | Thompson, T. L. |
| Bingham, | Gay, | McCullogh, | Tracey, |
| Boutelle, | Gibson, | Merriman, | Vance, |
| Breckinridge, W. C. P. | Glover, | Morrow, | Warner, |
| Brower, | Grimes, | O'Ferrall, | Weber, |
| Browne, T. H. B. | Hayden, | O'Neall, J. H. | West, |
| Brown, C. E. | Hayes, | Phelan, | Whiting, J. R. |
| Buchanan, | Henderson, D. B. | Phelps, | Wilber, |
| Burnes, | Hermann, | Plumb, | Wilkins, |
| Butler, | Hitt, | Rayner, | Williams, |
| Carlton, | Hopkins, S. I. | Russell, C. A. | Wise, |
| Cockran, | Houk, | Russell, J. E. | Woodburn, |
| Collins, | Howard, | Rusk, | Yoder. |
| Cox, | Johnston, T. D. | Shively, | |
| Davenport, | Kilgore, | Spinola, | |
| De Lano, | Laidlaw, | Stewart, J. W. | |

So the proposed substitute was not agreed to.

Mr. RYAN. I ask unanimous consent that the reading of the names be dispensed with.

There was no objection.

Mr. GLOVER. I desire my name to be called.

The SPEAKER *pro tempore*. Was the gentleman in his seat when his name was called?

Mr. GLOVER. I was in the lobby, but not in the Hall.

The SPEAKER *pro tempore*. The gentleman's vote cannot be received.

Mr. GLOVER. I should have voted "ay."

The following pairs were announced:

Until further notice:

Mr. CARLTON with Mr. WEST.

Mr. STOCKDALE with Mr. THOMPSON, of Ohio.

Mr. COCKRAN with Mr. HAYDEN.

Mr. TRACEY with Mr. DE LANO.

Mr. SPINOLA with Mr. THOMAS, of Illinois.

Mr. MANSUR with Mr. MCCULLOGH.

Mr. MCCORMICK with Mr. PENINGTON, until the 28th.

Mr. HOPKINS, of Virginia, with Mr. HITT, for this day.

Mr. BIGGS with Mr. BAYNE.

Mr. SHIVELY with Mr. WILBER.

Mr. WILKINS with Mr. DAVENPORT.

Mr. RUSSELL, of Massachusetts, with Mr. LONG.

Mr. KILGORE with Mr. THOMAS H. B. BROWNE.

Mr. WISE with Mr. BUCHANAN, on this vote.

Mr. BELMONT with Mr. BINGHAM, on this vote.

Mr. STOCKDALE. I am paired with Mr. THOMPSON, of Ohio, on all political questions. There is no political question with reference to this matter in regard to Indians, and I have voted.

The Clerk read the pair, as follows.

Mr. STOCKDALE and Mr. THOMPSON, of Ohio, are paired on all political questions, not to break a quorum.

Mr. SOWDEN. I was paired with Mr. DARLINGTON, of Pennsylvania, who tells me he voted "no;" I desire to vote "ay."

Mr. PENINGTON. I am paired with Mr. MCCORMICK, but only on political questions, and I have voted.

The result of the vote was then announced as above stated.

Mr. MCADOO. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. MCADOO. Is my motion to recommit pending?

The SPEAKER *pro tempore*. It is.

Mr. MCADOO. And has the time allowed by the House for the consideration of this bill expired?

The SPEAKER *pro tempore*. It has expired.

Mr. PERKINS. Perhaps the Chair did not understand, but when the gentleman from New Jersey [Mr. MCADOO] asked whether I would permit a vote upon his amendment, I suggested that I would do so if it could be understood that we were to complete the bill, and I think that was agreed to by the other side and by the House.

The SPEAKER *pro tempore*. The gentleman from New Jersey had an amendment to recommit the bill——

Mr. PERKINS. Certainly. I said to him that I would permit a vote upon that amendment with the understanding that we were to complete the bill to-day, and that was understood.

Mr. SPRINGER. The difficulty can be removed in this way: Let the gentleman move to proceed to business on the House Calendar. That motion is in order, I believe, and this bill is the first on the Calendar.

The SPEAKER *pro tempore*. The Chair will put the proposition to the House. Is there objection to the completion of this bill now?

Mr. MCADOO. Yes.

The SPEAKER *pro tempore*. The gentleman from New Jersey [Mr. MCADOO] objects. The hour has expired.

Mr. PERKINS. I move now to proceed to the consideration of business upon the House Calendar.

The SPEAKER *pro tempore*. That motion is not in order at this time until the unfinished business on the Calendar has been disposed of. The unfinished business is the bank bill.

Mr. SPRINGER. I move to postpone the further consideration of the unfinished business for this day. The gentleman in charge of the bill is sick and absent.

Mr. WEAVER. What is the reason assigned for the motion?

Mr. SPRINGER. That the gentleman in charge of the bill is sick.

Mr. WEAVER. That is all right.

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from Illinois [Mr. SPRINGER] to postpone the further consideration of the unfinished business for this day.

The motion was agreed to.

Mr. PERKINS. Now, Mr. Speaker, I move to proceed to the consideration of business upon the House Calendar.

Mr. MASON. Is not that the regular order?

The SPEAKER *pro tempore*. Yes, that would be the regular order. The motion is not necessary. The Clerk will call the bills in their order upon the Calendar.

The Clerk read as follows:

A bill (H. R. 1477) to subdivide the western judicial district of Louisiana.

Mr. SPRINGER. That bill is not on this Calendar. It has been disposed of, I think.

The SPEAKER *pro tempore*. It has not been disposed of.

Mr. SPRINGER. That bill is with the Committee of the Whole House on the state of the Union.

The SPEAKER *pro tempore*. The Clerk states that it is on the House Calendar.

Mr. PERKINS. Then, if it is in order, I move that that bill be laid aside temporarily.

Mr. CULBERSON. Mr. Speaker, this bill can be considered and disposed of in a very few minutes.

The SPEAKER *pro tempore*. Is there objection to the postponement of the bill the title of which has just been read?

Mr. CULBERSON. Yes, I object.

The SPEAKER *pro tempore*. The bill will be read.

The bill was read, as follows:

*Be it enacted, etc.*, That all processes from the circuit and district courts of the United States for the western district of Louisiana against defendants residing in the parishes of St. Landry, St. Martin, Cameron, Calcasieu, La Fayette, and

Vermillion, in the State of Louisiana, shall be returned to said courts at Opelousas; all processes against defendants residing in the parishes of Rapides, Vernon, Avoyelles, Catahoula, Grant, and Winn shall be returned to Alexandria; all processes against defendants residing in the parishes of Caddo, De Soto, Bossier, Webster, Claiborne, Bienville, Natchitoches, Red River, Sabine, Lincoln, and Jackson shall be returned to Shreveport; and all processes against defendants residing in the parishes of Ouachita, Franklin, Richland, Morehouse, East Carroll, West Carroll, Madison, Tensas, Concordia, Union, and Caldwell shall be returned to Monroe.

SEC. 2. That if there be more than one defendant and they reside in different divisions of the district, the plaintiff may sue in either division, and send duplicate writ or writs to the other defendants; and the said writs, when executed and returned into the court from which they issued, shall constitute one suit and be proceeded in accordingly. Where the defendant is a non-resident of the district, suit may be brought in any division where property or the defendant is found.

SEC. 3. That all issues of fact triable in either of said courts shall be tried in the division where the defendant or one of the defendants resides, unless by consent of all parties the case shall be removed to some other division.

SEC. 4. That all prosecutions for crimes or offenses hereafter committed in either of the divisions shall be cognizable within such division.

SEC. 5. That all grand and petit jurors summoned for service in each division shall be residents of such division.

SEC. 6. That a deputy clerk of the district court shall be appointed at each place in the four divisions of said western district where said court is required to be held, each of whom, in the absence of the clerk, may exercise all the official powers of clerk at the place and within the division for which he is appointed.

SEC. 7. That all crimes and offenses heretofore committed within the divisions created by this act shall be prosecuted, tried, and determined in the same manner and with the same effect as if this act had not been passed.

SEC. 8. That causes removed from any court of the State of Louisiana into the circuit court of the United States within said western district shall be removed to the circuit in the division in which such State court is held.

Amendments of the Committee on the Judiciary:

Insert the word "and" before the word "Sabine;" strike out the words "Lincoln and Jackson" in line 13 of section 1; strike out the word "and" in line 16; insert after the word "Caldwell," in line 17 of said section, the words "Jackson and Lincoln." Further amend by striking out of the second section the words "where the defendant is a non-resident of the district, suit may be brought in any division where property or the defendant is found." Also amend by striking out the third section and inserting the following, to wit: "That all causes triable in either of said courts shall be tried in the division to which the process is returnable under the provisions of this act, unless by consent of all parties the cause be removed to some other division in said district." Also amend by striking out section 7, and placing it as a proviso to section 4, and numbering section 8 as section 7.

Mr. CULBERSON. Mr. Speaker, this bill and amendments meet the approval of the entire delegation from Louisiana, and I now ask unanimous consent that the vote be taken on the amendments in gross.

There was no objection, and it was so ordered.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. CULBERSON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The Chair will state——

Mr. PERKINS. I demand the regular order.

The SPEAKER *pro tempore*. The regular order is the unfinished business.

Mr. PAYSON. Which is what?

The SPEAKER *pro tempore*. There is some mistake in the Calendar, which the Chair will have corrected. The Clerk will read the rule.

The Clerk read as follows, from Rule XXIV, clause 6:

After the hour under the preceding clause shall have been occupied it shall be in order to proceed to the consideration of the unfinished business in which the House may have been engaged at an adjournment, and at the same time each day thereafter, other than the first and third Mondays, until disposed of; and it shall be in order to proceed to the consideration of all other unfinished business whenever the class of business to which it belongs shall be in order.

The SPEAKER *pro tempore*. In pursuance of the ruling made by the Chair the other day, upon the bill from the Committee on Banking and Currency, the Chair would hold that the regular order now is the unfinished business.

NEW YORK INDIAN LANDS IN KANSAS.

Mr. MCADOO. I ask unanimous consent to make an explanation. I have received from the Reporter the notes as to what occurred between the gentleman from Kansas [Mr. PERKINS] and myself relative to the extension of time for the consideration of the bill for the sale of certain New York Indian lands in Kansas. In order that it may be determined whether the extension of time was for ten minutes or until the consideration of the bill was completed, I desire to have the notes read. I wish to do what is fair and honorable in this matter; and if it was the understanding that the time should be extended until the bill should be completed, of course I desire that understanding should be carried out.

The SPEAKER *pro tempore*. The gentleman from New Jersey asks unanimous consent to make a statement. The Chair hears no objection.

Mr. MCADOO. I ask the Clerk to read what I send to the desk.

The Clerk read as follows:

Mr. PERKINS. I would like to call the attention of the gentleman from New Jersey to the fact that I think it was not understood we were consuming any part of the twenty minutes in debate, and it certainly is not more than ten minutes since the debate closed. It was my understanding that we had reserved twenty minutes to dispose of the amendments.

Mr. MCADOO. If I withdraw my objection, shall we have a vote on my substitute?

Mr. PERKINS. Certainly. I do not limit my request to the extension of ten minutes, but until we complete the bill.

The SPEAKER *pro tempore*. The Chair hears no objection, and the time will be extended ten minutes.

The question being taken on the amendment offered by Mr. WEAVER, there were—ayes 21, noes 109.

So (further count not being called for) the amendment was not agreed to.

Mr. MCADOO. It will be observed that the request of the gentleman from Kansas for an extension of time was not limited to ten minutes, but until the bill should be completed. The Chair, however, put the question to the House as a request for an extension of ten minutes. I think there has been a misunderstanding; and as I wish to do what is right and fair in this matter, I, regardless of my opposition to the bill, ask unanimous consent to withdraw the objection I made a few minutes ago to continuing the consideration of the bill.

The SPEAKER *pro tempore*. The Chair hears no objection, and the objection of the gentleman from New Jersey is withdrawn.

Mr. PERKINS. I now demand the previous question on the passage of the bill.

The SPEAKER *pro tempore*. The gentleman from Kansas calls up the unfinished business, being the bill (H. R. 1406) to provide for the selling of certain New York Indian lands in Kansas, and demands the previous question upon the engrossment and third reading.

Mr. MCADOO. My motion to recommit the bill was pending after the vote had been taken on the amendment.

The SPEAKER *pro tempore*. The previous question has already been ordered upon the engrossment and third reading of the bill, which is the pending question.

Mr. MCADOO. I now renew my motion to recommit the bill.

The SPEAKER *pro tempore*. That motion is not in order at this time. The pending question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

The SPEAKER *pro tempore*. The question is now on the passage of the bill.

Mr. MCADOO. I now renew my motion to recommit the bill.

The motion of Mr. MCADOO was not agreed to, there being—ayes 35, noes 114.

Mr. PERKINS. I call the previous question on the passage of the bill.

The previous question was ordered.

The question having been taken,

The SPEAKER *pro tempore* said: In the opinion of the Chair the ayes have it.

Mr. MCADOO. I call for the yeas and nays.

The yeas and nays were not ordered, there being—ayes 22, noes 156; less than one-fifth voting in the affirmative.

So the bill was passed.

Mr. PERKINS moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MARITIME CANAL COMPANY, OF NICARAGUA.

On motion of Mr. NORWOOD, by unanimous consent, the Committee on Foreign Affairs was discharged from the further consideration of the bill (H. R. 5615) to incorporate the Maritime Canal Company of Nicaragua, and the same was referred to the Committee on Commerce.

AMENDMENT OF NAVIGATION LAWS.

Mr. DINGLEY. I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the bill (H. R. 5728) to amend the laws relating to navigation, and for other purposes.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. ROGERS in the chair, and proceeded to the consideration of the bill (H. R. 5728) to amend the laws relating to navigation, and for other purposes; which was read, as follows:

*Be it enacted, etc.*, That section 11 of an act to abolish certain fees for official services to American vessels, and to amend the laws relating to shipping commissioners, seamen, and owners of vessels, and for other purposes, approved June 19, 1886, be amended by striking out of the sixth and seventh lines of the subproviso of said section the words "of the country in which such port is situated, or on the cargoes of such vessels," and substituting in lieu thereof the words "of such country, or on the cargoes of such vessels; but this proviso shall not be held to be inconsistent with the special regulation by foreign countries of duties and other charges on their own vessels, and the cargoes thereof, engaged in their coasting trade, or with the existence between such countries and other states of reciprocal stipulations founded on special conditions and equivalents, and thus not within the treatment of American vessels under the most-favored nation clause in treaties between the United States and such countries."

SEC. 2. That section 1 of the act hereinbefore mentioned be amended, in the third line from the end of the section, by inserting after the words "shipping commissioners" the words "and clerks of steam-boat inspectors, and such allowances for fees of United States marshals and witnesses for services under the steam-boat-inspection laws, and for expenses of steam-boat inspectors provided for by section 4461 of the Revised Statutes."

SEC. 3. That section 4581 of the Revised Statutes, as amended by section 7 of chapter 121 of the public laws passed by the Forty-eighth Congress, is amended by striking out all after the word "thereof," in the fifth line, and inserting in

lieu thereof as follows: "If any seaman, after his discharge, shall have incurred any expense for board or other necessaries, or for reasonable charges for medical care and nursing, at the place of his discharge, before shipping again, or for transportation to the United States, such expense shall be paid out of the arrears of wages and extra wages received by the consular officer, which shall be retained for that purpose, and the balance only paid over to such seaman; and if such arrears and extra wages are not sufficient to defray such expense, the deficiency shall be paid from the fund in the Treasury for the maintenance and transportation of destitute American seamen."

Mr. DINGLEY. Mr. Chairman, I will explain the provisions of the bill briefly. It is reported by the Committee on Merchant Marine and Fisheries, and amends the shipping acts of 1884 and 1886 so as to carry out their original intention.

Section 1 of this act amends section 11 of the shipping act of 1886, in reference to tonnage tax; and the amendment I may add is suggested by the Secretary of State in view of certain questions which have arisen under the act of 1886. Sections 11 and 12 of the shipping act of 1886 tendered to foreign countries which would remove from American vessels all tonnage taxes, light-house dues, and other equivalent charges, a similar reciprocal treatment of their vessels on the part of the United States, and authorized the President to issue his proclamation suspending the collection of tonnage tax on vessels of such foreign countries as reciprocated with us.

Under that provision of the shipping act of 1886 the President has issued his proclamation in certain cases where certain countries have abolished charges on American vessels. But having done this in the case of certain Spanish-American countries, certain European countries have made claim that they, under what is known as the "most-favored-nation" clause in treaties with this country, are entitled to have their vessels exempted from tonnage tax and light-house dues. The Secretary of State has very properly responded to such a claim that the exemptions which we have given to vessels of certain foreign countries have been in consequence of certain considerations given by them; that if these other foreign countries will give the same compensation we will give the same exemption to them; and that the "most-favored-nation" clause in our treaties does not authorize them to make a claim to similar favors unless they give equal compensation.

In order to make this clear, according to the original intention of the shipping act of 1886, and to carry out the construction which the Secretary of State and the Attorney-General have put on the shipping act of 1886, it has been thought advisable to embody in this amendment to that act of 1886 this interpretation and this limitation, and this is simply the effect of the first section of this bill.

The second section of the bill supplies certain omissions which were made in the shipping act of 1886, when the fees for certain services to American vessels were abolished, and a provision adopted that officers receiving payment in whole or in part from fees should be paid thereafter from the general Treasury, instead of from the fund which previously accumulated from these fees. In making that transfer it was discovered subsequently that two classes of expenditures had been omitted, namely, the compensation of clerks of inspectors of steam-vessels and the fees of witnesses in certain cases of collision. This omission is now supplied.

The third section of the bill amends the shipping act of 1884 in that section which relates to the care of distressed and sick American seamen in foreign ports. By the act of 1884 seamen could be discharged under the provisions of law in foreign ports on payment to the United States consul by the vessel of arrears of wages and one month's extra wages. And further provision was made that the consul, in ports where these seamen were discharged, should from that fund of arrears of wages and extra wages pay the board and necessaries required by the seaman and the expense of his transportation from the foreign port in which he then was to some port in the United States. The district court of the southern district of New York has held that the words "board" and "necessaries" used in the act of 1884 do not cover medical care and nursing, notwithstanding it was the intention in the use of these words to cover all necessary expenses to which the destitute American seaman was exposed in a foreign port until his return to this country. The amendment proposed by the bill inserts the words "medical attendance and nursing," in order to make the original intent of the bill clear, and provides distinctly, as was provided inferentially by the original act, that whatever expense there may be shall be paid from the arrears of wages and wages of such destitute seaman, and the balances from the fund appropriated annually by Congress for the relief of distressed American seamen in foreign ports and for their transportation to a port in the United States.

This, Mr. Chairman, covers all the propositions contained in the bill, which is unanimously recommended by the Committee on Merchant Marine and Fisheries. It simply carries out the intent of Congress in enacting the shipping acts of 1884 and 1886.

Mr. COX. What nations made claim under the "most-favored-nation" clause?

Mr. DINGLEY. The Netherlands and Germany, I believe.

Mr. COX. The Secretary of State denied their claim.

Mr. DINGLEY. He did. The legal question involved was submitted to the Attorney-General, and his opinion fully sustains the Secretary of State in his construction of the "most-favored-nation" clause.

Mr. COX. Let me ask the gentleman a question. Will this first section of his bill have the effect of preventing similar claims from being made by any other foreign nations hereafter?

Mr. DINGLEY. They will to this extent: the Secretary of State in his negotiations with these claimants will be able to point distinctly to the fact that this was the intention of Congress in tendering to foreign countries exemption from tonnage tax.

Mr. COX. That would be the moral effect.

Mr. DINGLEY. Yes, sir. I may add for the information of the House that the claimants point to the technical words of the act to which this is an amendment to sustain their claim, and this amendment sets at rest all controversy as to the intention of Congress.

Mr. COX. This is to give, then, the moral effect of a construction by Congress to the Department of State?

Mr. DINGLEY. Precisely.

Unless some gentleman desires further discussion——

Mr Cox rose.

Mr. DINGLEY. I will yield, of course, to the gentleman from New York.

Mr. COX. I have no desire to discuss this further than to say that so far as I could scrutinize the bill it appears to be a valuable supplement to the act of 1886. I think other members representing seaboard and commercial cities will cheerfully vote to sustain this proposition of the gentleman's committee.

Mr. DINGLEY. If there are no further inquiries in reference to the bill, and no desire to further discuss it, I will move that the committee rise and report it favorably to the House.

Mr. BUCHANAN. I would like to ask the gentleman to repeat in a few words the effect of the proposed change in the first section of the bill, being section 11 of the original act. The difficulty that we on this side of the Hall labor under is our inability to hear what the gentleman said. This seems to be an amendment to what was understood to be a very carefully considered bill, passed two years ago, and I would like to know the reasons for the change and its effect. The gentleman has no doubt explained it satisfactorily to those around him, but we were unable here to catch the explanation.

Mr. DINGLEY. Mr. Chairman, I regret that the gentleman did not hear my explanation, as I dislike very much to occupy the time of the committee, unless there is a general desire that the explanation should be repeated.

Mr. BUCHANAN. I thought perhaps the gentleman might in a few of the crisp, terse sentences for which he is so distinguished, give the information we would like to have here.

Mr. MILLIKEN. The gentleman ought now, in view of that compliment, undoubtedly to repeat his speech. [Laughter.]

Mr. DINGLEY. I have simply to say, in response to the inquiry of the gentleman from New Jersey, that the amendment simply makes clearer what was the original intent of the act of 1886; and the practical effect, I may add—and that is perhaps all the gentleman desires—the practical effect is to notify foreign countries that in order to have the tonnage tax and the light-house dues removed from their vessels entering our ports they must first abolish such charges on American vessels in their ports, and not make the claim for exemption until they have done so.

Mr. MILLIKEN. May I ask my colleague a question?

Mr. DINGLEY. Certainly.

Mr. MILLIKEN. Did not my colleague draw the act of 1886; and is he not now proposing this new legislation in order simply, after the experience gained so far, to perfect the law and make it more definite and effective?

Mr. DINGLEY. Precisely; that is the effect and the intention.

I now move that the committee rise and report the bill favorably to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker *pro tempore* having resumed the chair, Mr. ROGERS reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill H. R. 5728, had directed him to report it favorably to the House.

Mr. DINGLEY. I demand the previous question upon the engrossment and third reading of the bill.

The previous question was ordered, under the operation of which the bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. DINGLEY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

### PROPOSED INTERNATIONAL EXPOSITION, PARIS.

Mr. BELMONT, from the Committee on Foreign Affairs, by unanimous consent, reported back with amendments the joint resolution (H. Res. 83) accepting the invitation of the French Republic to take part in an international exposition to be held in Paris in 1889; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PRINTING REPORT OF BUREAU OF ANIMAL INDUSTRY.

Mr. HATCH, by unanimous consent, submitted the following resolution; which was read, and referred to the Committee on Printing:

*Resolved*, That the Public Printer be, and he is hereby, directed to inform this House what reason exists, if any, for the non-delivery of the report of the Bureau of Animal Industry for 1886, which was ordered to be printed by a joint resolution, number 9, passed by the Forty-ninth Congress, and approved February 28, 1887.

ENROLLED BILL SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled a bill (S. 290) to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Mississippi River at or near Burlington, Iowa; when the Speaker *pro tempore* signed the same.

SIGNAL SERVICE.

The SPEAKER *pro tempore* laid before the House a letter from the Secretary of the Treasury, transmitting revised urgent deficiency estimates for the Signal Service; which was referred to the Committee on Appropriations, and ordered to be printed.

WITHDRAWAL OF PAPERS.

On motion of Mr. O'DONNELL, by unanimous consent, leave was given to withdraw from the files of the House papers in the case of Andrew J. Williamson and William Smith, no adverse report having been made.

On motion of Mr. PHELAN, by unanimous consent, leave was given to withdraw from the files of the House the papers in the case of Francis Erricksen, without leaving copies, there having been no adverse report thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. JOHNSTON, of North Carolina, indefinitely, on account of domestic affliction.

To Mr. MOFFITT, for ten days, on account of important business.

PRIVATE BILLS, ETC., WITHOUT INDORSEMENT.

The SPEAKER *pro tempore*. If the House will give its attention the Chair desires to make a statement, which is necessary, with a view to the correct management of business at the Clerk's desk. It appears there are eighteen private bills which have come to the Clerk's desk under the rule without indorsement of the names of the members introducing them. There are also thirty-one petitions without the names of the members presenting the same or any indorsement as to the reference desired. There are also forty-one petitions without the names of the members presenting them indorsed thereon, but with the committees marked to which it is desired they should be referred.

The Chair could not, of course, animadvert on or criticise the action or conduct of members of this House. But he would suggest for the proper dispatch of business that some memorandum of these bills and petitions should be put in the RECORD, so that members may read the catalogue, and if possible give the proper direction to those bills and petitions.

The Chair will ask the consent of the House to have these three different bundles examined by the Clerk carefully and catalogued for the RECORD, that members may read over the list and have the proper reference made. The Chair thinks that would obviate the complaints, such as that made to-day, as a question of privilege, and other complaints which may come hereafter. Is there objection to that disposition of these bundles? The Chair hears none, and that order is made.

The catalogue supplied by the Clerk is as follows:

A bill for the relief of Hiram N. Roberts, administrator.

Also, a bill to authorize the Secretary of the Treasury to convey to Anson Rudd, of the State of Colorado, certain real estate in the county of Fremont, in said State.

Also, a bill granting a pension to William B. Bishop.

Also, a bill granting a pension to James M. Page.

Also, a bill granting a pension to Augustus G. Wyeth.

Also, a bill granting a pension to Martin Haas.

Also, a bill granting a pension to Christian Kembeck.

Also, a bill granting a pension to Frederick P. Hardy.

Also, a bill granting a pension to Lyman D. Green.

Also, a bill granting a pension to Harriet E. Cooper.

Also, a bill for the relief of Willis N. Arnold.

Also, a bill for the relief of the Christian Church at Marshall, Saline County, Missouri.

Also, a bill for the relief of the heirs of Lieut. Commander Wilson McGunnegle.

Also, a bill for the relief of Frederick Ford.

Also, a bill for the relief of William Tabb.

Also, a bill for the relief of Aaron Botts.

Also, a bill for the relief of Daniel Bentley.

Also, a bill for the relief of Charles K. Remsberg.

Also, a bill for the relief of North German Steam-ship Company.

Also, a bill for the relief of Myra Clark Gaines.

Also, a bill to appoint Elijah J. M. Button apothecary at the United States Naval Academy, a warrant officer in United States Navy.

The following petitions were found in the box without the names of members presenting the same or the committees to which reference was desired:

Of William Green, for a pension; of James H. Prickett, for a pension; of Simon Haines, for a pension; of Cullen W. Green, for a pension; of Isaac Kisbaugh, for a pension; of Harris Fulford, for a pension; of Henry C. Richardson, for a pension; of Frederick P. Hardy, for a pension; of Charles H. Milbourn, for a pension; of Abraham Tyson, for a pension; of Daniel Batdorff, for a pension; of Jane A. Lusk, for a pension; of Daniel S. Bills, for a pension; of Abraham Van Assum, for a pension; of Nancy F. Jennings, for a pension; of Francis McKinney, for removal of charge of desertion; of Alonzo Koon, for removal of charge of desertion; of William H. Purseley, for relief; of F. N. Lang, on the currency; of Lewis Ratliff and others, on postmasters; paper in case of Malinda Vest; paper in case of Henry Glass; paper in case of Adolphus Goddin; paper against division of Idaho; paper from James F. Edwards; of G. W. Kinney, on postmasters; of William H. Jordan, for a pension; of George A. Bacon and others (Real Estate Tontine); of Aaron Botts, for relief; paper from Herbert Smith in case of George Barron; papers in case of Lewis Davis; paper relative to mail matter from Batavia, Ill.

The following petitions were unindorsed, but the committees desired to be referred to were marked thereon:

Of Eunice A. Pountain, for a pension; of Thomas O. Robinson, for a pension; of Mrs. Frances J. McCloud, for a pension; of F. B. Bickford, for a pension; of A. B. Chatfield, for pension legislation; of Joseph Nopinger, for removal of charge of desertion; of Frederick Brown, for removal of charge of desertion; of Jonathan C. Hoffman, for removal of charge of desertion; of Thomas Lindersmith, for removal of charge of desertion; papers in claim of Hugh J. Hewitt; paper in claim of James Allen, sr.; paper in case of A. H. Spicer; paper in case of James J. Dowling, war claim; paper in case of Mrs. L. L. Gilmer, war claim; paper in case of R. H. Jackson; papers in cases of William J. Rivers and others, war claim; paper relating to settlers of Yellowstone National Park; paper relating to Fort Buford military reservation; of citizens at Monroe, La., for public building; of Adolphus Goddin, war claim; of Baker A. Jamison and Tallmadge A. Lambert; of citizens of Seattle, Wash., on tariff; of Daniel Morgan, for relief; of citizens of Niagara County, New York, on pensions; of Charles H. Dexter, for relief; of canners and packers of Baltimore, for relief; paper in case of Nancy Newton, for relief; paper for anatomical science and against grave desecration; of citizens of West Virginia, Kentucky, and Tennessee, for prohibition in the District of Columbia; of citizens of Florida, Georgia, West Virginia, and Kentucky, for increase of pay of fourth-class postmasters.

CHANGE OF REFERENCE.

Mr. WISE. A few days ago I introduced a bill to establish a permanent quarantine at Cape Charles. It was improperly referred to the Committee on Agriculture. I ask now that it be referred to the Committee on Commerce, where it ought to go.

Mr. HATCH. I may state with reference to this bill that I was under the impression from hearing its title that its object was to establish a quarantine station for imported cattle, petitions for the establishment of which had already been referred to the Committee on Agriculture. I suggested, therefore, the reference to the Committee on Agriculture, and that disposition of the bill was made, whereas it should have been referred to the Committee on Commerce.

The Committee on Agriculture was discharged from the further consideration of the bill, and it was referred to the Committee on Commerce.

CAUSES REMOVED FROM STATE COURTS.

Mr. SENEY. I ask unanimous consent to take from the House Calendar the bill (H. R. 1709) to regulate the practice in causes removed from State courts.

The bill was read, as follows:

*Be it enacted, etc.*, That the plaintiff in a suit removed from a State court to a circuit court of the United States shall not be required to give security for the costs of suit if he be a resident of the State in which he brought his suit.

Mr. SENEY. The bill itself sufficiently explains its purpose. I do not propose to make any remarks, unless some gentleman desires I should.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER *pro tempore*. The question is on the engrossment and third reading of the bill.

Mr. ANDERSON, of Kansas. Is there a report accompanying it?

The SPEAKER *pro tempore*. There is.

The report (by Mr. SENEY) was read, as follows:

The Committee on the Judiciary, to whom was referred House bill 1709, beg leave to report favorably thereon, and do recommend its passage.

Mr. GROSVENOR. If I understand the purport of that bill, I am very doubtful of the propriety of its passage; and if there is a report accompanying it, I should like to have it read.

The SPEAKER *pro tempore*. It has just been read.

Mr. GROSVENOR. I should like to state the ground on which I think this bill should not be supported; but in the first place I should like to hear some explanation from the gentleman from Ohio [Mr. SENEY].

Mr. SENEY. This bill received the unanimous approval of the Committee on the Judiciary. Its purpose is to remedy what is supposed to be the difficulty now attending the practice in the Federal courts in causes removed from the State courts to those tribunals. We have a class of litigation against foreign corporations who are incorporated by laws of other States than those in which they do business. For that reason they claim to be citizens of a foreign State, and when suits are brought in State courts against those corporations they invariably remove them to the Federal court, and when they reach that court they follow them up with the motion that the plaintiff give security for costs.

In many cases that amounts to a denial of justice. In many cases the plaintiff is unable to give security for costs, and his failure operates as a perfect and complete defense. It was to cure that evil and mischief that this bill was presented to the House and considered by the Judiciary Committee; and it has been reported back to the House with their unanimous approval.

Mr. GROSVENOR. I wish to explain. I understood the result of this change to be precisely the reverse of what it is. I understood that it relieved the moving party from the responsibility of giving security for costs. I have no objection to the bill.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. SENEY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REPAIR OF THE HARTFORD.

Mr. WHITTHORNE. Mr. Speaker, I am directed by the Committee on Naval Affairs to move to discharge the Committee of the Whole on the state of the Union from the further consideration of the bill providing for the repair of the war steam-ship Hartford, and to ask that the same be now placed upon its passage.

The SPEAKER *pro tempore*. The bill will be read.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of the Navy is hereby authorized and directed to repair the United States war steam-ship Hartford, at an expense not exceeding $175,000, which sum is hereby appropriated and made immediately available, to be paid out of any money in the Treasury not otherwise appropriated.

The SPEAKER *pro tempore*. The gentleman from Tennessee [Mr. WHITTHORNE] moves to discharge the Committee of the Whole from the consideration of this bill, and to consider the bill as in the House. Is there objection?

Mr. BROWNE, of Indiana. I shall not object, Mr. Speaker, provided we can have order in the House so that we can know what is being done, but I do not want to be held responsible for the passage of bills that I do not hear anything about. [Laughter.]

Mr. WHITTHORNE. The report is a brief one, and I ask that it be read.

The report (by Mr. WHITTHORNE) was read, as follows:

The Committee on Naval Affairs, to whom was referred the bill (H. R. 1237) providing for the repair of the United States war steam-ship Hartford, beg leave to report thereon as follows:

First. That under existing law the repairs necessary to be done on the Hartford in order to fit her properly as a war ship will exceed the limit prescribed by law; that is, it will exceed the 20 per cent. of cost of the construction of a similar vessel.

Second. In view of this fact, under existing laws, the Hartford would be condemned and sold.

Third. But inasmuch as said Hartford can be repaired for a sum but little in excess of said limit, and forasmuch as around this ship brilliant historic events cluster, making the life of said vessel and its continuance a question of national and patriotic pride, in consideration of which the Secretary of the Navy has suspended the condemnation authorized by law, and submitted the propriety of the repair of said vessel to Congress.

Fourth. The cost and propriety of said repairs is shown in the report of T. D. Wilson, chief of the Bureau of Construction and Repair, which is as follows:

"One of the vessels of the Navy that is likely to be condemned, because the cost of her repairs exceeds the 20 per cent. limit, is the sloop-of-war Hartford, now at the navy-yard, Mare Island. The vessel was built in 1858 at the navy-yard, Boston. She is a screw steamer of about 2,900 tons displacement, 225 feet long, 44 feet wide, and draws 18 feet 6 inches of water. I have lately made a personal examination of this vessel, and find that her live-oak frames above and below water are sound. I am of the opinion that she can be repaired within the amount, $175,000, called for by the board of survey, and request that special authority for her repair be asked.

"She would then, apart from the claim she has upon the reverence of the American people as Farragut's flag-ship, be valuable for service as a cruiser for several years, and ultimately should be preserved as a monument to those whose blood was shed upon her decks, and as a reminder to the future that, wooden and old-fashioned though she may be called, she came out victorious in battles with both ironclads and forts."

In view of this state of facts, the committee recommend the passage of the bill.

But in making this recommendation the committee desire to say that it is done solely on account of the historic associations surrounding the name of this vessel, and that they cordially approve the wisdom and policy of existing laws.

Mr. WHITTHORNE. Mr. Speaker, I do not suppose it is necessary to add a word to that report, and I will not consume the time of the House in making an argument in support of it. I now demand the previous question on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. WHITTHORNE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, informed the House that the Senate had passed the bill (H. R. 2131) for the relief of Joseph Cox, administrator of Charles Pasters, deceased.

The message further announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 473) to authorize the Secretary of the Treasury to cause to be examined certain vouchers filed, or to be filed, by the State of Missouri, or her agent or agents, for sums claimed to be due from the Government of the United States on account of payments made by said State since April 22, 1862, to the officers and enlisted men of her militia forces for military services rendered to the United States in the suppression of the rebellion, as evidenced by the proper pay-rolls heretofore filed with, examined, and accepted by the Government of the United States, and to report to Congress;

A bill (S. 509) authorizing an increase in pensions in cases of deafness;

A bill (S. 418) granting to the State of California 5 per cent. of the net proceeds of the cash sales of public lands in said State;

A bill (S. 574) to increase the pension of Mrs. Apoline A. Blair;

A bill (S. 257) granting a pension to Mrs. Mary S. Logan;

A bill (S. 190) for the relief of W. H. Tibbits;

A bill (S. 28) to create a port of delivery at Port Angeles, in the district of Puget Sound, Washington Territory;

A bill (S. 25) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, 1880; and

A bill (S. 24) to extend the limits of the port of Portland as a port of entry.

WILLIAM P. THORNE.

Mr. BRECKINRIDGE, of Kentucky. Mr. Speaker, I ask unanimous consent that the bill (H. R. 2365) for the relief of William P. Thorne be taken from the Private Calendar and considered at this time.

The SPEAKER *pro tempore*. The bill will be read.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and is hereby, directed to pay to William P. Thorne, of Henry County, Kentucky, out of any money in the Treasury not otherwise appropriated, the sum of $500.

Mr. BROWNE, of Indiana. What is the claim?

Mr. BRECKINRIDGE, of Kentucky. The claim is for professional services rendered in the county of Henry, Kentucky, in defense of the United States marshal. They were rendered at the special request of the late Judge Ballard, district judge of Kentucky, and the late Col. G. C. Wharton, district attorney, whose letters are on file, but from whom affidavits could not be obtained, as they died before the claim was presented to Congress. The claim could not be paid by the Department of Justice because the district attorney had not previously obtained the consent of the Department to the employment, nor had Mr. Thorne, the claimant, taken the oath prescribed by law prior to performing the services. The report of the committee was unanimous in favor of this bill, and there was a similar report by the committee in the last Congress.

Mr. BROWNE, of Indiana. All right.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. BRECKINRIDGE, of Kentucky, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

TERMS OF COURT AT QUINCY, ILL.

Mr. ADAMS. I ask unanimous consent to take from the House Calendar the bill (H. R. 1312) providing for a term of court at Quincy, Ill.

There was no objection.

The bill was read.

Mr. ADAMS. This is the southern district of Illinois. All the Representatives of the district have been consulted, except Mr. THOMAS, who is absent, and it meets their approval. It is a local matter about which all are agreed, and I now ask the previous question upon the bill.

Mr. ROWELL. I will ask the gentleman whether there has been a session of the court at Cairo in four or five years, although there is a branch of the court there?

Mr. ADAMS. On that point I will yield to my colleague [Mr. ANDERSON].

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill? The Chair hears none.

Mr. ADAMS. Mr. Speaker, this is a matter affecting the southern district of Illinois. All the Representatives from that district have been consulted, so far as they could be, the only exception being my colleague [Mr. THOMAS] who is now absent. I believe the judge of the district has also been consulted. As I understand, it is agreed by all parties interested that this is a reasonable and proper bill. As it is a local matter, and as no objection comes from any person interested, I will not consume time in discussion.

Mr. ROWELL. I would like to ask whether there has been any session of court at Cairo for five years?

Mr. ADAMS. I will yield to my colleague [Mr. ANDERSON] to answer that question.

Mr. ANDERSON, of Illinois. I will state that Judge Treat, the late district judge, had not held court there for a number of years, but Judge Allen, the present judge, has informed me that he intends to hold court there. Quincy is the largest city, by far, in the district, and Judge Allen, in a letter which I have, states there is more business in that part of the district than in any other; and he asks that this bill be passed.

Mr. ROWELL. I do not wish to oppose this measure, which is a

local matter, but I do not like these peripatetic courts. In one of the branches of this southern district of Illinois, I understand, there has been no term of court held for ten years. But I will not object to the bill.

Mr. ADAMS. The statement of the gentleman might be a reason for abolishing the term of court at Cairo, but it can be no reason against holding court at Quincy.

Mr. BROWNE, of Indiana. I would like to know whether there has been provided at Quincy any place in which to hold the United States courts, or whether this bill is preliminary to an appropriation of two or three hundred thousand dollars for the purpose of erecting a building for the accommodation of the courts and court officials.

Mr. ADAMS. My colleague [Mr. ANDERSON] will answer that question.

Mr. ANDERSON, of Illinois. Mr. Speaker, there has just been built at Quincy, Ill., a new Government building in which a court room and offices for court officials have been provided and furnished; so that there will be no additional expense in that regard. As I have already stated, this measure is approved and asked for by the district judge himself.

Mr. HATCH. I only desire to say that this bill is eminently proper and ought to pass without challenge from any gentleman on either side of the House. It looks to the accommodation of a large and populous business community. The city of Quincy is one of the important cities in that section of the country, especially in that part of Illinois. There is already a Government building there, and this term of court at that place ought to be authorized.

Mr. ADAMS. I call for the previous question.

The previous question was ordered, and under the operation thereof the bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. ADAMS moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. BLAND. I move that the House adjourn.

The motion was not agreed to.

Mr. MCMILLIN. Let us have the regular order.

The SPEAKER *pro tempore*. The regular order is the consideration of business on the House Calendar. The Clerk will read the first business on the Calendar.

The following resolution, reported by the Committee on Public Buildings and Grounds, was read:

*Resolved*, That Tuesday, February 21, 1888, after the hour for the consideration of bills reported from committees, be fixed for the consideration of such bills as may be indicated by the Committee on Public Buildings and Grounds of the bills reported by said committee, and that this order shall continue from day to day until the House shall otherwise order, not to interfere with revenue or general appropriation bills or prior special orders.

Mr. RANDALL. I suggest that the House had better adjourn. The resolution which has just been read might be construed as authorizing the consideration of measures for the erection of a thousand public buildings.

The SPEAKER *pro tempore*. A motion to adjourn has just been voted down.

Mr. RANDALL. There has been intervening business. I move that the House adjourn.

The SPEAKER *pro tempore*. The Chair thinks the reading of the resolution is to be considered as intervening business.

The question being taken on the motion of Mr. RANDALL that the House adjourn, there were—ayes 75, noes 88.

Mr. RANDALL. I call for the yeas and nays.

On ordering the yeas and nays, there were—ayes 26, noes 135; not one-fifth voting in the affirmative.

Mr. MCMILLIN. Let us have tellers on ordering the yeas and nays.

Tellers were not ordered, only 26 members voting therefor.

So the yeas and nays were refused, and the motion to adjourn was not agreed to.

Mr. BLAND. I move that when the House adjourns to-day, it adjourn to meet on Saturday next.

The question being taken on the motion of Mr. BLAND, there were—ayes 11, noes 138.

Mr. BLAND. No quorum.

The SPEAKER *pro tempore*. No quorum having voted, tellers are ordered, and the Chair appoints the gentleman from Missouri [Mr. BLAND] and the gentleman from South Carolina [Mr. DIBBLE].

Mr. BLAND. I move that the House do now adjourn.

The SPEAKER *pro tempore* (having put the question on the motion to adjourn). In the opinion of the Chair, the noes have it.

Mr. BLAND. I call for a division.

The question being taken on the motion to adjourn, there were—ayes 14, noes 118.

Mr. BLAND. I demand the yeas and nays.

Mr. RANDALL. I would like to have the proposition read. I do not think it is understood.

The SPEAKER *pro tempore*. The Clerk will read the first resolution in the Order of Business.

The Clerk read as follows:

*Resolved*, That Tuesday, February 21, 1888, after the hour for consideration of bills reported from committees be fixed for the consideration of such bills as may be indicated by the Committee on Public Buildings and Grounds of the bills reported by said committee, and that this order shall continue from day to day until the House shall otherwise order, not to interfere with revenue or general appropriation bills or prior special orders.

Mr. DIBBLE. I ask for the reading of the report of the committee accompanying that resolution.

Mr. BLAND. I ask for the yeas and nays on the motion to adjourn.

Mr. RANDALL. Does not the gentleman from South Carolina understand that resolution to mean that it shall continue from day to day?

Mr. BLAND. I demand the yeas and nays on the motion to adjourn.

The SPEAKER *pro tempore*. The Chair has recognized the gentleman's demand for the yeas and nays.

Mr. MCMILLIN. Is the gentleman from South Carolina willing to limit it to one day?

Mr. BLAND. Let us have the yeas and nays on the motion to adjourn.

The House divided; and there were—ayes 6, noes 111.

So the yeas and nays were refused.

Mr. HATCH. I desire to ask the gentleman from South Carolina, chairman of the Committee on Public Buildings and Grounds, whether he will accept an amendment to his resolution, not to exceed five legislative days?

Mr. RANDALL. Three is enough.

Mr. HATCH. I am willing to give him five. They have lengthy reports which will be more or less discussed, and I am willing to limit the time not to exceed five legislative days. Will the gentleman accept that?

Mr. DIBBLE. I am willing to accept the limitation to five days.

Mr. BLAND. I object; and demand a vote on my motion to adjourn over till Saturday, on which tellers have been appointed.

Mr. DIBBLE. I desire to say, Mr. Speaker, that the Committee on Public Buildings and Grounds realizes that sometimes filibustering methods are resorted to to prevent the passage of bills reported by the committee.

The SPEAKER *pro tempore*. The tellers will resume their places, and the vote will be taken on the motion that when the House adjourns to-day, it adjourn to meet on Saturday next.

A MEMBER. Who are the tellers?

The SPEAKER *pro tempore*. The gentleman from South Carolina [Mr. DIBBLE] and the gentleman from Missouri [Mr. BLAND].

The House divided; and the tellers reported—ayes 9, noes 154.

So the motion to adjourn over till Saturday next was disagreed to.

Mr. BLAND. I move now that when the House adjourns to-day, it adjourn to meet on Monday next.

Mr. DIBBLE. I rise to a point of order.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. DIBBLE. I make the point that dilatory motions, under the rule, are exhausted.

The SPEAKER *pro tempore*. The Chair will hear the gentleman from South Carolina on the point of order.

Mr. DIBBLE. I make the point of order that the House is now engaged in determining a rule of its proceedings, and that the constitutional right of the House to determine the rules of its proceedings can not be destroyed by the repetition of dilatory motions.

Mr. RANDALL. I beg to call attention, also, to the rule which says that a motion to adjourn, or to fix the day to which the House shall adjourn, is always in order.

The SPEAKER *pro tempore*. The gentleman will state from what part of the Digest he quotes.

Mr. DIBBLE. From page 337, under the title of "Dilatory motions." It covers a decision cited in the Journal of the first session of the Forty-seventh Congress.

The SPEAKER *pro tempore*. The Clerk will read the rule.

The Clerk read as follows:

RULE XVI. A motion to fix a day to which the House shall adjourn, a motion to adjourn, and to take a recess shall always be in order; and the hour at which the House adjourns shall be entered upon the Journal.

The SPEAKER *pro tempore*. The Chair overrules the point of order, and entertains the motion of the gentleman from Missouri, which is that when the House adjourns to-day it be to meet on Monday next.

Mr. MCMILLIN. Evidently the House is not in the humor for the transaction of business this evening, and I therefore move that we now adjourn.

The motion was not agreed to.

Mr. DIBBLE. I ask unanimous consent to make a brief statement.

Mr. MCMILLIN. I demand a division on the last vote.

[Cries of "Too late!"]

The SPEAKER *pro tempore*. The Chair thinks the gentleman was in time.

Mr. MCMILLIN. I will not insist upon the demand.

Mr. DIBBLE. Mr. Speaker, as I stated before, it is not the disposi-

tion of the Committee on Public Buildings and Grounds, who are simply the servants of the House in facilitating the dispatch of its business, to occupy more of the time of the House than the House itself desires it to occupy, or to take more of its time for the consideration of business from that committee than would fairly belong to it, considering the general dispatch of the public business. The only objection the committee could possibly have to a limitation of the time to a definite number of days is this: that it has been the experience of the past, whenever such a limit is fixed, that it affords an encouragement to dilatory motions, such as we have seen this evening.

The only purpose of this resolution in its present shape is, that when the committee gets this time it may be of some avail to it for the transaction of its business. A provision is made here, it will be seen, which has not been contained in similar propositions. Heretofore it was provided that the committee should proceed with that order until the business it had presented to the House should be disposed of. But this resolution is changed so as to provide that such order shall continue until the House itself shall otherwise order.

Mr. LONG. Would not the motion to "otherwise order" be made every five minutes?

Mr. DIBBLE. I think not.

Mr. McMILLIN. Let me ask the gentleman from South Carolina a question. Under this resolution, if adopted, when would this order expire?

Mr. DIBBLE. It will expire when in the course of its business the House determines that it should expire.

Mr. McMILLIN. That is as clear as mud.

Mr. BLOUNT. What other committee has that privilege, I would ask, or can have it?

A MEMBER. What other committee is packed with business as this is?

Mr. DIBBLE. I will state to the gentleman that other committees do have that privilege, and can come in at any time with their business. There are privileged committees which can come in and take precedence under the rules of the House. This committee has no such privilege. It only comes before the House in the time assigned to it by the House; and no more reasonable proposition could be presented to the House than to fix a day, as here proposed, when that business shall commence, to continue until otherwise ordered by the House.

The privilege is reserved to the House to discontinue that order at any time; and when that order is pending and being proceeded with a majority of this House, in its discretion, can terminate it when it sees fit. If it is to be limited, as contended on the other side; if a small minority of the House is to limit this committee to a fixed period of one day, why the same minority which is now interrupting the consideration of this resolution could defeat the passage of a single bill by similar proceedings.

Mr. LONG. If it be in the power of a small minority to interpose to stop the order proposed in your resolution, why do you not amend the resolution so as to fix some definite time when it may terminate?

Mr. DIBBLE. In answer to the gentleman I will state that it has been already suggested by the gentleman from Missouri to do so. I am willing to accept, on behalf of the committee, a motion that this shall be amended so as to provide that the order will not exceed five days.

Mr. HATCH. Five legislative days?

Mr. DIBBLE. Yes; five legislative days. I would accept an amendment of that sort.

Mr. BLOUNT. That would be a bill for every ten minutes.

Mr. McMILLIN. Six an hour. [Cries of "Regular order!"]

Mr. BLAND. Certainly, under the resolutions as offered, it would give this committee——

The SPEAKER *pro tempore*. A motion is pending to adjourn, and the regular order is demanded.

Mr. BLAND. Consent has been given to discuss this matter, and I ask a moment to reply to the gentleman from South Carolina.

The SPEAKER *pro tempore*. The discussion could only proceed by consent. The Chair will submit the request of the gentleman from South Carolina as the Chair understands it. The gentleman asks consent to modify the resolution so that it shall provide for five legislative days. Is that the proposition?

Mr. RANDALL. When is the time to begin on each day?

Mr. HATCH. The resolution fixes that.

Mr. DIBBLE. After the second morning hour.

Mr. LANHAM. I would like to have Fridays excepted from the operation, that being private bill day.

Mr. McMILLIN. A legislative day could by recesses be made to extend over an indefinite period.

Mr. RANDALL. Will the gentleman from South Carolina consent that an hour be fixed, say 5 o'clock, each day for adjournment?

Mr. DIBBLE. The only trouble there is——

Mr. RANDALL. I ask that question in good faith, and not for any purpose of delaying action.

Mr. DIBBLE. The only trouble about that is that if gentlemen propose to filibuster against a bill I would not like to be committed that they should have 5 o'clock as a convenient point at which they could stop every day and exhaust my five days on the one bill.

Mr. RANDALL. I do not think if the committee is reasonable there would be any such procedure as the gentleman apprehends.

Mr. DIBBLE. I think it is a rather violent presumption to suppose that the committee would ask or the House would second the committee in anything that is unreasonable.

Mr. BLAND. I demand the regular order.

The SPEAKER *pro tempore*. The regular order is the motion to adjourn.

Mr. DIBBLE. I desire to make a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. DIBBLE. I desire to know the position of the question; whether a demand was not made for a division on the motion to adjourn, and whether that was not withdrawn.

The SPEAKER *pro tempore*. It was; but the Chair had not announced the result. On the motion to adjourn the noes have it, and the House refuses to adjourn.

Mr. BLAND. I rise to a question of order. What is the question now pending?

The SPEAKER *pro tempore*. The motion now pending is that when the House adjourns to-day it be to meet on Monday next.

Mr. BLAND. That is the motion I made.

The SPEAKER *pro tempore*. During the pendency of that motion a motion was made to adjourn. That has just been voted on and the result declared. Now the question is on the motion that when the House adjourns to-day it be to meet on Monday next.

Mr. HOGG. I rise to a question of order.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. HOGG. I submit that a motion to adjourn till Monday is a motion to adjourn for more than three days, and is therefore not in order.

The SPEAKER *pro tempore*. Sunday is not a legislative day. *Dies Dominicus non est juridicus.*

The question being taken on the motion to adjourn over until Monday next, there were—ayes 106, noes 83.

Mr. STEELE. I move that the House do now adjourn.

Mr. BLAND. I ask for the yeas and nays on the motion to adjourn over.

On the question of ordering the yeas and nays there were—ayes 39, noes 112.

So (the affirmative being more than one-fifth of the whole vote) the yeas and nays were ordered.

Mr. HATCH. I move that the House do now adjourn.

The SPEAKER *pro tempore*. The yeas and nays have been ordered on the motion to adjourn over.

Mr. LONG. The gentleman from Indiana [Mr. STEELE] had made a motion to adjourn before the yeas and nays were ordered.

The SPEAKER *pro tempore*. This is a motion of higher privilege than the motion to adjourn.

Mr. LONG. But the yeas and nays had not been ordered when the motion to adjourn was first made, and the motion to adjourn is always in order. I ask the Chair to look at the authority on the subject.

The SPEAKER *pro tempore*. The Chair will have the rule read.

The Clerk read clause 4 of Rule XVI, as follows:

When a question is under debate, no motion shall be received but to fix the day to which the House shall adjourn, to adjourn, to take a recess, to lay on the table, for the previous question (which motion shall be decided without debate), to postpone to a day certain, to refer or amend, or to postpone indefinitely, which several motions shall have precedence in the foregoing order.

The SPEAKER *pro tempore*. The Chair is certainly right.

Mr. HATCH. Pending the call of the yeas and nays on the motion that when the House adjourns to-day it be to meet on Monday next, I moved that the House do now adjourn.

The SPEAKER *pro tempore*. The other motion has precedence.

Mr. BLAND. I move to reconsider the vote by which the yeas and nays were ordered.

Mr. WHITE, of New York. The gentleman from Missouri can not make that motion, because he did not vote in the affirmative.

The SPEAKER *pro tempore*. The record does not show that.

The question being taken on Mr. BLAND'S motion, the Speaker *pro tempore* stated that the ayes seemed to have it.

Mr. RANDALL. I call for a division.

The House divided: and there were—ayes 96, noes 60.

Mr. RANDALL. No quorum.

Mr. HATCH. I move that the House do now adjourn.

The SPEAKER *pro tempore*. The Chair would not decide that motion to be in order.

Mr. RANDALL. When the House finds itself without a quorum there is no motion in order except a motion to adjourn or a motion for a call of the House.

The SPEAKER *pro tempore*. The Chair can determine from the vote—ayes 96, noes 60—that no quorum has voted. The Chair will appoint tellers.

Mr. HATCH. I now move that the House adjourn.

Mr. RANDALL. I repeat what I said a moment ago, that whenever the House finds itself without a quorum there are but two motions in order, to adjourn or for a call of the House.

The SPEAKER *pro tempore*. The Chair would hold that as less than

a quorum has appeared on the ay-and-no vote, two motions only are in order, a motion to adjourn or a motion for a call of the House. The gentleman from Missouri [Mr. HATCH] now makes the motion to adjourn.

The question being taken,

The SPEAKER *pro tempore* stated that the "ayes" seemed to have it.

Mr. SOWDEN. I call for a division.

Mr. NELSON. I rise for a parliamentary question. What is the effect of this motion if carried? Will it be to adjourn until to-morrow or until Monday?

The SPEAKER *pro tempore*. Until to-morrow.

Mr. NELSON. I understood the Chair to decide that the motion to adjourn over was carried.

The SPEAKER *pro tempore*. The yeas and nays had been ordered on that motion, and the gentleman from Missouri moved to reconsider the vote ordering the yeas and nays.

Mr. DIBBLE. I desire to make a parliamentary inquiry.

The SPEAKER *pro tempore*. The Chair will first announce the result of the vote on the motion to adjourn. The ayes are 143 and the noes 96.

Mr. STEELE. I call for the yeas and nays on that motion.

Mr. BAYNE. I rise to a parliamentary inquiry, which I should like to have answered before the vote is taken. If we adjourn now, will the House meet to-morrow at 12 o'clock?

The SPEAKER *pro tempore*. It will.

Mr. DIBBLE. The inquiry which I desired to address to the Chair was this: Was not a motion to reconsider pending when the want of a quorum was discovered? That was a motion to reconsider a motion, which was carried, that when the House adjourn to-day it adjourn to meet on Monday next.

Mr. BLAND. Upon which motion the yeas and nays were demanded.

Mr. RANDALL. The gentleman from South Carolina [Mr. DIBBLE] will observe that the vote upon the motion to adjourn over was not completed; by reason of the motion to reconsider, it remained uncompleted.

The SPEAKER *pro tempore*. The Chair will state the question. There was a demand for the yeas and nays. On the motion to reconsider there was no quorum. There were only two motions in order. The Chair put one, and the House is now voting upon one. The gentleman from Indiana [Mr. STEELE] now demands the yeas and nays on the motion to adjourn.

The question was taken on ordering the yeas and nays, and 31 members voted in the affirmative, not one-fifth of the last vote.

Several MEMBERS. Count the other side.

The House divided; and there were—ayes 31, noes 112.

The SPEAKER *pro tempore*. On the question of taking the yeas and nays on the motion to adjourn, the ayes are 31 and the noes 112. More than one-fifth have voted, and the question is on the motion to adjourn, upon which the yeas and nays are ordered.

The question was taken; and there were—yeas 81, nays 140, not voting 102; as follows:

YEAS—81.

| | | | |
|---|---|---|---|
| Abbott, | Cowles, | Latham, | Rogers, |
| Allen, J. M. | Cummings, | Lee, | Romeis, |
| Anderson, G. A. | Dalzell, | Maish, | Seney, |
| Bayne, | Davidson, A. C. | Mansur, | Shaw, |
| Belmont, | Dockery, | Martin, | Simmons, |
| Bland, | Enloe, | McMillin, | Springer, |
| Bliss, | Forney, | Merriman, | Stockdale, |
| Breckinridge, C. R. | French, | Mills, | Stone of Ky. |
| Breckinridge, WCP | Fuller, | Montgomery, | Stone of Mo. |
| Brown, C. E. | Gay, | Moore, | Thomas, O. B. |
| Bryce, | Gibson, | Morgan, | Townshend, |
| Buckalew, | Glass, | O'Ferrall, | Turner, H. G. |
| Bynum, | Glover, | O'Neall, J. H. | Walker, |
| Campbell, Felix, | Granger, | O'Neill, Charles | Weaver, |
| Campbell, J. E. | Hall, | O'Neill, J. J. | Wheeler, |
| Campbell, T. J. | Hatch, | Patton, | White, J. B. |
| Caruth, | Haugen, | Peel, | Whitthorne, |
| Caswell, | Herbert, | Phelan, | Yoder. |
| Clements, | Hooker, | Randall, | |
| Cobb, | Kerr, | Rayner, | |
| Compton, | Landes, | Richardson, | |

NAYS—140.

| | | | |
|---|---|---|---|
| Adams, | Burnes, | Fisher, | Hunter, |
| Allen, C. H. | Catchings, | Fitch, | Jackson, |
| Allen, E. P. | Cheadle, | Flood, | Johnston, J. T. |
| Anderson, A. R. | Chipman, | Ford, | Kean, |
| Anderson, C. L. | Clark, | Gaines, | Kennedy |
| Anderson, J. A. | Cogswell, | Gallinger, | Ketcham, |
| Arnold, | Conger, | Gear, | La Follette, |
| Atkinson, | Cothran, | Gest, | Laird, |
| Baker, C. S. | Crisp, | Greenman, | Lanham, |
| Baker, Jehu | Crouse, | Grimes, | Lawler, |
| Bankhead, | Culberson, | Grosvenor, | Lehlbach, |
| Barnes, | Darlington, | Grout, | Lind, |
| Belden, | Davis, | Guenther, | Lyman, |
| Boothman, | Dibble, | Heard, | Lynch, |
| Bound, | Dingley, | Hemphill, | Mason, |
| Boutelle, | Dorsey, | Henderson, J. S. | McAdoo, |
| Bowden, | Dunham, | Hiestand, | McClammy, |
| Bowen, | Dunn, | Hires, | McKenna, |
| Brown, J. R. | Elliott, | Hogg, | McKinney, |
| Brumm, | Ermentrout, | Holman, | McRae, |
| Buchanan, | Farquhar, | Holmes, | McShane, |
| Bunnell, | Finley, | Hopkins, A. J. | Milliken, |
| Moffitt, | Pidcock, | Sowden, | Turner, E. J. |
| Morrill, | Post, | Spooner, | Vandever, |
| Neal, | Reed, | Stahlnecker, | Wade, |
| Nelson, | Robertson, | Steele, | Washington, |
| Newton, | Rockwell, | Stephenson, | White, S. V. |
| Nutting, | Rowell, | Stewart, Charles | Whiting, William |
| O'Donnell, | Rowland, | Stewart, J. D. | Wickham, |
| Osborne, | Russell, C. A. | Stewart, J. W. | Wilkinson, |
| Osthwaite, | Sayers, | Struble, | Williams, |
| Penington, | Scull, | Taulbee, | Wilson, Thomas |
| Perkins, | Sherman, | Taylor, J. D. | Wise, |
| Perry, | Smith, | Thomas, G. M. | Yardley, |
| Peters, | Snyder, | Tillman, | Yost. |

NOT VOTING—102.

| | | | |
|---|---|---|---|
| Bacon, | Davidson, R. H. M. | Laffoon, | Rice, |
| Barry, | De Lano, | Lagan, | Russell, J. E. |
| Biggs, | Dougherty, | Laidlaw, | Rusk, |
| Bingham, | Felton, | Lane, | Ryan, |
| Blanchard, | Foran, | Lodge, | Sawyer, |
| Blount, | Funston, | Long, | Scott, |
| Brewer, | Goff, | Macdonald, | Shively, |
| Brower, | Hare, | Maffett, | Spinola, |
| Browne, T. H. B. | Harmer, | Mahoney, | Symes, |
| Browne, T. M. | Hayden, | Matson, | Tarsney, |
| Burnett, | Hayes, | McComas, | Taylor, E. B. |
| Burrows, | Henderson, D. B. | McCormick, | Thomas, J. R. |
| Butler, | Henderson, T. J. | McCreary, | Thompson, A. C. |
| Butterworth, | Hermann, | McCullogh, | Thompson, T. L. |
| Candler, | Hitt, | McKinley, | Tracey, |
| Cannon, | Hopkins, S. I. | Morrow, | Vance, |
| Carlton, | Hopkins, S. T. | Morse, | Warner, |
| Clardy, | Houk, | Nichols, | Weber, |
| Cockran, | Hovey, | Norwood, | West, |
| Collins, | Howard, | Oates, | Whiting, J. R. |
| Cooper, | Hudd, | Owen, | Wilber, |
| Cox, | Hutton, | Parker, | Wilkins, |
| Crain, | Johnston, T. D. | Payson, | Wilson, W. L. |
| Cutcheon, | Jones, | Phelps, | Woodburn. |
| Dargan, | Kelley, | Plumb, | |
| Davenport, | Kilgore, | Pugsley, | |

So the House refused to adjourn.

On motion of Mr. STEELE, the reading of the names of members voting was dispensed with.

The following additional announcement was made of pairs on all political matters for the rest of the day:

Mr. WILSON, of West Virginia, with Mr. MCKINLEY.

Mr. OATES with Mr. KELLEY.

Mr. NORWOOD with Mr. BURROWS.

Mr. KILGORE with Mr. THOMAS H. B. BROWNE.

Mr. THOMPSON, of California, with Mr. RYAN.

Mr. HARE with Mr. MCCOMAS.

Mr. SCOTT with Mr. BINGHAM.

Mr. VANCE with Mr. HARMER.

Mr. BACON with Mr. PUGSLEY.

Mr. LAFFOON with Mr. MCCULLOGH.

Mr. WHITING, of Michigan, with Mr. HOPKINS, of New York.

Mr. DAVIDSON, of Florida, with Mr. BUTTERWORTH.

Mr. BURNETT with Mr. LODGE.

Mr. LAGAN with Mr. BUTLER.

Mr. RICHARDSON. Mr. Speaker, my colleague [Mr. BUTLER] is detained at his room by sickness.

The result of the vote was then announced as above recorded.

Mr. WILSON. I move that the House now adjourn until to-morrow at 12 o'clock.

The SPEAKER *pro tempore*. That motion is not in order at this time. The Chair will state the question. A motion was made that when the House adjourn to-day, it adjourn to meet on Monday. On that the yeas and nays were ordered. A motion to reconsider the vote by which the yeas and nays were ordered on that motion is now pending. On that motion tellers were ordered. No quorum appeared, and then a motion to adjourn was made. Now, the proposition is to reconsider the vote by which the yeas and nays were ordered on the motion to adjourn until Monday next.

Mr. BLAND. Tellers were ordered upon that motion. I insist upon tellers.

The SPEAKER *pro tempore*. Tellers were ordered, and the gentleman from Missouri [Mr. BLAND] and the gentleman from South Carolina [Mr. DIBBLE] will resume their places as tellers.

The question was taken on the motion to reconsider the vote by which the yeas and nays were ordered on the motion to adjourn until Monday; and the tellers reported—ayes 76, noes 11.

Mr. BLAND. No quorum, Mr. Speaker.

Mr. DUNHAM. I move that the House do now adjourn.

The question was taken on the motion of Mr. DUNHAM. The motion was agreed to; and the House accordingly (at 4 o'clock and 55 minutes p. m.) adjourned.

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## PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred as indicated below:

By Mr. CLEMENTS: A bill (H. R. 5998) for the relief of Josiah Hatchet—to the Committee on War Claims.

By Mr. J. D. STEWART: A bill (H. R. 5999) for the relief of the

widow of Augustin De Caindry, deceased, and the children of Julia Wamaling, deceased—to the Committee on War Claims.

By Mr. ADAMS: A bill (H. R. 6000) for the relief of Henry Meynell—to the Committee on Invalid Pensions.

By Mr. TOWNSHEND: A bill (H. R. 6001) granting a pension to Sarah J. Fraily—to the Committee on Invalid Pensions.

By Mr. J. B. WHITE: A bill (H. R. 6002) for the relief of Lewis Deems—to the Committee on War Claims.

Also, a bill (H. R. 6003) granting a pension to Mrs. A. E. Johnson—to the Committee on Invalid Pensions.

By Mr. HOLMES: A bill (H. R. 6004) granting a pension to John Kennedy—to the Committee on Invalid Pensions.

By Mr. PETERS: A bill (H. R. 6005) granting a pension to Frank Lawhead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6006) granting a pension to Mary Flora—to the Committee on Invalid Pensions.

By Mr. STONE, of Kentucky: A bill (H. R. 6007) for the relief of W. L. Hobby—to the Committee on War Claims.

By Mr. ROBERTSON: A bill (H. R. 6008) for the relief of Mrs. E. W. F. Chevis—to the Committee on War Claims.

Also, a bill (H. R. 6009) granting a pension to Mary Ann Trainor—to the Committee on Invalid Pensions.

By Mr. REED: A bill (H. R. 6010) to remove the charge of desertion against Moses Rowe—to the Committee on Military Affairs.

By Mr. RUSK: A bill (H. R. 6011) for the relief of John Kelly—to the Committee on Naval Affairs.

By Mr. FISHER: A bill (H. R. 6012) for the relief of A. P. Swineford—to the Committee on Claims.

By Mr. CLARDY: A bill (H. R. 6013) for the relief of Anthony Conolly—to the Committee on Invalid Pensions.

By Mr. HEARD: A bill (H. R. 6014) granting a pension to David Schaffter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6015) granting a pension to Clara J. Fulkerson—to the Committee on Invalid Pensions.

By Mr. MERRIMAN: A bill (H. R. 6016) granting a pension to Eliza Holmes, widow of John Holmes, deceased—to the Committee on Invalid Pensions.

By Mr. NUTTING: A bill (H. R. 6017) to relieve Luther Green from the charge of desertion—to the Committee on Military Affairs.

By Mr. GREENMAN: A bill (H. R. 6018) for the relief of George Campbell—to the Committee on Military Affairs.

By Mr. FLOOD: A bill (H. R. 6019) granting a pension to Edwin Sidney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6020) granting a pension to Aaron B. Hogan—to the Committee on Invalid Pensions.

By Mr. WICKHAM: A bill (H. R. 6021) granting a pension to Nathaniel Lyon—to the Committee on Invalid Pensions.

By Mr. J. D. TAYLOR: A bill (H. R. 6022) granting a pension to Smith Bodkins—to the Committee on Invalid Pensions.

By Mr. C. E. BROWN: A bill (H. R. 6023) for the relief of William G. Halpin—to the Committee on War Claims.

Also, a bill (H. R. 6024) granting a pension to Agostino Montegrifo—to the Committee on Invalid Pensions.

By Mr. J. E. CAMPBELL: A bill (H. R. 6025) granting a pension to George H. McKee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6026) granting extra pay proper to James M. Herrington—to the Committee on War Claims.

Also, a bill (H. R. 6027) authorizing the Secretary of War to remove the charge of desertion from the record of Private Dennis Forbes and to pay him the money of which he was deprived by reason of such charge of desertion—to the Committee on Military Affairs.

By Mr. ROMEIS: A bill (H. R. 6028) for the relief of Bernard Teague, from the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 6029) for the relief of John Dardis, to remove the charge of desertion—to the Committee on Military Affairs.

By Mr. CHARLES O'NEILL: A bill (H. R. 6030) to increase the pension of Mrs. Laura Hooper Denby—to the Committee on Invalid Pensions.

By Mr. SCOTT: A bill (H. R. 6031) for the relief of Henry Mulvin—to the Committee on Military Affairs.

By Mr. DIBBLE: A bill (H. R. 6032) to empower Robert Adger and others to bring suit in the Court of Claims for rent alleged to be due them—to the Committee on Claims.

By Mr. ENLOE: A bill (H. R. 6033) for the relief of C. Y. Giles, administrator, etc.—to the Committee on War Claims.

Also, a bill (H. R. 6034) for the relief of Littleton O. Gooch—to the Committee on Military Affairs.

By Mr. PHELAN: A bill (H. R. 6035) for the relief of the La Grange Synodical College of La Grange, Tenn.—to the Committee on War Claims.

By Mr. BOWEN: A bill (H. R. 6036) to pay Waddy T. James and others for horses killed in the service of the United States—to the Committee on War Claims.

By Mr. BOWDEN: A bill (H. R. 6037) to regulate the compensation of watchmen in the Executive Departments of the Government—to the Committee on Labor.

By Mr. SCULL: A bill (H. R. 6038) granting a pension to Samuel Mishler—to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 6039) to appropriate to the widow of the late Hon. William T. Price a certain sum of money—to the Committee on Appropriations.

By Mr. GUENTHER: A bill (H. R. 6040) for the relief of Frank Schick—to the Committee on Invalid Pensions.

By Mr. VOORHEES: A bill (H. R. 6041) for the relief of William L. Wommack—to the Committee on Military Affairs.

By Mr. DUNHAM: A bill (H. R. 6042) granting a pension to John M. Hutchins—to the Committee on Invalid Pensions.

By Mr. McADOO: A bill (H. R. 6043) for the relief of Martin McNamara, alias Martin Mack—to the Committee on Military Affairs.

By Mr. BUTTERWORTH: A bill (H. R. 6044) granting a pension to Martha McCormick, mother of William McCormick—to the Committee on Invalid Pensions.

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Changes in the reference of bills improperly referred were made in the following cases, namely:

The bill (H. R. 627) granting a pension to Francis Mattingly—to the Committee on Invalid Pensions.

Also, the bill (H. R. 3481) granting a pension to Noah Johnson—to the Committee on Pensions.

Also, the bill (H. R. 4384) to restore pensions in certain cases—to the Committee on Pensions.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

Br Mr. J. M. ALLEN: Petition of J. T. Barnett, administrator of J. W. Barnett, deceased, of Tishomingo County, Mississippi, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. C. L. ANDERSON: Petition of W. D. Waugh and 41 others, citizens of Holmes and Attala Counties, Mississippi, to place salt on the free-list—to the Committee on Ways and Means.

By Mr. BLISS: Petition of Emil Hoeninghaur; and of William Blanchfield, for correction of military record—to the Committee on Military Affairs.

By Mr. W. C. P. BRECKINRIDGE: Petition of G. H. Chism, for relief—to the Committee on Invalid Pensions.

By Mr. BREWER: Petition of the Deaf Soldiers' Association, for an increase of pension to deaf soldiers—to the Committee on Invalid Pensions.

By Mr. BOWEN: Resolutions telegraphed as passed by the town of Pocahontas, Va., the citizens of East Tazewell County, Virginia, protesting against putting coal and iron on the free-list, and asking permission to be heard before the Committee on Ways and Means before a bill is reported—to the Committee on Ways and Means.

By Mr. T. H. B. BROWNE: Petition of S. B. Chapman and others, citizens of Gloucester County, Virginia, for the improvement of Ware River—to the Committee on Rivers and Harbors.

Also, a bill for continuing the improvement of certain rivers and creeks in the First district of Virginia—to the Committee on Rivers and Harbors.

Also, a bill authorizing a survey of certain rivers and creeks in the First district of Virginia—to the Committee on Rivers and Harbors.

By Mr. BUNNELL: Resolutions of the board of directors of the Board of Trade of Chicago, protesting against the action of the French and German Governments in prohibiting the importation of American salt pork on the pretext of its unwholesomeness—to the Committee on Foreign Affairs.

By Mr. CATCHINGS: Petition of Eliza Strong, heir of Seth A. and Charles M. Strong, deceased, of Warren County, Mississippi, and Bettie Shelby, widow of Thomas Shelby, deceased, of Washington County, Mississippi, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. CROUSE: Petition of O. Cone and 12 others, professors in Buchtel College, at Akron, Ohio, for international copyright—to the Committee on Patents.

By Mr. DARLINGTON: Petition for removal of the duty on imported books—to the Committee on Ways and Means.

Also, fourteen petitions of citizens of the Sixth district of Pennsylvania, against the admission of Utah—to the Committee on the Territories.

By Mr. ENLOE: Papers in the case of A. T. Terrill, for relief—to the Committee on War Claims.

By Mr. ERMENTROUT: Memorial and certificates for a pension to John T. Donahower—to the Committee on Invalid Pensions.

Also, memorial of Chicago Board of Trade, for retaliatory measures against French and German Governments for prohibiting importation of mess and salted pork—to the Committee on Foreign Affairs.

By Mr. FARQUHAR: Petitions of 110 citizens and business firms of Buffalo, N. Y., for the erection of a new post-office building in that city—to the Committee on Public Buildings and Grounds.

By Mr. GALLINGER: Petition of Rev. S. Bartlett and 13 others,

citizens of Hanover, N. H., in favor of international copyright—to the Committee on Patents.

By Mr. GEST: Petition of 159 citizens of the Eleventh district of Illinois, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. GLASS: Papers in the claim of Willis Bennett, of S. W. Reiney and others, and of James L. Blackemore, of Gibson County, and of Mrs. Caroline E. White, of Shelby County, Tennessee—to the Committee on War Claims.

By Mr. GREENMAN: Petition of 10 citizens of Rensselaer County, New York, in favor of international copyright law—to the Committee on Patents.

By Mr. GROUT: Papers in support of House bill for the relief of George W. Bolton, alias Charles W. Andrews—to the Committee on Military Affairs.

Also, petition of letter-carriers of Brattleborough, Vt., for increase of compensation—to the Committee on the Post-Office and Post-Roads.

By Mr. HARMER: Petition of deaf soldiers, sailors, and marines, of Indianapolis, Ind., for increase of pension—to the Committee on Invalid Pensions.

By Mr. HEMPHILL: Petition of Walter H. Brooks and 128 others, citizens of the District of Columbia, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. HERMANN: Petition of the Board of Trade of Chicago, for retaliatory measures against France and Germany for the prohibition of the importation of American salted pork—to the Committee on Foreign Affairs.

By Mr. HOOKER: Petition of George W. Cato, heir-at-law of Lewis Cato, deceased, of Jefferson County, Mississippi, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. JACKSON: Petition of Miss Lizzie A. Gilkey and 44 others, citizens of the Twenty-fourth district of Pennsylvania, against the admission of Utah as a State—to the Committee on the Territories.

By Mr. LEE: Petition for relief of Downham & Strauss—to the Committee on Ways and Means.

By Mr. McCULLOGH: Remonstrance of citizens of the Twenty-first district of Pennsylvania, against the admission of Utah—to the Committee on the Territories.

By Mr. MILLS: Memorial of Friendship Grange, Patrons of Husbandry, for relief—to the Committee on Agriculture.

By Mr. NEAL: Papers in the claim of Rebert Hoodenpyle; of S. E. Belcher; of James Fryor, and of Frederick Schneider, of Tennessee—to the Committee on War Claims.

By Mr. O'DONNELL: Petition of 154 citizens of Barry, Branch, Calhoun, and Eaton Counties, Michigan, in favor of the act to prohibit the manufacture and sale of intoxicating liquors in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. O'FERRALL: Petition of Rebecca L. Boggs, formerly of Pendleton County, West Virginia, now of Frederick County, Virginia, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. CHARLES O'NEILL: Petition of Mrs. Laura Hooper Denby, for an increase of pension—to the Committee on Invalid Pensions.

By Mr. OUTHWAITE: Petition of Henry Gerst and the faculty of Otterbein University, at Westerville, Ohio, in favor of an international copyright law—to the Committee on Patents.

Also, memorial of post-office clerks of Columbus, Ohio—to the Committee on the Post-Office and Post-Roads.

By Mr. PARKER: Petition of 23 citizens of Massena, N. Y., in favor of prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. PEEL: Papers in the claim of John L. Murphy, of Robert Booth, jr., of Jonathan Elms, of Joseph G. Sutton, and of Mrs. Amanda Packard, of Arkansas—to the Committee on War Claims.

Also, petition of Amanda Packard, of Washington County, Arkansas, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. REED: Petition of Maria Smith and others, of Maine, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

Also, petition of the president and faculty of Bowdoin College, in favor of international copyright—to the Committee on Patents.

By Mr. RICHARDSON: Petition of John T. Crockett, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROGERS: Petition of Missouri Hendricks, for the payment of her war claim—to the Committee on War Claims.

By Mr. SENEY: Memorial of Lake County (Ohio) Veterans, for a service-pension bill—to the Committee on Invalid Pensions.

By Mr. STAHLNECKER: Petition for removal of charge of desertion from the record of Abel E. H. Merrell, Company F, Eleventh New York Cavalry, and of Aug. A. Langenbahn, Company I, Seventy-ninth New York Volunteers—to the Committee on Military Affairs.

By Mr. STEELE: Petition of 134 citizens of the Eleventh district of Indiana, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. CHARLES STEWART: Petition of sundry citizens of Brazos County, Texas, in favor of international copyright—to the Committee on Patents.

By Mr. J. D. STEWART: Petition of Lemuel M. Murphy, Thomas Mitchell, and A. P. Wells, of Clayton County; of F. M. Winn and Henry Cooper, of Douglas County; of L. J. Riser and John W. Smith, of Campbell County, and also James J. Cowan, of DeKalb County, Georgia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. STONE, of Kentucky: Petition of citizens of Smithland, Ky., and vicinity, for an appropriation to remove obstructions from the mouth of said river—to the Committee on Rivers and Harbors.

Also, petition of Thomas P. Bell, for reimbursement of certain moneys paid out by him—to the Committee on Accounts.

By Mr. WHEELER: Petition of John Lawler, of Madison County, Alabama, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. WHITTHORNE: Petition of the elders of the Cumberland Presbyterians, of Pulaski, Tenn., for property taken and used by the United States Army—to the Committee on War Claims.

Also, petition of James F. Davidson, of Maury County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. YARDLEY: Petition of 112 citizens of the Seventh district of Pennsylvania, for a law prohibiting the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. C. R. BRECKINRIDGE: Of citizens of Moreland, and Freeman, and Hanks, and Obin, and Enders, and Shiloh, and Rushing, and Laurel, and Cherry Grove, and Santos, and Bee Branch, and St. James, and also Stevens Creek, in the State of Arkansas.

By Mr. J. R. BROWN: Of T. J. Reynolds and others, citizens of Viola, Pittsylvania County, and John Philips and others, of Burcham, Carroll County, Virginia.

By Mr. COWLES: Of citizens of Valle Cruces, Watauga County; and Boomer, county of Wilkes; and Austin, county of Wilkes; and Buscham, county of Wilkes; and Little River, Alexander County, and also of Watauga County, State of North Carolina.

By Mr. ENLOE: Of A. G. Hill and 13 others, of Grovewood, Carroll County, Tennessee.

By Mr. GROSVENOR: Of Peter Yost and 45 others, of Centre View, and of J. M. Curdy and 44 others, of Laing's, Monroe County, Ohio.

By Mr. ROGERS: Of citizens of Black Fork, Scott County, Arkansas.

By Mr. WHEELER: Petition of John Sayre and 28 others, of Alabama.

By Mr. YARDLEY: Of W. B. Hendricks and others, of Creamery, Montgomery County, Pennsylvania.

By Mr. YOST: Of citizens of New Hope, Augusta County, and of Wildway, Appomattox County, Virginia.

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## HOUSE OF REPRESENTATIVES.

### FRIDAY, *January* 27, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

#### PROTECTION OF FORESTS.

Mr. WHITE, of New York, by unanimous consent, introduced a bill (H. R. 6045) for the protection and administration of the forests on the public domain; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

#### DEFICIENCY ESTIMATES.

The SPEAKER *pro tempore* laid before the House a letter from the Secretary of the Treasury, transmitting deficiency estimates from the Secretary of War for appropriations for contingent expenses of War Department and salaries in Surgeon-General's Office; also amended estimates for salaries of firemen in Surgeon-General's Office; which was referred to the Committee on Appropriations, and ordered to be printed.

#### WILLIAM H. QUINN VS. THE UNITED STATES.

The SPEAKER *pro tempore* also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of William H. Quinn against the United States; which was referred to the Committee on Claims.

#### MARY J. DOOLEY VS. THE UNITED STATES.

The SPEAKER *pro tempore* also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of Mary J. Dooley against the United States; which was referred to the Committee on Claims.

A. H. TAYLOR, ADMINISTRATOR, VS. THE UNITED STATES.

The SPEAKER *pro tempore* also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of A. H. Taylor, administrator, etc., against the United States; which was referred to the Committee on War Claims.

TARIFF ON FRUITS, NUTS, ETC.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting a communication relative to the revision of the tariff on fruits, nuts, etc.; which was referred to the Committee on Ways and Means, and ordered to be printed.

SENATE BILLS REFERRED.

The SPEAKER *pro tempore* also laid before the House Senate bills of the following titles; which were read twice, and severally referred as indicated:

A bill (S. 24) to extend the limits of the port of Portland as a port of entry—to the Committee on Commerce.

A bill (S. 25) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, 1880—to the Committee on Commerce.

A bill (S. 26) to create a port of delivery at Port Angeles, in the district of Puget Sound, Washington Territory—to the Committee on Commerce.

A bill (S. 190) for the relief of W. H. Tibbits—to the Committee on the Public Lands.

A bill (S. 257) granting a pension to Mary S. Logan—to the Committee on Invalid Pensions.

A bill (S. 574) to increase the pension of Mrs. Apolline A. Blair—to the Committee on Invalid Pensions.

A bill (S. 418) granting to the State of California 5 per cent. of the net proceeds of the cash sales of public lands in said State—to the Committee on the Public Lands.

A bill (S. 509) authorizing an increase in pensions in case of deafness—to the Committee on Invalid Pensions.

A bill (S. 473) to authorize the Secretary of the Treasury to cause to be examined certain vouchers filed or to be filed by the State of Missouri, or her agent or agents, for sums claimed to be due from the Government of the United States on account of the payments made by said State since April 22, 1882, to the officers and enlisted men of her militia forces for military services rendered to the United States in the suppression of the rebellion, as evidenced by the proper pay-rolls heretofore filed with, examined, and accepted by the Government of the United States, and report to Congress—to the Committee on War Claims.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ELLIOTT, for two days, on account of important business.

To Mr. KELLEY, for one week from to-morrow, on account of important business.

To Mr. RUSK, for to-day and to-morrow, on account of important business.

URGENT DEFICIENCY BILL.

Mr. BURNES. I am instructed by the Committee on Appropriations to report back, with the amendments of the Senate, the bill (H. R. 4271) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1887, and for prior years and for other purposes. The Committee on Appropriations have instructed me to move concurrence in these amendments.

Mr. HOLMAN. Is it the wish of the gentleman to have these amendments considered in the House?

Mr. BURNES. I ask unanimous consent that they be considered in the House.

Mr. HOLMAN. As in Committee of the Whole.

The SPEAKER *pro tempore*. The gentleman from Missouri [Mr. BURNES] asks unanimous consent that the amendments of the Senate be considered in the House.

There was no objection, and it was ordered accordingly.

First amendment: Under the heading "Engraving and printing" strike out these words:

And the number of plate printers and plate printers' assistants may, by direction of the Secretary of the Treasury, be increased to two hundred and two hundred and thirty, respectively.

And in lieu thereof insert these words:

And the number of printers' assistants at $1.50 a day may, by direction of the Secretary of the Treasury, be increased to thirty-eight, and the number of printers' assistants at $1.25 a day reduced to one hundred and seventy-six.

The amendment was concurred in.

Second amendment: Under the heading "Repayment to importers excess of deposits" add these words: "But this amendment shall not affect existing suits or demands."

The amendment was concurred in.

Third amendment: Under the heading "Miscellaneous expenses" strike out the words "one hundred and seventy-two dollars and seventy cents" and insert in lieu thereof the words "one thousand seven hundred and twenty-seven dollars."

The amendment was concurred in.

Fourth, fifth and sixth amendments: Under the heading "Ship, steam-boat, and way letters" insert the following:

For manufacture of adhesive postage and special-delivery stamps, $6,884.45.

For manufacture of stamped envelopes, newspaper-wrappers, and letter-sheets, $65,237.78.

For manufacture of registered-package, tag, official, and dead-letter envelopes, $17,813.49.

The amendments were severally concurred in.

Seventh amendment: Under the heading "Senate" strike out the following:

For compensation of officers, clerks, messengers, etc., in the employ of the Senate for the fiscal year ending June 30, 1887, $14,229.08.

The amendment was concurred in.

Eighth amendment: Under the heading "Senate: For fuel, oil, etc." strike out the words "two thousand dollars," in the third paragraph, and insert in lieu thereof the words "two thousand eight hundred and ninety-four dollars and twenty-seven cents."

The amendment was concurred in.

Ninth amendment: Under the heading "Senate: For furniture, etc." strike out the words "three thousand dollars" and insert in lieu thereof the words "three thousand two hundred and forty-nine dollars and twenty-nine cents."

The amendment was concurred in.

Tenth amendment: Under the heading "Senate" insert as follows:

For packing-boxes, $41.83.

The amendment was concurred in.

Eleventh amendment: Under the heading "Senate: For folding speeches and pamphlets" strike out the words "four thousand five hundred dollars" and insert in lieu thereof the words "six thousand seven hundred and seventy-eight dollars and thirty-three cents."

The amendment was concurred in.

Twelfth amendment: Under the heading "Senate: For miscellaneous items, exclusive of labor" strike out the words "five thousand dollars" and insert in lieu thereof the words "three thousand nine hundred and sixty-two dollars and seventy cents."

The amendment was concurred in.

Thirteenth amendment: Under the heading "Senate: For clerk of Senate Committee on Agriculture and Forestry" insert the name "(C. S. Wilbur)."

The amendment was concurred in.

Fourteenth amendment: Under the heading "Government Printing Office" add at the end of the first paragraph the words:

*Provided*, That in estimating the said 25 per cent.; credit shall be given the Government for whatever has already been paid, or is now being paid, to said employés above the rates for day work.

The amendment was concurred in.

Fifteenth amendment: Under the heading "Fox and Wisconsin River improvements" strike out the name "Sweeting" and insert in lieu thereof the name "Swetting."

The amendment was concurred in.

Sixteenth amendment: Under the heading "Fox and Wisconsin River improvements" strike out the initial "G." in the name "John G. Tufts" and insert in lieu thereof the initial "Q."

The amendment was concurred in.

Seventeenth amendment: Under the heading "Fox and Wisconsin River improvements" strike out the name "Tamer" and insert in lieu thereof the name "Tanner."

The amendment was concurred in.

Eighteenth amendment: In section 3, in the paragraph "For deficiency in postal revenues, etc.," strike out the word "claim" and insert in lieu thereof the word "claims."

The amendment was concurred in.

Nineteenth amendment: In section 3, same paragraph, insert the words "and nine thousand four hundred and ninety-five."

The amendment was concurred in.

Twentieth amendment: In section 3, same paragraph, strike out the words "nine hundred and forty-eight dollars and four" and insert in lieu thereof the words "eight hundred and fifty-four dollars and seventy-nine."

The amendment was concurred in.

Mr. BURNES moved to reconsider the vote by which the Senate amendments were concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PROHIBITION OF AMERICAN PORK IN FRANCE AND GERMANY.

Mr. DUNHAM. I ask, by unanimous consent, to present a resolution of the Board of Trade of the city of Chicago, and to ask that the letter of Mr. Stone, its secretary, and the accompanying letter of the United States consul at Havre, France, be printed in the RECORD.

Mr. LANHAM. I will not insist on the demand for the regular order of business, if it is understood the gentleman does not ask for the reading of these papers.

Mr. DUNHAM. Of course I would like to have them read, but under the circumstances will now merely ask that they be printed in the RECORD, so that they may be read by members.

Mr. LANHAM. I do not object to that.

There was no objection, and the papers were ordered to be printed in the RECORD.

They are as follows:

CONSULATE OF THE UNITED STATES OF AMERICA,
*Havre, France, December 28, 1887.*

*To the President of the Chicago Board of Trade, Chicago, Ill.:*

DEAR SIR: It being most likely that Congress during its present sitting will take up the revision of the revenue tariff, it may not be amiss to call the attention of your honorable body to the prohibition of the importation of American salted pork, etc., still existing in France.

In the course of the many changes which have taken place in French ministries since 1881, we find that quite lately Mr. Tirard, the originator of the prohibitory edict, has turned up as prime minister, and as it was he who, under the vain plea of its unwholesomeness, by a stroke of his pen struck at a most important article of American export, it is but proper that he should be called upon to repeal this most odious edict of unjust and unfriendly discrimination.

Among the most zealous advocates of repeal have been the population of the city of Havre. The Journal du Havre of the 14th instant published an article on this subject, of which I beg to inclose a translation. A concise sketch of another paper is addressed to you under a separate cover.

I am of opinion that a majority of the laboring classes, who have been deprived of a wholesome and cheap article of nourishment, would hail with delight a thorough discussion of this matter in Congress, threatening, if advisable, with retaliation, if the prohibition is not repealed.

If there is one article which may be mentioned as unwholesome amongst French exports to America, it is wine, the greater part of which is doctored and adulterated. France, from having been an exporting country of wine, has turned to be an importing country. Enormous quantities of low-priced Spanish and Italian wines are being imported, manipulated, doctored, decorated with high-sounding labels, and drank in the United States and elsewhere as selected vintages.

Nothing but retaliation will bring French legislators, now strongly imbued with protectionism, to their senses; the plea that American hog produce is unwholesome has been abandoned long ago.

I have the honor to be, sir, yours, most respectfully,
F. F. DUFAIS, *United States Consul.*

BOARD OF TRADE OF THE CITY OF CHICAGO,
*Chicago, January 10, 1888.*

Upon the receipt of a communication from F. F. Dufais, United States consul, resident at Havre, a copy of which is herewith submitted, the board of directors of the Board of Trade of the city of Chicago adopted the following resolutions:

"*Resolved*, That the prohibition of the importation of American salted pork by the French and German Governments, upon the pretext of its unhealthfulness, is an act of great injustice to the Government and people of the United States as well as to the inhabitants of France and Germany, who are to a great extent deprived of a wholesome article of food at moderate cost.

"*Resolved*, That the United States Government should no longer tolerate such an insulting discrimination against American commerce without an indignant protest and the enactment of vigorous retaliatory measures.

"*Resolved*, That there ought to be such legislation regarding our commercial relations with those countries as will comport with the dignity of the nation and unqualifiedly denounce the unfounded charges against one of the great and beneficent industries of our country.

"*Resolved*, That a copy of the foregoing resolutions be forwarded to Representatives and Senators of the United States Congress."

GEO. F. STONE, *Secretary.*

ORDER OF BUSINESS.

Mr. LANHAM. I demand the regular order of business.

The SPEAKER *pro tempore*. The regular order of business is the call of committees for reports of private bills.

JAMES ALBERT BONSACK.

Mr. VANCE, from the Committee on Patents, reported back with an amendment a bill (H. R. 593) for the relief of James Albert Bonsack; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

PETER A. ALLENDORF.

Mr. BLISS, from the Committee on War Claims, reported a bill (H. R. 6046) for the relief of Peter A. Allendorf; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

FIRST BAPTIST CHURCH, SMITHLAND, KY.

Mr. STONE, of Kentucky, from the Committee on War Claims, reported back favorably a bill (H. R. 300) for the relief of the trustees of the First Baptist Church at Smithland, Ky.; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

GROVENOR A. CURTICE.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back favorably a bill (H. R. 439) for the relief of Grovenor A. Curtice; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

WAR CLAIMS, SCHUYLKILL COUNTY, PENNSYLVANIA.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back favorably a bill (H. R. 1796) to authorize the proper accounting officers of the Treasury to audit and pay the claim of the county of Schuylkill, in the State of Pennsylvania, for money advanced by it under allotments made by soldiers from said county during the late rebellion, by virtue of section 12 of the act of Congress entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July 22, 1861; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

JAMES TRABUE AND OTHERS.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back favorably a bill (H. R. 5349) for the relief of James Trabue, Thornton Thackery, Michael Callahan, and the widow of John Waters; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

CUMBERLAND PRESBYTERIAN CHURCH, ATHENS, ALA.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back favorably a bill (H. R. 39) to refer the claim against the United States of the trustees of the Cumberland Presbyterian Church at Athens, Limestone County, Alabama, to the Court of Claims; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

CLAIMS FOR SUPPLIES TAKEN BY UNITED STATES ARMY.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported a bill (H. R. 6047) for the allowance of certain claims for stores and supplies taken and used by the United States Army, as reported by the Court of Claims under the provisions of the act of March 3, 1883, known as the Bowman act; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN E. WILLIAMSON, ADMINISTRATOR.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported a bill (H. R. 6048) referring the claim of John E. Williamson, administrator of the estate of John B. Thompson, deceased, and others, of Paducah, Ky., to the Court of Claims; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LEGAL REPRESENTATIVES OF WILLIAM CLIFT, DECEASED.

Mr. CROUSE, from the Committee on War Claims, reported back favorably the bill (H. R. 1083) for the relief of the legal representatives of William Clift, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LUTHER M. BLACKMAN.

Mr. CROUSE also, from the Committee on War Claims, reported back favorably the bill (H. R. 1082) for the relief of Luther M. Blackman; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JAMES B. MITCHELL.

Mr. BOWDEN, from the Committee on War Claims, reported back favorably the bill (H. R. 615) for the relief of James B. Mitchell; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOSEPH DIEHL.

Mr. STOCKDALE, from the Committee on War Claims, reported back favorably the bill (H. R. 861) for the relief of Joseph Diehl; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SARAH E. PERINE.

Mr. THOMAS, of Wisconsin, from the Committee on War Claims, reported back favorably the bill (H. R. 3196) for the relief of Sarah E. Perine, widow and administratrix of William Perine, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

RICHARD ATKINSON.

Mr. LAWLER, from the Committee on War Claims, reported back favorably the bill (H. R. 3878) for the relief of Richard Atkinson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

GEORGE F. BROTT.

Mr. HIESTAND, from the Committee on War Claims, reported back favorably the bill (H. R. 3118) for the relief of George F. Brott; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SOPHIA B. MOORE.

Mr. BROWER, from the Committee on War Claims, reported back favorably the bill (H. R. 3902) for the relief of Sophia B. Moore; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LOUISA KEARNEY.

Mr. WILKINSON, from the Committee on War Claims, reported back favorably the bill (H. R. 5315) for the relief of Louisa Kearney; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LUCIEN GOYAUX.

Mr. WILKINSON also, from the Committee on War Claims, reported back favorably the bill (H. R. 3716) for the relief of the heirs of the late Lucien Goyaux, of Louisiana; which was referred to the Committee of

the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SARAH H. WOOD.

Mr. WILKINSON also, from the Committee on War Claims, reported back favorably the bill (H. R. 3744) for the relief of Mrs. Sarah H. Wood; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

UNION NATIONAL BANK, LOUISIANA.

Mr. WILKINSON also, from the Committee on War Claims, reported a bill (H. R. 6049) for the relief of the Union National Bank of Louisiana; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JAMES BARNES AND OTHERS.

Mr. THOMAS, of Wisconsin, from the Committee on War Claims, reported back favorably the bill (H. R. 436) for the relief of James Barnes, Joab Williams, and William Titus; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADVERSE REPORTS.

Mr. MATSON, from the Committee on Invalid Pensions, reported back adversely bills of the following titles; which were severally ordered to lie upon the table, and the accompanying reports to be printed, namely:

A bill (H. R. 134) to increase the pension of David M. Rennoe; and

A bill (H. R. 129) granting a pension to Jesse H. Gaines.

CREDITORS OF THE POTTAWATTAMIE INDIANS.

Mr. PEEL, from the Committee on Indian Affairs, reported back favorably the bill (H. R. 4487) to enable the Secretary of the Interior to pay certain creditors of the Pottawattamie Indians out of the funds of said Indians; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BRIDGES ACROSS THE MISSOURI RIVER.

Mr. CLARDY, from the Committee on Commerce, reported back favorably the bill (S. 274) authorizing the construction of a bridge across the Missouri River at some accessible point in the county of St. Charles, in the State of Missouri, below the city of St. Charles; and

The bill (H. R. 2606) authorizing the construction of a bridge over the Missouri River, at or near the city of Jefferson, Mo.; which, with the accompanying reports, were severally ordered to be printed, and referred to the Committee of the Whole House on the Private Calendar.

ORDER OF BUSINESS.

Mr. LANHAM. I call for the regular order. I suppose the first thing in order would be to vote on the bill H. R. 7211, which comes over from a former private-bill day.

The SPEAKER *pro tempore*. The first thing in order at this time would be the motion that the House resolve itself into Committee of the Whole House to consider business on the Private Calendar.

Mr. LANHAM. But this bill was reported from the Committee of the Whole two weeks ago.

The SPEAKER *pro tempore*. It will be considered after the Committee of the Whole rises.

Mr. LANHAM. It comes over as unfinished business. I demand the previous question on the engrossment and third reading of the bill.

Mr. SPRINGER. Those bills are taken up after the Committee of the Whole rises.

The SPEAKER *pro tempore*. The gentleman from Illinois is correct. Those bills will be in order after the committee rises.

Mr. LANHAM. I think I am entitled at this time to ask the previous question upon that bill.

Mr. SPRINGER. I make the point of order that the bill can not come up until after the Committee of the Whole rises.

The SPEAKER *pro tempore*. The Chair apprehends the point made by the gentleman from Illinois. The gentleman has the right to raise the question of consideration.

Mr. SPRINGER. I do not raise the question of consideration; but the rules of the House provide that the order of business at this time shall be going into Committee of the Whole House to consider the Private Calendar. At this time unfinished business is not in order.

The SPEAKER *pro tempore*. No motion has been made that the House resolve itself into the Committee of the Whole House to consider the Private Calendar.

Mr. SPRINGER. But that is the business in order. The House must either go into the Committee of the Whole now or refuse to do so.

Mr. LANHAM. I do not know that there is any such rule as that.

Mr. SPRINGER. It has been the universal custom of the House for unfinished business to come up after the Committee of the Whole rises.

The SPEAKER *pro tempore*. There is no doubt as to what is the custom of the House. The gentleman from Texas can call up this bill after the committee rises.

Mr. LANHAM. Do I understand the Chair to hold that this motion is not in order?

The SPEAKER *pro tempore*. The Chair will submit the gentleman's motion.

OWNERS OF STEAMER I. N. BUNTON.

The title of the bill was read, as follows:

A bill (H. R. 7211) referring the claim of the owners of the steamer I. N. Bunton to the Court of Claims.

The SPEAKER *pro tempore*. The gentleman from Texas [Mr. LANHAM] demands the previous question on the engrossment and third reading of the bill.

Mr. BRECKINRIDGE, of Kentucky. Is it in order, pending the motion the gentleman from Texas has made, to move to refer the bill to the Committee on the Judiciary?

The SPEAKER *pro tempore*. That motion is not in order at this time. It will be subsequently.

The previous question was ordered.

The SPEAKER *pro tempore*. The first question is on the amendment reported by the Committee of the Whole; which the Clerk will read.

The Clerk read as follows:

In the eighth line strike out the words "as a court of admiralty jurisdiction."

The amendment was agreed to.

The SPEAKER *pro tempore*. The question is on the engrossment and third reading of the bill as amended.

Mr. BRECKINRIDGE, of Kentucky. Is it in order now to refer the bill to the Committee on the Judiciary?

The SPEAKER *pro tempore*. That would not be in order on the question that the bill be engrossed and read a third time.

Mr. BRECKINRIDGE, of Kentucky. Will it be in order on the question for the passage of the bill?

The SPEAKER *pro tempore*. Before the passage of the bill.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly engrossed and read the third time.

Mr. LANHAM. I demand the previous question on the passage of the bill.

Mr. BRECKINRIDGE, of Kentucky. Pending that motion I move that the bill be referred to the Committee on the Judiciary. I call for the reading of the bill.

The bill was read, as follows:

*Be it enacted, etc.*, That the claim of the legal owner or owners of the steamer I. N. Bunton, her cargo, freight, tow, and personal effects, alleged to have been sunk by collision with the pier of the Davis Island Dam, in the Ohio River, on or about the 2d day of January, 1884, be referred to the Court of Claims, to hear and determine the same to judgment, with the right of appeal as in other cases: *Provided*, That no suit shall be brought under the provisions of this act after six months from the date of the passage thereof.

Mr. BRECKINRIDGE, of Kentucky. On the motion to refer I call for the yeas and nays.

Mr. RANDALL. Would it be in order to inquire whether the damage to this steamer occurred when the Government was in possession of the works or not?

Mr. LANHAM. It was the Government's agents who were constructing the works.

Mr. RANDALL. Not contractors?

Mr. LANHAM. No, sir; not contractors, as I understand.

Mr. BRECKINRIDGE, of Kentucky. The damage was done at a time when there is no proof that any Government agents were there.

The SPEAKER *pro tempore*. The question is on ordering the yeas and nays on the motion of the gentleman from Kentucky.

The yeas and nays were ordered, there being—ayes 47, noes 15.

The question was taken; and there were—yeas 101, nays 130, not voting 92; as follows:

YEAS—101.

| | | | |
|---|---|---|---|
| Abbott, | Dockery, | Lane, | Rice, |
| Allen, J. M. | Enloe, | Latham, | Richardson, |
| Anderson, G. A. | Fisher, | Macdonald, | Robertson, |
| Anderson, J. A. | Forney, | Martin, | Rogers, |
| Bacon, | French, | Matson, | Rowland, |
| Bankhead, | Fuller, | McClammy, | Russell, J. E. |
| Barnes, | Gest, | McCreary, | Sayers, |
| Biggs, | Gibson, | McKinney, | Shively, |
| Bland, | Glass, | McMillin, | Springer, |
| Breckinridge, C. R. | Glover, | McRae, | Stewart, J. D. |
| Breckinridge, W. C. P. | Granger, | McShane, | Stockdale, |
| Browne, T. H. B. | Greenman, | Mills, | Taulbee, |
| Bryce, | Grimes, | Montgomery, | Tillman, |
| Buckalew, | Hare, | Morgan | Townshend, |
| Bynum, | Henderson, J. S. | Neal, | Turner, H. G. |
| Campbell, Felix | Hogg, | Newton, | Vance, |
| Candler, | Holman, | Norwood, | Walker, |
| Clements, | Hooker, | Oates, | Washington, |
| Cobb, | Hudd, | O'Ferrall, | Weaver, |
| Cothran, | Hutton, | O'Neall, J. H. | Wheeler, |
| Cowles, | Jones, | Payson, | Whitthorne, |
| Culberson, | Kerr, | Peel, | Wilson, Thomas |
| Cummings, | Kilgore, | Penington, | Wilson, W. L. |
| Dargan, | Laffoon, | Perkins, | |
| Davidson, A. C. | La Follette, | Perry, | |
| Davidson, R. H. M. | Landes, | Phelan, | |

NAYS—130.

| | | | |
|---|---|---|---|
| Allen, C. H. | Bayne, | Bowden, | Bunnell, |
| Allen, E. P. | Belden, | Bowen, | Burrows, |
| Anderson, A. R. | Bingham, | Brower, | Butler, |
| Anderson, C. L. | Blanchard, | Browne, T. M. | Butterworth, |
| Atkinson, | Bliss, | Brown, C. E. | Caruth, |
| Baker, C. S. | Boothman, | Brumm, | Caswell, |
| Baker, Jehu | Boutelle, | Buchanan, | Catchings, |

| | | | |
|---|---|---|---|
| Cheadle, | Hatch, | McCullogh, | Sherman, |
| Chipman, | Haugen, | McKenna, | Simmons, |
| Cogswell, | Hayden, | McKinley, | Smith, |
| Conger, | Heard, | Milliken, | Snyder, |
| Cooper, | Henderson, D. B. | Morrill, | Spooner, |
| Crouse, | Henderson, T. J. | Morrow, | Stahlnecker, |
| Cutcheon, | Hiestand, | Nelson, | Stephenson, |
| Dalzell, | Hires, | Nichols, | Stone of Ky. |
| Davenport, | Hopkins, A. J. | Nutting, | Struble, |
| Davis, | Hopkins, S. T. | O'Donnell, | Taylor, E. B. |
| Dibble, | Hovey, | O'Neill, Charles | Taylor, J. D. |
| Dorsey, | Howard, | O'Neill, J. J. | Thomas, G. M. |
| Dunham, | Hunter, | Osborne, | Thomas, O. B. |
| Farquhar, | Jackson, | Outhwaite, | Turner, E. J. |
| Felton, | Johnston, J. T. | Owen, | Wade, |
| Findlay, | Kelley, | Patton, | Warner, |
| Flood, | Ketcham, | Peters, | White, J. B. |
| Ford, | Lanham, | Pidcock, | White, S. V. |
| Funston, | Lehlbach, | Post, | Whiting, William |
| Gaines, | Lind, | Pugsley, | Wickham, |
| Gallinger, | Lodge, | Reed, | Wilkinson, |
| Gear, | Long, | Romeis, | Williams, |
| Goff, | Lyman, | Rowell, | Yardley, |
| Grosvenor, | Lynch, | Ryan, | Yoder. |
| Guenther, | Mansur, | Scott, | |
| Hall, | Mason, | Scull, | |

NOT VOTING—92.

| | | | |
|---|---|---|---|
| Adams, | De Lano, | Laidlaw, | Seney, |
| Arnold, | Dingley, | Laird, | Shaw, |
| Barry, | Dougherty, | Lawler, | Sowden, |
| Belmont, | Dunn, | Lee, | Spinola, |
| Blount, | Elliott, | Maffett, | Steele, |
| Bound, | Ermentrout, | Mahoney, | Stewart, Charles |
| Brewer, | Fitch, | Maish, | Stewart, J. W. |
| Brown, J. R. | Foran, | McAdoo, | Stone of Mo. |
| Burnes, | Gay, | McComas, | Symes, |
| Burnett, | Grout, | McCormick, | Tarsney, |
| Campbell, J. E. | Harmer, | Merriman, | Thomas, J. R. |
| Campbell, T. J. | Hayes, | Moffitt, | Thompson, A. C. |
| Cannon, | Hemphill, | Moore, | Thompson, T. L. |
| Carleton, | Herbert, | Morse, | Tracy, |
| Clardy, | Hermann, | Parker, | Vandever, |
| Clark, | Hitt, | Phelps, | Weber, |
| Cockran, | Holmes, | Plumb, | West, |
| Collins, | Hopkins, S. I. | Randall, | Whiting, J. R. |
| Compton, | Houk, | Rayner, | Wilber, |
| Cox, | Johnston, T. D. | Rockwell, | Wilkins, |
| Crain, | Kean, | Russell, C. A. | Wise. |
| Crisp, | Kennedy, | Rusk, | Woodburn, |
| Darlington, | Lagan, | Sawyer, | Yost. |

So the motion of Mr. BRECKINRIDGE, of Kentucky, was rejected.

On motion of Mr. LANHAM, by unanimous consent, the reading of the names of members voting was dispensed with.

The following-named members were announced as paired for this day:

Mr. WILKINS with Mr. CLARK.

Mr. BURNETT with Mr. LAIRD.

Mr. THOMPSON, of California, with Mr. VANDEVER.

Mr. CLARDY with Mr. ARNOLD.

Mr. MOORE with Mr. DARLINGTON.

Mr. WISE with Mr. KEAN.

Mr. RANDALL with Mr. MCCOMAS.

The following were announced as paired on this vote:

Mr. CAMPBELL, of Ohio, with Mr. WILLIAMS.

Mr. ERMENTROUT with Mr. CANNON.

Mr. SENEY with Mr. ROCKWELL.

The following were announced as paired until further notice:

Mr. SPINOLA with Mr. THOMAS, of Illinois.

Mr. TRACEY with Mr. DE LANO.

Mr. CARLTON with Mr. WEST.

Mr. STOCKDALE with Mr. THOMPSON, of Ohio.

Mr. COCKRAN with Mr. WILBER.

The following were announced as paired until Monday, January 30:

Mr. RUSK with Mr. FITCH.

Mr. ELLIOTT with Mr. HARMER.

Mr. HOPKINS, of Virginia, with Mr. RUSSELL, of Connecticut.

Mr. CUMMINGS and Mr. MOFFITT were announced as paired until February 7.

Mr. MCCORMICK and Mr. PENINGTON were announced as paired on all political questions until the 28th of January.

Mr. RANDALL. Mr. Speaker, I had voted no, but I find that I was paired, so I have withdrawn my vote.

The result of the vote was then announced as above recorded.

Mr. LANHAM. Now, Mr. Speaker, I renew the demand for the previous question on the passage of the bill.

The previous question was ordered.

Mr. MCMILLIN. On that I call for the yeas and nays.

The yeas and nays were ordered, 47 members voting in the affirmative.

The question was taken; and there were—yeas 130, nays 94, not voting 99; as follows:

YEAS—130.

| | | | |
|---|---|---|---|
| Allen, C. H. | Belden, | Brown, C. E. | Butler, |
| Allen, E. P. | Bingham, | Brown, J. R. | Butterworth, |
| Anderson, A. R. | Blanchard, | Brumm, | Campbell, T. J. |
| Atkinson, | Boothman, | Buchanan, | Caruth, |
| Baker, C. S. | Boutelle, | Buckalew, | Caswell, |
| Baker, Jehu | Bowen, | Bunnell, | Cheadle, |
| Bayne, | Browne, T. M. | Burrows, | Chipman, |
| Cogswell, | Hayden, | McKinney, | Shaw, |
| Conger, | Henderson, D. B. | Morrill, | Sherman, |
| Cooper, | Henderson, T. J. | Morrow, | Simmons, |
| Crouse, | Herbert, | Nelson, | Snyder, |
| Cutcheon, | Hiestand, | Nichols, | Spooner, |
| Dalzell, | Hires, | Nutting, | Steele, |
| Davenport | Holmes, | O'Donnell, | Stephenson, |
| Dorsey, | Hopkins, S. T. | O'Neill, Charles | Stewart, J. W. |
| Farquhar, | Hovey, | O'Neill, J. J. | Stone, of Ky. |
| Finley, | Howard, | Osborne, | Tarsney, |
| Flood, | Hunter, | Outhwaite, | Taylor, E. B. |
| Ford, | Jackson, | Owen, | Taylor, J. D. |
| Funston, | Johnston, J. T. | Patton, | Thomas, G. M. |
| Gaines, | Kelley, | Penington, | Thomas, O. B. |
| Gallinger, | Kennedy, | Peters, | Turner, E. J. |
| Gay, | Ketcham, | Plumb, | Vance, |
| Gear, | Lanham, | Pugsley, | Wade, |
| Gest, | Lind, | Randall, | Warner, |
| Glover, | Lodge, | Reed, | White, S. V. |
| Goff, | Long, | Rice, | Whiting, William |
| Granger, | Lyman, | Rockwell, | Wickham, |
| Grosvenor, | Lynch, | Romeis, | Wilkinson, |
| Grout, | Mansur, | Rowell, | Yardley, |
| Hall, | Mason, | Ryan, | Yost. |
| Hatch, | McCullogh, | Scott, | |
| Haugen, | McKenna, | Scull, | |

NAYS—94.

| | | | |
|---|---|---|---|
| Abbott, | Dunn, | Lawler, | Rowland, |
| Allen, J. M. | Enloe, | Maish, | Russell, J. E. |
| Anderson, C. L. | Fisher, | Martin, | Sayers, |
| Anderson, G. A. | Forney, | Matson, | Shively, |
| Anderson, J. A. | Fuller, | McClammy, | Smith, |
| Bankhead, | Gibson, | McCreary, | Springer, |
| Barnes, | Glass, | McMillin, | Stahlnecker, |
| Bland, | Grimes, | McShane, | Stewart, J. D. |
| Breckinridge, C. R. | Hare, | Montgomery, | Stockdale, |
| Breckinridge, WCP | Hemphill, | Morgan, | Stone, of Mo. |
| Bryce, | Henderson, J. S. | Neal, | Taulbee, |
| Bynum, | Hogg, | Newton, | Tillman, |
| Campbell, Felix | Holman, | Norwood, | Townshend, |
| Catchings, | Hooker, | Oates, | Turner, H. G. |
| Clements, | Hudd, | O'Ferrall, | Walker, |
| Cobb, | Hutton, | O'Neall, J. H. | Washington, |
| Cothran, | Jones, | Peel, | Weaver, |
| Cowles, | Kerr, | Perkins, | Wheeler, |
| Culberson, | Kilgore, | Perry, | Whitthorne, |
| Cummings, | Laffoon, | Phelan, | Wilson, Thomas |
| Dargan, | La Follette, | Pidcock, | Wilson, W. L. |
| Davidson, A. C. | Landes, | Richardson, | Yoder. |
| Davidson, R. H. M. | Lane, | Robertson, | |
| Dockery, | Latham, | Rogers, | |

NOT VOTING—99.

| | | | |
|---|---|---|---|
| Adams, | Crain, | Johnston, T. D. | Rayner, |
| Arnold, | Crisp, | Kean, | Russell, C. A. |
| Bacon, | Darlington, | Lagan, | Rusk, |
| Barry, | Davis, | Laidlaw, | Sawyer, |
| Belmont, | De Lano, | Laird, | Seney, |
| Biggs, | Dibble, | Lee, | Sowden, |
| Bliss, | Dingley, | Lehlbach, | Spinola, |
| Blount, | Dougherty, | Macdonald, | Stewart, Charles |
| Bound, | Dunham, | Maffett, | Struble, |
| Bowden, | Elliott, | Mahoney, | Symes, |
| Brewer, | Ermentrout, | McAdoo, | Thomas, J. R. |
| Brower, | Felton, | McComas, | Thompson, A. C. |
| Browne, T. H. B. | Fitch, | McCormick, | Thompson, T. L. |
| Burnes, | Foran, | McKinley, | Tracey, |
| Burnett, | French, | McRae, | Vandever, |
| Campbell, J. E. | Greenman, | Merriman, | Weber, |
| Candler, | Guenther, | Milliken, | West, |
| Cannon, | Harmer, | Mills, | White, J. B. |
| Carleton, | Hayes, | Moffitt, | Whiting, J. R. |
| Clardy, | Heard, | Moore, | Wilber, |
| Clark, | Hermann, | Morse, | Wilkins, |
| Cockran, | Hitt, | Parker, | Williams, |
| Collins, | Hopkins, A. J. | Payson, | Wise, |
| Compton, | Hopkins, S. I. | Phelps, | Woodburn. |
| Cox, | Houk, | Post, | |

So the bill was passed.

On motion of Mr. LANHAM, by unanimous consent, the reading of the names of members voting was dispensed with.

The following additional pairs were announced:

Mr. BRIGGS with Mr. FELTON on all political questions for the rest of the day.

Mr. MILLIKEN with Mr. DIBBLE on all political questions for the rest of the day.

The following pairs on this vote were announced:

Mr. ERMENTROUT with Mr. CANNON.

Mr. CAMPBELL, of Ohio, with Mr. WILLIAMS.

Mr. MCRAE with Mr. STRUBLE.

The result of the vote was then announced as above recorded.

Mr. LANHAM moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

UNITED STATES COURTS, NORTHERN DISTRICT OF IOWA.

Mr. HENDERSON, of Iowa, by unanimous consent, introduced a bill (H. R. 6051) regulating the times for holding the terms of the United States courts in the northern district of Iowa; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ORDER OF BUSINESS.

Mr. LANHAM. I move that the House now resolve itself into Com-

mittee of the Whole for the consideration of bills on the Private Calendar.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. HATCH in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the purpose of considering bills upon the Private Calendar. The Clerk will report the first bill.

The Clerk read as follows:

A bill (H. R. 6336) for the relief of Martha J. A. Rumbaugh, administratrix of George H. Rumbaugh.

Mr. LANHAM. Mr. Chairman, I desire to invite the attention of the Chair for a few moments to a point of order upon this bill and an objection to its consideration, which it seems to me are tenable and ought to be insisted upon, and perhaps may apply to some, if not all, of the succeeding bills on this part of the Calendar, which contains a list of cases reported from the Court of Claims at a former session of Congress.

Now, this bill, which has been read by its title, was introduced in the Forty-ninth Congress by Mr. Bragg and was reported in that Congress by Mr. Geddes. These gentlemen are no longer members of Congress; at the end of the Forty-ninth Congress their official career ceased. And it seems to me, upon a more thorough examination of the rules which ought to govern in cases of this sort, that these bills and these reports died with the expiration of the Forty-ninth Congress. In other words, when that Congress expired all the bills introduced and reported in that Congress which had not been finally acted upon went into the waste basket of legislative history.

It is true that in the Bowman act it is provided in the seventh and last section that—

The reports of the Court of Claims to Congress under this act, if not finally acted upon during the session at which they are reported, shall be continued from session to session and from Congress to Congress until the same shall be acted upon.

Reports from the Court of Claims "shall be continued from session to session and from Congress to Congress;" but does this statutory provision, Mr. Chairman, give any authority to revitalize in this Congress an unconsidered bill and an unconsidered report of the Forty-ninth Congress? It is proper, perhaps, that these cases reported from the Court of Claims should be upon the Calendar for appropriate reference by the House.

When was this bill, the title of which has just been read by the Clerk, introduced in this House? It appears by the Calendar that it was "introduced March 1, 1886, read twice, and referred to the Committee on War Claims." That bill has not been introduced in this Congress at all. I submit, therefore, that it is a mere fugitive paper and can not be the basis of a legislative appropriation in the Fiftieth Congress.

We are now entering upon the work of considering some forty-four bills and reports coming over from the last Congress, involving, in the aggregate, an appropriation of nearly a quarter of a million of dollars, yet no committee of this House has passed upon these questions in the Fiftieth Congress. No member of this Congress has introduced this bill now called for consideration. This bill has never been read twice—it has never been read at all—in this Congress.

Mr. BUTTERWORTH. May I ask the gentleman a question?

Mr. LANHAM. Certainly.

Mr. BUTTERWORTH. Is it not true that these several bills have been placed upon this Calendar by the direction of the House? I understand that the Speaker directed these bills to be placed on the Calendar. And I will say to my friend that I ask the question because one of these bills, the second on the list, has been reported favorably to the House a number of times; it is for salaries due to employés of the Government for twenty-four years, and I feel a little solicitous that the bill should pass. I would have urged its being placed on the Calendar if I had not been under the impression that it was upon the Calendar by order of this House.

Mr. LANHAM. I will answer the gentleman. A parliamentary question was asked of the Speaker with reference to this bill; and on page 469 of the RECORD you will find this language:

The SPEAKER. The bills will be taken up in the order in which they appear on the Calendar.

Under the provisions of what is known as the Bowman act, all reports from the Court of Claims upon matters referred to that court by the committees of the House, and not disposed of, are continued from Congress to Congress, and go over, standing first, as a matter of course, on the Calendar.

But the distinction I make is this: Here are reports from the Court of Claims for appropriate reference, it seems to me. I do not believe that the Speaker held, or that he would have held if this question had been pointedly made, that a bill introduced in the Forty-ninth Congress by a member whose term has now expired, and a report submitted in the Forty-ninth Congress by a committee of that Congress, could properly be considered a bill and report in this Congress.

Mr. BUTTERWORTH. My friend will agree that these bills were placed on the Calendar by direction of the Speaker during the session of the House.

Mr. LANHAM. That seems to be the fact.

Mr. BUTTERWORTH. And no objection was made.

Mr. LANHAM. Well, sir, there was a parliamentary inquiry raised by the gentleman from Illinois [Mr. SPRINGER], but this precise point was not suggested to the Speaker. I went myself to him and asked him about these bills. His idea seemed to be that they ought to be placed upon the Calendar; yet the particular point which I now make was not, I think, made to the Speaker. Gentlemen well know the fact that under the rules all bills have to be introduced and have to be read a specified number of times.

Mr. BLAND. I desire to ask the gentleman whether these bills now on the Calender have been reported from any committee of this House?

Mr. LANHAM. I have endeavored to state the exact facts in reference to this matter. Here is a bill, No. 6336, introduced in the Forty-ninth Congress by Mr. Bragg; here is a report, No. 1556, from the Committee on War Claims, by Mr. Geddes, in the Forty-ninth Congress. The terms of both these gentlemen have expired. This bill has never been introduced in the present House, so far as I am advised, nor has a report ever been made upon the bill from any committee in this, the Fiftieth Congress.

Mr. BLAND. I understand that these bills have been placed on the Calendar under the order of the Speaker at the beginning of the session. That is the point I wanted to get at.

Mr. STONE, of Kentucky, rose.

The CHAIRMAN. The gentleman from Kentucky will suspend for one moment. The Chair will state to the committee that this is a very important point of order submitted for his decision, and he will be obliged to gentlemen of the House if they will preserve order on the floor before he is called upon to decide it.

Mr. BLAND. The question is whether that was done by order of the House. I am not informed particularly about it, but my impression is that there was some order of the House about it.

Mr. LANHAM. I am not able to say whether there was any order of the House. The matter was called to the attention of the Speaker by the gentleman from Illinois [Mr. SPRINGER], as stated in a parliamentary inquiry submitted on the 14th of January.

Mr. BUTTERWORTH. What page?

Mr. LANHAM. Page 469.

Mr. RICHARDSON. Mr. Chairman, I desire to call attention to the fact that it was not on the request of the gentleman from Illinois [Mr. SPRINGER] that the Speaker made his ruling, but it was on the point of order raised by the gentleman from Maryland [Mr. MCCOMAS]; but it was afterwards referred to by the gentleman from Illinois [Mr. SPRINGER], and on that occasion the Speaker repeated the ruling he had made on the point of order raised by the gentleman from Maryland. The ruling of the Speaker on the point raised by the gentleman from Illinois was made subsequently to the ruling on the point raised by the gentleman from Maryland, and I will send to the Clerk's desk and ask to have read the ruling of the Speaker on the point raised by the gentleman from Maryland.

The CHAIRMAN. The Clerk will read it.

Mr. LANHAM. I had not seen that.

Mr. RICHARDSON. It was referred to by the gentleman from Illinois, and then the Speaker repeated the ruling he had made on the application of the gentleman from Maryland [Mr. MCCOMAS]. The ruling on the point of the gentleman from Illinois was made subsequent to the ruling on the point of the gentleman from Maryland.

It will be found on page 103 of the RECORD, in the proceedings of the House of the 19th of December, which were published in the RECORD of the 20th.

The Clerk read as follows:

REPORTED CLAIMS ON THE CALENDAR.

Mr. MCCOMAS. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MCCOMAS. The Bowman act, chapter 116, volume 22, of the Statutes at Large, in section 7, provides:

"That reports of the Court of Claims to Congress under this act, if not finally acted upon during the session at which they are reported, shall be continued from session to session and from Congress to Congress until the same shall be finally acted upon."

Now, in order to give effect and force to that continuance from Congress to Congress, my question is, will not claims thus reported back from the Court of Claims to the last Congress and then reported by its committee to the Forty-ninth Congress with an accompanying bill standing on the Calendar of the last Congress—will not those claims, under the force of the terms of the section which I have read, be placed upon the Calendar and be the first claims in priority on the Calendar for consideration during the present Congress? I send to the Speaker's desk the act to which I have referred.

The SPEAKER. The Chair remembers the terms of the act. The practice in the House has been when a report is received from the Court of Claims it is referred to the committee which had original jurisdiction of the matter, the Committee on War Claims or the Committee on Claims, as the case may be. If that committee during that Congress reports the claim back again to the House, the Chair thinks that the section of the act to which the gentleman from Maryland refers requires the report to be continued on the Calendar, and the Chair has so instructed the Clerk in the present session to place on the Calendar in regular order all the reports made by committees on reports from the Court of Claims. That will be done.

Mr. RICHARDSON. Now, Mr. Chairman, I desire to ask the gentleman from Illinois [Mr. SPRINGER] that he will be kind enough to speak to the point of order he submits.

Mr. LANHAM. I will say in response to what has been read that the Speaker did not, I think, hold that these claims should be considered in the House on bills and reports introduced in the Forty-ninth Congress.

Mr. STONE, of Kentucky. Will the gentleman permit me to ask him a question?

Mr. LANHAM. If the gentleman will pardon me, I will in a moment. The point of order could be well taken if it depends upon the fact that there is no bill on the Calendar or none introduced in the Fiftieth Congress making appropriation to pay the claims mentioned on the Calendar coming over from the Forty-ninth Congress.

Mr. RICHARDSON. There is none, so far as I know. Under that statement I submit the gentleman is mistaken. On the 4th of January I had the honor to introduce into this House a bill which provides appropriation in each one of these cases so reported in the Forty-ninth Congress favorably.

Mr. LANHAM. This case?

Mr. RICHARDSON. I am not speaking of this case; I am speaking of the cases from the Court of Claims. If the gentleman wishes to make a point of order to apply in all cases, I hope he will except out of his point of order those to which I have referred.

Mr. LANHAM. "Sufficient unto the day is the evil thereof."

Mr. RICHARDSON. Your point of order went to those cases.

Mr. LANHAM. I am making the point of order on this particular bill, and incidentally have mentioned the fact that there were other bills on the House Calendar that might be subject to the same objection.

Mr. STONE, of Kentucky. I wish to ask the gentleman from Texas what has come over the spirit of his dream? What has induced him to make this objection to this bill after he had successfully put through the House a bill in the same position?

I want to ask the gentleman another question, and he may answer them both at the same time. Please tell the House for what purpose bills referred to committees go upon the Calendar or are referred to the Committee of the Whole House. Is it not that they are to be taken up and acted on? And when the Speaker decided that these bills should go upon the Calendar, he meant that they should go there for the action of the House, or for the action of the Committee of the Whole upon them. Is not that so?

Mr. LANHAM. I will to the best of my ability answer the question of the gentleman from Kentucky. He asks what change has come over the spirit of my dream. Now I wish to say that I have never claimed any superior parliamentary knowledge. I called the attention of the Speaker to these cases on the Calendar early in the session, under the impression that they were not properly on the Calendar. I went to the Speaker before the first private-bill day and called his attention to these cases from the Court of Claims.

I have been studying the question since, and these special objections, I will state to the gentleman, did not occur to me until after we had entered upon the consideration of the other bills. I had charge of but one of them; but upon a more thorough investigation of the rules of the House bearing upon the subject, my opinion is, and is decidedly, that this bill and others of like character now upon the Calendar can not be considered here unless they had been introduced into the House at the present session, and properly reported from committees.

Now, if the gentleman from Kentucky will be kind enough to state his last question again.

Mr. STONE, of Kentucky. The last question was in substance a request that the gentleman would state to the House why these bills are put upon the Calendar at all. The Speaker has ordered, as we have seen, under the statute and the rules of the House, these bills to go upon the Calendar.

Mr. LANHAM. Yes, sir.

Mr. STONE, of Kentucky. Does the gentleman contend that that ruling simply meant they should go there and then be referred to the committees? Do I understand that to be his construction? If that is the position he takes, it is wholly untenable, because bills are placed upon the Calendar of the House to be considered by the House, and not to be referred to the committees for reports.

Mr. RICHARDSON. I do not understand the gentleman's point of order to be so broad as that. If I understand the gentleman from Texas, his point of order does not apply to a case where a bill is now pending in the Fiftieth Congress of the same character as the one upon the Calendar coming over from the last Congress.

Mr. LANHAM. I am not making a point of order at present beyond the bill to which I at first referred.

Mr. RICHARDSON. Then the point of order applies only to where no bill is pending, as I understand the gentleman.

Mr. LANHAM. As a matter of course I am taking the case in the order I find it here.

Mr. STONE, of Kentucky. If the gentleman from Tennessee will allow me to suggest to him, the point of order raised by the gentleman from Texas will include all that class of bills which have come over from a former Congress and are now upon the Calendar.

Mr. RICHARDSON. I do not so understand it. I understand him to state distinctly that his point of order applies only to those cases where no bill in the present Congress is pending.

Mr. LANHAM. The gentleman from Kentucky asks why it is that these cases, reported from the Court of Claims, are now upon the Calendar. In answer I will state, I presume they are placed there in pursuance of the seventh section of the Bowman act, which provides that reports from the Court of Claims, not bills of a former Congress or reports of a former Congress, but judicial ascertainments of fact reached by the Court of Claims and transmitted to Congress, shall be considered from session to session and from term to term until finally acted upon.

Now, what was the exact purpose of that section I am not prepared to say. It may be that these matters should not be again referred to the Court of Claims; that having found the facts once, they should be transmitted to Congress for its action, upon proper bills being introduced and proper reports being made from the committees, and to avoid reconsideration of the same matters by the Court of Claims.

I do not understand that there is any rule of the House to be found which perpetuates and holds over a bill of the Forty-ninth Congress, which has expired, and a report of a committee of that Congress which is no longer in existence, and makes action upon both obligatory in this Congress.

Mr. CATCHINGS. May I ask the gentleman from Texas a question?

Mr. LANHAM. With pleasure.

Mr. CATCHINGS. What does the gentleman from Texas understand the Speaker's ruling to be? Under his ruling what is to go upon the Calendar, the report of the committee of a former Congress, or the report of the Court of Claims?

Mr. LANHAM. It is perhaps not very clear what he did mean in that respect. He may have meant that the bills and reports of a former Congress should be put upon the Calendar, but not that they should be considered in the order in which we now find them. He did not mean to say that General Bragg's bill in the last Congress, and the report of Judge Geddes in the Forty-ninth Congress, should be made the basis of legislative appropriations in the Fiftieth Congress.

Mr. CATCHINGS. Will the gentleman allow me to interrupt him further? It is clear the Speaker intended to rule that some reports should go upon the Calendar. Now if it was a report from the Committee on Claims, it is manifest that the ruling of the Speaker not only had reference to the findings of the Court of Claims, upon which the report was predicated, but to the bill reported at the time which accompanied the findings of the Court of Claims, and which bill is properly upon the Calendar under that ruling for consideration.

Mr. LANHAM. I maintain that reports from the Court of Claims are distinct and independent of bills introduced and reports submitted from committees of a former Congress; and the statute says that reports from the Court of Claims shall be continued, but not that these bills of a former Congress shall be revitalized and perpetuated for future Congresses.

Mr. BLAND. I would like to suggest to the gentleman from Texas that it seems to me the Speaker has already decided upon that law and its effect; and under his decision these cases are upon the Calendar by consent of the House. No appeal was taken from that decision, and hence it has the force of a construction of law placed upon it, and assented to by the House. These bills are on the Calendar therefore by consent of the House, and the committee can do nothing but consider them under that order of the House.

Mr. CATCHINGS. Precisely.

Mr. LANHAM. In response to the gentleman, I will say that these bills were upon the Calendar when the Speaker made his ruling as stated here.

Mr. RICHARDSON. The gentleman is mistaken in that. The Calendar was not published until after the 1st of January.

Mr. LANHAM. But the Speaker said that he had directed them to be put upon the Calendar.

Mr. RICHARDSON. That he had directed the Clerk in making up the Calendar to put them upon it. But that decision was made on the 19th of December and the Calendar was not published until the 1st of January.

Mr. LANHAM. But did the Speaker of the House intend by that decision to hold that these bills could come up for consideration in Committee of the Whole House, even if the point of order is raised to the effect that we are predicating an appropriation of public money upon a bill of a former Congress?

Mr. BUTTERWORTH. The Speaker, I think, has indicated very clearly what was to go on the Calendar. I call the attention of the Chair to what appears on page 469 of the RECORD, which I will read:

Mr. LANHAM. I now renew my motion that the House resolve itself into Committee of the Whole for the purpose of considering bills on the Private Calendar.

Mr. SPRINGER. Before that motion is submitted I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SPRINGER. As our Calendar is paged it contains two lists of private bills. One of these contains the bills coming over from the last Congress, reported from the Court of Claims under the provisions of the Bowman act, and the other such bills as are reported from the committees of the House at this session. What I wish to inquire is which class of bills will take precedence?

The SPEAKER. The bills will be taken up in the order in which they appear on the Calendar.

Under the provisions of what is known as the Bowman act, all reports from the Court of Claims upon matters referred to that court by the committees of the House, and not disposed of, are continued from Congress to Congress, and go over, standing first, as a matter of course, on the Calendar.

Mr. SPRINGER. But as the Calendar is printed the bills reported from the different committees of the House are put first.

The SPEAKER. Then the Calendar is wrong. These bills which came over from the last Congress will take precedence.

Mr. RICHARDSON. I think the gentleman from Illinois is mistaken in saying that they come first. They are printed upon one page of the Calendar; but those which came over from the Forty-ninth Congress are under a separate heading on another page.

Mr. SPRINGER. Read further what the Speaker said.

Mr. BUTTERWORTH (reading):

Mr. SPRINGER. That is true; but I always read a book from left to right. [Laughter.]

The SPEAKER. On page 5 of the Calendar, as printed, the bills reported from committees of the House at the present session appear in the order in which they were reported to the House, and on page 6 will be found the bills which come over from the last Congress. This order of paging should be reversed. The reports which come over from the last Congress should be first considered.

Mr. BUTTERWORTH. It thus appears, in confirmation of what the gentleman from Tennessee [Mr. RICHARDSON] has said, that the House understood, in pursuance of the first ruling of the Speaker, that these bills should go upon the Calendar, to be disposed of in the ordinary course of business. For what other purpose they should go on the Calendar it is difficult to conceive. That ruling was reaffirmed, as is shown by what I have just read from the RECORD, in the presence of the House, and the House, in the regular course of business, took up, considered, and passed two or three of those bills, thus recognizing and affirming its former action, which was in accordance with the ruling of the Speaker, and we have acted upon that order of things ever since.

Mr. LANHAM. I will say in reply to the gentleman from Ohio [Mr. BUTTERWORTH] that it is true those bills are first on the Calendar. The directions of the Speaker have been carried out literally. But has the point been raised before the Speaker that is now raised here? Will the gentleman be candid enough to inform me if he thinks that if the Speaker were now in the chair he would hold that Mr. Bragg's bill of the Forty-ninth Congress could be properly brought up to be passed now?

Mr. BUTTERWORTH. I hold it is in the power of the House to consider any bill upon that Calendar, however it may have been reported to the House, so long as it comes before the House in pursuance of its order.

Mr. LANHAM. A further effect of the consideration of these bills will be that this House will devote the most of its time for perhaps several months of this session to the consideration of bills reported by the committees of the former Congress.

Now, what opportunity will there be to reach for consideration the measures which we investigate at this Congress—the reports we make from the different committees—if we are charged with passing upon the action of a former Congress, the bills introduced and the reports made therefrom?

I submit the point of order that this bill can not be now considered, but that its appropriate treatment would be to make a reference of it to the Committee on War Claims, from whence it came, which committee could report the bill back to the House, when it would be placed on the Calendar, and it might be given the same priority, if it is entitled to that, when it shall come back from that committee.

I submit the point of order that the bill can not be appropriately and properly considered at this time. I will reserve the balance of my time.

The CHAIRMAN. Upon a point of order the debate is not governed by the rule limiting debate. The Chair will listen to gentlemen who desire to express any views upon the point of order.

Mr. STONE, of Kentucky. I desire only to reply to one point made by the gentleman from Texas, as I think his argument has been clearly met by the remarks heretofore made, except the last point, when he said there was no rule of this House that gave these bills preference on the Calendar. I hold there is a rule of the House, and it grows out of this state of things, that there is a law under which these bills have been referred to the Court of Claims. They went there under the Bowman act. That same law goes on to say what shall be done with those bills when they are returned here. When they were returned and the question of what should be done with them was raised in the House, the Speaker gave his decision, and that makes a rule until the Speaker's decision is reversed. His decision was that these bills should go upon the Calendar.

The gentleman from Texas refers especially to a bill as a bill of General Bragg, who was a member of the last House, and not a member of this House; but that bill goes upon the Calendar as a report from the Court of Claims, made by one department of this Government to the lower House of the legislative department of this Government.

Then, by a ruling of the Speaker, it goes upon the Calendar. That creates a rule for the House under which we are operating; and the statement that there is no rule of the House can not be maintained, I think, because this state of facts does exist, and this House can not make a rule that will set aside a law of the Congress of the United States. The enactment of a law requires, besides the action of the House, the concurrence of the Senate and the approval of the President; and while the power to do both these things, to make the rule and to enact the law, is derived from the same source, the House of Representatives can not make a rule that will set aside a law.

Mr. BLAND. Will the gentleman yield to me for a moment?

Mr. STONE, of Kentucky. Yes, sir.

Mr. BLAND. I hardly concede the proposition of the gentleman that this House has not the power to make rules to govern itself, even though those rules may be in conflict with some law which undertakes to regulate its proceedings. But, sir, that is not the question here. The real point is that this Committee of the Whole has no power to deal with the question, and the point of order can not be raised in committee, but only in the House. These bills have been sent to the Calendar by the order of the House and the ruling of the Speaker, and this committee has no power over them except to consider them, and if any point of order is to be made with reference to them we must first go back into the House. The House of Representatives has full control of its own rules and its own order of business, and the point of order, if made at all, must be made in the House.

Mr. STONE, of Kentucky. I fully agree with the gentleman from Missouri [Mr. BLAND] in what he has said upon the point which he has just stated, namely, that we can not make a rule in Committee of the Whole to govern this question, and that it can only be done in the House. But upon the point of order as raised by the gentleman from Texas, I do hold that the positions taken by him are altogether untenable, because the Speaker of this House had made a rule by which these bills were placed on the Calendar, and the gentleman from Texas [Mr. LANHAM] never has refuted the proposition which I presented in order that he might refute it if he could, namely, that when we found these bills on the Calendar the only thing we could do with them was to take them up and dispose of them like other bills on the Calendar, because we find bills upon the Calendar only for the action of the House and not for reference to committees. Therefore, sir, I hold that the point which the gentleman from Texas makes comes too late, because we have already gone into this class of legislation under the rules of the House. His point comes too late, and the only effect that the maintaining of his position can have upon legislation will be to hinder and retard it, to throw all of these reports from the Court of Claims back into the Committee on War Claims and other committees, adding nothing to the carefulness with which they are examined, but hindering and delaying action upon them.

Mr. LANHAM. Does not the point of order embody the idea that when a bill is upon the Calendar and objected to, the committee shall rise and report the fact to the House?

Mr. STONE, of Kentucky. I do not know what the gentleman intended upon that point.

Mr. LANHAM. I simply raised the question of consideration and stated objections. That was the object.

Mr. ROGERS. Mr. Chairman, I am not disposed to say a word with reference to the point made by the gentleman from Missouri [Mr. BLAND], because my convictions are not sufficiently clear upon that subject. I have not the slightest interest in the question involved here except to have a correct determination of the point of order sought to be enforced by the gentleman from Texas [Mr. LANHAM], and I want to supplement that, if I can, with the view which I entertain with reference to the position of these bills and their right to be placed upon the Calendar. We have a rule of this House, adopted at the present session of Congress, the eleventh rule, which contains this provision:

All proposed legislation shall be referred to the committees named in the preceding rules.

Then it goes on to designate the subjects and the committees to which "proposed legislation" shall be referred. No one, I take it, will controvert the idea that the bills now sought to be considered in Committee of the Whole are "proposed legislation" within the meaning of the provision which I have just read, because they are propositions that are now presented to the House to be enacted into laws, which makes them "proposed legislation." There is a provision of the Constitution of the United States which tells us that each House—each House, not both Houses, but each House—may determine rules of its proceedings.

Mr. STONE, of Kentucky. Will the gentleman yield for a question?

Mr. ROGERS. Wait a moment; let me proceed in my own way. The provision of the Constitution is that each House may determine the rules of its own proceedings; not that the Senate and the House by a concurrent resolution, or by a resolution signed by the President, may make rules for the guidance of this House or of the Senate——

Mr. STONE, of Kentucky. Will the gentleman permit a question at that point?

Mr. ROGERS. I must decline to yield now. I want to be courteous, but I can be more logical if the gentleman will let me proceed without interruption. Each House is to make its own rules of proceeding. There is a principle of the common law which tells us that acts in derogation of the powers of a future Parliament bind not. So I hold, Mr. Chairman, that the Congress of the United States, acting in concert with the President of the United States, can pass no law that can bind this House in the regulation of its proceedings. "Acts in derogation of the powers of a future Parliament bind not;" so that if the power exists in each House of Congress to prescribe rules for its own proceedings no legislation that Congress may enact can deprive this House of that constitutional power.

We have another rule adopted by the present Congress which prescribes what bills shall go upon the Calendar. That rule does not say

that bills reported to this House in a former Congress shall go upon that Calendar; but it does say that bills reported from the committees of this House shall go there, and prescribes upon which of the Calendars they shall go, for we have three Calendars under the present rules.

Another point: Judge Story, in his Commentaries, lays down this maxim touching the construction of the Constitution—that you can not construe one provision of the Constitution so as to nullify another; all its provisions must stand together, if possible. Now, if I am correct upon these two propositions—and I think there can not be any very great doubt on this—what did Congress undertake to do when it passed the Bowman act? Did it undertake to say that the reports of the Court of Claims to Congress shall go upon our Calendars? Not at all. There is no such provision as that. It does not say what disposition shall be made of these reports, except that they "shall be continued from session to session and from Congress to Congress until the same shall be finally acted upon." What is the fair construction of that provision of the Bowman act? Why, Mr. Chairman, I take it to mean this, and it could not mean more than this, because if it did it would be in derogation of that provision of the Constitution which I have read, giving to each House of Congress the right to prescribe the rules of its own proceedings—it simply meant that it would not be necessary for the Court of Claims to certify these claims to each Congress, but that the certification of them to one Congress would necessarily place them before a succeeding Congress, if they should not have been disposed of. This, I think, is all that can be fairly construed as being required by the provisions of the seventh section of the Bowman act, that "reports of the Court of Claims to Congress under this act, if not finally acted upon during the session at which they are reported, shall be continued from session to session and from Congress to Congress until the same shall have been finally acted upon."

Whatever is embraced in the reporting of these claims to Congress is meant to be continued from Congress to Congress without any additional action on the part of the court; that is, they shall remain here as reported to this body from Congress to Congress, requiring no additional action on the part of the court until they have finally been disposed of. This seventh section, I maintain, can embrace no broader, no wider, no more far-reaching construction than that with reference to the procedure of our body without nullifying that provision of the Constitution which gives us the power to prescribe our own rules of procedure.

Mr. BUTTERWORTH. Mr. Chairman, waiving the point made by the gentleman from Missouri, I wish to say that no question is raised in any proposition before the House as to the right of this body to prescribe rules for the government of its own proceedings. The only question is whether the House has in this case exercised that right. No one will contend that the Bowman act could, for one moment, control the right of this body to prescribe how or in what manner the reports from the Court of Claims should be dealt with by this body, if at all. But has this House, in the exercise of the right which the gentleman from Arkansas claims for it, provided for the case in hand? We think it has. The Bowman act provides that these reports shall be considered as before Congress from session to session. Now, clearly, it is perfectly competent for this House to provide that the bills to which these reports relate or in connection with which they were made should be placed upon the Calendar for consideration by this body. Can there be any doubt about that? Can there be any doubt that it was competent for the Speaker to place a bill upon the Calendar with the consent of the House, regardless of Rule XI? That is precisely what was done in this case.

The Speaker is the mouthpiece of this House; and when this question was presented to the House, he directed, without a trace of dissent, and hence with its approval, that these bills with the reports should be placed upon the Private Calendar. When the attention of the House was again challenged to this matter, upon the point of order being raised as to the place these bills should occupy upon the Calendar, the position was reaffirmed that they were rightfully upon the Calendar, and to be considered by the House; for they are only upon the Calendar for the purpose of being considered, and for no other purpose—that is, for such disposition as this legislative body may order.

Now, I will not undertake to dispute the position of my honored friend from Texas, that a point might have been properly made as to whether these measures should go upon the Calendar without reference to a committee. But the House has made its order in this matter. The Speaker directed that these bills should go upon the Private Calendar; the House assented to it, and hence, with the unanimous approval of the House, this thing has been ordered to be done; and no rule of the House can stand in the way of any act which this body, acting as a unit, may by unanimous consent decide to do. And I insist it having made that order—whether it might have properly been objected to or not, it was not objected to—it was made a rule, or rather an order of the House, and the bills under it are rightfully on the Calendar.

I need hardly say it would work a gross injustice to a great many to disregard that order of the House, for beyond question it is an order of the House, made with the assent and approval of every member—at least there was no dissent, which amounts to an affirmation—and bills were from time to time considered in pursuance of the assignment and were passed; and whether or not my friends here might have insisted on sending those bills to sundry committees is not the question, but whether the House, in the exercise of its power under the Constitution, had the power to make the order under which we are proceeding. The Speaker as the organ and mouthpiece of the House directed this Calendar to be made up. There was no objection. Attention was subsequently called to the matter, and the arrangement of the bills on the Calendar was changed by the House, through its Speaker, in open session, and bills on the Calendar, as rearranged, were taken up and considered and passed. Now, and for the first time, the authority of the House to do this is questioned. Mark, the power of this body to make rules and regulations for the government of its proceedings is in no wise questioned, but what we claim is that in the exercise of its high prerogative the House has made this order by which we are bound until this body shall otherwise order.

The action of the Senate had nothing to do with it; the action of the Forty-ninth Congress nothing to do with it, except in so far as the Bowman act presented the necessity of an early adjustment of these claims. It was the action of this body.

Mr. DUNN. Mr. Chairman, I think if we will take into consideration some primary rules of construction it may avoid all difficulty here; the first of which is to so construe all laws as to carry into effect the object which the legislature had in view in enacting the law. All gentlemen who were here when the Bowman act was passed will agree the purpose Congress had in view in the enactment of that law was to get rid of the biennial reintroduction and reconsideration and reinvestigation of these claims. They were put through the mill once every two years and they remained here. The purpose Congress had in view was to provide a tribunal for the consideration of those measures and for the purpose of getting an ascertainment of the real facts in each case. Then the law provided when the Court of Claims shall have made its report that the bill which brought the claim in, and was the vehicle which took it to the Court of Claims, should cease, and the report of the Court of Claims thereafter should remain until Congress acted upon it.

Mr. SHAW. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SHAW. Has not the Speaker of this House the power to decide questions of order; and has not the Speaker and the House already passed upon the question before this committee? Would it be competent for this Committee of the Whole to reverse that decision?

The CHAIRMAN. That is one of the things which the Chairman of this committee is called upon to decide, and he will decide it when the argument has been concluded.

Mr. DUNN. Therefore the report of the Court of Claims remains, and there is one of the difficulties the gentleman from Texas [Mr. LANHAM] falls into. He is desirous of proceeding with the reintroduction of these bills, but the law itself dispenses with that necessity. The bill has become *functus officio* when it carries a claim to the Court of Claims. The language of the statute is that the reports of the Court of Claims shall remain until they are disposed of by Congress. The report against any claim by Congress is the final disposition of it; and in my opinion the point of order may be made against any bill which may be attempted afterwards to be introduced in behalf of some claim which Congress has once rejected. When Congress has once rejected any of these reports of the Court of Claims, that is the final disposition of it within the meaning of the statute. Those reports remain here, and Congress must deal with them.

Now, the point made by my colleague [Mr. ROGERS], that no law in derogation of the right of each House to fix its own rules is allowable, is very good law provided it fits the premises. But this rule is made under the statute on the subject of these reports. These reports are *sui generis*. They are not included in any other measure or class of measures which comes before the House. The language of Rule XI, which says "proposed legislation," means legislation proposed in the way provided by the rules of the House. You must introduce the bills, resolutions, petitions, and so on, with reference to committees, etc. The rule goes to that extent and no other. We have no rule in this House as to these reports. What, then, must govern? These reports stand alone. They stand *sui generis*. Then the statute must govern in the absence of a rule. The statute must govern where there is no rule to govern the particular matter in question.

The point made by the gentleman from Missouri [Mr. BLAND], that the Chairman of the Committee of the Whole can not decide the point of order, is not tenable. There are certain contingencies which may arise in Committee of the Whole which under the rules may require the committee to rise and report to the House for a decision. But it is not a parliamentary question as to whether the House will consider the proposition or not.

Mr. BLAND. Let me interrupt the gentleman to state the point I made. It is that the Chairman of the Committee of the Whole can not of himself decide the point of order as to a question of consideration in Committee of the Whole.

The Chairman can not decide whether the Committee of the Whole will consider a bill upon the Calendar or not. To determine that ques-

tion we must first go into the House. The bills are upon the Calendar by order of the House for consideration, and the Chairman of the Committee of the Whole can not vacate that order of the House by deciding that any bill shall not be considered. He must get the authority from the House to do so.

Mr. DUNN. That applies to one single condition in the category, which is familiar to all the old members of the House; that is, that when we shall have gone into Committee of the Whole and it is desired to pass by without consideration a certain measure for the purpose of reaching one lower down upon the Calendar, then, of course, it is necessary that the committee shall rise and go into the House, and the motion is made in the House to dispense with the consideration of that particular bill in committee. But that is not such a question as is here presented. This is not a bill which it is sought to pass over. This is not a question as to whether or not we will consider one or the other of these reports. Not at all. But the question is, finding these measures upon the Calendar, shall they be considered at all? Who shall decide that point except the Chairman of the Committee of the Whole? The Speaker will tell you if you go into the House that it is a question for the Committee of the Whole and not for the House to deal with. The Speaker has already made his ruling upon it, and has placed the reports upon the Calendar. They are upon the Calendar to be dealt with. We have no rule except that statute which places them before the present Congress; and hence they are before it for consideration.

Mr. KERR. Let me ask the gentleman this question: Can any bill be passed by this Congress to carry out the recommendations of the Court of Claims, in any given case, without first having that bill introduced and properly referred in this Congress?

Mr. DUNN. No bill can be; but this statute has provided specially that when a bill has been heretofore introduced in another Congress, and has, under the statute, been referred, not to a committee of the House, but to the Court of Claims, that when that report comes back to the House it shall remain until it is disposed of by Congress, either at that term or some succeeding term. That is the condition of things existing now; and that is the condition with which we have to deal.

Mr. WARNER. As I understand the language of the Bowman act, it is substantially this: that the reports, if not disposed of at the first session——

Mr. DUNN. No, not the first session.

Mr. WARNER. When not disposed of, shall be continued from session to session and from Congress to Congress until finally acted upon.

Mr. DUNN. That is the language.

Mr. WARNER. That is, until they are finally acted upon by Congress.

Mr. DUNN. That is it.

Mr. WARNER. Then, how can Congress finally act upon a report of the Court of Claims save by the introduction of a bill, with reference to that report, and that bill acted upon by a committee of the House as other bills are acted upon? The statute does not continue the bill of the Forty-ninth Congress from session to session or from Congress to Congress, but only has reference to the decision of the Court of Claims—its report—so as to provide against the necessity of that court reporting from Congress to Congress upon the same claim on which the report is already predicated. It is that report which is continued from Congress to Congress.

Mr. DUNN. Undoubtedly. But it does not require or contemplate a reintroduction of the bill as an enabling measure to empower Congress to deal with the subject. The law perpetuates the substance of the bill, but deals with it afterwards as a report.

Mr. McMILLIN. If the gentleman will permit an interruption——

Mr. DUNN. Certainly.

Mr. McMILLIN. The gentleman holds, as I understand, that a bill introduced in the last Congress is a proper foundation for an appropriation of money in this Congress to carry out its provisions?

Mr. DUNN. If it has taken the course directed by the Bowman act. The bill was originally the proper vehicle to bring the claim before Congress; but the Congress having expired, the statute perpetuates the report.

Mr. McMILLIN. Perpetuates the report; but what about the bill?

Mr. DUNN. It is immaterial. The bill is *functus officio* when the Court of Claims acts upon the case.

Mr. McMILLIN. Now, if that be correct, if the bill is *functus officio*, on what do you base your appropriation?

Mr. DUNN. On the report of the Court of Claims.

Mr. McMILLIN. Then you will have your legislation upon the statute-books headed as reports instead of bills?

Mr. DUNN. Why will the gentleman not read the Calendar here?

Mr. McMILLIN. I have read it.

Mr. DUNN. Here it is styled a "report." That is the language all the way through.

Mr. McMILLIN. I understand that. But each report is accompanied by a bill. What I ask the gentleman is this: The bill being, as he states, *functus officio*, upon what does he propose to base his appropriation? Because the report is not in that form upon which to predicate legislation providing an appropriation of money.

Mr. DUNN. Why, sir, Congress, in appropriating, must use the necessary language for that purpose, and designate the claim to be satisfied. There is no difficulty about that.

Mr. McMILLIN. Then the gentleman from Arkansas admits there is nothing before the House that would do this in the Rumbaugh case? I make these suggestions because this is a new question and an important one.

Mr. DUNN. If the gentleman's rule was good, the Appropriations Committee could never make up a bill, because there is not a bill pending for each item.

Mr. McMILLIN. The gentleman from Arkansas can not switch me off on that line, because the Appropriations Committee brings in a bill in form, which the Court of Claims does not propose to do and has not done, and we would necessarily have to legislate without a bill in form.

Mr. DUNN. That can be all provided for.

Mr. McMILLIN. It has usually been customary to put bills in form before they are passed.

The CHAIRMAN. The Chair must insist on better order in the committee. Business will be suspended until conversation ceases on the floor. It is necessary that the committee and the Chair should hear the discussion.

Mr. LANHAM. Will the gentleman from Arkansas permit me a question?

Mr. DUNN. Certainly.

Mr. LANHAM. Do I understand the gentleman to hold that this report, submitted April 6, 1886, and committed to the whole House, is a part of the finding of fact or a part of the report of the Court of Claims, filed January 25, 1886?

Mr. DUNN. That is a matter that I do not know about, nor do I understand how much the gentleman's question covers. I suppose when the report is made by the Court of Claims it is a complete report, and that the court sends back here all the papers connected with the case in their entirety.

Mr. LANHAM. In this particular case the court, on January 25, 1886, found the facts and transmitted them to Congress; then on the 6th of April, 1886, the Committee on War Claims made a report upon the findings of fact by the Court of Claims. Now, does the gentleman from Arkansas go so far as to hold that this report of the Committee on War Claims is a part of the report of the Court of Claims contemplated in the Bowman act?

Mr. DUNN. I will say to the gentleman that I am not familiar with the details of any particular case. I am dealing with the question of the effect of this law and its obligation on this House in the absence of any rule of the House governing these particular cases. I take it for granted that the Clerk in placing these bills upon the Calendar obeyed the order of the Speaker of the House and placed them there in their entirety as they came to the House in accordance with the Bowman act; and I take it for granted that there is in those reports everything pertaining to the particular case that originally came into Congress, with the findings of the court superadded.

Mr. LANHAM. But in this particular case, if the gentleman will permit me——

Mr. DUNN. I am not talking of a particular case.

Mr. LANHAM. In this case the bill was introduced in March, 1886, reported by the committee in April, 1886, while the report of the Court of Claims was filed January 25, 1886. All this could not be part and parcel of the same matter.

Mr. DUNN. If they are disconnected in any way, that may be ground for special objection in that case.

Mr. ADAMS. Has the gentleman from Arkansas completed his remarks?

Mr. DUNN. No, sir; I have been simply answering questions.

Mr. RICHARDSON. There is this point which I wish to submit. The report made by the committee to which this finding of the Court of Claims was made is based upon the finding of the Court of Claims after they had examined that finding, and they submit the finding with their report in each case. Of course they may bear different names, but one relates to the other.

Mr. LANHAM. But the report of the committee is not a part of the report of the Court of Claims.

Mr. RICHARDSON. It is based upon the finding of the Court of Claims in each particular case.

Mr. ADAMS. I believe gentlemen who have discussed the supposed contradiction between these propositions on the Calendar—whether you call them reports or bills—and the rules of the House have overlooked the fact that when these propositions—whether reports or bills does not matter to my mind—were placed upon the Calendar for the consideration of this House, this House of the Fiftieth Congress was not acting under any rules whatever, but was acting under the general parliamentary law.

The order to which the gentleman from Ohio [Mr. BUTTERWORTH] referred, or rather the announcement which the Speaker made of that order, occurred on the 19th of December; but the Committee on Rules did not make its report until two days afterward. Accordingly, when this order was made by the Speaker, without objection from any one, placing these propositions on the Calendar, this House had not adopted the rules of the Forty-ninth Congress, or any other rules, but was act-

ing under general parliamentary law. Under general parliamentary law there is no reference to a committee that I know of; there is no rule that a bill shall be read once, twice, or thrice.

There is no rule that a proposition to be voted on by the House must be introduced in written form by any particular member or in any particular way. It is enough that the Speaker announces to the House some proposition on which the House is to act yea or nay; and for a House in that condition of affairs, acting not under specific rules but under the general parliamentary law, I believe it is perfectly competent to take up any proposition or any set of propositions and place them on any Calendar which it chooses to place them on, and in that manner make such limitations on the action of the House in regard to those propositions as it sees fit.

Mr. DINGLEY. I wish to ask the gentleman if the Speaker of the House, on a point raised during this session, has not ruled that this House, previous to the adoption of the rules, was acting under the general parliamentary law as modified by the practice of the House of Representatives, and I wish to read from page 436 of the Digest this:

While the question as to the binding effect of the rules of the preceding upon the existing House has been frequently raised at the commencement of each Congress, it has been almost uniformly decided that the rules of the preceding House remain in force until otherwise ordered by the existing House.

Mr. ADAMS. That may have been a convenient rule for the Speaker to adopt in passing upon any question of order in the House of Representatives of the Fiftieth Congress, but it is just as incompetent for the House of Representatives of the Forty-ninth Congress to bind this House by rules as it is for the legislative power of the Forty-ninth Congress to bind this House by a statute. Undoubtedly, questions of parliamentary law arising at the beginning of a Congress must be settled according to principle. Undoubtedly, in settling such questions, it is convenient and proper for the Speaker to consider what the practice of the House has been. But when it is proposed or when the Speaker of the House proposes that certain propositions shall be placed upon the Calendar instead of being referred to a committee, it does not follow that any rule of any preceding House providing for consideration by a committee, or by any other method of procedure, shall render that action incompetent or improper.

Mr. BLOUNT and Mr. HOOKER rose.

The CHAIRMAN. The Chair will recognize the gentleman from Mississippi later. The Chair is under obligations to recognize the gentleman from Georgia [Mr. BLOUNT] at this time.

Mr. BLOUNT. Mr. Chairman, it is important for us to get at the true condition of the Calendar and to ascertain the exact facts before we undertake to determine the proper disposition of the question now being discussed. To illustrate, there is on the Calendar, designated as a "report," a bill for the relief of Martha J. A. Rumbaugh, administratrix of George H. Rumbaugh, which was introduced by Mr. Bragg in the last Congress. Accompanying that bill is the report of a committee of the last Congress made by Mr. Geddes, of Ohio. That bill and that report are put upon the Calendar. This is not the report of the Court of Claims at all. The gentleman from Texas [Mr. LANHAM] has already stated that the report of the Court of Claims simply finds conclusions of fact.

The committee in the last House took up the whole question, investigated it and reported a particular bill, and that bill, with the report, is on the Calendar—not the report of the Court of Claims, but the report of a committee of the last Congress.

Mr. LANHAM. The finding of the Court of Claims was precedent to the report of the committee and the bill.

Mr. BLOUNT. Yes; the finding of the Court of Claims and the report of the committee are two distinct things. I do not mean that their subjects are different, but I mean that one of them is the product of the Court of Claims, while the other is the action of a committee of the last Congress.

Mr. RICHARDSON. The gentleman is mistaken in that.

Mr. BLOUNT. I understand from the gentleman from Texas [Mr. LANHAM], the chairman of the Committee on Claims, that that is the status of the matter. But whether that be correct or not, Mr. Chairman, I hold that now for the first time this question of order has been brought distinctly before the House. For the purpose of illustration I will read from the RECORD what took place here on a former occasion:

Mr. LANHAM. I now renew my motion that the House resolve itself into Committee of the Whole for the purpose of considering bills on the Private Calendar.

Mr. SPRINGER. Before that motion is submitted I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SPRINGER. As our Calendar is paged it contains two lists of private bills. One of these contains the bills coming over from the last Congress, reported from the Court of Claims under the provisions of the Bowman act, and the other such bills as are reported from the committees of the House at this session. What I wish to inquire is which class of bills will take precedence?

The SPEAKER. The bills will be taken up in the order in which they appear on the Calendar.

Under the provisions of what is known as the Bowman act, all reports from the Court of Claims upon matters referred to that court by the committees of the House, and not disposed of, are continued from Congress to Congress, and go over, standing first, as a matter of course, on the Calendar.

Mr. SPRINGER. But as the Calendar is printed the bills reported from the different committees of the House are put first.

The SPEAKER. Then the Calendar is wrong. These bills which came over from the last Congress will take precedence.

Mr. RICHARDSON. I think the gentleman from Illinois is mistaken in saying that they come first. They are printed upon one page of the Calendar; but those which came over from the Forty-ninth Congress are under a separate heading on another page.

Mr. SPRINGER. That is true; but I always read a book from left to right. [Laughter.]

The SPEAKER. On page 5 of the Calendar, as printed, the bills reported from committees of the House at the present session appear in the order in which they were reported to the House, and on page 6 will be found the bills which come over from the last Congress. This order of paging should be reversed. The reports which come over from the last Congress should be first considered.

Mr. BLOUNT. Now, sir, it would appear from the RECORD that the question raised by the gentleman from Illinois [Mr. SPRINGER] was not whether these bills came over from the last Congress, but whether they took precedence of the bills reported in this House, and that is the question that was decided by the Speaker. The question of order raised this morning was not raised there, and was not passed upon by the House or by the Speaker. The only question upon which the Speaker passed on that occasion was the question as to the right of precedence of these bills upon the Calendar.

Mr. COBB. Not the question of their right to be on the Calendar at all.

Mr. BLOUNT. Not, as suggested by my friend from Alabama, not the question of the right of these bills to be upon the Calendar. If that question had been raised and decided by the Speaker, the decision might have been excepted to and the House might have reversed it, but that question never was raised at all.

Are we in such a condition that in this way, without any deliberate action of this House and contrary to its rules, we must accept this as the action of the House?

Mr. DUNN. I would like to read to the gentleman from Georgia a portion of the Bowman act to show him that the very report which he describes is here in exact accordance with the Bowman act; that it is such a report as the statute contemplates:

When the facts have been found by the Court of Claims, the court shall not enter judgment thereon, but shall report the same to the committee or to the House by which the case was transmitted for its consideration.

Then section 7 provides that the reports of the Court of Claims—meaning, of course, the report made to the committee—"shall be continued from session to session and from Congress to Congress." There is a perfect and absolute description of this report in the terms of the law.

Mr. BLOUNT. My friend discussed that point for some time, and I suppose his idea now is simply to interject it into my remarks. I have no objection to recurring to that question.

Now, Mr. Chairman, I insist that in the face of the rules of this House prescribing that bills of different character shall go to different committees for consideration and report to this House, we ought not to accept a construction not debated which has the effect of upsetting those rules. My friend from Arkansas seems to think that his reference to the Bowman act relieves this situation entirely.

Mr. LANHAM. My friend from Georgia will allow me to state in this connection that the report of the findings of fact in this particular case by the Court of Claims was previous to the introduction of the bill and the report of the committee. Hence the bill and the report of the committee can not be considered in any sense as a part of the findings of fact by the Court of Claims which were transmitted to Congress.

Mr. BLOUNT. My friend from Arkansas undertakes to draw a distinction between a report of the Court of Claims and a bill. Why, sir, in the very nature of a legislative body there can be no such distinction as he is attempting to make. There can be no appropriation of money except by the joint action of the two Houses in the form of a bill. The distinction sought to be made is one which I can not perceive at all.

It is a matter of great importance, sir, whether we are to preserve the right of this House to make its own rules. We have never by any deliberate action indicated any disposition to abdicate that authority. On the contrary, we have deliberately, as have all former bodies, determined emphatically upon our rules of procedure, and amongst other things we have determined upon a rule as to claims, directing specifically to what committees they shall go.

Mr. BUTTERWORTH. Now, my friend will not deny that when these bills have been reached in their order and are called up for consideration upon the Calendar under the order made, there is a sanction by the House of the order assigning them to the Calendar. Can the gentleman get away from that proposition? Bills upon the Calendar under that order have been reached, the House has proceeded to their consideration from time to time, and has passed one or two, I think, which were advocated by my friend from Texas. This, I submit, is not only a recognition of and acquiescence in the order which authorized the making of this Calendar, but is an approval of that order. So that, if there has been any disregard of the rules, the suspension has been by the order of the House—by its deliberate act.

Mr. BLOUNT. I do not so understand the case. The question has never been raised until now as to what course should be taken in reference to these bills. They were, it is true, directed to be placed on the Calendar.

Mr. BUTTERWORTH. Why, my friend knows the question was raised as to the place they should occupy on the Calendar.

Mr. BLOUNT. And nothing else. That was all the question raised.

Mr. BUTTERWORTH. Well, if a bill has no business on the Calendar, the House, through its Speaker, will hardly direct where it shall be placed on the Calendar.

Mr. BLOUNT. Ah, Mr. Chairman, the gentleman seeks to fasten upon this House a ruling by inadvertent action when the House has deliberately declared what shall be the course taken with reference to all these matters. In the face of our rules, does the gentleman, knowing that if all he says is true it has been inadvertently done, ask us to affirm such action as a rule of the House?

Mr. BUTTERWORTH. I only ask that those who have been placed in a certain position by the action of the House shall not be wronged by other action of the House. Let these bills be disposed of in accordance with the action already taken, and then, if you choose, suspend or rescind the rule, if you think it has been adopted through inadvertence.

Mr. BLOUNT. I understand the gentleman asks that no one shall be wronged by the reversal of inadvertent action on the part of the House. Sir, there are many hardships arising in matters of this kind. Bills of very great importance are often in such a position that they can not be reached under the rules. But that does not touch the question whether the rules shall be construed as of binding force. I trust, Mr. Chairman, that this House is not going to hold deliberately that a class of claims which have never been investigated by any committee of this House, the present committee entertaining perhaps entirely different views from the committee of a former House, shall be brought up for consideration in such a manner that the House is denied the benefit of the usual machinery which looks to proper precaution in matters of legislation. They are *ex parte* claims any way, and if there is any direction in which caution should be observed it is in the mode of the consideration of these claims.

Mr. BAKER, of New York. Will the gentleman allow me to ask him a question?

Mr. BLOUNT. Certainly.

Mr. BAKER, of New York. The gentleman says these are claims which have never been investigated by any committee of the House. Now does he not consider the reference of these claims to the Court of Claims under the statutes constitutes the Court of Claims in the nature of a committee with power to investigate and report upon facts?

Mr. BLOUNT. That is a different question. This House does not shut its eyes blindly to the action of that court. On the contrary, it ought to consider it, and it was contemplated it would take it into consideration in reference to these claims. We have done it in reference to some cases at this session of Congress.

Mr. MILLIKEN. Let me ask the gentleman from Georgia what is the object of sending bills to the Court of Claims, if Congress, after the Court of Claims has investigated the facts and given the result of their investigation to this House—this House is going through the same examination and investigation of them it would if they never went to any court and were never investigated by any court?

Mr. BLOUNT. It may seem unreasonable to my friend from Maine that Congress should not shut its eyes blindly to the conclusions of the Court of Claims, but it has never done so, and I trust never will do so.

Mr. MILLIKEN. That is not the question I asked. Why send them there at all?

Mr. BLOUNT. The action of the Court of Claims is merely advisory; they find the facts in the cases referred to them and report their findings to Congress for its action.

Mr. MILLIKEN. If I understand my friend from Georgia, he asks for advice which he will never take.

Mr. BLOUNT. I can not help my friend's understanding, but I do not think that those who have listened to me believe I had any such idea in what I said. It has never been in the contemplation of the act of Congress as the argument of my friend from Maine would seem to suggest. I have not said so. Why do you shrink from your logic when your attention is called to it?

Mr. MILLIKEN. I prefer to draw my own conclusion rather than to let the gentleman from Georgia draw it.

Mr. BLOUNT. I know the gentleman would, because he is enthusiastically for the consideration of these claims; I do not mean improperly so.

Mr. MILLIKEN. I prefer to draw my own conclusions.

Mr. BLOUNT. I know you do, as I see the gentleman is pleased with himself.

Mr. HOOKER. The point of order made by the gentleman from Texas is that these bills which have not been reintroduced in this Forty-ninth Congress are not the subject of consideration properly by this Committee of the Whole House in the order of business under which it is now proceeding; that at the head of the Calendar which you are now considering are the following "Court of Claims cases reported in the Forty-ninth Congress, and brought forward;" that on the Calendar which you are now considering the question arises when each case is called whether or not the committee has proper jurisdiction to consider that case. I take it, under the Bowman act, if there is a report from the Court of Claims upon a specific bill or subject-matter pending before the House or any committee of the House, which under the Bowman act had been referred to the Court of Claims either by the House or by a committee of the House for the purpose of ascertaining the facts and reporting back to the committee or back to the House, then under that act which we passed in 1883, and by which all matters pending before the House by bill or resolution were referred to the Court of Claims for the purpose of reporting on the facts—I say that ever since the passage of that act these matters reported on by the Court of Claims would come forward naturally from session to session and Congress to Congress until the subject-matters were disposed of.

Mr. BAKER, of New York. Would Congress be compelled to act upon a bill introduced in a former House?

Mr. HOOKER. I am glad the gentleman has asked that question. It has been said by the gentleman from Arkansas [Mr. DUNN], to whose judgment I defer, that when a report from the Court of Claims comes to the House or the committee the bill or resolution referred to it becomes *functus officio* and can not again be introduced or referred. It seems to me the act of 1883 ought to keep alive the subject-matter referred to the Court of Claims, and that it does keep it alive till it is acted on and disposed of.

Mr. DUNN. What I meant to say was that the reintroduction of that bill into this Congress is not necessary.

Mr. HOOKER. I agree entirely with the honorable gentleman from Arkansas.

Mr. DUNN. And so far as the bill formed a part of this report and in its entirety it is here.

Mr. HOOKER. I think the true construction under this act is that when a bill is referred to the Court of Claims for ascertainment of the facts of a case, and reported back to the House or to a committee of this House, that keeps the case alive until it is disposed of.

But the very purpose and object of the Bowman act, the motive in question, was that we should have a reference to the Court of Claims of the legal questions involved, for the purpose of ascertaining through the proper legal machinery of that court the actual facts on which each given case was predicated and on which the House was called to act. Having that finding of the Court of Claims before us, it enabled the House, being then in possession of the subject-matter upon which it desired to be informed, to shape its legislation in accordance with those findings.

For instance, if the Court of Claims should report back that there is no foundation in fact for the recognition of a given claim referred to it by the House of Representatives, the House would probably determine that, under the finding of the Court of Claims, there is no foundation in fact for this claim, and we recommend that it do not pass. But if, on the other hand, the court find the existence of a given state of facts upon which they are not allowed to pass judgment, they report their findings in that event—assuming it to be a question of loss or damage to property—back to Congress, and that report keeps alive, *ex necessitate rei*, the subject-matter which had been referred to the Court of Claims to pass upon. I think there is no other construction, in the absence of any rule, of which the Bowman act is susceptible, except that it keeps alive the subject-matter and the facts upon which the court has been called to act.

Mr. BLAND. Mr. Chairman, as I stated at the outset of my remarks, I do not understand that the question presented here is one which this committee can dispose of. We find these bills and reports upon the Calendar by order of the Speaker of the House, with the consent of the House. Whether they are put there for the consideration of the committee or not, seems to be a question; and a question has arisen whether this committee of the House shall consider the bill in a given case, or the whole of them as a class; and that being the case, it seems to me we must first rise and go into the House before we can dispose of that subject. It is manifestly a question for the House to determine whether the committee shall consider them or not.

How do these bills happen to be upon the Calendar and called up for consideration? If they are upon the Calendar and have been called in their regular order for consideration in Committee of the Whole, what disposition will the committee make of them? Is it for the Chairman of the committee to decide what bills the committee shall consider, or is it not rather a question for the House to determine? If the ruling of the Speaker in placing bills upon the Calendar is not in harmony with the regular order in which they shall be considered, it is the function of the House to determine a different order. Hence in any event, to dispose of the subject, it is necessary for the committee to rise and go into the House, and let the House determine whether it shall consider them upon the Calendar; and if so, when, where, and how. If they are not to be considered, and it is so determined by the House, we will understand that they are to be referred to a proper committee, and that committee can report them back for reference; but we have no power here to refer them to a committee. We have no other power in the premises than to consider them here in committee and make some order, either reporting them to the House for further consideration or recommending that they shall not pass. It is not for the Chairman of the committee to determine whether or not the committee shall consider them. We are bound to consider them if upon the Calendar

and called up for consideration. What consideration they shall have is another question. If the committee desires to return them to the House for its determination, it is in order; but it is not in order for the Chairman to say that the committee shall not, under any circumstances, or for any purpose, consider the bills.

Mr. STONE, of Kentucky. Mr. Chairman, it is very evident, as this discussion has progressed, that the question is not a point of order against this bill, but the question, as stated by the gentleman from Texas at one time during his remarks, is the question of consideration. The question is whether or not we shall consider this bill. And I want to call the attention of the House to one state of facts that has been developed by the discussion.

It was said in the outset of this discussion, with reference to the consideration of these claims now, that because they had been considered by no committee since the report of the Court of Claims, that it was not in order to consider them now by a committee of the House.

Mr. LANHAM. The point was that they had not been considered by a committee of the present House.

Mr. STONE, of Kentucky. But in answer to a remark of the gentleman from Georgia, awhile ago, the gentleman from Texas developed the fact that this very bill on which the question of consideration has been raised had been referred to the Court of Claims, the facts found, and they had been reported back to the Forty-ninth Congress, and upon that finding of fact the bill was drawn and the committee to whom it was referred reported it back to the House.

Mr. LANHAM. I think the gentleman from Kentucky misapprehends the suggestion in reference to this particular bill being referred to the Court of Claims, because I find the Court of Claims, antecedent to that reference, had made a report in that case.

Mr. STONE, of Kentucky. That is just what I have said. The court made its findings in the case, and based upon the findings the report was made and the bill introduced.

Mr. LANHAM. In the Forty-ninth Congress?

Mr. STONE, of Kentucky. In the Forty-ninth Congress.

Now, what was the object of this Bowman act? It was simply to facilitate the consideration of claims against the Government. What is the result of the action of this House to-day upon this question? It is to retard the consideration of claims. It is to pile back upon the committees this immense amount of work that they have gone through before. I should like the members of this House just to look into the correspondence, of the Committee on War Claims especially, and there hear the heart-rending appeals of people all over this country that are coming up to the Congress of the United States to grant them relief in the small sums of money asked for in these bills. Yet here we come and, like a set of children, quarrel over the consideration of a bill which has been placed on the Calendar, and thereby say to these people, "We are too dignified; we must have too much order in our proceedings to enable us to do justice to you who are starving for bread all over the country."

Mr. LANHAM. Are we not met by the same appeals and importunities in this Congress as in former Congresses?

Mr. STONE, of Kentucky. We are met by the same appeals; and that but adds force to the argument. If you turn these people back who, the Court of Claims has said, have just claims against the Government, you force upon them again the necessity of appealing to the members of this House and the Committee on War Claims for help from the dilemma in which they are placed.

The gentleman from Arkansas [Mr. ROGERS] took the position that this House had a right to make any rule it chose or set aside any law of Congress. Does the House have that right? I deny it. I deny that we have a right to make a rule that will deprive any class of our citizens of their rights under a law made by Congress for their benefit.

Mr. BLOUNT. Will the gentleman permit me a question?

Mr. STONE, of Kentucky. Yes, sir.

Mr. BLOUNT. Does the gentleman from Kentucky declare that Congress may legislate against the right of this House to make rules of its own procedure?

Mr. STONE, of Kentucky. I hold that a law of the United States made in the interest of any class of its citizens is supreme, and must govern the action of this House until a law is passed repealing it.

Mr. BLOUNT. Then do I understand the gentleman to say that the act must control where admittedly it is in conflict with a rule of this House as to how these claims should be considered?

Mr. STONE, of Kentucky. I hold that the rule of this House can not set aside the law made by the Congress of the United States. But if the position of the gentleman from Georgia is tenable, that this House has a right to abrogate any law of the United States——

Mr. BLOUNT. I hope my friend will not mistake me. I never took the position that this House had the right to abrogate any law of the United States.

Mr. STONE, of Kentucky. I understood the gentleman to ask me if I did not believe that.

Mr. BLOUNT. I will state the question again, so that the gentleman may not misconceive me. Does he hold that Congress can pass any law which shall abrogate the mode of procedure in the House of Representatives, and that the House can not change that?

Mr. STONE, of Kentucky. No, sir; nor does anybody else that I know of hold that sort of an idea. But I do hold that a law of the United States, made by the Congress of the United States and approved by the President, is supreme over a rule of this House until abrogated by a law of the same kind.

Mr. BLOUNT. Does the gentleman say it would not be competent for the House to declare that these bills should go before a committee while that law is in existence?

Mr. STONE, of Kentucky. I say it may be competent for the House to do so, but this House has not done it.

Mr. BLOUNT. Does the gentleman say the House has not the power to do it?

Mr. STONE, of Kentucky. We are not dealing with suppositions, but we are dealing with the facts in the case. And the fact is, the result of the action of this House to-day is to retard legislation and prevent the execution of a law that was made in the interest of a worthy class of the people of the United States. Its operation is to prevent them from getting justice, and it acts against them in every way. That is what I say in regard to the action to day and the rule of this House.

Mr. OATES. Will the gentleman from Kentucky allow me a question?

Mr. STONE, of Kentucky. Certainly.

Mr. OATES. Has not the Supreme Court of the United States decided that wherever Congress by a law creates a tribunal for the purpose of adjusting a claim against it, and the case is submitted to that tribunal and is decided, the decision is binding upon the Government?

Mr. STONE, of Kentucky. Yes; the Supreme Court has made a decision exactly of that kind. It has been said here that these findings of the Court of Claims were on *ex parte* evidence. Why, sir, the action of the committees of this House is on *ex parte* evidence in a great measure.

The court has the attorney of the Government upon one side, who is confronted by the attorney for the claimant upon the other, and thus the facts are more definitely brought out and justice is more surely done to the claimant. Those who oppose this order which has been made by the Speaker, oppose the execution of a law which was enacted to give relief not only to claimants, but also to Congress. All around these corridors, and all over the country, you will find people who have been waiting for twenty years and more for the consideration of their claims. In the poor-house of the District of Columbia to-day there are people who came here twenty years ago with just and legal claims against the Government that have been put off by this sort of action from Congress to Congress, until at last their little accumulations have been exhausted, and they find themselves pensioners upon this District.

Mr. Chairman, while the effect may not have been intended—and I would not charge my friend from Texas [Mr. LANHAM] with having taken action here to delay the consideration of just claims or the transaction of the business of the House—while that was not his intention, I state that it was announced to me on this floor this morning—this being Friday, the only day in the week that is given to the consideration of private claims—it was announced to me on this floor this morning by a prominent member of this House, that the consideration of claims was not to be entertained by the Fiftieth Congress. Now, I want to say to this House right here, that I am in favor of the passage of bills for the allowance of the just claims of the people of this country. I believe that if we had taken these claims up in the order in which they come, and had proceeded with them to-day, we could have been half through with them by this time.

But they have been delayed in this manner, and I for one protest here and now, and so long as I have a seat upon this floor I shall protest, against this dilatory action which prevents the public business from going forward and justice from being done to these people. [Applause on the Republican side.] I appeal to members of the House to stand by the people in this matter, and let it go out to the country that the Fiftieth Congress is willing to go forward in the transaction of its business and to do justice to this worthy class of people from all parts of the country who have been so long kept out of their rights. [Applause.]

The CHAIRMAN. The Chair desires to ask the gentleman from Texas [Mr. LANHAM] to state definitely and specifically his point of order.

Mr. LANHAM. It is this, sir. I objected to the consideration of this bill and raised the point of order that it was a bill introduced in the Forty-ninth Congress, and that the report upon it was from a committee of that Congress. It is not a bill of this Congress, nor a report of this Congress. It never has been introduced or considered in the Fiftieth Congress.

The CHAIRMAN. The Chair has no difficulty in deciding the point as now presented by the gentleman from Texas. It is not within the province of the Committee of the Whole to determine the question of the consideration of a bill. The question of consideration being raised, or a motion made to pass over a bill, it becomes the imperative duty of the committee to rise and report that fact to the House.

Mr. LANHAM. Then, sir, I move that the committee now rise——

The CHAIRMAN. It does not require a motion. The committee will now rise.

The committee accordingly rose; and the Speaker *pro tempore* having resumed the chair, Mr. HATCH, from the Committee of the Whole, reported that they had under consideration bills upon the Private Calendar, and had reached the bill H. R. 6336, entitled "A bill for the relief of Martha J. A. Rumbaugh," whereupon the question of consideration was raised by the gentleman from Texas [Mr. LANHAM], and the committee rose and instructed its Chairman to report the fact to the House.

The SPEAKER *pro tempore*. The Chairman of the Committee of the Whole reports that they have had under consideration bills upon the Private Calendar, and that on reaching the bill (H. R. 6336) for the relief of Martha J. A. Rumbaugh, the question of consideration was raised upon that bill; whereupon the committee rose and instructed its Chairman to report the fact to the House.

Mr. LANHAM. Mr. Speaker, I have objected in the Committee of the Whole House to the consideration of bill No. 6336, introduced at the first session of the Forty-ninth Congress, March 1, 1886. Accompanying this bill is a report from the Committee on War Claims of the Forty-ninth Congress, first session, April 6, 1886. This bill, as I am advised, has never been introduced in the Fiftieth Congress, and no report in writing has ever been made upon it by any committee of the present Congress. I maintain that we have no jurisdiction in the Fiftieth Congress to pass upon a bill of the Forty-ninth Congress and a report coming from a committee of that Congress.

The SPEAKER *pro tempore*. The Chair is ready to decide the question. After hearing attentively the argument in the Committee of the Whole, the present occupant of the chair would decide that the class of bills of which the bill referred to is one were reported to the Forty-ninth Congress with accompanying reports from the Court of Claims. They were, by direction of the Speaker during the present session, ordered to be placed on the Private Calendar for consideration on Fridays. In the opinion of the Chair, it does not follow that these bills of a former Congress are here for passage by the present House without the formalities contemplated by our rules. They are on the Calendar for appropriate action. What is that appropriate action? It may be the reference of them to a committee; it may be to lay them on the table. The reference of the bills to the Calendar does not necessarily import that they are to be passed or are to be considered with a view to their final disposition. Even messages of the President are often directed to be placed on the Calendar; but no one would suppose because a President's message is placed on the Calendar of the Committee of the Whole that that committee should at once consider, for instance, the question of a tariff presented by that message without such preliminary steps as the rules contemplate.

The Chair therefore holds that these bills of the Forty-ninth Congress are before the House for appropriate action, but not for final disposition, inasmuch as under the rules certain preliminary steps are indispensable. There is nothing in the Bowman law, as the Chair conceives it, which antagonizes this view.

The present occupant of the chair, holding this place only temporarily, has some diffidence in deciding this proposition, and would be glad if some gentleman who differs from this ruling would take an appeal from the decision, so that the House may determine the question.

Mr. STONE, of Kentucky. I appeal from the decision of the Chair.

Mr. RICHARDSON. The language used by the Chair was in the plural. I desire to know whether this decision is to be considered as applying to more than one bill?

The SPEAKER *pro tempore*. The Chair spoke of this bill as one of a class.

Mr. RICHARDSON. Then the ruling will be considered as applying to this bill alone.

Mr. BUTTERWORTH. One moment. I understood my friend from Texas to refer to cases in which no bill had been introduced in this Congress. Now, a number of these cases do not come within that category at all. For instance, the next bill on the Calendar is accompanied not only by the report of the Court of Claims, but by the report from a committee as well; and I have introduced a bill in the same form as that introduced before——

The SPEAKER *pro tempore*. The Chair will state——

Mr. BLOUNT. I desire to move that the appeal from the decision of the Chair be laid on the table.

The SPEAKER *pro tempore*. That motion is in order, but the Chair desires to state that he has made this ruling with reference to only one bill. That point will distinctly appear of record. The gentleman from Georgia moves that the appeal from the decision of the Chair be laid on the table.

Mr. SPRINGER. I wish to make a parliamentary inquiry. If the House should sustain the Chair in this ruling, will this bill still remain in the Committee of the Whole House, or will it, under the ruling of the Chair, be referred to a committee of the House for its action before it can be taken up on the Calendar?

The SPEAKER *pro tempore*. The Chair can not answer a question as to the future.

Several MEMBERS. Regular order!

Mr. SPRINGER. In other words, I desire to ask the Chair what will be the status of this bill?

The SPEAKER *pro tempore*. The Chair will be guided by the opinion of the House.

Mr. BAYNE. I wish to make a parliamentary inquiry in order that we may know exactly how to vote on this proposition. Has the Chair decided that this bill which has been reached in the Committee of the Whole House could not, in its present status on the Calendar, be considered by the Committee of the Whole and reported to the House? Does the Chair so decide?

The SPEAKER *pro tempore*. The Chair has not decided that.

Mr. BAYNE. Then as I understand——

Mr. BLOUNT. The motion to lay the appeal on the table is not debatable.

Mr. BAYNE. I am making a parliamentary inquiry. We want to know how to vote on this proposition. Would it have been competent, in the opinion of the Chair, for the Committee of the Whole House to consider this bill and report it to the House for action by the House?

The SPEAKER *pro tempore*. The Chair would think that the Committee of the Whole could not consider the bill by amending it or recommending its passage to the House. The question is on the motion of the gentleman from Georgia [Mr. BLOUNT] that the appeal from the decision of the Chair be laid on the table.

The question being taken, there were—ayes 115, noes 37.

Mr. STONE, of Kentucky. I demand the yeas and nays.

The House divided; and there were—ayes 21.

So (one-fifth not having voted in the affirmative) the yeas and nays were not ordered.

So the motion was agreed to, and the appeal was laid upon the table.

Mr. LANHAM. I move the Committee of the Whole House be discharged from the further consideration of the bill H. R. 6336, and it be referred to the Committee on War Claims.

Mr. BLAND. I rise to a parliamentary inquiry. Is it in order to amend that?

The SPEAKER *pro tempore*. It is.

Mr. BLAND. I move the House resolve itself into the Committee of the Whole House to consider bills in the order in which they were reported by the committees of this House.

A MEMBER. That is not in order.

The SPEAKER *pro tempore*. That motion is not germane. It is not in order.

Mr. MCCREARY. I move to amend the motion of the gentleman from Texas [Mr. LANHAM] so as to include all bills of the class affected by the decision of the Speaker so that they may be reported back to the Committee on War Claims.

Mr. RICHARDSON. I make a point of order on that.

Mr. LANHAM. I accept it as a modification of my motion.

Mr. RICHARDSON. I move to amend so as to make it applicable to bills not yet reached.

The SPEAKER *pro tempore*. It can not be made applicable to bills except as they are reached.

Mr. MCCREARY. I wish to avoid the necessity of taking the question on every bill.

Mr. BLAND. The ruling has been made, and I ask it be applied to all the bills of the class referred to under the decision of the Speaker.

Mr. MILLIKEN. Do not some of the bills belong to other committees than the Committee on War Claims?

The SPEAKER *pro tempore*. The Chair is not advised.

Mr. MILLIKEN. In the case of the gentleman from Kentucky——

The SPEAKER *pro tempore*. The Chair understands the gentleman from Texas modifies his motion.

Mr. LANHAM. I have accepted the amendment of the gentleman from Kentucky.

The SPEAKER *pro tempore*. The Chair is advised they go to other committees than the Committee on War Claims.

Mr. BUTTERWORTH. I understand my friend to refer now to bills, or rather to cases where bills have not been introduced into this Congress and referred. That is the case to which the honorable gentleman from Texas refers.

Mr. MILLIKEN. But I refer to bills reported by the Committee on War Claims.

Mr. BUTTERWORTH. Well?

Mr. MILLIKEN. And now upon the Calendar.

Mr. BUTTERWORTH. The Speaker ruled on one bill. It appears that there is no such bill before the Fiftieth Congress.

Mr. MILLIKEN. It would apply to every bill of that class.

Mr. BUTTERWORTH. But the Speaker ruled these bills were properly on the Calendar. Now, it may be it is not competent for the House to discharge a committee from the consideration of a bill before this Congress and consider it, looking to a report of the Court of Claims to a former committee of this House. If there is such a bill, I do not want it referred. One of these bills, the second on the list, has been reported favorably to the House a number of times. It is for salaries due employés who have waited for twenty-four years and whose children have gone supperless to bed for lack of it.

Mr. BLOUNT. I rise to a point of order.

Mr. BUTTERWORTH. I have risen to a point in which there is great pertinency.

Mr. BLOUNT. I have no doubt the gentleman thinks so.

Mr. LANHAM rose.

Mr. TAULBEE. I trust the gentleman will allow me to ask unanimous consent to proceed to the consideration of a resolution which I introduced on the 16th instant, which I think will solve all the difficulties under which we now labor.

Mr. RICHARDSON. I object to every request which does not apply to the bill under consideration.

Mr. BLOUNT. I make the point of order.

The SPEAKER *pro tempore*. The question is on referring this bill to the Committee on War Claims.

Mr. SPRINGER. Has not this bill been introduced into this House under the rule? How can the House refer a bill not before it in the ordinary way?

Mr. DUNN. It can refer any paper.

Mr. SPRINGER. But the paper is not here under the rule.

Mr. LANHAM. It is like any other petition or bill.

The SPEAKER *pro tempore*. The motion is to refer the papers in this case to the Committee on War Claims.

The motion was agreed to; and they were so referred.

ORDER OF BUSINESS.

Mr. LANHAM. I now move that the House resolve itself into Committee of the Whole for the purpose of considering bills on the Private Calendar.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. HATCH in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the consideration of bills upon the Private Calendar, and the Clerk will report the title of the first bill.

The Clerk read as follows.

A bill (H. R. 6203) for the relief of Peter March, Thomas J. Wright, administrator, and others.

Mr. LANHAM. Mr. Chairman, I object to the consideration of that bill, for the reason that it appears also to be a bill of the Forty-ninth Congress, and a report submitted from a committee of that Congress. I make the point of order that this bill has never been introduced into this House, or considered or reported by a committee of this House.

The CHAIRMAN. The gentleman from Texas raises the question of consideration.

Mr. BUTTERWORTH. I want, with the permission of the Chair, to call the attention of the gentleman from Texas to this fact. While it is true that this particular bill was not introduced and referred to the Court of Claims by this House, the same bill has been reported upon time after time by committees of the House, and it has been again introduced and is now pending.

Mr. LANHAM. Has it been reported by any committee?

Mr. BUTTERWORTH. There is no report from any committee of this House; but according to the decision of the Speaker of the House, this bill is on the Calendar for such disposition as the House may order.

Mr. BLOUNT. I rise to a question of order.

Mr. BUTTERWORTH. I would like to be heard for a moment.

The CHAIRMAN. The Chair has indulged the gentleman from Ohio to make a statement.

Mr. BLOUNT. I have no objection to that.

Mr. BUTTERWORTH. I want to make a statement in behalf of the parties interested in this bill, and appeal to the gentleman's bowels of compassion, if he has any, to permit a word in their behalf.

That bill has been reported, as I have said, time after time, and once since this report from the Court of Claims. It refers to the salaries of the men captured upon the steamer Prima Donna, and who were kept in Confederate prisons for months. The money due to them has been unpaid for all of these years. For more than twenty-five years they have been deprived of what is due to them. [Cries of "Regular order!"]

What I want the House to do is to instruct the committee to pass the bill. It appeals to us by every sense of justice, and does not infringe in any way the right claimed by my friend from Texas.

The CHAIRMAN. Objection being made, the committee will rise and report the objection to the House.

The committee accordingly rose; and the Speaker *pro tempore* having resumed the chair, Mr. HATCH reported that the Committee of the Whole House on the Private Calendar having reached the consideration of the bill H. R. 6203 of the Forty-ninth Congress, objection was made thereto, whereupon the committee rose, and he was instructed to report the objection to the House.

The SPEAKER *pro tempore*. The question is, Will the House direct the committee to consider the bill?

Mr. LANHAM. I think that this bill and report are subject to the same objection made to the preceding bill, No. 6336. It has not been reported by any committee of this House, and I move that it be referred to the Committee on War Claims.

Mr. STONE, of Kentucky. I move that the House do now adjourn.

Mr. SCOTT. Pending that motion I move that when the House adjourns to-day it be to meet on Monday next.

The motion was agreed to.

The motion of Mr. STONE, of Kentucky, was then agreed to; and accordingly (at 3 o'clock and 55 minutes p. m.) the House adjourned.

PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred as indicated below:

By Mr. WHEELER: A bill (H. R. 6052) for the relief of John Martin Fennell—to the Committee on War Claims.

Also, a bill (H. R. 6053) for the relief of Alexander F. Dutton—to the Committee on Invalid Pensions.

By Mr. NORWOOD: A bill (H. R. 6054) for the relief of Allen D. Hazzard—to the Committee on Claims.

By Mr. J. D. STEWART: A bill (H. R. 6055) for the relief of the heirs of C. A. J. Flemister—to the Committee on War Claims.

Also, a bill (H. R. 6056) for the relief of William T. Trammell—to the Committee on War Claims.

By Mr. PAYSON: A bill (H. R. 6057) to place on the pension-roll the name of Edward Healy—to the Committee on Invalid Pensions.

By Mr. MATSON: A bill (H. R. 6058) for the relief of Eliza Stanton—to the Committee on Invalid Pensions.

By Mr. OWEN: A bill (H. R. 6059) correcting the military record of Lorentz Radkey—to the Committee on Military Affairs.

Also, a bill (H. R. 6060) correcting the military record of Edwin S. Button—to the Committee on Military Affairs.

Also, a bill (H. R. 6061) granting a pension to Robert A. Stuart—to the Committee on Invalid Pensions.

By Mr. J. H. O'NEALL: A bill (H. R. 6062) for the relief of Nicholas McQuinn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6063) for the relief of Hila E. Geyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6064) for the relief of Elijah H. Tomey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6065) for the relief of Mathias Yakely—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6066) for the relief of Amanda E. Pol—to the Committee on Military Affairs.

Also, a bill (H. R. 6067) for the relief of Austin P. Cox—to the Committee on Claims.

By Mr. FINLEY: A bill (H. R. 6068) for the relief of Henry Isenburg—to the Committee on Military Affairs.

By Mr. WILKINSON: A bill (H. R. 6069) for the relief of Thomas G. Mackie and the heirs-at-law of William A. Hyde, deceased—to the Committee on Claims.

By Mr. MILLIKEN: A bill (H. R. 6070) granting an increase of pension to Thomas Benson—to the Committee on Invalid Pensions.

By Mr. BURROWS: A bill (H. R. 6071) for the relief of Mary Penfield—to the Committee on Invalid Pensions.

By Mr. KEAN: A bill (H. R. 6072) for the registry of the barges Albert M., Condor, and Adelante—to the Committee on Commerce.

By Mr. PHELPS: A bill (H. R. 6073) granting a pension to Eliza J. Booth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6074) to remove the charge of desertion from the record of John Burchell—to the Committee on Military Affairs.

By Mr. COX: A bill (H. R. 6075) for the relief of William Wolff—to the Committee on Invalid Pensions.

By Mr. SAWYER: A bill (H. R. 6076) for the relief of William C. Croggin—to the Committee on War Claims.

By Mr. PEEL: A bill (H. R. 6077) to remove the charge of desertion from the record of James Fanning—to the Committee on Military Affairs.

By Mr. DORSEY: A bill (H. R. 6078) granting a pension to Alexander J. Phillips—to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 6079) for the relief of Hiram N. Roberts, administrator—to the Committee on War Claims.

By Mr. MAISH: A bill (H. R. 6080) for the relief of Harry S. Kellogg, administrator of the estate of Lyman W. Kellogg, deceased—to the Committee on Military Affairs.

By Mr. BOOTHMAN: A bill (H. R. 6081) granting a pension to Mary F. Warner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6082) granting an increase of pension to John W. Pearce—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 6083) granting an increase of pension to Sarah R. Boyle—to the Committee on Invalid Pensions.

By Mr. CHARLES O'NEILL: A bill (H. R. 6084) for the relief of Charles D. Freeman—to the Committee on Claims.

By Mr. SCULL: A bill (H. R. 6085) granting an increase of pension to Peter Krepp—to the Committee on Invalid Pensions.

By Mr. O'FERRALL: A bill (H. R. 6086) for the relief of Daniel Thomas—to the Committee on Claims.

By Mr. SNYDER: A bill (H. R. 6087) to pay to Urias Buskirk the amount found due him by the Court of Claims—to the Committee on War Claims.

By Mr. HOGG: A bill (H. R. 6088) granting a pension to William W. Miles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6089) granting an increase of pension to James S. McHenry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6090) for the relief of Josiah P. Higgins—to the Committee on Military Affairs.

By Mr. HAUGEN: A bill (H. R. 6091) to pension Hesekiah F. Keister—to the Committee on Invalid Pensions.

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Changes in the reference of bills improperly referred were made in the following cases, namely:

A bill (H. R. 2300) for the relief of C. C. Colmesnil—to the Committee on Claims.

Also, a bill (H. R. 901) granting a pension to Mrs. Fannie Carman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6336) for the relief of Martha J. A. Rumbaugh, administratrix of George H. Rumbaugh—to the Committee on War Claims.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. J. M. ALLEN: Papers in the claim of Thomas Shelby, of Washington County; of J. T. Barnett, administrator of J. W. Barnett, of Tishomingo County; of Daniel O'Sullivan, of Hinds County; of Seth R. and Charles W. Strong, of Warren County, and of Levi B. Field and Cyrus Maish, of Natchez, Miss.—to the Committee on War Claims.

By Mr. J. A. ANDERSON: Petition of J. H. F. Billings and 172 others, citizens of Clay Centre, Kans., for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. ATKINSON: Petition of 352 citizens of Duncannon, of 100 citizens of Newport, and of 100 citizens of Shermansdale, Pa., against the admission of Utah as a State—to the Committee on the Territories.

By Mr. BAYNE: Petition of 65 citizens of the Twenty-third district of Pennsylvania, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. BOOTHMAN: Petition of Francis McKinney, for removal of charge of desertion—to the Committee on Military Affairs.

Also, petition of Charles H. Milbourn and of Mary F. Warner, for pensions—to the Committee on Invalid Pensions.

Also, petition of John W. Pearce, for increase of pension—to the Committee on Invalid Pensions.

By Mr. BOWDEN: Resolutions of the Legislature of Virginia, indorsed by the board of health of Portsmouth, Va., for the establishment of a national quarantine at Cape Charles—to the Committee on Commerce.

Also, memorial of the council and board of health of Portsmouth, Va., for the same—to the Committee on Commerce.

Also, papers in the case of H. D. Spear, late postmaster at Spear's, York County, Virginia, for relief—to the Committee on Claims.

By Mr. BREWER: Petition of Cigar-Makers' Union, of Lansing, Mich., for retention of tax on cigars—to the Committee on Ways and Means.

Also, petition of 145 citizens of the District of Columbia, for prohibition in the said District—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. T. H. B. BROWNE: Petition of John W. Waltz and other citizens of Fredericksburgh, Va., for building a road to the national cemetery at that place—to the Committee on Military Affairs.

Also, petition of W. C. Bunting and others, of Chincoteague, Va., for a fog-buoy—to the Committee on Commerce.

By Mr. T. M. BROWNE: Petition of 188 citizens of the Sixth district of Indiana, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. BUTTERWORTH: Petitions for the relief of Lewis Gore Brown, of Cincinnati, and of Peter Eichels, of Red Bank, Hamilton County, Ohio—to the Committee on Invalid Pensions.

Also, petition for the relief of James Malloy, of Cincinnati, Ohio—to the Committee on Claims.

Also, petition of the gold and silver beaters of the United States, for increased duty on certain articles—to the Committee on Ways and Means.

By Mr. T. J. CAMPBELL: Petition of Louise M. Sippell, widow of William E. Sippell, late of Company H, Thirteenth Regiment New Jersey Volunteers, for a pension—to the Committee on Invalid Pensions.

By Mr. CARUTH: Papers in the case of the American Mutual Benefit Association of Mexican War Veterans, for relief—to the Committee on Pensions.

By Mr. CONGER: Paper to accompany bill for relief of Robert McNutt—to the Committee on Military Affairs.

By Mr. DARLINGTON: Petition of William R. Blakeslee, for a special act of relief—to the Committee on Military Affairs.

Also, petition of 102 citizens of the Sixth district of Pennsylvania for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. DAVIS: Petition of George W. Marshall and 60 other shipmasters, for the improvement of the harbor of Edgartown, Mass.—to the Committee on Rivers and Harbors.

By Mr. DINGLEY: Petition of 189 citizens of the District of Columbia and of Anacostia, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. DUBOIS: Protest of 50 citizens of Kootenai County, and of the county commissioners of Boisé County, Idaho, against any division of Idaho Territory—to the Committee on the Territories.

By Mr. FORD: Petition of Ezra W. North and 170 others, of Michigan, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liqour Traffic.

By Mr. GALLINGER: Memorial of Mrs. Laura L. Wallen, widow of Henry D. Wallen, late colonel of the Second Infantry, United States Army, to accompany House bill 5593—to the Committee on Pensions.

By Mr. GROUT: Papers in support of House bill granting a pension to Margie Garvin—to the Committee on Invalid Pensions.

Also, remonstrance of Cigar-Makers' International Union, No. 18, of Brattleborough, Vt., against the removal of internal-revenue tax on cigars—to the Committee on Ways and Means.

By Mr. HAUGEN: Petition of the Board of Tradé that West Superior, Wis., be constituted an original port of entry—to the Committee on Commerce.

Also, petition of 124 citizens of the Eighth district of Wisconsin, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. D. B. HENDERSON: Petition Hon. O. P. Shiras, judge of United States district court, northern district of Iowa, relating to bill for changing the time of holding terms of United States courts in said district—to the Committee on the Judiciary.

By Mr. KEAN: Petition and affidavit of John Scully, of South Amboy, N. J., asking for the registry of the barges Albert M., Condor, and Adelante—to the Committee on Commerce.

By Mr. KETCHAM: Petition of S. A. Peugh, for compensation as witness before an investigating committee of the House of Representatives—to the Committee on the District of Columbia.

Also, memorial of Patrick Carroll, for compensation for services as assistant librarian of the War Department—to the Committee on Claims.

Also, papers in the case of John R. Bond, of Port Deposit, Md.—to the Committee on Naval Affairs.

By Mr. LA FOLLETTE: Petition of T. Jenkins and numerous others, citizens of Grant County, Wisconsin, for the adoption of a law requiring packages containing all compounds of lard to be so labeled as to prevent fraud and deception on consumers—to the Committee on Agriculture.

Also, resolutions of Pomona Grange, of Rock County, Wisconsin, approving and indorsing the operation of the interstate-commerce law, and against any repeal or amendment thereof—to the Committee on Commerce.

Also, petition of George H. Lawrence, for relief—to the Committee on Invalid Pensions.

By Mr. MAISH: Petition of George W. Emmert and others; of Eunice D. Smith and others; of R. M. Anderson and others, and of George Norcross and others, citizens of the Nineteenth district of Pennsylvania, against the admission of Utah as a State with polygamy—to the Committee on the Territories.

By Mr. MANSUR: Joint and concurrent resolution of the Legislature of Missouri, asking an appropriation of $50,000 for the purpose of straightening Grand River—to the Committee on Rivers and Harbors.

By Mr. MATSON: Petition of 147 citizens of the Fifth district of Indiana, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. MILLIKEN: Petition of James Moore and others, of S. H. Leland and others, and of G. E. Soper and others, for a public building at Bar Harbor, Me.—to the Committee on Public Buildings and Grounds.

By Mr. O'FERRALL: Petition of Thomas W. Russell, of Clark County, Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. PLUMB: Petition of Henry H. Rassweiler, president of Northwestern College, of Naperville, Ill., and seven others of the same college, for an international copyright law—to the Committee on Patents.

By Mr. RANDALL: Resolutions of Ortonville Board of Trade, asking an appropriation to improve Big Stone Lake, in Minnesota and Dakota—to the Committee on Rivers and Harbors.

By Mr. ROCKWELL: Petition of citizens of Savoy, Berkshire County, Massachusetts, for reduction of postage on certain articles, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. C. A. RUSSELL: Petition of Mystic (New London County, Connecticut), Board of Trade, in favor of appropriation for improvements in Mystic River—to the Committee on Rivers and Harbors.

By Mr. SENEY: Memorial of the Chicago Board of Trade, respecting the discrimination against American salted pork by France and Germany—to the Committee on Foreign Affairs.

By Mr. J. D. STEWART: Petition of George C. Bancroft and others, letter-carriers of Atlanta, Ga., for amendment of the postal laws—to the Committee on the Post-Office and Post-Roads.

Also, petition of druggists of Atlanta, Ga., for removal of duty on alcohol for medical purposes—to the Committee on Ways and Means.

Also (by request), petition of John H. Hamrick, of Andrew J. Wells, and of James B. Morris, of Clayton County, and of Henry G. Andrews, of John South, and of A. B. Ford, of Henry County, Georgia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. TAULBEE: Petition for the relief of William P. Patton—to the Committee on Invalid Pensions.

By Mr. WASHINGTON: Petition and papers of Alexander Joseph, of Davidson County, Tennessee, for payment of war claim—to the Committee on War Claims.

By Mr. WILKINSON: Petition of Henry Von Hofen, of Orleans Parish, Louisiana, for reference of his claim to the Court of Claims—to the Committee on War Claims.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. C. L. ANDERSON: Of S. C. Carter and others, citizens of Ocobla, Neshoba County, Mississippi.

By Mr. J. A. ANDERSON: Of J. H. Grist and 30 others, citizens of Iwacura, Kans.

By Mr. BACON: Of citizens of Bath, Richmond County, Georgia.

By Mr. COOPER: Of D. C. Baker and 87 others, of Knox County, Ohio.

By Mr. GLASS: Of citizens of Fremont, Tenn.

By Mr. HOOKER: Of citizens of Bridgeport, Miss.

By Mr. McCLAMMY: Of citizens of Lanier, and of Swansborough, Onslow County, North Carolina.

By Mr. NEAL: Of citizens of Red Bank, county of Hamilton, Tennessee.

By Mr. ROGERS: Of citizens of Galloway, Pulaski County, Arkansas.

By Mr. J. D. STEWART: Of citizens of Sandy Ridge, Ga.

By Mr. YOST: Of citizens of Alleghany Station, Alleghany County, Virginia.

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## SENATE.

### MONDAY, *January* 30, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of the proceedings of Thursday last was read and approved.

#### EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of January 23, 1888, information concerning the progress made in examining the claim of the State of Massachusetts for expenses paid and incurred at the request of the President and the Secretary of State during the war in protecting the harbors and strengthening the fortifications on the coast, stating, on the report of the Third Auditor, that the act of June 27, 1882, section 4, required examination at the earliest practical time of the claims of several States for the reimbursement of expenses incurred in Indian hostilities, etc., and the available force of the office has been employed in making such examination, which has suspended the investigation and settlement of the claim of the State of Massachusetts under the act of July 7, 1884, and further stating that unless an unforeseen contingency arises the claim will be taken up and adjusted during the present session of Congress, and in time for an appropriation, should a balance be found due; which was read.

Mr. DAWES. The statute under which that inquiry was made was passed in 1884. It is to be regretted exceedingly that Congress has not furnished the Secretary of the Treasury with sufficient clerical force to carry out the provisions of that act earlier. I have no disposition to criticise the Secretary. I am at this moment disposed to suggest that if he has not force enough it is the duty of Congress to furnish him with sufficient clerical force to discharge the duties which we impose upon him.

I have no doubt of the Secretary's desire to carry out that statute at the earliest possible moment. I am glad to know that he feels that he is working his force fully. He has not asked for any increase that I know of. If he had represented that he could not carry out existing law with his force on hand, I have no doubt that Congress would have furnished him with additional clerks.

The PRESIDENT *pro tempore*. What disposition shall be made of the communication and the accompanying papers?

Mr. DAWES. I move that they be referred to the Committee on Appropriations and printed.

The motion was agreed to.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of January 17, 1888, certain information as to the per cent. of money paid the States and Territories on the sales of public lands; which, with the accompanying papers, was referred to the Committee on Public Lands, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of War, transmitting, in answer to a resolution of January 27, 1887, the results of an investigation of the salmon fisheries in the Columbia River, in the State of Oregon and Washington Territory; which was read.

The PRESIDENT *pro tempore*. The Chair would suggest, as the accompanying report is voluminous and accompanied by a large number of photographs, evidently intended for engraving, which would probably involve considerable expense, that the communication and the accompanying report had better be referred, perhaps, to the Committee on Printing.

Mr. DOLPH. I call the attention of my colleague [Mr. MITCHELL] to the fact that a letter has come in from the Secretary of War, transmitting his report and the report of the local engineers upon a resolution which I think was introduced by my colleague and reported from the Committee on Commerce by myself, in regard to fish-traps and obstructions in the Columbia River. I understand the report is very voluminous and accompanied with photographs and maps, and it is suggested by the President of the Senate that the papers should be referred to the Committee on Printing before an order to print is made.

Mr. MITCHELL. I hope that will be done. I think it very advisable that the report should be printed. It is a very valuable report.

The communication and the accompanying report were referred to the Committee on Printing.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of War, transmitting, in answer to a resolution of December 13, 1887, a report from the Adjutant-General regarding the military reservation of Fort Canby, Washington Territory; which, on motion of Mr. MITCHELL, was, with the accompanying papers, referred to the Committee on Military Affairs, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of December 20, 1887, certain information as to whether persons are being ejected at the instance of the Interior Department from lands purchased of the Chippewa and Muncie Indians in Kansas, etc.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

#### REPORT OF COMMISSIONER OF PATENTS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Commissioner of Patents, transmitting his annual report for the year 1887; which, with the accompanying report, was referred to the Committee on Patents, and ordered to be printed.

#### PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented resolutions adopted by the National Board of Trade in favor of reciprocal trade relations between the United States and the Dominion of Canada; which were referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the Board of Trade of Wichita, Kans., favoring legislation to organize the Territory of Oklahoma; which was referred to the Committee on Indian Affairs.

He also presented resolutions adopted by the mayor and city council of Topeka, Kans., in favor of the proposed world's exposition; which were referred to the Select Committee on the Centennial of the Constitution and the Discovery of America.

He also presented the petition of H. A. Thompson, of Shawnee County, Kansas, praying to be allowed compensation for losses incurred during the war of the rebellion; which was referred to the Committee on Claims.

He also presented a petition of 123 citizens of the Fourth and Seventh Congressional districts of Kansas, and a petition of 228 citizens of the Second Congressional district of Kansas, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented resolutions adopted by the National Grange, Patrons of Husbandry, of Washington, D. C., in favor of the world's exposition in honor of the four hundredth anniversary of the discovery of America by Columbus; which were referred to the Select Committee on the Centennial of the Constitution and Discovery of America.

He also presented a petition of the trustees of the Young Women's Christian Home, of Washington, D. C., praying that an appropriation be made for the benefit of that institution; which was referred to the Committee on Appropriations.

Mr. BUTLER presented the petition of Governor John P. Richardson and other citizens of South Carolina, praying that an appropriation be made for the improvement of the Congaree River; which was referred to the Committee on Commerce.

Mr. TELLER presented the petition of David H. Moore and others, members of the faculty of the Denver University, of Denver, Colo., praying for the enactment of an international copyright law; which was referred to the Committee on Patents.

He also presented resolutions adopted by the Leadville (Colo.) Chamber of Commerce, protesting against the removal of the duty on lead and lead ores; which were referred to the Committee on Finance.

He also presented a petition of the Grand Lodge of Good Templars of

Colorado, officially signed, praying for a national prohibitory constitutional amendment; which was referred to the Committee on Education and Labor.

Mr. VEST. I am in receipt of a communication from the National Temperance Society Publication House, of New York, sending me a petition of citizens of the Twelfth Congressional district of Missouri, praying for the prohibition of the alcoholic liquor traffic in this District. I present these papers and move their reference to the Committee on the District of Columbia.

The motion was agreed to.

Mr. VEST presented resolutions adopted by the Merchants' Exchange of St. Louis, Mo., favoring the inter-American and inter-republic celebration in honor of the four hundredth anniversary of the discovery of America; which were referred to the Select Committee on the Centennial of the Constitution and the Discovery of America.

He also presented resolutions adopted by the Cigar-Makers' Union, No. 44, of St. Louis, Mo., remonstrating against any interference with the internal-revenue tax on cigars; which were referred to the Committee on Finance.

He also presented two petitions of citizens of Muscogee, in the Indian Territory, praying for the establishment of a United States court at that place; which were referred to the Committee on the Judiciary.

Mr. SAWYER presented a petition of 110 citizens of the First, Second, Seventh, and Ninth Congressional districts of Wisconsin, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. FARWELL presented a resolution adopted by the Board of Trade of Chicago, Ill., favoring the creation and adoption of a naval reserve; which was referred to the Committee on Naval Affairs.

He also presented a petition adopted by a committee of Grand Army posts of the city of Chicago, praying for the passage of the bill donating the use of Dearborn Park for a soldiers' memorial building and for the Chicago public library.

The PRESIDENT *pro tempore*. The petition will be referred to the Committee on Public Buildings and Grounds.

Mr. PLUMB. The bill to which the petition refers is at present pending before the Committee on Public Lands.

The PRESIDENT *pro tempore*. Then the petition will be referred to the Committee on Public Lands.

Mr. FARWELL presented a petition of 159 citizens of the Eleventh Congressional district of Illinois, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Grand Lodge of Good Templars of Illinois, officially signed, representing 10,000 members, praying for the appointment of a national commission of inquiry concerning the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

He also presented a resolution adopted by the Patrons of Husbandry State Grange of Illinois, favoring certain amendments to the postal laws; which was referred to the Committee on Education and Labor.

Mr. HOAR presented the petition of Charles O. Doe, G. W. P., and Charles E. Dennett, G. S., in behalf of the Sons of Temperance of Massachusetts, praying for the appointment of a national board of inquiry into the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

He also presented the petition of Jerome Marble & Co., J. C. White, George H. Clark & Co., George S. Dixon, and other eminent merchants of Massachusetts, indorsing the petition of the Paint and Oil Club of New England, praying for the abolition of the special license tax on pure alcohol; which was referred to the Committee on Finance.

He also presented a memorial of the National Board of Trade, signed by Fred. Fraley, president, and Hamilton A. Hill, secretary, praying for the calling of an international conference to consider and report rules and regulations that may add to the safety of life and property on the high seas; which was referred to the Committee on Commerce.

Mr. PLATT presented a petition of 145 citizens of the District of Columbia, and a petition of 178 citizens of the District of Columbia, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. PAYNE presented a petition of clerks in the United States post-office at Toledo, Ohio, praying to be allowed increased compensation; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the members of the faculty of Buchtel College, at Akron, Ohio, praying for the enactment of an international copyright law; which was referred to the Committee on Patents.

Mr. DOLPH presented a petition of the Legislative Assembly of the Territory of Washington, praying for the removal of obstructions from the Upper Columbia River; which was referred to the Committee on Commerce.

Mr. PLUMB presented a petition of the faculty of the State University of Kansas, located at Lawrence, in that State, favoring the passage of an international copyright law; which was referred to the Committee on Patents.

He also presented a petition of citizens of Kansas, praying for the passage of the bill now pending to provide for the extirpation of contagious pleuro-pneumonia and other cattle diseases; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of members of Cadmus Grange, No. 350, Patrons of Husbandry, remonstrating against any amendment or the repeal of the oleomargarine law; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of 172 citizens of the Fifth Congressional district of Kansas, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented the petition of H. A. Thompson, of Shawnee County, Kansas, praying to be granted certain relief on account of the operations of the Union Army in the year 1864; which was referred to the Committee on Claims.

Mr. BLAIR. I present the petition of the faculty of Dartmouth College, at Hanover, N. H., in which they represent that, believing that both justice and expediency demand fuller security for literary property, they petition Congress for the speedy enactment of an international copyright law. I move that the petition be referred to the Committee on Patents.

The motion was agreed to.

Mr. BLAIR presented a petition of the Woman's Christian Temperance Union, of Utah, representing 150 members, and a petition of the Grand Lodge of Good Templars, of Colorado, praying for a national prohibitory constitutional amendment; which were referred to the Committee on Education and Labor.

Mr. JONES, of Arkansas, presented a petition of members of the faculty of the Arkansas Industrial University, at Fayetteville, Ark., praying for the enactment of an international copyright law; which was referred to the Committee on Patents.

He also presented a petition of the faculty of the Arkansas Industrial University, and a petition signed by Governor John C. Branner and other citizens of Little Rock, Ark., praying for the removal of the duty on books printed in foreign languages; which were referred to the Committee on Finance.

He also presented a petition of citizens of Holly Springs, Ark., praying that increased compensation be allowed fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. DAWES presented a petition of the Sons of Temperance of Massachusetts, officially signed, praying for the passage of a national prohibitory constitutional amendment; which was referred to the Committee on Education and Labor.

He also presented a petition of the Paint and Oil Club of New England, praying for the abolition of the special license tax on the sellers of pure alcohol; which was referred to the Committee on Finance.

Mr. CULLOM presented the petition of J. W. Parish & Co., praying for certain relief in regard to their contract with the Government for furnishing ice to hospitals; which was referred to the Committee on Claims.

He also presented a petition of members of the faculty of Northwestern College, at Naperville, Ill., praying for the enactment of an international copyright law; which was referred to the Committee on Patents.

He also presented resolutions adopted by High Prairie Grange, No. 1481, Patrons of Husbandry, at Smithton, Ill., urging reduced postage on seeds, bulbs, etc., the issue of fractional currency for use in the mails, the abolition of postal-notes, the issue of money-orders for $5 or less for 3 cents, and removal of tariff from all articles for sale of which a trust has been or may be formed; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented resolutions adopted by the directors of the Chicago (Ill.) Board of Trade, indorsing the recommendation of the Secretary of the Navy for the creation of a naval reserve; which were referred to the Committee on Naval Affairs.

He also presented a petition of Hazel Dell Grange, Patrons of Husbandry, of Coles County, Illinois, praying for reduction of postage on seeds, plants, etc., the issue of fractional currency, abolition of postal-notes, issue of money-orders for $5 or less for a fee of 3 cents, that the oleomargarine law be not repealed, that the interstate-commerce bill be enforced, that the patent laws be revised, that United States Senators be elected by a direct vote of the people, that duties on raw materials shall not be reduced, and that existing duties on manufactured goods be maintained, etc.; which was referred to the Committee on Finance.

Mr. PADDOCK presented a petition of the Farmers' Alliance of the State of Nebraska, praying that certain changes be made in the fiscal policy of the Government; which was referred to the Committee on Finance.

He also presented a petition of members of the Society of Friends in conference at Richmond, Ind., in favor of international arbitration; which was referred to the Committee on Foreign Relations.

Mr. STOCKBRIDGE presented a resolution of the Detroit (Mich.) Board of Trade, favoring the formation of a naval reserve corps upon the northern lakes; which was referred to the Committee on Naval Affairs.

Mr. SABIN presented a petition of the Duluth (Minn.) Board of Trade, praying for the formulation of measures for lessening the dangers of navigation; which was referred to the Committee on Commerce.

He also presented a resolution of the Chamber of Commerce of Duluth, Minn., indorsing the report of the Vessel-Owners' Association of Cleveland, Ohio, favoring the enactment of certain measures for the greater safety of navigation upon the lakes; which was referred to the Committee on Commerce.

He also presented resolutions of the Minnesota State Dairy Association, favoring an amendment to the law controlling the production and sale of oleomargarine and butterine; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Grand Division of Sons of Temperance in the State of Minnesota, officially signed, praying for the passage of a national prohibitory constitutional amendment; which was referred to the Committee on Education and Labor.

He also presented a petition of the Grand Division of the Sons of Temperance in the State of Minnesota, praying for the appointment of a national commission of inquiry into the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

He also presented resolutions adopted by the Ortonville (Minn.) Board of Trade, praying for the appropriation of $20,000 for the purpose of diking and dredging Big Stone Lake, in that State; which were referred to the Committee on Commerce.

Mr. SPOONER presented resolutions adopted by Pomona Grange, of Rock County, Wisconsin, remonstrating against the repeal or amendment in any manner to injure or destroy the efficiency of the interstate-commerce law; which were referred to the Committee on Interstate Commerce.

He also presented resolutions of the board of managers of the Lake Carriers' Association of Buffalo, N. Y., and resolutions of the Chamber of Commerce of Milwaukee, Wis., approving the establishment of a naval reserve; which were referred to the Committee on Naval Affairs.

He also presented resolutions adopted by the Lake Carriers' Association of Buffalo, N. Y., urging upon Congress the desirability of continuing and completing, by sufficient appropriations, the improvement of the harbor of Grand Marais, on Lake Superior, as a harbor of refuge; which were referred to the Committee on Commerce.

He also presented a petition of the members of the faculty of Beloit College, at Beloit, Wis., praying for the enactment of an international copyright law; which was referred to the Committee on Patents.

Mr. EVARTS presented a petition of 241 citizens of the Thirty-first, Twenty-fourth, Twenty-third, and Sixteenth Congressional districts of New York, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. QUAY presented a petition of 160 citizens of the Seventh, Fourteenth, Twenty-fourth, Twenty-fifth, and Twenty-sixth Congressional districts of Pennsylvania, and a petition of 97 citizens of the Twenty-fifth district of Pennsylvania, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented a memorial of citizens of the Eighteenth Congressional district of Pennsylvania, remonstrating against the admission of Utah as a State with polygamy; which was referred to the Committee on Territories.

Mr. HISCOCK presented the petition of Delia Duphna, praying to be allowed a pension; which was referred to the Committee on Pensions.

He also presented a petition of 216 citizens of the Seventh, Ninth, Nineteenth, Twenty-ninth, Fifteenth, and Thirty-fifth Congressional districts of New York, and a petition of 141 citizens of the Thirtieth and Thirty-third Congressional districts of New York, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. MANDERSON. I present a petition, numerously signed by citizens and ex-soldiers of Indiana, praying for the repeal of the limitation in the arrears-of-pension act. I move that the petition be referred to the Committee on Pensions.

The motion was agreed to.

Mr. SHERMAN presented a petition of members of the faculty of the Ohio State University, at Columbus, Ohio, praying for the passage of an international copyright law; which was referred to the Committee on Patents.

He also presented a memorial of the National Guard Association of Ohio, in favor of an increase in the annual appropriation for the militia of the United States to $1,000,000; which was referred to the Committee on Military Affairs.

He also presented a petition of ex-Union soldiers and citizens of Mercer County, Ohio, in favor of the passage of a service-pension bill; which was referred to the Committee on Pensions.

Mr. VOORHEES presented a petition of citizens of St. Joseph County, Indiana, praying for national aid to common schools; which was ordered to lie on the table.

Mr. BECK presented a petition of colored citizens of Mercer County, Kentucky, praying to be allowed compensation for services rendered the United States during the war; which was referred to the Committee on Claims.

Mr. CAMERON presented a petition of 177 citizens of the Twentieth, Sixteenth, and Twenty-fifth Congressional districts of Pennsylvania, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented the petition of James Jackson Purman, late first lieutenant Company A, One hundred and fortieth Pennsylvania Volunteer Infantry, praying to be allowed an increase of pension; which was referred to the Committee on Pensions.

Mr. HALE presented the petition of Calvin Roarback, of Boyertown, Pa., praying for certain legislation touching the tax upon tobacco; which was referred to the Committee on Finance.

Mr. GEORGE presented a petition of citizens of Livingston, Miss., praying for an increase in the compensation of fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

## REPORTS OF COMMITTEES.

Mr. COCKRELL, from the Committee on Public Lands, to whom was referred the bill (S. 245) to investigate the issue of fraudulent land warrants, and to protect soldiers and sailors of the United States from loss therefrom, submitted an adverse report thereon, and moved its indefinite postponement.

Mr. CALL. I ask that the bill be placed on the Calendar.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar, with the adverse report of the committee.

Mr. PLUMB. The Committee on Public Lands instruct me to report back adversely the bill (S. 232) for the forfeiture of the land granted to the State of Florida for the construction of certain lines of railroad in that State, and to move its indefinite postponement, and in place of it to report an original bill as a substitute.

Mr. CALL. I ask that the bill adversely reported be placed on the Calendar.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar, with the adverse report of the committee.

Mr. PLUMB, from the Committee on Public Lands, reported a bill (S. 1708) to provide for the judicial determination of the rights of the United States in lands granted to the State of Florida for the purpose of aiding in the construction of railroads under an act of Congress approved May 17, 1856, and for other purposes; which was read twice by its title.

He also, from the same committee, to whom was referred the bill (S. 196) to cancel certain reservations of lands, on account of live-oak, in the southwestern land district of the State of Louisiana, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 747) granting aid in the construction of a railroad from the town of Titusville, Brevard County, Florida, to the Bight of Canaveral, with a branch to Banana River, in said State, reported adversely thereon.

Mr. PASCO. I ask that the bill be placed on the Calendar.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. PLUMB. From the Committee on Public Lands I report adversely the bill (S. 1469) for the relief of the settlers upon the lands along the Des Moines River, above the Raccoon Forks, in the State of Iowa.

I will say about this bill that it is only the alternative expression of the committee, the committee having already dealt with another phase of the question, which has been considered by the Senate. The time may come when the committee may feel favorably disposed to the bill which they now report adversely, but they desire that it may go on the Calendar to meet the views of the Senator from New York [Mr. EVARTS], who wished to have it considered by the Senate in connection with the bill which the committee have heretofore reported on the same subject.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. TELLER, from the Committee on Public Lands, to whom was referred the bill (S. 761) to amend section 11 of an act entitled "An act to enable the people of Colorado to form a State constitution and State government, for the admission of the said State into the Union on an equal footing with the original States," reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 957) to establish a public park at Pagosa Springs, in the State of Colorado, reported it with amendments.

Mr. PASCO, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 217) to change the limit of appropriation for the public building at Jacksonville, Fla., reported it with amendments.

Mr. FAULKNER, from the Committee on Claims, to whom was referred the bill (H. R. 4911) to carry out the findings of the Court of Claims in the case of James H. Ayres, reported it without amendment, and submitted a report thereon.

Mr. DOLPH, from the Committee on Public Lands, to whom was referred the bill (S. 1707) to provide for the issue of patents to certain persons for donation claims under the act approved September 27, 1850, commonly known as the donation law, reported a bill (S. 1709) to provide for the issue of patents to certain persons for donation claims under the act approved September 27, 1850, commonly known as the donation law; which was read twice by its title.

Mr. PADDOCK, from the Committee on Public Lands, to whom was referred the bill (S. 1080) to extend the laws of the United States over

certain unorganized territory south of the State of Kansas, reported it with amendments.

Mr. HOAR. I am directed by the Committee on Privileges and Elections to report back favorably, with an amendment, the joint resolution (S. R. 13) proposing an amendment to the Constitution of the United States.

I shall ask the Senate to-morrow morning to take up the joint resolution and deal with it. It has passed the Senate once without objection, I think, and it is quite desirable that it shall go to the other House as soon as possible, in order that, if that body concur, it may be submitted to the States at an early day.

The PRESIDENT *pro tempore*. The joint resolution will be placed on the Calendar.

Mr. HOAR, from the Committee on Privileges and Elections, to whom was referred the bill (S. 1516) to provide for inquests under national authority, asked to be discharged from its further consideration, and that it be referred to the Committee on the Judiciary; which was agreed to.

Mr. HARRIS, from the Committee on the District of Columbia, to whom was referred the bill (S. 1054) to incorporate the Rock Creek Railway Company of the District of Columbia, reported it with amendments.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 186) to amend section 1225 of the Revised Statutes, relating to details of Army officers to educational institutions, etc., reported it with amendments.

Mr. DAVIS. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 1164) to amend section 1225 of the Revised Statutes, concerning detail of Army officers to educational institutions, etc., to report it adversely; and I move its indefinite postponement, an equivalent bill having been recommended by the committee.

The motion was agreed to.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (S. 1696) for the relief of Lewis J. Cundiff, asked to be discharged from its further consideration, and that it be referred to the Committee on Claims; which was agreed to.

Mr. WILSON, of Iowa, from the Committee on the Judiciary, to whom was referred the bill (S. 239) confirming titles to certain lands in Columbia County, State of Florida, asked to be discharged from its further consideration, and that it be referred to the Committee on Public Lands; which was agreed to.

Mr. REAGAN, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 2974) for the relief of John Snoddy, reported it without amendment, and submitted a report thereon.

Mr. STANFORD, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 182) to provide for the purchase of a site and the erection of a public building thereon at Omaha, Nebr., reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 20) to provide for the construction of a public building at Portland, Oregon, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 601) for the extension and repair of the public building at Newark, N. J., reported it with an amendment.

Mr. SAWYER, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 1627) to amend section 25 of the act of March 3, 1879, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes," reported it without amendment.

### ANDREW J. LINDSAY.

Mr. VEST. I am instructed by the Committee on the Judiciary, to whom was referred the bill (S. 455) for the relief of Andrew J. Lindsay, to report it without amendment, and I ask for its consideration. It is a bill removing political disabilities, containing only five lines.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed (two-thirds of the Senators present voting in the affirmative).

### PRINTING OF PENSION BILL.

Mr. MANDERSON. From the Committee on Printing, I report back the motion to print 1,000 copies of the bill (S. 181) granting pensions to ex-soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to dependent relatives of deceased soldiers and sailors, as amended by the report of the Committee on Pensions, and I ask that the printing of 1,000 copies be ordered by the Senate. The cost will be trifling.

The PRESIDENT *pro tempore*. Will the Senate agree to the motion to print 1,000 extra copies of the bill?

The motion was agreed to.

### ANNUAL REPORT OF PUBLIC PRINTER.

Mr. MANDERSON. I am directed by the Committee on Printing to report back the letter of the Public Printer transmitting his annual report for the fiscal year ending June 30, 1887, and to ask that the usual number be ordered printed—no extra copies.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

### POWELL'S REPORT ON ALASKA.

Mr. MANDERSON, from the Committee on Printing, to whom was referred the following resolution, reported it without amendment, and it was considered by unanimous consent, and agreed to:

*Resolved*, That the report of Major Powell to the Secretary of the Interior in relation to Senate bill No. 1907, Forty-ninth Congress, "to facilitate the settlement and develop the resources of the Territory of Alaska, and to open an overland commercial route between the United States, Asiatic Russia, and Japan," be printed for the use of the Senate.

### EULOGIES ON THE LATE SENATOR LOGAN.

Mr. MANDERSON. I am directed by the Committee on Printing to report back with amendments the bill (S. 191) to make additional appropriation for the printing of the eulogies delivered in Congress on the late John A. Logan, and I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments of the Committee on Printing were, in line 3, after the word "dollars," to insert the words "or as much thereof as may be necessary;" and in line 4, after the word "moneys," to insert the words "in the Treasury of the United States;" so as to make the bill read:

*Be it enacted, etc.*, That the sum of $450, or as much thereof as may be necessary, be, and the same is hereby, appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, for the purpose of printing portraits for additional copies of the eulogies delivered in the Congress of the United States upon the late John A. Logan, said portraits to be printed in accordance with "An act to authorize the printing of the eulogies delivered in Congress upon the late John A. Logan," approved March 3, 1887.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

### VISITORS TO WEST POINT MILITARY ACADEMY.

Mr. MANDERSON, from the Committee on Printing, to whom was referred the following resolution, reported it without amendment, and it was considered by unanimous consent, and agreed to:

*Resolved*, That 2,500 additional copies of the annual report of the Board of Visitors to the United States Military Academy for the year 1887 be printed and bound in paper covers, 2,000 copies for the use of the Senate, and 500 copies for the use of the Senate members of that board.

### INTERSTATE COMMERCE COMMISSION REPORT.

Mr. MANDERSON, from the Committee on Printing, to whom was referred the following concurrent resolution, reported it without amendment, and it was considered by unanimous consent, and agreed to:

*Resolved by the Senate (the House of Representatives concurring therein)*, That there be printed 20,000 copies of the first annual report of the Interstate Commerce Commission, with the appendices thereto, of which 5,000 copies shall be for the use of the Senate, 10,000 copies for the use of the House of Representatives, and 5,000 copies for the use of the commission.

### REDUCTION OF POSTAGE RATES.

Mr. SAWYER. From the Committee on Post-Offices and Post-Roads I report back adversely the following resolution, with the recommendation that the committee be discharged from its further consideration, and that it be indefinitely postponed:

*Resolved*, That the Committee on Post-Offices and Post-Roads be, and it is hereby, directed to inquire into the advisability of reducing the rate of postage to 1 cent on all mail matter now known as first-class which does not exceed 1 ounce in weight, and a proportionate reduction on all excess of 1 ounce, and report to the Senate by bill or otherwise as soon as practicable.

Mr. BECK. I suppose the committee have a good reason for that recommendation; but I should like to have the resolution placed on the Calendar so as to call it up and see what reason they have for their adverse report.

The PRESIDENT *pro tempore*. The resolution will be placed on the Calendar with the adverse report of the committee.

Mr. BECK. I should like to ask the chairman of the Committee on Post-Offices and Post-Roads whether the committee have made any report as to the reasons why they desire adverse action on the resolution.

Mr. SAWYER. No; but we do not think it is prudent at the present time to attempt to reduce the rate of letter postage.

Mr. BECK. There is no report accompanying the resolution.

Mr. SAWYER. No, sir; we have made no written report to accompany it. When the Post-Office Department is running behind we thought we ought to wait until such time as it was self-sustaining before we attempt to reduce the rate of postage further.

Mr. HOAR. I desire to put upon record at this time my belief that it is the duty of the Government and the interest of the people that postage on letters through the entire country should be reduced to 1 cent. I believe that very rapidly the Post-Office would become self-sustaining at that rate, and that the indirect benefit to the people by binding the country closer together and facilitating intercourse between different parts would, even if that were not true, compensate us for all the deficit which would be caused, even if the deficit which was occasioned at first should continue.

Mr. BECK. The recommendation of the committee was to indefinitely postpone the resolution, but it has been placed on the Calendar, has it not?

The PRESIDENT *pro tempore*. The resolution, with the adverse report of the committee, has been placed on the Calendar.

Mr. BECK. I only wanted to say in addition to what the Senator from Massachusetts has said, if I may be allowed, that if the Committee on Post-Offices and Post-Roads think this Government can afford to carry, at 1 cent an ounce, bonnets and harness and merchandise all over the country, it might be able to carry the letters of the people at the same rate.

Mr. PLATT. I wish to put on record my dissent to the proposition that the rate of postage ought to be considered with reference to the question as to whether the Post-Office is self-supporting or not. I believe that the people of this country desire the best service and the cheapest service possible, and I do not think they insist upon it that the Post-Office Department shall be self-supporting.

Mr. SAULSBURY. I desire to say, as a member of the Committee on Post-Offices and Post-Roads, that when the subject came up in the committee we were not prepared to advise a reduction of postage on letters, because we knew that it would involve a very considerable amount of money to be appropriated by Congress to sustain the Post-Office Department. That was the judgment of the committee, and I believe it to be a correct judgment. I do not believe that, simply because we have a surplus in the Treasury, we ought to be devising ways and means to dispose of that surplus improperly. We ought to reduce the taxes of the people rather than to waste the accumulated sum in the Treasury, for all these schemes to take money out of the Treasury furnish an argument, and a strong argument, to the men who are opposed to a reduction of tariff duties why the tariff should not be reduced. I am opposed myself to any depletion of the Treasury upon any of these schemes until we have the taxes of the people reduced.

Mr. BECK. Mr. President, I introduced the resolution, and it was not a scheme, nor is it intended merely to deplete the Treasury. The United States are carrying to-day the newspapers of the country for a cent a pound; they are carrying all other publications at the rate of 4 ounces for a cent. They are carrying merchandise in 4-pound packages, no matter what it is—as I said, such as parts of harness. There are houses in New York to-day which are making fortunes by putting up 4-pound packages of merchandise to be carried at a cent an ounce all over the United States. And why the letters which go from one person to another can not be carried at the same rate at which merchandise is carried I am not able to say.

But I rose only to have the resolution put on the Calendar, and I think we can show a good reason why a rate of 1 cent on letters should be adopted.

The PRESIDENT *pro tempore*. The resolution goes on the Calendar.

BILLS INTRODUCED.

Mr. SHERMAN introduced a bill (S. 1710) granting a pension to George W. Rager; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1711) to close the account of Franklin W. McCauley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. VANCE introduced a bill (S. 1712) for the relief of G. M. Woodruff; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1713) to refer the claims of the Eastern and Western Bands of the Cherokee Indians to the Court of Claims for investigation and final judgment; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. DAWES (by request) introduced a bill (S. 1714) to amend the charter of the Metropolitan Railroad Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. KENNA introduced a bill (S. 1715) for the relief of the sureties of Dennis Murphy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. SAWYER introduced a bill (S. 1716) granting a pension to Mary L. Williams; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1717) granting a pension to Emma Von Bernewitz; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 1718) to provide for the construction of the Illinois and Mississippi River Canal; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1719) granting a pension to Levi B. Smith; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CALL introduced a bill (S. 1720) making an appropriation for the improvement of Gilbert's Bar, Florida; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1721) establishing a customs collection district in Florida, to be known as the collection district of Tampa, and for other purposes; which was read twice by its title, and referred to the Committee on Commerce.

Mr. BERRY introduced a bill (S. 1722) to grant a pension to George Funk; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PASCO introduced a bill (S. 1723) providing for the completion of the public building in the city of Pensacola, Fla., as originally designed; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1724) making an appropriation for the construction of a macadamized road to the national cemetery, near Pensacola, Fla.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FAULKNER introduced a bill (S. 1725) for the relief of the legal representatives of Lewis W. Washington, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. INGALLS (Mr. PLATT in the chair) introduced a bill (S. 1726) to provide for the erection of a public building for the use of the post-office and Government offices in the city of Atchison, Kans.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1727) to grant to the trustees of the German Lutheran Trinity congregation of Washington, D. C., the right to sell a portion of their cemetery lands; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1728) to incorporate the Washington and Suitland Street Railway Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1729) to provide for the fencing of vacant building lots in the city of Washington, D. C., and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1730) to grant to the trustees of the German Lutheran Trinity congregation, of Washington, D. C., the right to sell a portion of their cemetery lands; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1731) to incorporate the Washington and Suitland Street Railroad Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1732) for the relief of H. P. Wells; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1733) establishing the fees and expenses of examining surgeons; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1734) to increase the rate of pension for the loss of an eye, or the sight thereof; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1735) granting a pension for service in the Army and Navy of the United States, etc.; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1736) for the relief of John W. Benedict; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1737) granting a pension to Theodore Gardner; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1738) to increase the pension for the loss of a leg or an arm, and for other purposes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1739) for increase of pension to Ephraim Owings; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1740) to amend section 3 of an act entitled "An act to regulate commerce," approved February 4, 1887; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. FARWELL introduced a bill (S. 1741) granting a pension to Patrick Flaherty; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PLUMB introduced a bill (S. 1742) granting a pension to W. A. Hicks; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 1743) granting a pension to Zephaniah H. Bones; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1744) granting a pension to William M. Davis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1745) granting a pension to J. J. Lemaster; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1746) granting an increase of pension to John Wilson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1747) to authorize the sale of a tract of land in the military reservation at Fort Leavenworth, in the State of

Kansas; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BLODGETT introduced a bill (S. 1748) granting a pension to John L. Conklin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1749) granting a pension to Wealthea Young; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BLAIR introduced a bill (S. 1750) granting a pension to George W. Wilburn; which was read twice by its title, and referred to the Committee on Pensions.

Mr. RANSOM (by request) introduced a bill (S. 1751) to regulate the compensation of watchmen in the Executive Departments of the Government; which was read twice by its title, and referred to the Committee on Appropriations.

Mr. BECK introduced a bill (S. 1752) for the relief of William P. Thorne; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. GRAY introduced a bill (S. 1753) to muster Edward G. Pendleton as lieutenant of cavalry into the service of the United States and pay him for his services from August, 1861, to July 10, 1864, inclusive; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. VEST introduced a bill (S. 1754) for the relief of Henry H. Marmaduke of Missouri; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the Judiciary.

He also (by request) introduced a bill (S. 1755) to incorporate the Atlantic and Pacific Ship-Railway Company, and for other purposes; which was read twice by its title, and referred to the Committee on Commerce.

Mr. GORMAN introduced a bill (S. 1756) for the relief of the Union Methodist Episcopal Church, in the District of Columbia; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1757) granting an increase of pension to Mrs. Lou Gobright McFalls; which was read twice by its title, and referred to the Committee on Pensions.

Mr. VOORHEES introduced a bill (S. 1758) granting a pension to Melvin Seward; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1759) granting a pension to Isaac C. Higgins; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1760) to increase the pension of Mrs. Laura Hooper Denby; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1761) granting a pension to Isaac M. Johnson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1762) granting a pension to Benjamin A. Burtram; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1763) for the relief of Isaac H. Wheat; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1764) for the relief of the heir of Constantino Brumidi; which was read twice by its title, and referred to the Committee on the Library.

Mr. PADDOCK introduced a bill (S. 1765) to provide for the sale of the Fort Sedgwick military reservation, in the State of Colorado and Territory of Wyoming, to actual settlers; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1766) granting a pension to Stephen Butler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HISCOCK introduced a bill (S. 1767) to provide for the public defense; which was read twice by its title, and referred to the Committee on Coast Defenses.

Mr. MANDERSON introduced a bill (S. 1768) to provide for an Indian school at Niobrara, in the State of Nebraska; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1769) granting a pension to Granville R. Turner; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. QUAY introduced a bill (S. 1770) granting pensions to soldiers and sailors confined in Confederate prisons; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1771) granting a pension to Levi Moser; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MANDERSON introduced a bill (S. 1772) for the relief of John H. Marion; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. CAMERON introduced a bill (S. 1773) to reimburse certain officers of the Navy for losses incurred by fire; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. WILSON, of Iowa, introduced a bill (S. 1774) to amend sections 14, 16, and 17 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Privileges and Elections.

He also introduced a bill (S. 1775) granting a pension to Edward T. Lattar; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1776) to restore Mrs. Eliza Ferguson to the pension-roll; which was read twice by its title, and referred to the Committee on Pensions.

Mr. EVARTS introduced a bill (S. 1777) for the relief of Henry B. Brown; which was read twice by its title, and referred to the Committee on Claims.

Mr. DOLPH introduced a bill (S. 1778) for the relief of Philip Loney; which was read twice by its title, and referred to the Committee on Claims.

Mr. HALE introduced a bill (S. 1779) for the protection and administration of the forests on the public domain; which was read twice by its title.

Mr. HALE. This bill covers the same ground as a bill a few days ago introduced by me and referred to the Committee on Agriculture and Forestry, but it is much more carefully drawn and has received the attention of eminent citizens throughout the country who are practically devoted to this subject. I send the names of some of these to the Secretary's desk that they may be read.

The Chief Clerk read as follows:

Henry P. Walcott.
Robert Manning.
Joseph S. Fay and 45 others, of Boston, Mass.
Judge Charles P. Daly and 25 other officers and members of the New York Academy of Science.
Horace Jayne.
J. F. Rothrock and 8 other professors in the University of Pennsylvania.
R. W. Stevenson, superintendent of public instruction, and 35 others, of Columbus, Ohio.
Hon. Moses Hallett, United States district judge; Hon. Henry W. Hobson, United States district attorney, and Hon. Joseph C. Helm, judge supreme court, Denver, Colo.

Mr. HALE. I also present a memorial signed by these gentlemen, together with other papers, to go to the Committee on Agriculture and Forestry with the bill.

Mr. PLUMB. Whatever is done about the protection of forests ought to be done under the direction of the Secretary of the Interior and through the medium of the General Land Office. I think it will be impossible to do anything effective that is not done through these agencies, which have charge of all the public lands. There will be for a long time timber lands that are to be sold, as well as other timber lands that are to remain unsold, perhaps, and the care of which ought to go to the authority that has charge of the whole public domain. The general subject is always to remain within the jurisdiction of the Interior Department, and I think the bill ought to go to the Committee on Public Lands, not that that committee cares to burden itself with any more bills than it now has, but because the subject can only be intelligently considered in connection with other measures for the disposal of the public domain which are before that committee and of which that committee has proper jurisdiction.

I think it will be found that a good deal of the zeal of the people whom the Senator has mentioned, and whose names he has given to the public through the medium of the RECORD, will be found to grow out of a desire to have a commission entirely apart from all the Departments of the Government and having independent authority of its own. However that may be, it is essentially a public-land question, and it ought to go to the Committee on Public Lands.

Mr. HALE. Mr. President, I think there is considerable force in what the Senator from Kansas has said in reference to any subject dealing with the public lands. Of course that committee has the general jurisdiction, and reports mainly the legislation touching the public lands.

I suggested that this bill, which I have offered, should go to the Committee on Agriculture and Forestry, because the other bills touching the subject have gone there, and it would seem as if any measure relating to forestry (a subject that is growing in importance with the American people, and which is exciting more and more the attention of thoughtful men) should go to the committee newer than the Public Lands Committee, and entitled "The Committee on Agriculture and Forestry." I fancy that that committee would feel that in any agitation of this subject of forestry and the treatment of our American forests, it would be passing over them to refer a bill distinctively relating to it to any other committee.

I am not a member of either committee, and have no feeling whatever about the matter; but I suggest to the Senate that as other bills on this subject have gone to the Committee on Agriculture and Forestry, this bill go there, and that there should be, as in other cases, some action striving to reach co-operation of the two committees. There are other bills before the Senate where two committees are considering the same subjects and will undoubtedly co-operate. The bills for subsidies to commercial ships, which involve construction upon plans submitted by the Navy Department, are an apt illustration of a subject that two committees may consider, and I hope, under the circumstances,

that this bill may go to the Committee on Agriculture and Forestry, which will confer with the other committee, or the other committee confer with it; but I have no feeling about it.

Mr. BLAIR. The chairman of the Committee on Agriculture and Forestry [Mr. PALMER] is not present. I understand he is ill. As a member of that committee, the very title of which seems to make it proper to send this bill to it for its consideration, and also as a member of the Committee on Public Lands, I can have no sort of preference personally as to which committee the bill shall be sent to; but unless it is to be sent by general consent of the Senate to the Committee on Agriculture and Forestry, I would ask Senators to wait until perhaps to-morrow morning, when probably the Senator from Michigan can be present. I think he would have some feeling with reference to the disposition of this bill. If there be no objection to sending it to the Committee on Agriculture and Forestry, of course I do not care to interpose.

The PRESIDENT *pro tempore*. The Senator from Maine moves that the bill be referred to the Committee on Agriculture and Forestry.

Mr. PLUMB. I have no particular preference on that subject, but it is a very easy way of doing nothing to have bills scattered all around, when all subjects relating to the public lands should go to the Committee on Public Lands.

Mr. BLAIR. We have a Committee on Agriculture and Forestry. Here is a bill that covers the whole subject of forestry, and it would seem to be one great wing of the jurisdiction of that committee, and it appears to me that in the absence of the chairman of the committee another committee should not be pressed.

Mr. HALE. I think there will be no further objection to the reference I proposed.

The PRESIDENT *pro tempore*. The bill, with the accompanying papers, will be referred to the Committee on Agriculture and Forestry, if there be no objection.

Mr. MITCHELL (by request) introduced a bill (S. 1780) to incorporate the Georgetown Barge, Dock, Elevator, and Railway Company; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. MCPHERSON introduced a bill (S. 1781) to authorize the President of the United States to place upon the retired-list of the Navy Pay Inspector Luther G. Billings; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. DOLPH introduced a bill (S. 1782) to authorize the leasing of the school and university lands in the Territory of Wyoming, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1783) to establish the Sundance land district, in the Territory of Wyoming; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. GEORGE introduced a joint resolution (S. R. 44) authorizing and directing the Commissioner of Labor to make an investigation as to the cost of producing leading articles of consumption in the United States and competing countries, and for other purposes; which was read twice by its title, and referred to the Committee on Education and Labor.

### AMENDMENT TO A BILL.

Mr. PADDOCK submitted an amendment intended to be proposed by him to the bill (S. 298) for the erection of buildings for the exclusive use of post-offices of the first and second class; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 1237) providing for the repair of the United States war steam-ship Hartford;

A bill (H. R. 1312) to provide for a term of court at Quincy, Ill.;

A bill (H. R. 1406) to provide for the sale of certain New York Indian lands in Kansas;

A bill (H. R. 1477) to subdivide the western judicial district of Louisiana;

A bill (H. R. 1709) to regulate the practice in causes removed from State courts;

A bill (H. R. 2365) for the relief of William P. Thorn;

A bill (H. R. 5728) to amend the laws relating to navigation, and for other purposes; and

A bill (H. R. 6050) referring the claim of the owners of the steamer I. N. Bunton to the Court of Claims.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 4271) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1887, and for prior years, and for other purposes.

### ENROLLED BILL SIGNED.

The message further announced that the Speaker *pro tempore* of the House had signed the enrolled bill (H. R. 2131) for the relief of Joseph Cox, administrator of Charles Pasters, deceased; and it was thereupon signed by the President *pro tempore*.

### PUBLIC LANDS IN NEBRASKA.

Mr. CALL. I ask the Senate to take up a resolution which I introduced some time ago.

The PRESIDENT *pro tempore*. Are there resolutions, concurrent or other?

Mr. MANDERSON. I have a resolution to offer.

The PRESIDENT *pro tempore*. The Chair will receive it.

Mr. MANDERSON submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Interior be, and he is hereby, directed to inform the Senate—

First. The original number of acres of public land in the State of Nebraska.

Second. The number of acres thereof surveyed, the number of acres thereof sold, and the amount received therefor up to June 30, 1887.

Third. The number of acres of public land in said State contained originally and June 30, 1887, in Indian reservations; the number of acres contained in said reservations sold and the amount received therefor, and whether the State has been allowed 5 per cent. of the proceeds of such sales, the number of acres of public land in said State contained originally and June 30, 1887, in military reservations; the number of acres thereof sold and the amount received therefor, and whether the said State has been allowed 5 per cent. of the proceeds of such sales.

Fourth. The number of acres of public land in said State of Nebraska located with military land-warrants up to June 30, 1887; and whether the said State has been allowed and paid 5 per cent. on the value of said lands so located, and the amount paid on that account.

### THE MAIL SERVICE.

Mr. PLUMB. I offer the resolution which I send to the desk, and ask for its present consideration.

The Chief Clerk read the resolution, as follows:

Whereas there have been for many months serious complaints as to the inefficient character of the mail service, especially in the West and South, and the same continue, indicating that the trouble is of a permanent character:

*Resolved*, That the Committee on Post-Offices and Post-Roads be instructed to make thorough inquiry into the cause of such inefficient mail service, and report to the Senate their conclusions thereon, with suggestions as to remedy.

Mr. COCKRELL. Let that go over.

The PRESIDENT *pro tempore*. The resolution will go over under the rules.

Mr. PLUMB. I ask that the objection be withdrawn for a moment in order to enable me to present some matters bearing upon the resolution.

Mr. COCKRELL. Certainly.

Mr. PLUMB. I ask the Secretary to read in this connection the article which I have marked, being an extract from a leading Kansas paper, the Daily Capital, of Topeka, and which appears also in the CONGRESSIONAL RECORD of the 22d of this month.

The PRESIDENT *pro tempore*. The Secretary will read the paper, if there be no objection.

The Chief Clerk read as follows:

#### THE MAIL SERVICE OF KANSAS.

Never at any time in the history of Kansas has there been in the United States mail service such an utter disregard of the rights of the people as at this time. Notwithstanding the great increase in population, the stupid attempt on the part of the Administration to make a record for economy has cut down the clerical force necessary to properly distribute the mails at large offices and in the mail trains, and it is consequently too small to do the work. Tons of mail matter pass through Kansas on the trains westward that can not be disposed of by the force allowed by the Post-Office Department. The result is that it is carried past the towns where it belongs, and brought back after two or three days' absence in Colorado or New Mexico. It is not the fault of the railway clerks, because the Department asks of them a task that it is not possible for them to perform. The people of Kansas have been patient, and the press has been lenient over this Democratic folly. Mails going west are so heavy that men working to the extent of their strength, doing more than double duty, can not handle them.

Appeals to the Department at Washington for adequate help to take care of this important public service are unheeded. The railway mail service through Kansas has become criminally neglected, and it is time this attempt of the Democratic party to make capital by a show of false economy should be brought to the attention of Congress. In reply to continued appeals for the Department to send a man to examine the railway mail service in Kansas, a man came, and overlooking the tons of mail that could not be distributed in time to be thrown off at the towns where it belonged, he succeeded in having two or three clerks fined for not having the regulation gold-lace band on their caps, and thus civil-service reform was indorsed and the record of the party for economy maintained.

Mr. PLUMB. I offer also a letter received a day or two since from the secretary and business manager of the Kansas City Journal, one of the leading daily papers of the West, on the same subject.

The Chief Clerk read as follows:

KANSAS CITY, MO., *January* 25, 1888.

DEAR SIR: Is it possible to bring to bear such pressure, by means of a Senate committee on investigation of Western mail service in Missouri and Kansas, as will rectify the present demoralized condition of said service?

Our relations to this service are such that we suffer more perhaps than any other line of business and know more of its delinquencies than those engaged in other vocations.

I can say after eighteen years' continuous labor in this one office, with full facilities for learning as to general efficiency of the mail service, that it was never so bad nor so badly administered as during the past year, and that the tendency at this time is toward a down grade. Can you give this attention and bring it before the people in such manner as to lead to a reform?

Very respectfully,

J. A. MANN,
*Secretary and Business Manager Kansas City Journal.*

Hon. P. B. PLUMB, *Washington, D. C.*

Mr. PLUMB. To meet the possible suggestion that the information contained in the newspaper article already read and the letter from the business manager of the Journal may be colored, being from Republican sources, I send to the Clerk's desk to be read an article from a paper

claiming to be the leading Democratic paper of Kansas, and the official organ of the party in that State, which will show that complaints are not confined to Republican sources. The article is from the Abilene Gazette, a daily paper published at Abilene, Kans.

The PRESIDENT *pro tempore*. The paper will be read, if there be no objection.

The Chief Clerk read as follows:

The time has come, in fact it came long ago, for the United States postal authorities to do something for the Western mail service. We do not know whether the rank service which we have been receiving is due to incompetency or lack of sufficient help, but one thing we do know, and that is it is about as weak as the people are going to stand by and accept without kicking vigorously. Day after day, week in and week out this office has received numerous and repeated complaints of failure to receive papers. We have traced the matter down and find that it is due to the rotten mail service. We are possessed of ordinary patience, but the time has gone by for us longer to remain silent. Yesterday morning at 3.30 the greatest outrage that has ever been perpetrated upon a daily newspaper in Kansas since the State was admitted into the Union was served the Gazette by the route agent who worked the mail going west on train No. 203, either through ignorance, drunkenness, imbecility, or maliciousness, we know not which.

Mr. PLUMB. Mr. President, these are only samples of what is appearing in the press of Kansas and the West generally in regard to the mail service, which, as is well stated in the letter from Mr. Mann, has been on the down grade for some time. The people of the United States pay for this mail service. They have always demanded that it be good without reference to its cost, and that the first thing to be taken into account should be its efficiency.

The very estimable gentleman who has recently retired from the Post-Office Department, and under whose administration the business of that Department has come into the present deplorable condition, failed, I think, to take into account the fact that the first need was for good service, and that parsimony was out of place. He has seemed to be possessed with a frantic determination to make revenue meet expenditure, regardless of the results to the service. He has saved some money, but in doing so he has deprived the people of that efficient mail service which their interests require and which they have had until within the last two years.

As a result the mail service of the country, and especially in the West, is utterly demoralized and fails to answer to even the most ordinary demands upon it. The editor and publisher of the Wichita Eagle, a leading daily paper published at Wichita, Kans., stated to me a few days since that for months he has not sent his papers to their destination through the mails, but has used the express on the same trains which carried the mails, because when he deposited papers in the post-office to have them carried by mail they were certain to be so miscarried or otherwise delayed as to wholly defeat the purpose for which they had been printed and mailed. He therefore preferred to pay the greater charges necessary and have them carried safely and speedily by express.

That of itself would be enough to indicate the disgraceful condition of the service. Whether the reason of this is to be found wholly in the failure to employ a sufficient number of suitable persons to transact the business in post-offices and on postal cars, or whether it is partly due to the discharge of competent officials and employment in their stead of those less competent I will not say, though I have been informed on authority, which I do not vouch for, however, that within the last year or two the maximum rating of postal clerks in the examinations which are required to precede their permanent appointment has been lowered about 30 per cent. I do not say that is true. I do not know it, but I have been told so. I have no doubt most of the trouble is due to the fact that there are not sufficient clerks and route agents employed.

Mr. COCKRELL. Will the Senator allow me one explanation there?

Mr. PLUMB. Yes.

Mr. COCKRELL. I think the Senator's information in regard to the grading of clerks must be a mistake. I knew a young gentleman, belonging to a most excellent family, who was appointed partly on my recommendation, and he failed at the end of six months and was discharged, and I know his grading was over 60 per cent., but I did not have influence enough to keep him in the service.

Mr. JONES, of Arkansas. If the Senator from Kansas will allow me to make a suggestion in that connection, I will say that in my State the same chief clerk is discharging the service that has been for years past, and there can be no sort of doubt that he would require the same degree of efficiency he had been in the habit of requiring under former administrations.

Mr. PLUMB. He may not have had as good material to work with as before. The responsibility for this condition of affairs must necessarily rest with the head of the Department. It is in his power to vitalize this service, and it is his duty to do it. Congress has appropriated every dollar he asked for, and he can not plead lack of funds. No portion of his responsibility can be placed on a route agent, or on a division superintendent, or elsewhere. The responsibility must finally come back to the Postmaster-General himself. He appoints every subordinate, makes every contract—all that is done is with his authority and by his direction.

I have no doubt the late Postmaster-General did what he believed his duty required, but he simply carried his idea of economy to an extent which ruined the service which it was his duty to keep up and constantly improve.

I do not care to ask that the resolution be adopted now. I wanted to present these facts in order that they, in connection with the resolution, may be considered to-morrow, or at such other time as it may properly come before the Senate.

The PRESIDENT *pro tempore*. The resolution will lie over under the rules.

## RELATIONS WITH CANADA.

Mr. FRYE submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, 1. That the Secretary of the Treasury be directed to inform the Senate what communications have been made with the Dominion of Canada since the abrogation of article 30 of the treaty of Washington, and what agreements have been arrived at touching the transportation of goods across the boundary line in bond and otherwise.

2. What methods have been taken to protect the revenue derived from bonded goods passing the frontier both ways and American goods transported coastwise.

3. What, if anything, has been done to enforce the second clause of section 6 of the interstate-commerce law.

Mr. FRYE. I offer another resolution, and I simply desire to say in regard to it that it calls for exceedingly important and valuable information, and, in view of the fact that serious commercial questions are liable to arise between Canada and the United States at any time, the necessity for the information will be apparent.

The Chief Clerk read the resolution, as follows:

*Ordered*, That the Committee on Foreign Relations be authorized and directed to prepare for the use of the Senate a statement showing—

1. The political organizations of the Dominion of Canada and of the several provinces of which it is composed, and the relations sustained by the same to the United States, as well as to Great Britain.

2. The several treaties, commercial and otherwise, that have been made between the United States and Great Britain in behalf of the Dominion of Canada, or any of the several provinces composing the same, and the present condition or status of said treaties.

3. The commercial relations established by the statutes of the United States between the United States and the Dominion of Canada or any of the provinces composing the same.

4. The amount and value of the commerce and trade subject to duty between the United States and the Dominion of Canada or the provinces of which it is composed.

5. The amount and value of the "transit" trade, or commerce, of the Dominion of Canada not subject to duty passing through the territory of the United States between said Dominion and countries other than the United States.

6. The amount and value of the commerce and trade between the Dominion of Canada and the provinces of which it is composed and all other countries, including the United States.

7. The area of the Dominion of Canada and of the several provinces that compose it, and the population of the same, including Newfoundland.

8. The amount of the funded and floating debts of the Dominion of Canada, and of the several provinces of which it is composed, and the objects for which they were created.

9. The revenues, from whatever source, of the Dominion of Canada and of the several provinces comprising the same, including Newfoundland, and the current charges against the same.

10. The several railroads that have been constructed in the Dominion of Canada and within the provinces of which it is composed, including Newfoundland, the mileage of the same, the cost of the same; the share-capital, funded and floating debts of the same; the guaranties or undertakings of Great Britain or of the Dominion of Canada, or of the several provinces composing the same, including Newfoundland, on account of such railroads, the tonnage, earnings, and operating expenses of the same.

11. The several canals constructed by the Dominion of Canada or the provinces composing the same, the size of the locks on the same, the cost of such canals, the number of vessels navigating the same, the tonnage transported on the same, whether of the United States or of the Dominion of Canada, the revenue therefrom, and the cost of maintenance, and the average number of days in each year in which they are navigable.

12. The dates for a series of years of the opening and closing of navigation of the St. Lawrence.

13. The subsidies granted by Great Britain or the Dominion of Canada to lines of steam-ships or railroads for the purpose of developing the trade and commerce of the British North American provinces.

Mr. COCKRELL. Let that be printed and lie over.

The PRESIDENT *pro tempore*. The resolution lies over under the rules, and will be printed.

## THE SWENSON PATENT.

Mr. EDMUNDS submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Commissioner of Agriculture be, and he hereby is, directed to communicate to the Senate, as soon as may be, any report or reports made to the Department of Agriculture by Professor Swenson on the subject of sugar making which have not already been transmitted to Congress.

## HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on the Judiciary:

A bill (H. R. 1312) to provide for a term of court at Quincy, Ill.;

A bill (H. R. 1477) to subdivide the western judicial district of Louisiana; and

A bill (H. R. 1709) to regulate the practice in causes removed from State courts.

The following bills were severally read twice by their titles, and referred to the Committee on Claims:

A bill (H. R. 2365) for the relief of William P. Thorn; and

A bill (H. R. 6050) referring the claim of the owners of the steamer I. N. Bunton to the Court of Claims.

The bill (H. R. 5728) to amend the laws relating to navigation, and for other purposes, was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 1406) to provide for the sale of certain New York Indian lands in Kansas, was read twice by its title, and referred to the Committee on Indian Affairs.

The bill (H. R. 1237) providing for the repair of the United States war steam-ship Hartford, was read twice by its title, and referred to the Committee on Appropriations.

RAILROAD RECEIVERS.

Mr. CALL. I gave notice last week that at the close of the morning hour to-day I should ask the Senate to take from the Calendar a resolution submitted by me on the 12th of December, 1887, instructing the Committee on the Judiciary to report what is necessary for the correction of the existing evils in regard to receivers appointed by the courts of the United States. The hour of 2 o'clock being nearly at hand, and the Senator from Iowa [Mr. ALLISON] the chairman of the Committee on Appropriations, desiring to call up an appropriation bill, I now give notice that to-morrow morning at the close of the morning business I shall ask the Senate to take up the resolution for the purpose of submitting some remarks before its reference.

AGRICULTURAL-EXPERIMENT STATIONS.

Mr. ALLISON. I move to take up Order of Business 136, being House bill 4881, an appropriation bill for agricultural experimental stations, a deficiency for this year.

The PRESIDENT *pro tempore*. The title of the bill will be stated.

The CHIEF CLERK. A bill (H. R. 4881) making an appropriation to carry into effect the provisions of an act approved March 2, 1887, entitled "An act to establish agricultural experimental stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of acts supplementary thereto."

Mr. ALLISON. As the hour of 2 o'clock has almost arrived, I ask unanimous consent that this bill may be considered until completed. I think it will take only a few moments.

Mr. BLAIR. Without displacing the unfinished business?

Mr. ALLISON. Of course, without displacing it.

The PRESIDENT *pro tempore*. The Senator from Iowa asks unanimous consent that the Senate proceed to the consideration of this bill, laying aside the unfinished business informally until its completion. The Chair hears no objection, and the bill called up by the Senator from Iowa is before the Senate as in Committee of the Whole.

Mr. SAULSBURY. There was heretofore reported a bill providing that appropriations for this purpose should be placed under the control of the State Legislature. I desire now to state that I should be very glad that this bill should be sent back to the committee and held back until some amendment can be made to the original act, which provides for the money going directly into the hands of the governing boards of the various agricultural colleges. In my opinion, at least one-half of the agricultural colleges are so situated that no practical value whatever to the agriculture of the country will be obtained by the appropriation of the money in the manner now provided. Those concerned in the interest of agriculture in the several States ought to have an opportunity to present their views. I am satisfied the money will in many instances go into the hands of those who will pay but little attention to what the interests of agriculture require, and so it will be of no practical use to the agriculturists of the country. My desire is that some action should be taken on the original law so that this appropriation may go into the hands of the State Legislatures, so that they may control the disposition of it.

The PRESIDENT *pro tempore*. The bill will be read at length.

The Chief Clerk read the bill.

The Committee on Appropriations reported the bill with an amendment, in line 9, after the words "thereto the," to strike out:

following sums be, and they are hereby, appropriated, out of any money in the Treasury of the United States, proceeding from the sales of public lands, and in full compensation for the fiscal year ending June 30, 1888, $585,000.

And to insert:

sum of $585,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1888.

So as to make the bill read:

*Be it enacted, etc.*, That to carry into effect the provisions of an act approved March 2, 1887, entitled "An act to establish agricultural-experiment stations in connection with the colleges established in the several States, under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto," the sum of $585,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1888.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

AID TO COMMON SCHOOLS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. MORGAN. Mr. President, this is the third occasion on which I have been called upon by my sense of duty to discuss this measure, or measure svery similar to it. I could excuse myself, and I think legitimately, from entering on a further discussion of it if it were not that this matter has undergone a considerable amount of investigation in my State and in other Southern States, and the people there seem to have a desire for some further explanation of the provisions of this bill, and of the foundation upon which it rests, and the results to which it will likely lead in the event of its final enactment.

The bill also has had quite an extensive growth since it came first into the Senate; and that growth has been in the direction of further centralization of power, further usurpation of power by Congress, further encroachment upon the reserved powers of the States, and a departure in some very material particulars from the method of disposition of this money amongst the States which was originally contemplated when the bill was introduced into the Senate by its author, the Senator from New Hampshire [Mr. BLAIR].

I have looked through this bill with an earnest desire to understand it. I can not say that I approve of the policy of the bill, because I think it belongs to that class of intensive legislation which, like intensive agriculture and a great many other intensive things that we do, recoil upon us; and after a while there is a collapse instead of a steady, healthy, permanent growth in the matters about which we are concerning ourselves.

I should be very glad, indeed, inasmuch as the Southern States are supposed to be very largely the gainers in the amount of money that is to be distributed through this bill, to gain my own consent to the wisdom of its policy, and also to the proposition that it has a legitimate foundation amongst the powers of Congress; but in neither respect have I been able to overcome those objections which arise in my mind, not from political training so much as from the studies that I have been able to give to constitutional questions as they relate to the distribution of powers between the United States on the one hand and the States and the people on the other.

In my efforts to ascertain the foundation upon which this bill is rested, while I have discovered that there has been a good deal of diversity and divergence and opposition of opinion and argument in its support by its most active friends, my conviction has at last settled upon the proposition that the bill really was intended to rest and does rest upon what is termed the general-welfare clause of the Constitution. So I shall treat it; in that regard I shall argue it, devoting a portion of my remarks to the question whether or not "the general welfare" in respect of this particular subject is in the keeping of the Congress of the United States, or whether it was left by the framers of our constitutional system of government in the keeping of the States and amongst their reserved powers.

Finding no express power given to Congress to deal with the subject of schools in the States in the Constitution, and finding no allusion in that instrument to education or schools, I conclude that the builders of that great and new system of organic law did not intend to include the fostering of education or the establishment of schools in the States among the Federal powers that were to be given by those States to Congress. When I say "given by these States," I mean given by the people of the States through their local government organization that was then the State as much as it is now. That body of wise men knew what they were doing, and were not thoughtless or inconsiderate about so important a subject as education.

It was then a grave problem, as it is now, whether any government ought to have the power to tax one man to educate the child of another who is able to educate his own child, any more than it should have the power to tax him to feed and clothe such child or provide for its cure when it is sick.

That problem had been decided by some of the States before the Constitution of the United States was formed, and in other States it was still in doubtful debate. The States that established this power placed it in their constitutions as part of their State governments, as I will presently prove by reading those parts of their organic laws.

These domestic, municipal, State powers, in the grasp of these States, were boldly displayed in the constitutions of the States of the very men who were engaged in delegating certain powers to a new government they were then forming, and they did not attempt to touch one of them. They left them severely alone. They did not dare to touch them or attempt to confer them upon the National Government. Some of the States had not yet reached the conclusion that education should be made a subject of compulsory duty on the part of their own State Legislatures. They would scarcely incorporate a power to control education in a national constitution that they had not been willing to intrust to or to make compulsory upon their own State Legislatures.

The States that had fixed these powers in their own constitutions would not have been willing to intrust them to Congress, whose enactments, whenever they are valid, are supreme.

I therefore conclude that the power to establish, or provide for, or to control education is found among the powers reserved to the States, and can not, therefore, be among those delegated to Congress.

If the Constitution says anything with unequivocal meaning, it is that the powers of government not therein expressly granted to the United States are reserved to the States or to the people.

In order to turn this barricade the astute minds of the friends of this measure resort to the fact that the Constitution expressly gives to Con-

gress the power to appropriate money. They read that power in the broadest light of discretion, and insist that any disposition Congress may choose to make of public money is lawful, because the money in the Treasury is subject to their power to appropriate it.

If this is true it is a shocking assault of logic upon the moral sense of the people of the United States. We can appropriate money for our salaries, but if we should conclude that they should be raised from $5,000 a year to $1,000,000, the power to appropriate the money would scarcely be admitted as justifying a purpose in making it that would be mere robbery of the Treasury.

It is the purpose of the appropriation that must limit the power to make it in every instance, or else the most conservative and necessary check on the licentious abuse of the power to vote away the money of the people would be removed. It was for this reason alone that the general-welfare clause was imposed as a restraint on the taxing power, so as to limit that power by confining its exercise to the purposes of the general welfare of the United States, meaning by that phrase the Government of the United States and the people of the United States so far as their rights and interests are expressly put in the keeping of that Government.

This "general-welfare" clause is perverted from its true office as an express limitation upon the power of Congress in taxing the people, and is turned into a grant of power to Congress which makes it as absolute as is the British Parliament, and that perversion of the Constitution is made the foundation of the power to enact this bill into a law.

That false conception of the Constitution is thus stated:

First. That the general welfare of all the people of the United States, whether they are found in the States or in the Territories, is intrusted to the care of Congress;

Second. That power to tax the people is given to Congress for the purpose of promoting this general welfare;

Third. That education promotes the general welfare of the people and of the Government;

Fourth. That Congress can declare that education does promote the general welfare; and

Fifth. That such a declaration gives Congress the power to include education among the subjects of its care, and the power to raise money and apply it to that purpose.

They stop this current of false logic, flowing from false premises, just at this point, and the bill makes a pretentious effort to cease its invasions of the Constitution at this line; but its failure to do so would be ludicrous if it were not so dangerous.

A sixth proposition that belongs to this series is that the laws of Congress are supreme wherever they operate, and the power to promote the general welfare includes the supreme power to deal with, regulate, and control absolutely the subject to which that welfare relates.

In the eager desire to use the general-welfare clause of the Constitution to advance a measure that has such hold upon them they seem to forget the boundaries of the jurisdiction of Congress fixed in the distribution of the powers of government between the States and the Federal Government, and that these limits confine the care of the general welfare intrusted to Congress, even in the wide interpretation which they adopt, to that field of legislative activity to which Congress is confined by the Constitution.

The misinterpretation of the true meaning of the general-welfare clause could not do much harm if Congress does not use it for the dangerous purpose of invading the rights reserved to the States. Where it passes that boundary, as it does in this bill, nothing could be more dangerous to the entire scheme of the Government which was ordained for us a hundred years ago.

Broad as these powers are claimed to be, under this misinterpretation of the purpose of the general-welfare clause in the Constitution, they may be admitted to exist, in the full latitude claimed for them, in all places that are under the exclusive legislative jurisdiction of Congress, and over the whole country within our boundaries, in cases where the subject is one as to which Congress has the exclusive right of legislation.

Congress can legislate over the District of Columbia and the Territories on any subject that is within the control of legislation, but even in those places its power is not absolute. It can not touch the question of religion; it can not destroy the free press, or prohibit free speech; it can not destroy the obligation of a contract; it can not invade a home in the country in time of peace, without the authority of a judicial warrant; it can not cause a person to be executed for murder, until a grand jury and a petit jury have sat on the case and a verdict of guilty, in due form of law, has been pronounced.

I could name many other things that Congress can not do, even in those localities where its legislative powers are exclusive, although it might fill our legislative records with acts and resolutions declaring that it was necessary, to promote the general welfare, that these things should be done. The courts come in and cut down and cast out all such growth of usurpation when we attempt to fasten it upon the country. In the Territories and the District of Columbia Congress has the legislative powers that belong to the State and Federal Governments. In the States Congress can exercise only the powers expressly delegated to it or to the Federal Government.

I will content myself with citing only one of many cases I could present to illustrate these points.

In the last Congress we enacted a law to suppress polygamy in Utah and to disestablish the Mormon Church and repeal the charters, granted by the Territorial Legislature, on which this criminal pretense of a religion was founded. In that act we used the Federal power as including the local municipal power of legislation, but we did not encroach on the freedom of conscience in religion, though millions of people believe that the general welfare of the people of the United States required that we should. The power of Congress is supreme and exclusive in legislating for Utah, but it is not absolute, even under the general-welfare clause.

There are two Mormon churches in Philadelphia, regularly organized, with pastors and houses of worship. One of them is polygamous in faith and the other is not, just as many Mormons in Utah are anti-polygamists.

Congress has no more power over polygamy or the Mormon church in Philadelphia or over any crime that such a church might foster than it would have in London. It is the place, the locality, and the presence in Pennsylvania of another sovereign, having rightful and therefore exclusive jurisdiction over the subject of polygamy and Mormonism, that put a barrier before Congress that it can not surmount and forbid us to encroach upon that jurisdiction, though we should claim the right to declare that the general welfare is in our keeping and that it requires the suppression of Mormonism in Philadelphia as it does in Utah. We are required to show something more than our own declaration of our absolutism before we can enter a State to reform its institutions and adapt them to our notions as to the best way in which to promote the general welfare.

What is it that stops us on the border of Pennsylvania when we wish to follow Mormonism into Philadelphia and punish it there with disfranchisement, with confessions extorted from women claiming to be wives and the lawful mothers of children born in lawful wedlock, and with imprisonment, as we did in Utah?

It is the statehood of Pennsylvania and the rights reserved to her when she came into the Union that prevent us. It is not the absence of the necessities of the general welfare that thus disarms us of our alleged high powers. It is not the want of power to appropriate money that stops us. That is as easy to do as it is for any discretionary trustee to break his faith with his principal in applying his money.

It is the want of power to apply the appropriation in Pennsylvania to a subject over which that State has sovereign and exclusive control, reserved to her in the Constitution, within her own borders, that stops us. Where do we find this reserved right of Pennsylvania recorded or declared? Nowhere, unless it may possibly be in her constitution. Where do we find it denied to Congress? On every page of the Constitution it is denied to Congress, because it is nowhere enumerated among the powers granted or delegated to Congress.

Every power of statehood that is consistent with a republican form of government belongs, of right and necessity, to every American State, whether such powers are mentioned in their laws or not, unless they are expressly delegated to the United States, or are such as arise, by necessary implication, from the powers so delegated.

Every subject of legislation to which these reserved powers apply is placed beyond the reach of Congress, unless there is an express grant of power to Congress to deal with that subject, or unless, by necessary implication, the right to deal with the subject belongs to a power so expressly granted to Congress.

Without reserving to the States, as parts of their autonomy, the plenary and undefined domestic and municipal powers and jurisdictions that belong to sovereignty (after the powers that were found necessary for their political union with other States had been delegated to the United States), the States would have perished of imbecility. As it is, they will never perish. No State of this Union will ever die. They will survive every other form of government on this continent, it makes no difference what the exigencies of our condition in the future may be. Without these reserved powers, over these reserved subjects of legislative control, the States would not now have the care of all the vital interests of their people, including their rights of life, liberty, and property.

In the highest sense, and also in the most exact and correct sense; in the most general way, and also in the most particular way, the States have charge of the general welfare of their people, with the most ample power to promote it in respect of every matter that is local and domestic. The States regulate the ownership and conveyance of real and personal estate, wills, successions, trusts, and distributions of intestates' property; the relations of parent and child, husband and wife, and guardian and ward. They define and punish crime. They regulate the highways and all vehicles of State commerce. They build hospitals and asylums, and take control of all schools and institutes that are supported under their authority. The morals of the people and the protection of individuals and communities against vice are under the charge of the States.

The Supreme Court has but recently declared that a State may prohibit the production and sale of intoxicating drinks within its borders, although Congress has granted a license to produce or sell such liquors

within such State. All these matters relate to the domestic general welfare of the people, and are confided to the care of the States. The maintenance and control of the public schools is as much a part of that general welfare as is the control of the production or sale of whisky. Can Congress control the general welfare of the people of a State by compelling the introduction of whisky when the State prohibits its introduction? And yet the collection of taxes on whisky is for the general welfare of the United States, as Congress declares when it passes the laws relating to internal revenue. There is a general welfare also of the United States which Congress must regard—a welfare of that Government which Congress must respect; a limitation on the taxing power that is a sacred check upon a power that it is easy to abuse, and when abused is sheer tyranny. This general welfare has not wrapped up in it a single reserved power of the States, and when it touches the subjects of these reserved powers, there can be nothing but usurpation in the movement.

Not only is the power to establish, control, and regulate common schools among the reserved powers of the States, but they were ancient rights and liberties in every colony and in every State when Congress was created by them and invested with its limited powers.

These powers over schools were so highly valued by the States that they declared them and provided for their enforcement in their State constitutions, thereby making them, expressly, a part of their organism—the autonomy—of their State governments.

The powers usurped in this bill, as well as the subject to which they relate, and the control the bill attempts to exert over this subject, belong to the domestic affairs of the States and always have belonged to their reserved powers, with which Congress is positively forbidden to interfere.

The power claimed in this bill, drawn in part from the general-welfare clause, in part from the consent of the States purchased for a price, in part from a refinement on the power to appropriate money, making it analogous to the power to misappropriate it, or to throw it away, or to destroy it, is too uncertain and frail to stand for a moment, opposed to the injunction of the Constitution that Congress shall exercise no power that encroaches upon the rights and powers reserved to the States.

To show what sort of reservation the States made of the power to educate their children, I will read from some of their ancient constitutions.

The constitution of Connecticut provides, in section 2 of article 8:

SEC. 2. The fund called the school fund shall remain a perpetual fund, the interest of which shall be inviolably appropriated to the support and encouragement of the public or common schools throughout the State, and for the equal benefit of all the people thereof. The value and amount of said fund shall, as soon as practicable, be ascertained in such manner as the General Assembly may prescribe, published, and recorded in the comptroller's office; and no law shall ever be made authorizing said fund to be diverted to any other use than the encouragement and support of public or common schools among the several school societies, as justice and equity shall require.

That provision of the constitution followed out one of the ancient regulations made by Connecticut for the disposal of that fund which arose from the sale of what were termed the fire lands in the Western Reserve of Ohio, I believe it was. A large fund was accumulated, which the State of Connecticut took under her charge during the time of the Confederation, and when she came into the American Union that fund had accumulated in her treasury, and she, by a regulation of her Legislature, provided for the management and application of that fund to the subject of common schools, thereby exercising in the most plenary way the right and power and duty reserved to herself to manage this fund according to her own will.

Who will say that when Connecticut consented to come into the American Union she thereby agreed to place her common schools in any sense whatever under the control of the National Union?

Georgia had a similar provision that dates back to 1777, as follows:

ART. LIV. Schools shall be erected in each county, and supported at the general expense of the State, as the Legislature shall hereafter point out.

North Carolina had a similar provision:

XLI. That a school or schools shall be established by the Legislature, for the convenient instruction of youth, with such salaries to the masters, paid by the public, as may enable them to instruct at low prices; and all useful learning shall be duly encouraged and promoted in one or more universities.

That was the constitution of 1776, following that wonderful declaration of independence made at Mecklenburgh, which was the precursor, the vanguard of the independence of the United States.

Maine had a similar provision in the eighth article:

A general diffusion of the advantages of education being essential to the preservation of the rights and liberties of the people, to promote this important object the Legislature are authorized, and it shall be their duty, to require the several towns to make suitable provision, at their own expense, for the support and maintenance of public schools, and it shall further be their duty to encourage and suitably endow, from time to time, as the circumstances of the people may authorize, all academies, colleges, and seminaries of learning within the State.

Massachusetts had a similar provision:

SEC. 2.—THE ENCOURAGEMENT OF LITERATURE, ETC.

Wisdom and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties; and as these depend on spreading the opportunities and advantages of education in the various parts of the country and among the different orders of the people, it shall be the duty of Legislatures and magistrates, in all future periods of this Commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them, especially the university at Cambridge, public schools, and grammar schools in the towns; to encourage private societies and public institutions, rewards and immunities for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and a natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and frugality, honesty and punctuality in their dealings, sincerity and good humor, and all social affections and generous sentiments, among the people.

New Hampshire had a strong provision of the same kind:

ENCOURAGEMENT OF LITERATURE, ETC.

SEC. 83. Knowledge of learning generally diffused through a community, being essential to the preservation of a free government; spreading the opportunities and advantages of education through the various parts of the country being highly conducive to promote this end, it shall be the duty of the Legislatures and magistrates, in all future periods of this government, to cherish the interests of literature and the sciences, and all seminaries and public schools.

I will read from the ancient act of organization of the State of Pennsylvania what that great State did upon this subject, and show how far back this power had its origin. This was in 1683. The frame of the government of Pennsylvania which was begun at that time, in the tenth article provides:

X. That the governor and provincial council shall erect and order all public schools, and encourage and reward the authors of useful sciences and laudable inventions in the said province and territories thereof.

As I observed awhile ago, there were some of the States that had not got to this advanced ground. There were some of the States in which it was still held in serious debate at the time the Constitution of the United States was being formed as to whether it was a legitimate duty of a State government, or any government, to incorporate into its constitution compulsory requirements upon the legislature that they should embark in the project of education, free of expense, to the children of the country. They believed in the private school, the academy, the college, the old-field school, if you please; and whether they were right or whether they were wrong, their convictions upon that subject at that time were just as honest as ours are now.

Here, then, were the thirteen States met in convention and ordaining a general National Government, some of which had adopted the common-school system in their States and others had not reached that point of public opinion and had not public schools. How were these States to be reconciled together in the conferring of power upon the National Government that should have the discretion to break down their constitutions or put measures of legislation into the body of their statutes for the encouragement of common schools? No, sir, that idea was no more entertained in that constitutional convention than the idea of the dissolution of the Union is entertained in this Senate at this very moment; and we do serious injustice to history when we undertake to assume that those delegates from the different States organized the Government of the United States with the slightest reference to common-school education in the States. They organized it with as much reference to State penitentiaries, and State public roads, and State lunatic asylums, and State poor-houses, as they did in reference to State public schools. These matters were left where they rightfully belonged then, in the hands of their natural guardians, the local governments of the various States, wherein they have been successful beyond human expectation, and from whose attention the most beneficent fruits have been yielded.

I am opposed to breaking up that arrangement. I am opposed to usurping that power. I am opposed to interfering with each State in the exercise of its rightful reserved powers. I know mischief will come from it, not merely in the importation into our systems of legislation of features of violent usurpation, but I know that the retroactive effect upon the schools themselves will be to cause them to rely upon the strong arm of the Government of the United States, and to dissociate them entirely from a reliance on that home and domestic government to which they rightfully belong; which inspires them with all their strength and will be the cause of all their usefulness.

In Alabama education is made a part of the State government, an element of its autonomy, and I do not feel disposed to enter upon any legislative experiment here which requires the people of my State to alter their State constitution before they can avail themselves of its advantages. I think the people of Alabama, in convention, understood better their constitutional needs, to say the least, than I do. I think, moreover, that in the affections of their noble representatives in their Legislative Assembly they have quite as warm a feeling for the rising generation, quite as generous an impulse for their former slaves, quite as wise a discretion as I might be able to exercise through the powers, if I had them, as a United States Senator, to regulate common schools in Alabama. I defer to the Legislature of Alabama as being the tribunal best fitted to accomplish the great result of the education of the people. I did not come here with an idea that my commission included any such opportunity or power as this, and I am loth to attempt to exercise it. I read from the constitution of Alabama:

SECTION 1. The General Assembly shall establish, organize, and maintain a system of public schools throughout the State, for the equal benefit of the children thereof between the ages of seven and twenty-one years; but separate schools shall be provided for the children of citizens of African descent.

SEC. 2. The principal of all funds arising from the sale or other disposition of lands or other property which has been or may hereafter be granted or intrusted to this State, or given by the United States for educational purposes, shall be preserved inviolate and undiminished, and the income arising there-

from shall be faithfully applied to the specific objects of the original grants or appropriations.

Our State constitutional convention, doubtless with a view of establishing confidence amongst the people of the United States that were looking at them with interested curiosity to see what they would do with negro education, put it into the body of their organic law that all the funds which might come to them from the United States should be held as a sacred fund, the increase, interest, or accumulations of which alone should be applied to the purpose of common-school education.

Now, I take your gift here—for that is what it is called—before the Legislature of Alabama and ask them to accept it, and instead of reserving it to the State as an endowment fund I ask them to go on and distribute a gift from year to year during eight years amongst the children of that State. The question arises at once, what authority have they to do it? Congress can not confer upon them powers as legislators within the State. This law does not help their powers in the slightest degree. What are they to do with it? Our constitution, that they are sworn to support, commands them that it shall be made a permanent fund, and only the interest and accumulations of it shall be expended for the benefit of education.

I solemnly believe, sir, that this gift, should it ever unfortunately reach the hands of the Legislature of Alabama to be disposed of, would be considered money or property given by the United States for educational purposes, and that our legislators would find themselves constrained to preserve that fund inviolate and undiminished, and that the income arising therefrom should be faithfully applied to the specific objects of the original grants or appropriations. I believe they can go no further than this until the State constitution is amended.

On examination I find a similar provision in the constitution of Mississippi, and of Florida, and of South Carolina, and Georgia, and perhaps other States.

It is a gift, or it is not. The honorable Senator from Mississippi [Mr. GEORGE] who has been a warm supporter of this bill, and I might say, without the least flattery to him, its ablest supporter on the floor of the Senate, in a debate held with me during the last Congress upon this subject announced that the bill made a pure gift from Congress to the State, but upon condition-subsequent. Therefore it is a gift, a gift of money, and the constitution of the State of Alabama, whenever that gift comes within the reach of her legislative power, provides and requires that it shall be held as a capital fund of which alone the interest shall be used. That provision of the State constitution evidently had no reference to a gift like this, to be followed up and administered under the direction of acts of Congress.

I find another difficulty of a legislative character in the administration of this measure. The fiscal years in the States differ from those of the Federal Government; our fiscal year in Alabama, in respect to the school fund, I believe, commences on the 1st day of October and runs to the last day of next September. Unless we should change that we can not keep pace with the requirements of the act which requires that the expenditure of the money, and all concerning it, shall have that periodicity which belongs to the fiscal years of the Government of the United States.

Nor is this difficulty removed by the fact that each State must enact this bill as a law of the State. And, by the way, I will remark, in support of a statement I made at the outset, that in the growth of this bill I have found that, until it was put in the bill that was introduced at the last Congress, there was no provision in any of these bills, or in any of the reports made by any of the committees that have acted upon them, requiring that the States should adopt this legislation by a bill or otherwise. This provision never appeared until it came up in the last Congress. In the bill (S. 151) introduced December 5, 1883, and the bill (S. 194) introduced December 8, 1885, this provision was not found. These earlier bills were reported back and discussed and passed by the Senate, and did not contain the provision that I refer to. None of these bills until December 8, 1885, contained the provision which I will now read:

*Provided*, That no money shall be paid to a State, or any officer thereof, until the Legislature of the State shall, by bill or resolution, accept the provisions of this act, and such acceptance shall be filed with the Secretary of the Interior.

I spoke of the growth of usurpation here; I spoke of the march of invasion against the rights of the States. Here we find that the authors and the promoters of this bill had it in their hands from 1881 until 1886, and reported it back to the Senate three times, omitting the provision to which I have referred. How did it find its way in, then, and who moved it? It came in because those men who believe that the general-welfare clause in the Constitution gives to the United States Government the right of supreme control of education in the States found it necessary to their purpose to support their position by putting that provision in the bill. What have we got to do "by bill or resolution?"

Your State Legislatures have got to accept what? The gift of money under the provisions of the bill. These provisions must receive State indorsement and State acceptance. You must re-enact this bill in your State Legislatures, and after you have thus re-enacted it you have a new law for your State, and that new law is this bill, and whatever antecedent law there may be in the State that stands against the principles of this bill or against its provisions is repealed by the enactment of this bill into a law. I thought there was humiliation enough in the fact that the State must have a system of free schools in order to receive this money, and that was all that was required until the bill of 1886 was brought in. Then it was required that the State Legislature should, by bill or resolution, re-enact this bill and make it a law of the State. I contend that Congress, in doing that, has invaded the rights of the States beyond question and in the most serious manner. It has presented a fatal alternative to the States.

More than that, there is coercion in the diversion of their money, collected by taxation out of their people, to another State in the event that any of the States refuse to receive what belongs to them under this bill. Why should it have been deemed necessary to compel the States to accept the provisions of this bill by acts of their Legislatures? It was that there might be absolute security that whatever law might be found in the legislation of the State that was in the slightest degree antagonized to the provisions of this bill should perish and be repealed by this superior act. This law foists the will of Congress upon thirty-eight States, without invitation, consideration, or debate on the part of any of them, and thrusts into their statute laws provisions that are repugnant to many of their enactments. It puts up $79,000,000 as a reward to the States that submit to this intrusion, and punishes the non-conforming States by depriving them of all benefit under its provisions.

We appropriate money to a State on condition that it will accept the law giving the money, by a legislative act, and upon condition that it will apply the money in accordance with the act, failing in either the money is taken from that State and is given to other States.

If such appropriation is made in pursuance of a power of Government, and if the purpose is governmental, can we make the execution of the law to depend upon some act to be performed by the State, or upon the decision of an executive officer, the Secretary of the Interior?

If we can do this in the instance which this bill provides, where our power is at least doubtful, why may we not do so when the power of Congress to deal with the subject is clear? Could we deny the mails to States that would refuse to build post-offices, or national banks to States that refused to pay their revenue taxes, or to pass laws exempting their officers from militia duty or from working the roads?

Could we refuse Federal courts to States that would not furnish them houses to sit in, or that would refuse to pay the costs of judicial proceedings instituted to preserve the peace, or to improve the morals of the people or the security of property?

Our power in legislation can never be complete when the consent of a State is necessary to the operation of a law within its borders, unless the Constitution has so provided.

Our power is supreme, and it is either capable of perfect execution or else the power does not exist. When we give to the Secretary of the Interior the power to suspend the law, to declare that its purpose is not accomplished in a particular State, that the law shall not operate there, but is suspended until Congress shall otherwise direct, our thoughts naturally revert to the Star Chamber. We give to him a power to suspend the laws that the President can not exercise in virtue of his office.

The Secretary by this bill is required to do certain acts by which and under which, on an *ex parte* examination, the money is either to be paid to a State or diverted from a State, and the school system, though it may be in the full tide of successful operation and expanding so that it would consume more than $2,000,000 annually in the State of Alabama, can be stopped at the mere pleasure of the Secretary of the Interior, he determining that the State has not done its whole duty in compliance with the provisions of this act. That suspension continues, beyond the power of the President to remove it, for the Secretary of the Interior reports, not to the President, on these matters, but to the Congress. That suspension continues, and the State is deprived of her rights until Congress shall otherwise order.

Now, sir, I happen to be one of those Americans who believe that a great and sacred part of our Constitution consists in the fact that no power is given to any officer of the United States Government, even to the President, to suspend the laws. Our fathers when they met in convention remembered the Star Chamber; they remembered that the King of England and his council took upon themselves the authority to suspend the laws of the realm; and so remembering they did not delegate to the President or to Congress the power to suspend the laws otherwise than by a repeal or suspension of them in due form, according to the Constitution, by a legislative act. Here we give to the Secretary of the Interior in this bill the power to suspend the operation of this statute in one or more States, or in all, as he pleases. He can thwart the will of Congress; he can prevent this money from finding the children who are starving in a moral sense, as it is said, for the want of education. The power of suspending the law is given to him in this bill, and I have never yet seen the exigency where I would vote for such power as that to be lodged in the hands of any man.

Why, Mr. President, I do not see why you have not the right to say to me on this floor, "Your State shall not enjoy any part of this money unless you vote for this bill," just as much as you have a right to say to the State of Alabama, "You shall not receive and enjoy your part of this money unless you accept this bill by an act of the State Legislature and make it the law of the State."

When we give to the Secretary of the Interior the power to suspend

the law, to declare that its purpose is not accomplished in a particular State, that the law shall not operate there, but is suspended until Congress shall otherwise direct, we give him a power that militates against State independence. There is nothing remaining to be done to get up a war of extermination, as you may call it, between the Federal and State governments.

A State refuses to receive the gift; what is that? It is not nullification, perhaps, for a State to stop the enforcement of the law within her borders, because the law itself provides for the annulling of the act in certain contingencies.

It is an admission by Congress that it has not power to enforce the supreme law against the consent of a State.

Suppose a majority of the States refuse to receive this gift, you then load in this enormous appropriation upon a minority of the States; and what does the refusal amount to? Not only a suspension but a repeal of the law as to the particular State, for if a State does not give its legislative consent to this bill, it is not entitled to receive any of the money, and that is made a condition-precedent to its receiving any money under the law. If, therefore, a majority of the States of this Union refuse to accept this gift and refuse to make the law that it is provided here that they shall enact, what becomes of your measure? Either the law is abrogated or a minority of the States get the whole of the $77,000,000. Suppose they all refuse except Rhode Island, what becomes of it then? Rhode Island would have more money voted to her here, if it were paid in the dollars of our fathers, than would cover the soil inch by inch.

If the gift is refused by States, the bill confers the money on those States that consent to take it. Is that legislation in conformity with the spirit and principles of equity that belong to the exercise of the delegated powers given by the Constitution to the Congress of the United States? It is a shameful perversion of that spirit; it is legislation which makes it not only possible, but entirely probable that this law, instead of educating the children of the country, will be found a fruitful source of discontent and strife amongst the States.

The Secretary of the Interior, for reasons inscrutable, we may say—certainly not subject to examination by any human being—refuses to Alabama her share of the money in a given year and gives it to Georgia. How could there be anything else than bitterness and heartburning between Georgia and Alabama? The Secretary of the Interior, who wants to make a State Democratic that is now Republican, refuses to give to another Republican State, that he does not think he can convert, its share of the money for reasons that he need not state until Congress assembles. Your law says he can do it between now and November, and Congress does not meet until December, and by that refusal he can pile the money into the doubtful State through the agency of the schoolmaster, and convert that State politically. Such an unlimited, unrestricted, unguarded, unjust power was never before vested in any man to control such sums of money as are placed in the hands of the Secretary of the Interior by this measure.

Sir, it was a desperate strait which drove these gentlemen to this attitude in order to get some method of executing this measure which would compel the States to accept it. This option of the States to withdraw consent to this act of Congress is more nearly like secession than anything I have seen since that unfortunate event passed away. When the States by their mere silence, and without even a declaration on their part, can thus defy the law of the United States, eleven of them, or twenty-two of them, or thirty-seven of them, and thereby compel the law to be abandoned throughout their territories, it looks strangely like secession by masterly inactivity. Under this bill the States, any of them, can snap their fingers in the face of Congress and say to us, "You claim that you have got legislative power over this subject; you claim that your legislative power, wherever you exert it, is supreme. What becomes of your supremacy when we, by refusing merely to enact a law, can defeat your law absolutely, not its purpose merely, but destroy the whole legislation?"

I am not willing, Mr. President, to offer the inducement of a large sum of money out of the Treasury to influence and compel Alabama to accept this bill and to enact it into a law. It has been said that Alabama has virtually accepted this measure in advance. I deny it. Alabama has passed no law or resolution which looks to the acceptance of this measure. I do not believe that Alabama will ever accept it. I will state some of the reasons for this belief.

The bill consolidates the school funds of the State with the contribution by the United States as to its administration. It does not expressly do so in the body of the act, but that is a necessary result. Are we to have two administrative systems in Alabama, two sets of teachers, two sets of schools, a separation of accounts, or is this money to go into that State to be used in common with her State funds? Which is it?

Your bill does not provide for a separate administration. The State by accepting this bill does not commit itself to a separate administration. Therefore your school fund is consolidated with the Alabama school fund, and both must be executed in accordance with the will of Congress. Whatever differences may have existed or may exist in the opinion of Alabamians and their Legislature in respect of the proper administration of money taxed out of their own people for the education of their own children, when they accept this bill they give up these differences and they agree that the entire fund shall be administered as a consolidated fund under the laws of Congress. Thus in the sweep of its aggression it wipes out the State laws without leaving a mark upon the record to show where a State statute regulating the education of the children of the State had survived this invasion.

In Alabama there is no discrimination between the races in the school system, but there is a difference in the rates of salaries paid to teachers—a very small difference, and one that is entirely just. I will illustrate this. In Dallas County, for instance, which happens to be the county of my residence, $1,843.30 was paid to the teachers of white schools and $11,043.76 to teachers of colored schools in 1885–'86. The number of schools was 19 white and 81 black. The school attendance was: Whites, 460; negroes, 2,746. The average length of school days was: Whites, 64; negroes, 73. The instruction is:

| | |
|---|---|
| Orthography: | |
| White | 536 |
| Negro | 3,321 |
| Reading: | |
| White | 482 |
| Negro | 2,474 |
| Writing: | |
| White | 451 |
| Negro | 1,842 |
| Arithmetic: | |
| White | 433 |
| Negro | 1,910 |
| Geography: | |
| White | 334 |
| Negro | 1,592 |
| Grammar: | |
| White | 254 |
| Negro | 695 |
| Algebra: | |
| White | 69 |
| Negro | 000 |

It will be seen that the comparison runs through until you get to grammar, when the whites have 254 and the negroes 695, and in algebra the whites have 69 and the negroes none. Why does that occur? I suppose because the ambition of the negroes in Alabama has not led them into the study of algebra very largely. It is therefore entirely natural that the teachers of the white children, who have a different kind of ambition, should be paid a little higher salaries, because they are able to teach algebra.

The enrollment in Dallas County for the same year is whites 532, negroes 4,891, total 5,423. Attendance, whites 460, negroes 2,746, making the total 3,206, leaving only 1,685 children of both races between seven and twenty-one—the school age in this bill is ten and twenty-one—who did not attend school. This deficit is accounted for by the girls who marry at sixteen years and upwards, the children under ten years of age, the sick, and those who are compelled to work in the service of their parents, who generally leave school between twelve and fourteen years of age.

Evidently Alabama could only use double the sum now employed in common schools in Dallas County, either to double the length of the school term, making it one hundred and forty-six days, or to double the salaries of the teachers, making them $25,774.12, instead of half that sum. Seventy-three days out of a crop is a large item in a cotton country. One hundred and forty-six days would ruin a crop. With twenty school days to the month, seventy-three days are three months and two-thirds, and one hundred and forty-six days are more than seven months.

I state these figures to show the equality of races under our laws in the use of the school fund as it is distributed in Alabama, and that increased taxation is not necessary in the maintenance of public schools in that country, or the preservation of the health or the morals of the country, or the saving of "the life of the nation."

I believe further that Alabama will object to the increased State taxation this bill will force her to impose upon her people; and here I beg leave to state it as my firm conviction, drawn from speeches made in this debate as well as from the text of the bill itself, that one of its main objects is to compel the States to tax themselves more than they are doing now for the purpose of educating the negro race.

Gentlemen who think they know the negroes better than we do would do well to inform themselves in regard to this matter. Those who, having been strangers to them through their lives, fancy that some sudden spurt of emotion or springing up of affection more nearly allies and endears them to the negroes, or the negroes to them, than we who have grown up with them, who have been nursed by them and who have had them in our families, are making a very serious mistake. Those who suppose that the white people of the South have not that benevolence and charity which is requisite to bring up any population among them into civilization and enlightenment simply do not understand our people.

Those who undertake to coerce us into higher taxation than we are now enduring, surely have not understood, they surely have never read the bitter histories of the past twenty years. They have not contemplated those people prostrated by devastating war, struggling to their feet and building up their institutions with such sacrifices of comfort, such diligence and attention and self-denial as no people in this world were ever called upon to practice before, and as none have ever had the courage to practice as we have done.

If they could but read the record of the dawning light which comes upon our Southern States from the dismal recesses of the past, and if they could see how, with expanding and Christian benevolence, we took in hand these people who have been turned free by the changes in political events, they would begin to realize that the men and women who have been engaged in the restoration of the South to its present condition are, of all the people who have existed in the annals of time, to be most commended for their courage and for their generosity. They had better let us alone, if they are the real friends of negro civilization. If they feel that we are not treating the negroes properly, we will bid the negroes an affectionate, hearty good-by, and tell them to go to New Hampshire or any other Northern State and find homes among people who are willing to tax themselves and undergo what we have had to undergo in order to build up their civilization to its present standard. I commend them, if they are benevolent, to be benevolent at their own expense and not with money taxed out of my people to gratify their whims and caprices. Nor is it an inflated, unnatural, and empty benevolence that the negro needs, expressed in words of pretentious sympathy, or in advice to attempt to rule where he is scarcely qualified to obey with intelligence. He needs friends who understand him.

Let us see how this plan will work in Alabama during the eight years that the bill is to operate. Alabama now expends $527,319.88 for school purposes. The first year under the bill the State tax will be $527,319.88, the figures I have just stated; the United States funds received will be $486,240.84, making the aggregate $913,560.72.

The second year the State tax will increase to $694,598.81, the United States funds will be the corresponding amount, making a total for school expenses, $1,399,197.60—quite double all the other expenses of State government in Alabama, including the payment of interest on her public debt.

The third year, the culminating year, the State tax will be $1,041,876.55; the United States will give the same amount, and the total expended for educational purposes in that State in the third year of the reign of this bill will be $2,083,753.10; and that in a State which finds itself comfortably off and well officered and well cared for by an expenditure of less than $600,000 a year in the payment of all its State expenses, including the interest on the public debt. What a spectacle of benevolence for the reformers to shout over, the State of Alabama conducting all of her great enterprises and managing her government with an expenditure of less than $600,000 a year and expending within her borders $2,083,753.10 for education!

Mr. HARRIS. In that connection I should like to ask the Senator from Alabama if the people of Alabama will not be compelled, in order to obtain the third installment, to more than double their own taxation?

Mr. MORGAN. Yes; it runs up from $527,319.88 to $1,041,876.55 in the third year.

Mr. HARRIS. And failing to increase their own taxation, would they not forfeit under the bill all of the surplus over and above the amount they did so collect?

Mr. MORGAN. That is the express provision of the bill; nobody can doubt it.

Now, we have here established a national grand standard of education in the State of Alabama which requires the expenditure in that State from some source or other of $2,083,753.10 annually, or else that we shall relapse into the disgraceful condition of a people who, having been assisted up to this high plane, find themselves unwilling to supply the taxes to keep the schools up to the standard, and commence sinking and retrograding. Of course, having once accepted this law, the States would be bound in honor, and by their own enactments, to tax themselves to keep up to that plan; and how would it run then?

The fourth year the State tax in Alabama would be $1,180,752.97, the United States fund being $903,000.13.

The fifth year the State tax would be $1,319,672.73, the United States fund being $764,080.37.

The sixth year the State tax would run up to $1,458,592.50, the United States contribution being $625,160.60.

The seventh year the State tax would be $1,597,512.26, and the United States fund would decrease to $486,240.84.

The eighth year the State tax would be $1,736,475.37; the United States fund would have shrunk then to $347,277.73.

The ninth year the State taxation of Alabama would be $2,083,753.10, and the United States fund would simply be wanting—no help—and then what would become of your system? So on to the end of the chapter, unless by that time the bill shall have produced the millennium, as it evidently is intended to do.

Upon the United States standard of school support thus applied to Alabama she will pay by State taxation to schools $9,556,801.07, and the United States will pay $5,348,475.87 in these eight years; and other States will be quite as much under the strain of heavy taxation as Alabama.

Georgia will have to increase her State taxation as follows: The second year she will have to increase it $183,605, the third year $602,337, the fourth year $438,844, and so on down, making an increase of $1,591,994.

Louisiana, the third year, will have to increase her State taxation $318,486.

North Carolina, in the third year, will have to increase her State taxation $584,754.

South Carolina, in the third year, will have to increase her taxation $464,332.

The increase of taxation in the five States I have mentioned, to enable them to secure the allotment for each year, will be as follows:

| Year. | Alabama. | Georgia. | Louisiana. | North Carolina. | South Carolina. |
|---|---|---|---|---|---|
| Second year | $167,279 | $183,605 | $62,314 | $211,434 | $166,574 |
| Third year | 514,536 | 602,337 | 318,486 | 584,754 | 464,332 |
| Fourth year | 375,680 | 438,844 | 216,018 | 435,446 | 345,260 |
| Fifth year | 236,760 | 267,352 | 113,549 | 286,008 | 226,265 |
| Sixth year | 97,840 | 99,856 | 11,080 | 136,770 | 107,232 |
| Total | 1,392,115 | 1,591,994 | 721,447 | 1,654,482 | 1,309,702 |

These are matters about which I did not propose to concern myself much in the argument of this case, leaving it to Senators to ascertain and explain for themselves what the effect is to be upon their particular States. For one, sir, I will not consent that the State of Alabama shall be put under any coercion, moral or otherwise, or even a temptation, in eight years from the date of the passage of this bill to raise her State taxation for school purposes to the sum of over $2,000,000, adding that to her present necessities for the support of her government, and raising her annual State taxation to $2,600,000. Rich as we are, prosperous as we are and hope to be, that is one thing our people can not afford to do.

If we do not tax our people in Alabama so as to make this fund available, other States will get our part of the money which can better bear the burden of taxation than we can, because they have no State debts to pay, or having them, they do not pay them. Our State expenditures for every purpose, including the interest on our bonded debt, are but a small fraction above the sums we now raise by taxation and pay over to our schools. If you will take off the burden that will put $140,000,000 surplus revenue into the Treasury of the United States at the end of this fiscal year, we will take care of our common schools. We are doing that now in a way to put to the blush many of the older and richer States. If there was a common school open in Alabama in 1874, when the carpet-baggers were shaken off, I do not remember the fact, and I do not believe there was one, and yet our State taxes were very heavy. We have had to build a system up from that time. Our bonded debt under that régime was increased from about $5,000,000 to over $31,000,000 in six years. We have had that to struggle with, and yet from 1874 to 1880 we had educated 24.9 per cent. of the negroes from ten to twenty years of age. Now we educate over 56 per cent. of the negroes between the ages of seven and twenty-one. If you will take the ages of ten to twenty, this percentage would increase to 70 or 80 per cent. That is what we are doing for the negroes after all these calamities have been visited upon us.

Now, let us see what is the weight of this burden of the surplus taxation upon the people of Alabama, which I ask you to take off and thereby enable us to go on with our work of State education. I assume that the people of Alabama pay as much of this surplus taxation as any other people. They are an extravagant people. They consume as much of sugar and cloth as most people, and we are charged with using a large amount of whisky and tobacco. I dislike to admit such a charge, but our pockets get so light that I am compelled to admit there is something wrong; but we consume as much as any other people in the United States according to our numbers.

Of the $140,000,000 surplus that will be in the Treasury at the end of this fiscal year, the 1,500,000 people in Alabama pay each $2.15½ per annum.

The total sum paid by them to this surplus tax each year is $3,230,769. In eight years this will be $25,846,152.

If this surplus is estimated even at $100,000,000 a year, Alabama will pay, in the eight years, $18,461,536—about one-fourth of the whole sum included in this bill.

The increase of Federal taxation which this bill alone will create, aside from all other considerations, in order to get the $79,000,000, will cost the people of Alabama $1,846,144; so that the average she would actually receive under this bill would not exceed $263,777 per annum for the eight years, instead of the sum of over a half million of dollars, as stated by the supporters of this measure.

This sum, left in the hands of the people of Alabama, would enable them to increase their school taxation to $816,096.88—nearly double all the other expenses of the State; and that would be a large, permanent, and reliable school fund. You say we will not do it, and therefore you will compel us to do it. That is the logic of this bill. You say that if you remit the taxes that bring this surplus into the Treasury of the United States we will not tax ourselves to promote the public schools,

and because we will not do it you will continue to tax us to maintain the schools. That is what this bill means.

I have already stated that I object to this bill because of the power it gives to the Secretary of the Interior over the States, and the power it gives him to suspend the law or to put it into operation at his will.

I will state a summary of these powers as they are found in several sections of this bill, in order that it may go into the RECORD for the information of my constituents:

In section 5, lines 7 and 8, the Secretary of the Interior is charged with the administration of this law, and he is made independent of the President, and is required to report directly to Congress.

By section 4 the governors of States and Territories are required to report to him. To do this the State Legislatures must authorize them to do so. So the States must re-enact this law, or enact others to confer these powers.

By section 4 the Secretary of the Interior is to certify to the Secretary of the Treasury what States he finds to be entitled to share in the benefits of this act.

By section 5 he makes monthly estimates and requisitions in favor of the States for the amount so apportioned to them.

By section 6 copies of all school-books used in the States and Territories must be filed with him.

By section 12 the governors of the States and Territories shall file with him detailed accounts of the disbursements of moneys received under this act, and of all balances in the hands of State officers, and detailed reports of the operation of the "public, common, and industrial schools." This includes all public schools, and no subsequent allotment can be made until these reports are made.

If it shall appear to the Secretary of the Interior that the funds received under this act for the preceding year by the State or Territory have been faithfully applied to the purposes contemplated by this act, and the conditions thereof have been observed, then, and not otherwise, the Secretary of the Interior shall distribute the next year's appropriation as is hereinbefore provided.

By section 13 he reports to the President what he has done, but the state of facts on which he refuses the appropriation to a State, and all the complaints, he reports annually to Congress. What can the President do in the matter?

This sweep of powers is greater and more serious and important in their effects than any that were ever given to a civil officer. They touch, with the hand of unfettered discretion, the sovereign States and the people in their most sensitive domestic relations.

The conditions to be performed by the governor before a State can receive any money under this act are as follows:

SEC. 4. That no State or Territory shall receive any money under this act until the governor thereof shall file with the Secretary of the Interior a statement certified by him, showing:

1. The common-school system in force in such State or Territory.
2. The amount of money expended therein during the last preceding school year in the support of common schools, not including expenditure for the rent, repair, or erection of school-houses.
3. Whether any discrimination is made in the raising or distributing of the common-school revenues or in the common-school facilities afforded between the white and colored children therein, and, so far as practicable, the sources from which such revenues were derived.
4. The manner in which the same were apportioned to the use of the common schools.
5. The number of white and colored children in each county or parish and city between the ages of ten and twenty-one, both inclusive, as given by the census of 1880, and the number of children, white and colored, of such school age attending school.
6. The number of schools in operation in each county or parish and city, white and colored.
7. The school term for each class.
8. The number of teachers employed, white and colored, male and female, and the average compensation paid such teachers.
9. The average attendance in each class, and the length of the school term.

After the State has been admitted into the congregation of the elect by the Secretary of the Interior it must continue, during all the eight years, to send in through its governor reports of statistical nonsense and humiliating answers to questions that are the sheerest impertinence, in conformity with section 12, which provides:

SEC. 12. That no second or subsequent allotment shall be made under this act to any State or Territory unless the governor of such State or Territory shall first file with the Secretary of the Interior a statement, certified by him, giving—

1. A detailed account of the payments or disbursements made of the school fund allotted to his State or Territory, and received by the State or Territorial treasurer or officer under this act.
2. And of the balance in the hands of such treasurer or officer withheld, unclaimed, or for any cause unpaid or unexpended.
3. And also the amount expended in such State or Territory, as required by section 9 of this act.
4. And also a statement of the number of school districts in such State or Territory.
5. And whether any portion of such State or Territory has not been divided into school districts or other territorial subdivisions for school purposes; and, if so, what portion and the reasons why the same has not been so subdivided.
6. The number of children of school age in each district, and the relative number of white and colored children in each district, and of the number of public, common, and industrial schools in each district.
7. The number of teachers employed.
8. The rate of wages paid.
9. The number of children in the State or Territory.
10. And the total number taught during the year and in what branches instructed.
11. The average daily attendance, and the relative number of white and colored children.
12. And the number of months in each year schools have been maintained in each school district.

Well, Mr. President, that is the most extraordinary civil-service examination that I have over known a State to be put to, before it can be admitted to enjoy its own money raised from its own people for the education of their children.

Then follows what the States must do to get any benefit of this law:

SECTION 1. * * * The Legislature of the State shall, by bill or resolution, accept the provisions of this act. * * * And if any State, by its Legislature, shall decline or relinquish its share or proportion under this act, or any portion thereof, the sum so relinquished shall go to increase the amount for distribution among the other States and Territories as herein provided. * * *

By section 4 the State must provide a system of free common schools for all of its children without distinction of race or color, either in raising or distributing of school revenues or in the school facilities afforded. Teachers, books, furniture, grades of classes, location of school-houses are all school facilities. These must all be without discrimination, and it must be so provided in the State laws.

By section 8 the State must expend out of its own revenues, or out of money raised under its authority, a sum equal to that it gets under this bill. And the States are held to forfeit their rights, under this law, that do not "distribute the moneys raised for common-school purposes equally for the education of all the children, without distinction of race or color" (section 14). This is not possible under section 2 of the bill.

Section 2 of this bill, if you will read the last clause of it, does not admit of the equal distribution of the money in the States between the children of different races. It requires the money to be distributed in separate schools, according to the color of the school, whether it is white or whether it is black. I will not comment upon the first and second clauses of the second section of this bill. I leave it to some gentleman who does not live in a former slave State to do that, that he may be able to show how this bill in the last Congress of the United States was turned upside down by an amendment that was put on it, for what purpose I am not exactly able to state, but that changed the basis of distribution within the State as it had existed from the time the first bill was introduced down to the time that amendment was put in, on the 3d of March, 1886, changing it from a distribution within the State, upon a comparison of the illiterate people within the State with those of other States, to a comparison merely of the number of children who were white with the number of children who were black between the ages of ten and twenty years, inclusive, in 1880.

Mr. BLAIR. The Senator will pardon me. I think he labors under a wrong impression as to the second section. It does not require a distribution among the schools according to the number of schools, but the language of the section is that the money—

Shall be apportioned and paid out for the support of such white and colored schools, respectively, in the proportion that the white and colored children between the ages of ten years and twenty-one years, both inclusive, in such State or Territory and in the District of Columbia bear to each other as shown by the said census.

Not to be divided among the schools, but paid out for the support of the schools in the relative proportion of the number of children, white and black.

Mr. MORGAN. The Senator from Vermont [Mr. EDMUNDS] drew that amendment, and he explained it very elaborately in a speech, and he explained it just as I have done. I do not care about going into it.

Mr. BLAIR. The Senator from Vermont and myself were together when it was drawn.

Mr. MORGAN. I do not propose to be drawn into a debate on that subject, but the Senator from Vermont evidently understood what he wrote and he explained it just as I have done.

There was but one feature of distribution in this bill, I remarked, until that amendment came into it, and I will read what that was. In every bill that was offered there was only one feature of distribution:

That such money shall annually be divided among and paid out in the several States and Territories in that proportion which the whole number of persons in each who, being of the age of ten years and over, can not read and write bears to the whole number of such persons in the United States; and until otherwise provided such compensation shall be made according to the official returns of the census of 1880.

In every bill that was introduced that feature was brought in, and only that; no other basis of distribution in the State was mentioned but that; and the Senator from Vermont, on the 3d of March, 1886, introduced the second clause, which changes the basis of distribution in the State entirely and makes it a distribution to correspond with the number of white children and the number of black children in the State, the money to be divided between the schools as provided in the clause which he added to the bill. That I have nothing to do with.

Mr. BLAIR. What was the Senator's remark?

Mr. MORGAN. I say that is an argument with which I have nothing to do. I am representing a former slave State, and if I wanted to grab money under this bill I could vote for the amendment of the Senator from Vermont for the palpable reason that it would give money to the State on the basis of illiteracy on every negro in the State above the age of ten up to one hundred years old, and when we come to distribute it we distribute it between the whites and blacks in proportion to the school population. Of course I would vote for that part of it if I believed in making the grab.

I know of but one parallel to the power which the Congress is exercising or applying in this bill, and that is the jurisdiction which they exercise over the blanket Indians. They take them and put them into the Government school, and they seem to think that the whole United States should act upon a like basis in respect to education, and wherever they find a child who does not know how to read and write by the time he gets ten or twelve years of age, the Government must go out and capture him, and in some way or other hurry him to school. How they ever got their consent to omit the compulsory power of education from this bill I can not understand, but we shall come to that. We know that that is the next step in the progress of reformation. We know when they have got jurisdiction by the consent of the State to receive this money, the power to alter, amend, or repeal the law being reserved, the next step necessarily will be compulsory education.

The schoolmaster intends to take possession of the land, and this bill in the State of Alabama gives him control of $2,000,000 a year, when all the expenses of the judiciary and Legislature, and the payment of interest on the public debt, and all the expenses amount to less than $600,000. If they can not prove otherwise the progress of their work, by getting children into their schools by voluntary enrollment, I dare say the Senator from New Hampshire, when he becomes a candidate for the Presidency, will be here with a bill to compel the attendance of children in the public schools supported by the Federal Government.

Mr. BLAIR. I beg to say to the Senator that I do not concede what he is speaking of. I am opposed to compulsory education.

Mr. MORGAN. That is the only reason it has not got in here. The Senator has got everything else in. I think that the school-book feature of this bill belongs legitimately to the measure. I can not understand why the Government of the United States should want to pay for a school without knowing something of the school-books used. The bill requires them to teach the English language instead of the German or the French. That is natural enough; but if you can require them to teach English and certain branches of English, orthography, reading, geography, etc., why can you not require them to use certain books? If you require them to teach history, why can you not select the book?

This power is perfectly legitimate if it is legitimate to vote money in aid of education, and may be exercised; and all this marshaling of school-books before the Secretary of the Interior will be merely for the purpose of informing the country that at last it is necessary to prescribe the school-books for the children. If we can give the education of the children, white and black, in the State of Alabama to the hands of the Senator from New Hampshire, we have a right to expect of course that there will be a tremendous moral revolution in our social system.

We might prefer some other kind of civilization than that elevated plane in which the Senator breathes and moves and has his existence, but we must accept what he offers. Some of us might prefer a lower level because it is more natural and more comfortable to us. We do not want to be trained up to this climax of high perfection in morality and in education to which the Senator desires to screw us up. I should rather that the school-book feature be left out, but I say it is legitimately here if the power to prescribe the curriculum is legitimately in this bill. If you were to strike it out the bill would still be as bad as it is now upon principle, though not quite so bad in practice.

Now, what are the political features of this bill? They startle me, I confess. Here is the junior Senator from New Hampshire [Mr. CHANDLER] who brings a resolution into the Senate of the United States to investigate a municipal election in Jackson, Miss. We search about for the authority in the Constitution and we do not find it; nevertheless a majority of the Senate vote the investigation. What for? Is it to punish anybody? Is it to reform anybody? Is it to protect the ballot? Is that the idea; to protect the ballot? I do not believe there is a Democrat on this side of the Chamber who recognizes the constitutional power of Congress to protect the ballot by investigating a municipal election in Jackson, Miss.; and if they have not got the right to do that how can they have the right to purify the ballot by making a negro more capable of using the ballot by taking him to a common school and educating him?

The senior Senator from New Hampshire [Mr. BLAIR] wants to protect the ballot by educating the negro. The junior Senator from New Hampshire [Mr. CHANDLER] wants to protect the ballot by taking the shotgun out of the hands of the white man. That is the proposition. Neither of them has any power to interfere with it, because it is a State regulation, and they have got no more right to interfere with a man's vote in the State of Mississippi than I have a right to interfere with a man's going to church in New Hampshire. That is one of the reserved powers of the States—the right to control the ballot.

Mr. HAWLEY. Let me ask, who is to vote for Representatives in Congress?

Mr. MORGAN. The Representatives in Congress are to be elected by the people who are qualified to vote by State laws for the most numerous branch of the State Legislature, and that qualification is a matter that belongs exclusively to the States.

Mr. HAWLEY. But I think the Constitution says something about the right of Congress to regulate the times, places, and manner of holding such elections.

Mr. MORGAN. I know that clause, but it does not affect the right of the electors.

Mr. HAWLEY. That does not affect the argument of the gentleman on the school question; but I want to have his argument sound on all things.

Mr. MORGAN. I am not speaking of the manner of holding elections; I am speaking of the qualifications of the elector, and I say that it is a right reserved to the States to prescribe this qualification, and whether you qualify him by educating him or in any other way, it is a State matter and not a United States matter.

More than that, the complaints that are presented to the Secretary of the Interior, without reference to their quality, their terms, or nature, must, according to this bill, be referred by him to Congress. They must come here, and when they come here they are in order; in order for what? In order for strife, for contention. The people of the Northern section of this country, thinking that they could help the negro by conferring upon him certain so-called civil rights, passed act after act giving him such rights and prescribing certain punishments against people who should interfere with those rights. Trial after trial occurred in the courts. Finally, the cases commenced getting into the Supreme Court of the United States where unconstitutional laws were mashed by the weight of their authority, and Congress was left naked and unprotected in its efforts to enforce civil rights through the judiciary.

Failing in that, finding that the Supreme Court of the United States would defend the Constitution and protect it against invasion or abuse, this bill brings these civil-rights trials directly from the Secretary of the Interior into the Senate Chamber. Why have these statistics, sent to the Secretary of the Interior, referred to the House and to the Senate? Why make that a compulsory duty upon the Secretary of the Interior if it is not a part of this bill to have the investigation of every complaint that is made by any man, white or black, or any woman or child in a Southern State against the teacher, or against the governor, or against the State government, brought here for trial before this tribunal? What good purpose would these reports subserve? What issues do they bring with them?

Sir, there has been a constant effort in the civil-rights direction among politicians back to the day of the emancipation of the negro. That is the political purpose and the political feature of this bill against which I object most seriously and most earnestly. If there is anything that I would condemn above another it would be the hauling of these personal complaints made in respect to the distribution of this school fund into this Chamber as a source of strife between sections and as the basis of new legislation to be proposed in amendment to this bill.

Are we, because we suppose there is a popular demand for this largess, for this immense sum of money to be distributed among our people, to bring the States as subject States and force them to trial on this authorized investigation before this body? It is a total perversion of the constitutional authority of Congress. The Senate of the United States ought not to have, has not, and can not have jurisdiction to hear and determine a complaint made by every man against a schoolmaster in the State of Alabama or against its governor. You usurp that power. It is true that it is not amongst the very vital powers of this bill, but it is amongst those fraught with mischief, and this bill, with this feature in it, may well be named Pandora's box. It may well be called that Trojan horse which the Senator from Delaware [Mr. GRAY] so aptly termed it the other day, and which extracted from the Senator from Mississippi [Mr. GEORGE] the declaration that he would welcome any number of Trojan horses to Mississippi if each had a million dollars in its belly. I have no doubt of it. He said so and I take it for granted.

The honorable Senator from Maine [Mr. FRYE] had an idea about this bill that he mentioned in Boston in a very able and elaborate speech he made there. He was talking about the tariff, and it has always seemed to me that there is a sort of bond of connection between this bill and the tariff. He says:

> Who in this enlightened audience would object to spending $10,000,000 a year to educate the men who vote our tickets in this Republic? I voted against the last bill which appropriated $70,000,000. Why? Because I disliked some of the provisions of the bill; I feared it did not give security enough for the expenditure of the money; in fact, to be honest, I have not a great deal of the Massachusetts gush about the South in my heart. [Laughter and applause.] When men won't let their fellow-men vote, drive them away from the polls and murder them if it is necessary to keep them away, refuse to count their ballots after they are cast, I will not trust them with the expenditure of money to educate those voters any farther than I am compelled to. [Applause.] I will do them the justice to say that up to the present time, so far as I have examined, they have given a fair share of their money for the education of the blacks. But if a white man is teaching a black school they will not permit him to go into the society of white men, not by any manner of means.

The Senator is mistaken about that.

> Under the Glenn bill they undertook to put men into the chain gang for a year, down in Georgia, because, forsooth, the professors in the Atlanta college, established by $150,000 paid in by Northern churches and Northern churchmen, educated their children at that school.

I do not want to have that conflict. These complaints do not come here about Alabama, I believe. Even the honorable junior Senator from New Hampshire the other day, when he wanted to reform the whole South by having a commission sit on their right to vote, very kindly omitted the State of Alabama. I am glad we are producing such a

favorable impression on the Northern mind. But let me tell the Senators exactly how we are doing it. We are doing it by attending to our own business and letting the business of other people alone. We have had remarkable success in it, and I think we shall have more if we keep on in this course.

Mr. President, I do not wish to deliver a lecture upon the negro. I believe I understand him almost as well as any man in the Senate. I think I regard him with proper appreciation. I know he has a large hold upon my sympathies and my sense of justice. I would not do anything to degrade him or to prevent him from rising. I make contributions, as I have often done, to his elevation and promotion in every respect where he is capable of doing anything or where his promotion is acceptable to the people. I would not make a negro a judge and put him on the bench of the United States in Alabama, though he might be as learned a man as any on that bench. Why? Because he would not be acceptable to the people. I doubt if he would be acceptable to Massachusetts, or Connecticut, or Maine, or New Hampshire. There are a great many people that I would not put upon the bench, just as I would not put the negroes on the bench or in any other office, because they are not acceptable to the people. But let me tell you one thing about the negro——

Mr. HOAR rose.

The PRESIDENT *pro tempore*. Does the Senator from Alabama yield to the Senator from Massachusetts?

Mr. MORGAN. Yes, sir.

Mr. HOAR. May I ask the honorable Senator from Alabama whether a majority of the people of his State are negroes or whites?

Mr. MORGAN. They are white.

Mr. HOAR. What is the difference between the races?

Mr. MORGAN. I should suppose now about 100,000.

Mr. HOAR. I suppose a capable negro judge, fit within the description the Senator just gave, would be acceptable to all that portion of the people of Alabama who are negroes, would he not?

Mr. MORGAN. Hardly. A negro has a way of believing that a white man knows more than he does. Perhaps the Senator would like to know where that idea came from. It is a perfectly natural idea with the negro. In his own country he is a slave and always has been. Take the report printed by the Senate in the last Congress of a lieutenant of the Navy of his recent visit up the Congo 1,700 miles and hear what that officer of the Navy says about them. They are now there, and he witnessed their orgies of cannibalism; he witnessed their system of slavery; he witnessed what has been known about the negroes since the first historian wrote of them. That is to say, the negro adopts slavery in his own country as the common law just as we adopt civilization.

Mr. HOAR. I am sorry to interrupt the Senator. Does he quote that as an argument?

Mr. MORGAN. Part of one.

Mr. HOAR. To prove that the negro population in this country are unfit for civilization?

Mr. MORGAN. It is not a question of citizenship.

Mr. HOAR. I ask if that is the point?

Mr. MORGAN. That is part of it. I was calling the attention of the Senator from Massachusetts to the fact, not an argument at all—it is a mere dry, cold fact—that the negro in his own country has always maintained the institution of slavery and does it yet. Slavery is the common law of Africa. When we brought them here, we brought them with that idea, we kept them under it, modifying it from time to time, according to our own civilization and our own Christianity, until the time emancipation came. It was really terminated by the condition of the negro up to which we had educated him. He took the advantage and was entitled to the advantage of all the education and civilization we had bestowed on him as a plea for his manhood, as a plea for his freedom, and he got it. Now——

Mr. HOAR. Will the Senator allow me to interrupt him?

Mr. MORGAN. In the time that we were training the negroes up we could not pay a proper degree of attention conformable to the institution itself to the parental relation. We would take a father of a family and sell him, and a mother of a family and sell her. Child after child we would take and sell. The family relation did not exist except in a merely partial way. It did not exist legally at all. They were in that condition up to the time of emancipation. The master of the household had in that sense the control, occupying the place of the father of the family. He furnished the clothing, he paid for the medical attention, the nursing, the religious training, and everything else about the family, not consulting the father or the mother as to what he did with the children in those days. He himself stood *in loco parentis* as to the negro slaves. When they were turned loose, they were wanting in that spirit of parental power and control which it is necessary they should have at the head of a family in order to make it a unit of civilization.

Now, my purpose is to supply that; my labors have been directed to it. I know that that is the point where the negro needs assistance; and in order to make the father the head of the family certain things must occur. He must have the responsibility of supporting the children. They must have the duty of parental obedience which belongs to that relation and grows out of it. He must have the moral control of the family. They must be unified by the cultivation of all the elements of family structure and parental control. I want to secure that. If you will take the negro children in my State and feed and clothe and educate them at public expense, I will warrant you that the fathers of the families in that country will degenerate to a condition far inferior to that which they held while they were in domestic slavery. If we want to do anything for the negro; if we are really his friend, we will encourage him to self-control, and we will develop in him all the powers of manhood that belong to and that are essential to the relation of parent and child, father and son.

If I wanted to educate the colored children in this country properly I would put before them a good, just, proper, perfect school, but I would say to the father of that family, "Before your children can enter that door, you being a man capable of labor, must take a little off your expenditures for tobacco and for whisky, and instead of working two days in the week and idling the rest of the time, you must work a little more, like the white people do, and furnish your money to the school, and when you have done that you shall be one of the incorporators of the school; you shall be one of the managers; you shall have a father's care and a father's interest in connection with the teachers, and you shall go there and visit that school-room and see how your child is progressing." I would never think of contributing to the efficiency of the heads of families among the colored population of the South by relieving them of any of their parental duties and responsibilities.

I do not believe we could do worse with $10,000,000 in Alabama or $100,000,000 than to put it as a permanent fund for the education of the negro children in that country, thereby relieving the parents of all that they ought to do in trying to provide for the education of their children. I believe that education anyhow is safer in the hands of the fathers and mothers of the community than it is in the hands of outside people. I believe that one of the defects in our common-school system is that we discourage the parent from taking any control of the school. If we would adopt a system which would invite them into the control of the schools I think the common schools would yield far better results than they are doing.

Now, will the Secretary have the kindness, on this branch of the subject, to read a letter from an important gentleman in the State of Massachusetts, which I send to the desk.

The PRESIDENT *pro tempore*. The paper sent to the desk will be read, if there be no objection.

The Chief Clerk read as follows:

MASSACHUSETTS AND THE BLAIR BILL—A LEADING EDUCATOR DECLARES THAT THE PEOPLE DO NOT FAVOR THE SCHEME.

*To the Editor of the Evening Post:*

SIR: I was at first favorable to national aid to Southern schools in some form, but the more I watched the educational sentiment and the activity of the new South, and the more I reflected upon the history of assistance from large funds—instance, the pernicious effect of the Connecticut Western Reserve school fund—the more I came to doubt the wisdom of Federal aid.

In the first place, the people of the South have awakened to the necessity of public education, and they are at work actively and successfully in the right direction. It is only through this public, active interest that a good system of schools can be either established or maintained.

Secondly, the people of the Southern States are as able to establish their schools as any of the new Western States have been or are to-day, and as well able also as any of the older States were at the beginning. The argument that those States formerly slave are poorer than they were before the war by the value of the slaves is fallacious, since a free man is worth more, and not less, than a slave to any community.

Thirdly, I feel sure that a large distribution of money from the surplus in the Treasury would not all find its way into the school-rooms, but would be to a large extent frittered away in the course of the distribution, and that instead of a healthy emulation to see who will do best in establishing schools of their own, and thus attracting business and population, as they do in the West and are doing in the South, there will arise a pernicious strife to see who can gobble up the largest share of the loaves and fishes.

Lastly, I oppose this move, as I do other innovations of similar injurious character, on the general principle that in this country it is the duty and the privilege of the individual to provide for himself and take care of himself; and it is not the duty of the Government to act the fond parent towards the people of this country. If the people can not take care of themselves, and if the Government must then take care of them, we reduce ourselves to an absurdity, since the Government is nothing but the expression of the people's will.

There is no foundation for the statement that the people of Massachusetts favor this bill. They have never expressed themselves. People actively interested in the measure have indeed secured the passage of "resolutions" committing, apparently, large bodies of influential citizens in its favor. This is so only in appearance. To illustrate: The Massachusetts Teachers' Association met in the fall of 1886. This subject was not discussed by the eight hundred or one thousand members at all. But at a meeting of the directors the last day, near the close of the meeting, when all but a dozen or twenty had left the hall, some one introduced a resolution in favor of national aid. Objection was made that the subject had not been discussed, and that the few remaining members were not authorized to act in this matter for the association. I have forgotten whether or not the resolution was adopted. If so, it represents nothing but the hasty opinion of a majority of a dozen or two of men.

Last Saturday there was a meeting of the directors of the American Institute of Instruction, a New England body of great antiquity. An indorsing resolution was introduced and lost by a vote of 16 to 11. Subsequently, after a large part of the membership had gone home, it was brought up again and carried against a vigorous protest. This resolution will doubtless be paraded to do duty as the expression of the American Institute of Instruction. That body has not spoken at all; for the directors, even if they had been unanimous, have not been authorized to act in this matter; and what they may say carries with it only the weight which the movers have as individuals.

The department of superintendence of the National Educational Association, composed of State, county, and city superintendents from, generally, three-fourths of the States in the Union, met in Washington last February. This sub-

ject was assigned to an evening discussion. The programme was made out, and all the time was occupied by the speakers, selected in advance because they approved the measure in almost if not quite every case. No free expression of opinion was had. But at the close, in a promiscuous audience, the resolution was presented and declared adopted. There is no other evidence that it expressed the opinion of the members of that body.

No one has the right to say that the teachers of Massachusetts favor the Blair bill, or any other bill on that subject. And the people of the State have not expressed themselves on the question.

Yours, truly,

A. P. MARBLE.

OFFICE OF SUPERINTENDENT OF PUBLIC SCHOOLS,
*Worcester, Mass., January 9.*

Mr. MORGAN. As that letter suggests, a great many experiments have been presented to the nation. We tried the Freedmen's Bureau, and that was a dead failure, at great expense and annoyance to the people and no benefit to the negroes. We tried the Freedman's Bank. That did not make them rich, but on the contrary it made rich a great many of the robbers who organized the bank, and we are now footing the bills by acts of Congress.

This bill is another gift to the negroes—a gift from the benevolence of Congress—and it is a gift which will destroy them, in my judgment. If you make it large enough and continue it long enough, you will take out of that race of people all the manhood they possess, and prevent their very best efforts in the South from making anything of them.

Now, another view of this bill. This is the largest single appropriation for a civil purpose ever made in the United States or ever attempted. If we could dump into its capacious maw all that we have paid for Alaska, for our acquisitions from Mexico, for the Louisiana purchase, and for the fisheries awards, it would be scarcely half full.

We could purchase Cuba with this sum if it should be for sale.

It would maintain an army of 80,000 men for a year in the field.

It would require the labor for a year of 252,396 men, which means the living of 1,009,584 people whom they support to be transferred from the producing classes to the professional classes.

I have not heard that the farmers and other producers of this country are clamoring for this bill. It is the teachers mainly who get all of this $77,000,000 in salaries whose opinions comprise the great volume of evidence, as it is called, that has been dumped into the record in support of this bill.

The arguments that have been made on the constitutional features of this bill have been judicious, sedate, able, exhaustive, and if it shall serve no other purposes hereafter this era of debate upon this bill will be referred to by men who desire to keep in balance the powers of the State and Federal Governments hereafter, as perhaps the very best development that has been made upon this subject, connecting the ideas which have been advanced and the arguments proven by experience established in the history of the country back to those of the fathers of the country, and showing that our country has not lived in vain in respect to keeping in distinction the rights of the States as contradistinguished from the rights of the Federal Government; showing also that proudest fact which ever existed in the history of any nation in this world—that our system, above and beyond all systems that were ever devised by human agents, contains the elements of self-perpetuation; that it contains those supports essential to the local governments of this country, and the maintenance of a great confederation of republics; that it contains that which France has not, which France needs to make her a true republic, without which there can be no real, substantial, self-governing republican government.

If we keep these States and the Federal Government in balance with each other, neither aggressing upon the rights, powers, and duties of the other, we shall establish not for ourselves only, but for mankind an example the influence of which can never be denied in favor of that wonderful system of government under which we have become the most wonderful people in our progress that ever existed in the history of the world. Our perpetuation is absolutely secure because we shall always stand by and maintain the jurisdiction and sovereignty of the States as it is fixed in the Constitution. I believe in frequent discussions and references to these distinctions. I believe they ought to be kept bright and alive in the minds of the people, and when we may have departed from our principles at any time and have set a bad precedent, our first care should be addressed to the removal of its evil effects. I quote from a speech made by the honorable Senator from Ohio [Mr. SHERMAN] in 1858, while he was a member of the House of Representatives, language and doctrines which meet my very hearty approval. He said:

> A single evidence of the spirit and watchfulness of our fathers would save us from further encroachments. But we are told that the Senate has sent loan bills to this House before. Well, if there have been precedents, I see no reason why we should continue to follow them. Instead of reference to the Constitution, we are referred to bad precedents. We may be referred to the Treasury loan bill, at the beginning of this session, which came to us from the Senate. I say that even a multitude of bad precedents does not repeal the Constitution of the United States. If so, then there is no safeguard, no virtue in the Constitution. It is the unalterable law of the people, and neither precedents, nor Presidents, nor Senates dare overthrow it so long as there is an independent House of Representatives to hold them in check.

Perhaps I can not better further warn the Senate of the danger of creating bad precedents by aggressive or permissive usurpation than by calling again to their admonition the warning of General Washington in his Farewell Address:

> The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions by others, has been evinced by experiments ancient and modern. To preserve them must be as necessary as to institute them.
>
> If, in the opinion of the people, distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Mr. President, I have said upon this question not all that might be said by any means. I have not run out the arguments that I set on foot to their legitimate conclusions in many instances, but I have said all that I desire to say, and I yield the floor in the hope that I shall never again be called upon to speak on the Blair bill.

Mr. EVARTS. Mr. President, I propose to speak upon this subject, and if no other member of the Senate desires to proceed with the argument, I am ready to proceed, but prefer not to go on at this late hour of the day.

Mr. MORRILL. I move that the Senate go into executive session.

Mr. BLAIR. If before the motion is put I may be permitted to make an explanation, I would like to do so.

Mr. MORRILL. I withdraw my motion.

Mr. BLAIR. I observe circulating through the press in all parts of the country a statement that an ex-justice of the Supreme Court has expressed an opinion adverse to the constitutionality of this bill. That may be so, but I have taken pains to see ex-Justice Strong with reference to an allegation, which of course was somewhat personal to himself, that he had practically consulted with a number of members of the Supreme Court, and that the Supreme Court was adverse to the constitutionality of this measure. A statement to that effect has been circulated in the press.

I have consulted him personally, so that I might deny the statement authoritatively to those who seem to fail to understand the utter impropriety of such a thing; and I can say from his own lips that he has had no conversation at any time with any member of the Supreme Court in reference to the bill, and knows nothing of the opinion of any member of the court on the subject.

Mr. VEST. Will the Senator be good enough to say whether Justice Strong did not state, as his own view, that he believed the bill to be unconstitutional?

Mr. BLAIR. He did not.

Mr. VEST. Mr. President——

Mr. BLAIR. If the Senator will allow me, I will state just what Judge Strong said to me. He said he made no allusion whatever to this bill in any address or in any lecture before the college of which he is a professor. After his lecture was through on one occasion, one of the students asked him what he thought of the constitutionality of this bill, and he said his reply was that he doubted its constitutionality.

The Senator will recollect that the same article stated that Justice Strong was a strict constructionist, and said he was more so than his Republican brethren, and I may say that I have never heard from any Republican source whatever a doubt expressed of the constitutionality of this bill. There have been doubts expressed of its propriety, of its necessity, but never so far as I know has any Republican expressed a doubt of the constitutionality of the measure.

While I am on my feet I will say that I now hold in my hand the memorial of the trustees of the Peabody fund, which was placed before Congress in the year 1880, which was transmitted by the chairman of the board of trustees, a very elaborate report and memorial prepared by A. H. H. Stuart, M. R. Waite, the present Chief-Justice of the Supreme Court, and Hon. William M. Evarts, in which they discuss on this very point the constitutionality of national appropriations for the benefit of the systematic education of American citizens. The memorial expressly declared in favor of large appropriations for the education of the colored race, and the substance of it is embodied in this resolution:

> *Resolved*, That it is expedient that this board should present a memorial to Congress, praying that it may grant such aid as may be required to secure to the colored population of the Southern States the education which is necessary to fit them for the discharge of their duties as citizens of the United States.

That is signed by Alexander H. H. Stuart, M. R. Waite, William M. Evarts, Washington, February 19, 1880. It is a very able document, and argues through several pages the whole subject. It would be well to print it for the use of the people.

Mr. REAGAN. Is it not the fact that the gentlemen who made that report, while favoring appropriations, repudiated the idea that those appropriations should be followed into the States by Congressional legislation?

Mr. BLAIR. They make their argument, and they base it on the very ground that Democrats on this side of the Chamber have placed their support of this bill, that Congress has the power to make appropriations which through the instrumentality of the States may be applied to the education of the children within those States.

Mr. REAGAN. The point I was calling attention to was that they repudiated the idea of following the appropriation into the States.

Mr. BLAIR. I may again suggest to those who are arguing this in the newspapers and citing the courts, and I may refer Senators to the exceedingly able constitutional argument made on this question when he was a member of the Senate by the junior member of the present Supreme Court.

Mr. MORRILL. I renew my motion.

The PRESIDENT *pro tempore*. The Senator from Vermont moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After fifty-seven minutes spent in executive session the doors were reopened, and (at 5 o'clock and 27 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 31, 1888, at 12 o'clock m.

## NOMINATIONS.

*Executive nominations received by the Senate the 30th day of January*, 1888.

REGISTER OF THE LAND OFFICE.

Myron H. Rowley, of Mitchell, Dak., to be register of the land office at Mitchell, in the Territory of Dakota, in place of George B. Everitt, whose term expired on the 15th of January, 1888.

RECEIVER OF PUBLIC MONEYS.

Knute O. Harris, of Fergus Falls, Minn., to be receiver of public moneys at Fergus Falls, Minn., *vice* Lawrence L. Aune, removed.

LIEUTENANTS IN THE REVENUE SERVICE.

Frank H. Dimock, of Massachusetts, to be a third lieutenant in the revenue service of the United States, in the place of Third Lieut. Orin D. Myrick, promoted.

John E. Reinberg, of the District of Columbia, to be a third lieutenant in the revenue service of the United States, in the place of Third Lieut. John L. Davis, promoted.

PROMOTIONS IN THE ARMY.

*Tenth Regiment of Cavalry.*

Second Lieut. Percy E. Trippe, to be first lieutenant, January 17, 1888, *vice* Ward, dismissed.

*First Regiment of Artillery.*

First Lieut. John M. K. Davis, to be captain, January 14, 1888, *vice* Eakin, retired from active service.

Second Lieut. Charles J. Bailey, to be first lieutenant, January 14, 1888, *vice* Davis, promoted.

PROMOTIONS IN THE NAVY.

Lieut. Harry Knox, a resident of Ohio, to be a lieutenant-commander in the Navy from January 2, 1888, *vice* Lieut. Commander Marcus B. Buford, resigned.

Lieut. York Noël, junior grade, a resident of Pennsylvania, to be a lieutenant in the Navy from January 2, 1888, *vice* Lieut. Harry Knox, promoted.

Ensign Frank R. Heath, a resident of Virginia, to be a lieutenant, junior grade, from January 2, 1888, *vice* Lieut. York Noël, junior grade, promoted.

Lieut. Chapman C. Todd, a resident of Kentucky, to be a lieutenant-commander in the Navy from November 9, 1886, *vice* Lieut. Commander Isaac Hazlett, retired.

Lieut. Alfred Reynolds, junior grade, a resident of Indiana, to be a lieutenant in the Navy from November 9, 1886, *vice* Lieut. C. C. Todd, promoted.

Ensign Horace M. Witzel, a resident of Wisconsin, to be a lieutenant, junior grade, in the Navy from November 9, 1886, *vice* Lieut. A. Reynolds, junior grade, promoted.

Lieut. George A. Norris, a resident of Maine, to be a lieutenant-commander in the Navy from December 13, 1886, *vice* Lieut. Commander Thomas Nelson, promoted.

Lieut. J. Marshall Robinson, junior grade, a resident of New York, to be a lieutenant in the Navy from December 13, 1886, *vice* Lieut. G. A. Norris, promoted.

Ensign Omenzo G. Dodge, a resident of Kansas, to be a lieutenant, junior grade, in the Navy from December 13, 1886, *vice* Lieut. J. M. Robinson, junior grade, promoted.

Lieut. William H. Parker, a resident of the District of Columbia, to be a lieutenant-commander in the Navy from December 14, 1886, *vice* Lieut. Commander William Welch, retired.

Lieut. George H. Peters, junior grade, a resident of Pennsylvania, to be a lieutenant in the Navy from December 14, 1886, *vice* Lieut. William H. Parker, promoted.

Ensign Albert G. Winterhalter, a resident of Michigan, to be a lieutenant, junior grade, in the Navy from December 14, 1886, *vice* Lieut. A. G. Winterhalter, junior grade, promoted.

Lieut. Joseph N. Hemphill, a resident of Ohio, to be a lieutenant-commander in the Navy from January 26, 1887, *vice* Lieut. Commander F. McCurley, promoted.

Lieut. Bradley A. Fiske, junior grade, a resident of New York, to be a lieutenant in the Navy from January 26, 1887, *vice* Lieut. J. N. Hemphill, promoted.

Ensign John M. Orchard, a resident of Missouri, to be a lieutenant, junior grade, in the Navy from January 26, 1887, *vice* Lieut. B. A. Fiske, junior grade, promoted.

Lieut. Abraham B. H. Lillie, a resident of New York, to be a lieutenant-commander in the Navy from Janurary 29, 1887, *vice* Lieut. John McGowan, promoted.

Lieut. Frank H. Holmes, junior grade, a resident of California, to be a lieutenant in the Navy from January 29, 1887, *vice* Lieut. A. B. H. Lillie, promoted.

Ensign Hiero Taylor, a resident of Illinois, to be a lieutenant, junior grade, in the Navy from January 29, 1887, *vice* Lieut. F. H. Holmes, junior grade, promoted.

Lieut. John W. Stewart, junior grade, a resident of Maryland, to be a lieutenant in the Navy from March 1, 1887, *vice* Lieut. Webster Doty, retired.

Ensign John N. Jordan, a resident of Maine, to be a lieutenant, junior grade, in the Navy from March 1, 1887, *vice* Lieut. J. W. Stewart, junior grade, promoted.

Commander John Crittenden Watson, a resident of Kentucky, to be a captain in the Navy from March 6, 1887, *vice* Capt. E. P. Lull, deceased.

Lieut. Commander James G. Green, a resident of Massachusetts, to be a commander in the Navy from March 6, 1887, *vice* Commander J. C. Watson, promoted.

Lieut. William T. Swinburne, a resident of Rhode Island, to be a lieutenant-commander in the Navy from March 6, 1887, *vice* Lieut. Commander J. J. Green, promoted.

Lieut. Lucien Flynne, junior grade, a resident of Texas, to be a lieutenant in the Navy from March 6, 1887, *vice* Lieut. W. T. Swinburne, promoted.

Ensign August F. Fechteler, a resident of New York, to be a lieutenant, junior grade, in the Navy from March 6, 1887, *vice* Lieut. Lucien Flynne, promoted.

Lieut. John F. Parker, junior grade, a resident of Ohio, to be a lieutenant in the Navy from April 21, 1877, *vice* Lieut. J. W. Danenhower, deceased. [Subject to the examinations required by law.]

Ensign Thomas M. Brumby, a resident of Georgia, to be a lieutenant, junior grade, in the Navy from April 21, 1887, *vice* Lieut. J. F. Parker, junior grade, promoted.

Lieut. Hamilton Hutchins, junior grade, a resident of New Hampshire, to be a lieutenant in the Navy from May 21, 1887, *vice* Lieut. C. H. Lyeth, retired.

Ensign Valentine S. Nelson, a resident of Tennessee, to be a lieutenant, junior grade, in the Navy from May 21, 1887, *vice* Lieut. H. Hutchins, junior grade, promoted.

Ensign Edward E. Wright, a resident of Massachusetts, to be a lieutenant, junior grade, in the Navy from May 21, 1887, *vice* Lieut. Charles H. Amsden, junior grade, retired.

Lieut. Commander George E. Wingate, a resident of New Hampshire, to be a commander in the Navy from May 26, 1887, *vice* Commander William Gibson, retired.

Lieut. William H. Emory, a resident of New York, to be a lieutenant-commander in the Navy from May 26, 1887, *vice* Lieut. Commander G. E. Wingate, promoted.

Lieut. John M. Bowyer, junior grade, a resident of Iowa, to be a lieutenant in the Navy from May 26, 1887, *vice* Lieut. W. H. Emory, promoted.

Ensign Albert Gleaves, a resident of Tennessee, to be a lieutenant, junior grade, in the Navy from May 26, 1887, *vice* Lieut. J. M. Bowyer, junior grade, promoted.

Lieut. Charles T. Hutchins, a resident of Pennsylvania, to be a lieutenant-commander in the Navy from June 30, 1887, *vice* Lieut. Commander E. L. Amory, retired.

Lieut. John C. Colwell, junior grade, a resident of Pennsylvania, to be a lieutenant in the Navy from June 30, 1887, *vice* Lieut. C. T. Hutchins, promoted.

Ensign Selim E. Woodworth, a resident of New York, to be a lieutenant, junior grade, in the Navy from June 30, 1887, *vice* Lieut. J. C. Colwell, junior grade, promoted.

Lieut. Seth M. Ackley, a resident of Massachusetts, to be a lieutenant-commander in the Navy from June 30, 1887, *vice* Lieut. Commander E. B. Thomas, retired.

Lieut. William R. A. Rooney, junior grade, a resident of Pennsylvania, to be a lieutenant in the Navy from June 30, 1887, *vice* Lieut. S. M. Ackley, promoted.

Ensign James P. Parker, a resident of North Carolina, to be a lieutenant, junior grade, from June 30, 1887, *vice* Lieut. W. R. A. Rooney, junior grade, promoted.

Lieut. Edward J. Dorn, junior grade, a resident of Missouri, to be a lieutenant in the Navy from June 30, 1887, *vice* Lieut. E. W. Bridge, retired.

Ensign Henry C. Wakenshaw, a resident of New Jersey, to be a lieu-

tenant, junior grade, in the Navy from June 30, 1887, *vice* Lieut. E. J. Dorn, junior grade, promoted.

Ensign Benjamin W. Hodges, a resident of Mississippi, to be a lieutenant, junior grade, in the Navy from June 30, 1887, *vice* Lieut. R. H. Townley, junior grade, retired.

Lieut. William G. Gilpatrick, a resident of Kansas, to be a lieutenant-commander in the Navy from July 1, 1887, *vice* Lieut. Commander J. E. Noël, resigned (subject to the examinations required by law).

Lieut. Bernard O. Scott, junior grade, a resident of Alabama, to be a lieutenant in the Navy from July 1, 1887, *vice* Lieut. William W. Gilpatrick, promoted.

Ensign Herbert O. Dunn, a resident of Rhode Island, to be lieutenant, junior grade, in the Navy from July 1, 1887, *vice* Lieut. B. O. Scott, junior grade, promoted.

Commodore Bancroft Gherardi, a resident of Massachusetts, to be a rear-admiral in the Navy from August 25, 1887, *vice* Rear-Admiral S. R. Franklin, retired.

Capt. William E. Fitzhugh, a resident of Ohio, to be a commodore in the Navy from August 25, 1887, *vice* Commodore B. Gherardi, promoted.

Commander Henry B. Robeson, a resident of Connecticut, to be a captain in the Navy from August 25, 1887, *vice* Capt. W. E. Fitzhugh, promoted.

Lieut. Commander Joshua Bishop, a resident of the District of Columbia, to be a commander in the Navy from August 25, 1887, *vice* Commander Henry B. Robeson, promoted.

Lieut. Benjamin S. Richards, a resident of Pennsylvania, to be a lieutenant-commander in the Navy from August 25, 1887, *vice* Lieut. Commander Joshua Bishop, promoted.

Lieut. David Peacock, junior grade, a resident of New Jersey, to be a lieutenant in the Navy from August 25, 1887, *vice* Lieut. B. S. Richards, promoted.

Ensign Arthur W. Dodd, a resident of Indiana, to be a lieutenant, junior grade, in the Navy from August 25, 1887, *vice* Lieut. D. Peacock, junior grade, promoted.

Commodore Daniel L. Braine, a resident of New York, to be a rear-admiral in the Navy from September 4, 1887, *vice* Rear-Admiral J. L. Davis, retired.

Capt. George Brown, a resident of Indiana, to be a commodore in the Navy from September 4, 1887, *vice* Commodore D. L. Braine, promoted.

Commander William Whitehead, a resident of Pennsylvania, to be a captain in the Navy from September 4, 1887, *vice* Capt. George Brown, promoted.

Lieut. Commander Charles A. Schetky, a resident of New Jersey, to be a commander in the Navy from September 4, 1887, *vice* Commander William Whitehead, promoted.

Lieut. Benjamin F. Tilley, a resident of Rhode Island, to be a lieutenant-commander in the Navy from September 4, 1887, *vice* Lieut. Commander C. A. Schetky, promoted.

Lieut. John O. Nicolson, junior grade, a resident of Alabama, to be a lieutenant in the Navy from September 4, 1887, *vice* Lieut. B. F. Tilley, promoted.

Ensign George W. Denfield, a resident of Massachusetts, to be a lieutenant, junior grade, in the Navy from September 4, 1887, *vice* Lieut. J. O. Nicolson, junior grade, promoted.

Lieut. George T. Emmons, junior grade, a resident of New Jersey, to be a lieutenant in the Navy from November 1, 1887, *vice* Lieut. W. H. Jaques, resigned.

Ensign Albert W. Grant, a resident of Wisconsin, to be a lieutenant, junior grade, in the Navy from November 1, 1887, *vice* Lieut. G. T. Emmons, junior grade, promoted.

Naval Cadets John G. Tauresey, a resident of Delaware; Albert C. Diffenbach, a resident of Pennsylvania; Theodore C. Fenton, a resident of Pennsylvania; Volney O. Chase, a resident of Louisiana; George R. Slocum, a resident of Illinois; William G. Miller, a resident of Virginia; George W. Kline, a resident of New Jersey; John P. McGuinness, a resident of Idaho Territory; Joseph Strauss, a resident of Virginia; Charles S. Stanworth, a resident of Virginia; Robert L. Russell, a resident of Georgia; Harrison A. Bispham, a resident of Pennsylvania; Armistead Rust, a resident of Virginia; George R. Evans, a resident of Massachusetts; Edward W. Eberle, a resident of Arkansas; James E. Shindel, a resident of Pennsylvania; David S. Nes, a resident of Pennsylvania; Charles M. McCormick, a resident of Virginia; Glennie Tarbox, a resident of South Carolina; William W. Gilmer, a resident of Virginia; Robert E. Coontz, a resident of Missouri, and Benjamin Wright, a resident of Tennessee, all graduates of the Naval Academy, to be ensigns in the Navy from July 1, 1887, to fill vacancies in that grade.

FIRST LIEUTENANT, MARINE CORPS.

Second Lieut. Samuel L. Jackson, United States Marine Corps, a resident of Massachusetts, to be a first lieutenant in that corps, from January 7, 1888, *vice* First Lieut. Samuel H. Gibson, retired.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate January* 30, 1888.

UNITED STATES CONSUL.

Lebbeus G. Bennington, of Ritchie Court-House, W. Va., to be consul of the United States at Rio Grande do Sul.

POSTMASTERS.

John W. Ross, to be postmaster at Washington, in the county of Washington and District of Columbia.

John H. Currey, to be postmaster at Nashville, in the county of Davidson and State of Tennessee.

Will J. Furlong, to be postmaster at Rochelle, in the county of Ogle and State of Illinois.

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## HOUSE OF REPRESENTATIVES.

MONDAY, *January* 30, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Friday was read and approved.

ENROLLED BILL SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled a bill of the following title; when the Speaker *pro tempore* signed the same, namely:

A bill (H. R. 2131) for the relief of Joseph Cox, administrator of Charles Pasters, deceased.

BRIDGE ACROSS THE MISSOURI RIVER NEAR ST. CHARLES, MO.

Mr. HATCH. I ask unanimous consent to discharge the Private Calendar and take up for present consideration the bill S. 274, which is a bridge bill, and the consideration of which I am sure will take but a moment. It is important that action should be taken upon it promptly.

Mr. ANDERSON, of Kansas. Let the title of the bill be read.

The Clerk read as follows:

A bill (S. 274) authorizing the construction of a bridge across the Missouri River at some accessible point in the county of St. Charles, in the State of Missouri, below the city of St. Charles.

Mr. MCADOO. I would like, before objection is waived, to have this bill read.

Mr. HATCH. I will state to the gentleman from New Jersey, and the gentleman from Kansas also, that this bill has been unanimously reported from the Committee on Commerce. The report shows that it is in full accord with the report of the Chief of Engineers, and is no obstruction to navigation. This is a Senate bill.

Mr. MCADOO. I withdraw my objection.

Mr. ANDERSON, of Kansas. Let the bill be read.

The Clerk proceeded to read the bill.

Mr. HATCH. Mr. Speaker, as this bill is the exact counterpart of other bills of a similar character reported from the Committee on Commerce and passed here, unless some member desires to have the bill read at length, I ask that the further reading be waived.

There was no objection, and the reading of the bill was dispensed with.

Mr. HATCH. I now ask the Clerk to read the first few lines of the report, which I think will afford all the information necessary in support of this bill.

The Clerk read as follows:

The Committee on Commerce, to whom was referred the bill (S. 274) authorizing the construction of a bridge across the Missouri River at some accessible point in the county of St. Charles, in the State of Missouri, below the city of St. Charles, have had the same under consideration, and upon close examination find the bill in accordance with the recommendations of the Ch.. f of Engineers, whose communications are appended to and made part of this report.

As will be seen from these letters, the bridge as proposed will not be an obstruction to navigation, and will subserve the interests of commerce, which demand its speedy construction.

Mr. HATCH. I ask the previous question upon the third reading of the bill.

The previous question was ordered, under the operation of which the bill was ordered to a third reading; and being read the third time, was passed.

Mr. HATCH moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. This being Monday, the regular order is the call of the States and Territories for bills and resolutions. Upon this call joint and concurrent resolutions and memorials from State and Territorial Legislatures are in order; also resolutions of inquiry addressed to heads of Departments.

LAND OFFICE AT BIRMINGHAM, ALA.

Mr. BANKHEAD introduced a bill (H. R. 6092) to establish a land office at Birmingham, in the State of Alabama; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PUBLIC LANDS IN ALABAMA.

Mr. OATES introduced a bill (H. R. 6093) to further provide for the disposal of the public lands in the State of Alabama, and to devote the proceeds of sale to education in said State; which was read a first and

second time, referred to the Committee on the Public Lands, and ordered to be printed.

ALIEN LAND-HOLDING.

Mr. OATES also introduced a bill (H. R. 6094) to prevent aliens from pre-empting or entering homesteads, and to limit the acquisition of the public domain in the United States, and to provide for leasing grazing lands for periods not exceeding ten years; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

CLERKS TO SENATORS AND REPRESENTATIVES.

Mr. OATES also introduced a bill (H. R. 6095) to authorize the appointment and prescribe the compensation of clerks to Senators and Representatives who are not chairmen of committees; which was read a first and second time, referred to the Committee on the Revision of the Laws, and ordered to be printed.

NATIONAL CEMETERY, LITTLE ROCK, ARK.

Mr. ROGERS introduced a bill (H. R. 6096) to construct a road from Little Rock, Ark., to the national cemetery adjacent thereto; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

SUBPORTS OF ENTRY.

Mr. MORROW introduced a bill (H. R. 6097) to authorize the Secretary of the Treasury to designate subports of entry in customs districts; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PRESIDIO RESERVATION.

Mr. MORROW also introduced a bill (H. R. 6098) authorizing the construction and repair of roads from the entrance of the reservation of the Presidio, at San Francisco, Cal., to the national cemetery on the same, and the fencing and protection of the said reservation and the cemetery thereon; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

CONSULAR SERVICE.

Mr. MORROW also introduced a bill (H. R. 6099) to improve the consular service; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

PUBLIC BUILDING AT NEW LONDON, CONN.

Mr. RUSSELL, of Connecticut, introduced a bill (H. R. 6100) for the erection of a public building at New London, Conn.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

EDUCATION OF THE BLIND.

Mr. CANDLER (by request) introduced a bill (H. R. 6101) to promote the education of the blind in the several States and Territories; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

WORK OF GENERAL EMORY UPTON.

Mr. TOWNSHEND submitted the following resolution; which was read, and referred to the Committee on Printing:

Whereas it is alleged that the late Maj. Gen. Emory Upton, of the United States Army, had prepared with great care and ability the manuscript of a valuable work on the "Military Policy of the United States," which embodies a profound study of the military records of the United States down to the year 1863, but which was not fully completed because of the death of that distinguished and accomplished officer and writer on military subjects; and

Whereas it is believed that it is a work of great value to the country and that the same should be completed and a sufficient number of copies thereof should be published by the United States for the use of the Army and distributed for general information: Therefore, be it

*Resolved*, That the Committee on Printing be, and it is hereby, directed to ascertain on what terms said manuscript can be obtained, and whether it is of sufficient value and importance for publication by order of Congress for distribution, and that said committee report upon this subject as soon as practicable.

DUTY ON SALT.

Mr. TOWNSHEND also introduced a bill (H. R. 6102) to abolish the tax on salt and place the same on the free-list; which was read a first and second time.

The bill was read at length.

Mr. BURROWS. Mr. Speaker, should not the preamble of that bill go to the petition-box?

The SPEAKER *pro tempore*. The preamble is a part of the bill.

Mr. TOWNSHEND. If the gentleman from Michigan had been sufficiently interested in the subject to listen attentively he would have seen that.

Mr. BURROWS. I simply wanted to know the practice. That was all.

The bill was referred to the Committee on Ways and Means and ordered to be printed.

POSTAGE ON SEEDS, ETC.

Mr. BAKER, of Illinois, offered the following resolution; which was read, and referred to the Committee on the Post-Office and Post-Roads:

*Resolved*, That the Committee on the Post-Office and Post-Roads be instructed to inquire into the expediency of providing by law for reduced postage on seeds, bulbs, plants, scions, etc., and to report by bill or otherwise.

MONEY-ORDERS FOR SMALL SUMS.

Mr. BAKER, of Illinois, also offered the following resolution; which was read, and referred to the Committee on the Post-Office and Post-Roads:

*Resolved*, That the Committee on the Post-Office and Post-Roads be instructed to inquire into the expediency of providing by law for the issue of money-orders for an amount of $5 or less for a fee of 3 cents, and to report by bill or otherwise.

FRACTIONAL CURRENCY.

Mr. BAKER, of Illinois, also offered the following resolution; which was read, and referred to the Committee on Banking and Currency:

*Resolved*, That the Committee on Banking and Currency be instructed to inquire into the expediency of providing by law for the reissue of fractional currency to meet the demand for its use in the mails, and to report by a bill or otherwise.

RELIEF OF UNION SOLDIERS AND SAILORS.

Mr. LAWLER introduced a bill (H. R. 6103) for the relief of enlisted men who served in the Federal Army and Navy during the war of the rebellion; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

TAX ON OLEOMARGARINE.

Mr. LAWLER also introduced a bill (H. R. 6104) to reduce taxation; which was read a first and second time.

The bill was read at length, as follows:

Whereas the President in his message to Congress directed attention to the paramount necessity for a reduction of the surplus accumulating and to accumulate in the Treasury; and

Whereas in the said message he dwelt at great length upon the burdens imposed by excessive taxation upon the laboring classes; and

Whereas it would seem eminently proper to set the example of tax reduction by first relieving the poorer classes of taxation imposed by the internal-revenue laws deriving revenue for the support and maintenance of the Government: Therefore,

*Be it enacted, etc.*, That the tax of 2 cents per pound now imposed by existing law upon the food product known as oleomargarine be, and the same is hereby, abrogated and repealed.

Mr. HENDERSON, of Iowa. Mr. Speaker, I move that that bill be referred to the Committee on Agriculture.

Mr. LAWLER. Mr. Speaker, I ask the reference of the bill to the Committee on Ways and Means.

Mr. HATCH. I move to strike out "Ways and Means" and insert "Agriculture."

The SPEAKER *pro tempore*. The gentleman from Iowa [Mr. HENDERSON] has already moved that the bill be referred to the Committee on Agriculture.

Mr. LAWLER. It is a bill to reduce taxation, and Ways and Means is the proper committee for it to go to.

The SPEAKER *pro tempore*. The gentleman from Iowa [Mr. HENDERSON] moves that this bill be referred to the Committee on Agriculture. The gentleman from Illinois [Mr. LAWLER] moves, as an amendment, that it be referred to the Committee on Ways and Means. The vote will first be taken on the amendment.

The question was taken on the amendment moved by Mr. LAWLER to the motion of Mr. HENDERSON, of Iowa, and the Chair declared that it was rejected.

Mr. LAWLER. I ask for a division.

The House divided, and there were—ayes 25, noes 123.

So the motion was not agreed to.

Mr. LAWLER. I raise the point of no quorum.

The SPEAKER *pro tempore*. The point is made that no quorum has voted. The Chair will appoint to act as tellers the gentleman from Illinois [Mr. LAWLER] and the gentleman from Iowa [Mr. HENDERSON].

Mr. WILKINS. Let us have the yeas and nays.

The yeas and nays were ordered.

Mr. LAWLER. Mr. Speaker, owing to the confusion, some gentlemen may not yet understand the purport of this bill, and I ask that it may be read once more.

The SPEAKER *pro tempore*. It has been read twice already. It can not be read again except by unanimous consent. The Chair, in response to the suggestion of the gentleman from Alabama [Mr. OATES], will again state the proposition. The question is on the motion of the gentleman from Illinois [Mr. LAWLER] in the nature of an amendment, to refer the bill to the Committee on Ways and Means.

Mr. OATES. To which committee does the Chair rule the bill should properly go?

The SPEAKER *pro tempore*. The Chair has not ruled upon that point. A motion to refer the bill to the Committee on Agriculture was made by the gentleman from Iowa [Mr. HENDERSON], to which the gentleman from Illinois has moved an amendment that it be referred to the Committee on Ways and Means. On the latter motion the House is about to vote.

Mr. OATES. Would not the bill go to the Committee on Ways and Means but for a vote of the House sending it to some other committee?

Mr. HATCH. Regular order!

The SPEAKER *pro tempore*. The regular order is the call of the roll. The Clerk will call the roll.

The question was taken; and there were—yeas 62, nays 190, not voting 71; as follows:

YEAS—62.

| | | | |
|---|---|---|---|
| Anderson, G. A. | Dargan, | Kilgore, | Russell, J. E. |
| Blanchard, | Davidson, R. H. M. | Laffoon, | Seney, |
| Blount, | Davis, | Lane, | Spooner, |
| Brumm, | Dibble, | Lanham, | Stewart, Charles |
| Campbell, T. J. | Dougherty, | Lawler, | Stewart, J. D. |
| Candler, | Dunham, | Lynch, | Tarsney, |
| Catchings, | Dunn, | McAdoo, | Taulbee, |
| Chipman, | Elliott, | McRae, | Tillman, |
| Clements, | Gay, | Merriman, | Turner, H. G. |
| Cobb, | Greenman, | Newton, | Walker, |
| Cockran, | Hall, | Norwood, | Wheeler, |
| Cothran, | Hemphill, | Oates, | Whitthorne, |
| Cowles, | Henderson, J. S. | Outhwaite, | Wilson, W. L. |
| Crain, | Hutton, | Penington, | Yoder. |
| Crisp, | Johnston, T. D. | Perry, | |
| Cummings, | Jones, | Rowland, | |

NAYS—190.

| | | | |
|---|---|---|---|
| Abbott, | Darlington, | Kean, | Rayner, |
| Adams, | Davenport, | Kennedy, | Rice, |
| Allen, C. H. | Davidson, A. C. | Kerr, | Richardson, |
| Allen, E. P. | Dingley, | Ketcham, | Robertson, |
| Allen, J. M. | Dockery, | La Follette, | Rockwell, |
| Anderson, A. R. | Dorsey, | Lagan, | Rogers, |
| Anderson, C. L. | Enloe, | Laidlaw, | Romeis, |
| Anderson, J. A. | Farquhar, | Landes, | Russell, C. A. |
| Arnold, | Felton, | Latham, | Ryan, |
| Atkinson, | Findlay, | Lee, | Sawyer, |
| Baker, C. S. | Fisher, | Lind, | Sayers, |
| Baker, Jehu | Ford, | Lodge, | Scott, |
| Bankhead, | Forney, | Long, | Scull, |
| Bayne | Fuller, | Macdonald, | Sherman, |
| Belden, | Funston, | Marsh, | Shively, |
| Bingham, | Gaines, | Mansur, | Simmons, |
| Bliss, | Gallinger, | Martin, | Smith, |
| Boothman, | Gear, | Matson, | Snyder, |
| Bound, | Gest, | McClammy, | Springer, |
| Boutelle, | Gibson, | McCormick, | Stahlnecker, |
| Bowden, | Glass, | McCreary, | Steele, |
| Bowen, | Granger, | McCullogh, | Stephenson, |
| Breckinridge, C. R. | Grimes, | McKenna, | Stewart, J. W. |
| Breckinridge, W. C. P. | Grosvenor, | McKinley, | Stone of Ky. |
| Browne, T. M. | Grout, | McKinney, | Stone of Mo. |
| Brown, C. E. | Guenther, | McMillin, | Struble, |
| Brown, J. R. | Hare, | Milliken, | Taylor, E. B. |
| Bryce, | Hatch, | Mills, | Taylor, J. D. |
| Buchanan, | Haugen, | Montgomery, | Thomas, G. M. |
| Bunnell, | Hayden, | Morgan, | Thomas, O. B. |
| Burnett, | Heard, | Morrill, | Townshend, |
| Butler, | Henderson, D. B. | Morrow, | Turner, E. J. |
| Butterworth, | Henderson, T. J. | Neal, | Vance, |
| Bynum, | Hiestand, | Nichols, | Vandever, |
| Campbell, J. E. | Hires, | Nutting, | Wade, |
| Cannon, | Hitt, | O'Donnell, | Warner, |
| Caruth, | Hogg, | O'Ferrall, | Washington, |
| Caswell, | Holman, | O'Neill, Charles | Weaver, |
| Cheadle, | Holmes, | Osborne, | West, |
| Clardy, | Hooker, | Owen, | Whiting, William |
| Cogswell, | Hopkins, A. J. | Parker, | Wickham, |
| Compton, | Hopkins, S. T. | Patton, | Wilkins, |
| Conger, | Hovey, | Payson, | Wilkinson, |
| Cooper, | Howard, | Peel, | Wilson, Thomas |
| Crouse, | Hudd, | Perkins, | Wise, |
| Culberson, | Hunter, | Peters, | Yardley. |
| Cutcheon, | Jackson, | Pidcock, | |
| Dalzell, | Johnston, J. T. | Randall, | |

NOT VOTING—71.

| | | | |
|---|---|---|---|
| Bacon, | Ermentrout, | Mahoney, | Shaw, |
| Barnes, | Fitch, | Mason, | Sowden, |
| Barry, | Flood, | McComas, | Spinola, |
| Belmont, | Foran, | McShane, | Stockdale, |
| Biggs, | French, | Moffitt, | Symes, |
| Bland, | Glover, | Moore, | Thomas, J. R. |
| Brewer, | Goff, | Morse, | Thompson, A. C. |
| Brower, | Harmer, | Nelson, | Thompson, T. L. |
| Browne, T. H. B. | Hayes, | O'Neall, J. H. | Tracey. |
| Buckalew, | Herbert, | O'Neill, J. J. | Weber, |
| Burnes, | Hermann, | Phelan, | White, J. B. |
| Burrows, | Hopkins, S. I. | Phelps, | White, S. V. |
| Campbell, Felix | Houk, | Plumb, | Whiting, J. R. |
| Carlton, | Kelley, | Post, | Wilber, |
| Clark, | Laird, | Pugsley, | Williams, |
| Collins, | Lehlbach, | Reed, | Woodburn, |
| Cox, | Lyman, | Rowell, | Yost. |
| De Lano, | Maffett, | Rusk, | |

So the amendment of Mr. LAWLER to refer the bill to the Committee on Ways and Means was not agreed to.

The following-named members were announced as paired on all political questions until further notice:

Mr. SPINOLA with Mr. THOMAS, of Illinois.
Mr. TRACEY with Mr. DE LANO.
Mr. STOCKDALE with Mr. THOMPSON, of Ohio.
Mr. BACON with Mr. WOODBURN.
Mr. FORAN with Mr. KELLEY.
Mr. GLOVER with Mr. BROWER.
Mr. CUMMINGS with Mr. MOFFITT until February 7.

The following-named members were announced as paired for this day:

Mr. HOPKINS, of Virginia, with Mr. HARMER.
Mr. FRENCH with Mr. FITCH.
Mr. CARLTON with Mr. MCCOMAS.
Mr. ERMENTROUT with Mr. GOFF.

On this vote:

Mr. BARNES with Mr. T. H. B. BROWNE.

The result of the vote was announced as above stated.

The question recurring on the motion of Mr. HENDERSON, of Iowa, to refer the bill to the Committee on Agriculture, it was agreed to.

The bill was referred accordingly, and was ordered to be printed.

DONATION OF CANNON FOR SOLDIERS' HOME.

Mr. ANDERSON, of Illinois, introduced a bill (H. R. 6105) donating a six-pound brass cannon to the Illinois Soldiers' and Sailors' Home; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

VOLUNTEERS IN LATE WAR.

Mr. STEELE introduced a bill (H. R. 6106) for the relief of certain volunteer soldiers of the late war; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

FORT LEAVENWORTH RESERVATION, KANSAS.

Mr. MORRILL introduced a bill (H. R. 6107) to authorize the sale of a tract of land in the military reservation at Fort Leavenworth, in the State of Kansas; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

ASSISTANT DISTRICT ATTORNEYS.

Mr. RYAN introduced a bill (H. R. 6108) making an appropriation to pay the regular assistants to United States district attorneys the same rate of compensation for the fiscal year 1888 that was paid to them during the fiscal year 1887; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

Mr. RYAN also submitted the following resolution; which was referred to the Committee on Appropriations:

*Resolved*, That the Attorney-General be, and he hereby is, requested to communicate to the House of Representatives the names of all assistants to United States district attorneys who have been or are being paid out of the appropriation of $100,000 made by the sundry civil appropriation act approved March 3, 1887, "for payment of assistants to United States district attorneys;" also the places of employment and the present rate of compensation to each of said assistants, and how much greater or less is the rate of compensation to each of said assistants for the fiscal year 1888 than for the fiscal year 1887, and the reasons for any such increase or reduction; and such other information in relation thereto as in his judgment may contribute to just and intelligent legislation upon the subject.

EXPORTS OF WHEAT, CORN, AND FLOUR.

Mr. TURNER, of Kansas, introduced a bill (H. R. 6109) providing for a bounty on wheat, corn, and flour, exported from the United States; which was read a first and second time, referred to the Committee on Agriculture, and ordered to be printed.

RAILROAD LAND GRANTS IN KANSAS.

Mr. TURNER, of Kansas, also submitted the following resolution; which was referred to the Committee on the Public Lands:

*Resolved*, That the Secretary of the Interior be, and is hereby, directed to inform the House the reason, if any, why the railroad land grants, made by Congress to aid in the construction of railroads within the State of Kansas, have not been adjusted in accordance with chapter 376 of the laws of the Forty-ninth Congress, second session, being "An act to provide for the adjustment of land grants made by Congress to aid in the construction of railroads and for the forfeiture of unearned lands, and for other purposes."

WASHINGTON AND WESTERN MARYLAND RAILROAD.

Mr. CARUTH (by request) introduced a bill (H. R. 6110) to incorporate the Washington and Western Railroad Company; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

SETTLEMENT AND ADJUSTMENT OF STATE WAR CLAIMS.

Mr. MONTGOMERY introduced a bill (H. R. 6111) to settle and adjust the claims of any State for expenses incurred by it in defense of the United States; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

TEAMSTERS IN MEXICAN WAR.

Mr. STONE, of Kentucky, introduced a bill (H. R. 6112) granting a pension to all persons who served as teamsters in the military service of the United States during the Mexican war; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

REGULATION OF THE PRICE OF PRODUCE, ETC.

Mr. STONE, of Kentucky, also introduced a bill (H. R. 6113) to prevent persons or corporations from combining to raise, depress, or regulate the price of produce, manufactured articles, stocks, bonds, or labor; which was read a first and second time, referred to the Committee on Manufactures, and ordered to be printed.

ESTABLISHMENT OF UNITED STATES LAND COURT.

Mr. MCCREARY introduced a bill (H. R. 6114) to establish a United States land court and to provide for a judicial investigation and settlement of private land claims in the Territories of Arizona, New Mexico, Wyoming, Utah, and in the States of Colorado and Nevada; which was read a first and second time, referred to the Committee on Private Land Claims, and ordered to be printed.

REPORT ON IRON ORES OF NORTHERN LOUISIANA, ETC.

Mr. BLANCHARD submitted the following resolution:

*Resolved*, That the Secretary of the Interior be, and is hereby, requested to inform this House of the cause of the delay in the preparation and publication of the report of Professor Lawrence Johnson, of the United States Geological Survey, on the iron ores of Northern Louisiana and Eastern Texas, which work was ordered more than two years ago.

The SPEAKER *pro tempore*. It will be referred to the Committee on Printing.

Mr. BLANCHARD. It does not belong to the Committee on Printing. It belongs to the Committee on Mines and Mining.

Mr. SPRINGER. Let the resolution be again read.

The resolution was again read.

Mr. SPRINGER. I do not object to its going to the Committee on Mines and Mining.

The SPEAKER *pro tempore*. The Chair hears no objection, and it will be so referred.

RESTORING PUBLIC LANDS TO FLORIDA PARISHES, LOUISIANA.

Mr. ROBERTSON introduced a bill (H. R. 6115) restoring to the Florida parishes of the State of Louisiana certain public lands as compensation to the people thereof for lands disposed of by the United States Government at the Montpelier and Greensburgh land offices in said State; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PUBLIC BUILDING, BATON ROUGE, LA.

Mr. ROBERTSON also introduced a bill (H. R. 6116) to authorize the construction of a public building for a post-office in the city of Baton Rouge, La.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PROHIBITION OF TRUSTS.

Mr. RAYNER introduced a bill (H. R. 6117) to prevent the creation of trusts; which was read a first and second time, referred to the Committee on Manufactures, and ordered to be printed.

POSTAGE ON STATE DOCUMENTS.

Mr. DAVIS introduced a bill (H. R. 6118) establishing rates of postage on public documents of the respective States; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

ARMY NURSES.

Mr. LODGE (by request) introduced a bill (H. R. 6119) for the relief of women enrolled as army nurses, etc.; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

GRANT OF CONDEMNED CANNON.

Mr. LODGE also introduced a bill (H. R. 6120) granting cannon to General Lander Post, of Lynn, Mass.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

AMENDMENT OF THE RULES.

Mr. LONG submitted the following amendment to the rules; which was referred to the Committee on Rules:

Thirty minutes shall be allowed each day immediately prior to the first morning hour, in which members who have filed their names with the Speaker shall be allowed in such order as he shall arrange, to ask unanimous consent for present consideration of any bill favorably reported by a committee, and shall have three minutes for that purpose after it has been read. If the request is granted, three minutes shall be allowed in opposition to the bill. The question shall then be at once upon its amendment, engrossment, and passage. If thereupon the yeas and nays are ordered, they shall not be taken; but the order shall be equivalent to a restoration of the bill to its former status on the Calendar.

CLAIMS FOR REMUSTER.

Mr. CUTCHEON submitted the following resolution; which was referred to the Committee on Military Affairs:

*Resolved*, That the Secretary of War be requested to advise this House what progress has been made in the examination and adjudication of claims for remuster of officers of the volunteer forces under the act of June 3, 1884, or under said act as amended by the act of February 3, 1887; what is the whole number of claims filed under the said acts respectively; what number remain to be examined and adjudicated, and how long it will be before the consideration of said claims can be completed with the present clerical force of the Adjutant-General's Office.

PROTECTION TO AMERICAN INDUSTRIES.

Mr. CUTCHEON also submitted the following resolutions; which were referred to the Committee on Ways and Means:

*Resolved*, That it is the deliberate judgment of this House that in any proposed revision of the duties upon imports the principle of protection to American industries and the maintenance of the wages of American workingmen at the American standard ought to be distinctly recognized and firmly adhered to.

*Resolved*, That duties upon imports ought not to be imposed "for revenue only," but the production of those articles which we have abundant raw materials and labor to produce in this country ought to be protected by duties sufficient to enable American producers to maintain free competition in such productions in the American markets.

*Resolved*, That articles for the free or non-dutiable list should be selected from among such necessaries of living as we are unable to produce in adequate quantity for our needs within the United States, and not from among such productions as would come into direct competition with our own industries and would tend to throw American workingmen out of employment and to depress their wages, and ultimately to increase the cost of such productions by destroying competition.

E. G. BENTON, JR.

Mr. TARSNEY introduced the following resolution; which was read, and referred to the Committee on Accounts:

*Resolved*, That E. G. Benton, jr., be, and is hereby, appointed an additional page on the floor of the House of Representatives, and to receive the same rate of compensation as those now acting in that capacity, to be paid out of the contingent fund of the House of Representatives.

EQUESTRIAN STATUE OF GENERAL CUSTER.

Mr. FORD introduced a joint resolution (H. Res. 96) authorizing the erection of an equestrian statue in the city of Washington, D. C., of the late Bvt. Maj. Gen. George A. Custer; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

PROHIBITION OF ALIENS ENGAGING IN CERTAIN BUSINESS.

Mr. CHIPMAN introduced a bill (H. R. 6121) to prevent aliens from engaging in certain business in the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

STOCKBRIDGE AND MUNSEE TRIBE OF INDIANS.

Mr. CHIPMAN also (by request) introduced a bill (H. R. 6122) to amend an act entitled "An act for the relief of the Stockbridge and Munsee tribe of Indians in the State of Wisconsin," approved February 6, 1871; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

NATIONAL CEMETERY, CORINTH, MISS.

Mr. ALLEN, of Mississippi, introduced a bill (H. R. 6123) to construct a road to the national cemetery at Corinth, Miss.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

UNITED STATES COURTS, VICKSBURGH.

Mr. MORGAN introduced a bill (H. R. 6124) to repeal an act entitled "An act to provide for holding terms of the United States circuit court at Vicksburgh, Miss.," approved February 28, 1887; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SALARIES OF WATCHMEN IN THE DEPARTMENTS.

Mr. HOOKER introduced a bill (H. R. 6125) to regulate the salaries of watchmen in the Departments of the Government; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

MEXICAN WAR PENSIONS.

Mr. MANSUR introduced a bill (H. R. 6126) granting pensions for services in the war with Mexico, and to regulate an act entitled "An act granting pensions to soldiers and sailors of the Mexican war, and for other purposes," approved January 29, 1887; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

INCREASE OF PAY OF WATCHMEN, TREASURY DEPARTMENT.

Mr. MANSUR also introduced a bill (H. R. 6127) to determine and increase the pay of watchmen in the Treasury Department; which was read a first and second time, referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

INDIAN SCHOOL, NIOBRARA, NEBR.

Mr. DORSEY introduced a bill (H. R. 6128) to provide for an Indian school at Niobrara, State of Nebraska; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

CONSULAR REPORTS ON CATTLE AND DAIRY FARMING, EUROPE.

Mr. LAIRD introduced a joint resolution (H. Res. 97) to provide for printing additional copies of the United States consular reports on cattle and dairy farming in Europe; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

GEORGETOWN BARGE, DOCK, ELEVATOR, AND RAILWAY COMPANY.

Mr. KEAN introduced a bill (H. R. 6129) to incorporate the Georgetown Barge, Dock, Elevator, and Railway Company; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

KEEPERS AND CREWS, LIFE-SAVING STATIONS.

Mr. BUCHANAN introduced a bill (H. R. 6130) making provision for the comfort of keepers and crews of life-saving stations; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

MONUMENT, SACKETT'S HARBOR, N. Y.

Mr. PARKER introduced a bill (H. R. 6131) to provide for the erection of a monument at Sackett's Harbor, in the State of New York; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

COMPENSATION SUPREME COURT JUDGES AND CABINET OFFICERS.

Mr. TIMOTHY J. CAMPBELL introduced a bill (H. R. 6132) fixing the annual compensation of judges of the Supreme Court, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Attorney-General, the Postmaster-General, the Secretary of the Navy, and the Secretary of the Interior; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CLAIMS AGAINST THE GOVERNMENT.

Mr. TIMOTHY J. CAMPBELL also introduced a bill (H. R. 6133) in relation to certain claims; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

UNITED STATES MERCHANT MARINE.

Mr. CUMMINGS introduced a bill (H. R. 6134) to regulate the employment of certain officers of the United States merchant marine; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

SAFETY OF HUMAN LIFE ON STEAM-VESSELS.

Mr. CUMMINGS also introduced a bill (H. R. 6135) for the better protection of human life on merchant steam-vessels of the United States; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

MAPS OF SUBURBAN REGIONS, DISTRICT OF COLUMBIA.

Mr. BUTTERWORTH submitted the following resolution; which was read, and referred to the Committee on Appropriations:

Whereas several publishers have issued maps of the suburban regions about Washington, purporting to have been compiled from official maps and data, which represent many of the streets and avenues of the city projecting through private property and through many private residences, without regard to the present authorized and legal lines of subdivision and in general disregard of private rights: Therefore,

*Resolved*, That the Committee on Appropriations be, and it is hereby, instructed to make inquiry into this matter and report the essential facts of the case to the House in connection with its presentation of the bill making appropriations for the improvement of streets and avenues and other thoroughfares of the District of Columbia.

OFFICERS OF STEAM-VESSELS.

Mr. BUTTERWORTH also introduced a bill (H. R. 6136) for the relief of captains, pilots, engineers, and mates of steam-vessels; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PENSIONS.

Mr. BUTTERWORTH also introduced a bill (H. R. 6137) to amend an act entitled "An act to provide that all pensions on account of death, or wounds received, or disease contracted in the service of the United States during the late war of the rebellion, etc.," approved March 3, 1879; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

COUNTERFEIT OR COMPOUNDED LARD.

Mr. BUTTERWORTH also introduced a bill (H. R. 6138) to regulate the manufacture and sale of counterfeit or compounded lard; which was read a first and second time, referred to the Committee on Agriculture, and ordered to be printed,

PUBLIC BUILDING AT YOUNGSTOWN, OHIO.

Mr. McKINLEY introduced a bill (H. R. 6139) to provide for the erection of a public building at Youngstown, Ohio; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

FRACTIONAL SILVER CERTIFICATES.

Mr. WILKINS introduced a bill (H. R. 6140) authorizing the issue of fractional silver certificates; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

STATE OF VERMONT.

Mr. EZRA B. TAYLOR introduced a bill (H. R. 6141) to authorize the settlement and adjustment of all claims and demands between the United States and the State of Vermont; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC BUILDING AT LIMA, OHIO.

Mr. YODER introduced a bill (H. R. 6142) to erect a public building at Lima, Ohio; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

EVIDENCE OF SOUNDNESS.

Mr. BROWN, of Ohio, introduced a bill (H. R. 6143) allowing evidence of soundness at the time of entering the military or naval service and defining its effect; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

RELIEF OF VOLUNTEER OFFICERS, ETC.

Mr. BROWN, of Ohio, also introduced a bill (H. R. 6144) for the relief of certain volunteer officers and soldiers of the late civil war, and for other purposes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SALE OF PROPERTY IN PITTSBURGH, PA.

Mr. DALZELL introduced a bill (H. R. 6145) authorizing and directing the sale of certain property belonging to the United States situate in Pittsburgh, Pa.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

MEMORIAL ASSOCIATION OF VALLEY FORGE.

Mr. YARDLEY introduced a bill (H. R. 6146) in aid of the Centennial and Memorial Association of Valley Forge, and to secure the Washington headquarters, mansion, and grounds occupied by the Continental Army of 1777; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

NATIONAL-BANK CIRCULATION.

Mr. DARLINGTON introduced a bill (H. R. 6147) to provide for the issue of circulating notes of national banking associations, and to prevent the contraction of the currency; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

INCOME TAX.

Mr. OSBORNE introduced a bill (H. R. 6148) to prohibit the retention of income tax from pay of volunteer officers between date of issue and date of muster, and directing the Secretary of the Treasury to refund to officers whose claims have been paid any sums retained by the United States on account of such tax; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

EQUALIZATION OF BOUNTY.

Mr. OSBORNE also introduced a bill (H. R. 6149) to equalize bounty in certain cases of soldiers of the late war; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

CHARGE OF DESERTION.

Mr. OSBORNE also introduced a bill (H. R. 6150) to remove the charge of desertion from the rolls and records in the office of the Adjutant-General of the Army against soldiers who enlisted in the Navy of the United States; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

LANDS TO SOLDIERS.

Mr. BAYNE introduced a bill (H. R. 6151) granting lands to honorably discharged soldiers of the Union Army in the war of the rebellion; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

SOUTH PASS, MISSISSIPPI RIVER.

Mr. MAISH introduced a bill (H. R. 6152) to authorize the Secretary of War to make rules and regulations for the navigation of the South Pass of the Mississippi River, and providing a penalty for the violation of the same; which was read a first and second time, referred to the Committee on Rivers and Harbors, and ordered to be printed.

PRICE OF CONGRESSIONAL RECORD.

Mr. McCULLOGH submitted a resolution fixing the price of the CONGRESSIONAL RECORD; which was referred to the Committee on Printing.

SITES OF PUBLIC BUILDINGS.

Mr. DIBBLE introduced a bill (H. R. 6153) to authorize the condemnation of land for sites of public buildings; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SCIENTIFIC APPARATUS.

Mr. DIBBLE also introduced a bill (H. R. 6154) to exempt scientific apparatus imported specially for the use of institutions of learning from the payment of duties; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

WASHINGTON PARISH, DISTRICT OF COLUMBIA.

Mr. DIBBLE (by request) also introduced a bill (H. R. 6155) granting parts of certain streets in Washington to the vestry of Washington parish for the use of the Congressional Cemetery; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SUITS IN EJECTMENT, DISTRICT OF COLUMBIA.

Mr. HEMPHILL (by request) introduced a bill (H. R. 6156) relating to suits in ejectment in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

ACKNOWLEDGMENTS OF DEEDS, DISTRICT OF COLUMBIA.

Mr. HEMPHILL (by request) also introduced a bill (H. R. 6157) relating to acknowledgments of deeds of land in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

LAND TITLES, DISTRICT OF COLUMBIA.

Mr. HEMPHILL (by request) also introduced a bill (H. R. 6158) to amend the laws relating to land titles in the District of Columbia, and for other purposes; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

PUBLIC BUILDING, CHATTANOOGA, TENN.

Mr. NEAL introduced a bill (H. R. 6159) to amend an act entitled "An act for the erection of a public building at Chattanooga, Tenn.," approved February 25, 1885, and the act amendatory thereof, approved February 21, 1887; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PENSIONS.

Mr. WHITTHORNE introduced a bill (H. R. 6160) granting pensions to the surviving officers and enlisted men engaged in any of the Indian wars of the United States prior to the war with Mexico; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

STATISTICAL ABSTRACT.

Mr. RICHARDSON offered a resolution to print 15,000 copies of the Statistical Abstract of the United States for 1887; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

TOBACCO.

Mr. WASHINGTON introduced a joint resolution (H. Res. 98) requesting the President to open negotiations with certain foreign governments relative to the importation of tobacco into their dominions; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

SUITS AGAINST THE UNITED STATES.

Mr. CULBERSON introduced a bill (H. R. 6161) to amend the second section of an act entitled "An act to provide for bringing suits against the Government of the United States," approved the 3d day of March, 1887; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

LAND LEASES BY INDIANS.

Mr. CULBERSON also introduced a bill (H. R. 6162) to authorize the Choctaw, Chickasaw, Cherokee, Creek, and Seminole Nations of Indians, respectively, to lease lands within their respective boundaries for mining purposes, subject to the approval of the Secretary of the Interior, and to validate the leases heretofore made for such purposes by the proper authorities of any of said nations; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

FUGITIVES FROM JUSTICE IN INDIAN TERRITORY.

Mr. ABBOTT introduced a bill (H. R. 6163) to authorize United States marshals whose districts border on the Indian Territory to pursue and arrest offenders and fugitives from justice in said Territory; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

TAXATION.

Mr. MARTIN offered a resolution instructing the Committee on Ways and Means to report a bill to repeal all internal taxes, and so reform the tariff as to make all articles bear ad valorem duties; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

MONUMENT AT POINT PLEASANT, W. VA.

Mr. HOGG introduced a bill (H. R. 6164) providing for the erection of a monument at Point Pleasant, in the State of West Virginia, commemorative of the valor of those who fell in the battle of Point Pleasant, fought on the 10th day of October, 1774; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

MARINE HOSPITAL, GALLIPOLIS, OHIO.

Mr. HOGG also introduced a bill (H. R. 6165) transferring the marine-hospital station at Gallipolis, Ohio, to Point Pleasant, in the State of West Virginia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

WATER RESOURCES OF ARIZONA.

Mr. SMITH, of Arizona, introduced a bill (H. R. 6166) to develop the water resources of Arizona, to provide for reclamation of the desert lands therein, and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

WHITE MOUNTAIN APACHE RESERVATION.

Mr. SMITH, of Arizona, also introduced a bill (H. R. 6167) to change the west boundary line of the White Mountain Apache Indian reservation, in Arizona; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

ANNEXATION TO NEW MEXICO.

Mr. JOSEPH introduced a bill (H. R. 6168) to annex a strip of land therein named to the Territory of New Mexico; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

IMPROVEMENTS ON JICARILLA APACHE RESERVATIONS.

Mr. JOSEPH also introduced a bill (H. R. 6169) to authorize the Secretary of the Interior to make compensation for improvements made by bona fide settlers upon the reservations set apart by Executive order of February 11, 1887, for the Jicarilla Apache Indians; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

EXTENSION OF WASHINGTON STREETS.

Mr. ROWELL introduced a bill (H. R. 6170) to extend the streets and avenues of the city of Washington, D. C.; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

GERMAN CEMETERY, PROSPECT HILL, DISTRICT OF COLUMBIA.

Mr. GUENTHER submitted the following resolution; which was referred to the Committee on the District of Columbia:

Whereas the commissioners of the District of Columbia, in apparent violation of the act of Congress chartering the German Cemetery of Prospect Hill, in the said District, are attempting to extend certain streets of Washington through this cemetery: Therefore,

*Resolved*, That the Committee on the District of Columbia are hereby instructed to inquire into this matter and report the result of their inquiries to this House; and that the said committee is hereby empowered to summon such witnesses as may be necessary to aid this inquiry, to examine them under oath; and that the expenses of such investigation be paid out of the contingent fund of the House.

POLICE MATRONS, DISTRICT OF COLUMBIA.

Mr. ROCKWELL introduced a bill (H. R. 6171) to provide for the appointment of police matrons in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

LEAVE OF ABSENCE, ENGRAVING AND PRINTING BUREAU.

Mr. CLARDY introduced a bill (H. R. 6172) providing for additional leave of absence for employés of the Bureau of Engraving and Printing; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

PENSIONS.

Mr. CLARDY also introduced a bill (H. R. 6173) to so amend sections 4693 and 4695 of the Revised Statutes of the United States as to extend the right of pensions to steam-boat men and others acting under orders from United States officers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ATLANTIC AND PACIFIC SHIP-RAILWAY.

Mr. CLARDY also introduced a bill (H. R. 6174) to incorporate the Atlantic and Pacific Ship-Railway Company, and for other purposes; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

INTERNAL-REVENUE TAXATION.

Mr. WILKINSON introduced a bill (H. R. 6175) to repeal the internal-revenue taxes upon fruit brandies, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

Mr. WILKINSON also introduced a bill (H. R. 6176) to repeal the internal-revenue taxes on tobacco and upon all manufactures thereof, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

Mr. WILKINSON also introduced a bill (H. R. 6177) to repeal all licenses and special taxes on dealers in tobacco and spirituous and malt liquors, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

Mr. WILKINSON also introduced a bill (H. R. 6178) to repeal the entire internal-revenue system of taxation, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

SEIZURES UNDER INTERNAL-REVENUE LAWS.

Mr. STEWART, of Georgia, introduced a bill (H. R. 6179) to provide how property may be claimed and title of same tried when seized under the internal-revenue laws; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

DESTY'S DIGEST FOR JUDICIARY COMMITTEE.

Mr. STEWART, of Georgia, also submitted the following resolution; which was referred to the Committee on Accounts:

*Resolved*, That the Committee on Accounts recommend the purchase of 12 copies of Desty's Federal Digest for the use of the Committee on the Judiciary.

DUTIES ERRONEOUSLY ASSESSED.

Mr. COLLINS introduced a bill (H. R. 6180) to provide for the re-

covery of duties erroneously assessed and paid in certain cases; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

COINAGE OF SILVER, ETC.

Mr. BLAND introduced a bill (H. R. 6181) for the further coinage of silver, and for the redemption of national-bank notes, and for other purposes; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

WATER-WAY FROM LAKE MICHIGAN TO MISSISSIPPI RIVER.

Mr. OWEN introduced a bill (H. R. 6182) authorizing a survey for the purpose of making and maintaining a continuous water-way from Lake Michigan to the Mississippi River; which was read a first and second time, referred to the Committee on Rivers and Harbors, and ordered to be printed.

DECISIONS OF INTERIOR DEPARTMENT.

Mr. BURROWS introduced a joint resolution (H. Res. 101) providing for the printing of decisions of the Department of the Interior regarding public lands and pensions, for sale; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

NAVAL MILITIA.

Mr. DINGLEY, by unanimous consent, submitted the following proposed amendment to the bill (H. R. 1847) to provide for the enrollment of a naval militia and the organization of naval reserve forces; which was referred to the Committee on Naval Affairs, and ordered to be printed in the RECORD:

SEC. 5. That, in view of the recognized value of the sea fisheries as the nursery of seamen, and to encourage the training of citizens in such sea service as will make them promptly available for the manning of Government vessels in time of war, from and after the passage of this act there shall be paid from the Treasury to every fisherman employed on a vessel of the United States licensed for and engaged in the fisheries the sum of $——— per month for each calendar month actually engaged in a fishing voyage: *Provided*, That this payment shall be made only to citizens of the United States or to aliens who have declared their intention to become citizens.

SEC. 6. That the master of every vessel licensed for the fisheries shall, before proceeding on a fishing voyage, file with the customs officer of the port where his fishing license is issued a list of the officers and men who have been engaged for such voyage; and on returning from said voyage shall also file with such customs officer a list of officers and men who have served on said vessel, and the time served by each. Said lists shall be verified and payment made by the collector of the district from which such license was issued to each person entitled to receive the same by this act, under such regulations as the Secretary of the Treasury may prescribe.

CAPT. W. J. KOUNTZ.

Mr. BAYNE. Mr. Speaker, the bill (H. R. 2865) for the relief of Capt. W. J. Kountz was erroneously referred to the Committee on War Claims. It should have been referred to the Committee on Claims. I ask that the reference may be changed accordingly.

The SPEAKER. If there be no objection, that order will be made.

There was no objection.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The call of the States has been completed.

INDIANA CONTESTED-ELECTION CASE—LOWRY VS. WHITE.

Mr. BARRY. Mr. Speaker, I am directed by the Committee on Elections to submit a report in the contested-election case of Lowry against White, from the Twelfth Congressional district of Indiana. In that connection I wish to give notice that the committee will call this case up for consideration on next Thursday, immediately after the morning hour.

I am also requested, Mr. Speaker, by my colleague on the committee, the gentleman from Indiana [Mr. O'NEALL], to file on his part his individual views in this particular case.

Mr. ROWELL. I ask, by unanimous consent, to present the views of the minority of the Committee on Elections.

The SPEAKER *pro tempore*. These reports will be laid upon the table and ordered to be printed.

There was no objection, and it was ordered accordingly.

ORDER OF BUSINESS.

Mr. DUNN. I ask, by unanimous consent, to report back for present consideration a private bill for which there is considerable urgency, and to which there can be no kind of objection.

Mr. MCCREARY. Allow the call for bills and resolutions to be concluded.

Mr. DUNN. I thought it had been concluded.

COURT OF CLAIMS REPORTS.

Mr. MCCREARY. I present, on the part of my colleague [Mr. TAULBEE], the following resolution, which I ask to be referred to the Committee on Rules.

The Clerk read as follows:

*Resolved*, That the Speaker of the House be authorized to refer to the appropriate committees of the House the bills now upon the House Private Calendar reported by the Court of Claims in the Forty-ninth Congress and brought forward.

The resolution was referred to the Committee on Rules.

EXPLANATION.

Mr. ENLOE. I rise for the purpose of making an explanation. I find in the list of private bills filed under the rule and transmitted by the petition clerk for publication in the CONGRESSIONAL RECORD that one introduced by me on last Friday fails to state that it was introduced "by request." I desire that fact to be noticed, but I have been told that such an entry can not be made upon the Journal.

The SPEAKER *pro tempore*. It is not usual to make such entry upon the Journal.

GOVERNMENT PRINTING OFFICE.

The SPEAKER *pro tempore* laid before the House the following letter from the Public Printer.

The Clerk read as follows:

GOVERNMENT PRINTING OFFICE,
*Washington, D. C., January 30, 1888.*

SIR: I herewith transmit to Congress my report in reply to the directions contained in resolutions of the House adopted January 24.

TH. E. BENEDICT,
*Public Printer.*

Hon. S. S. COX,
*Speaker pro tempore, House of Representatives.*

Mr. RICHARDSON. I ask that the letter of the Public Printer be read.

The Clerk proceeded with the reading of the letter.

Mr. BROWNE, of Indiana. I ask, by unanimous consent, that the reading of this letter be dispensed with, as nobody seems to be paying attention to it.

Mr. BLOUNT. I think it should be read. There has been a good deal of criticism of the Public Printer, and it ought to be read in justice to him.

Mr. BROWNE, of Indiana. Will the gentleman tell me who is listening to it?

Mr. BLOUNT. I am listening to it.

Mr. SPRINGER. And so am I.

Mr. BROWNE, of Indiana. Then let it be read for the benefit of the gentleman from Georgia.

Mr. BLOUNT. If the gentleman thinks that is a witticism he can do so. I was listening to it, and it is not my business to see what other gentlemen are doing.

The reading of the letter was then concluded, and it is as follows:

GOVERNMENT PRINTING OFFICE,
*Washington, D. C., January 30, 1888.*

Hon. S. S. COX,
*Speaker pro tempore, House of Representatives:*

SIR: I beg to acknowledge the receipt, on the 26th instant, of the following preamble and resolution, adopted in the House of Representatives on January 24, 1888, to wit:

"Whereas it is reported that a considerable number of employés have been recently discharged from the force of the Public Printer, and that others have been granted involuntary furloughs, thereby reducing the force employed in the office of the Public Printer: Therefore,

"*Resolved*, That the Public Printer be directed to report to this House whether he has recently discharged or furloughed any of his force, and if so, how many, and for what reasons such discharges and furloughs have been made at a time when the printing ordered by this House is largely in arrears.

"Also, whether in making such discharges and furloughs regard has been had to section 1754 of the Revised Statutes, by giving the preference to honorably discharged soldiers and sailors."

In reply, as directed, I have the honor to state that on the 21st of the present month I discharged from this office 39 employés, men and women. Said discharged employés included 16 book-binders, 14 book-sewers, and 1 laborer from the bindery division, and 8 others from other divisions of the office, comprising 1 proof-reader, 1 copy-holder, 1 carpenter, 1 laborer, and 4 women from the folding-room. I also on that date furloughed 24 book-binders and 16 book-sewers for a period of twelve working days, at the end of which they are at liberty to report for duty and resume work.

These persons were discharged and furloughed under authority of law conferred upon me to employ the necessary hands in this office for the execution of the public printing and binding, under which authority of law my powers are expressly limited as follows:

"He [the Congressional Printer] shall not at any time employ in the office more hands than the absolute necessities of the public work may require."

My action was also influenced by the further provision of law which is found in the act appropriating funds for the public printing and binding for the current fiscal year, to wit:

"No more than an allotment of one-half of the sum hereby appropriated shall be expended in the two first quarters of the fiscal year, and no more than one-fourth thereof may be expended in either of the two last quarters of the fiscal year, except that in addition thereto, in either of said last quarters, the unexpended balances of allotment for preceding quarters may be expended."

A reduction of force at this time being a business necessity, as well as dictated by a due observance of the provisions of the two acts above quoted, I directed a discharge and furlough from that division of the office which, owing to the present nature of the demands upon the office, could bear the reduction with the least interruption of the current work. Such a discharge of employés in this office, even at this season of the year, was not an unusual event, as the records of the office show, especially from the division referred to, which does not usually during the present allotment period require to be run to its fullest capacity. It is probable that the motive of my action may be better shown by a comparison of the force in the bindery at the time of this discharge with that of the same period in January, 1886, at the beginning of the first session of the Forty-ninth Congress:

| | |
|---|---|
| Total number of book-binders, January, 1886 | 262 |
| Total number of book-binders, January, 1888 | 274 |

These figures from the rolls of the office show that prior to the recent discharge there were employed twelve more book-binders than at the same period two years ago. The demands of the current work of the office at this season of the year require less work in the bindery than during the period when the regular editions of the document work ordered by Congress, the Agricultural Report, the bound edition of the RECORD, and the reports of Departments are in hand for binding. Apart from the fact that this office was carrying a larger force in the bindery than had been the case at other periods under like conditions, I am

pleased to state to Congress that said division of the office had been enabled during the preceding year not only to meet all current demands but to bring up to date much delayed work and to execute more of the reserve work than had ever been the case in any single previous year. As a consequence, said division is now enabled to more than meet any current demand that is likely to be made upon it. This condition of affairs will continue until the office takes up the work of the Agricultural Report for 1887, the copy of which has not yet been received.

The following statement will exhibit the increase in the output of bound Congressional work for the periods named, being for equal portions of the first sessions of the Forty-ninth and Fiftieth Congresses:

| | |
|---|---|
| Congressional work, bound complete, from July 1, 1885, to January 25, 1886, inclusive: Number of volumes | 576,946 |
| Congressional work, bound complete, from July 1, 1887, to January 25, 1888, inclusive: Number of volumes | 890,221 |

A fair proportion of this great increase in the output of the office in bound Congressional work during a period of less than seven months (amounting to an actual gain of 313,275 volumes, or an increase of over 50 per cent.) was for work ordered by Congress from two to five years prior to my assuming charge of the office, and the statement does not include any work executed in the bindery upon Department requisitions, which during the same period was the largest ever known in the office.

These statements as to the work accomplished and the present condition of the work of the bindery will, I trust, in the judgment of Congress, be deemed a sufficient justification of my action in pursuance of the provision of the law prohibiting the Public Printer from employing in the office "more hands than the absolute necessities of the public work may require."

It may be further stated, however, that the condition of the appropriation governing this office for the present year was also a motive for my action. Of the total sum of $1,088,304.54 available, from all sources, for the public printing and binding, under the provisions of the one-half allotment, from July 1 to December 31, 1887, I expended for labor and material during said period $1,074,446.43, leaving but $13,858.11 unexpended and available in the Treasury, which sum would not have enabled me to continue the work of the office for more than two working days beyond the first allotment period. In addition to the sum available for public printing and binding for the one-half allotment period, there was available of the agricultural appropriation of 1886, from July 1, 1887, to January 1, 1888, the sum of $169,696.98, all of which, excepting $4,953.96, was expended prior to January 1, and all of the latter sum prior to the date of the discharge referred to, the whole edition of 401,900 copies being bound and delivered within four and one-half months. I had, on January 1, available, under the provisions of the appropriation act, less than $552,000 to conduct the office during the third quarter or present allotment period of three months, and the expenses of the office for labor and material at this time, in order to execute promptly the work demanded by Congress and the Departments, is necessarily about $8,500 per day, a sum equal to the highest average per diem expense for any period heretofore in the history of the office.

This statement would seem to furnish a sufficient answer to certain criticisms directed to an assumed parsimony on the part of the present administration of this office. I have not failed to expend every dollar at my disposal that could be honestly and legally applied to executing the increased demand for public printing, nor can it be justly said that I received at the hands of Congress at its last session all the appropriation which I deemed necessary for the conduct of the work of the office. The original estimate transmitted to the Secretary of the Treasury to cover the expenses of this office for the current fiscal year was $2,427,047.41.

In reply to a request of the Appropriations Committee of the House, made December 1, 1886, as to "whether said estimate can not be prudently reduced to the sum which was appropriated for the current fiscal year, namely, $2,000,000," I said, "If the question was one simply of doing the Government printing with the present facilities and under present conditions, I would answer that $2,000,000 was amply sufficient, providing there was no increase in the amount of work ordered by Congress." I then called attention to the largely-increased demand being made upon the office, and to certain extraordinary expenditures imperatively demanded in the interest of safety and economy, which I estimated would need an appropriation of at least $150,000, and stated that if Congress would appropriate that sum for the special purpose of increasing the facilities and working capacity of the office, I would feel confidence in undertaking to conduct the office for the fiscal year of 1888 for the sum of $2,000,000, being the amount appropriated for the fiscal year 1887.

While Congress, in the due and proper exercise of its powers, saw fit to confine this office to a sum upward of $150,000 below the lowest amount estimated by me to be necessary, and notwithstanding large expenditures have been required to be made out of the regular appropriation for printing and binding to meet actual necessities in the direction of safety, health, and the prompt execution of the increased demands made upon the office, I can state that I have been enabled, by legitimate economies in the purchase of material and the discharge of needless employés, to keep fully abreast of the work of the office, and I feel quite confident of my ability to meet the expectations of Congress within the limits of expense it has set, unless the allotment restriction of the present quarter should result in embarrassment owing to my inability to use an amount of appropriation proportionate to the demands of the work that may be called for by Congress.

The statement in the resolution that the "printing ordered by this House is largely in arrears" is one that I beg respectfully but emphatically to dissent from. There is not at this time, nor was there at the time of the introduction or passage of the resolution, any work ordered by this Congress in arrears in this office, all work received up to that time having been printed and returned to Congress within the shortest period that it could possibly be done, or within which it ever has been done.

It is in the power of Congress to order in a single day printing that would occupy every resource of this office for a week or even a year. The Public Printer can not be expected to execute work not within the mechanical facilities or the working space at his command. For several days immediately succeeding the reassembling of Congress, after the holiday adjournment, more work was received than could be executed within a working day, owing to the fact that the mechanical facilities of the office in type, presses, and other machinery were not sufficient to meet so extraordinary a demand, although one of the largest and best selected bill and document forces ever known in the history of the office was employed.

I can not refrain from stating at this time that in every case where complaint of delayed work has been made, either in Congress, the public press, or by communication to this office, the bills or documents so represented as delayed had, so far as my knowledge extends, already been printed and delivered to Congress for periods of a day or a week previous, or else the copy of the same had not been received in this office when the request or complaint was made. I can further say, with the greatest confidence, that the office has, during the past month and year, exceeded all previous efforts in the rapid execution of printing and binding, and, had there been less efficiency in the working force, or less improvements in the office service during the year past, it would not now be able to meet the daily demands made upon it.

Upon the basis of these facts and statements I would respectfully deny all charges that this office is in arrears in printing the work ordered by the House. Apart from the fact that not one single complaint has reached me from the Senate of any delay in printing documents or bills, I submit the following statement from the records of this office, on which I base the claim that the office has not only executed promptly all work of Congress but has executed a largely increased amount of work for this Congress in comparison with work executed during the same period of the Forty-ninth Congress:

| | |
|---|---|
| Total number of Senate executive documents, Senate miscellaneous documents, and Senate reports received up to January 25, 1886, first session Forty-ninth Congress | 158 |
| Total number of House executive documents, House miscellaneous documents, and House reports received up to January 25, 1886, first session Forty-ninth Congress | 240 |
| Total | 398 |
| Total number of Senate executive documents, Senate miscellaneous documents, and Senate reports received up to January 25, 1888, first session Fiftieth Congress | 189 |
| Total number of House executive documents, House miscellaneous documents, and House reports received up to January 25, 1888, first session Fiftieth Congress | 391 |
| Total | 580 |
| Total number of Senate bills introduced up to January 25, 1886, first session Forty-ninth Congress | 1,235 |
| Total number of House bills introduced up to January 25, 1886, first session Forty-ninth Congress | 4,420 |
| Total | 5,655 |
| Total number of Senate bills introduced up to January 25, 1888, first session Fiftieth Congress | 1,654 |
| Total number of House bills introduced up to January 25, 1888, first session Fiftieth Congress | 5,995 |
| Total | 7,659 |

These figures show conclusively an increase of nearly 46 per cent. in the Senate and House documents and reports, and of nearly 36 per cent. in the Senate and House bills up to January 25 of the present session of Congress over a like period of the first session of the Forty-ninth Congress, all of which work, except a few documents held awaiting illustrations and a few others never taken up at this season of the year, was completed and delivered to Congress before the close of work on January 25, 1888, to which period the figures are brought up.

I am pleased to further present the following figures, showing the increased amount of work in the office in another direction:

| | |
|---|---|
| Total number of concurrent resolutions, Senate resolutions, and House resolutions received in this office during the first session of the Forty-ninth Congress, up to January 25, 1886, inclusive | 51 |
| Total number of concurrent resolutions, Senate resolutions, and House resolutions received at this office during the first session of the Fiftieth Congress, up to January 25, 1888, inclusive | 67 |

This exhibit shows an increase of 16 in the number of said resolutions, or an average of over 30 per cent., and I can state that all of the same have been printed and promptly delivered to Congress.

The following exhibit of work printed on private orders of members of the Senate and House also has a bearing on the points previously presented:

| | |
|---|---|
| Total number of copies of messages and speeches ordered up to January 25, 1886, first session Forty-ninth Congress | 332,410 |
| Total number of copies of messages and speeches ordered up to January 25, 1888, first session Fiftieth Congress | 749,000 |

All of this work was printed and delivered at the date of this report, being a gain of over 100 per cent.

The records of the office show a corresponding increase in work received from all of the Departments of the Government during the present fiscal year, as compared with that of two years ago, as the following figures clearly indicate:

| | |
|---|---|
| Total number of requisitions for printing received from the several Executive and Judicial Departments, the Secretary of the Senate, and the Clerk of the House from July 1, 1885, to January 25, 1886 | 13,169 |
| Total number of requisitions for printing received from the several Executive and Judicial Departments, the Secretary of the Senate, and the Clerk of the House from July 1, 1887, to January 25, 1888 | 14,272 |
| Total increase | 1,103 |

This increase of over 9 per cent. in the total number of requisitions, however, does not indicate the actual increase of work, as a large number of the requisitions cover nearly double the amount of work required by the requisitions of two years ago. This statement is made clear by the following exhibit of the cost of work covered by said requisitions and chargeable against the total allotments of the Departments for the current year:

| | |
|---|---|
| Total allotments to Departments for printing and binding for current fiscal year | $1,103,237.46 |
| Total cost of work covered by 14,272 requisitions received and charged during current fiscal year | 799,214.21 |
| Balance allotments available | 304,023.25 |

This shows that less than one-third of the total sum allotted to Departments in the appropriation for printing and binding for the current fiscal year is now available for their use, while less than seven months of the fiscal year have elapsed. It is proper to add that it is customary for Departments to put in the major part of their requisitions during the first allotment period of the year, to allow of ample time to execute them; but the records show that their orders have been supplied more promptly and in larger quantities than usual, leading to the early exhaustion of their allotment, and calling for a greatly reduced amount of work during the balance of the year. This fact alone is a sufficient cause for the reduction of force at this time in the division most affected by this reduction of the demand for departmental work, and can be stated as an additional reason for my action.

The several exhibits already given do not so clearly illustrate the increase in the amount of work executed at present over past periods in this office as the following statement of the press-room and paper warehouse, which furnish the items that may be considered the most correct gauge of the actual output of printed work:

| | Printed forms. | Tokens. |
|---|---|---|
| Total output of press-room from December 1, 1885, to January 25, 1886, inclusive | 10,599 | 83,173 |
| Total output of press-room from December 1, 1887, to January 25, 1888, inclusive | 11,532 | 87,931 |

This exhibits an increase in favor of the present period of 933 printed forms and 4,758 tokens of paper (equal to 2,379,000 printed sheets) in a period of only forty-five working days. Yet, while this is fairly representative of the increased output of work, it does not show the full increase, for the reason that some eight presses in the press-room now print 32-page forms, which count in tokens only equal to the 16-page forms formerly printed. The following is the paper warehouse exhibit:

| | |
|---|---|
| Total pounds of printing and writing papers used in press-room from December 1, 1885, to January 23, 1886, inclusive | 365,382 |
| Total pounds of printing and writing papers used in press-room from December 1, 1887, to January 25, 1888, inclusive | 451,122 |

This shows an increase of over 23 per cent. in the use of one class of paper over the period of two years ago, this class of paper being that on which Congressional work is mostly printed. The statement does not include any paper used in the bindery, nor any material (such as paper, envelopes, and cardboard) furnished by Congress or the Departments, of which material there has been an increase estimated at nearly fourfold over the amounts of the same material received two years ago.

I am further pleased to state that this large increase of work has been accomplished with a force of about two hundred employés less than was required two years ago, which reduction, I would add, has not been made by the discharge of skilled and competent mechanics, the number of which in the office is now about equal to that of former years, but which has been made largely by the dismissal of clerks, laborers, and other supernumerary persons whose employment, in my judgment, did not contribute to the output of work in the office.

In further reply to your resolution, as to "whether, in making discharges and furloughs, regard has been had to section 1754, Revised Statutes, by giving the preference to honorably discharged soldiers and sailors," I have to state that I have fully observed the letter and spirit of said act, and that of all later acts which protect not only the limited number of veteran soldiers referred to in section 1754 of the Revised Statutes, but all honorably discharged soldiers and sailors and their widows and orphan children. In corroboration of this statement I have the original lists on which the names of persons were presented to me from the working divisions of this office for discharge, on which appear my own memoranda as to whether they were entitled to exemption under the above referred to provisions of law, and upon which no honorably discharged soldier or sailor, or widow or orphan son or daughter of the same, appears as having been discharged except for cause.

I can further state that the roll-book of this office, for the first time in its history, now bears a record of every person entitled to protection under the act according preferment in appointment or exemption from discharge for reason of service in the Army of the United States. These data could only be obtained by a personal inquiry of nearly every person found entitled to such exemption, when I took charge of the office, as the original appointment papers on file in but few instances referred to their honorable service in the Army.

I am pleased to state that there is a much larger percentage of honorably discharged soldiers and sailors and their widows and orphan children now employed in this office than ever before, and in such divisions as the watch force none but honorably discharged soldiers and sailors have been appointed by me.

If Congress should not find this reply sufficiently broad to cover the inquiry proposed by the resolution, I will be pleased to have any further inquiry or investigation made that may seem desirable in the matter, or that the purposes of the authors of the present inquiry may suggest.

TH. E. BENEDICT.

Mr. RICHARDSON. I ask that the report be referred to the Committee on Printing, and ordered to be printed. And, Mr. Speaker, on that motion I desire to say a few words. In my official relations as a member of the Committee on Printing of the House it has been my duty to look somewhat after the public printing, and I have been thrown into closest contact with the Public Printer; and I wish to emphasize for a few moments—and I will take as little time as I can—some of the facts and statistics as set forth in this report, which is so explicit upon all points covered by it, or intended to be covered by it.

In answer to the resolution which I had the honor to transmit to him, it having been adopted by the House on the 24th of the present month, he admitted that he did discharge from the Government Printing Office on January 21, thirty-nine employés. Nearly all these employés so discharged had been employed in the bindery. It is further true on that day he had discharged, or rather furloughed for twelve days, forty employés. Now, Mr. Speaker, nearly all the employés so discharged and furloughed had been employed, as I have said, in the bindery.

This officer shows in his report that at this season of the year, or at this stage of the public business, there is less demand in the bindery for employés than in the printing department of his bureau. He shows that he could dispense with the employés in the bindery, therefore, with a proper regard for the public interest, and that the bindery could bear the reduction, which he of necessity was forced to make, and with the least interruption of the current work; hence, in order to keep within the limits of his appropriation, discharges were made from those employés. It should be remembered that these were necessary in order to keep his expenses within the appropriation made him under existing law.

This report shows further, and I want to emphasize that particularly, because complaints have been made that the work is not being done promptly, that in the bindery a larger volume of work has been done than was ever done before in the history of the Government in the same period of time, and I wish to refer to the statistics, taking the same period of time covered by the Forty-ninth Congress and comparing it with the work done in the present Congress up to the corresponding date. For the six months and twenty-five days from the beginning of the fiscal year preceding the opening of the Forty-ninth Congress this report shows that in this department there were bound 576,946 volumes, while in the same length of time in the Fiftieth Congress there were bound 890,221 volumes, making a difference in favor of the amount of work done by this officer in the same length of time, that is to say, six months and twenty-five days of this fiscal year, of 313,275 volumes, an increase of over 50 per cent. It is but fair to the present incumbent to state that very much of this work was work ordered by Congress from two to five years before he took charge of the office.

While doing this, and I want also to call special attention to this fact, he has been enabled to reduce the public expenditures in the Printing Office without in any manner affecting the efficient working of that branch of the public service. Let us make a comparison of the number of employés of that department, the bindery, at the beginning of the Forty-ninth Congress, when the 576,946 volumes were bound, as I have mentioned, and the beginning of this Congress, when in the same period of time 890,221 volumes were bound.

In the closing period of 1886, when this work was done, there were employed 262 persons in the bindery, while in the closing days of 1887 and in January, 1888, he has employed 274; in other words, he had only twelve more while doing so much more work. And yet it will be seen after making all the discharges of which this complaint is made he has a larger force in the bindery than in January, 1886.

Now, sir, the law is that the Public Printer shall not employ more hands than the absolute necessities of the public service require; and this law is imperative upon him. It is well known that Congress in its wisdom sets apart all the money in appropriation bills that the Public Printer can lawfully use within specified periods of each fiscal year. This amount is, as you are well aware, allotted to him, and provision is made that this allotment shall be one-half the total amount of the appropriation for the first six months of the fiscal year, and the remaining half is to be divided evenly, one quarter of the amount to be used in the third quarter of the year and the remainder in the fourth quarter of the fiscal year.

Again I want to say that, taking the first half of the fiscal year ending December 31, 1887, this officer was enabled, by his efficient management of that bureau and the efficient system of business adopted in that office, to determine not only exactly the amount that he could profitably expend, but to know exactly what amount was being expended daily, and to so graduate his expenditures as to consume just what was allotted him by law to be expended within the given period, ending with the close of the year. This report shows that on December 31, at the close of the first half of the fiscal year, he had expended every dollar which Congress had allotted to him to expend in the first half of the year except the sum of $13,858.11, which amount, I will state, would not be sufficient, as he says in his report, to pay the running expenses of the Printing Office for two days. Evidently he must have made a very accurate and close calculation to have been able to know so nearly what he was doing, and to have expended so nearly the whole amount he could by law expend down to that date. This is an evidence of the business methods which obtain in that office.

But, Mr. Speaker, it may be argued that he had other appropriations. That is true. The agricultural appropriation in part was available in that portion of the fiscal year, the whole amount of this agricultural appropriation so available being $169,696.98. But on the 31st day of December, at the close of that portion of the fiscal year, he had expended every dollar of that appropriation or allotment except $4,953.96, and that amount was brought over into the appropriation for the new fiscal year. But this balance itself was expended before the discharges in the bindery were made on the 21st of the present month.

Now, the whole allotment for the third quarter of the fiscal year beginning January 1, 1888, under the law amounts to $552,000; and he shows, and I think the report in that respect is conclusive, that he could not in justice to the public service have retained the employés discharged with any hope of keeping within the appropriation or quarterly allotment. This matter of employing persons and discharging or furloughing them belongs, Mr. Speaker, to the Public Printer. The law wisely lodges this discretion in him. And from the best light obtained I believe he has wisely and prudently exercised the discretion thus given him.

Now, a word in regard to the work done by this officer. It is set forth fully in the report, but I can briefly recapitulate it, and I ask particular attention to it since a great deal of complaint has been made in some of the newspapers, but which the Public Printer states has not been made in the other branch of this Congress; we have heard some complaints of a similar character on this side of the Capitol.

Take the Senate executive and miscellaneous documents and reports, and the House executive and miscellaneous documents and reports which were submitted in the first forty-five days of the Forty-ninth Congress and compare them with the number submitted during the same length of time in this Congress.

Thus, from the first Monday in December, 1885, for forty-five days, there were introduced in the Senate 158 of these documents and reports, and in the House for the same period 240, making an aggregate of 398. Now, for the first forty-five days of the Fiftieth Congress, beginning first Monday in December, 1887, the Senate documents and reports amounted to 189 as against 158 two years ago, and in the House of Representatives 321 as against 240 for the same length of time last Congress, making in the aggregate an increase of these documents of 182 introduced in this Congress over the Forty-ninth Congress for the same period.

Take bills. There were introduced in the Forty-ninth Congress, first forty-five days, 1,235 bills in the Senate and in the House 4,420, making a total of 5,655.

In the first forty-five days of the Fiftieth Congress there were introduced 1,654 bills in the Senate, and 5,995 in the House, a total of 7,649, being an excess in forty-five days of 1,994 bills in the present Congress over the Forty-ninth.

This shows an increase in this Congress of that class of work known as documents and reports to be done by the Public Printer of 46 per cent. in these forty-five days, while in the other class of work, bills, there is an increase of 36 per cent. Notwithstanding all this large increase of work, this officer has done it with a working force of at least two hundred employés less, on an average, than were employed in that department in the corresponding time in the Forty-ninth Congress.

Now let us look for a moment at the further work done during these forty-five days of the Forty-ninth and of the Fiftieth Congresses. Take the printing of messages and speeches of members of Congress upon the orders of members of the Senate and of the House. In these forty-five days in 1885–'86 there were printed of these speeches and messages 332,410. In the same time in forty-five days of the present Congress the Public Printer has printed 749,000, making a difference in favor of this work now of 416,590. This is an increase of over 100 per cent. in the demands upon that office in this class of work.

The Public Printer also calls attention, Mr. Speaker, and I may be pardoned for referring to that briefly, to the printing for the various heads of Departments, etc., upon requisitions. The printing for the different Departments of the Government, and for the Secretary of the Senate and the Clerk of the House is made on requisition, as it is termed. I desire to show you the number of requisitions sent within the first forty-five days of the Forty-ninth Congress, and the number of requisitions sent in the first forty-five days in the Fiftieth Congress. In the Forty-ninth Congress of these requisitions there were 13,169; in the Fiftieth there were 14,272; that is to say an increase of 1,103 in the requisitions made upon the Public Printer for printing from the sources I have mentioned. But the requisitions themselves do not show the volume or the amount of the work in the requisition. Let us get at that for a moment.

The amount appropriated by Congress to these various Departments and set apart to be used as available by them for public printing is ascertained and fixed, and, as I have said, the Public Printer can only use a certain portion of it in the first half of the year and so much in the remaining part of the year. He can only use half of the appropriation in the first half of the fiscal year. Under these requisitions they had allotted to them to be expended in printing their requisitions $1,103,237.46; that is for the whole year. During the first six months and twenty-five days of the year there was used for this purpose $799,214.21; which only leaves for the remaining half of the year, less twenty-five days, the sum of $304,023.25; so that the requisitions which have been made upon the Public Printer for printing consumed more than two-thirds of the entire amount which the Departments, etc., are allowed for printing during the entire fiscal year. That much was consumed in a little over one-half of the fiscal year. All of this increase in work has been done by the Public Printer in forty-five days, and the work has been delivered.

Now, Mr. Speaker, one point more in regard to the quantity of the stuff and material consumed and printed in that office. One of the best methods of getting at the actual output of the office is to take the result of the work of the press-room and paper warehouse. First, the press-room account shows that in the first forty-five days of the Forty-ninth Congress there were put out 10,599 printed forms, as they are called; in the first forty-five days of the Fiftieth Congress there were put out 11,532 forms. I am not a practical printer, and if I mistake what the form is I hope some gentleman who is a practical printer will correct me.

Mr. HENDERSON, of Illinois. Will the gentleman from Tennessee yield to me for a question?

Mr. RICHARDSON. With pleasure.

Mr. HENDERSON, of Illinois. Has the Committee on Printing investigated the question as to the cause of delay in printing such matter as is needed for the use of the House in the performance of its duty? If my friend will allow me, I say that I imagine this is not a question of what amount of printing has been done by one Public Printer or by another, or a question of what has been the expense of printing by one Congress or another, or one Public Printer or another; but it is a question whether the printing which ought to be done in the interest of the House has been performed in a proper manner.

If the gentleman from Tennessee will allow me I will say as to the reports of the Engineering Department of the Government that almost two months of the session have now elapsed, and the Committee on Rivers and Harbors, one of the important committees of the House, has only to-day a single one of perhaps four volumes of the reports of the engineers, neither bound nor indexed. Two months of this session have gone and these reports, which are valuable and needed by an important committee of the House, have not yet been furnished.

I have heard complaints also from other committees, and the question for the House to consider is whether the printing which ought to be done and which must be done in the interest of good and speedy legislation has been done, not what this Public Printer has been enabled to save or what he has been enabled to do more than previous Public Printers.

Mr. RICHARDSON. I appreciate the gentleman's point and will endeavor to answer his inquiry. Upon the subject of the Engineer's Report (which is outside of what I intended to say), I understand that there was a delay in the previous Congress in furnishing that report, but the delay in that case was in no way attributable to the act of the Public Printer. He was not to blame for that delay, as I am quite well assured the chairman of the Committee on Rivers and Harbors very well knows, and while attention is called to the fact that that Engineer's Report was not bound, my information is that it was in the hands of the members of the committee in such shape and condition that they could very readily use it. It was not bound, and the reason why it was not bound can be ascertained, I believe, but it was not the fault of the Public Printer. However, that is totally outside of the present inquiry.

Mr. GROSVENOR. Will the gentleman permit an interruption at this point?

Mr. RICHARDSON. Yes, sir.

Mr. GROSVENOR. I wish to say to the gentleman that the report of the Chief of Engineers has not been received by the Committee on Rivers and Harbors in any form. One small portion of it and a fraction of a second part have been received, and that is all that has been received up to this morning. No part of the document is bound, and not more than one-third of it has been received in any form.

Mr. RICHARDSON. Mr. Speaker, I am not prepared to make any statement in regard to that document in this Congress; but heretofore when the Engineer's Report was delayed, it was delayed because it was necessary to get certain information from the War Department which the Public Printer could not obtain. I have no doubt that I shall be able to get an answer from the Public Printer why there is delay in this case, and I undertake to say that his answer will be as accurate and conclusive upon that point as it proves to be upon the questions that have been addressed to him. There was no inquiry made in regard to this Engineer's Report in the matter before us, and therefore this statement from the Public Printer does not answer that inquiry; but I have no doubt that he can answer it in a perfectly satisfactory manner, as he has answered every question that the House has asked.

Mr. HOPKINS, of Illinois. Mr. Speaker, while the gentleman is apologizing for the delays in furnishing these reports and giving excuses in advance for the Public Printer, I would like him to tell the members of the Committee on Merchant Marine and Fisheries and the members of this House why it is that we have not the report of the Commissioner of Navigation? I am credibly informed that more than two months prior to the commencement of this Congress that report was placed in the hands of the Public Printer, and the members of the committee have been absolutely begging for copies of that document, a report which makes certain recommendations in regard to the navigation laws, a report which it is necessary to have in the hands of the members of that committee in order that they may act intelligently upon matters that are coming before them every week in the form of bills. The committee have been so inconvenienced by reason of this delay that they have actually been compelled to have a transcript of certain portions of the report made and brought to the committee-room, in order that they may be enabled to act upon the bills that have been referred to them.

Mr. McMILLIN. Was not that transcript made before the committees of this House were appointed?

Mr. HOPKINS, of Illinois. No, sir; not as I understand the matter.

Mr. McMILLIN. I understand that it was.

Mr. RICHARDSON. Mr. Speaker, I am not prepared to answer every question that may be propounded to me in regard to every particular document—I am not apologizing and making excuses for the Public Printer. He needs none.

Mr. HOPKINS, of Illinois. While I am upon the floor, Mr. Speaker, I desire to say this in addition——

Mr. RICHARDSON. I yielded to the gentleman for a question. I did not suppose he was going to make a speech. As I was about to say, Mr. Speaker, I can not answer now as to every particular piece of printing which gentlemen may make inquiry about, but I undertake to say that the Public Printer, in the communication which we have before us, has answered satisfactorily and conclusively every inquiry addressed to him; and if gentlemen have other inquiries which they desire to make, he challenges and invites the most complete and scrutinizing investigation into his office and will be prepared to give a satisfactory answer to every inquiry that may be made by this House.

Mr. JOSEPH D. TAYLOR. Will the gentleman permit an inquiry in regard to the matter in hand?

Mr. RICHARDSON. Yes, sir.

Mr. JOSEPH D. TAYLOR. I wish to ask the gentleman if there is not a large amount of printing which has been ordered by the Smithsonian Institution, and which is to be paid for, or paid for to a large extent, out of the Smithsonian fund, and I wish to ask him whether that printing is not more than two years behind. I understand that some of the publications have become almost valueless on account of the de-

lay, and I want to ask why it is that those publications have not been printed sooner, and why the printers and binders who have been discharged were not employed upon that Smithsonian work, payment for which is provided for.

Mr. RICHARDSON. Mr. Speaker, in reply to the gentleman I can only repeat that I am not prepared to give specific answer at this time in regard to every job of work in the Government Printing Office, and I am not prepared to answer his question; but I have no doubt that the Public Printer will give him a satisfactory answer, and I can only add if this particular piece of work is over two years behind, as the gentleman affirms, then it was in the hands of the late Public Printer, the immediate predecessor of the present incumbent, and the work of printing it should have been done by that officer. I know very many such jobs were brought over in this way.

But that question is not involved in this inquiry and is not pertinent to it. I desire, however, to say that if the gentleman had paid attention to this report and to the remarks which I have submitted upon it he would have seen that the Public Printer on the 31st of December last had exhausted every dollar given him by Congress, and therefore he could not have employed any more hands than were employed or have done any more work than he did up to that date. I desire to emphasize the fact that at that time this Congress had not given him the amount of money that he asked for. He asked of the Committee on Appropriations and of Congress $159,000 more than was appropriated to do the public printing. When Congress in its wisdom declined to give him this amount he consumed all the money that was available up to that time, and in doing so did all the work that he could do with the amount of money allowed him. I think this answers the gentleman's question.

Mr. GROSVENOR. I would like to make a proposition. In view of the fact that the gentleman from Tennessee, the chairman of the Committee on Printing, has manifestly had access to this report before its presentation, while others here have had no opportunity to compare its statements of facts with their opinions and knowledge, would not the gentleman be willing that the consideration of this question be postponed until some other day—to-morrow, perhaps—so as to give us an opportunity for examination of the matter, that we may be prepared to meet any statements which we think erroneous, and to submit any remarks in relation thereto which we may deem proper. My friend from Tennessee can hardly expect us to be ready now to meet this array of figures and propositions which we have had no opportunity to examine.

Mr. RICHARDSON. In answer to the gentleman from Ohio [Mr. GROSVENOR], I will say that I see no objection to his very respectful request; and, so far as I am concerned, I am willing that this question may go over.

I was almost through with what I desired to say; and after I have called attention to some facts in connection with this report, I will make a request such as the gentleman from Ohio has indicated, in order to enable gentlemen on the other side of the House and on this side to examine the statements which the Public Printer presents and in order to have the case fully understood by the country. The Public Printer courts the fullest investigation.

I undertake to say for this officer, upon the hasty examination I have been able to make into the affairs of his department, that he has done from 20 to 40 per cent. more work within a given period of time than any of his predecessors, and with less money and a smaller force of nearly three hundred.

Mr. HOPKINS, of Illinois. Does the gentleman understand that this is a question as to whether this Public Printer has done more or less work than other Public Printers?

Mr. RICHARDSON. No, sir; I do not understand any such thing.

Mr. HOPKINS, of Illinois. The line of the gentleman's argument seems to be based simply upon comparisons with the work done by other Public Printers. But such comparisons are no answer to the claim made by members of this House that this Public Printer is delaying the work of Congress and the country in reference to the printing of reports which Congress requires. The fact remains in spite of the comparisons which the gentleman makes.

Mr. RICHARDSON. The report shows, as I have stated, that with less money this officer has done more work than has ever been done before by any Public Printer. If it be necessary, let Congress give him more money, and then he will be able to do the increased volume of work which is piled upon him by both Houses of Congress.

Now, Mr. Speaker, to get back to this report. I was showing when the interruptions began the output of the press-room. I had shown that of these jobs on printed forms there were 933 more in the first forty-five days of this Congress than in the first forty-five days of the Forty-ninth Congress. In addition to that there was an increase of 4,758 tokens, as they are called, this increase in tokens representing 2,379,000 more of printed sheets passing through the presses of that office in the first forty-five days of this Congress than in the same number of days in the Forty-ninth Congress.

Take one other matter. The amount of paper used will illustrate again the increase of work there. In paper alone there has been in the first fiscal year of the incumbency of the present Printer an increase in consumption of 270,420 pounds of printing paper and 88,877 pounds of writing paper.

One other fact. This Public Printer came into office in the month of September, 1886, nearly two months after the adjournment of the long session of Congress in that year. He then found on the rolls of his department 2,420 employés. What was the number at the end of sixty days after the adjournment of the last session of Congress? There were then on the roll only 2,000 men, a difference of 420 employés, illustrating the idea I am attempting to enforce, that with 2,000 men this Public Printer has done more work than could possibly be done, as it seems, in former administrations with over 2,400.

As to some reforms he instituted here, it will not be out of order for me to take a moment.

Mr. HOPKINS, of Illinois. Will the gentleman yield to me for a moment?

Mr. RICHARDSON. Certainly.

Mr. HOPKINS, of Illinois. If the Public Printer is doing such an immense amount of work, and doing it so well, will the gentleman from Tennessee be kind enough to move a committee of five members of the House be appointed by the Chair with power to examine employés, etc., and make this investigation? I for one would prefer to take the report of a committee appointed by this House than the *ex parte* statement of the Public Printer or his apologists on this floor.

Mr. RICHARDSON. The gentleman's inquiry is not pertinent to this report. If, when we conclude the consideration of this report, that gentleman or any other gentleman on that side of the House or upon this side desires the appointment made of such a committee, I think I can say he will have no objection on this side. We agree to that investigation. We only insist on one thing——

Mr. HOPKINS, of Illinois, rose.

Mr. RICHARDSON. Just wait one moment. The only thing we shall insist on is that the investigation shall extend to former administrations of that office.

A MEMBER. That is right.

Mr. HOPKINS, of Illinois. I hope the gentleman will remember this remark if he is speaking for his party. He desires to make this a party issue.

Mr. RICHARDSON. I do not yield to the gentleman any longer. The other side have made this a party question from the beginning.

Now, Mr. Speaker, the other day when this question was under consideration, and the House declined to recommit the report of the Committee on Printing then pending before it on his motio., in order that we might have a further investigation of other matters representing the Committee on Printing, I did then say, and I was speaking for some members on this side, to the gentleman, if he would permit that report to be adopted without objection this side of the House would withdraw all opposition to any investigation demanded by his resolution then pending; but he declined the offer I made.

Mr. HOPKINS, of Illinois. One moment. Did not the gentleman know that his entire party voted against that, and that the members upon that side of the House claimed it was a party issue when I disclaimed it to be anything of the kind? Did not he know, further, that so far as any objection has been raised upon this floor from the Republican side, it has been raised on account of the gross sin of neglect by the Public Printer to furnish us with reports and papers necessary to carry on the public business?

Mr. RICHARDSON. I do not yield any further; but I deny this.

Mr. HOPKINS, of Illinois. Some members on that side sought to make it a party issue. They can not make it a party issue unless they father the shortcomings of the Public Printer. [Cries of "Order!" on the Democratic side.]

Mr. RICHARDSON. The gentleman well understands this side of the House did not decline any investigation. I did not decline any the other day and do not decline any now.

I now wish to put on record a denial of the charge that the Public Printing department is not furnishing reports and bills as rapidly as they were ever furnished before. I know one gentleman on that side of the House, who arose in his place in the House on January 16, I will not call any names, who gave the number of the bill which he said he wanted for a week and had been unable to get it. I wish to say further, that gentleman when he is called upon to speak to the House will say, and I intend to ask him to do so before I yield the floor, that the bill which he said could not be obtained from the Printing Office had been for nearly a week in the document-room of the House. And most likely that is the case with a good many similar complaints that have been made. If gentlemen will inquire specifically in any case at any time of the Public Printer where delay is alleged, in my judgment he will get a satisfactory answer in reference to it.

Now, Mr. Speaker, I wish to make one more contrast and then I am through. I wish to call attention to some facts indicating some reforms which this efficient officer has put into practice. It may not be known, and I mention this fact, that all contracts for the Government Printing Office are made by the members of the Joint Committee on Printing of the two Houses of Congress, but the Public Printer is authorized to purchase, in his discretion, in the open market, ink, roller composition, and oil.

I wish to give some facts in reference to the purchase by the Public Printer of ink, and I ask your attention to it for a moment.

During the fiscal year of 1885, 23,004 pounds of printing ink were purchased at an average price of 51.9 cents per pound. In 1886, under the old administration, there were purchased 26,501 pounds at an average cost of 66.17 cents per pound. The price in one case was 51.9 and in the other 66.17 cents per pound.

Mr. GALLINGER. Will the gentleman state the price at the different times?

Mr. RICHARDSON. Under the present administration this officer purchased 16,879 pounds of printing ink at an average cost of 24.85 cents per pound.

Mr. GALLINGER. Will the gentleman tell the price of that at the several times indicated by him?

Mr. RICHARDSON. Now, I want to know how it is that under a former administration of that department printer's ink cost 51 cents a pound for one year, and the next year 66 cents a pound, and under the present incumbent only 24 cents and a fraction a pound. Gentlemen talk of an investigation. Now, if you want an investigation, I say that as far as I am concerned, and so far as this side of the House is concerned, it can be had, and I would like to see these facts explained.

Mr. GALLINGER. Will the gentleman permit me to ask him a question now?

Mr. RICHARDSON. Yes, sir.

Mr. GALLINGER. The gentleman has stated that under a former administration the Public Printer paid in one year for ink 66 cents a pound, and 51 cents another year, while at present they are getting it at about 24 cents a pound. Does the gentleman not know that butter may be worth 25 cents a pound one year and only 20 cents the next? That being the case, should the gentleman not, in justice, give us the benefit of the market price of printer's ink prevailing at the time to which he alludes?

Mr. RICHARDSON. I beg the gentleman's pardon; I have stated distinctly that in 1885 the Public Printer paid 51 cents a pound for ink, and in 1886 he paid 66 cents a pound. I am calling attention to the fact that the present incumbent has purchased ink at only about 24 cents per pound.

Mr. GALLINGER. For the same quality of ink?

Mr. RICHARDSON. Yes, sir; I presume so.

Mr. GALLINGER. Does the gentleman know the fact?

Mr. RICHARDSON. It may not be the same quality, but in answer to the gentleman I can say that it is represented here to be just as good, and by some persons thought to be better. The Public Printer says it is better, as I will show later on.

But that is not all. Take the article of roller composition, for the purchase of which the Public Printer has discretion in buying.

Mr. GALLINGER. Let me interrupt the gentleman further.

Mr. RICHARDSON. Very well.

Mr. GALLINGER. The gentleman admits that he is not a practical printer. That was scarcely necessary, for it is evident to those who are practical printers that he is not.

Next he admits that this ink which was purchased at different prices may be of different qualities; that fact he does not know. Now I want to ask the gentleman this question. He says the Public Printer is performing the same amount of work, or more work, than a former administration, which was considered an admirable one, under Mr. Rounds, with 400 men less than Mr. Rounds had. That being the case, I want to ask the gentleman if, in his opinion, at the end of this session of Congress there will be 400 men less on the rolls of the Printing Office than there were at the close of the long session of the Forty-ninth Congress?

Mr. RICHARDSON. I can only say in answer to the gentleman that I do not propose to enter into the field of prophecy. I do not know. But I do say to him that forty or sixty days after the adjournment of the last short session of Congress—and that is a fair comparison—there were then nearly four hundred less persons employed than when Mr. Rounds turned this office over to the present incumbent forty to sixty days after the adjournment of Congress in 1886. Not only that, but the record shows—and I did not want to go into that, but if gentlemen desire it we are ready—the record shows that of that 2,420 persons employed there, nearly 200, or to be as nearly exact as I can, about 145 of them were put there in the thirty or forty days immediately preceding the time that the Printing Office was turned over to the present incumbent. A man need not be a practical printer to see these things.

Mr. GALLINGER. Does the gentleman from Tennessee believe honestly that the places of the men discharged will be filled within the present session or before it expires?

Mr. RICHARDSON. I can not answer the gentleman. I have said I can not go into the question of speculation or prophecy. I hope so, I will answer him, if the public necessity requires it and if there is money to pay them and work to be done, and I trust the new appointees will all be good Democrats.

Mr. GALLINGER. In other words, a good many good Republicans were dismissed to make room for just that many good Democrats.

Mr. RICHARDSON. Now, Mr. Speaker, upon the question of roller composition, for I do not want to get away from that. In 1886 the former incumbent of this place used 13,900 pounds of roller composition, for which he paid 45 cents a pound. The present incumbent during the year 1887 paid but 26 cents per pound for roller composition, or a difference of price as between 45 and 26 cents, saving in that period $3,427 in that one item.

Mr. CANNON. Will the gentleman yield a moment?

Mr. RICHARDSON. I will.

Mr. CANNON. I did not intend to ask permission to say anything touching this question at this time.

Mr. RICHARDSON. I can not hear what the gentleman is saying.

The SPEAKER *pro tempore*. The Chair will suspend the public business until order is restored upon the floor.

Mr. CANNON. I did not intend to open my mouth in this discussion, but I think it is just and proper to ask the gentleman from Tennessee to allow me to state that I was acquainted, and well acquainted, with the late Public Printer, Mr. Rounds. I believe him to have been an honest man. He had the reputation of being a very competent Public Printer. He was a citizen of the State which I have the honor in part to represent. But when the gentleman states that he paid for ink 50 or 60 cents a pound during the term of his office, and the present Public Printer pays but 20 to 30 cents a pound, in view of the fact as I am told by practical printers that this ink varies in value from $32 a pound down to 10 cents, and in view of the further fact that roller composition varies in price greatly according to its quality, I do feel called upon to ask the gentleman whether he thinks it quite fair to make this statement unless he is able to state that the material which the present Public Printer is purchasing in the markets of the country is of the same value and quality as that used by the former Public Printer, or if a similar material of equal value, and no greater, was purchased at a higher price by the late Public Printer.

Mr. RICHARDSON. I want to be perfectly fair to the gentleman who held this office formerly, and I have not attempted to refer to him by name. It is far from my purpose to reflect on him in any way. What I have referred to is simply a part of the public records of this office.

I call the attention of the gentleman from Illinois [Mr. CANNON] to what he will find in regard to the purchase of ink in the report of the Public Printer on page 9. The facts I have stated are there set forth substantially; and the gentleman will find that after the Public Printer has given the result of his purchases he uses these words:

> I will add that under my administration all the ink has been purchased from first-class makers only, under positive guaranties as to quality, and that it has done more work and better work than the ink previously used and with a great saving of time and labor in use.

And he saved in the year 1887, as compared with the year 1885, taking the two short sessions of Congress for comparison, in this one item of printing-ink $12,306.52.

I repeat that I do not reflect on anybody, but simply give these figures for what they show.

Mr. CANNON. But the gentleman will bear with me when I say that the Public Printer, assiduously blowing his own horn in that report, as he always does——

Mr. RICHARDSON. I do not yield to the gentleman from Illinois for a speech.

Mr. CANNON. I merely wanted to vindicate a dead public officer against the assaults and innuendoes which have been thrown out against him.

Mr. RICHARDSON. I will yield to the gentleman when I have completed what I have to say, but I deny that I make any assault or use any innuendoes. I give the facts and the figures.

I will close by referring to the only other article which the Public Printer can buy in the public market—the article of oil. The purchase of this article was made at 50 per cent. less than in the former administration, as shown in the Public Printer's report.

Mr. CANNON. Of the same quality?

Mr. RICHARDSON. The Public Printer says "that it has done more work and better work than the oil previously used, and at a great saving of time and labor in its use."

Mr. REED. Not as fast.

Mr. RICHARDSON. And when this amount of money is saved there should be no complaint about it, as it occurs to me.

Mr. CANNON. I wish to say——

Mr. RICHARDSON. I have only a few minutes more, and I can not yield to the gentleman at this time.

A portion of the inquiry addressed to the Public Printer is in reference to the discharge of ex-soldiers and sailors. Upon this point his answer is equally explicit.

As regards soldiers who have served the country and been honorably discharged, the Public Printer shows that for the first time in the history of his office the roll-book bears a record of every person entitled to protection under the law which gives preference in appointment or exemption from discharge for reason of service in the United States Army. He shows that the records of the office have never shown the list of widows and orphans of those honorably discharged soldiers who

are there employed, and who are entitled to some exemption under the law, but that record is to-day on file and is open to inspection.

Mr. WARNER. Will the gentleman permit me one question?

Mr. RICHARDSON. I have not time to yield.

Mr. WARNER. I merely wish to ask whether any other executive officer of the Government can truthfully say that he has complied with section 1754 of the Revised Statutes?

Mr. RICHARDSON. That record is there and this Public Printer challenges an investigation into the facts; and it will be found, so the Public Printer claims, that there are more soldiers and widows and orphans of discharged soldiers there than ever before. In this connection I desire to have read an article, a very brief one, from Mrs. Elizabeth C. Montis, chairman of the employment committee of the relief board of the Grand Army of the Republic, which was printed in the Capital of yesterday, a newspaper of this city. I send it to the Clerk's desk and ask him to read it.

The Clerk read as follows:

"THE CAMPAIGN SCREW."

*To the Editor:*

SIR: I do not wish to make any defense of the Government Printer, as that is not necessary. A reporter in Monday's Republican, January 16, published under the above title an article about the conduct of the Government Printing Office that was so entirely "off" as to facts that the writer of this feels sure no journal of any reputation would have published it unless laboring under an entire misapprehension. The contents of that article have been already aired sufficiently by the press of this city and satisfactorily replied to also, both in the debates of the House and other quarters, so as to make it unnecessary to say more here than that your correspondent knows and can prove that the statement as to the assessment of women is entirely false. The object of this article is to inform the public of certain other matters that have not as yet been made known to them, namely, improvements carried out there, that have elevated the office to the same standard of other Government institutions. The place is now kept clean at least, Mr. Benedict having employed charwomen for that purpose, something that was never done before. These women are paid at the rate of $30 per month by this so-called "Screw," while those in the Treasury Department receive only $20. In short, the whole place, as far as the means at the disposal of the Public Printer would permit, has been put on a par with other offices, the aim of Mr. Benedict being to elevate his subordinates morally and esthetically.

I am chairman of the employment committee of the women's relief corps of the Grand Army of the Republic, and by direction of that organization it has been my business to seek employment for those connected with them—widows and orphans of soldiers. He has responded in the most emphatic and satisfactory manner, not with promises but by immediate and actual appointments of more than a score up to the present time, with more readiness and kindness, too, than any other Government official whom I have yet approached. The question of politics was never raised by him either. Once or twice when I said "the applicant was a Democrat," he replied that "it was of no consequence;" he did what he "could for the soldiers, not for them as Democrats or otherwise." Instead of oppressing the women in his office, he has always tried to protect them in every way he can. Of course there is hard work to be done and he can only pay according to the money allowed, but he can secure them from impertinence and abuse, which he is always ready to do when informed of anything wrong. I have often gone to him for women whom I have secured appointments for, when they complained of injustice from his subordinate officers, and he always immediately instituted inquiry and remedied the evil.

In justice to this friend of the soldier and this good and just man I respectfully ask space in your paper for these statements, for which I make myself responsible by my own observation as positive facts.

ELIZABETH C. MONTIS.

Mr. RICHARDSON. As suggested by the gentleman from Michigan, I am perfectly willing, instead of insisting on the previous question on the motion to refer this report to the Committee on Printing and have it printed, to allow it to go over as long as the gentleman desires; and when it is again called up I am willing he should have the floor to submit any remarks he may deem necessary, or that any other gentleman may do so. We shrink from no investigation of this office and its management under the present incumbent. I now yield the floor.

Mr. JOSEPH D. TAYLOR. I desire to ask the gentleman from Tennessee a question; whether he will yield the floor at the proper time for a motion to appoint a committee to investigate the condition of the Government Printing Office?

Mr. CUTCHEON. As the introducer of this resolution, I desire to say a few words in regard to the circumstances of its introduction, and also in regard to the reply which the Public Printer has made to the request of the House. A week ago last night a man called at my rooms saying that he had known me in the Army; that he had served in the same brigade with me in several campaigns, although I did not know him; that the night before he had been discharged from the Public Printing establishment with some sixty-eight or sixty-nine others, discharged or furloughed, turned into the street in the dead of winter without anything to do.

Mr. SPRINGER. Will the gentleman from Michigan please give the name of this gentleman who called on him?

Mr. CUTCHEON. I have the name, and will produce it if necessary.

Mr. SPRINGER. I should like the gentleman to give the name.

Mr. CUTCHEON. I do not care to give it at the present time. He requested me, in behalf of himself and of these sixty and odd other employés who had just been discharged, to introduce a resolution in the House asking the Public Printer to state why he had discharged these employés at this season of the year without assigning to them any reason whatsoever. They had been simply notified, this gentleman informed me, that their services were no longer required, and they had been turned out of doors without any reason being assigned for their discharge.

It seemed to me, Mr. Speaker, a singular procedure; singular, in the first place, that the Public Printer should have selected for making this discharge the dead of winter, when he must have known, as we all know, that it is exceedingly difficult for a workingman or a working-woman to get a new situation.

It seemed to me singular, in the second place, that it should be done at a time when I knew, when every gentleman upon this floor knew, that the printing ordered by this House was largely in arrears, because, Mr. Speaker, I knew, and we all knew, that more than a thousand bills that had been introduced in this House a week before had not yet come to the file-room; we knew that we had not yet received the first complete copy of the Congressional Directory for this session, although nearly sixty days had elapsed from the time of our assembling; we also knew that the rules of the House, which we had amended weeks before, had not been returned to us, and have not yet been returned, so that we are not even now able to inspect the amended rules under which we are acting; we knew also that of all the pending bills we had not a report upon a single one printed in time for inspection before acting upon the bill to which it related.

Mr. REED. But the Printer has spent much less for ink than his predecessor spent. [Laughter.]

Mr. CUTCHEON. Yes, the Printer has paid much less for ink. When the contested-election case of Thobe against Carlisle came up in this House, although we were informed by the chairman of the Committee on Elections that the report had been mailed the evening previous, yet we had had no opportunity to examine the report of the committee upon that important case when we were required to go into the debate and to vote upon the question. Nor was that all, Mr. Speaker. Other important printing ordered for some of the leading committees of this House—the Committee on Rivers and Harbors, for instance—and the report of the Commissioner of Navigation, as has been stated by a member of the House to-day, had not been furnished, and have not yet been furnished to this House, so as to enable those committees to go on with the public business that has been referred to them. For these reasons I introduced this resolution, asking three pointed questions. The first was, whether the Public Printer had discharged these sixty and odd employés at this season of the year. The second was why he had done it, if he had done it; and, in the third place, I asked whether he had duly regarded section 1754 of the Revised Statutes, which requires a preference in the public service to be given to honorably discharged soldiers and sailors of the Union.

I have listened with deep interest and profound attention to this last dying speech and confession of the Public Printer which has been read here to-day, in which he tells us everything under heaven except what we want to know. He tells us, however, that he has discharged these employés, more than sixty in number, in the middle of this month of January; that he has sent these workingmen and working-women out into the world at this trying season to shift for themselves, when we all know how difficult it is for any one to get a new situation, particularly if he has been discharged from a public office, and more especially hard for the old soldiers. The Public Printer tells us that he has duly regarded the statute which requires a preference to be given to discharged soldiers and sailors of the Republic, and yet I have no reason to doubt that the gentleman to whom I have referred, who came to me and stated that he had served in the same brigade with me in the war, told the truth when he said that he had been dismissed without any reason assigned. Since this debate commenced, I have received a copy of a notice which I am assured, on the authority of an eye-witness, was posted in the Public Printing Office, in the room from which these employés were discharged, on the Monday following their discharge. This is the notice:

NOTICE.

The persons discharged on Saturday were removed for loud and boisterous talking during working hours. An observer is on the floor. Those discharged hereafter will know the reason of their dismissal.

I can not vouch for the correctness of this, but I am assured on the authority of one who claims to have seen it that it is an exact copy of a notice which was posted in the Public Printing Office.

Now, Mr. Speaker, this is not a political question. I protest against its being made a political question. It is a question of the privileges of the members of this House and of the rights of the honorably discharged soldiers and sailors of this country. It is a question of the rights and privileges of this House, because when we order public printing to be done it is our right that it shall be done with such reasonable promptness and expedition that the business of the House and of the country may be transacted in due course. It seems to me, Mr. Speaker, that of all times when the Public Printer should have exercised his discretion (if he had any discretion) in regard to the discharge of employés, it was the most unfortunate time for him to have exercised it in this way when the House of Representatives was waiting for him to print important public documents in order that it might proceed with the public business. The time was unfortunate for another reason. It was most unfortunate that this discharge of employés should have been made in the very week when this House refused to open the case of Mr. Thobe, of Kentucky; refused him the investigation which he asked. He claimed to have been elected a member of this House by the workingmen of his district, and it was most unfortunate, I say, that in the same

week when the House declined to investigate that claim of a representative workingman these sixty workingmen and working-women should have been discharged from the great Government Printing Office of this country and turned out into the streets of Washington, many of them without any means of subsistence.

Mr. Speaker, I trust the gentleman from Tennessee [Mr. RICHARDSON] will, as he has promised to do, come forward and tender to us a full, free, and complete investigation of the conduct of the Public Printing Office, so that we may know why it is that at this Congress we have waited, as we have never waited before since I have been a member of this House, for documents that we need, for the Congressional Directory, for the Rules and Manual, for the reports upon our bills, for the documents that go to various committees, documents upon which they must act if they act at all. Let us know why the Public Printer has told us almost everything else in the world about the past and the present—has gone into ancient history, so that we have had ancient history to a surfeit—but we have not yet learned why he selected the middle of January—the coldest month almost ever known in the city of Washington—to turn these seventy working men and women into the streets. For my part, I would like to know some better reason for this than has yet been stated. I do not care how much more paper has been used than the last Public Printer used in a given time. I do not care just now about the comparative prices of ink or of roller composition. Just now I would like to know why Public Printer Benedict selected the middle of January to turn these seventy working men and women into the streets, thus putting a fitting climax to the refusal of this House to investigate the election of the first man in this country who ever claimed to be elected as the Labor candidate upon a Labor ticket.

Mr. Speaker, I would like to have this question lie over, so that we may have the same opportunity for investigation that the gentleman from Tennessee has had, for it is evident that he has had the benefit of this report. He comes here with his mouth full of figures and his hands full of documents. We have not had any such advantages. Therefore I would be glad to have this answer of the Public Printer lie over until we can make the necessary examinations and comparisons, so that we may be able to comment on it understandingly.

Mr. RICHARDSON. Will the gentleman yield for a question?

Mr. CUTCHEON. Certainly.

Mr. RICHARDSON. I want to ask the gentleman whether, when he stated some three weeks ago that he had called for a bill——

Mr. CUTCHEON. I intended to make that statement.

Mr. RICHARDSON. I hope the gentleman will make it in justice to the Public Printer.

Mr. CUTCHEON. As a matter of personal explanation, I will say that when the question of the administration of the Public Printer was before this House a week or two ago, I made a statement that bill No. 1559, introduced by me, had been sought by me in vain in the document-room and in the Clerk's file-room; that I was assured it had not come from the Public Printer, and the reason was that other bills of far later number had been made special and had been printed. The following day a copy of the bill was brought to me. I will say, however, Mr. Speaker, that when I went to the Clerk's file-room, the clerk in charge referred to his register and found that he had no record of the return of that bill from the Public Printer, and assured me as an official of this House that it had not been returned from the Public Printer. It was upon his information to me that I made my statement. It turned out, however, that the bill had come from the Public Printer, and I was assured by the messenger who brought it to me that it was tied up with tape with another bill, not separated from it, and therefore in the search, repeated no less than half a dozen times, my bill had been overlooked each time, so that the fault lay not with the Public Printer, but with some official of this House. To that extent I desire, not to correct my statement, because I stated correctly the information given to me at the time, but to give what appear to have been the actual facts of the case.

Mr. Speaker, other gentlemen have asked me to yield a portion of my time. I now yield ten minutes to the gentleman from Iowa [Mr. HENDERSON].

Mr. HENDERSON, of Iowa. I have not been investigating this matter, but some facts have come to my knowledge which I think may properly be added to what has been said here on both sides.

In the first place, I want to say that I do not believe the statement which has just been made on this floor, and which was made during the campaign last fall, that there are now more soldiers in the Government Printing Office than there were under Republican administrations.

A MEMBER. You mean Union soldiers.

Mr. HENDERSON, of Iowa. Union soldiers. I deny the statement; and I am not going to be content with a general averment coming from the Government Printer. I do not want to have that statement go to the country without a flat denial. Now give us the proof. The Government Printer is wonderfully silent when it comes to giving the facts, the names, the data to establish his general declaration.

Mr. RICHARDSON. Will the gentleman yield for a moment? I can not give him the names——

Mr. HENDERSON, of Iowa. No, of course you can not.

Mr. RICHARDSON. Because the Public Printer states that the records of the Printing Office do not show entered upon them the names of the soldiers under former administrations.

Mr. HENDERSON, of Iowa. Then if those facts are not shown, how do gentlemen know what they so glibly tell us? It is false. [Applause on the Republican side.] Now let me tell the gentleman——

Mr. RICHARDSON rose.

Mr. HENDERSON, of Iowa. Wait a minute. You would not hear the gentleman from Illinois [Mr. CANNON] for a single moment when we offered to extend your time and when you were hammering and blackening the name of a dead and efficient public officer.

Mr. RICHARDSON. I deny it.

Mr. HENDERSON, of Iowa. Let me have a word to say. I will not yield a moment to you.

Now, Mr. Speaker, a word as to what I know. Only a short time ago a lady came to my hotel in Washington with a card of introduction—[laughter on the Democratic side]—oh, yes, sneer if you will because the widow of a dead comrade visits me! [Applause on the Republican side.] Sneer away! [Laughter and applause on the Democratic side.] It is a fine thing to applaud over, is it not? [Applause on the Republican side.] A lady came to me—you may not be able to make that statement, all of you. [Laughter.] She came to me and told me that she was the widow of a dead soldier who entered the Army from my own city of Dubuque; that she was in this city with two children, one a young man and the other a young lady. The young lady came with her mother to my hotel. Here, gentlemen, if you want to, you can applaud again. [Laughter.] She told me this little boy—a young man who had been in the Government Printer's employ—had been suddenly dropped from the roll and his place filled from that great fountain of Democratic officials, Baltimore—[laughter and applause]—by one of the nimble fingers of the Democratic leader of that city; that this child of the dead Union soldier had been kicked out of office and his place filled from the city of Baltimore.

Mr. COMPTON and many others. What was his name?

Mr. HENDERSON, of Iowa. Who wants to know his name? [Applause.]

Mr. COMPTON. I do.

Several MEMBERS. We all do.

Mr. HENDERSON, of Iowa. Oh, yes, you all want to know it very badly, do you not? [Laughter and applause.] Well, give us the investigation we ask and we will give you the names. [Laughter and applause.] As gentlemen we promise you to do that. [Laughter.] My word is as good as Mr. Benedict's, or any other gentleman on that side; if not, I will make it good.

Mr. COMPTON. Allow me to interrupt the gentleman for a moment.

Mr. HENDERSON, of Iowa. I can not do so.

The SPEAKER *pro tempore*. The gentleman from Iowa declines to yield.

Mr. HENDERSON, of Iowa. When I get through my own sermon I will let the gentleman have his say, if he is uneasy about Baltimore. [Laughter.]

Mr. COMPTON. The gentleman need not worry about Baltimore; she can take care of herself here and everywhere else and turn up Democratic every time. [Laughter and applause on the Democratic side.]

Mr. HENDERSON, of Iowa. This lady told me the young lady, her daughter, had been in the employ of the Treasury Department, and that these two, on very petty salaries, had enabled this little fatherless family to live; but that both had been discharged almost at the same time. The young lady appealed to be retained for the sake of her poor mother and her family. The gentleman who discharged her—I will not give the name now, but I can give it—told her she had no recommendation but her efficiency, which was not disputed, but that they wanted men in there who could serve the Democratic party and use money in its interest, if need be. I can give the gentleman's name, if it is necessary.

Mr. WISE. Give it.

Mr. HENDERSON, of Iowa. Not now. But, Mr. Speaker, both of these children were dropped from the roll, and in the depth of winter they are left without means of support. And I stand here and proclaim that it is not in the power of myself or any Republican representative of the people to secure the pettiest place in Washington, even in the Government Printing Office, to save the widow of a dead Union soldier from starvation. So help me God, I speak the truth!

Mr. PERKINS. And they say that is good on that side of the House. [Laughter and applause.]

Mr. DAVIDSON, of Florida. Ask to make up a contribution, and they will not starve.

Mr. HENDERSON, of Iowa. I am not surprised that sneers should follow this declaration. It might be a trifling matter to the gentleman from Florida, but they are facts that are sinking deep into the hearts of the people of the country.

Mr. DAVIDSON, of Florida. It is a matter of importance when he states a young lady discharged from public office is about to starve. I desire merely to say that before she should starve, if the case were known, contributions would be made to prevent it.

Mr. HENDERSON, of Iowa. I do not yield. I have no doubt that the generous gentleman might be induced to save her from starvation, but your party stand like a mailed citadel against this class so that no Union Republican representative can get the pettiest office for the widow or children of a Union soldier who are in danger of starvation.

That is your reform, gentlemen. Cover it over with printer's ink if you will, but you can not wipe out the current facts of history.

Mr. CUTCHEON. I now yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. I will say again, as I did a little while ago, not then in my own time, that I did not intend to say a word touching this resolution, nor would I now were it not that the Public Printer, in the report as read from by the gentleman from Tennessee [Mr. RICHARDSON], and apparently quoted with the approval of that gentleman, does seek, as it occurred to me, to cast reflections upon the character of a former Public Printer as to his integrity.

Mr. RICHARDSON. I hope the gentleman from Illinois will not understand me as assenting to that statement. I did not intend to do anything of the kind.

Mr. CANNON. Then I may say I have nothing more to add.

Mr. PERKINS. What was the object of the statement, then?

Mr. CANNON. That is a very pertinent question.

Mr. RICHARDSON. What does the gentleman ask?

Mr. CANNON. The gentleman from Kansas asks, if that was not your intention what was the object of the statement?

Mr. RICHARDSON. My object, Mr. Speaker, was to give to the House and to the country the facts as they are presented, but to make no reflection upon anybody. I am willing to be governed by the facts.

Mr. CANNON. Well, then, if the Public Printer, by innuendo, seeks to make that impression upon the House and the country, I want to make this statement: That with the craft in the United States, with all printers and experts, the reputation of the late S. P. Rounds as an honest man, a man of integrity, and a competent man in his business, is well known, and by that reputation Mr. Rounds's family and friends can well afford to stand. I want to say, further, not being a printer or an expert, that in so far as the present Public Printer seeks by an uncandid statement to convey the impression that he bought the same ink, and as valuable ink, at 26 cents a pound as his predecessor, Mr. Rounds, bought, and for which he paid 50 or 60 cents a pound—that in so far as he seeks to convey that impression, I will assume the responsibility of giving my opinion, at least, that he undertakes to cast a suspicion on the integrity of the deceased.

Mr. BOUTELLE. He not only undertakes to do it, but actually does it.

Mr. CANNON. I understand that the impression sought to be conveyed in the report, the impression made upon me at least from the report, was clear in that regard; and for that reason I asked the gentleman from Michigan to yield a moment to me for the purpose of making this statement.

I do not believe Mr. Rounds paid for ink at the time he purchased it 25 or 30 cents a pound, or any other sum more than the market price. As to the exercise of a sound discretion in the quality of ink and other material used in the public printing, I am quite willing for one that the work done under the supervision of the late Public Printer, Mr. Rounds, should be compared with that done under the supervision of the present Public Printer.

Mr. CUTCHEON. I now yield three minutes to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Speaker, there was read here a letter, sent up to the Clerk's desk by the gentleman from Tennessee [Mr. RICHARDSON], purporting to be a communication from the chairman or chairwoman of some committee of the Grand Army of the Republic, in general terms stating that she, the writer, had received kind treatment at the hands of the Public Printer. It was sent to the Clerk's desk and read, I imagine, for some purpose, and I want to say that if it is intended to convey the impression that this lady has secured the appointment of any considerable number of the orphans or widows of Union soldiers in the Public Printing department of this Government, the facts do not by any means justify the statement.

She has been, as I am fully informed, connected with the employment bureau of the Grand Army of the Republic only during the current year, 1888. She has come into the business therefore as a novice, and she has not been driven out of the Public Printing Office; the recital of which fact is the sum total of her utterance. But she herself has come to members upon this floor, and to myself among the rest, and asked us to appeal in the name of the Grand Army of the Republic to the Public Printer to have reinstated soldiers' and sailors' widows who have been turned out of that same office. For some reason best known to herself she publishes there, as a part of the speech of the gentleman from Tennessee, this letter containing a general statement that she has been more kindly treated by the present Government Printer than by any other person occupying that position, when I know, and state here on my credit, as a matter of fact, that she has had nothing to do with the organization with which she is now connected until during the present year.

Mr. MILLIKEN. May I ask the gentleman a question?

Mr. GROSVENOR. Certainly.

Mr. MILLIKEN. Is she employed now in the office?

Mr. GROSVENOR. She is not, as I understand.

Mr. RICHARDSON. She never was.

Mr. GROSVENOR. And never was. Her husband was an employé of the Treasury Department. I knew him for many years. He died some two years ago. His widow, the lady in question, has not been rudely treated at the office, and writes a letter which contains no other statement of fact worthy of consideration as bearing upon the question here presented.

Mr. CUTCHEON. I now yield five minutes to the gentleman from Ohio [Mr. JOSEPH D. TAYLOR].

Mr. JOSEPH D. TAYLOR. Mr. Speaker, I understood from the reading of the communication of the Public Printer which was read awhile ago, that these employés were turned out of the Government Printing Office because there were no longer any funds at the command of the Public Printer with which to pay them and no longer any work for them to do. Only a few days ago I went to the Smithsonian Institution to make inquiry in regard to certain publications which some of my constituents greatly desired, and I was informed by the Secretary of that Institution that some of their publications, which had been in the hands of the Public Printer for more than two years, were not yet printed and probably would not be for some time to come. The publications of the Smithsonian Institution are valuable works and are greatly sought after by certain classes of people. They look forward with great anxiety to the time when they are ready for distribution, and it is certainly a misfortune to have their publication so long delayed.

I also understand, if I have been correctly informed, that the money with which these books are to be published comes from the Smithsonian fund, not from the ordinary appropriation of this House, and if this be true I am unable to understand why men and women should be turned out in midwinter when there is abundance of work for them to do in the Government Printing Office, for which there is made ample provision so far as the money is concerned.

Mr. RICHARDSON. Will the gentleman yield?

Mr. JOSEPH D. TAYLOR. No, sir; I only have a few moments. I understand that some of these publications have been in the hands of the Public Printer for more than two years and are not yet published. And I further understand that the character of some of them is such that the works when printed will be substantially worthless, simply because they were not published at the time they were prepared. These books, furnished to the Government Printing Office in 1885, will probably be distributed in 1888, and the object of their publication will be defeated and their usefulness will amount to very little on account of this long delay.

If that be true, as I said before, I can not see why it is that sixty men and women should be discharged in midwinter when there was abundance of work in the office to be done, and when the money to pay for doing the work was to come from the funds of the Smithsonian Institution. If I am correctly informed in regard to this matter, I can see no reason for the course of the Public Printer. I have understood all the while that the Government Printing Office is about two years behind, and if there is not money enough appropriated to do the work it certainly ought to be appropriated, and the work ought to be done.

Mr. CUTCHEON. I yield five minutes to the gentleman from New York [Mr. LAIDLAW].

Mr. LAIDLAW. I desire to state a fact in connection with this matter that came to my knowledge the other day. A lady out in the lobby sent to my seat a card, which I now hold in my hand. I went out, following the messenger until I found the lady. She told me she was from my district; that she had been in the employ of the Public Printing Office for four or five years; that the small salary she there received gave her her living; that her mother was dependent on her; that they were residing here in a small house; and she asked me if I could do anything, with a view to getting her back into the situation where she had been trying to support herself as best she could. It appears she has been put out of the office at this inclement season of the year with a house on her hands which she rents at some $20 a month. It appears she is turned out by this great Government without rhyme or reason, except that the money is all gone. I say that is no excuse at all. Every reasonable, sensible man knows that the places of these people now discharged will be filled in the near future by other people.

All I have to say is that we ought to live up to our professions and our promises. I remember to have read years ago what Corporal Trim said about a man's honoring his parents. His idea about honoring his father and mother was to give them 3 pence a day out of his pay when they were old. Better than by resolutions we can honor the dead soldier by giving employment, with some substantial pay for it, to his widow. That is the best kind of honor we can give to the soldier.

I am a new member, and I think I have now said about enough. [Applause.]

Mr. O'NEILL, of Missouri. You have done first rate. [Laughter.]

Mr. CUTCHEON. The Public Printer has given us a somewhat lengthy document here containing something that is pertinent to the inquiry, and a very great deal that is very impertinent to the inquiry.

We have his reply. For my part, Mr. Speaker, I would like to have a report of a committee of this House upon certain definite propositions. We know certain things, and we know them somewhat sadly, too. We know, for instance, that the eulogies delivered in this Hall almost a year ago upon General John A. Logan have not yet come to the document-room or the folding-room of this House; and on inquiry we are informed they can not even give us a surmise when they will be delivered. The same is the case with the eulogies on Senator Miller, delivered even before that.

We know we have not yet got our revision of the rules; we know we have not got the reports of the engineers; we have not got various other documents which we ought to have and which are necessary for the procedure of this House.

Now, Mr. Speaker, I desire to offer as a substitute for the motion of the gentleman from Tennessee [Mr. RICHARDSON], the chairman of the Committee on Printing, the resolution which I now send to the desk.

The Clerk read the proposed substitute, as follows:

*Resolved*, That a committee of five members of this House be appointed by the Speaker *pro tempore* to investigate and report upon the management of the Public Printing Office, and to report upon the causes of the delay in furnishing necessary documents ordered by the House; also whether section 1754 of the Revised Statutes has been duly observed in making appointments to and dismissals from said office.

Mr. SPRINGER. I desire to offer a substitute for what has just been read.

Mr. CANNON. Before that is done let me suggest an amendment to the gentleman from Michigan. His resolution uses the expression "documents ordered by the House." I suggest that after those words be inserted "provided by law."

Mr. CUTCHEON. I accept that as a modification of my resolution.

Mr. SPRINGER. I desire to offer an amendment to the amendment.

Mr. CUTCHEON. I offered mine as a substitute for the original motion of the gentleman from Tennessee.

Mr. SPRINGER. I move to strike out of the resolution the following words:

That a committee of five members of the House be appointed by the Speaker *pro tempore* to investigate and report upon the management of the Public Printing Office.

And to insert in lieu thereof the following:

That the letter of the Public Printer in answer to the resolution of the House be referred to the Committee on Printing and printed, and that the Committee on Printing be instructed to make a thorough investigation of the administration of the Government Printing Office during the incumbency of the present occupant and that of his predecessor, and to report to the House at the earliest time possible.

Mr. REED. Why are you putting in the predecessor of the Government Printer? There is no complaint about him. How will investigating a person who is dead help us to get the documents we are waiting for?

Mr. SPRINGER. The proposition is to investigate the administration of the office under the present Public Printer and his predecessor.

Mr. REED. But we are not interested in his predecessor. What we want is to get our documents quicker. Now, do not make a partisan matter of this. [Laughter.]

Mr. SPRINGER. There is no partisanship in it at all. I am always delighted to hear the gentleman from Maine on that subject. He never can understand the right of anybody else to be a partisan; but when he wants to act the partisan it is all right.

Mr. REED. Oh, well, my partisanship is of such a mild character that it is hardly to be called by that name. [Renewed laughter.]

Mr. SPRINGER. If you are going to investigate that office——

Mr. REED. What we want is to get our documents quicker.

Mr. SPRINGER. And I want to show the gentleman, by way of comparison, that he is getting them now faster than he got them under any previous Public Printer. [Cries of "Oh!" "Oh!"] I want to show further how much more work is being done under this administration of the office than was done under the former administration, and how much less money it costs to run the Printing Office now than it cost when the former Printer was in office. I want to show also how many more honorably discharged Union soldiers are in the employ of the Printing Office to-day than there were when it was managed by a Republican. All these are important facts.

Mr. SOWDEN. And soldiers' widows and orphans.

Mr. SPRINGER. Yes, I want to show also, as my friend from Pennsylvania [Mr. SOWDEN] suggests, how many widows and orphans of soldiers of the late war there are in the office now compared with the number employed there formerly. These facts are all valuable by way of comparison. It is stated, and I understand it to be a fact—this proposed investigation will show the truth about the matter—that the commander of the Grand Army of the Republic in this city has authorized the statement since this discussion arose that there are more Union soldiers employed now in the Government Printing Office than there ever have been at any previous time, and that he is thoroughly satisfied with the present management of the office so far as the soldiers were concerned. Now I move the previous question upon the amendment.

Mr. STRUBLE. I hope we shall find out also how many soldiers from the other side there are in the office.

The previous question was ordered—ayes 137, noes 130.

The SPEAKER *pro tempore*. The question now is on the amendment proposed by the gentleman from Illinois [Mr. SPRINGER] as a substitute for the resolution of the gentleman from Michigan [Mr. CUTCHEON].

A MEMBER. Let the amendment be read.

The amendment was again read.

Mr. CUTCHEON. I wish to submit a proposition to the gentleman from Illinois [Mr. SPRINGER] which will perhaps save some time. I suggest that if he will modify his amendment so as to provide for a special committee of five instead of the regular Committee on Printing——

Several MEMBERS. Regular order!

Mr. SPRINGER. We have a standing Committee on Printing fully competent for this work.

The SPEAKER *pro tempore*. Debate is not in order.

Mr. CANNON. Will my colleague [Mr. SPRINGER] allow me——

Mr. SPRINGER. Certainly.

Mr. CANNON. The Committee on Printing consists of only three members, the gentleman from Tennessee [Mr. RICHARDSON], the gentleman from Maryland [Mr. GIBSON], and the gentleman from Pennsylvania [Mr. HIESTAND]. Now, if this subject is to be referred to the Committee on Printing for a searching investigation, I suggest that two members be added to that committee, one from each side of the House.

Several MEMBERS. Regular order!

Mr. CUTCHEON. Will not the gentleman from Illinois [Mr. SPRINGER] consent to modify his amendment by simply providing that for this investigation two members be added to the standing Committee on Printing? [Cries of "Regular order!"]

The SPEAKER *pro tempore*. The regular order is called for, and the Chair must enforce it.

Mr. SPRINGER. The gentleman from Michigan [Mr. CUTCHEON] asks me whether I have any objection to adding, for the purpose of this investigation, two members to the Committee on Printing. I have not; and if unanimous consent can be given, I am willing to modify my proposition in that way. [Renewed cries of "Regular order!"]

The SPEAKER *pro tempore*. The regular order is demanded, and unanimous consent can not be given.

Mr. CANNON. Then I move to reconsider the vote by which the previous question was ordered. This will give my colleague [Mr. SPRINGER] an opportunity to make the modification.

Mr. SPRINGER. After this question is taken, I will try to accomplish the object of my colleague.

The SPEAKER *pro tempore*. A motion to reconsider is in order.

Mr. CANNON. I am willing to take the word of my colleague that he will accomplish the object we have in view.

Mr. SPRINGER. I will try to do so.

Mr. RICHARDSON. The Committee on Printing will not object to the proposition which has just been made.

Mr. SPRINGER. I think the House had better agree now to the proposition that for the purpose of this investigation two members be added to the Committee on Printing.

Mr. CUTCHEON. There ought to be no objection to that.

Mr. SPRINGER. I ask unanimous consent to make that modification of my proposition.

Mr. WISE objected, but withdrew his objection.

The SPEAKER *pro tempore*. The gentleman from Illinois [Mr. SPRINGER] asks unanimous consent to modify his proposition so as to provide that two members be added to the Committee on Printing for the purpose of this investigation. Is there objection to this modification? The Chair hears none.

The question being taken on the amendment of Mr. SPRINGER, as modified, it was agreed to; and the substitute as thus amended was adopted.

Mr. SPRINGER. I move to reconsider the votes just taken; and also move that the motion to reconsider be laid on the table.

The latter motion was agreed to.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, informed the House that the Senate had passed the bill (H. R. 4881) making an appropriation to carry into effect the provisions of an act approved March 2, 1877, entitled "An act to establish agricultural experimental stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of acts supplementary thereto," with an amendment, in which the concurrence of the House was requested.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 191) to make an additional appropriation for printing the eulogies delivered in Congress upon the late John A. Logan; and

A bill (S. 455) for the relief of Andrew J. Lindsay.

The message further announced that the Senate had passed a concurrent resolution providing for the printing of 20,000 copies of the first annual report of the Interstate Commerce Commission, with the ap-

pendices thereto, 5,000 for the use of the Senate, 10,000 for the use of the House, and 5,000 for the use of the Commission; in which the concurrence of the House was requested.

AGRICULTURAL-EXPERIMENT STATIONS.

Mr. HATCH. I ask unanimous consent that the House now take up the agricultural-experiment-station bill, with a view to concurring in the amendment of the Senate.

There being no objection, the House proceeded to the consideration of the bill (H. R. 4881) making an appropriation to carry into effect the provisions of an act approved March 2, 1887, entitled "An act to establish agricultural experimental stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of acts supplementary thereto."

The amendment of the Senate was read, as follows:

Strike out all after the word "the," in line 9, down to the end of the bill and insert "sum of $585,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1888."

The amendment was concurred in.

Mr. HATCH moved to reconsider the vote by which the amendment was concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

IMPORTS.

Mr. BRECKINRIDGE, of Arkansas. I desire unanimous consent to introduce a bill for reference to the Committee on Ways and Means.

There being no objection,

Mr. BRECKINRIDGE, of Arkansas, introduced a bill (H. R. 6183) to amend existing laws relating to imports.

Mr. McKINLEY. I demand the reading of the bill.

The Clerk proceeded to read the bill, but before the reading was concluded,

Mr. BRECKINRIDGE, of Arkansas, said: I ask unanimous consent that the further reading of this bill be dispensed with, and that it be printed in the RECORD.

There being no objection, it was ordered accordingly.

The bill, which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed, is as follows:

A bill (H. R. 6183) to amend existing laws relating to imports.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following amendments to and provisions for existing laws shall take effect on and after the passage and approval of this act.

Section 6 of the act of March 3, 1883, entitled "An act to reduce internal-revenue taxation, and for other purposes," providing a substitute for Title XXXIII of the Revised Statutes of the United States, is hereby amended as to certain of the sections and parts of sections or schedules in such substituted title so that they shall be as follows, respectively:

"SEC. 2499. Each and every imported article not enumerated or provided for in any schedule in this title, which is similar either in material, quality, texture, or the use to which it may be applied, to any article enumerated in this title as chargeable with duty, shall pay the same rate of duty which is levied on the enumerated article which it most resembles in any of the particulars before mentioned; and if any non-enumerated article equally resembles two or more enumerated articles on which different rates of duty are chargeable, there shall be levied on such non-enumerated article the same rate of duty as is chargeable on the article which it resembles paying the highest rate of duty; and on articles, not otherwise provided for, manufactured from two or more materials, the duty shall be assessed at the rate at which the (dutiable) component material of chief value may be chargeable; and the words 'component material of chief value,' whenever used in this title, shall be held to mean that (dutiable) component material which shall exceed in value any other single component material found in the article; and the value of each component material shall be determined by the ascertained value of such material in its last form and condition before it became a component material of such article. If two or more rates of duty shall be applicable to any imported article, it shall pay duty at the highest of such rates: *Provided*, That any non-enumerated article similar in material, and quality, and texture, and the use to which it may be applied to any article on the free-list, and in the manufacture of which no dutiable materials are used, shall be free of duty."

SEC. 2502. SCHEDULE A—CHEMICAL PRODUCTS.—By striking out from this schedule the words "distilled spirits containing 50 per cent. of anhydrous alcohol, $1 per gallon;" also by striking out the words "alcohol containing 94 per cent. anhydrous alcohol, $2 per gallon."—[Tariff, paragraphs 101, 102, 103.]

SCHEDULE B—EARTHENWARE AND GLASSWARE.—The tenth clause of this schedule, relating to "green and colored glass bottles," and so forth, is hereby amended so that it shall be as follows:

"Green and colored glass bottles, vials, demijohns, and carboys (covered or uncovered), pickle or preserve jars, and other plain, molded, or pressed green and colored bottle-glass, not cut, engraved, or painted, and not specially enumerated or provided for in this act, 1 cent per pound; if filled, and not otherwise in this act provided for, and the contents are subject to an ad valorem duty, or to a rate of duty based on their value, the value of such bottles, vials, or other vessels shall be added to the value of the contents for the ascertainment of the dutiable value of the latter; but if filled and not otherwise provided for, and the contents are not subject to an ad valorem duty or to a rate of duty based on their value, they shall pay a duty of 1 cent per pound in addition to the duty, if any, on their contents."—[Tariff, paragraph 133.]

The eleventh clause of this schedule, relating to "flint and lime glass bottles," and so forth, is hereby amended so that it shall be as follows:—[Tariff, paragraph 134.]

"Flint and lime glass bottles and vials, and other plain, molded, or pressed flint or lime glassware, not specially enumerated or provided for in this act, 40 per cent. ad valorem; if filled, and not otherwise in this act provided for, and the contents are subject to an ad valorem duty, or to a rate of duty based on their value, the value of such flint or lime glass bottles, or vials, or other vessels of like material above provided for, shall be added to the value of the contents for the ascertainment of the dutiable value of the latter; but if filled, and not otherwise provided for, and the contents are not subject to an ad valorem duty, or to a rate of duty based on their value, they shall pay a duty of 40 per cent. ad valorem in addition to the duty, if any, on their contents."

SCHEDULE C—METALS.—By striking out the last clause of this schedule, relating to "manufactures, articles, or wares not specially enumerated or provided for," and inserting in lieu thereof the following:

"Manufactures, articles, or wares not specially enumerated or provided for in this act, composed wholly or in part of iron, steel, copper, lead, nickel, pewter, tin, zinc, gold, silver, platinum, or any other metal, and whether partly or wholly manufactured, 45 per cent. ad valorem: *Provided*, That nothing in this clause shall affect the rate of duty hereinbefore provided for the manufactures of copper, or of which copper shall be the component of chief value."—[Tariff, paragraphs 186, 216.]

By striking out in next to the last clause of this schedule the words "mineral substances in a crude state;" so that the clause shall read as follows:

"Metals, unwrought, not specially enumerated or provided for in this act, 20 per cent. ad valorem."—[Tariff, paragraph 215.]

SCHEDULE F—TOBACCO.—By striking out from this schedule the second clause, relating to "leaf-tobacco," and in lieu thereof inserting the following:

"Leaf-tobacco, of the requisite size and of the necessary fineness of texture to be suitable for wrappers, and of which more than one hundred leaves are required to weigh a pound, if not stemmed, 75 cents per pound; if stemmed, $1 per pound."—[Tariff, paragraph 246.]

SCHEDULE G—PROVISIONS.—Amend the clause relating to "rice-flour," etc. (tariff, paragraph 272), by adding after the word "rice-meal" the words "and broken rice which will pass through a sieve known commercially as No. 10 brass-wire sieve, ten meshes to the running inch or one hundred meshes to the square inch;" the space within the wires shall not exceed in length or width seven hundred and eighty-seven ten-thousandths of an inch;" so that the paragraph shall read as follows:

"Rice-flour, rice-meal, and broken rice which will pass through a sieve known commercially as No. 10 brass-wire sieve, ten meshes to the running inch or one hundred meshes to the square inch; the space within the wires shall not exceed in length or width seven hundred and eighty-seven ten-thousandths of an inch."

SCHEDULE N.—By striking out the seventh clause of this schedule, relating to "bonnets, hats, and hoods," and so forth, and inserting in lieu thereof the following:

"Bonnets, hats, and hoods for men, women, and children, composed of hair, whalebone, or any vegetable material, and not specially enumerated or provided for in this act, 30 per cent. ad valorem."—[Tariff, paragraph 400.]

By striking out the clause of this schedule commencing with the words "hats, and so forth, materials for," and inserting in lieu thereof the following:

"Hats, materials for: Braids, plaits, flats, willow sheets and squares, fit only for use in making or ornamenting hats, bonnets, and hoods, composed of straw, chip, grass, palm-leaf, willow, hair, whalebone, or any vegetable material, not specially enumerated or provided for in this act, 20 per cent. ad valorem."—[Tariff, paragraph 448.]

By striking out the clause of this schedule commencing with the words "garden seeds," which clause is hereby repealed.—[Tariff, paragraph 465.]

By striking out the last clause but one of this schedule, relating to "watches," and so forth, and inserting in lieu thereof the following:—[Tariff, paragraph 494.]

"Watches, watch-cases, watch-movements, parts of watches, watch-glasses, and watch-keys, whether separately packed or otherwise, and watch materials not specially enumerated or provided for in this act, 25 per cent. ad valorem."

By striking out the last clause in this schedule, relating to "webbing," and inserting in lieu thereof the following:

"Webbing composed of cotton or flax, or of a mixture of these materials, and not specially enumerated or provided for in this act, 35 per cent. ad valorem."—[Tariff, paragraph 495.]

THE FREE-LIST.

SEC. 2503. [Substituted for Sec. 2505 Revised Statutes.] By striking out the clause in this section commencing with the words "articles the growth, produce, and manufacture of the United States," and inserting in lieu thereof the following:

"Articles the growth, produce, and manufacture of the United States, when returned after having been exported, without having been advanced in value by any process of manufacture or by labor thereon; casks, barrels, carboys, bags, and other vessels of American manufacture exported filled with American products, or exported empty and returned filled with foreign products, including shooks when returned as barrels or boxes; but proof of the identity of such articles shall be made, under general regulations to be prescribed by the Secretary of the Treasury; and if any of such articles are subject to internal tax at the time of exportation, such tax shall be proved to have been paid before exportation and not refunded: *Provided*, That this clause shall not include any article upon which an allowance of drawback has been made, the reimportation of which is hereby prohibited except upon payment of duties equal to the drawbacks allowed."—[Tariff, paragraphs 649a to 649d.]

Add to the clause in this section relating to "soap-stocks" so that the clause as amended will read as follows:

"Soap-stocks, fit only for use as such."—[Tariff, paragraph 790.]

Amend the clause relating to "wearing-apparel," etc. (tariff, paragraph 815), so that it shall read as follows:

"Wearing-apparel, implements, instruments, and tools of trade, occupation, or employment, professional books, and other personal effects (not merchandise) of persons arriving in the United States, not exceeding in value $500, and not intended for the use of any other person or persons, nor for sale; but this exemption shall not be constructed to include machinery or other articles imported for use in any manufacturing establishment or for sale: *Provided, however*, That the limitation in value above specified shall not apply to wearing-apparel and other personal effects which may have been taken from the United States to foreign countries by the persons returning therefrom; and such last-named articles shall, upon production of evidence satisfactory to the collector and to the naval officer, if any, that they have been previously exported from the United States by such persons, and have not been advanced in value or improved in condition by any process of manufacture or labor thereon since so exported, be exempt from the payment of duty: *And provided further*, That all articles of foreign production or manufacture which may have been once imported into the United States and subjected to the payment of duty shall, upon reimportation, if not improved in condition except by repairs, by any means, since their exportation from the United States, be entitled to exemption from duty upon their identity being established, under such rules and regulations as may be prescribed by the Secretary of the Treasury.

"Theatrical scenery and actors' and actresses' wardrobes brought by theatrical managers and professional actors and actresses arriving from abroad, for their temporary use in the United States; works of art, drawings, engravings, photographic pictures, and philosophical and scientific apparatus brought by professional artists, lecturers, or scientists arriving from abroad, for use by them temporarily for exhibition and in illustration, promotion, and encouragement of art, science, or industry in the United States; and wearing-apparel and other personal effects of tourists from abroad visiting the United States, shall be admitted to free entry, under such regulations as the Secretary of the Treasury may prescribe; and bonds shall be given, whenever required by the Secretary of the Treasury, for the payment to the United States of such duties as may be

imposed by law upon any and all such articles as shall not be exported within six months after such importation: *Provided, however*, That the Secretary of the Treasury may, in his discretion, extend such period for a further term of six months in cases where application therefor shall be made."

Insert a new paragraph, as follows:

"Wearing-apparel, old and worn, not exceeding $100 in value, upon production of evidence satisfactory to the collector and naval officer (if any) that the same has been donated and imported in good faith for the relief or aid of indigent or needy persons residing in the United States, and not for sale."

SEC. 2. That section 7 of the act approved March 3, 1883, entitled "An act to reduce internal-revenue taxation, and for other purposes," is hereby amended so that it shall be as follows:

"In all cases where imported merchandise is subject to an ad valorem rate of duty, or to a duty based upon or regulated in any manner by the value thereof, the duty shall be assessed upon the actual market value or wholesale price of such merchandise, at the time of exportation to the United States, in the principal markets of the country from whence imported, and in the finished condition in which such merchandise is there bought and sold for exportation to the United States, and in which it is prepared and put up for shipment when so bought and sold, or when consigned to the United States for sale, including all costs, charges, and expenses incident to placing the same in such condition: *Provided, however*, That in determining the dutiable value of imported merchandise no estimate shall be made of the cost or value of such outside sacks, crates, cases, or other outer coverings as are used and as are designed to be used only in the bona fide transportation of such merchandise to the United States, nor of the actual and necessary expenses incident to the transportation of the merchandise from the place of purchase or consignment to the vessel or other vehicle in which exported to the United States, nor of commissions, marine insurance, export duties, or fees for authentication by consular officers of the United States, in case the same shall be severally stated in the invoice, and if not so stated no deduction therefor from the invoice value shall be allowed: *And provided further*, That if there be used for covering or holding imported merchandise which shall be free of duty any material or article designed for use other than in the bona fide transportation of such merchandise to the United States, duty shall be assessed thereon at the rate to which such material or article would be subject if imported separately; and if there be used for covering or holding imported merchandise which shall be subject to duty any material or article designed for use other than in the bona fide transportation of such merchandise to the United States, and which, if imported separately, would be subject to a higher rate of duty than the merchandise contained therein, the whole invoice shall be subject to such higher rate of duty, unless the value of the merchandise, and of the article or material covering or holding the same, shall be separately stated in the invoice, in which case the duties shall be assessed and collected on each separately, at the rates prescribed by law: *And provided further*, That, except as provided in this section and in section 17 of this act, duties shall not be assessed upon an amount less than the invoice or entered value of the merchandise."

SEC. 3. That section 8 of the act of March 3, 1883, entitled "An act to reduce internal-revenue taxation, and for other purposes," amending section 2841 of the Revised Statutes of the United States, is hereby further amended so that said section of the Revised Statutes shall be as follows:

"SEC. 2841. Whenever merchandise imported into the United States is entered by invoice, one of the following declarations, according to the nature of the case, shall be filed with the collector of the port, at the time of entry, by the owner, importer, consignee, or agent; which declaration so filed shall be duly signed by the owner, importer, consignee, or agent, before the collector, or before a notary public or other officer duly authorized by law to administer oaths and take acknowledgments, who may be designated by the Secretary of the Treasury to receive such declarations and to certify to the identity of the persons making them; and every officer so designated shall file with the collector of the port a copy of his official signature and seal: *Provided*, That if any of the invoices or bills of lading of any merchandise imported in any one vessel, which should otherwise be embraced in said entry, have not been received at the date of the entry, the declaration may state the fact, and thereupon such merchandise of which the invoices or bills of lading are not produced shall not be included in such entry, but may be entered subsequently.

"DECLARATION OF CONSIGNEE, IMPORTER, OR AGENT.

"I, ——— ———, do solemnly and truly declare that the invoice and bill of lading now presented by me to the collector of ——— are the true and only invoice and bill of lading by me received of all the goods, wares, and merchandise imported in the ———, whereof ——— ——— is master, from ———, for account of any person whomsoever for whom I am authorized to enter the same; that the said invoice and bill of lading are in the state in which they were actually received by me, and that I do not know nor believe in the existence of any other invoice or bill of lading of the said goods, wares, and merchandise; that the entry now delivered to the collector contains a just and true account of the said goods, wares, and merchandise, according to the said invoice and bill of lading; that nothing has been, on my part, nor to my knowledge on the part of any other person, concealed or suppressed, whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise; that the said invoice and the declaration therein are in all respects true, and were made by the person by whom the same purports to have been made; and that if at any time hereafter I discover any error in the said invoice, or in the account now rendered of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district. And I do further solemnly and truly declare that to the best of my knowledge and belief [here insert the name and residence of the owner or owners] is [or are] the owner [or owners] of the goods, wares, and merchandise mentioned in the annexed entry; that the invoice now produced by me exhibits the actual cost [if purchased] or fair market value [if otherwise obtained], at the time or times and place or places when or where procured [as the case may be], of the said goods, wares, and merchandise, including all cost for finishing said goods, wares, and merchandise to their present condition, and no other or different discount, bounty, or drawback but such as has been actually allowed on the same.

"DECLARATION OF OWNER IN CASES WHERE MERCHANDISE HAS BEEN ACTUALLY PURCHASED.

"I, ——— ———, do solemnly and truly declare that the entry now delivered by me to the collector of ——— contains a just and true account of all the goods, wares, and merchandise imported by or consigned to me, in the ———, whereof ——— ——— is master, from ———; that the invoice which I now produce contains a just and faithful account of the actual cost of the said goods, wares, and merchandise, including all cost of finishing said goods, wares, and merchandise to their present condition, and no other discount, drawback, or bounty but such as has been actually allowed on the same; that I do not know nor believe in the existence of any invoice or bill of lading other than those now produced by me, and that they are in the state in which I actually received them. And I further solemnly and truly declare that I have not in the said entry or invoice concealed or suppressed anything whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise; that the said invoice and the declaration thereon are in all respects true, and were made by the person by whom the same purports to have been made; and that if at any time hereafter I discover any error in the said invoice or in the account now produced of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district.

"DECLARATION OF MANUFACTURER OR OWNER IN CASES WHERE MERCHANDISE HAS NOT BEEN ACTUALLY PURCHASED.

"I, ——— ———, do solemnly and truly declare that the entry now delivered by me to the collector of ——— contains a just and true account of all the goods, wares, and merchandise imported by or consigned to me in the ———, whereof ——— ——— is master, from ———; that the said goods, wares, and merchandise were not actually bought by me, or by my agent, in the ordinary mode of bargain and sale, but that nevertheless the invoice which I now produce contains a just and faithful valuation of the same, at their fair market value, at the time or times and place or places when and where procured for my account [or for account of myself or partners]; that the said invoice contains also a just and faithful account of all the cost for finishing said goods, wares, and merchandise to their present condition, and no other discount, drawback, or bounty, but such as has been actually allowed on the said goods, wares, and merchandise; and the said invoice and the declaration thereon are in all respects true, and were made by the person by whom the same purports to have been made; that I do not know nor believe in the existence of any invoice or bill of lading other than those now produced by me, and that they are in the state in which I actually received them. And I do further solemnly and truly declare that I have not in the said entry or invoice concealed or suppressed anything whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise; and that if at any time hereafter I discover any error in the said invoice, or in the account now produced of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district."

SEC. 4. That any person who shall knowingly make any false or untrue statement in the declarations herein provided for, or shall aid or procure the making of any such false statement as to any matter material thereto, shall, on conviction thereof, be punished by a fine of not less than $2,000, and by imprisonment at hard labor not more than five years: *Provided*, That nothing in this section shall be construed to relieve imported merchandise from forfeiture for any cause elsewhere provided by law.

SEC. 5. That sections 2970 and 2983 of the Revised Statutes of the United States are hereby amended so that the same shall be, respectively, as follows:

"SEC. 2970. Any merchandise deposited in bond in any public or private bonded warehouse may be withdrawn for consumption within three years from the date of original importation, on payment of the duties and charges to which it may be subject by law at the time of such withdrawal: *Provided*, That nothing herein shall affect or impair existing provisions of law in regard to the disposal of perishable or explosive articles."

"SEC. 2983. In no case shall there be any abatement of the duties or allowance made for any injury, damage, or deterioration sustained by any merchandise while deposited in any public or private bonded warehouse: *Provided*, That the duty assessed on merchandise withdrawn from any such warehouse shall be assessed on the quantity withdrawn therefrom at the time of such withdrawal; but no greater allowance for leakage or evaporation of wines, liquors, and distilled spirits shall be made than is or may be allowed by law on domestic spirits or wines in bond: *And provided further*, That nothing in this section as amended shall restrict or in any way affect the liability of the proprietors of bonded warehouses on their bonds: *And provided further*, That nothing herein shall restrain or limit the exercise of the authority conferred on the Secretary of the Treasury by section 2984 of the Revised Statutes."

SEC. 6. That sections 2803 and 3058 of the Revised Statutes be amended to read as follows:

"SEC. 2803. Any baggage or personal effects arriving in the United States in transit to any foreign country may be delivered by the parties having it in charge to the collector of the proper district, to be by him retained, without the payment or exaction of any import duty, or to be forwarded by such collector to the collector of the port of departure, and to be delivered to such parties on their departure for their foreign destination, under such rules, regulations, and fees as the Secretary of the Treasury may prescribe."

"SEC. 3058. All merchandise imported into the United States shall, for the purpose of this title, be deemed and held to be the property of the person to whom the merchandise may be consigned; but the holder of any bill of lading consigned to order and properly indorsed shall be deemed the consignee thereof; and in case of the abandonment of any merchandise to the underwriters, the latter may be recognized as the consignee."

SEC. 7. That authority is hereby given to the Secretary of the Treasury, in his discretion, to dispense whenever expedient with the triplicate invoices and consular certificates now required by sections 2853, 2854, and 2855 of the Revised Statutes of the United States; and triplicate invoices and consular certificates shall in no case be required when the value of the merchandise shipped by any one consignor, in any one vessel, at one and the same time, does not exceed $100; and the Secretary of the Treasury, with the concurrence of the Secretary of State, is hereby authorized to make such general regulations in regard to invoices and consular certificates as in his judgment the public interest may require.

SEC. 8. That all fees exacted and oaths administered by officers of the customs, under or by virtue of existing laws of the United States, upon the entry of imported goods and the passing thereof through the customs, and also upon all entries of domestic goods, wares, and merchandise for exportation, be, and the same are hereby, abolished; and in case of entry of merchandise for exportation, a declaration, in lieu of an oath, shall be filed, in such form and under such regulations as may be prescribed by the Secretary of the Treasury; and the penalties for false statements in such declaration provided in the fourth section of this act shall be applicable to declarations made under this section: *Provided*, That where such fees, under existing laws, constitute, in whole or in part, the compensation of any officer, such officer shall receive, from and after the passage of this act, a fixed sum for each year equal to the amount of such compensation received by him for the fiscal year ended June 30, 1885, or a proportionate amount for any part of a year.

SEC. 9. That on all articles exported on and after the passage of this act, and entitled to drawback under sections 3019, 3020, and 3021 of the Revised Statutes of the United States, and under section 10 of the act of February 8, 1875, entitled "An act to amend existing customs and internal-revenue laws, and for other purposes," there shall be allowed a drawback equal to the duty paid on the materials named and described in said laws, without retention of any part thereof: *Provided, however*, That where the amount of drawback is less than $100, the fees of the United States consuls for certifying the foreign landing certificate shall not exceed 50 cents; and all provisions of law inconsistent herewith are hereby repealed.

SEC. 10. That section 2900 of the Revised Statutes be, and hereby is, amended so as to read as follows:

"SEC. 2900. The owner, consignee, or agent of any imported merchandise which has been actually purchased may, at the time, and not afterward, when he shall make and verify his written entry of his merchandise, make such addition in the entry to the cost or value given in the invoice, or *pro forma* invoice, or statement in form of an invoice, which he shall produce with his entry, as in his opinion may raise the same to the actual market value or wholesale price of such merchandise, at the period of exportation to the United States, in the principal markets of the country from which the same has been imported; and the collector within whose district any merchandise, whether the same has been actually purchased or procured otherwise than by purchase, may be imported or entered shall cause such actual market value or wholesale price thereof to be appraised; and if such appraised value shall exceed by 10 per

cent. or more the entered value, then, in addition to the duties imposed by law on the same, there shall be levied and collected a duty of 20 per cent. ad valorem on such appraised value. The duty shall not, however, be assessed upon an amount less than the invoice or entered value, except as elsewhere especially provided in this act."

SEC. 11. That section 2931 of the Revised Statutes be, and hereby is, amended so as to read as follows:

"SEC. 2931. The decision hereinafter described, of the collector of customs at the port of importation and entry, as to the rate and amount of duties to be paid on the tonnage of any vessel, or on any merchandise, and the dutiable costs and charges thereon, shall be final and conclusive against all persons interested in such vessel or merchandise, unless the owner, master, commander, or consignee of such vessel, in the case of duties levied on tonnage, or the owner, importer, consignee, or agent of the merchandise, in the case of duties levied on merchandise, or the costs and charges thereon, shall, within ten days after and not on any day before the ascertainment and liquidation of the duties by the proper officers of the customs, and a statement thereof, and of the date thereof, on the original entry, as well in cases of merchandise entered in bond as for consumption, give notice in writing to the collector, if dissatisfied with the aforesaid decision, setting forth therein, distinctly and specifically, and in respect to each entry, the reasons of his objection thereto, and shall also, within thirty days after the date of such ascertainment, liquidation, and statement, appeal therefrom to the Secretary of the Treasury, who, on receiving such appeal, shall forthwith call upon the collector for a report thereon; and the collector shall thereupon, if he adheres to his decision, set forth specifically and in detail to the Secretary, the reasons therefor; and the decision of the Secretary on such appeal shall be final and conclusive, and such vessel or merchandise, or costs and charges shall be liable to duty accordingly, unless suit shall be brought within ninety days after the decision of the Secretary of the Treasury on such appeal, for any duties which shall have been paid before the date of such decision on such vessel or on such merchandise, or costs and charges, or within ninety days after the payment of duties paid after the decision of the Secretary. No suit shall be begun or maintained for the recovery of any duties alleged to have been erroneously or illegally exacted until the decision of the Secretary of the Treasury shall have been first had on such appeal, unless the decision of the Secretary shall be delayed more than ninety days from the date of such appeal. A notice of such ascertainment, liquidation, and statement shall be posted, on the day succeeding the date thereof, in a conspicuous place in the custom-house, accessible to the public, there to remain for ten days, when it shall be removed. The fact of its having been posted shall be noted thereon, signed by the proper officer, and filed with the records of the collector's office; and posting of such notice shall be deemed and taken to be full notice to all parties interested. Whenever there shall, subject always to section 21 of the act of June 22, 1874 (chapter 391), be an amended liquidation or reliquidation, personal notice thereof, in addition to the public notice herein prescribed, shall, in the form and manner to be prescribed by the Secretary of the Treasury, be given to the person or persons who shall have made the original entry; and any such amended liquidation or reliquidation shall be final and conclusive in the same manner as an original liquidation herein referred to, unless the provisions of this section shall have been complied with as to protest, appeal, and suit. And when a suit shall be brought by the United States to recover the additional duties found due on any ascertainment and liquidation thereof, and not paid, the defendant or defendants shall not be permitted to set up any plea or matter in defense excepting such as shall have been set forth in a protest and appeal made as herein prescribed."

SEC. 12. That the section of the Revised Statutes numbered 3012 shall be, and hereby is, amended by adding at the end of said section the following words:

"And there shall be attached to the said bill of particulars, when served as aforesaid, a copy of each and every such protest or notice of dissatisfaction, and of every appeal relied upon by the plaintiff or plaintiffs in said suit; and the said bill of particulars shall declare the date of liquidation."

SEC. 13. That no suit which by this act, or by any law of the United States, is permitted to be begun against a collector of customs to recover money alleged to have been illegally exacted by him on imported merchandise, shall hereafter be begun or maintained in any court of any State of the United States, but each and every such suit shall be begun in the circuit court of the United States for the district in which such alleged illegal exaction shall have been made.

SEC. 14. That section 3012½ of the Revised Statutes shall be, and hereby is, amended so as to read as follows:

"Whenever it shall be shown to the satisfaction of the Secretary of the Treasury (first) that, in any case of unascertained or estimated duties, more money has been paid to or deposited with a collector of customs than it has been ascertained by final liquidations thereof that the law required to be paid or deposited; and also (second) whenever the Secretary of the Treasury shall have decided, on an appeal to him as herein provided, that more money has been paid to or deposited with a collector of customs than the law required; and also (third) whenever any judgment shall have been recovered and entered, in any court of the United States, against a collector of customs, for duties illegally exacted by him on imported merchandise, and a certificate of probable cause shall have been entered in said suit, in compliance with the provisions and requirements of section 989 of the Revised Statutes, from which judgment the Attorney-General shall certify, in conformity with the act of March 3, 1875, (chapter 136), that no appeal or writ of error will be taken by the United States, and from which judgment the Secretary of the Treasury shall also be satisfied that no such appeal or writ of error ought to be taken; and also (fourth) whenever any suit or suits have been begun against a collector of customs to recover money exacted by him and paid under protest, and an appeal, as required by law at the time of importation, and a bill of particulars has been served therein on the defendant or his attorney, as required by such law, and when by the legal effect of any judgment of a court of the United States, satisfactory to the Attorney-General and the Secretary of the Treasury as aforesaid, the said exaction of such duties shall have been declared illegal, and protests, appeals, and bills of particulars have been made according to the law in force at the time of importation, and the proper officers of the customs shall, under the instructions of the Secretary of the Treasury, have reliquidated the entries covered by said suit or suits and bill or bills of particulars, according to the principles and rules of law prescribed by said judgment, and the district attorney appearing of record for the defendant shall certify that such suits have been discontinued, the Secretary of the Treasury shall, in each and all of the before-mentioned cases, always excepting judgments or 'judgment cases' in suits commonly known as 'charges and commission' suits, which last named shall only be paid in pursuance of a specific appropriation therefor, draw his warrant upon the Treasurer in favor of the person or persons entitled to the overpayment, or the sum expressed in said judgment, or the sum thus found due on reliquidation of the entries in discontinued suits, including interest and costs payable by law, directing the Treasurer to refund and pay the same out of any money in the Treasury not otherwise appropriated. The necessary moneys therefor are hereby appropriated, and this appropriation shall be deemed a permanent indefinite appropriation."

SEC. 15. That section 2927 of the Revised Statutes is hereby amended by the addition of the following words thereto:

"No allowances for damage to fruits or other perishable goods, wares, and merchandise imported into the United States shall hereafter be allowed in the estimation of duties thereon, except as to seeds and such other commodities as in the judgment of the Secretary of the Treasury do not admit of convenient separation by package or piece; but the importer thereof may abandon to the Government all or any portion of goods, wares, and merchandise of the character last mentioned included in any invoice, and be relieved from the payment of the duties on the portion so abandoned: *Provided*, That the portion so abandoned shall amount to 10 per cent. or over of the total value of the invoice."

SEC. 16. That section 29 of the act entitled "An act to remove certain burdens on the American merchant marine and encourage the American foreign carrying trade, and for other purposes," approved June 26, 1884, is hereby amended by striking out in the first line thereof the word "seventy-six," and inserting in lieu thereof the word "seventy;" so that that part of said section preceding the word "provided" shall read: "Section 2779 of the Revised Statutes is hereby amended by adding thereto the following."

SEC. 17. That any person who shall give, or offer to give, or promise to give any money or thing of value, directly or indirectly, to any customs officer, in consideration of or for any act or omission contrary to law in connection with or pertaining to the importation, appraisement, entry, examination, or inspection of goods, wares, or merchandise, including herein any baggage, shall, on conviction thereof, be fined not less that $100 nor more than $5,000 or be imprisoned at hard labor not more than two years, or both.

SEC. 18. That any officer of the customs who shall demand, exact, or receive from any person, directly or indirectly, any money or thing of value, in consideration of or for any act or omission contrary to law in connection with or pertaining to the importation, appraisement, entry, examination, or inspection of goods, wares, or merchandise, including herein any baggage, on conviction thereof shall be fined not less than $100 nor more than $5,000, or be imprisoned at hard labor not more than two years, or both; and for the purpose of constituting an offense under sections 15 and 16 of this act, the giving or offering to give, and the receiving, of any money or thing of value shall be regarded as *prima facie* evidence.

SEC. 19. That section 12 of the act entitled "An act to amend the customs-revenue laws and to repeal moieties," approved June 22, 1874, be amended so that it shall read as follows:

"SEC. 12. That any owner, importer, consignee, agent, or other person who shall, with intent to defraud the revenue, make or attempt to make any entry of imported merchandise by means of any fraudulent or false invoice, affidavit, letter, or paper, or by means of any false statement, written or verbal, or who shall be guilty of any willful act or omission by means whereof the United States shall be deprived of the lawful duties, or any portion thereof, accruing upon the merchandise, or any portion thereof, embraced or referred to in such invoice, affidavit, letter, paper, or statement, or affected by such act or omission, shall for each offense be fined in any sum not exceeding $5,000 nor less than $50, or be imprisoned for any time not exceeding two years, or both; and, in addition to such fine, such merchandise, or the value thereof, shall be forfeited, which forfeiture shall only apply to the whole of the merchandise in the case or package containing the particular article or articles of merchandise to which such fraud or alleged fraud relates; and anything contained in any act which provides for the forfeiture or confiscation of an entire invoice in consequence of any item or items contained in the same being undervalued be, and the same is hereby, repealed."

SEC. 20. That all imported goods, wares, and merchandise which may be in the public stores or bonded warehouses or on shipboard within the limits of any port of entry, or remaining in the customs offices, on the day and year when this act, or any provision thereof, shall go into effect, except as otherwise provided in this act, shall be subjected to no other duty, upon the entry thereof for consumption, than if the same were imported respectively after that day; and all goods, wares, and merchandise remaining in bonded warehouses on the day and year this act, or any provision thereof, shall take effect, and upon which the duties shall have been paid, shall be entitled to a refund of the difference between the amount of duties paid and the amount of duties said goods, wares, and merchandise would be subject to if the same were imported respectively after that date.

SEC. 21. That sections 3011 and 3013 of the Revised Statutes be, and hereby are, repealed as to all importations made after the date of this act; and all laws and parts of laws inconsistent with the other requirements and provisions of this act are also hereby repealed.

### CONTRACTS OF INDIANS WITH CITIZENS.

Mr. O'NEILL, of Missouri, by unanimous consent, introduced a bill (H. R. 6184) authorizing Cherokee, Choctaw, Chickasaw, Creek, and Seminole Indians to enter into contracts with citizens of the United States; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

### CIVIL EMPLOYMENT OF ENLISTED MEN.

Mr. O'NEILL, of Missouri, also introduced a joint resolution (H. Res. 99) in reference to the employment of enlisted men in competition with local civilians; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

### WITHDRAWAL OF PAPERS.

Mr. GEAR, by unanimous consent, obtained leave to withdraw from the files of the House, upon leaving a copy, the memorial of George E. Ives, asking that the pension allowed him may in part be continued to his stepmother, Laura J. Ives, after his death.

### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. KELLEY, for one week from the 28th instant.

To Mr. FRENCH, for three days, on account of important business.

To Mr. GLOVER, for one week, on account of important business.

To Mr. BROWER, for seven days, on account of important business.

To Mr. FORAN, indefinitely, on account of sickness.

And then, on motion of Mr. RANDALL (at 4 o'clock and 20 minutes p. m.), the House adjourned.

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### PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred as indicated below:

By Mr. WHEELER: A bill (H. R. 6185) for the relief of T. C. Greenhill—to the Committee on War Claims.

By Mr. VANCE: A bill (H. R. 6186) for the relief of the towns of Windsor and South Windsor on account of damage done to Bissell's Ferry—to the Committee on Claims.

By Mr. PENINGTON: A bill (H. R. 6187) for the relief of Charles Gallagher—to the Committee on War Claims.

By Mr. NORWOOD: A bill (H. R. 6188) for the relief of James E. Walter—to the Committee on Claims.

By Mr. CLEMENTS: A bill (H. R. 6189) for the relief of the trustees of the Presbyterian Church in Marietta, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 6190) for the relief of the trustees of the Catholic Church at Dalton, Ga.—to the Committee on War Claims.

By Mr. J. D. STEWART: A bill (H. R. 6191) for the relief of Ambrose Chewning—to the Committee on War Claims.

By Mr. BLOUNT: A bill (H. R. 6192) for the relief of the widow and devisees of O. W. Massey, deceased—to the Committee on Patents.

By Mr. G. A. ANDERSON: A bill (H. R. 6193) for the relief of Edson Saxberry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6194) granting a pension to Amos W. Bagley—to the Committee on Invalid Pensions.

By Mr. MASON: A bill (H. R. 6195) for the relief of John C. Phillips—to the Committee on Military Affairs.

Also, a bill (H. R. 6196) for the relief of Sidney W. Sea—to the Committee on Military Affairs.

Also, a bill (H. R. 6197) for the relief of Georgette E. Wilkinson—to the Committee on War Claims.

Also, a bill (H. R. 6198) for the relief of Peter Casey—to the Committee on Military Affairs.

By Mr. HOWARD: A bill (H. R. 6199) for the relief of William C. Dodge—to the Committee on Patents.

By Mr. T. M. BROWNE: A bill (H. R. 6200) for the relief of Joseph A. Darnell—to the Committee on Military Affairs.

Also, a bill (H. R. 6201) granting a pension to John Robeson—to the Committee on Invalid Pensions.

By Mr. MASON: A bill (H. R. 6202) granting a pension to Darwin H. Hamilton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6203) to increase the pension of Alexander Weide—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6204) to increase the pension of Charles Atkinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6205) granting to Stephen H. Losee an honorable discharge from military service, dating as from June 28, 1864—to the Committee on Military Affairs.

Also, a bill (H. R. 6206) for the relief of William L. Orr—to the Committee on Claims.

Also, a bill (H. R. 6207) for the relief of the owners and occupants of Camp Tyler, in Cook County, Illinois—to the Committee on Military Affairs.

By Mr. STEELE: A bill (H. R. 6208) for the relief of Arthur T. Osborn—to the Committee on War Claims.

By Mr. RYAN: A bill (H. R. 6209) for the relief of Abram Jones—to the Committee on War Claims.

By Mr. FUNSTON: A bill (H. R. 6210) for the relief of John A. Huff—to the Committee on War Claims.

Also, a bill (H. R. 6211) to increase the pension of Henry C. Jay—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 6212) granting a pension to Mrs. Mary A. Hooper—to the Committee on Invalid Pensions.

By Mr. E. J. TURNER: A bill (H. R. 6213) granting a pension to Robert M. Fraker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6214) granting a pension to Jane Boswell Moore Bristor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6215) granting a pension to Mary J. Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6216) granting a pension to John G. Banks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6217) to relinquish the interest of the United States in certain lands in Kansas—to the Committee on the Public Lands.

By Mr. CARUTH: A bill (H. R. 6218) granting a pension to Sophronia Speed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6219) granting a pension to Mary Griffiths—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6220) granting a pension to John Taaffe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6221) for the relief of the estate of Lucy A. Barker—to the Committee on War Claims.

Also, a bill (H. R. 6222) for the relief of Joseph Werner—to the Committee on War Claims.

Also, a bill (H. R. 6223) for the relief of Henry O'Neal—to the Committee on War Claims.

Also, a bill (H. R. 6224) for the relief of George W. Ewing—to the Committee on War Claims.

By Mr. HUNTER: A bill (H. R. 6225) granting a pension to Mrs. Nancy Ann Proffitt, Flippin, Monroe County, Kentucky—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6226) granting a pension to John W. Newman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6227) for the relief of William A. Walthall—to the Committee on War Claims.

Also, a bill (H. R. 6228) for the relief of J. A. B. Huddleston—to the Committee on War Claims.

Also, a bill (H. R. 6229) for the relief of William H. Wheelen—to the Committee on War Claims.

Also, a bill (H. R. 6230) for the relief of James Fuqua—to the Committee on War Claims.

Also, a bill (H. R. 6231) for the relief of B. F. Proctor—to the Committee on War Claims.

Also, a bill (H. R. 6232) for the relief of Nancy G. Alexander—to the Committee on War Claims.

Also, a bill (H. R. 6233) for the relief of Jesse Coe—to the Committee on War Claims.

Also, a bill (H. R. 6234) for the relief of James T. Ashinhurst—to the Committee on War Claims.

Also, a bill (H. R. 6235) for the relief of Silas H. Clark—to the Committee on War Claims.

Also, a bill (H. R. 6236) for the relief of W. A. McElwain—to the Committee on War Claims.

Also, a bill (H. R. 6237) for the relief of Thomas B. Gossom, administrator—to the Committee on War Claims.

Also, a bill (H. R. 6238) for the relief of James F. Ewing—to the Committee on War Claims.

Also, a bill (H. R. 6239) for the relief of George W. Gray—to the Committee on War Claims.

Also, a bill (H. R. 6240) for the relief of B. S. Bevier—to the Committee on War Claims.

Also, a bill (H. R. 6241) for the relief of John E. Reno—to the Committee on War Claims.

By Mr. FINLEY: A bill (H. R. 6242) for the relief of C. T. Dillingham—to the Committee on War Claims.

Also, a bill (H. R. 6243) for the relief of Conrad Claycomb—to the Committee on War Claims.

Also, a bill (H. R. 6244) for the relief of Mrs. Mary F. Coffey—to the Committee on War Claims.

Also, a bill (H. R. 6245) for the relief of William Burk—to the Committee on War Claims.

By Mr. STONE, of Kentucky: A bill (H. R. 6246) for the relief of Samuel Fels—to the Committee on War Claims.

By Mr. HUNTER: A bill (H. R. 6247) for the relief of Robert D. Salmons—to the Committee on War Claims.

By Mr. McCREARY: A bill (H. R. 6248) for the relief of Mrs. Louisa Jackman, and the legal representatives of Mrs. Martha Vaughn—to the Committee on Claims.

Also, a bill (H. R. 6249) for the relief of James M. and Thomas H. Gray—to the Committee on War Claims.

Also, a bill (H. R. 6250) for the relief of James M. Bullock—to the Committee on War Claims.

Also, a bill (H. R. 6251) for the relief of Sallie Ann Higgins—to the Committee on War Claims.

Also, a bill (H. R. 6252) for the relief of Abijah B. Gilbert—to the Committee on War Claims.

Also, a bill (H. R. 6253) for the relief of J. D. McKenzie—to the Committee on War Claims.

Also, a bill (H. R. 6254) granting a pension to Eugene Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6255) granting a pension to Rachel Robbins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6256) granting a pension to Adam Petry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6257) to place the name of George Lackey on the penson-roll—to the Committee on Invalid Pensions.

By Mr. STONE, of Kentucky: A bill (H. R. 6258) for the relief of W. R. Hughey—to the Committee on War Claims.

Also, a bill (H. R. 6259) making an appropriation for the improvement of rivers and harbors in the State of Kentucky and for other purposes—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 6260) for the relief of certain officers and enlisted men of the Army for services actually performed during the rebellion—to the Committee on War Claims.

By Mr. G. M. THOMAS: A bill (H. R. 6261) for the relief of George W. Everman—to the Committee on War Claims.

Also, a bill (H. R. 6262) for the relief of William Hyden—to the Committee on Invalid Pensions.

By Mr. BLANCHARD: A bill (H. R. 6263) to increase the rank of Maj. Joseph B. Collins, United States Army, retired—to the Committee on Military Affairs.

By Mr. COMPTON: A bill (H. R. 6264) to incorporate the Washington and Highlands Street Railway Company of the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 6265) for the relief of the Union Methodist Episcopal Church, of Washington, D. C.—to the Committee on the District of Columbia.

Also, a bill (H. R. 6266) for the relief of the heirs of J. W. J. Moore—to the Committee on War Claims.

By Mr. GIBSON: A bill (H. R. 6267) for the relief of John T. Simpson—to the Committee on Invalid Pensions.

By Mr. LODGE: A bill (H. R. 6268) granting a pension to Mabelle R. Bulkley—to the Committee on Invalid Pensions.

By Mr. FISHER: A bill (H. R. 6269) granting relief to William Emmert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6270) granting a pension to William R. Keef—to the Committee on Invalid Pensions.

By Mr. BURROWS: A bill (H. R. 6271) for the relief of Daniel Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6272) for the relief of Robert Park—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6273) for the relief of Hiram Chilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6274) for the relief of Alonzo F. Wescott—to the Committee on Invalid Pensions.

By Mr. CHIPMAN: A bill (H. R. 6275) for the relief of John Ghiskie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6276) for the relief of Moses Bell—to the Committee on Military Affairs.

By Mr. O'DONNELL: A bill (H. R. 6277) granting a pension to Michael Grace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6278) granting a pension to Ann Coffield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6279) granting a pension to Charlotte Cheney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6280) granting a pension to Seymour Fox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6281) for the relief of Elizabeth Davy—to the Committee on Military Affairs.

Also, a bill (H. R. 6282) for the relief of Daniel A. Denison—to the Committee on Military Affairs.

Also, a bill (H. R. 6283) for the relief of Joseph N. Turner—to the Committee on Military Affairs.

Also, a bill (H. R. 6284) affirming the action of the President of the United States in annulling and revoking an order dismissing Martin H. McChesney from service in the Army of the United States, and honorably discharging said McChesney from said service—to the Committee on Military Affairs.

Also, a bill (H. R. 6285) for the relief of Mary A. Lee—to the Committee on Military Affairs.

By Mr. RICE: A bill (H. R. 6286) granting to the city of Minneapolis, Minn., certain described tracts of land bordering on Nicollet Island—to the Committee on the Public Lands.

Also, a bill (H. R. 6287) for the relief of Nathan Butler—to the Committee on War Claims.

Also, a bill (H. R. 6288) granting a pension to Pierre Bottineau—to the Committee on Pensions.

By Mr. VOORHEES: A bill (H. R. 6289) granting an increase of pension to Kate K. Whittlesey—to the Committee on Invalid Pensions.

By Mr. STOCKDALE: A bill (H. R. 6290) for the relief of Mary M. St. John—to the Committee on Invalid Pensions.

By Mr. J. M. ALLEN: A bill (H. R. 6291) for the relief of R. S. Stanley, postmaster at Booneville, Miss.—to the Committee on Claims.

By Mr. CATCHINGS: A bill (H. R. 6292) for the relief of the heirs of Patrick A. Kearney—to the Committee on War Claims.

Also, a bill (H. R. 6293) for the relief of Harriet Miles—to the Committee on War Claims.

By Mr. WARNER: A bill (H. R. 6294) to place the name of William H. Faulkner on the pension-rolls—to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 6295) for the relief of Nancy M. Murphy—to the Committee on War Claims.

By Mr. BURNES: A bill (H. R. 6296) for the relief of Montgomery Patton—to the Committee on War Claims.

By Mr. MANSUR: A bill (H. R. 6297) for the relief of Hamilton Crews—to the Committee on War Claims.

Also, a bill (H. R. 6298) for the relief of John T. Johnston—to the Committee on Claims.

By Mr. J. J. O'NEILL: A bill (H. R. 6299) directing the Secretary of War to issue an honorable discharge to John Reilly—to the Committee on Military Affairs.

By Mr. DOCKERY: A bill (H. R. 6300) granting a pension to Samson M. David—to the Committee on Invalid Pensions.

By Mr. LAIRD: A bill (H. R. 6301) granting a pension to William A. Bacon—to the Committee on Invalid Pensions.

By Mr. DORSEY: A bill (H. R. 6302) granting a pension to Benjamin Contel—to the Committee on Invalid Pensions.

By Mr. McSHANE: A bill (H. R. 6303) for the relief of Tobias Castor—to the Select Committee on Indian Depredation Claims.

By Mr. STONE, of Kentucky: A bill (H. R. 6304) for the relief of M. L. Scott—to the Committee on War Claims.

By Mr. McSHANE: A bill (H. R. 6305) to remove the charge of desertion from the military record of George W. Madden—to the Committee on Military Affairs.

By Mr. T. J. CAMPBELL: A bill (H. R. 6306) to incorporate the People's Passenger Cable Railway Company of the District of Columbia—to the Committee on the District of Columbia.

By Mr. HIRES: A bill (H. R. 6307) granting a pension to Sarah A. Corson—to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 6308) providing for the issuing of an American register to the Canadian-built sloop Home by the name of New Home—to the Committee on Commerce.

Also, a bill (H. R. 6309) for the relief of Mary A. Covey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6310) for the relief of Harvey Daniels—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6311) for the relief of James D. Dardis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6312) granting a pension to Caroline Jewett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6313) granting a pension to J. K. Parker—to the Committee on Invalid Pensions.

By Mr. DAVENPORT: A bill (H. R. 6314) granting a pension to Lyman D. Green—to the Committee on Invalid Pensions.

By Mr. C. S. BAKER: A bill (H. R. 6315) for the relief of certain members of Company I, Thirteenth Regiment New York Volunteers—to the Committee on Military Affairs.

By Mr. BLISS: A bill (H. R. 6316) for the relief of John Wallace—to the Committee on Claims.

By Mr. COCKRAN: A bill (H. R. 6317) for the relief of Mary H. Nicholson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6318) for the relief of the Provincial Monastery of the Good Shepherd, East Ninetieth street, New York City—to the Committee on Appropriations.

By Mr. GREENMAN: A bill (H. R. 6319) to increase pension of Mrs. Caroline M. Norton—to the Committee on Invalid Pensions.

By Mr. HERBERT: A bill (H. R. 6320) to authorize the retirement of Pay Inspector Luther G. Billings, United States Navy—to the Committee on Naval Affairs.

By Mr. WILLIAMS: A bill (H. R. 6321) granting a pension to H. J. Peter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6322) for the relief of John R. Reynolds—to the Committee on War Claims.

Also, a bill (H. R. 6323) for the relief of Alexander M. Whittaker—to the Committee on Military Affairs.

Also, a bill (H. R. 6324) for the relief of Benjamin F. Shinn—to the Committee on Military Affairs.

Also, a bill (H. R. 6325) granting an honorable discharge to Charles Doenhardt—to the Committee on Military Affairs.

Also, a bill (H. R. 6326) to place the name of Antony Terwest on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6327) to place the name of Thomas J. Scott on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6328) to place the name of William Banner on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6329) to place the name of John G. Baxter on the pension-roll—to the Committee on Invalid Pensions.

By Mr. ROMEIS: A bill (H. R. 6330) granting a pension to Henry Deselms—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6331) for the relief of Daniel H. Nye—to the Committee on Military Affairs.

Also, a bill (H. R. 6332) to remove the charge of desertion against Jacob Rahm—to the Committee on Military Affairs.

By Mr. BOOTHMAN: A bill (H. R. 6333) to relieve A. J. Point of the charge of desertion—to the Committee on Military Affairs.

By Mr. CROUSE: A bill (H. R. 6334) for the relief of Isaac Roshon—to the Committee on Invalid Pensions.

By Mr. BUTTERWORTH: A bill (H. R. 6335) for the relief of the estate of Mrs. J. M. Messick—to the Committee on War Claims.

By Mr. RANDALL: A bill (H. R. 6336) for the relief of the estate of Richard W. Meade, deceased—to the Committee on Claims.

Also, a bill (H. R. 6337) referring the claims of J. F. Bailey & Co. and others to the Court of Claims—to the Committee on Claims.

By Mr. BAYNE: A bill (H. R. 6338) granting a pension to Fredolin Beck—to the Committee on Invalid Pensions.

By Mr. SCOTT: A bill (H. R. 6339) for increase of pension to Mrs. Sarah R. Bleecker—to the Committee on Pensions.

By Mr. MAISH: A bill (H. R. 6340) enlarging the powers of the Columbia Title Insurance Company of the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

By Mr. JACKSON: A bill (H. R. 6341) to correct the military record of George Haskin—to the Committee on Military Affairs.

By Mr. BUTLER: A bill (H. R. 6342) for the relief of John M. Hartman, of Tennessee—to the Committee on Military Affairs.

Also, a bill (H. R. 6343) to increase the pension of Namy Rains, the oldest Revolutionary pensioner on the rolls, she being nearly ninety-six years of age—to the Committee on Pensions.

Also, a bill (H. R. 6344) granting a pension to William J. Tonery, of Tennessee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6345) granting a pension to John W. Mink—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6346) for the relief of Perez Dickinson, surviving partner of Coman & Dickinson—to the Committee on Claims.

By Mr. RICHARDSON: A bill (H. R. 6347) for the relief of Alexander Moffitt—to the Committee on War Claims.

Also, a bill (H. R. 6348) for the relief of Mrs. Ellen P. Malloy—to the Committee on War Claims.

By Mr. GLASS: A bill (H. R. 6349) to remove the charge of desertion from W. A. Jackson—to the Committee on Military Affairs.

By Mr. WHITTHORNE: A bill (H. R. 6350) for the relief of Margaret Kennedy—to the Committee on War Claims.

By Mr. GAINES: A bill (H. R. 6351) for the relief of Reuben Ragland—to the Committee on Claims.

Also, a bill (H. R. 6352) for the relief of William B. Fucks—to the Committee on War Claims.

By Mr. LEE: A bill (H. R. 6353) for the relief of the Protestant Episcopal Theological Seminary and High School of Virginia—to the Committee on War Claims.

By Mr. GUENTHER: A bill (H. R. 6354) for the relief of Edwin De Leon—to the Committee on Foreign Affairs.

Also, a bill (H. R. 6355) for the relief of Edwin De Leon—to the Committee on Foreign Affairs.

By Mr. O. B. THOMAS: A bill (H. R. 6356) to appropriate to Catherine Sullivan, widow of Patrick Sullivan, deceased, a sum of money therein named in payment for services rendered by the said Patrick Sullivan in the war of the rebellion—to the Committee on War Claims.

By Mr. HOGG: A bill (H. R. 6357) to aid the Temperance Home, in the District of Columbia, for soldiers, sailors, and civilians—to the Committee on the District of Columbia.

By Mr. M. A. SMITH: A bill (H. R. 6358) for the relief of Dr. J. H. Taggart—to the Committee on Claims.

Also, a bill (H. R. 6359) for the relief of Dr. Warren E. Day—to the Committee on Claims.

By Mr. JOSEPH: A bill (H. R. 6360) for the relief of Augustin Lacome & Brother—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 6361) for the relief of Manuel Silva—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 6362) to confirm a certain private land claim in the Territory of New Mexico—to the Committee on Private Land Claims.

By Mr. ERMENTROUT: A joint resolution (H. Res. 100) authorizing acceptance by Dr. W. J. Hoffman of certain decorations from foreign powers—to the Committee on Foreign Affairs.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. ADAMS: Memorial of manufacturers of baking powders of Chicago, for a reduction in the duty on cream of tartar, etc.—to the Committee on Ways and Means.

By Mr. C. H. ALLEN: Petition of Hugh O'Brien, mayor of Boston, Mass., and 825 merchants, lawyers, publishers, and other citizens of that city, for the classification of clerks in first-class post-offices—to the Committee on the Post-Office and Post-Roads.

Also, petition of Samuel Winslow, mayor of Worcester, Mass., and 250 other citizens, for the same—to the Committee on the Post-Office and Post Roads.

By Mr. E. P. ALLEN: Petition of the Society of Friends of the United States, in favor of international arbitration—to the Committee on Foreign Affairs.

Also, petition of A. G. P. Brown and 5,300 others, deaf or partially deaf soldiers, for a law rating deafness as high as other disabilities no more severe—to the Committee on Invalid Pensions.

By Mr. A. R. ANDERSON: Memorial for increase of pension in case of deafness, from William Simmons, secretary National Association Naval Veterans, and others—to the Committee on Invalid Pensions.

By Mr. G. A. ANDERSON: Petition of the Grand Lodge of Good Templars of Illinois, representing 10,000 members, for a national commission of inquiry concerning the alcoholic liquor traffic—to the Select Committee on the Alcoholic Liquor Traffic.

Also, petition of Edson Saxberry, late Company C, Ninety-ninth Illinois Volunteers, for a pension—to the Committee on Invalid Pensions.

By Mr. ATKINSON: Petition of A. E. Bergstresser, for reference of the claim of Foster M. Bergstresser to the Court of Claims—to the Committee on War Claims.

By Mr. C. S. BAKER: Petition of the late members of Company I, Thirteenth Regiment of New York Volunteers, for the passage of an act placing said company on an equality with the original companies of said regiment as to bounty-money—to the Committee on Military Affairs.

By Mr. BAYNE: Petition of Freddin Beck, for original pension—to the Committee on Invalid Pensions.

By Mr. BLANCHARD: Papers in the claim of Margaret Fuhr—to the Committee on Claims.

By Mr. BLAND: Petition of John W. Reid, for removal of charge of desertion—to the Committee on Military Affairs.

By Mr. BLISS: Petition of Thomas McDonald, of Brooklyn, N. Y., for a pension—to the Committee on Pensions.

By Mr. BOOTHMAN: Petition of Phelps Command, No. 4, Union Veterans' Union, of Defiance, Ohio, relating to pensions, etc.—to the Committee on Invalid Pensions.

By Mr. C. R. BRECKINRIDGE: Petition of Lucinda Berry, for a special-act pension—to the Committee on Invalid Pensions.

Also, petition of H. H. O'Neal, of Jefferson County, Arkansas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. BREWER: Petition of 70 members of Gilluly Post, Grand Army of the Republic, of Fowlerville, Mich., for certain pension legislation—to the Committee on Invalid Pensions.

By Mr. BUCHANAN: Petition of citizens of Trenton, N. J., for increase of pay for postal clerks—to the Committee on the Post-Office and Post-Roads.

By Mr. BUNNELL: Petition of citizens of Susquehanna County, Pennsylvania, protesting against the admission of Utah as a State with polygamy—to the Committee on the Territories.

Also, memorial of the Society of Friends, of Richmond, Ind., for international arbitration—to the Committee on Foreign Affairs.

By Mr. BURROWS: Petition for the establishment of postal telegraphy—to the Committee on the Post-Office and Post-Roads.

By Mr. BUTLER: Petition of James McClure, of Hawkins County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, petition of George W. Pierce, jr., and of David P. Hume, of Jefferson County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. CAINE: Petition of the Woman's Christian Temperance Union of Utah, signed by the officers representing 150 members, for a national commission of inquiry concerning the alcoholic liquor traffic—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. CARUTH: Petition of John B. Bland, and of Archibald C. Hay, of Jefferson County, Kentucky, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, papers in the claim of estate of Lucy A. Basher, of Joseph Werner, of Henry O'Neal, and of George W. Ewing—to the Committee on War Claims.

Also, papers relating to the contested-election claim of Samuel McKee—to the Committee on Elections.

Also, papers relating to the pension claim of Priscilla Prince—to the Committee on Invalid Pensions.

Also, papers relating to the building of an annex to, and improving, the present public building at Louisville, Ky.—to the Committee on Public Buildings and Grounds.

Also, papers in the case of Sophronia Speed—to the Committee on Invalid Pensions.

By Mr. CASWELL: Petition of Edward D. Eaton, president, and H. M. Whiting and others, professors of Beloit College, Wisconsin, for an international copyright law—to the Committee on Patents.

By Mr. CHIPMAN: Petition of Moses Bell, private Company B, Twenty-seventh Michigan Infantry Volunteers, for relief—to the Committee on Military Affairs.

By Mr. CLARDY: Petition of the plate-glass workers of Crystal City, Mo., for the retention of the duty on plate-glass—to the Committee on Ways and Means.

Also, protest of the Cigar-Makers' Union of St. Louis, Mo., against the repeal of the revenue tax on cigars—to the Committee on Ways and Means.

By Mr. COBB: Petition of C. R. Wheat, administratrix of Moses K. Wheat, of Macon County, Alabama, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. COMPTON: Petition of the attendants of the Hospital for the Insane, for relief—to the Committee on Labor.

Also, petition for the enactment of an international copyright law—to the Committee on Patents.

By Mr. CONGER: Memorial of the members of the Silent Army of Deaf Soldiers, Sailors, and Marines, for increase of pension now allowed for deafness—to the Committee on Invalid Pensions.

By Mr. CUTCHEON: Resolutions of the Board of Trade of Detroit, Mich., relative to the naval reserve—to the Committee on Naval Affairs.

By Mr. DALZELL: Petition of the Western University of Pennsylvania, in favor of international copyright—to the Committee on Patents.

By Mr. DAVIS: Resolutions of the New Bedford (Mass.) Board of Trade, on the adulteration of lard—to the Committee on Agriculture.

Also, memorial of Samuel Osborn, jr., and 236 others, citizens of Edgartown, Mass., in favor of the improvement of that harbor—to the Committee on Rivers and Harbors.

Also, petition of the Sons of Temperance of Massachusetts for a national commission of inquiry concerning the alcoholic liquor traffic—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. DOCKERY: Petition of citizens of Gentry County, Missouri, for a pension for Samson M. David—to the Committee on Invalid Pensions.

By Mr. DORSEY: Petition of citizens of Washington County, Nebraska, for a service pension to Capt. Benjamin Contel—to the Committee on Invalid Pensions.

By Mr. ERMENTROUT: Memorial of clerks in the post-office at Hamburgh, Berks County, Pennsylvania, for the passage of the bill to provide for the classification of clerks in first-class post-offices, and for fixing the salaries of same—to the Committee on the Post-Office and Post-Roads.

By Mr. FELTON: Petition for the allowance of drawbacks on the re-exportation of imported bottles, corks, etc., by bottlers of domestic beer, wine, and brandy—to the Committee on Ways and Means.

By Mr. FINLEY: Petition of Coleman F. Brown, and of William Barnett, of Green County; of executor of Amanda Goggin, and of George W. Saunders, of Pulaski County; of Thomas J. Whitman, of Elizabeth M. Patterson, of James T. Brown, and of John T. S. Brown, of Hart County, and of administrator of John Wilson, of Creed C. Chitwood, of William Whitney, administrator of William Fitzpatriek, of William F. Dodd, and of estate of Maria L. Proctor, of Barren County, Kentucky, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. FISHER: Petition of William Emmert, Company E, One hundred and seventh Regiment Ohio Volunteers, for relief—to the Committee on Invalid Pensions.

Also, petition of Lem. Pembleton and 85 others, of Michigan, opposing the admission of Utah as a State—to the Committee on the Territories.

By Mr. FORNEY: Petition of Robert Pruitt, of Calhoun County, Alabama, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. FUNSTON: Petition of J. M. Sullivan and others of Baldwin, Kans., for an increase of the pension of Henry C. Jay—to the Committee on Invalid Pensions.

Also, petition of the faculty of the State University, of Lawrence, Kans., for international copyright law—to the Committee on Patents.

By Mr. GAINES: Petition of D. Alton & Co., S. J. Hurt, W. D. Barkley, and others, of Petersburgh, Va., asking that salt be placed on the free-list—to the Committee on Ways and Means.

By Mr. GEAR: Protest of Cigar Makers' Union of Burlington, Iowa, against the repeal of the internal-revenue law—to the Committee on Ways and Means.

By Mr. GLASS: Petition of John Baynes, of Haywood County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. GROUT: Petition of Mary Carr, widow of Jeremiah Carr; of Olive Wallace, mother of Charles H. Burbank, and of Molinda Dexter, for pensions—to the Committee on Invalid Pensions.

Also, affidavits in claim of Martha B. Perry; affidavit of J. R. Darling, in claim of Olive Wallace; of Hiram E. Templeton, in claim of W. H. H. Buck; of Chauncey N. Hunt, in claim of W. H. H. Buck; of Charles C. Crown and Rachel Carruth, in claim of Olive Wallace, and of R. W. Lance, M. D., in claim of Jacob E. Wheelock—to the Committee on Invalid Pensions.

By Mr. GUENTHER: Petition of the faculty of Ripon College, of Ripon, Wis., in favor of an international copyright law—to the Committee on Patents.

By Mr. HAUGEN: Resolutions of the Chamber of Commerce of Milwaukee, Wis., recommending the creation of a naval reserve—to the Committee on Naval Affairs.

By Mr. HERBERT: Petition of M. C. Cheatham and others, of Brewton, Ala., in favor of the Blair bill—to the Committee on Education.

By Mr. HIESTAND: Memorial of the faculty of Franklin and Marshall College, Pennsylvania, in favor of an international copyright law—to the Committee on Patents.

By Mr. HITT: Memorial of the Board of Trade of Chicago, favoring a naval reserve—to the Committee on Naval Affairs.

Also, memorial of the clergymen of Freeport, Ill., concerning the reduction of taxation and revenue—to the Committee on Ways and Means.

By Mr. HOGG: Resolution for the relief of Maurice Ruddleston—to the Committee on Accounts.

By Mr. HOLMAN: Papers in the case of Mary E. Hill, for relief—to the Committee on War Claims.

By Mr. S. I. HOPKINS: Petition of J. G. Bryant, son of J. L. Bryant, deceased, of Bedford County, and of Elias Brubaker, of Roanoke County, Virginia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, papers in the claim of John B. Ferguson, of Roanoke County, Virginia—to the Committee on War Claims.

By Mr. HOUK: Petition of Pleasant Owens, of Knox County, and of Thomas Yearwood, of Monroe County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. HUNTER: Petition of soldiers of the late war at Lewisburgh, Ky., for the repeal of the limitation-of-arrears act—to the Committee on Invalid Pensions.

Also, petition of J. E. Whitney, of Allen County; of Thomas B. Gossen, administrator of William Gossen, of James F. Ewing, administrator of John H. Ewing, and of Sanders McIlwain, of Butler County; of S. H. Clark, of B. D. Taylor, of heirs of B. D. Yarborough, of George S. Jones, of J. M. Moore, and of George W. Gray, of Logan County; of R. H. Bell, of D. B. Smith, and W. L. Kinbrough, of estate of T. W. Kinbrough, of William Hoye, of J. B. Covington, of Mansfield Samuels, of W. L. Kinbrough, and of P. B. Allensworth, of Todd County, Kentucky, for reference of their claims to the Court of Claims—to the Committee on War Claims

Also, papers in the claim of B. F. Proctor—to the Committee on War Claims.

By Mr. LAIRD: Petition of citizens of Chase County, Nebraska, for reduction of postage on seeds, plants, etc.—to the Committee on the Post-Office and Post-Roads.

Also, petition of William A. Bacon, for an original pension—to the Committee on Invalid Pensions.

Also, memorial of Farmers' Alliance of Nebraska, for the reduction of taxation on the necessaries of life—to the Committee on Ways and Means.

Also, petition of citizens of Nebraska, for the opening for allotment of the Oklahoma lands and Cherokee land strip—to the Committee on the Public Lands.

By Mr. LIND: Resolutions of the Board of Trade of Mankato, Minn., for an international marine conference to formulate measures for lessening the dangers of navigation—to the Committee on Foreign Affairs.

Also, resolutions of the Dairymen's Association, against the passage of any law impairing the efficiency of the oleomargarine law, and for further legislation—to the Committee on Agriculture.

By Mr. LONG: Petition of the Sons of Temperance of Massachusetts, for a national prohibitory constitutional amendment—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. LYMAN: Petition asking for the relief of D. M. Miller, of Mills County, Iowa—to the Committee on Invalid Pensions.

Also, memorial of the Society of Friends, in favor of international arbitration—to the Committee on Foreign Affairs.

By Mr. McCLAMMY: Petition and papers in the claim of John Davis, jr., of Wayne County, North Carolina—to the Committee on War Claims.

By Mr. McCREARY: Petition of Joseph Falconer and of James Penny, of Boyle County; of Benedict M. Swope, of Garrard County; of Charles R. Allen, of Anderson County, and of George W. Anderson, of Spencer County, Kentucky, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. MAISH: Letter relating to bill authorizing the Secretary of War to make rules and regulations for the navigation of the South Pass of the Mississippi River—to the Committee on Rivers and Harbors.

Also, ten petitions of citizens of the Twentieth district of Pennsylvania, against the admission of Utah as a State so long as it remains under the control of the Mormon priesthood—to the Committee on the Territories.

By Mr. MORGAN: Petition of M. W. Welbourne, of Panola County, and of Wilson Williams, of La Fayette County, Mississippi, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. NEAL: Petition of citizens of Chattanooga, Tenn., for the passage of a law classifying clerks in first-class post-offices, and for fixing salaries of the same—to the Committee on the Post-Office and Post-Roads.

Also, papers in the claim of John F. Davidson, of Giles County, and of Devando V. Culley, of Madison County, Mississippi—to the Committee on War Claims.

By Mr. NELSON: Memorial of the Duluth (Minn.) Chamber of Commerce, in favor of certain bridge bills—to the Committee on Commerce.

Also, memorial of citizens of Park Point, St. Louis County, Minnesota, for relief—to the Committee on Commerce.

Also, resolution of the directors of the Board of Trade of Duluth, Minn., for legislation looking to the improvement of the navigation of the lakes—to the Committee on Commerce.

Also, resolutions of the Dairymen's Association of Minneapolis, against any repeal or modification of the oleomargarine law—to the Committee on Agriculture.

Also, paper in the pension case of John Rowe, of Benjamin Franklin, of Joseph Millison, and of Nicholas Schmitte, for relief—to the Committee on Invalid Pensions.

By Mr. NEWTON: Petition of Mary A. McFarland, of Madison Parish, Louisiana, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. O'DONNELL: Petition of Daniel A. Denison, of Elizabeth Davey, mother of Elias C. Davey, and of Joseph N. Turner, for removal of charge of desertion—to the Committee on Military Affairs.

Also, petition of members of the National Association of Soldiers, Sailors, and Marines, for increase of pension for veterans suffering from deafness—to the Committee on Invalid Pensions.

Also, resolution of the Detroit (Mich.) Board of Trade, in favor of the organization of a naval reserve corps—to the Committee on Naval Affairs.

By Mr. O'FERRALL: Papers in the claim of Andrew Cornwell, and of Morgan Coxen, of Clark County; of Samuel H. Wampler, of Morgan Layton, of Joseph Click, of Curtis Yates, of Benjamin Bowman, of Emanuel M. Hoover, of Noah C. Wenger, and of Samuel Cline, of Rockingham County; of John H. Funkhauser, and of Samuel Rollen, of

Shenandoah County; of John W. Fletcher, of Fauquier County; of Elizabeth Richardson, of Warren County; of W. K. Abbott, of Broadway; of Solomon Berry, of Cross Keys; of John T. Hottel, of Samuel Fetzer, of Harrisonville; of Harrison Fauber, of Tom's Creek; of Noah M. Funkhauser, of Shenandoah County, and of Harriet J. Walter, of Rappahannock, County, Virginia.

By Mr. OSBORNE: Memorial of the Society of Friends, in conference at Richmond, Ind., in favor of international arbitration—to the Committee on Foreign Affairs.

Also, memorial of American Forestry Congress and others, relative to public forest lands—to the Committee on the Public Lands.

By Mr. OUTHWAITE: Petition of Professor William H. Scott and faculty, of Ohio State University, for passage of an international copyright law—to the Committee on Patents.

By Mr. PARKER: Petition of Caroline Jewett and of James K. Parker, for a pension—to the Committee on Invalid Pensions.

Also, petition of James D. Dardis, for an honorable discharge—to the Committee on Military Affairs.

Also, petition for the erection of a monument on the battle-field at Sackett's Harbor, N. Y.—to the Committee on the Library.

By Mr. PEEL: Petition of Michael C. Henderson, of Benton County, Arkansas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. PERKINS: Petition of Frederick N. Perkins, for removal of charge of desertion—to the Committee on Military Affairs.

Also, memorial of the Board of Trade of Wichita, Kans., for legislation extending the public laws of the United States over "No Man's Land," and opening the same and the unoccupied portions of the Indian Territory to white settlement—to the Committee on the Public Lands.

Also, resolutions of the Board of Trade of Chicago, Ill., against the acts of the French and German Governments prohibiting the importation of American salt pork, and asking for relief—to the Committee on Ways and Means.

By Mr. PETERS: Memorial of the Board of Trade of Caldwell, Kans., for establishment of Oklahoma Territory—to the Committee on the Territories.

By Mr. PUGSLEY: Petition of D. M. Beard and 20 others, citizens of Ross County, Ohio, for the passage of the Palmer Senate bill to extirpate pleuro-pneumonia, and other cattle diseases—to the Committee on Agriculture.

By Mr. RANDALL: Memorial of the association of the bar of New York, in relation to claims of judges of the Federal courts in the State of New York—to the Committee on the Judiciary.

By Mr. RICE: Petition of citizens of Minnesota, for the relief of Pierre Bottineau—to the Committee on Pensions.

Also, petition of Merriam Barrows & Co., and 200 other business firms and citizens, of Minneapolis, Minn., for an act regulating and increasing the salaries of post-office clerks—to the Committee on the Post-Office and Post-Roads.

By Mr. RICHARDSON: Petition of S. R. Hailey, of Bedford County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. RUSK: Paper from Deems Carter, to accompany House bill for relief of Joseph F. Carter—to the Committee on Invalid Pensions.

By Mr. J. E. RUSSELL: Petition of Jerome Marble & Co. and others, for repeal of special-license tax on those selling pure alcohol—to the Committee on Ways and Means.

By Mr. RYAN: Evidence and papers relating to bill for relief of Abram Jones, late Company A, Sixth Regiment Kansas Cavalry—to the Committee on War Claims.

By Mr. SENEY: Memorial of the National Guard Association of Ohio, for an increased appropriation for the militia of the United States—to the Committee on Military Affairs.

By Mr. HENRY SMITH: Memorial and resolution of the Chamber of Commerce of Milwaukee, in favor of a naval reserve—to the Committee on Naval Affairs.

By Mr. SPRINGER: Petition of the Board of Trade of Wichita, Kans., relative to public lands—to the Committee on the Public Lands.

By Mr. STAHLNECKER: Petition of citizens of Peeksville, N. Y., for the improvement of their harbor—to the Committee on Rivers and Harbors.

By Mr. STEELE: Memorial of the council of Madison, Ind., by the mayor, J. T. Brashear, that an appropriation be made for slackwater in the Kentucky River, and that a dike be constructed at that place—to the Committee on Rivers and Harbors.

By Mr. CHARLES STEWART: Petition of sundry citizens of Keith, Grimes County, Texas, for certain changes in the postal laws—to the Committee on the Post-Office and Post-Roads.

By Mr. J. W. STEWART: Petition of E. J. Bruten, Hugh C. Flynn and others, Rutland, Vt., for increase of salary of letter-carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. STONE, of Kentucky: Petition of J. G. Robinson, of A. P. Rozzell, of F. M. French, of Philip Edmonston, of Delaware Dawly, of Patrick Greeley, of W. A. Pettit, of John Remington, of Benjamin O'Neal, of Martin Ford, of P. Conway, of Ransom Plunckett, of John C. Hamilton, of Martin Edwards, of Eliza Hunter, of S. B. Hunter, of James C. Kevil, of David Hoffer, of Jefferson C. Asher, of J. M. Edmunds, of B. F. Cantrell, of W. H. Crow, of L. S. Fortives, of G. W. Denning, of F. M. Glenn, of Thomas J. Peck, of Groves Howard, of L. M. Mitchell, of James Wood, of Robert Paine, of William Cochran, of Lewis Carter, of W. C. Howard, of W. C. Martin, of S. L. Leech, of R. E. Finch, of David Story, of Moses E. Swangs, of Henry H. Lowery, of Wilson Tier, of W. F. Guissenbury, and of J. A. Fletcher, of Kentucky, and of heirs of Enos Ray, of District of Columbia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. TARSNEY: Petition of deaf soldiers, sailors, and marines, for increase of pensions to deaf pensioners—to the Committee on Invalid Pensions.

Also, petition of citizens of Saginaw County, Michigan, for revision of the patent laws—to the Committee on Patents.

By Mr. G. M. THOMAS: Petition of S. B. Patterson, of Bracken County, Kentucky, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. VANDEVER: Petition for harbor improvement at Port Harford and Bay of San Luis Obispo, California—to the Committee on Rivers and Harbors.

Also, a bill to authorize the construction of a harbor of refuge at San Buenaventura, Cal.—to the Committee on Rivers and Harbors.

By Mr. VOORHEES: Petition of Kate K. Whittlesey, for an increase of pension—to the Committee on Invalid Pensions.

By Mr. WARNER: Petition of W. B. Grimes and other officers of Commercial Club, and directors Board of Trade of Kansas City, Mo., in favor of the bill for the classification of clerks in the first-class post-offices—to the Committee on the Post-Office and Post-Roads.

By Mr. WASHINGTON: Petition of W. L. Kimbrough, executor of Meredith Kimbrough, and of Elijah J. Wickwaie, of Robertson County, and of Wilkins W. Waggoner, of Humphreys County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WEST: Petition of citizens of Fulton County, New York, for reduction of postage rates on seeds—to the Committee on the Post-Office and Post-Roads.

Also, petition of Charles Sandfurett, for a pension—to the Committee on Invalid Pensions.

By Mr. WHEELER: Papers in the claim of the estate of Oscar Rolfe, of Morgan County, Alabama—to the Committee on War Claims.

By Mr. WHITTHORNE: Petition of John Glenn, of Maury County, and of James Baugh, of Williamson County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, papers in the case of John F. Huckaba—to the Committee on Invalid Pensions.

By Mr. WILLIAMS: Petition of Benjamin F. Sheim and of Charles Doenhardt, for relief—to the Committee on Military Affairs.

Also, petition for amendment to the pension laws—to the Committee on Invalid Pensions.

By Mr. WISE: Petition of the Potomac Steam-boat Company, for reimbursement of certain moneys paid out, and payment for services performed—to the Committee on Claims.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. ATKINSON: Of citizens of Neff's Mills, Pa.

By Mr. BLANCHARD: Of Thomas R. Neale and others, of Louisiana.

By Mr. C. R. BRECKINRIDGE: Of citizens of Van Buren County; of citizens of Scotland, of Caglesville, of Pearson, of Scottsville, of Mount Vernon, of Cooks, of Graywood, of Ella Rock, of Plumersville, of Walkers, of Moore, of Humphreys, of Alco, of Liberty Springs, of Lick Mountain, Ark.

By Mr. J. R. BROWN: Of John C. Reynolds and others, of Jack Mill, and J. W. Martin and others, of Snake Creek, Carroll County, Virginia.

By Mr. BURNES: Of citizens of Buchanan County, Missouri.

By Mr. BUTLER: Of citizens of Locust Spring, Tenn.

By Mr. GAINES: Of G. W. Winfield, and others, of Parham's Store, Va.

By Mr. GRIMES: Of George W. Harper, and others, of Carroll County, Georgia.

By Mr. GROSVENOR: Of J. H. Wayne, and others, of Brister, Ohio; of John T. Bell, and others, of Reno, Ohio.

By Mr. HERBERT: Of J. P. Hudson and others, of Alabama.

By Mr. HIESTAND: Of Hancock, Lancaster County, Pennsylvania.

By Mr. HOUK: Of citizens of New Prospect, of Rhodelia, of Lucilla, of Grapeton, of Tevinville, of Bartheney, of Walden's Creek, of Meltabarger, Tenn.

By Mr. HUNTER: Of citizens of Costellow, of Keysburgh, Ky.

By Mr. T. D. JOHNSTON: Of citizens of Ellyay, of Teague, of Jonathan's Creek, of Leatherman, N. C.

By Mr. McCORMICK: Of citizens of Sinnamahoning, Cameron County, of Myrtle, of Potter County, Pennsylvania.
By Mr. McCREARY: Of citizens of Buck Creek, Ky.
By Mr. NEWTON: Of citizens of Macedonia, of Clayton, of Marion, of Mount Pleasant, La.
By Mr. OSBORNE: Of citizens of Top, Armstrong County, Pennsylvania.
By Mr. PUGSLEY: Of Adam Reed and 23 others, citizens of Ross County, Ohio.
By Mr. RICHARDSON: Of R. H. Odom and others, of Auburn, Cannon County, Tennessee.
By Mr. ROWLAND: Of citizens of Goodman, Anson County, North Carolina.
By Mr. STONE, of Kentucky: Of citizens of Melber, McCracken County, Kentucky.
By Mr. E. B. TAYLOR: Of citizens of Giddings, Ohio.
By Mr. E. J. TURNER: Of C. J. Lamb and others, of Dr. Z. F. Burt and others, of Crow, Phillips County, Kansas; of Harry Hodges and others, of Paul Ream and others, of Glenwood, Phillips County, Kansas; of D. L. Pratt and others, of Germantown, Smith County, Kansas.
By Mr. WALKER: Of citizens of Bessville, Bollinger County, Missouri.
By Mr. WHITTHORNE: Of R. A. North and others, of Williamson County, Tennessee.
By Mr. WILKINS: Of William White and others, of Jones' Corners, Holmes County, Ohio.
By Mr. WISE: Of citizens of King William, Va.; of Licking, of Meadow Station, Va.

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The following petitions, asking for the passage of the bill prohibiting the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia, were severally referred to the Select Committee on the Alcoholic Liquor Traffic:
By Mr. DAVIS: Of 137 citizens of Massachusetts.
By Mr. FELTON: Of 98 citizens of the Fifth district of California.
Also, of 125 citizens of the Fifth district of California.
By Mr. FUNSTON: Of 228 citizens of the Second district of Kansas.
By Mr. GROUT: Of 103 citizens of the Second district of Vermont.
By Mr. GUENTHER: Of 171 citizens of the Second district of Wisconsin.
By Mr. HOUK: Of 205 citizens of the Second district of Tennessee.
By Mr. LAIRD: Of 52 citizens of the Second district of Nebraska.
By Mr. SAWYER: Of 202 citizens of the Thirty-first district of New York.
By Mr. SHIVELY: Of Selden Webber and 149 others, citizens of Kosciusko County, Indiana.
By Mr. E. J. TURNER: Of 116 citizens of the Sixth district of Kansas.
By Mr. VANCE: Of 104 citizens of the First district of Connecticut.
By Mr. WILLIAM WHITING: Of citizens of the Eleventh district of Massachusetts.

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## SENATE.

### TUESDAY, *January* 31, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.
The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented the petition of Joseph Neumann, of San Francisco, Cal., praying for the preservation of the flag made of American silk presented by him to the Government, and deposited in the Smithsonian Institution; which was referred to the Committee on the Library.

He also presented a petition of citizens of Nebraska, praying that the Indians of the Indian Territory be located on the eastern portion of the same, and that the western portion, including Oklahoma and the Cherokee Strip, be opened to settlers under a Territorial organization; which was referred to the Committee on Indian Affairs.

He also presented a petition of the Board of Trade of Greeley, Colo., praying that an appropriation be made to construct a system of reservoirs in the State to irrigate Government lands, and that Government land be reserved for reservoirs, Kansas and Nebraska to be also benefited; which was referred to the Committee on Public Lands.

He also presented resolutions adopted by the American Shipping and Industrial League, January 18, 1888, favoring the proposed celebration of the centennial of the Constitution of the United States, etc.; which were referred to the Select Committee on the Centennial of the Constitution and the Discovery of America.

Mr. COCKRELL presented resolutions adopted by the Cigar-Makers' Union, No. 44, of St. Louis, Mo., remonstrating against the repeal of internal-revenue taxes upon tobacco and cigars; which were referred to the Committee on Finance.

He also presented resolutions adopted by the board of directors of the Merchants' Exchange, of St. Louis, Mo., in favor of the inter-American and inter-republic celebration of the centennial of the United States, etc.; which was referred to the Select Committee on the Centennial of the Constitution and the Discovery of America.

Mr. SAWYER presented a petition of members of the faculty of Ripon College, in Wisconsin, praying for the enactment of an international copyright law; which was referred to the Committee on Patents.

Mr. BECK presented the petition of W. J. Moberly, late first lieutenant Fourth United States Cavalry, praying for certain relief; which was referred to the Committee on Military Affairs.

Mr. HARRIS. I present the petition of Charles Murphy, stating that at a former session of Congress a bill for his relief was adversely reported, setting forth new evidence that has been discovered, and with it are filed the affidavits of the parties. I ask that the petition be referred to the Committee on Claims, and that an order be made that the papers in respect to his claim, on file in the Secretary's office, be also referred to that committee.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

Mr. QUAY presented a petition of the faculty of the Western University of Pennsylvania, praying for the passage of an international copyright law; which was referred to the Committee on Patents.

Mr. TURPIE presented a petition of 124 citizens of the Fifth, Sixth, Eighth, and Tenth Congressional districts of Indiana, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. VEST presented a petition of the faculty of Drury College, Springfield, Mo., praying for the enactment of an international copyright law; which was referred to the Committee on Patents.

He also presented the petition of E. L. Martin and other citizens of Kansas City, Mo., praying that the compensation of post-office clerks be placed on the same basis with that of railway postal clerks and letter-carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of citizens of the First, Second, and Third Congressional districts of Missouri, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. BLAIR. I present a petition of the Lombard Street Yearly Meeting of the Society of Friends, held in the city of Baltimore, Md., composed of representatives from its various subordinate meetings in Maryland and the adjacent parts of Virginia and Pennsylvania, through its committee on philanthropic labor, praying for an amendment to the Constitution of the United States, which, when ratified, will prohibit henceforth the manufacture, importation, exportation, transportation, and sale of all alcoholic liquors as a beverage in the United States, and in every place subject to their jurisdiction. I move the reference of the petition to the Committee on Education and Labor.

Mr. BECK. The petition prays Congress to prohibit imports and to regulate the revenue. I do not know what the Committee on Education and Labor has to do with that subject.

The PRESIDENT *pro tempore*. The indorsement of the petition will be read.

The CHIEF CLERK. A petition for a national prohibitory constitutional amendment from the Lombard Street Yearly Meeting of the Society of Friends, Baltimore.

Mr. BECK. The object of it seems to be to prohibit imports of certain sorts, and I supposed that to be a financial matter.

The PRESIDENT *pro tempore*. The body of the petition will be read.

The Chief Clerk read as follows:

The Lombard Street Yearly Meeting of the Society of Friends, held in the city of Baltimore, Md., composed of representatives from its various subordinate meetings in Maryland and the adjacent parts of Virginia and Pennsylvania, through its committee on philanthropic labor, most respectfully and earnestly ask you, by an appropriate joint resolution, to adopt and propose to the several States an amendment to the Constitution of the United States, which, when ratified, will prohibit henceforth the manufacture, importation, exportation, transportation, and sale of all alcoholic liquors, as a beverage, in the United States, and in every place subject to their jurisdiction.

JONATHAN K. TAYLOR,
*Chairman of Committee.*

Mr. BECK. I think the petition ought to be referred to the Finance Committee. I move that reference.

The PRESIDENT *pro tempore*. That reference will be ordered, if there be no objection.

Mr. BLAIR. I will say that similar petitions in almost this exact phraseology have been sent for a long time to the Committee on Education and Labor. I should be glad to have one sent to the Committee on Finance, so as to see what they will do with it.

The PRESIDENT *pro tempore*. In this connection the Chair will state that it would greatly facilitate the transaction of business if Senators presenting petitions will comply with the rule which requires that a brief statement of the contents shall be made by the Senators presenting them, or indorsed thereon, so that it can be read at the desk.

Mr. BLAIR. If the Presiding Officer had observed, he would have noticed that I did so when I presented the petition.

The PRESIDENT *pro tempore*. The petition will be referred to the Committee on Finance, if there be no objection.

Mr. BLAIR. I present another petition from the same body, addressed to the Senate and House of Representatives of the United States, in which the petitioners say:

Realizing the fearful and distressing effects produced by the use of intoxicating drinks, such as the increase of pauperism, disease, crime, and taxation, the Lombard Street Yearly Meeting of the Society of Friends, held in the city of Baltimore, Md., through its committee on philanthropic labor, most respectfully but earnestly ask you to enact laws prohibiting the manufacture and sale, and importation, exportation, or transportation of intoxicating liquors for beverages in the District of Columbia, and all other portions of the United States under the control of the General Government, thus absolving the Government from being accessory to the alarming effects of intemperance in the United States.

Mr. HARRIS. I should like to ask the Senator from New Hampshire if he regards that as a brief statement of the contents of the petition.

Mr. BLAIR. That is tolerably brief, I think, Mr. President. I move that the petition be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. BLAIR. I present, from the same organization, a further petition, of which I will endeavor to make a brief statement. The petition comprises about half a page of written matter, in which the petitioners most respectfully and earnestly pray for the enactment of a law which will authorize the appropriation of money from the Treasury of the United States for temporary aid in the establishment and maintenance of free public schools, in order that the number of illiterates in the United States may be reduced to a minimum, thus strengthening the foundations of our civil and religious liberty. I move that the petition lie on the table.

The motion was agreed to.

Mr. BLAIR presented a petition of the Lombard Street Yearly Meeting of the Society of Friends, held in Baltimore, Md., praying Congress by appropriate legislation to provide exemplary penalties for the seduction, with or without promise of marriage, and for the defilement of the persons of young girls; which was referred to the Committee on the Judiciary.

Mr. MANDERSON. I present the petition of a large number of citizens of McCook, Nebr., praying for the establishment of a system of postal telegraphy. I move the reference of the petition to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

Mr. MANDERSON presented a petition of citizens of Greeley, Weld County, Colorado, praying that an appropriation be made for the construction of storage reservoirs for the purpose of irrigation in Colorado, Kansas, and Nebraska; which was referred to the Committee on Public Lands.

Mr. SPOONER presented the petition of A. R. Devine and 127 other citizens of the Eighth Congressional district of Wisconsin, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. PADDOCK presented a petition of citizens of West District, Hays County, Nebraska, praying for certain amendments of the postal laws; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Board of Trade of Greeley, Colo., praying for an appropriation to aid in the reclamation of arid lands in that State through increased irrigation facilities; which was referred to the Committee on Agriculture and Forestry.

Mr. WILSON, of Iowa, presented the petition of Hiram Parker, of Mount Pleasant, Iowa, praying for the passage of an act granting him a pension; which was referred to the Committee on Pensions.

Mr. DANIEL presented a petition of citizens of Franklin County, Virginia, praying for certain amendments of the postal laws; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of citizens of Franklin County, Virginia, praying for the enactment of a law providing for the reissue of fractional currency; which was referred to the Committee on Post-Offices and Post-Roads.

## REPORTS OF COMMITTEES.

Mr. VANCE, from the Committee on Finance, to whom was referred the bill (S. 70) to provide for warehousing fruit brandy, reported it without amendment, and submitted a report thereon.

Mr. VANCE. I am instructed by the Committee on Finance to report back the bill (S. 1067) relating to imported liquors to this body, and to ask that the committee be discharged from its further consideration, and that it be referred to the Committee on the Judiciary, as it involves questions which we think that body should pass upon.

The PRESIDENT *pro tempore*. That change of reference will be made, if there be no objection.

Mr. PADDOCK, from the Committee on Pensions, to whom was referred the bill (S. 293) granting a pension to Mrs. Arabella Coddington, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 433) granting an increase of pension to General S. W. Price, reported it without amendment, and submitted a report thereon.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 1139) for the construction of a bridge across the St. Croix River, reported it with an amendment, and submitted a report thereon.

Mr. FAULKNER, from the Committee on Pensions, to whom was referred the bill (S. 752) to grant a pension to Mrs. Elvira L. Johnson, widow of Commodore Philip E. Johnson, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1086) granting a pension to Jacob Kintz, alias John Walters, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 695) for the relief of R. C. Martin, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 234) granting a pension to Julia A. Ross, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 466) granting a pension to William R. Blevins, submitted an adverse report thereon, and moved its indefinite postponement.

Mr. COCKRELL. Let the bill be placed upon the Calendar, please.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. FAULKNER, from the Committee on Pensions, to whom was referred the bill (S. 691) for the relief of Henry Bellion, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. SAWYER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 819) granting a pension to Christopher Wisemiller;
A bill (S. 821) granting a pension to John Vertessy;
A bill (S. 815) granting a pension to Angerone P. Cole, mother of George H. Cole, private Company B, Twenty-fourth Regiment Wisconsin Volunteers;
A bill (S. 174) granting a pension to Mary Martin;
A bill (S. 172) granting a pension to Abbie M. Hay;
A bill (S. 173) granting a pension to Henry B. Very;
A bill (S. 170) granting a pension to Mary A. Mykins;
A bill (S. 806) granting a pension to William Healy;
A bill (S. 801) for the relief of Basile Champagne; and
A bill (S. 820) granting a pension to David A. Servis.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the petition of Ida May Welton, of Groton, Vt., praying to be allowed a pension, submitted a report thereon, accompanied by a bill (S. 1784) granting a pension to Ida May Welton; which was read twice by its title.

Mr. SAWYER, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to, and the bills were postponed indefinitely:

A bill (S. 810) granting a pension to Mrs. A. L. Collins, guardian;
A bill (S. 804) granting a pension to James Conto;
A bill (S. 813) granting a pension to Charles Wilkinson;
A bill (S. 390) for the relief of Ida M. Howell;
A bill (S. 818) granting a pension to John Morgan; and
A bill (S. 431) granting a pension to Emma S. Free, widow of Thomas S. Free, late major of the United States Army.

Mr. BLODGETT, from the Committee on Pensions, to whom was referred the bill (S. 838) granting a pension to Mary Sullivan, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the petition of Hugh Costello, praying to be allowed a pension, submitted an adverse report thereon; which was agreed to, and the committee were discharged from the further consideration of the petition.

Mr. DAVIS, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 756) granting a pension to Argent Causdell;
A bill (S. 336) granting a pension to Isaac N. Osborn;
A bill (S. 176) granting a pension to William M. Houghton;
A bill (S. 414) granting a pension to Lyman F. Hodge; and
A bill (S. 177) granting a pension to Asa Wilson.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the petition of James Murphy praying to be allowed a pension, submitted an adverse report thereon; which was agreed to, and the committee were discharged from the further consideration of the petition.

Mr. DAVIS, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 404) for the relief of Margaret S. Murray;
A bill (S. 335) granting an increase of pension to C. R. Thomas;
A bill (S. 679) granting a pension to Henry Stafford;
A bill (S. 334) granting an increase of pension to Charles F. Allgower;
A bill (S. 333) granting a pension to Reuben Brownmiller;
A bill (S. 737) granting a pension to Berry Day;
A bill (S. 450) for the relief of Thomas S. Hopkins, late of Company C, Sixteenth Maine Volunteers;

A bill (S. 1506) for the relief of Addie Bell;
A bill (S. 753) granting a pension to James D. Whaley;
A bill (S. 733) granting a pension to Abbie S. Hutchinson;
A bill (S. 944) increasing the pension of Mrs. Elizabeth G. Scott; and
A bill (S. 337) granting a pension to Mary E. Johnston.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the petition of Stephen D. Redfield, praying to be allowed a pension, submitted a report thereon, accompanied by a bill (S. 1785) granting a pension to Stephen D. Redfield; which was read twice by its title.

Mr. TURPIE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 749) granting a pension to Louise Paul;
A bill (S. 738) granting a pension to guardian of Enos J. Searles, of Clermont, Ohio; and
A bill (S. 286) granting an increase of pension to Stephen R. Smith.

Mr. TURPIE, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely:

A bill (S. 75) granting a pension to Francis W. Strickland;
A bill (S. 693) granting a pension to William Weist; and
A bill (S. 694) for the relief of George H. Washington.

Mr. STANFORD, from the Committee on Public Buildings and Grounds, to whom was referred a resolution of the Board of Trade of Chester, Pa., remonstrating against the continuance of the quarantine station in its present location near that city, and recommending the establishment of a national system of quarantine, asked to be discharged from its further consideration, and that it be referred to the Committee on Epidemic Diseases; which was agreed to.

Mr. ALDRICH, from the Committee on Finance, to whom was referred the bill (S. 1328) for the relief of Betts, Nichols & Co., reported it without amendment, and submitted a report thereon.

Mr. RIDDLEBERGER, from the Committee on Naval Affairs, to whom was referred the bill (S. 1226) touching the grade of commander in the Navy, and to correct an error in relation to an appointment therein, reported it with an amendment, and submitted a report thereon.

### JACKSON, MISS., MUNICIPAL ELECTION.

Mr. JONES, of Nevada. I am instructed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred a resolution for the payment of the expenses of the Judiciary Committee in the investigation of certain matters alleged to have occurred at Jackson, Miss., to report it with an amendment in the nature of a substitute.

The PRESIDENT *pro tempore*. The original resolution will be read.

The Chief Clerk read the resolution reported by Mr. EDMUNDS from the Committee on the Judiciary, January 23, 1888, as follows:

*Resolved*, That the necessary expenses of the Committee on the Judiciary, or any subcommittee thereof, in making the inquiries into certain matters alleged to have occurred at Jackson, Miss., and as directed by the resolutions of the Senate of the 12th instant and of the 23d instant, be paid out of the appropriation for the miscellaneous items of the contingent fund of the Senate upon vouchers to be approved by the chairman of said committee.

The PRESIDENT *pro tempore*. The amendment reported by the committee will be next read.

The Chief Clerk read the substitute proposed by the committee, as follows:

*Resolved*, That the necessary expenses of the Committee on the Judiciary, or any subcommittee thereof, in making the inquiries into certain matters alleged to have occurred at Jackson, Miss., and as directed by the resolutions of the Senate of the 12th instant and of the 23d instant, be paid out of the contingent fund of the Senate upon vouchers to be approved by the chairman of the Committee to Audit and Control the Contingent Expenses of the Senate.

The Senate, by unanimous consent, proceeded to consider the resolution.

The PRESIDENT *pro tempore*. The question is on the adoption of the amendment reported as a substitute for the original resolution.

Mr. EDMUNDS. I have not the slightest objection myself to the chairman of the Committee on Contingent Expenses auditing the expenses incurred by the Committee on the Judiciary, except for the inconvenience of it, and the fact that it has not been usual in such investigation, for the reason that it would be difficult for the chairman of the Committee on Contingent Expenses, as all the expenses in respect of the quantum of witnesses, etc., are left in the discretion of the Committee on the Judiciary. I do not see how the chairman of the Committee on Contingent Expenses could be officially informed of what those expenses properly had been.

I have not the slightest objection to the Committee on the Judiciary getting rid of the duty of auditing these accounts and expenses, but I do not want the business placed in such a condition that the witnesses and other people will have difficulty in getting their recompense when it is due to them.

Mr. HOAR. Let the amendment be again read.

Mr. EDMUNDS. It makes the chairman of the Committee on Contingent Expenses audit the accounts, and not the committee.

The PRESIDENT *pro tempore*. The amendment reported by the committee will be again read.

The Chief Clerk read the amendment.

Mr. HOAR. I move to amend that by substituting "approved by the chairman of said committee."

Mr. EDMUNDS. This is an amendment reported from the Committee on Contingent Expenses, and the original resolution makes that provision. I suppose by the rules, however—I have always so understood—after the vouchers have once received the *imprimatur* of the Committee on the Judiciary they then have to be revised and go through the approval of the chairman of the Committee on Contingent Expenses. I think I have understood that to be the case, but I am not sure about it.

But the practical difficulty is in the committee having charge of the business being one committee, and of the expenditure and the auditing committee being a different one, upon the separate vouchers of each witness, or stenographer, or whoever he may be, as to what is to be the means of proof that shall satisfy the Committee on Contingent Expenses that the expenditure has been regular and ought to be paid. It is not a question of dignity, so far as I am concerned, between the two committees, but only of convenience.

The PRESIDENT *pro tempore*. The Chair understands the Senator from Massachusetts to call for the reading of the original resolution.

Mr. HOAR. Yes, sir.

The PRESIDENT *pro tempore*. The original resolution will be read.

The Chief Clerk again read the resolution.

Mr. CULLOM. The original resolution is about right.

Mr. JONES, of Nevada. There seemed to be two committees—a subcommittee and the Committee on the Judiciary—mentioned in the resolution, and the amendment to the resolution simply states in precise words what always occurs. Even if these vouchers should be paid upon the approval of the chairman of the Judiciary Committee, they would have to pass through the Committee on Contingent Expenses for the approval of its chairman and the approval of that committee. Of course that committee can not make this approval except upon the approval of the chairman of the Judiciary Committee. So, after all, it amounts to about the same thing; but it would be more in order to adopt the amendment than the original resolution.

Mr. EDMUNDS. That has not been the course heretofore.

Mr. JONES, of Nevada. The only other change that the committee made in the original resolution is that the expenses should not be taken out of the miscellaneous items of the contingent expense fund, but simply out of the contingent fund.

Mr. HARRIS. I should like to ask the Senator from Nevada if expenses similar to these that are now being provided for have not heretofore been invariably paid upon the approval of the chairman of the committee which made them?

Mr. JONES, of Nevada. They have been paid upon that approval and also upon the approval of the Committee on Contingent Expenses.

Mr. HARRIS. Why depart in this case from the usual custom of the Senate? Why not let the resolution provide for the approval of the chairman of the Judiciary Committee, and then so far as is necessary the vouchers would go to the Committee on Contingent Expenses as usual?

Mr. HOAR. I will state what I understand to be the present practice. Perhaps I may be mistaken, but certainly I have so understood it, and I have had the charge of quite a number of such matters as chairman of the Committee on Privileges and Elections. I understand that the usual resolution is to have the expenses paid on the voucher of the chairman of the committee, so that when a witness wants his pay he gets a certificate from the chairman of the committee that summoned him and that knows all about him; and he goes to the Secretary's office and gets his pay. So with the stenographer or any other special expense. If the investigation is out of Washington, it is the custom for the Secretary of the Senate to deliver to the clerk or the deputy sergeant-at-arms who goes with the committee a sum of money sufficient to cover the expenses for halls, stationery, or whatever may be the expense of the transportation of the committee, and so on; and when the committee returns its chairman certifies the detail of that expenditure to the Secretary's office, and the account then is made.

Now, if this resolution passes, every witness who wants his pay will have to hunt up my honorable friend, the chairman of the Committee on Contingent Expenses, and get his voucher in addition to the voucher he has already got from the committee making the investigation. I suppose when the Secretary has paid the vouchers he then submits his account to the chairman of the Committee on Contingent Expenses for his approval. This amendment will require for every dollar that is paid to get a voucher from the chairman of the two committees. The person who will be the most annoyed by it will be my honorable friend from Nevada himself. So, I think, the original resolution is best.

Mr. EDMUNDS. It is certain that the original resolution follows the practice of the Senate for a good many years, for I framed the original resolution myself upon the precise model of one adopted by the Senate in the last Congress for an investigation by the Committee on Foreign Relations or any subcommittee thereof into the fisheries question; and the resolution of the last Congress on that subject was founded upon precisely the same *modus operandi* of preceding resolutions of the Senate.

The law provides, however—and all resolutions such as our original

one do not contravene the law—that when these accounts are finally settled they have got to receive the *imprimatur* of the Committee to Audit and Control the Contingent Expenses of the Senate. That is the final revision; just as the board of directors of a bank revise the discount and deposit accounts, etc., that the cashier has been running for the week. The law is found in section 76 of the Revised Statutes.

The original resolution is not designed to diminish the authority or interfere with the power of the Committee to Audit and Control the Contingent Expenses of the Senate, but the committee which the Senate chooses to trust with expending money for an investigation is thought to be the best committee, then and there, to be the first to certify and approve or to disapprove claims for expenditures and fees, etc., that are made upon it. That is the state of the case.

As to the other part of the amendment, the difficulty is that the contingent fund of the Senate in question is divided into various and separate parts, and, as has been held in the Treasury Department, if you have an expense account, for instance, for the investigation, as I was told a Congress or two ago, of an affair like this or an affair like the fisheries, no matter what, by the Senate, and you pay it and charge it, not against the appropriation for the miscellaneous items of expense, the unforeseen ones, etc., but charge it to some other account, it will be disallowed. Therefore it has been the custom in the numerous cases that I have known for years gone by; and on the advice of the cashier of the Senate, who is in constant communication with the Comptroller of the Treasury, in order not to have the accounts held up and a disturbance with the accounting officers of the Treasury, it was necessary to put into the resolution a provision that the payment should be from the appropriations for the miscellaneous items, unless there should be a standing appropriation for the investigation which was not exhausted, and in that case, of course, it could be paid from that.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment reported by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. HOAR. I will ask the Senate to allow the resolution to remain, with the leave of my honorable friend from Nevada, the chairman of the committee, for a few minutes, to be taken up again.

The PRESIDENT *pro tempore*. The report of the committee will lie on the table for the present.

### POSTAL TELEGRAPH INVESTIGATION.

Mr. JONES, of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, reported it without amendment; and it was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay the stenographer authorized by the resolution of the 19th instant to report the arguments, evidence, etc., for the Committee on Post-Offices and Post-Roads on the subject of the postal telegraph, out of the contingent fund of the Senate.

### MESSENGER FOR PRESS GALLERY.

Mr. JONES, of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, reported it without amendment; and it was considered by unanimous consent, and agreed to:

*Resolved*, That the Sergeant-at-Arms be, and he is hereby, authorized and directed to appoint a special messenger, who shall attend upon the Press Gallery of the Senate, and be paid out of the miscellaneous items of the contingent fund.

### STATEMENTS ON PLEURO-PNEUMONIA.

Mr. PALMER, from the Committee on Agriculture and Forestry, submitted evidence taken by that committee in support of the bill (S. 945) to extirpate contagious pleuro-pneumonia, foot-and-mouth disease, and rinderpest among cattle, and to facilitate the exportation of cattle and the products of live-stock, and for other purposes, and moved that 500 copies be printed for the use of the committee; which was agreed to.

### MESSAGE FROM THE HOUSE.

A message from the House, by Mr. CLARK, its Clerk, announced that the House had concurred in the amendment of the Senate to the bill (H. R. 4881) making an appropriation to carry into effect the provisions of an act approved March 2, 1887, entitled "An act to establish agricultural experimental stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of acts supplementary thereto."

The message also announced that the House had passed the bill (S. 274) authorizing the construction of a bridge across the Missouri River at some accessible point in the county of St. Charles, in the State of Missouri, below the city of St. Charles.

### BILLS INTRODUCED.

Mr. FRYE introduced a bill (S. 1786) to regulate appointments in the Marine-Hospital Service of the United States; which was read twice by its title, and referred to the Committee on Commerce.

Mr. EVARTS introduced a bill (S. 1787) to provide for the erection of an Army gun-factory at the Watervliet arsenal, and for other purposes; which was read twice by its title.

Mr. EVARTS. I ask that the bill may be referred to the Committee on Military Affairs.

Mr. DOLPH. I suggest to the Senator from New York that that subject is now before the Committee on Coast Defenses. The Committee on Coast Defenses has had that question under consideration and reported a bill at the last session, which was passed by the Senate, providing for a gun-factory. There is also a bill on the same subject before the Committee on Coast Defenses at the present session.

Mr. EVARTS. I consent to the change of reference.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Coast Defenses, if there be no objection.

Mr. WILSON, of Iowa, introduced a bill (S. 1788) granting a pension to Hiram Parker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. STANFORD introduced a bill (S. 1789) for a supplemental appropriation for the erection of a public building at Los Angeles, Cal.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1790) to carry into effect the recommendation of the Board of Admirals convened under the joint resolution approved February 5, 1879, in the case of Commander Henry Glass, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1791) for the relief of John Williams; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 1792) for the relief of Charles Willey; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 1793) releasing the title of the United States in a certain parcel of land to John D. Thorne, assignee of John Cutler; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

Mr. DAVIS introduced a bill (S. 1794) granting to the Aberdeen, Bismarck and Northwestern Railway right of way across a portion of the Sioux reservation, in Dakota Territory; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. ALLISON introduced a bill (S. 1795) for the relief of the First National Bank, of Marion, Iowa; which was read twice by its title, and referred to the Committee on Finance.

Mr. STEWART introduced a bill (S. 1796) to establish a United States land court, and to provide for the settlement of private land claims in certain States and Territories; which was read twice by its title, and referred to the Committee on Private Land Claims.

He also introduced a bill (S. 1797) to enforce restrictions on Chinese immigration; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Foreign Relations.

Mr. STEWART. I should like to call the attention of the chairman of the Committee on Foreign Relations to this bill. I am in favor of a more extensive exclusion bill, but this bill is necessary to carry out the provisions of existing laws. It gives the Secretary of the Treasury authority to make regulations to carry out the existing laws. It also cuts off after ninety days the entry of Chinese on previous permits. In that respect there is a great abuse, which has existed now for six years and over. The courts are overloaded with cases. If we could have this measure immediately it would be a matter of great relief. The public papers have shown to some extent the difficulty that exists on the Pacific coast.

Mr. BUTLER introduced a bill (S. 1798) to amend an act entitled "An act relating to vessels not propelled by sails or internal motive power of their own, and for other purposes," approved June 30, 1879; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PLUMB introduced a bill (S. 1799) to authorize the approval of certain leases of Indian lands; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MITCHELL introduced a bill (S. 1800) authorizing the Secretary of the Interior to permit miners and companies and corporations organized for mining purposes to prospect, develop, lease, and own the mineral portion of any Indian reservation upon such terms and conditions as may be agreed upon by the Secretary of the Interior and the Indians on any such reservation; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1801) making an appropriation for the removal of obstructions in the Columbia River; which was read twice by its title, and referred to the Committee on Commerce.

Mr. VEST introduced a bill (S. 1802) granting the right of way through the Flathead Indian reservation to the Missoula and Northern Railroad Company; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. QUAY introduced a bill (S. 1803) in aid of the Centennial and Memorial Association of Valley Forge, and to secure the Washington headquarter mansion and grounds occupied by the Continental Army of 1777–'78; which was read twice by its title, and referred to the Committee on the Library.

Mr. MANDERSON (by request) introduced a bill (S. 1804) to authorize the Cheyenne Street Railroad Company to build its road on and

across the Fort D. A. Russell military reservation; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HARRIS (by request) introduced a bill (S. 1805) to incorporate the Washington and Highlands Street Railroad Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. STOCKBRIDGE introduced a bill (S. 1806) to regulate the salary of the judge of the district court of the United States for the western district of the State of Michigan; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. FAULKNER introduced a bill (S. 1807) to refund to the State of West Virginia the money paid to officers of the One hundred and thirty-third Regiment West Virginia Militia, for services rendered during the rebellion; which was read twice by its title, and referred to the Committee on Claims.

Mr. DANIEL introduced a bill (S. 1808) for the relief of Isaac Davenport and others, citizens of Virginia; which was read twice by its title, and referred to the Committee on Claims.

Mr. RIDDLEBERGER. I introduce a bill drawn by the presiding officer of this body, regulating the sale of liquor in the District of Columbia. It is far from my purpose to say that I offer it by request, because I promised not to do that.

The bill (S. 1809) regulating the sale of distilled and fermented liquors in the District of Columbia was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CHANDLER introduced a bill (S. 1810) authorizing the President to place Lieut. Commander Charles A. Schetky, United States Navy, upon the retired-list; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. COCKRELL. I present at this time the petition of Judge A. L. Gilstrop, of Macon, Mo., accompanied by a joint resolution, proposing an amendment to the Constitution of the United States. I introduce it by request, and I ask that the petition be printed in connection with the resolution.

The joint resolution (S. R. 45) proposing an amendment of the first section of the second article of the Constitution of the United States was read twice by its title, and referred to the Committee on the Judiciary, and the accompanying petition was ordered to be printed.

### OMAHA RESERVATION LANDS.

Mr. DAWES submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Interior be directed to report to the Senate what amount of lands upon the Omaha reservation have been sold pursuant to the statute approved August 17, 1882, and the statutes amendatory thereof; how much of the money due as proceeds of such sales has been paid into the Treasury, and how much, if any, is due and unpaid, both principal and interest, and what steps, if any, have been taken to enforce such payments as are due, or to recover possession of the lands so sold, payments for which have failed according to the terms thereof.

### TREATY WITH GREAT BRITAIN.

Mr. RIDDLEBERGER. I offer the following resolution:

*Resolved*, That the treaty between this Government and that of Great Britain, now before the Senate in executive session, be considered in open session.

I ask that the resolution be now considered.

Mr. EDMUNDS. That belongs to executive business, I should think, Mr. President.

The PRESIDENT *pro tempore*. The Senator from Virginia asks that the resolution be now considered.

Mr. EDMUNDS. I object, Mr. President, for the time being. I suggest to the Senator that it is a matter which should properly be considered in executive session.

The PRESIDENT *pro tempore*. The Senator from Vermont objecting, the resolution goes over under the rules until the succeeding day.

Mr. RIDDLEBERGER. I beg pardon, sir. The Senator from Vermont says that he thinks it ought to be considered in executive session. The Senator fails to——

The PRESIDENT *pro tempore*. The Senator will suspend. The Senator from Vermont having objected to the present consideration of the resolution it has gone over until to-morrow, and is therefore not now the subject of discussion.

Mr. RIDDLEBERGER. I did not mean to discuss it, but I say the Senator from Vermont has failed to apprehend that the object of the resolution is just exactly to do the opposite of what he thinks ought to be done. Here is another resolution that I propose to put in, which necessarily will go over, proposing to alter a rule of the Senate. I did not rise for the purpose of debating the matter, but getting such a change of rule that I thought would stop objection.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read the resolution, as follows:

*Resolved*, That Rule XXXVII be so amended as to allow the treaty now pending between the Government of Great Britain and the Government of the United States to be considered in open Senate.

Mr. RIDDLEBERGER. That, I believe, goes over one day. That is a notice.

The PRESIDENT *pro tempore*. It goes over one day under the rules.

### PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. VANCE, it was

*Ordered*, That the papers relating to the claim of G. M. Woodruff, filed in the Forty-sixth Congress, be taken from the files and referred to the Committee on Claims.

### CONTRACT WORK ON RIVERS AND HARBORS.

Mr. MITCHELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Committee on Commerce be, and they are hereby, instructed to consider the advisability of inserting a provision in the bill making appropriations for the improvement of rivers and harbors requiring all work to be done thereunder to be let by contract to the lowest bidder.

### CHARLES R. WESTBROOK.

Mr. HALE submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Treasury is hereby directed to report to the Senate the facts attending the employment of Charles R. Westbrook as an assistant to the district attorney for the southern district of New York, together with copies of all correspondence on the subject, the emolument paid to him, and the appropriation from which paid, and if the said Westbrook received also extra compensation for any time previous to such employment, he not being a sworn officer of Government.

Mr. HALE submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Treasury is hereby directed to report to the Senate the evidence taken by the stenographer's notes in the issue of Curtis *vs.* Schell before Judge Lacombe, so far as relates to the testimony of Charles R. Westbrook, and which issue was tried in November, 1887.

### THE MAIL SERVICE.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Chief Clerk read the resolution submitted yesterday by Mr. PLUMB, as follows:

Whereas there have been for many months serious complaints as to the inefficient character of the mail service, especially in the West and South, and the same continue, indicating that the trouble is of a permanent character:

*Resolved*, That the Committee on Post-Offices and Post-Roads be instructed to make thorough inquiry into the cause of such inefficient mail service, and report to the Senate their conclusions thereon, with suggestions as to remedy.

Mr. COCKRELL. I suggest an amendment about which I spoke to the Senator from Kansas [Mr. PLUMB] not now in his seat, and I am satisfied it will be accepted. The preamble is:

Whereas there have been for many months serious complaints as to the inefficient character of the mail service, etc.

I wish to insert "alleged" before "inefficient."

The PRESIDENT *pro tempore*. The Senator from Kansas has entered the Chamber.

Mr. PLUMB. That change is entirely acceptable.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In line 2, before the word "inefficient," it is proposed to insert the word "alleged;" so as to read:

Whereas there have been for many months serious complaints as to the alleged inefficient character of the mail service, especially in the West and South, and the same continue, indicating that the trouble is of a permanent character.

Mr. MANDERSON. I do not object to this amendment, which I understand is accepted by the Senator from Kansas, although I think the evils referred to in the resolution have passed beyond the domain of mere allegation and have become well-known and ascertained facts.

I feel a personal sense of gratitude to the Senator from Kansas that he has introduced this resolution, and I hope that investigation will quickly follow. Those of us who live in the rapidly advancing States of the West have suffered very greatly within the last two years because of inadequate postal facilities. I am in receipt daily of letters calling my attention to the facts. In my own State there have been built within the last year over a thousand miles of railroad—1,100 miles of railroad, I am informed by my colleague [Mr. PADDOCK]—and along these newly built lines of road new communities have sprung into existence, thriving villages, that are actually deprived of adequate postal facilities. Where the fault is I do not know; but I do know that the attention of the Post-Office authorities has been frequently called to these complaints by myself and other members of the delegation of the State that I have the honor to represent in part on this floor, and that a remedy for the evil has been demanded. I have here letters received on other subjects, but referring incidentally to this, one from a gentleman well known to this body, late the efficient Public Printer of the Government, Hon. S. P. Rounds, now deceased. He wrote me on October 26, 1887:

Without any disparagement of our present post-office officials, everybody knows and complains of the mail service here. Especially is this true as regards our paper—

Mr. Rounds then editing the Omaha Republican—

and, we presume, the others in this city, and we are in constant receipt of complaints from subscribers of the non-receipt or irregular and late receipt of their papers.

I read also an extract from a letter from the editor of the Omaha World, a daily newspaper published in Omaha:

Let me add my voice—

Says Mr. Hitchcock, the editor—

to the storm of complaints against the inadequate post-office facilities of Omaha with which your ears have doubtless been assailed.

Not Omaha only, but the whole tributary country, with a population of two millions or more, suffers because the post-office building and the post-office force in Omaha are wholly inadequate for the needs of business in this section. Take the case of a newspaper. It is almost of daily occurrence that the World fails to reach hundreds of readers outside the city promptly because the force in the post-office could not handle the work in time to catch the train. Not only is this often the case with a portion of our outgoing mail, but the postmaster is obliged constantly to require of us that the papers be delivered at the office long before train time, which would not be necessary if his force were large enough to dispatch work promptly.

What is true of the newspaper is true of bankers, wholesale merchants, and others having heavy mails. The service is abominable, but the postmaster is not to blame. He and his force are up to their ears in mail-bags, overwhelmed with work, and crowded into inadequate quarters. The result is that all Nebraska suffers.

I select these letters out of numerous others received simply for the purpose of showing the magnitude of this evil. The calls for relief come not only from those who are publishing newspapers, but from the public at large and even from the postmasters themselves.

I know it is very much easier to find fault than it is to apply a remedy; it is easier to criticise than it is to reform, but certainly a reformation is needed here by which these people who have suffered for the last two or three years should have some remedy for the evils that now exist and under which they have suffered for years past.

Mr. STEWART. Mr. President, the same condition of things described by the Senator from Nebraska exists throughout the West. The mail service has been cut down and the expenses are curtailed to such an extent that the service is altogether inadequate. It is so in Nevada and so throughout the Territories. I have received a vast number of letters on the subject going into great detail about it; and there is a universal complaint in the new countries, the cause of which must be removed or great injury will be done them. The mail routes have been cut down. Where they had daily mails they are reduced to tri-weekly, sometimes to weekly, and then the force is often inadequate to deliver letters promptly or carry them promptly. The complaint is general. I hope the matter will be looked into and that we shall have some relief from an evil which is generally felt by the whole Western community.

Mr. SAULSBURY. Mr. President, I do not know anything about the particular delays in the mails which have been spoken of. The complaints may be well founded, or they may be mere reports without proper foundation. But what I rose to say is that, while I have no objection to the investigation proposed by the resolution of the Senator from Kansas, I do think it is unfair when a resolution of that character is offered for the purpose of inquiring whether certain complaints are well founded, to spread upon the RECORD and so put before the country, not the statements of Senators, but extracts from newspapers, charges of delinquency somewhere in an Executive Department in regard to which an investigation is proposed. That kind of dealing with an executive officer does not commend itself to my judgment of fairness and justice.

I was pleased to hear the Senator from Kansas say—and I have heard nobody dispute the position—that he was satisfied the Postmaster-General had acted honestly and endeavored to act economically in the management of his Department. That is a comment very favorable upon the present administration of postal affairs, because we know that it has not been long since there were grave charges of fraud and defalcations in the management of the postal affairs of the country. I am pleased to know that no charges of that kind are brought forth against the present administration of the Postal Department.

We all know that we cut down a few years ago the rate of letter-postage from 3 cents to 2 cents, and reduced the postage on other matter. The Postmaster-General has been compelled to carry on and support his Department with the appropriations made by Congress. He has not done what was done a few years ago under another administration, when we were informed by the Postmaster-General that the appropriations which had been made to the full extent which he had estimated would be exhausted by the first of May, and that there would be two months of the year when the mails would be stopped, because he was not able under the act of Congress to carry on the Department for the want of funds.

The late Postmaster-General, who has recently left that Department, has endeavored to keep himself within the limits of the appropriations made to meet the deficiency in the revenues of the Department, and he may, perhaps, have had to economize more than his own judgment would have justified, from the necessity of the case.

I hope the investigation will be instituted, and that it will be dealt with fairly, and that the true cause of any delay, or any want of proper facilities, may be ascertained and a proper remedy pointed out. What I rose to say was that I do not think it is fair, when it is proposed to investigate the management of a Department, to put upon the record complaints of newspapers and others without having even a verification of their accuracy by the Senator who introduces them. I say I think it is unfair to an executive officer thus to be dealt with in the Senate of the United States.

Mr. STEWART. Mr. President, in the remarks I made I reflected upon no officer. I simply stated a condition of things that ought to be inquired into. It may need further appropriations and further legislation. I think the necessities of the people in new countries should be taken into consideration and liberally treated. I was opposed to large contracts for carrying the mail on what are called star routes. The swindling in that matter did the West a great deal of harm. It prevented the use of money for small routes to do the necessary service that would accommodate the people. The reform in cutting off extravagance in star-route contracts is a great reform and a thing to be commended, and the scandal ought not to be renewed again.

What the people want is to have their necessities provided for. They want mail service cheap, economical, and efficient, and an inquiry into this subject, so that the mail service can be extended to them without any unreasonable expenses, is what is important; and with that view I am cordially in favor of the resolution presented by the Senator from Kansas.

Mr. MORGAN. I am very glad this resolution has been introduced, and I hope it will be adopted, especially because I think the Committee on Post-Offices and Post-Roads need to have some little stimulant administered to them to cause them to form some statute or amendment to the statutes which will make the postal service of the United States correspond with its growth.

This country is growing very rapidly in every direction, extending territorially, and increasing very rapidly in population. We are receiving a great acquisition of foreign people in this country, of something like half a million people a year.

There is also one fact connected with this service that is an important one to be considered. By the reduction of postage upon all classes of mail matter made a few years ago we have increased the volume and weight of the mails immensely. The number of packages for mailing, the number for distribution, the number for transportation, have enormously increased. The clerical force to do this work has not kept pace with the increase of all mail matter carried over our lines, nor have the salaries that belong to the inferior officers in the service of the Government of the United States been increased sufficiently to enable them to do this additional amount of work.

We have been grading the postal expenditures almost within the postal revenue. We have been very successful in bringing the postal expenditures within postal receipts, but I think we have done it at the expense of that very faithful band of people engaged in handling the mail matter that passes through our post-offices. I think they are the hardest-worked set of people in the world. They are certainly the most faithful of men, take them all in all. Take the numerous number of persons who are concerned in the postal management of the United States, and I think they are the most faithful set of men that have ever had a record made in history. We ought to increase their pay; we ought to provide for the increase of their number.

A great many things are needed to be done to bring the postal service up to the necessities of the country. What we need to-day is to take up our postal laws and reform them. Now, if that committee should want a guide for this reformation they have nothing to do but to consult the report of the Postmaster-General, a most carefully-prepared paper, in which every evil of the postal system as it now exists is portrayed, and the remedy is indicated, and is earnestly brought to the attention of Congress. If that committee will take up that report and examine it they will find that the late Postmaster-General has covered the whole ground, and I should think they would not fail if they adopted every single recommendation he made. He complains more loudly of the postal system than we complain here of his administration of it, and he says that the difficulties by which he has been environed grow out of deficiencies in the law. I have been here several years in the Senate, and I think we have made fewer efforts to amend our postal laws than any other system of laws we have got.

It seems to me that if the Committee on Post-Offices and Post-Roads have contented themselves with a system that belongs to the past of this country twenty or twenty-five years back, we had better move our statutes up to correspond somewhat with the progressive advancement of our people.

Mr. TELLER. Mr. President, if the purpose of this inquiry is to find whether there is defective mail service, in the West at least, it is not necessary. That is admitted by everybody, by the post-office officials as well as the public. I do not propose to criticise anybody, because I am of the opinion myself that the complaint largely grows out of causes beyond the control of the Executive Department.

The evils alleged by the Senator from Nebraska undoubtedly exist; and what he read in reference to the post-office at Omaha shows that it is beyond the power of the Executive Department to remedy the difficulty unless they are improperly withholding from that office force that they are giving improperly to others, of which I have heard no complaint. The fault is that there is not an appropriation sufficient to meet the wants and demands of the postal service. There may be, and undoubtedly is, something to be attributed to the change in officials of the Department from skilled and competent men to men who are unskilled, and it takes time for them to acquire the knowledge and the skill that their predecessors had. But the real trouble is that there is not money enough. You go to the Post-Office Department for an additional assignment for clerical force at Denver or Omaha or any other place that is rapidly growing, and you are told that if they should give

what you demand, there would be a deficiency which they have no right under the statutes to make.

This is an evil that is not entirely to be charged to the Administration. It has been going on for years. As the Senator from Alabama [Mr. MORGAN] says, we do not keep pace with the growth of the country. That is what is the matter. We do not realize that towns which had not any existence when the last census was taken contain large numbers of people, and that it requires thousands of dollars to carry on and keep up their postal affairs. I have seen a post-office from a $12-a-year post-office jump to where the clerical force required cost $7,000 a year in one single twelvemonth to keep it going, and the man who put his hand in his pocket and paid the $7,000 for clerk-hire is still waiting for the Government to reimburse him.

I have seen another instance of a town that sprang into existence at once where the postmaster gave his services for a twelvemonth, where he gave the rent of a building that was worth $100 per month, and he paid out every dollar that he received from the Government for the clerks that were absolutely necessary to accommodate the public, and he is still waiting for the Government to repay him the money that he has expended, and I doubt whether the Government will ever pay him.

The Western country is full of such instances within the last ten years; and as the prosperity of the country increases and the public demand is greater for these facilities the complaint becomes louder. I do not propose myself to attribute it entirely to the officials, but I do attribute it in part to the lack of that department of the Government which appropriates the money, not this branch of Congress; but there is the trouble largely.

I do not doubt that there has been a lack of celerity in putting the mails on new railroads when they have been built, and the fact is that in the West they have built railroads with such facility and such unexampled celerity that it takes more than an ordinary executive officer to take notice of the fact that the railroads are built. When in one section of the country they can build 600 miles from April to November, and when in another they can build in a summer 200 miles through a mountain range supposed to be impassable, it is not to be supposed that the officials living here, hampered as they are by the notion that this is the whole country where they are, will keep up with the times. One of the great difficulties we have had to encounter in building up the West has been a lack of a knowledge here of our condition, a lack of an appreciation of the necessities of the people, and a lack of appreciation of our growth and of our enterprise.

Mr. President, in the country in which I live the people do not want any weekly mail; they would just about as lief not have any; and there is more than one settlement in Colorado to-day that is paying for a daily mail because the Government declines to give them more than a weekly mail, sending their special messengers to depots at a distance and bringing the mail in and distributing it by a tax put upon themselves, and when the Department is applied to, the officials tell us that they have not the money, and I am inclined to think that that is largely true.

I heard it said yesterday—and I refer to it now because perhaps it will be the only opportunity I shall have—that it was not worth while to put postage at 1 cent, because it was proposed to make the Post-Office Department self-supporting. I have on various occasions expressed my disapprobation of that sentiment. There is no reason why the Post-Office should be self-supporting any more than the Army or the Navy, and there are a thousand reasons why it should not be self-supporting where there is one why it should be. Free communication between the different sections of the country, cheap literature that can be sent to the people in all sections of the country, is almost a necessity now for the civilization of this age, and we can not invest money anything like as well in any other branch of the administration of government as we can in the postal service, and that, too, without reference to its income or its revenue.

Mr. BECK. Mr. President, I should like to say a word if I may be allowed. I have looked into this matter with some care of late, and I am glad that the resolution is offered and hope it will be adopted, because it is going to develop a great many things.

In an effort which I made some time ago to see whether a bill could be drawn to reduce the rate of charge on letters, I found that I could not understand the matter, and therefore sent it to the committee, who reported it back yesterday, to see what they could do. We are told that the matter involves a reclassification of all the service, the pay of the clerical force in the various postmasters' offices, and very many other things; and one of the difficulties we are laboring under now, it is very well for Senators to know, is that railroads are built with such rapidity, displacing star-route lines, and so much time under existing laws must elapse before contracts can be made, that the changes involve great embarrassment.

I have read with great care the report of the Postmaster-General, which was referred to by the Senator from Delaware [Mr. SAULSBURY]. He called the attention of Congress to the legislation needed very clearly, in the following language:

> To such as thus receive $2,000 or more the full salary is bestowed without abatement, and adequate provision made of an office, with all its accessories, and of all clerical assistance, supplies, and other expenses of equipment and maintenance. The second-class postmaster especially is the favorite of the statute; charged generally with duties which exact but a moderate share of a competent officer's time, and sustaining no drawback in any necessity of applying part of his salary to the expenses of his office.
>
> Yet from the third-class postmaster, who has so much less than the others in nominal salary, is taken "even that which he hath." To him no allowance (except in a case which is no exception, that of the separating office) for rent, light, fuel, clerical service, stationery, or other outgo whatever is made, but all must be defrayed from his miscalled salary, which thus proves too often, instead of the apparently promised reward of labor, but the weak residuum of a well-nigh exhausted cup. "The consequences are, first, injustice, more or less, to all postmasters of the third class, and frequent instances of grotesque inequality and unfairness in the proportion of labor and responsibility to net compensation; and, secondly, a resulting tendency to poorer provision and service in such offices, only counterbalanced by the pride and sense of duty of the officer."

And so all through the Postmaster-General calls attention to those things which the law-making power must regulate, and he can not.

While I am on my feet I wish to state that there is another thing I hope this resolution will elicit. We are distributing the mails now by perhaps the most intelligent body of young men in the service, known as the postal-railway clerks, all along the lines of railway; and yet we have great ocean steamers coming in every day from all parts of Europe laden down with foreign mails, many of them of great importance, and instead of having a postal clerk on those great mail steamers arranging the mails and having them ready for shipment as soon as they land at New York to San Francisco, Chicago, Louisville, and everywhere else, they are dumped into the New York post-office, and from fifty to one hundred clerks are kept there from twenty-four to forty-eight hours arranging, assorting, and adjusting them before they can start for their places of destination. Why do we not regulate that?

If the young men on railroad trains can adjust the mails so that they can be sent off, why can we not in some way or other have the same arrangement on the ocean steamers? There is no difficulty in arranging with foreign nations by extending our postal treaties; and yet the Postmaster-General can not do all that.

There are a thousand things to be done, and that is one of them. If we go into the difficulties of the service, its needs and the improvements that can be made, we may find that while the office may have been a little too economical, or too desirous to make itself self-supporting—which I admit ought not to be looked at, but the good of the service and its facilities ought to be looked after—while they may have gone a little too far in that direction the Congress of the United States has not exercised its power nor done its duty in furnishing to that Department the facility and the power to meet the requirements of the country.

I hope all this will be gone into and developed, and then let us do something which will make the service good and efficient. I do not blame the Committee on Post-Offices and Post-Roads; they are burdened I know with immense work; but still, as one Senator said, we may well serve them notice that something should be done. My friend from Wisconsin [Mr. SAWYER] is capable of doing any amount of work, and he has good backing as I know.

Mr. CHACE. Mr. President, I had not expected to say anything in regard to this resolution because it seems to me that this discussion is a little premature. If there is to be an examination of the management of the Post-Office Department, it would seem better to get in the testimony before we make the argument; but inasmuch as the Senator from Alabama [Mr. MORGAN] has proposed to spread out the investigation from the Department itself to the Committee on Post-Offices and Post-Roads, and has proposed to administer to that committee a dose of stimulant, I thought I would respond that the committee would prefer to be consulted perhaps somewhat as to the character of the dose to be administered.

It is not, I apprehend, by any possibility to be laid at the door of that committee that the evils of which complaint has been made exist. I do not wish to criticise unduly or unfairly the Postmaster-General or his Department, and I know very well that some of the heads of the subordinate departments are very efficient, excellent, and competent men.

My friend from Delaware [Mr. SAULSBURY] attempted to draw a little comparison between the service under the present Administration and in the past. I think that is not exactly fair, for there was no such great general complaint during the last Administration as there has been during the present one, nor does the complaint come entirely from the West, as has been suggested. It is not alone that railroads are being extended so rapidly; that is not the difficulty in this matter. The difficulty arises from two sources: the first source, and probably the greatest one, is the fact that the Department has attempted to change the clerical force too rapidly. In the short space of two years and a half nearly 90 per cent. of the whole force of the Post-Office Department in this country has been changed. It is impossible that that number of new men should be inducted so suddenly into the service and perform the duties successfully and efficiently.

My friend from Nebraska [Mr. MANDERSON] asked a question in regard to the railway postal service. It is true that there has been less change in the railway postal service than in any other department of the service; and it is also true, and bears directly on this question, that

in no department of this service has there been so little difficulty as in the service on the postal cars.

In the city of Philadelphia, where the most radical change has been made, it has become notorious, everybody knows, that if a man is really in a hurry to get a communication to anybody in the city of Philadelphia he either sends it by express or by telegraph. Numerous instances are on record where letters have been traced that have been one, two, and three weeks reaching their destination in the city of Philadelphia. What is the reason of this? It is very patent. The clerical force in the city of Philadelphia has been almost entirely changed, and new men have been selected, not with reference to their qualifications for office, but especially with a view to political services, and we have seen the fruits of it only a few weeks ago in the efforts of the present Administration to capture a convention and secure the election of a chairman of the State Democratic committee of Pennsylvania. This is notorious; everybody knows it. The men in the post-office in the city of Philadelphia acted as the political heelers and strikers to bring about that movement, supposed to be looking to the appointment of delegates to a convention that may sit during the coming warm weather.

But I wish to say further in regard to this matter of difficulty in the West, that it is not confined to the West. The business men of my city are suffering every week and every day from delays in the handling of the mail, until it has become to be a very common matter for a man who is engaged in business to find that his samples have come in before his invoice arrives, and when he is in a hurry to get the invoice he directs that it be sent by express. This did not occur formerly.

There is another difficulty. This Department, in common with others, has attempted to carry the theory of economy to an excessive extent. They have cut off expenditures to an extent unwarranted by law or usage; the decisions of the Department have been against efficiency and good service; and this policy has been carried on notoriously in regard to the printing and writing upon wrappers on second and third class matter.

So also the decision of the Department in regard to an appropriation made in the Forty-eighth Congress to convey the water-borne mails. Congress, supposing it possessed the authority to make the appropriation, provided by legislation that bids should be called for under certain prescribed conditions, and made the appropriation, expecting the Post-Office Department to carry out that provision of law; but the Postmaster-General, taking upon himself the right and the authority to decide upon a supposed law binding on himself, declared that he would not carry out the provisions of that statute

Mr. BECK. What does the Senator say, may I ask him?

Mr. CHACE. I was alluding to the appropriation of $400,000.

Mr. BECK. I desire to ask the Senator what he said about the Postmaster-General.

Mr. CHACE. I said the Postmaster decided that he would not carry out the provisions of that law.

Mr. BECK. We discussed that matter before. I ask what the Senator said about merchants having trouble about their invoices.

Mr. CHACE. It is a matter of common notoriety in my city that parties buying merchandise at a distance receive their samples by express before they get their invoices by mail; and it has come to be the case that when they are in a hurry to get their invoices, so as to be able to examine them before the arrival of the samples, they have them sent by express.

Mr. BECK. Samples from other parts of this country, or from abroad—which?

Mr. CHACE. I am speaking now of my own State and of different parts of the country, all about. I am simply mentioning this fact to show that the difficulty is not confined to the West. It does not arise on account of the construction of new railroads or the change in the carrying of the mails from star routes to railroads.

Mr. BECK. I can not understand how invoices from one part of the country to another can be delayed; but, as to those coming from abroad, I understand that perfectly well from the examinations the Committee on Finance have made in regard to that matter.

Mr. CHACE. I am not speaking about foreign mails.

Mr. BECK. We are not so particular about the invoice from abroad now. It is rather *pro forma*.

Mr. CHACE. I am speaking now about the domestic mail service within our own country and from one State to another, and not confined to any particular State or any particular locality. It is a notorious fact that the mails are slower, that they are not so well handled, that they are not so well distributed as formerly. It has always been the case that second and third and fourth class mail matter has been delayed longer than letters, but that is aggravated at the present time, and the explanation is a very simple one. Here are new men, an immense horde of them, more than forty-six thousand out of fifty-odd thousand changed suddenly, introduced into a new business with which they had no previous acquaintance, and it is not to be expected that those men on entering the service can perform the duties with the promptness and facility of old and faithful officers.

I did not rise to criticise the Administration. I have no doubt the Postmaster-General and his subordinates at the head of the departments in the Post-Office establishment have intended to give us a good and efficient service; but they have been placed in a very paradoxical position. The question with them is, how to do the service with new men, selected, not with reference to their special qualifications for the service, but solely and entirely on account of their value as political servants. How, under such circumstances, can a Department secure a good and efficient service? It is impossible.

I do not expect to go on with this discussion now, because I hope we shall have a careful and thorough investigation in response to this resolution, and then perhaps we may discuss it more at length.

Mr. REAGAN. Mr. President, I am in hopes the resolution will be adopted, so that if there are deficiencies and insufficiencies in the postal service which are inexcusable, that fact may be developed, and if there are not, that the action of the Post-Office Department may be vindicated. I should be glad if the resolution were so amended as to embrace the point suggested by the Senator from Rhode Island a few moments ago, when he charged part of the alleged inefficiency of the postal service to the appointment of new and inexperienced clerks. My understanding on that subject is that there have been fewer changes from the past administration to the present than have usually been made on a change of administration within the same party. I think that fact will be developed if the Senator will amend the resolution so as to make the necessary inquiry.

Mr. CHACE. Do I understand the Senator to say that there have been fewer changes by this Administration in the Post-Office Department than by former administrations?

Mr. REAGAN. Yes, sir; that is it.

Mr. CHACE. The Senator is very much mistaken.

Mr. REAGAN. I hope the Senator will let us settle that by amending the resolution so as to draw out the facts in that respect. The Senator suggested that 90 per cent. of the postal clerks were new appointments.

Mr. CHACE. Nearly.

Mr. REAGAN. That is news, I think, to the Department and to the country. The official report of the Postmaster-General discloses no such fact, but, on the contrary, it shows a much less proportion of changes than that. I have only read the report once, without reference particularly to that subject, but it discloses the fact that there have been no such number of changes as the Senator supposes.

Mr. CHACE. The Senator will allow me to interrupt him. He will remember that I was alluding to the whole service in the Post-Office Department. I think if the Senator will look it up he will find that the changes in the whole Post-Office Department are, as I said, very nearly 90 per cent. The Senator from Maine [Mr. HALE] the other day gave us very valuable statistics in regard to that matter, and, if I am correctly informed, he did not have information as to the whole number of changes made, but——

Mr. REAGAN. Will the Senator change the resolution so as to call out an investigation of that fact?

Mr. CHACE. There have been nearly two thousand Presidential post-offices changed out of twenty-four hundred.

Mr. COCKRELL. Will the Senator permit me to make a little statement in regard to postal clerks in Missouri? If 90 per cent. of changes had been made there the service would have been decidedly improved, and I regret exceedingly to say that no such percentage of changes has been secured.

Mr. REAGAN. Nor has any such percentage of changes been made in any other Department, and I invite investigation on that point.

Mr. CHACE. I think there is a very broad "if" in the statement of the Senator from Missouri.

Mr. REAGAN. The Senator from Colorado [Mr. TELLER] and my friend, the Senator from Kentucky [Mr. BECK], as some other Senators did yesterday perhaps, or recently at least, have called attention to the question of making the Post-Office Department self-sustaining. The Senator from Colorado says there is no more reason for making the Post-Office Department self-sustaining than there is for making the Army and the Navy self-sustaining. It seems to me, with all respect, that there is a very broad difference between the two. The Army and the Navy are for the protection and defense of the country. They are not for the purpose of carrying out any private wish, enterprise, or scheme.

On the contrary, the Post-Office Department has for its main purpose to carry the private correspondence of the people, their social correspondence, their business correspondence, to facilitate them in their private affairs; and when they are thus facilitated in their private affairs, is it right that those who enjoy its benefits should pay for those benefits, or are you to tax the people generally for the benefit of those who use the Post-Office Department?

I make this suggestion because it seems to me strange that the statement should be so often repeated that there is no reason for making the Post-Office Department self-sustaining.

The PRESIDENT *pro tempore* The hour of 2 o'clock having arrived, the Senate resumes the consideration of the unfinished business, being the bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. REAGAN. I have a single remark more to make, if I am permitted.

The PRESIDENT *pro tempore*. The Senator from Texas asks unanimous consent to conclude his remarks. Is there objection?

Mr. BLAIR. I hope that the Senator's remarks may be postponed.

Mr. REAGAN. Only a sentence or two.

Mr. BLAIR. Then I will not object.

Mr. REAGAN. Mr. President——

Mr. CHACE. I hope the Senator from New Hampshire will permit a few minutes in regard to this resolution.

Mr. BLAIR. I do not feel at liberty to give way. The resolution will come up to-morrow. There will be a long discussion on it.

Mr. REAGAN. The only additional remark I have to make is that the report of the Postmaster-General shows great intelligence and a thorough comprehension of the various needs of the postal service, and he has pointed to those elements in the service where there are deficiencies to be supplied, and asks the assistance of Congress in perfecting the service. The whole report shows a most careful and useful condition of the service of the Post-Office Department, and I have not heard any complaints anywhere where I have been about the defects in the service that we hear from Senators on the floor.

So I shall be glad to have the resolution adopted, and I shall be glad if the Senator from Rhode Island would amend it so as to investigate the point to which he has drawn attention.

Mr. CHACE. I ask the Senator from New Hampshire to give me just one moment.

Mr. BLAIR. I can not.

Mr. CHACE. I wish to have printed in the RECORD in connection with the remarks I made——

Mr. BLAIR. The resolution will be discussed to-morrow.

Mr. CHACE. Just one moment. I want to put in a few figures that I wish to go into the RECORD in connection with the remarks I made and the Senator from Texas [Mr. REAGAN] made.

The PRESIDENT *pro tempore*. The Senator from New Hampshire has the right to call for the regular order if he desires.

Mr. BLAIR. I will waive it for a moment.

Mr. CHACE. I wish to say that it appears by the report of the Post-Office Department that under this Administration out of 2,359 Presidential postmasters, 2,000 had been changed up to the time of this report, and out of the 52,000 other officers 40,000 had been changed up to the date of the last report.

Mr. REAGAN. Many of those are appointments and reappointments.

Mr. CHACE. No; I beg the Senator's pardon. There are exceedingly few of them that are reappointments, not 1 per cent.; and further, since that time there have been a large number of changes besides.

RAILROAD RECEIVERS.

Mr. CALL. I ask unanimous consent to offer a resolution—morning business.

The PRESIDENT *pro tempore*. The Senator from Florida asks unanimous consent to present at this time a resolution. Is there objection?

There being no objection, the resolution was read, as follows:

*Resolved*, That the Committee on the Judiciary be instructed to report, by bill or otherwise, such legislation as may be necessary to prevent the courts of the United States, in managing railroads through receivers, from depriving creditors of their liens on said railroads and corporate properties by the sale of the properties under receiver's certificates, issued under the order of said courts, whereby the title to great railroad properties and vast bodies of the public land of the people of the United States, carrying with them a power of taxation over the people, is vested in favorites and combinations of persons selected and approved by the receiver and his confederates.

The PRESIDENT *pro tempore*. The resolution will lie over under the rule.

Mr. CALL. I give notice that to-morrow morning I will ask consent of the Senate during the morning hour to address the Senate upon this resolution.

THE PRESIDENT'S ANNUAL MESSAGE.

Mr. KENNA. I give notice that on Thursday, as soon as the morning business is concluded, I shall desire to make some observations touching the resolution to refer the President's annual message, and in reply to the Senator from Ohio [Mr. SHERMAN].

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 436) for the relief of James Barnes, Joab Williams, and William Titus; and

A bill (H. R. 5352) to grant an American register to the foreign-built bark Nordstjernen.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker *pro tempore* of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore:*

A bill (H. R. 4271) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1887, and for prior years, and for other purposes; and

A bill (H. R. 4881) making an appropriation to carry into effect the provisions of an act approved March 2, 1887, entitled "An act to establish agricultural experimental stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of acts supplementary thereto."

RIVER AND HARBOR BILL.

Mr. HOAR. I wish to offer a resolution to be referred to a committee.

The resolution was read, and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

*Resolved*, That the Committee on Commerce be directed when they report the bill making appropriations for rivers and harbors to report as to each item thereof, whether the same be contained in the bill as it came from the House or be proposed by way of amendment, the facts tending to show the importance of the work for which the appropriation is proposed to commerce with foreign nations, or among the States, and for that purpose be authorized to employ an additional clerk to be paid from the contingent fund of the Senate.

L. B. TOWNSEND AND OTHERS.

Mr. PALMER. I should like to ask the forbearance of the Senator from New Hampshire while I move to take up Senate bill 388, Order of Business 48. It is a bill that should be considered now, from the fact that if it is not considered at once great harm may result to many honest men. It passed the Senate unanimously at the last session, but did not get through the House of Representatives. If the Senator from New Hampshire makes no objection, I have no doubt the Senate will accord me the privilege of calling up this bill out of order.

Mr. BLAIR. I can not accede to the request. The Senator must see that the pending bill involves matters of great interest to the coming generations of this country, and I ask him not to make the request under the circumstances that now confront us. I want the regular order to go on.

Mr. PALMER. I appeal to the gentleman by stating that this will lead to no debate, and if his bill merely refers to coming generations I think that the present demands a little of our consideration.

Mr. BLAIR. I can not consent to a postponement of the bill which is the regular order.

Mr. PALMER. I move to lay the pending business aside temporarily.

The PRESIDENT *pro tempore*. The Chair can not entertain that motion.

Mr. PALMER. I move that it be laid aside.

The PRESIDENT *pro tempore*. The Chair can only entertain a motion to postpone either to a day certain or indefinitely.

Mr. PALMER. I move, then, that it be postponed for half an hour.

The PRESIDENT *pro tempore*. The Senator from Michigan moves that the pending order, being the bill (S. 371) to aid in the establishment and temporary support of common schools, be laid aside for thirty minutes. The question is on that motion.

The motion was agreed to.

Mr. PALMER. Now I move to proceed to the consideration of Senate bill 388.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 388) for the relief of L. B. Townsend, Louis S. Lovell, W. C. Page, Alonzo Sessions, Hampton Rich, Harvey Harter, Benjamin Harter, and Peter Hackett.

The bill provides that L. B. Townsend, Louis S. Lovell, W. C. Page, Alonzo Sessions, Hampton Rich, Harvey Harter, Benjamin Harter, and Peter Hackett, of Ionia, Mich., sureties upon the several bonds of the late J. C. Dexter, given as security for the faithful performance by him of his duties as receiver of public moneys and disbursing agent of the land office at Ionia, Mich., from 1861 to 1867, be released and discharged from all obligation and liability whatsoever on account of the bond.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TITLE TO CERTAIN LANDS IN KANSAS.

Mr. PLUMB. I move that the Senate proceed to the consideration of Order of Business 122, Senate bill No. 1022.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1022) to relinquish the interest of the United States in certain lands in Kansas.

Mr. MCPHERSON. Does that refer to what are called the New York Indian lands in Kansas?

Mr. PLUMB. No. This is a bill which respects one quarter-section of land which was originally entered by a person under the preemption laws. After its entry it was sold by him and went into the hands of several persons and finally became a town site, occupied now probably by a thousand people. Some years after the entry, long after the sale, the Department determined that the party was not entitled to enter the land, though they had taken the money, because he had made a previous entry. This is simply to relinquish the title of the United States to the occupiers of the land.

The bill was read at length. By it all the interest of the United States in and to the southwest fractional quarter of section 31, township 16, range 16 east of the sixth principal meridian, Osage County, Kansas, is relinquished to those persons, their grantees and their successors in interest, who purchased from Samuel C. Gilliland, who entered the same on the 7th of June, 1870, but which entry was thereafter canceled.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COLUMBIA RIVER BRIDGE AT DALLES CITY.

Mr. DOLPH. I move to take up Senate bill No. 23, Order of Business No. 54. It is a bridge bill reported favorably from the Committee on Commerce, and it is important that it should have early consideration.

The motion was agreed to; and the bill (S. 23) to authorize Dalles City to construct a bridge across the Columbia River, in the State of Oregon and Territory of Washington, was considered as in Committee of the Whole.

The bill was reported from the Commtttee on Commerce with amendments.

The first amendment was in section 2, line 19, after the word "city," to insert "and approved by the Secretary of War;" so as to read:

*Provided also*, That said bridge, at the option of the said Dalles City, by which it may be built, may be used for the passage of wagons or vehicles of all kinds, for the transit of animals, and for foot-passengers, for such reasonable rate of toll as may be provided from time to time by the common council of said city, and approved by the Secretary of War, or the same shall, at the option of said Dalles City, be a free bridge.

The amendment was agreed to.

The next amendment was in section 4, line 4, after the word "expense" to insert the words:

And in the event of litigation growing out of the provisions of this act, the same shall be had in the circuit court of the United States within whose jurisdiction any part of said bridge may be located.

So as to make the section read:

SEC. 4. That such alterations or changes as may be required by the Secretary of War or Congress in the bridge constructed under the provisions of this act shall be made by the said Dalles City, at its own expense; and in the event of litigation growing out of the provisions of this act, the same shall be had in the circuit court of the United States within whose jurisdiction any part of said bridge may be located, etc.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CRIME IN THE INDIAN TERRITORY.

Mr. JONES, of Arkansas. I move to take up House bill No. 1213, which is Order of Business No. 105.

The motion was agreed to; and the bill (H. R. 1213) to punish robbery, burglary, and larceny in the Indian Territory, was considered as in Committee of the Whole.

The bill was reported from the Committee on Indian Affairs with amendments.

The first amendment was in section 1, line 6, after the word "mule," to strike out the words "or other domestic animal;" so that the section will read:

That any person hereafter convicted in the United States courts having jurisdiction over the Indian Territory, or parts thereof, of stealing any horse, mare, gelding, filly, foal, ass, mule, when said theft is committed in the Indian Territory, shall be punished by a fine of not more than $1,000, or by imprisonment not more than fifteen years, or by both such fine and imprisonment, at the discretion of the court.

The amendment was agreed to.

The next amendment was, in section 3, line 2, after the word "repealed," to strike out the words "but said act," and to insert "*Provided, however*, That all such acts and parts of acts;" so as to make the section read:

SEC. 3. That all acts and parts of acts inconsistent with this act are hereby repealed: *Provided, however*, That all such acts and parts of acts shall remain in force for the punishment of all persons who have heretofore been guilty of the crime of larceny in the Indian Territory.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

PUBLIC BUILDING AT OMAHA.

Mr. MANDERSON. Mr. President, I ask unanimous consent that the Senate consider Order of Business 159, being Senate bill No. 182.

By unanimous consent, the bill (S. 182) to provide for the purchase of a site and the erection of a public building thereon, at Omaha, Nebr., was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with amendments.

The first amendment was in section 1, line 4, after the word "purchase," to insert the words "or acquire by condemnation proceedings, in accordance with the laws of Nebraska;" in line 11, after the word "city," to strike out the words "the plans, specifications, and full estimates for said building shall be previously made and approved according to law, and," and insert the words "at a cost which;" in line 14, after the word "million," to strike out the word "five" and, insert "two;" in line 32, after the word "million," to strike out "five" and insert "two;" in line 36, after the word "building," to insert "and the erection of said building shall not be commenced until after plans, specifications, and full estimates for the same shall have been previously made and approved according to law: *And provided further;*" and in line 43, after the word "million," to strike out the word "five" and insert "two;" so as to make the section read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or acquire by condemnation proceedings, in accordance with the laws of Nebraska, a suitable lot of land in the city of Omaha, in the county of Douglas and State of Nebraska, and cause to be erected on the ground so purchased a building suitable for the accommodation of the courts of the United States, of the custom-house, post-office, internal-revenue office, and other Government offices in that city, at a cost which shall not exceed for the site and building complete the sum of $1,200,000: *Provided*, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys; and no moneys appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Nebraska shall have ceded to the United States exclusive jurisdiction over the same during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein: *Provided*, That it shall be the duty of the Secretary of the Treasury, after the site for said building shall have been purchased, to cause a plan and specifications of said building to be prepared, which said plan and specifications shall not involve an expenditure in the erection and completion of said building and approaches thereto exceeding the portion of said $1,200,000 remaining after the site of said building shall have been paid for; and no plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the sum so remaining after paying for the site of said building, and the erection of said building shall not be commenced until after plans, specifications, and full estimates for the same shall have been previously made and approved according to law: *And provided further*, That nothing herein contained shall be construed in any event to increase the cost of the site and building, including approaches, when completed, beyond the sum of $1,200,000, as provided in this section.

The amendments were agreed to.

The next amendment was in section 3, line 1, after the word "million," to strike out "five" and insert "two;" so as to read:

SEC. 3. That the sum of $1,200,000 is hereby appropriated for the purpose of the purchase of said site and the erection of said building thereon, out of any moneys in the Treasury not otherwise appropriated.

The amendment was agreed to.

Mr. BECK. Does that bill appropriate $1,200,000?

Mr. MANDERSON. That is the maximum limit for both site and building as recommended by the Supervising Architect.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HOUSE BILLS REFERRED.

The bill (H. R. 436) for the relief of James Barnes, Joab Williams, and William Titus was read twice by its title, and referred to the Committee on Claims.

The bill (H. R. 5352) to grant an American register to the foreign-built bark Nordstjernen was read twice by its title, and referred to the Committee on Commerce.

RIGHT OF WAY FOR IRRIGATION PURPOSES.

Mr. TELLER. I move to take up Senate bill 425, Order of Business 32.

The motion was agreed to; and the bill (S. 425) to grant the right of way through the public lands for irrigation purposes was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with amendments.

The first amendment was, in section 1, line 11, before the word "thereof," to strike out "center" and insert "marginal limits;" and in line 13, after the word "stone," to strike out "and timber;" so as to make the section read:

That the right of way through the public lands of the United States is hereby granted to any canal or ditch company, formed for the purpose of irrigation and duly organized under the laws of any State or Territory, which shall have filed with the Secretary of the Interior a copy of its articles of incorporation and due proofs of its organization under the same, to the extent of the ground occupied by the water of the canal and its laterals, and 50 feet on each side of the marginal limits thereof; also the right to take, from the public lands adjacent to the line of the canal or ditch, material, earth, stone, necessary for the construction of such canal or ditch.

The amendment was agreed to.

The next amendment was, in section 3, line 4, after the word "individuals," to insert "on the filing of the certificates and maps herein provided for;" so as to read:

That the provisions of this act shall apply to all canals and ditches heretofore or hereafter constructed, whether constructed by corporations, individuals, or association of individuals, on the filing of the certificates and maps herein provided for.

The amendment was agreed to.

Mr. TELLER. I wish to offer an additional amendment. In line 4 of section 1, after the word "granted," I move to insert "to any individual or." I offer the amendment at the suggestion of the Senator from Kentucky [Mr. BECK].

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In section 1, line 4, after the word "granted," it is proposed to insert "to any individual or;" so as to read:

That the right of way through the public lands of the United States is hereby granted to any individual or to any canal or ditch company formed for the purpose of irrigation, and duly organized under the laws of any State or Territory.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT JACKSONVILLE.

Mr. PASCO. I ask that the bill (S. 217) to change the limit of appropriation for the public building at Jacksonville, Fla., be taken up for consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with amendments.

The first amendment was in section 1, line 4, after the word "Florida," to insert "approved July 29, 1886;" so as to read:

That the act entitled "An act for the erection of a public building at Jacksonville, Fla.," approved July 29, 1886, be amended by making the limit for said building $275,000, and that sum is hereby fixed as the limit of cost thereof.

The amendment was agreed to.

The next amendment was in section 1, line 6, before the word "thousand," to strike out "seventy-five" and insert "fifty;" so as to read:

Two hundred and fifty thousand dollars.

The amendment was agreed to.

The next amendment was in section 3, line 1, before the word "thousand" to strike out "seventy-five" and insert "fifty;" so as to read:

That the sum of $250,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, for the purposes of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHANGE OF INAUGURATION DAY.

The PRESIDENT *pro tempore*. The thirty minutes having expired, the Senate resumes the consideration of the unfinished business.

Mr. HOAR. I ask the Senator from New Hampshire to allow me to call up a matter that will take but a moment—the joint resolution proposing an amendment to the Constitution.

Mr. BLAIR. The Senator from New York [Mr. EVARTS] has the floor on the unfinished business.

Mr. HOAR. I will state the reason why I ask the indulgence. This joint resolution was passed unanimously by the Senate at the last Congress. It proposes a constitutional amendment in regard to extending the Congress, in order to have a longer session the second year of each Congress. If it is to be dealt with at all by the present Congress it should be done at once, in order that the Legislatures of the States, some of which are in session this winter, may have time to consider it. I do not think it will lead to any debate, and I am sure my honorable friend from New York will yield.

The PRESIDENT *pro tempore*. The Senator from New York is entitled to the floor upon the unfinished business.

Mr. HOAR. Will the Senator yield to me?

The PRESIDENT *pro tempore*. The Senator from Massachusetts appeals to the Senator from New York to yield.

Mr. EVARTS. I yield for the purpose of that joint resolution.

The PRESIDENT *pro tempore*. The Senator from New York yields for the purpose of enabling the Senate to proceed to the consideration of the joint resolution, which will be stated.

The CHIEF CLERK. A joint resolution (S. R. 13) proposing an amendment to the Constitution of the United States.

Mr. BLAIR. I object to any yielding that displaces the educational bill.

Mr. HOAR. It does not displace that bill, but merely puts it over informally.

Mr. BLAIR. If the Senator chooses to ask that the bill be laid aside informally, that is another matter; and if the Senator from New York chooses to consent to that being done, it is another thing.

The PRESIDENT *pro tempore*. The Chair will have the parliamentary right of the Senator from New Hampshire fully protected, and the pending order will not be displaced by laying it aside informally for the consideration of other business. The joint resolution is before the Senate as in Committee of the Whole, and will be read at length.

The Chief Clerk read the joint resolution, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, as part of the Constitution, namely:

"The term of office of the President and of the Fiftieth Congress shall continue until the last Tuesday of April, in the year 1889, at noon. The Senators whose existing term would otherwise expire on the 4th day of March, in the year 1889, or thereafter, shall continue in office until noon of the last Tuesday in April succeeding such expiration; and the last Tuesday of April, at noon, shall thereafter be substituted for the 4th of March as the commencement and termination of the official term of the President, Vice-President, Senators, and Representatives in Congress."

The twelfth article of the amendments to the Constitution of the United States shall be amended by striking out the words "fourth day of March," and substituting instead thereof the words "last Tuesday in April, at noon."

The PRESIDENT *pro tempore*. The joint resolution was reported from the Committee on Privileges and Elections, with amendments; which will be stated in their order:

The first amendment was in line 8, to strike out the words "last Tuesday," and insert "thirtieth day;" so as to read, "shall continue until the thirtieth day of April."

The amendment was agreed to.

The next amendment was in line 13, to strike out "last Tuesday," and insert "thirtieth day;" so as to read: "the thirtieth day in April."

The amendment was agreed to.

The next amendment was, in line 14, to strike out the words "last Tuesday," and insert "thirtieth day," so as to read "and the thirtieth day of April."

The amendment was agreed to.

The next amendment was, in line 22, to strike out "last Tuesday," and insert "thirtieth day," so as to read "thirtieth day in April."

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed (two-thirds of the Senators present voting in the affirmative).

Mr. HOAR. I suppose the fact of the passage of the joint resolution by the necessary two-thirds will be recorded in the Journal.

The PRESIDENT *pro tempore*. It is so journalized.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 615) for the relief of James B. Mitchell;

A bill (H. R. 19) for the relief of H. B. Wilson, administrator of the estate of William Tinder, deceased;

A bill (H. R. 300) for the relief of the trustees of the First Baptist Church at Smithland, Ky.;

A bill (H. R. 4842) to remove the political disabilities of George W. Harrison, of Hoboken, N. J.;

A bill (H. R. 2606) authorizing the construction of a bridge over the Missouri River at or near the city of Jefferson, Mo.;

A bill (H. R. 1805) for a public building at Greenville, S. C.;

A bill (H. R. 5874) for the relief of the heirs of the late Francis I. Wheeler;

A bill (H. R. 1712) for the erection of a public building at Portsmouth, Ohio; and

A bill (H. R. 363) granting a pension to Mrs. Eliza L. Mace.

AID TO COMMON SCHOOLS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 371) to aid in the establishment and temporary support of common schools, the pending question being on the amendment of Mr. PLUMB.

Mr. EVARTS. Mr. President, the observations which I shall make upon this bill may be included within a very brief statement of my views, and a brief reference to such principal objections as I think are most worthy of the attention of the Senate.

I can not conceal from myself any more than I can from the Senate that this bill at previous sessions has received ample illustration and elucidation, full argument upon the Constitution, and full discussion of the topics of prudence and expediency. I can not, therefore, think it worth while at all to renew those agitations or those discussions. It is rather that I would wish to state what I regard as the nature of the bill, both in its principal purpose and in the safeguards and prudential regulations which accompany the principal measure, that I now occupy the floor.

I am unable to distinguish this bill, either in the constitutional support for it or in the wisdom or regulation of its methods, from the method which was conducted in the examination by the trustees of the Peabody fund, which resulted in the memorial presented to the two Houses of Congress, and which had the support, in the constitutional and in all the considerations of the welfare of the country, of so competent an adviser and so competent a commentator as Mr. Alexander H. H. Stuart, of Virginia.

So far as I can see, whatever may be thought of particular arrangements in applying so large an endowment, and whether there may or may not be embarrassments or impediments which should be avoided as far as possible in that benevolent distribution, I think it is entirely true that the purpose is precisely that which the great benefactor, Mr. Peabody, had in his mind when he laid out the distribution of his wealth. I think the methods of distribution and the guaranties of its proper application are that when this endowment, proceeding from the General Government for the general welfare, falls into distribution in different States (which is but another form of saying in different managements for the same object, and to the same end), in these regards it is the policy which was the result of our experience for twelve years, bringing the managers of our institution into the closest and most confidential and frankest relations with the governments, with the institutions of learning, with instructors, with guides, with teachers. Such was our experience and the result, which we had the honor to present

to Congress as a guide and an inspiration so far as Congress might regard it from a worthy source, and in this bill it finds substantially its reproduction.

Now, for the outset, as the bill passed the Senate at the last Congress with only 11 votes against it, which were nearly equally divided—6, I think, on the Democratic side and 5 on the Republican, or the reverse—I can hardly think that we can treat the constitutional question as one that is to enter very largely into the minds and opinions of those who are to vote now presently upon this bill. It would be a hopeless task, if I held the measure unconstitutional, against such a front of security and cohesion as is presented by that vote, to attempt to change or overpower that conclusion. So it must be regarded really rather as a conscientious duty upon disputants here to lay out their own grounds and their own opinions, which are apparently so averse to the settled and the solid judgment of the Senate.

I shall have no occasion to defend my opinions, which concur entirely and as only one of the many who entertain the view expressed in the almost solid vote of the Senate. I believe indeed the argument upon the matter principally in dispute, and in which the Senator from Alabama [Mr. MORGAN] took a principal part, and in which I had the honor to take some share in contravening his views, turned upon the point of a conceded right on the part of this Government to apply the funds which were derived from the sales of public lands to just such a measure as this—I mean just such a measure in principle and in purpose of applying the resources of the nation to the educating of the illiterate children of the nation.

Then the point was made that that being a trust estate, and the description of the trust being for the common benefit and general welfare, it was a proper adherence to the trust. But when we came to the trust power in the Constitution itself applicable to taxation and the wealth that is collected by its means, we were told that the construction of a trust power was not controlled by the same considerations which had disposed of the fidelity of the trust estate. I was unable then, I am unable now, to make this distinction.

Whatever may be thought of the range of the power of taxation, the phrases "for the common defense" and "general welfare" are quite as extensive, and, for the purposes of the present legislation, the identical matter is covered by the phrase in the endowment of the Northwest Territory, the cessions from the States, and subsequent securities by which the public lands can be devoted to the purposes of education.

I shall therefore dismiss the constitutional question there. Whatever place there might have been for a right to apply the wealth raised by taxation outside of the particular incidents and forms for the application of it given in the phrases of the Constitution in the separate clauses, whatever may at one time have been thought as to the necessary restriction of the administration of the wealth of the country to those specific purposes, has long passed away, and now in manifold forms of the material welfare of the country we are able to distribute the common wealth among the different States in aid of their occasions, local or particular, in the incidents of their climate or of their exposures to mischief.

There is nothing left for us to argue about the application of our wealth for the general welfare in these various forms of distribution, except that it must be limited by some necessary logic, for certainly no such phrase of demarkation can be found in the Constitution. It must be limited to what is called material welfare in providing for rivers and harbors, for guarding against infections, for controlling interstate commerce, for determining the interests in the various forms by which this or that industry may be needed and may be favored.

What is there in the Constitution, then, in any of its inferences, what is there in any logic that makes it for this country, looking in the face a great moral, a great social, a great political need on one side, and a great political duty in regard to all of these on the part of the United States, by which we are withheld, that we must find this great conflict between ignorance and debasement confessedly arrayed against freedom and the perpetuity of freedom in this country? What is there that obliges us to bend our front before this rising invasion, and by which we must be overpowered because we have no opportunity and no faculty and no right to meet at the right time by appropriate, adequate, and seasonable remedies when our resources are abundant for that purpose?

You must, after all, come back to the great work of our fathers in making a nation and providing it with a Constitution, and the later generation that has advanced and purified that Constitution, and has wrought out greater unity in the political bands and in the exercise of power to maintain it against all comers. You must hold that after all we must find as new occasions arise, new dangers threaten, new evils are to be redressed, and new means and methods are to be exerted for the redress, there is a halt and a limping step in this Constitution of ours that sometimes never can measure by the need and necessity of the commonwealth the right and the power to redress it.

I will agree that nothing is more important than that the lines should be well marked between what can not be traversed across the lines of a State, the power of the Federal Government, and the integrity and security against such invasions by the State; but I can not suffer it to be put upon a distinction between moral, intellectual, social, political needs in the minds and the hearts of the people upon whom the whole fabric of this Constitution and of this free, strong, powerful nation rests. You must find some other line of demarkation than that.

Certainly if you consult the opinions of the great founders of our nation, if you look to Washington, to Jefferson, to Adams, and to Madison, you will find that all those great champions of liberty, those great founders of this great state, put at the bottom of it education, intelligence, integrity, virtue—not a creature in any of these elements of material prosperity, nor concerned with the distribution of bounty for the mouth of the Mississippi or the harbors on the Great Lakes; and yet confessedly in the great experiment that with faith and fortitude was thus launched upon the stormy sea of human passions and human interests, this was the very thing without which the life of the nation must succumb, without which freedom must be usurped by power, without which the fabric would totter to the derision of the philosophers of older schemes of government who derided our attempt when it was commenced.

I will not repeat the terse, compact expressions of these great men. They appear selected by Mr. Stuart in the report which we made, and which was presented to the two Houses of Congress, and appear in the observations with which the Senator from New Hampshire has accompanied his protection and advancement of this bill.

But there is no mistaking the answer if the question had been put to one of those men, when the Federal Government has ample resources and the immediate occasions and most pressing duties of the growing nation are accomplished, when you all speak of this basis not only of our freedom but the only security for its permanence, would it be in the power of this great Government, rather than it should see virtue sapped before its eyes by ignorance and vice, that our material prosperity and our great wealth must remain in the Treasury before this remedial agency could be used to meet and reverse this incursion?

I think there is no mistaking it, for it is in every one of the words used in those weighty phrases, in the solemn admonitions which a nation ought to have listened to, which it did listen to, and which, Senators, I persuade you, the people of this country, North and South, do listen to and wear as a frontlet between their eyes in their judgment and in their purposes concerning the welfare of this country.

I now come to the principal feature of this bill. In the first place, the bill adheres to the proposition that we are not to undertake the regulation of the instruction of the schools and their management inside the States. We are offering an endowment in aid of the resources and of the activities and of the desires of the different States. We are not undertaking to coerce in the least degree the acceptance or permission on the part of the States to meet and accept this proposition or to reject it. Then we are careful, after this endowment is pressed upon them and is accepted by them, to effect no other coercion, or persuasion, which is a better phrase for it, to use and employ these agencies and these resources which shall in the least enervate their domestic interests or break down the zeal and the virtue of their own endowments in the same direction.

Beyond that, although they protect their funds, their principal being supplemented or reduced by our added aggregate wealth, we also do not compel in the least that taxation for a dollar shall be pressed there beyond their present purposes and their present laws. We hold before them no compulsion that they shall raise from their own resources, by taxation or otherwise, an equal amount to that which we offer them.

We guard, then, on the one side and on the other against any encroachment upon the freedom and the ease of the States in meeting this endowment, first, by saving them from any fear that our endowment may check, or nip, or divert the growing zeal, and growing duty, and growing performance of duty among their own people by their own taxation. We say to them, "You are to receive from us under this distribution no more than you raise yourselves."

On the other hand, as I say, neither by undue excitement nor by any menace of withdrawing aid do we urge the taxation beyond the easy and proper assessments that may be laid. We say to the States, "Whatever you raise, and only that amount, you shall receive; and if you raise up to the amount that we offer, then you have a doubled fortune." So, if the Senator from Alabama will allow me, all this apprehension of the pressure on the people of Alabama, whom he so ably represents and defends in their institutions, in their policy, in their customs, in their tendencies, it seems to me, swings entirely free of the measure of this bill.

If the Senator should put it upon the ground that if a stimulant is offered to their activity, a support and aid to their own sacrifices and self-denials, and then comes in the double blessing of our endowment and their own stimulated activity, shall it be said for any State, shall it be said by any Senator representing a State, that that is a dangerous insinuation, a seductive and beguiling influence to proceed from our endowment?

Indeed, Mr. President, I can see no other result to that method of reasoning than a serious conclusion that it is better that things should remain as they are—a little more slumber, a little more folding of the hands to sleep. Those who look at the situation of illiteracy produced by occasions for which the States most to be affected by these endowments are not responsible in their voluntary action, it seems to me that

those who look at the aspect that I do, should say that this is no time for anybody at the North or at the South to wish to fold his hands in sleep any longer. I believe that there is no time to deal with a discovered and a growing and a dangerous condition in education, in ignorance, in debasement, so good as the earliest time at which the mischief and the danger are appreciated.

But it is said that in undertaking to see by the provisions of the bill that the money appropriated from the Treasury of the United States, though committed to the whole agency of the States themselves, it should be committed to an agency that is already engaged by solemn obligations on the part of the States that the management and administration shall be conducted according to the purpose of the appropriation and to accomplish the result of it. If we can do that about a river and harbor bill, or any appropriation that we make for any material interest distributed through this wide country, we can retain the guaranties appropriate to the situation to secure the money that we appropriate at the points and in the manner and at the time suitable to accomplish the results.

We are brought back to the old question then, and the only question, whether we can deal properly with this matter of enlightenment, of instruction, of securing the suffrage against debasement and against oppression and fraud. After all the refinements of criticism which have fallen upon this measure, introduced and defended by the Senator from New Hampshire [Mr. BLAIR], it will be found, I think, in a candid judgment, that the objections go to the bottom of the scheme on the part of this Government to aid the States in relieving them from an oppression of ignorance which they are not themselves competent to deal with. Nor can we gather any instruction from the previous experience of this Government in leaving to the States the entire unaided administration of the subject of education.

Undoubtedly if there is anything which can be properly applied in our distribution of power between the State and the Federal authority, the subject of schools, school management, school regulations, is within the domestic interests of the State. No doubt that is so, and no doubt there must come some situation where it ceases to be a subject only of domestic regulation and domestic control, where the General Government and its resources and its administration of the scheme are to be invoked.

I will agree that outside of the general and liberal method by which to every nascent State we have given the means of education freely and richly out of the public domain, as to the growing States certainly upon the line of parallel where free labor alone was maintained, there could be no need; for if settlers were rude and if they were poor, every one of them carried with him the hope of ceasing to be rude, and the hope of not growing poor lay in the education which in their cradles at home had been the nursery of the wealth and the strength of the people about them. So, as the progress of population overran from the Southern States into other populations and other fertilities comporting with their own, the same system, the same methods, the same distribution of what was possible, and the same denial of education that was not possible, would find its way in these progressive waves of population out from the Southern States of the original thirteen.

But there have been some things done since then. Our Constitution, which adopted as its political citizens the citizens of the States, has now itself made by its original fiat the condition of citizens of the United States; and it has not only done so in that broad relation, but it has undertaken to fix the citizenship of every one within each State when it declares that the citizen of the United States, so pronounced by the amendments to the Constitution, shall be a citizen of that State in which he resides. There is a change at once at the basis of everything.

Besides that, we have undertaken to change the social relations at the South by the power of this Government, as first shown in war, and again in the amendment of the Constitution, and that, one of the greatest changes which ever took place in human affairs, and, as it were, after a long, and dark, and bloody struggle by force, peacefully now takes its place among the institutions of the country, to be cherished and defended and made vigorous and prosperous in the future pathway of our fame and glory.

We stand differently to that from what we did to those purely domestic nurseries of education which could fitly be cherished and strengthened by such resources as they in their own population could supply. Here we have not children as nature brings them into life to draw their early nutriment from the mother's breast and the father's protecting care, and not less in their hearts and minds than in their feeble bodies, but we have thrown upon a community covering a vast area and counting an immense population, people of all the ages from infancy to declining age, and they are all ignorant in the sense in which we would wish to have them adequate to citizenship and the duties of citizenship.

We see, too, that the great population to which I have referred is incapable of mingling in the streams of our posterity, however remote we may think of it, in the sense that they will be of the same blood and of the same nature; and now we are confronted with the proposition that either the communities upon whom these immense obligations and immense burdens are thus thrown are adequate to deal with them, now henceforth sufficiently full of them, and if that be so, thank God that no aid is needed from the general resources of the Government, or the alternative that this Government had power to accomplish so grave, so thorough, so universal, and so perpetual a change, and we have no methods and no weapons except those of war and of contumely, or of pharisaic preference of our superiority.

If the Constitution drives you and me, Mr. President, to these conclusions, let our consciences be clear; but we will appeal to the two Houses of Congress and we will appeal to the judgment of the people of the country whether this great power of the Federal Government towards these communities at the South has in it only the old-fashioned notions of hostility and of suppression. Senators must consider whether the old habits by which the old conditions of things made them tolerable and sensible remain tolerable and sensible under the changed aspect of this great population and great area of our common nation.

For myself I do not look with any complacency upon either that political scheme or that personal or social feeling which treats the situation at the South as the situation of the South. It is the situation of the United States, and there is not one near interest felt by those who are associated in the neighborhood and in the corelations of local and of State obligations and duties that is really nearer in a constitutional point of view or in the love of this common country of ours—that is nearer to it than the Senator from New Hampshire, or the Senator from Connecticut, or the Senator from Illinois who sits near me. It is our country, and while we talk about the superficial phrases of unity, let us understand that in bearing one another's burdens, and in covering one another's infirmities and corroborating everything and disparaging nothing is that unity in America at which we aim on one side and the other of the old divisions between the North and the South.

After all we must come back to it that somehow or other we are enchained by our Constitution, that we can deal only with material prosperity and not regard and not work at what is all material prosperity, all strength, and all power in this nation, in the hearts and minds of the first planters who landed on Plymouth, and in the great statesmen of the Revolutionary period whose names I quoted, for you have said and felt from the beginning that all this is but "tinkling brass and sounding cymbal" compared with a great, elevated, instructive, moral, dutiful people. I must find, then, some higher barrier for me to surmount before I can reckon among the faculties, the opportunities, and the duties which belong to the people of this country, that we shall be of one heart and of one mind; and that instead of being critical, instead of being supercilious, we are to hasten to bring gifts of gold, frankincense, and myrrh, and place them on this altar of our common country, that the prayers which ascend from it may have an assurance of acceptance from being attended by a spirit of self-denial and of sacrifice.

As an impediment of an inferior character, and without offense to an opinion of the honorable Senator from Alabama to criticise his construction of the constitution of his own State, which, so far as I can see, he has raised as the principal obstruction, certainly of a grave character, to the acceptance by his State of the endowment which is offered by this bill, I will call attention to the phrase in the constitution of Alabama in which he thinks he finds an insuperable obstacle to producing any congruity between the provisions of this bill and the requirements of the Alabama constitution. His point was that we have provided that these endowments as they are supplied from year to year are to be distributed and managed and applied year by year, from time to time, under the regulations which are provided by the bill through the agencies of the State, and he thought he found in the constitution of Alabama an absolute and inexorable requirement that whatever came from the United States (and that covered in his judgment this form of aid that was administered) must be made an effectual and secure fund, not permitted to be distributed in actual enjoyment. If the courts of Alabama have passed upon this question, and have held in due form that the honorable Senator's construction of this clause of that constitution is the right one, and my observations and criticism shall have been already adjudicated insufficient, I shall need to apologize; but in the absence of any such adjudication I beg to ask the attention of the Senate to this obstacle that he raises. This is the clause:

The principal of all funds arising from the sale or other disposition of lands or other property—

"Funds arising from the sale or other disposition of lands or other property." That is the subject-matter which is disposed by the constitutional clause—

which has been or may hereafter be granted or intrusted to this State—

That is, lands or other property, subject to sale—

or given by the United States for educational purposes, shall be preserved inviolate.

What is that but the ordinary provision, where a fixed property in land or otherwise has been donated by the United States of America, that the fund must remain inviolate and the income only be used? But does this bill carry to them land or other fixed property donated in the form of a fund to remain, and the fund to give income? Not the least. Neither trait applies to this measure. This money is not land or property in that sense, and it is not to draw interest, nor can it draw interest. The requirement of this bill, the measure of it is that not a

dollar which is to flow into a State through this bill is to be put at interest, or is to gain for a State her education in the future; it is for the time, as an original flow, not into a reservoir, but for irrigation that is wasted unless it is well applied.

So I must think this constitutional impediment in the State of Alabama does not exist, and yet the honorable Senator thought that we were entangled in a result which might impoverish or reduce the enjoyment by Alabama of any portion of the money thus to be distributed.

Beyond these impediments, I would ask the Senator from Alabama, or any other champion of opposition to this bill, if he would rather that we should have made these appropriations without the safeguards I have insisted upon? Would he have us on constitutional grounds, or on questions of preserving the moral integrity of the various States, make this appropriation without the State in its autonomy accepting and agreeing to it? This is a novel criticism upon the independence of the States, which we acknowledge to begin with. Should we then require it to be done by bill or joint resolution, and not left to educational societies or organizations of schools to accept these driblets from time to time? No, we have respected to the very last letter the integrity of the States, and leave it to them as an original question whether they will accept any portion of this endowment or not; and if there are moral, if there are social, if there are sentimental objections, very well, we go on our way increasing only the advantages which are given to other States that wish for them.

But the honorable Senator finds great occasion for objection to that clause, as if the State of Alabama would be coerced into taking it when they thought it would ruin them, because they feared that Georgia would get more. If Georgia is going to be ruined by taking more, why should not Alabama be quite unconcerned about Georgia, if Alabama had been virtuous enough to protect her population and her schemes of education from this corruption?

Then we go a little further into the general subject of education and at the bottom, in the exposition which very intelligently and very respectfully the Senator from Alabama has displayed before the Senate he thinks there is nothing so bad to the family as to have schools at the public expense. He thinks that it enervates the family circle and tie, and although he thinks that of the colored people is and has been looser than was and is desirable, yet there is some subtle way that when you have got a family thus loosely held together, either in the sense of filial piety or of paternal protection, and when both parents and children altogether are in the very abyss of ignorance, the only safe way down South is for the old colored people to lift the young people up!

Well, this family, moved out of sympathy and sentiment for the great relation of the family, seems to find no substantial support either in this whimsy that the old man will educate his sons if he knows that he can spare something from his whisky and his tobacco, and see the children coming up under the mild radiance of education, and he may become himself a school visitor and a member of the board, and that reacting agency on the motives of the parent is to be found an adequate remedy for all these dangers, so great enemies to the family relation.

But, Mr. President, we do not need to fear these chimeras, even if they were not impossible in the situation which I have adverted to as a need for agency of removing mischief. From the time that the Pilgrim Fathers landed at Plymouth, were they not endued with all the duties and affections of family, and was it not the first thing in the institution of that nascent community to declare that it was the interest of the state beyond and over and above that of the family, that it was the interest of the state, not that all should be learned, but that none should be ignorant? And they did not leave it to these sentiments of affection between parent and child, though they were in a pious community in which all these affections had been developed in the strongest and clearest light. They said the state can not suffer anybody to be ignorant while there is in the power of the state the means of wealth and the means of education. And now are we to be told that this great principle which no community in which these ideas spread ever could reject, and that now is just as much a part of the strength, morals, religious, intellectual love of liberty and knowledge of law, which can not fail, has caused us to run a terrible risk all these two hundred and fifty years lest the family relation should be endangered by public education?

Will you take Dakota or some remote, unsettled region that will make a new gospel of filial and paternal education that is to break down the common school, or will you take the hierarchical system of priestly education that shall break down the common school? I would not like to begin in any small settlement on the farthest frontier, I would not like to begin it in Massachusetts, which ought to know best on the subject from her long experience. We have arrived at a period where the people of this country have made up their minds that there shall be no ignorance where it is in the power of the State, and I may say the United States, to prevent it.

To be sure, a superintendent of schools in Worcester, of all places in the world and of all positions in public confidence and in public administration, has written a letter, has sent an arrow, a poisoned arrow, in favor of ignorance from that privileged center, an arrow that would have been wholly harmless if it had remained in the quiver of a New York newspaper. But a Senator has raised it with an encomium upon the writer, an encomium on principle, and he has launched from his strong bow this arrow that would otherwise have fallen harmless. I will let this gentleman represent his own view of the topic about which he is writing, and then see what his judgment is about that institution at home in which he prides himself, I dare say, or at least finds the means of influence and support in being a superintendent of common schools in Worcester. These are the reasons which this enlightened educator gives why it would do harm for us to give of our wealth towards public education at the South:

> In the first place, the people of the South have awakened to the necessity of public education, and they are at work actively and successfully in the right direction. It is only through this public, active interest that a good system of schools can be either established or maintained.

Agreed, but is not a little money to be used in this active and successful pursuit of knowledge? Is it not useful even in Massachusetts that a salary should be attached to the office of superintendent of schools? And is it not desirable that there should be some treasury from which these influences of material aid shall correspond with an active service? Why, Mr. President, that is the bottom of the movement where there is this activity, this desire, this hunger and thirst for education and knowledge, and we are to be told now by a superintendent of schools in Massachusetts "leave them to themselves." That is a noble condition of mind. Well, how long before that activity and that hunger will fail for want of means to accomplish the result within this generation, within this day, within our time? But the next reason:

> Secondly, the people of the Southern States are as able to establish their schools—

Listen, now, to this wise judgment of the great situation at the South and of the great and common condition of the Northern people:

> Secondly, the people of the Southern States are as able to establish their schools as any of the new Western States have been or are to-day, and as well able also as any of the older States were at the beginning. The argument that those States formerly slave are poorer than they were before the war by the value of the slaves is fallacious, since a free man is worth more, and not less, than a slave to any community.

These are the reasons of a superintendent of common schools about the similarity in the situation between the great population of the South as it lies before us under the social catastrophe that precipitated both poverty upon them and needs and burdens of education not proportioned to a growing community either early in New England or late in a frontier State. These are the ideas that the honorable Senator from Alabama has sought to educe under the great name of Mr. Marble to sustain his views about having the South let alone. But further:

> Thirdly, I feel sure that a large distribution of money from the surplus in the Treasury would not all find its way into the school-rooms, but would be to a large extent frittered away in the course of the distribution, and that instead of a healthy emulation to see who will do best in establishing schools of their own, and thus attracting business and population, as they do in the West and are doing in the South, there will arise a pernicious strife to see who can gobble up the largest share of the loaves and fishes.

Well, I leave that to be met by the representatives of the different communities.

Does the money drawn from the treasury of Massachusetts or of New York enervate or is it the subject of dilapidation? You talk of these great sums. The city of New York spends in education within its own city boundaries nearer four million than three million dollars a year, and that tax-burdened community, despoiled in many respects by worthless or corrupt applications, never grumbles about that school-tax. Any efforts that are made in a mere notion of economy and reducing the people's burdens never affect the school-tax. There is no question in the public opinion of the honesty and the intelligence of that distribution. When you have a condition of things where a State is impoverished and has a burden abnormal, wholly unsettled by the ignorance that is thrown upon it, are we to be turned off by namby-pamby talk, such as "Why, you will get along just as well as they do in New England and just as well as they do in the West?" It seems to me to be paltering with serious considerations to present these ideas. But last:

> Lastly, I oppose this move, as I do other innovations of similar injurious character, on the general principle that in this country it is the duty and the privilege of the individual to provide for himself and take care of himself; and it is not the duty of the Government to act the fond parent towards the people of this country. If the people can not take care of themselves, and if the Government must then take care of them, we reduce ourselves to an absurdity, since the Government is nothing but the expression of the people's will.

Look at the absurdity of such paltering from New England and a New England school and a New England superintendent, to say that the principle upon which this country has grown is that a man shall take care of himself, and that parental education is the proper mode to secure free and equal representation in politics and government. Good Heavens, what a fate, if we are to be crushed by paternal education through public schools! How have we ever managed to get along with this crushing weight of paternal education upon our shoulders for two hundred and fifty years!

No, Mr. President, the Senator has been too hasty in clothing with interest and dignity these strange lucubrations of a Worcester school superintendent. We shall not change our view about this bill on the

arguments of Mr. Marble, although we may do so upon those of the Senator from Alabama.

Perhaps I have taken more time than I should in a somewhat discursive examination of the matter; but there was a question asked by the Senator from Texas, not now in his place, of the Senator from New Hampshire, when the credit—whatever it deserves—from the memorial of the Peabody trustees was the subject of consideration and question, whether this report under the eminent names of Mr. Stuart and the present Chief-Justice carried any such notion as that this mode of the introduction of means and the distribution for its application to the State was included in the observations of that report. Let me read from it:

> The only remaining points which seem to demand a passing notice from your committee are, first, the mode of administering the assistance; second, the extent to which it should be carried; and, third, the period for which it should be continued.

I take up the mode of administration:

> The experience of this board has demonstrated the propriety of using the officers connected with the school system of the respective States as agents in the application of the funds of the Peabody board to the purposes of the trust.

Now, *mutatis mutandis*, is not that, I appeal to the Senator from New Hampshire, the method by which the aids of this Government are to be used and applied under the bill? Precisely.

> All the Southern States seem now to have awakened to a sense of the importance of a general system of free schools. Most of them have organized efficient systems of instruction so far as their limited means will allow them to go. Faithful and competent officers have in most instances been put in charge of them. These agencies are too important to be overlooked. Their employment, as means by which the bounty of Congress can be bestowed, is recommended by considerations of economy; and their use would tend also to avoid local jealousies and promote harmony and unity of action.

And, now, as to the education, so far as it is entered upon in this bill and which has been made a matter of comment, the Senator from Alabama expressing a wish that the people about him should not be so super-educated as they are in New Hampshire, let us see how this report under the great name of Thomas Jefferson enlarges upon the topic and the method that this system of public education should pursue:

> Thomas Jefferson, who in the latter part of his life bestowed much labor and thought upon the subject of popular education, in describing the proper subjects and limitations of primary education, says:
> "These objects would be—
> "To give to every citizen the information he needs for the transaction of his own business.
> "To enable him to calculate for himself, and to express and preserve his ideas, his contracts, and accounts in writing.
> "To improve, by reading, his morals and faculties.
> "To understand his duties to his neighbors and country, and to discharge with competence the functions confided to him by either.
> "To know his rights; to exercise with order and justice those he retains; to choose with discretion the fiduciary of those he delegates; and to notice their conduct with diligence, with candor, and judgment.
> "And, in general, to observe with intelligence and faithfulness all the social relations under which he shall be placed."
> To instruct the mass of our fellow-citizens in these their rights, interests, and duties as men and citizens, being then the objects of education in the primary schools, whether private or public, in them should be taught reading, writing, and numerical arithmetic, the elements of mensuration (useful in so many callings), and the outlines of geography and history.

Will that measure of instruction super-educate the people of Alabama? Is there such a complacent and complete assurance, as the thing now stands, that it is as dangerous to go a step higher as it would be to fall a step lower? I imagine we shall not hear much of any of the dangers which come from the degree of education that this bill undertakes to prescribe as conditions of the useful application of its funds.

And now, Mr. President, the great population of the South does not stand still. It has not stood still for two years or more that I have had a certain share of responsibility about this bill in this Chamber. It will not stand still for the next year. The tendency from gravitation, without resistance from reason and aim, will go on and on and on; and if education is not to dissipate this dark cloud of ignorance, then the cloud will grow darker and larger. If ignorance can not be lifted from that low level at which it now rests, it will not stay there, but go lower and lower, and it will become brutal and savage and hostile to society.

Mr. BLAIR. Mr. President, I do not wish to interfere with the Senator from Alabama [Mr. PUGH] if he desires to go on now. I wish the Senator to take the floor, but after he has taken the floor I desire to introduce a few figures before the adjournment.

Mr. PUGH. Mr. President, I desire to address the Senate on the bill now before it, but I prefer to do so to-morrow, as we have nearly reached the usual hour of adjournment.

Mr. BLAIR. I wish to supplement the statements of the Senator from New York by referring to some figures as to the increase of the colored population at the South. At the same rate of increase which took place between 1870 and 1880 the colored population of the South to-day is not far from 9,000,000, and it will be at least 10,000,000 by the time the census of 1890 is taken.

In regard to the funds of the different States from which they now support their common schools, I read from the report of the superintendent of Nebraska, as quoted in the report of the Commissioner of Education for 1885–'86:

> *Missouri.*—Permanent fund, $10,284,000; annual interest on the permanent fund variable, sometimes reaching $800,000; minimum price of land, $1.25 an acre.
> *Indiana.*—Permanent fund, $6,328,690.89; annual interest, $665,262.11. The State has borrowed and pays interest at the rate of 6 per cent. on $3,904,783.21. The remainder is loaned on real estate at 8 per cent., and is managed by the county auditors.
> *Minnesota.*—Permanent fund, $7,250,000; annual interest, $335,000; minimum prices of lands by statutes of 1878, $5 per acre; estimated future of fund, $18,000,000.
> *Iowa.*—Permanent fund, $4,127,510; minimum price of land, $6 per acre, but may be sold at an appraised value not less than $1.25 per acre; fund distributed to the counties, which pay the State 6 per cent.
> *Kansas.*—Permanent fund, $4,000,000; estimated future maximum, $10,000,000; annual interest, $400,000; minimum price of land, $3 per acre.
> *Michigan.*—Permanent fund, $3,838,728.27; the annual interest amounts to $260,853.32; by the statutes of 1882 the minimum price of the common-school land was fixed at $4 per acre; the minimum price of the university lands was fixed at $12.
> *Ohio.*—Permanent fund, $3,826,171.27; estimated future maximum, $4,000,000; annual interest derived, $229,452.76.
> *Wisconsin.*—Permanent fund, $2,953,528.58.
> *Tennessee.*—Permanent fund ascertained and declared by law to be $2,512,000, which constitutes an irreducible debt of the State and bears 6 per cent. interest.
> *Colorado.*—Permanent school fund, $151,457.53; unsold land, 2,500,000 acres; minimum price of land, $2.50 per acre; the State pays interest at the rate of 6 per cent. on the permanent fund.
> *Nebraska.*—Permanent fund, $4,904,119.21; annual interest, $291,352.60; minimum price of land, $7 per acre; estimated future maximum fund, $20,000,000.

This shows the extent to which those States have already been assisted by benefactions of public property. The senior Senator from Tennessee [Mr. HARRIS] is not now in his seat, but I see the junior Senator [Mr. BATE], and therefore I will call his attention to a circumstance that both will recollect. The other day, when I included among the States that had sanctioned this bill by legislative action their own State, they both said it was otherwise, as they understood.

I have just received a letter addressed to myself, in which the writer says he saw what was said in reference to the Tennessee Legislature having passed a resolution instructing her Senators and Representatives in Congress to vote for this bill, and goes on:

> I also noticed Senator HARRIS's denial of the same. I thought at the time your position was correct and that Mr. HARRIS was wrong. So I concluded to see Col. A. S. Colyar on the subject. He told me yesterday that you were correct. Colonel Colyar is editor of the Daily American, published at Nashville, and is one of the most influential men in our State, and stands first as a lawyer at the Nashville bar. There are a large number of people in Tennessee who are exceedingly interested in your educational bill, and would be very much rejoiced if you could get it through this session of Congress, etc.

He says further:

> The Blair bill is gaining friends daily, and would be universally indorsed were it not for Mr. HARRIS's influence, and only needs to be discussed to become so. He has great political power in this State, etc.

That is undoubtedly true. The writer speaks very complimentarily of the influence of the Senator [Mr. HARRIS], and he thinks the influence of that gentleman has had much to do with preventing expressions in favor of the bill. Further:

> I have heard men of some intelligence argue that the bill provides that "negroes and whites shall be educated together."

I merely call attention to the indorsement of the bill by the Legislature of Tennessee, which this writer states on the authority of Colonel Colyar.

Mr. BATE. I think the Senator from New Hampshire will find upon proper investigation that my colleague [Mr. HARRIS] correctly stated the other day that that question has been repeatedly before the Legislature and no instructions given him. During the two preceding Legislatures I had no opportunity, as the executive, to pass upon it, for the resolution did not pass the Legislature, although introduced. Furthermore, the gentleman referred to—Colonel Colyar, and from whose letter he reads—is able, and has been earnest and enthusiastic in his advocacy of the Blair bill.

Mr. BLAIR. He states it on the authority of the Nashville American.

Mr. BATE. Yes, but he is the editor of the Nashville American. If the Senator from New Hampshire desires to know accurately about this matter the best way is to refer to the record of the Legislature o Tennessee. I am quite sure that my colleague is correct in his statement. As to his influence in the State that is deserved, but if I recollect aright Senator HARRIS never spoke on the bill, either against or in favor of it; but the people of their own volition have well defined their position on this measure, and during the last canvass in our State, although in some counties it was made quite an issue, scarcely a Democrat was elected to the Legislature who advocated it, and in my opinion it would be worse off to-day than heretofore so far as the number of its friends in the Legislature is concerned.

Mr. BLAIR. I have some information that does not seem to correspond with that of the Senator.

Mr. BECK. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty-four minutes spent in executive session the doors were reopened, and (at 4 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 1, 1888, at 12 o'clock m.

## HOUSE OF REPRESENTATIVES.

TUESDAY, *January* 31, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Clerk proceeded to read the Journal of yesterday's proceedings.

Mr. PAYSON. I ask unanimous consent to dispense with the reading of so much of the Journal as relates to the introduction and reference of bills.

There was no objection.

The remainder of the Journal was read and approved.

SUPPORT OF CONVICTS.

The SPEAKER *pro tempore* laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Attorney-General of a deficiency in the appropriations for the support of convicts for the current fiscal year; which was referred to the Committee on Appropriations, and ordered to be printed.

INSIDE DOORS, PENSION BUILDING.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Commissioner of Pensions of an appropriation, to be immediately available, for inside doors of the Pension Office building; which was referred to the Committee on Appropriations, and ordered to be printed.

INDIAN AGENT, MACKINAC AGENCY.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Interior, transmitting a letter from the Commissioner of Indian Affairs, recommending that the compensation of the agent at the Mackinac agency be increased; which was referred to the Committee on Indian Affairs, and ordered to be printed.

PUBLIC-LAND SURVEYS.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of the Treasury, transmitting additional estimates from the Secretary of the Interior for the public-land surveys for the next fiscal year; which was referred to the Committee on Appropriations, and ordered to be printed.

REVETMENT WORK ON WILLAMETTE RIVER.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War, transmitting reports from the Chief of Engineers in relation to the proposed revetment of the Willamette River, Oregon; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

CONTINGENT FUND, INTERIOR DEPARTMENT.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Interior, transmitting a statement of expenditures from the contingent fund of that Department for the fiscal year ended June 30, 1887; which was referred to the Committee on Expenditures in the Interior Department, and ordered to be printed.

REPORT OF THE COMMISSIONER OF PATENTS.

The SPEAKER *pro tempore* also laid before the House a letter from the Commissioner of Patents, transmitting his annual report for 1887; which was referred to the Committee on Patents, and ordered to be printed.

IMPROVEMENT KENNEBEC AND PENOBSCOT RIVERS, MAINE.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports of examinations and surveys of the Kennebec and Penobscot Rivers, in Maine; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

SENATE BILLS, ETC., REFERRED.

The SPEAKER *pro tempore*, under the rule, laid before the House Senate bills and a concurrent resolution; which were referred as follows, namely:

The bill (S. 191) to make an additional appropriation for the printing of the eulogies delivered in Congress on the late John A. Logan—to the Committee on Printing;

The bill (S. 455) for the relief of Andrew J. Lindsay—to the Committee on the Judiciary; and

Concurrent resolution providing for the printing of 20,000 copies of the first annual report of the Interstate Commerce Commission, with appendices—to the Committee on Printing.

INVESTIGATION OF THE GOVERNMENT PRINTING OFFICE.

The SPEAKER *pro tempore*. The Chair desires to state to the House that the resolution in relation to the investigation of the Printing department of the Government, passed on yesterday, seems to be in the form of a standing committee with two additions, which the Chair thinks is anomalous. It should be denominated a special committee, consisting of the Committee on Printing and two additional members; and in order to make the matter formal, the Chair would suggest that the committee be known as a special committee. It can not be a standing committee, and must be something else. Therefore, if there be no objection, the Chair will cause it to be entered upon the record as such.

The Chair will name the two additional members to constitute the special committee, and appoints the gentleman from New York [Mr. CUMMINGS] and the gentleman from New Hampshire [Mr. GALLINGER].

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BACON, indefinitely, on account of sickness.

To Mr. BARRY, for this day, on account of sickness.

To Mr. WOODBURN, indefinitely, on account of sickness in his family.

BRIDGE ACROSS THE MISSOURI RIVER AT JEFFERSON.

Mr. BLAND. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole House on the Private Calendar from the further consideration of the bill I send to the desk, and put it upon its passage.

The SPEAKER *pro tempore*. The Clerk will report the title of the bill subject to objection.

The Clerk read as follows:

A bill (H. R. 2006) authorizing the construction of a bridge over the Missouri River at or near the city of Jefferson, Mo.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

There was no objection.

Mr. BLAND. Unless the reading of this bill is called for I will state that it is in the usual form, and is identical with the bills which the House has been passing heretofore without objection. It covers all the points insisted upon by the War Department, and I ask consent to dispense with its reading.

Mr. ANDERSON, of Kansas. What is the bill?

Mr. BLAND. It provides for building a bridge across the Missouri at or near Jefferson.

Mr. HOLMAN. Has this bill been reported by the Committee on Commerce?

Mr. BLAND. It has been favorably reported by the committee, and is now on the Private Calendar.

There being no objection, the bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. BLAND moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JAMES BARNES AND OTHERS.

Mr. DORSEY. I ask unanimous consent that the bill (H. R. 436) for the relief of James Barnes, Joab Williams, and William Titus be taken from the Private Calendar and be put upon its passage.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following-named persons the sums hereinafter mentioned:

To James Barnes, of Ogalalla, Keith County, Nebraska, the sum of $20.

To Joab Williams, of Ogalalla, Keith County, Nebraska, the sum of $20.

To William Titus, of Ogalalla, Keith County, Nebraska, the sum of $20.

The above-named to receive the sums mentioned in full compensation for damages sustained by reason of the destruction of crops by mules belonging to the command of Colonel Forsythe, Seventh United States Cavalry, in August, 1877.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

Mr. HOLMAN. I hope a word of explanation will be given in regard to it.

Mr. DORSEY. When Colonel Forsythe, in command of the Seventh Cavalry, was moving from Fort Meade, Dak., to Fort Riley, Nebr., he stopped over night at Ogalalla, Nebr., August 15, 1877. The mules of his command were being herded on the prairie. A passing train frightened them and they broke away and destroyed the crops belonging to the men whose names appear in the bill.

Under our State law the owner of the crops might have impounded the mules and held them for such damage as might be ascertained by three men until paid by the Government. Colonel Forsythe gave the necessary papers to these gentlemen to prosecute their claims before the Treasury Department. The Comptroller reports that while the claim is just and valid he can not pay it to these parties. So we come here for relief. It is a matter of about $65. That is all the sum that is involved in this bill.

Mr. DOCKERY. That is all right.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. DORSEY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

SURVEY BY COL. W. E. MERRILL.

Mr. HOLMAN, by unanimous consent, submitted the following resolution; which was read, considered, and agreed to:

*Resolved*, That the Secretary of War be, and he is hereby, directed to transmit

to the House a survey, or copy thereof, made by Col. William E. Merrill, of the Engineer Corps of the Army, or under his direction, of the harbor of the city of Madison, Ind., and portions of the Ohio River connected therewith, and plat thereof, if such survey and the plat thereof have been completed.

Mr. HOLMAN moved to reconsider the vote by which the resolution was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REGISTER TO BARK NORDSTJERNEN.

Mr. DUNN. I ask unanimous consent that the bill which I send to the desk be considered and passed.

The Clerk read as follows:

A bill (H. R. 5352) to grant an American register to the foreign-built bark Nordstjernen.

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to issue an American register to the foreign-built bark Nordstjernen, wrecked or disabled in or near the waters of the United States and towed into a port thereof; said vessel having been condemned and ordered to be sold, and bought by citizens of the United States, by whom said vessel has been repaired at an expense of more than five-sixths of the present cost thereof.

Mr. BUCHANAN. I ask the chairman of the Committee on Merchant Marine and Fisheries whether the report in this case has been printed?

Mr. DUNN. I have asked unanimous consent for the consideration of this bill. The report is at the Clerk's desk. If the gentleman from New Jersey desires it to be read, I will ask the Clerk to read it.

Mr. BUCHANAN. That is satisfactory.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

Mr. BREWER. I desire to ask the gentleman from Arkansas a question. I ask if the statute does not already cover this case? I understand the statute allows such vessels to receive an American register where the expenditure is two-thirds of the value of the vessel.

Mr. DUNN. That is, provided the wreck occurred within American waters. In this case there was a doubt whether it was within the jurisdiction of the United States or not, and the Treasury Department resolved that doubt against the vessel instead of in its favor.

Mr. DINGLEY. The bill is all right. It simply covers a technical point.

Mr. BREWER. That is satisfactory.

The bill was passed.

Mr. DUNN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PENSIONS.

Mr. BREWER, by unanimous consent, introduced a bill (H. R. 6363) regulating the granting of pensions to certain disabled soldiers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MARY EVERINGHAM BROWN.

Mr. FORD. I ask unanimous consent to take up for immediate consideration the bill (H. R. 880) granting a pension to Mary Everingham Brown. This is a bill to pension an army nurse who is now old, poor, and helpless, and liable to become a public charge. The bill has been considered by the Committee on Invalid Pensions.

A MEMBER. Has the committee reported favorably?

Mr. FORD. The committee has made a unanimous report in its favor. This is a meritorious case and I hope the bill will be passed at once.

The SPEAKER *pro tempore*. The bill is not at the Clerk's desk.

Mr. FORD. I find upon examination that although recommended by the Committee on Invalid Pensions yesterday it has not been reported to the House. I ask unanimous consent, however, to put the bill on its passage.

Mr. SPRINGER. That can not be done, since the bill is not here.

Mr. FORD. Then I withdraw my request for the present.

TARIFF ON IRON, ETC.

Mr. BUTLER presented the petition of citizens of Johnson City, Tenn., of both political parties, protesting against the reduction of the tariff on iron, coke, ores, etc.; which was ordered to be printed in the RECORD. The petition is as follows:

Resolutions unanimously adopted at a meeting of citizens in Johnson City, January 25, 1888.

Whereas the development of the iron industries of Tennessee is the only hope that we have in the future for the growth and prosperity of this section; and

Whereas a bill is now being prepared, with the approval of the Ways and Means Committee in Congress, by which it is proposed to remove the duties on soft coal, coke, iron, and ores, and to reduce the duties on manufactured articles relating to that great industry; and

Whereas the passage of that bill will inevitably result in the destruction of our great and growing iron and coal interests: It is therefore,

*Resolved*, That we do most earnestly protest against the passage of such bill, and earnestly urge upon the Representatives in Congress from the State of Tennessee that they use their every effort to prevent the passage of such bill.

*And be it further resolved*, That the sentiments of this meeting be taken in the form of petitions, and these resolutions, together with such petitions, shall be forwarded to the Representatives in Congress from the State of Tennessee, to the Speaker of the House of Representatives, and to the chairman of the Ways and Means Committee.

J. C. HARDIN, *Chairman*.
J. J. WEILER, *Secretary*.

JOHNSON CITY, TENN., *January* 25, 1888.

*To the Honorable Representatives and Senators of the Fiftieth Congress:*

We, the undersigned, citizens of Johnson City, Tenn., in mass-meeting assembled, without regard to party affiliations, do petition your honorable body that no measures shall be passed effecting a reduction of the present existing tariff upon iron, iron ore, or coal.

[Signed by 72 Democrats and 77 Republicans.]

CHANGE OF REFERENCE.

On motion of Mr. RICHARDSON, the Committee on Printing was discharged from the further consideration of the bill (H. R. 4985) to prohibit certain printing by authority of the United States, and it was referred to the Committee on the Post-Office and Post-Roads.

ORDER OF BUSINESS.

Mr. STEELE. I call for the regular order.

The SPEAKER *pro tempore*. The regular order is the call of committees for reports.

GEORGE W. HARRISON.

Mr. CULBERSON, from the Committee on the Judiciary, reported back with a favorable recommendation the bill (H. R. 4842) to remove the political disabilities of George W. Harrison, of Hoboken, N. J.; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ORRIS A. BROWNE.

Mr. CULBERSON also, from the Committee on the Judiciary, reported back with a favorable recommendation the bill (H. R. 5859) to remove the political disabilities of Orris A. Browne, of Virginia; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PAUL F. FAISON.

Mr. CULBERSON also, from the Committee on the Judiciary, reported back with a favorable recommendation the bill (H. R. 4694) to remove the political disabilities of Paul F. Faison; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARIA SYPHAX.

Mr. STEWART, of Vermont, from the Committee on the Judiciary, reported back with a favorable recommendation the bill (H. R. 3441) declaratory of the meaning of the act entitled "An act for the relief of Maria Syphax;" which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

UNITED STATES DISTRICT COURTS, ALABAMA.

Mr. OATES, from the Committee on the Judiciary, reported back with a favorable recommendation the bill (H. R. 4470) to regulate the jurisdiction of the United States district judges of the courts over which they preside in the State of Alabama; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

NATIONAL-BANK DEPOSITS IN THE TREASURY.

Mr. DINGLEY, from the Committee on Banking and Currency, reported back with a favorable recommendation the bill (H. R. 2012) authorizing the Secretary of the Treasury to invest the lawful money deposited in the Treasury in trust by national banking associations for the retirement of their circulating notes; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

READING RAILROAD TROUBLES.

Mr. CLARDY, from the Committee on Commerce, reported a substitute for the resolution offered by Mr. ANDERSON, of Kansas, on the 16th of January, and referred to the Committee on Commerce, providing for an investigation by that committee of the Reading Railroad troubles with reference to their effect upon interstate commerce; and moved that the substitute be referred to the House Calendar.

Mr. RAYNER. Mr. Speaker, there is a statement of the views of the minority of the Committee on Commerce in regard to the Reading lock-out which they desire to submit. One of the members of the committee who unites with the minority has not yet signed the statement, but he will do so, and I want to give notice now that I propose to call the matter up later in the day.

Mr. RANDALL. Mr. Speaker, I desire to ask the Chair whether this proposition coming from the Committee on Commerce is in the nature of an inquiry under the rule so as to be entitled to a privileged status here. I ask the Chair to rule whether it is an inquiry of that nature, or whether it is outside of the range of privileged resolutions of inquiry.

The SPEAKER *pro tempore*. The resolutions of inquiry contemplated by the rule are directed to the President, or to heads of Departments, and have a certain privilege, but this is not a privileged resolution.

Mr. RANDALL. What I ask is that the Chair will rule on that very point, whether this is or is not privileged.

The SPEAKER *pro tempore*. So far as the Chair understands it, this resolution is not privileged; and the gentleman reporting it does not so

claim. The gentleman from Maryland [Mr. RAYNER] asks that the views of the minority may be printed with the report of the committee.

Mr. RAYNER. Mr. Speaker, I ask unanimous consent that the report of the committee and the views of the minority be read.

The SPEAKER *pro tempore*. That is not in order. Even unanimous consent would not make it in order in this hour.

The substitute was referred to the House Calendar.

CHANGES OF REFERENCE.

On motion of Mr. CLARDY, by unanimous consent, the Committee on Commerce was discharged from the further consideration of bills of the following titles; and they were severally referred as indicated:

The bill (H. R. 1373) prohibiting the purchase of goods which are in whole or in part manufactured by convict labor—to the Committee on Labor.

The bill (H. R. 4458) for the construction of a bridge across the Big Wind River, on the Shoshone Indian reservation, in the Territory of Wyoming—to the Committee on Indian Affairs.

The bill (H. R. 5671) to reimburse the depositors of the Freedman's Savings and Trust Company for losses incurred by the failure of said company—to the Committee on Banking and Currency.

BRIDGES OVER MUSKINGUM RIVER, OHIO.

Mr. ANDERSON, of Iowa, from the Committee on Commerce, reported back with an amendment the bill (H. R. 4327) regulating the construction of bridges over the Muskingum River, in Ohio; which was referred to the House Calendar, and the accompanying report ordered to be printed.

PORT OF LAMBERTON, N. J.

Mr. ANDERSON, of Kansas, from the Committee on Commerce, reported back favorably the bill (H. R. 1640) to change the name of the port of Lamberton, in the district of Burlington, N. J., to the port of Trenton, in said district; which was referred to the House Calendar, and the accompanying report ordered to be printed.

MARY E. HOPKINS.

Mr. WISE, from the Committee on Naval Affairs, reported back favorably the bill (H. R. 4002) for the relief of Mary E. Hopkins; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

LAND IN AUSTIN, TEX., FOR EDUCATION.

Mr. LAIRD, from the Committee on Military Affairs, reported back with an amendment the bill (H. R. 2993) to authorize the Secretary of War to convey to the city of Austin, Tex., a tract of land in said city for educational purposes; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

POSTAL LAWS.

Mr. BLOUNT, from the Committee on the Post-Office and Post-Roads, reported back adversely the bill (H. R. 4304) to amend the postal laws; which was laid on the table, and the accompanying report ordered to be printed.

POSTAGE ON SECOND-CLASS MATTER.

Mr. BLOUNT. I am directed by the Committee on the Post-Office and Post-Roads to report back adversely the bill (H. R. 4336) regulating rates of postage on second-class mail matter at letter-carrier offices. The gentleman from Pennsylvania [Mr. BINGHAM] desires to submit a minority report on this subject; I therefore ask that the bill be placed on the House Calendar.

The SPEAKER *pro tempore*. If there be no objection, leave will be granted for the filing of a minority report, and the bill will be referred to the House Calendar.

There was no objection; and it was ordered accordingly.

Mr. BLOUNT also, from the Committee on the Post-Office and Post-Roads, reported back favorably the bill (H. R. 4910) to amend section 14 of the act approved March 3, 1879, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes," and relating to second-class mail matter; which was referred to the House Calendar, and the accompanying report ordered to be printed.

PACIFIC RAILROAD.

Mr. DOCKERY, from the Committee on the Post-Office and Post-Roads, reported back with amendment the bill (H. R. 1426) supplementary to the act of July 1, 1862, entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," also of the act of July 2, 1864, and other acts amendatory of said first-named act; which was referred to the House Calendar, and the accompanying report ordered to be printed.

Mr. DOCKERY. The gentleman from New York [Mr. WHITE], not now present, desires to present hereafter the views of a minority of the committee on this subject. I ask that this privilege may be allowed, and that the minority views, when presented, be printed with the report of the majority.

There being no objection, it was ordered accordingly.

PROCEEDS OF PUBLIC LANDS IN CALIFORNIA.

Mr. McKENNA, from the Committee on the Public Lands, reported back favorably the bill (S. 418) granting to the State of California 5 per cent. of the net proceeds of the cash sales of public lands in said State; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

Mr. JACKSON. I desire permission to file a minority report in this case.

The SPEAKER *pro tempore*. If there be no objection, that leave will be granted.

There was no objection.

LAND DISTRICTS IN OREGON.

Mr. HERMANN, from the Committee on the Public Lands, reported back with amendment the bill (H. R. 1762) to establish an additional land district in the State of Oregon; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

BLACK BOB BAND OF SHAWNEE INDIANS.

Mr. PERKINS, from the Committee on the Public Lands, reported a bill (H. R. 6364) to provide for the sale of land allotted and patented to certain members of the Black Bob band of Shawnee Indians, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

Mr. PERKINS. There was no bill on this subject referred to this committee, but the attention of the committee was called to the subject by an executive document, and on that executive document this bill has been reported to the House.

CHOCTAW COAL AND RAILWAY COMPANY.

Mr. ALLEN, of Mississippi, from the Committee on Indian Affairs, reported back with amendments the bill (H. R. 4643) to authorize the Choctaw Coal and Railway Company to construct and operate a railway through the Indian Territory, and for other purposes; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

JOEL J. GOSS.

Mr. BANKHEAD, from the Committee on Public Buildings and Grounds, reported a bill for the relief of Joel J. Goss; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM H. BROKENSHAW.

Mr. CHIPMAN, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 418) granting a pension to William H. Brokenshaw; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

MARY EVERINGHAM BROWN.

Mr. CHIPMAN also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 880) granting a pension to Mary Everingham Brown; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

MISS CAPPIE HARSH.

Mr. MORRILL, from the Committee on Invalid Pensions, reported back with amendments the bill (H. R. 5766) granting a pension to Miss Cappie Harsh, daughter of Daniel Harsh; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

JOHN C. JOHNSTON.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 221) increasing the pension of John C. Johnston; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

MARY S. LOGAN.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back with amendments the bill (H. R. 3191) granting a pension to Mary S. Logan; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

Mr. MORRILL. I ask, by unanimous consent, that the minority of the committee in the two cases just reported be allowed to file their views, and also that their views be ordered to be printed with the majority reports.

There was no objection, and it was ordered accordingly.

APOLLINE A. BLAIR.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back with amendments the bill (S. 574) to increase the pension of Mrs. Apolline A. Blair; which was referred to the Committee of the

Whole House on the Private Calendar, and the accompanying report ordered to be printed.

Mr. MORRILL. I ask, by unanimous consent, that the minority of the committee be allowed to file their views in that case and that they be ordered to be printed with the report of the majority.

There was no objection, and it was ordered accordingly.

ELIZA J. CURRIER.

Mr. GALLINGER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 441) granting a pension to Eliza J. Currier; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

EVERARD FLYNN.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back with amendments the bill (H. R. 4835) for the relief of Everard Flynn; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

HANNAH C. DE WITT.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 823) granting a pension to Hannah C. De Witt; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

MRS. ESTHER B. HAYFORD.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 369) granting a pension to Mrs. Esther B. Hayford; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

MARY MORFORD.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 806) for the relief of Mary Morford; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

JULIETTE STONE.

Mr. SAWYER, from the Committee on Invalid Pensions (by Mr. GALLINGER), reported back favorably the bill (H. R. 628) granting a pension to Juliette Stone; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

HARRIET V. STOCKTON.

Mr. HUNTER, from the Committee on Invalid Pensions, reported back with amendments the bill (H. R. 3711) granting a pension to Harriet V. Stockton; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

JAMES WOODY.

Mr. SCULL, from the Committee on Pensions, reported back favorably the bill (H. R. 2806) to increase the pension of James Woody; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

JACOB CRAMER.

Mr. HENDERSON, of North Carolina, from the Committee on Pensions, reported back favorably the bill (H. R. 855) for the relief of the heirs of Jacob Cramer; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

CHANGES OF REFERENCE.

Mr. BLISS. A number of bills have been referred to the Committee on Pensions which I am instructed by that committee to report back for reference to the Committee on Invalid Pensions, to which they belong.

Mr. SPRINGER. Let the change of reference be made through the petition-box. If made in open House it puts them in a position to which they are not entitled.

The SPEAKER *pro tempore*. The changes will be made through the petition-box.

WASHINGTON L. PARVIN AND OTHERS.

Mr. HIESTAND, from the Committee on War Claims, reported back favorably the bill (H. R. 4900) for the relief of Washington L. Parvin and Henry A. Green; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

CLAIMS OF MISSOURI MILITIA.

Mr. STONE, of Kentucky, from the Committee on War Claims, reported back favorably the bill (S. 473) to authorize the Secretary of the Treasury to cause to be examined certain vouchers filed, or to be filed, by the State of Missouri, or her agent or agents, for sums claimed to be due from the Government of the United States on account of payments made by said State since April 22, 1882, to the officers and enlisted men of her militia forces, for military services rendered to the United States in the suppression of the rebellion, as evidenced by the proper pay-rolls heretofore filed with, examined, and accepted by the Government of the United States, and to report to Congress; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

Mr. STONE, of Kentucky. I am also instructed by the committee to submit a resolution for reference to the Committee on Accounts.

The resolution was read.

The SPEAKER *pro tempore*. The Chair would ask if this resolution was referred to the gentleman's committee?

Mr. STONE, of Kentucky. It is a resolution which I am instructed by the committee to report to the House and ask its reference to the Committee on Appropriations.

The SPEAKER *pro tempore*. The gentleman can make that request at another time, but not in this hour, as it is not a resolution which was originally referred to the committee and now reported back.

Mr. STONE, of Kentucky. Very well; I will withhold the resolution for the present.

It will be remembered, Mr. Speaker, that on Friday last the consideration of private bills on the Calendar was objected to. Two of those bills were referred, by the action of the House, to the Committee on War Claims. The committee now finds itself in possession of a bill in one of these cases, and have instructed me to report it back to the House favorably, and ask that it be allowed to take the place upon the Calendar that it occupied before its reference to the committee.

Mr. SPRINGER. I think that would be a very dangerous precedent in this hour.

The SPEAKER *pro tempore*. The Chair could not entertain that proposition in this hour. It would probably lead to debate and would not be in order. However, the Chair will ask if there be consent to the request, as the Chair can not regulate the Calendar of the House.

Mr. STONE, of Kentucky. I suppose the House could fix the order of its business on the Calendars.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Kentucky?

Mr. BLOUNT and others objected.

Mr. STONE, of Kentucky. Then I will withdraw the report for the present.

FIDUS LIVERMORE.

Mr. THOMAS, of Wisconsin, from the Committee on War Claims, reported back favorably the bill (H. R. 3758) for the relief of the legal heirs of Fidus Livermore, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

N. C. PERKINS.

Mr. CROUSE, from the Committee on War Claims, reported back with an adverse recommendation the bill (H. R. 2917) for the relief of N. C. Perkins, administrator; which, on motion of Mr. WHITTHORNE, was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JAMES MILLINGER.

Mr. PENINGTON, from the Committee on War Claims, reported back favorably the bill (H. R. 31) for the relief of James Millinger; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

B. M. M. PARISH.

Mr. PENINGTON also, from the Committee on War Claims, reported back, with amendments, the bill (H. R. 322) for the relief of B. M. M. Parish; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

LAURA E. MADDOX AND OTHERS.

Mr. BLISS, from the Committee on War Claims, reported a bill (H. R. 6365) for the relief of Laura E. Maddox, widow and executrix, and Robert Morrison, executor of Joseph H. Maddox, deceased; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

NEW MADRID, MO., LAND CLAIMS.

Mr. LATHAM, from the Committee on Private Land Claims, reported back favorably the bill (H. R. 4556) to confirm the New Madrid location survey, No. 2889, and to provide for the issue of patent therefor; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

REPORT OF COMMISSIONER OF LABOR.

Mr. RICHARDSON, from the Committee on Printing, reported back the joint resolution (H. Res. 62) providing for printing the annual report of the Commissioner of Labor with the recommendation that it lie on the table, and that there be adopted a concurrent resolution as a substitute therefor.

The proposed substitute was read, and referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

SMITHSONIAN REPORT FOR 1886 AND 1887.

Mr. HIESTAND, from the Committee on Printing, reported back with a favorable recommendation the concurrent resolution to authorize the publication of the Smithsonian report for the years 1886 and 1887; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

INVESTIGATION OF READING RAILROAD.

Mr. WILSON, of Minnesota, filed his individual views as a minority report on the proposed investigation touching the alleged interference of the Reading Railroad with interstate commerce; which was ordered to be printed with the report of the majority of the Committee on Commerce.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The Chair will now call committees for one hour for the consideration of bills.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS.

Mr. DIBBLE. I desire under instructions of the committee to call up the House resolution in relation to fixing a day for the consideration of business of the Committee on Public Buildings and Grounds.

The resolution was read, as follows:

*Resolved*, That Tuesday, February 21, 1888, after the hour for the consideration of bills reported from committees, be fixed for the consideration of such bills as may be indicated by the Committee on Public Buildings and Grounds of the bills reported by said committee, and that this order shall continue from day to day until the House shall otherwise order, not to interfere with revenue or general appropriation bills or prior special orders.

Mr. SPRINGER. I rise to a question of order.

Mr. MILLS. I desire to offer a substitute for the resolution.

Mr. DIBBLE. I yield to the gentleman from Texas [Mr. MILLS] for that purpose.

Mr. SPRINGER. But before the gentleman from Texas offers the substitute, I make the point of order that this resolution is an amendment to the rules of the House, and should have been referred originally to the Committee on Rules, and that it comes here without the jurisdiction of the committee that has jurisdiction of the subject; and that it can only be considered by unanimous consent in the House.

Mr. MILLS. That point of order is made too late.

Mr. SPRINGER. No, sir; this is the first time the resolution has been called up for consideration.

Mr. RANDALL. I suggest that there may perhaps be an arrangement made as to this.

Mr. SPRINGER. I do not want to yield the point of order on these matters, because it is very important. Here we are beginning what we did last session through the Committee on Rules always. Now we are advancing another step and allowing a committee to make a proposition to amend the rules and then come in during the consideration hour and get the resolution passed by a majority vote when it ought to have gone to the Committee on Rules, which has charge of this thing.

If we allow such resolutions to be referred to committees on Monday during the call for resolutions, and then let such a resolution be called up in the consideration hour, committees by a majority vote can fix all the time of this House from now until the middle of summer for the consideration of bills out of their order. Why have we a code of rules at all, if each committee can come through this channel and ask the House to change the rules and assign special orders for the consideration of business?

Mr. MILLS. I think the objection might have been good if it had been made in time. But the House has already spent some time in the consideration of this subject, and I think we have reached a point when an understanding may be arrived at.

Mr. RANDALL. In confirmation of what has just been stated by the gentleman from Texas, I desire to say that the point made by the gentleman from Illinois, to my mind, is properly made. But this matter was discussed fully. There was a controversy over it; and I ask the gentleman from Illinois not to embarrass the Chair by making this point on this particular occasion. I will co-operate with him and be as watchful as I know how on all future occasions in like cases, and see that all such propositions go to the Committee on Rules.

Mr. REED. I hope the consideration for any trafficking that is going on upon the other side of the House may be stated more distinctly.

Mr. RANDALL. I am unable to hear what the gentleman from Maine is saying.

The SPEAKER *pro tempore*. The Chair is ready to rule on the point of order.

Mr. SPRINGER. If I could get the consensus of the Committee on Rules, I would be glad to have it. I should like to have the co-operation of the gentleman from Maine.

Mr. REED. I do not know what the consensus would be under such circumstances.

The SPEAKER *pro tempore*. The Chair desires to ask the gentleman from South Carolina if the resolution was referred to the Committee on Public Buildings and Grounds by the House.

Mr. DIBBLE. It was referred to the committee, was reported back, and is now in possession of the House.

Mr. SPRINGER. Was not that reference made during the call of States on Monday for the introduction of resolutions?

Mr. DIBBLE. It was not, sir; but it was on the House Calendar.

Mr. SPRINGER. I mean when it was introduced into the House.

Mr. DIBBLE. It was introduced regularly on the call of States.

Mr. O'NEILL, of Missouri. Mr. Speaker, I call for the regular order, whatever it is.

The SPEAKER *pro tempore*. This resolution was referred to the committee by the House, and they have a right to report it back. The only exceptions under the new rule are as to petitions and private bills. The Chair will have read the rule which applies.

The Clerk read as follows, from clause 2 of Rule XXII:

And an erroneous reference of a petition or private bill under this clause shall not confer jurisdiction upon the committee to consider or report the same.

The SPEAKER *pro tempore*. That refers to private bills only, in the opinion of the Chair.

Mr. SPRINGER. I want to ask whether, in the judgment of the Chair, this is not changing the rules of the House?

The SPEAKER *pro tempore*. The Chair would not consider it a change of the rules. The rules require a reference to a committee; that reference has been made, and the resolution is now reported back in pursuance of that reference.

Mr. SPRINGER. I am speaking of the effect of the resolution itself; I ask the Chair whether the resolution does not change the rules of the House?

The SPEAKER *pro tempore*. The Chair repeats what he has already said. This resolution was referred by the House, under the rules, to the Committee on Public Buildings and Grounds. It is not a private petition or memorial or a private bill, and therefore it can be reported back by the committee, as it has been, and the Chair thinks it is now in order.

Mr. SPRINGER. The Chair has not answered my question.

The SPEAKER *pro tempore*. What the Chair has said implies an answer to the gentleman's question.

Mr. SPRINGER. My question is whether this resolution does not work a change in the rules of the House?

The SPEAKER *pro tempore*. The Chair has decided the point.

Mr. MILLS. Mr. Speaker, I ask that the substitute which I have offered be read.

The SPEAKER *pro tempore*. The Clerk will read the proposed substitute.

The Clerk read as follows:

*Resolved*, That Tuesday the 21st, Wednesday the 22d, Thursday the 23d, Saturday the 25th, and Tuesday the 28th days of February, after the hour for the consideration of bills, be set apart for the consideration of bills reported from the Committee on Public Buildings and Grounds; that during said days at 5 o'clock p. m. the House shall adjourn; that no dilatory motions shall be entertained by the Chair while the House is considering any of said bills, and that thirty minutes' debate shall be allowed on each bill, fifteen minutes of which shall be given to those supporting, and fifteen minutes to those opposing the bill.

Mr. DIBBLE. Mr. Speaker, I simply wish to say that the substitute offered by the gentleman from Texas will be accepted by the committee in place of the resolution which they have reported.

The substitute was adopted.

The resolution as amended was then agreed to.

Mr. REED. Mr. Speaker——

Mr. DIBBLE moved to reconsider the vote by which the resolution as amended was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER *pro tempore*. The gentleman from Maine [Mr. REED] addressed the Chair.

Mr. REED. I think, Mr. Speaker, that perhaps the time for observation has passed, only I am glad to see the Democratic House change the rules in the same manner that seemed so violent to them in election cases. It shows that they progress.

ORDER OF BUSINESS.

Mr. DIBBLE. Mr. Speaker, I move that the House go into Committee of the Whole on the state of the Union for the purpose of considering bills reported from the Committee on Public Buildings and Grounds.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. HATCH in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the purpose of considering bills reported from the Committee on Public Buildings and Grounds.

PUBLIC BUILDING, GREENVILLE, S. C.

Mr. DIBBLE. Mr. Speaker, I call up for consideration House bill No. 1805, to provide for a public building at Greenville, S. C.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he hereby is, authorized and directed to purchase, or otherwise procure, a suitable site, and cause to be erected thereon, at the city of Greenville, in the State of South Carolina, a substantial and commodious public building, with fire-proof vaults, for

the use and accommodation of the United States courts, post-office, internal-revenue office, and for other Government uses. The site and building thereon, when completed, upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of $100,000; nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of $100,000 for site and building: *Provided*, That no money to be appropriated for said building shall be used until a valid title to the site selected, which site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of at least 50 feet, including streets and alleys, shall be vested in the United States, nor until the State of South Carolina shall have ceded jurisdiction over the same for all purposes, during the time the United States shall be or remain the owner thereof, except for the enforcement of the criminal laws of the State and the service of civil process therein.

Mr. DIBBLE. Now, Mr. Chairman, I yield five minutes to my colleague from South Carolina [Mr. PERRY].

Mr. PERRY. A similar bill to this has passed the House some half dozen times, and has failed to become a law only for want of time. The report of the committee states the facts upon which the appropriation is asked for. A term of court is held at Greenville, and has been held there for several years; the district attorney, the district judge, the circuit judge, the grand jury at every term of the court have all reported that a building is absolutely necessary. There is a deputy collector there; there are two United States commissioners and a United States marshal, and a very large amount of business is done in the United States courts at every term. The regular term of the court is held in August, and it has been necessary to hold an extra term every year in February. All these facts are stated in the report of the committee, and unless some gentleman desires to make some further inquiry in regard to the matter, I ask that the bill be put upon its passage. [Cries of "Vote!" "Vote!"]

A MEMBER. What is the population of the town?

Mr. PERRY. About 10,000.

Mr. BUCHANAN. I ask for the reading of the report.

The report (by Mr. DIBBLE) was read, as follows:

The Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 1805) for a public building at Greenville, S. C., having had the same under consideration, begs leave to report as follows:

That similar bills were introduced in the Forty-sixth, Forty-seventh, Forty-eighth, and Forty-ninth Congresses, and in each instance were reported favorably; in the Forty-sixth Congress the bill was reported favorably by the Committee of the Whole House on the state of the Union, and had passed the Senate, and in each Congress failed to become a law only from the crowded state of the Calendars.

The grounds in favor of this bill are briefly as follows:

The city of Greenville is the third city in population and importance in the State of South Carolina, and is rapidly increasing in both particulars, an official census, recently taken, showing an increase of population when compared with the census 1880 of over 25 per cent. It is the largest city in the western district of South Carolina, and is in the center of said district and in easy railroad communication with every section of it, by lines converging to and crossing each other at that point.

The United States court, exercising district court and circuit court powers, is held there regularly, and at no other point in the western district, embracing one-half of the State. So large is the amount of business there transacted that its dispatch has required, during the last few years, an extra term of the court every year in addition to the regular terms designated by statute. The late United States district attorney, in a letter on the subject, says:

"A Government court-house is a necessity. More than two-thirds of the business of the United States in this State is done in the district court at that place (*i. e.*, at Greenville). The dockets contain from four hundred to seven hundred cases for trial.

"The United States courts are now held in the county court-house, where there are no accommodations at all suited for the United States."

The district judge upon this subject says:

"There is next to no accommodation for our officers—marshal and his deputies, clerk and his deputies—and no provision at all for the safe, methodical, and decent care of the process and papers of the court."

The circuit judge (Judge Bond) says:

"It is a disgrace to the country to hold the court there in the way it is now done. And I despair of making any of the court's proceedings effective or impressive while it is held in a hired building not under its own control."

The present United States district attorney says:

"Should the South Carolina Legislature change the time for holding the State courts for Greenville County so as to conflict with the time fixed by law for holding the district court of the United States, the United States Government would have no place to hold its court."

There is equal necessity for suitable accommodations for the postal business. As far back as 1879, 326,570 packages of mail matter were handled, and since that time the volume of mail matter has largely increased with the growth of the city. The post-office at present is kept in a rented building, and rents are continually advancing, increasing the expense of a suitable rented building year after year. The postmaster says:

"It is inadequate to the increasing business."

In view of the foregoing facts your committee recommends that the sum of $100,000 be fixed as the limit of cost of the site and building provided for by the bill under consideration. In the judgment of the committee the sum mentioned will enable the Secretary of the Treasury to provide a building which will afford ample room for the present and prospective needs of the Government without a further appeal to Congress for an extension of the limit of cost.

Your committee therefore recommends that the bill do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

PUBLIC BUILDING AT ASHEVILLE, N. C.

Mr. DIBBLE. I call up for consideration the next bill on the Calendar, the bill (H. R. 1697) for the erection of a public building in the city of Asheville, N. C.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or otherwise provide a suitable site and cause to be erected thereon a substantial and commodious building, with fire-proof vaults extending to each story, for the use and accommodation of the courts of the United States, post-office, and other offices of the Government, at Asheville, N. C. The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of $150,000, which said sum is hereby appropriated for that purpose out of any money in the Treasury not otherwise appropriated; nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor place for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of $80,000 for site and building; and the site purchased shall leave the building independent and unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys: *Provided*, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of North Carolina shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

Mr. DIBBLE. There is an amendment reported by the committee to this bill.

Mr. RANDALL. If my memory serves me correctly, this is a bill which was vetoed at the last session of Congress by the President of the United States.

A MEMBER (to Mr. RANDALL). You need not say anything about that.

Mr. RANDALL. A gentleman suggests to me that I need not say anything about that. I withdraw my inquiry. [Laughter.]

The report (by Mr. JOHNSTON, of North Carolina) was read, as follows:

The Committee on Public Buildings and Grounds, having had House bill 1697 under careful consideration, submit the following report:

A similar bill having been favorably recommended by the Committee on Public Buildings and Grounds of the Forty-ninth and prior Congresses, and your committee having, after careful consideration, arrived at the same conclusion, adopt said reports, which are hereto annexed, embodying therein such alterations and further statements of facts as the changed circumstances which have been caused by the constant and rapid growth of said city since the adoption of said reports have rendered necessary.

Your committee therefore recommend the passage of the accompanying bill, with the following amendments:

In line 12 strike out the words "and fifty."

In line 23 strike out the word "eighty" and insert the words "one hundred."

[House Report No. 391, Forty-ninth Congress.]

The Committee on Public Buildings and Grounds, having had House bill 1697 under careful consideration, submit the following report:

A similar bill providing for the erection of a public building at Asheville, N. C., passed the Senate of the Forty-sixth, the Forty-seventh, and the Forty-eighth Congresses, and in each of said Congresses received a favorable report from the House Committee on Public Buildings and Grounds, but failed to pass because it was not reached on the House Calendar.

As your committee, after careful consideration, have arrived at the same conclusion, they annex herewith a copy of the report of the committee of the Forty-eighth Congress for information, and which they adopt as part of this report, with the following additional statement of facts as ascertained by this committee, namely:

That since the date of said report the Asheville and Spartanburgh Railroad therein mentioned has been completed, and the branch of the Western North Carolina Railroad is now running within a short distance of the North Georgia line; that the shops and offices of said railroad company are to be located in said city; that among other costly buildings constructed in said city there is now being built a large hotel at a cost of $100,000 [the capacity of which has since been doubled, and a large cotton factory has also recently been completed and other factories are to be built]; that the population, business, and wealth of the city are rapidly and constantly increasing [the assessed value of the property has nearly quadrupled in the last four years, and the population since 1880 has increased about same proportion. The revenue from the post-office has so increased since this report was made as to entitle the city to free delivery under the act of 1887]; that the rents of the offices and buildings used by the Government are also increasing; that on account of the establishment of additional State courts held in said city it often occurs that the terms of the United States circuit and district courts conflict with those of the State courts, in which case the United States courts are held in some other hall, at much inconvenience and annoyance; that the business of the United States circuit and district courts has increased; that there being no spare rooms in the county court-house, the office of the clerk of said courts, together with all their records, have necessarily been removed to rooms in the second story of a brick building at a distance from the court-house, where they are without protection, and in case of fire their destruction would be inevitable.

The State court-house, in which the United States courts are at present held, has been presented by the grand jury of that court as being too small and inconvenient to accommodate the court and its officers, and that the noise and confusion caused by its bad construction and immediate proximity to one of the principal thoroughfares of the city constantly interrupt the transaction of the public business, and at times cause a suspension of court proceedings.

"[House Report No. 1298, Forty-eighth Congress, first session.]

"The Committee on Public Buildings and Grounds submit the following report upon the bill (H. R. 1125) to provide for a public building at Asheville, N. C.:

"By the act of June 4, 1872, the State of North Carolina was divided into two judicial districts, Asheville being situate in about the center of the 'western district.' This division divides the State, as to territory and population, about equally, there being forty-five counties in the western district, comprising an area about 300 miles in length and about an average of 150 miles in width. The business done in the United States courts at Asheville comes from about thirty counties of the district, the balance of the district going to Greensborough, Statesville, and Charlotte.

"There is no Government building within this vast territory west of Greensborough, the almost entire body of the western district being west of Greensborough.

"Much the largest portion of the business of the district, both criminal and civil, is done at Asheville, being the central point. The report of the Attorney-General shows that the causes pending in the 'western district,' in which the Government is a party, are largely in excess of those pending in the 'eastern district.' It appears that while the court is held in four places in the said west-

ern district, the greater portion is done at Asheville, there being as many as from four hundred to five hundred cases on the docket at that place at one time.

"The city of Asheville, with its adjacent growing villages, has a population of from 6,000 to 8,000, and now rapidly increasing in consequence of its peculiar geographical and commercial position.

"The Western North Carolina Railroad reaches Asheville, and there diverges, one branch going north, via Knoxville, and within eighteen hours' run of Louisville, Ky., the other going west toward the North Georgia line; while the Asheville and Spartanburgh Railroad only wants the completion of 20 miles to connect Asheville with Charleston, S. C., by a travel of twelve hours or less. Asheville is, therefore, the center of this great western portion of North Carolina through which the great railroad lines mentioned must pass. Other railroads are in progress destined to reach this point.

"Asheville is a great summer resort, having several of the finest hotels in the State, and is easily accessible from all directions.

"Sixty or seventy mercantile establishments, including several wholesale houses, are being supported in the city. There are four or five large warehouses for the sale of leaf-tobacco, while several tobacco manufactories are engaged in the manufacture of tobacco. It is the center and terminus of nine different mail routes, and the post-office receipts and disbursements, including the money-order business, amount to about $128,000 annually. The Post-Office Department, the internal-revenue department, and the judiciary department all have offices, kept from year to year, in the city, at an estimated cost of $—— for rents. It appears that the district and circuit courts are held twice in each year, and that the State courts have in some instances given way to accommodate the United States courts.

"The committee are of the opinion that it would be economy in the Government to erect a building, and they therefore recommend the passage of the bill."

Mr. REED. I would like to know whether the other bills which were vetoed by the President are to be presented.

Mr. DIBBLE. The gentleman from North Carolina [Mr. JOHNSTON] can probably explain wherein this bill may not be obnoxious to the President's objections, as the other bill was. Besides, since the last session of Congress the President has visited Asheville and has seen for himself the growth and greatness of that mountain city.

Mr. BUCHANAN. I would like to know the population of the place.

Mr. JOHNSTON, of North Carolina. Between eight and ten thousand—about the same as Greenville, S. C., for which a bill was just passed.

The CHAIRMAN. The question is on the amendments reported by the committee and just read as a part of the report.

Mr. JOHNSTON, of North Carolina. The two amendments are to the same effect; they limit the expenditure to $100,000; that is all.

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a recommendation that it do pass.

PUBLIC BUILDING AT SPRINGFIELD, MO.

Mr. DIBBLE. I call up for consideration the bill (H. R. 1611) for the erection of a public building at Springfield, Mo.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or otherwise provide a site, and cause to be erected thereon a substantial and commodious building, with fire-proof vaults, for the use and accommodation of the United States courts, post-office, United States land office, and the United States Signal Service, and for other Government uses at Springfield, in the State of Missouri. The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of $100,000; nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site, nor plan for said building, shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of $100,000 for site and building; and the site purchased shall leave the building unexposed to danger from fire by an open space of at least 40 feet, including streets and alleys: *Provided*, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of Missouri shall cede to the United States exclusive jurisdiction over the same during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The report (by Mr. WADE) is as follows:

The Committee on Public Buildings and Grounds, to whom was referred House bill No. 1611, beg leave to submit the following report:

The city of Springfield is the metropolis of Southwest Missouri. It is 240 miles from St. Louis, 200 from Kansas City, and 360 from Memphis, Tenn.; has six lines of railroad, which make tributary to it a large territory unsurpassed in agricultural, mineral, stock-raising, and timber resources. Its wholesale trade extends over Southwest Missouri, Northwest Arkansas, and the Indian Territory, and amounts to several millions yearly. It has four national and three private banks, three lines of street railroads, electric lights, and gas and water works. Its educational advantages are unsurpassed. Drury College and Lorretta Academy furnish the higher education, while the public schools, with eight large buildings and a corps of sixty-five teachers, supply those seeking a common-school education with facilities to that end unsurpassed in the nation.

The manufacturing, milling, and lumber interests of Springfield are extensive and rapidly growing. The shops of two great trunk-line railroads, namely, the Kansas City, Springfield and Memphis, and the St. Louis and San Francisco, are located here, which employ over two thousand men.

The city of North Springfield was incorporated with Springfield last spring, giving the city a population of more than 20,000, making it the fourth city in population in the State. Its location and commercial advantages and manufactures will, in the near future, increase its population to 50,000, and raise it to the rank of third city in the State.

The postal service of Springfield employs, since the consolidation of the office of North Springfield with it on 1st of the present month, fifteen persons. The gross receipts of the Springfield post-office for the year 1886 (including North Springfield) were over $23,000, an increase of over $4,000 from last report.

The rent paid for building for post-office is $1,050; for land office, $300; signal office, $300; United States court-room and offices, $1,200 (this item is paid by Greene County), making a total expenditure for rent for buildings in Springfield for Government use of $2,850.

A bill for a Government building at Springfield was passed last Congress and vetoed by the President on the grounds that no rent was paid for the building used as a post-office, and that there was no United States court there. Since then a United States court has been established there, the post-offices of Springfield and North Springfield consolidated, and rent sufficient is now being paid to warrant the Government in erecting a building, leaving out of consideration the better facilities for transacting the business. In view of the facts set forth, and in consideration of the necessity for a building sufficient to meet the wants of the Government, we recommend the passage of the bill.

The bill was laid aside to be reported to the House with a recommendation that it do pass.

PUBLIC BUILDING AT MONROE, LA.

Mr. DIBBLE. I next call up the bill (H. R. 1483) for the erection of a public building at Monroe, La.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or otherwise procure a suitable site, and cause to be erected thereon, at the city of Monroe, in the State of Louisiana, a suitable, substantial, and commodious public building for the use of the United States courts, post-office, internal-revenue, land, and other Government offices: *Provided*, That no money appropriated for said building shall be expended until a valid title to the site selected shall be vested in the United States, which site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of at least 50 feet, nor until the State of Louisiana shall have ceded jurisdiction over the same for all purposes during the time the United States shall be or remain the owner thereof, except for the enforcement of the criminal laws of said State, and the service of civil process therein. The plans and estimates for said building shall first be prepared, examined, and approved as required by section 3734 of the Revised Statutes of the United States, and the cost shall not exceed $100,000; nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the same herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury. And no purchase of site nor plan of said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of $100,000, which sum is hereby appropriated for the same, out of any money in the Treasury not otherwise appropriated.

Mr. DIBBLE. I will yield five minutes to the gentleman from Louisiana [Mr. NEWTON], if he desires to explain this bill.

Several MEMBERS. Let us have the report read.

The report (by Mr. NEWTON) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred House bill 1483, submit the following report:

Monroe is the largest and most important town (or city) in the State of Louisiana north of Red River. It is situated on the Ouachita River at the junction of the Vicksburgh, Shreveport and Texas Pacific Railroad. It is a large shipping port for both, and largely controls the commerce of the same, amounting annually to from fifteen to twenty millions by the river alone. It has several large and extensive industries. Two or three important lines of railroad are projected through the city.

There is no public building at Monroe belonging to the General Government. The necessity for one is great. The importance of having one for the use of the United States courts (which have more business at Monroe than at the other three places where courts are held in the western district of Louisiana) is attested by the following extracts from letters of the judge and chief clerk of the United States court which sits there, the same being on file with your committee.

In a letter from the judge of said court, he says:

"The United States court sessions held at Monroe are the most important in the district; we try more cases there than we do at all the other places in which we have court. The court is in session at Monroe about three months of the year, and is busily engaged during the whole time. I do not now remember the number of suits on the docket at Monroe, but I expect to be engaged there at the April term for six or eight weeks.

"Monroe is in a rich and populous part of the district, and its proximity to that part of the Mississippi River which divides Mississippi from Louisiana will always induce most of the litigation in the United States courts for the western district of Louisiana to be disposed of at Monroe. The Government rents a large room for holding sessions of the court at Monroe, but provides nothing else in the way of accommodations for the officers of the court. The clerk has no office, and the papers filed in the court are at the mercy of all sorts of accidents. The marshal has no office; I do not know how he keeps or takes care of his papers."

[Extract from letter of chief clerk.]

"I write to urge the necessity of an appropriation for the erection of a public building (United States court-house) at this place.

"The business in the United States courts here is constantly increasing, and as a matter of fact, which can be substantiated by the court records, there are a larger number of cases on the docket at this place than at all the other points in the district combined.

"In the building (Masonic Hall) now rented by the Government for use as a court-house there are no rooms for use of the judge, officers of the court, or the grand and petit juries. In fact, the marshal has been compelled to rent two rooms over a bar-room two blocks from the court-house for the use of the juries.

"I am compelled for safety to keep the books and records of court in my room at my boarding-house."

A petition signed by all the lawyers and leading citizens of Monroe and the country adjacent thereto substantially sets forth the above facts also, and asks for a public building at that place. Monroe is also a large mail-distributing point and has no suitable post-office, nor has it accommodations for the deputy internal-revenue or other agencies of the Government.

From these evidences it appears:

1. That the business of the courts at Monroe is constantly increasing, and that there is a larger number of cases there than at all the other places in the district combined.

2. That there is no place of safety in which to keep the papers and records of said courts, in which are involved large amounts and important interests.

3. That the clerk is compelled, for safety, to keep the books and records of the court in his room at a boarding-house.

4. That the marshal has no apartments owned by the Government in which to convene the juries, but is compelled to rent rooms for that purpose at a distance from the hall in which the court holds its sessions, and has to keep his papers and documents as best he can.

5. The United States courts hold sessions at Monroe twice a year, during which it sits about three months, and it has a large and increasing business.

It appears that Monroe is an old and substantial city; that it has a steadily-growing influence and population; several large and important industries; an extensive trade; is located in the heart of a district embracing a population of about 180,000 people, who transact there all the business they have before the United States courts.

The Committee on Public Buildings of both Senate and House of the Forty-ninth Congress made a favorable report on a similar bill, which bill was finally passed by both Houses of said Congress, having finally passed the House in the last days of the second session, and was not returned by the President by the adjournment, and failed to become a law.

Your committee, therefore, report favorably on the bill submitted to them, and unanimously recommend its passage.

[Cries of "Vote!" "Vote!"]

Mr. STEELE. I desire to ask whether there is a second or a third class post-office at this town?

Mr. NEWTON. A third-class office.

Mr. STEELE. The salary of the postmaster is $1,500?

Mr. NEWTON. Yes, sir.

Mr. STEELE. I am in favor of the bill.

The bill was laid aside to be reported to the House with a recommendation that it do pass.

PUBLIC BUILDING AT PORTSMOUTH, OHIO.

Mr. DIBBLE. I call up for consideration the bill (H. R. 1712) for the erection of a public building at Portsmouth, Ohio.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or otherwise provide a site, and cause to be erected thereon a substantial and commodious building, with fire-proof vaults, for the use and accommodation of the post-office and for other Government uses, at Portsmouth, Ohio; the site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of $60,000; nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of $60,000 for site and building; and the site purchased shall leave the building unexposed to danger from fire by an open space of at least 40 feet, including streets and alleys: *Provided*, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of Ohio shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

Mr. DIBBLE. Unless some debate be desired, I will move that this bill be laid aside to be reported favorably to the House.

Mr. BLAND. We had better have the report read.

Mr. RANDALL. I call for the reading of the report.

The report (by Mr. KENNEDY) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred House bill 1712, submit the following report:

Portsmouth is situated on the Ohio River, at the mouth of the rich Scioto Valley. It is 100 miles from Columbus and about the same distance from Cincinnati. There is no public building for the transaction of the business of the General Government nearer than these points. It has a commanding position on the Ohio River, and a large portion of Southern Ohio, of Eastern Kentucky, and of West Virginia is, in a business point of view, tributary to the city. North of it lies the famous Scioto Valley, rich in its soil and products and in the enterprise and thrift of its citizens. This valley is the natural thoroughfare, by rail and canal, from Southern Ohio to the central and northern portions of the State. The city stands on the border of the great coal and iron fields of the Hanging Rock region, and is in easy access to the rich coal and iron belts immediately across the Ohio River, extending through Northeastern Kentucky. Thus situated in the Ohio Valley, Portsmouth is the center of a fertile region, rich in iron, coal, stone, fire-clay, timber, etc., to all of which it is easily accessible, and from which flows to it a large and steady stream of trade and commerce.

COMMERCIAL IMPORTANCE.

The sales of general merchandise by Portsmouth merchants of goods not manufactured there exceed in amount the sum of $5,000,000 per annum, while the amount of wares manufactured at the various factories within the city and in its environs will reach a still greater amount, showing that the annual commerce of Portsmouth is more than $10,000,000. The goods manufactured in Portsmouth consist of manufactured iron, steam-engines, stoves, road-scrapers, steel springs, wagon stock, wagons, buggies, wheelbarrows, railroad cars, fire-brick, sawed stone, furniture, boots and shoes, paper, soap and candles, brooms, saddles and harness, woolen goods, cooperage, distilled spirits, beer, cigars, etc.

THE POST-OFFICE.

The post-office is in a small building, crowded and inconvenient, neither affording the postmaster proper accommodations for the prompt and convenient transaction of business nor meeting the wants nor convenience of the public. This post-office distributes letters over numerous routes, sending out and receiving between twenty and thirty mail-bags daily. It rents 878 boxes and sells $9,360 worth of stamps annually. As a money-order office it pays out an average of $26,000 per year, and the average net revenue of the office is more than $7,000 per year.

INTERNAL-REVENUE OFFICE.

The office of the United States internal-revenue collector for the Eleventh district of Ohio is located at Portsmouth. During the past twenty years the main office has been located in that city with the exception of four years. This might in a measure be accounted for by the fact that Portsmouth, by its mail facilities and railroad and river connections, is eligibly situated for the frequent and rapid transmission of the public business, but also from the fact that the revenue records show that, with the exception of Cincinnati, Portsmouth has paid more internal-revenue taxes during the period mentioned than any other city in the State. The revenue district is composed of twenty-five counties, the revenues of which now reach in the neighborhood of $1,000,000 to $1,200,000. During the last revenue year they amounted to $1,058,000. The official records show that the distillery of George Davis & Co., of that city, has paid, from the years 1879 to 1883, inclusive, seven years, the sum of $3,108,418.90 as taxes on distilled spirits, making an average of $444,059.98 paid per annum, or about one-third of the revenues collected in the entire district. To this can be added the taxes paid by the brewers, cigar manufacturers, etc., of the city for stamps.

UNITED STATES COMMISSIONER, ETC.

The office of United States commissioner is considered an important one at that point. In addition to the ordinary duties of such officer the situation of Portsmouth upon the Ohio River, its large steam-boat and maritime interests, bring to that office much litigation under the marine laws and add to its importance. In addition to this the river and light-house service, which has grown to be a matter of Government concern, could be greatly accommodated by the construction of a public building at that point.

By act of Congress passed June 16, 1880, Portsmouth was constituted a port of delivery within the collection district of New Orleans, and from estimates made it is evident that there would be not less than $200,000 worth of various goods imported annually, consisting of queensware, leather, books, silk, medical supplies, liquors, cigars, and many other articles, in case proper facilities are offered.

FACILITIES FOR TRANSPORTATION.

The railroad connections are as follows: The Scioto Valley north to Columbus (connecting there with the great lines east and west) and south to Ashland, Ky., connecting there with the Chesapeake and Ohio Railroad, forming a direct line to Richmond, Va., and the Southeast; the Cincinnati, Washington and Baltimore Railroad and its connections north, east, west, and south; the Cincinnati and Eastern, affording a direct connection with Cincinnati. A belt road is now being built which will give unequaled facilities to the shipping and manufacturing interests of the city. Good free turnpikes extend in all directions from the city to the county limits, concentrating the trade of the county and largely of the adjoining counties in the city. In addition to this the Ohio River, that great artery of commerce, affords frequent and cheap means of transportation and exchange. Local daily packets ply from Portsmouth to points above and below, while larger steamers touch the wharf daily passing and repassing from Cincinnati to points above, to Huntington, Gallipolis, Pomeroy, Wheeling, and Pittsburgh. Portsmouth, it might be added, possesses one of the finest harbors on the Ohio River. In the lowest stage of water the largest steamers, loaded, can float with safety.

GOVERNMENT RENTS.

The rents now paid by the Government for public offices in Portsmouth, the post-office, revenue, etc., now reach nearly $1,000 per annum. But this rent does not provide such offices or accommodations as the Government should provide or the public welfare demands. The post-office rooms and facilities are not at all adequate to the proper discharge of the postal business. If suitable quarters were provided, as they certainly will be in the near future, even if a public building is not erected, the rents will reach from $1,200 to $1,500 per annum. But even this would not secure the Government records and property from the dangers of fire.

The city has a population of 15,000, and is rapidly increasing each year.

We recommend that the accompanying (substitute for House) bill (1884) do pass.

Mr. GALLINGER. Portsmouth, Ohio, is evidently an important point; but for information possibly in the future I desire to ask whether United States courts are held at that place. From the reading of the report I did not understand whether such is the fact.

Mr. DIBBLE. The gentleman from Ohio [Mr. KENNEDY] who made the report will explain that matter.

Mr. KENNEDY. Mr. Chairman, this bill was introduced by my colleague from Ohio [Mr. THOMPSON]. In his absence I will say, in answer to the question of the gentleman from New Hampshire [Mr. GALLINGER], that the United States courts are not held at Portsmouth. But it is a thriving, growing place on the Ohio River, with a population of 15,000. It has a post-office, internal-revenue office, and United States commissioner's office.

Mr. GALLINGER. The gentleman's explanation is satisfactory.

Mr. KENNEDY. A similar bill was passed in the last Congress.

A MEMBER. What is the limitation of cost?

Mr. KENNEDY. It is not to exceed $60,000.

The bill was laid aside to be reported to the House with a recommendation that it do pass.

BUILDING FOR CHIEF SIGNAL OFFICER OF THE ARMY.

Mr. DIBBLE. I am directed by the Committee on Public Buildings and Grounds to call up for consideration the bill (H. R. 4359) for the purchase of a site, including the building thereon, and also for the erection of the necessary store-houses for the use of the office of the Chief Signal Officer of the Army, at the city of Washington, D. C., reported with an amendment.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or otherwise provide a site containing about 54,000 square feet of ground, and the building thereon, on the northeast quarter of square numbered 25, corner of Twenty-fourth and M streets northwest, Washington, D. C., belonging to David Fergusson, for use of the Signal Bureau of the War Department, and cause to be erected, on such portion of the site as is not now occupied by buildings, substantial and commodious buildings, with fire-proof vaults, for use as store-houses for the accommodation of the office of the Chief Signal Officer of the Army, and for other Government uses, at Washington, D. C. The site and building thereon, including the store-houses, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of $150,000; nor shall any site be purchased until estimates for the erection or purchase of a building, including the necessary store-houses, which will furnish sufficient accommodations for the transaction of public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no site nor plans for said building or buildings shall be approved by the Secretary of the Treasury involving an expenditure exceeding the sum of $150,000 for site and buildings; and the site purchased shall leave the building unexposed to danger from fire by a space of at least 50 feet, including streets and alleys: *Provided*, That no part of the said sum shall be expended until a valid title to the said site shall be vested in the United States.

The amendment was read, as follows:

After the word "dollars," where it first occurs in the bill, insert the following: "*Provided*, That not more than $112,000 be paid to Mr. Fergusson for the property herein referred to."

Mr. DIBBLE. The members of the Committee on Public Buildings and Grounds have thoroughly inspected this building which it is proposed to purchase for the use of the office of the Chief Signal Officer of the Army, and they not only think that its purchase is necessary, but also that it is a very profitable investment for the Government; besides, the Government owns the remainder of the square on which this build-

ing is located. The committee agree that the sum of $112,000 is a low price for this property, and that with the remaining $38,000 of the $150,000 appropriated the Chief Signal Officer of the Army will be able to construct necessary store-houses. I ask that the amendment be agreed to, and the bill as amended laid aside to be reported to the House with the recommendation that it do pass.

Mr. RANDALL. I ask for the reading of the report.

Mr. WILKINS. The House should know this is an entirely new building, and has never been occupied by anybody.

Mr. MILLIKEN. By this purchase the Government will save $4,000 and more of rental for a lot of old buildings which are coming down upon the heads of those who are compelled to occupy them.

Mr. RANDALL. Does this bill provide for the vacation of those buildings which are now rented? Is not this to build others?

Mr. WILKINS. No; this building is already constructed and ready for occupancy.

Mr. RANDALL. But it does not provide for the vacation of the rented buildings.

Mr. MILLIKEN. When the Signal Service moves away from the building it now occupies into the new building, then the Government will be saved the payment of all the rental it is now under.

Mr. RANDALL. Why not give notice for its vacation?

Mr. DIBBLE. That is not in the jurisdiction of our committee, but no doubt it will be done.

Mr. RANDALL. Read the report.

Mr. DIBBLE. The matter is perfectly clear, and I do not suppose the gentleman will insist on his demand for the reading of the report.

Mr. McMILLIN. Let us have the report read.

The report was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 4359) for the purchase of a site, including the building thereon, for the erection of the necessary store-houses for the use of the office of the Chief Signal Officer of the Army, at the city of Washington, D. C., submit the following report:

This bill authorizes the purchase of the northeast corner of square No. 25, bounded on the north by M street, on the east by Twenty-fourth street, and south and west by the grounds of the Columbia Hospital, for the use and occupancy of the Signal Service Bureau of the War Department.

The property proposed to be purchased belongs to David Fergusson, esq., and comprises 54,000 square feet of ground, upon which is erected a new and commodious brick house, built in a most substantial manner, finished in oak, mahogany, and Georgia pine, and nearly ready for occupancy. From its peculiar construction it is admirably suited to the purposes for which it is proposed to be purchased. With the erection of store-houses, as is provided for in this bill, this bureau will have ample accommodations for all its business. The necessity for some provision by Congress for suitable, convenient, and healthful quarters for this branch of the service will be apparent from the following statement, as well as economical for the General Government.

The Signal Service is now quartered in nine separate buildings, at an expense of $7,500 annually for rental, exclusive of repairs, which probably cover $500 more. These buildings are badly ventilated, illy lighted, and wholly unsuited for the needs of the Service.

The minimum air-space allowed by competent authorities for each man is placed at 650 feet; 650 cubic feet per man means a space of only 8½ feet high, long, and wide.

No less than 102 officers and men of this Service are in quarters which range from 159 cubic feet to 640 cubic feet per man.

This simply means that office work is performed by these men at the expense not only of their physical strength, but of their vital energies. The men of this Service are perfect physically, yet in November, 1886, one hundred days' time was lost by sickness. In fourteen rooms light is so deficient that gas is necessarily used for a number of days each month.

The scattered condition of the office force not only seriously diminishes the amount of work done by the clerical force, caused by delays in waiting, but has also necessitated an increase of the messenger force to an amount not less than $3,000 per year.

To this amount should be added at least $1,000 for fuel, gas, heating-stoves, etc., caused by the occupancy of nine buildings instead of one, making in all $12,000. From this subtract the interest upon $150,000 at 3 per cent., which would be $4,500, and a saving of $7,500 annually will be made to the Government by the purchase of the Fergusson property.

Moreover, during the last year the Signal Service has been obliged to remove out of old buildings, which threatened to fall down upon the heads of the employés, into other buildings, at an expense of more than $1,000.

The Fergusson building is new, is heated by steam, has 31 rooms, many of them very large, and floor surface amounting to 12,198 square feet. It could be hardly built by the Government for $100,000, not reckoning the value of the 54,000 feet of land contained in the lot upon which it is situated.

The committee recommend that the bill pass with an amendment providing that not more than $112,000 shall be paid to Mr. Fergusson for the property herein referred to.

The following, from the Chief Signal Officer's report, with some slight amendments made by himself, is submitted for the information of the House:

"The Chief Signal Officer invites attention to the inadequate office and storage accommodations for this Service, and especially invites attention to the new structure, which has never been occupied, known as the 'Fergusson building,' located on the corner of Twenty-fourth and M streets, on square No. 25 (northeast quarter), the remainder of which is already owned by the Government. The bill for the purchase of this building was favorably reported at the last session of Congress, and it is evident that the purchase of this site, or some other one, would be a matter of economy for the Government. The 54,000 square feet of land and the new building can be purchased for the sum of $108,000, and about 4 per cent. interest for one year, of $112,000; while the necessary store-houses and other out-buildings can be constructed for the additional sum of $38,000; so that the total and final cost of sufficient accommodations for this Service would amount to about $150,000, which at 3 per cent. interest would mean an annual rental of $4,500. The present rentals amount to $7,500, and about $500 is expended annually from the contingent fund for necessary repairs to the wretched and unsuitable buildings now occupied by this bureau. To this sum of $8,000 should be added another thousand dollars for the excesses in cost of fuel, gas, heating-stoves, etc., caused by the occupancy of nine buildings instead of one; and also $3,000 for extra laborers and messengers required owing to the scattered offices of the bureau; thus aggregating $12,000 against $4,500, a net annual saving of $7,500. Enough money has been paid for repairs and extra services entailed by the present methods since the organization of the Service to have purchased and completed the necessary buildings."

The amendment was agreed to; and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

Mr. DIBBLE. I now move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker *pro tempore* having resumed the chair, Mr. HATCH reported that the Committee of the Whole House on the state on the Union had had under consideration, under the special order, sundry bills, and had directed him to report the same back to the House with the recommendation that they do pass, some with and some without amendments.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles; when the Speaker *pro tempore* signed the same:

A bill (H. R. 4271) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1887, and for prior years, and for other purposes; and

A bill (H. R. 4881) making an appropriation to carry into effect the provisions of an act approved March 2, 1887, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of acts supplementary thereto."

PUBLIC BUILDING, GREENVILLE, S. C.

The SPEAKER *pro tempore*. The Clerk will report the title of the first bill reported from the Committee of the Whole House on the state of the Union with the recommendation that it do pass.

The Clerk read as follows:

A bill (H. R. 1805) for the erection of a public building at Greenville, S. C.

Mr. DIBBLE. I demand the previous question.

The previous question was ordered, and under the operation thereof the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

PUBLIC BUILDING, ASHEVILLE, N. C.

The next bill reported from the Committee of the Whole House on the state of the Union with a favorable recommendation was the bill (H. R. 1697) for the erection of a public building in the city of Asheville, N. C., reported with an amendment.

Mr. DIBBLE. I demand the previous question on the bill and amendment.

The previous question was ordered, and under the operation thereof the amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

PUBLIC BUILDING AT SPRINGFIELD, MO.

The next bill reported from the Committee of the Whole House on the state of the Union with a favorable recommendation was the bill (H. R. 1611) for the erection of a public building at Springfield, Mo.

Mr. DIBBLE. I demand the previous question.

The previous question was ordered; and under the operation thereof the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

PUBLIC BUILDING AT MONROE, LA.

The next bill reported from the Committee of the Whole House on the state of the Union with a favorable recommendation was the bill (H. R. 1483) for the erection of a public building at Monroe, La.

Mr. DIBBLE. I demand the previous question.

The previous question was ordered; and under the operation thereof the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

PUBLIC BUILDING, PORTSMOUTH, OHIO.

The next bill reported favorably from the Committee of the Whole House on the state of the Union was the bill (H. R. 1712) for the erection of a public building at Portsmouth, Ohio.

Mr. DIBBLE. I demand the previous question.

The previous question was ordered; and under the operation thereof the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

BUILDING FOR THE USE OF CHIEF SIGNAL OFFICER OF THE ARMY.

The next bill reported from the Committee of the Whole House on the state of the Union with a favorable recommendation was the bill (H. R. 4359) for the purchase of a site, including the building thereon, and also for the erection of the necessary store-houses for the use of the office of the Chief Signal Officer of the Army, at the city of Washington, D. C., reported with an amendment.

Mr. DIBBLE. I demand the previous question on the bill and amendments.

The previous question was ordered; and under the operation thereof the amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. DIBBLE. I now move to reconsider the several votes just taken; and also move that the motions to reconsider be laid on the table.

The latter motion was agreed to.

JOEL J. GOSS.

Mr. DIBBLE. I move that the House now resolve itself into the Committee of the Whole House on the Private Calendar, for the purpose of considering the bill (H. R. 2056) for the relief of Joel J. Goss, reported from the Committee on Public Buildings and Grounds.

Mr. SPRINGER. I make the point of order that it is not in order for the gentleman in this second hour to move to go into the Committee of the Whole House on the Private Calendar for the consideration of private business.

The SPEAKER *pro tempore*. The gentleman will state his point.

Mr. SPRINGER. It is certainly not in order for the gentleman to consider private business to-day in this hour. Rule XXIV says:

5. After the morning hour shall have been devoted to reports from committees (or the call completed), the Speaker shall again call the committees in regular order for one hour, upon which call each committee, on being named, shall have the right to call up for consideration any bill reported by it on a previous day, on either the House or Union Calendar.

That does not refer to the Private Calendar, but excludes it.

Mr. CUTCHEON. I ask that the report be read.

The SPEAKER *pro tempore*. The hour for the consideration of bills has expired.

Mr. DIBBLE. I raise the point that this proceeding is now by unanimous consent.

Mr. RANDALL. Unanimous consent had not been given to the request.

The SPEAKER *pro tempore*. The right to object was distinctly reserved.

LABOR TROUBLES, PENNSYLVANIA COAL REGION.

Mr. BRUMM. Mr. Speaker, I ask unanimous consent of the House to present at this time a memorial signed by a committee representing 82,000 workingmen, and have it read from the Clerk's desk and printed in the RECORD, after which I hope the House will allow me a few minutes to make a brief statement.

The SPEAKER *pro tempore*. The memorial will be read, in the absence of objection.

The memorial was read, as follows:

*To the honorable the members of the House of Representatives of the Fiftieth Congress of the United States:*

We, the undersigned officials, representing 82,000 workingmen, represent that—

Whereas the Philadelphia and Reading Railroad Company, the Philadelphia and Reading Coal and Iron Company, the Lehigh Valley Railroad Company, and other corporations have unlawfully conspired with individuals to raise the price of coal to an unreasonable figure, and for this purpose have, by enforcing a lock-out in the entire Lehigh and Schuylkill anthracite-coal system, prevented the mining and shipping of coal from these systems to any part of the United States:

We, the undersigned, respectfully ask Congress to appoint a special committee of the House of Representatives to investigate the cause of said lock-outs as promptly as the same can be done.

And we will ever pray, etc.

JOHN H. DAVIS,
*Chairman of Joint Committee.*
JOHN L. LEE,
*Chairman of P. and R. R. R. Executive Board.*
H. McGARVEY,
*Master Workman District Assembly 87, K. of L.*

The SPEAKER *pro tempore*. The gentleman from Pennsylvania asks unanimous consent to make a brief statement in reference to the paper which has just been read, and which, without objection, will be printed in the RECORD.

Mr. DUNHAM. The understanding is that the gentleman from Pennsylvania is allowed to make his remarks upon the subject, that the Committee on Commerce will call this up in the morning, and no other gentleman is to speak upon the subject at this time.

Mr. RAYNER. Who made that arrangement?

Mr. BROWNE, of Indiana. What is before the House?

The SPEAKER *pro tempore*. There is nothing before the House at this time but a request for unanimous consent.

Mr. BROWNE, of Indiana. I make the point of order that there is nothing before the House.

The SPEAKER *pro tempore*. The gentleman from Pennsylvania asks leave to make a statement.

Mr. BRUMM. I ask unanimous consent to make a brief statement.

Mr. RANDALL. You had better present some proposition on which to predicate a statement.

Mr. WEAVER. He has already presented a petition, or memorial, which has been read.

Mr. SPRINGER. Let the gentleman state how long a time he wants. I object, unless it is known what time he will consume.

Mr. BRUMM. Not more than fifteen minutes.

Mr. RANDALL. This matter had better be fairly met, and I hope the consideration of the subject in the House will not be evaded by a single objection.

Mr. DAVIS. I wish to state that there are two reports from the Committee on Commerce on this subject, and it will probably come up to-morrow for consideration, when the whole matter will be discussed. The chairman of the committee is not in his seat at present, and it seems to me the matter had better go over and take that course.

Mr. RANDALL. Can the gentleman give an assurance that it will come up to-morrow?

Mr. DAVIS. That is my understanding.

Mr. ANDERSON, of Kansas. I ask unanimous consent that this matter be made the special order for consideration at the conclusion of the second morning hour to-morrow.

Mr. DAVIS. I do not object to that.

Mr. BRUMM. I hope the gentleman will withdraw that for a moment, until after I have made a short statement.

Mr. CLARDY. I trust the gentleman from Pennsylvania will be heard.

Mr. ANDERSON, of Kansas. I make the request for unanimous consent that this matter go over until to-morrow after the morning hour. I refer to the resolution in regard to the Reading Railroad. [Cries of "That's right!"]

The SPEAKER *pro tempore*. Without objection, that order will be made.

There was no objection.

Mr. SPRINGER. What is the exact order?

The SPEAKER *pro tempore*. That this subject is made the special order for consideration immediately after the second morning hour to-morrow.

Mr. MACDONALD. Is there no limit as to time?

FRANCIS I. WHEELER.

Mr. SHAW. I ask unanimous consent to discharge the Committee of the Whole House on the Private Calendar from the further consideration of the bill (H. R. 5874) for the relief of the heirs of Francis I. Wheeler and put it upon its passage.

Mr. BLOUNT. I hope the bill and report will be read first.

The bill was read, as follows:

*Be it enacted, etc.*, That there be paid to the heirs of Francis I. Wheeler, late of Carroll County, Maryland, out of any money in the Treasury not otherwise appropriated, the sum of $358, the amount advanced by him to Charles Benton and Hale Libby, late privates in the First Regiment of the Potomac Home Brigade, on their check-books, in April, 1864.

Mr. HOLMAN. Let the report be read.

Mr. SPRINGER. And before the right to object is waived.

The report (by Mr. BROWER) was read, as follows:

The facts out of which this claim for relief arises will be found stated in House Report No. 2479 of the Committee on War Claims of the Forty-ninth Congress, a copy of which is hereto appended and made a part of this report.

Your committee adopt the said report as their own, and report herewith a bill, and recommend its passage.

[House Report No. 2479, Forty-ninth Congress, first session.]

The Committee on War Claims, to whom was referred the bill (H. R. 6080) for the relief of the heirs of the late Francis I. Wheeler, have considered the same, and submit the following report:

This claim was before the House of Representatives of the Forty-eighth Congress and was investigated by the Committee on Claims. Your committee find that the facts in the case are correctly set forth in the report of that committee, regularly submitted, being House Report No. 2013, Forty-eighth Congress, first session. That report is as follows:

"Francis I. Wheeler, in 1865, was agent of Adams Express Company at Martinsburgh, W. Va. The United States at this time was accustomed to take from newly enlisted soldiers their local bounty-money and other private funds in their possession and give them instead a check-book for the amount so taken from them, promising payment by the first paymaster who should pay the regiment to which the men were assigned. A number of these check-books were in the hands of men of the Potomac Home Brigade, then at Martinsburgh, but the Government was short of funds and the paymaster did not visit the regiment. They complained that their families at home were suffering for want of the money withheld from them. At the urgent solicitation of officers of the Potomac Home Brigade, Mr. Wheeler generously advanced the money due on several of these check-books, at a discount of only 5 per cent. for delay and cost of collection.

"In 1866 he was repaid the amount he had advanced on several of the books, but payment was withheld on two of them—those in favor of Charles Benton and Hall Libby, of the First Potomac Home Brigade, amounting to $358, on the ground that Benton and Libby afterwards deserted or were absent without leave. The regiment was mustered out on the 29th of May, 1865, a few days after the alleged desertion. The money was advanced by Wheeler while the men were still with their regiment at Martinsburgh, and in the presence and at the request of their officers. The desertion took place some time after the regiment had removed from Martinsburgh. The Judge-Advocate-General has decided in several similar cases—

"'That the United States was not entitled to appropriate to its own use the amount represented by certain bounty checks, although the soldiers (to whom they were made payable and who had indorsed them) had deserted. Such checks * * * remained the property of the soldiers, and the Government was merely the bailee thereof for their benefit.' (Digest Decisions, p. 242, edition 1868.)

"This claim seems to be entirely just, and your committee therefore recommend the passage of the bill."

Your committee now think this claim should be paid, and recommend the passage of the bill.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

Mr. SPRINGER. I desire to ask the gentleman from Maryland about what amount this covers?

Mr. SHAW. About $364.

Mr. SPRINGER. All right.

Mr. STEELE. Let me ask the gentleman if this man did not go into the business of discounting soldiers' claims and get about 30 per cent. per annum for the exchange?

Mr. SHAW. No, sir.

Mr. STEELE. He got 5 per cent. commission and they were paid every two months?

Mr. SHAW. If the gentleman will permit me, I will answer by stat-

ing the facts. This man was the agent of the Adams Express Company at Martinsburgh, and it was the practice of the Government at that time, instead of paying to the soldiers the bounty due in money, to give them a check-book representing the amount due. At the solicitation of certain officers this man Wheeler advanced the money to a number of men at a discount of 5 per cent. to meet the cost of collection. All the checks that he had obtained in this manner were paid except these two.

Mr. STEELE. And these men had deserted.

Mr. SHAW. These two had deserted and the Government withheld the money. But the Judge-Advocate-General has decided—and there is a reference to his decision in the report—that the Government has no right to retain this money, because it belonged to the soldiers, and having been assigned to the soldiers previous to desertion, the Government was only the bailee.

Mr. STEELE. What is the necessity for this legislation?

Mr. SHAW. To enable the claimant to obtain this money. The statute of limitations would now run against him. It is a just claim. Mr. Wheeler is now dead, and this bill is for the benefit of his heirs.

Mr. CUTCHEON. Is the money now in the United States Treasury?

Mr. SHAW. The money was paid into the hands of the United States officers, and I presume it is there now.

Mr. CUTCHEON. Was it not forfeited by the desertion of the soldiers?

Mr. SHAW. It was paid before the soldiers deserted.

Mr. O'NEILL, of Missouri. How much money is involved in the bill?

Mr. SHAW. The amount is $364.

The question being taken on ordering the bill to be engrossed and read the third time,

The SPEAKER *pro tempore* stated that the "ayes" seemed to have it.

Mr. STEELE. I call for a division.

The House divided; and there were—ayes 106, noes 2.

So (further count not being called for) the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. SHAW moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PORT OF LAMBERTON.

Mr. BUCHANAN. I ask unanimous consent to call up from the House Calendar for consideration at this time the bill H. R. 1640.

The bill was read, as follows:

A bill (H. R. 1640) changing the name of the port of Lamberton, in the district of Burlington, N. J., to the port of Trenton, in said district.

Whereas after the constituting of the port of Lamberton, in the collection district of Burlington, in the State of New Jersey, the borough of Lamberton, where such port is situated, was incorporated into and became a part of the city of Trenton, in said State: Therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the port now known as the port of Lamberton, in the collection district of Burlington, in the State of New Jersey, shall hereafter be known and denominated as the port of Trenton, in said district.

SEC. 2. That nothing in this act contained shall be construed to in any way affect the validity of any act heretofore done by the collector or any official of said port, nor to in any way affect the official standing of any official of said port, or the powers and duties of any such official, the sole intent and purpose of this act being to change the name of said port.

SEC. 3. That this act shall take effect on the 1st day of July, 1888.

Mr. BLOUNT. I ask for the reading of the report.

Mr. BUCHANAN. The report has not yet been printed. I can tell in a few words the reason for this bill.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

There was no objection.

Mr. BUCHANAN. Lamberton was the original settlement on the banks of the Delaware, now included in the city of Trenton. The bill makes no appropriation. The Treasury Department say they have no objection to it, and my people want it.

Mr. CUTCHEON. It simply changes the name of the port?

Mr. BUCHANAN. Yes, sir.

Mr. SPRINGER. It does not change the place?

Mr. BUCHANAN. No, sir.

Mr. SPRINGER. All right.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. BUCHANAN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid upon the table.

The latter motion was agreed to.

FIRST BAPTIST CHURCH, SMITHLAND, KY.

Mr. STONE, of Kentucky. I ask unanimous consent that the Committee of the Whole House be discharged from the further consideration of the bill (H. R. 300) for the relief of the trustees of the First Baptist Church at Smithland, Ky., and that the same be put upon its passage.

The bill and report were read.

Mr. BURROWS. I must object to the consideration of this bill.

MRS. ELIZA L. MACE.

Mr. DINGLEY. I ask unanimous consent to take from the Private Calendar for present consideration the bill (H. R. 363) granting a pension to Mrs. Eliza L. Mace.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the laws regulating pensions, the name of Mrs. Eliza L. Mace, widow of Richard E. Mace, late of Company I, Third Maine Volunteers, deceased.

The report (by Mr. GALLINGER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 363) granting a pension to Mrs. Eliza L. Mace, having considered the same, respectfully report:

That this claim was fully considered by the Committee on Invalid Pensions of the Forty-ninth Congress and favorably reported, but was not reached for consideration. The report was as follows:

"Claimant's husband, Richard E. Mace, was a private in Company I, Third Maine Regiment, and was pensioned at $6 rate for injury of back and spine. In surgeon's certificate of disability, upon which he was discharged, his injury is described as follows:

"'Injury of the back from a log falling on him, consequent upon explosion of a shell in rifle-pit May 8, 1864, near the Wilderness. Result, partial paraplegia. Has been bedridden in the hospital since June last. Unfit for Veteran Reserve Corps. Disability total.'

"Pensioner died November 11, 1885. Dr. Linscott, his family physician, certifies that—

"'The immediate cause of his death was congestive apoplexy, but that the remote or indirect cause of death was disease of back or spine, which said Mace said was caused by injury received while in the service of the United States.'

"Dr. Francis H. Russell also certifies:

"'That he has practiced in said Mace's family; that he knew said Mace to have been in failing health for the past two years, on account of disease of spine, which said Mace said was caused by injury received while in the service of the United States; that he was not present at the death of said Mace, but that he was knowing to the fact, and that he has no doubt it was caused indirectly from disease of spine.'

Dr. Linscott, in answer to the office inquiry, says that he can not state whether the hemorrhage was in the head or cord. Widow's claim stands rejected upon opinion of medical referee that 'soldier's death from congestive apoplexy is not regarded, from a medical standpoint, as being due to the injury of (lower portion of) spine for which pensioned.'

"Both the home doctors, in supplemental affidavits filed with a request for reopening of the claim, reaffirm with emphasis their professional opinion that soldier's death resulted from his injured back. It is a case of disagreement of doctors, and we feel justified in giving this needy widow the benefit of such doubt as there may be, by accepting the opinion of the physicians who saw the soldier, who treated him, and whose opinion is based on personal knowledge and observation."

As the facts in the case seem to fully warrant a favorable report, your committee adopt the report of the committee of the Forty-ninth Congress, and recommend that the bill do pass.

There being no objection, the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. DINGLEY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid upon the table.

The latter motion was agreed to.

UNITED STATES REPORTS.

Mr. LANHAM. I ask unanimous consent to take from the House Calendar for present consideration the bill (H. R. 1860) to amend section 683 of the Revised Statutes.

The bill was read, as follows:

*Be it enacted, etc.*, That section 683 of the Revised Statutes of the United States be, and the same is hereby, so amended as to provide for the distribution, by the Secretary of the Interior, of one set of the reports of the decisions of the Supreme Court of the United States, at each of the places where the circuit and district courts are holden, exclusive of such places where the judges of said courts reside, said reports to be kept by the clerks of said courts and their successors in office, for the use of said courts and the officers thereof, and the sum of $20,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, to enable the Secretary of the Interior to carry out this provision.

Mr. LANHAM. This bill has been favorably reported unanimously by the Committee on the Judiciary.

The SPEAKER *pro tempore*. The Clerk will read the report.

The report (by Mr. CASWELL) was read, as follows:

The Committee on the Judiciary, to whom was referred House bill 1860, submit the following report:

The committee think that it is quite essential that a set of the United States Reports be kept at every place where a term of court is held. From the best information we have been able to obtain, this bill will require one hundred and fourteen sets of the Reports, which cost $160 a set, or an appropriation of $18,240.

Your committee recommend the passage of the bill.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

There was no objection.

Mr. LANHAM. I ask that the bill be put upon its passage.

Mr. McMILLIN. I desire to ask the gentleman from Texas whether the bill makes the appropriation that is recommended by the report. I thought there was a discrepancy, but did not distinctly catch the amount.

Mr. LANHAM. The bill provides for an appropriation of $20,000 or so much thereof as may be necessary. The object is simply this——

Mr. McMILLIN. The point I was inquiring about was that while the report says this will not require $20,000, the bill appropriates that amount.

Mr. LANHAM. From the best estimate the committee could make, they thought it would take eighteen thousand and some hundreds of dollars. But the bill appropriates only so much of that as may be

necessary. It may be that the whole appropriation will not be required.

The object of the bill is that at each place where circuit and district courts of the United States are holden there shall be a set of decisions of the Supreme Court for the use of the members and officers of the court.

I suppose that in almost every State in the Union the supreme court reports of the State are furnished to the different counties, and this will be no more than carrying out the same idea upon the part of the United States by providing that the decisions of the Supreme Court may be found at these places for the convenience of the officers and members of the court.

The SPEAKER *pro tempore*. The question is on the engrossment and third reading of this bill.

Mr. OATES. Mr. Speaker, I desire to have the bill read again, because I think there is an omission which needs to be supplied.

The bill was again read.

Mr. OATES. I move to amend the bill by inserting, after the word "holden," the words "including the court held at Mobile, Ala." I offer that amendment for this reason: The court at Mobile was established by an act of the last session of the Forty-ninth Congress, and it would be covered by the language of this bill so as to be excluded from the benefits of it, although in fact the judge there would not have been supplied with any of these reports.

Mr. LANHAM. He is entitled to be supplied under a general statute.

Mr. OATES. But this bill excludes the place where the judge resides. Now, the judge there has never been supplied with these reports.

Mr. LANHAM. But he is entitled to be supplied with them.

Mr. OATES. No; because this bill would exclude him. I simply want to put the judge there upon the same footing with the other judges.

The amendment of Mr. OATES was agreed to.

Mr. LANHAM. I now demand the previous question on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. LANHAM moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

### FIRST BAPTIST CHURCH, SMITHLAND, KY.

Mr. BURROWS. Mr. Speaker, when the gentleman from Kentucky [Mr. STONE] asked awhile ago to call up a certain bill I objected, supposing that it would open up an entirely new field. I have since examined the matter, and I now withdraw my objection.

The SPEAKER *pro tempore*. Under the circumstances the gentleman from Kentucky [Mr. STONE] will be recognized.

Mr. STONE, of Kentucky. My request was, Mr. Speaker, that the bill (H. R. 300) for the relief of the trustees of the First Baptist Church at Smithland, Ky., should be taken up and put upon its passage.

The SPEAKER *pro tempore*. The bill will be read.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the trustees of the First Baptist Church at Smithland, Ky., out of any money in the Treasury not otherwise appropriated, the sum of $500 for the use and occupation of their church building by the Army of the United States during the late war.

The SPEAKER *pro tempore*. The question is upon the engrossment and third reading of the bill.

Mr. SPRINGER. Mr. Speaker, I think before the bill is put upon its passage that the report had better be read.

The SPEAKER *pro tempore*. The report will be read.

The report (by Mr. STONE, of Kentucky) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 300) for the relief of the trustees of the First Baptist Church at Smithland, Ky., report as follows:

That in the year 1861 the properly constituted military authorities of the United States took possession of the First Baptist Church at Smithland, Ky. It was used as a warehouse and hospital for the troops of the United States, to the entire exclusion of the owners, until the war closed; and besides being thus occupied by the United States troops, the property was greatly damaged.

It was not the policy or practice of the Government to pay rent for public buildings used during the war, but in meritorious cases to restore them to their former condition, ordinary wear and tear excepted.

This property was not taken or held as a belligerent act, nor was its occupation a casualty of war. War was not flagrant during its occupation in that part of the country.

The trustees of said church only ask that the sum of $500 be paid them for its use and occupancy, which the evidence shows to be a very low rent.

Your committee, therefore, report back the bill and recommend its passage.

Mr. SPRINGER. Then, Mr. Speaker, if this bill is now to be put upon its passage, I simply want to say this. I do not understand that it has been the policy of the Government to pay for the use or occupation of property during the war. Early in the history of this question we had a case before the House involving the use and occupation of the college of William and Mary, in Virginia. That case was debated at considerable length, and after a thorough discussion of the question, whether the Government should be liable for the use and occupation of educational and religious institutions by the armies during the war, this House by a large majority rejected the bill.

Mr. O'FERRALL. When was that?

Mr. SPRINGER. In the Forty-fourth Congress or the Forty-fifth, I do not remember which. Since that time I have never, to my recollection, heard of a similar bill coming before the House. I believe every gentleman will bear me out in the statement that during the war wherever the armies were in the South every church and school-house, whenever needed, was used for hospital and other army purposes.

Mr. BURROWS. If the gentleman will allow me, I will say that I withdrew my objection to this bill because I thought there was a distinction between the case of a State that was in rebellion and one that was not.

Mr. SPRINGER. Where was this church?

Mr. WARNER. In Kentucky, a loyal State.

Mr. SPRINGER. Some parts of it.

Mr. WARNER. As a State it was loyal.

Mr. SPRINGER. The armies on both sides occupied Kentucky very extensively, and I believe it is generally understood that she furnished large quotas to both armies.

Mr. MCMILLIN. I believe the Lord is not supposed to make any distinction between His houses of worship.

Mr. STONE, of Kentucky. I desire to say, for the information of the House, that this church is in a section of country where an armed Confederate soldier never set his foot, a section as loyal as the territory upon the other bank of the river, where the gentleman from Illinois lives. The people there furnished their quota to the Union Army, and if there were a few who fought upon the other side, that did not make the country disloyal. This church never was occupied by the armies, except as it was used for the storage of goods. It was really used as a store-house or warehouse; it was used during the entire war for that purpose, and now these people simply ask this pittance in order to enable them to get on their feet again. They feel that the Government, which had the use of their property, is perfectly able to pay, and that it is right and just that it should pay.

Mr. SPRINGER. I am very glad to hear the gentleman's statement that this church was not situated in the midst of the war or in the region where the armies were fighting, because if it had been the passage of this bill would be a very bad precedent. The facts being as the gentleman states, perhaps the bill can be passed without setting a precedent for other more objectionable cases.

Mr. MCMILLIN. After the remarks of the gentleman from Illinois [Mr. SPRINGER], I wish to say it does seem to me that no distinction can be drawn, so far as church buildings are concerned, in reference to the localities which they may occupy. They are not the personal property of the elders of the church in whom often the title is formally vested; but they are dedicated to a common use—the worship of God; and I must protest against any distinction in a matter of this kind, based upon the question whether church buildings are located in one part of the country or another.

Mr. STONE, of Kentucky, rose.

Mr. MCMILLIN. I do not object to the gentleman's bill at all. I simply wished to protest against the position of my friend from Illinois, who undertakes to make a distinction which I think can not properly be drawn as to the locality of church buildings which may have been used or occupied by the Army during the war.

Mr. WHEELER. Mr. Speaker, I can not allow the remarks of the gentleman from Illinois [Mr. SPRINGER] to go to the country without expressing the most emphatic dissent from the position he has assumed.

The gentleman speaks of precedents, and for that reason I am unwilling the impression should go to the country that this bill was allowed to pass this House simply and solely because this church was in a locality which had never been occupied by contending forces.

I hold, Mr. Speaker, that it makes no difference where the church was situated, whether in one part of Kentucky or another, whether in one Southern State or another. In fact, I maintain that it should make no difference whether the church was located on the northern or the southern bank of the Ohio.

I contend that it is our duty, on every proper occasion, to uphold and defend that provision of the Constitution which declares that private property shall not be taken for public uses without just compensation.

I heartily concur in the views of the gentleman from Tennessee [Mr. MCMILLIN], and hope that a bill so just as this will pass without a dissenting voice.

Mr. SPRINGER. Notwithstanding the dissent of my friends, it is true that location does make all the difference in the world when war is raging. There is a very great difference between being inside the military operations of the Army of the United States and being outside.

Mr. MCMILLIN. Is it possible to suppose the disloyalty of a church to the Government?

Mr. JACKSON. The presumption ought to be the other way.

Mr. MCMILLIN. A political question of that kind can not arise in such a case.

Mr. SPRINGER. There may arise a presumption as to the allegiance or want of allegiance of individuals to the Government according to the section of country where they may be located.

Mr. MCMILLIN. Oh, the gentleman's point is too finely drawn.

We can not suppose the treason of a church on account of a war in the country.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. STONE, of Kentucky, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JAMES B. MITCHELL.

Mr. BOWDEN. I ask unanimous consent that the bill (H. R. 615) for the relief of James B. Mitchell be taken from the Private Calendar for present consideration.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James B. Mitchell the sum of $438, for services as surveyor of customs at the port of Yorktown, Va., from September 7, 1882, to January 31, 1883.

Mr. SPRINGER. Let the report be read.

The report from the Committee on Claims (by Mr. BOWDEN) was read, as follows:

By act of Congress approved June 15, 1882, the lines of the Yorktown customs district, in Virginia, were altered, and Yorktown, where the custom-house had theretofore been located, was made a port of delivery and a surveyor authorized for the port, but no provision was made for his salary, and the custom-house was removed to Newport News, which was made the sole port of entry for the district.

On the 4th day of September, 1882, James B. Mitchell, who had theretofore been the collector of customs for the district, was appointed surveyor for the port of Yorktown, and in anticipation, from the representations of the Department, that provision would be made for his salary, performed the duties of the position, which required his whole time, until the 31st day of January, 1883, on which day he resigned.

During this period he received for compensation but $59.45 in fees, and he asks that compensation at the rate of $3 per diem be allowed him.

This compensation is predicated upon the ordinary compensation of inspectors of customs, duties similar to those imposed upon that office he performed, together with the duties of surveyor, and your committee, believing the demand to be just and reasonable, recommend the passage of the bill.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. BOWDEN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REWARDS TO ESQUIMAUX.

Mr. DAVIS. I ask unanimous consent that the Committee of the Whole House on the state of the Union be discharged from the further consideration of House bill No. 1528, and that the House now proceed to consider the same.

The bill was read, as follows:

A bill (H. R. 1528) to reward the Esquimaux natives of the Asiatic coast of the Arctic Ocean for acts of humanity to shipwrecked seamen.

Whereas the Esquimaux natives of the Asiatic coast of the Arctic Ocean exhibited great humanity in rescuing and extending hospitality to the crew of the wrecked whaling bark Napoleon, and especially toward its sole survivor, while themselves suffering from famine; and

Whereas it is eminently proper and expedient to recognize and reward such meritorious and humane conduct on the part of an uncivilized people: Therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be appropriated and paid out of the Treasury of the United States, from moneys not otherwise appropriated, a sum not exceeding $1,000, to be expended under the direction of the Secretary of the Treasury, for the benefit of the Esquimaux natives of the Asiatic coast of the Arctic Ocean, and in recognition of their hospitality to our shipwrecked seamen.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

Mr. BLOUNT. Let the report be read.

The report of the Committee on Commerce (by Mr. DAVIS) was read, as follows:

The Committee on Commerce, to whom was referred House bill 1528, beg leave to report:

In the month of May, 1885, the whaling bark Napoleon was wrecked off the Siberian coast, near the Arctic Circle. The crew were thirty-six days reaching the land, during which time their only food was two small seals, which they were fortunate enough to catch. Before they effected a landing nine persons, one-half the number who had left the wrecked vessel, had died. Captain Healy, in his affecting narrative, states that—

"Many of those who landed were badly frozen, their feet and hands dropping off at the joints. Five died a few hours after reaching the shore. Three of the four survivors lingered in all the misery of starvation, scurvy, and frozen limbs until March, 1886, when they died within one day of each other."

J. B. Vincent, the sole survivor of the crew of eighteen, remained with the natives until July, 1887, when he was taken on board the revenue-cutter Bear. The message which led to his rescue was rudely carved upon a piece of wood and carried by one of the tribe several hundred miles and given to Captain Cogan, of the bark Hunter, and by him taken to Port Clarence, on the American coast.

Mr. Vincent remained with the natives more than two years, and was treated by them with the utmost kindness and hospitality, sharing the shelter of their rude dwellings and their scanty food, which during the winter of 1885–'87 was barely sufficient to avert starvation.

It would seem not only just but expedient to testify our sense of the generous hospitality of those poor and ignorant people, who, while suffering from want and hunger, performed such a signal act of humanity. So long as the enterprise of our people carries them into this dangerous sea such casualties will occur, and the assistance of the inhabitants of the Asiatic and American coasts will continue to be essential to the escape of our shipwrecked mariners.

The Secretary of the Treasury, in his last annual report, states that—

"It is highly advisable that a moderate sum be used in purchasing suitable articles, to be sent by the next revenue-cutter visiting those waters, as a reward to the natives who, in a condition very near starvation, sheltered and fed Vincent and his unfortunate companions."

The committee recommend the passage of the accompanying bill and preamble.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. DAVIS moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

NATIONAL-BANK CURRENCY.

Mr. WILKINS. Mr. Speaker, I demand the regular order; and I do so for the purpose of asking unanimous consent that the further consideration of House bill No. 1733, known as the currency bill, be postponed for two weeks.

Mr. WEAVER. I have no objection.

The SPEAKER *pro tempore*. The gentleman from Ohio [Mr. WILKINS] asks unanimous consent that the unfinished business, being House bill No. 1733, be postponed for two weeks. Is there objection? The Chair hears none, and it is so ordered.

Mr. WILKINS. I now withdraw the demand for the regular order.

GEORGE W. HARRISON.

Mr. MCADOO. I ask unanimous consent for the present consideration of the bill (H. R. 4842) to remove the political disabilities of George W. Harrison, of Hoboken, N. J. The bill is now on the Private Calendar.

The bill was read, as follows:

*Be it enacted, etc.*, That all political disabilities imposed by the fourteenth amendment to the Constitution of the United States be, and the same are hereby, removed from George W. Harrison, of Hoboken, N. J.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. MCADOO moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

H. B. WILSON.

Mr. MANSUR. I ask unanimous consent to take up from the Private Calendar for present consideration the bill (H. R. 19) for the relief of H. B. Wilson, administrator of William Tinder, deceased.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury refund and pay to H. B. Wilson, administrator of the estate of William Tinder, deceased, out of any money in the Treasury not otherwise appropriated, the sum of $5,000, in full satisfaction of the claim of the estate of the said Tinder for money paid by said estate upon a judgment of forfeiture upon a bond for the appearance of one Evans, who was charged with crime by indictment in the circuit court of the United States for the district of West Tennessee, and who was afterward captured by the said administrator and returned to the custody of the court, and convicted and punished for the crime with which he was charged.

Mr. HOLMAN. I call for the reading of the report.

Mr. MANSUR. I have no objection to the reading of the report, but will state, before the reading is begun, that this bill has been twice passed by the Senate, and has been at this session favorably reported for the fourth time to the House.

The report of the Committee on Claims (by Mr. MANSUR) was read, as follows:

The Committee on Claims, to whom was referred the bill (H. R. 19) for the relief of H. B. Wilson, administrator of the estate of William Tinder, deceased, having considered the same, report thereon as follows:

That in the year 1876 two indictments in the circuit court for the western district of Tennessee were returned by the grand jury of said court to the said court against one R. L. D. Evans for passing counterfeit money. He was legally arrested under process issued from said court, and gave bond for his appearance to the next regular term thereafter of said court—November term, 1876. Said two causes were continued from term to term until May, 1878, when he was put to trial on one of said causes, the jury, after a two days' consideration of said cause, failing to agree. Both cases were then continued until the next term of said court, and the defendant was required to give bond in each case in the sum of $5,000, which he did, giving William Tinder and W. R. Evans as his sureties in each case, conditioned for his appearance at the next November term, 1878, of said court.

Before the beginning of said term William Tinder departed this life intestate, and of his estate H. B. Wilson was duly appointed administrator by the proper probate court of Tennessee on 4th of November, 1878.

After the death of said Tinder said two causes against said R. L. D. Evans were duly called in said United States court, but said Evans failed to appear. By regular legal proceedings, then and afterwards taken, the liability of Wilson, the administrator, to pay the penalty in said bonds, respectively, was fixed and determined by judgments legally taken in said court in favor of the United States.

Immediately thereupon said Wilson was legally notified by proper officers of the United States that the Government claimed a lien upon—and so as to have and secure priority in the distribution of—the assets of his intestate in his hands to be administered. By agreement with the proper officers of the Government, satisfaction of said two judgments was entered upon payment of all costs accrued, and the further payment of $5,000 by said administrator to the Government. All costs then and since accrued have been paid by said administrator, as has also said sum of $5,000.

And now it further appears that said administrator, aided by certain creditors of his intestate, instituted search and pursuit of said R. L. D. Evans, and that ultimately they discovered his whereabouts; had him arrested; that under said arrest he was brought to trial under said indictments at May term, 1881, convicted, and sentenced to the penitentiary at Albany for a period of three years and the payment of a fine of $500.

The payment of this sum of $5,000 by Administrator Wilson rendered his intestate's estate insolvent.

The administrator and creditors claim a return of said sum of $5,000 so paid. Judge Hammond, the presiding judge of said court, recommends its return. The committee believe that the money ought to be refunded. The object of the bail bond was not to make money, but to secure the appearance of Evans and his punishment if guilty. This has been accomplished by the efforts and the money of the bail, and all costs due the United States have been paid. We recommend the passage of the bill.

Your committee submit that they are supported in their conclusions in favor of this bill by favorable reports made thereon by Mr. George in the Forty-seventh Congress, first session (see report No. 867), and by Mr. Cameron in the Forty-eighth Congress, first session (see report No. 145), and the fact that the Senate in each Congress passed the bill so recommended.

And by Mr. —— —— in the Forty-ninth Congress (see report No. ——).

There being no objection, the House proceeded to the consideration of the bill; which was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. MANSUR moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

NATIONAL MILITARY CEMETERY, PINEVILLE, LA.

Mr. BLANCHARD. I move, by unanimous consent, that the Committee of the Whole House on the state of the Union be discharged from the further consideration of a bill (H. R. 1481) making an appropriation for the construction of a road and approaches from Pineville, La., to the national military cemetery near that town, and that the same be taken up for present consideration.

There was no objection, and it was ordered accordingly.

The bill was read as follows:

*Be it enacted, etc.*, That the sum of $11,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of constructing a road and approaches from the river at Pineville, La., about 1 mile, to the national military cemetery near Pineville.

SEC. 2. That the sum of money appropriated by this act shall be expended by and under the direction of the Secretary of War, either by contract or otherwise, as to him may seem best: *Provided*, That before said sum, or any part thereof, is expended, the corporation of Pineville shall make provision, satisfactory to the Secretary of the Treasury, for the keeping of said road, after construction, in repair: *And provided further*, That before the commencement of the construction of said road said corporation shall secure to the United States, free of cost, the right of way for said road.

SEC. 3. That the Secretary of War shall report to Congress at its next session his action under the provisions of this act.

The amendment was read, as follows:

Strike out "the Treasury" and insert "War;" so it will read, "shall make provision satisfactory to the Secretary of War."

Mr. SPRINGER. Let the report be read.

The report (by Mr. FORD) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 1481) making an appropriation to construct a road and approaches from Pineville, La., to the national cemetery near that town, have considered the same, and make the following report:

The village of Pineville is situated on Red River, in the parish of Rapides, Louisiana. Across the river and opposite is the town of Alexandria, the county seat of said parish of Rapides. During the late war the Red River Valley was the scene of extensive military operations. The forces of the United States on several occasions advanced up the valley by land and water, penetrating in 1864, under General Banks, as far as to within 45 miles of the city of Shreveport, 150 miles by land and 300 by water northwest of the town of Alexandria. A fleet of the United States, under Admiral Porter, kept pace by the river with the forces on land.

Alexandria and Pineville, and the country contiguous thereto, were for several months, first and last, occupied by the military and naval forces of the United States.

During these invasions of the Red River Valley many encounters with the Confederate forces took place, and two important battles were fought, to wit, the battle of Mansfield, or Sabine Cross Roads, and the battle of Pleasant Hill.

For the interment of the bodies of the Union soldiers who fell in these engagements in the Red River Valley and those who died in the hospitals a national cemetery was established at Pineville. This cemetery is located about 1 mile from the river on the hills which border the river for a short distance at that point. The cemetery covers 8 acres of ground, and the number of interments is 1,307. It is in charge of a superintendent, and the yearly cost of maintenance $1,250. (The cemetery is surrounded by a substantial brick wall, and the buildings for the accommodation of the superintendent and family are of brick and substantial and commodious.)

No proper means of access from the river to the cemetery is provided. From the memorial to Congress, of numerous citizens of that immediate section, calling attention to the necessity for this road, and praying an appropriation therefor, we make the following extract:

"The national cemetery, located in the suburbs of Pineville, opposite Alexandria, La., while naturally possessing many attractive features as to location and surroundings, is virtually inaccessible, the only approach being by way of a narrow and rough by way leading from the main thoroughfare. The site is about 1 mile on a straight line from Red River, and a road opened from a certain point on the river and leading directly to the front or main entrance of the cemetery would materially add to the attractiveness of the place, and contribute very greatly to the convenience and pleasure of visitors."

The memorial, from which the above is taken, is strongly indorsed by the superintendent of the cemetery.

A similar bill in the Forty-ninth Congress having been referred to the Secretary of War for report on the cemetery and its needs of approach, Mr. W. H. Owens, civil engineer, Quartermaster's Department, was ordered to inspect the cemetery and make report, a copy of which, together with a letter from the Secretary of War, is among the papers submitted to your committee. Mr. Owens's report is full, and contains a detailed estimate of the cost of the proposed road, which he fixes at $11,000.

The Quartermaster-General recommended, and the Secretary of War concurs in the same, that the right of way for the road be secured to the United States free of cost, and that provision be made in the bill for a satisfactory guaranty by the authorities of Pineville of an amount sufficient annually to keep the road in repair.

The bill herewith presented covers both these suggestions, and as showing the willingness of the town authorities to provide for the annual repair of the road, a certified copy of a formal resolution of the town council giving this assurance was submitted to the committee.

In view of the facts in the case, the committee report the bill favorably with an amendment to strike out the words "the Treasury," in the sixth line of the section, and insert the word "War," and, as thus amended, they recommend the passage of the bill.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. BLANCHARD moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. MILLS. I move that the House do now adjourn.

Mr. HOLMAN. I call for a division.

The House divided; and there were—ayes 42, noes 92.

Mr. MILLS. I call for tellers.

Tellers were ordered, and Mr. MILLS and Mr. MORRILL were appointed.

The House again divided; and the tellers reported—ayes 95, noes 44.

So the motion was agreed to; and accordingly (at 3 o'clock and 18 minutes p. m.) the House adjourned.

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PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred as indicated below:

By Mr. WHEELER: A bill (H. R. 6366) for the relief of Mahala H. Portlock—to the Committee on War Claims.

By Mr. PEEL: A bill (H. R. 6367) granting a pension to Samuel Foster—to the Committee on Invalid Pensions.

By Mr. ROGERS: A bill (H. R. 6368) granting a pension to F. H. McBride—to the Committee on Invalid Pensions.

By Mr. VANDEVER: A bill (H. R. 6369) granting a pension to James Ferguson—to the Committee on Invalid Pensions.

By Mr. LANE: A bill (H. R. 6370) for the relief of James W. Kinyon—to the Committee on Military Affairs.

By Mr. CHEADLE: A bill (H. R. 6371) granting a pension to Jesse M. Stilwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6372) granting a pension to James Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6373) granting a pension to Thomas Ramsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6374) granting a pension to Austin Turner, dependent father of Arthur Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6375) granting a pension to Jonathan McLaughlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6376) to correct the military record of John T. Cambridge—to the Committee on Military Affairs.

Also, a bill (H. R. 6377) for the relief of Samuel Ayers—to the Committee on War Claims.

By Mr. OWEN: A bill (H. R. 6378) granting a pension to Samuel Stubbs—to the Committee on Invalid Pensions.

By Mr. SHIVELY: A bill (H. R. 6379) to increase the pension of David M. Rennoe—to the Committee on Invalid Pensions.

By Mr. J. T. JOHNSTON: A bill (H. R. 6380) for the relief of the heirs of David B. Sanders, deceased—to the Committee on War Claims.

By Mr. BYNUM: A bill (H. R. 6381) to remove the charge of desertion against Isaac N. Wright—to the Committee on Military Affairs.

By Mr. SYMES: A bill (H. R. 6382) to remove the charge of desertion against Charles Carlisle—to the Committee on Military Affairs.

Also, a bill (H. R. 6383) for the relief of Jesse Marion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6384) for the relief of George K. Kirchner—to the Committee on War Claims.

Also, a bill (H. R. 6385) granting a pension to Samuel Doolittle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6386) granting a pension to Thomas D. Britton—to the Committee on Invalid Pensions.

By Mr. CONGER: A bill (H. R. 6387) granting arrears of pension to Col. D. M. Fox—to the Committee on Invalid Pensions.

By Mr. MONTGOMERY: A bill (H. R. 6388) granting a pension to John Horn—to the Committee on Pensions.

By Mr. G. M. THOMAS: A bill (H. R. 6389) to increase the pension of Dr. Mathew H. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6390) for the relief of Catharine Pemberton—to the Committee on Invalid Pensions.

By Mr. HUNTER: A bill (H. R. 6391) for the relief of F. F. Lucas—to the Committee on War Claims.

By Mr. GAY: A bill (H. R. 6392) for the relief of Victorin Keller—to the Committee on War Claims.

Also, a bill (H. R. 6393) for the relief of the estate of Henry Lawrence—to the Committee on War Claims.

Also, a bill (H. R. 6394) for the relief of Hayern & Taylor—to the Committee on Private Land Claims.

By Mr. REED: A bill (H. R. 6395) for the relief of Thomas S. Hopkins—to the Committee on Invalid Pensions.

By Mr. FISHER: A bill (H. R. 6396) for the relief of Robert B. Tubbs—to the Committee on Military Affairs.

By Mr. WALKER: A bill (H. R. 6397) granting a pension to Adolph Henning—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6398) granting a pension to the minor children of Daniel Winters, of Laflin, Mo.—to the Committee on Invalid Pensions.

By Mr. HUTTON: A bill (H. R. 6399) granting a pension to John McGuire—to the Committee on Pensions.

Also, a bill (H. R. 6400) for the relief of H. W. Thurmond—to the Committee on War Claims.

By Mr. BLAND: A bill (H. R. 6401) for the relief of John W. Reid—to the Committee on Military Affairs.

Also, a bill (H. R. 6402) for the relief of the estate of Thomas L. Price, deceased—to the Committee on War Claims.

By Mr. McKINNEY: A bill (H. R. 6403) granting a pension to Ann M. Thompson—to the Committee on Invalid Pensions.

By Mr. S. V. WHITE: A bill (H. R. 6404) for the relief of Charles F. Swain, master of bark Philena—to the Committee on Claims.

By Mr. SHERMAN: A bill (H. R. 6405) granting a pension to John N. Duffee—to the Committee on Invalid Pensions.

By Mr. BLISS: A bill (H. R. 6406) for the relief of Thomas McDonald—to the Committee on Invalid Pensions.

By Mr. BELMONT: A bill (H. R. 6407) correcting the military record of Lieut. James O'Rourke—to the Committee on Military Affairs.

By Mr. J. S. HENDERSON: A bill (H. R. 6408) for the relief of J. J. Petree and others—to the Committee on Ways and Means.

By Mr. CROUSE: A bill (H. R. 6409) for the relief of Perry R. Nye—to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 6410) for the relief of Frank W. Webster—to the Committee on the Post-Office and Post-Roads.

By Mr. J. D. TAYLOR: A bill (H. R. 6411) granting a pension to Sarah Jackson—to the Committee on Invalid Pensions.

By Mr. BAYNE: A bill (H. R. 6412) granting a pension to James M. Page—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6413) granting a pension to Allen Simmons—to the Committee on Invalid Pensions.

By Mr. PATTON: A bill (H. R. 6414) for the relief of George W. Gates—to the Committee on Invalid Pensions.

By Mr. OSBORNE: A bill (H. R. 6415) for the relief of John F. Mahler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6416) for the relief of Daniel Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6417) to remove the charge of desertion from the military record of John W. Terrill—to the Committee on Military Affairs.

Also, a bill (H. R. 6418) granting a pension to Oliver Troop—to the Committee on Invalid Pensions.

By Mr. BOWDEN: A bill (H. R. 6419) granting a pension to William Shackelford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6420) granting an increase of pension to Alexander Burton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6421) granting a pension to Samuel Sutton—to the Committee on Invalid Pensions.

By Mr. LEE: A bill (H. R. 6422) for the relief of Virginia E. Ficklin, and her minor son, James W. Ficklin—to the Committee on War Claims.

By Mr. SNYDER: A bill (H. R. 6423) granting a pension to William Daniel—to the Committee on Invalid Pensions.

By Mr. O. B. THOMAS: A bill (H. R. 6424) to grant a pension to Catherine Sullivan—to the Committee on Invalid Pensions.

By Mr. T. H. B. BROWNE: A bill (H. R. 6425) for the relief of William Tabb—to the Committee on War Claims.

By Mr. BUTLER: A bill (H. R. 6426) for the relief of Elizabeth Bray, of Tennessee—to the Committee on Military Affairs.

Also, a bill (H. R. 6427) granting a pension to John B. Walker, of Tennessee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6428) granting a pension to Elizabeth Bray, of Tennessee—to the Committee on Invalid Pensions.

By Mr. NEAL: A bill (H. R. 6429) for the relief of Sidney Henderson, executrix of John Henderson, deceased—to the Committee on War Claims.

By Mr. ABBOTT: A bill (H. R. 6430) for the relief of Ulysses Merchant—to the Committee on War Claims.

By Mr. HOUK: A bill (H. R. 6431) for the relief of Van Buren Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6432) for the relief of Mrs. Emma Ellis—to the Committee on War Claims.

Also, a bill (H. R. 6433) granting a pension to J. P. Mattock—to the Committee on Invalid Pensions.

By Mr. HEMPHILL: A bill (H. R. 6434) granting a pension to John F. G. Mittag—to the Committee on Pensions.

By Mr. HOUK: A bill (H. R. 6435) for the relief of H. T. Cox—to the Committee on War Claims.

By Mr. BELMONT: A bill (H. R. 6436) for the relief of Benjamin F. Wells, senior—to the Committee on Claims.

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Changes in the reference of bills improperly referred were made in the following cases, namely:

A bill (H. R. 4985) to prohibit certain printing by authority of the United States—from the Committee on Printing to the Committee on the Post-Office and Post-Roads.

A bill (H. R. 1373) prohibiting the purchase of goods which are in whole or in part manufactured by convict labor—from the Committee on Commerce to the Committee on Labor.

A bill (H. R. 4458) for the construction of a bridge across the Big Wind River, on the Shoshone Indian reservation, in the Territory of Wyoming—from the Committee on Commerce to the Committee on Indian Affairs.

A bill (H. R. 5671) to reimburse the depositors of the Freedman's Savings and Trust Company for losses incurred by the failure of said company—from the Committee on Commerce to the Committee on Banking and Currency.

A bill (H. R. 725) for the relief of Edmund D. Taylor—from the Committee on Claims to the Committee on War Claims.

A bill (H. R. 2593) for the relief of James Brice—from the Committee on Claims to the Select Committee on Indian Depredation Claims.

A bill (H. R. 4554) for the relief of the heirs of Preston Beck, jr.—from the Committee on Claims to the Select Committee on Indian Depredation Claims.

A bill (H. R. 5608) amendatory of the act for the benefit of the States of Texas, Colorado, Oregon, Nebraska, California, Kansas, and Nevada, and the Territories of Washington and Idaho, and Nevada when a Territory—from the Committee on the Judiciary to the Committee on Claims.

A bill (H. R. 2641) granting a pension to Emily W. Ogden—from the Committee on Pensions to the Committee on Invalid Pensions.

A bill (H. R. 3876) for the relief of Jeremiah Rumsey—from the Committee on Pensions to the Committee on Invalid Pensions.

A bill (H. R. 5406) for the relief of John Henry Harrover—from the Committee on Pensions to the Committee on Invalid Pensions.

A bill (H. R. 2846) granting a pension to Jeremiah T. Reed—from the Committee of Pensions to the Committee on Invalid Pensions.

A bill (H. R. 2788) granting a pension to Lieut. George T. Russell—from the Committee on Pensions to the Committee on Invalid Pensions.

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The Committee on the Post-Office and Post-Roads was discharged from the consideration of the following cases, improperly referred to said committee, and the same were severally referred to the Committee on Claims, namely:

A bill (H. R. 2545) for the relief of John D. Tinney.
A bill (H. R. 2613) for the relief of Moses Pendergrass.
A bill (H. R. 3713) for the benefit of Carter Lawson.
A bill (H. R. 4201) for the relief of J. R. Jones.
A bill (H. R. 4256) for the relief of Leslie E. Brooks.
A bill (H. R. 3496) for the relief of W. C. Seanland.
A bill (H. R. 5078) for the relief of Horace A. W. Tabor.
A bill (H. R. 5244) for the relief of Roswell G. Pettibone.
A bill (H. R. 5303) for the relief of James H. Smith, late postmaster at Memphis, Tenn.
A bill (H. R. 5536) for the relief of Robert C. Speed.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. H. ALLEN: Petition of the Silent Army of Deaf Soldiers, Sailors, and Marines, for equitable rating for pensions—to the Committee on Invalid Pensions.

By Mr. A. R. ANDERSON: Evidence in support of bill for relief of Green Fields—to the Committee on Invalid Pensions.

By Mr. C. L. ANDERSON: A bill for the survey and improvement of the Chickasawha River, in Mississippi—to the Committee on Rivers and Harbors.

By Mr. BAYNE: Petition of Allen Simmons, for a special-act pension—to the Committee on Invalid Pensions.

By Mr. BREWER: Resolutions of the Detroit Board of Trade relating to a naval reserve corps—to the Committee on Naval Affairs.

By Mr. BUCHANAN: Petition of the faculty of the College of New Jersey (Princeton, N. J.), in behalf of an international copyright law—to the Committee on Patents.

By Mr. BUTLER: Petition of James Coffman, and of Mary A. Grigsby, of Hamblen County; of Isaiah Stondifer, of Claiborne County; of Matterson Campbell, heir of John Campbell, of Greene County; of James White, of Hawkins County; and of George C. Pangle, of Whites-

burgh, Tenn., for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. CONGER: Petition of Col. D. M. Fox, late Twenty-seventh Regiment Michigan Volunteers, for arrears of pension—to the Committee on Invalid Pensions.

Also, petition of the governor, officers of the senate and house of representatives, and other distinguished citizens of Iowa, for the relief of Col. D. M. Fox—to the Committee on Invalid Pensions.

By Mr. FITCH: Petition of citizens of New York, for some bill to promote international arbitration, or for a convention of American and other nations to agree upon a high court of arbitration to settle differences—to the Committee on Foreign Affairs.

By Mr. FUNSTON: Petition of John A. Huff, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. GAY: Papers in the claim of Victoria Keller, of Donaldsonville, La.—to the Committee on War Claims.

By Mr. GEAR: Resolutions of the Mississippi River Convention, relative to river improvements, and especially the Mississippi River—to the Committee on Rivers and Harbors.

By Mr. GRANGER (by request): Petition of Rev. Samuel Scoville and others, against the admission of Utah as a State—to the Committee on the Territories.

Also, memorial of Augustine Jones and others, for arbitration as a means of settling national disputes—to the Committee on Foreign Affairs.

By Mr. GROUT: Papers in the claim of David Ward, for relief—to the Committee on Claims.

Also, petition of Rufus Averill and 34 others, for a pension to Alonzo H. Gregory—to the Committee on Invalid Pensions.

Also, memorial of the Society of Friends of Richmond, Ind., for a treaty for arbitration of differences with Great Britain—to the Committee on Foreign Affairs.

Also, letters of soldiers in the claim of Martha B. Perry—to the Committee on Invalid Pensions.

By Mr. J. S. HENDERSON: Memorial of the Society of Friends in conference at Richmond, Ind., in favor of arbitration to settle disputes between the United States and Great Britain—to the Committee on Foreign Affairs.

Also, resolutions of the North Carolina State Grange, Patrons of Husbandry, for the repeal of the tax of 10 per cent. on the circulation of State banks—to the Committee on Banking and Currency.

Also, papers in the claim of W. D. Howard, and of Lucie D. Douthit, widow of E. J. Douthit, of North Carolina—to the Committee on War Claims.

By Mr. HOOKER: Petition of Charles D. Butler, and of Mary C. Buel, of Jefferson County, and of Aaron Longley, of Jackson County, Mississippi, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. S. I. HOPKINS: Petition of Thomas Johnson, of Halifax County, Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. HOUK: Petition of James McBee; of Isaac M. McBee; of Noah Nance; of Lydia Peck; of Frank M. Smith; of heirs of James Evans; of William Brazelton; of William A. Glenn; of Cyrus Zimmerman, administrator of Thomas Evans; of C. B. C. Hodges; of Calloway Hodges, and of Jesse Elmore, of Jefferson County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. JACKSON: Petition of Miss Jennie Fullerton and 13 others, citizens of North Beaver township, Lawrence County, Pennsylvania, against the admission of Utah as a State with polygamy—to the Committee on the Territories.

By Mr LATHAM: Papers in the claims of Joseph Lawrence; of James M. Ferebel; of William J. Porter; of Nancy T. M. Tooley and William B. Tooley; of Rev. Jacob Utley; of W. H. Hyatt, son of J. H. Hyatt; of Hugh Murdock; of Mrs. Holland Harderly; of Mary E. English, executrix of James C. Ballance; of Francis J. and Mary F. Morton; of Joseph J. Jordan; of Jarvis M. Williams; of Jasper B. Mann; of Joseph R. Franklin; of Josiah L. Bill; of D. W. Martin, and of A. O. Dey, administrator, and of J. S. Davis, of North Carolina—to the Committee on War Claims.

By Mr. LYMAN: Petition asking for increase of pension for deaf soldiers—to the Committee on Invalid Pensions.

By Mr. McSHANE: Petition of Evalina Thompson, for a special-act pension—to the Committee on Invalid Pensions.

Also, petition of citizens of Nebraska, for the enactment of a law for issuing fractional currency—to the Committee on Banking and Currency.

By Mr. MONTGOMERY: Petition of Samuel B. Merrifield, of Charles H. Allen, and of A. M. Cartwell, of Nelson County; of Margaret Carter, of Joseph H. Tucker, assignee of James Crowders, and of Joseph H. Tucker, assignee of John Slaughter, of Marion County; of Radley & Showers, of George W. Smith, and of Jacob Hubbard, of La Rue County; of D. K. Haycraft, of Margaret J. Van Meter, and of C. M. Stuart, administrator of David Pevin, of Hardin County; of M. T. Branner, of Jefferson County, and of W. E. Forsythe, of Ohio County, Kentucky, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. NEAL: Papers in the claim of Sidney Henderson, executor of John Henderson, of Bradley County, Tennessee—to the Committee on War Claims.

By Mr. NELSON: Petition of S. S. Turner, M. D., for increase of pay of Army surgeons—to the Committee on Military Affairs.

Also, remonstrance against the bill for a bridge from Rice's Point to Minnesota Point, at Duluth, Minn.—to the Committee on Commerce.

By Mr. NUTTING: Petition of Union ex-prisoners, of Oswego County, New York, in favor of the pension bill recommended by national encampment, Grand Army of the Republic—to the Committee on Invalid Pensions.

By Mr. O'DONNELL: Resolutions of Pomona Grange, of Branch County, Michigan, for legislation to protect innocent purchasers of patented articles from prosecution for infringement—to the Committee on Patents.

By Mr. J. J. O'NEILL: Petition of workingmen of St. Louis, Mo., in favor of a Government system of postal telegraphy—to the Committee on the Post-Office and Post-Roads.

By Mr. OSBORNE: Petition of Daniel Young, for a pension—to the Committee on Invalid Pensions.

By Mr. PATTON: Petition and other papers relating to bill for relief of George W. Gales, late of Company H, Fifty-third Pennsylvania Volunteers—to the Committee on Invalid Pensions.

By Mr. PEEL: Petition of the faculty of the State University of Arkansas, to remove duty on imported books—to the Committee on Ways and Means.

Also, memorial of the Society of Friends, for international arbitration—to the Committee on Foreign Affairs.

Also, petition of faculty of State University of Arkansas, for an international copyright—to the Committee on Patents.

By Mr. PETERS: Letter of United States marshal and United States district attorney of Kansas, favoring bill for enlargement of public building at Wichita, Kans.—to the Committee on Public Buildings and Grounds.

By Mr. PHELAN: Papers in the claims of Jesse Applewhite; of Hugh Davis; of Mary E. Bates; of Caroline H. Renney, executrix of Michael W. Renney; of Wiley T. Cargill, executor of Wiley Cargill, and of Martha C. Cole, of Tennessee—to the Committee on War Claims.

Also, petition of Charles Levy, of Shelby County, Tennessee, for payment of his war claim—to the Committee on War Claims.

Also, petition of heirs of Charles Michil, of Fayette County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. PUGSLEY: Petition of soldiers and citizens of Sabinia, Ohio, in favor of Senate bill granting 1 cent per day pension to all soldiers of the late war—to the Committee on Invalid Pensions.

By Mr. RANDALL: Memorial of S. S. Turner, M. D., in behalf of the acting assistant surgeons of the Army—to the Committee on Military Affairs.

By Mr. RICE: Resolutions of State Dairymen's Association, of Minnesota, against the repeal or modification of the oleomargarine laws—to the Committee on Agriculture.

By Mr. ROGERS: Papers in the claim of Charles Ayliff, of Pulaski County, Arkansas—to the Committee on War Claims.

By Mr. ROMEIS: Petition and statement of Daniel H. Nye, for relief—to the Committee on War Claims.

Also, petition of Ellen Scranton and H. S. Stone, of Fremont, Ohio, for relief—to the Committee on War Claims.

Also, petition of James Haby and 1,108 others, citizens of ——— Valley, asking that the battle-grounds and cemeteries be marked and cared for—to the Committee on the Library.

Also, joint resolution of the Legislature of Ohio, for surveys of historical and military grounds—to the Committee on Military Affairs.

By Mr. SCULL: Papers in the case of Hezekiah L. Hammer—to the Committee on Invalid Pensions.

By Mr. SENEY: Memorial of S. S. Turner, acting assistant surgeon, United States Army, for increase of pay of surgeons in the Army—to the Committee on Military Affairs.

By Mr. SPRINGER: Petition of citizens of Illinois, against the admission of Utah as a State with polygamy—to the Committee on the Territories.

Also, petition of S. S. Turner, M. D., for increase of pay of surgeons of the Army—to the Committee on Military Affairs.

Also, memorial of the Society of Friends, of Richmond, Ind., for international arbitration—to the Committee on Foreign Affairs.

Also, resolutions of the Board of Trade of Chicago in favor of retaliatory measures against France and Germany for excluding American salted pork—to the Committee on Ways and Means.

Also, resolutions of the Board of Trade of Chicago in favor of a naval reserve—to the Committee on Naval Affairs.

By Mr. STEPHENSON: Petition of the Isaac N. Earl Post, Grand Army of the Republic, No. 112, of Wisconsin, and citizens of Cally, Wis., for an amendment to the pension laws—to the Committee on Invalid Pensions.

Also, a memorial of the American Forestry Congress and other citizens, relative to forest lands—to the Committee on Agriculture.

By Mr. J. D. STEWART: Papers in the claim of William A. Lewis, of Luther Walters, of Wilkie McHan, executor of Solomon Taylor, and of George T. Long, of Georgia—to the Committee on War Claims.

By Mr. SYMES: Petition of John Leonard, for removal of charge of desertion—to the Committee on Military Affairs.

Also, petition for removal of the charge of desertion from Hilton Springsted, late private of Company E, Ninth Michigan Volunteer Cavalry—to the Committee on Military Affairs.

Also, petition of citizens of Denver, Colo., for international copyright—to the Committee on Patents.

Also, petition of the Grand Lodge of Good Templars of Colorado, officially signed, for a national prohibitory constitutional amendment—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. TARSNEY: Petition of John Davis and 70 others, of Norton County, Kansas, for postal telegraphy—to the Committee on the Post-Office and Post-Roads.

By Mr. J. D. TAYLOR: Memorial of members of the Society of Friends, for the introduction of arbitration as a means of settling international disputes—to the Committee on Foreign Affairs.

By Mr. G. M. THOMAS: Petition of Margaret Holland, and of Charles R. Nealis, for pensions—to the Committee on Invalid Pensions.

Also, petition of Joseph P. Warden, and of Isaac W. Lykins, for relief—to the Committee on Invalid Pensions.

Also, petition of William J. Meadows, for discharge and pension—to the Committee on Invalid Pensions.

Also, petition for pension for Daniel Lawhorn—to the Committee on Invalid Pensions.

By Mr. WASHINGTON: Petition of T. H. Gardner, of Robertson County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. WHELLER: Petition of Thomas J. Scruggs and of Thomas B. Woosley, administrators of William Woosley, of Jackson County; of W. T. Simmons, and of John V. Dandredge, heir of John T. Dandredge, of Lawrence County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. YOST: Memorial of citizens of Wythe County, Virginia, demanding repeal of the internal revenue, protesting against the removal of the duty on iron ore and coal, and asking a hearing before the committee—to the Committee on Ways and Means.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. C. L. ANDERSON: Of P. C. Welborne and other citizens of Jasper County, Mississippi.

By Mr. T. H. B. BROWNE: Of H. A. McGary and others, of Andrews, Spottsylvania County, Virginia.

By Mr. COWLES: Of J. B. Hopkins and others, of Stony Hill, Wilkes County; of Mac. Absher and others, of Obids, Ashe County, and of S. W. Campbell and others, of Vashti, Alexander County, North Carolina.

By Mr. GOFF: Of C. H. Ice and others, of Folsom, Wetzel County; and of W. H. Churchman and others, of Fowler's, Brooke County, West Virginia.

By Mr. HOGG: Of J. Snyder and others, of Speed, Roane County; of J. B. Lewis and others, of Porterville, Lincoln County, and of J. W. Sias and others of Fourteen, Lincoln County, West Virginia.

By Mr. HOOKER: Of J. H. Russell and others, of Palestine, Hinds County, Mississippi.

Also, of A. G. Crook and other citizens of Mississippi.

By Mr. HOUK: Of citizens of Hardin Valley, Knox County, Tennessee.

By Mr. McCLAMMY: Of W. M. Tobar and others, of Sherwood, Cumberland County, and of Charles S. Tate and others, of Ashton, Pender County, North Carolina.

By Mr. MORRILL: Of Allen Strickler and 37 others, of Lancaster, Kans.

By Mr. PEEL: Of James M. Anderson and others, of Arkansas.

By Mr. ROGERS: Of W. H. Carey and others, of Leon, Franklin County, Arkansas.

By Mr. ROWLAND: Of Maggie Davis and others, of Kingwood, N. C.

By Mr. YOST: Of H. W. Massie and others, of Savannah, Alleghany County, Virginia.

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The following petitions, asking for the passage of the bill prohibiting the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia, were severally referred to the Select Committee on the Alcoholic Liquor Traffic:

By Mr. GOFF: Of 129 citizens of the First district of West Virginia.

By Mr. KERR: Of the ministers of the Methodist Episcopal Church of the District of Columbia.

## SENATE.

### WEDNESDAY, *February* 1, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

#### HOUSE BILLS REFERRED.

The following bills, received yesterday from the House of Representatives, were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (H. R. 615) for the relief of James B. Mitchell; and

A bill (H. R. 2606) authorizing the construction of a bridge over the Missouri River at or near the city of Jefferson, Mo.

The following bills were severally read twice by their titles, and referred to the Committee on Claims:

A bill (H. R. 19) for the relief of H. B. Wilson, administrator of the estate of William Tinder, deceased; and

A bill (H. R. 300) for the relief of the trustees of the First Baptist Church at Smithland, Ky.

The following bills were severally read twice by their titles, and referred to the Committee on Public Buildings and Grounds:

A bill (H. R. 1805) for a public building at Greenville, S. C.; and

A bill (H. R. 1712) for the erection of a public building at Portsmouth, Ohio.

The bill (H. R. 4842) to remove the political disabilities of George W. Harrison, of Hoboken, N. J., was read twice by its title, and referred to the Committee on the Judiciary.

The bill (H. R. 5874) for the relief of the heirs of the late Francis I. Wheeler, was read twice by its title, and referred to the Committee on Military Affairs.

The bill (H. R. 363) granting a pension to Mrs. Eliza L. Mace, was read twice by its title, and referred to the Committee on Pensions.

#### PETITIONS AND MEMORIALS.

Mr. McPHERSON presented the petition of Daniel Wooden, of Washington, D. C., praying to be allowed an increase of pension; which was referred to the Committee on Pensions.

He also presented a petition of the faculty of the College of New Jersey, at Princeton, N. J., praying for the speedy enactment of an international copyright law; which was referred to the Committee on Patents.

He also presented a petition of the Board of Trade of Newark, N. J., praying that a liberal appropriation be made for the repair and enlargement of the public building at Newark; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of 168 citizens of the First, Second, Fourth, and Fifth Congressional districts of New Jersey, and a petition of 74 citizens of the Fifth Congressional district of New Jersey, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. COKE. I present a petition signed by a large number of citizens of El Paso, Tex., engaged in commerce, which represents that the recent extension of the Free Zone by the Mexican Government along the northern frontier of Mexico opens all the Mexican towns along that border to the importation, through the United States, of all classes of merchandise from foreign countries, upon which no duty is paid either to the American or Mexican Governments; and that the act creates a rendezvous where merchants from foreign countries can land their free goods and take their time and opportunity to smuggle or sell them to those who will smuggle them into the United States.

Referring more particularly to the free port of Paso del Norte, Mexico, directly opposite El Paso, Tex., the petitioners call attention to the ample opportunity and great ease with which an extensive smuggling business can be carried on, for the reason that all classes of individuals can go there in the street cars and in other conveyances, or on foot, day or night, purchase any article of wearing apparel and wear it over to the American side. As well also can merchandise upon which the greatest duty is imposed be carried over by men, pack animals, and other conveyances at various places up and down the river. The Rio Grande River is fordable the greater part of the time, and there are also bridges and boats in ample supply when the river is not fordable.

Now that railways are operating to and from all the cities of the United States, an extensive amount of smuggling can and will be carried on, and these free goods will find their way throughout our country.

Merchants from Vera Cruz and other foreign cities are now opening large stocks of foreign merchandise in convenient places in Paso del Norte for the purpose of supplying the American trade. They are advertising their advantages in our papers and are pushing their wares into our country. This fact is fast demoralizing our trade and depreciating our property values.

All other points in Mexico along this free border, where there are railway facilities, are fast becoming harbors for smugglers, and every day's delay works a loss to the commerce of our country and revenues of the Government.

The reasons assigned for the act are admitted by the Mexican peo-

ple to be that it will build up their border towns and check the growth of the American towns; that it will increase their population along the border and decrease our population, thereby strengthening their border and weakening ours.

Therefore it can not be possible for the merchants on the American side, as well as the jobbers and manufacturers in our large cities, to compete for the growing trade of Mexico as against the jobbers and manufacturers of Europe. This is a vital question to the jobbers and manufacturers of all the cities of the United States who have been selling goods to the merchants in the American towns on the border, and to the merchants and others in Mexico, because the free goods in the free towns of Mexico, created by the Free Zone act, will prove an effectual barrier between them and the trade of Mexico.

Each day this matter is assuming greater proportions, and the longer it exists the greater the difficulty in overcoming it.

Paso del Norte is made the principal point for carrying on this business, because the many railways centering at El Paso, Tex., furnish quick and ready transportation to all portions of the United States.

The petition concludes by asking that a reciprocity treaty be entered into with Mexico, in order to give this country some protection against the great amount of smuggling which necessarily occurs under the Free Zone act in the Republic of Mexico.

I move the reference of this petition to the Committee on Foreign Relations.

Mr. MORGAN. Before the petition is referred I wish to ask the Senator from Texas if the commercial convention with Mexico of January 20, 1883, does not cover what the petitioners desire to be secured to them?

Mr. COKE. I think it does not cover the point made by the petitioners. The commercial convention referred to has lapsed, has it not?

Mr. MORGAN. The commercial convention has not lapsed. It has been several times renewed and extended for the purpose of giving Congress the opportunity to pass those laws which are essential, by the terms of the convention itself, to its execution.

Mr. COKE. The Senator alludes to the treaty passed through the Senate, but which was never acted upon by the other House.

Mr. MORGAN. I allude to the treaty which has been ratified and proclaimed, and several times amended by extending it since it was made, with a view of giving Congress the opportunity to pass the laws which are provided in that treaty for its execution. My own conviction is a very firm one that if the Congress of the United States should pass the laws to execute the treaty, the purposes of these petitioners would be entirely accomplished, or, if not entirely, at least substantially accomplished.

Mr. COKE. I concur fully with the Senator from Alabama as to that. The treaty passed the Senate several years ago, but has never received action in the other House. There is nothing that can be done which would help the commerce of this country with Mexico more than the adoption and enforcement of that treaty. With it the complaints that have been presented in this petition would not exist.

The PRESIDENT *pro tempore*. The petition will be referred to the Committee on Foreign Relations.

Mr. WILSON, of Maryland, presented a petition of the Maryland State Temperance Alliance, and a petition of ministers of the Methodist Episcopal Church in the city of Washington, D. C., and vicinity, praying for the passage of a law prohibiting the manufacture and sale, importation, etc., of intoxicating liquors for beverages in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. MORRILL presented a petition of the Vermont Woman's Christian Temperance Union, officially signed, praying for the passage of a national prohibitory constitutional amendment; which was referred to the Committee on Education and Labor.

Mr. TELLER presented the petition of J. M. Gregory and 398 other citizens of Phœnix, Ariz., praying for the passage of Senate bill 689, to fix the price of public lands in the forfeited Texas Pacific Railroad land grant; which was referred to the Committee on Public Lands.

Mr. PASCO presented the petition of D. L. Gaulden and other citizens of Florida, praying that an appropriation be made for the survey and cleaning out of the Indian River from Titusville to Gilbert's Bar, Florida; which was referred to the Committee on Commerce.

He also presented the petition of William B. Jones and 41 other citizens, of Washington County, Florida, praying that increased compensation be allowed fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. FARWELL presented a petition of importers at the port of Chicago, Ill., praying for the passage of Senate bill No. 532, known as the immediate transportation act, with an amendment; which was referred to the Committee on Finance.

Mr. BLODGETT presented a petition of 100 citizens of the Third and Fourth Congressional districts of New Jersey, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. PALMER presented a petition of 112 citizens of the First, Ninth, and Sixth Congressional districts of Michigan; a petition of 139 citizens of the Ninth, Fifth, Eighth, and Sixth Congressional districts of Michigan, and a petition of 206 citizens of the Second and Tenth Congressional districts of Michigan, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented a resolution adopted by the Detroit (Mich.) Typographical Union, No. 18, in favor of the restoration of wages in the Government Printing Office, Washington City, to former rates; which was referred to the Committee on Printing.

Mr. EVARTS presented a petition of 153 citizens of the Twentieth, Twenty-third, and Thirtieth Congressional districts of New York, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. CAMERON presented a petition of 270 citizens of the Ninth, Sixteenth, and Twenty-fourth Congressional districts of Pennsylvania, praying for the enactment of a law prohibiting the sale of intoxicating liquors in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented 13 memorials of citizens of the Sixth, Eighteenth, and Nineteenth Congressional districts of Pennsylvania, remonstrating against the admission of Utah as a State with polygamy; which were referred to the Committee on Territories.

Mr. STANFORD presented a petition of citizens of Pasadena, Cal., praying for the establishment of a high court of arbitration; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the enactment of legislation looking to increased commercial privileges to the United States; which was referred to the Committee on Commerce.

He also presented a memorial of salt manufacturers of California, remonstrating against the removal of the duty on salt; which was referred to the Committee on Finance.

He also presented a memorial of the California State Horticultural Society, remonstrating against any change of the present tariff in relation to raisins and other foreign fruits; which was referred to the Committee on Finance.

He also presented a petition of the Chamber of Commerce of Eureka, Humboldt County, California, and other citizens of California, praying that an appropriation be made for the improvement of Humboldt Bay; which was referred to the Committee on Commerce.

He also presented a petition of members of the Faculty of the University of California, at Berkeley, Cal., praying for the removal of the duty on the importation of books; which was referred to the Committee on Finance.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the improvement of the Mare Island navy-yard; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the repair of the flag-ship Hartford; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that appropriations be made for seacoast defenses; which was referred to the Committee on Coast Defenses.

He also presented a petition of the National Co-operative Homestead Society of San Francisco, Cal., praying for the enactment of a co-operative homestead law; which was referred to the Committee on Public Lands.

Mr. DAVIS presented the petition of Finch, Van Slyck & Co., and other importers, of St. Paul, Minn., praying for the passage of Senate bill 582, providing for the immediate transportation of dutiable goods which was referred to the Committee on Finance.

Mr. WILSON, of Iowa, presented a petition of citizens of the Fourth, Fifth, and Seventh Congressional districts of Iowa, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. MITCHELL presented the petition of L. A. Davis, of Chehalis, Washington Territory, praying to be allowed compensation for carrying the English mails on route 15406, between Olympia and Monticello, Wash., from August 1, 1868, to June 30, 1870; which was referred to the Committee on Post-Offices and Post-Roads.

## REPORTS OF COMMITTEES.

Mr. FRYE. I am instructed by the Committee on Commerce, to whom was referred the bill (S. 665) to establish a quarantine station at the port of San Francisco, to ask to be discharged from its further consideration, and that it be referred to the Committee on Epidemic Diseases. I should like to have the bill referred to that committee without any further printing, because they meet to-morrow morning.

The PRESIDENT *pro tempore*. The change of reference will be made as requested, if there be no objection.

Mr. FRYE, from the Committee on Foreign Relations, to whom was referred the bill (S. 841) to facilitate the settlement and develop the resources of the Territory of Alaska, and to open an overland commercial route between the United States, Asiatic Russia, and Japan, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. JONES, of Arkansas, from the Committee on Claims, to whom

was referred the bill (S. 147) for the relief of S. D. Barclay, G. D. Adams, and William H. Kimbrew, reported it without amendment, and submitted a report thereon.

Mr. PLATT, from the Committee on Patents, to whom was referred the bill (S. 502) for the relief of Mary F. Potts, reported it with an amendment.

Mr. VEST, from the Committee on the Judiciary, to whom was referred the bill (S. 192) to provide that judges of the United States circuit and district courts shall reduce their instructions to juries to writing, in all States wherein by the laws thereof State judges are required so to do, reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 270) to establish a United States court in the Indian Territory, and for other purposes, reported it without amendment.

Mr. TELLER. I am instructed by the Committee on Patents, to whom was referred the bill (H. R. 5514) to amend section 4883 of the Revised Statutes, to report it without amendment. I send to the desk a letter from the Secretary of the Interior, to accompany the bill.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. SPOONER, from the Committee on Claims, to whom was referred the bill (S. 1696) for the relief of Lewis J. Cundiff, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 1671) for the relief of the heirs of Martin Kenofsky, asked to be discharged from its further consideration, and that it be referred to the Committee on Foreign Relations; which was agreed to.

Mr. QUAY, from the Committee on Claims, to whom was referred the bill (S. 1044) authorizing the Secretary of the Treasury to state and settle the account of James M. Willbur with the United States, and to pay said Willbur such sum of money as may be found due him thereon, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1499) for the relief of Mary A. Lewis, widow of Joseph N. Lewis, reported it without amendment, and submitted a report thereon.

Mr. FAULKNER, from the Committee on Claims, to whom was referred the bill (S. 903) for the relief of Laban Heath & Co., of Boston, Mass., reported it with an amendment, and submitted a report thereon.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (S. 169) granting an increase of pension to Abby J. Slocum, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 175) granting a pension to Eleanor S. Lawson, reported it without amendment, and submitted a report thereon.

Mr. BECK, from the Committee on Finance, to whom was referred the bill (S. 1163) for the relief of Edward Rice, reported it with amendments, and submitted a report thereon.

Mr. PADDOCK, from the Committee on Pensions, to whom was referred the bill (S. 626) granting an increase of pension to Andrew Franklin, alias McKee, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the petition of John W. Cummins, praying for an increase of pension, submitted an adverse report thereon; which was agreed to, and the committee were discharged from the further consideration of the petition.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (H. R. 2467) to amend chapter 191 of the private acts of the Forty-ninth Congress, passed at the second session thereof, concerning James H. Young, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 855) to amend and correct the act approved February 22, 1887, granting a pension to James H. Young, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. CHANDLER, from the Committee on Naval Affairs, submitted a report to accompany the bill (S. 1370) for the relief of Assistant Engineer Howard D. Potts, United States Navy, heretofore reported by that committee.

Mr. EVARTS, from the Committee on Foreign Relations, to whom was referred the bill (S. 535) providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes, reported it without amendment.

Mr. BLAIR, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 379) to allow soldiers and sailors in the United States service who have lost both hands an increased pension;

A bill (S. 550) granting a pension to William C. Wait;

A bill (S. 168) granting a pension to Mary E. Crimmins, widow of Patrick Crimmins;

A bill (S. 42) granting a pension to Lizzie Wright Owen;

A bill (S. 1412) granting increase of pension to Mary B. Hook;

A bill (S. 167) granting a pension to Ann E. Tew;

A bill (S. 40) granting an increase of pension to Margaret E. Pierce; and

A bill (S. 171) granting a pension to Jennie H. Coghill.

Mr. BLAIR, from the Committee on Pensions, to whom was referred the bill (S. 381) for the relief of Jesse H. Strickland, reported it with amendments, and submitted a report thereon.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 1209) for the relief of Robert H. Blake, reported it without amendment, and submitted a report thereon.

### JACKSON, MISS., MUNICIPAL ELECTION.

Mr. JONES, of Nevada. The Committee to Audit and Control the Contingent Expenses of the Senate direct me to report the resolution which I send to the desk. I wish to say that it is the report which was submitted yesterday, but withdrawn temporarily to incorporate some suggestions made by the chairman of the Committee on the Judiciary [Mr. EDMUNDS]. It is now submitted in a form to meet his approval. I should like to have action on the report.

The PRESIDENT *pro tempore*. The original resolution will be read.

The Chief Clerk read the resolution reported by Mr. EDMUNDS from the Committee on the Judiciary January 23, 1888, as follows:

*Resolved*, That the necessary expenses of the Committee on the Judiciary, or any subcommittee thereof, in making the inquiries into certain matters alleged to have occurred at Jackson, Miss., and as directed by the resolutions of the Senate of the 12th instant and of the 23d instant, be paid out of the appropriation for the miscellaneous items of the contingent fund of the Senate upon vouchers to be approved by the chairman of said committee.

The PRESIDENT *pro tempore*. The amendment reported by the Committee on Contingent Expenses will be next read.

The Chief Clerk read the substitute proposed by the committee, as follows:

*Resolved*, That the necessary expenses of the Committee on the Judiciary, or any subcommittee thereof, in making the inquiries into certain matters alleged to have occurred at Jackson, Miss., and as directed by the resolutions of the Senate of the 12th instant and of the 23d instant, be paid out of the contingent fund of the Senate upon vouchers to be approved by the chairman of the said committee, and by the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT *pro tempore*. Shall the resolution be now considered? The Chair hears no objection. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The resolution as amended was agreed to.

### COMPILATION OF REVENUE AND APPROPRIATION ACTS.

Mr. JONES, of Nevada. I am instructed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom were referred the resolution submitted by the Senator from Iowa [Mr. ALLISON] January 9, 1888, and the resolution submitted by the Senator from Rhode Island [Mr. ALDRICH] January 19, 1888, to report a substitute. I ask for the adoption of the substitute at this time.

The Senate, by unanimous consent, proceeded to consider the resolutions.

The PRESIDENT *pro tempore*. The resolutions referred to the Committee on Contingent Expenses will be read.

The Chief Clerk read as follows:

*Resolved*, That the Secretary be directed to compile, for the use of the Senate, from the Journals of the two Houses, the Annals of Congress, the Register of Debates in Congress, and the Congressional Globe and RECORD, a complete chronological history of revenue and general appropriation bills from the First to the Forty-ninth Congresses, inclusive, and for this purpose shall be authorized to employ an additional clerk, who shall be paid out of the contingent fund such compensation as shall be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate.

*Resolved*, That the Secretary of the Senate be directed, under the direction of the Committees on Finance and Appropriations of the Senate, to compile for the use of the Senate, from all available sources, a complete chronological history of revenue and general appropriation bills from the First to the Forty-ninth Congresses, inclusive; and for this purpose shall be authorized to employ an additional clerk, who shall be paid out of the contingent fund such compensation as shall be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT *pro tempore*. The amendment reported by the Committee to Audit and Control the Contingent Expenses of the Senate will now be read.

The CHIEF CLERK. It is proposed as a substitute for the resolutions already read the following:

*Resolved*, That the Secretary of the Senate be directed, under the direction of the Committees on Finance and Appropriations, to compile for the use of the Senate, from all available sources, a complete chronological history of revenue and general appropriation bills from the First to the Forty-ninth Congresses, inclusive; and for this purpose shall be authorized to employ an additional clerk, who shall be paid out of the contingent fund such compensation, not to exceed the rate of $2,500 per annum, as shall be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT *pro tempore*. The question is on agreeing to the substitute reported by the committee.

Mr. COCKRELL. I should like to ask how long it will probably take to complete this compilation.

Mr. JONES, of Nevada. Probably a year.

Mr. COCKRELL. Would it not, then, be better to amend and say "to the Fiftieth Congresses, inclusive," so as to include all the bills of the present Congress?

Mr. JONES, of Nevada. There is no objection to that amendment, I think.

Mr. FRYE. Let it include the acts of the first session of the Fiftieth Congress.

Mr. COCKRELL. There will be two volumes, I imagine, and the first volume can be printed, and the last one compiled can include all the acts of this Congress and be a complete compilation for the first fifty Congresses.

Mr. JONES, of Nevada. I think it would be an advantage to include the acts of the present Congress.

Mr. COCKRELL. I suggest to strike out "Forty-ninth" and insert "Fiftieth."

The PRESIDENT *pro tempore*. The Senator from Missouri proposes an amendment to the substitute reported by the committee, which will be stated.

The CHIEF CLERK. It is proposed to strike out "Forty-ninth" and insert "Fiftieth," and after the word "Congresses" to insert the word "inclusive;" so as to read:

From the First to the Fiftieth Congresses, inclusive.

Mr. BECK. The Fiftieth Congress will not expire until the 4th of March, 1889. Will that not delay the publication very much? Say "to the first session of the Fiftieth Congress."

Mr. COCKRELL. It will be impossible, unless you employ an immense force, to go over and prepare all the acts by the 4th of March, 1889. Let us have it completed for this Congress.

Mr. BECK. All right; I do not want to delay the passage of the resolution.

Mr. COCKRELL. As soon as one volume is ready it can be printed. There will be two volumes of the publication, necessarily.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Missouri to the substitute reported by the committee.

The amendment was agreed to.

The resolution reported by the committee as amended was agreed to; and the original resolutions postponed indefinitely.

REPORT OF DISTRICT HEALTH OFFICER.

Mr. MANDERSON. I am directed by the Committee on Printing to report back favorably the House concurrent resolution providing for printing the report of the District health officer, and I ask for its present adoption.

The resolution was considered by unanimous consent and agreed to, as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That there be printed by the Public Printer 2,500 copies of the annual report of the health officer of the District of Columbia; 100 for the use of the Senate, 350 for the use of the House of Representatives, and 2,050 copies for the use of the said health officer.

Mr. MANDERSON. I am also directed by the Committee on Printing, to whom was referred the joint resolution (S. R. 36) authorizing the printing of 2,500 extra copies of the report of the health officer of the District of Columbia, to report it adversely and ask that it be indefinitely postponed.

The report was agreed to, and the joint resolution was postponed indefinitely.

REPORT UPON WOOL.

Mr. MANDERSON. I am also directed by the Committee on Printing, to whom was referred the joint resolution (S. R. 9) to authorize the printing of the recent special report of the Chief of the Bureau of Statistics, Treasury Department, upon wool and the manufactures of wool, to report adversely as to the joint resolution, and recommend that its form be changed to that of a concurrent resolution, that being the requirement of the law where no appropriation is involved in the bill. So I shall follow adverse action and the indefinite postponement of the joint resolution by the introduction of a concurrent resolution, and ask for its passage.

The PRESIDENT *pro tempore*. The committee will be discharged from the further consideration of the joint resolution, and it will be postponed indefinitely, if no objection be interposed. The Chair hears none.

Mr. MANDERSON. I am also instructed by the Committee on Printing to report a concurrent resolution to authorize the printing of the recent special report of the Chief of the Bureau of Statistics, Treasury Department, upon wool and the manufactures of wool.

The PRESIDENT *pro tempore*. The concurrent resolution will be read.

The Chief Clerk read as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed 17,000 copies of the recent special report of the Chief of the Bureau of Statistics, Treasury Department, upon wool and the manufactures of wool, as follows: Ten thousand copies for the use of the members of the House of Representatives, 5,000 for the use of the members of the Senate, and 2,000 for the use of the Bureau of Statistics, Treasury Department.

Mr. MANDERSON. I ask for the present consideration of the resolution.

The resolution was considered by unanimous consent, and agreed to.

ACTION OF THE NAVY DEPARTMENT.

Mr. CHANDLER. I am instructed by the Committee on Naval Affairs, to whom was referred a resolution relative to the action of the Navy Department in regard to the Chicago, Boston, Atlanta, and Dolphin, to report it with an amendment; and I ask for the present consideration of the resolution.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read as follows:

*Resolved*, That the Secretary of the Navy be directed to transmit to the Senate a statement of the changes made from the original plans of the Chicago, Boston, Atlanta, and Dolphin in addition to those specified in a communication from the Navy Department to the House of Representatives of February 11, 1885 (constituting House Executive Document No. 229, Forty-eighth Congress, second session), and in a communication from said Department to the Senate of May 24, 1888 (constituting Senate Executive Document No. 153, Forty-ninth Congress, first session), together with the cost of such additional changes in each case; and that the Secretary be directed also to furnish the Senate with copies of all documents and correspondence on file in said Department written since March 5, 1885, in any way concerning the aforesaid vessels, which are not contained in the annual reports of said Department, including all reports of boards and of commanding officers and engineer officers, and all log-books kept while the vessels have been in motion since said date, and all the evidences of settlements and payments made since said date by the United States, and of any unsettled claims on account of said vessels; and that the Secretary be directed further to state the present condition of the Atlanta, Boston, and Chicago, and the reasons for the delay in their completion and reception into active service.

The Senate, by unanimous consent, proceeded to consider the resolution.

The PRESIDENT *pro tempore*. The amendment reported by the Committee on Naval Affairs will be stated.

The CHIEF CLERK. It is proposed to add to the resolution:

Together with the reasons for the action of the Department in each case reported under this resolution and those passed by the Senate on the 25th of January last, and also to state the present condition of the monitor Miantonomoh and her armament.

The amendment was agreed to.

The resolution as amended was agreed to.

BILLS INTRODUCED.

Mr. CAMERON introduced a bill (S. 1811) to authorize the sale to the Schuylkill River East Side Railroad Company of a lot of ground belonging to the United States Naval Asylum in the city of Philadelphia, Pa.; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1812) to grant pensions for service in the Army, Navy, or Marine Corps of the United States; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PASCO introduced a bill (S. 1813) for the relief of Susan B. Hopkins, widow of Arvah Hopkins, late of Tallahassee, Fla., deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. VEST introduced a bill (S. 1814) for the relief of Jacob Kern; which was read twice by its title, and referred to the Committee on Claims.

Mr. McPHERSON introduced a bill (S. 1815) granting a pension to Eliza J. Booth; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1816) to remove the charge of desertion from the military record of John Burchill, Company K, Thirteenth New Jersey Volunteers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DOLPH introduced a bill (S. 1817) to grant to the State of Oregon townships 27, 28, 29, 30, and 31 south, in ranges 5 and 6 east of the Willamette meridian, in the State of Oregon, for a public park; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1818) to grant to the town of Moscow, in Idaho Territory, certain lands for cemetery purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. WILSON, of Iowa, introduced a bill (S. 1819) granting arrears of pension to Col. D. M. Fox; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 1820) for the relief of L. A. Davis; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. PALMER introduced a bill (S. 1821) providing for the improvement of St. Mary's River and Hay Lake Channel, Michigan; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1822) granting a pension to Ann E. Cooney; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PLATT (by request) introduced a bill (S. 1823) for the relief of Waterman Clift, Robert May, James M. Shackelford, the heirs of William Marr, and the heirs of Amos Cordson; which was read twice by its title, and referred to the Committee on Claims.

Mr. DAWES introduced a bill (S. 1824) to ratify and confirm an agreement with the Gros Ventre, Piegan, Blood, Blackfeet, and River Crow Indians in Montana; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also (by request) introduced a bill (S. 1825) providing for the appointment of superintendent of charities and corrections in the District

of Columbia, and defining his duties; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. MITCHELL introduced a bill (S. 1826) for the relief of the heirs of Hiram W. Hubbard, deceased; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. DAVIS introduced a bill (S. 1827) granting a pension to Philomelia L. Dartt; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DANIEL introduced a bill (S. 1828) to provide for a light-house at Newport News, Middle Ground, Virginia; which was read twice by its title, and referred to the Committee on Commerce.

He also (by request) introduced a bill (S. 1829) to amend an act approved June 15, 1882, changing the boundaries of the fourth collection district of Virginia; which was read twice by its title, and referred to the Committee on Finance.

Mr. DAWES introduced a bill (S. 1830) for the relief of the Stockbridge and Muncie tribe of Indians, in the State of Wisconsin; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. EVARTS introduced a bill (S. 1831) granting a pension to Mary Heap Nicholson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HEARST introduced a bill (S. 1832) to incorporate the People's Electrical and Cable Railway Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. BECK introduced a bill (S. 1833) granting a pension to Eveline M. Alexander, widow of Bvt. Brig. Gen. Andrew J. Alexander; which was read twice by its title, and referred to the Committee on Pensions.

### CRIME IN THE INDIAN TERRITORY.

Mr. JONES, of Arkansas. I ask the unanimous consent of the Senate to reconsider the vote by which the bill (H. R. 1213) to punish robbery, burglary, and larceny in the Indian Territory was passed, with a view to make a formal amendment.

The PRESIDENT *pro tempore*. The Senator from Arkansas asks unanimous consent that the vote by which the bill was ordered to a third reading and passed may be reconsidered for the purpose of making a formal amendment. It will be so ordered if there be no objection. The amendment proposed by the Senator from Arkansas will be stated.

The CHIEF CLERK. In section 1, line 6, before the word "mule," insert the word "or;" so as to read:

That any person hereafter convicted in the United States courts having jurisdiction over the Indian Territory, or parts thereof, of stealing any horse, mare, gelding, filly, foal, ass, or mule, when said theft is committed in the Indian Territory, shall be punished, etc.

The amendment was agreed to.

The bill was ordered to a third reading, read the third time, and passed.

### INDIAN WAR CLAIMS.

Mr. CALL. I ask the Senate to take up the resolution I offered yesterday morning.

Mr. DOLPH. I desire to give a notice.

The PRESIDENT *pro tempore*. The Chair will receive further morning business.

Mr. DOLPH. I give notice that on Friday next, after the close of the morning business, I shall ask leave to call up the bill (S. 63) for payment of balance unpaid on Oregon and Washington Territory Indian war claims for suppression of Indian hostilities in 1855 and 1856, as found due by commission appointed by Secretary of War, consisting of General Rufus Ingalls, Capt. A. J. Smith, and Hon. L. F. Grover, pursuant to act of Congress, and disallowed by Third Auditor of the Treasury, as per his report of February 7, 1860, and I shall crave the indulgence of the Senate for a short time to make some remarks upon the bill.

### INTERNATIONAL COINAGE.

Mr. SAULSBURY. I give notice that on Monday next, immediately after the morning business, I shall call up the joint resolution (S. R. 30) relating to international coinage, for the purpose of making a few remarks upon it.

### MARRIAGE AND DIVORCE.

Mr. DOLPH. I move that the joint resolution (S. R. 2) proposing an amendment to the Constitution of the United States, empowering Congress to legislate upon the subjects of marriage and divorce, and prohibiting bigamy and polygamy, be referred to the Committee on the Judiciary.

The motion was agreed to.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 1481) making an appropriation to construct a road and approaches from Pineville, La., to the national military cemetery near that town;

A bill (H. R. 1483) for the erection of a public building at Monroe, La.;

A bill (H. R. 1528) to reward the Esquimaux natives of the Asiatic coast of the Arctic Ocean for acts of humanity to shipwrecked seamen;

A bill (H. R. 1611) for the erection of a public building at Springfield, Mo.;

A bill (H. R. 1640) changing the name of the port of Lamberton, in the district of Burlington, N. J., to the port of Trenton, in said district;

A bill (H. R. 1697) for the erection of a public building in the city of Asheville, N. C.;

A bill (H. R. 1860) to amend section 683 of the Revised Statutes; and

A bill (H. R. 4359) for the purchase of a site, including the building thereon, also for the erection of the necessary store-houses for the use of the office of the Chief Signal Officer of the Army, at the city of Washington, D. C.

### ORDER OF BUSINESS.

Mr. PLUMB. I call up the resolution introduced by me a day or two since on the subject of the postal service.

Mr. CALL. I have made a motion first to call up another resolution, I suggest to the Senator from Kansas.

Mr. PLUMB. I can not hear a word the Senator from Florida says. I should be glad to do so.

The PRESIDENT *pro tempore*. The Chair has endeavored many times ineffectually to enforce order. Complaint is made that the proceedings can not be heard on account of the confusion in the Chamber.

Mr. CALL. I suggested to the Senator from Kansas that before he made a motion to take up the resolution to which he referred, I had asked the Senate to take up the resolution I presented yesterday morning with a view of allowing me to make some remarks upon it.

Mr. PLUMB. Will those remarks continue beyond the morning hour?

Mr. CALL. I do not know that they will; I can not say.

Mr. PLUMB. My only purpose is to get along with the business. If it will suit the Senator as well, there is an order of business here which does not seem so urgently pressing, in charge of a very amiable friend of mine, which is a convenient shield behind which we usually get for the purpose of transacting public business, etc., and who always yields to a speech. I suggest whether he would not as well ask the Senator from New Hampshire that which he is always fond to grant, to allow him to take the time set aside for the consideration of the educational bill.

Mr. RIDDLEBERGER. If the order of resolutions is passed, I ask for the regular order.

The PRESIDENT *pro tempore*. The regular order will be the laying before the Senate of the resolutions coming over from a former day. The Senator from Virginia objects to the request made by the Senator from Florida to proceed out of order.

Mr. CULLOM. If I may be allowed to say a word, I will state that the Senator from Florida has been seeking the floor for the purpose of addressing the Senate now for several days, but has yielded very graciously.

Mr. PLUMB. He only introduced the resolution yesterday.

Mr. CULLOM. I hope that the Senate will allow him to proceed with his remarks this morning, as he said yesterday morning he desired to do so, and gave way yesterday for the accommodation of the Senate.

The PRESIDENT *pro tempore*. The resolution offered by the Senator from Florida is on the Calendar of resolutions, and will be reached in order.

Mr. CALL. I desire to correct the Chair. I introduced the resolution yesterday, and I understood that it would come up to-day.

The PRESIDENT *pro tempore*. It is on the Calendar of resolutions, which will be reported in their order. There were some resolutions placed upon the Calendar prior to the resolution introduced by the Senator from Florida.

Mr. PLUMB. It is not my purpose to object at all. I only wanted to see if we could not have some accommodation of the matter in such a way that the resolution I have in charge might go through and the Senator from Florida might also speak to-day. Of course, if his remarks are continued beyond the morning hour my resolution must go over until to-morrow.

Mr. CALL. I will state to the Senator from Kansas that for the last week I have been giving this notice. I have some papers here which I desire to put in the RECORD, but I shall not ask to delay the Senate by reading them. The resolution which the Senator from Kansas has before the Senate will elicit a good deal of discussion, as it has already done, and that would consume the whole of the time this morning, and perhaps more.

Mr. PLUMB. I do not interpose any objection to the Senator's desire in this matter.

Mr. FRYE. I have a resolution on the Calendar prior to the resolution of the Senator from Florida, which will provoke no discussion whatever, and I am very anxious to get it through, so that the information which it calls for may be gathered. I ask the Senator from Florida to yield that that resolution may be taken up. The resolution is already on the Calendar.

The PRESIDENT *pro tempore*. That there may be no misunderstanding on this subject, the Chair will ask the Chief Clerk to state the res-

olutions which are ready to be acted upon in their order, coming over from a former day.

The Chief Clerk read as follows:

Resolution by Mr. PLUMB, directing the Committee on Post-Offices and Post-Roads to make thorough inquiry into the cause of inefficient mail service.

Resolution by Mr. FRYE, directing the Committee on Foreign Relations to prepare a statement showing the political organization of the Dominion of Canada.

Resolution by Mr. RIDDLEBERGER, to consider in open session the treaty now pending between this Government and that of Great Britain.

Resolution by Mr. RIDDLEBERGER, to amend Senate Rule XXXVII.

Resolution by Mr. CALL, relative to the management of railroads by receivers appointed by United States courts.

Mr. PLUMB. I have no objection to the resolution which I have in charge being laid aside, if it does not lose its place, in order that the Senator from Florida may speak to his resolution.

The PRESIDENT *pro tempore*. The order of resolutions will remain unchanged. The Senator from Maine [Mr. FRYE] asks unanimous consent that the order of resolutions may be changed, and that the Senator from Florida will yield to enable him to call up the resolution offered by him.

Mr. FRYE. There will be no debate on it. If there is, I will withdraw it.

The PRESIDENT *pro tempore*. Is there objection?

Mr. RIDDLEBERGER. Let us hear the title of the resolution. I object until I can hear the title of it.

The PRESIDENT *pro tempore*. The title of the resolution will be stated.

Mr. FRYE. It is the resolution calling for information relative to Canada.

Mr. RIDDLEBERGER. Canada! I object, sir.

The PRESIDENT *pro tempore*. The Senator from Virginia objects. Is there objection to the request of the Senator from Florida? The Chair hears none.

Mr. RIDDLEBERGER. I beg pardon; I do not understand what the request of the Senator from Florida is.

The PRESIDENT *pro tempore*. The Senator from Florida asks unanimous consent that the resolution offered by him on a former day may be taken up to enable him to submit some remarks upon the same to the Senate.

Mr. HOAR. What resolution is it?

The PRESIDENT *pro tempore*. The resolution will be stated by title.

The CHIEF CLERK. A resolution by Mr. CALL, relative to the management of railroads by receivers appointed by United States courts.

The PRESIDENT *pro tempore*. Is there objection to the request of the Senator from Florida?

Mr. RIDDLEBERGER. I ask the Chair whether a resolution to change a rule of the Senate which shall regulate its proceedings for to-day does not have preference?

The PRESIDENT *pro tempore*. Such a resolution has no priority.

Mr. RIDDLEBERGER. And it can have no right?

The PRESIDENT *pro tempore*. It has no right of precedence.

Mr. RIDDLEBERGER. Whether presented by a member of the Committee on Rules or not, it has no preference?

The PRESIDENT *pro tempore*. It has no precedence; it takes its place upon the order of resolutions. Does the Senator from Virginia object to the request of the Senator from Florida?

Mr. RIDDLEBERGER. No, sir.

## RAILROAD RECEIVERS.

The PRESIDENT *pro tempore*. The resolution submitted yesterday by the Senator from Florida will be read.

The Secretary read as follows:

*Resolved*, That the Committee on the Judiciary be instructed to report, by bill or otherwise, such legislation as may be necessary to prevent the courts of the United States, in managing railroads through receivers, from depriving creditors of their liens on said railroads and corporate properties by the sale of the properties under receiver's certificates, issued under the order of said courts, whereby the title to great railroad properties and vast bodies of the public land of the people of the United States, carrying with them a power of taxation over the people, is vested in favorites and combinations of persons selected and approved by the receiver and his confederates.

Mr. CALL. Mr. President, the subject of this resolution has attracted a great deal of attention from the people of the United States for the last ten years. It has recently received some consideration in an article published in the Popular Science Monthly, by H. W. Bartol, which speaks as follows:

Perhaps no question of the day is exercising a more important influence on the investments of the country than this question of receiverships, and certainly none is of more importance to the investor in corporation securities, whether it be in their stocks or bonds; for, with the present readiness of our courts to appoint receivers on the slightest excuse, and to hold the properties indefinitely, no one can tell when his property may be taken out of his hands, nor, when so taken, how it will be administered. In fact, this readiness of the courts to appoint receivers is taken advantage of to wreck corporations in the interest of one class of creditors to the injury of all others, and under it unscrupulous speculators have and are to-day using the mantle of justice to accomplish their ends.

Years before, a distinguished lawyer of the State of Mississippi called attention to the invasion of the spirit and purpose of the constitutional provision, that no State could impair the obligation of contracts, by the practice of the courts in appointing receivers and divesting one class of contracts of their obligation and their lien. Judge Alexander F. Clayton, a man widely known throughout this country as a lawyer of eminent ability, in an article published in the American Law Review, at Boston, which has received notice in the works of a commentator (Jones on the Law of Corporate Mortgages), speaks as follows:

This essay will have fulfilled its object if it should tend to call courts back to the original principle that a lien can not be displaced without the consent, express or implied, of its owner, except in cases of extreme necessity, where the failure to preserve the property would be an act of such gross negligence on the part of the person intrusted with its custody as to render him liable for the injury.—*American Law Review*, Volume XIII, page 44, 1878-'79.

To the same effect Mr. Associate Justice Miller, of the Supreme Court of the United States, in the case of Barton *vs.* Barbour, spoke in rendering a dissenting opinion; and I will here undertake to say that not the least amongst the services which that distinguished judge in the latter years of his judicial life has rendered to this country will be his late interpretations of constitutional law, which will be transmitted to the future as an honorable tribute to the wisdom and the learning of this century. Mr. Justice Miller, dissenting in that opinion, speaks as follows on the subject of this resolution:

The rapid absorption of the business of the country of every character by corporations, while productive of much good to the public, is beginning also to develop many evils, not the least of which arises from their failure to pay debts and perform the duties which by the terms of their organization they assumed.

* * * * * * *

I call the attention of those of the Senators who care to perform their duties to the States and to the people to this statement of an associate justice of the Supreme Court of the United States in regard to the condition of the law, and to the fact that it is due entirely to the manner in which Senators perform the duties which are intrusted to them that of the thousands of miles of railway controlled by corporations in the circuit of this distinguished justice hardly half a dozen have escaped the hands of improper and unscrupulous judicial action, for the judge says:

In regard, however, to a certain class of corporations, a class whose operations are as important to the interests of the community and as intimately connected with its business and social habits as any other, the appointment of receivers, as well as the power conferred on them, and the duration of their office, has made a progress which, since it is wholly the work of courts of chancery and not of legislatures, may well suggest a pause for consideration. It will not be necessary to any observing mind to say that I allude to railroad corporations. Of the fifty or more who own or have owned the many thousand miles of railway in my judicial circuit, I think I speak within limits in saying that hardly half a dozen have escaped the hands of the receiver. If these receivers had been appointed to sell the roads, collect the means of the companies, and pay their debts, it might have been well enough.

But this was hardly ever done. It is never done now. It is not the purpose for which a receiver is appointed. He generally takes the property out of the hands of its owner, operates the road in his own way, with an occasional suggestion from the court, which he recognizes as a sort of partner in the business; sometimes, though very rarely, pays some money on the debts of the corporation, but quite as often adds to them, and injures prior creditors by creating a new and superior lien on the property pledged to them.

During all this time he is in the use of the road and rolling-stock, and performing the functions of a common carrier of goods and passengers. He makes contracts and incurs obligations, many of which he fails to perform. (Barton *vs.* Barbour, United States Reports, S. C., Otto, XIV, pages 137 and 138.)

Thus speaks this distinguished justice of the Supreme Court of the United States, giving the country and Congress warning of the necessity of legislation. Yet that committee of the Senate which is charged with protecting the people against such wrongs has not only not acted in the premises, but is profoundly indifferent to the statement. These words from a witness so eminent and well informed, speaking judicially, present a fearful picture of fraud, venality, and corruption. Why not use the right words in the right place? Justice Miller's statement can not be true without the existence of these vices in their most flagrant form; yet they have not made even a ripple on the smooth surface of the contentment of the Committee on the Judiciary and of the Senate with this condition of affairs.

Justice Miller says:

It is not the purpose for which a receiver is appointed. He takes the property out of the hands of its owner, operates the road in his own way with an occasional suggestion from the court, which he recognizes as a sort of partner in the business; sometimes, though very rarely, pays some money on the debts of the corporation, but quite as often adds to them and injures prior creditors by creating a new and superior lien on the property pledged to them.

This is the judicial discretion which the Senator from Vermont and the Committee on the Judiciary respect so highly, and are so unwilling to take away from the judge, or even to limit.

If Justice Miller's statement be true, and I have no doubt that it is, it means that the great railroad properties are the prey and support of great speculators preying on the honest stockholders, and on the people at large, through the use and instrumentality of the judges of the courts of the United States; but even this statement from this high authority seems to excite neither interest nor attention in this body. Why is it?

It can not be because the witness is not eminent in character, ability, and official position.

It can not be because the evil is not one of the greatest possible magnitude.

It can not be because the welfare of all the people, both of the present and the future, does not demand its immediate investigation and correction.

Mr. President, it is somewhat strange that with this comment and this testimony from the highest judicial tribunal in the country, and from

a man who has no superior amongst them in many respects, there should have been for years no attempt on the part of those who are specially charged with the duty to reform this abuse of the courts—a judge undertaking to do that which the Constitution forbids a State to do and which it was created to prevent, namely, impairing the obligations of contracts and operating thousands of miles of railway and controlling and disposing of hundreds of millions of dollars of property and the thousands of men employed on them, in the interest of fraud, and using the property committed to them for fraudulent purposes.

I should not have been moved to introduce this resolution did I not desire that if here in the Senate a dull ear should be turned to complaints of wrong, however flagrant and however well founded, beyond the walls of this Chamber a sound public opinion might at least be turned towards this great public evil.

I am not ignorant of the fact that the attractions of the lunch-table are greater to many Senators at this hour than the demands of public duty. Neither am I insensible to the fact, which nine years of service in the Senate has taught me, that any effort to create remedies for wrongs committed by the courts in the interest of corporations, against the people and against public right, will empty these benches, but measures looking to their protection will fill these empty seats with eager and interested disputants.

I wish to call the attention of Congress and the country to a case coming within the class of those which the distinguished judge of the Supreme Court of the United States has alluded to as of frequent occurrence, but surpassing all others in its peculiar and flagrant wrongfulness. I have before me, for the purpose of illustrating the necessity of this resolution and of some action on the part of the Judiciary Committee of this body and of the Senate, the record of a suit in the circuit court of the United States for the northern district of Florida. I desire to make some brief references to that record.

The bill was filed on the 25th of October, 1885, bearing the indorsement of a clerk of that court. This bill alleges that the complainant holds a note for $100,000 against the Florida Railway and Navigation Company, a company which has consolidated some five or six hundred miles of railway in the State of Florida, the original cost of which was not less than three or four million dollars, which has been in various litigations for the last twenty years, and portions of which for a considerable part of that time have been in the hands of a receiver and operated entirely by him under order of the judges. This bill alleges that this complainant holds a note for $100,000 against this vast amount of railroad property, that he has brought suit to recover judgment, issued execution, and been unable to collect the money. It prays then for the appointment of a receiver, and upon this judgment, rendered by consent, and these proceedings without inquiry and judicial hearing of all the parties interested, a receiver was appointed; and this great amount of corporate property devoted to public uses is taken into the possession of a receiver appointed from another and a distant part of the country by a judge of the Supreme Court of the United States sitting in his capacity as a circuit judge here in the city of Washington.

Then comes in Louis F. Meyer, the trustee, under a mortgage to secure certain bonds, who alleged that he represented a large amount of bonds issued for what purpose is not stated, with what good faith, the necessity therefor unknown and uninquired into, who approved the appointment of this receiver and prayed for other relief. Certain litigation was had in which certain second-mortgage bondholders come forward and allege their standing in that court by independent suit for years, asserting liens upon that property, asserting that a large part of this property was originally sold without judicial sanction because of the default of the holder and the default of the contractors of the corporation upon the property of which these creditors held a valid deed of mortgage.

This record further showed to this court that this defaulting holder of the unpaid stock of this corporation, namely, the Florida Railroad Company, and this defaulting contractor, was the purchaser without judicial sale, as against the paid-up stockholders and the second-mortgage creditors, from the *ex officio* trustees, for an insignificant consideration, of the corporate property which had been conveyed by a valid deed of mortgage for the security and payment of the second-mortgage bondholders who were then before that court asserting their rights.

This record further showed to this court that more than a million of dollars of money, the proceeds of sale of land which was subject by law to be appropriated to the education of the children of the State had been paid on the debts and obligations of this holder of the unpaid stock and this defaulting contractor for the construction of the railroad.

This record further showed that the defaulting stockholder and this defaulting contractor was the grantor in the deed of trust to Louis F. Meyer to secure the payment of certain first-mortgage bonds executed on this corporate property. To the end that this may appear without doubt to those who either here or elsewhere may be interested in the purity of the administration of justice, the protection of the rights of property, and the safety of life, of personal rights and reputation, I here print from the record as follows:

Section 27 of the act to encourage a liberal system of internal improvements in the State of Florida, approved July 6, 1855, provides—

That after the railroad companies * * * shall for five consecutive years pay 6 per cent. on capital stock paid in and bonded debt, and apply the sum of 1 per cent. yearly to a sinking fund on said debt, then the trustees of the internal-improvement fund may apply, under the direction of the Legislature, the annual income arising from said fund * * * to the support of schools. * * *

The first section of an act to amend "An act incorporating the Florida Railroad Company" provides—

That the act incorporating the Florida Railroad Company, approved the 8th day of January, A. D. 1853, is hereby amended so that the said company shall have power to construct the railroad from Amelia Island, on the Atlantic, to the waters of Tampa Bay, in South Florida, with an extension to Cedar Key, in East Florida, under the provisions of an act to provide for and encourage a liberal system of internal improvements in this State, approved the 6th day of January, A. D. 1856.

There had been a previous charter granted by the State to construct the road to the Gulf of Mexico, with the following provisions:

SEC. 2. *Be it further enacted*, That the said railroad shall commence in East Florida, upon some tributary of the Atlantic Ocean, within the limits of the State of Florida, having a sufficient outlet to the ocean to admit of the passage of sea steamers, and shall run through the eastern and southern part of the State, in the most eligible direction, to some point, bay, arm, or tributary of the Gulf of Mexico, in South Florida, south of the Suwanee River, having a sufficient outlet for sea steamers, to be determined by a competent engineer, with the approval of a majority of the directors of said company.

SEC. 3. *Be it further enacted*, That the capital stock of said company shall be $1,000,000, divided into shares of $100 each * * * Each subscriber shall, at the time of his subscription, pay to said commissioners $1 on each share subscribed for, and the books of subscription at each of the above-mentioned places shall be kept open for the space of sixty days, at the expiration of which time they shall be closed.

The act provided that upon the subscription of 1 per cent. of the total amount of $1,000,000 of capital stock the railroad company should become a corporation and authorized to construct the road. The $1,000,000 was subscribed, the 1 per cent. nominally paid, immediately returned to the stockholders, and from that time to this it remains unpaid. The stock subscription has never been paid; but the State of Florida under the provisions of that act, through the internal-improvement fund, paid out of the proceeds of these sales of the public lands granted by the United States to the State under the swamp and overflowed land grant and the internal-improvement land grant $90,000, being the only paid-up stockholder that existed in the road from the beginning to the end.

Under that condition of things, which is verified by the answers that I read from the testimony taken in a cause pending in the circuit court of the United States at Jacksonville, it is abundantly proved that here was a railroad corporation with its stock subscribed for and never paid, held chiefly by two individuals, and from that day to this remaining unpaid. I read from the testimony of Joseph Finegan, a witness in that case, on the one hundred and thirty-first page of the record of the circuit court of the United States, in the case of Robert H. Johnson against the Florida Railroad Company:

I was the receiver or person to whom the money was to be paid, and there was no money paid on this subscription. There was no payment ever made in money on the capital stock subscribed for as above stated by the association, but at a meeting of the above stockholders, held immediately after the books were closed at the Buffington House, the following board of directors were elected: D. L. Yulee, George W. Call, J. H. Bronson, Philip Dell, George R. Fairbanks, A. H. Cole, Thomas O. Holmes, and John Parsons, and myself, the board of directors electing D. L. Yulee as president, and George W. Call as secretary and treasurer.

At a meeting of the directors $2,000 salary was allowed the president and $1,500 to me as treasurer, $1,500 to George W. Call as secretary; this amount was credited as a payment on our stock.

There was no other payment on the subscriptions for stock made as above stated, except $20,000, which was the estimated value of the land purchased from George Law and referred to in the preceding testimony, until it was tranferred to the Florida Railroad Company.

The proceeds of that sale were credited on the stock of the associates.

No other payment was ever made in money on the stock subscribed for by the associates, as I have before stated, during my connection with the Florida Railroad Company.

There was no money paid or actually to be paid on the contract; they have no cash subscriptions, no available means. Their only means consisted of the bonds under the internal-improvement act and the lands donated under the act, and the two town sites, which were in a wild condition and without population.

* * * * * * *

Upon this assurance and guaranty of Mr. Yulee that Moses Taylor and Marshall O. Roberts, of New York, were the real parties with whom I was dealing, and that they were responsible for and would make good the engagements of Mr. Dickerson in the contract, and would pay all the debts of Finegan & Co., and would return our notes, and the additional assurance that they would put large capital into the enterprise and put a line of steamers at both ends of the road immediately on completion, the contract was executed with Mr. Dickerson. In pursuance of the obligations of that contract Finegan & Co. transferred to David L. Yulee all their bonds and stock, to be held by him in trust to secure the performance of the contract by said Edward N. Dickerson, and a written agreement to that effect was signed by the said Dickerson, Finegan, and Cole, and witnessed by said Yulee, and the said trust accepted by the said D. L. Yulee.

* * * * * * *

Mr. Dickerson never did carry out the contract or agreement with Finegan & Co. He failed to take up some of the notes of Finegan & Co., and I had to pay them myself. In fact, all the engagements of Finegan & Co. which were performed after that date and all the outstanding debts were taken up by the Florida Railroad Company in its corporate capacity. [NOTE.—Complainant's counsel here offers in evidence memorandum of agreement marked Exhibit C in the bill of Yulee *vs.* Vose, and is hereto attached as Exhibit B, by consent of defendant's counsel, in lieu of the original on file in this court.] In reality, after I gave up the contract the Florida Railroad Company finished the road to Cedar Key.

* * * * * * *

If the powers contained in the two trust deeds creating the trust and the provisions contained in the second deed of trust for the protection of the free-land bonds, requiring an assessment of the stock one-half per cent. semi-annually, had been faithfully carried into effect the trustees would then have had ample means to have paid the interest and expenses and protected the trust.

This provision for a sinking fund by assessment of the stock was never carried into effect by the trustees. It required the trustees to take possession of the road and its franchises upon the failure of the company to pay the 1 per cent. annually assessed to the stock of the trustees.

* * * * * * *

The internal-improvement fund owned more than $90,000 in paid-up stock in the Florida Railroad Company.

Mr. Dickinson and Mr. Yulee held a large majority of the unpaid stock.

The 32,000 bonds alluded to by me in the preceding as paid in Ed. M. Dickerson for purchase-money are numbered as follows: 1042, 1045, 1044, 1037, 1038, 1039, 1032, 1034, 724, 723, 1048, 1035, 1033, 1046, 725, 1036, 1047, 891, and 890, 1233, 1246, 1247, 1248, 1249, 1251, 1255, 1257, 1258, 1261, 1263, 1267, 1253.

On the 14th November '59, I sent to New York a check on Riggs & Co., New York, $1,135, to take up the notes of Finegan & Co. Afterward Mr. Yulee gave me three internal-improvement bonds as security for this amount.

JOSEPH FINEGAN.

It is agreed between Joseph Finegan & Co. and Edwin N. Dickerson that the various bonds and certificates of stock conveyed by Joseph Finegan & Co. to Edwin N. Dickerson, under an agreement dated May 24, 1858, shall be held by David L. Yulee to secure the performance of the said contract by said Edwin N. Dickerson, and that the said Yulee shall release and deliver to said Dickerson the said bonds and stock as he satisfies the debts contracted to be paid by him for said Finegan & Co., and in proportion to the amounts discharged and paid.

Dated May 29, 1859.

EDW'D N. DICKERSON.
JOSEPH FINEGAN.
A. H. COLE.

I know that $32,000 of the bonds paid in by Edward N. Dickerson as the purchase-money for the town sites of Fernandina and Cedar Key to John McRae, trustee, were the same bonds which I had paid in for lots bought from trustees, and which were required to be canceled under the trust deed.

I have compared the numbers of these bonds with the numbers which John McRae received for the town sites, and I know that they are the same. Mr. Yulee was not a man of large property, and what he possessed was, I think, encumbered by mortgages.

Further on Mr. Yulee testifies that this money was a loan; and I read from his testimony:

But I will now say, further, that it was not expected that the gentlemen composing what was called "the Association" could furnish the means to build the road. It was known they could not.

I procured also the passage of the "internal-improvement act" by the State, whereby a good bonded security for $10,000 per mile, to iron and equip the road, and a grant of alternate sections of State lands were obtained. I also procured a grant of alternate sections of public lands from the United States. These assets seemed sufficient for the construction of the road. They were all put into the treasury of the corporation and devoted to the uses of the enterprise. They were all by mortgages made, primarily, appropriate to construction. The means for construction were obtained upon the credit of this property and of the road to be constructed, and not upon the credit of the stock. The only benefit the stockholders could derive would be in dividends of earnings after the construction and maintenance of the road was fully paid.

D. L. Yulee to George W. Call:

"But how stands the matter? We call for the restoration of the first 1 per cent., which was loaned to the subscribers till called for (I have faithfully regarded this as a loan, and have held myself in law and honor bound for the whole sum to the company, being myself responsible for it), and we also call for something further."

I do not know if the bonds specified by witness were paid in by Mr. Dickerson to the trustees. It is quite possible they were. The bonds he enumerates were in the hands of Mr. Soutter, one of the trustees.

* * * * * * *

In pursuance of a resolution of the board of directors a stock dividend is declared of $1.59 per share out of proceeds of land sales, there being 10,220 shares, which is $16,249.80, and the balance carried to reserve-fund account, $73.45.

* * * * * * *

I find that he credits cash and charges himself with $245,526.98, derived mostly from four installments of 1 per cent. each, and two installments of 10 per cent. each, and further credits stock on account of land and interest dividends with $119,395.81, making altogether, up to September, 1859, at which date the entries in this book cease, a credit on stock of $364,922.79.

Mr. Yulee testifies further:

The contractors furnished the collaterals, paid for fastenings, duties, expenses of transportation, expense of laying, etc., themselves. The company did nothing but give their notes for the material secured by the bonds and subject to the risk of the inadequacy of the bonds to cover the debt. The bonds placed as collateral were always sufficient to cover the debt at a valuation of 80 per cent.

The fact then appears abundantly established in this record and consented to by all parties that here was a railroad company, with the great majority of its stock unpaid, on which no considerable amount was ever paid, and held by parties who paid little or nothing for it, while the State through the internal-improvement fund had become a cash stockholder to the extent of $90,000. Under an alleged authority contained in the internal-improvement act of 1866 this road was sold by the provisional trustees of the State of Florida, the officers of the provisional government, the governor, comptroller, the attorney-general, and treasurer of the State being *ex officio* under the law trustees for the sale of this property. The act provided that the road should not be sold until after completion for any default in the payment of the interest or principal upon the bonds that had been issued; but without reference to that, without any judicial proceedings, this property was sold, and it was bought by a person who was the debtor of the company and of the paid-up stockholders for the unpaid subscriptions for stock of the railroad company, and who was obligated to pay them. It was bought with the statutory bonds of the road, which had twenty years to run, at an estimated value of 20 cents on the dollar—a very extraordinary proceeding, to pay for a property with its unmatured obligations having twenty years to run. The parties purchasing this road had become connected with its unpaid stock by assuming to pay the debts of the contractors who had built the road, as appears in this testimony. Mr. Yulee further testifies as follows:

I said I thought it advisable to specify the debts owing by this company to parties residing in the United States (now at war with this Government), which were contracted on account and in behalf of the contractors, Edward N. Dickerson & Co. The obligations of this company (Florida Railroad) were given, but the collateral security, in every case large, was furnished to the company by the contractors, to be placed with the notes as security to the company, as well as the creditors.

The convenience of the company name in these cases was afforded to the contractors for reasons useful to the object of the company, but without any agreed pecuniary considerations.

The notes given by the company in the place of the contractors under this arrangement were as follows:

*Table showing the amount and kind of collaterals.*

| Name of payees. | Amount. | Free-land bonds. | Internal-improvement bonds. |
|---|---|---|---|
| Vose, Livingston & Co. | $156,201.62 | ..... | $195,000.00 |
| Ebbavale & Co. | 298,370.29 | ..... | 383,000.00 |
| Riggs & Co. | 59,999.99 | $106,000.00 | 56,000.00 |
| Elisha Riggs. | 9,999.99 | 14,000.00 | 12,000.00 |
| Gelpke, Kentzen & Rechart. | 47,600.00 | 56,000.00 | 40,000.00 |
| Harlan & Hollingsworth. | 2,912.31 | 4,000.00 | 2,000.00 |
| Taunton Locomotive Manufacturing Company. | 7,756.03 | 14,000.00 | ..... |
| M. C. Jessup & Co. | 1,609.00 | 2,000.00 | ..... |
| Corydon Wyneh. | 3,363.28 | 9,000.00 | ..... |
| George E. Dascomb. | 1,068.56 | 2,000.00 | ..... |
| Danforth, Cook & Co. | 16,155.10 | ..... | 27,000.00 |
| James Tinker | 25,779.08 | ..... | *25,000.00 |
| Total. | 630,845.25 | 207,000.00 | 764,000.00 |

* About.

D. L. YULEE.

Sworn to and subscribed before me, at Fernandina, this 16th day of February, A. D. 1880.

[SEAL.] CHARLES W. LEWIS,
*United States Commissioner for the Northern District of Florida.*

It is that with which we have principally to deal now. This obligation of Vose, Livingston & Co. was that of Mr. Dickerson, who became the contractor and the assignee of the preceding contractors and obligated himself to pay this note. It was not paid. It ran up into the large sum of $1,000,000, including costs and expenses. For that obligation the State paid 4,000,000 acres of the public land, netting the amount of $1,000,000.

Thus it was that a million dollars of proceeds of the sales of the public lands subject to be applied to school purposes were sold to make good the default of this purchaser of the railroad, who then and now retains that property, or did until a short period ago.

We have then a railroad the entire cash stock of which is paid for by the State and the unpaid stock subscribed for and never paid, being an obligation resting upon the subscribers and those who assumed the obligation in place of them. We have a sale of the road and a purchase of it by its non-paying stockholder and its non-paying contractor. We have a million dollars of the public money of the State, the result of the proceeds of the sales of public lands, sold to pay this debt.

Whatever denials are made in general terms, whatever elaborate and ingenious explanations and statements are made in the record which contains these statements, it remains true that the 1 per cent. required to be paid on the organization of the company was only nominally paid and then returned to the subscribing stockholders, and never thereafter paid; and that the majority of its stock was never paid. That they had acquired the stock by an obligation to pay the debts of Finegan & Company, which obligation they had never performed; but the debts had been paid by substituting the notes of the railroad company, in which the State was the only cash stockholder, through its internal-improvement fund, for the obligations of the contractors. The spectacle was thus presented of a road built out of the lands donated by the United States to the State of Florida, without any payment upon its stock subscription, and by the substitution of the notes of the railroad company for the notes of its contractors which had been obligated to be paid by the persons who made the purchase, and a purchase of the property by the non-paying contractors and payment for it with the obligations which they were themselves bound to pay.

Had their default in payment not been made the debts of the road would have been paid entirely by the persons who held its unpaid stock. Among the obligations thus assumed was an obligation of Vose, Livingston & Co., of which Mr. Yulee testifies as follows:

I had added to the obligations of the company my own individual indorsements in the case of Vose, Livingston & Co., and in several other instances where it was required to satisfy creditors. The bonds of the company had become much depreciated in the market from various causes, but I knew the internal-improvement bonds to be intrinsically worth par and that their face value was certainly realizable at some time from the internal-improvement fund and the road, and relied upon them for my security.

Thus it appears that the internal-improvement fund was a paid-up stockholder to the amount of $90,000; that the subsequent purchaser of the road and its franchise at the alleged trustees' sale (Mr. E. N. Dickerson) was the owner and holder of this unpaid stock and subject to all the obligations of its original subscribers under a contract with Finegan & Co. to assume and pay their debts and obligations as contractors; that among these debts was that of Vose, Livingston & Co.; that the note of the Florida Railroad Company was given for this debt; that Mr. Dickerson

and his associates did not pay this debt, but the people of Florida through the internal-improvement fund did pay it by the sale of 4,000,000 acres of the swamp and overflowed and the internal-improvement land grant for $1,000,000 in 1881; that these facts are proved by the testimony of all the witnesses in the record who testify on the subject. The result of this state of facts was that the railroad and its franchise and whatever rights, if any, existed to the land grant of 1856 from Waldo to Tampa were claimed to be the property of Mr. E. N. Dickerson and associates, the purchaser at the alleged trustees' sale in 1866, the non-paying stockholder, the assignee of the contract of Finegan & Co., whose contract was performed by the railroad company and whose obligations the people of the State paid, while the internal-improvement fund of the State, the only paid-up stockholder, had nothing but the right of losing the State's money and her school fund and paying the debts of the railroad company and the non-paying stockholder and contractor, who thus became the corporation.

In that condition of things an application was made to the court that receivers' certificates for the repair of that system of roads should be issued. The order was given and $1,500,000, as will appear from this record, in the shape of receivers' certificates were issued; and now within a year's time, or two years' time, of these occurrences, this great property is exposed for sale and about to be sold under the decree and order of the court.

Here, then, the actors before the court are the holder of the unpaid stock of the original Florida Railroad Company, who was also the contractor, whose contract was performed by giving the obligations of the company in which the State was the cash stockholder, who was also the purchaser at a non-judicial sale of the cash stockholder's property, who was also the debtor of the State, the cash stockholder, for over one million of dollars paid by the State from a fund subject to be applied to public education, who was also the grantor in the deed of trust, to Louis F. Meyer, to secure bonds, a large part of which must have been his own property, and Louis F. Meyer, his trustee, and the second-mortgage bondholders with the deed of the original corporation to this trustee, and the judgment plaintiff in a judgment rendered by consent against the corporation created by this holder of the original unpaid stock who was this debtor in the original contract of construction, and the debtor to the children of the State—these three actors—all in the interest of the original debtor and the second-mortgage bondholder asserting prior legal title and prior and superior equity against their original debtor and mortgagor.

It will be readily seen how easy it is to make the courts of the United States the instrument of fraud of the plainest and most vicious character in the present state of legislation on the subject if such a case as this is possible; and how simple the process is when, instead of the marshal of the court, some confidential person is appointed receiver and another confidential friend made the master and commissioner to sell the property. I invite attention to this record and to these facts in my place as a Senator here, in order that the courts of the United States may be purged of whatever is wrong in them, and that such limitations may be imposed upon the exercise of their judicial power as the interests of the people and common honesty and justice require.

If the severer powers of this body shall be called in question by these facts, it will have to be done by another tribunal, who are the immediate representatives of the people, and it is not for me to speak now as to what their action should be.

But that is not all of this most extraordinary proceeding in which, with proofs standing upon the record showing that the parties moving these proceedings were the purchasers as against their own mortgagees of a property for the construction of which they were the contractors, and the defaulting contractors, and the stockholders who held the stock, which was unpaid, as against the cash stockholders. With these allegations and this proof this record shows the court to have decided that these bondholders, with their second-mortgage bonds from their own defaulting contractor, a majority stockholder of the unpaid stock who had become the purchaser of that great system, had a stale claim as against their own debtor and grantor, because the suit had not been brought before the mortgage bonds were due, although their suit had been filed immediately after the maturity of their bonds.

But let us pass on. A court of the United States has appointed a receiver and has also appointed a commissioner, not the marshal appointed by law, and is now selling a vast amount of corporate property, in the face of the fact shown by the record that the appointment is moved by the subsequent creditor of a contractor who is the debtor of the corporation upon the property of which the bondholder held his mortgage in a sum more than enough to have discharged the whole debt, and who was the holder of the unpaid stock which, if it had been paid, would have made the property solvent. I will pass on, having shown that there have been found judges of the courts of the United States whose alleged opinion of the law enabled them to arrive at such a conclusion, only remarking that this is the judicial discretion which the Senator from Vermont and the Committee on the Judiciary are unwilling to interfere with.

This record also contains a bill from S. I. Wailes, filed in the circuit court in which this proceeding is pending, which I hold in my hand with these papers, in which he alleges that he has made a contract with this company whose property is in the hands of a receiver, this Florida Railway and Navigation Company, for the payment to him of 10 per cent. of the land grant of the 17th of May, 1856, between Tampa and Waldo, to aid the State of Florida in the construction of certain lines of railway, and of 25 per cent. upon the indemnity lands which should be obtained; that he has rendered great services to them in obtaining from the Secretary of the Interior, Mr. Schurz, a reservation under this land grant of May 17, 1856, after Mr. Secretary Chandler had decided that the grant had expired, and had restored the land to the public domain, and had opened it to actual settlement and cultivation by settlers under the land laws of the United States.

He claims that this company is entitled to this land grant under the provisions of a certain act of the Legislature of the State of Florida, known as the internal-improvement law, approved January 5, 1855; that they have sold for the payment of the tax upon the constructed portion of the road large bodies of this land to the amount of $140,000; that this sale is in disparagement of his rights and his interests, and he asks the court to appoint a receiver and to hold this public land subject to his agreement with this railroad company. The judge, with complaisance, grants him a decree for a large portion of the public domain, thus undertaking, as in the decree for a receiver before mentioned, not only to deprive creditors of their lawful rights, not only to impair the obligation of their contract, but also to take away from the settlers on the public domain of the United States their homes, and to take from the custody of the Interior Department the lands belonging to the United States, in reference to which Mr. Secretary Teller addressed this letter to the settlers upon it:

EXTRACT FROM THE LETTER OF MR. TELLER, SECRETARY OF THE INTERIOR.

In the matter of the sale of lands by the company known as the Florida Railway and Navigation Company, your attention is invited to the following extract from the letter of Hon. H. M. Teller, Secretary of the Interior, dated June 9, 1884:

* * * * * * * *

All persons purchasing from the railroad company are chargeable with notice of the conditions upon which the title of the State under the grant, and of the title of the company under the laws of the State, is liable to be defeated, and in event of the failure of the railroad title, through an enforcement of the forfeiture of the grant, or from other sufficient cause, they can not be regarded as innocent purchasers.

The whole matter of the recognition, confirmation, or forfeiture of this grant is now before Congress, and the claims of the company and of settlers upon the land are subject to the action of that body.

It was an assertion on the part of the United States of their power over this domain, and the absence of any legal right in any person, whatever.

The Commisioner of Public Lands, Mr. Sparks, in a letter to the Secretary of the Interior, writes as follows:

WASHINGTON, D. C., *June* 7, 1887.

SIR: I am in receipt * * * of a letter from the Solicitor-General and acting Attorney-General and of a letter * * * The points indicated are as follows: Is there any portion of the land referred to in the accompanying bill that has not been certified to the State of Florida? * * * In reply to the first inquiry, I have the honor to state that no portion of the lands referred to in the accompanying bill (S. I. Wailes's bill) have been certified to the State for the benefit of the grant claimed by the Florida Railway and Navigation Company, between Waldo and Tampa. * * *

Hon. L. Q. C. LAMAR,
*Secretary of the Interior.*

This is the response of the Interior Department to the application of these settlers for protection. In the face of that reply from the Interior Department here stands a decree, appointing a receiver of the court to take possession of the public domain of the United States, out of the custody of the United States, and dispose of it, without hearing, without opportunity for the United States to come in and assert the rights of this Government and the people, and without inquiry into the rights of the settlers and in open defiance and contempt of Congress, which had then in one branch recommended through its committee an absolute forfeiture of the alleged grant, and the other had passed a bill requiring a suit to be brought for its forfeiture.

I appealed to the President of the United States to protect the people in their homes and their rights. He referred the question to the Attorney-General. I assert that there is not and there never was one word or letter in any statute of the State of Florida that ever conveyed or purported to give or intended to give an interest in this land to this company or its predecessors or any persons whatever. I asserted then, and assert now, that this is a fraud without one single plausible ground to stand upon in all the laws of Florida. Here they are before me. I have asked the Attorney-General, the Solicitor-General, the law clerk, the Secretary of the Interior, to point out the law which, by the remotest expression, implication, or construction of any kind whatever, gives this company or its predecessor or any other railroad company any interest in the grant made to the State May 17, 1856. The record in this case exhibited that fact clearly and beyond all doubt and denial. The court had judicial notice of the fact that there was not a law nor a word nor a reference susceptible of any construction whatever that conveyed the least right or interest in this great land grant, said to be, by the sworn evidence of the receiver and witnesses in this case, worth $3 an acre. There never has been the slightest interest in it or allusion to it given or made in any statute of the State of Florida or of the United States, to this company or any of its predecessors.

But that was not the least of this extraordinary proceeding. I read from the record of the suit. In the sworn answer of Mr. Edwin N. Dickerson to this bill of complaint of Mr. Wailes occurs the following statement. I presume it will not interest the Senators who are absent from their seats. They seem to be indifferent and insensible to such charges, but I think the country will take some notice of it:

I declined to consent to that appointment (Mr. S. I. Wailes) for reasons which at that time seemed to me to be conclusive. One of these reasons was that I was informed by Mr. Williams, a gentleman of the highest character in Florida, who had been employed as an agent in the sale of these lands and who was in the land office with which Wailes was in connection, that Wailes had got possession of about $6,000 that had been paid by purchasers and had refused to turn it over; and had said to Mr. Williams that he had used it to bribe four United States Senators at $1,500 apiece on the Land Committee of the Senate to prevent the passage of any bill affecting the land grants. * * *

Now, Mr. President, here is a record for a receiver; here is the principal owner, as he swears in this statement, of the stock of this road who had previously made a sale of it, but retaining doubtless a considerable part of the bonds for payment, and therefore still the owner, making oath that a reputable witness who was employed in the same office with Mr. Wailes had been informed by him that the proceeds of the sale of these lands had been used to bribe United States Senators, and a judge of the United States court making a decree confirming the title thus alleged to have been obtained, without even an inquiry into the facts. Here is the original purchaser, the old stockholder of the unpaid stock of the old corporation, the old contractor, with his unfulfilled contract and his debt to the cash stockholders for the performance of the contract, still the owner of the new corporation, under the consolidated organization claiming this land grant of 1856, of which the statutes of the State of Florida had made no disposal, and which the State had not claimed.

This was a question easily answered, as to which there can be no pretense to excuse ignorance. The law clerk in the Attorney-General's Department, Mr. Maury, to whom the Solicitor-General referred the matter, said he would take time to consider it, and the parties would be heard in argument—after eight years of previous argument on the question whether the statutes of Florida contained such a statute. When I asked that he look through the statutes and see if there was any law of the State of Florida which mentions or refers in any way whatever to this company or any predecessor of it or any other company, further and indefinite time was wanted to ascertain this fact. That was a question easily answered, and an answer was demanded by hundreds of people whose homes and rights were involved in it; but it could not be had.

I asked of the Secretary of the Interior the same question, and insisted that they should tell me how, if the State had received the grant and had never given it to any one, or even claimed it for themselves, how Mr. Schurz and the judge in Florida could take it away from the people and give it to Mr. Wailes; but no answer could be obtained.

I asked that the Government of the United States should intervene and assert that no judge of the United States court could appoint a receiver of the Capitol, of the White House, or of any public property or public land because some party in a suit came before him and said, "I have a right to a lien on that and a title to the Capitol or the Treasury Department building by virtue of some precedent transaction with some third person—they had a right to it," notwithstanding the laws of the United States are notice to all the people of the United States and are supposed to be known to the judges of the United States.

Why, Mr. President, that is a plain proposition; everybody knows it. The courts knew it; it is incapable of answer; there can be no answer. I asked of the Solicitor-General, Mr. Jenks, and although he went with me through the statutes of Florida and agreed that there was no law to be found giving this corporation any right to this land, he said he could find no law which authorized the Government of the United States to protect the people of the United States in the courts of the United States against this corporation, in respect to this decree giving the homes of the settlers to Mr. Wailes.

Then comes, in this record, the sworn statement of the principal litigant in this transaction, that this agent has stated that the proceeds of the sales of this public land have been used in the Senate of the United States to defeat the people from obtaining the restoration to the public domain of the property which Mr. Chandler had decided there was not a vestige of ground or reason for withholding from them.

Mr. President, I want some legislation that will require the judge of a court to have some proof before him before he renders decrees of this character. I want some legislation which will forbid him from appointing a receiver of public property of the United States, taken by arbitrary order without a hearing of the people of the United States by some representative. I want some penal legislation which will compel the executive officers of this country to protect the people in their rights, although they may be assailed by corporations or by individuals, and at least demand that there shall be a judicial hearing under proper forms of proceeding before the executive department either surrenders or is deprived of its power in and its control of the people's property.

I have stated here in my place as a Senator of the United States, and I shall prove it by this record, that here is a case in which, in 1856, the United States gave to the State of Florida the alternate sections of land along certain lines of road to be indicated by the State, with a provision that these lands should be disposed of by the Legislature of the State, and by the Legislature only, and that the Legislature should not dispose of them, except as the road was actually built, and that if not built within ten years the grant should cease and the property revert to the people of the United States. I shall show that there was no disposal by the Legislature of Florida, nor any indication of a line of road; that this company and its predecessors never had by any kind of allusion, word, or reference any interest given to it by the Legislature of that State under this grant. I shall show that for twenty years this condition of things was acquiesced in. I shall show by the printed portions of this record that although Mr. Schurz made a reservation of this land, he did it in absolute ignorance of the facts of the case and without an inquiry into them.

Why, Mr. President, this void reservation, after Mr. Chandler's refusal to recognize the grant, after exhausting the power of the executive department on the subject, fourteen years after the grant had expired, was made upon the pretense that the internal-improvement act of Florida of 1856, in its twenty-third section, had promised that if the United States should give to the State of Florida any lands thereafter to aid in the construction of any lines of railway, the companies designated under that act who should build the road should have the benefit of it. The public records of Florida show that neither this company nor its alleged predecessor was the company that was authorized to build a railroad to Tampa under that act. They show that the State had refused to give to their predecessors any interest in this grant and had given it to another company; but above and beyond that, the record of this case in the United States court shows and the judge had judicial notice that by the laws of the State of Florida that act had been repealed by many different acts for twenty years; that the very act on which this reservation was claimed had been repealed and repealed and repealed, time and time again, in the history of that State. What a wonderful proceeding was that decree in such a case!

Why, Mr. President, as I said, I shall not detain the Senate with reading over these documents; but I have a short collation here of the laws of the State of Florida which are inconsistent with, repugnant to, and in repeal of this act under which this reservation was said to be made, and of this land which this court has decreed—this public land of the United States—to be given to this complainant, Mr. Wailes, who is testified here by the principal owner of this property to have been using these proceeds to bribe United States Senators upon the Committee on Public Lands of this body, giving to him as a fee 10 or 25 per cent. of a million acres of public land of the United States, of the people of the United States, containing the homes of the people, for obtaining a reservation under a repealed act of the State of Florida. I do not believe that this money was so used, or that Senators can be bribed; but the record so states, and the judge was put on inquiry.

Mr. President, I want to make this point plain, for I wish it to go to the country. The judge of the circuit court of the United States for the northern district of Florida, by a decree which I hold in my hand and which I will print, has decreed to a complainant before that court 10 to 25 per cent. on an estimated grant of upwards of a million acres of land as a fee for obtaining a reservation of land under a law of the State of Florida which never had any possible reference to that corporation, and which if it had, had been repealed by many different enactments of that State for the period of twenty years. The complainant to whom was decreed this vast body of public lands in the State of Florida belonging to the settlers, and with their homes thereon, is charged by the principal party in interest in that litigation with using the proceeds of the sales of that grant to bribe Senators of the United States.

The judges of that court were put upon their caution to have required an investigation and strict proof of this claim. The judges of the United States have no right in law to make such a decree, and I want some legislation which will prevent them from rendering such a decree and selling property, as to which the judge has notice by the laws and the record that there was no right except the sovereign right of the people of the United States and the settlers on the public domain under the laws of the United States. I want a law that will make void the decree of a judge who will attempt to sell the public lands of the people of the United States in the interest of parties who are charged upon sworn statements with bribing Senators to enable them to obtain the people's homes; a law which will require a judge to hear testimony before he renders a decree in such a case; a law which will bring to some kind of responsibility before some one with a writ of prohibition the judge who takes jurisdiction over the public domain and gives it away to individuals, as in this case.

Now, here is a case about which there can be no sort of doubt. The Supreme Court of the United States had given notice to that court in the case of Farnsworth *et al. vs.* Minnesota and Pacific Railroad Company, 92 U. S. Reports, in the following terms:

Where land and franchises are thus held, any public assertion by legislative act of the ownership of the State after default of the grantee—such as an act resuming control of them and appropriating them to particular uses or granting them to others to carry out the original object—will be equally effectual and operative with judicial proceedings spoken of earlier in the decision.

In Farnsworth *et al. vs.* Minnesota and Pacific Railroad Company (2 Otto, S. C. Reports) the court says:

The forfeiture is maintainable on strictly equitable grounds. It was the ex-

press contract of the parties based upon a good, valuable, and adequate consideration. Respecting the State, the company was a mere donee. It received a most liberal grant of franchises and lands and a loan of the credit of the State upon the sole condition that it should proceed with the construction and completion of the road with the dispatch agreed by the Territorial and State governments. This it undertook to do. Such completion within the time prescribed was not a collateral or incidental, but the exclusive, purpose of the amendment. Any default in this respect admitted neither compensation nor restoration of the *status in quo*.

Here was a case in which in the first place the State had never from the inception of the grant to this day made any legislative disposition of it, a case in which the internal-improvement act of the State of Florida, which was an act conveying the great body of swamp and overflowed lands in that State, amounting to 20,000,000 acres, had been repealed by the disposal of every acre of the trust fund under which this reservation is claimed to have been made by twenty different acts to other and different purposes. Let us see what they were. The act of January, 1855, of Florida, under which this railroad corporation claimed this reservation, and under which Mr. Schurz acted fifteen years after the act of 1856 of the United States had expired, provided:

SEC. 21. *Be it further enacted*, That should the Government of the United States grant land to the State of Florida for the purpose of aiding in the construction of the lines of railroad indicated, and their extensions, by general or special act, said line of railway shall be entitled to all the benefits and advantages arising from said grant that the State of Florida would be entitled to by the construction of said lines of railway and their extensions; and the governor of the State is hereby authorized and required, should such an act be passed by the Government of the United States, to direct said railroad companies to select said land, and, after such selection, to give the Secretary of the Interior notice of such selection, and furnish him with a list of lands so selected, the number of each section, fractional section, or subdivision, and take such other action as may be necessary to fully secure the grant of land to said railroad companies, subject to all the conditions and restrictions of the act of Congress making such grant.

It is shown that before any compliance with the terms of this act by any railroad company as to the line from Waldo to Tampa, the Legislature conveyed all the land described in this act to other railroad companies, divested of all the conditions of this trust, and for twenty years this legislation has been in force and acquiesced in. I refer to an act of the Legislature, approved June 24, 1869, entitled "An act to perfect the public works of this State." The Jacksonville, Pensacola and Mobile Railroad Company was authorized by this act to build a railroad from Jacksonville to Pensacola.

Section 4 of this act gives this new railroad company the exclusive right to build the road to Pensacola and consolidates with it the lines authorized by and built under the internal-improvement act. It gives them State bonds instead of land, to the amount of $14,000 a mile, and requires the whole road to be completed in three years from that time, and repeals all acts inconsistent with it. This was the act of the Legislature of Florida passed for the construction of this same line of railroad, approved June 24, 1869, while the act under which this reservation was pretended to have been made was passed January 5, 1856; but in 1869 the Legislature of Florida chartered this new company for the construction of the same lines of railroad, took away the lands, and gave money and bonds and limited them to three years.

Section 25 provides that any company which may acquire the right to build a railroad from Waldo to Tampa, shall have the right to build such line. The act of 1856 provides that one company, namely, the Florida Peninsula Railroad Company, shall have the right under that act, while the act of 1869 gives it to anybody that will build the road, but gives no lands; and the twenty-first section of this act provides for giving them bonds, and authorizes the issue of bonds indorsed by the State, instead of land, to construct the road, and this corporation died with the war, never having built the road or any part of it.

Section 4 gives them the exclusive right for twenty years, and consolidates the lines authorized and built under the internal-improvement act with them, and gives them State bonds, instead of lands, to the amount of $14,000 to the mile, and requires the whole road to be completed in three years from that time. Section 25 provides that any company which may acquire the right may build the road from Amelia Island to Tampa or Waldo to Tampa and receive bonds, guarantied by the State of Florida, for $14,000 per mile. The thirty-first section of the act provides for railroads from Tampa Bay and Charlotte Harbor, on the Gulf, by Ocala to Gainesville, and from Marianna to St. Andrew's Bay and Apalachicola Bay and Choctawhatchee Bay, and from Palatka and Mellonville to the nearest railroad to Gainesville, and gives all the rights and franchises of the act to each and all of these railroads, namely, State bonds for $14,000 per mile.

It will be seen that this act and the amended act of 1870, instead of lands and guarantied interest bonds, gave these roads $16,000 per mile of State bonds *in solido*, not internal-improvement interest guarantied bonds, and gives to other and new companies not authorized or built under the internal-improvement act the exclusive right to build these lines of road. This act provides that the whole line within this State shall be completed within five years from the passage of this act; "otherwise all chartered rights created in this act shall be forfeited to the State." The line was not completed in five years and never was completed. By the act of the Legislature approved July 18, 1870, entitled "An act to incorporate the Jacksonville and St. Augustine Railroad Company" and to perfect one of the public roads of the State—in section 10 of the act, there is hereby granted to said railroad company all the lands belonging to the State of Florida known as the swamp and overflowed lands within 6 miles on each side to be selected by said company, and 100,000 acres in addition. Deeds to be made for any 5 miles of completed road; also $500,000 of bonds by the State.

By section 12 of the act approved February 19, 1870, entitled "An act to incorporate the Great Southern Railway Company, to build road from King's Ferry to Jacksonville," via Palatka to the most southern available harbor on the coast or keys of Florida, with branch roads to the remote parts of this State, it was granted as many acres of the swamp and overflowed lands granted by the act of 1850 as the United States should thereafter grant to the said railroad company.

The PRESIDENT *pro tempore*. The hour of 2 having arrived, the Senate resumes the consideration of the unfinished business.

Mr. REAGAN. I ask unanimous consent that the Senator from Florida be allowed to conclude his remarks on the pending resolution.

The PRESIDENT *pro tempore*. The Senator from Texas asks unanimous consent that the Senator from Florida be allowed to proceed.

Mr. BLAIR. How long?

Mr. CALL. Not very long.

The PRESIDENT *pro tempore*. The unfinished business will be informally laid aside, unless objection be made.

Mr. RIDDLEBERGER. I should like to inquire how far this agreement extends.

Mr. CALL. Only a few minutes.

Mr. RIDDLEBERGER. But all the time this keeps out that which somebody does not agree to. I am entirely willing that the Senator from Florida shall continue, but I am no party to any agreement between the Senator from Texas and the Senator from New Hampshire, to whom I am ready to say that if he will let his bill pass it will pass.

The PRESIDENT *pro tempore*. The Senator from Florida is entitled to the floor, the unfinished business being informally laid aside to enable him to proceed with his remarks on the resolution presented by him.

Mr. CALL. By act of February 12, 1870, entitled "An act to incorporate the Suwanee and Inland Railroad Company," 6 miles on both sides of the road of the State lands under the act of 1850 were granted. Section 1 of act of Legislature approved July 7, 1870, entitled "An act setting forth certain restrictions on the Florida Railroad Company," provides "that the Florida Railroad Company is required to commence operations on the construction of the road running south and to the Gulf within twelve months next succeeding, and build to Ocala in two years, and that in case of failure all exclusive right of way shall cease."

The line was not completed nor was any part of it completed in five years.

By act approved February 19, 1874, entitled "An act to provide a general law for the incorporation of railroads and canals," any persons not less than three are authorized to build a railroad anywhere in the State, and to take 200 feet wide over all State or swamp and overflowed lands. (See section 24.) By section 26 the trustees are authorized to grant to any railroad or canal any lands belonging to the State. I believe the Florida Navigation and Railway Company exists as a chartered road only under this act, which repeals the internal-improvement act and its twenty-first section, under which they claim the grant of May 17, 1856.

By act approved February 19, 1874, entitled "An act to incorporate a company to construct a railroad from Gainesville to some point on the waters of the Gulf of Mexico, or some navigable tributary thereof, with power to construct a railroad to Key West," power was given to build a railroad from Gainesville to the Gulf and to Key West. (See section 2.) Section 2 gives half of all land reclaimed through which the road passes.

Act approved March 12, 1879, entitled "An act to amend section 26 of an act to provide a general law for the incorporation of railroads and canals, approved February 19, 1874, and to grant aid to railroads and canals," approved February 19, 1874. Upon completion of each section of 6 miles, it shall be the duty of the board of trustees to convey the alternate sections of the swamp and overflowed lands for 6 miles on either side of the road. Act approved March 1, 1879, entitled "An act to grant certain lands to the Gainesville, Ocala and Charlotte Harbor Railroad Company, section 1, grants the alternate sections granted under act of Congress of 1850 on each side and in 6 miles of a line of railroad from Lake City, Gainesville, Ocala, Leesburgh, Brooksville to Tampa Bay, with branch to Bartow and Charlotte Harbor, and to Palatka in Putnam County.

Act approved March 4, 1879, entitled "An act to grant certain lands to the Tampa, Peace Creek and St. John's River Railroad Company," grants the alternate sections of swamp and overflowed land for 6 miles on either side, and authorizes road through Marion and Putnam Counties.

Act approved February 20, 1879, entitled "An act to incorporate St. John's and Lake Eustis Railroad Company," grants by the second section, alternate sections of swamp and overflowed land from St. John's River to Lake Eustis. Act approved March 12, 1879, entitled "An act to grant certain lands to the Silver Spring, Ocala and Gulf Railroad Company," grants alternate sections of swamp and overflowed land on either side, and in 6 miles of the road from Silver Springs through Marion, Hernando, and Levy Counties to the Gulf. Act approved March 4, 1879, entitled "An act to incorporate Jacksonville, St. Augustine and Indian River Railroad Company," grants alternate sections from Jacksonville to Indian River.

Act approved March 4, 1879, grants Chattahoochee and Pensacola Railroad Company alternate sections from Chattahoochee to Pensacola. Act approved March 4, 1881, grants alternate sections to East Florida Railroad from Jacksonville to Calico Hill, Duval and Clay Counties. Act approved February 2, 1881, grants alternate sections to railroads from Lake Eustis to Leesburgh, Sumter County, Panasoffkee, Fort Dade, Hernando County, to Tampa Bay, with branch road to Fort Mason and Apopka to Orlando, Orange County. Act approved July 28, 1881, grants alternate sections from Green Cove Springs to Melrose for railroad.

Act approved March 4, 1881, grants alternate sections to Palatka and Indian River Railroad.

Act of 1881 grants alternate sections to the Orange Ridge, De Land and Atlantic Railroad Company. Act approved July 25, 1881, grants same to St. John's River Railroad Company from Jacksonville to Tampa, Peace Creek, through Marion, Sumter, Hernando and Putnam, Clay, Duval, and Marion Counties.

Act approved July 20, 1881, grants alternate sections to Live Oak and Rowland Bluff Railroad Company. Act approved March 4, 1881, grants to Pensacola and Atlantic Railroad Company alternate sections for 20 miles on either side of road. Section 17 grants 20,000 acres to the mile from Chattahoochee to Pensacola. Act approved March 8, 1884, grants to Tropical Peninsular Railroad Company, not the Florida Railroad Company, alternate sections from Ocala to Tampa and Orlando, and 10,000 acres to the mile.

It is under this act, not the Florida Railroad Company's charter, that the governor certifies the road to Tampa claimed by the Florida Navigation and Railway Company, who claim the grant, is now being built. This grant is limited to seven years from its passage. Act of 1881 grants to Florida Midland and Georgia Railroad Company, from Deadman's Bay to Valdosta, Ga., all the alternate sections. Act of February 17, 1881, grants alternate sections to Carrabelle and Thomasville Railroad Company.

Act to incorporate Blue Springs, Orange City and Atlantic Railroad Company. Act approved March 6, 1883, requires Tropical Railroad to be completed in four years from March, 1881. Act of March, 1883, grants South Florida Railroad Company alternate sections from Sanford to Tampa via Bartow.

Act of July 27, 1883, grants to the International Railroad Company 15,000 acres to the mile; authorizes railroads from Georgia line all through South Florida.

These acts passed since the sale of all the roads by the trustees in 1866 and 1869 as completed roads, and since the passage of the act of 1869 granting the State's bonds to new railroad companies for the same lines, and repealing all acts repugnant to and inconsistent with them, by a continuous course of legislation have disposed of all of the lands conveyed in trust by the internal-improvement act of 1855 to the railroad companies for the construction of other lines of road all over the State and in every direction.

It goes on through the State with a new and different system altogether, and it gives to the roads, under the act of 1869–'71, mentioned in it, $16,000 per mile of State bonds *in solido*, while the act of 1855 gave the two lines from Jacksonville to Pensacola and Jacksonville to Tampa internal-improvement interest-guarantied bonds to the extent of $10,000 per mile. It also gives to other new companies not authorized to build under the internal-improvement act, the exclusive right to build this line of road, and provides that the whole line in this State shall be completed within five years from the passage of the act of 1869, and yet to-day there is no road to Tampa.

I have all these laws here. There are perhaps twenty acts of the State of Florida repealing the act of 1855—the record is full of them—disposing of all the lands which by that act were gathered into a single trust for the benefit of particular designated lines of road. And yet, Mr. President, with this condition of the law of the State of Florida, the poor people of the State are turned out of their homes and their land given away by such devices as I have described, and for nine years I have been appealing to the Senate of the United States and to the Presidents and the Secretaries with the assertion that it is but the work of an hour to look through these statutes and find the law, if there is such a law, that by any reference or allusion gives to this company or their predecessors, or any other railroad company, any right, title, or interest in the lands of the grant of May 17, 1856, and if it can not be found to say so, and set aside this unlawful reservation.

Outside of this resolution it is perhaps proper to mention another act of the State as to a part of this alleged line of roads claiming under the grant of May 17, 1856. I want my colleague to read a telegram which he has, because I think he ought to do so as an act of courtesy to the person sending it. There is a road called the Pensacola and Atlantic Railroad, chartered in 1881. This grant expired in 1866, under the act of Congress of May 17, 1856. A reservation was made by the Interior Department in 1856, without any designation of line or beneficiary by the State, without any legislative action, in 1856, on the personal request of Senator Yulee. Here is the message of the governor; here is the vote of the Legislature declaring in 1858 that no company had been designated, and no legislative disposition made, and no certificate issued by the Interior Department under the law. The governor of the State denied that there had ever been any legislative disposal of the grant, or that any railroad company was entitled by virtue of a legislative disposal of that grant to any interest in it; but there was a company projected, and it was assumed at the Interior Department here that this company would by subsequent legislation acquire a right to this grant.

That subsequent legislative action, however, has never been had to this day; but under that assumption, as the Interior Department itself declared, not positively, not conclusively, but upon that assumption that there would be a legislative disposition, a reservation was made in West Florida in 1856 of the alternate sections on either side of the line which it was supposed would be authorized and would be built; a reservation of 6 miles on either side of that proposed road, which was never authorized, never built; and the company which was projected to build it became defunct and disappeared without the construction of any road. And yet that reservation remains of those 6 miles, of those particular sections upon that unbuilt line of road, while a newly-chartered company, organized in 1881, upon a different line, stands here claiming the sections upon the old unbuilt, unauthorized line of road.

The State of Florida in chartering this new company, which has built a very good road, said that whatever rights they had in this grant made by Congress in 1856, should go to this new company in West Florida; that this new railroad company should have whatever rights, if any, they had remaining in the State. A school-boy ten years old could tell if there were any rights. If the right of the State had ever attached to any land and it remained unforfeited and was in full force and effect, notwithstanding the provisions of the act of Congress of 1855, then it was 6 miles that could then be selected and then reserved along the line of the road which should be actually built.

But instead of doing that they have taken the old reservation upon the old defunct corporation's line, and have been turning out these poor people from their homes there, and for years I have been exposing this iniquity on this floor; but I have been doing it to deaf ears and unwilling minds, and now we have a bill turning us over to the tender mercies of judges who have defied Congress for the purpose of giving the homes of these people, without even the pretense of right, evidence, or law, to the corporations which lay false claim to them, and to their agent as a fee for obtaining a fraudulent reservation.

My colleague has a telegram which I want him to read, in which it is said that this corporation claims only the lands which have been certified. There never was an acre certified; the records show it. If such a certificate was made it would have been a fraud on the Department; but it has not been made. There was no reservation made under the authority of the State; the governor so declares and so notifies the Interior Department in 1858. This telegram states, and I want it read, that they have discovered, now since this agitation has been made, since this decree has been rendered to sell out these people notwithstanding this record, that there are 300,000 acres that do belong to the people, and they say they do not claim that.

I want these facts to be shown. These facts show a disgraceful state of affairs, and it is a disgraceful administration of that department which permits, without fair and honest intervention by the Government of the United States, people to be deprived of their homes under false and pretended legislation, which allows this large part of the public domain to be the creature of fraud, and of such stupid fraud as is to be found in this case; and it behooves the Committee on the Judiciary here to see that a condition of law shall not continue which will permit such decrees to be made as I have here described.

The duty of Congress on this subject is plain and can not be avoided with any regard for honor and duty. The record and the facts speak for themselves. The interests of the people and of corporations unite in demanding that the administration of the law shall be pure and right, and justice done to all persons, without sale or denial.

Mr. PASCO. As my colleague has stated, I have received a telegram from Colonel Chipley, of Pensacola, which I will send to the desk to be read, so that it may go into the RECORD in connection with my colleague's remarks.

The PRESIDENT *pro tempore*. The Senator from Florida desires a telegram to be read. It will be read if there be no objection.

The Chief Clerk read as follows:

PENSACOLA, FLA., *January* 29, 1888.

Hon. S. PASCO,
*United States Senate, Washington, D. C.:*

I learn our land grant will be debated Monday. Let me urge upon you that the Pensacola and Atlantic Railroad claim no lands except those embraced within lists certified to and approved to State of Florida and granted by State of Florida to the Pensacola and Atlantic Railroad Company and approved by State to company upon its road now completed and in use, the land being coterminous with completed road; and there are nearly 300,000 acres coterminous with the Pensacola and Atlantic road, in excess of the selections made by the road, and this excess should be restored to the public domain, as the company only claims the selections approved to it by the State of Florida upon its completed line.

W. D. CHIPLEY,
*Vice-President Pensacola and Atlantic Railroad.*

## HOUSE BILLS REFERRED.

The following bills from the House of Representatives were severally read twice by their titles, and referred to the Committee on Public Buildings and Grounds:

A bill (H. R. 1483) for the erection of a public building at Monroe, La.;

A bill (H. R. 1611) for the erection of a public building at Springfield, Mo.;

A bill (H. R. 1697) for the erection of a public building in the city of Asheville, N. C.; and

A bill (H. R. 4359) for the purchase of a site, including the building thereon, also for the erection of the necessary store-houses, for the use of the office of the Chief Signal Officer of the Army, at the city of Washington, D. C.

The bill (H. R. 1640) changing the name of the port of Lamberton, in the district of Burlington, N. J., to the port of Trenton, in said district, was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 1481) making an appropriation to construct a road and approaches from Pineville, La., to the national military cemetery near that town, was read twice by its title, and referred to the Committee on Military Affairs.

The bill (H. R. 1528) to reward the Esquimaux natives of the Asiatic coast of the Arctic Ocean for acts of humanity to shipwrecked seamen was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 1860) to amend section 683 of the Revised Statutes was read twice by its title, and referred to the Committee on Printing.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 31st ultimo approved and signed the act (S. 290) to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Mississippi River at or near Burlington, Iowa.

ORDER OF BUSINESS.

The PRESIDENT *pro tempore*. The Senate resumes the consideration of the unfinished business.

Mr. RIDDLEBERGER. I ask now that the Senate take up for consideration, the morning hour having expired, the resolution which I offered yesterday to change Rule XXXVII. It may interfere in some measure with the educational bill, but if that educational bill were allowed to pass and we could get away from that barricade which is on the desk of the Senator having it in charge, it seems to me there would be time to consider some matters of treaty between this country and Great Britain.

I now ask the Senator from New Hampshire if he will not allow a friend of the bill to call up this resolution for consideration in open session, for that is what it amounts to—to change Rule XXXVII and let the Senate pass upon it, for we shall hear nothing more, if we take up the educational bill, than that which shall come from the school-masters. I am as much opposed to letting the school-masters of the country govern as I am to letting British commissioners instruct us about treaties.

I ask the Senate, now that I have deferred to other Senators, that we shall take up the resolution to change Rule XXXVII, for, Mr. President, that is a matter which is pressing upon us. Every one in the Senate knows that when the hour of 5 shall strike some Senator will say "I move to go into executive session," and that itself resolves all that I have in my motion.

The PRESIDENT *pro tempore*. The Senator from Virginia asks unanimous consent——

Mr. RIDDLEBERGER. No, sir; I do not. I think it is within the rule that I shall move that the Senate proceed to the consideration of the resolution.

The PRESIDENT *pro tempore*. The Chair can not entertain the motion at this stage of business.

Mr. RIDDLEBERGER. I appeal from the decision of the Chair. With all due respect to you, Mr. President, I do so. I think my motion is in order. I appeal from the decision of the Chair with all due respect that any Senator can show to the Chair.

The PRESIDENT *pro tempore*. The unfinished business being before the Senate, the Senator from Virginia having moved to proceed to the consideration of a resolution previously offered by him, the Chair calls upon the Secretary to read the twenty-second rule of the Senate.

Mr. HOAR. I would like to inquire of the Chair whether I understood that the educational bill was up and the Senator from Alabama [Mr. PUGH] was entitled to the floor, that then the Senator from Virginia was recognized to make a request of the Senator in charge of the bill. I do not understand that he could make any motion.

The PRESIDENT *pro tempore*. The Senate at 2 o'clock, under the rules, resumed the consideration of the unfinished business, being the bill (S. 371) to aid in the establishment and temporary support of common schools, upon which the pending question is the amendment offered by the Senator from Kansas [Mr. PLUMB]. The Chair had not recognized the Senator from Alabama [Mr. PUGH] as entitled to the floor on the pending bill.

Mr. BLAIR. The Senator from Alabama was recognized last evening, and took the floor prior to the adjournment.

The PRESIDENT *pro tempore*. The Chair was not advised of that, having been absent at the time of the adjournment of the Senate yesterday. The Senator from Virginia arose and made the motion, as the Chair understands, that the Senate now proceed to the consideration of a resolution offered by him on a former day. The Chair holds that the unfinished business being before the Senate, and the Senator from Alabama being entitled to the floor, the motion of the Senator from Virginia can not be entertained by the Chair, and is not in order. From that decision of the Chair the Senator from Virginia appeals to the Senate.

Mr. RIDDLEBERGER rose.

The PRESIDENT *pro tempore*. It must be decided without debate.

Mr. RIDDLEBERGER. Allow me to state, sir——

The PRESIDENT *pro tempore*. The question is not debatable.

Mr. RIDDLEBERGER. Allow me to put myself right on the facts. There was no purpose on my part to prevent the Senator from Alabama from speaking to-day. That was not my appeal. I put one proposition and the Chair puts another. I have appealed from the decision of the Chair on a ruling that it made before it mentioned the name of the Senator from Alabama.

The PRESIDENT *pro tempore*. A misunderstanding of the Chair would not affect the parliamentary right of the Senator from Alabama. He was recognized and took the floor at the adjournment last evening, and he was entitled to the floor when the consideration of the bill was resumed this morning, and he is now entitled to proceed upon the pending bill. The Senator from Virginia appeals, so the Chair understands, from his decision.

Mr. RIDDLEBERGER. Yes, sir; and it is debatable.

The PRESIDENT *pro tempore*. It is not debatable.

Mr. RIDDLEBERGER. Then I appeal from the decision of the Chair as to whether it is debatable, and ask the Chair to furnish me a rule prohibiting debate when I have got a proposition pending here that interests the people of the United States more than that which we have heard debated for four or five years. Give me the rule.

The PRESIDENT *pro tempore*. Shall the decision of the Chair stand as the judgment of the Senate?

Mr. RIDDLEBERGER. That it is not debatable.

The PRESIDENT *pro tempore*. Not debatable. The question is, Shall the decision of the Chair stand as the judgment of the Senate? [Putting the question.] The ayes have it. The decision of the Chair stands as the judgment of the Senate, and the Senator from Alabama is entitled to the floor on the pending bill.

AID TO COMMON SCHOOLS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 371) to aid in the establishment and temporary support of common schools, the pending question being on the amendment proposed by Mr. PLUMB.

Mr. PUGH. Mr. President, I have listened patiently in the Senate and read in the RECORD the elaborate and able speeches of the Senators who oppose the bill reported by the committee of which I am a member "to aid in the support of common schools." With some difference in the language used and the rhetoric employed by the different Senators, the several speeches made against the bill in the present debate, and in the exhaustive debates on the bill when it passed the Senate by a vote of 36 in the affirmative and 11 in the negative, are the same in substance. In fact and in effect it amounts to a periodical reproduction and reprint of the same speeches on the same bill supported by the same authorities.

And I find on examination that in the protracted debate in the House in February, 1817, on the bill to aid in works of "internal improvement" in the States, and also the equally exhaustive debate in both Houses of Congress in May, 1854, on the "bill making a grant of land to the several States of the Union for the benefit of the indigent insane persons," and also the celebrated discussion in the Senate and House in February, 1859, of the bill to aid the States in the establishment and endowment of agricultural and mechanical colleges, the same arguments, presented in the most irresistible logic and rhetoric, agitated the public mind and engaged public opinion for months and years that we now hear in the apostolic utterances and prophetic warnings of the enemies of the "Blair bill" against its constitutionality and the dire consequences of its becoming a law of the land. Mr. President, the first speech I made in this Senate after taking my seat over seven years since, was in support of a bill to aid the States in securing the benefits of a common-school education to the children, white or black, in their population. What did that bill propose should be done by this Federal Government? It ought to make the enemies of the "Blair bill" shudder when they hear that in December, 1880, on the motion of an able Democratic Senator from Tennessee, Mr. Bailey, the Senate agreed, without counting negative votes—

> That the net proceeds of the sales of public lands and the receipts from patents shall be set apart as an educational fund, and entered upon the books of the Treasury to the credit of the fund, and bearing interest at the rate of 4 per cent. per annum, the interest on such educational fund only to be paid to the States as herein provided.

What else appears from the CONGRESSIONAL RECORD was done by the Senate in December, 1880? The Senator from Colorado [Mr. TELLER] proposed to amend the amendment of the Senator from Tennessee, Mr. Bailey, by providing that the entire proceeds of the sale of the public lands and the receipts from patents should be paid to the States to support their common schools, which would have been largely more

than this Blair bill appropriates. This amendment passed in Committee of the Whole Senate by the following affirmative vote:

| | | | |
|---|---|---|---|
| Beck, | Farley, | Kirkwood, | Slater, |
| Booth, | Groome, | McDonald, | Teller, |
| Brown, | Hereford, | Morgan, | Vance, |
| Call, | Ingalls, | Plumb, | Vest, |
| Cockrell, | Johnston, | Pugh, | Voorhees, |
| Coke, | Jonas, | Ransom, | Williams, |
| Davis of West Va., | Jones of Florida, | Saulsbury, | Withers. |
| Eaton, | Kernan, | Saunders, | |

I ask the Senate what was the object to which this appropriation of all the money arising from the sale of the public lands and all the money received into the Treasury from patents was attempted to be made by those Senators who voted for the Teller amendment? Unquestionably the public object to be promoted, aided by the appropriation, was common-school education. How, then, can it be claimed that common-school education is totally excluded by the Constitution from Congressional consideration as an object of Federal concern? It will not do to seek an escape from an answer to this question by telling what was then sought to be thus appropriated. It makes no difference what was the subject-matter to be appropriated.

The question is, what public object then attracted the attention of Congress? What was the appropriation expressly made to aid, encourage, and promote? Certainly it was common-school education. The object of that appropriation of money in the Treasury, collected from the sale of public lands and the receipts from patents, and in the custody of Treasury officials as public revenue, as much as the money collected from tariff duties on imports, being common-school education, tell me in what particular the object of that appropriation differs from the object of the appropriation in the bill before the Senate? Manifestly, common-school education is a public object to which the power of Congress to make appropriations of the public money or property arising from public-land sales and patent fees may be constitutionally directed.

The Teller amendment was reported from the Committee of the Whole to the Senate, and there failed on a tie vote. So that the bill made the appropriation as provided in the Bailey or committee amendment. On the object of the appropriation, namely, the support of common-school education in the States, what was then said by Senators?

Mr. VEST. Mr. President, I desire to submit a very few remarks upon the bill, and not in any spirit of hostile criticism, because with the general intent and spirit of the bill I am fully in accord. There are certain features of the bill, however, to which I can not give my consent. For the general principle of free education I have always contended. In a public address to the people of my State, before my election to the Senate, I did in the most emphatic and in the broadest terms declare that universal suffrage must be supplemented by universal education. I believe to-day that universal education is the only instrumentality that can exorcise the evils that attend upon free suffrage.

Mr. MAXEY. Mr. President, as a member of the Committee on Education and Labor I concurred with the committee in reporting this bill. * * * * Whether we will or not, the colored people are to-day citizens. If it be true, and it is true, that the perpetuity of free government depends upon the virtue and intelligence of the people, then common sense will tell any man that the more enlightened, the more virtuous you make those who enter into the body-politic the more certain you are of the perpetuity of free institutions. These colored people have become, by the Constitution and laws of our country, a part and parcel of the body-politic. They are mainly in the portion of the country where I live. It is the interest of the Southern people that this colored population should be educated. They are among us; they are entitled to vote; they are entitled to hold office; they are entitled to sit upon juries; they are entitled to be appointed executors, administrators, trustees, and guardians, and hence it is of the utmost importance that these people should become educated. In the State in which I live and in all the Southern States by the terms of the State constitutions they are entitled to the same common-school education that the white child is entitled to. The burden of educating those children falls upon the whites. We were impoverished by the war, and the little property left was owned by the white people, who had their own children to educate.

The colored people were made citizens by the act of this Federal Government, and it is a matter of common justice; it is a matter of common honesty and fair dealing, in my judgment, for the Federal Government to aid in their education, to aid the States which are now educating them.

So far as the question of constitutionality is concerned, I had not supposed, at this late day, that that question could be raised. The statutes of our country bristle all over with legislative precedents, running even back into the last century, running back to the annexation of Louisiana. The power of Congress is firmly established by precedents not to be now questioned. If it be true that out of the common treasure the vacant public domain belonging to the United States could be given to a particular State or Territory because it happened to lie within their limits, I ask if that principle does not authorize Congress to take the proceeds of this vacant public land and distribute them among all the States of the Union for which we are the trustees. Sir, the constitutional argument falls—falls upon principle as well as upon precedent.

I have read the entire debate upon what is known as the Morrill bill, and there is not a single word in it of condemnation of the appropriation or the object to which it was required to be applied. Not a word was said about the Southern States being independent of Federal aid or not needing or not desiring Federal aid to their common schools. Nothing was heard about the ruinous effects of such aid in destroying the self-reliance of the people in procuring the means of educating their children without help from the Federal Government. There were no rawheads and bloody-bones scattered along the track of the enduring Federal aid established by that bill as a perpetual system of encouragement and support to common schools in the States.

The horse harnessed in the Morrill bill was gentle, true, harmless, and faithful; but when the same horse is harnessed to pull through the Blair bill he instantly becomes a most dangerous animal with the most vicious qualities, really a Trojan horse filled with arms and devils and Yankee "school-marms" to be turned loose to destroy the Southern States.

While there was no opposition to the fund appropriated as a permanent fund, or to its being applied to common-school education in the States, there were some objections urged by Senators to the machinery of the Morrill bill—that is the sections relating to the terms and conditions of the appropriation and the manner of its application and expenditure by the States, and the reports required to be made to the Federal Government by the States.

My friend, the Senator from Missouri [Mr. VEST], a typical strict constructionist, who is never troubled with any doubts about the accuracy of his opinions and conclusions, was the first to assail the terms and conditions of the appropriation to be accepted and performed by the States:

Mr. VEST. Mr. President, there is one feature of the bill to which I object. I do not believe that the education of the people should be taken away from the States. I do not believe under the Constitution that the General Government should directly or indirectly take charge of the system of educating the people. I am no hypocritical stickler for State rights; on the other hand, I believe that there has been too much fine-spun hair-splitting theory in that regard; but there is a line of demarkation between the powers of the National Government and of the State governments. I do not charge that the framers of this bill intended to put this system of education under the control of the National Government, yet there are features of the bill that look in that direction and which I can not support. I call the attention of the Senate to the sixth section of the bill:

"On or before the 1st day of September, in each year, the Commissioner of Education, under direction of the Secretary of the Interior, shall certify to the Secretary of the Treasury, as to each State, Territory, and District, whether it is entitled to receive its share of the apportionment under this act, and the amount of such share, which shall thereupon be entitled to receive the same. If the Commissioner shall withhold a certificate from either, its share of such apportionment shall be kept separate in the Treasury until the close of the next session of Congress, in order that it may, if it see fit, appeal to Congress from the determination of the Commissioner. If Congress shall not, at its next session, direct such share to be paid, it shall be added to the general educational fund."

In section 7 provision is made that whenever a State or Territory—

"Shall file with the Secretary of the Treasury a certified copy of the law of such State or Territory accepting the provisions of this act, and undertaking that the funds provided by the same, whenever paid over to it as above provided, shall be faithfully applied to the free education of all its children between the ages of six and sixteen years, and to the endowment and support of such colleges as have been, or may be hereafter, established in accordance with the aforesaid act of Congress approved July 2, 1862, and as provided for in this act. The distributive share of the District of Columbia shall, from time to time, be paid over to the commission of said District created by act of Congress approved June 20, 1874, entitled," etc.

The different States are required, in the first place, by an act of their Legislatures, to declare that they accept the provisions of this act, and that they will faithfully apply the proceeds of the sales of these lands to public education. But that is not enough for the gentleman who framed this bill. The Commissioner of Education may, if he sees proper, withhold from any State its distributive share of this fund. I am opposed to giving any such power to a subordinate officer of this Government.

Mr. MORRILL. Suppose the State were to misapply the fund?

Mr. VEST. Under my idea of the theory of this Government, the Congress of the United States would be the proper tribunal to interfere with a sovereign State in any such contingency.

Mr. BAILEY. Allow me to call attention to the fact that the State is allowed an appeal to Congress from the decision of the Commissioner.

Mr. VEST. To say that a State is not to be trusted with its own children, and that a subordinate officer of the United States shall have the right, if he sees proper, to withhold for a day or for an hour the distributive share of that State to a great bounty, is a proposition to which I shall never accede. But that is not all of it, sir; the most objectionable feature of this bill is section 9, which provides—

"That to entitle any State, Territory, or the District of Columbia to the benefits of this act, it shall maintain for at least three months in each year until January 1, 1885, and thereafter four months in each year, a system of free public schools for all the children within its limits between the ages of six and sixteen, and shall, through the proper officer thereof, for the year ending the 30th day of June last preceding such apportionment, make full report to the Commissioner of Education of the number of public free schools, the number of teachers employed, the number of school-houses owned and the number of school-houses hired, the total number of children taught during the year, the actual daily attendance, and the actual number of months of the year schools have been maintained in each of the several school districts or divisions of said State, Territory, or District, and the amounts appropriated by the Legislature, or otherwise received for the purpose of maintaining a system of free public schools. And if any State or Territory shall misapply, or allow to be misapplied, or in any manner appropriated or used other than for the purposes herein required, the funds, or any part thereof, received under the provisions of this act, or shall fail to comply with the conditions herein prescribed, or to report, as herein provided, through its proper officers, the disposition thereof, such State or Territory shall forfeit its right to any subsequent apportionment by virtue hereof, until the full amount so misapplied, lost, or misappropriated shall have been replaced by such State or Territory, and applied as herein required, and until such report shall have been made."

Mr. VEST. I should like to ask the friends of this bill why it is that the National Government, through its Commissioner of Education, is to inquire into the appropriations made by a sovereign State. What has the General Government to do with the acts of the Legislatures of the respective States in regard to appropriations for a system of education? * * * Suppose the Commissioner should take it into his judgment that a State had violated this act by having separate schools for the two races in this country. Suppose that, as in my State separate schools are established for the white and the black races. The Commissioner finds that that method of separate schools has been adopted by a State and says to that State, "In my judgment you are not applying this fund according to the spirit and intent of the act of Congress, and I shall therefore not pay you your distributive share." Where is the limit to his discretion? Let Congress exercise the power of taking away this bounty if it sees proper to do so, but not a subordinate officer.

How were the objections of the Senator from Missouri to the machinery, the terms, and conditions of the Morrill bill answered, and by what Senators?

Senator Hill, of Georgia, answered the Senator from Missouri as follows:

In relation to the point made by the Senator from Missouri [Mr. VEST] I differ

*in toto exlo* from that honorable Senator on all the points he has raised. It seems to me that so far from this bill being subject to the criticism which he has visited upon it, exactly the contrary is true. The General Government does not interfere in the slightest degree with the right of the States to control education in their respective limits. It not only does not interfere with that right of the State, but it does seem to me it recognizes that right and appropriates this general fund simply as an aid to the States in this work which is to be carried on by the States. It does not interfere in the slightest degree with the regulations that shall be established by the States upon this subject.

But upon the point of which he speaks, that the Government reserves the right to inquire whether this fund has or has not been misapplied, I ask is not that a right that belongs to all donors, all persons who create a trust fund for any purpose? The General Government owns this money—the proceeds of the public lands and the fees of the Patent Office. It belongs to the General Government. The General Government proposes to distribute this money to the States. Has not the Government that distributes the money a right to say on what terms it will distribute it? Was it ever heard of that the Government which has the right to give the fund has no right to say on what terms it will do so?

It is not only the right of the General Government, but it is under obligation to see to it that the fund is not misapplied. Do you call that interfering with the rights of the States? Sir, if the General Government were not to see to it that the fund was applied in the manner prescribed, and to accomplish the purposes intended, in my judgment, the Government would be derelict. Why prescribe terms at all if the Government is to stand idly by and see those terms disregarded by the States? The object of making the inquiry of the States what appropriations have been made by their Legislatures for the support of common schools is not to authorize the General Government to interfere with the State in the management of its own school fund or in the management of its own schools. The General Government does not get this information for the purpose of changing a system adopted in the States, but to enable it to determine whether the respective States are complying with the terms of the gift. No State, I insist, ought to desire to receive this fund except on the terms prescribed, and no State having received this fund on the terms prescribed ought to be presumed willing under any circumstances to misapply it; but should a State willingly misapply the fund, certainly the State ought not to complain if the General Government inquires into the fact. It does not interfere with its sovereignty in the slightest degree.

Who is the next Senator that answered the objections of the Senator from Missouri? The Senator from Texas [Mr. MAXEY] spoke as follows:

I shall vote for the bill cheerfully. A States-rights man to the very core, I shall vote for it, because there is not in the bill anywhere a violation of any State right. It was guarded by gentlemen who are as strongly in favor of the reserved rights of the States as the Senator from Missouri or anybody else. I shall vote for it because it does not conflict with but does aid the States in doing a just and a wise thing. I would go back even further; I would go back to the very convention that framed the Constitution and you will find that under the clause giving exclusive legislation to Congress over the District it was contended that Congress had power to establish a university at the sert of government.

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I heartily agree with what was so well said by the Senator from Georgia, Mr. Hill.

There can be no denial that the Morrill bill in all its parts and provisions was critically considered and fully understood by Senators.

Now, sir, who were the Senators who favored the passage of the Morrill bill? Here is the formidable list:

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|---|---|---|---|
| Allison, | Cameron of Pa., | Hill of Colorado, | Morgan, |
| Anthony, | Cameron of Wis., | Hill of Georgia, | Morrill, |
| Bailey, | Coke, | Hoar, | Platt, |
| Baldwin, | Davis of Illinois, | Johnston, | Pugh, |
| Beck, | Davis of West Va., | Jones of Florida, | Ransom, |
| Blaine, | Dawes, | Kellogg, | Rollins, |
| Blair, | Edmunds, | Lamar, | Teller, |
| Brown, | Ferry, | Logan, | Vance, |
| Bruce, | Garland, | McMillan, | Walker, |
| Burnside, | Hampton, | McPherson, | Windom. |
| Call, | Hereford, | Maxey, | |

Mr. VEST. Will the Senator read the names of those who voted against that bill?

Mr. PUGH. I have them not here, but I remember very well that you were one of them.

Mr. VEST. I voted against it.

Mr. PUGH. I am aware of it.

Mr. VEST. I am told that whilst I was out of the Senate Chamber the Senator has been assailing my record. I have not looked at that record. It is sufficient for me to attend to my duties here without going back to old records; but I never saw the time in this Chamber that I have not opposed this sort of legislation. I opposed the Morrill bill. When I voted for the Teller amendment, if my name is so recorded, I voted for it to defeat the bill, as a parliamentary measure. I have never seen the time when any such measure came here that I did not speak against it publicly and privately, and I was one, I think, of six who voted against that Morrill bill, one of eleven who voted against the Blair bill, and, if I live, will be one of the opposition to it when the vote is taken on the pending bill.

Mr. PUGH. I have not assailed the record of the Senator. I only brought to the attention of the Senate what he had stated so clearly and forcibly as his objection to the Morrill bill, so as to show, as I will do hereafter, that gentlemen who are now assailing the Blair bill fully understood all the grounds upon which they are now assailing it when their attention was called to these identical provisions in the Morrill bill; and after a full understanding of each one of these provisions debated, discussed, emphasized, and repeatedly emphasized by the Senator from Missouri, the names I have read here were recorded in favor of that bill with all its provisions.

Mr. President, I will now introduce the Blair bill. That monster—that huge anaconda in whose deadly coil every bone in the body-politic is to be crushed. That wicked conception originated with the Senator from New Hampshire [Mr. BLAIR] and was referred to the Committee on Education and Labor, of which he was and is chairman, and I was then, and am now, a member. The committee referred the bill to Senator BLAIR and myself as a subcommittee. The great desire and earnest effort of the subcommittee were to frame a bill as free as possible from objections, and especially to so arrange the terms and conditions of the bill that made up its machinery as that they would be acceptable and satisfactory to the Senate.

How was this purpose to be accomplished? The subcommittee took the terms and conditions, the machinery of the Morrill bill, that had been lately fully discussed and sanctioned by over forty-three Senators as a model for the appropriation in the Blair bill. The subcommittee framed the bill and reported it to the full committee, who adopted it unanimously. The bill was reported to the Senate by the chairman [Mr. BLAIR], and I undertake to say that in every particular in which the bill thus reported differs from the Morrill bill it is an improvement upon the Morrill bill. I have set forth the provisions of the Morrill bill, and I now offer the Blair bill as it came from the committee:

That for ten years after the passage of this act there shall be annually appropriated from the money in the Treasury the following sums, to wit: The first year the sum of $15,000,000, the second year the sum of $14,000,000, the third year the sum of $13,000,000, and thereafter a sum diminished $1,000,000 yearly from the sum last appropriated until ten annual appropriations shall have been made, when all appropriations under this act shall cease; which several sums shall be expended to secure the benefits of common-school education to all the children of the school age mentioned hereafter living in the United States.

SEC. 2. That such money shall annually be divided among and paid out in the several States and Territories in that proportion which the whole number of persons in each who, being of the age of ten years and over, can not read and write bears to the whole number of such persons in the United States; and until otherwise provided such computation shall be made according to the official returns of the census of 1880.

SEC. 3. That the Secretary of the Interior, at the close of each fiscal year, shall ascertain the total amount of the school fund to which the States and Territories and the District of Columbia are entitled under the provisions of this act, and shall certify the same to the Secretary of the Treasury. That upon the receipt of such certificate the Secretary of the Treasury shall, on or before the 31st day of July of each year, apportion the said total sum so certified among the several States and Territories and the District of Columbia upon the basis of population and illiteracy specified in the second section of this act.

SEC. 4. That the amount so apportioned to each State and Territory and to the District of Columbia shall be paid, upon the warrant of the Commissioner of Education, countersigned by the Secretary of the Interior, out of the Treasury of the United States, to the treasurer of the State, Territory, or District, or to such officer as shall be designated by the laws of such State, Territory, or District to receive, account for, and pay over the same to the several school districts entitled thereto under said apportionment. The term "school district" as used in this section shall include cities, towns, parishes, or such other corporations as by law are clothed with the power of maintaining common schools: *Provided*, That such distribution or payment, after the receipt of said fund by the State, Territory, or District, may be made to any officer designated by the laws of the State, Territory, or District for the disbursement of the school funds to the teachers employed in such schools.

SEC. 5. That the instruction in the common schools wherein these moneys shall be expended shall include the art of reading, writing, and speaking the English language, arithmetic, geography, history of the United States, and such other branches of useful knowledge as may be taught under local laws, and shall include, whenever practicable, instruction in the arts of industry, and the instruction of females in such branches of technical or industrial education as are suited to their sex, which instruction shall be free to all, without distinction of race, color, nativity, or condition in life: *Provided*, That nothing herein shall deprive children of different races, living in the same community but attending separate schools, from receiving the benefits of this act the same as though the attendance therein were without distinction of race.

SEC. 6. The money appropriated and apportioned under the provisions of this act to the use of any Territory shall be applied to the use of common and industrial schools therein by the Secretary of the Interior.

SEC. 7. That the District of Columbia shall be entitled to the privileges of a Territory under the provisions of this act, but its existing laws and school authorities shall not be affected by the operation of this act. The Commissioner of Education shall be charged with the duty of superintending the distribution of its allotment, and shall make full report of his doings to the Secretary of the Interior.

SEC. 8. That the design of this act not being to establish an independent system of schools, but rather to aid for the time being in the development and maintenance of the school system established by local government, and which must eventually be wholly maintained by the States and Territories wherein they exist, it is hereby provided that no part of the money appropriated under this act shall be paid out in any State or Territory which shall not, during the first five years of the operation of this act, annually expend for the maintenance of common schools at least one-third of the sum which shall be allotted to it under the provisions hereof, and during the second five years of its operation a sum at least equal to the whole amount it shall be entitled to receive under this act.

SEC. 9. That a part of the money apportioned to each State or Territory, not exceeding one-tenth thereof, may yearly be applied to the education of teachers for the common schools therein, which sum may be expended in maintaining institutes or temporary training schools, or in extending opportunities for normal or other instruction to competent and suitable persons, of any color, who are without necessary means to qualify themselves for teaching, and who shall agree in writing to devote themselves exclusively, for at least one year after leaving such training schools, to teach in the common schools, for such compensation as may be paid other teachers therein.

SEC. 10. That no part of the educational fund allotted to any State or Territory or the District of Columbia shall be used for the erection of school-houses or school-buildings of any description, nor for rent of the same.

SEC. 11. That the moneys distributed under the provisions of this act shall be used in the school districts of the several States and Territories in such way as to provide, as near as may be, for the equalization of school privileges to all the children of the school age prescribed by the law of the State or Territory wherein the expenditure shall be made, thereby giving to each child an opportunity for common-school and, so far as may be, of industrial education; and to this end existing public schools, not sectarian in character, may be aided, and new ones may be established, as may be deemed best, in the several localities.

SEC. 12. That any State in which the number of persons 10 years of age and upward who can not read and write is not over 5 per cent. of the whole population thereof shall have the right to receive its allotment and to apply the same for the promotion of common-school and industrial education, or the education of teachers therein, in such way as the Legislature of such State shall provide.

SEC. 13. That the Secretary of the Interior shall receive from the governor of each State and Territory a report, to be made by or through such governor on or

before the 30th day of June of each year, giving a detailed account of the payments or disbursements made of the school fund apportioned to his State or Territory and received by the State or Territorial treasurer or officer under section 4 of this act, and of the balance in the hands of such treasurer or officer withheld, unclaimed, or for any cause unpaid or unexpended, and also the amount expended in such State or Territory as required by section 8 of this act, and also of the number of public, common, and industrial schools, the number of teachers employed, the total number of children taught during the year, and in what branches instructed, the average daily attendance, and the relative number of white and colored children, and the number of months in each year schools have been maintained in each school district, and such other information in relation to the use of the school fund and the condition of common-school education as the Secretary of the Interior may require. And if any State or Territory shall misapply or allow to be misapplied, or in any manner appropriated or used other than for the purposes herein required, the funds, or any part thereof, received under the provisions of this act, or shall fail to comply with the conditions herein prescribed, or to report as herein provided, through its proper officers, the disposition thereof, such State or Territory shall forfeit its right to any subsequent apportionment by virtue hereof until the full amount so misapplied, lost, or misappropriated shall have been replaced by such State or Territory and applied as herein required, and until such report shall have been made: *Provided*, That if the public schools in any State admit pupils not within the ages herein specified it shall not be deemed a failure to comply with the conditions herein.

SEC. 14. That on or before the 1st day of September of each year the Secretary of the Interior shall report to the President of the United States whether any State or Territory or the District of Columbia has forfeited its right to receive its apportionment under this act, and how forfeited, and whether he has withheld such allotment on account of such forfeiture; and each State and Territory and the District of Columbia from which such apportionment shall be withheld shall have the right to appeal from such decision of the Secretary of the Interior to Congress; and if the next Congress shall not direct such share to be paid, it shall be added to the general educational fund for distribution among the other States and the Territories and District of Columbia which shall be entitled to the benefit of the provisions of this act.

SEC. 15. That the Secretary of the Interior shall be charged with the practical administration of this act in the Territories and the District of Columbia, through the Commissioner of Education, who shall report annually to Congress its practical operation, and briefly the condition of common and industrial education as affected thereby throughout the country, which report shall be transmitted to Congress by the Secretary of the Interior, accompanying the report of his Department.

Mr. President, after the most careful examination I have been able to make of the difference between the Morrill bill and the Blair bill now before the Senate, my judgment is that in principle, in policy, in method, and in practice they are substantially one and the same. I have no doubt Congress has as much power under the Constitution to appropriate revenue collected by taxation as Congress has to appropriate revenue collected from the sales of public lands and receipts from patents to the support of common schools in the several States, as I will show hereafter by undoubted authority.

In the Morrill bill all the proceeds from the sales of all public lands paid into the Treasury and all the receipts from patents paid into the Treasury are set apart as a permanent educational fund; in other words, dedicated by Congress to the support of common-school education in the States, and the fund arising from the entire proceeds of all the lands and all the receipts from patents are separated from where they were as part of the public revenue, as much as money collected from taxation, and devoted by Congress to the support of common schools in the States.

In the Blair bill now pending $79,000,000 are appropriated to be paid out of the Treasury out of any money unappropriated, whether in there from the sales of public lands, or as receipts from patents, or as interest paid on bonded loans to Pacific railroads, or as fines and forfeitures, or from taxes on tobacco and whisky, or duties on imports; it makes no difference from what sources the revenue is derived. The Blair bill covers all the sources of the appropriation in the Morrill bill and adds all other sources of revenue.

Now, as I understand those Senators who voted for the Morrill bill, but refuse to support the Blair bill, they would admit the constitutionality of the appropriation in the Blair bill if the bill provided that the sum appropriated was payable only from the proceeds of the public lands and the receipts from patents, as provided in the Morrill bill. Then the question is presented squarely, has Congress the same power to dispose of money in the Treasury paid in there from the whisky and tobacco tax, or from duties on importations, as Congress has to dispose of public lands or the proceeds of the sales of public lands to the support of common schools in the States? This presents the gravamen of the difference between the friends and enemies of the Blair bill. I believe that Congress has as much power to make the appropriation in the one case as in the other. Those who differ with me claim that the power of Congress to appropriate public lands or their proceeds is derived from two sources: first, the deeds of cession by the States making the grants to the United States in trust with the power of disposition for "the general welfare;" and, second, the grant of power in the Constitution that "the Congress shall have power to dispose of," etc., "the territory or other property belonging to the United States," etc.

It must be admitted that the object and purpose of Virginia, New York, and Georgia in making the deeds of cession with the power therein to the States, as beneficiaries of the trust to dispose of the lands conveyed, are the same that induced the same States to grant to Congress the power of disposition specified in the Constitution. That being true, it follows that the power of Congress to dispose of the public lands or their proceeds is absolute and exclusive in both cases, whether the power of disposition is derived from the deeds of cession or from the Constitution. The power of Congress in the same grant "to make all rules and regulations necessary for the government of the Territories" is equally absolute and exclusive as the power of disposition of the public domain.

But it must be remembered that the power of Congress to govern the Territories and dispose of the public domain, although absolute and exclusive, is nevertheless restrained and limited in its exercise by the character and genius of our political organism, and by the responsibility of the representatives of the States and the people in Congress to their constituents. The truth of this proposition is conceded in all the debates upon the power of Congress to dispose of the public lands and govern the Territories.

The next inquiry is, what difference is there, and, if any, what reason is there for any difference between the power of Congress to dispose of the public lands bought with revenue raised by taxation and the power of Congress to dispose of or appropriate revenue collected into the Treasury from taxation?

This question has arisen and been fully and ably discussed on several occasions in the history of Congressional legislation, sometimes when Congress was asked to exercise the power of disposing of the public lands or their proceeds for the endowment and support of asylums, or for the support of common schools, or to build railroads, or cut canals, and sometimes when Congress was asked to appropriate money out of the Treasury collected from taxation and other sources for these and other purposes, like works of internal improvement. The occasion upon which the character and extent and limitations upon the power of Congress to make appropriations of the public revenue was presented most conspicuously was in the House of Representatives in February, 1817, on a bill introduced by John C. Calhoun making appropriations for works of internal improvement.

This debate took place during the closing days of the last administration of President Madison. The speech of Mr. Calhoun will be found in the Annals of the Fourteenth Congress, second session, 1816-'17, page 851, and fully answers the arguments against the Blair bill:

MR. CALHOUN. The power of Congress is objected to—first, that they have none to cut a road or canal through a State without its consent; and next, that the public moneys can only be appropriated to effect the particular powers enumerated in the Constitution. It is mainly urged that Congress can only apply the public moneys in execution of the enumerated powers. He was no advocate for refined arguments on the Constitution. The instrument was not intended as a thesis for the logician to exercise his ingenuity on. It ought to be construed with plain, good sense; and what can be more express than the Constitution on this very point?

The first power delegated to Congress is comprised in the words, "To lay and collect taxes, duties, imposts, and excises; to pay the debts and provide for the common defense and general welfare of the United States." First, the power is given to lay taxes; next, the objects are enumerated to which the money accruing from the exercise of this power may be applied—to pay the debts, provide for the common defense and general welfare; and last, the rule for laying the taxes is prescribed. If the framers had intended to limit the use of the money to the powers afterwards enumerated and defined, nothing could be more easy than to have expressed it plainly. He knew it was the opinion of some that the words, "to pay the debts and provide for the common defense and general welfare" were not intended to be referred to the power of laying taxes contained in the first part of the section, but that they are to be understood as distinct and independent powers granted in general terms.

If such were in fact the meaning, surely nothing can be conceived more bungling and awkward than the manner in which the framers have communicated their intention. If it were their intention to make a summary of the powers of Congress in general terms, which were afterwards to be particularly defined and enumerated, they should have told us so plainly and distinctly; and if the words "to pay the debts and provide for the common defense and general welfare," were intended for this summary, they should have headed the list of our powers, and it should have been stated, that to effect these general objects the following specific powers were granted. He asked the members to read the section with attention, and it would, he conceived, plainly appear that such could not be the intention.

The whole section seemed to him to be about taxes. It plainly commenced and ended with it, and nothing could be more strained than to suppose the intermediate words "to pay the debts and provide for the common defense and general welfare" were to be taken as independent and distinct powers. But suppose the Constitution to be silent, why should we be confined in the application of money to the enumerated powers? There is nothing in the reason of the thing that he could perceive why it should be so restricted; and the habitual and uniform practice of the Government coincided with his opinion. Our laws are full of instances of money appropriated without any reference to the enumerated powers. Let it not be urged that the construction for which he contended gave a dangerous extent to the powers of Congress.

In this point of view, he conceived it to be more safe than the opposite. By giving a reasonable extent to the money power it exempted us from the necessity of giving a strained and forced construction to the other enumerated power. For instance, if the public money could be applied to the purchase of Louisiana, as he contended, then there was no constitutional difficulty in that purchase, but if it could not, then we were compelled either to deny that we had the power to purchase, or to strain some of the enumerated powers to prove our right.

The next authority in support of the constitutional power of Congress to make the appropriation in the Blair bill, still more potential, if any can be, than the unanswerable argument of Mr. Calhoun, is the carefully considered and exhaustive message of James Monroe communicated to Congress on the 4th of May, 1822, and found in the Annals of the Seventeenth Congress, first session, page 1810.

After quoting the power of Congress "to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare," the message proceeds:

That the second part of this grant gives a right to appropriate the public money, and nothing more, is evident from the following considerations:

1. If the right of appropriation is not given by this clause it is not given at all, there being no other grant in the Constitution which gives it directly, or which has any bearing on the subject, even by implication, except the two following: First, the prohibition which is contained in the eleventh of the enumerated powers not to appropriate money for the support of armies for a longer term than two years; and, second, the declaration of the sixth member or clause of

the ninth section of the first article, that no money shall be drawn from the Treasury but in consequence of appropriations made by law.

2. This part of the grant has none of the characteristics of a distinct and original power. It is manifestly incidental to the great objects of the first part of the grant, which authorizes Congress to lay and collect taxes, duties, imposts, and excises—a power of vast extent, not granted by the Confederation—the grant of which formed one of the principal inducements to the adoption of this Constitution. If both parts of the grant are taken together (as they must be, for the one follows immediately after the other in the same sentence), it seems to be impossible to give to the latter any other construction than that contended for. Congress shall have power to lay and collect taxes, duties, imposts, and excises. For what purpose? To pay the debts and provide for the common defense and general welfare of the United States—an arrangement and phraseology which clearly show that the latter part of the clause was intended to enumerate the purposes to which the money thus raised might be appropriated.

3. If this is not the real object and fair construction of the second part of this grant, it follows either that it has no import or operation whatever on one of much greater extent than the first part. This presumption is evidently groundless in both instances—in the first, because no part of the Constitution can be considered useless, no sentence or clause in it without a meaning. In the second, because such a construction as made the second part of the clause an original grant, embracing the same object with the first, but with much greater power than it, would be in the highest degree absurd. The order generally observed in grants—an order founded in common sense, since it promotes a clear understanding of their import—is to grant the power intended to be conveyed in the most full and explicit manner, and then to explain or qualify it, if explanation or qualification should be necessary. This order has, it is believed, been invariably observed in all the grants contained in the Constitution. In the second, because, if the clause in question is not construed merely as an authority to appropriate the public money, it must be obvious that it conveys a power of indefinite and unlimited extent; that there would have been no use for the special powers to raise and support armies and a navy, to regulate commerce, to call forth the militia, or even to lay and collect taxes, duties, imposts, and excises. An unqualified power to pay the debts and provide for the common defense and general welfare, as the second part of this clause would be, if considered as a distinct and separate grant, would extend to every object in which the public could be interested. A power to provide for the common defense would give to Congress the command of the whole force and of all the resources of the Union. But a right to provide for the general welfare would go much further. It would, in effect, break down all the barriers between the States and the General Government and consolidate the whole under the latter.

The powers specifically granted to Congress are what are called the enumerated powers, and are numbered in the order in which they stand, among which that contained in the first clause holds the first place in point of importance. If the power created by the latter part of the clause is considered an original grant, unconnected with and independent of the first, as in that case it must be, then the first part is entirely done away, as are all the other grants in the Constitution, being completely absorbed in the transcendent power granted in the latter part. But if the clause be construed in the sense contended for, then every part has an important meaning and effect; not a line, a word, in it is superfluous. A power to lay and collect taxes, duties, imposts, and excises subjects to the call of Congress every branch of the public revenue, internal and external; and the addition to pay the debts and provide for the common defense and general welfare gives the right of applying the money raised—that is, of appropriating it to the purposes specified—according to a proper construction of the terms. Hence, it follows that it is the first part of the clause only which gives a power which affects in any manner the power remaining to the States; as the power to raise money from the people, whether it be by taxes, duties, imposts, or excises, though concurrent in the States as to taxes and excises, must necessarily do.

But the use or application of the money, after it is raised, is a power altogether of a different character. It imposes no burden on the people, nor can it act on them in a sense to take power from the States, or in any sense in which power can be controverted or become a question between the two governments. The application of money raised under a lawful power is a right or grant which may be abused. It may be applied partially among the States, or to improper purposes in our foreign and domestic concerns; but still it is a power not felt in the sense of other power, since the only complaint which any State can make of such partiality and abuse is that some other State or States have obtained greater benefit from the application than by a just rule of apportionment they were entitled to. The right of appropriation is, therefore, from its nature, secondary and incidental to the right of raising money, and it was proper to place it in the same grant and same clause with that right. By finding them, then, in that order, we see a new proof of the sense in which the grant was made, corresponding with the view herein taken of it.

The last part of this grant, which provides that all duties, imposts, and excises shall be uniform throughout the United States, furnishes another strong proof that it was not intended that the second part should constitute a distinct grant, in the sense above stated, or convey any other right than that of appropriation. This provision operates exclusively on the power granted in the first part of the clause. It recites three branches of that power—duties, imposts, and excises—those only on which it could operate; the rule by which the fourth, that is, taxes, should be laid, being already provided for in another part of the Constitution. The object of this provision is to secure a just equality among the States in the exercise of that power by Congress. By placing it after both the grants, that is, after that to raise and that to appropriate the public money, and making it apply to the first only, it shows that it was not intended that the power granted in the second should be paramount to and destroy that granted in the first. It shows also that no such formidable power as that suggested had been granted in the second, or any power against the abuse of which it was thought necessary specially to provide. Surely, if it was deemed proper to guard a specific power of limited extent and well-known import against injustice and abuse, it would have been much more so to have guarded against the abuse of a power of such vast extent and so indefinite as would have been granted by the second part of the clause, if considered as a distinct and original grant.

With this construction all the other enumerated grants, and indeed all the grants of power contained in the Constitution, have their full operation and effect. They all stand well together, fulfilling the great purposes intended by them. Under it we behold a great scheme, consistent in all its parts, a Government instituted for national purposes, vested with adequate powers for those purposes, commencing with the most important of all, that of the revenue, and proceeding in regular order to the others with which it was deemed proper to endow it, all, too, drawn with the utmost circumspection and care. How much more consistent is this construction with the great objects of the institution and with the high character of the enlightened and patriotic citizens who framed it, as well as of those who ratified it, than one which subverts every sound principle and rule of construction and throws everything into confusion.

I have dwelt thus long on this part of the subject from an earnest desire to fix in a clear and satisfactory manner the import of the second part of this grant, well knowing, from the generality of the terms used, their tendency to lead into error. I indulge a strong hope that the view herein presented will not be without effect, but will tend to satisfy the unprejudiced and impartial that nothing more was granted by that part than a power to appropriate the public money raised under the other part. To what extent that power may be carried will be the next object of inquiry.

It is contended, on the one side, that, as the National Government is a Government of limited powers, it has no right to expend money, except in the performance of acts authorized by other specific grants, according to a strict construction of their powers; that this grant in neither of its branches gives to Congress discretionary power of any kind, but is a mere instrument in its hands to carry into effect the powers contained in the other grants. To this construction I was inclined in the more early stage of our Government; but on further reflection and observation my mind has undergone a change, for reasons which I will frankly unfold.

The grant consists, as heretofore observed, of a twofold power; the first to raise, the second to appropriate the public money, and the terms used in both instances are general and unqualified. Each branch was obviously drawn with a view to the other, and the import of each tends to illustrate that of the other. The grant to raise money gives a power over every subject from which revenue may be drawn, and is made in the same manner with the grants to declare war, to raise and support armies and a navy, to regulate commerce, to establish post-offices and post-roads, and with all the other specific grants to the General Government. In the discharge of the powers contained in any of these grants there is no other check than that which is to be found in the great principles of our system, the responsibility of the representative to his constituents. If the war, for example, is necessary and Congress declare it for good cause, their constituents will support them in it. A like support will be given them for the faithful discharge of their duties under any and every other power vested in the United States. It affords to the friends of our free governments the most heartfelt consolation to know, and from the best evidence, our own experience, that in great emergencies the boldest measures, such as form the strongest appeals to the virtue and patriotism of the people, are sure to obtain the most decided approbation.

But should the representative act corruptly and betray his trust, or otherwise prove that he was unworthy of the confidence of his constituents, he would be equally sure to lose it and to be removed and otherwise censured, according to his deserts. The power to raise money by taxes, duties, imposts, and excises is alike unqualified, nor do I see any check on the exercise of it other than that which applies to the other powers above recited, the responsibility of the representative to his constituents. Congress knows the extent of the public engagements and the sums necessary to meet them; they know how much may be derived from each branch of revenue without pressing it too far; and paying due regard to the interests of the people, they likewise know which branch ought to be resorted to in the first instance. From the commencement of the Government two branches of this power, duties and imposts, have been in constant operation, the revenue from which has supported the Government in its various branches and met its other ordinary engagements. In great emergencies the other two, taxes and excises, have likewise been resorted to, and neither was the right or the policy ever called in question.

If we look to the second branch of this power, that which authorizes the appropriation of the money thus raised, we find that it is not less general and unqualified than the power to raise it. More comprehensive terms than to "pay the debts and provide for the common defense and general welfare" could not have been used. So intimately connected with and dependent on each other are these two branches of power that had either been limited the limitation would have had the like effect on the other. Had the power to raise money been conditional or restricted to special purposes, the appropriation must have corresponded with it, for none but the money raised could be appropriated, nor could it be appropriated to other purposes than those which were permitted.

On the other hand, if the right of appropriation had been restricted to certain purposes it would be useless and improper to raise more than would be adequate to those purposes. It may fairly be inferred these restraints or checks have been carefully and intentionally avoided. The power in each branch is alike broad and unqualified, and each is drawn with peculiar fitness to the other, the latter requiring terms of great extent and force to accommodate the former, which have been adopted, and both placed in the same clause and sentence. Can it be presumed that all these circumstances were so nicely adjusted by mere accident? Is it not more just to conclude that they were the result of due deliberation and design? Had it been intended that Congress should be restricted in the appropriation of the public money to such expenditures as were authorized by a rigid construction of the other specific grants, how easy would it have been to have provided for it by a declaration to that effect. The omission of such declaration is, therefore, an additional proof that it was not intended that the grant should be so construed.

It was evidently impossible to have subjected this grant in either branch to such restriction without exposing the Government to very serious embarrassment. How carry it into effect? If the grant had been made in any degree dependent upon the States, the Government would have experienced the fate of the Confederation. Like it, it would have withered and soon perished. Had the Supreme Court been authorized, or should any other tribunal distinct from the Government be authorized to impose its veto, and to say that more money had been raised under either branch of this power, that is, by taxes, duties, imposts, or excises, than was necessary; that such a tax or duty was useless; that the appropriation to this or that purpose was unconstitutional, the movement might have been suspended and the whole system disorganized. It was impossible to have created a power within the Government, or any other power distinct from Congress and the Executive, which should control the movement of the Government in this respect and not destroy it. Had it been declared by a clause in the Constitution that the expenditures under this grant should be restricted to the construction which might be given of the other grants, such restraint, though the most innocent, could not have failed to have had an injurious effect on the vital principles of the Government and often on its most important measures.

Those who might wish to defeat a measure proposed might construe the power relied on in support of it in a narrow and contracted manner, and in that way fix a precedent inconsistent with the true import of the grant. At other times those who favored a measure might give to the power relied on a forced or strained construction, and, succeeding in the object, fix a precedent in the opposite extreme. Thus it is manifest that if the right of appropriation be confined to that limit measures may oftentimes be carried or defeated by considerations and motives altogether independent of and unconnected with their merits, and the several powers of Congress receive constructions equally inconsistent with their true import. No such declaration, however, has been made, and from the fair import of the grant, and, indeed, its positive terms, the inference that such was intended seems to be precluded.

Many considerations of great weight operate in favor of this construction, while I do not perceive any serious objections to it. If it be established it follows that the words "to provide for the common defense and general welfare" have a definite, safe, and useful meaning. The idea of their forming an original grant with unlimited power superseding every other grant is abandoned. They will be considered simply as conveying a right of appropriation, a right indispensable to that of raising a revenue, and necessary to expenditures under every grant. By it, as already observed, no new power will be taken from the States, the money to be appropriated being raised under a power already granted to Congress. By it, too, the motive for giving a forced or strained construction to any of the other specific grants will in most instances be diminished, and in many utterly destroyed. The importance of this consideration can not be too highly estimated, since, in addition to the examples already given, it ought particularly to be recollected that, to whatever extent any specified power may be carried, the right of jurisdiction goes with it, pursuing it through all its incidents.

The very important agency which this grant has in carrying into effect every other grant is a wrong argument in favor of the construction contended for. All the other grants are limited by the nature of the offices which they have severally to perform, each conveying a power to do a certain thing, and that only, whereas this is coextensive with the great scheme of the Government itself. It is the lever which raises and puts the whole machinery in motion and continues the movement. Should either of the other grants fail in consequence of any condition or limitation attached to it or misconstruction of its powers, much injury might follow, but still it would be the failure of one branch of power, of one item in the system only. All the others might move on. But should the right to raise and appropriate the public money be improperly restricted the whole system might be sensibly affected, if not disorganized. Each of the other grants is limited by the nature of the grant itself. This by the nature of the Government only. Hence it became necessary that, like the power to declare war, this power should be commensurate with the great scheme of the Government and with all its purposes.

If then the right to raise and appropriate the public money is not restricted to the expenditures under the other specific grants, according to a strict construction of their powers, respectively, is there no limitation to it? Have Congress a right to raise and appropriate the money to any and to every purpose, according to their will and pleasure? They certainly have not. The Government of the United States is a limited Government, instituted for great national purposes, and for those only. Other interests are committed to the States, whose duty it is to provide for them. Each Government should look to the great and essential purposes for which it was instituted, and confine itself to those purposes. A State government will rarely, if ever, apply money to national purposes without making it a charge to the nation. The people of the State would not permit it.

Nor will Congress be apt to apply money in aid of the State administrations for purposes strictly local, in which the nation at large has no interest, although the State should desire it. The people of the other States would condemn it. They would declare that Congress had no right to tax them for such a purpose, and dismiss at the next election such of their representatives as had voted for the measure, especially if it should be severely felt. I do not think that in offices of this kind there is much danger of the two Governments mistaking their interests or their duties. I rather expect that they would soon have a clear and distinct understanding of them, and move on in great harmony.

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It is proper to observe that the money which was employed in the construction of all the other roads was taken directly from the Treasury. This fact affords an additional proof that, in the contemplation of Congress, no difference existed in the application of money to those roads between that which was raised by the sale of lands and that which was derived from taxes, duties, imposts, and excises.

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Wherein consists the danger of giving a liberal construction to the right of Congress to raise and appropiate the public money? It has been shown that its obvious effect is to secure the rights of the States from encroachment and greater harmony in the political movement between the two governments, while it enlarges to a certain extent, in the most harmless way, the useful agency of the General Government for all the purposes of its institution. Is not the responsibility of the representative to his constituent, in every branch of the General Government, equally strong and as sensibly felt as in the State governments, and is not the security against abuse as effectual in the one as in the other government? The history of the General Government, in all its measures, fully demonstrates that Congress will never venture to impose unnecessary burdens on the people, or any that can be avoided.

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The substance of what has been urged on this subject may be expressed in a few words. My idea is that Congress have an unlimited power to raise money, and that, in its appropriation, they have a discretionary power, restricted only by the duty to appropriate it to purposes of common defense, and of general, not local, national, not State, benefit.

The message continuing, furnishes several instances and illustrations of the power of Congress to appropriate the Federal revenue to be expended in the States under State jurisdiction and applied to objects general and not local in their nature, in which the Federal Government had an interest and from which it derived a general benefit, a benefit that promoted the "general welfare" without the Federal Government having or exercising jurisdiction over such objects—the objects to which the appropriations were made being under the exclusive jurisdiction of the States.

I will here venture the statement that the power of Congress to appropriate public money has been less abused than any other general power, and is more under the restraint of the responsibility of the representative to his constituent. The power of appropriation has not been abused half as much as the power of Congress to dispose of the public lands.

The able Senators who are committed to the power of Congress to make appropriations of the public revenue arising from the sales of the public lands to the support of common schools in the States are forced to admit that no harm has resulted from the exercise of such power by Congress; no destruction of State rights; no centralization of all power in the General Government; no impairment of parental obligation to provide for the education of their children; no partisan or sectional text-books and histories; no mixed schools; no Federal usurpation of the jurisdiction of the States over their common schools. On the contrary, the most valuable and lasting benefits have accrued from such Federal aid to education. But when the same Federal Government offers aid to the same common schools from public revenue derived from taxation it is urged that there is a total transformation.

The Federal Government at once becomes an object of suspicion and distrust as having an organized purpose to destroy the States and take control of their common schools under the guise of friendly aid, which is in fact charged as being nothing but bribery and ruinous usurpation. In the case of the aid from land-money for the same purpose and on the same terms and conditions all is lovely and serene, and over a half century of such aid works out the most gratifying results, but when the aid is offered from tax-money by the same Government to the same States on the same terms and conditions and for the same purpose the cry of "Fire" is heard, the fire-bells are rung; the incendiary is abroad; the call is, "Wake up, my dear constituents; the enemy of your rights and liberties is at your door; he comes as a friend with valuable gifts to your State for the education of your children, but he is a briber, a usurper. I implore you as your faithful and watchful representative to spurn his offer and drive him from your door as a public criminal."

Well, the plain, common-sense people will inquire how it is that their land-money has done good and caused no harm in half a century, and their tax-money is to produce such widespread ruin and destruction. The only answer they get from their faithful sentinels on the watch-tower is that it is constitutional to appropriate your land-money to support your common schools, but it is unconstitutional to appropriate your tax-money to the same uses and purposes. The deadly virus in the Blair bill, they say, is its unconstitutionality, growing solely out of the source from which the public revenue comes that is appropriated. Then the single question is, what is the difference between the power of Congress to appropriate land-money and the power of Congress to appropriate tax-money to support common schools?

In 1822 President Monroe, in the message from which I have read, used the following language on this question:

I presume that no distinction can be taken between the appropriation of money raised by the sale of public lands and of that which arises from taxes, duties, imposts, and excises.

In 1854, President Pierce, in his veto message on the "bill donating public lands to the several States for the benefit of insane persons," used the following language:

I have been unable to discover any distinction, on constitutional grounds or grounds of expediency, between an appropriation of $10,000,000 directly from the money in the Treasury for the object contemplated, and the appropriation of lands presented for my sanction. * * * I respectfully submit that in a constitutional point of view it is wholly immaterial whether the appropriation be in money or in land. * * * The public domain is the common property of the Union, just as much as the surplus proceeds of that, and of duties on imports remaining unexpended in the Treasury.

In the debate on the message of President Pierce the then Senator from Georgia used the following language:

Mr. TOOMBS. This is a very important document and should be generally diffused among the people. There seem to be two leading ideas in the message. The first is, that the public lands and their proceeds are subject to the same constitutional restraints in their appropriation by Congress as is any other fund or money in the Treasury of the United States. That I believe to be a sound principle.

How did President Pierce characterize the appropriation of the public lands to the benefit of insane persons in the several States? Listen, and hear how well it agrees with the speeches against the appropriation of money in the Blair bill:

The framers of the Constitution, in refusing to confer on the Federal Government any jurisdiction over these purely local objects, in my judgment, manifested a wise forecast and broad comprehension of the true interests of these objects themselves. It is clear that public charities within the States can be efficiently administered only by their authority. The bill before me concedes this, for it does not commit the funds it provides to the administration of any other authority. * * *

I can not but repeat what I have before expressed, that if the several States, many of which have already laid the foundation of munificent establishments of local beneficence, and nearly all of which are proceeding to establish them, shall be led to suppose, as they will be, should this bill become a law, that Congress is to make provision for such objects, the fountains of charity will be dried up at home, and the several States, instead of bestowing their own means on the social wants of their own people, may themselves, through the strong temptation, which appeals to States as to individuals, become humble suppliants for the bounty of the Federal Government, reversing their true relation to this Union.

In 1859 the bill appropriating public lands to the endowment and establishment of agricultural and mechanical colleges in the several States passed both Houses of Congress, and I believe was vetoed by President Buchanan. In the debate on that bill the then Senator from Ohio, George E. Pugh, used the following language:

Does it follow because agriculture is laudable that therefore the power to regulate or advance its interests is vested in us? Why, sir, the people of the United States have wisely reserved to their State governments this with many other of their most important interests, and it is just as much a violation of our duty to invade the province of the State governments under the head of donations as it would be to invade it by force and violence. If you proceed to a detailed examination of this bill, you will see that its object is entirely to displace the control of the State governments over the most important of all the pursuits of our citizens; for in making this princely grant to the States it is to be made upon condition that the Legislatures of the States will agree to such and such stipulations in the nature of a treaty between them and the Federal Government as forever to supersede them and install us. I say, whether such an invasion of the rights of the States be made under a pretense of granting public land or of granting money, it is just as atrocious a violation of the organic law as if it were the act of an armed usurper.

The then Senator from Virginia (Mr. Mason) used the following language in the same debate to establish agricultural and mechanical colleges in the several States:

Mr. MASON. Sir, to my conception it is one of the most extraordinary engines of mischief, under the guise of gratuities and donations, that I could conceive would originate in the Senate. It is using the public lands as a means of controlling the policy of the State Legislatures. It is misusing the property of the country in such mode as to bring the appropriate functions of the State entirely, within the scope of the bill, under the discretion of Congress by a controlling power; and it is doing it in the worst and most insidious form—by bribery, direct bribery, and bribery of the worst kind; for it is an unconstitutional robbing of the Treasury for the purpose of bribing the States. That is exactly what is to be found in the substance of this bill, as I look upon the Constitution. I am not going to argue here—it has been my unhappy province more than once to object to appropriations of the public lands as unconstitutional, not with any hope that any effort of mine could influence the judgment of the Senate, but to enlighten that honored constituency whose property is thus depredated upon.

Why, sir, what distinction can honorable Senators make between the public lands, the common property of the country, and the public money, the common property of the country, in the Treasury of the United States? What earthly difference? The one is property, and the other is the representative of property; and the property itself is acquired by the use of the public money.

I have had occasion to say here, and up to this time to act upon it, and so far as I can yet foresee events, am prepared to continue to act upon it, that I will agree to the purchase of no more land; amongst other reasons, because of the corrupting uses to which it is put by the Federal legislation. Suppose this bill was to appropriate eight or ten million dollars from the Treasury, for the purpose of building up agricultural colleges in the States, would honorable Senators who patronize this bill vote for the direct appropriation, and if they would not, why not? If they have the power to do it, and they believe it is expedient to do it, why would they not just as well take the money from the Treasury to build up agricultural colleges as take the public lands? If it be constitutional to do it, there is not only the right, but the duty to do it, as much by the money of the country as by the lands of the country.

In the same debate the then Senator from Alabama (Mr. Clay) spoke as follows:

This is a magnificent bribe tendered to Alabama for the surrender to Federal power of her original and reserved right to manage her own internal and domestic affairs in her own way. Its acceptance is encouraged not only by the hope of great gain, but by the fear of a greater loss, for if this bill become a law and she refuse the donation and other States accept it she must endure a double loss in the land she did not take and in taxation to pay for the land others do take. I hope Alabama will refuse to debase herself at the footstool of Federal power and spurn the bribe if tendered.

But we are told that this bill can only be carried into effect by the consent of the States. It does not mitigate the inequity of this bill in the slightest degree that it is to be done by the complicity of the State governments. You tempt them to their own self-abasement and self-destruction. You tender your patronage if they will become your clients. You promise your guardianship if they will become your wards. You offer them great estates if they will become your tenants at will. You promise them rich doweries in exchange for their liberties. If State pride, independence, and sovereignty do not revolt at this proposition, State honor should.

But this bill treats the States as agents instead of principals, as the creatures instead of the creators of the Federal Government; proposes to give them their own property and to direct them how to use it, and menaces them with its forfeiture and the reclamation of it by us if they do not faithfully comply with our instructions and obey our orders. It thus transposes the relations of the State and Federal Government.

The framers of the Constitution were not guilty of the folly or the baseness of enabling Congress to appropriate the public lands any more than the public money at discretion and at the same time of defining its powers and duties. They did not empower it to apply the public lands or money to any other than the great objects for which the Government was formed. Congress has no greater power over the public lands than over other property of the United States. If Congress can give land it may give money or any property of the United States. And why not give money as well as land? The land was bought with money and will sell for money. If we give either we impair the revenue of the Government and increase its demands upon the people in the way of taxation. There is no difference in principle or effect between giving money and giving land.

All the speeches from which I have quoted, made by able Democratic Senators against the bill for the establishment and endowment of agricultural and mechanical colleges in the several States, by appropriating the public lands, read very much like the speeches we have heard against the Blair bill. The agricultural and mechanical college bill became a law twenty-five years since. The aid was accepted by the States upon the terms and conditions prescribed in the law; and in each State agricultural and mechanical colleges have been established, and the splendid results of that wise legislation are a matter of public history and public pride. In my own State the Agricultural and Mechanical College is under able and wise and efficient government, and there is no apprehension and never was of Federal usurpation as the outgrowth of that munificent benefaction of the General Government. On the contrary, that college is firmly rooted in the affection and confidence and pride of Alabama, as an institution whose worth and usefulness can not be overestimated.

But the enemies of the Blair bill hope to avoid the fate of those who made such signal mistakes as to the operation and consequences of the agricultural and mechanical appropriation by being classed as false prophets by clinging to the last hope they have that Congress has no such power to appropriate money to be raised by taxation, as has been admitted it possesses to appropriate the public lands and their proceeds. They claim that the controversy as to the power of Congress to make such disposition of the public lands and their proceeds has been ended by long acquiescence and judicial determination. Grant it; but it must not be forgotten that the Senators who supported the agricultural and mechanical college bill were just as confident then that Congress had such power as the enemies of the Blair bill are now, after it has been settled.

The friends of the agricultural and mechanical college bill were arraigned on the charge of being latitudinarian constructionists of the Constitution, and as favoring a scheme to usurp the rights of the States and centralize all power in a National Government under the guise of a bribe to the States to accept Federal control in the place of State control of common schools and the education of the people. But time and trial and experience have wiped out all the alarming prophecies of those Senators who claimed to be the only accredited apostles of Jeffersonian Democracy, and the agricultural and mechanical colleges stand to-day as indestructible monuments to the wisdom of Federal aid to education. In my judgment, the power of Congress is just as well founded in the Constitution to make the appropriation as provided in the Blair bill as the point is now well settled that Congress had the power to make the disposition of the public lands and their proceeds as provided in the bill to establish agricultural and mechanical colleges. In the case of the agricultural and mechanical college bill the power of Congress to pass it rested on the authority of Congress to "dispose" of the lands.

In the case of the Blair bill the authority of Congress to pass it rests on the power of Congress to "appropriate" money in the Treasury raised from any sources. The enemies of the Blair bill deny that the power of Congress to appropriate money collected from taxation extends beyond the subjects and the objects defined and embraced in the express and implied grants of power to Congress. In other words, they insist that the power to tax and the power to appropriate coexist and are coextensive, and both are confined and restrained to the single purpose of enabling Congress to exercise and execute the powers contained in the express and implied grants in the Constitution; and this being true, they say it follows, necessarily, that Congress has no power to appropriate the money in the Treasury from taxation to any subject or any object over which Congress has no jurisdiction or any power to legislate. I do not apprehend that the enemies of the Blair bill can complain that I do not understand their position or that I have stated it unfairly. If they are right in their construction of the power of "appropriation" I would join them in opposition to the Blair bill.

But I differ with them, and agree with Mr. Calhoun and President Monroe that the power of "appropriation" for good reasons and wise considerations of public interest is not confined and limited to the execution of the afterwards-enumerated powers of Congress; but has a wider range in the "discretion" of Congress. It must not be understood, however, that this discretionary power of Congress to appropriate public money is itself absolute or unlimited, but, on the contrary, such power can only be exercised for purposes and objects that come honestly and fairly within the meaning of the descriptive words in the Constitution—

To pay the debts and provide for the common defense and general welfare of the United States.

I agree with Jefferson, Madison, Monroe, Calhoun, Story, and Kent, that these descriptive words in the Constitution delegate no distinct, substantive power to Congress, but merely define, and were used only to define, the "objects" to which the money raised by taxation may be appropriated. The power of selecting these objects must necessarily reside somewhere, and can be trusted nowhere with any more safety than to the discretion of Congress. The "discretion" of Congress is trusted by the framers of the Constitution in many of its provisions. It is trusted with the power to declare war, to levy taxes, to borrow money, to regulate commerce, to coin money and regulate its value, to exercise exclusive legislation over the District of Columbia and the Territories, and "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States or in any department or officer thereof."

The sole question, then, to answer is, whether the common-school education under the exclusive and absolute jurisdiction, control, and regulation of the State governments, as expressly conceded in the Blair bill, is a public object possessing, in its aggregated and associated effects and influences throughout the United States, such national importance as to bring these common schools fairly within the meaning of the descriptive words of the Constitution, as objects deserving Federal aid "in order" "to promote the general welfare." These common schools have been public objects of national importance and national solicitude from the foundation of the Government. Several hundred millions in money and public property have been contributed to their existence and support by the Federal Government under State management. This national aid has been so continuing and so common that it has become an established practice of the General Government to treat common schools as objects of so much national importance that the States ought not to be allowed to carry the burden of supporting them alone by taxation of their own citizens.

No man living can deny that common schools under the exclusive jurisdiction of the States have been and are recognized as public objects deserving national aid and support. But it is urged by the self-constituted apostles of Jeffersonian Democracy that this general-welfare source of power leaves Congress, without any bridle or harness, to run rough-shod all over the face of the earth with the money of the people. Who is to carry on all this work of destruction under the general-welfare clause? The Congress of the United States, a House of Representatives elected every two years from three hundred and twenty-five districts, and seventy-six Senators elected every six years by the several State Legislatures. This Federal Government, made by the States, and its Congress, made by the States, and the people are to conspire against their own constituents in open day under the eye of the people and under the supervision of the newspaper press to usurp the power of the States, centralize the Government, and destroy the liberties of their own people!

All this is to be done in one term of the representative, as the people and the State Legislatures will certainly be incapable of self-government if they re-elect such a Congress to consummate such dire calamities.

Mr. President, I do not believe it. The people can not be made to give serious consideration to such wild speculations.

A few words in conclusion in answer to some objections that have been urged to the machinery of the Blair bill.

The Morrill bill, it will be remembered, expressly required that its terms and conditions should be accepted by an act of the Legislature of each State before receiving its share, and the bill also expressly provided that no State should be paid any part of the appropriation until it raised enough from its own revenue to keep open the common schools at least four months in each year; which would then have compelled Alabama to about double its school-tax before a dollar would have been paid to her under the provisions of the Morrill bill; and with the Teller amendment all the proceeds of the public lands, which have since amounted to over ten millions per annum, would have been subjected to many of the same conditions contained in the Blair bill, now pronounced by the supporters of the Morrill bill and the Teller amendment to be too humiliating and degrading and dangerous to the States.

Under the Blair bill Alabama would receive over a half million dollars each of the eight years without increasing its school-tax one cent, and if she wishes more of the Federal aid all she has to do is to add to her own school fund whatever she pleases and receive an additional amount from the appropriation in the Blair bill. Every State in the Union is put on precisely the same footing, and each receives, on the basis of its illiteracy, an amount equal to its own school fund.

I make the following quotation from the speech of the Senator from New York [Mr. EVARTS]:

I now come to the principal feature of this bill. In the first place, the bill adheres to the proposition that we are not to undertake the regulation of the instruction of the schools and their management inside the States. We are offering an endowment in aid of the resources and of the activities and of the desires of the different States. We are not undertaking to coerce in the least degree the acceptance or permission on the part of the States to meet and accept this proposition or to reject it. Then we are careful, after this endowment is pressed upon them and is accepted by them, to effect no other coercion, or persuasion, which is a better phrase for it, to use and employ these agencies and these resources which shall in the least enervate their domestic interests or break down the zeal and the virtue of their own endowments in the same direction.

Beyond that, although they protect their funds, their principal being supplemented or reduced by our added aggregate wealth, we also do not compel in the least that taxation for a dollar shall be pressed there beyond their present purposes and their present laws. We hold before them no compulsion that they shall raise from their own resources, by taxation or otherwise, an equal amount to that which we offer them.

We guard, then, on the one side and on the other against any encroachment upon the freedom and the ease of the States in meeting this endowment, first, by saving them from any fear that our endowment may check, or nip, or divert the growing zeal, and growing duty, and growing performance of duty among their own people by their own taxation. We say to them, "You are to receive from us under this distribution no more than you raise yourselves."

On the other hand, as I say, neither by undue excitement nor by any menace of withdrawing aid do we urge the taxation beyond the easy and proper assessments that may be laid. We say to the States, "Whatever you raise, and only that amount, you shall receive; and if you raise up to the amount that we offer, then you have a doubled fortune." So, if the Senator from Alabama [Mr. MORGAN] will allow me, all this apprehension of the pressure on the people of Alabama, whom he so ably represents and defends in their institutions, in their policy, in their customs, in their tendencies, it seems to me, swings entirely free of the measure of this bill.

It is urged that, in the words in the Blair bill, "the instruction shall include the art of reading, writing, and speaking the English language, arithmetic, geography, history of the United States, and such other branches of useful knowledge as may be taught under local laws" fatal concessions are made.

During the debate on the Blair bill my colleague [Mr. MORGAN] asked the Senator from Indiana, Mr. Harrison, this question:

Mr. MORGAN. I should like to ask the Senator from Indiana to define for us what a common school is? The schools in Alabama are called public schools, and they are graded; graded in four degrees. The higher schools in Alabama of the public system teach a very extensive academic course. I do not know whether they are public schools or whether they are academies.

Mr. HARRISON. I would say to the Senator that this term is one of universal use, at least so far as my observation goes, and applies to such schools of the lower grade, not including universities and colleges, as are maintained by the State out of its revenues for the free use of its children—a common-school system.

Mr. LAMAR. The specification of the studies, the mere prescription that geography, reading, writing and arithmetic shall be taught in those schools, I do not think can be called a condition or dictation; they are words of description. It is simply saying that common-school education shall be taught, and it is another mode of expressing the very object of the bill as it has been reported. If, instead of the words "reading," "writing," "arithmetic," "geography," the words, "the usual common-school education" had been substituted, it seems to me the same object would have been accomplished.

It thus appears that the words which have been the subject of so much criticism were innocently inserted to define the character of a common school, which would have been left in some uncertainty but for the descriptive words which embrace subjects taught in every common school in the United States. No power is conferred on the Secretary of the Intetior to direct what books shall be used in the common schools.

In the next objection we find some of the spirit that characterizes the war on the Blair bill. The proviso denying to the Secretary of the Interior the power of withholding the share of any State because it has separate schools for white and black children is seized upon as an invitation and encouragement to have mixed schools, when the truth is that the proviso was inserted to meet the objection of the Senator from Missouri [Mr. VEST] that if the authority was not denied the Secretary of the Interior might refuse to pay over the share of any State that had separate schools.

But the provision in the bill that has aroused its enemies to the point of despair should it become a law is that which confers authority upon the Secretary of the Interior "to hear and examine any complaints of misappropriation or unjust discrimination in the use of the funds herein provided, and shall report to Congress the result thereof." Did it never occur to Senators that if no such provision were in the bill the Secretary would have the same power derived from other parts of the bill to hear such complaints and report them to Congress? In the power conferred to withhold the share of any State (which is always given disbursing officers in all appropriation bills) that misappropriated or misapplied or was guilty of unjust discrimination in the use of the fund the Secretary would have authority to hear complaints and to report them to Congress. If there is no ground for such complaints they will never be made, and if there is ground they will be made, and ought to be made and heard. I have no idea any ground will ever exist for such complaints or that the provision will ever give rise to any trouble.

Mr. President, some Senators who oppose this bill thank God that they are unlike those weaker brothers who are not strong enough to resist the temptation of an "appropriation" to their States. I must confess that my human nature is not of that kind that is so ethereal as to be always out of the reach of temptation and above suspicion. My imperfections are so great that I find myself compelled to yield to the temptation of voting appropriations, when I believe I have the power, in which my State and people are to have some share and be benefited thereby. The Senators from Delaware, Maryland, Missouri, and Texas who oppose the Blair bill represent States rich in school funds and school facilities and are independent of Federal aid. The Blair bill has no temptations for them from which they ask to be delivered.

To show its necessity in my State I offer the following report of the superintendent of education just published, which I ask leave to incorporate in my remarks, and I will trouble the Senate no longer.

The report referred to is as follows:

REPORT OF SUPERINTENDENT PALMER TO THE GOVERNOR.

The following is taken from State Superintendent of Education Palmer's annual report to the governor:

DEPARTMENT OF EDUCATION,
*Montgomery, Ala., December 15, 1887.*

SIR: In compliance with law, I have the honor of submitting the thirty-third annual report of this department, containing a full account of the condition of the public schools of the State for the year ending September 30, 1887, and such other information as the law makes it my duty to report to the governor. By an examination of the tables and the reports herein contained, you will see that our public schools are as prosperous as the meager school fund of the State would lead you to expect. The pressing want of our school system is more money, that the public schools may continue a longer period each year, and that our teachers may be paid better salaries. Notwithstanding the fact that the system is sorely crippled in its operations for the want of adequate funds to meet the constantly growing demands upon it, there is no doubt of its increasing popularity and usefulness. The advantages to be derived from a good school system are more keenly felt by the great body of the people of the State to-day than ever before in its history.

Fund for 1886-'87 was as follows:

| | |
|---|---|
| Unapportioned balance from 1885-'86 | $3,421.28 |
| Interest on sixteenth section fund 1886-'87, 6 per cent | 109,241.19 |
| Interest on valueless sixteenth section fund 1886-'87, 6 per cent | 5,825.47 |
| Interest on United States surplus revenue, 4 per cent | 26,765.47 |
| Annual appropriation for 1886-'87 | 230,000.00 |
| Amount from Baldwin County, act February 17, 1885 | 245.00 |
| Unexpended contingent fund, 1885-'86 | .55 |
| Total fund certified by auditor, October 1, 1886 | 375,496.96 |

Apportioned as follows:

| | | |
|---|---|---|
| To counties and cities | $336,867.32 | |
| To Florence Normal School | 7,500.00 | |
| To Jacksonville Normal School | 2,500.00 | |
| To Livingston Normal School | 2,500.00 | |
| To Marion Normal School | 6,000.00 | |
| To Huntsville Normal School | 4,000.00 | |
| To Tuskegee Normal School | 3,000.00 | |
| To educational contingent fund | 1,000.00 | |
| To special appropriation, Winston County | 800.00 | |
| | | 374,167.32 |
| Unapportioned balance | | 1,329.64 |
| Amount credited to Baldwin County | 245.00 | |
| Amount expended for institutes | 500.00 | |
| | | 745.00 |
| Balance | | 584.64 |

In addition to the above school fund, which was by law certified by the State auditor to this department, on the 1st day of October, 1886, and apportioned as shown above, there was collected and retained in the counties where collected:

| | |
|---|---|
| Poll-tax to the amount of | $136,895.75 |
| Rents from unsold school lands | 3,597.25 |
| Total fund not certified by auditor | 140,492.99 |
| Total fund certified by auditor as shown above | 375,496.96 |
| Total State fund for year | 515,989.95 |

By reference to the special reports from the cities and separate school districts herein contained, it will be seen there was raised in them by local taxation or otherwise, enough to swell this amount to the sum of $800,000.

The State fund was disbursed as follows:

| | |
|---|---|
| For pay of teachers of white schools | $291,884.40 |
| For pay of teachers of colored schools | 194,389.92 |
| For pay of salaries of county superintendents | 13,903.21 |
| For normal schools for white teachers | 12,500.00 |
| For normal schools for colored teachers | 13,000.00 |
| For special appropriation to Winston County | 800.00 |
| For educational contingent fund | 851.05 |
| Total State fund disbursed in counties | 527,319.88 |

In former reports the amount of State funds disbursed in cities and separate school districts was included in this last total, but in this it is not, because included in their special reports elsewhere.

To his Excellency THOMAS SEAY,
*Governor of Alabama.*

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the bill (S. 191) to make additional appropriation for the printing of the eulogies delivered in Congress on the late John A. Logan.

The message further announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 1338) to extend the leave of absence of employés in the Government Printing Office to thirty days per annum;

A bill (H. R. 2216) for the relief of Thomas A. Osborn; and

Joint resolution (H. Res. 23) authorizing the printing of 14,000 copies of the recent special report of the Chief of the Bureau of Statistics, Treasury Department, upon wool and the manufactures of wool.

The message also announced that the House had passed the following concurrent resolution; in which it requested the concurrence of the Senate:

*Resolved by the House of Representatives (the Senate concurring)*, That there be printed 10,000 copies of the addresses delivered in the House of Representatives on January 19, 1888, upon the presentation of the portraits of Speakers Sedgwick, Varnum, and Banks, for the use of the House.

EXECUTIVE SESSION.

Mr. VEST. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirty-eight minutes spent in executive session the doors were reopened, and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 2, 1888, at 12 o'clock m.

## NOMINATIONS.

*Executive nominations received by the Senate the 1st day of February*, 1888.

REGISTER OF LAND OFFICE.

Willis Holmes, of Natchitoches, La., to be register of the land office at Natchitoches, La., vice William E. Russell, deceased.

COLLECTOR OF CUSTOMS.

Alonzo L. Miles, of Maryland, to be collector of customs for the Eastern district, in the State of Maryland, to succeed Southey F. Miles, whose resignation has been accepted.

POSTMASTERS.

J. I. McConnell, to be postmaster at Woodland, in the county of Yolo and State of California, in the place of Frank A. Pedlar, whose commission expires February 4, 1888.

Theodore S. Bassett, to be postmaster at Birmingham, in the county of New Haven and State of Connecticut, in the place of William J. Clark, resigned.

Charles P. Bilderback, to be postmaster at Boisé City, in the county of Ada and Territory of Idaho, in the place of Thomas B. Gess, resigned.

James B. Lowrie, to be postmaster at Portland, in the county of Jay and State of Indiana, in the place of Bayard S. Gray, resigned.

Marion H. Ingrim, to be postmaster at Winamac, in the county of Pulaski and State of Indiana, in the place of John M. Baker, resigned.

Joseph S. Lake, to be postmaster at Marion, in the county of Linn and State of Iowa, in the place of Norman E. Ives, resigned.

Michael Griffin, to be postmaster at Frankfort, in the county of Marshall and State of Kansas, in the place of Benjamin McElroy, whose commission expires February 4, 1888.

William H. Macartney, to be postmaster at Oakland, in the county of Kennebec and State of Maine, in the place of George T. Benson, whose commission expires February 6, 1888.

George R. Smith, to be postmaster at Kennebunk, in the county of York and State of Maine, in the place of Alexander W. Mendum, whose commission expired January 10, 1888.

Joseph F. Woodrow, to be postmaster at Havre de Grace, in the county of Harford and State of Maryland, in the place of Thomas M. Sumption, whose commission expired January 24, 1888.

William Barton, to be postmaster at Dalton, in the county of Berkshire and State of Massachusetts, in the place of William B. Clark, whose commission expires February 6, 1888.

Emory J. Landers, to be postmaster at Imlay City, in the county of Lapeer and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President from and after January 1, 1888.

George F. Lewis, to be postmaster at Saginaw, in the county of Saginaw and State of Michigan, in the place of Henry J. Northrup, resigned.

Benjamin F. Osgood, to be postmaster at Mendon, in the county of St. Joseph and State of Michigan, in the place of George W. Osgood, resigned.

Dennis O'Brien, to be postmaster at Willmar, in the county of Kandiyohi and State of Minnesota, in the place of Nels M. Mossberg, resigned.

Daniel D. Woodward, to be postmaster at Mexico, in the county of Audrain and State of Missouri, in the place of John Saunders, whose commission expired January 15, 1888.

R. B. Henderson, to be postmaster at Henderson, in the county of Vance and State of North Carolina, in the place of Mrs. Rebecca J. Wyche, whose commission expired January 24, 1888.

Orlo S. Rockwell, to be postmaster at Kent, in the county of Portage and State of Ohio, in the place of Charles H. Barber, whose commission expired January 7, 1888.

Elmore Adams, to be postmaster at Franklin, in the county of Venango and State of Pennsylvania, in the place of David D. Grant, whose commission expired January 11, 1888.

O. A. Traugh, to be postmaster at Hollidaysburgh, in the county of Blair and State of Pennsylvania, in the place of James M. Lingafelt, whose commission expired January 11, 1888.

Michael E. Lennon, to be postmaster at Hurley, in the county of Ashland and State of Wisconsin, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1887; the given name of W. E. Lennon, who was confirmed by the Senate January 10, 1888, having been found to be incorrect.

ARMY PROMOTIONS.

*Second Regiment of Cavalry.*

Second Lieut. Francis D. Rucker, to be first lieutenant, January 31, 1888, *vice* Roe, resigned.

*Fourth Regiment of Artillery.*

Second Lieut. Clarence P. Townsley, to be first lieutenant, January 16, 1888, *vice* Miller, appointed assistant quartermaster.

*Third Regiment of Infantry.*

Second Lieut. John H. Beacom, to be first lieutenant, January 20, 1888, *vice* Gerlach, appointed regimental quartermaster.

Paul Shillock, of Minnesota, to be assistant surgeon with the rank of first lieutenant, January 31, 1888, *vice* Girard, promoted.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate January 30*, 1888.

REVENUE SERVICE.

Chief Engineer Horace Hassell, of New York, to be a chief engineer in the revenue service of the United States.

Second Assistant Engineer Dennis F. Bowen, of New York, to be a second assistant engineer in the revenue service of the United States.

First Assistant Engineer William H. Warren, of New Hampshire, to be a first assistant engineer in the revenue service of the United States.

UNITED STATES MARSHALS.

James R. Jordan, of Virginia, to be marshal of the United States for the western district of Virginia.

Charles M. Stafford, of New York, to be marshal of the United States for the eastern district of New York.

RECEIVERS OF PUBLIC MONEYS.

Charles P. Maginnis, of Morris, Minn., to be receiver of public moneys at Duluth, Minn.

Frank S. De Mers, of Fisher, Minn., to be receiver of public moneys at Fargo, Dak.

John T. G. Crawford, of Fort Ogden, Fla., to be receiver of public moneys at Gainesville, Fla.

Alfred B. Charde, of Oakland, Nebr., to be receiver of public moneys at Niobrara, Nebr.

REGISTERS OF THE LAND OFFICE.

William M. Blanding, of St. Croix Falls, Wis., to be register of the land office at St. Croix Falls, Wis.

John M. Adams, of Sidney, Nebr., to be register of the land office at Sidney, Nebr.

James M. Adams, of Yakima, Wash., to be register of the land office at Spokane Falls, Wash.

John R. Whiteside, of Vermillion, Dak., to be register of the land office at Deadwood, Dak.

William Colville, of Red Wing, Minn., to be register of the land office at Duluth, Minn.

James Greeley, of Franklin, Minn., to be register of the land office at Redwood Falls, Minn.

Richard Y. Hardin, of Brownsborough, Ky., to be register of the land office at Buffalo, Wyo.

Frank W. Beane, of Salt Lake City, Utah, to be register of the land office at Blackfoot (formerly Oxford), Idaho.

Gilbert W. Carrington, of Ashland, Wis., to be register of the land office at Ashland, Wis.

Henry Cornelius, of Menasha, Wis., to be register of the land office at Menasha, Wis.

POSTMASTERS.

Lord W. Hinman, to be postmaster at Lapeer, in the county of Lapeer and State of Michigan.

William A. Fiske, to be postmaster at at Portsmouth, in the county of Norfolk and State of Virginia.

Mrs. Frank A. Helm, to be postmaster at Corvallis, in the county of Benton and State of Oregon.

Charles A. Wustum, to be postmaster at Billings, in the county of Yellowstone and Territory of Montana.

Charles W. Price, to be postmaster at Fort Benton, in the county of Chotean and Territory of Montana.

Joseph F. Wisecarver, to be postmaster at McMinnville, in the county of Yam Hill and State of Oregon.

Charles E. Dudley, to be postmaster at Maryville, in the county of Lewis and Clarke and Territory of Montana.

Thomas Hall, to be postmaster at Preston, in the county of Fillmore and State of Minnesota.

Nels J. Benson, to be postmaster at Tower, in the county of St. Louis and State of Minnesota.

Harry L. Atchison, to be postmaster at Chatfield, in the county of Fillmore and State of Minnesota.

La Fayette J. Fulton, to be postmaster at Casselton, in the county of Cass and Territory of Dakota.

Frank Art, to be postmaster at Lead City, in the county of Lawrence and Territory of Dakota.

## HOUSE OF REPRESENTATIVES.

### WEDNESDAY, *February* 1, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

REPORTS OF COURT OF CLAIMS.

The SPEAKER *pro tempore* laid before the House letters from the assistant clerk of the Court of Claims, transmitting copies of findings of fact by said court in the following cases against the United States, namely: C. C. Poindexter, C. W. Hunt, administrator, Mary E. Wells, H. H. Dunnavant, and William K. Booe; which were severally referred to the Committee on War Claims.

PENSIONS IN LIFE-SAVING SERVICE.

The SPEAKER *pro tempore*. The Chair desires to ask unanimous consent to lay before the House, and have printed in the RECORD, a memorial from Mrs. Morrison R. Waite, president of the Woman's National Relief Association, and other officers of the various branches of said association in the United States, and have it referred to the Committee on Commerce; also eight other memorials signed by Roswell P. Flower and other citizens of the United States, praying that those engaged in the Life-Saving Service may receive a pension in the event of being disabled in or through the exposure of the service, and their families in case of their death, the same at least as for military service.

The memorial is as follows:

*To the Senate and House of Representatives in Congress assembled:*

Your petitioners, members of the "Woman's National Relief Association for the Relief of the Shipwrecked," and others who sympathize with the brave and suffering, respectfully represent:

1. That the Life-Saving Service, from a small beginning, has grown into magnificent proportions; that its stations are destined to occupy every prominent point of danger on our vast lines of lake and ocean front;

2. That the extension of the service will increase the number of men exposed to the unusual hazards of this work;

3. That already many of them have fallen before the fury of the elements, and found watery graves; that others have been disabled, and that wives and children have been left to the tender mercies of friends, common charity, and the poor-house;

4. That it is a public injustice that men engaged in a work fraught with so much danger, and of so much value to its beneficiaries in life and property, should receive compensation so disproportionate to the value of the service rendered, barely sufficient to meet their most common daily necessities, leaving nothing in reserve for the contingencies of fatality and disability;

5. That thousands of lives and millions of property are annually saved and will continue to be saved by this service, which has more danger than any military or naval service; that ultimately nearly every man in it will lose his life or be disabled from exposure; that it has no emolument or stimulant save a meager wage and the consciousness of heroic deeds;

6. That all travelers upon the waters and all shippers feel safer from the knowledge that there are heroic men always at the point of danger, guarding it with sleepless vigilance, always on the lookout for the victims of the angry elements, and always ready to jeopardize life to save life;

7. That this is not merely a work for the safety of our own people; it knows no nationality, extends a helping hand alike to all;

8. That its service and success are matters of national pride; that the nation's honor, and the honor of every citizen loyal to the interests of humanity and the cry of distress, is compromised by the failure to provide ample compensation for the risks and work done and to be done, and to secure to the wives, children, and dependents of the victims of this grand benevolence adequate support;

9. That these men would meet the dangers always before them and perform their work with braver hearts and stronger arms, having the assurance that death in the discharge of duty would not leave those dependent upon them paupers, no one will deny;

10. Less than this is not merely injustice, it is crime.

11. With due appreciation of the two years' pension already granted to the families in case of death, we pray that these men may receive a pension in the event of being disabled in or through the exposure of the service, and their families in case of their death, the same at least as for military service.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. OSBORNE to withdraw papers relating to the claim of A. G. Hoyte, for reference to the Committee on Claims, to be used in the consideration of House bill 4021, Fiftieth Congress; and to Mr. HUNTER, to withdraw from the files of the House, without leaving copies, the discharge paper in the case of Noah Palmer, filed in the Forty-ninth Congress.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BOWDEN, for three days from February 1, on account of important business.

To Mr. TOWNSHEND, for one week, on account of important business.

URGENT DEFICIENCY BILL.

Mr. BURNES, from the Committee on Appropriations, reported a bill (H. R. 6437) to provide for certain of the most urgent deficiencies in the Departments for the service of the Government for the fiscal year ending June 30, 1888, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. HOLMAN and Mr. WEAVER reserved points of order on said bill.

Mr. BURNES. I ask leave to file the accompanying report to-morrow, to be printed with the bill.

There was no objection, and it was so ordered.

THOMAS A. OSBORN.

Mr. MORRILL. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole House on the Private Calendar from the further consideration of the bill (H. R. 2216) for the relief of Thomas A. Osborn and put it upon its passage.

The SPEAKER *pro tempore*. The bill will be read subject to objection.

The bill is as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and is hereby, directed to pay to Thomas A. Osborn, late United States marshal for the district of Kansas, out of any money in the Treasury not otherwise appropriated, the sum of $8,701.96, on account of the loss of that amount of public funds by the failure of the banking-house of E. H. Gruber & Co., on the 6th day of October, 1886, the loss being without neglect or fault on the part of said Thomas A. Osborn.

Mr. BLOUNT. Is this reported unanimously from the committee?

Mr. MORRILL. It is the unanimous report of the Committee on Claims.

Mr. HOLMAN. Let the report be read.

The report (by Mr. TAULBEE) was read, as follows:

The Committee on Claims, to whom was referred the bill (H. R. 2216) for the relief of Thomas A. Osborn, adopt the annexed report of the Committee on Claims made in the Forty-ninth Congress, and recommend the passage of the bill with the following amendment:

Add to the bill the following words: "*Provided*, It shall be proven to the satisfaction of the Secretary of the Treasury that said money was lost without fault or negligence upon the part of said Osborn."

"[House Report No. 3104, Forty-ninth Congress, first session.]

"The Committee on Claims, to which was referred the bill (H. R. 9008) for the relief of Thomas A. Osborn, having carefully considered the same, reports:

"That the claimant, Thomas A. Osborn, was United States marshal for the district of Kansas in October, 1866, and for over two years prior thereto; that as such marshal certain money of the United States came into his hands to defray United States court expenses for his district; that his office as marshal was in the city of Leavenworth, Kans., in a room immediately over the banking house of E. H. Gruber & Co.; that the Government furnished no safe or other depository in which the claimant could deposit the public money in his hands.

"It had been, and was on the said 6th day of October, 1866, the custom of the claimant, on receiving advances from the Government for the court expenses, to deposit the same with the said banking firm of E. H. Gruber & Co.; that the said firm was regarded by the business community of said city as being perfectly safe; the leading and best citizens made their deposits with said bank; that on October 1, 1866, the claimant had a balance in said bank, of funds belonging to the United States, of $2,966.59; that on said 1st day of October he received from the Treasury of the United States the further sum of $6,596 for the purpose of paying the expenses of the October term of the United States district court, which sum he also deposited in said bank on said 1st day of October, 1866; that on the 6th day of October, 1866, the said banking house of E. H. Gruber & Co. failed, having at the time of failure the sum of $9,562.59 of the moneys of the United States to the credit of the claimant as United States marshal; that the claimant at once made good said amount to the United States.

"The committee is of the opinion that the claimant used due care in handling the said money of the United States, and that the loss was in no way the result of any negligence on his part.

"In February, 1867, the late Hon. Mark W. Delahay, then United States district judge for Kansas, made the following statement:

"'I have been perfectly conversant with Marshal Osborn's manner of doing business since his appointment. I know that he has been doing his banking business through the house of E. H. Gruber & Co. This house I considered one of the safest in the locality until it failed, on the 6th of October, 1866.

"'I believe that Marshal Osborn has guarded with unusual diligence the interest of the Government, and that he is in no way to blame for the loss which occurred with E. H. Gruber & Co. Many of the best business men in Leavenworth were doing business with said firm at the time of its failure. I had been doing my banking business with said firm for years.

"'MARK W. DELAHAY,

"'*United States District Judge for Kansas.*'

"The committee concurs in the opinion expressed in the statement just cited. It is shown to the committee by competent evidence that the claimant received from the assignee of said firm of E. H. Gruber & Co. 9 per cent. of said sum of $9,562.59 and no more. The committee is of the opinion from all the facts and circumstances attending the loss that the sum of $8,701.96 should be paid the claimant.

"The committee returns bill H. R. 9008 with the recommendation that the same do pass."

In further support of the bill we incorporate, as a part of the report, the following affidavits:

"UNITED STATES OF AMERICA, *District of Columbia:*

"Thomas A. Osborn, being first duly sworn, deposes and says that in October, 1866, and for two years prior thereto, he was marshal of the United States for the district of Kansas; that as such marshal money was advanced to him by the

United States Government to pay the expenses of the United States courts in said district; that his office as marshal was in the city of Leavenworth, Kans., in a room immediately over the banking house of E. H. Gruber & Co., with which firm he did his banking business, and that he had no interest whatever in the profits of said firm.

"Deponent further says that the Government declined to furnish him a safe in which to place his funds advanced for disbursements, and that no depository had been designated for such purpose. It was the custom of the deponent at the time referred to, and had been from the time of his appointment in 1864, on receiving advances from the Government for the court expenses, to deposit the same with the said banking (house) firm of E. H. Gruber & Co., and check the same out as it might be required.

"Said banking firm was regarded by the business community of said city as perfectly safe, and its depositors included many of the most conservative and most successful business men of the neighborhood. No thought of their being embarrassed occurred to the deponent until he was informed, on the 6th of October, 1866, that they had failed, and he knows that the announcement of that event was a great surprise to the entire community. On October 1, 1866, deponent had a balance in said bank, of funds belonging to the United States, advanced to him for disbursements as aforesaid, of $2,966.59, and on said 1st day of October he received from the Treasury of the United States the further sum of $6,596 for the purpose of paying the expenses of the October term of the United States district court, which sum he also deposited in said bank on said 1st day of October.

"On the 6th day of October, 1866, the said banking house of E. H. Gruber & Co. failed, having at the time of failure the sum of $9,562.59 of the money of the United States deposited, as hereinbefore specified.

"Deponent afterwards settled his accounts with the United States Government and made good to the Treasury the amount of said loss. The loss was afterwards reduced by the payment to the deponent by the assignee of said bank of 9 per cent. of said claim, amounting to $860.63, so that the actual loss to the deponent was $8,701.96.

"Deponent says further that as to the manner of doing business in connection with the payment of court expenses he endeavored to follow, and, as he is informed, did follow, the usages of his predecessors in office, and that he used his best judgment in guarding the interests of the Government.

"In doing as he did he had the advice and approval of the judge of the United States district court.

"THOMAS A. OSBORN.

"Sworn and subscribed before me this 9th day of January, 1888.

[SEAL.] "R. B. NIXON,
"*Notary Public.*"

STATE OF KANSAS,
*County of Douglas, ss:*

James S. Emery, being first duly sworn, says: I was United States district attorney for Kansas in the years 1864, 1865, 1866, and a portion of 1867; that I am familiar with the facts attending the loss of ex-Governor T. A. Osborn while he was United States marshal in those years, caused by the failure of Gruber's bank, in Leavenworth; that this bank, at the time the marshal made his deposits in it, was regarded as the best and safest bank in that city. It did a large business, and was patronized by the leading business men in Leavenworth, as well as of the surrounding country. Its failure was a great surprise to our whole State, so far as it was extending its business; and Leavenworth, at that time, did a large wholesale business in most of the towns of the State; and this (Gruber's) was deemed the leading bank of the city. I have always deemed the governor's claim against the United States Government for his loss of Government funds through the failure of that bank just, and one that should be paid. And further this deponent saith not.

JAS. S. EMERY.

Subscribed and sworn to this 16th day of January, 1888, before me, a notary public in and for said county.

[SEAL.] PETER BELL,
*Notary Public.*

My commission expires September 3, 1889.

There being no objection to the consideration of the bill, the amendment recommended by the committee was considered and adopted, and the bill as amended ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. MORRILL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. SPRINGER. Regular order!

Mr. LAWLER. I rise to ask the privilege of making an explanation in reference to a resolution introduced by myself on Monday last.

There was no objection.

Mr. LAWLER. On Monday I introduced a resolution, which will be found on page 802 of the RECORD, and in the eighth line I omitted to insert the words "not necessary" after the words "deriving revenue" where they should properly be inserted. I would like to have that correction made.

The SPEAKER *pro tempore*. Without objection, the correction will be made.

There was no objection, and it was ordered accordingly.

INSPECTIVE FORCE, POST-OFFICE DEPARTMENT.

Mr. DOCKERY, by unanimous consent, introduced a bill (H. R. 6438) to provide for the appointment, organization, and compensation of the inspective force of the Post-Office Department; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

ASSIGNMENT OF ROOMS, CAPITOL BUILDING.

Mr. SOWDEN. Mr. Speaker, I desire to make a privileged report from the Committee on Accounts.

The SPEAKER *pro tempore*. The report will be read.

The Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, *January* 16, 1888.

*Resolved*, That the Committee on Accounts be, and is hereby, instructed to ascertain and report whether there are sufficient unoccupied rooms in the Capitol for the accommodation of the committees of the House, and if not, where and upon what terms the necessary rooms can be procured.

The report of the Committee on Accounts was read, as follows:

The Committee on Accounts, to whom was referred the foregoing resolution of Mr. WHITTHORNE, introduced in the House on January 16, respectfully report that upon inquiry and examination they find there are no unoccupied rooms in the Capitol that can be used for the accommodation of those committees of the House not already provided with rooms.

They report further that there are a number of rooms in the Butler building that are unoccupied, and can be had for the use of such committees of the House as desire them, at a rental that may be fixed by the Supervising Architect of the Capitol, or by any three members of the Committee on Accounts, as proposed by Hon. Benjamin F. Butler, the owner thereof. These rooms are unfurnished.

And further, your committee report that they find that there are two suitable rooms for committee use in the Congressional Hotel, across from the Butler building, one of which was occupied during the last Congress by the special committee of which the Hon. A. G. Curtin was chairman. The proprietor offers to rent the two rooms for $50 per month, including tables, chairs, heat, and light.

Mr. SOWDEN. I ask that the Committee on Accounts be discharged from the further consideration of this subject.

Mr. WHITTHORNE. I desire to submit a resolution.

Mr. ANDERSON, of Kansas. I rise to make a parliamentary inquiry.

Mr. WHITTHORNE. In view of the report just submitted, I ask the action of the House on the resolution which I send to the desk.

Mr. ANDERSON, of Kansas. I desire to make a parliamentary inquiry of the gentleman who has charge of this matter. I wish to know how long it will probably take. There is an order to-day for the consideration of the resolution reported by the Committee on Commerce, and I wish to know how long this will occupy.

Mr. WHITTHORNE. But a minute.

The Clerk read the resolution submitted by Mr. WHITTHORNE, as follows:

*Resolved*, That the Clerk of this House be, and he is hereby, directed to rent during the present and next session of this, the Fiftieth Congress, the furnished rooms located in the Congressional Hotel, mentioned in the report of the Committee on Accounts this day submitted, to be occupied by, and for the use of, the following committees of this House, namely, the Committee on Indian Depredation Claims and the Committee on the Eleventh Census; the rent of which shall not exceed $50 per month, and which rent shall be paid monthly out of the contingent fund of the House.

The SPEAKER *pro tempore*. The pending proposition is on the motion of the gentleman from Pennsylvania [Mr. SOWDEN] that the Committee on Accounts be discharged from the further consideration of this subject. If there be no objection, that order will be made.

There was no objection.

The SPEAKER *pro tempore*. The question is on the adoption of the resolution submitted by the gentleman from Tennessee.

The resolution was adopted.

Mr. WHITTHORNE moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table

The latter motion was agreed to.

CLAIMS REFERRED TO THE COURT OF CLAIMS.

Mr. STONE, of Kentucky, by unanimous consent, submitted the following resolution; which was read, and referred to the Committee on Accounts:

*Resolved*, That J. B. Holloway is hereby appointed to prepare and continue a digest of all claims referred to the Court of Claims under the so-called "Bowman act," and the act approved March 3, 1887, "to provide for bringing suits against the United States;" to keep a record of the findings of the court in each case reported to Congress, and such other necessary duties as the position may require; and that he shall be paid the same compensation as is now paid the clerk of the Committee on War Claims, out of the contingent fund of the House; and that the Committee on Appropriations be, and hereby is, instructed to provide for the annual salary of said clerk for the next fiscal year in the legislative, executive, and judicial appropriation bill.

PRESENTATION OF EX-SPEAKERS' PORTRAITS.

Mr. RICHARDSON. I rise to present a privileged report from the Committee on Printing.

The resolution referred to the committee was read, as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That there be printed 10,000 copies of the addresses delivered in the House of Representatives on January 19, 1888, upon the presentation of the portraits of Speakers Sedgwick, Varnum, and Banks, for the use of the House.

The report of the committee was read, as follows:

The committee have considered the concurrent resolution of the House providing for the printing of 10,000 copies of the addresses delivered in the House of Representatives January 19, 1888, upon the presentation of the portraits of Speakers Sedgwick, Varnum, and Banks, for the use of the House, and direct me to report same with recommendation that it do pass.

The estimated cost of printing and binding same in cloth is $2,823.50. The approximate cost of amount of printing previously estimated upon for Congress within present fiscal year is $631,930.50.

The resolution was adopted.

Mr. RICHARDSON moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

EULOGIES ON JOHN A. LOGAN.

Mr. RICHARDSON. I ask unanimous consent to submit a report from the Committee on Printing. I am directed to report back with a favorable recommendation a Senate bill which will not take a moment. It is the bill (S. 191) to make additional appropriations for the printing——

Mr. BRUMM. I object, and call for the regular order.

Mr. RICHARDSON. I ask that the title of the bill be read. When that is done I think the gentleman from Pennsylvania will not object.

Mr. BRUMM. The gentleman from Tennessee knows that there is a special order for to-day which we desire to reach.

Mr. ANDERSON, of Kansas. We have done nothing since Congress began but ask unanimous consent. I think we should adhere to the regular order.

Mr. RICHARDSON. I hope there will be no objection to having this read.

Mr. BRUMM. I withdraw my objection.

The title of the bill was read, as follows:

A bill (S. 191) to make additional appropriations for the printing of the eulogies delivered in Congress on the late John A. Logan.

The SPEAKER *pro tempore*. Is there objection to the consideration of this bill?

There was no objection.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. RICHARDSON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ASSISTANTS TO UNITED STATES DISTRICT ATTORNEYS.

Mr. RYAN. I rise to present a privileged report from the Committee on Appropriations, and ask its immediate consideration.

The resolution referred to the committee was read, as follows:

*Resolved*, That the Attorney-General be, and he hereby is, requested to communicate to the House of Representatives the names of all assistants to United States district attorneys who have been or are being paid out of the appropriation of $100,000 made by the sundry civil appropriation act approved March 3, 1887, "for payment of assistants to United States district attorneys;" also the places of employment and the present rate of compensation to each of said assistants, and how much greater or less is the rate of compensation of each of such assistants for the fiscal year 1888 than for the fiscal year 1887, and the reason for any such increase or reduction, and such other information in relation thereto as in his judgment may contribute to just and intelligent legislation upon the subject.

The report was read, as follows:

The Committee on Appropriations, to whom was referred the accompanying resolution, calling upon the Attorney-General for information with reference to assistants to United States district attorneys, report the same back and recommend that it be adopted.

The resolution was adopted.

Mr. RYAN moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. ANDERSON, of Kansas. Now, Mr. Speaker, I call for the regular order.

The SPEAKER *pro tempore*. The gentleman from Kansas [Mr. ANDERSON] demands the regular order. The regular order is the call of committees for reports.

PROMOTION OF AGRICULTURE.

Mr. GLASS, from the Committee on Agriculture, reported back with an amendment the bill (H. R. 1844) to promote agriculture, and for other purposes; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

JESSE G. HAWKINS.

Mr. FORD, from the Committee on Military Affairs, reported back with a favorable recommendation the bill (H. R. 437) for the relief of Jesse G. Hawkins; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

R. H. MONTGOMERY.

Mr. FORD also, from the Committee on Military Affairs, reported back with an amendment the bill (H. R. 4246) for the relief of Robert H. Montgomery; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

SECTION 2133, REVISED STATUTES.

Mr. DARLINGTON, from the Committee on Indian Affairs, reported back adversely the bill (H. R. 1417) to amend section 2133 of the Revised Statutes of the United States.

Mr. PERKINS, by unanimous consent, obtained leave to submit the views of the minority; and the bill, with the report, was referred to the House Calendar.

PETER MARCH AND OTHERS.

Mr. STONE, of Kentucky, from the Committee on War Claims, reported back with a favorable recommendation the bill (H. R. 3957) for the relief of Peter March, Thomas J. Wright, adiministrator, and others; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

REPORT ON EUROPEAN DOCK-YARDS.

Mr. HIESTAND, from the Committee on Printing, reported back with a favorable recommendation the joint resolution (H. Res. 25) to print 4,000 copies of the report of Naval Constructor Philip Hichborn, on European dock-yards; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. HIESTAND. Is that report privileged?

The SPEAKER *pro tempore*. It is not.

STORM-TRACK CHARTS.

Mr. RICHARDSON, from the Committee on Printing, reported back with a favorable recommendation the joint resolution (H. Res. 58) providing for the printing of 4,500 copies of Finley's Storm-Track Charts of the North Atlantic Ocean; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

CAPT. RODERICK M'INTOSH.

Mr. KERR, from the Committee on Claims, reported back with an amendment the bill (H. R. 393) to provide for the payment of the claim of Capt. Roderick McIntosh; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

AGRICULTURAL COLLEGE OF ALABAMA.

Mr. MAISH, from the Committee on Military Affairs, reported back with a favorable recommendation the bill (H. R. 4082) for the relief of the Agricultural and Mechanical College of Alabama; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The call of committees for reports is concluded. The regular order now is the call of committees for the consideration of bills for one hour. The hour begins at ten minutes of 1 o'clock. The call rests with the Committee on Public Buildings and Grounds.

Mr. SPRINGER. That committee has exhausted its time, I think.

The SPEAKER *pro tempore*. It did not finish, yesterday.

Mr. SPRINGER. It exhausted its time. There was no bill pending at the expiration of the hour. If there had been a bill pending, the committee would be entitled to finish it, but there was none.

The SPEAKER *pro tempore*. There was a bill called up by that committee when the hour expired yesterday.

JAMES ALBERT BONSACK.

Mr. WEAVER (when the Committee on Patents was called). Mr. Speaker, I call up the bill (H. R. 593) for the relief of James Albert Bonsack, and I yield the floor to the gentleman from Virginia [Mr. O'FERRALL], the author of the bill.

Mr. McMILLIN. Mr. Speaker, is this bill called up under the morning hour for consideration?

The SPEAKER *pro tempore*. It is.

Mr. McMILLIN. I do not know what the nature of the bill is, but in order to keep the practice of the House correct, I make the point that in this hour a private bill can not be considered. I do this without any reference whatever to the merits of this particular measure. I do it simply because such has been the practice of the House heretofore, and it is a practice which I think should be observed.

Mr. WEAVER. I hope the gentleman will not urge that point. This bill can be disposed of in a moment. There is no objection to it.

Mr. McMILLIN. I understand that; but the difficulty is that if we get into the habit of doing these things we shall use up the whole of this hour with that class of business.

Mr. BLOUNT. In addition to that, Mr. Speaker, I desire to suggest——

The SPEAKER *pro tempore*. The Chair is ready to rule on the point. The point of order is well taken. In this hour gentlemen can call up only bills that are on the House Calendar, or the Calendar of the Committee of the Whole on the state of the Union.

Mr. WEAVER. I know it can only be done by unanimous consent, but I ask unanimous consent to consider this bill.

Mr. BLOUNT. I hope the gentleman will not press that request. There are other bills here of a public character that ought to be reached in their own time.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Iowa?

Mr. SPRINGER. I will not object at the end of this hour.

Mr. ANDERSON, of Kansas. I object. I want the regular order.

Mr. MATSON (when the Committee on Invalid Pensions was called). I understand the Chair to rule that private bills are not in order in this hour.

The SPEAKER *pro tempore*. The Chair has so ruled.

Mr. MATSON. The Committee on Invalid Pensions has no other kind of bills to report.

SPECIAL REPORT UPON WOOL MANUFACTURES, ETC.

Mr. RICHARDSON. I am directed by the Committee on Printing

to call up for present consideration the joint resolution (H. Res. 23) authorizing the printing of 14,000 copies of the recent special report of the Chief of the Bureau of Statistics, Treasury Department, upon wool and the manufactures of wool. This joint resolution is on the Calendar of the Committee of the Whole House on the state of the Union. I ask unanimous consent that the Committee of the Whole be discharged from the further consideration of the resolution, and that it be now considered in the House.

The SPEAKER *pro tempore*. If there be no objection, that order will be made.

There was no objection, and the House proceeded to the consideration of the joint resolution; which was read, as follows:

*Resolved by the Senate and House of Representatives, etc.*, That there be printed 14,000 copies of the recent special report of the Chief of the Bureau of Statistics, Treasury Department, upon wool and the manufactures of wool, as follows: 10,000 copies for the use of the members of the House of Representatives, 3,000 for the use of the members of the Senate, and 1,000 for the use of the Bureau of Statistics, Treasury Department.

The report of the Committee on Printing (by Mr. RICHARDSON) was read, as follows:

The Committee on Printing, to whom was referred H. Res. 23, submit the following report:

That they have condsidered House joint resolution 23, authorizing the printing of 14,000 copies of the recent special report of the Chief of the Bureau of Statistics, Treasury Department, upon wool and the manufactures of wool, and report same with recommendation that it do pass.

The estimated cost of same is $1,778.

The joint resolution was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. RICHARDSON moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LEAVE OF ABSENCE TO PRINTING-OFFICE EMPLOYÉS.

Mr. RICHARDSON. I am also directed by the Committee on Printing to call up for consideration the bill (H. R. 1338) to extend the leave of absence of employés in the Government Printing Office to thirty days per annum. This bill is also on the Calendar of the Committee of the Whole House on the state of the Union. I ask unanimous consent that the bill be considered in the House.

There was no objection, and the House proceeded to consider the bill; which was read, as follows:

*Be it enacted, etc.*, That the act entitled "An act granting leave of absence to employés in the Government Printing Office," approved June 30, 1886, be so amended as to extend the annual leave of absence therein described to thirty days in each fiscal year.

The report of the Committee on Printing (by Mr. RICHARDSON) was read, as follows:

The Committee on Printing, to whom was referred House bill 1338, beg leave to submit the following report:

The committee have considered the bill (H. R. 1338) to extend the leave of absence to employés in the Government Printing Office to thirty days in each fiscal year, and report same with recommendation that it do pass with two amendments, as follows:

First, that these words be added:

"*Provided*, It shall be lawful to allow pro rata leave to those serving fractional parts of a year."

And, second, add these words:

"And further to facilitate the public work, the Public Printer may, in his discretion, in special cases, credit employés with the amount due them for leave of absence without their actually taking such leave."

The SPEAKER *pro tempore*. The first question will be upon agreeing to the amendments reported by the Committee on Printing, just read as a part of their report.

Mr. REED. I hope we shall have some explanation of this matter.

Mr. RICHARDSON. Mr. Speaker, this bill simply places the employés in the Government Printing Office upon the same footing, as I understand, with employés in all the other Departments of the Government. In all these other Departments employés get annually thirty days' leave. Heretofore, under the law, employés of the Government Printing Office have received only fifteen days. I can see no objection to placing the employés in the Printing Office upon the same footing with persons employed in other Departments of the Government.

The first amendment reported is to add these words:

*Provided*, It shall be lawful to allow pro rata leave to those serving fractional parts of a year.

This provision, it seems to me, is manifestly just. An employé may serve six or nine months only, but under the existing law unless he serves for the entire term of twelve months he is not entitled to his leave.

Mr. REED. I may not have understood the amendments correctly, but I thought I caught the idea that they authorize either leave of absence or commutation for leave of absence.

Mr. RICHARDSON. The gentleman is correct; that is provided for in the second amendment.

Mr. REED. What is the object of that?

Mr. RICHARDSON. The second amendment provides—

That to facilitate the public work the Public Printer may, in his discretion, in special cases, credit employés with the amount due them for leave of absence without their actually taking such leave.

Mr. RYAN. The gentleman will allow me to inquire whether that is the rule in any other Department of the Government?

Mr. RICHARDSON. I am not prepared to answer the question with full knowledge; but I do not think it is.

Mr. RYAN. I understand it is not.

Mr. RICHARDSON. I am not prepared to make, and do not make, any positive statement on that point. But the gentleman will understand that the arrangements of the Government Printing Office are peculiar in reference to the employment of persons—are different, possibly, from those of almost any other Department. In drawing this amendment, about which I may state the Committee on Printing are not very tenacious, we have simply followed the recommendation of the Public Printer, who states that the interest of the public service will be advanced by the adoption of the amendment. I beg to call attention to the report of the Public Printer, who, on page 12, uses this language:

Under recent decisions of the Comptroller of the Treasury, all employés who have received their leave of absence for one year are entitled to pro rata leave for any shorter period thereafter for which they make application. A number of employés discharged in the reduction of force a year ago are now entitled to pro rata leave for longer or shorter periods, but no appropriation exists out of which they can be paid. The amount estimated to be due such employés is $2,500, and I would recommend that Congress make provision for its payment. It would facilitate the public work if Congress would authorize the Public Printer, under special circumstances, to credit employés with the total amount due them for leave of absence without their actually taking such leave. In certain cases employés can not take their leave without embarrassing the work of the office, and it seems a hardship that those who are thus compelled to sacrifice pleasure to public duty should be denied the bounty which Congress has awarded to faithful service in the office. Nor should the office be compelled to forego such special service rather than deprive such employés of any benefits under the act.

In other words, as I understand, the law compels an employé of the Government Printing Office either to take his leave of absence or to lose any benefit he might derive from it. The Public Printer suggests the amendment I have read, and the committee recommend its adoption.

I yield now to the gentleman from New York [Mr. FARQUHAR].

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced the passage of joint resolution and bills of the following titles; in which concurrence was requested:

Joint resolution (S. 13) proposing an amendment to the Constitution of the United States;

A bill (S. 1022) to relinquish the interest of the United States in certain lands in Kansas;

A bill (S. 425) to grant the right of way through the public lands for irrigation purposes;

A bill (S. 23) to authorize Dalles City to construct a bridge across the Columbia River, in the State of Oregon and Territory of Washington;

A bill (S. 388) for the relief of L. B. Townsend, Louis S. Lovel, W. C. Page, Alonzo Sessions, Hampton Rich, Harvey Harter, Benjamin Harter, and Peter Hackett;

A bill (S. 182) to provide for the purchase of a site and the erection of a public building thereon at Omaha, Nebr.; and

A bill (S. 217) to change the limit of appropriation for a public building at Jacksonville, Fla.

LEAVE OF ABSENCE TO GOVERNMENT PRINTING OFFICE EMPLOYÉS.

The SPEAKER *pro tempore*. The House resumes the consideration of the report from the Committee on Printing, and the gentleman from New York [Mr. FARQUHAR] is entitled to the floor.

Mr. FARQUHAR. Mr. Speaker, I desire to know from the chairman of the Committee on Printing if this same feature of the enforcement of taking thirty days' leave of absence does not obtain in all the other Departments of the Government?

Mr. RICHARDSON. I believe it does.

Mr. FARQUHAR. I presume the recommendation of the Public Printer is in order that at certain seasons of the year he may have a continuation of the labor of the men employed in the Government Printing Office. Now, while I am willing, and have been during the times these bills for leave of absence have been discussed on this floor, to grant this to this branch of the service, which does more honest work, I may say, than any other in the city of Washington, yet I question the propriety of placing it in a better or more advantageous position than is suggested by this amendment now proposed.

When the bill granting fifteen days' leave of absence to the employés of the Government Printing Office passed in the Forty-ninth Congress, and the committee presented a report which covered the ground and made the leave of absence equal to thirty days, there was only one contingent matter which came before the Printing Committee of that year, and that was whether Congress would admit of any leave of absence at all. As one of the members of that committee I took a more liberal view, but being overruled by a majority of the committee, I agreed to the proposition of fifteen days. In other words, Mr. Speaker, we only got half the apple for the employés of the Government Printing Office.

Now, the proposition of the Forty-ninth Congress had a better effect, and it is only justice and fair play to the employés in that Government Printing Office that they should be placed on the same footing as the

other clerks and employés in other Departments in this city of Washington. For, sir, first of all they are skilled mechanics and experts in their calling, and, added to their skill in mechanics, they are also scholars; from the foreman down they are all required to possess qualities in the discharge of their peculiar duties greater than are required under any civil-service rule adopted for any other Department. More than that, while their work is both intellectual and mechanical it is as hard as that any employé can be called on to perform in any other Department; and while the last Congress granted fifteen days, I think the Forty-ninth Congress would have just as willingly given thirty days. The reasons for so doing are now even stronger than then.

I say it is an anomaly to make a distinction between copyists and clerks in the Treasury or Interior or any other Department of the Government, and yet fix them at thirty days' leave of absence with pay, and take your printers, your skilled mechanics, and the hard workers in this bureau of the Government, and only give them one-half of that time to which by every fair consideration they are entitled.

Mr. DINGLEY. Before the gentleman takes his seat let me ask him a question.

Mr. FARQUHAR. Yes, sir.

Mr. DINGLEY. I understood the gentleman from New York to say that this bill would put the employés of the Government Printing Office on the same basis as the clerks in the various Departments.

Mr. FARQUHAR. Yes, sir.

Mr. DINGLEY. What I wish to know is if the clerks in the several Departments of the Government have the benefit of this commutation provision.

Mr. FARQUHAR. That is the question I myself asked of the chairman of the committee, and I said in regard to it at the beginning of my remarks that I questioned the judgment of this amendment, which gave an advantage to the employés of this bureau that is enjoyed by no other employés under the Government.

Mr. DINGLEY. Then, as I understand it, this is not a proposition to put the employés of the Government Printing Office on the same basis as the clerks in the several other Departments of the Government, but to give them an additional advantage over the other clerks.

Mr. FARQUHAR. So far as this amendment is concerned. That is, that they shall have pay for the time of this thirty days' leave of absence, provided they do not take it but continue to work over and above the time that they are entitled to under the proper leave of absence.

Mr. RICHARDSON. If the gentleman from Maine will permit me to make a statement again which I made a short time ago, I think I can make this plain. Under the present law granting leaves of absence to Government employés with pay they get paid for full twelve months, although they work but eleven. Now, I can not see, if in the case of an emergency where the Public Printer thinks the services of the employés in his department are necessary for the full twelve months, as it may be sometimes in expert work or special emergencies, why they should not have the benefit of this leave which is granted to other employés, and give them an additional month's pay for twelve months' work as compensation for it. Especially as the whole matter is left optional with the Public Printer, who would only resort to this practice in the exercise of a sound discretion.

Mr. REED. The only ground for granting a leave of absence of thirty days to anybody must be based on the assumption that the work is so exhausting that a month's rest is required to refresh the man to enable him to perform his duties during the eleven months.

We are giving a gratuity to the employés in the public service for the public benefit, and unless it is done on this ground there can be no other sufficient reason given. That is the reason for giving furloughs to Department employés, and that must be the reason we propose to give it to the employés of the public printing establishment.

Now, then, instead of giving them this furlough, whereby they are to be refreshed, we give them an additional month's pay instead, and require them to work during the whole twelve months; we are not acting upon the principle that has governed us heretofore, but are simply raising the pay of these employés 8 per cent. above what it is now. Is that the intent of the committee?

Mr. RICHARDSON. The gentleman will understand, I understand, at least, that in all other Departments of the Government the employés are furloughed for thirty days upon full pay; that is, they work eleven months, and the Government pays them for twelve. In this particular case, that is to say, in reference to the employés of the printing department, they are entitled to but fifteen days' leave upon pay, and this bill will extend the time to thirty days if it passes. The amendment provides that in an emergency—and leaves the determination of that to the Public Printer as to whether it exists or not—he may keep the force at work for twelve months, but give them one extra month's pay to compensate for the furlough of which they have not been able to avail themselves. Emergencies may require this force to be kept at work.

Mr. REED. Then you intend that the employés there shall work twelve months and get thirteen months' pay?

Mr. RICHARDSON. It is no more than is done where the employés of other Departments work eleven months and get twelve months' pay under the present law.

Mr. REED. And they lose their month's recreation?

Mr. RICHARDSON. If they see fit they do, or if a contingency shall arise where their work is required. They can take the leave if they wish. It is left entirely discretionary with the Public Printer and the employé. They can take thirty days' leave and get compensation, but if the Public Printer needs their services, and they are willing to work, he is at liberty to keep them at work and give them thirteen months' compensation for the year's work.

I now yield to the gentleman from Indiana [Mr. MATSON], who introduced the resolution.

Mr. RYAN. Before that I wish to ask a question for information, if the gentleman will allow me.

Under this proposition of his, if the employés of this department, or an employé of this department, shall work twelve months he will get thirteen months' pay?

Mr. RICHARDSON. Yes, sir; provided the Public Printer says that the emergency exists for employing him the whole twelve months.

Mr. RYAN. If he takes his leave of absence he gets twelve months' pay?

Mr. RICHARDSON. Yes, sir; if he takes his leave under the law as it is now he will work only eleven months and will get twelve months' pay.

Mr. BLAND. I desire to ask the gentleman from Tennessee a question. Is the Public Printer compelled under the amendment of the committee to employ these men for twelve months, provided the work requires it? Or is it left optional with him?

Mr. RICHARDSON. It is left optional with the Public Printer; and he need not retain the man twelve months unless he sees fit. This is only intended to be done in case of an emergency, where the work of the employé is necessary for the public service.

Mr. REED. Will the gentleman from Tennessee allow me one other question?

Mr. RICHARDSON. Certainly.

Mr. REED. Is it the intention to extend to the other Departments this principle of thirteen months' pay for twelve months' work?

Mr. RICHARDSON. The gentleman from Maine very well knows that I do not represent in the matter now pending any Department except the printing department. And I will add, I know of no other Department that contemplates such an arrangement.

Mr. REED. Would you be able to resist the argument for equality when that comes up?

Mr. RICHARDSON. I think there is a distinction between the employés in the Printing Department, because of the peculiar nature of their work, and those in the other Departments. But that is a matter for the House to decide, and what shall be done in other cases should not now be decided, but should be determined on the merits involved in the case when presented.

Mr. BLAND. Do not the employés in other Departments get extra pay for extra work?

Mr. RICHARDSON. I think they do in some cases.

Mr. MATSON. I had the honor to introduce the original proposition which gave fifteen days' leave of absence to employés of the printing department as well as this which extends that leave to thirty days in a fiscal year. The original bill, which was passed nearly two years since, was framed on the recommendation of the then Public Printer. He recommended fifteen days' leave of absence. His recommendation was doubtless made because he supposed there would be opposition to it, and it would be easier to obtain fifteen days' leave than thirty days. It was probably made for fifteen days also because there was some opposition to the measure growing out of the fact that many of these employés were not employed for any period of time, but employed on piece-work, as it was technically termed; so that there was some objection as to whether it was practicable to give any leave at all, and some discussion. But that objection has been dissipated. There can be no objection of that kind now.

Under the administration of the former Public Printer, as well as under the administration of the present one, there has been found no difficulty whatever in administering this law and giving to each one of these employés his proper share of leave.

I introduced the bill in the first instance, and have introduced this one, which doubles the leave of absence, because I believe that of all the employés of the Government these who are in the Government Printing Office are the ones that work most with their hands. They are those who perform manual labor more than any others in any department—at least, in the city of Washington, if not in any other department of the public service anywhere. I believe they are entitled as much as any other employés, if not more, to the rest which the Government gives its employés of thirty days in each year. I therefore pressed that measure, and was glad again in this Congress to introduce the measure now under consideration, because I believed it would meet the almost unanimous approbation of Congress to extend the leave and put these on an equality with the other employés of the Government.

As regards the amendments of the committee, the simple proposition being only to extend the leave to thirty days, I have no objection to those amendments. The proposition that there shall be a pro rata leave to those serving fractional parts of the year I presume will not be seriously objected to.

The other amendment, however, which proposes that if the employé

sees fit to work for twelve months he shall be paid for thirteen months, seems to meet with some objection, perhaps from a misapprehension. The principle announced by the gentleman from Maine [Mr. REED] was certainly a very sound one, one that can not be attempted to be gainsaid by any one, that this leave is granted in order that these employés may have the rest to fit them for the performance of their duties during the remainder of the year. That of course is the principle on which this leave is granted at all. But if they see fit to work the twelve months, it seems to me there should be no objection to paying them for the month they work. There may be some of them that are well able to work during the twelve months, while there are others that need the rest. It seems to me, therefore, the suggestion of the committee in the way of amendment should not be objected to.

Mr. RYAN. Will the gentleman allow me to interrupt him a moment?

Mr. MATSON. Yes, sir.

Mr. RYAN. I understand that many of the employés of the department work by the piece. How can this provision apply to them? Or does it?

Mr. MATSON. I have not given that consideration to the amendment coming from the committee which would enable me to answer the gentleman's question.

Mr. RICHARDSON. Does not the first amendment answer the inquiry of the gentleman from Kansas when it says it shall be lawful to allow pro rata leave?

Mr. RYAN. I think not. These men are compensated for their services, not by the hour; not by the day; not by the week; not by the month; but by the piece. Now, how does your leave of absence or your commutation clause apply to them at all?

Mr. RICHARDSON. It does not apply to them unless they are there for the whole year.

Mr. RYAN. Then there is a very large class of employés in the office that get no relief under this provision?

Mr. RICHARDSON. That is true.

Mr. MATSON. I only want to add to what I have already said, that these amendments proposed by the committee are the result of suggestions made by the Public Printer in his report. I think they have probably grown out of the fact that there was a reduction of wages there several years ago, and possibly this may be an attempt to cure what seemed to the Public Printer at that time to be a wrong. Perhaps there is something in that.

Mr. RYAN. I submit to the gentleman that it would be a great injustice to this class of employés, constituting, as I understand, nearly a majority of the whole, to leave them entirely unprovided for.

Mr. MATSON. I agree with the gentleman from Kansas, that whatever is done for these employés ought to be done impartially, so that all may be treated alike. I hope there will be no unnecessary delay in passing this bill. I will say to the gentleman from Kansas that the original bill which I introduced does provide for the piece men. I wish the gentleman to understand that.

Mr. RYAN. That is the question I asked, whether it did provide for them.

Mr. MATSON. It does.

Mr. MCMILLIN. I will say to the gentleman from Kansas [Mr. RYAN] that that point was discussed at the time, and I think there was no difference of opinion about it.

Mr. FARQUHAR. I wish to explain to the gentleman from Kansas [Mr. RYAN] that during the fifteen days' leave of absence the piece work was counted by the former Public Printer in such a manner that the piece hands were put on an equality with those who were hired by the day. That was the way the roll was made up for the fifteen days' leave, and I know no reason why the present Public Printer should not adopt the same plan.

Mr. RICHARDSON. Now, Mr. Speaker, if there is no other gentleman who desires to be heard——

Mr. RYAN. I do not understand yet, Mr. Speaker, that this bill provides for the piece employés, while the original bill did.

Mr. MATSON. It provides for the extension of time.

Mr. RYAN. Leaving the provisions of the original law in operation?

Mr. MATSON. Certainly; untouched.

Mr. RICHARDSON. I yield now to the gentleman from New Hampshire [Mr. GALLINGER]. How much time does the gentleman want?

Mr. GALLINGER. Five or seven minutes.

Mr. RICHARDSON. I yield to the gentleman.

Mr. GALLINGER. Mr. Speaker, my attention was diverted when this report was read, but I think I have gathered the purport of it pretty correctly from the discussion that has been had here. As I understand it, the report embraces three propositions. First, to increase the leave of absence of the employés of the Government Printing Office from fifteen to thirty days; next, to allow them pay for that thirty days provided they choose to work, thus giving them thirteen months' pay for twelve months' work; and third, to permit those who are discharged before the year expires a pro rata allowance.

Now, Mr. Speaker, I desire to say to the House that so far as I am concerned I very cordially recognize the justice of the first proposition to increase the leave from fifteen to thirty days. Next, it occurs to me that it would be violative of good business judgment and of the purpose of this House, in granting the leave of absence to these employés, to permit them to work twelve months and receive thirteen months' pay. The House will recall the fact that two or three days ago the distinguished chairman of the Committee on Printing made the remarkable statement that the present Public Printer was getting more work out of 2,000 men than the former Public Printer got out of 2,400 men. As I understand the matter, the late Public Printer compelled the employés—certainly at least during the last year of his term—to take this leave of absence; but the present Public Printer proposes to let them continue to work and draw their pay; and the next thing we shall hear from the distinguished chairman of the Committee on Printing will be that 1,800 employés are doing more work under the present administration than 2,500 did under the late Public Printer. I am opposed to this proposition on that ground, and I am opposed to it also on the broader ground that it is violative of the purpose of the House in granting this leave of absence. Now, Mr. Speaker, in relation to this pro rata allowance, I desire to propound a question to the distinguished chairman of the Committee on Printing.

As I understand the case, Judge Durham, the Comptroller, decided that the men who were discharged from the Government Printing Office who had served a portion of the year were entitled to an allowance of one and a quarter days' pay per month. As I understand further, there are perhaps twelve or fifteen hundred of those men who were employed under the late Public Printer who have been turned out of that office, and who, although they have the opinion of Judge Durham that they are entitled to this allowance, have been kept out of it for twelve long months, and when they apply to the present Public Printer they are met with a stern and positive refusal. That refusal, as I understand, is put upon the ground that there is no appropriation to meet this deficit or to pay these men what is due them. Now, I want to ask the distinguished chairman of the Committee on Printing if he has taken into consideration the rights and the wants of these men, and if any means have been taken by him, or by any member of this House, to his knowledge, to see that a proper allowance is made, through some deficiency appropriation, to meet the obligations of the Government to these poor men who have been turned out of office simply because they happen to be Republicans. Will the gentleman answer the question?

Mr. RICHARDSON. I do not know that such a proceeding was incumbent upon me more than upon any other member. Has the gentleman himself taken any steps of that kind?

Mr. GALLINGER. I hold in my hands two decisions or opinions of Judge Durham. He says:

> I have heretofore decided that all employés who may have served one year continuously in the Government Printing Office prior to the 1st day of July, 1886, were on that day entitled to fifteen days' leave of absence. I have further decided that they are entitled also to one and one-fourth days' leave for each month that they have or shall serve in that office after the 1st day of July, 1886.

Now, as I understand the matter——

Mr. RICHARDSON. I submit that the gentleman does not read all that Judge Durham says. He says that the Public Printer has stated that the amount appropriated for that purpose has been exhausted.

Mr. GALLINGER. Exactly. I stated that fact. The question I raised was whether any steps had been taken or any movement made to obtain any deficieney appropriation or other allowance, so that these twelve or fifteen hundred men may receive what is justly their due.

Mr. RICHARDSON. I have taken no steps of that kind, but it is perfectly competent for the gentleman to go to the Committee on Appropriations and ask such an appropriation. He has the same right to do so that I have, and it is as much his duty to do so as mine. Why has not he done it? I never heard of it until this morning.

Mr. GALLINGER. We desire to do something which will compel the Government, under a Democratic administration and Democratic auspices, to pay to these twelve hundred or fifteen hundred men who have been turned out of the Government Printing Office during the present administration the amounts to which they are entitled. I am speaking in the interest of fair dealing. I say that if an allowance of the kind now proposed is to be made, then, in justice to these poor people who were turned out of employment and driven out into the streets of Washington simply because they did not agree politically with the present administration, we ought in the first place to pay them the money due them before we pass any law giving this allowance to the men who have been put in the Government Printing Office under the existing administration.

This is a matter of pure and simple justice. There are twelve hundred or fifteen hundred men to whom the Government to-day owes this money; and I say some means ought to be taken to pay them their honest dues to which they are justly entitled under the decision of Comptroller Durham, before we pass any law giving these allowances to men who have succeeded them in that office.

Mr. RICHARDSON. I do not desire to enter into any political discussion here to-day. I do not understand——

Mr. BLAND. I would like to ask the gentleman from New Hampshire [Mr. GALLINGER] whether he has ever introduced any bill for the relief of these discharged employés or has gone before any committee asking an appropriation in their behalf?

Mr. GALLINGER. I can answer the gentleman by saying that I have

not, because my attention had not been called to this matter until this very morning; but the chairman of the Committee on Printing had his attention called to it long ago.

Mr. BLAND. I do not understand it is the duty of the Committee on Printing any more than of the gentleman from New Hampshire to take charge of all the discharged employés of the Government.

Mr. GALLINGER. I want to say——

Mr. RICHARDSON. I do not yield.

Mr. GALLINGER. I would like to answer the gentleman from Missouri [Mr. BLAND].

Mr. RICHARDSON. In reply to the gentleman from New Hampshire, I wish to say that I do not see any use of our boiling over in political excitement to-day over this question. It seems to be a matter of absolute imposibility to mention on this floor the Government Printing Office without exciting the gentleman from New Hampshire and a few others to such an extent that they fly into a fearful rage. Now, in this matter we have nothing to do with politics. This is not a political question, but is one of business and of doing justice to faithful employés. It seems to me that the complaint which the gentleman makes that a few Republicans have been turned out of office by an honest Democratic official is a matter which gentlemen should cease crying over, because it is a matter which was settled at the polls in November, 1884, when the people in their majesty decided that all Republican employés ought to go and honest Democrats take their places. [Applause.]

Mr. RYAN. But your President, when asking the people's votes, told them that these employés should not go.

Mr. RICHARDSON. No; these employés are not protected by civil-service rules. Let us not bring politics here every day. Let us settle a question of this kind on business principles, if we can. This is a simple matter of doing justice to employés in the public service. The law which we propose is not intended to apply simply for a day or a week or a year. We are undertaking in our wisdom, or it may be our unwisdom, to frame laws which, if good, will continue in force for more than one administration. I do not want to see politics dragged into this question; and I hope gentlemen will not indulge in any further partisan discussion upon it.

I yield two minutes to the gentleman from Pennsylvania [Mr. BRUMM].

Mr. BRUMM. Mr. Speaker, I am heartily in favor of granting the additional fifteen days' leave of absence provided for in this proposition. But I am opposed to this system of violating the principle involved in the eight-hour law. My idea for the passage of the eight-hour law is that the hours of work shall be shortened. This is a proposition to pay men to extend their hours of labor. Now, if you wish to be consistent in carrying out the principle involved in the eight-hour law, you must not provide payment to men for overtime, whether ten, twelve, or fourteen hours in one day, or whether it is forcing them to work fully twelve months in the year, thus employing fewer men to do the work than would otherwise be required and thus throwing other men into the labor market for the purpose of cutting down the price of labor. I shall, therefore, oppose the proposition, except so far as to extend the leave for thirty days.

Mr. SPRINGER. I hope the gentleman from Tennessee will yield to me before he calls for the previous question.

Mr. RICHARDSON. I will now yield for two minutes to the gentleman from New York [Mr. FARQUHAR].

Mr. FARQUHAR. I desire, Mr. Speaker, to correct the misapprehension created in the House by the remarks of the distinguished gentleman from New Hampshire [Mr. GALLINGER], and which I am sure he did not mean to convey in what he said. I will read from the report of the Public Printer the following paragraph, which will explain the matter to the satisfaction of the entire House:

> Under recent decisions of the Comptroller of the Treasury, all employés who have received their leave of absence for one year are entitled to pro rata leave for any shorter period thereafter for which they make application. A number of employés discharged in the reduction of force a year ago are now entitled to pro rata leave for longer or shorter periods, but no appropriation exists out of which they can be paid. The amount estimated to be due such employés is $2,500, and I would recommend that Congress make provision for its payment.

That, Mr. Speaker, is the whole question. I think the misapprehension came from the remarks of the gentleman from New Hampshire [Mr. GALLINGER], that the Public Printer has desired to withhold this pro rata. Now, the official statement of the Public Printer is that there were not sufficient funds to pay those men when they were discharged. He asks from Congress sufficient money to meet that deficit. I think it is only justice to the Public Printer that this fact should be stated publicly in the House.

Mr. RICHARDSON. And, Mr. Speaker, I desire to say, in further answer on the same point indicated, the gentleman from New York is entirely correct. I know that the Public Printer has said to these men that the appropriation has been exhausted and there is no way in which this deficit can be supplied and these men paid the amount they claim unless this House makes an appropriation for that purpose. The gentleman from New Hampshire can assist in this work if he chooses.

I will now demand the previous question on the bill and pending amendments.

Mr. SPRINGER. I hope the gentleman will yield to me before he demands the previous question.

Mr. RICHARDSON. For how long?

Mr. SPRINGER. For two minutes.

Mr. RICHARDSON. I will yield to the gentleman for that length of time.

Mr. SPRINGER. The gentleman from New Hampshire made the statement in reference to these charges against the Public Printer that the discharges from the Government Printing Office were of Republican employés. Now, sir, it is a fact, when Mr. Benedict came into the Government Printing Office, in September, 1886, he found that the appropriation for carrying on that office during the fiscal year had been largely exhausted by his predecessor, and that it was therefore necessary, to keep within the limit of the appropriation, that the force of employés should be largely reduced. And he did reduce the force of employés of the Government Printing Office to the extent of two hundred or three hundred in number. Now, in making that reduction he called upon the heads of divisions to name those employés whose services could be dispensed with with the least injury to the public service, at the same time calling attention to the requirement of the statute in reference to Union soldiers and their widows and orphan children. In making that discharge he acted entirely on the recommendation of the heads of divisions, who were Republicans and the appointees of his predecessor.

Mr. BLAND. There were no Democrats to turn out.

Mr. SPRINGER. My friend from Missouri says there were no Democrats there to be turned out. But I believe there were, although few in number, and therefore, according to the number of Republicans and Democrats, there were more Democrats turned out than Republicans.

[Here the hammer fell.]

Mr. GALLINGER. I wish to say a word in reply.

Mr. RICHARDSON. I do not want to have this matter again run into a political discussion on this floor, and therefore I believe I must insist on the demand for the previous question.

The question was put on ordering the previous question.

The SPEAKER *pro tempore*. The ayes seem to have it.

Mr. GALLINGER. I call for a division.

The House divided; and there were—ayes 115, noes 106.

So the previous question was ordered.

Mr. BRUMM. I ask for a separate vote on the amendments.

The first amendment was read, as follows:

Add as follows:

"*Provided*, It shall be lawful to allow pro rata leave to those serving fractional parts of a year."

The amendment was agreed to.

The second amendment was read, as follows:

Add these words:

"And further to facilitate the public work, the Public Printer may, in his discretion, in special cases, credit employés with the amount due them for leave of absence without their actually taking such leave."

The amendment was disagreed to.

The bill as amended was then ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. RICHARDSON. I move to reconsider the vote by which the bill was passed; and also move that the motion to reconsider be laid on the table.

The latter motion was agreed to.

## ORDER OF BUSINESS.

The Committee on the Judiciary was called.

Mr. CULBERSON. Inasmuch as but four minutes of this hour remain, I ask unanimous consent that it be considered as having now expired.

Mr. BLAND. I object.

Mr. CULBERSON. I submit that under the ruling of the Chair this committee, if it now takes the floor, will be concluded in four minutes, instead of having a full hour to-day.

Mr. BLAND. I do not wish to put the gentleman in that position, and hence withdraw my objection. I will ask consent of the House that the hour be extended.

Mr. BRUMM. I object.

Mr. CULBERSON. I move that the House do now adjourn.

The question was taken; and on a division there were—ayes 24, noes 62.

Mr. PERKINS. I ask unanimous consent that the morning hour be now considered as exhausted. That will relieve the difficulty.

Mr. SPRINGER. It wants but two minutes of the time now.

There was no objection to the request of Mr. PERKINS.

Mr. ANDERSON, of Kansas. Regular order!

## JOEL J. GOSS.

Mr. BANKHEAD, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 2056) for the relief of Joel J. Goss; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

Mr. BANKHEAD. On yesterday, by mistake, I sent up what I thought was this report, but I found it to be a bill of the Forty-ninth Congress. I ask consent to withdraw that report.

There was no objection, and it was so ordered.

SUPERINTENDENTS, RAILWAY MAIL SERVICE.

Mr. DOCKERY, by unanimous consent, introduced a bill (H. R. 6439) authorizing the appointment of eleven division superintendents of the railway mail service; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

BRIDGE ACROSS THE MISSOURI RIVER NEAR OMAHA.

Mr. MCSHANE, by unanimous consent, introduced a bill (H. R. 6440) to authorize the construction of a bridge over the Missouri River at or near Omaha, Nebr.; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

MONTHLY PAYMENTS IN THE ARMY.

Mr. MCSHANE also, by unanimous consent, introduced a bill (H. R. 6441) to secure monthly payments in the Army; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

RELIEF OF CERTAIN ARMY OFFICERS.

Mr. SPRINGER, by unanimous consent, introduced a bill (H. R. 6442) for the relief of officers in the Army who have served continuously in one grade for twenty-one years; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

BRIDGE ACROSS OHIO RIVER.

Mr. LAFFOON, by unanimous consent, introduced a bill (H. R. 6443) to authorize the construction of a bridge across the Ohio River at or near the cities of Hawesville, in the State of Kentucky, and Cannelton, in the State of Indiana; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

READING RAILROAD COMPANY.

Mr. ANDERSON, of Kansas. I demand the regular order.

The SPEAKER *pro tempore*. The regular order is the special order fixed on yesterday to begin at the end of the hour for the consideration of bills to-day, and the Clerk will report the resolution submitted by the Committee on Commerce.

The Clerk read as follows:

*Resolved*, That the Interstate Commerce Commission be requested to investigate all the circumstances connected with the alleged interruption of traffic on the Reading Railroad, and report the facts and their conclusions to Congress, and to exercise their power, if deemed necessary, in the interest of commerce between the States.

Mr. CLARDY. I would like to have the original resolution read, for which this is a substitute.

The Clerk read as follows:

*Resolved*, That the Committee on Commerce is hereby empowered and directed to investigate forthwith the extent, causes, and effect upon interstate commerce of the continued failure by the Reading Railroad Company to transport such traffic, and to report to the House by bill or otherwise, for consideration at any time, such legislation as is necessary to secure to the public the regular and complete execution by a railroad company of its obligations and service as a common carrier of interstate commerce. Said investigation may be made by a subcommittee at such place as it shall deem proper, and the said committee or subcommittee is hereby authorized to send for and examine persons, books, and papers, to administer oaths to witnesses, and to employ a messenger and stenographer; and the expenses of such investigation, not to exceed $5,000, are hereby authorized to be paid out of the contingent fund of the House in the manner now provided by law.

Mr. CLARDY. Mr. Speaker, the Committee on Commerce, to whom was referred the resolution introduced by the gentleman from Kansas [Mr. ANDERSON], which has just been read, believing that there ought to be at least a *prima facie* showing of the truth of the statements contained in the resolution before recommending its adoption, instituted an inquiry which resulted in satisfying a majority of that committee that the resolution ought not to be passed. The facts as the committee, or a majority of the committee, understand them are, in brief, as follows: In the month of December last, and I believe on the 18th day of that month, there arrived at Port Richmond certain cars loaded with flour consigned to the Philadelphia Grain Elevator Company. The employés of the Reading Railroad Company in charge of the company's yard at Port Richmond refused to transfer the cars to the elevator company; and that fact coming to the knowledge of the railroad officials, the general manager issued an order addressed to the superintendent of the company, requiring him to cause the removal of the cars and to discharge such men as refused to aid in their removal.

A number of men—five crews, it is stated—were in turn discharged because of their disobedience to the orders of the superintendent, whereupon the representatives of the labor organizations to which those gentlemen belonged declared a strike, and the employés of the Reading Railroad, to the number of over twenty-five hundred, quit the service of the company. In a few days thereafter the strike was declared off, I believe; anyhow the railroad company continued to do its accustomed business, employing new hands in some instances and in other instances taking back the old ones.

That the statement of facts I have made is a correct one I think I can satisfy the House. On the 1st day of January last the men in the employ of the Philadelphia and Reading Coal and Iron Company, a corporation whose stock I am informed is owned largely, if not entirely, by stockholders of the Reading Railroad Company, quit the service of that company because of an alleged violation of an agreement respecting the compensation which they were to receive. A short time afterward Mr. Corbin, the president of the Reading Railroad Company, published a card addressed to the public, in which he stated the facts that I have stated in regard to what is known as the railroad strike, and then entered upon a discussion of the miners' strike, as it is called. To this card of Mr. Corbin a joint committee of the miners and laborers of Reading and vicinity caused to be published counter-statements in which they deny specifically the statements of Mr. Corbin in regard to the miners' strike, but left undenied what he said about the railroad strike. To this counter-statement Mr. Corbin published a rejoinder in which he incidentally referred to the railroad strike, and in reply to this rejoinder the labor committee published another letter, which opens with the following statement:

Of the railroad matter we have little to nothing to say. For that is not, and has not been made by any one with authority to speak for the miners, an issue.

The Committee on Commerce had no testimony before them showing that interstate traffic had been interrupted on the Reading road a week, a day, or an hour, if we except the interruption at Port Richmond, caused by the refusal of the men to obey the lawful orders of the superintendent. On the contrary, it appears affirmatively that there has been no sort of interference or interruption with interstate traffic or any other traffic on the line of this road.

But, Mr. Speaker, while I presume it was not in the mind of the mover of the resolution at the outset that we should investigate anything but the result of that strike upon interstate commerce, there was a statement made to the committee that the Reading Railroad Company in making what are called its allotments of cars to the various mining companies in the Schuylkill and Lehigh regions discriminates in favor of some companies and against others, never forgetting the Philadelphia and Reading Coal and Iron Company; that in fact the railroad company, for a series of years, has given undue preferences to the corporation to which I have just referred.

I know that railroad companies do not "walk in all the ordinances and commandments of the Lord blameless," and I conclude that this may be true.

But the majority of the Committee on Commerce, Mr. Speaker, believe that there is a statute that affords all the remedies that can be afforded by any statute that may be passed at the instance of any committee appointed by this House. They believe that any of the persons aggrieved, knocking at the door of the Interstate Commerce Commission, in whose integrity and ability the whole country has confidence, can secure the relief to which they are entitled. The third section of that act provides—

That it shall be unlawful for any common carrier subject to the provisions of this act to make or give any undue or unreasonable preference or advantage to any particular persons, company, firm, corporation, or locality, etc.

The application may be made by the complainants to the Interstate Commerce Commission, or they may go into the United States courts at Philadelphia, and there, too, they will realize the truth of the maxim, "Wherever there is a right there is a remedy."

The minority of the committee state that the Reading Railroad Company and the Iron and Coal Company, to which I have referred, while having different names, are in fact one and the same corporation; or, in other words, as I said in the outset, that the owners of the stock of the Reading Railroad Company are the owners of the stock of the Coal and Iron Company. If that be true, and if it be true, as recited in the minority report, that the railroad company is in that regard violating its charter and acting in contravention to the constitution of Pennsylvania, then they ought to go into the courts of Pennsylvania and secure, as they would be able to secure, a forfeiture of the charter of the company.

What is to prevent them from proceeding by a writ of *quo warranto* against the corporation if it has abused its charter privileges as they claim? Their forum is in Pennsylvania, not in Congress. But, Mr. Speaker, while they claim that these organizations are one and the same thing, yet at the same time it is claimed that they are distinct entities, and that they have conspired together in order to affect the price of coal. If that be true, then the resolution adopted by the House the other day, authorizing the Committee on Manufactures to investigate questions of "trusts" and all manner of combinations and conspiracies, would be applicable to this case, and I trust that it will not be the disposition of this House to make another investigating committee of the Committee on Commerce. I think one investigating committee during the session will be about all that we shall be able to stand. I do not believe that an investigation should be ordered, but if the House determine to do otherwise, I trust that a special committee may be selected. I reserve the balance of my time.

Mr. BLAND. I would like to ask my colleague one question, if he will permit me.

Mr. CLARDY. I will.

Mr. BLAND. I understand that this corporation is operating in coal and iron. Now, coal and iron being protected by the tariff come under the revenue laws, and I want to ask my colleague whether that does not give us jurisdiction to inquire how it is that protection enables these corporations to dominate labor?

Mr. CLARDY. In reply to my colleague, I will say that, like himself, I had presumed that there was a duty on anthracite coal, and I had constructed an argument, a right good one, on that presumption, but

I found upon examination that there was no duty at all upon it. [Laughter.]

Mr. BRUMM. And this is not an iron company, either.

Mr. RAYNER. Mr. Speaker, I think that when the House fully understands the two reports that have come in from the committee, it will find no difficulty in adopting the minority report. I do not believe, for one, in any half-way measures upon this subject. I am very frank to say that when monopoly combines to drive the ranks of labor to starvation's point, labor has an equal right by every natural law of justice to combine and strike for living wages. The Reading Railroad Company can pool its interests with other roads to crush and grind the yeomanry of toil, but when the men upon whose bent bodies and bowed shoulders this great enterprise has been constructed and sustained are on their knees begging for bread, we are told that their ranks must scatter and disintegrate at the bidding of a lordly clan, who have organized an infamous "trust" to control the prices of articles of consumption and to corner the markets of this land. I utter this not in the spirit of demagogism, because I have neither the arts nor the aspirations of a demagogue. I utter it because I believe it to be the living truth. I am the mortal foe of violence in all its forms, but I am the friend of labor and of its sovereign power, ordained by nature, that by every peaceful method it may assert and vindicate its rights.

The Reading mines are closed, and why? Because, as has been properly stated here, the company has violated a solemn compact that it had made with its employés, and now commands them to surrender, threatening that otherwise it will proclaim to the consuming public of America that that great channel of commerce shall be closed, and not a ton of traffic shall be freighted over it. In other words, this corporation says to them, "We will unite the Lehigh and the Schuylkill mines, and we will so appreciate the price of this commodity, coal, that the overwhelming power of public necessity, speaking from every hearth and fireside of this country, shall drive you to your dens." Shall this be done? I, for one, say never. Have we the power here beyond the power of the Interstate Commerce Commission to bring this great monopoly to bay? I say that we have. I say that under the power to regulate commerce between the States this body has the right to pursue this investigation as an independent body, and I am sustained by an unbroken current of authorities and decisions, from the case of Ogden *vs.* Gibbons, in 9 Wheaton, to the last case, of Texas *vs.* The Telegraph Company, in 105 U. S. Reports, in support of this elementary proposition of constitutional law. Now, gentlemen, I will ask you to give your attention to what I am about to say, because I shall occupy only five minutes more of your time.

Do you know that the constitution of Pennsylvania prescribes in express terms that this company has no right to carry on a mining business? Let me read a paragraph from the constitution of that State, and then observe what a fraud this company is practicing to-day upon the consumers of this country. I read:

> No incorporated company doing the business of common carrier shall directly or indirectly prosecute or engage in mining; nor shall any such company directly or indirectly engage in any other business than that of common carriers.

What does the Reading Road do to evade that provision? It has incorporated a legal company, known as the Philadelphia and Reading Coal and Iron Company, managed by the same directors, officered by the same president, controlled by the same agents and the same superintendents as the Reading Railroad Company, and under the mask of this legal fiction, that railroad company is now violating the constitution of the State that chartered and created it. But this is not all. Let me call your attention to a most remarkable feature in connection with this controversy, which I think will somewhat surprise the learned chairman of the Committee on Commerce.

Mr. GROSVENOR. Will the gentleman allow me to ask him a question?

Mr. RAYNER. If you will give me five minutes uninterrupted, you can put me through a civil-service examination on this business. [Laughter.]

Mr. GROSVENOR. I only want to ask you a question.

Mr. RAYNER. Just give me five minutes first.

Mr. GROSVENOR. I only wanted to ask the gentleman a civil question, directly in the line of his argument.

Mr. RAYNER. All right. Ask your question, then.

Mr. GROSVENOR. If the Reading Railroad is a company chartered under the laws of Pennsylvania, and if it has deviated from the business which is authorized by that charter in the direction in which you have indicated, would not a proceeding in *quo warranto* in the courts of Pennsylvania be the proper remedy?

Mr. RAYNER. Oh, yes! The courts of Pennsylvania are in the habit of granting these writs of *quo warranto!* We know too much about the courts of Pennsylvania——

Mr. O'NEILL, of Pennsylvania. I want to say to the gentleman that the courts of Pennsylvania used the writ of *quo warranto* thirty or forty years ago, and were probably the first courts in the United States to use it. As long ago as I have stated that writ was granted on the application of William M. Meredith, one of the greatest lawyers of his time—no greater lawyer ever lived. I am referring the gentleman to the history of the law of the country as to writs of *quo warranto*.

Mr. O'NEILL, of Missouri. We had Democratic judges then.

Mr. RAYNER. The history of the law is in the law books. I wish to call attention to a point which we think decisive in favor of the opinion of the minority in this case. I am not referring to general principles, but I propose to give you a case in which this very road that we are now seeking to investigate was the complainant. I refer to the case of the State of Pennsylvania *vs.* The Reading Railroad Company, reported in the Supreme Court decisions, 15 Wallace. Mr. Gowen, who was then the distinguished counsel of the Reading Railroad Company, and afterwards its president, came into court and claimed that the Reading Railroad Company was not a State corporation, that it was a carrier of commerce between the States, that the State of Pennsylvania had no right to tax its freights, that Congress alone could do so in the exercise of its power to regulate commerce between the States. That was Mr. Gowen's argument; it was the company's argument. Now let me give you the decision of the Supreme Court of the United States upon this question, delivered by Mr. Justice Strong:

> The transportation of freight is a constituent part of commerce itself. Hence a statute imposing a tax upon freight taken up within the State and carried out of it, or taken up without the State and brought within it, is repugnant to the provisions of the Constitution of the United States which ordains that Congress shall have the right to regulate commerce between the States.

When this company is called into the courts of Pennsylvania to pay its tax as a company deriving its rights from the sovereignty of that State, it goes into the courts and says, "The State of Pennsylvania has no power over us; Congress alone can deal with us, because we are a carrier of commerce between the States." And now when we are seeking to investigate this traffic it says to us, "You have no power as Congress over us because we are a State corporation claiming our rights from the sovereignty of Pennsylvania."

Mr. O'NEILL, of Pennsylvania. If the gentleman will let me ask him a question, I will give him a corresponding portion of my own time. I only wish to ask him right here whether he knows that any of these corporations are seeking to prevent this investigation—whether he has any evidence of it?

Mr. RAYNER. Yes, sir; we have the evidence here of 82,000 starving men turned out of employment in the dead of winter with families dependent upon them for sustenance. [Applause.]

Mr. O'NEILL, of Pennsylvania. Mr. Speaker, I did not ask the gentleman as to that. I asked him whether he knows that the Reading Railroad Company, or the Reading Coal and Iron Company, are seeking to prevent this investigation. I say for one, they are not.

Mr. RAYNER. Then why not allow the investigation? If they are not seeking to prevent it, why not pass this proposition?

Mr. O'NEILL, of Pennsylvania. Very well; we will pass it. [Applause.]

Mr. RAYNER. If you will pass it, then I am done. The only reason I am discussing this proposition is because I fear you may not pass it. [Loud cries of "Vote!" "Vote!"] I want but two minutes more and then I will sit down. We shall have plenty of time to vote.

Mr. BRUMM. The question is not yet in a shape to be voted upon.

Mr. RAYNER. Before sitting down I want to say one other word to the House. [Cries of "Vote!" "Vote!"]

Mr. ANDERSON, of Kansas. I ask for order.

The SPEAKER *pro tempore*. The House will come to order. The gentleman from Maryland [Mr. RAYNER] is entitled to his hour.

Mr. RAYNER. Mr. Speaker, this proposed reference of the question to the Interstate Commerce Commission will amount to nothing. You might as well refer it to the Chinese embassy or to the Public Printer; you would get it back again just as soon. [Laughter and applause.] What is the use of my friend talking about knocking at the doors of the Interstate Commerce Commission? You may knock there until the day of judgment. They never take up a case *ex mero motu*. It is proposed that we request the Interstate Commission to pass upon this question—not command them to do so, but politely request them. By the time they will have done with it these men will all have starved to death.

Let us investigate this subject; let us trace the trouble to the fountain-head. Let us discover, as I believe we shall, that this is a conspiracy of capital, not of labor; and when we have done this, let us at once apply the most heroic remedies that legislation can devise to break up these infernal systems which, under the deceptive form of "trusts," are now overshadowing the prosperous homes and the business centers of this country. I know that it is a hard fight. I know that monopoly, utterly unscrupulous as to the methods it employs, is an enemy terrible to encounter.

It lies in ambush, and under the cover of darkness its poisoned shafts fall thick and fast. But let me say to my friends that, within my humble experience, I have never yet seen the day in the halls of legislation when honor that has no price and manhood that knows no fear could not drive it like a skulking coward from the field of battle. [Applause.]

Mr. CLARDY. I will take the floor and yield to the gentleman from Massachusetts for ten minutes.

Mr. RAYNER. I reserve the balance of my time.

Mr. DAVIS. Mr. Speaker, both the majority and minority of this committee desire to ask for an investigation, and it is only a question of method in order to secure the fairest, most intelligent, and most searching inquiry and the best results. I wish to state now that no request

was made, during all the discussions of this committee, from any interest or person directly interested, for action by Congress.

It was rather singular that, upon the very day when these reports were made, a committee claiming to represent 85,000 people presented a petition asking for an investigation.

Now, every member of this House represents a constituency of about 170,000 persons, and in a general sense he represents a constituency of 60,000,000, but he would hardly feel like signing a petition for all those citizens, and I very much doubt whether the 85,000 miners and railroad employés of Pennsylvania have placed their consciences and their judgments in the keeping of any committee.

The petition appears before this House coincident with the action of this committee, and while I do not charge that it has been suggested by any member of this committee, or any member of the House, it is at least a reasonable inference that it has been the result of a parliamentary rather than a business exigency.

But, sir, all this is immaterial to the issue, inasmuch as we all desire an investigation. A majority of the committee object to an investigation by Congress because we do not believe a committee representing Congress is the body to investigate a subject of this character.

I yield to no man in my respect for Congress when in the performance of its legitimate functions as the popular branch of the law-making power of the country, or as the custodian for a hundred years, and it is to be hoped for many centuries to come, of the rights and interests of the American people.

But its constitution and character unfit it for such an investigation as this should be. Congress is a political body, made up of two political parties whose antagonism is emphasized at this time, and its proceedings must inevitably partake more or less of a partisan character, and will just to that extent be impaired in value. An investigating committee of the House will be subject to the same infirmity. Its members will be made up of each political party, and there will probably be two reports antagonizing and neutralizing each other.

The history of the Congressional investigation during the last Congress of the strike on the Southwestern railroads illustrates this fact. The committee had a most important subject to consider—a railroad disturbance which involved an immense system of railroads and an interruption of interstate commerce throughout the country, and which was associated with violence, riot, and bloodshed.

It was a subject which required probing to the bottom, and a committee of this House was appointed for the purpose; the distinguished war governor of Pennsylvania, Mr. Curtin, was its chairman; another member of the committee is a distinguished member of this Congress [Mr. BURNES]; the gentleman from New Jersey [Mr. BUCHANAN], whose massive frame typifies his sturdy and vigorous intellect, was also a member of that committee. That committee spent much time which would have been valuable to this House, their constituents, and the country in the investigation of this matter. Did they come to any conclusion? Did they throw any light on this subject? None whatever.

It is remarkable, Mr. Speaker, that they came absolutely to no conclusion, and I can not characterize their action better than in the language of the gentleman from New Jersey [Mr. BUCHANAN] in his report, a paragraph of which I ask the Clerk to read.

The Clerk read as follows:

If ever there was occasion presented in which the whole problem of railroad transportation, the powers and duties of common carriers and their relation to the public, the power of the General Government to compel the carrier to transport interstate commerce, and the extent, if any, to which it may, in the exercise of that power, lay its hand upon the carrier, and the employés of such carrier, through Federal legislation, came up legitimately for discussion, it was the occasion in hand. No such discussion is had. But little, if any, consideration of the existence or character of the power of the Federal Government in the premises, and no discussion of the extent to which such power, if it exists, might be safely used, nor of the means by which it might be exercised, appears in the report.

Mr. STEWART, of Vermont. That report was made a whole year afterwards.

Mr. BUCHANAN. It was made thus late not through any fault of the minority of the committee.

Mr. DAVIS. Now, Mr. Speaker, after all this blaze we had a right to expect something better than ashes, or the unsightly and blackened embers of a dead controversy; but that was all we had. We had no advice, no policy suggested, no remedy proposed. I do not blame the committee for this, because, as I have already said, it was composed of gentlemen who were among the very ablest members of this body. It was the fault of their construction. They obeyed the law of their being, and could not escape from their environment, and consequently that investigation had no result.

Mr. BURNES. Will the gentleman yield to me for a moment?

Mr. DAVIS. Yes, sir.

Mr. BURNES. Mr. Speaker, the gentleman from Massachusetts seems to be oblivious to the fact that when that committee reached the Mississippi River the governors of three States were in consultation, unable to devise a proper remedy to quiet the excitement and suppress the disturbances then existing. Commerce was paralyzed; cities of that country were without business or life; railroad trains were stopped, and men were in the throes of anger and distress, were practically under arms. He seems to forget the fact that within twenty-four hours after the arrival of this committee in the city of St. Louis peace was restored and commerce made free. [Applause.] He seems to be oblivious to the fact that the committee, with the illustrious war governor at its head, made serious and earnest recommendations in its report to the House, after detailing all the facts and circumstances, which recommendations——

Mr. DAVIS. I hope the gentleman will not occupy the floor longer in my time. I yielded to the gentleman for a moment, not for a speech.

Mr. BURNES. I will yield to the gentleman out of my time. I say he seems to have forgotten the fact that this committee, in summing up all the evidence taken upon that occasion, added a recommendation to the House and the country——

Mr. DAVIS. I must object to the gentleman entering into a vindication of the committee in my time.

Mr. BURNES. I only desire to say, with the consent of the gentleman from Massachusetts and in response to his own statement, that the committee alluded to recommended seriously and solemnly to Congress to place every railroad employé under the control of the Government, as the employés of steam-boats carrying interstate commerce on navigable rivers and the high seas are placed by existing law.

Mr. DAVIS. I will give the Clerk time to read the paragraph out of the brief time allotted to me, if the gentleman from Missouri will point out the page of this report on which any recommendation occurs.

Mr. BUCHANAN. I wish to state, as a member of the minority of that committee, that I never agreed to any such recommendation.

Mr. DAVIS. I shall be obliged to the gentleman from Missouri if he will point out any paragraph in this report, which is now at his service for that purpose, where such a recommendation occurs. The gentleman pointed it out to me as he thought, but I could not find it, and I do not think that any member of this House can find it.

The report was a nullity, and it is for this reason that we desire another tribunal. We desire a tribunal of a judicial character which can calmly investigate, in a judicial manner, all the facts and circumstances connected with this strike. We have such a tribunal created by the last Congress; a tribunal which has amply justified its existence, because it has dealt most ably, and to a great extent successfully, with the great problem of transportation over the complex system of railroads in all parts of this country, numbering now over 130,000 miles in extent.

It has brought order out of chaos, and substituted amicable competition for destructive rivalry. An investigation of this character, as will be shown by an examination of the twelfth section of the act creating that commission, is already within its province and could be proceeded with and a report made to Congress which, it seems to me, would embody some general suggestions for future action as well as a remedy for present troubles.

If the present strike terminates promptly, still there are great questions to be considered, and some proper and efficient policy for the future evoked from the existing condition of things, on a full consideration of all the circumstances. There should be some remedy for these frequent disturbances which will at the same time protect the rights and guard the interests of labor. No class need quiet and freedom from these conflicts between capital and labor, which check production and obstruct the channels of trade and commerce, more than the workingmen of the country. Such interruptions always affect their interests first and most seriously.

I yield to no man in my sympathy for the workingmen of our country. My life has been spent among them in one of our busiest cities, and my professional avocations have brought me into the closest relations with them in their hours of trial, sickness, suffering, sorrow, and poverty. I have closely observed for many years the struggle between labor and capital in that city, famous for its strikes, some of them bitter and prolonged to the injury of both parties; and, sir, I have seen and hailed with joy the gradual approach to a better policy, which I now believe to be firmly established.

Within a fortnight a committee representing the manufacturers of Fall River have met a committee of the operatives employed in the fifty mills of that city, and have agreed upon a schedule of prices which provides for a satisfactory advance of wages now, and also a sliding scale to be adapted to future conditions of the market. Fall River having first learned in the school of bitter experience the lesson of mutual concession and compromise, has now the honor of teaching it to her sister manufacturing cities, who will not be slow to learn the same lesson.

Our railroads must at some time adopt a similar policy. Meantime let us have this investigation in some form—let it be colorless, impartial, judicial, and complete. Let us have a report from the commission, which shall present the facts and their conclusions, and which may suggest safe and beneficent legislation.

Mr. CLARDY. Mr. Speaker, out of deference to what seems to be the wish of the House to order this investigation I want to say, and I think I speak for the majority of the Committee on Commerce, that if the gentlemen representing the minority will so amend their resolution as to take the committee from the House, so far as we are concerned, we will withdraw all opposition.

Mr. BRUMM. That is all we want.

Mr. RAYNER. We will amend our resolution accordingly.

Mr. ANDERSON, of Kansas. I will offer, Mr. Speaker, this amendment, which I send to the desk and ask to have read. It is intended as a substitute for the existing substitute, and in order that it shall come within the parliamentary rules, I shall put it in the form of a motion to strike out of the substitute proposed by the chairman of the committee all after the word "resolved" and insert before that word the preamble which I send to the desk, to be followed by the resolution accompanying it.

Mr. RANDALL. I suggest to the gentleman from Kansas when the resolution is read to call the previous question.

Mr. CLARDY. I have not yielded for that purpose. I retain the floor.

The Clerk read as follows:

Whereas it is authoritatively alleged that a certain unlawful combination has been formed between sundry corporations and individuals for the purpose of unduly raising the price of anthracite coal, and in pursuance of said purpose have forced a lockout, whereby they have prevented the mining and shipping of coal from the Schuylkill and Lehigh regions, thereby entailing great suffering and distress among thousands of our people, and clogging the wheels of commerce: Therefore, be it

*Resolved*, That a special committee of five members of the House of Representatives be appointed to investigate forthwith the extent, causes, and effect upon interstate commerce of the continued failure of the Reading Railroad Company to transport such commerce, and to report to the House, by bill or otherwise, for consideration at any time, such legislation as is necessary to secure to the public the regular and complete execution by a railroad company of its obligations to serve as a common carrier of interstate commerce, and to investigate all the facts in relation to this matter, and to report the same to the House with such recommendations as the committee may agree upon; and that said committee be authorized to sit during the sessions of the House, and at such places as it may find necessary, to employ a stenographer, to administer oaths, examine witnesses, compel the attendance of persons, and the production of books and papers; and the expenses of such investigation shall be paid out of the contingent fund of the House.

Mr. CLARDY. I adhere to my proposition and ask that the original proposition may be reported; I mean the proposition reported by the minority of the committee.

Mr. O'NEILL, of Pennsylvania. I desire to ask the chairman of the committee a question as to how any further time in discussing this subject is to be given out. There are some members of the committee who want to say a word.

Mr. CLARDY. Not wishing to interrupt my friend from Pennsylvania, I will say that I propose to call the previous question.

Mr. ANDERSON, of Kansas. That will be acceptable to us.

Mr. RANDALL. The best speech the friends of this proposition can listen to is a vote of the House.

Mr. O'NEILL, of Pennsylvania. Might not the chairman of the committee consent that the special committee should comprise more than five members? I think myself this is the proper solution of the subject, to have an investigation by a committee of the House rather than by a portion of the Committee on Commerce. Let the Speaker of the House select the committee, but let it comprise seven or nine members. And then let the investigation be started at an early day.

The SPEAKER *pro tempore*. The gentleman from Missouri [Mr. CLARDY] calls for the reading of the resolution reported by the minority of the committee. Is there objection to considering as pending the amendment of the gentleman from Kansas which has now been read?

Mr. CLARDY. I object. I ask to have the resolution reported by the minority read.

Mr. DAVIS. I would like to know what is the exact position taken in this matter by the chairman of the committee.

Mr. CLARDY. I am now calling for the reading of the resolution reported by the minority. I said out of deference to what seemed the sentiment of the House, I spoke, I thought, for the majority of the Committee on Commerce when I said that I would assent to the appointment of a committee, if it was a special committee; and if the resolution reported by the minority was amended in that regard I thought there would be no objection to it.

Mr. DAVIS. I have no objection to that proposition.

The SPEAKER *pro tempore*. The gentleman from Missouri [Mr. CLARDY] calls for the reading of the minority resolution.

Mr. RAYNER. I am willing that the minority report shall be amended as suggested. That report as it stands is in favor of the original resolution offered by the gentleman from Kansas, which sends the investigation to the Committee on Commerce. I am willing to accept the proposition on the part of the minority if other gentlemen agree with me to send the investigation to a special committee, adopting a resolution to that effect without any preambles or whereases.

Mr. BRUMM. I desire to ask one question. If the report of the minority be adopted, amended as suggested, leaving the investigation to a special committee—the number I do not care about—will not that limit the examination to the railroad company alone?

Mr. CLARDY. I think not.

Mr. BRUMM. Let the resolution of the minority be read.

The resolution was read, as follows:

*Resolved*, That the Committee on Commerce is hereby empowered and directed to investigate forthwith the extent, causes, and effect upon interstate commerce of the continued failure by the Reading Railroad Company to transport such traffic, and to report to the House, by bill or otherwise, for consideration at any time, such legislation as is necessary to secure to the public the regular and complete execution by a railroad company of its obligations and service as a common carrier of interstate commerce.

Said investigation may be made by a subcommittee at such places as it shall deem proper, and the said committee or subcommittee is hereby authorized to send for and examine persons, books, and papers, to administer the oath to witnesses, and to employ a messenger and a stenographer; and the expenses of such investigation, not to exceed $5,000, are hereby authorized to be paid out of the contingent fund of the House in the manner now provided by law.

Mr. RAYNER. I offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out the words "Committee on Commerce" and insert "a special committee of five members."

Mr. ANDERSON, of Kansas. I also call the attention of the gentleman from Maryland to the fact that in the following paragraph there should be stricken out the words "by a subcommittee," and in the next line the words "or subcommittee."

Mr. WEAVER. I suggest to the gentleman from Kansas that it would be better for him to insist on his own resolution.

Mr. ANDERSON, of Kansas. I desire to make a parliamentary inquiry, which is this: I understood the gentleman from Missouri [Mr. CLARDY] to consider as pending the substitute which I offered, which was first read. That, I think, was the statement of the Chair at the time; and I would like to suggest this to the gentleman, that the House first take a vote upon the substitute, the preamble and resolution which I offered, and, if that be voted down, that we then take the vote upon the amendment proposed by the gentleman from Maryland [Mr. RAYNER].

The SPEAKER *pro tempore*. The Chair does not understand that the amendment of the gentleman from Kansas is pending.

Mr. ANDERSON, of Kansas. I think if the Chair will look at the record he will find that the gentleman yielded the floor for that purpose.

Mr. CLARDY. I yielded in order to have the amendment read. Now I want to say to the gentleman from Kansas that I am willing to accept any amendment enlarging the powers of the committee, but I do not think that the preamble to the resolution should stand.

Mr. ANDERSON, of Kansas. Very well. If I withdraw the preamble will the gentleman then accept the substitute?

Mr. CLARDY. I think I will. Let us have it read.

The Clerk read as follows:

*Resolved*, That a subcommittee of five of the House of Representatives be appointed to investigate forthwith the extent, causes, and effect upon interstate commerce of the continued failure by the Reading Railroad to transport such commerce, and to report to the House by bill or otherwise, for consideration at any time, such legislation as is necessary to secure to the public the regular and complete execution by a railroad company of its obligations to serve as a common carrier of interstate commerce; and to investigate all the facts in relation to this matter, and report the same to the House with such recommendations as the committee may agree upon; and that said committee be authorized to sit during the sessions of the House, etc.

Mr. BRUMM. With the preamble stricken out the resolution does not affect the miners at all. If the gentleman will consent to include the miners we will withdraw all objection.

Mr. CLARDY. All right.

The SPEAKER *pro tempore*. The Chair will inquire whether this is intended to be a substitute for the original or for the substituted resolution.

Mr. ANDERSON, of Kansas. Will the Chair please state whether the original resolution, which was referred to the Committee on Commerce and reported back, is before the House, or whether the question before the House is the resolution which was reported as a substitute by the majority of the Committee on Commerce?

The SPEAKER *pro tempore*. The Chair will state that the original resolution is before the House, but the vote must first be taken on the substitute reported by the committee.

The Chair understands that the gentleman from Maryland [Mr. RAYNER] has now pending an amendment to the substitute. Does the gentleman withdraw that amendment?

Mr. RAYNER. If it does not meet the approval of the gentleman from Pennsylvania [Mr. BRUMM] I will withdraw it. I do not insist upon the amendment.

Mr. ANDERSON, of Kansas. I want to hear from the gentleman from Missouri [Mr. CLARDY] on this subject.

Mr. CLARDY. There is objection. If this investigation is to be made, I trust that the committee will have power to go to the bottom of the whole matter.

Mr. ANDERSON, of Kansas. That is what we want.

Mr. CLARDY. I suggest, therefore, that an amendment be inserted including the Iron and Coal Company.

Mr. ANDERSON, of Kansas. All right.

Mr. BRUMM. Mr. Speaker, I think I can suggest an amendment which will meet the case. I propose to amend the resolution so as to read in this way:

*Resolved*, That a special committee of five of the House of Representatives be appointed to investigate forthwith the extent, causes, and effect upon interstate commerce of the continued failure by the Reading Railroad to transport such commerce, and to report to the House by bill or otherwise, for consideration at any time, such legislation as is necessary to secure to the public the regular and complete execution by a railroad company of its obligations to serve as a common carrier of interstate commerce, and to investigate all the facts in relation to the mining companies and individual miners of anthracite coal in connection therewith, etc.

Mr. RANDALL. If the gentleman from Missouri [Mr. CLARDY] will give his attention, I think I can suggest a proposition in the nature of an amendment which, added to the resolution of the gentleman from Kansas [Mr. ANDERSON] will constitute the better part of this proposition. The controversy between the railroad company and its employés is but one branch of the inquiry. The much more important controversy is in relation to the difficulties which exist between the coal corporations and the miners. The case of the miners, in my judgment, is a vast deal stronger than the case of the employés of the railroad company, and I therefore suggest that the proposition of the gentleman from Kansas be amended by adding these words:

And, further, to investigate the existing difficulties in the Schuylkill and Lehigh coal regions of Pennsylvania between the corporations mining coal and the miners.

Mr. BRUMM. We will accept that.

Mr. ANDERSON, of Kansas. I accept that. I now move my resolution with that amendment.

The SPEAKER *pro tempore*. The vote must be taken first on the substitute reported by the committee.

Mr. CLARDY. I ask leave to withdraw it.

The SPEAKER *pro tempore*. Is there objection? The Chair hears none, and the substitute reported from the committee is withdrawn.

Mr. ANDERSON, of Kansas. Now, Mr. Speaker, I propose, in place of the original resolution, my amendment, with the amendment of the gentleman from Pennsylvania [Mr. RANDALL] added.

Mr. McMILLIN. Will the gentleman from Kansas permit a suggestion? The resolution provides for the employment of a stenographer. I will remind him that we have two stenographers for committees regularly employed by the House under the law, and probably their services can be secured if they are not otherwise engaged.

The SPEAKER *pro tempore*. The Clerk will report the amendment of the gentleman from Kansas, and then the proposition as amended.

The Clerk read as follows:

*Resolved*, That a subcommittee of five of the House of Representatives be appointed to investigate forthwith the extent, causes, and effect upon interstate commerce of the continued failure by the Reading Railroad Company to transport such commerce, and to report to the House, by bill or otherwise, for consideration at any time, such legislation as is necessary to secure to the public the regular and complete execution by a railroad company of its obligations to serve as a common carrier of interstate commerce; and, further, to investigate the difficulties existing in the Schuylkill and Lehigh coal regions of Pennsylvania between the corporations mining coal and the miners; and to investigate all the facts in relation to mining corporations and individual miners of anthracite coal in connection therewith.

Mr. ANDERSON, of Kansas. As I understand it, that last clause is withdrawn by the gentleman from Pennsylvania [Mr. BRUMM].

Mr. BRUMM. No. Leave it all in; it does no harm.

Mr. TARSNEY. Mr. Speaker, only one moment shall I occupy the attention of this House. I regret very much, sir, that I have to differ from the distinguished chairman of the Committee on Commerce, but I think that we are getting into a little bit of confusion over this matter. I want to say to my distinguished friend from Pennsylvania [Mr. RANDALL], who has just offered his amendment, that I do not believe this House has any authority whatever to investigate local institutions within the State of Pennsylvania. It becomes simply an incident to the general inquiry which is contemplated by the minority of this committee, with whom I am in hearty accord. As a member of the Commerce Committee, who served upon it during the last Congress, and who has the honor to serve upon it now, I want to know whether these railroad companies are defying the law. I want to know whether this strike in Pennsylvania, as some people call it, is not a lockout forced by the railroad corporation itself.

Now, I want to know whether it is true, according to information which seems to be reliable—information which we absorb on all sides, no matter from what source—that these thousands of men who are out of employment, and who with hundreds and thousands of hungry wives and children are suffering over in Pennsylvania, are not actually forced out of employment by this railroad corporation, simply for the purpose of raising the price of my coal in Saginaw, Mich., $2 a ton. [Laughter and applause.]

When you talk about interstate commerce, Mr. Speaker, it does not mean the method of transportation; it does not mean whether it shall go on keelsons or on wheels; it means traffic; it means trade between the people of different States and different nations And if we have builded up in our country these immense corporations that are combining to absorb the very life-blood of the nation, then we ought to know it; and as a member of the Committee on Commerce I want to see this investigation go on, so that when the report comes back we may have intelligent and reliable information.

I am not here to fight a railroad corporation; nor am I here in the interest specially of the miners. I am one of those who believe in the general equality of mankind. Labor will take care of itself, if it has an equal chance. But I want to say to you who are forming these combinations, these great monopolies through this country, that you are simply throttling and robbing labor. I do not claim to be a laboring man in the ordinary sense [laughter], although I think I work pretty hard—more than twelve hours a day. But I am not here as a member of any labor organization. I am here to say in behalf of common humanity that we should do all that we can to equalize the laws, so that all the members of the community shall have an equal chance in the world. We do not ask anything more. [Applause.]

Mr. ANDERSON, of Kansas. Mr. Speaker, let the amendment be read as modified.

The SPEAKER *pro tempore*. The Clerk will read the pending proposition as modified by the gentleman from Pennsylvania and the gentleman from Kansas.

The Clerk read as follows:

*Resolved*, That a special committee of five of the House of Representatives be appointed to investigate forthwith the extent, causes, and effect upon interstate commerce of the continued failure by the Reading Railroad Company to transport such commerce, and to report to the House, by bill or otherwise, for consideration at any time, such legislation as is necessary to secure to the public the regular and complete execution by a railroad company of its obligations to serve as a common carrier of interstate commerce, and to investigate the difficulties existing in the Schuylkill and Lehigh coal regions of Pennsylvania between the corporations mining coal and the miners, and to further investigate all the facts in relation to the mining corporations and individual miners of anthracite coal in connection therewith, and all the facts in relation to the matter, and report the same to the House, with such recommendations as the committee may agree upon, and that said committee be authorized to sit during the sessions of the House and at such places as it may find necessary, to employ a stenographer, to administer oaths, examine witnesses, compel the attendance of persons and the production of books and papers; and the expense of such investigation shall be paid out of the contingent fund of the House.

Mr. CLARDY and Mr. ANDERSON, of Kansas, called for the previous question.

Mr. BAKER, of New York. I understood it was suggested and agreed to that the committee should consist of seven members.

The SPEAKER *pro tempore*. The Chair does not so understand. The question is on the amendment as read, upon which the gentleman from Kansas and the gentleman from Missouri demand the previous question.

Mr. BAKER, of New York. I would like to move an amendment to provide that the committee consist of seven members.

The SPEAKER *pro tempore*. The gentleman from Missouri [Mr. CLARDY] is entitled to the floor.

Mr. CLARDY. I have demanded the previous question, but withdraw the demand temporarily, and yield for a moment to my colleague [Mr. BURNES], who desires to have read a passage from the report of a previous investigating committee.

Mr. BURNES. Mr. Speaker, it will be remembered that the gentleman from Massachusetts made an issue with regard to the report of Governor Curtin, claiming that it contained no suggestion of a remedy in such cases of disturbances as that of the Southwest strike. As an answer I now desire that a paragraph be read from that report.

The Clerk read as follows:

The power of Congress to deal with the situation presented by this strike must be found in the provisions of section 8, Article I of the Constitution of the United States, by which Congress is empowered to provide for the general welfare of the United States, and to regulate commerce among the several States, and to establish post-offices and post-roads.

Congress has already provided, by section 3964 of the Revised Statutes, "that all railroads or parts of railroads which are now or may hereafter be in operation shall be post-roads, established as such under the authority of the Constitution."

Having cited the express provision of the Constitution authorizing Congress to regulate commerce among the States, we need but refer to the statutes enacted protecting post-roads, and those regulating commerce upon the high seas, and on our navigable rivers, in defining the duties, obligations of, and penalties against, those engaged therein, as proof that ample power to control and regulate, so far as interstate commerce is involved, as well the rights and duties of the employers as of the employés therein, exists, and has been and may be further exercised.

Mr. CLARDY. I yield for a moment to the gentleman from New Jersey [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Speaker, what is known as the "Curtin committee" has been referred to here. The House will pardon a few remarks from one who was a member of that committee and who knows personally of its labors. The committee began the examination in Washington. It then proceeded to the city of St. Louis; after taking some testimony the committee divided, one part going South to Arkansas and Texas, the other proceeding to Kansas. These subcommittees subsequently reunited at St. Louis and completed the taking of the testimony, with a slight exception. The committee then returned to Washington. In the records of the report of the committee—

The subcommittee in the Southwest was absent ten days, and in that time traveled 2,000 miles and examined 328 witnesses. The subcommittee which went to Atchison, Kansas City, and Sedalia traveled over 700 miles and examined 250 witnesses, making a total of miles traveled from Washington and return of 4,880 miles and an examination of 578 witnesses.

Certainly the committee was as industrious in the collection of testimony as the most exacting economist could have demanded. It did this at a total cost to the Government of $4,002.40. Upon the return of the committee to Washington a long delay ensued in the preparation of the report, and when presented I felt it my duty to myself to file with it my views as a member of the minority. As these views state more fully the matters connected with such delay, I will ask the privilege of making it a part of my remarks.

The minority report reads as follows:

VIEWS OF THE MINORITY.

The undersigned is one of those referred to in the report of the majority as not being able to assent to all portions of that report. The report is divided into two parts: First, a narrative of the events antecedent to and during the strike:

and, second, conclusions arrived at from a consideration of the testimony. The narrative portion is the result of much labor spent in the study of the testimony, and the arrangement in consecutive order of the facts contained therein. The result is a clear and comprehensive statement, correct in the main.

In one important particular, however, this statement is defective. By inadvertence, no doubt, one of the main causes of discontent on the Texas and Pacific just preceding the strike on that road is but incidentally mentioned in the report, and even that mention is not in its proper place in the narrative. Convinced that any history of this most disastrous strike must be incomplete which does not make prominent the grievances suffered by the employés on that road, their abortive efforts to have those grievances redressed, and the angry and discontented feeling engendered thereby, the undersigned has thought it important to supply this deficiency by giving the matter somewhat more in detail.

That such grievances existed is abundantly shown by the testimony. They were of various kinds, such as reduction of wages below the point named in the agreement signed on the termination of the previous strike, non-payment of wages at the rate of "time and a half for overtime," as provided for in said agreement; no extra pay for work in water, or travel on Sunday and at night; small deficiencies in amounts of checks forwarded for wages earned, and other matters. The testimony taken by the subcommittee which visited Texas, as to the existence and character of these grievances, was so complete as to be conclusive, and, in fact, after a few attempts at overcoming it on the part of the railroad officials, all further effort to disprove it was practically abandoned by them.

These grievances not being redressed, save in a few instances, the uneasy feeling left by the old strike was thereby deepened into discontent, and the way was the more easily prepared for the strike which followed. The failure to have these grievances redressed was very unfortunate. The responsibility of such failure will be located by a moment's attention to the testimony as to methods adopted by the workmen to secure redress.

It appears by this testimony that when a workman suffered what he felt to be a grievance, the orderly method was for him to make complaint of the injury to his local assembly. It was then investigated by the committee on grievances of such assembly. If his complaint was found just, it was then forwarded to the chairman of the executive committee of the district assembly, to be by him presented to the officials of the company for adjustment.

Many such grievances were thus investigated, found well founded, and forwarded to Martin Irons, chairman of District Assembly No. 101. No redress arriving, the parties aggrieved naturally supposed that their grievances had been presented and remained unredressed. In fact, a number who testified that they had complaints which had been presented and which had not been rectified, when subjected to cross-examination admitted that all they knew about the matter was that the complaints had been forwarded and no redress had arrived.

The supposition that the officials had refused redress was undoubtedly strengthened by the promise of the redress of "many other grievances" contained in the circular issued by Mr. Irons to the subordinate assemblies on the eve of the strike, asking for a vote upon the ordering of the strike, and as stated the discontent and anger among the employés were greatly increased by this supposed failure to redress their wrongs. Upon the cross-examination of Mr. Irons at St. Louis, he admitted receiving these grievances, and said that he had presented but one of them to the railroad officials at St. Louis, and that one was promptly redressed. He claimed, in explanation of his failure to present them, that these grievances were not properly to be presented to the chief officials of the road at St. Louis, but belonged for adjustment to the local officials stationed at the points where the grievances arose.

Whether this claim be correct or not, it will be seen at a glance that, between the local assemblies and Martin Irons on the one hand, and the chief officials of the road at St. Louis and the local officials at other points on the other hand, the apparently well-devised machinery for the redress of grievances failed in its intended operation and effect. Had the full fact been made known to the workmen that their grievances had lodged somewhere between them and the persons they were designed to ultimately reach, no doubt a kindlier feeling would have existed. Without this knowledge, and believing, and with reason to so believe, that their complaints had been persistently ignored, they were incensed, and who shall say, from their standpoint, that they had no cause to be incensed? At all events, all this largely prepared the way for a hearty co-operation by them in the strike when ordered, and largely contributed to their willingness to unite in favor of the strike being ordered, and no history of the strike on the Texas Pacific is complete without mention of this fact.

As to the destruction of property and the assaults upon life which occurred during the strike, attention is called to the fact that perhaps in no State in the Union is there any lack of local law sufficient, if enforced, to protect both person and property. Certainly, with possibly an exception, by the faulty wording of one of the statutes of the State of Texas, the committee found the local laws already in existence sufficient for such purpose. That these laws were not enforced in some places, for weeks even, can not be disputed; but the fault lay not with the law, but with its sworn administrators. The protection of life and property within the confines of any State is primarily the duty of that State. The policing power is for the State to exercise, and if those charged with that power fail to execute it, the remedy would seem to be, not the enactment of more law, but a change of officials.

And yet the fact must be recognized that the problem of railroad management and regulation seems to be rapidly outgrowing State lines and is pushing to the front for recognition and solution. While the police powers are for the State, the security of uninterrupted transportation for the shipper of interstate commerce seems to be within the power of the General Government to protect. Some legislation, crude, it must be acknowledged to be, and but tentative at the best, in relation to the transportation of interstate commerce, has been enacted by the present Congress.

The practical workings of that legislation may suggest further and additional regulation and more complete remedies in the future. While we are wise, perhaps, in relying upon such workings for additional suggestions for legislation, still regret must be expressed that the report does not discuss more fully and exhaustively the various questions which present themselves to any intelligent reader of the testimony relating to this question of the regulation and control of the carriers of interstate commerce.

Here was a strike which presented, in one phase or another, every question which can arise in connection with this subject. The strike was unprecedented in extent and completeness. It covered, among others, a road already in the hands of the United States court. It extended to a demand for the severance of all traffic with another road in the hands of another United States court. All the roads affected were engaged in the transportation of interstate commerce. By the stoppage of traffic large quantities of interstate freight were detained, and some of it perished for want of transportation.

If ever there was an occasion presented in which the whole problem of railroad transportation, the powers and duties of common carriers, and their relation to the public, the power of the General Government to compel the carrier to transport interstate commerce, and the extent, if any, to which it may, in the exercise of that power, lay its hand upon the carrier, and the employés of such carrier, through Federal legislation, came up legitimately for discussion, it was the occasion in hand. No such discussion is had. But little, if any, consideration of the existence or character of the power of the Federal Government in the premises, and no discussion of the extent to which such power, if it exists, might be safely used, nor of the means by which it might be exercised, appears in the report.

The undersigned will not undertake such discussion. If other reasons for declining such undertaking were wanting the following facts would seem to be sufficient excuse. They are stated not by way of complaint, but by way of explanation. The committee immediately upon its appointment met and arranged for the prosecution of its work. It proceeded to the West, divided into subcommittees, and took testimony simultaneously at different points. It is confidently claimed that no committee ever traveled more miles, examined more witnesses, and took more testimony in a given time. The matter was probed to the bottom, every essential fact was obtained, and every effort made to arrive at an impartial ascertainment of the truth. This done, the committee returned to Washington.

One witness, whose testimony was thought by some to be desirable, was sick and could not be examined. He remained ill, and finally died, never having rallied sufficiently to appear in answer to the subpœna of the committee. Meanwhile the committee were not called together, and at the commencement of the present session some members of the committee made urgent and repeated requests for a meeting. Finally a meeting was held, and the steps taken to formally close the testimony. Another meeting for consultation was held, at which the undersigned could not be present.

The first draught of a report was not presented to the committee for consideration until about the middle of February. It was referred to a subcommittee for revision. The undersigned first saw the revised report March 1, and it was first read to the full committee March 2. The undersigned expressed his dissatisfaction with the report, and his conviction that it was then too late to properly frame and supply the discussion which the importance of the subject demanded.

It was then near the close of the session; important legislation was being finally acted upon, and the duties of the members lay in attendance upon the session. However, he obtained leave to add some supplemental views, and an adjournment was had, as he understood, until 2 o'clock in the afternoon of the next day. Before the time fixed for such adjourned meeting had arrived the report was presented, and all opportunity to present and discuss additional views was at an end.

No bad faith in this is charged. It was, no doubt, a pure inadvertence, but the effect was the same nevertheless. The effect of this late presentation of the report must necessarily be to prevent any consideration of the subject being entertained by the present Congress, and the only benefit to the country at large of the labors of the committee must consist in the fact that a large mass of testimony covering every phase of a widely-extended, fiercely-fought, and long-continued suspension of operations on thousands of miles of railway has been gathered together for the study of the economist and the legislator.

JAMES BUCHANAN.

I do not know but that the concluding remark in that report about the "only benefit," etc., is a little too broad.

The majority say in their report that—

On the evening of the 1st of May a correspondence was begun between the executive board of the Knights of Labor, which was at that time in St. Louis, and members of the committee, which resulted in declaring off the strike, to take effect on May 3.

And when they say further—

The effect of the strike was and is a serious loss to the business interests of that section of the country; the public generally, the producing classes, the mercantile population, and everybody was caused to suffer even more than the strikers, or the railroads, for their losses were beyond computation. The loss to the strikers alone, 9,000 of them, for 50 days, at $2 a day, would amount to the enormous sum of $900,000;

The loss of the non-striking employés, necessarily deprived of employment pending the strike, is roughly estimated at $500,000;

The loss of property, destruction of engines, cars, bridges, machinery, of the company and the loss of revenue to this company, taking the earnings of 1885 as a comparison, was about $2,800,000;

The loss to the general public certainly amounts to millions of dollars;

and thus show the magnitude of the strike and the disastrous effects of its continuance, it must be admitted that any action of the committee which hastened its termination was a benefit to the country. I have thought proper to say this much as to the work of our committee. Its work was done speedily and with a thoroughness none will question. Its failure to report in time for such report to be of value is not chargeable to the minority in the least degree.

Mr. WHITE, of New York. The gentleman from Missouri [Mr. CLARDY] yields to me, as I understand, that I may read an amendment which I desire to offer:

Amend the resolution by adding the following clause:

"And that said committee be, and is hereby, directed to inquire also whether there has been any unlawful combination of large bodies of men to interrupt the business of said Reading Railroad, and to deprive it of freight destined for transportation by said railroad to points beyond the limits of the State of Pennsylvania, and if such illegal combination is found to exist, to report what legislation is necessary and proper on the part of Congress to prevent and punish such combinations in the future."

Mr. BRUMM. I do not object to that.

Mr. CLARDY. I do, and demand the previous question on the resolution and amendment.

The previous question was ordered; and under the operation thereof the amendment was agreed to, and the resolution as amended was adopted.

Mr. CLARDY moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. SPRINGER. I move that the House do now adjourn.

The House divided; and there were—ayes 145, noes 31.

So the motion was agreed to; and accordingly (at 3 o'clock and 10 minutes p. m.) the House adjourned.

## PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred, as indicated below:

By Mr. PLUMB: A bill (H. R. 6444) for the relief of Eliza Murphy—to the Committee on War Claims.

By Mr. MATSON: A bill (H. R. 6445) for the relief of James F. Fee—to the Committee on War Claims.

By Mr. GEAR: A bill (H. R. 6446) for the relief of Hiram McGinnis—to the Committee on Military Affairs.

By Mr. FINLEY: A bill (H. R. 6447) for the relief of Edward Marcum—to the Committee on Military Affairs.

Also, a bill (H. R. 6448) for the relief of Elizabeth A. South—to the Committee on Invalid Pensions.

By Mr. G. M. THOMAS: A bill (H. R. 6449) for the relief of John Moran—to the Committee on Invalid Pensions.

By Mr. HUNTER: A bill (H. R. 6450) for the relief of John Burnam—to the Committee on War Claims.

Also, a bill (H. R. 6451) for the relief of George P. Stone—to the Committee on War Claims.

Also, a bill (H. R. 6452) granting a pension to Robert Herrin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6453) granting a pension to George P. Stone—to the Committee on Invalid Pensions.

By Mr. DINGLEY: A bill (H. R. 6454) granting a pension to Mrs. Harriet A. Howse—to the Committee on Invalid Pensions.

By Mr. HEARD: A bill (H. R. 6455) for the relief of Ervin McCay—to the Committee on War Claims.

Also, a bill (H. R. 6456) for the relief of Daniel Bentley—to the Committee on War Claims.

Also, a bill (H. R. 6457) for the relief of the Christian Church of Marshall, Saline County, Missouri—to the Committee on War Claims.

By Mr. STONE, of Missouri: A bill (H. R. 6458) for the relief of Colman Guthrie—to the Committee on War Claims.

Also (by request), a bill (H. R. 6459) to authorize the Secretary of the Interior to approve the lease of certain lands in the Quapaw Indian reservation for mining purposes, and for other purposes—to the Committee on Indian Affairs.

By Mr. MORGAN: A bill (H. R. 6460) to amend the record of Robert Walter—to the Committee on Naval Affairs.

Also, a bill (H. R. 6461) to place the name of Elizabeth White on the pension-rolls—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6462) for the relief of Henry L. Hawkins—to the Committee on War Claims.

Also, a bill (H. R. 6463) for the relief of Paul Leary—to the Committee on War Claims.

By Mr. RICE: A bill (H. R. 6464) for the relief of certain Indians who served in the armies of the United States against their own people when at war with the United States, and of their families and descendants from the operation of certain acts of Congress passed to punish the hostile Indians—to the Committee on Indian Affairs.

By Mr. HATCH: A bill (H. R. 6465) granting an increase of pension to Abraham L. Shepherd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6466) granting a pension to Christian Louth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6467) granting a pension to Henry Keller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6468) granting a pension to Fritz Holzer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6469) for the relief of Robert Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6470) for the relief of Nancy Murphy—to the Committee on Pensions.

Also, a bill (H. R. 6471) for the relief of Thomas Caul—to the Committee on Claims.

Also, a bill (H. R. 6472) for the relief of Thomas Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6473) granting a pension to Mrs. R. E. Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6474) granting a pension to Amanda F. Deck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6475) granting a pension to George Harmon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6476) granting a pension to Henry H. Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6477) granting a pension to Charles P. Pool—to the Committee on Invalid Pensions.

By Mr. DORSEY: A bill (H. R. 6478) granting a pension to Elizabeth Smith—to the Committee on Invalid Pensions.

By Mr. CUMMINGS: A bill (H. R. 6479) for the relief of Albert H. Geering—to the Committee on Claims.

By Mr. DAVENPORT: A bill (H. R. 6480) for the relief of Luzerne Todd—to the Committee on Invalid Pensions.

By Mr. CROUSE: A bill (H. R. 6481) for the relief of A. B. Ackerman—to the Committee on Military Affairs.

By Mr. J. E. CAMPBELL: A bill (H. R. 6482) granting a pension to Eliza A. Clark—to the Committee on Invalid Pensions.

By Mr. PUGSLEY: A bill (H. R. 6483) granting a pension to Thomas McClannahan—to the Committee on Invalid Pensions.

By Mr. CHARLES O'NEILL: A bill (H. R. 6484) to remove the charge of desertion from the record of John Cronin—to the Committee on Military Affairs.

By Mr. J. H. O'NEALL: A bill (H. R. 6485) granting a pension to Riley Davis—to the Committee on Invalid Pensions.

By Mr. OSBORNE: A bill (H. R. 6486) granting a pension to Erastus H. Warner—to the Committee on Invalid Pensions.

By Mr. BAYNE: A bill (H. R. 6487) for the relief of John Montgomery—to the Committee on War Claims.

By Mr. BUTLER: A bill (H. R. 6488) for the relief of Elisha P. Coffee—to the Committee on Military Affairs.

Also, a bill (H. R. 6489) for the relief of John C. White—to the Committee on Military Affairs.

Also, a bill (H. R. 6490) granting a pension to Solomon S. Cropenhite—to the Committee on Invalid Pensions.

By Mr. WISE: A bill (H. R. 6491) for the relief of Lowman & Co.—to the Committee on Claims.

Also, a bill (H. R. 6492) for the relief of Robert F. Williams & Co.—to the Committee on Claims.

By Mr. GUENTHER: A bill (H. R. 6493) granting a pension to Alfred Davis—to the Committee on Invalid Pensions.

By Mr. J. R. BROWN: A bill (H. R. 6494) granting a pension to Sarah A. Williamson—to the Committee on Pensions.

By Mr. W. L. WILSON: A bill (H. R. 6495) granting a pension to Theophilus Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6496) for the relief of John F. Smith—to the Committee on War Claims.

Also, a bill (H. R. 6497) for the relief of William M. Morrison—to the Committee on Indian Affairs.

Also, a bill (H. R. 6498) for the relief of the sureties of Dennis Murphy—to the Committee on War Claims.

Also, a bill (H. R. 6499) to remove the charge of desertion from the record of Tunis Covert—to the Committee on Military Affairs.

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Changes in the reference of bills improperly referred were made in the following cases, namely:

A bill (H. R. 234) for the relief of David Morrow—from the Committee on Claims to the Committee on War Claims.

A bill (H. R. 651) for the relief of George A. Norton—from the Committee on Claims to the Committee on War Claims.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. E. P. ALLEN: Resolutions of the Detroit (Mich.) Board of Trade, favoring the organization of a naval reserve corps on the Great Lakes—to the Committee on Naval Affairs.

Also, petition of Charles E. Adams, W. H. Spalding & Co., and C. B. Coburn & Co., of Lowell, Mass., for relief from the hardship of the special-license tax imposed upon those who sell pure alcohol only—to the Committee on Ways and Means.

By Mr. C. L. ANDERSON: Petition of S. Abraham and others, citizens of Attala County, Mississippi, to place salt on the free-list—to the Committee on Ways and Means.

By Mr. C. R. BRECKINRIDGE: Papers in the claim of Henry H. O'Neal; of estate of David Alexander, and of Michael C. Henderson, of Arkansas—to the Committee on War Claims.

By Mr. BREWER: Petition of Ralph Watson, E. C. Keeney, and 30 others, citizens of Riley, Clinton County, Michigan, in favor of a postal telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. BUTLER: Papers in the claim of George W. Pierce, of Jefferson County, Tennessee—to the Committee on War Claims.

Also, petition of Elisha P. Coffee, for removal of charge of desertion—to the Committee on Military Affairs.

By Mr. BUTTERWORTH: Petition in behalf of assistant surgeons of the United States—to the Committee on Military Affairs.

Also, resolution of the National Guard Association for an appropriation of a million dollars for the militia of the United States—to the Committee on Military Affairs.

Also (by request), petition of Anne Lucas for relief—to the Committee on War Claims.

By Mr. CUTCHEON: Resolutions of citizens of Pocahontas, Va., in regard to duty on coal—to the Committee on Ways and Means.

By Mr. DINGLEY: Petition of John N. Hill and 28 others, of C. H. Welch and 32 others, of William B. Thurlow and 91 others, of Charles E. Staples, of S. S. Marble and 80 others, of General D. Tillson and 200 others, of H. V. Lane and 110 others, of F. N. Tellison and 37 others, and of George C. Dow and 37 others, citizens of Maine, for the erection of a light-house on Goose Rocks or Channel Rocks—to the Committee on Commerce.

By Mr. ERMENTROUT: Memorial of S. S. Turner, M. D., for the relief of acting assistant surgeons of the United States Army—to the Committee on Military Affairs.

Also, memorial of O. S. Shepherd, for refunding income tax paid by soldiers during the late war—to the Committee on Ways and Means.

By Mr. FINLEY: Petition of Josiah W. Bland, of Gabriel Warren, of W. P. Vanarsdale, of John Brown, of Benjamin C. Embry, and of Elijah Warren, of Green, and of Harriet L. Wooten, and of Eliza C.

Shoddy, of Barren County, Kentucky, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. GROUT: Petition of Mahala Dexter, for a pension—to the Committee on Invalid Pensions.

Also, petition of A. B. Stark and others, of Vermont, for a law to refund to drafted men commutation money paid by them—to the Committee on Military Affairs.

Also, petition of the gold and silver beaters of the United States, for increased duty on certain articles—to the Committee on Ways and Means.

Also, papers relating to pension claim of H. H. Buck—to the Committee on Invalid Pensions.

Also, statement of Reuben Spaulding, relative to his claim for a pension—to the Committee on Invalid Pensions.

By Mr. HAYES: Petition to grant soldiers of the late war 160 acres of land—to the Committee on the Public Lands.

Also, petition of citizens of Iowa, for a national system of telegraphy—to the Committee on the Post-Office and Post-Roads.

By Mr. D. B. HENDERSON: Petition of the Society of Friends of the United States, for the settlement of differences between the United States and Great Britain by arbitration—to the Committee on Foreign Affairs.

Also, in relation to the poor of the District of Columbia—to the Committee on Appropriations.

By Mr. HUNTER: Petition of Elizabeth F. Carter, for a pension—to the Committee on Invalid Pensions.

Also, petition of Robert Herrin, for a pension—to the Committee on Invalid Pensions.

Also, petition of the Society of Friends in convention at Richmond, Ind., for international arbitration—to the Committee on Foreign Affairs.

Also, petition of the faculty of Bethel College at Russellville, Ky., for an international copyright law—to the Committee on Patents.

Also, petition of Elizabeth A. Whalin, of Warren County, Kentucky, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. JOSEPH: Two petitions of citizens of the Territory of New Mexico, for a reduction of postage on seeds, bulbs, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. KENNEDY: Papers in the case of Martin Barringer, for relief—to the Committee on Military Affairs.

By Mr. LEE: Petition of Robert C. Rogers, of Stafford County, and of George W. Virtz, of Hillsborough, Loudoun County, Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. LODGE: Petition of citizens of Essex County, Massachusetts, for a treaty of arbitration—to the Committee on Foreign Affairs.

By Mr. LONG: Petition of New England Conference of Methodist Episcopal Church, for free admission into the country of certain Chinese preachers—to the Committee on Foreign Affairs.

By Mr. McCREARY: Petition of Larkin Fain and of Scott Morton, of Jessamine County, Kentucky, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, petition of W. H. Boswell, of Anderson County, and of John McCrocklin, of Spencer County, Kentucky, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. MORGAN: Papers in the claim of Helen M. Breakfield, and of Rebecca Foster, of Mississippi—to the Committee on War Claims.

By Mr. MORROW: Papers to accompany House bill No. 183 relating to the claim of George A. Norton, for relief—to the Committee on War Claims.

By Mr. NEAL: Papers in the case of Mary Josephine Fowler, of Monroe County, Tennessee—to the Committee on War Claims.

By Mr. NELSON: Resolution of the Duluth (Minn.) Board of Trade, in favor of a naval militia—to the Committee on Naval Affairs.

By Mr. NUTTING: Concurrent resolution of the Legislature of New York, in regard to immigration and importation of foreign laborers—to the Committee on Labor.

By Mr. OUTHWAITE: Petition of James D. Harris and others, and of F. Bartendes and others, of Columbus, Franklin County, Ohio, in favor of a Government system of postal telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. PARKER: Resolutions of the Legislature of New York, in relation to immigration—to the Committee on Foreign Affairs.

By Mr. ROCKWELL: Petition of business men and other citizens of Springfield, Mass., for increase of pay of post-office clerks—to the Committee on the Post-Office and Post-Roads.

By Mr. ROMEIS: Petition of Bearnard Teague, for relief from the charge of desertion—to the Committee on Military Affairs.

By Mr. STOCKDALE: Papers in the claim of Mary E. Hall; of Mary Buil; of James Stattings; of Winny Williams; of Mary E. Jeter, and of O. P. Wright, executor of Lucy Cordell, of Mississippi—to the Committee on War Claims.

By Mr. STONE, of Kentucky: Petition of A. Gales Lee, and of Colman Guthrie, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, papers in the claim of Charles F. Swain—to the Committee on Claims.

By Mr. E. J. TURNER: Petition of Samuel Wilcoxson and 95 others, of Decatur County, Kentucky, for a system of postal telegraphy—to the Committee on the Post-Office and Post-Roads.

By Mr. VANDEVER: Petition of numerous citizens of Colorado, for a law favoring international arbitration—to the Committee on Foreign Affairs.

By Mr. WARNER: Petition of F. O. Allen and 55 others, and of Emile Docke and 351 others, citizens of the Fifth district of Missouri, for a national system of telegraphy—to the Committee on the Post-Office and Post-Roads.

By Mr. WHEELER: Petition of Maria Wilson, of Jackson County, and of John Wysingear, of Colbert County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WICKHAM: Petition of Henry P. Stentz and 206 others, citizens of Huron County, Ohio, for a general pension of 1 cent per day to all soldiers, sailors, and marines of the late war—to the Committee on Invalid Pensions.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. J. S. HENDERSON: Of J. H. Gouger and 26 others, and of J. L. Cruse and others, of Davie County; of Henry E. Shone and others, and of A. Hampton and others, of Yadkin County; of William Goforth and 49 others, and of John Nicholson and 30 others, of Iredell County, and of W. A. Austin and 41 others, of Montgomery County, North Carolina.

By Mr. JACKSON: Of 39 citizens of Old Concord, Pa.

By Mr. T. D. JOHNSTON: Of Hattie E. Wright and others, of Crossnore, N. C.

By Mr. WHEELER: Of W. W. Kidd and 27 others, of Getup, Ala.

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The following petitions, asking for the passage of the bill prohibiting the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia, were severally referred to the Select Committee on the Alcoholic Liquor Traffic:

By Mr. CUTCHEON: Of 181 citizens of the Ninth district of Michigan.

By Mr. KEAN: Of 98 citizens of the Third district of New Jersey.

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## SENATE.

### THURSDAY, *February* 2, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

THE JOURNAL.

The Journal of yesterday's proceedings was read.

Mr. HOAR. I observe that in journalizing the ruling of the Chair yesterday on which an appeal was taken to the Senate, the Journal says that the Chair held that the motion of the Senator from Virginia [Mr. RIDDLEBERGER] was out of order under Rule XXII. I understood the ruling of the Chair to be, and voted accordingly, that the Senator from Alabama [Mr. PUGH] being entitled to the floor it was not in order for a Senator to interpose another motion.

The PRESIDENT *pro tempore*. That was a part of the ruling of the Chair.

Mr. HOAR. That does not come under Rule XXII. Will the Chair be kind enough to have that part of the Journal read again?

The PRESIDENT *pro tempore*. The Secretary will read the entry in the Journal.

The Secretary read as follows:

When Mr. RIDDLEBERGER submitted a motion that the Senate proceed to the consideration of the resolution yesterday submitted by him to amend the thirty-seventh rule of the Senate, the President *pro tempore* decided that the motion was not in order under Rule XXII. From the decision of the Chair Mr. RIDDLEBERGER appealed to the Senate.

The PRESIDENT *pro tempore*. The Chair suggests that the Journal would be correct if the descriptive words were omitted, merely stating that the motion was not in order.

Mr. EDMUNDS. I find on looking at the RECORD that the Chair does not appear, so far as I can see in running it over rapidly, to have mentioned any particular rule at all.

The PRESIDENT *pro tempore*. The Chair did mention Rule XXII, and directed the Chief Clerk to read it, but upon further disclosure of the facts in the case it appeared to be unnecessary, and therefore the rule was not read. The Journal will be amended by omitting, after the word "order," the words "under Rule XXII." The clause will be read by the Secretary.

The Secretary read as follows:

The President *pro tempore* decided that the motion was not in order under Rule XXII.

The PRESIDENT *pro tempore*. The Journal will stand with the words after "order" omitted, if there be no objection. The Chair

hears none, and as so amended, if there be no further motion to correct or amend, the Journal will stand approved.

PORTRAITS OF EX-SPEAKERS OF THE HOUSE.

The following concurrent resolution, received yesterday from the House of Representatives, was read, and referred to the Committee on Printing:

*Resolved by the House of Representatives (the Senate concurring)*, That there be printed 10,000 copies of the addresses delivered in the House of Representatives on January 19, 1888, upon the presentation of the portraits of Speakers Sedgwick, Varnum, and Banks, for the use of the House.

HOUSE BILLS REFERRED.

The following bill and joint resolution, received yesterday from the House of Representatives, were severally read twice by their titles, and referred to the Committee on Printing:

A bill (H. R. 1338) to extend the leave of absence of employés in the Government Printing Office to thirty days per annum; and

A joint resolution (H. Res. 23) authorizing the printing of 14,000 copies of the recent special report of the Chief of the Bureau of Statistics, Treasury Department, upon wool and the manufactures of wool.

The bill (H. R. 2216) for the relief of Thomas A. Osborn was read twice by its title, and referred to the Committee on Claims.

STATEN ISLAND BRIDGE.

Mr. MCPHERSON. I present a petition, numerously signed by parties engaged in transportation on what is known as Arthur Kill, between Staten Island and New Jersey, with respect to the structure now being erected over the Arthur Kill, known as the Staten Island bridge. I ask the indulgence of the Senate to simply make a brief statement before presenting the petition, as I wish to make a motion touching it.

It will be remembered that Congress passed an act, approved June 16, 1886, authorizing a certain kind of structure, to be called a bridge, to be built across the Arthur Kill by the Staten Island Bridge Company, or the Rapid Transit Railroad Company, as it is called. At the last session of Congress that bridge was deemed to be so serious an obstruction to navigation that I offered an amendment to the existing bridge law, before anything had been done by the bridge company towards the construction of the bridge under the act of 1886.

That amendment was in form in accordance with the recommendation of a Board of Engineers appointed by the Secretary of War under the power granted him in the act of 1886, which required his approval of the plan of the bridge before they could proceed to construct it; and deeming that some information and some knowledge more than he possessed was necessary to authorize, or rather to induce, him to undertake so great and so important a work as approving or disapproving the plan, it was first referred to a board of engineers.

He appointed a Board of Engineers consisting of five of the principal engineer officers of the Army, headed by Lieutenant-Colonel Duane, of the Army, and the report of that board was unanimous condemning the bridge. At the time I submitted the report of this Board of Engineers to the Senate I introduced my amendment for changing the plan of the bridge; they were both referred to the Committee on Commerce, and very strangely indeed the committee reported back adversely my amendment to the bridge act, as I understand, without ever referring it at all to the Secretary of War.

The matter remained in this shape until, I think, in the month of December last, the Pennsylvania Railway Company and the Lehigh Valley Railway Company joined in a petition to the Secretary of War, conceiving that under a certain section of the act he had the power to alter the plan even while the bridge was under construction, and asking him to change the plan of the bridge for reasons found in their petition.

Now, Mr. President, I desire to state some of the salient points of the petition, and then I shall ask to have it printed at large in the RECORD and referred to the Committee on Commerce.

The Pennsylvania Railroad Company and the Lehigh Valley Railroad Company are very largely interested in the navigation of the Arthur Kill, and their interests are seriously affected, and those of the public through them, by the facts and circumstances disclosed in the affidavits and papers accompanying this petition, to which your attention is respectfully invited as demanding the exercise of the power in reference to the removal or modification of the structure vested in you by the act of Congress authorizing the erection of a bridge over the Arthur Kill.

Now I will read from a statement made by Mr. Sayre, the present general manager of the Lehigh Valley Railway, in which he says:

If the bridge across Arthur Kill is erected as now proposed, it would, in my opinion, be so obstructive to the movement of the traffic by water and so increase the expense of such movement that I would deem it my duty to advise the said company to cease all further development of its said terminal facilities at Perth Amboy and to endeavor as soon as possible to secure some other location for its said business, and I believe that said company would take such action in accordance with the views above expressed.

He further states that they have expended $2,000,000 for a terminal point for the discharge of coal from their trains at Perth Amboy. The Pennsylvania Railway Company at South Amboy have also an investment of upwards of $3,000,000, and the Raritan Canal, which furnishes the only interior route of communication between New York and the South, is also interested largely.

Mr. HOAR. I should like to ask the Senator from New Jersey what became of a proceeding before the supreme court of his State? Somebody sent me a report of an argument made in that court two or three months ago, from which it seemed that this question had been submitted to that court.

Mr. MCPHERSON. It was decided adversely to the State of New Jersey. I think an appeal has been taken to the full bench, but when it will be argued I do not know. However, I will say to the Senator from Massachusetts that this matter only refers to the plan of the bridge. There is no objection on the part of anybody that I know of to the construction of the bridge, certainly none on the part of these petitioners. There may be so far as the State of New Jersey is concerned, but as regards these petitioners they only find fault with the plan of the bridge, and desire that a change be made in the plan.

As I said before, the matter has been referred to the Secretary of War, and the Secretary of War telegraphs me this morning to this effect:

It is not before me in such a form that I can at present deal with it.

I present this petition on the part of these two railway companies, and also in behalf of some 200 or 300 citizens of my State and New York State and Staten Island, who are engaged in transportation upon the Arthur Kill, and I desire to have this matter referred through the committee to the Secretary of War in order that we may get at the precise state of facts touching it.

The actual bridge in part is there to-day, and a very correct judgment may be formed of the amount of obstruction it will be to the channel when the entire bridge is completed. I think one of the piers—the center pier—has been located in the middle of the river, and it is that particular pier of which these gentlemen complain. It has only been built for a short distance above water, and certainly if any change is to be made in the structure—and surely it ought to be made with the evidence we have before us—it is much better that it should be done now than to wait until the entire structure is complete, and be compelled then to remove it, as we surely will be, except it be the resolve of Congress to utterly destroy this great water-way.

The Board of Engineers of which I speak, whom the Secretary of War called to his aid, went upon the ground, examined the location, examined the plans, examined the currents, and they unanimously condemned the bridge. I will read a single sentence from the report of the board as to the importance of the stream. They state the amount of tonnage, which amounts to about 6,000,000 tons annually, and say:

It is thus seen that so far as tonnage is concerned this is one of the great water-ways of this country, and indeed of the world.

They go on to speak of affidavits made by gentlemen engaged in traffic over the Arthur Kill. The petition is signed by more than 200 people—boat-owners who are engaged in traffic in the Arthur Kill.

I need not go further and read the report, nor need I read the affidavits, but I will call attention to a single instance. Here is an affidavit of Mr. F. B. Morris, very largely engaged as a shipping agent and in trafficking on the Arthur Kill. He says that the cost of running, or the expenses of the towing line, have been increased about 30 per cent. since the erection of the middle pier, and when the other pier is constructed upon the shore he says it will be absolutely impossible without great cost, and he thinks it will increase the cost more than 50 per cent.

Mr. Chase and Mr. Fisher concur in this view.

Now, Mr. President, here is practically an obstruction of one of the great water-ways of the country, national in its character, for what purpose? Simply to gratify the Staten Island Transit Company or the Baltimore and Ohio Railroad—for one are both and both one—in the attempt they are making, with the aid of Congress, in crippling their rivals in transportation by the erection of such a bridge as will compel their rivals to cross said bridge and locate upon the lands of the bridge company on Staten Island with their vast terminal stations. This alone should cause us to cry a halt, to say nothing of the canal company, which uses this route as well, and saying nothing of the vast factory interests along the route. The Board of Engineers recommend a structure which is accepted by everybody (except the company now erecting the bridge); by the Pennsylvania Railroad Company, by the Lehigh Valley Railroad Company, by the Raritan Canal, and by all of these 200 petitioners, who say they are perfectly satisfied if such a structure is built. They think it will not seriously interfere with the navigation of the river, and petition that such a bridge be built, the cost of which, as I understand from competent authority, would not be more than $150,000 above the estimated cost of the present structure. I submit that the case as presented by these petitioners demands immediate action by the Senate.

I present this petition for reference to the Committee on Commerce, and I ask that it be printed at large in the RECORD. I also make request of the honorable committee that they refer the whole matter to the Secretary of War, and require of him an immediate investigation, and report as to what is proper to do under the circumstances. I desire further to say that it is my intention during the morning hour, when that order of business is reached, to submit a bill to the Senate to amend the bridge act so as to conform to the recommendations of the Board of Engineers.

The PRESIDENT *pro tempore*. The Senator from New Jersey asks that the petition presented by him be printed at length in the RECORD. Is there objection?

Mr. SHERMAN. I hope that no such request will be made, and certainly, if it be made, that no such request will be granted. I wish again to call the attention of the Senate to the abuse which has grown up in the last two or three years, in violation of the rules, by printing long documents in the RECORD, where they are not conveniently to be had. If the Senator wishes to have the petition printed as a document in the ordinary way for our information, a certain number of them, say 1,900 or thereabouts, for our convenience, in pamphlet form, in convenient type, then it is well enough to have it done. I have no objection to that; but when it is carried into the RECORD, more than ten times, yes, more than twenty times, the expense is incurred, and the document is placed beyond our reach for immediate use, and becomes a part of the perpetual memorials and records of the country.

I make these remarks more fully now in order to call attention to the fact. I do not complain now of any particular case, but I have noticed lately that during the morning hour there is a vast amount of petition matter presented and published in the RECORD, which is of no practical use for us in the current order of legislation, but is put there probably without thought of the expense and trouble incurred. I hope the Senator from New Jersey will modify his request.

Mr. MCPHERSON. I am as unwilling as any Senator to burden the RECORD with any matter that I think is not very important, but let me say to the Senator from Ohio, there is certainly no subject now before the Senate that I think more important than this.

Mr. SHERMAN. If that is the case, then there is greater reason for having the paper published as a document.

Mr. MCPHERSON. The copies of the petition printed as the Senator proposes would of course be scattered, and perhaps would not come to the notice of any Senator, while if printed in the RECORD, reference may be made to it at all times, because every Senator has a file of the RECORD before him.

Mr. SHERMAN. On the contrary, when printed in document form it is convenient of access at all times—a Senator can at any moment send a page and get it—while the copies of the RECORD are very difficult to be had. I can not keep my copies of the RECORD, and when I turn to the files I find that they are probably imperfect and I can not get what I wish. At any rate, the object of such a publication is merely to aid us in legislation, and as an aid to legislation it is better to be put in pamphlet form, and it costs about one-twentieth part as much.

Mr. EDMUNDS. The cost is less than that.

Mr. MCPHERSON. Thousands of matters of less importance than this find their way into the RECORD, and I think it is a rather late day for the Senator from Ohio to offer an objection to so important a matter being spread at large in the RECORD. The petition certainly shows a state of facts that the Senator from Ohio and every other Senator ought to know.

Mr. MANDERSON. I simply desire to appeal to the Senator from New Jersey to withdraw his request that the petition be printed in the RECORD. I think the object he desires to accomplish can be much better accomplished by printing it in documentary form, in any number he may desire in reason; there is no question about it. To print in the RECORD this petition, which I understand to be one of considerable length, with the names attached to it, would probably cost from twenty to fifty times as much as to print it in documentary form. However, the great evil is this: We have seen the CONGRESSIONAL RECORD swell in size until now at a long session of Congress it means ten or eleven, and, with the Appendix, sometimes twelve or thirteen, large volumes, and it is largely because of this padding, which seems to me to be entirely unnecessary.

There is certainly no desire on the part, I think, of the Senator from Ohio or myself to combat this very important measure. I admit its importance. I have recognized that it is not only of local importance but of great importance to the country at large; but I think the result desired would be better accomplished by printing it in documentary form.

Mr. MCPHERSON. I am aware that I have no right to have the petition printed in the RECORD if objection be made, and therefore I withdraw that request, and move that 500 copies be printed.

The PRESIDENT *pro tempore*. The petition will be received and referred to the Committee on Commerce, and if there be no objection 500 additional copies will be printed.

Mr. EDMUNDS. Not "additional copies," but 500 copies.

Mr. HARRIS. The limited number is to be 500.

The PRESIDENT *pro tempore*. The Chair understood the Senator from New Jersey to ask for 500 additional copies.

Mr. MCPHERSON. I ask that 500 copies be printed.

The PRESIDENT *pro tempore*. If the order to print is made, 1,900 copies will be printed; but if the Senator from New Jersey limits the number to 500 the Chair will take that number.

Mr. MCPHERSON. Nineteen hundred copies will be sufficient.

Mr. HAWLEY. The order to print what is called the usual number sends the document to certain places on file and we get only two or three apiece. If an order is made to print a thousand copies for the use of the Senate, you will get ten times as many apiece as to print under what is called the usual order. If 500 copies are printed in addition it would cost only a little press work and paper. I suggest a simple order to print 1,000 copies for the use of the Senate.

The PRESIDENT *pro tempore*. Is there objection to the suggestion of the Senator from Connecticut?

Mr. MCPHERSON. I have no objection.

The PRESIDENT *pro tempore*. If there be no objection, an order will be made to print 1,000 copies of the petition for the use of the Senate. The Chair hears none, and it is so ordered.

ADJOURNMENT TO MONDAY.

Mr. CAMERON. I move that when the Senate adjourn to-day it be to meet on Monday next.

The PRESIDENT *pro tempore* put the question on the motion, and declared that the noes appeared to prevail.

Mr. CAMERON. I ask for the yeas and nays.

The yeas and nays were ordered and taken.

The PRESIDENT *pro tempore*. Does the Senator from Missouri [Mr. COCKRELL] wish to have his name recorded as voting?

Mr. COCKRELL. No, sir.

The PRESIDENT *pro tempore*. The Reporter thought the Senator had voted, but the clerks did not.

Mr. COCKRELL. I have a great deal of committee business to do and do not expect to be here. I therefore let other Senators decide the question of adjournment over for themselves.

The result was announced—yeas 38, nays 25; as follows:

YEAS—38.

| | | | |
|---|---|---|---|
| Bate, | Harris, | Paddock, | Stanford, |
| Blackburn, | Hawley, | Palmer, | Stewart, |
| Blodgett, | Hearst, | Payne, | Stockbridge, |
| Butler, | Hiscock, | Platt, | Turpie, |
| Cameron, | Ingalls, | Pugh, | Vest, |
| Daniel, | Jones of Arkansas, | Quay, | Voorhees, |
| Evarts, | Kenna, | Ransom, | Walthall, |
| Faulkner, | McPherson, | Reagan, | Wilson of Iowa, |
| Gorman, | Manderson, | Spooner, | Wilson of Md. |
| Gray, | Morgan, | | |

NAYS—25.

| | | | |
|---|---|---|---|
| Allison, | Colquitt, | Frye, | Plumb, |
| Beck, | Cullom, | Hampton, | Riddleberger, |
| Berry, | Dawes, | Hoar, | Sabin, |
| Blair, | Dolph, | Mitchell, | Sawyer, |
| Call, | Edmunds, | Morrill, | Sherman, |
| Chandler, | Eustis, | Pasco, | Teller. |
| Coke, | | | |

ABSENT—13.

| | | | |
|---|---|---|---|
| Aldrich, | Cockrell, | George, | Jones of Nevada, |
| Bowen, | Davis, | Gibson, | Saulsbury, |
| Brown, | Farwell, | Hale, | Vance. |
| Chace, | | | |

So the motion was agreed to.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore*. The Chair presents a petition of citizens of Pennsylvania, numerously signed, praying for the amendment of the laws of naturalization, immigration, and citizenship so as to bar, first, all criminals and pauper immigrants whose passage has been paid; second, to prevent landing of immigrants under contract; third, to debar from citizenship all foreigners who owe allegiance to any power, potentate, etc.; and requiring twenty-one years' residence before eligibility to any public office or trust. The petition will be referred to the Committee on Foreign Relations.

Mr. BERRY. I present a petition from the Chamber of Commerce of Fort Smith, Ark., praying that an appropriation be made for the improvement of the Arkansas River. I will state that the petition is accompanied by statistics showing the amount and kind of commerce of the various towns located along that river. It also shows the vast importance of this river, not only to the people of Arkansas, but to a large portion of the people of Kansas and of the Indian Territory; that many of them are dependent wholly upon the river for the transportation of their farm products, and it is their only protection and security against exorbitant charges by the railroads.

I move the reference of this petition to the Committee on Commerce, with the request that when the bill making appropriations for rivers and harbors comes before them they will give it due consideration and make a liberal appropriation.

The PRESIDENT *pro tempore*. The petition will be referred to the Committee on Commerce.

Mr. SHERMAN presented a petition of the faculty of Adelbert College, at Cleveland, Ohio, praying for the enactment of an international copyright law; which was referred to the Committee on Patents.

Mr. SAWYER presented a petition of the Grand Division of the Sons of Temperance, of Wisconsin, officially signed, praying for a submission to the States of a national prohibitory constitutional amendment; which was referred to the Committee on Education and Labor.

Mr. SPOONER. I present the petition of J. A. Johnson, president of the Fuller & Johnson Manufacturing Company, of Madison, Wis. Mr. Johnson is a distinguished citizen of Wisconsin, of Scandinavian birth, who has recently published a very able criticism of the message of the

President on the subject of the tariff, and as the petition is short, I ask that it may be read.

Mr. EDMUNDS. Reading it makes it go in the RECORD.

Mr. SPOONER. It is very short.

Mr. EDMUNDS. It may as well be ordered printed in the RECORD.

Mr. SPOONER. I understand that.

The PRESIDENT *pro tempore*. If there be no objection, the petition will be read.

The petition was read, and referred to the Committee on Finance, as follows:

*To the honorable the Senate and House of Representatives of the United States in Congress assembled:*

The undersigned would respectfully petition your honorable body to abolish all import duties on agricultural machinery, such as plows, harrows, seeding-machines, hay and grain harvesting machines, thrashing-machines, straw-cutting machines, feed-grinding mills, farm vehicles, including farm wagons, that may be imported to the United States from countries that admit like machines manufactured in the United States free of duty.

Your petitioner would represent that he is a manufacturer of agricultural machinery at the city of Madison, Wis.; that he believes that import duties on all such articles of manufacture are superfluous and useless; that they only harm the producer, and are of no value to any one.

Your petitioner would further represent that the law imposing such duties works harm to the manufacturer of the goods named in this: That there are citizens who continually represent that the import duties on the goods named compel the agriculturist to pay much higher prices for them than he would if no duties were imposed, which allegations, while incorrect and untrue, nevertheless cause ill feeling on the part of agriculturists toward the manufacturers of such implements, which ill feeling may be wholly avoided by abolishing the import duties on them.

Your petitioner would further represent that he believes American workingmen should be protected against foreign cheap labor by suitable import duties, but that the manufacture of agricultural implements is in such advanced state, and that our implements are so superior to those of foreign manufacture, that none will be imported if the duties on them be wholly discontinued.

Trusting that Congress will take early action on this petition, your petitioner will ever remain,

Your obedient servant,

J. A. JOHNSON,

*President Fuller & Johnson Manufacturing Company, Madison, Wis.*

Mr. EDMUNDS. I present a petition of the Woman's Christian Temperance Union, a highly respectable body, in the State of Vermont, praying for a national commission to examine into the alcoholic liquor traffic, etc. I move that the petition be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. CULLOM presented a petition of 109 citizens of the Seventeenth and Fifth Congressional districts of Illinois, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. HARRIS presented the petition of James W. Bowman, of Poplar Springs, Henderson County, Tennessee, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. COKE presented a petition of members of the faculty of the University of Texas, at Austin, Tex., praying for the passage of an international copyright law; which was referred to the Committee on Patents.

Mr. WALTHALL presented a petition of members of the faculty of the University of Mississippi, at Oxford, Miss., praying for the enactment of an international copyright law; which was referred to the Committee on Patents.

Mr. FAULKNER presented the petition of A. C. Collins and 71 other citizens of Marion County, West Virginia, and the petition of A. N. Campbell and 56 other citizens of Nicholas County, West Virginia, praying that increased compensation be allowed fourth-class postmasters; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. RIDDLEBERGER presented a petition of citizens of the northern central section of the city of Washington, praying that certain improvements be made in that section of the city; which was referred to the Committee on the District of Columbia.

Mr. HOAR presented the petition of Joseph F. Little, a citizen of the District of Columbia, praying to be allowed arrears of pension; which was referred to the Committee on Pensions.

Mr. WILSON, of Maryland, presented a petition of the Maryland State Temperance Alliance, officially signed, praying for a national commission of inquiry concerning the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

Mr. CAMERON presented a petition of 111 citizens of the Twenty-seventh Congressional district of Pennsylvania, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. PLATT presented a petition of 119 citizens of the District of Columbia, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

## REPORTS OF COMMITTEES.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (H. R. 5352) to grant an American register to the foreign-built bark Nordstjernen, reported it without amendment.

Mr. FRYE. I am also instructed by the Committee on Commerce, to whom was referred the bill (S. 1474) to grant an American register to the foreign-built bark Nordstjernen to report it adversely, the House bill just reported having superseded its necessity. I move the indefinite postponement of the bill.

The motion was agreed to.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (H. R. 5728) to amend the laws relating to navigation, and for other purposes, reported it without amendment.

Mr. BOWEN, from the Committee on Indian Affairs, to whom was referred the bill (S. 104) authorizing the removal of the Southern Ute Indians from the State of Colorado to the Uintah Valley reservation, in the Territory of Utah, reported it without amendment.

Mr. STEWART, from the Committee on Military Affairs, to whom was referred the bill (S. 1376) for the relief of John W. Blake, reported it without amendment, and submitted a report thereon.

Mr. SPOONER, from the Committee on Claims, to whom was referred the bill (S. 258) for the relief of Maj. Daniel N. Bash, paymaster United States Army, reported it without amendment, and submitted a report thereon.

Mr. DOLPH, from the Committee on Commerce, to whom was referred the joint resolution (H. Res. 81) to authorize the purchase of the lands necessary for the construction of locks and dams on the Cumberland River, reported it with amendments, and submitted a report thereon.

Mr. DAWES, from the Committee on Indian Affairs, to whom was referred the bill (S. 1103) to provide for an Indian school at Carson City, Nev., reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 38) granting to the Washington and Idaho Railroad Company the right of way through the Cœur d'Alene Indian reservation, reported it with an amendment.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 1035) for the relief of certain volunteer soldiers, reported it without amendment, and submitted a report thereon.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 667) authorizing the construction of a bridge across the Red River of the North, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 1669) authorizing the Mississippi and Louisiana Bridge and Railroad Company of Natchez, Miss., to construct a bridge over the Mississippi River at or near Natchez, Miss., reported it without amendment.

Mr. MANDERSON. I am instructed by the Committee on Military Affairs, to whom was referred the bill (S. 795) for the relief of the volunteers of the Fourth Regiment of Iowa Infantry, to report it adversely. This adverse report is made because of the fact that the committee has reported a general bill which reaches the object of this bill. I therefore move that this bill be postponed indefinitely.

The motion was agreed to.

Mr. JONES, of Arkansas, from the Committee on Indian Affairs, to whom was referred the bill (S. 1346) to authorize the Choctaw Coal and Railway Company to construct and operate a railway through the Indian Territory, and for other purposes, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1129) granting to the Newport and King's Valley Railroad Company the right of way through the Siletz Indian reservation, reported it with amendments.

## REPORT OF COMMISSIONER OF EDUCATION.

Mr. MANDERSON. I am instructed by the Committee on Printing to report back a House concurrent resolution favorably with amendments, and I ask for its present consideration.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read the resolution, as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That of the report of the Commissioner of Education for 1886–'87 there be printed 6,000 copies for the use of the Senate, 12,000 copies for the use of the House of Representatives, and 25,000 copies for distribution by the Commissioner.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. RIDDLEBERGER. I beg pardon. Is that a resolution which will give rise to debate?

Mr. MANDERSON. Not at all.

Mr. RIDDLEBERGER. I do not propose to give up this morning hour for the consideration of anything except that which properly comes before the Senate in its regular order on the Calendar.

Mr. MANDERSON. I will say to the Senator from Virginia that if the resolution shall lead to debate I will withdraw my report.

Mr. RIDDLEBERGER. Then I shall not object.

By unanimous consent, the Senate proceeded to consider the resolution.

The PRESIDENT *pro tempore*. The amendment reported by the Committee on Printing will be stated.

The CHIEF CLERK. It is proposed to strike out of the resolution "6,000" and insert "4,000," to strike out "12,000" and insert "8,000," and to strike out "25,000" and insert "20,000;" so as to make the resolution read:

*Resolved by the House of Representatives (the Senate concurring)*, That of the report of the Commissioner of Education for 1886–'87 there be printed 4,000 copies

for the use of the Senate, 8,000 copies for the use of the House of Representatives, and 20,000 copies for distribution by the Commissioner.

Mr. COCKRELL. Is that the number heretofore ordered?

Mr. MANDERSON. That is the number for the Commissioner of Education heretofore allowed, 20,000. The House desires 25,000; we cut the number down to 20,000.

Mr. COCKRELL. How about the copies for the Senate and House?

Mr. MANDERSON. My impression is that the number as reported by the committee is the same as heretofore ordered. At any rate, in the opinion of the committee, it is ample for the purposes of Congress that 4,000 should be printed for the use of the Senate, and 8,000 for the House. We desire, if possible, to reduce somewhat the expenses of printing.

Mr. COCKRELL. I do not think it is a good place to commence with this report. We might reduce on some other publication.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

The resolution as amended was agreed to.

Mr. MANDERSON. I am directed by the Committee on Printing to report back a Senate resolution on the same subject adversely, and ask that it be indefinitely postponed. A letter of the Commissioner of Education accompanies it.

The PRESIDENT *pro tempore*. The Chair is informed that the resolution is omitted from the files sent to the desk by the Senator.

Mr. MANDERSON. It is a Senate resolution to the same purport, to print the report of the Commissioner of Education, submitted by the Senator from Alabama [Mr. PUGH] January 16, 1888, and referred to the Committee on Printing.

The resolution was postponed indefinitely.

## BILLS INTRODUCED.

Mr. EDMUNDS. At the request of an esteemed citizen of this District I introduce a bill, which I send to the desk, without committing myself to the support of it in any way.

The bill (S. 1834) enlarging the powers of the Columbia Title Insurance Company of the District of Columbia, and for other purposes, was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CULLOM introduced a bill (S. 1835) for the relief of officers of the Army who have served continuously in one grade for twenty-one years; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CAMERON introduced a bill (S. 1836) to authorize the proper accounting officers of the Treasury to audit and pay the claim of the county of Schuylkill, in the State of Pennsylvania, for money advanced by it under allotments made by soldiers from said county during the late rebellion, by virtue of section 12 of the act of Congress entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July 22, 1861; which was read twice by its title, and referred to the Committee on Claims.

Mr. QUAY introduced a bill (S. 1837) to amend the military record of Timothy McCarty (or McCarthy); which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1838) granting a pension to Mrs. Mary Mott; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HAWLEY introduced a bill (S. 1839) for the relief of Daniel C. Rodman and others, sureties on the bond of Ozias Morgan; which was read twice by its title, and referred to the Committee on Claims.

Mr. BUTLER introduced a bill (S. 1840) for the relief of the sufferers by the wreck of the United States steamer Saginaw; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. VOORHEES introduced a bill (S. 1841) granting a pension to Mariah Scales; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McPHERSON. I desire to introduce a bill for reference, being a bill to amend "An act to authorize the construction of a bridge across Staten Island Sound, known as Arthur Kill, and to establish the same as a post-road," simply conforming to the recommendations of the Board of Engineers.

The bill (S. 1842) to amend "An act to authorize the construction of a bridge across Staten Island Sound, known as Arthur Kill, and to establish the same as a post-road," was read twice by its title, and referred to the Committee on Commerce.

Mr. BLAIR introduced a bill (S. 1843) granting an increase of pension to Florida G. Casey; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1844) granting an increase of pension to Ann Atkinson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT introduced a bill (S. 1846) for the erection of a public building at New London, Conn.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. WILSON, of Maryland, introduced a bill (S. 1847) for the relief of Carrie P. Machenheimer; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1848) to grant a pension to Anna G. Valk; which was read twice by its title, and referred to the Committee on Pensions.

## PRIVATE LAND CLAIMS IN NEW MEXICO.

Mr. BUTLER introduced a bill (S. 1845) to provide for the appointment of justices of the supreme court of the Territory of New Mexico authorized to determine the validity of Spanish and Mexican land grants in said Territory; which was read twice by its title.

Mr. BUTLER. I move that the bill be referred to the Committee on Territories.

Mr. EDMUNDS. That should go to the Committee on Private Land Claims.

The PRESIDENT *pro tempore*. The Senator from South Carolina moved its reference to the Committee on Territories.

Mr. EDMUNDS. It ought to go to the Committee on Private Land Claims.

Mr. BUTLER. I was requested to ask that the bill be referred to the Committee on Territories. It relates to a matter within a Territory, and I trust it will take that direction.

Mr. EDMUNDS. I am not chairman of the Committee on Private Land Claims, but certainly if anything belongs to that committee it is that very question, which it has always had and has under consideration at this very moment of time.

Mr. BUTLER. Very well. If the Committee on Private Land Claims has jurisdiction, and is now considering it, it will not be necessary perhaps to have this bill referred to it. The Committee on the Territories of the House has the same bill before it.

Mr. EDMUNDS. I see the chairman of the Committee on Private Land Claims is here. The matter is nothing to me.

The PRESIDENT *pro tempore*. The Senator from South Carolina moves that the bill be referred to the Committee on Territories.

Mr. RANSOM. I have not heard the bill.

The PRESIDENT *pro tempore*. The title will be read.

The CHIEF CLERK. "A bill to provide for the appointment of justices of the supreme court of the Territory of New Mexico authorized to determine the validity of Spanish and Mexican land grants in said Territory."

Mr. RANSOM. I will simply say that that question, in all of its branches as it relates to the Territories and lands of this character in the States, has been for years and is now especially before the Committee on Private Land Claims. That committee has reported from time to time to this body a bill on this subject, and it is now anxiously considering the subject. I think this question, as I understand it, ought to go to that committee. I have no personal wish about it, however.

Mr. BUTLER. I have no preference.

Mr. RIDDLEBERGER. I ask how that bill gets before the Senate under a rule according to which the President said we could not introduce resolutions without unanimous consent.

The PRESIDENT *pro tempore*. The morning business is not yet completed.

Mr. RIDDLEBERGER. The order of bills had been passed.

The PRESIDENT *pro tempore*. It had not been so announced by the Chair.

Mr. RIDDLEBERGER. The Chair did certainly announce that the order was now "concurrent and other resolutions."

The PRESIDENT *pro tempore*. The order of morning business has not been closed.

Mr. RIDDLEBERGER. I see it; but I ask if this is a bill that has to be presented by unanimous consent?

The PRESIDENT *pro tempore*. The Chair will receive morning business under any of the orders until the close of morning business is announced. Will the Senate agree to the motion of the Senator from South Carolina to refer the bill to the Committee on Territories?

Mr. PLATT. If this bill or one similar in its features is now under consideration by the Committee on Private Land Claims, I do not know that I shall insist that the bill go to the Committee on Territories. I have not had time to examine the bill sufficiently to be informed upon that subject, but I do want to say that I think several of the committees of this body have in some way come to have jurisdiction of many matters that ought to be within the consideration of the Committee on Territories; in other words, that the jurisdiction of the Committee on Territories seems at least, not particularly by this Congress, to have been shorn, so that a good many matters which they ought with reference to the consistency of legislation to consider are parceled out among many different committees of this body.

Mr. BUTLER. The facts about this bill are simply these: It was brought to me by the governor of the Territory of New Mexico, Governor Ross, a former Delegate from that Territory, Mr. Manzanares, and two other very respectable, intelligent, and reputable gentlemen from that Territory whom I had not met before. In a general conference in regard to the affairs of New Mexico the fact was mentioned

that they were extremely anxious to have these disputed titles settled by some tribunal. It seems under some treaty with Mexico or Spain the courts of the Territory of New Mexico have no jurisdiction of the questions, and this bill is intended to organize a special tribunal to which all questions arising under the land grants may be submitted. These gentlemen, with great force it seemed to me, objected to be concerned in any measure which involved the land question in other Territories. This bill relates exclusively to New Mexico, and I suggested that it seemed to me, as it related to a matter concerning the Territory of New Mexico, the Committee on Territories was the proper committee before which this bill should go, and hence I have asked that reference.

Now, in regard to the Committee on Private Land Claims having jurisdiction of bills similar to this, I think my friend from North Carolina [Mr. RANSOM] and my friend from Vermont [Mr. EDMUNDS] are mistaken. They may have bills which relate——

Mr. RANSOM. If I may correct my friend from South Carolina, I will state to him that this identical bill which has been introduced here has been sent by a gentleman of whom he speaks to the Private Land Claims Committee.

Mr. BUTLER. I am sure the Senator from North Carolina is mistaken.

Mr. RANSOM. No, sir.

Mr. BUTLER. The bills are different.

Mr. RANSOM. Are they different?

Mr. BUTLER. They are.

Mr. RANSOM. The governor of the Territory, of whom he speaks, has sent to the Committee on Private Land Claims a bill which he represents to be a proper bill, and which is now under consideration before that committee.

Mr. BUTLER. There is a difference in the two, so I am informed. This bill relates alone to New Mexico. The other bill relates to other Territories, Arizona and others. So I shall insist on the reference of the bill to the Committee on Territories.

Mr. EDMUNDS. We may as well take the judgment of the Senate once for all in respect to the disposition of this particular business.

It is true, no doubt, as the Senator from South Carolina states, that the bill he now presents is drawn up with phrases which would confine it to the private land claims in the Territory of New Mexico; and another might be drawn confined to the private land claims in the Territory of Arizona, and another might be drawn which would confine it to the private land claims in the State of Nevada, and in Colorado, and so on. It is very easy for the draughtsman of a bill to limit it to one State or to one Territory, but all these grants that are spoken of, Mexican and Spanish, are now brought forward and must be under one treaty. The Spanish ones are almost entirely in Louisiana; but they mainly arise under the treaty with Mexico. Every one of the claims under the Mexican negotiation is a claim for private grants that Congress is asked to confirm upon the supposition that the holders have not already got a perfect title. As far as they have, the judicial courts of each Territory and of each State have just the same jurisdiction in those cases that they have in any others arising between citizens.

Mr. BUTLER. Then I ask the Senator from Vermont is it true or not that the courts of the Territory have not jurisdiction of these cases?

Mr. EDMUNDS. It is true that they have perfect jurisdiction of every case where a man alleges that he has got a title under Mexico or Spain or anybody else; but where he has not a title, and appeals to further legislation for some kind of action to confirm his grant to him, which had not been completely confirmed when the sovereignty changed in 1848, then the courts have not jurisdiction, not because they have not jurisdiction of every question of legal and equitable private right between everybody, but because the man in the case I state has not any right which a court of law or a court of equity can recognize. That is the only reason why they have not jurisdiction.

Mr. BUTLER. Why can a court not recognize it? Because of the treaty stipulation?

Mr. EDMUNDS. No. Because the man has not a title, and a man who sues in a court to get somebody off his land or to get into it, of course, has to stand on the title that he can make out. If a man had not a perfect Mexican grant when the sovereignty changed and it has not since been confirmed by Congress, he would fail for want of title, just as I should fail in the courts of South Carolina in suing my friend to get possession of his plantation. The court has jurisdiction of the question, but I can not prove my case because I have not got the title.

That is all the trouble there is about what I call want of jurisdiction, which is a misnomer. It is purely and simply the case of the consideration of the private land claims of people who claim to have got incomplete and imperfect grants from the Government of Mexico, which they say the Government of the United States under treaty is bound to recognize. Accordingly, bills have been passed as to California, a long time hitherto, creating a commission in that State for this purpose, and then an appeal to the courts, and so on to the Supreme Court of the United States.

The Senate on reports from the Committee on Private Land Claims has passed three or four times, after full discussion, a bill for settling all these claims under the Mexican treaty by one set of procedure, and naming both the Territories and the States that have parts of the old Mexican or Spanish territory within their borders, so as to dispose of that single subject altogether, and there is nothing in regard to it that has anything to do with Territorial lines or State lines. It is not a Territorial matter in any other sense than that every matter is of interest to the people where the question arises, so that it is, as it respects the thing to be done, purely a matter of private land claims. As it respects the mode of doing it, creating more judges, it is a matter that for twenty years I know has always been sent to the Committee on the Judiciary. But I care nothing about that; I only want to preserve to the different committees of the Senate the subjects that clearly in their very nature and necessarily belong to them.

Mr. RIDDLEBERGER. Mr. President, I should like to have the bill read, whatever it is, by title.

The PRESIDENT *pro tempore*. The bill will be reported by title.

The CHIEF CLERK. "A bill to provide for the appointment of justices of the supreme court of the Territory of New Mexico authorized to determine the validity of Spanish and Mexican land grants in said Territory."

Mr. RIDDLEBERGER. I believe there is nothing that circumscribes what a Senator shall say here in respect to any pending bill; and seeing, as I must this morning, that the morning hour is to be passed over before resolutions under the rule, concurrent and other resolutions, shall be called for, I may avail myself, possibly, of an opportunity that some other Senators sometimes avail of to debate the tariff on some proposition that does not in anywise relate to the tariff.

If I understand the rules of the Senate they distinctly lay down regular orders of procedure, and when we reach the order of "concurrent and other resolutions" nothing can be introduced except that which belongs to that order, unless by unanimous consent. The Chair this morning has, according to my understanding, changed that rule, and said that the Chair would receive any business during the morning hour without regard to these orders. If that be the case, then the rest of the morning hour is as open to the other Senators as it possibly can be to the Chair.

Mr. BUTLER. Will not the Senator allow me to have this matter disposed of? I will introduce some other subject on which he can speak. I am obliged to leave the Senate Chamber and want this matter disposed of. If the Senator will give way to have this motion acted upon, I shall be obliged to him.

Mr. RIDDLEBERGER. I am afraid the Senator wants to dispose of the matter I have in hand at the same time.

Mr. BUTLER. Not at all. I will promise the Senator from Virginia that I shall not disturb him in the slightest between now and to-morrow morning, if he desires to hold the floor until that time, if he will allow this matter to be disposed of.

Mr. RIDDLEBERGER. I beg the Senator's pardon. I have entire confidence in any statement he may make about a matter of this sort, but the Chair intervenes between the Senator from South Carolina and the Senate, and while I have the utmost confidence there, still I think I can debate the bill now before the Senate in my way.

The PRESIDENT *pro tempore*. The Chair would inform the Senator from Virginia that the next order will be "concurrent and other resolutions" after this question is disposed of.

Mr. RIDDLEBERGER. The Senator from Virginia does not need that information, because he heard the Chair announce that nearly fifteen or twenty minutes ago. I yield now to the Senator from South Carolina to let "concurrent and other resolutions" be called up, but I do not want an executive session before this morning hour closes.

The PRESIDENT *pro tempore*. Will the Senate agree to the motion of the Senator from South Carolina to refer the bill, whose title has been read, to the Committee on Territories?

Mr. BUTLER. I wish to make one single statement, that this bill has never been introduced into the Senate at this session before. I am just informed that several copies have been sent to individual members of different committees, but in point of fact this bill has not been introduced into the Senate before.

Mr. RANSOM. This is the correct statement: This bill was sent to the Senator from Vermont and by him referred to the Committee on Private Land Claims.

Mr. BUTLER. Did he introduce it?

Mr. RANSOM. No, he did not introduce it, but he referred it to the committee, and it is now before the committee in connection with a bill regularly introduced on the same subject.

Mr. BUTLER. That confirms the correctness of my statement that it has not been introduced before at this session at all, and I am very frank to state that it is substantially a copy of one which is before another forum which it is not necessary for me to mention, and in that body it has been referred to its Committee on Territories.

I will state while I am on my feet that the people of New Mexico have been struggling for years and years to get some Congressional action upon this question, and I am informed that the settlement of the Territory is very greatly impeded by reason of the unsettled land claims; that the desire of the people of the Territory is to have some action by Congress, by some committee.

Inasmuch as this is the first time this bill has been introduced I sub-

mit to the Senate that it is entirely competent that it should go to the Committee on Territories, which has jurisdiction of all matters relating to the Territories. It is entirely germane, entirely legitimate and proper. I agree with the Senator from Connecticut [Mr. PLATT], the chairman of the Committee on Territories, that a great many questions should have been referred to that committee which have gone to others.

Mr. STEWART. Mr. President, the questions involved in the settlement of private land claims occasioned the formation of the Committee on Private Land Claims. The very subject-matter of this bill suggested the organization of that committee years ago. These matters formerly sometimes went to the Judiciary Committee and sometimes to the Committee on Public Lands; but as they were questions involving special considerations, a committee was organized for the purpose of considering them, and it has had the matter under consideration for the last fifteen or twenty years, and reports have been made to the Senate, I believe, at nearly every session of some bill, but it has failed between the two Houses.

The committee now having the matter under consideration has given it careful attention and will, we hope, be able to report in a few days. If the matter should now be transferred to the Committee on Territories it may be some months before they can familiarize themselves with the whole subject and make a report. It is a new subject to them, and that committee has already a great deal of business before it which would make it impossible to consider this, and I believe that the people of New Mexico will be better served if we allow this whole subject-matter to remain where it is and where it is being orderly considered.

It does not relate to New Mexico alone, but relates to all the Territories and States where citizens have title to land in the territory ceded to the United States by the Guadalupe-Hidalgo treaty and the Gadsden treaty. Wherever the land may be situated the questions are the same, resulting from the same laws; and it is a matter of considerable difficulty to investigate; it takes time. If the subject should be taken from the Committee on Private Land Claims and placed in the hands of the Committee on Territories, I am certain much time will be occupied before that committee will be competent to make a report on the subject. So I would suggest to the Senator from South Carolina that it would be better to send this bill to the Committee on Private Land Claims.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from South Carolina [Mr. BUTLER] that the bill be referred to the Committee on Territories.

The motion was not agreed to.

Mr. EDMUNDS. I now move that the bill be referred to the Committee on Private Land Claims.

The motion was agreed to.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. BLAIR, it was

*Ordered*, That the following papers be taken from the files and referred to the Committee on Education and Labor:

Resolutions of the Alabama Legislature, commending the proposed national colored industrial exposition.

Petitions of citizens, white and colored, of Alabama, for Congressional aid to the proposed national colored industrial exposition.

Resolutions of the Tennessee Legislature, commending national colored industrial exposition to favorable consideration of Congress.

Also, petition of Colored World's Fair Association.

On motion of Mr. BUTLER, it was

*Ordered*, That the papers in the case of James White be withdrawn from the files of the Senate and referred to the Committee on Pensions.

THE PRESIDENT'S ANNUAL MESSAGE.

Mr. PLATT. I think this is a proper time to say that on Monday morning next I shall ask the indulgence of the Senate to listen to some remarks from myself on the motion to refer the President's message to the Committee on Finance. I understand that the Senator from Delaware [Mr. SAULSBURY] has given notice of some remarks on another subject at that time. I do not wish to interfere with his remarks.

INDIAN WAR CLAIMS.

Mr. DOLPH. Yesterday I gave notice that on to-morrow I would call up the bill (S. 63) for payment of balance unpaid on Oregon and Washington Territory Indian war claims for suppression of Indian hostilities in 1855 and 1856, as found due by commission appointed by Secretary of War, consisting of General Rufus Ingalls, Capt. A. J. Smith, and Hon. L. F. Grover, pursuant to act of Congress, and disallowed by Third Auditor of the Treasury, as per his report of February 7, 1860, for the purpose of submitting some remarks upon it and having it referred. I will now renew my notice, as the Senate has agreed to adjourn over until Monday, for Tuesday next after the expiration of morning business, when I shall ask the Senate to take up the bill for the purpose of allowing me to make some remarks upon it and have it referred.

ORDER OF BUSINESS.

The PRESIDENT *pro tempore*. If there be no further bills or joint resolutions to be introduced, concurrent and other resolutions are in order. Are there resolutions concurrent or other? If there are none the Chair lays before the Senate the first resolution on the Calendar of resolutions heretofore submitted.

Mr. PLUMB. Does the order of resolutions on a former day take precedence of those to be now introduced?

The PRESIDENT *pro tempore*. The Chair will receive resolutions now introduced.

Mr. PLUMB. I offer a resolution and ask its present consideration.

Mr. RIDDLEBERGER. I object.

The PRESIDENT *pro tempore*. The Senator from Virginia objects.

Mr. EDMUNDS. The resolution must be read.

The PRESIDENT *pro tempore*. It may be read.

Mr. RIDDLEBERGER. I object to its consideration, not to its reading.

LAND OFFICE FEES.

The Chief Clerk read the resolution of Mr. PLUMB, as follows:

*Resolved*, That the Secretary of the Interior be directed to inform the Senate whether the charges made by registers and receivers of land offices for reducing to writing testimony in contest and other cases is greater than the cost of performing such service, and, if so, whether, in view of the financial needs of those called on to pay these charges, the same might not properly be reduced to an amount sufficient only to cover the cost of the same.

The PRESIDENT *pro tempore*. The resolution will lie over under the rule.

MILITARY CEMETERY AT MOUND CITY, KANS.

Mr. PLUMB. I offer the following resolution, and ask for its present consideration:

*Resolved*, That the Secretary of War be directed to inform the Senate as to whether the military cemetery at Mound City, Kans., is under the charge of his Department, and, if so, whether adequate means have been taken for its care and protection.

Mr. RIDDLEBERGER. I object.

The PRESIDENT *pro tempore*. The Senator from Virginia objects, and the resolution lies over under the rule until to-morrow. The first resolution coming over from a former day will now be read.

THE MAIL SERVICE.

The Chief Clerk read the resolution submitted by Mr. PLUMB January 30, 1888, as follows:

Whereas there have been for many months serious complaints as to the inefficient character of the mail service, especially in the West and South, and the same continue, indicating that the trouble is of a permanent character:

*Resolved*, That the Committee on Post-Offices and Post-Roads be instructed to make thorough inquiry into the cause of such inefficient mail service, and report to the Senate their conclusions thereon, with suggestions as to remedy.

Mr. REAGAN. I ask the Senator from Kansas to accept an amendment.

Mr. PLUMB. I desire to submit remarks on the resolution.

Mr. REAGAN. Very well.

Mr. PLUMB. Mr. President——

Mr. RIDDLEBERGER. I rise to a point of order. I inquire whether my objection does not carry that resolution over until to-morrow.

The PRESIDENT *pro tempore*. Not under the rules. This resolution was offered on a former day and objected to, and then it went over under the rules, and is, under the practice of the Senate, now entitled to consideration.

Mr. RIDDLEBERGER. This is not either of the resolutions offered to-day, then?

The PRESIDENT *pro tempore*. No.

Mr. PLUMB. It was not my purpose in introducing this resolution to get up anything which could be called a partisan debate or to introduce any suggestion of a partisan character into the consideration of the resolution. But a condition of things exists, by common consent, in the Western country in regard to the mail service which ought to be rectified; and I did not myself enlarge, for what I conceived to be sufficient reasons, upon the existing condition of things, and I reflected upon nobody in any serious way. I might have multiplied the testimony on the subject of the inefficiency of the mail service in the Western country very largely. I do not think it will be necessary to rely on newspapers alone, but the mails received by members of this body and of the other House are burdened with complaints of a similar character. I do not think I have opened my mail for a week without at least one complaint being contained in it, either formally made directly or incidentally in connection with communications on other subjects.

It is not a subject to be considered in connection with any partisan aspect of the case, but with reference merely to the public convenience, which is not being served by the Post-Office Department as it ought to be. There was no necessity for excuses of the kind which had been made by the various Senators who have spoken on this subject in defense of the Department, and there is no recommendation in the report of the Postmaster-General that touches upon this case even remotely.

The Senator from Alabama [Mr. MORGAN] said that if I would consider the report of the Postmaster-General I would find there recommendations which covered everything necessary to make the service what it ought to be, and the lack of which was not the fault of the Postmaster-General, but the fault of Congress, first, because Congress did not make adequate appropriations for carrying on the service, and, second, because they did not provide such compensation for employés as they ought to have, considering the value of their services and the very great acceptability with which they were rendered.

That is an entire mistake. As I said, there is no recommendation in the report of the Postmaster-General that goes to this question at all. There are recommendations, I have no doubt valuable ones, relating to the book-keeping of the Department, to the system of accounts, to the method of their adjustment, and to determining responsibility, and so on. I have no doubt they are good suggestions. The late Postmaster-General had great merit in that direction as a man of system, a man having ability to organize the force under his immediate control in the Department for the purpose of performing the duties imposed on that force by law. But with reference to all the matters that pertain to the gathering up, to the carrying, and to the distribution of mail matter, the Postmaster-General has as absolute a discretion as though he were the emperor of America. Under the law, every clerk in every post-office is paid a compensation fixed by the Postmaster-General. The law imposes no terms whatever. He may pay $500, $200, a thousand dollars, or $5,000, if he sees fit. Unlike the compensation of postmasters, which is regulated by law, the employés under them have a compensation which the Postmaster-General himself determines. He not only determines their compensation, but he determines absolutely their number. The whole force is discretionary to the last degree. There are no classifications and no grades in all this force.

When it comes to the employés known as postal clerks or route agents, or both in common phrase, the difference is just this: The law provides that they shall be classified and says what the compensation of the different grades shall be; that is to say, fixes a maximum. The lowest grade is fixed at a salary not exceeding $800 per annum, and they are graded above that until the salary is $1,400 per annum; that is to say, not exceeding that amount. The Postmaster-General can number and grade these clerks as he pleases. He can put them all in the $800 class if he sees fit, or in the $1,000 class, or all in the $1,200 class, or all in the $1,400 class, and he can put just as many in each of these grades as he sees fit.

He therefore determines not only the number in gross of these employés, but he determines the compensation they shall have and the grade in which they shall be enumerated for the purposes of the service. The Postmaster-General has never put a single employé of his Department in the $1,400 grade; in other words, he has decided that no employé of that Department of the class known as postal clerks receive as much as $1,400. He therefore, himself, has put a discrimination of price or compensation on this class of employés. If, then, these men are not getting enough for their work, it is because the Postmaster-General has so decreed. The only thing Congress has to do with it is from time to time to give him a lump sum of money which he is authorized to spend, and spend as he sees fit, for compensating this class of employés.

If the Postmaster-General can say that he asked for money which Congress did not give him, he would then put the fault on Congress, except that he might, of course, in a given case employ less of the higher grades and more of the lower grades, and thereby eke out the appropriation; but this Postmaster-General has had ever since he came into office every single dollar that he asked for, and in that he is in striking contrast to his predecessors. Not a single one of his predecessors, for many years at all events, has had anything like as much as he has had to carry on the service. Congress gave him what the Senate freely conceded, and the Postmaster-General has had every single penny of his estimates for every branch of the postal service.

The consequence is that there is no fault with Congress. Not only was this so, but last year when this service began to deteriorate the Postmaster-General turned into the Treasury of the sum of money we appropriated for postal clerks more than $80,000. So he did not use all the money that he estimated for; and the consequence was that the service was not properly rendered. This year he has got again all he asked for. Whether by the 1st day of July all of it will have been expended or not, I do not know; but I do know that by reason of the fact that there have not been persons enough in the service to take care of the mail that was put upon the trains by the people of the United States under the invitation of the Government the service has come into the deplorable condition it is as stated here, and which statements are not denied.

But, Mr. President, I do not care, as far as I am concerned, whether the Postmaster-General turns out or retains the old employés. That is entirely apart from this inquiry. He had a perfect right to turn out as he saw fit, and it was his duty to do it if he found men in the service who were not competent. Allusion has been made to the large number of changes in the *personnel* of the postmasters. No doubt that was accompanied by an equivalent change in the clerical force of the various post-offices in the country. When I was referred to the report of the Postmaster-General for signal reforms in the mail service, which were pointed out by him and which he thought ought to be adopted, I was reminded of his report on the condition of the dead-letter office. One paragraph of that report is in this language:

> The total number of pieces of original dead mail matter received at the dead-letter office during the year ending June 30, 1887, was 5,335,363, an increase of 543,665 pieces, or nearly 11.4 per cent., over the number received during the last fiscal year, or about 17 per cent. over that received during the year previous. There were also received 239,816 letters without valuable inclosures, returned to the writers, but again sent to the dead-letter office as undeliverable, making, with the original matter received, and 263 held-for-postage letters and 3,523 letters of foreign origin on hand June 30, 1886, the total number of pieces treated during the year 5,578,965, classified as follows.

Then follows the classification. From this it appears that for the fiscal year ending June 30, 1886, the first year of the administration of the Post-Office Department by the late incumbent, the increase of letters returned to the dead-letter office undelivered was 11.4 per cent., while the total increase of the general business was less than 8 per cent., and during the fiscal year ending the 30th of June, 1887, the increase in the number of letters undelivered and returned to the dead-letter office was 17 per cent., more than twice the total average percentage of increase of the postal business of the United States during that period. I do not say that that was because there had been this wholesale change in post-office officials. It is not for me to furnish a reason for it. All this reference to the dead-letter office was apart from any design I had in offering the resolution.

I desire that the postal service of this country may be what the law requires it to be and what the interests of the people require it to be. It is the one sensitive interest that touches all the people of the country; it is the one thing in the public service that affects everybody; and I imagine now, as I said before, that whilst they are desirous of having all facilities for the transaction of the public business, when it comes to the Post-Office Department the first requirement is speed and safety in the delivery of the mail, and economy, if it is to come in, as of course it ought, is to come in later. I am not here to upbraid, as I have never upbraided any one for exhibiting economy.

I think I have said as much for economy in the public service, certainly, as the average of the members of this body. I am the last one to complain of any undue care in the expenditure of public money; but in this case there seems to have been an undue desire to make both ends meet, to exhibit a clean account at the expense of the general public. The condition of things in this Department as it has been latterly administered, has proved to be inconsistent with that safety and certainty in the delivery of the mails which I think is the first requisite.

Mr. President, there has been something said in this debate about the reduction of postage, and it has been urged here as a proposition which was thought to be sound that there was no more reason why the Post-Office Department should be made self-sustaining than that the Army should be made self-sustaining. If that were true, then why not deliver all the mails free? Why charge anybody anything for delivering a letter or a paper or a package of merchandise through the mail? The Senator from Kentucky [Mr. BECK] well knows that this very question of the deficiency in the revenues itself causes a more careful scrutiny of the outgo, and he knows that if that deficiency were greater than it is now, there would be a more careful scrutiny still.

When we reduced the postage on letters from 3 cents to 2 I was told, on what I believed to be good authority, that we saved $100,000 in a single year to a firm in New York City; but I know of a great many people in this country to whom it did not save more than 5 cents per annum. I know of many others in active business to whom it did not save $25 per annum. I know, therefore, that when we come to reduce this service in such a way as to take its burden off the tax-payers, it is to the benefit largely of a very few people and that it does not affect the general public practically at all. If we were to take off entirely this charge for carrying letters and carrying newspapers, would it reduce the cost of newspapers or of magazines or of merchandise to the persons who purchase them? Not at all.

Mr. BECK. Will it interrupt the Senator if I refer him to what the Postmaster-General has said as to the effect of the reductions we have made and the possibility of further reductions?

Mr. PLUMB. Not at all.

Mr. BECK. The Postmaster-General, after commenting on what we have done heretofore in the way of reducing postage and increasing the maximum of weight, says:

> Thus the deficiency charged upon the general Treasury, which two years since was a round seven millions and a year ago but about seventy thousand less, has been reduced almost three-sevenths, while the fair augury from our present circumstances gives hope that during the current year it will nearly if not entirely disappear. If there shall remain at the year's end any excess of cash expenditure above receipts, it can not but be much less than the postages upon the mail matter of the Government itself, estimated to be at least two millions annually, and reasonably its debt to the postal service. It may, therefore, be fairly affirmed that from the beginning of the current fiscal year the postal service has again become substantially self-sustaining, and the prediction be ventured that if the revenues be not further crippled, and only a similar ratio of increasing expenditure be held, the next fiscal year will yield a surplus which should, under the same conditions, annually increase.

All I have to say about my proposed reduction to 1 cent per letter is that we have a very large surplus on hand now, and it is a good time to begin, even if it costs a half million at first, believing that the increase of letters will in a very few years make the service again substantially self-sustaining.

Mr. PLUMB. I was not addressing myself particularly to the proposition of the Senator from Kentucky, but to the proposition that there was no necessary relation between expense and revenue in this Department, more than there was in the Army. I have believed in the reduction of letter postage from 3 cents to 2, and reported the bill which provided for it—a bill which anticipated by six months the time named

in the bill which came from the House. I am in favor of keeping on with such reductions, not, however, totally regardless of the revenue, but in such a way that we may keep them, if not together, at all events not too wide apart, and for the reason, as I said a moment ago, that if that margin is too wide Congress will undoubtedly to some extent inevitably consider the questions of appropriation, and thereby prevent the people from having what they are entitled to as the first consideration, that is, a valuable service instead of a cheap service.

But, Mr. President, I was speaking about this proposition with reference to what means substantially a free delivery all over the United States of everything that may be mailed, and I said that would not be in the interest of the people. It would benefit a certain number of persons who use the mails more freely than anybody else, and who would take all the advantage of that elimination of postage to themselves. The publishers of the great newspapers, the great magazines, the men who ship merchandise, etc., would get all the advantage; they would not give any part of it to those people to whom they send the articles.

Mr. BECK. I would suggest to my friend that what causes a great many letters to go to the dead-letter office, is the idea that by putting on a 1-cent stamp a letter can go to the post-office to which it is directed. A great deal of matter gets back to the dead-letter office in that way, more than one-tenth of it not being received at the place of destination, but sent to the dead-letter office because of deficient postage.

Mr. PLUMB. That does not affect the question; that does not show why there was an increase of 17 per cent. in the letters returned to the dead-letter office under 2-cent postage the last year over the number under 3-cent postage.

Mr. BECK. The improvement of the roads in the far West helped that very much. We have seen places where gullies were filled up with mail-bags unable to get across. That has passed away now, perhaps. That caused many letters to go to the dead-letter office.

Mr. PLUMB. The Senator thinks that under former administrations the mails were thrown away. Then they did not get back. That will do very well for a joke, but the serious fact remains that there has been a steady increase, not only a 10 per cent. increase the year before last, but 17 per cent. last year. I do not know of any mail-bags having been thrown into gullies since the time this Administration has been in power.

But I was a good deal edified yesterday at the very kind remarks which were made by the Senators on the other side of the Chamber in regard to the faithful character of the employés of the Government and in regard to the need that there should be greater compensation to them. I never heard that remark made during the time of the Republican administrations. Generally speaking they were then abused as men who were getting too much out of the Treasury, getting pay for services which they did not render at all, or which they rendered very imperfectly, and they were accused—not a few of them, but a great many of them—and one of the staple cries in the canvass preceding the election of Mr. Cleveland was that there were too many officers in all branches of the public service and that they were getting too great compensation.

I have not heard of any of them being cut off, and I have not heard of any of our Democratic brethren advocating a reduction of the pay of any of them. On the contrary, whatever change there has been has been in the direction of an increase both in numbers and in compensation. I defy any man to find a single salary which has been reduced since the time this Administration came into power. On the contrary, a number have been increased. The Departments say, "We can not get along with these underpaid employés." The salaries which were ample according to the ideas prevalent on that side of the Chamber during Republican administrations are now totally inadequate. I am not much surprised at this. They are looking out for their own. They probably were not sincere at the time they were berating Republican administrations for extravagance. Since they have come into power they are found to be just as willing as anybody else to take all they can get.

As I said before, whatever the failings or shortcomings of the railway mail service may be, they are not attributable to the lack of appropriations, or if they are, then it is because the Postmaster-General did not ask for as much as he wanted. They are not attributable to the small pay of the men in that service, because the Postmaster-General himself has declined to give all the pay the law now authorizes. I do not mean to say that his reasons have not been good. I have no doubt in the world that he has consulted the public interests. The result is, however, that on great lines of railway and on all the connecting lines there has been a stoppage of mails, a lack of that proper and speedy delivery which the people have a right to expect and for which they pay, which has disturbed business over large areas of country.

Mr. RIDDLEBERGER. Mr. President——

The PRESIDENT *pro tempore*. Does the Senator from Kansas yield the floor?

Mr. PLUMB. I do.

Mr. RIDDLEBERGER. Mr. President, this debate starts out in a singular manner. A Senator rises and informs another Senator that he means to use up the half hour left for morning business when he rises. But that is not the kind of fairness which I look for, and certainly it is not according to the parliamentary custom that I was trained in. When I heard that Senator announce distinctly to his right-hand neighbor that he intended to take that half hour, I knew what it meant. Now, sir, the proper order of business to-day would have been to have considered a resolution of mine offered to change the rules of the Senate, and though I have but three minutes I will use them in saying again to this Senate that it is my right to have that resolution considered, and to appeal to the Senate, notwithstanding the tactics that are resorted to here, to give me a hearing upon that resolution.

I now intend to do more than I started out to do, and that is to let the country know how each man stands on this floor. I repeat that I heard the Senator from Kansas say that he intended to use that half hour. For what purpose? To prevent the consideration of a resolution which would bring before the Senate the British treaty, and as an American I am ready to meet it any day and every hour and never have to take a half hour of time that does not belong to me in order that I may consume time.

Mr. President, when the minute hand on yonder clock shall mark 2 o'clock I shall be called to time, and then shall appeal to the Senate to give me time. I have the public opinion of the British treaty. Here is the New York Tribune of July 21, 1886, and I have a right to read what appears there, as it seems to be signed by Edward J. Phelps and the other man. I suppose he was an earl before he signed his name, as there is but one word as a name signed to it. That is not private property, and notwithstanding the endeavor of the Senator from Kansas to keep me from speaking to this matter to-day, I hope the intelligence of the Senate will allow me to lay before it some few matters, such as a message that emanated from President Grant. I know that the object of this whole treaty business is to get us into executive session. In executive session no man is responsible. It sometimes appears to me that those that have active private secretaries manage to get their speeches out to the press very much in the order in which they said them. Still it is perfectly understood that we are not to hear anything that transpires in executive session.

The PRESIDENT *pro tempore*. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, the title of which will be stated by the Chief Clerk.

The CHIEF CLERK. "A bill (S. 371) to aid in the establishment and temporary support of common schools."

Mr. KENNA. Mr. President——

Mr. RIDDLEBERGER. Does the Senator from West Virginia desire to make any remarks?

Mr. KENNA. I hope gentlemen, according to the notice which I gave the other day, will allow the unfinished business to be laid aside informally.

Mr. RIDDLEBERGER. I will say to the gentleman from West Virginia that I will give him whatever time he wishes.

Mr. KENNA. I wish to call up the motion to refer the President's message.

The PRESIDENT *pro tempore*. The Senator from West Virginia asks that the pending order may be informally laid aside for the purpose of enabling him to submit remarks under the notice previously given.

Mr. BLAIR. I hope under the somewhat peculiar circumstances of the case that I shall not be blamed as lacking due fidelity to the education bill if I assent to the request of the Senator from West Virginia, a Senator that has yet to make a suggestion such as has been so common on the floor in regard to my conduct of this bill hitherto. I would submit the matter to a vote of the Senate, but that I know very well the generosity of the Senate would vote the postponement, and I therefore consent to it myself.

### INCREASE OF PENSION RATE.

Mr. QUAY. Before the Senator from West Virginia proceeds with his remarks, I would ask the indulgence of the Senate to be allowed to call up Senate bill No. 1000 and put it on its passage. It is a bill indorsed by many departments of the Grand Army, and to which there is no objection, and it is important that it should be disposed of early.

Mr. KENNA. I have no objection myself, but throwing myself on the indulgence of others, I can not accede to the request.

Mr. QUAY. Then I appeal to the Senator from New Hampshire.

Mr. BLAIR. What was the request, to consider a bill without debate?

Mr. QUAY. To consider a bill without debate, which is deemed very necessary. It has been reported unanimously from the proper committee.

Mr. BLAIR. I waive objection.

The PRESIDENT *pro tempore*. The Senator from Pennsylvania asks unanimous consent that the pending order may be informally laid aside for the purpose of enabling the Senate to proceed to the consideration of a bill, the title of which will be reported.

The CHIEF CLERK. "A bill (S. 1000) to increase the pensions of certain soldiers and sailors who are utterly helpless from injuries received or diseases contracted while in the service of the United States."

The PRESIDENT *pro tempore*. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. BLAIR. I reserve the right to object if the bill gives rise to debate.

The PRESIDENT *pro tempore*. The reading of the bill will proceed.

The bill was read. The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause, and in lieu thereof to insert:

That from and after the passage of this act all persons who are or who may become totally helpless from injuries received or diseases contracted while in the military or naval service of the United States shall be entitled to receive a pension of $72 per month.

SEC. 2. That the increase allowed by this act to those persons who may hereafter become totally helpless shall be made to commence in strict conformity with section 4698½, Revised Statutes.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. QUAY. I desire to file certain papers to accompany the bill, to be sent to the House of Representatives.

The PRESIDENT *pro tempore*. The papers will be received and filed with the bill, if there be no objection.

PACIFIC RAILWAY COMMISSION REPORT.

The PRESIDENT *pro tempore*. The Chair announces that the message of the President of the United States and the accompanying reports of the Pacific Railway Commissioners will be referred to the following select committee, under the resolution of the Senate adopted January 24, 1888:

Messrs. FRYE, DAWES, HISCOCK, DAVIS, MORGAN, BUTLER, and HEARST.

The Chair begs the indulgence of the Senate to say that in the formation of the select committee for the consideration of the message of the President and the reports of the Pacific Railway Commissioners, the mover of the resolution, the Senator from Massachusetts [Mr. HOAR], would have been entitled to priority for the chairmanship of the committee; but before the resolution was adopted the Chair was informed by the Senator from Massachusetts, who moved the resolution, that under no circumstances whatever could he accept a place upon this committee.

THE PRESIDENT'S ANNUAL MESSAGE.

The Senate proceeded to consider the resolution submitted by Mr. SHERMAN December 19, 1887, as follows:

*Resolved*, That the President's annual message be referred to the Committee on Finance.

Mr. KENNA. Mr. President, on the 4th day of last month the honorable Senator from Ohio [Mr. SHERMAN] submitted to the Senate and to the country his reply to the President's message. I had read the message of the President more than once, and with more than ordinary care; and, detained from my seat in the Senate by the illness of my little boy at the time the honorable Senator's speech was made, I have likewise devoted to that speech more than a casual examination.

The honorable Senator, as we all know, is conspicuous in the councils of his party. He has had much to do with the shaping of its policies. His assault on the President's position in favor of revenue reform and reduction of taxation is therefore to be regarded as significant. The honorable Senator from Ohio does not speak precipitately. The President's message came on the 6th day of December, 1887, and the motion of the Senator to refer it was made on the 19th day of the same month. His speech upon it was made fifteen days thereafter. Time and thought were devoted to the preparation, and the assault was deliberate. It may, therefore, be fairly assumed that the "reply" of the honorable Senator is exhaustive of his own and of his party's resources on this important subject. In the light of this fact, as the message has provoked his criticism, the speech may justly be regarded as a challenge to the examination of others.

The honorable Senator has been prominent for years in the discussion of subjects of revenue and taxation. I have heard much and read more of what he has said. I have had something of familiarity with his past utterances, and knew something of his past connection with this class of legislation. When I read his recent speech I confess that it surprised me. It presents, Mr. President, the square issue as to whether the honorable Senator's party shall stand in this assault or fall in the defense. His speech is before you. His past record is equally a part and parcel of his contribution to the literature of the country and to the debates of Congress. I can not reconcile the one with the other, nor have I the right in this presence or in decent respect for the proprieties of daily intercourse, to ascribe the irreconcilable conflict to the exigencies of political or party necessity. I only know that the speech of the honorable Senator, taken in connection with his former utterances on the same and similar subjects, presents a contrast as astounding as it is unexpected—a conflict as irreconcilable as it is positive and absolute—an enigma which, confessing my own inability to solve, I will now proceed briefly to analyze and will then leave its further consideration to the Senate and to the country.

The President, in his message, calls attention to the unnecessary accumulation of a surplus of the people's money in the Treasury, already amounting to $55,000,000, presages that it will reach $140,000,000 by the end of the fiscal year, and declares that if disaster shall result from the continued inaction of Congress, the responsibility must rest where it belongs. The honorable Senator has dismissed this solemn warning of the President with a wave of the hand. "The existence of a surplus has been a constant occurrence before and since the close of the war," he says. And, continuing, he declares that—

When, in 1806, President Jefferson had the good fortune of a surplus revenue, he, in his message, said, "To what other objects shall these surpluses be appropriated * * * after the entire discharge of the public debt and during those intervals when war shall not call for them? Shall we suppress the impost and thus give that advantage to foreign over domestic manufactures?" He believed the patriotism of the people would "prefer its continuance and application for the purposes of the public education, roads, rivers, and canals."

From this extract it would be fairly assumed that Mr. Jefferson had treated the unnecessary accumulation of a surplus in the Treasury as lightly as the honorable Senator is disposed to do. But, Mr. President, the extract which has been quoted is unfair to Mr. Jefferson, unfair to the Senate, unfair to the country, and does no credit, if I may be permitted the remark, to the fairness of the honorable Senator himself. I can not say that the Senator has deliberately garbled Mr. Jefferson, but I can and do say that he quoted the half of a sentence and that he omitted the other half, the qualifying part, which will be found on page 68, volume 8, of Mr. Jefferson's works, in the following words:

And such other objects of public improvement as it may be thought proper to add to the constitutional enumeration of Federal powers.

The Senator has gone further. He has interpolated in his extract from Mr. Jefferson before the word "canals" the word "and," thus, innocently of course, leaving to the hearer and to the reader the impression that the sentence closed there. And the Senator has omitted entirely the declaration of Mr. Jefferson which follows soon after, in the same message, in the following words:

I suppose an amendment to the Constitution by consent of the States necessary, because the objects now recommended are not among those enumerated in the Constitution, and to which it permits the public funds to be applied.

What a contrast! Mr. Jefferson on the one hand, as the honorable Senator presents him, contemplating as a trivial matter the probable unnecessary accumulation of money in the Treasury with the passing suggestion that it be devoted to internal improvements, and Mr. Jefferson on the other, patriot President as he was, solemnly invoking a change in the organic law of the land, in order to anticipate and to avoid the dangers of a surplus revenue.

In his message of December, 1832, General Jackson declared that the—

soundest maxim, of public policy and the principle upon which our republican institutions are founded recommended a proper adaptation of the revenue to the expenditure; and they also require that the expenditure shall be limited to what by an economical administration shall be consistent with the simplicity of the Government and necessary to an efficient public service.

And so of Mr. Webster. Contemplating in 1836 a surplus which would be regarded as hardly significant in these days of overtaxation, Mr. Webster declared, and in the very substance of the President's message, that—

this present pressure is not known or felt or believed here in anything like its true extent. If we give no relief I know not what may happen, even in this day of high prosperity.

In his message of December 6, 1881, dealing with the surplus in the Treasury, President Arthur said:

In view, however, of the heavy load of taxation which our people have already borne, we may well consider whether it is not the part of wisdom to reduce the revenue, even if we delay a little the payment of the debt. It seems to me that the time has arrived when the people may justly demand some relief from their present onerous burden, and that by due economy in the various branches of the public service this may readily be effected.

He then proceeds to recommend certain modifications of internal-revenue taxes and the abolition of others, excepting, however, those upon tobacco in its various forms and upon distilled spirits and fermented liquors, and also makes other exceptions in the same line. He proceeds to add:

The tariff laws also need revision, but that a due regard may be paid to the conflicting interests of our citizens, important changes should be made with caution.

And so said the Democratic national platform of 1884, and so says the President in his late message.

Again, in his message of 1882, President Arthur recommends the abolition of all excise taxes, except those relating to distilled spirits, and in his message of December 1, 1884, he renewed this recommendation, and proceeded to add:

In case these taxes shall be abolished, the revenue that will still remain to the Government will, in my opinion, not only suffice to meet its reasonable expenditures, but will afford a surplus large enough to permit such tariff reduction as may seem to be advisable when the result of recent revenue laws and commercial treaties shall have shown in what quarters those reductions can be most justly effected.

Secretary Folger, in his report of December 4, 1882, presents an estimate in round figures of $75,000,000 of surplus for the fiscal year to end June 30, 1883. He then says:

There could not be that surplus, surely not so great a one, if the subject of taxation were lessened and the rates made smaller upon those retained.

He further declares that the—

accumulation in the Treasury of a large surplus, which must occur unless immediate measures are enacted for a reduction of the revenues, is not to be placidly contemplated, and the question confronts us, in what manner may it best be prevented?

His report is elaborate and able. He declares that the—

radical cure for the evil is in the reduction of taxation, so that no more will be taken from the people than enough to carry on the Government with economy.

And, after stating the proceeds of revenues from customs for the then current year, he asserts that—

It seems, therefore, that a reduction should be made in the revenue from the customs. * * * And it is believed that the time has arrived when a reduction of duties on *nearly all* the *articles* in our tariff is demanded and is feasible.

In addition to this, he continues:

A careful revision of the tariff should be made with a view to placing upon the *free-list* many articles now paying a duty.

While these views were expressed and enforced by Hon. Mr. Folger, a Republican Secretary of the Treasury, no word denouncing him as a free-trader emanated from the honorable Senator from Ohio. But I quote the language of the former Secretary of the Treasury mainly for the purpose of exhibiting the fact that neither he nor his principal, the President of the United States, regarded an accumulated surplus with complacency. Nor was either confronted by the cry of wolf at the door when he demanded a reduction of the tariff.

In the report of Mr. McCulloch, a Republican Secretary of the Treasury, of December 1, 1884, recommending a commission for the purpose of revising the tariff, and also pressing his views for conservative protection, he declares:

First. That the existing duties upon raw materials which are to be used in manufactures should be removed. This can be done in the interest of our foreign trade.

Second. With the changes upon the articles used or consumed by those who are the least able to bear the burden, the taxation should be reduced. This also can be effected without prejudice to our export trade.

With these utterances staring in the face of the honorable Senator from Ohio, we heard no assault by him upon the honorable Secretary of the Treasury as a free-trader. Thus, Mr. President, I assert that prominent officials of the Government, of late years especially, have united in their antipathy of an accumulating, unnecessary surplus in the Treasury, and have denounced over and excessive taxation.

We are all familiar with the recommendations of the late Mr. Manning when Secretary of the Treasury, and of Mr. Fairchild, the present Secretary, in the line of tax reduction.

So, Mr. President, four successive Secretaries, two Republican and two Democratic, and two successive Presidents of the United States, one a Republican and the other a Democrat, have united in their condemnation of a surplus, idle revenue, and their demand for a reduction of the public burden.

And thus it has been throughout the history of the Government. There never was a time, there never was an administration, there never was a sentiment among the people, excepting possibly the Senator himself, which justified or calmly contemplated the unnecessary withdrawal from circulation of the currency of the country and its hoarding and holding in the public Treasury. The honorable Senator from Ohio is the only person who seems to regard such a condition as a "good fortune." Such a condition has always created apprehension, and, sometimes, contributed to panic and financial disaster. And yet, when the President, inspired by the teachings of his country's history, dares to raise his voice to arrest impending calamity, the honorable Senator from Ohio would laugh to scorn the faithful admonition and hold up its author to the ridicule of the public. But, Mr. President, the honorable Senator has forgotten his own anxieties when surrounded in both Houses of Congress by a majority of his own party friends, and when he felt more keenly perhaps the political responsibilities of the situation.

It was in 1882, when impelled by conditions somewhat similar to those which confront us to-day, that the honorable Senator exclaimed in this Senate:

There is no sentiment in this country stronger now than that Congress has neglected its duty thus far in not repealing taxes that are obnoxious to the people and unnecessary for public use; and if we should still neglect that duty we should be properly held responsible by our own constituents. Now, sir, for one, I am determined that this sin shall not lay at my door.

It is not strange, perhaps, that the Senator has somewhat modified his views in the presence of one Democratic administration and in the prospect of another.

Further on, Mr. President, constituting himself the censor of a House of Representatives with a small majority, Democratic, struggling with their own differences as to method, the Senator in his recent speech proceeds to say:

I may also ask, why did not Congress then apply the remedy? The Forty-ninth Congress lived its two years and died. Mr. Cleveland was then as now President of the United States. The House of Representatives contained a large majority of his political friends. They alone had the initiative, the origination, the constitutional power to introduce a bill to reduce taxes. Why was it not done?

Such, sir, is the animadversion of the honorable Senator when a House of Representatives, with a small Democratic majority, can not do as it pleases in the face of a determined opposition. But hear the observations of the same honorable Senator, when a Republican Senate, of which he was one, dealing with the same subject, finds itself helpless to carry out its will:

We acknowledge the power of the minority here, almost our equal, because whether there is a majority of the Senate is a question always of doubt and uncertainty. We acknowledge their power; we pay obeisance to it; we respect their power.

And such, Mr. President, is the testimony of one who is not without experience himself. "Why beholdest thou the mote that is in thy brother's eye, but considerest not the beam that is in thine own eye?"

The honorable Senator kindly agrees with the President that unnecessary and extravagant appropriations ought not to be made. To avoid a surplus of revenue "no money," he says, "should be collected from the people except to meet the requirements of the Government properly and economically administered." This expression is superfluous on the part of the Senator, unless it be intended to apply to the existing condition of affairs. He is therefore in harmony with the President, upon whom he makes his assault, when the President uses the following language in his message:

When we consider that the theory of our institutions guaranties to every citizen the full enjoyment of all the fruits of his industry and enterprise, with only such deduction as may be his share towards the careful and economical maintenance of the Government which protects him, it is plain that the exaction of more than this is indefensible extortion and a culpable betrayal of American fairness and justice. This wrong inflicted upon those who bear the burden of national taxation, like other wrongs, multiplies a brood of evil consequences.

But the honorable Senator assails the President because, speaking of spirits, tobacco, and beer, the President says that "there appears to be no just complaint of these taxes by the consumers of these articles, and that there seems to be nothing so well able to bear the burden without hardships to any portion of the people." The Senator then proceeds to say that—

It may be that there is no complaint by the consumers. But can he say that of the producers of these articles? They are all either the product of the farm or immediate fruits of the product of the farm. Their chief cost is in the leaf-tobacco, or the corn, rye, wheat, and barley of the farm. Do not farmers complain of this tax? If the President thinks they do not he is greatly mistaken. * * * The traditions and policy of our people are against internal taxes. During and since the war they were a necessity. Now, if continued, they should be reduced; especially the tax on tobacco, no longer necessary, should be remitted.

When, may I be permitted to ask, did the honorable Senator undergo a change of heart on this important subject? In 1867 he declared:

The luxuries are mostly contained in the items spirits, wines, and tobacco. These are undoubtedly the first objects that should be taxed.

In 1870 he declared:

And these two taxes on spirits and tobacco, together with the tax on fermented liquors, over $6,000,000, are paid without complaint in every part of the United States.

Mr. SHERMAN. I think so now. It is not the consumers that complain, but the manufacturers; the farmers complain.

Mr. KENNA. I beg pardon, but I prefer not to be interrupted.

Mr. SHERMAN. I beg pardon. I will not interrupt the Senator, if he does not wish to yield; but he seemed to appeal to me personally, and I felt bound to say what I have said.

Mr. KENNA. I am frank to say that my whole appeal is to the Senator personally, every word of it, as he will see as I proceed.

In 1882 the honorable Senator said:

These taxes ought to be left as a part of our permanent system of taxation as long as any other taxes, internal or external, more oppressive, remain on the statute-books.

And I ask the honorable Senator, when he comes to answer that question, whether he says that now?

Mr. SHERMAN. Do you want my answer?

Mr. KENNA. I will yield to the Senator to answer the question, but not to make a speech.

Mr. SHERMAN. I do say that as long as any system of internal taxation about which I was speaking——

Mr. KENNA. Ah! Ah!

Mr. SHERMAN. I say as long as that remains, I believe this tax ought to remain; but the tax on the internal-revenue list that I propose to repeal, and the only one I propose to repeal, is the tax on tobacco, which is an article produced by the farmer, raised on the farm, four-fifths the cost of which is in the raw material. That is the only internal-revenue tax I propose to repeal. I do not propose to repeal the others.

Mr. KENNA. Now, I think we all understand the Senator from Ohio. I shall answer him by reading what I have just read from him, and then in order that the Senate and the country may understand precisely what the Senator's views really are on this question, I shall proceed to read further from what he has said at various times.

These taxes ought to be left as a part of our permanent system of taxation as long as any other taxes, internal or *external*, more oppressive remain on the statute-books.

And again, in 1882, the honorable Senator, growing eloquent on this subject, declared in the Senate, and I direct attention especially to it:

I do not hesitate to say that there is a general desire among all classes of our people, without regard to party, that the remnants of the internal system shall be swept away, except on whisky, tobacco, and beer. * * * This tobacco tax, of all others—

Now, in connection with the Senator's remarks, made only *three minutes ago*, I want his attention to this declaration of his:

This tobacco tax, of all others, is the easiest collected, the most certain, increasing constantly from year to year, dependent upon an appetite that will be in-

dulged no matter what may be the tax; a tax that has been more stable than any other. No amount of tax likely to be put upon tobacco will prevent its being chewed and smoked and snuffed. In all other countries where taxation prevails this is a favorite subject of taxation. * * * I say the tax on tobacco does not *diminish the price to the farmer who raises it.* * * * And I say we are throwing off a tax, which, by the *judgment of all nations, is the best source of taxation.*

What, I may again ask, has brought about this change of heart and of conviction on the part of the honorable Senator? Is it a change in the method of producing tobacco? We know better than that. Is it a change in the method of taxing it? There has been no change in that process. Is it a change in the condition which confronted us in 1882, and which confronts us now? The conditions are practically the same. Has the change in the political complexion of the administration affected the honorable Senator, or have we reached that happier period when men decline to smoke or to chew or to snuff? I leave these questions to the consideration of the honorable Senator from Ohio.

But the Senator has undertaken to say that the surplus in the Treasury is due to the failure and refusal of the President and of the House of Representatives to permit the application of public funds to objects of necessity and legitimate demand upon the Treasury. I shall not go into all that he says upon the subject; two instances will suffice to characterize the whole argument. He denounces Congress for its failure to provide subsidies for postal communication with the South American States, and in the same connection denounces the President for his failure to approve the river and harbor bill. The question of subsidies is familiar to the whole people. The antagonism of the Administration and of his party to the subsidizing of special interests or classes needs no defense at my hands. This invention of the Republican party has never found favor with the Democracy. It is against the fairness and spirit and genius of our institutions.

Subsidies to ships! We have no ships! Your policy of pretended protection has driven our commerce from the high seas. You confine our producers to the limitation of their home market, and you deny them the agencies to carry the fruits of their industry to the markets of the world. Sir, we have no ships! A line to Brazil, does the Senator say? Perhaps. Another straggler here or there? It may be. But like the ancient parrot of the Attures, which sat croaking the language of the people who had taught it after the last of that tribe had been gathered to his fathers, they serve but to make more plaintive the appeal for a recall of the cruelties of our commercial fate. We have no ships. We can not build them to compete with the Continent or the Clyde, and your obstructive policy will not allow us to sail them under our flag.

The report of the present Secretary of the Treasury shows that our carrying trade has gone down from 75 per cent. in 1856, to 14 per cent. in 1887, and this in the face of the development of a continent, and in spite of the energies of the most enterprising people in the world. And so the little army of American citizens who might be engaged in carrying our products—a service for which last year we paid more than $100,000,000 to foreigners—have been left ashore to enter into competition for a livelihood with those who are expected to join in the universal hallelujah to republican protection to American ships.

The honorable Senator has spoken of Schedule E and of Class D of our tariff laws. But, Mr. President, there is another class to which the Senator has failed to allude. Where is your Class "Ships?" Turn to that! But ships are prohibited, you say. So they are. They have their classification in fact nevertheless. Ships and obscene books, they are prohibited! Ships and counterfeit coin, they are prohibited! Ships and contagious diseases, they are prohibited! There, sir, contemplate it! There is your Class "Ships," grim monster of national injustice and of commercial sickness and sorrow and death.

But if the honorable Senator views with complacency the surplus in the Treasury he may likewise congratulate himself that we have no surplus in ships. We have the obscene literature. That can come. We have the counterfeit coin. That will find its way to our shores. We have the contagious disease. In spite of all our quarantine, that will invade our ranks and lay our people low. But, thanks to the inspiration of Republican protection, the Senator from Ohio may exclaim in the pride of his heart, "We have no ships!" What an illustration of the extremes to which men may come when the honorable Senator would continue the policy of driving our ships from the sea by the excess of arbitrary protection and subsidize their relic, while in the same act he would put sugar on the free-list in the interest of the "Pampas and the Helots" of whom he speaks, and subsidize the memory of its American producers.

It is suggested to me by the Senator from Kentucky [Mr. BECK] to read, and I will read, in this connection what the Secretary of the Treasury says in his report on the subject of the decline of our commerce:

A citizen of the United States may buy a foreign-built vessel in a foreign port; he may put the United States flag upon it and trade with all the countries of the world except his own. Our Government will protect him with all its power in such trade; but if he brings his ship with our flag upon it to one of our ports, our Government will confiscate it or impose prohibitory duties. He may, however, put the flag of any other country on that same ship and bring it to his home without molestation by our Government; it is then protected by the power of a foreign country. It is difficult to understand why it would not be well to so change our navigation laws as to allow foreign-built ships owned by our citizens to come and go between this and other countries while bearing the flag of the country of their owners.

But the honorable Senator goes on:

The President, on what I regard as a frivolous reason, refused his signature to a bill providing for the improvement of rivers and harbors.

Mr. President, I yield to no man a stronger desire than my own to encourage proper appropriations for great works of national importance which are calculated to facilitate water transportation. For many years I have, both in and out of Congress, held myself ready, by voice and by vote, to support proper measures in that direction. I believe that judicious expenditure in the line of improvement of navigable waters which are within the jurisdiction of Congress is money expended in the direction of the public interest as against monopoly and exclusion, and has a valuable tendency to sustain and perpetuate a natural element of free competition.

But, Mr. President, the President had already approved a river and harbor bill appropriating more than $10,000,000 the preceding year. The last river and harbor bill was presented for his signature within an hour of the final adjournment of Congress. It appropriated $14,000,000 and covered many pages of text. The "frivolous" reason to which the honorable Senator from Ohio alludes consisted of the fact that the President was called on to affix his signature to a bill appropriating $14,000,000 of the public money without the opportunity to read or know a line of its provisions or an object of its application. He was engaged in the very act of reading the bill, and in this Capitol, when the hammers fell and Congress adjourned.

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER (Mr. MANDERSON in the chair). Does the Senator from West Virginia yield to the Senator from Ohio?

Mr. KENNA. For a correction I yield.

Mr. SHERMAN. Either the Senator is misinformed about that or I am. The bill to which he refers——

Mr. KENNA. I will not yield further for that purpose. I speak from my own personal observation. I was in the room occupied by the President and his Cabinet, and I saw the President, as other Senators here saw him, engaged in the very act of examining the bill when Congress adjourned.

Mr. SHERMAN. The river and harbor bill?

Mr. KENNA. The river and harbor bill, in which, as a member of the Committee on Commerce, I was interested.

Mr. SHERMAN. If the Senator makes that statement I do not controvert it; but I understand just the reverse.

Mr. KENNA. I speak from personal knowledge on the subject.

Mr. SHERMAN. I understood that the bill was delivered to the President three or four days before the adjournment; but still that is a matter which the records will show.

Mr. KENNA. If I am understood as saying that it was delivered to him within an hour of the adjournment, I submit to the Senator's correction. Of that fact I do not speak personally. I was stating the fact of his being engaged in the examination of the bill at the time of the adjournment.

Mr. SHERMAN. I understand that the bill was placed in his possession three or four days before the final adjournment. I do not know any of these facts; the records will show them.

Mr. KENNA. I yield to the correction as to the time of the delivery of the bill to the President, because of that I do not speak from personal knowledge, but the fact that he and his Cabinet were in this building engaged in the examination of the bill at the time when they had more than a hundred for examination, and that they were engaged in that examination until the very hour of adjournment, I do know.

Mr. SHERMAN. He may have been engaged in examining some other bills, pension bills or the like, which he was considering, for he certainly had the river and harbor bill three or four days according to the record.

Mr. KENNA. It is useless for the Senator to undertake to divert me by the introduction of other subjects. I am not going to be diverted.

Mr. MITCHELL. I should like to ask the Senator from West Virginia a question.

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Oregon?

Mr. KENNA. I can not yield; I beg pardon of the Senator. After I am through I will, of course, cheerfully answer the Senator's question as far as I can.

Mr. MITCHELL. I am much obliged to the Senator.

Mr. KENNA. I will yield to the honorable Senator promptly, the moment I get through. [Applause.]

Faithfulness to public trust and a judicious regard for the public interest stood alike as barriers to an act whose omission the honorable Senator from Ohio condemns. To such a verge have we come at last that the President is denounced because he does not choose to play "hide and go seek" with the trivial sum of $14,000,000 and affix his signature to a bill appropriating that amount of the public money, "sight unseen," simply to aid in the disposition of an unseemly surplus.

But the honorable Senator complains that the House of Representatives refused to pass a bill for the support and encouragement of schools. Mr. President, I have been the friend of what is known as the Blair educational bill to which the Senator alludes. In spite of the warning

of many Senators that it would tend to break down the public-school system of the States and eventually defeat the object it was designed to accomplish, a general sympathy for its purposes, even with serious misgivings of its policy, commended it to my solicitude and elicited my support of the measure. But when the honorable Senator from Ohio invokes the Blair bill in opposition to the relief of the present burdens of the people, and holds it up a menace and a reproach to the demands of the country for reform and a reduction of taxation, the Blair bill and I must part company.

I have been afraid before, but yielded that apprehension to a generous impulse for the schools, that the theory of the Blair bill would ultimately interfere with the school systems of the States. But when it is boldly asserted now that it shall interfere with the tax system of the Government and contribute by its passage to the perpetuation of intolerable burdens upon the people, I can not yield to that. I shall interpose my objection to that, and I admonish the honorable Senator from Ohio that if his purpose has been to defeat the passage of the Blair bill in this Congress he has adopted an entirely practical and feasible way to do it. I for one shall accept in this feature at least the full force and measure of his argument.

But, Mr. President, the Senator makes a sweeping review of the President's message. In a single dash he disposes of it all:

All this is under the pretext that the surplus revenue must be diminished,

He says.

Does not experience show that reducing the duties increases importation and adds to the revenue?

Let us examine this assertion, and invoke the testimony of the Senator himself in solving it. The tariff laws in force now, with some modifications adopted by peculiar and by questionable methods in 1882, are substantially those known as the "Morrill tariff of 1867." The Senator from Ohio aided largely in passing that tariff. He denied that the large increase of that period was intended for the protection of labor. He denied that reducing the duties increased the revenue, for he supported large additions to the duties for that very purpose. And so the Senator has recognized the fact, which we are all bound to admit, that whether the lowering or increasing the duty will add to the revenue is a question depending upon other considerations than the arbitrary amount of the schedule. A duty may be so high as to prevent importations and yield no revenue. The other extreme is free trade, which would likewise destroy the income; and nobody asks for free trade. The true solution is the fair and just medium which shall produce the revenues the country needs, no more and no less, according to the plain dictates of common honesty, as declared by the last Democratic platform, in "a spirit of fairness to all interests."

But, Mr. President, let us, as I have suggested, compare with his present attitude the former utterances of the Senator from Ohio himself on the subject. The President, in his message, uses the following language:

Our progress toward a wise conclusion will not be improved by dwelling upon the theories of protection and free trade. This savors too much of bandying epithets. It is a condition which confronts us, not a theory. Relief from this condition may involve a slight reduction of the advantages which we award our home productions, but the entire withdrawal of such advantages should not be contemplated. The question of free trade is absolutely irrelevant; and the persistent claim made in certain quarters that all efforts to relieve the people from unjust and unnecessary taxation are schemes of so called free-traders is mischievous and far removed from any consideration for the public good.

The Senate and the country will be surprised to find how closely allied to the sentiment of these expressions were the utterances of the honorable Senator from Ohio when this very tariff of 1867 was under consideration:

In considering so complicated a subject as a tariff, nothing can be more *deceptive* than the application of such general phrases as *a protective tariff; a revenue tariff; a free-trade tariff*. Every law imposing a duty on imported goods is necessarily a restraint on trade. It imposes a burden upon the purchase and sale of imported goods and tends to prevent every importation. *The expression a free-trade tariff involves an absurdity.* * * * so the phrase *protective tariff* may be applied to every bill imposing duties on imported goods.

This was in 1867, when the large increase demanded in our impost duties, by the honorable Senator and by his associates, was based on the necessity for increased revenue, and on that alone.

"The first and obvious inquiry of every Senator discussing the question," said the Senator from Ohio, "is, how much is it necessary to raise by tariff on imported goods," and, going on, he declared:

IT IS, THEREFORE, SIMPLY AN ABSURDITY TO TALK NOW ABOUT FREE-TRADE TARIFF, AND TO TALK ABOUT A PROTECTIVE TARIFF IS UNNECESSARY, BECAUSE THE WIT OF MAN COULD NOT POSSIBLY FRAME A TARIFF THAT WOULD PRODUCE ONE HUNDRED AND FORTY MILLION DOLLARS IN GOLD WITHOUT AMPLY PROTECTING OUR DOMESTIC INDUSTRY.

Yet, Mr. President, when our finances are reduced to a gold basis, and when this very system is yielding in a single year the enormous sum of $212,000,000 in gold, or its equivalent, and when a Democratic administration dares to suggest a reduction of this burden to something like the proportions which the honorable Senator himself declared would be *amply sufficient for the purpose of protection*, the Senator raises his voice in denunciation, and advertises the President and his party as bent on free trade and destruction. The Senator from Ohio went further, when he was pressing the adoption of the high rates of the Morrill tariff:

They [the manufacturers] *do not ask protection against the pauper labor of Europe*, but they ask protection against the creation of our own laws. These are, our paper currency and our internal taxation. * * * *It is not British or foreign competition* that produces distress among the manufacturing interests of this country at this time. It is the effect of our laws. The chief evil arises from the depreciated currency.

Mr. President, our paper currency has long since been reduced to a gold basis; our internal taxation, to which the honorable Senator alluded, in its effect upon the manufacturers, has long since to that extent been repealed; the stamp taxes, the income tax, the conveyance tax, and a multitude of impositions upon which he then based his argument have disappeared from the statute-books. The productions of manufacturers have been reduced to a specie basis and they have been relieved of special burdens. Yet, it was at the time of the adoption of this very tariff that the Senator from Ohio declared:

If you reduce their productions [the manufacturers'] to a specie basis, and put them on the same footing they were on before the war, the present rates of duty would be *too high*. It would scarcely be necessary for any branch of industry to be protected to the extent of the present tariff law.

Who would believe that the same honorable Senator who gave utterance to these expressions upon the adoption of the laws which have remained substantially in force ever since, could acknowledge authorship of the speech which was recently addressed to the Senate and to the country; and yet, Mr. President, I find the speech I allude to in the CONGRESSIONAL RECORD of January 5, of this year, and the expressions I have quoted in a speech of the same honorable Senator delivered in the Senate on the 23d of January, 1867, as published in a book entitled "Speeches and Reports on Finance and Taxation, by John Sherman," and edited by himself.

But, Mr. President, the honorable Senator has appealed to the labor of the country. When we would undertake to lift the burdens of the laboring man and give him equal opportunities in the great struggle for life, the Senator declares "that we would degrade him."

The Senator from Ohio has made history on that subject also. On the 4th of July, 1864, under his special patronage, a bill to encourage immigration, afterwards known as the contract labor bill, became a law. Its second section reads as follows:

That all contracts that shall be made by emigrants to the United States in foreign countries, in conformity to regulations that may be established by the said commissioner, whereby emigrants shall pledge the *wages of their labor* for a term not exceeding twelve months, to repay the expenses of their emigration, shall be held to be valid in law, and may be enforced in the courts of the United States, or of the several States and Territories; and such advance, if so stipulated in the contract, and the contract be recorded in the recorder's office in the county where the emigrant shall settle, shall operate as a *lien* upon any land thereafter acquired by the emigrant, whether under the *homestead law* when the title is consummated or on property otherwise acquired, *until liquidated by the emigrant*.

So unpopular did this section become that a bill to repeal it was promptly passed by the Forty-eighth Congress in 1885 when the question was agitated here, and more than once the House of Representatives had assailed it.

It brought the "industrious laborer," of whom the honorable Senator has said our "protective system has brought a vast army to this country," to a strange and to him a foreign country. It mortgaged for a year his earnings and his liberty. It was the first formal and official introduction of *foreign serfdom* into free America. When the bill was under consideration the honorable Senator said:

If an official document prepared from official sources could be furnished them, giving them accurate information as to the needs of labor in this country, there is no doubt it would encourage a great deal of immigration. In the Western States labor is absolutely demanded; *common laborers are receiving a very high price*.

Could it have been that the Chinese immigration which poured into our western gates created the "very high price" of "common labor" of which the Senator complained, or was this measure enacted with a purpose of prophecy to accord with the spirit in which he soon after declared that "*our manufacturers did not need protection against the pauper labor of Europe.*"

In very recent years the honorable Senator voted against a bill to restrict the immigration of the Chinaman. He afterwards pleaded for a limitation of the term of the exclusion to *five years*, and finally voting for the last bill he insisted that *every skilled laborer in China* should be excluded from its operation.

Mr. President, these are matters of public history, of public record, and it is right that they should go to the country with the speech of the Senator from Ohio.

It is undoubtedly true that while our excess of impost duties has had a tendency to build up and foster monopolies and enrich the few at the expense of the many, it has had a like tendency to invoke *free competition to labor* and to reduce the workingmen to the minimum of compensation. It has drawn a vast army from Europe, as the Senator says, who enter into competition with the labor they find employed when they reach America, and who enter into like competition among themselves. It has not simply invited a tide of honorable and manly emigration, to which extent we would all concur in its beneficence, but by the increased cost of his living and the multiplied exactions from his earnings it has made life a precarious burden to him here. By artificial and false stimulus to his industries for a time it has invited millions into the walks of his open competition from every hill-top and valley in our own country and from every quarter and section of the civilized world. The Hungarian, the Italian, and the Chinaman have crowded him alike.

They have "come from every nation, come from every way"—

Come as the waves come,
When navies are stranded;
Come as the winds come,
When forests are rended.

Take for example your lumbering interests on the lakes. I am told, and by those who know, that whenever wages in the United States are not satisfactory to the operator, instantly the borders of Canada are filled with posters and hand-bills, "Lumbermen wanted" at such and such a place and at such and such a price in the United States. And so, under a system of protection to labor, the American operator and owner is protected against the importation of Canadian lumber and the *Canadian lumberman* is protected in his right to come into the United States, drive out our own citizens, and fell our forests. Thus the operator can maintain *his profit*, while labor is destroyed under this gigantic forgery of its interests and its name. And thus has our free trade in labor *multiplied its competition, held it in subjection, and left it where it is to-day, conscious of injustice and wrong*, and bent on their redress.

Yet our laboring men are blandly told that they are to bind themselves hand and foot forever and forever to a system which *gives them all the free trade and competition*, and to others and the *privileged few* the monopoly and the profit.

Sir, I am mistaken in the freedom, the intelligence, and the manhood of American labor, natural born and naturalized, if, with its power at the polls, it allow this condition longer to exist.

Mr. President, I have no further purpose in this discussion than to indicate my co-operation in the demand of the President in the interests of the people for the reduction of their burdens, as he stands squarely by the platform upon which he was elected. The only question before the Senate is the motion of the honorable Senator from Ohio to refer the President's message to the appropriate committee.

A bill to reform the revenue system and reduce taxation will come from the House of Representatives. I do not doubt that it will be framed in a spirit of conservative fairness to all sections of the country, and to all interests.

Much has been said which seemed calculated to alarm the country, and I am not sure it has not been designed for that purpose, with reference to the President's recommendations for reduction of taxation. Much that his message contains has been inadvertently or purposely overlooked. He declares that—

The considerations which have been presented touching our tariff laws are intended only to enforce a recommendation that the surplus revenues of the Government be prevented by the reduction of our customs duties, and at the same time to emphasize a suggestion that in accomplishing this purpose we may discharge a double duty to our people by granting to them a measure of relief from tariff taxation in quarters where it is most needed, and from sources where it can be most fairly and justly accorded. Nor can the presentation made of such consideration be with any degree of fairness regarded as evidence of unfriendliness toward our manufacturing interests, or of any lack of appreciation of their value and importance.

He further says:

These interests constitute the leading and most substantial element of our national greatness and furnish the proud proof of our country's progress. * * * No demand is made that they shall forego *all the benefits of governmental regard*. It is not proposed to entirely relieve the country of this taxation. It must be extensively continued as a source of the Government's income, and in the readjustment of our tariff the interests of *American labor engaged in manufacture* should be carefully considered, as well as the preservation of our manufactures. It may be called protection, or by any other name, but relief from the hardships and dangers of our present tariff laws should be devised with a *special precaution against imperiling the existence of our manufacturing interests*. * * * All will acknowledge the force of an argument which involves the *welfare and liberal compensation of our laboring people. Our labor is honorable in the eyes of every American citizen;* and as it lies at the foundation of our development and progress, it is entitled, without affectation or hypocrisy, to the utmost regard. The standard of our laborers' life should not be measured by that of any other country less favored, and they are entitled to their full share of all our advantages. * * * But the reduction of taxation demanded should be so measured as not to necessitate or justify either the loss of employment by the workingman, nor the lessening of his wages; and the profits still remaining to the manufacturer after a necessary readjustment should furnish no excuse for the sacrifice of the interests of his employés either *in their opportunity to work or in the diminution of their compensation.*

So we see that the cry of the demagogue the country over that the President and his policy are aiming at the lessening of a just reward of the labor of the country is as indecent as it is false. The system of taxation in force in this country for the last twenty years has been a standing menace and a source of constant injury to the laborer himself. It has made *four or five States of the Union more wealth than all the rest command*, and has proven an apt illustration of the doctrines and theories of the Republican party, which have had for their object the creation and fostering of *privileged classes* and *special advantages* against the masses and the many. Under its divine inspiration for the promotion of the "interests of the workingman" it has squandered millions of acres of the public domain on private corporations and foreign syndicates, thus establishing in free America a system of landlordism unheard of until the Republican party came into power. It has appealed for the votes of the people upon liberal application of their own treasury to purposes of avarice and corruption. It has said to the ship-owner, Give us your support and we will subsidize your ships out of the people's money. It has said to the manufacturer, Give us your support and we will enrich your coffers out of the public treasury by what we will call your protection. At the same time we will maintain labor at starvation rates by the increased cost of its consumptions. We will maintain a system of free competition to labor, both at home and from abroad, even to the extent of 150,000 imported Chinamen who are now driving your industrial strong arms from the Pacific coast. It has taken the great corporations of this country into the high places, as in the instance of the tempter of old; it has pointed out to them vast empires of the people's domain and said unto them, "Give us your support and all this shall be yours;" and it has kept the pledge. I shall not quote in detail the action of the honorable Senator from Ohio in favor of these great subsidies in lands, although you will find the record an interesting one in contrast with his observation in the House in 1860, that to "invite every man who desires to locate on Western lands to go there and make for himself a home, is the only *honest*, the only *noble*, the only *manly* system of disposing of the public lands."

And so the political machine has gone on. Who will deny that the system which has prevailed under Republican administrations in this country, and for years past has made more strikes, driven more men from employment, filled the country with more tramps, aggravated more distress, created wider discontent, and produced more starvation and death than any other system the country ever saw? Is it not time for a change? And yet when the President of the United States, confronting bravely the solemn requirements of his high office and daring to preserve a patriotic regard for his public responsibilities, ventures the suggestion of a remedy which has over and over again been presented and demanded by one administration after another, he is assailed by one of the acknowledged leaders of the Republican organization as frivolous in his action or bent on destruction. Sir, it had as well be understood now as hereafter that this movement for reform and the relief of public burden in which the President has gallantly and manfully taken the lead, means practical result. The country is aroused to the justice of its demands. The ranks will be closed. A spirit of fairness and of justice will prevail in all things, and both the benefits and the burdens of our system of taxation will be distributed fairly. That system, both internal and external, will be treated as a whole.

True, the President does not recommend the reduction of internal-revenue taxes; true also that in discussing the wool question, speaking of raw wool, he uses this language: "Reasons are suggested why the removal or reduction of this duty should be included in a revision of our tariff laws." But it is equally true, as I have already quoted, that with reference to this and every other suggestion made by him, the President declares, "The considerations which have been presented touching our tariff laws are intended only to enforce an earnest recommendation that the surplus revenues of the Government be prevented by the reduction of our customs duties," etc.

The Senator from Ohio has been greatly agitated over the wool question. It may be that his vote in 1882 to reduce the duty on wool, when as a leading member of the conference committee which practically framed that revision he led in the movement, has made him unduly sensitive on this subject. I may be pardoned the suggestion that having aided in reducing the product of the wool-growers, he may now feel impelled to "pull the wool over their eyes." I should not use such an expression, Mr. President, if it were not for the statement made in open Senate and in the hearing of the country by the honorable Senator in 1881—and I quote his words—that "anything that will beat down that party and build up our own is justifiable in morals and in law."

But, Mr. President, both the internal and external tax systems will be treated as a whole. The tax on tobacco will, I do not doubt, be reduced or wholly repealed; of this I shall be glad, and my vote on the subject will be governed by what I deem to be the fairness of the general revision. Iron and coal and the wool and other products of labor and of care and of enterprise will not be sacrificed in this revision. They will stand as other industries of the country stand, subject to their fair share in the benefits of whatever the system may be as revised, and bearing as, they ought to bear, their fair share of the burdens of the common lot. Why should the Senator from Ohio be apprehensive on this subject when he is surrounded in this Chamber by a majority of his own party friends? Why should he seek to alarm the wool-growers or the producers of the country when a majority of his own way of thinking stand here ready to obey his behest for their safety? Is it because of the honorable Senator's having once voted to reduce the duty on wool, or is it because he declared in 1882 "that whether there is a majority of the Senate is a question always of doubt and uncertainty."

Even if it turn out, Mr. President, in the fluctuations of politics, and the uncertain quality of the calculations of men that the honorable Senator should find himself at the head of a minority instead of a majority on this question here, as in the other House, I shall be pardoned for assuring him in his own language that

We acknowledge their power, we pay obeisance to it, we respect their power.

Mr. President, there is ample room for a reduction of the existing taxes and of the burdens of the people without violence to any interest. No extremes need be resorted to. The measure of duty which fills the difference between the cost of production here and its cost abroad and transportation to our shores is protection to *labor* and fair competition to the employer. The measure which goes beyond that limit is monopoly to the employer and *unfair competition to labor*.

The laboring man need not heed the suggestion of the Republican orator who looks him in the face and declares, "I am better than my brother." The Democratic party has never been the enemy of labor. Maintaining its ancient doctrine of home rule, special privileges to none, and equality before the law, it has ever been, as it ever will be, the safest guardian of the poor and the humble. Labor will find under its control of the Government a fair, and, I trust, a securer and a better reward; but monopoly fortified and intrenched behind twenty years and more of Republican exaction and misrule, will have to go. Its citadel will be stormed, and in this Congress. Its exactions will be denied. Its hold on the throats of the masses will be broken. The mask of Republican protection will be torn from the face of hypocrisy and deceit and extortion.

The system which, in the language of the honorable Senator from Ohio, has brought a "vast army of industrious laborers to our shores," will be so modified that that vast array, whether engaged in the line of pursuits to be found in the East, or in the broader expanses of the great West, shall not be starved in the interests of money and monopoly when here. The details will suggest themselves for our consideration when the House shall have sent us a bill. We will then look, as I believe the House will look, to the generous and equitable treatment of every product in the list.

The question before us at this time is the bare reference of the President's message. The debate upon that question has been precipitated and calculated to alarm and to terrify the country. But the country has been long preparing for this conflict. It is now ready for the fray. It is my candid judgment that the great masses of the people will indorse and support this brave struggle for their rights, and for the relief of their bondage. Our people are becoming more and more intelligent day by day. Information is better disseminated and our action here is subjected to a daily scrutiny which would not have been dreamed of twenty years ago. A generation of young men is rising up about us who are to control the destinies of the Republic. They are its pride and its hope. While places of power and position are open to their aspirations, they are to be taught that the password to their future advancement is "equality before the law." They are to realize their obligations to country, but they are to realize and cherish as well the obligations of country to them. The child of labor and the child of fortune, linked in a common destiny, bound by the ties which should know no breaking, are to go on together guided by the spirit of our institutions and inspired by the genius of our country's freedom. These are to constitute the men of the Republic.

What constitutes a state?
Not high-raised battlement or labored mound,
Thick wall, or moated gate;
Not cities proud, with spires and turrets crowned;
Not bays and broad-armed ports,
Where, laughing at the storm, proud navies ride;
Nor starred and spangled courts,
Where low-browed Baseness wafts perfume to pride
No! Men, high-minded men,
With powers as far above dull brutes endued,
In forest, brake, or den,
As beasts excel cold rocks and brambles rude;
Men who their duties know,
But know their rights, and, knowing, dare maintain!

The PRESIDING OFFICER. The question recurs on the motion of the Senator from Ohio [Mr. SHERMAN], to refer the President's annual message to the Committee on Finance.

Mr. SHERMAN. If it is not wearisome to the Senate, I will detain it only a few moments.

Mr. BLAIR. The unfinished business was simply laid aside informally for the convenience of the Senator from West Virginia.

Mr. SHERMAN. I suppose that can be considered as still pending in the same way. I will detain the Senate but a very few moments.

Mr. BLAIR. I give notice that I shall object to any further postponement, and I hope the Senator from Ohio will be brief.

Mr. SHERMAN. I ask that the school bill be laid before the Senate, and that it be laid aside informally to allow me to proceed, and I shall go right on for a few moments.

Mr. BLAIR. Very well; let the bill be laid before the Senate.

The PRESIDING OFFICER. The Chair lays the unfinished business before the Senate.

The SECRETARY. "A bill (S. 371) to aid in the establishment and temporary support of common schools."

The PRESIDING OFFICER. The Senator from Ohio asks that it be temporarily laid aside. That order will be made, if there be no objection.

Mr. SHERMAN. Mr. President, I congratulate my friend from West Virginia [Mr. KENNA], for I really esteem him such, that he is able now to make proclamation of the fact, which should have been made ten years ago, that the ranks of the Democratic party are closed. It may be that we shall now have a distinct, affirmative issue presented by the Democratic party. I hope to God we shall. They have had possession of the legislative powers of the Government in the main, certainly they have had the control of the House of Representatives, for ten out of the past twelve years, and they have also had possession of the powers of the Senate for two years, yet there is not a single affirmative proposition or measure which they have submitted to the judgment of the American people. If there is, I want to know what it is.

On the tariff question I congratulate my friend that he is able to say, and I hope he will make it good, that the Democratic party have closed their ranks. If they have, then we shall have a fair and manly contest on a great question of public policy upon which more than any other rest the greatness and power of our country.

I should like to take part in such a contest, but I do not believe it will be presented to us. Let the ranks be closed, and make your proposition, that you have had the power to make for ten out of twelve years, to reduce taxation in any form and send it to us as the Democratic position, and you will find the old ranks unbroken on this side of the Chamber, willing and ready if we disagree to present the issue that you give to us to the people of the United States.

For gentlemen to come here and assail us because from time to time we have expressed views that appear to be different, when we were performing the responsible duty of Government, that they have had the power to perform for ten years, seems to me to be rather a small hole to creep out of a great responsibility. It is true that in the discussion of the tariff question in thirty years I may have changed my mind. If I had not changed my mind as circumstances and conditions changed, I would be unworthy to hold a seat here. [Applause in the galleries.]

The PRESIDING OFFICER. The Senator from Ohio will suspend for a moment. It is the duty of the Chair to caution the galleries that marks of approval or disapprobation are forbidden by the rules of the Senate, and silence will be enforced even if it is necessary to clear the galleries.

Mr. SHERMAN. Mr. President, I have been called upon to debate and vote on the question of the tariff under conditions as strikingly changed as men can find in the history of any country. Before the war we had an overflowing treasury at one time and a great dread about the surplus revenue. We reduced taxes in 1857 by one fell stroke; and a revulsion occurred after the passage of that law, not perhaps caused by the law, but by a financial panic the revenues fell off I do not know how much. At any rate, when we came back here in December, 1857, we actually had to receive for our pay Treasury notes after the panic in the summer and fall of 1857. I believe my friend from Texas [Mr. REAGAN] was then a member of the other House, and he will remember that remarkable fact.

I have seen these changes frequently occurring. When the war commenced we had fortunately secured at the close of the previous administration what was called the Morrill tariff bill, a bill which was debated at great length in both Houses of Congress, but was only passed in the Senate by reason of the absence of Senators who had gone South in an attempt to secede from the Union. It became the law in March, 1861, and it was a great piece of good fortune to this country that that law had been passed, because it gave us the foundation of a revenue system, and it was immediately put in force, and had a great and powerful influence in enabling us to carry on our financial operations. But the very moment when, during the war, we collected the duties imposed by that tariff, we levied enormous taxes on home productions, yielding us at one time over $340,000,000 a year of internal revenue.

Then after the war was over we commenced the reduction of those taxes, not so much of the tariff duties as internal taxation. It was on the bills proposing to reduce taxes, to take off the stamp duty on deeds and conveyances and all that sort of thing, to take off the taxes on domestic manufactures, to sweep away the mass of internal-revenue taxation levied during the war, that I uttered the language in 1867, quoted by the Senator from West Virginia, and every word of it was true, and is now heartily approved by me.

Such was the general policy, I believe, of both political parties at that time. The party lines were not drawn on these taxation questions at the close of the war; and during the war no party lines were drawn at all on these questions, if I remember correctly. Then it was the general desire to leave the tariff alone, with only slight reductions, so as to enable us to sweep away the whole mass of internal-revenue duties as rapidly as possible; and we did it. It was on a bill of that character in 1867 that I made the remark that of all the taxes which were most willingly paid by the people of the United States were the taxes on tobacco, beer, and spirits; and so they were; so they are to-day.

But only within two or three years has there come complaint to us, and mainly from the Southern States, of the tax on tobacco. The Senator from North Carolina [Mr. VANCE] represents that feeling, and so does his colleague [Mr. RANSOM], and so do the other Senators from Southern States; so do the Senators from the States of Ohio and Indiana; that is to say, the growers of tobacco begin to feel that while they have willingly paid that tax and the farmers have been compelled to buy of licensed dealers and nobody else—while they have willingly borne that tax as long as it was necessary for the support of the Government, yet now the farmers do complain of it.

They say it does affect their production. This complaint has only come to us within two or three years, and when it came to us, especially from the South, I felt we ought to heed it. I do heed it. I do regard it, and have so far modified my views as to be willing to repeal the tobacco tax, leaving the beer and whisky tax still stand to enable

us to meet the great expenditures still occurring in consequence of the war.

Am I right in this? I wonder that Senators on the other side of the Chamber do not heed that voice, too. It is general all over the Southern States, and I yield to that opinion so generally expressed in Virginia, West Virginia, Tennessee, North Carolina, and Kentucky for the repeal of the tobacco tax. I see that there is a demand made, especially by the farmers of that region, for the farmers of Ohio care less about it; and when I yield to that demand I only do what the Senators from those States ought to do, yield to the public will when it comes to us in an authentic form from great masses of our fellow-citizens.

As to the great issue which divides the two parties as to the expediency of protective duties on imported goods, I hope it will divide the people of the South as well as the North. I want to see the declaration this day made carried out. I want to see those lines closed. I want to see a proposition coming from the Democratic side of a measure proposing affirmative legislation on this vital question of public policy. To-day we have heard declamation against land grants, as if that system was the work and effort of the Republican party. Sir, that system had its birth in the Democratic party.

Mr. KENNA. If the Senator will pardon me——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from West Virginia?

Mr. SHERMAN. Oh, certainly.

Mr. KENNA. Will the Senator stand in his place and say that the Democratic party ever granted an acre of land to a private corporation?

Mr. SHERMAN. Let us see how ridiculous such a claim is. A great party can not stand in that position, Senators. Here it is: The first grant of public land ever made to aid the construction of railroads was to the State of Illinois in trust for a particular company to build a railroad on a defined line, and because Congress interposed a trustee between the grant and the beneficiaries in a State is that a dodge or distinction the Democratic party will stand behind? I do not believe it, sir, nor did they do it. Up to 1861 there were no grants made to Territories except to one, Minnesota, and that was of doubtful authority. But in 1861 it became necessary to grant lands to build railroads in Territories. Were Territories to stand as trustees between the *cestui que* trust and the Government? No; because those Territories were mere transient agents of local authority. Therefore Congress created corporations, and it was done by the voice and act of Democrats and Republicans alike. When I am arraigned here for any mistakes that were made in that legislation, I beg leave to tell my honorable friend that Mr. Hendricks was the most potent and able advocate of the law organizing the Northern Pacific Railroad Company. The records will show it, although I have not looked over them for years; but there they are. So with Reverdy Johnson, and so with all the Democrats; there was no difference between parties then on that question.

Mr. KENNA. Oh, Mr. President, the Senator will hardly say that.

Mr. SHERMAN. Nearly all, I think.

Mr. KENNA. He has named every Democrat he can name who supported that measure. Can the Senator say there was no difference between the parties on that subject?

Mr. SHERMAN. My impression is that the records will bear me out in the statement I have made.

Mr. KENNA. The records do not show it.

Mr. SHERMAN. I think the records will show that the vote was almost unanimous on those bills, and I remember well that it was the active agency of Mr. Hendricks in regard to the Northern Pacific bill, which I thought was not well enough guarded, and also the active agency of Reverdy Johnson, who contributed, I believe, more than any other man to the passage of the second Union Pacific Railroad act in 1864.

You can not shield yourself behind any subterfuge, or any trustee, or any mere form of law. That grant was made by consent of the people of the United States, by and in pursuance of a resolution of the National Democratic Convention of 1860, and of the Republican Convention of 1860. It was made by the common consent of the people, and by the common will of the people without regard to parties, North or South. Even before the war the South had their project also for a Southern Pacific Railroad, and that was favored as well as the rest. No; let there be no dodging behind the trustee. When the lands were within a State the State was a naked trustee, and when within a Territory the lands were granted to corporations created by Congress, and this formula was adopted in grants by both parties.

As to the vital question that divides the two parties, it is this: We still stand upon the position that I stated in 1867, that it was better to do away with the internal-revenue taxes as rapidly as possible, and they were at last swept away, with the exceptions I have stated, by the Forty-eighth Congress, the last Congress, Republican in both branches, which existed in this country. That was in 1882; and there is quoted to us what was said by Arthur in 1882 and by his Secretary of the Treasury, Mr. Folger. What they recommended was right; it was entirely consistent with what I said at the time; it was entirely consistent with what the honorable Senator who sits near me [Mr. MORRILL] and I have endeavored to carry out; and a Republican Congress did it. The difference between the Democratic party and the Republican party is that when Arthur and the executive authorities, Republican in character, called our attention to the necessity of a revision, we went and did it, and passed the law of 1883.

That is precisely what you have not done, and that is precisely what I want you to do. You take the responsibility of power, make your plan, and then we will meet you and discuss it with you at your pleasure.

There is a broad line of division between the two parties as they exist now and as they will exist in the future. The President says, retain all internal taxes and reduce the duties on imported merchandise that come in competition with home industries. We say we will not strike down any prospering industry of our country; that where manufactures have sprung up in our midst by the aid of a duty, this protection, as you call it, we will not reduce; we will not derange contracts, industries, or plans, or lower the prices of labor, or compel laborers or manufacturers to meet any sudden change or emergency. We say that we are willing to join with you in reducing the taxes. We will select those taxes that bear most heavily upon the people, especially internal taxes, and repeal those. We will preserve the spirit of protection by tariff duties just so long as it is necessary to give our people the benefit of a home market and diversified productions a fair chance in the trade and commerce of our country, but we will not invite into our country foreign importations to compete with and break down our home industries.

The Senator from West Virginia has quoted a law. I do not remember that law. I do not remember to have had anything to do with the passage of the law to which he refers. But I will not speak of that.

Mr. KENNA. I will furnish it to the Senator, if he will permit me.

Mr. SHERMAN. I will look at it for myself.

Mr. KENNA. I have here the page and date and entire proceeding, which will show that the Senator had charge of the bill throughout its consideration.

Mr. SHERMAN. What year was that in?

Mr. KENNA. In 1864, and the act was approved July 4 of that year.

Mr. SHERMAN. Ah! I thought the date would disclose it. That is sufficient; I want no other reason. The law was enacted in 1864, in the midst of war, when 2,000,000 of our people were down South. That was a sufficient justification for that or any other law which would invite people here to help us make good the absence of those brave Union soldiers of the Army. I thought the date or something would disclose it. The language quoted in that law was not consistent with my feeling, and I thought there must be some explanation of it. I have no doubt that I supported it then. Indeed, I would have passed any kind of a law at that time. I would have done what I said afterwards I would do, anything to beat the Democratic party, because the success of that party was the dissolution of the Union. I did not exactly mean this when I said it, but the Senator from Alabama came down upon me so strongly that I was determined not to retreat on compulsion, and so I stood by it, though then willing to qualify my remark. But in 1864 I would have done anything in the world to defeat the Democratic party. I understood it to be then, during the war, the enemy of my country. I considered that upon the success of the Republican party depended the preservation of the Union and the existence of our country. So in 1864 I might have voted for some such law, but I warrant you I voted to repeal it whenever the matter was presented. I had forgotten even about its introduction or having anything to do with such a law.

Mr. President, I will go no further. I congratulate the country that we are about to have a fair, square, and manly issue upon an industrial policy which affects the life and property and interests of every citizen of this country without regard to State or section; a question between protected labor in our country, protected against undue foreign competition with the pauper labor of Europe; a question of diversified productions and diversified interests; a choice between a country strong, prosperous, and independent within itself and a country dependent upon agriculture alone, with a few blacksmith shops and carpenter shops scattered through the country.

The policy that I aim to develop is one that will make us practically independent of all the nations of the world, that we may make in this country not only all that we need to eat, except the luxuries of tropical climes, and all we wish to wear, all the manufactures necessary to human life, that this great and powerful nation of 60,000,000 people, extending over a vast region, from ocean to ocean and from the Gulf to Canada, may be independent in themselves, so that if European nations will be at war with each other, here we may have a republic of freemen, making its own way in the world, able to keep itself, and, if necessary, to help the country north of us and the country south of us. [Manifestations of applause in the galleries.]

The PRESIDING OFFICER. The galleries will be in order.

Mr. REAGAN. Mr. President, the honorable Senator from Ohio made a challenge the other day upon the Democrats to show what they had done affirmatively since they came into power in the House of Representatives. That challenge is repeated to-day with emphasis, and the charge is made that though the Democratic party has been substantially in power for ten or twelve years it has furnished the country with no affirmative act of legislation.

It will be remembered that while the Democrats have had a majority, sometimes larger and sometimes smaller, from the Forty-fourth Congress to the present, with the exception of the Forty-seventh Congress, during all those years until the present President was elected we had a Republican President, and during all those years we had a Republican Senate, except during the Forty-sixth Congress. During the only term when the Democrats had the control of the two Houses of Congress they did not have the control of the executive department. I mention this for the purpose of saying that a party to be held responsible for an affirmative public policy ought to be in possession of both branches of the legislative department and of the executive department of the Government.

But I rose for the purpose of saying that there have been some things done by the Democratic party which have subserved great public interests. Previous to 1872, in the policy of contraction of the currency by the Republican party, in its policy of retiring the legal-tender notes from circulation, in its policy of suspending the coinage of silver, it brought us down in 1872 to a time when there was not enough money in the country to carry on its ordinary business, and when the property of the country was being sold for taxes from one end of the Union to the other. That dearth of currency it was said was produced by the policy of getting down to hard-pan, and getting to that hard-pan was wrecking and ruining the country.

When the Democrats came into the control of the House of Representatives they commenced the struggle to arrest the taking up and cancellation of the legal-tender notes, and tried to prevent them from being turned into an interest-bearing bonded debt to increase the burdens of the people, and to preserve them to the people as a part of the currency necessary to carry on the industries of the country. With the aid of a few Republicans, but the measure being essentially a Democratic measure, it was carried through so as to preserve $346,000,000 of legal-tender notes as a part of the currency of the country to aid its business and to restore its prosperity.

It commenced at the same time the effort to secure the recoinage of the silver dollar, and by the aid of a few Republicans—Western Republicans mostly—the Democratic party did secure the recoinage of silver; and the honorable Senator from Ohio, as Secretary of the Treasury, informed Congress in his report the fall after that was done that the recoinage of silver had enabled the Government to reach a specie-paying basis. I remember that was the substance of his report. And the silver which had been theretofore coined had been added to the circulating money of the country, and had aided to promote the prosperity and business thrift of the country.

Another measure, one which had for its object the restraining and controlling of the monopolistic powers of the railroad corporations of the country, had its origin in the Democratic House and was sustained and carried through essentially and mainly by Democratic votes; a measure which was necessary to the protection of the masses of the people against corporations which had shown disregard, in a large degree, of popular rights; a measure which I apprehend will be held in the future to be one of the most important and beneficent measures that Congress has ever adopted.

Besides that, during the time referred to by the honorable Senator from West Virginia, when the Republicans were voting away public lands by the tens of millions of acres, by, I believe, nearly 200,000,000 acres in the aggregate, to corporations, the Democrats inaugurated measures, struggled for them in the House and secured the adoption of measures there, some of which were adopted here in the Senate, but supported, I believe, mainly by Democrats and opposed chiefly by Republicans, by which about 50,000,000 acres of the public domain were restored back and held for the use of the settlers.

These are some of the measures indicating the policy and the purpose of the Democratic party to subserve the interests of the people and to resist the power of classes and corporations to absorb the money and property of this country and to oppress the masses of the people. Every great step that has been taken has been in this line and in accord with the traditional policy and principles of the Democratic party.

So, though the Democratic party has not been in possession at the same time of the executive department of the Government and of both branches of the legislative department, still it had manifested a policy and a purpose to carry on the Government in the interest of the people as contradistinguished from a policy to carry it on in the interest of classes and of corporations; in other words, as contradistinguished from the policy of running this Government in the interest of protected manufacturers, in the interest of great corporations, and in the interest of other combined and favored classes. While I can not affirm that the Democratic party has been able to carry through many great measures, I do affirm that these measures to which I have referred, beneficial to the best interests of the country, have been mainly carried through by Democratic policy and Democratic influence, and mainly resisted by Republican policy and Republican influence.

The PRESIDING OFFICER. On the question of reference on the motion of the Senator from Ohio [Mr. SHERMAN] the Chair understands that other Senators have notified the Senate that they desire to speak. The motion will therefore remain on the table.

BILLS INTRODUCED.

Mr. FRYE. Will the Senator from New Hampshire yield to me?

Mr. BLAIR. The Senator from Florida [Mr. CALL] desires the floor on the education bill.

Mr. CALL. I will yield to the Senator from Maine, if he desires.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, being the bill (S. 371) to aid in the establishment and temporary support of common schools.

Mr. CALL. I yield to the Senator from Maine.

Mr. COCKRELL. May I be allowed to introduce a bill?

The PRESIDING OFFICER. The Chair will receive it, if there be no objection.

Mr. COCKRELL introduced a bill (S. 1849) to confirm New Madrid location survey, No. 2889, and to provide for issue of patent therefor; which was read twice by its title, and referred to the Committee on Private Land Claims.

Mr. HISCOCK introduced a bill (S. 1850) to authorize the construction of certain bridges across the Staten Island Sound, known as Arthur Kill and Kill Von Kull, and to establish the same as post-roads; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. FRYE. The Senate having agreed to adjourn over, and a subcommittee having the matter under consideration, I desire to introduce a bill and ask its reference to the Committee on Foreign Relations, together with certain memorials bearing on the subject.

The bill (S. 1851) to provide for an international marine conference for securing greater safety for life and property at sea was read twice by its title, and, with the accompanying papers, referred to the Committee on Foreign Relations.

THE VIRGINIUS FUND.

Mr. FRYE. I ask leave to present a resolution, and request immediate action upon it.

The PRESIDENT *pro tempore*. The resolution will be read, unless objection be made.

The Chief Clerk read the resolution, as follows:

*Resolved*, That the Secretary of State be directed to report to the Senate, for its information, the present condition of the so-called Virginius fund, the amount undistributed, the interest received, and from what sources received.

The resolution was considered, by unanimous consent, and agreed to.

AID TO COMMON SCHOOLS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 371) to aid in the establishment and temporary support of common schools, the pending question being on the amendment proposed by Mr. PLUMB.

Mr. CALL. Being entitled to the floor, I yield to the Senator from Nevada [Mr. STEWART], who desires to be heard.

Mr. STEWART. Inasmuch as I have no set speech to deliver, but feel inclined to make a few remarks in regard to the educational bill, I may as well do it now.

As to the constitutional question which has been suggested, it has failed to embarrass me in the least. The bill is so absolutely in accord with the practice of the Government for a great many years, dating as far back as 1802, that I hardly think its constitutionality open to discussion.

On the admission of the State of Ohio, in 1802, the sixteenth section in each township was granted to the new State in aid of common schools. Subsequently the grant was extended so as to include the thirty-sixth section, and these two sections in each township were granted to all the new States for common-school purposes. The aggregate of these grants amounts to about 68,000,000 acres.

In 1862 an act was passed granting land-scrip to the several States according to their representation in Congress, the aggregate amounting to about 10,000,000 acres, which was distributed among the several States for the purpose of establishing agricultural colleges.

There have been numerous other grants for educational purposes. The legislation of Congress from 1802 until now has been consistent in aid of education, and the power of Congress to make these donations to the States has never been questioned by either party. Congress has passed bill after bill without objection, and it is impossible for me to distinguish between the constitutional power to donate land to be sold and converted into money in aid of common schools and the donation of money directly for that purpose.

The practice of the Government in aiding common schools is so well established, and all parties are so thoroughly committed to this policy by repeated acts of Congress for more than half a century, that the question involved in this bill is a question of expediency, not of power.

The only portion of the bill which has attracted my attention as being unfair is that which gives to the several States sums of money in proportion to illiteracy of the people without confining it to the illiteracy of children of the common-school age. It is not proposed to educate adults in the common schools, and their illiteracy, it seems to me, ought not to be made a basis for the distribution of money appropriated by Congress. I shall not, however, offer any amendment to the bill, as it has been considered so often. I merely make the sug-

gestion that it occurs to me that the basis of apportionment is not exactly fair; but I shall make no objection on that ground.

The donations of land heretofore made exceed in value the amount to be expended under this bill, although it has been often stated that this was the most enormous appropriation ever made by Congress for the benefit of education. Some of the former donations were made in the shape of land scrip, which fell into the hands of speculators. The donation, however, of the sixteenth and thirty-sixth sections was not in the shape of floating scrip, but was confined to two sections located in each township. This grant has been most beneficial throughout the new States. The good that it has accomplished is beyond computation. It has been the basis of a splendid system of common schools throughout the West. The generations that have been born and grown up since this policy was inaugurated bear testimony to the efficacy of the aid Congress extended to common schools.

There is another reason why I have no constitutional scruples with regard to the proposed legislation. I believe that this Government has a right to take measures for the well-being of the people—such measures as are necessary to maintain free institutions.

Education is essential to the existence of freedom. The duties of a citizen are becoming more and more complicated and difficult day by day. The questions discussed here have to be ultimately decided by the people, and they must be able to understand them. The capacity to vote for the vast number of elective officers in the several States of the Union requires an unusual amount of intelligence.

For example, take the city of New York, where the citizen is called upon to designate by his ballot persons to fill one hundred and eight offices in the city and county alone in addition to State and Federal offices.

In the city of San Francisco the voter is required to select eighty-two persons to fill eighty-two offices at a single election, and by law the names of all these persons are placed upon a single ticket. If the voter is uneducated, his right to vote under such circumstances is worthless. When we reflect that the great questions upon which the prosperity of the country depend, such as currency, banking, the single or double standard of metallic money, the tariff, and all other questions involving the rights and interests of the people, must finally be submitted to their votes to decide which policy is best for the country, it can not be denied that education is necessary to enable the voter to decide between the great contending parties struggling for supremacy.

If this Government is to be safely conducted by the people they must be educated. The preservation of the Government requires it. Why maintain an army and a navy? Why educate young men for the military and naval service? The only reason which can be given is a supposed necessity to defend the nation. We have no enemy as strong as ignorance. Ignorance is our only formidable foe. Republics have never perished by the sword. They have always bred a race of warriors, willing and capable of vanquishing every foe, except ignorance among the masses. By that fatal enemy all the republics of ancient times were destroyed. The masses became incapable of conducting the complicated machinery of government necessary in a republic, and the people lost their liberty.

Ignorance is the only enemy now threatening the institutions of the United States. If this Government perishes, it will not fall before a foreign foe; it will go down because the people are incompetent to understand the wants and the complicated machinery of this great Government.

My position is that notwithstanding this bill may not be in the best possible form, I ought not vote against a proposition to extend aid for the education of the people. I regard money expended for such a purpose as a contribution for the preservation of our free institutions.

I have introduced a bill to which I desire in this connection to call the attention of the Senate. It is a proposition for the establishment of a national university in this city for the education of teachers. I think much good might be derived from it. In the first place it would elevate the profession of teaching. It would place it on a rank with the profession of arms, and would give a character, a standing, a respectability to teachers. Not only that, but we should have a central point from which to disseminate throughout the country the wisdom that might be collected from its various parts.

And that is not all. It is very important that the people of this country should know something of each other, something of their institutions. We have only one national assembly in which the people meet, and that is the Congress of the United States. The social and political effect of meeting at the capital for the purpose of legislation and business operates beneficially in every respect throughout the country. It is the strongest bond of union that exists between the sections. It is even more beneficial than the intercourse of trade, travel, and commerce between the States. It is in fact the principal means by which the people of the different sections of the Union learn to know and respect each other. The friendship formed at the capital, the knowledge obtained here of the character of the people from the North and the South, the East and the West, cement the bonds of union and remove jealousy, prejudice, and ill-will, the natural products of non-intercourse and isolation. A national university, where thousands of young men and women would be educated, would operate on a larger scale and with far more reaching effect in cementing the bonds of union between the States than the assembling of Congress for legislative purposes. Their numbers would be greater, their purposes more harmonious, their youthful attachments stronger, than a body of mature men assembled on official business.

The youth of each section would learn something of the youth of all other sections. They would realize that this is one country, and that the institutions of each State form part of the institutions of our common country. They would learn to respect each other for those qualities of head and heart that make men and women useful members of society, rather than on account of the accident of birth or the locality of residence. A corps of teachers thus equipped would be effective missionaries in the cause of education; they would elevate our common schools and teach the youth of the land not only the elements of a common-school education, but also the essential principles of freedom and union among all the people, upon which the permanency of our Government depends.

A university for the education of teachers must be considered and will eventually be established.

The bill now under consideration furnishes an opportunity for an expression of opinion in favor of the education of the masses. I shall avail myself of that opportunity and cheerfully vote for the bill, hoping that the action of Congress will not end with it, but that ample provisions may be made at an early day for educating teachers, elevating the standard of education generally, to the end that our Government may not perish as other republics which have preceded us—for want of knowledge.

SAND BARS NEAR LITTLE MANGROVE POINT.

Mr. CALL. Mr. President——

Mr. PASCO. If my colleague will yield to me, I move that the Senate adjourn.

Mr. CALL. I will do so, but before I do so I ask unanimous consent to present a resolution, calling for information, which I desire acted on at once.

The resolution was considered, by unanimous consent, and agreed to, as follows:

*Resolved*, That the Secretary of War be directed to inform the Senate of the probable cost of making a channel 200 feet wide through the two sand bars near Little Mangrove Point, so as to allow vessels drawing 20 feet of water to enter Old Tampa Bay, Florida, and how much of this amount can be profitably expended during the next fiscal year.

IMPROVEMENT OF NORTHWEST CHANNEL NEAR KEY WEST.

Mr. CALL. I offer another resolution of similar character, and ask for its present consideration.

The resolution was considered, by unanimous consent, and agreed to, as follows:

*Resolved* That the Secretary of War be directed to inform the Senate what amount of money can be profitably expended during the next fiscal year in improving the northwest channel near Key West, Fla., according to the plan submitted in compliance with the river and harbor act of August 5, 1886.

Mr. PADDOCK. I move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. The Senator from Nebraska moves that the Senate do now proceed to the consideration of executive business.

Mr. EDMUNDS. Pending which I move that the Senate adjourn.

The PRESIDENT *pro temopre*. The Senator from Vermont moves that the Senate do now adjourn.

The motion was not agreed to.

The PRESIDENT *pro tempore*. The question recurs on the motion of the Senator from Nebraska.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty minutes spent in executive session the doors were reopened, and (at 4 o'clock and 20 minutes p. m.) the Senate adjourned until Monday, February 6, at 12 o'clock m.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate, January* 31, 1888.

SECOND COMPTROLLER OF THE TREASURY.

Sigourney Butler, of Massachusetts, to be Second Comptroller of the Treasury.

UNITED STATES MARSHAL.

William M. Nixon, of Tennessee, to be marshal of the United States for the eastern district of Tennessee.

INDIAN AGENT.

Joseph W. Preston, of Monticello, Ga., to be agent for the Indians of the Mission Agency (consolidated), in California.

COLLECTOR OF CUSTOMS.

Peter F. Cogbill, of Virginia, to be collector of customs for the district of Petersburgh, in the State of Virginia.

REGISTER OF LAND OFFICE.

H. W. Patton, of Los Angeles, Cal., to be register of the land office at Los Angeles, Cal.

UNITED STATES CONSULS.

Beckford Mackey, of South Carolina, to be consul at Paso del Norte.

Henry A. Ehninger, of New York City, to be consul of the United States at Cienfuegos.

RECEIVERS OF PUBLIC MONEYS.

John J. Orr, of Owenton, Ky., to be receiver of public moneys at Buffalo, Wyo.

Absalom H. Wear, of Cassville, Mo., to be receiver of public moneys at Springfield, Mo.

J. F. Linthicum, of Sacramento, Cal., to be receiver of public moneys at Sacramento, Cal.

Robert Kennedy, of Shasta, Cal., to be receiver of public moneys at Shasta, Cal.

PROMOTION IN THE ARMY.

*Ninth Regiment of Cavalry.*

Second Lieut. John F. McBlain, to be first lieutenant.

REVENUE SERVICE.

Capt. Leander M. Keene, of Maine, to be a captain in the revenue service of the United States.

Capt. Frederick M. Munger, of Maine, to be a captain in the revenue service of the United States.

Capt. Jefferson A. Slamm, of Massachusetts, to be a captain in the revenue service of the United States.

Capt. Dorr F. Tozier, of Maine, to be a captain in the revenue service of the United States.

First Lieut. Owen S. Willey, of the District of Columbia, to be a first lieutenant in the revenue service of the United States.

First Lieut. George E. McConnell, of the District of Columbia, to be a first lieutenant in the revenue service of the United States.

Charles W. Munroe, of Massachusetts, to be a first assistant engineer in the revenue service of the United States.

Second Assistant Engineer Orrick N. Turner, of the District of Columbia, to be a second assistant engineer in the revenue service of the United States.

Second Lieut. Percy W. Thompson, of Maryland, to be a second lieutenant in the revenue service of the United States.

John B. Hull, of Virginia, to be a third lieutenant in the revenue service of the United States.

James M. Moore, of Maryland, to be a third lieutenant in the revenue service of the United States.

POSTMASTERS.

James G. Buchanan, to be postmaster at Pontiac, in the county of Oakland and State of Michigan.

Horace N. Montague, to be postmaster at Caro, in the county of Tuscola and State of Michigan.

William A. Squires, to be postmaster at Henrietta, in the county of Clay and State of Texas.

Samuel H. Emerson, to be postmaster at Malvern, in the county of Hot Spring and State of Arkansas.

George F. Richardson, to be postmaster at Newton Centre, in the county of Middlesex and State of Massachusetts.

Buena Vista Wood, to be postmaster at Rock Hill, in the county of York and State of South Carolina.

L. W. Goen, to be postmaster at Independence, in the county of Buchanan and State of Iowa.

Charles H. Cossitt, to be postmaster at Owosso, in the county of Shiawassee and State of Michigan.

William M. Bennett, to be postmaster at Jackson, in the county of Jackson and State of Michigan.

Andrew W. Mehan, to be postmaster at Mason, in the county of Ingham and State of Michigan.

Ellis Hunter, to be postmaster at Brunswick, in the county of Glynn and State of Georgia.

Jacob W. F. Little, to be postmaster at West Point, in the county of Troup and State of Georgia.

Frank A. Campbell, to be postmaster at Woonsocket, in the county of Providence and State of Rhode Island.

Charles R. Jamieson, to be postmaster at Antrim, in the county of Hillsborough and State of New Hampshire.

Alfred E. Jaques, to be postmaster at Wilton, in the county of Hillsborough and State of New Hampshire.

Leonard G. Babcock, to be postmaster at Lexington, in the county of Middlesex and State of Massachusetts.

*Executive nominations confirmed by the Senate February 2, 1888.*

SECRETARY OF LEGATION.

James R. Roosevelt, of New York, to be secretary of the legation of the United States at Vienna.

REGISTER OF LAND OFFICE.

John R. Markley, of Niobrara, Nebr., to be register of the land office at Niobrara, Nebr.

## HOUSE OF REPRESENTATIVES.

THURSDAY, *February 2*, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

MARY H. NEWMAN.

The SPEAKER *pro tempore* laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of findings of fact of said court in the case of Mary H. Newman against the United States; which was referred to the Committee on War Claims.

SENATE BILLS REFERRED.

The SPEAKER *pro tempore*, under the rule, laid before the House bills of the following titles; which were read a first and second time, and referred as follows, namely:

The bill (S. 1022) to relinquish the interest of the United States in certain lands in Kansas—to the Committee on the Public Lands.

The bill (S. 425) to grant the right of way through the public lands for irrigation purposes—to the Committee on the Public Lands.

The bill (S. 23) to authorize Dalles City to construct a bridge across the Columbia River, in the State of Oregon and Territory of Washington—to the Committee on Commerce.

The bill (S. 388) for the relief of L. B. Townsend, Louis S. Lovel, W. C. Page, Alonzo Sessions, Hampton Rich, Harvey Harter, Benjamin Harter, and Peter Hackett—to the Committee on Claims.

The bill (S. 182) to provide for the purchase of a site, and the erection of a public building thereon, at Omaha, Nebr.—to the Committee on Public Buildings and Grounds.

The bill (S. 217) to change the limit of appropriation for a public building at Jacksonville, Fla.—to the Committee on Public Buildings and Grounds.

The joint resolution (S. R. 13) proposing an amendment to the Constitution of the United States—to the Committee on the Judiciary.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. MCCOMAS, for one week, on account of sickness.

To Mr. HIESTAND, for eight days, on account of important business.

BRIDGES ACROSS THE MUSKINGUM RIVER.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent to discharge the House Calendar from the further consideration of the bill (H. R. 4327) regulating the construction of bridges over the Muskingum River, and put it upon its passage.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Ohio?

Mr. SPRINGER. Before unanimous consent is granted I wish to know whether this is reported from the Committee on Commerce?

Mr. GROSVENOR. It is reported from the Committee on Commerce with an amendment.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

There was no objection.

Mr. GROSVENOR. Does any gentleman desire the reading of the report?

Mr. WILKINS. I do not care for the report, but I would like to have the bill read. I want to know what it is.

Mr. GROSVENOR. I will state to my colleague that this relates to the construction of bridges in the future; not to bridges built heretofore. It has no effect upon present structures, and was prepared by the Engineer Bureau of the War Department.

Mr. WILKINS. Let the bill be read.

The bill was read, as follows:

*Be it enacted, etc.*, That any person or corporation having lawful authority to erect a bridge or bridges across the Muskingum River, Ohio, may hereafter erect bridges across said river for railroad or other uses upon compliance with the provisions and requirements of this act, but no bridge shall be erected across said river which does not comply therewith.

SEC. 2. That every bridge hereafter erected across the Muskingum River, Ohio, shall have its axis at right angles to the current at medium and high stages, and its piers shall be parallel to this current. No riprap or other outside protection for insufficient foundations will be permitted around the channel piers, and all coffer-dams, piling, and other temporary works must be removed by the owners of the bridge before it is opened to traffic. Every such bridge may be built either as a draw-bridge or as a continuous bridge; if built as a draw-bridge, the draw span shall give two clear openings, measured on the low-water line, of 80 feet, and smooth crib work or masonry shall be built at right angles to the bridge extending up stream from the pivot pier, a distance of at least 100 feet, and down stream the same distance, and the height of this protection pier shall not be less than 4 feet above highest locking stage. The channel sides of the channel piers shall be smoothly cut; the corners of the draw piers shall be rounded to a radius of not less than 6 inches; there shall be no projecting cornices on the piers, nor projecting footway on the draw span; the apparatus for swinging the draw shall be sufficient to open it in not more than 5 minutes; and the draw shall be promptly opened on signal. The location of the draw span shall be subject to the approval of the Secretary of War.

SEC. 3. That if the bridge be built as a continuous bridge it shall have at least one channel-span, the center of which shall be in the middle of the channel usually run in high stages by steam-boats descending the river with barges or rafts in tow; said channel-span to have a clear opening of 250 feet, measured at the low-water line, and the lowest part of the span to be 40 feet above highest

navigable water, as determined by a straight line connecting the tops of the lower lock-gates at the head and foot of the pool in which the bridge is to be built. The other spans may have such grades as may be desired.

SEC. 4. That whenever any duly authorized persons or corporations shall determine to apply to the Secretary of War for permission to build a bridge across the Muskingum River, they shall first give public notice of said intention by publication for one week in newspapers having a wide circulation, in not less than two newspapers published in towns on the Muskingum River below Dresden, and in not less than two newspapers published in Pittsburgh. They shall also submit to the Secretary of War, for his examination and approval, a design and drawings of the bridge and piers, and a map of the locality, on the scale of 1 inch to 100 feet, giving for the space of one-quarter of a mile above and one-quarter of a mile below the site of the proposed bridge the topography of the banks of the river, the line of low and highest navigable water, an accurate representation of the bed of the river by contour lines, 2 feet apart, determined by accurate soundings; and shall also show over the whole width of this part of the river the force and direction of the currents at low water, and at high navigable stages, by triangulated observations on suitable floats. The map shall also show the location of all bridges, locks, and dams, coal tipples, breakwaters, and other structures within the high-water lines in the designated area. Said maps and drawings shall be referred to a board of engineer officers or to the engineer officer in charge of the Muskingum River for examination and report; and said board, or officer, shall visit the site of the proposed bridge and shall hold a public session at some convenient point, of which public session due notice and invitation to be present shall be given to all interested parties; and if said board, or officer, shall report the site as unfavorable, the Secretary of War is authorized to require that such changes be made in the proposed bridge, by lengthening the spans, or by the addition of guiding-dikes or other auxiliary works, or by both, or by increasing the height, or by such other modifications as will make the bridge as safe for navigation as if built in a favorable part of the river; and no bridge shall be begun until the plans have been approved by the Secretary of War.

SEC. 5. That in case the location of the proposed bridge crosses the river at the site of one of the lateral canals, and the main bridge is over a part of the river that is not navigable, the provisions of the foregoing sections are so far modified that the protection piers above and below the pivot pier of the draw may be replaced by piling, or similar approved construction; and in case of a continuous bridge, the span over the canal need not exceed the width of the canal measured between the tops of its banks. The current observations may also be omitted.

SEC. 6. That all parties owning, occupying, or operating bridges over the Muskingum River shall maintain, for the security of navigation, at their own expense, from sunset to sunrise, throughout the year, such lights on their bridges as may be required by the Light-House Board, or the United States engineer officer in charge of said river; and during the construction of any bridge under this act such lights and buoys shall be kept on coffer-dams, cribs, piling, floating crafts, rafts, etc., used in the construction of the bridge as may be necessary for the security of navigation.

SEC. 7. That the officers and crews of all vessels, boats, or rafts, navigating the Muskingum River shall be required to regulate the use of said vessels and of any pipes or chimneys belonging thereto, so as not to interfere with the construction of any of the bridges authorized by the provisions of this act.

SEC. 8. That any bridge constructed under this act and according to its limitations shall be a lawful structure, and shall be recognized and known as a post-route upon which no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for transportation over the railroads or public highways leading to the said bridges; and the United States shall have the right of way for telegraph or telephone purposes across any such bridge; and in case of any litigation arising from any alleged obstruction to the navigation of said Muskingum River created by the construction of any bridge under this act the cause or question arising may be tried before the circuit or district court of the United States for the southern district of Ohio.

SEC. 9. That the right to alter, amend, or repeal this act so as to prevent or remove all material obstructions to the navigation of said river by the future construction of bridges is hereby expressly reserved, without any liability of the Government for damages on account of the alterations or amendment of this act, or on account of the prevention or requiring the removal of any such obstructions; and any change in the construction or any alteration of any such bridge that may be directed at any time by Congress, shall be made at the cost and expense of the owners thereof.

The committee recommend the following amendment:

Strike out in line 5, of section 4, the words "for one week," and substitute therefor the words "once a week for four weeks."

Mr. WILKINS. Before action is taken upon this bill I wish to ask my colleague whether this affects, in any manner, any of the bridges in the city of Zanesville that are constructed or may hereafter be constructed?

Mr. GROSVENOR. I can answer my colleague by saying that, in the first place, it affects no bridge already constructed upon any portion of the river, and in the second place it affects no bridge in Zanesville now constructed or hereafter to be constructed, unless it is constructed below the present canal in which the steam-boats land.

Mr. WILKINS. Let me ask another question. Is this in accord with the recommendation of the Secretary of War and the engineer in charge?

Mr. GROSVENOR. The bill was drawn in the office of the Secretary of War and sent to me, to be introduced, from there.

I desire unanimous consent to make a single amendment to the bill as it stands, by putting into the fourteenth line of the eighth section, before the word "southern," the words "eastern division of the;" so that it will read:

Questions arising may be tried before the circuit or district court of the United States for the eastern division of the southern district of Ohio.

The amendment was agreed to.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. GROSVENOR moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

TRACT OF LAND IN AUSTIN, TEX.

Mr. SAYERS. I ask unanimous consent to take up for consideration at this time the bill (H. R. 2993) to authorize the Secretary of War to convey to the city of Austin, Tex., a tract of land in said city for educational purposes.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

There was no objection.

Mr. SAYERS. Let the bill and report be read.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized to convey to the city of Austin, in the State of Texas, for educational purposes, a certain tract or parcel of land known as the "Arsenal Block," and lying in the southeast portion of the said city of Austin, and bounded on the east by East avenue, on the south by Third street, on the north by Waller Creek, and on the west by Red River street.

Mr. SPRINGER. I should like the gentleman from Texas to make some explanation of this bill. What is the property worth to the Government?

Mr. SAYERS. The ownership of this property became vested in the Federal Government by virtue of the annexation of Texas in 1845. It has not been used by the Federal Government since 1876. The ground is worth about $3,000. The three houses upon it are worth about $100 apiece, and the Government has been paying $75 a month for the custody of the property. The lot is in the city limits, and the city desires to use it for the purpose of a graded school.

Mr. SPRINGER. Let the report be read.

The report (by Mr. LAIRD) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 2993) respectfully report:

It appears f om the subjoined letters of the Secretary of War that the block of land in question came to the United States by operation of the treaty of annexation with Texas; that it is no longer of use to the Government for military purposes, having been abandoned since 1875, and is now only a bill of expense. The value of the realty is estimated at $3,000, and of the fixtures at $300. The fixtures are described as three dilapidated frame buildings. The donation of the property is asked by the city of Austin to the end that they use it as a site for a public school. In view of the fact that the land is no longer required for military purposes, your committee are in favor of the donation, and recommend the passage of the bill, with the following amendment: Add after the word "street," in line 9 of the bill as printed, the following: "*Provided*, That any conveyance made by the Secretary of War pursuant to this act shall contain a condition that the title to the property in question shall revert to the United States whenever the city of Austin shall cease to use the same for educational purposes."

The amendment recommended by the committee was agreed to.

The SPEAKER *pro tempore*. The question is on the engrossment and third reading of the bill as amended.

Mr. BUCKALEW. I take it that this is a case where the property of the United States is not necessary for public purposes and should be sold. If the War Department, or any other Department of the Government, desires to dispose of useless public property, the consent of Congress will be given at any time. But I understand, from the reading of the bill and report, that this is one of a large class of bills now being introduced and under consideration by the Committee on Education. I therefore object to the consideration of this bill, because it will affect the action of the House on that large class of bills.

The SPEAKER *pro tempore*. It is too late to object to the consideration of the bill, because it is now under consideration and an amendment has been adopted.

Mr. BUCKALEW. I move that the bill be referred to the Committee on Education on the distinct ground that it should be considered among the numerous other bills before that committee involving the same question.

Mr. SAYERS. I will state to the gentleman from Pennsylvania that this property has been practically abandoned by the Government. The city of Austin has appropriatee $8,000 or $10,000 for a building for a graded school. It is of no use to the Government, which is paying $75 a month to take care of three buildings not worth $100 apiece.

Mr. HOLMAN. Is there a graded school on the property?

Mr. SAYERS. The city has appropriated money to erect it.

Mr. BUCKALEW. I think the general rule should be adopted here that the property should be sold and the proceeds covered into the Treasury.

The SPEAKER *pro tempore*. The gentleman from Pennsylvania [Mr. BUCKALEW] moves that the bill be referred to the Committee on Education.

Mr. STEELE. Is that motion in order?

The SPEAKER *pro tempore*. It is; the previous question not having been ordered.

Mr. STEELE. Can the gentleman move to commit before the previous question is ordered?

The SPEAKER *pro tempore*. He can.

The question being taken, the Speaker *pro tempore* stated that the noes seemed to have it.

Mr. BUCKALEW. I call for a division.

The House divided; and there were—ayes 20, noes 47.

So (further count not being called for) the motion to refer the bill was not agreed to.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. SAYERS moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MAILABLE MATTER.

Mr. BLOUNT. I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk. It is a general law, and one the importance of which I think will be admitted by every gentleman on the floor. There will probably be little difference of opinion about it. It is certainly of great importance to the service.

The bill was read, as follows:

A bill (H. R. 4910) to amend section 14 of the act approved March 3, 1879, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes," and relating to second-class mail matter.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the fourteenth section of the act approved March 3, 1879, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes," be, and the same is hereby, amended by adding to the proviso thereof, and at the end of said section, the following words, namely:

"And that no publications, that are but books or reprints of books, whether they be issued complete or in parts, bound or unbound, or in series, or whether sold by subscription or otherwise, shall be admitted to the mails as second-class matter."

Mr. ROGERS. I reserve the point of order until I hear a statement by the gentleman from Georgia. I do not understand the object of the bill.

Mr. BLOUNT. I will send to the Clerk's desk the report; but perhaps I can state the object of the bill more succinctly than it is stated in the report.

Mr. Speaker, it is quite well known to my distinguished friend from Arkansas, as well as to other gentlemen, that mail matter has been divided into four classes—first, second, third, and fourth. As regards this bill, it is only necessary to state the law as to second and third class matter. The description of mailable matter of the second class is as follows:

Mailable matter of the second class shall embrace all newspapers and periodical publications which are issued at stated intervals and as frequently as four times a year and are within the conditions named in sections 12 and 14.

The third class is defined thus:

That mailable matter of the third class shall embrace books, transient newspapers, periodicals, circulars, and other matter wholly in print not included in section 12, proof-sheets, corrected proof-sheets and manuscript copy accompanying the same; and postage shall be paid at the rate of 1 cent for each two ounces or fractional part thereof.

That is to say, 8 cents a pound.

Second-class matter pays 1 cent a pound. Now, sir, it appears that under a construction of the statute in reference to second-class matter books are passing through the mails as second-class matter simply because they have paper covers upon them. It is singular that such a construction should have been placed upon the statute in the light of the express declaration that books are to go at third-class rates. To illustrate this abuse I will read from the report of the Third Assistant Postmaster-General. He says:

Under the law, the conditions upon which a publication shall be admitted to the second class of mail matter are as follows: It must be regularly issued at stated intervals, as frequently as four times a year, and bear a date of issue, and be numbered consecutively; it must be issued from a known office of publication; it must be formed of printed sheets without board, cloth, or other substantial binding such as distinguishes printed books for preservation from periodical publications. It must be originated and published for the dissemination of information of a public character, or devoted to literature, the sciences, arts, or some special industry, and must have a legitimate list of subscribers; provided that nothing herein contained shall be so construed as to admit to the second-class rate regular publications designed primarily for advertising purposes or for free circulation at nominal rates.

Under these conditions, which were intended to distinguish what are generally known as newspapers and periodicals from books, it may be demonstrated that almost anything in the nature of a book, provided it be without board, cloth, leather, or other substantial binding, may be brought within the privilege of the second-class rate of postage, and the object of the law accordingly defeated.

I read from this report, sir, because it comes from an officer connected with the administration of the Post-Office Department, and shows how this law works in practical operation. This report continues:

Let it be supposed, for example, that a publisher wishes to issue the works of Shakespeare in such a way as to secure the privilege of the pound rate of postage when the book is sent by mail. Every one knows that such a publication is a book, no matter how it may be published. It is certainly not a newspaper or a periodical in the universally accepted sense of these words. The publisher, however, means to have it admitted as such, so he arranges to issue it monthly, giving each part a number and a date, places upon the title-page a statement of the place of publication, and binds the parts in paper covers. He thus complies with three of the above-mentioned conditions. Next he publishes a prospectus, in which the publication is claimed to be devoted to literature, and he secures through his agents subscribers to the work, in this way complying with the fourth condition of the law.

It must not be supposed that this is merely a hypothetical case. Instances of this exact character have occurred. The postmaster at New York has called attention to the fact that a dictionary, nothing more nor less, issued in this way, was passed through the mails at the pound rate of postage. Not only this, but tons on tons of books called "libraries" or "series," being purely and simply paper-covered books, or reprints of books, having probably no lists of subscribers other than the booksellers who buy them just as they buy other books, are every day going through the mails as second-class matter, and the number is constantly on the increase. Unless a check is put upon this abuse there is no telling to what extent it will go. Already the mailing of matter of this character together with pretended "sample copies" of publications (reference to which is made hereafter) has become so great that the intelligent and careful handling of it at many offices is simply impossible.

Mr. ROGERS. If the gentleman will allow me to interrupt him, I simply want to say that so far as I am concerned I am satisfied.

Mr. ANDERSON, of Kansas. I wish to ask the gentleman a question.

Mr. BLOUNT. About the propriety of taking this bill up for consideration?

Mr. ANDERSON, of Kansas. No, sir. I wish to ask the gentleman how much the passage of this bill would increase the postage upon the class of material which it affects?

Mr. BLOUNT. It would require it to pay the third-class rate, which is 8 cents a pound.

Mr. ANDERSON, of Kansas. Of course there would be an increase, would there not?

Mr. BLOUNT. Yes.

Mr. ANDERSON, of Kansas. How much would it be in the aggregate?

Mr. BLOUNT. It would be an increase—exactly the amount of the increase I can not tell; so far as I know, no estimate of that has been made. The Third Assistant Postmaster-General, as will be seen by the statement to which I have referred, says that tons and tons of matter which ought to pay 8 cents a pound pay now only 1 cent a pound. What may be the resulting loss to the revenues of the Department I can not tell, nor do I know that any estimate of it has been made at the Department. Suffice it to say, that this method of evading the law began in a small way, has continued to grow as one publisher after another has discovered it, and it is now becoming very extensive.

Mr. DINGLEY. If the gentleman will pardon me, the only object of this bill, as I understand, is to prevent evasions of the existing law.

Mr. BLOUNT. That is it exactly.

Mr. DINGLEY. The law as it now stands was intended to put upon books the third-class rate, but certain publishers have succeeded in evading the law by omitting to put covers on particular classes of books and by sending them out as parts of an educational series.

Mr. BLOUNT. The gentleman states the matter accurately. The purpose of the bill is to discontinue the abuse which the gentleman describes.

Mr. CANNON. If the gentleman from Georgia will allow me a moment, according to my recollection (which is pretty clear) this question was considered fully by the Committee on the Post-Office and Post-Roads prior to 1879, and legislation was had which is now sought to be amended. According to my recollection Congress deliberately placed books of this description in the second class of mail matter, so that they might pass through the mails at the rate of 2 cents a pound.

Mr. BLOUNT. Why, Mr. Speaker, this practice has rested simply on an opinion of an Attorney-General, which I can have read, if gentlemen wish it. There never was any statute which, properly construed, authorized the usage. I have read the statute.

Mr. CANNON. But my recollection is that there was a reclassification.

Mr. BLOUNT. The classification is just the same; there has been no change as to this class of matter. By virtue merely of an opinion of an Attorney-General, this practice has become permissible.

Mr. LONG (to Mr. BLOUNT). You want to correct that opinion?

Mr. BLOUNT. We want to correct that opinion. We do not believe that the plain provision of a statute ought to be nullified by the opinion of an Attorney-General.

Mr. ENLOE. Will the gentleman allow a question?

Mr. BLOUNT. Certainly.

Mr. ENLOE. I wish to ask the gentleman whether under the law as now construed by the Postmaster-General the Bible or any book of similar character may not be issued in serial form and pass through the mails as second-class matter?

Mr. BLOUNT. Perhaps that might be the case if the Bible were circulated in that manner; but according to the way in which we find the business of the country actually done, the Bible and all the school-books of the country are circulated through the mails at 8 cents a pound, while frivolous literature, yellow-backed novels, are passing through the mails at 1 cent a pound. That is the whole question. In my judgment the moral sense of the country and the sound judgment of this House, whatever may have been the legislation in the past, if it were different from that now proposed, would not deliberately consent to such discrimination. [Cries of "Vote!" "Vote!"]

Mr. BRUMM. I rise to oppose this bill.

Mr. CANNON. I would like a little time.

Mr. BLOUNT. I have no objection to giving the gentlemen time, especially as the House has been so courteous to me.

Mr. BRUMM. I wish to speak against the bill.

Mr. BLOUNT. How much time do gentlemen want?

Mr. CANNON. Ten minutes will be enough for me.

Mr. BRUMM. I would like two minutes.

Mr. BLOUNT. I will first yield ten minutes to the gentleman from

Illinois and afterward two minutes to the gentleman from Pennsylvania.

Mr. CANNON. I ask the attention of the House for a few minutes while I state what I understand to be the present law, and what, as I conceive, this proposed legislation will accomplish. Before speaking on the merits of the bill I wish to say to the gentleman from Georgia that according to my recollection, by legislation advisedly had prior to 1879, while I was a member of the Committee on the Post-Office and Post-Roads, this class of literature was allowed to pass through the mails at 2 cents a pound, the policy of that legislation being to encourage the dissemination of sound and desirable reading matter among the masses of the people of the country at cheap rates both as to the cost of the books themselves and as to the postage. The question was discussed, unless my memory greatly misleads me, and the legislation was advisedly had. Under this legislation the best classes of literature, for instance, the Waverly novels, Dickens's works, and the new translation of the Bible, have been sent by publishing houses through the mails, unbound, stitched, at the rate of 2 cents a pound, so that they could be sold to the people at 10 cents a volume. In this way during the last ten or twelve years the best classes of literature, where there is no copyright, and sometimes where there is copyright, have been circulated through the country by our great publishing houses and sold, postage paid, at 10 cents a volume. Publications of this kind have come from the Harpers, from Munro, and nearly all the great publishing houses of the country.

As a consequence of this, you may now find in the homes of our farmers and laboring men throughout the length and breadth of the country, in this cheap form, issued at 10 cents per volume, a class of literature to which, prior to the adoption of this policy, some people in very good circumstances could scarcely have access. In my own case—and perhaps I am somewhat more able to buy such books as would be useful to me than many others—I know that I avail myself frequently of these cheap publications, because I do not feel that I could afford to buy the same works in their higher-priced forms.

Mr. HOPKINS, of Illinois. Emerson's works, for instance, are sent out in that way.

Mr. CANNON. Oh, yes; Emerson's works. The Bible has been sent out that way. Anything that is merely printed, stitched, and not bound, and that is not otherwise prohibited from our mails, goes through the mail at 2 cents a pound.

Now, the newspapers of the country, daily and weekly, everywhere go at 2 cents a pound. They constitute, as I recollect, over three-quarters of all the mails. They go at this low rate, having substantially the franking privilege because it is believed to be in the interest of the people for the dissemination of intelligence. For one I will be slow myself, and will ask the House to be slow, before we cut off the privilege of the workingman and the farmer, the million, to get this literature at this low rate.

Mr. Speaker, what does the proposed legislation do? It charges postage at the rate of a cent an ounce, or at the rate of 16 cents a pound.

Mr. RYAN. Eight cents a pound.

Mr. CANNON. Which now goes at 2 cents.

A MEMBER. At 1 cent.

Mr. CANNON. It was 2 and was reduced to 1. Certainly the principle is the same, so far as that is concerned. I do not believe it is good policy to do so. The business of the country is adapted to it.

That boy who attends the common school and has great difficulty in getting his text-books—and there are thousands of such boys in the country, who are to take our places, and to thousands of us it would have been better if we could have had the privilege of the remission of 10 cents in the way of postage on books, which, costing in my boyhood from two to three dollars, were absolutely unattainable to very many of us. I say everybody in the country understands the remitting of 10 cents in the way of postage will give you almost any choice literary works if you will address any of these great publishing houses.

For one I am not willing to increase the price and cut off this privilege from those who have been so much benefited by it. And for whose benefit, Mr. Speaker? I do not think the gentleman from Georgia [Mr. BLOUNT] means to benefit those who are the real beneficiaries of this legislation. But I will tell him that there has been a constant warfare from the time this legislation was entered upon, some twelve or fifteen years ago, between the express companies throughout the length and breadth of the country and the people who use the post-office and are interested in cheap mail transportation.

Now, suppose you put this up to 8 cents a pound, the rate now being 1 cent, what do you do? Why, you will drive a large part of this work into the hands of the express companies and take it out of the mails of the country, for the reason that the express companies will carry for a fraction under 8 cents a pound.

Sir, it is not necessary that this legislation should be had for the purposes of revenue. We already have more revenue than we want.

The postal service reaches every part of the country. In many places it is almost the only way the people realize there is a United States, so far as the exercise of the functions of the Federal Government is concerned; and the cheap postage and the carriage of parcels in the mails are very popular with the people, a valuable service to the citizen directly, and also valuable as it tends by competition to reduce and keep down the charges of express companies. I am not willing to enter upon this legislation, which I think would be worth many hundreds of thousands of dollars to the express companies annually at the expense of the poor people of the country.

Mr. HENDERSON, of Iowa. My friend from Illinois has intelligent views on this subject, and I want to know how far this proposed legislation reaches. Is he willing that all books shall go through the mails at the same rate as newspapers and magazines?

Mr. CANNON. I am content that they should, so far as that is concerned; although, let me say to the gentleman from Iowa, that with reference to the bound book, if you please, the man who ordinarily buys it is able to supply himself with that kind of literature bound, while the man or the boy in humbler circumstances is forced to content himself with the 10-cent publication, the same matter in cheap form.

I thank the gentleman from Georgia for his courtesy in yielding me time.

Mr. BLOUNT. I yield now to the gentleman from Pennsylvania [Mr. BRUMM] two minutes.

Mr. BRUMM. I hardly think it worth while to take up the time of the House any longer, as the gentleman from Illinois [Mr. CANNON] has so fully covered every point; and I shall only add this: that, outside of the fact that, in my judgment, this bill is in the interest of the express companies, and probably other traffic companies, and outside of the fact that I am in favor of good books being just as cheap as possible, yet as a matter of business calculation the book that is bound in stiff binding takes up more room in the mail, and ought to pay more because of additional space and weight.

Take an ordinary pamphlet and fold it in the usual way, and of course it will not occupy so much space or weight as the same pamphlet when bound, and ought not to pay as much postage. Again, the man who buys a fine morocco-covered book gets the same material but pays a different price, and that difference is in the cover. It may amount to a difference of from one to three, or even five dollars. Let the man, therefore, who wants to pay that difference for the cover alone, for the shadow, be permitted to pay it, while the poor man who wants the substance ought to be allowed to have it just as cheaply as the Government can enable him to get it.

Mr. BLOUNT. I yield now two minutes to the gentleman from New York [Mr. FARQUHAR].

Mr. FARQUHAR. Mr. Speaker, I want to read for the information of this House an extract from a letter addressed to me by an association that has uniformly paid on their publications 8 cents a pound postage. I refer to a Christian association that circulates tons of Christian literature, and this letter is written to me by its chief secretary:

> As is probably known to you, under the rulings of the Post-Office Department, nearly all paper-covered novels are now classed as second-class mail matter, and carried at 1 cent per pound if sent by the publishers. At the same time religious books, school-books, law and medical books, Bibles, prayer-books, histories, and scientific books can only be sent through the mails at 8 cents a pound.

Whatever may be the experience of members upon the floor, whatever expressions may enter into this debate as to the propriety of such legislation, that is a positive statement from a party who pays this postage. Now, while I may disagree with that feature which would drive all paper-covered publications into the 8-cent schedule, yet I think this Congress ought to legislate in all fairness that the trashy novels, and the cheap and dirty reprints, and the dirtier medical treatises can not, and shall not, go through the United States mails at 1 cent a pound, when God's Word is compelled to pay 8 cents a pound postage. That is my position.

Mr. BLOUNT. I now yield five minutes to the gentleman from Pennsylvania [Mr. BINGHAM].

Mr. BINGHAM. Mr. Speaker, I did not hear the commencement of this debate, but I presume the chairman of the committee has signified to the House that this was the unanimous report of the Committee on the Post-Office and Post-Roads, after a thorough investigation of the general propositions involved, and after hearing a report from the officials of the Post-Office Department.

I was a member of the Congress that reduced newspapers and periodical publications through the mails from a rate of postage fixed at 2 cents to 1 cent a pound. When that law was enacted it reduced the postage on newspapers and periodicals to the amount of $1,000,000 annually. The reduction to-day is about $1,500,000 as compared with the operations of the law in existence three or four years ago.

The question of the Adams Express Company or any other transportation company being benefited by the enactment of such a law, has to my mind no standing whatever in this debate. The construction of the law, which I have never approved, by the Post-Office Department has allowed a class of matter to go through the mails at a lower rate of postage than was allowed several years ago.

The purpose of reducing the postage to 1 cent a pound on newspapers and periodicals was that intelligence might be disseminated through the mails cheaply, and the purpose of the law was to provide that only newspapers and periodicals published at fixed and stated intervals

should go through the mails at that cheaper rate. All other books or publications went at third-class rates, being 8 cents a pound. By a decision of the Department the circulation of such literature as the gentleman from New York calls attention to, covering, for instance, the Seaside Library, and publications of that class, go through the mails at a fixed price, being classed as periodical publications, and obtain the benefit of the cheaper rate. Consequently, from the great bulk of matter of this class which is transported through the mails, it is the only one in which there is a deficiency in the receipts of the Department or in which money is lost. First-class matter, third-class matter, and fourth-class, all yield a revenue to the Government, and the only loss is on the second-class matter at 1 cent a pound. The only great loss and deficiency that comes to the Department is in what is called second-class matter at 1 cent a pound.

To show you the contradiction that is involved I can take a publication in Maine and send it to San Francisco at 1 cent a pound. I may deposit it in a box on a street in any city in Maine and it will be delivered at your door in San Francisco or Oregon at that cost for postage. But in my own city I can not take that publication and mail it for delivery two squares off at less than 8 cents a pound. That is a contradiction which Congress should correct.

I am in favor of the most liberal legislation in postal matters; I do not want to have transmitted through the mails at 1 cent a pound matter which the law did not contemplate should be transmitted at that rate. The reduction of postage from 2 cents to 1 cent a pound under the ruling that now governs makes a difference of $2,500,000. So it is stated by the Department. I think that amount could be far better expended in broadening the service than by carrying through the mails by a forced construction a class of matter never intended to go through at the penny-a-pound rate.

I believe in cheap postage, but I want the reduction to be made in that class of matter that returns a profit or surplus to the Department rather than in the class that results in the loss of millions. Let us make the service more efficient, meeting the exactions and demands of the great commercial centers, and when we reduce postage let it be made in that class that will benefit the great communities and the body of the people.

The proposition is simple—all favor a reduction of postage. We want to reach that condition. We will never reach it if we reduce postage on that class of mail matter that to-day brings the postal service in deficiency.

Millions of dollars are made on first, third, and fourth class matter. Millions are lost on second-class matter. Why add the third-class matter and add additional millions of loss? Reduce where you make surplus or profit; let stand still the class where you lose. One-cent postage will come to the people before long if we are wise in our legislation; this bill is in that direction, and I hope it will pass as it came from the committee, matured and adjusted in the interest of a low rate of postage that in the near future Congress can wisely formulate and consummate.

Mr. BLOUNT. There has been a suggestion thrown out that this legislation would help the express companies. I do not think, as my friend from Pennsylvania has stated, that that suggestion has any place here. The Congress of the United States has provided for the carrying of its mails and has made the classification of first, second, third, and fourth class matter.

The complaint here is that the opinion of the Attorney-General has improperly transferred from the third-class rates to the second class certain matter, and that that ought to be corrected. I think, sir, that the statute is quite clear.

The gentleman from Illinois seems to admit this. He claims that prior to 1879 the statute was different; but he thinks—he does not assert it, he seems to be uncertain in his own mind—but he thinks that this class of books should pass as second-class matter.

I think I can satisfy my friend from Illinois that he is mistaken.

I hold in my hand an opinion of the Attorney-General, of July 28, 1877, discussing this very question and construing it. The provision of law is just the same as that of 1879. So far as this matter went it was a mere codification and nothing more; so that I think we may assume that the Attorney-General would not in 1877 give an opinion on a statute that was not passed until 1879. I will send to the Clerk's desk and have read the opinion of the postmaster of New York, which is so clear and practical that I trust the House will give it attention.

The Clerk read as follows:

POST-OFFICE, NEW YORK, N. Y., OFFICE OF THE POSTMASTER.
*February* 17, 1886.

SIR: * * * The law enumerates "books" as embraced among "mail matter of the third class," and it would not seem to have been the intention of Congress to admit books in any form to the second class. In the section (14) setting forth the conditions upon which a publication shall be admitted to the second class the third condition is that "it must be formed of printed paper sheets, without board, cloth, leather, or other substantial binding, such as distinguishes printed books for preservation from periodical publications."

The use of this language does not involve the conclusion that books not "for preservation" (as shown by the absence of substantial binding) are to be considered as "periodical publications," and only periodical publications are entitled to second-class privileges. The fact that such a binding usually distinguishes books from periodicals is well known; but it does not follow that all publications consisting of unbound sheets are "periodicals." A "book" can not be changed into a "periodical" simply by numbering and dating it as one of a series of publications. That it forms "number 1" of a series issued under the general title of a "library," and bears the date of "January 1," does not alter its character nor detract from its value for reading purposes as a "book." It is the custom in some countries to issue nearly all books in pamphlet form, with paper covers, leaving the purchaser free to consult his own wishes or taste as to binding, and it has never been claimed that a "transient" book in paper covers, without number or date, was admissible to the mails at other than third-class rates. Did Congress intend that the book "Don Quixote," or the book "Waverly," should be converted into a periodical by omitting substantial binding, giving it a number and date, and printing above its proper title the name of this or that "library?"

Second-class matter, according to the fourth condition in the last-quoted section, "must be originated and published, first, for the dissemination of information of a public character; or, second, devoted to literature, the sciences, arts, or some special industry, and having a legitimate list of subscribers." Books may be so originated and published, and also may be devoted to any of the subjects named; but these facts alone do not properly bring them within the definition of periodical publications. A history is essentially composed of information of a public character; so is a geography or arithmetic. A treatise on astronomy, on sculpture or painting, on ship or house building, is "devoted to" the subject of which it treats; but a book, complete in itself, can not be considered as being "devoted to" literature (which word, as used in the statute, I take as intended to convey the meaning attaching to "belles-lettres," for which there is no exact English equivalent) unless it shall treat of that subject in general. It is literature, but it is not periodical literature, and no addition or omission of binding, or insertion of date or number, can make it so. To take a recent instance, Stormonth's English Dictionary was issued in twenty-six parts, each printed on superior paper, with a cover (of inferior paper) bearing the title of a "library," with date and number in due form, and was mailed as second-class matter. Collated and bound, these parts, printed from the same plates, are advertised and sold as a "book" by the publishers. Is it any more or less a book now than it was when deposited, a certain number of pages at a time, in the post-office under covers, with the name of a "library," and dates and numbers printed thereon?

* * * * * * *

Very respectfully,

H. G. PEARSON,
*Postmaster.*

Hon. WILLIAM F. VILAS,
*Postmaster-General.*

Mr. BLOUNT. I think this matter is sufficiently understood, and I ask the previous question on the bill.

The previous question was ordered.

The question being taken on ordering the bill to be engrossed and read a third time, the Speaker *pro tempore* stated that the noes seemed to have it.

Mr. BLOUNT. I call for a division.

The House divided; and there were—ayes 100, noes 71.

So the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

Mr. CANNON. I move to recommit the bill to the Committee on the Post-Office and Post-Roads, with instructions to report a bill fixing the postage on all books, bound or unbound, of the weight now allowed by law, at the rate of 1 cent a pound.

Mr. MCMILLIN. What is the present deficiency?

Mr. BLOUNT. About $2,000,000. But if you reduce the rate from 8 cents to 1 I do not know what it will be.

The SPEAKER *pro tempore*. The question is on the motion to recommit the bill with instructions.

Mr. CANNON. Let us have the yeas and nays.

The yeas and nays were ordered.

Mr. SPRINGER. Let the motion to recommit be read.

The motion was again read.

The question was taken; and there were—yeas 117, nays 151, not voting 55; as follows:

YEAS—117.

| | | | |
|---|---|---|---|
| Adams, | Davenport, | Johnston, J. T. | Rockwell, |
| Allen, E. P. | Davis, | Kennedy, | Romeis, |
| Anderson, A. R. | Dorsey, | Kerr, | Rowell, |
| Anderson, J. A. | Dunham, | La Follette, | Russell, C. A. |
| Arnold, | Farquhar, | Lagan, | Ryan, |
| Baker, Jehu | Finley, | Laidlaw, | Sawyer, |
| Bayne, | Fitch, | Lodge, | Scull, |
| Bliss, | Fuller, | Long, | Sherman, |
| Boothman, | Funston, | Lyman, | Smith, |
| Bound, | Gaines, | Mahoney, | Steele, |
| Bowen, | Gear, | Mason, | Stephenson, |
| Brewer, | Gest, | McAdoo, | Stewart, J. W. |
| Browne, T. H. B. | Goff, | McCormick, | Struble, |
| Browne, T. M. | Grosvenor, | McCullogh, | Symes, |
| Brown, C. E. | Grout, | McKinley, | Taylor, E. B. |
| Brumm, | Harmer, | McShane, | Taylor, J. D. |
| Bryce, | Haugen, | Milliken, | Thomas, G. M. |
| Buchanan, | Hayden, | Morrow, | Thomas, O. B. |
| Bunnell, | Henderson, D. B. | Nelson, | Turner, E. J. |
| Burrows, | Henderson, T. J. | Nichols, | Vandever, |
| Butler, | Hermann, | Nutting, | Weber, |
| Cannon, | Hires, | O'Donnell, | West, |
| Cheadle, | Hitt, | O'Neill, Charles | White, S. V. |
| Cogswell, | Holmes, | Osborne, | Wickham, |
| Conger, | Hopkins, A. J. | Owen, | Williams, |
| Cooper, | Hopkins, S. T. | Perkins, | Yardley, |
| Crouse, | Houk, | Plumb, | Yost. |
| Cummings, | Hovey, | Post, | |
| Dalzell, | Hunter, | Pugsley, | |
| Darlington, | Jackson, | Reed, | |

NAYS—151.

| | | | |
|---|---|---|---|
| Abbott, | Barry, | Breckinridge, C. R. | Caruth, |
| Allen, C. H. | Biggs, | Breckinridge, W. C. P. | Catchings, |
| Allen, J. M. | Bingham, | Brown, J. R. | Clardy, |
| Anderson, C. L. | Blanchard, | Buckalew, | Clements, |
| Anderson, G. A. | Bland, | Campbell, Felix | Cobb, |
| Bankhead, | Blount, | Campbell, J. E. | Collins, |
| Barnes, | Boutelle, | Candler, | Compton, |

| | | | |
|---|---|---|---|
| Cothran, | Heard, | McKinney, | Russell, J. E. |
| Cowles, | Hemphill, | McMillin, | Rusk, |
| Crain, | Henderson, J. S. | McRae, | Sayers, |
| Crisp, | Herbert, | Mills, | Seney, |
| Culberson, | Hogg, | Montgomery, | Shaw, |
| Cutcheon, | Holman, | Moore, | Snyder, |
| Dargan, | Hooker, | Morgan, | Sowden, |
| Davidson, R. H. M. | Hopkins, S. I. | Morrill, | Spooner, |
| Dibble, | Howard, | Neal, | Springer, |
| Dingley, | Hudd, | Norwood, | Stahlnecker, |
| Dockery, | Hutton, | Oates, | Stewart, J. D. |
| Dougherty, | Johnston, T. D. | O'Ferrall, | Stone of Ky. |
| Dunn, | Jones, | O'Neall, J. H. | Stone of Mo. |
| Elliott, | Kilgore, | O'Neill, J. J. | Tarsney, |
| Enloe, | Laffoon, | Outhwaite, | Taulbee, |
| Ermentrout, | Landes, | Parker, | Thompson, T. L. |
| Felton, | Lane, | Patton, | Tillman, |
| Ford, | Lanham, | Payson, | Tracey, |
| Forney, | Latham, | Peel, | Turner, H. G. |
| French, | Lawler, | Penington, | Walker, |
| Gallinger, | Lee, | Perry, | Warner, |
| Gay, | Lehlbach, | Peters, | Weaver, |
| Gibson, | Lynch, | Phelan, | Wheeler, |
| Glass, | Macdonald, | Phelps, | Whitthorne, |
| Granger, | Maish, | Pidcock, | Wilkins, |
| Grimes, | Mansur, | Rayner, | Wilkinson, |
| Guenther, | Martin, | Rice, | Wilson, Thomas |
| Hall, | Matson, | Richardson, | Wilson, W. L. |
| Hare, | McClammy, | Robertson, | Wise, |
| Hatch, | McCreary, | Rogers, | Yoder. |
| Hayes, | McKenna, | Rowland, | |

NOT VOTING—55.

| | | | |
|---|---|---|---|
| Atkinson, | Chipman, | Ketcham, | Stewart, Charles |
| Bacon, | Clark, | Laird, | Stockdale, |
| Baker, C. S. | Cockran, | Lind, | Thomas, J. R. |
| Belden, | Cox, | Maffett, | Thompson, A. C. |
| Belmont, | Davidson, A. C. | McComas, | Townshend, |
| Bowden, | De Lano, | Merriman, | Vance, |
| Brower, | Fisher, | Moffitt, | Wade, |
| Burnes, | Flood, | Morse, | Washington, |
| Burnett, | Foran, | Newton, | White, J. B. |
| Butterworth, | Glover, | Randall, | Whiting, J. R. |
| Bynum, | Greenman, | Scott, | Whiting, William |
| Campbell, T. J. | Hiestand, | Shively, | Wilber, |
| Carlton, | Kean, | Simmons, | Woodburn. |
| Caswell, | Kelley, | Spinola, | |

So the motion of Mr. CANNON was not agreed to.

On motion of Mr. BLOUNT, by unanimous consent, the reading of the names of members voting was dispensed with.

The following-named members were announced as paired on all political questions until further notice:

Mr. BURNETT with Mr. KEAN.

Mr. SPINOLA with Mr. THOMAS, of Illinois.

Mr. GLOVER with Mr. BROWER.

Mr. FORAN with Mr. KELLEY.

Mr. BACON with Mr. WOODBURN.

Mr. GREENMAN with Mr. GEST.

Mr. STOCKDALE with Mr. THOMPSON, of Ohio.

The following were announced as paired on this vote:

Mr. DAVIDSON, of Alabama, with Mr. MCCOMAS.

Mr. TOWNSHEND and Mr. HIESTAND were announced as paired on all political questions until February 8; and

Mr. CUMMINGS and Mr. MOFFITT until February 7.

Mr. STOCKDALE. Mr. Speaker, I am paired with Mr. THOMPSON, of Ohio. If I were not paired, I would vote "ay."

The result of the vote was then announced as above recorded.

Mr. BLOUNT. I demand the previous question on the passage of the bill.

Mr. PERKINS. I move to recommit the bill to the Committee on the Post-Office and Post-Roads with instructions to report a bill fixing the postage on books, bound or unbound, newspapers, periodicals, pamphlets, and magazines of the weight now fixed by law at the rate of 2 cents per pound, provided that as to newspapers the rate now fixed for publishers shall not be changed.

Mr. BLOUNT. I make the point that that motion is not in order.

Mr. SPRINGER. Rule XVII, clause 1, provides that it shall be in order, pending the motion for or after the previous question has been ordered on its passage, for the Speaker to submit or entertain a motion to commit, with or without instructions, to a standing or select committee.

The SPEAKER *pro tempore*. The Chair was about to have that rule read. The motion of the gentleman from Kansas is not in order.

Mr. PERKINS. Then I move simply to recommit the bill to the Committee on the Post-Office and Post-Roads without instructions.

The SPEAKER *pro tempore*. The motion is not in order.

Mr. BLOUNT moved to reconsider the vote by which the bill was ordered to be engrossed and read a third time; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER *pro tempore*. The question is on the passage of the bill.

The House divided; and there were—ayes 113, noes 90.

Mr. CUMMINGS. I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 145, nays 116, not voting 62; as follows:

YEAS—145.

| | | | |
|---|---|---|---|
| Abbott, | Dibble, | Landes, | Rice, |
| Allen, C. H. | Dockery, | Lane, | Richardson, |
| Allen, J. M. | Dougherty, | Lanham, | Robertson, |
| Anderson, C. L. | Dunn, | Latham, | Rockwell, |
| Anderson, G. A. | Elliott, | Lawler, | Rogers, |
| Bankhead, | Enloe, | Lee, | Rowland, |
| Barnes, | Ermentrout, | Lehlbach, | Russell, J. E. |
| Barry, | Farquhar, | Lynch, | Rusk, |
| Biggs, | Felton, | Maish, | Sayers, |
| Bingham, | Ford, | Mansur, | Scott, |
| Bland, | Forney, | Martin, | Seney, |
| Blount, | Gallinger, | Matson, | Shaw, |
| Bound, | Gay, | McClammy, | Sowden, |
| Breckinridge, C. R. | Gibson, | McCreary, | Springer, |
| Breckinridge, WCP | Glass, | McKinney, | Stahlnecker, |
| Brown, J. R. | Granger, | McMillin, | Stewart, J. D. |
| Bucknalew, | Grimes, | McRae, | Stone of Mo. |
| Burnes, | Guenther, | McShane, | Thompson, T. L. |
| Campbell, Felix | Hall, | Mills, | Tillman, |
| Campbell, J. E. | Hare, | Montgomery, | Tracey, |
| Candler, | Hatch, | Moore, | Turner, H. G. |
| Caruth, | Heard, | Morgan, | Walker, |
| Catchings, | Hemphill, | Neal, | Warner, |
| Chipman, | Henderson, J. S. | Norwood, | Washington, |
| Clardy, | Herbert, | Oates, | Weaver, |
| Clements, | Hogg, | O'Ferrall, | Wheeler, |
| Cobb, | Holman, | O'Neall, J. H. | White, S. V. |
| Compton, | Hooker, | Outhwaite, | Whitthorne, |
| Cothran, | Hopkins, S. I. | Parker, | Wilkins, |
| Cowles, | Howard, | Patton, | Wilkinson, |
| Crain, | Hudd, | Payson, | Wilson, Thomas |
| Crisp, | Hutton, | Peel, | Wilson, W. L. |
| Culberson, | Johnston, T. D. | Penington, | Wise, |
| Cutcheon, | Jones, | Peters, | Yoder. |
| Dargan, | Kilgore, | Phelps, | |
| Davidson, A. C. | Laffoon, | Pidcock, | |
| Davidson, R. H. M. | Lagan, | Rayner, | |

NAYS—116.

| | | | |
|---|---|---|---|
| Adams, | Cummings, | Jackson, | Post, |
| Allen, E. P. | Dalzell, | Johnston, J. T. | Pugsley, |
| Anderson, A. R. | Darlington, | Kennedy, | Reed, |
| Anderson, J. A. | Davenport, | Kerr, | Romeis, |
| Arnold, | De Lano, | Ketcham, | Rowell, |
| Baker, C. S. | Dorsey, | La Follette, | Russell, C. A. |
| Baker, Jehu | Dunham, | Laidlaw, | Ryan, |
| Bayne, | Findlay, | Lodge, | Sawyer, |
| Belden, | Fitch, | Long, | Scull, |
| Boothman, | Fuller, | Lyman, | Sherman, |
| Boutelle, | Gaines, | Macdonald, | Spooner, |
| Bowen, | Gear, | Mason, | Steele, |
| Browne, T. H. B. | Gest, | McAdoo, | Stewart, J. W. |
| Browne, T. M. | Goff, | McCormick, | Stone of Ky. |
| Brown, C. E. | Grosvenor, | McCullogh, | Struble, |
| Brumm, | Grout, | McKenna, | Symes, |
| Bryce, | Harmer, | McKinley, | Taylor, E. B. |
| Buchanan, | Haugen, | Milliken, | Taylor, J. D. |
| Bunnell, | Hayden, | Morrill, | Thomas, G. M. |
| Butler, | Henderson, D. B. | Morrow, | Thomas, O. B. |
| Bynum, | Henderson, T. J. | Nichols, | Turner, E. J. |
| Campbell, T. J. | Hermann, | Nutting, | Vance, |
| Cannon, | Hitt, | O'Donnell, | Vandever, |
| Caswell, | Holmes, | O'Neill, Charles | Wade, |
| Cheadle, | Hopkins, A. J. | Osborne, | Weber, |
| Cogswell, | Hopkins, S. T. | Owen, | Wickham, |
| Conger, | Houk, | Perkins, | Williams, |
| Cooper, | Hovey, | Phelan, | Yardley, |
| Crouse, | Hunter, | Plumb, | Yost. |

NOT VOTING—62.

| | | | |
|---|---|---|---|
| Atkinson, | Davis, | Maffett, | Stephenson, |
| Bacon, | Dingley, | Mahoney, | Stewart, Charles |
| Belmont, | Fisher, | McComas, | Stockdale, |
| Blanchard, | Flood, | Merriman, | Tarsney, |
| Bliss, | Foran, | Moffitt, | Taulbee, |
| Bowden, | French, | Morse, | Thomas, J. R. |
| Brewer, | Funston, | Nelson, | Thompson, A. C. |
| Brower, | Glover, | Newton, | Townshend, |
| Burnett, | Greenman, | O'Neill, J. J. | West, |
| Burrows, | Hayes, | Perry, | White, J. B. |
| Butterworth, | Hiestand, | Randall, | Whiting, J. R. |
| Carleton, | Hires, | Shively, | Whiting, William |
| Clark, | Kean, | Simmons, | Wilber, |
| Cockran, | Kelley, | Smith, | Woodburn. |
| Collins, | Laird, | Snyder, | |
| Cox, | Lind, | Spinola, | |

So the bill was passed.

After the conclusion of the roll-call, but before the announcement of the result, the following proceedings took place:

Mr. BREWER. Mr. Speaker, I desire to have my vote recorded in the affirmative.

The SPEAKER *pro tempore*. Was the gentleman in his seat when his name was called?

Mr. BREWER. I was not here when my name was called, but——

The SPEAKER *pro tempore*. The Chair can not entertain the gentleman's request.

Mr. BLOUNT. I submit that if the gentleman was in the bar of the House during the roll-call he can vote.

Mr. BREWER. I was here during the roll-call, but not present when my name was called, because it is very near the beginning of the list.

The SPEAKER *pro tempore*. The gentleman's request can not be entertained.

Mr. BREWER. Then I raise the question against the gentleman from Pennsylvania [Mr. YARDLEY], who is in the same position.

The SPEAKER *pro tempore*. The gentleman from Pennsylvania has not yet asked to have his vote recorded.

Mr. YARDLEY. Mr. Speaker, I desire to vote. I stood right here when my name was called on the second call.

The SPEAKER *pro tempore*. The Clerk will record the gentleman's vote.

Mr. YARDLEY. I vote "nay."

Mr. BREWER. Mr. Speaker, I rise to a parliamentary inquiry. The rule, I believe, prescribes that a member to be entitled to vote shall be within the Hall during the roll-call. I desire to know whether it is necessary that he be in the Hall at the time his name is called. Is not the rule complied with if he be present during any portion of the roll-call?

The SPEAKER *pro tempore*. The Chair will have the rule read.

The Clerk read as follows from Rule XV, clause 1:

1. Upon every roll-call, the names of the members shall be called alphabetically by surname, except when two or more have the same surname, then the whole name shall be called; and after the roll has been once called, the Clerk shall call in their alphabetical order the names of those not voting; and thereafter the Speaker shall not entertain a request to record a vote or announce a pair.

The SPEAKER *pro tempore*. As the gentleman will perceive, the rule is more strict than the custom, and would even prevent any request whatever to record a vote after the conclusion of the roll-call.

Mr. ROCKWELL. Mr. Speaker, I desire to vote. I was present during the second roll-call.

The SPEAKER *pro tempore*. The gentleman from Massachusetts states that he was present during the roll-call, and asks leave to vote.

Mr. ROCKWELL. I vote "yea."

Mr. BLOUNT. I ask unanimous consent that the reading of the names be dispensed with.

The SPEAKER *pro tempore*. If there be no objection, that order will be made.

There was no objection.

Mr. BREWER. Mr. Speaker, I desire to object to the gentleman from Massachusetts [Mr. ROCKWELL] having his vote recorded.

The SPEAKER *pro tempore*. The gentleman from Michigan, as the Chair understands, raises a point of order. He will state it.

Mr. BREWER. The gentleman from Massachusetts, who cast his vote a few moments ago, was not, I believe, in the Hall at the time his name was called.

Mr. ROCKWELL. I stated when I asked to have my vote recorded that I was present during the second roll-call. The gentleman evidently did not hear my statement.

Mr. BREWER. No; I did not.

The result of the vote was announced as above stated.

Mr. BLOUNT moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, informed the House that the Senate had passed a bill and a resolution of the following titles, with amendments in which the concurrence of the House was requested:

A bill (H. R. 1213) to punish robbery, burglary, and larceny in the Indian Territory; and

A House concurrent resolution to provide for printing the report of the Commissioner of Education for 1886–'87.

The message further announced that the Senate had passed without amendment the following:

House concurrent resolution providing for printing 2,500 copies of the annual report of the health officer of the District of Columbia; and

House concurrent resolution providing for printing 17,000 copies of the recent special report of the Chief of the Bureau of Statistics, Treasury Department, upon wool and the manufactures of wool.

ORDER OF BUSINESS.

Mr. SPRINGER. I demand the regular order.

Mr. CRISP. Mr. Speaker, I call up for consideration the contested-election case of Lowry *vs.* White, from the Twelfth Congressional district of Indiana.

Mr. WEAVER. I rise to a question of privilege.

The SPEAKER *pro tempore*. The gentleman from Iowa [Mr. WEAVER] rises to a question of privilege, and will state it.

Mr. WEAVER. Mr. Speaker, I wish to have corrected the reference of a bill which was reported to the House from the Committee on Banking and Currency. I refer to bill No. 2012, which has been referred to the House Calendar, when it ought to have gone to the Calendar of the Committee of the Whole House on the state of the Union.

The SPEAKER *pro tempore*. Does the bill require an appropriation?

Mr. DINGLEY. It does not.

Mr. WEAVER. I will answer the question. I think it does. It provides for the appropriation of $80,000,000 of money, now in the hands of the Government as a trust fund. It authorizes the Secretary of the Treasury to invest 80 per cent. of the money deposited to retire national-bank circulation. It further provides for the disposition of public property. The latter part of the bill provides for the sale of Government bonds under contingencies specified. The bill, therefore, ought to be considered in Committee of the Whole House on the state of the Union.

Mr. DINGLEY. The bill simply authorizes the investment of lawful money deposited in the Treasury by the national banks for the redemption of their notes. It authorizes the Secretary of the Treasury to purchase bonds with this lawful money, and to hold those bonds in the same manner as the lawful money is now held. No appropriation is required.

Mr. BLAND. I ask the gentleman, does not the bill also authorize the sale of bonds?

Mr. DINGLEY. It authorizes the purchase of bonds for lawful money.

Mr. CRISP. I rise to a question of order. Must not this be decided without debate? If so, I object to debate.

Mr. WEAVER. It is a question of change of reference.

The SPEAKER *pro tempore*. The Chair will state that it is a question of privilege, and is debatable. The Chair understood the gentleman from Georgia, when he rose, that he rose to a question of privilege, and he then yielded to the gentleman from Iowa.

Mr. WEAVER. The gentleman so stated.

Mr. CRISP. I understand this matter of the gentleman from Iowa is merely a change of reference of the bill.

Mr. WEAVER. That is what it is.

Mr. CRISP. I did not understand that that was a question of privilege.

The SPEAKER *pro tempore*. If the gentleman from Georgia insists on his question of privilege, the Chair will sustain it.

Mr. WEAVER. There will be no debate should the Chair decide the question.

Mr. CRISP. I insist on my motion.

Mr. SPRINGER. The gentleman from Georgia can make the point when this again comes up for consideration.

The SPEAKER *pro tempore*. The gentleman from Georgia is on the floor.

Mr. WEAVER. I understand the gentleman has no objection to the Chair deciding the question.

Mr. CRISP. I must insist on going on with the privileged question.

The SPEAKER *pro tempore*. It can be considered hereafter.

Mr. CRISP. I should like to have an understanding or arrangement with the gentlemen on the other side as to the time to be occupied by the discussion of this report and resolution.

Mr. BRUMM. I ask the gentleman to allow me to introduce a bill for reference.

Mr. CRISP. I dislike to object.

Mr. BRUMM sent his bill up to the Clerk's desk to be read by its title.

The SPEAKER *pro tempore*. It is a private bill and will be filed under the rule through the box.

Mr. GUENTHER. I ask the gentleman to yield to me to present, by unanimous consent, the petition of more than six thousand adult male residents of the District of Columbia protesting against prohibitory laws for the District of Columbia. I claim it is a question of the highest privilege because it pertains to the sacred right of petition.

A MEMBER. File it in the box.

Mr. GUENTHER. It is too bulky to be put in the box.

Mr. CRISP. Will the gentleman state what time will suit them on the other side?

Mr. ROWELL. It has been said that four hours on a side will be satisfactory.

Mr. CRISP. If that can be agreed upon, we will accept that proposition. I would like, by unanimous consent, to have it understood that at the expiration of eight hours' debate the previous question should be considered as ordered.

Mr. ROWELL. I would not agree to that; but we do agree that the debate shall terminate in eight hours.

Mr. CRISP. Then I suggest that the gentleman from Illinois shall control the four hours of debate on that side, and myself that on this side.

Mr. LANHAM. I hope that to-morrow, which is private-bill day, will not be taken up with this matter, but that it will be allowed to go over until Saturday.

Mr. CRISP. Of course we have conflicting interests in this House, but there can be no higher question than the right of a member to his seat. Some gentlemen must get out of the way when this question is raised.

Mr. REED. We can raise the question of consideration to-morrow.

Mr. CRISP. The question of the right of way is of no value if we do not exercise it. That is the proposition always, that we shall not exercise it.

Mr. RYAN. It is in the hands of the House, anyhow.

INDIANA CONTESTED ELECTION.

Mr. CRISP. I yield for one hour to the gentleman from Mississippi [Mr. BARRY].

Several MEMBERS. We have not had the time fixed yet.

Mr. CRISP. Yes, I thought it was arranged.

The SPEAKER *pro tempore*. The Chair understands that it is agreed between gentlemen on both sides that the debate shall continue for eight hours, four hours to be allowed to each side.

There was no objection, and it was ordered accordingly.

Mr. BARRY. Mr. Speaker, my colleagues on the Committee on Elections did me the honor to select me to prepare and present to the House the report of the majority of the committee in this case, and it seems to be in the order of things that I should, from my place on this floor, give the reasons of the majority of the committee for the conclusions at which they have arrived, and also show the cause, if I can, why the House should ratify the findings of that committee.

Mr. Speaker, in the consideration of this case there are two grave questions involved, questions that are profound, that are far-reaching, and that are rooted in the very foundations of our political system. I allude to the questions of citizenship and of suffrage.

In the discussion of questions of such magnitude, Mr. Speaker, it requires no effort of modesty upon the part of a man of my mold to say that I recognize the fact that I am deficient in that research, that learning, that ability necessary and adequate to the treatment of such commanding questions. But, Mr. Speaker, I believe that I am right, and I am satisfied that I can adduce authorities to sustain my position, and I do not believe an adjudicated case can be found to the contrary.

I would state at the outset that in the consideration of this cause I have not been influenced by partisan prejudices. So far as in me lay I have endeavored to dismiss from my mind all political sympathies or prejudices. To say that I have entirely succeeded may perhaps be going too far.

Something may be pardoned to our common nature; and if I have based my conclusions on considerations of that kind, I can say and say truly that I am not conscious of such a fact. I am but human and a Democrat. To be more than human, a man is too good for this earth; to be less than that, he is unworthy the name of a man.

Now, Mr. Speaker, the questions presented in this case are twofold, and before presenting them I will state to the House the admitted facts that lead up to a common ground upon which we can all meet, and where the committee, the majority and minority, diverge. It is admitted that an election was held in the Twelfth Congressional district of the State of Indiana at the last Congressional election. It is admitted that the contestee, Mr. White, received about 2,500 majority over the contestant, Mr. Lowry. That far is admitted on all hands. It is also in evidence by a certified transcript from the record of the circuit court of Allen County, Indiana, that contestee filed his declaration of intention to become naturalized on July 24, 1858.

It is also admitted that Mr. White is a native of Scotland, and that he emigrated to the United States in the year 1854. Then the question presents itself whether or not he, having received the highest number of votes, is a citizen under the Constitution of the United States, and entitled to hold the office. Or I will present the question in this way: First, is Mr. White a naturalized citizen of the United States, and can he prove that fact by parol evidence? I anwer that he can not. Second, if he has been admitted to citizenship, do the facts in this case, as disclosed by the oral proof, establish that fact? In my judgment, the fact is not established, even by oral proof. And, third, the contestant, having received a minority of the votes cast, but having received the next highest number of votes cast at that election, is he, if the contestee is ineligible, entitled to the seat? The majority of the committee answer that he is not.

The doctrine that when the candidate receiving the maiority of votes is ineligible, the candidate receiving the next highest vote can not take the office, and the election fails, is too well established in the United States and in both branches of Congress to require discussion. Perhaps Indiana is the only State in the Union where this rule is adhered to.

First and foremost, then, the question presented here is this: Can naturalization be proved by parol evidence? The contention as formulated in the brief and argument of the very able counsel of the contestee states it in this way: Can naturalization be proven by parol? And furthermore, then, he asserts that citizenship is conferred solely by the oath of the applicant. I respectfully dissent from that, and say it can not be proven by parol, and that it is not the oath of the applicant by itself, in the absence of the record, that would confer citizenship, but the oath, the evidence, which find a judicial determination in the judgment of the court; and that it is the judicial action of the court which confers citizenship.

That, Mr. Speaker, as I understand it, is a statement of the case. Hence it follows, if we are correct upon the legal point alone, that he can not prove naturalization by parol, then the contestee is not entitled to a seat upon this floor.

Now I will state in that connection what it is also admitted, nay, more than that, it is proven by the contestee himself, that there is no record in this case of his naturalization and that there is no trace of such a record. Furthermore, it is proven that there never had been a record in this case nor even an effort made to make a record, but he claims that he had a certificate of citizenship and that is lost. He also endeavors to prove that certificate by showing cotemporaneous transcripts of the record from Allen County, Indiana, which he assumes is in duplicate of the certificate issued to him and that that certificate is lost. It is not claimed here that there was a record lost and destroyed and an attempt made to prove its contents. The attempt to prove the contents of the alleged certificate in that manner is a species of evidence too remote, too speculative and inferential to be worthy of consideration as authority.

Mr. SCOTT. Will the gentleman yield to me for a question?

Mr. BARRY. Yes, sir.

Mr. SCOTT. I want to ask this question: whether, under the law of Indiana, this contestee, being a citizen of the State, could he have voted if his vote had been challenged in that election if he had not his naturalization papers to present?

Mr. BARRY. Oh, yes; he can vote there on a declaration of intention.

Mr. SCOTT. He could not do that in our State.

Mr. BARRY. It is so in Indiana; and I will state again to the House that it is in proof and is admitted that in July, 1858, the contestee, Mr. White, filed his declaration of intention in the circuit court of Allen County, Indiana. That is admitted. Now, first I lay down this proposition, that exclusive power is conferred upon Congress by the Federal Constitution to regulate the question of naturalization. That is exclusive. In pursuance of that Congress has enacted laws. The existing law is familiar to the members of this House. It is found in section 2165 and the sections which follow of the Revised Statutes. Section 2165 reads thus:

An alien may be admitted to become a citizen of the United States in the following manner, and not otherwise:

First. He shall declare on oath, before a circuit or district court of the United States, or a district or supreme court of the Territories, or a court of record of any of the States having common-law jurisdiction and a seal and clerk, two years at least prior to his admission, that it is bona fide his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, and particularly, by name, to the prince, potentate, state, or sovereignty of which the alien may be at the time a citizen or subject.

Second. He shall, at the time of his application to be admitted, declare, on oath, before some one of the courts above specified, that he will support the Constitution of the United States, and that he absolutely and entirely renounces and abjures all allegiance and fidelity to every foreign prince, potentate, state, or sovereignty, and, particularly, by name, to the prince, potentate, state, or sovereignty of which he was before a citizen or subject; which proceedings shall be recorded by the clerk of the court.

Then what shall the court do?

Third. It shall be made to appear to the satisfaction of the court admitting such alien that he has resided within the United States five years at least, and within the State or Territory where such court is at the time held one year at least, and that during that time he has behaved as a man of a good moral character attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same; but the oath of the applicant shall in no case be allowed to prove his residence.

That, Mr. Speaker, is the law. It will be observed that the statute says that an alien may be admitted to be a citizen of the United States "in the following manner and not otherwise;" and furthermore it says the proceedings shall be recorded. Congress was especially careful to guard this by providing that the proceedings should be recorded in a court of record having common-law jurisdiction and a clerk and a seal.

Then the question arises, what confers naturalization? In my judgment it is the record of the court which confers naturalization on the foreigner admitted to citizenship, the proceedings required by the statute culminating in a judgment of the court. An alien admitted to citizenship in the United States is a creature of the law, a mere product of the statute; different from the native, for the native is born, not made; and the naturalized alien is made, not born, and has to bring himself strictly, in my judgment, within the essential provisions of the statute.

There is a case remarkably similar to this, the case of Dryden *vs.* Swinburne, in 20 West Virginia Reports. Swinburne in that case had filed his declaration of intention in 1856, and claimed that he was naturalized in 1858. The record, which was inspected, discloses that he was not naturalized at all, exactly as in this case. The record showed, said the judge, no proceedings of that kind. Then Swinburne said, "I can establish it by parol;" and the court held as I shall now read from page 121:

If the record of this court at the time when it is claimed that an alien was thus admitted to citizenship is produced, and shows that he was not only not so admitted but not admitted at all, how can any parol evidence on any conceivable legal principle be admitted to prove a fact which it is conclusively shown can not possibly exist? The defendant's counsel refer to the following authorities to show that in this case such parol evidence was admissible.

Which authorities—no matter.

This judge then takes up and discusses the authorities so referred to. And the court further says, on page 127:

Our conclusion is that when the record-book of a court before which it is claimed a foreigner was naturalized is produced, and on its examination it appears that he was not naturalized, no parol proof can be received that he was naturalized before this court, nor can any facts, such as his voting or holding office, in such a case be introduced as the foundation for the presumption that he has been naturalized, there being in such case no room for any such presumption.

But the present case is still stronger against the defendant, for in this case the record-book of the circuit court of Kanawha was produced, and it appeared thereby that on the 15th day of June, 1866, Ralph Swinburne was an alien, owing allegiance to Victoria, Queen of Great Britain and Ireland, and as such alien he,

on that day, appeared before said court and asked to be admitted as a citizen of the United States, and having complied with the law and taken the oath to support the Constitution of the United States, etc.

Then the court says:

And now it is gravely insisted——

Mr. REED. Give us the rest of that record. So far as you have read he appeared and took the oath.

Mr. BARRY. I left out some of the formal verbiage. I will read the rest of the sentence:

And to renounce his allegiance to Queen Victoria, he was admitted as a citizen of the United States. And now it is gravely insisted that in contradiction of this record it may be proven by parol that he had not owed allegiance to Queen Victoria for years prior to this time, and that he was not at that time, and had not been for years an alien, and that he was not admitted at that time, as the record says, to citizenship, but had been a citizen for years prior to that time.

Mr. REED. Then that was a case where it was proposed to contradict a record?

Mr. BARRY. Yes, sir.

Mr. REED. Just what the contestee proposes to do in this case.

Mr. BARRY. But wait.

Mr. REED. I am going to wait.

Mr. BARRY. The Monday before the election in 1886 the contestee went to Warsaw, Kosciusko County, and took out naturalization papers renouncing all allegiance to Queen Victoria and other foreign governments, and taking the oath of allegiance to the United States; yet now he comes up and says he proposes to contradict that record and to show that he was naturalized on or about the 25th day of February, 1865. That is what he attempts to establish by parol. Now, I will read from a case in 2 Abbott's U. S. Reports:

The proceeding to obtain naturalization is clearly a judicial one. A hearing is required to be had in open court, and the right can be conferred only by the judgment of the court on satisfactory proof.

This case is also relied upon by the contestee. I invite the attention of the House now to read a very well-considered case, that of Charles Green's Sons against Salas, reported in the Federal Law Reporter. In that case there was a certificate of naturalization in the district court of the United States for the southern district of Georgia. That certificate was presented; but what did the court say? I read:

In other words, was there a judgment admitting Raymond Salas to American citizenship? In the absence of proof of the loss or destruction of a record (and there is no pertinent proof of that here) the method of proving the record is by the record itself or an extract from it. The certificate of the clerk in itself is neither such evidence nor such extract; it is a recital of what he thinks he has done.

And the court held that naturalization could not be proved in that way.

I refer the House also to the case of Miller *vs.* Reinhart, 18 Georgia, where the identical question here came up. In that case the party presented his certificate of final admission to citizenship, and the court held that—

Proceedings of naturalization have to be recorded—"which proceedings shall be recorded by the clerk of the court," is the language of the act of Congress on the subject. The certificate does not give the words of any part of the record. The certificate seems to be a statement of what, in the clerk's opinion, is the legal import or effect of the different particulars of which the record may consist.

In this case there was presented a certificate signed by the clerk of a court of record, but the court held that it was not evidence to prove naturalization. In the case now under discussion no certificate has been exhibited to the committee or submitted in testimony.

I read here from Hill's New York Reports, volume 7, page 138:

There must be an application for admission to the right of citizenship, made in due form to one of the courts indicated in the acts of Congress on the subject. The application must be supported by legal proof of the facts on which it rests. The proceedings are strictly judicial. * * * The right of citizenship is finally conferred by the judgment of the court. This judgment can only be rendered when the court has become satisfied that all the conditions of naturalization have been complied with. By the first section of the act of April 14, 1802, aliens are to be admitted as citizens on the conditions specified, "and not otherwise." The court, therefore, must, in the language of the act, be "satisfied" that all these conditions have been complied with; that the residence of the applicant and his behavior have been such as the law requires, and that his attachment to our form of government is firm and sincere. These are imperative duties resting upon the court, which can not be evaded or overlooked. Judgment can not in these cases pass by default or as a matter of course.

I read now from the case of Rutherford against Crawford, in 53 Georgia, 143. In that case the court say:

We know of no way to prove the proceedings of a court of record but by its records. It appears from an inspection of the record that there was no jury at the term this judgment was had. If so, there was no authority to have a judgment upon. It is a gross and palpable irregularity. Not a mere defect in pleading, but, as appears from the record, an exercise of authority not authorized by law. Without a jury there could be no verdict, and without a verdict the attorney of the plaintiff had no right to enter up a judgment.

In that case the court distinctly decided that the proceedings of a court of record could be proved only by the record itself, or, of course, by an exemplification of the record.

It is claimed here that contestee had a certificate; but even if a certificate is introduced, if it be shown that there is no record to support it, the certificate of itself does not prove naturalization. This brings me back to the point which I asserted at the outset, that it is the judgment of the court which confers naturalization, and that at most the certificate can only be evidence of that judgment.

I read now from a high authority—McCrary, section 56. McCrary says:

Application for naturalization must be made in open court, and evidence of residence, etc., must be taken by the oral examination of witnesses and not by previously prepared affidavits. Certificates of naturalization issued by the clerk of a court, without any hearing in open court, are void and confer no right of citizenship.

In Taylor *vs.* Henry, 2 Pick., 397, where the record of a town meeting failed to show an adjournment, the court held that parol evidence of the adjournment was not admissible. The court say:

It would be dangerous to admit such proof. If a fact of this kind can be proved by parol evidence, it is difficult to see why the election of officers may not be proved in the same manner.

And if (I will say) their election could be so proved it follows hard upon that citizenship may as easily be established and the law stands for naught. And I will add also, if the great fact of naturalization, whereby a man is recreated, is clothed with the sovereign powers and prerogatives of American citizenship, can be proved by parol, then it is difficult to see why any judgment of any court can not be established by parol testimony and thus obliterate the most ancient and wisest principles of jurisprudence. In the case which I hold in my hand (Andrews *vs.* Boylston, 110 Mass., page 214) the circumstances were these: The records of the town failed to show that upon a vote to re-establish the school-district system therein there was a two-thirds vote. The court held parol evidence inadmissible in such a case. The record showed that there was a vote upon establishing the school-district system, and the attempt was made to prove by parol that there was a two-thirds vote, as it seems the law required. In this case of Andrews *vs.* Boylston the court held that this could not be shown by parol evidence, that the record must disclose the fact. I esteem this a strong case in point.

Now, I wish to call the attention of the House to a decision affirming this identical point—that naturalization can not be proven by parol. It is the case of Richard Slade *vs.* Daniel Minor, 2 Cranch Circuit Court Reports for the District of Columbia, page 139. This was a case against the deputy marshal of the District for levying distress for a militia fine imposed by a battalion court of inquiry under acts of Congress of March 3, 1803, and July 1, 1812 (2 Statutes, 215, 769), more effectually to provide for the organization of the militia of the District of Columbia. The court (Thurston, judge, absent) was of the opinion that it was only necessary for the defendant in his justification to prove those facts which gave the battalion court of inquiry jurisdiction and which showed that the tribunal was regularly constituted, and that having shown this, the acts of that court were to be presumed to be correct, and that it was not competent for the plaintiff to show their irregularity. The court also decided that an alien was not liable to militia duty, and that the naturalization of Charles Slade, the plaintiff's father, could not be proved by parol.

Mr. Speaker, many other familiar authorities could be cited from the text-books and decided cases to establish the proposition that you can not prove a record by parol. But I feel that I trespass upon the attention of the House and fatigue its kindly consideration by advancing propositions which are elementary, recognized as familiar by every student of the law and every layman who ever gave a thought to this subject.

If we are correct in the position that Mr. White can not prove his naturalization by parol, then in legal contemplation he has not been naturalized. Under the Constitution of the United States, before a man can represent a constituency in this body three great co-ordinate qualifications must be combined: first, he must be an inhabitant of the State in which he is chosen; second, he must be twenty-five years old; and third, he must have been seven years a citizen of the United States. As to the vital requirement of citizenship the contestant, in the opinion of the majority of the committee, is signally deficient.

I now invite the attention of the House to a brief examination of the question whether (if it be assumed that it is permissible for the contestee to prove his citizenship by oral evidence) satisfactory evidence to that effect has been presented. Who are the important witnesses on this point? In this respect the record is brief. The only witnesses who claim to have been present, besides the contestee, at the time when he claims to have been naturalized are Isaac Jenkinson and William Pratt. In my judgment, the memory of Mr. Jenkinson is so defective that it can not safely be trusted. What does he say? He says, "I think Captain White was naturalized within one or two years after his return from the war, at Fort Wayne." He says, "I might have been there as Captain White's friend. My impression is that I was there as a witness; but I am not positive." He also says that he was not sure whether Judge Borden was on the bench or not. He says, "I am not sure who was judge at the time, but it was the judge of the circuit court that was presiding, whoever he was." He also says, "I have no recollection now of who were present, except that it was in the court at the time;" and he says he can not remember who was the clerk or who was the sheriff at that time. He says he does not know whether there was in existence at that time a common pleas court in Allen County; and then he makes this vitally important statement. He says, "There were present Captain White, John Brown, and E. L. Chittenden." Mr. Pratt does not say whether Mr. Chittenden was present or not.

Now, turn to Mr. White's testimony, on page 230 of the printed record. He is detailing his interview with Bell and Moynihan.

In his interview with Moynihan and Bell, on the Friday prior to the election, he stated that he was an earnest worker for Frémont in his candidacy for President; that he believed the salvation of the country depended on his election; that he was enthusiastic and voted for him; that "I remembered very well of taking out my first papers in the little brick on the corner of Maine and Calhoun streets, then the clerk's office, and that Chittenden was then in the office; and the next time, I said, when I took out my second papers, Jenkinson was one of my witnesses." That is Mr. White's admission. That Mr. Chittenden was in the office with him at the time he took out his first papers.

Now Mr. Moynihan, on page 400 of the record, says this: That in that interview which he and Ben had with him on Friday just before the election, Mr. White stated he believed Mr. Nelson was clerk, and Mr. Chittenden was in the office.

A. He said that in company with Isaac Jenkinson he went to the court-house and complied with, as he supposed, the forms of naturalization. He believed that Mr. Nelson was clerk and that Mr. Chittenden was in the office; he added that he was a young man then, and didn't bear in mind all the facts concerned in his action on that occasion.

The witness is here discussing what he claims the contestee stated to him as to his then alleged naturalization in 1857 or 1858; or, in point of fact, when he filed his declaration of intention.

But Mr. Purman swears, on page 219 of the record, that Mr. White (the contestee) stated to him Jenkinson and Chittenden were present when he took out his second papers.

Mr. Purman says:

In this same conversation with Captain White he told me that he had said to Mr. Bell and Mr. Moynihan, and he repeated the statement to me as a fact, that Isaac Jenkinson and Mr. Chittenden were present when he took out his second papers.

Now, it is obvious, Mr. Speaker, that Mr. Chittenden was not there when those papers were taken out, as is claimed now, "the second time"—in 1865—and to be charitable, I think the contestee, when he alluded to taking out his second papers, referred to the time when he filed the declaration of intention to become a citizen, in 1858. He says himself that he voted for Frémont. It is a historical fact that it was in 1856 that Frémont was a candidate for the Presidency. No doubt he did this, thinking it was all right, and that when he filed his declaration of intention he supposed that completed his citizenship.

The record further discloses the fact that he made diligent search for the papers when his attention was called to it previous to the election, when Mr. Moynihan and Mr. Bell went to him on the Friday prior to the election and told him they had come to see him in regard to that one especial fact, whether or not he had taken out his second papers and was naturalized. Mr. White stated that he had no recollection where the papers were, but that he thought he had been naturalized. But I call the attention of the House to the fact that it is nowhere shown in this record, not one single witness hints at such a thing, that when this question was up for discussion, when the public prints teemed with it, when the public mind was excited over the question of Mr. White's citizenship—whether or not he was naturalized—when that one pregnant fact presented itself to his mind, he never did say that he was naturalized in 1865, nor does any person say pending that hot discussion that he was present when he was naturalized, as he now asserts, in 1865.

It is passing strange to me, with everything to arouse his recollection at this crisis, when he conferred with Messrs. Purman & Colerick, his lawyers, and other advisers as to what he should do in regard to that matter, that he was silent as to his naturalization in 1865. And they concluded the best thing he could do under the circumstances was to go to Warsaw on Monday and take out naturalization papers there. I believe it hardly possible under the known laws of the operations of the human mind at such a crisis as that, at that supreme hour, no matter how dormant a man's memory might be, that he could not recollect that single supreme fact in his life's history. I think it is impossible he should forget it then and only remember it after this controversy came up.

Now turn to the testimony of Mr. Fleming, on page 381. What does he say? He says that he was clerk of the Allen circuit court from November, 1862, to November, 1870. Mark that! He further stated that he was also *ex officio* clerk of the court of common pleas and criminal court. He fails to testify that he recollects the contestee coming before him or the court when he was clerk, and becoming naturalized in 1865, when he was clerk. He would be a vital witness on that point. He is silent as to that. Why did not contestee place him on the stand? He also stated that he examined the record of contestee's declaration of intention to become a citizen on the 24th of July, 1858, as it appears on the record in the office of the clerk of the Allen circuit court; and that he found the declaration partly in writing and partly in print; the written portion in the handwriting of Erastus L. Chittenden.

That was in July, 1858, when the contestee, Mr. White, as shown by the record, filed his declaration of intention, and that was the time when Mr. Chittenden and Mr. Pratt were there, and when Isaac Jenkinson was there, for Jenkinson states in his own testimony that if there was only one time when he was with Chittenden and that was in 1858, that was the time, showing clearly that his memory is not clear and that he did not confidently rely upon it himself. It is also shown that Chittenden has been dead for some time.

Now I want to call attention to another thing. This witness further testifies that up to 1862 Mr. Chittenden was there as deputy clerk under Mr. J. D. G. Nelson, and after 1862, in 1863 and a long period thereafter, he was city clerk of the city of Fort Wayne, Ind., showing that his official connection was entirely severed from the office of the circuit clerk, and that he was there in 1858 when he was deputy under Mr. Nelson, and only up to 1862, when the witness, Mr. Fleming, came in as circuit clerk.

Now, William Pratt was another man the contestee said was there, but he seems from his general examination to remember very little about it also. He was asked this question, which he answers quite promptly:

Who was acting as clerk of the court of common pleas at the time of which you speak?

That was the time when contestee claims he was naturalized, and of which witness is speaking. He replied:

It was either Bill Nelson, or Sharp Wisner; I don't know which it was.

This, in connection with Fleming's testimony, discloses the fact that Bill Nelson was a deputy under his father, and that while he was deputy this naturalization took place. His father's term of office had expired in 1862; and Pratt locates Nelson in the office at the time of this alleged naturalization, another circumstance going to show, to my mind at least, that the time of what was called the naturalization was in point of fact the time he filed his declaration of intention in 1858.

Now I invite attention to this significant fact in the contestee's testimony, to be found on page 229. The contestee had testified that he took out his first papers at the clerk's office, and that Mr. Chittenden was then present. But in answer to a question he says:

I went with Mr. John Brown, accompanied with Mr. Alexander Muirhead, for that purpose. I told them to go to the court-house, and I would get Hon. Isaac Jenkinson as my other witness. I went there with Mr. Jenkinson, and Mr. Chittenden was there in the court-house, and Mr. David H. Colerick was there. Judge Boyden was in the court, on the bench, and I told him I wanted to get my second papers.

So there is the testimony of White himself, the contestee, that in the first instance, 1858, Chittenden was with him, and then he contradicts himself and places him there in 1865, when he says he was naturalized by the court of common pleas of Allen County.

Mr. BLAND. If it will not interrupt the gentleman, I would like to inquire in what year the declaration was made and before what court?

Mr. BARRY. I am not quite sure whether it was the circuit court or the court of common pleas, but the declaration was filed in July, 1858, and in the circuit court, as I now remember.

Mr. BLAND. Is there any record of that?

Mr. BARRY. Yes, sir.

Mr. BLAND. In what court does he claim to have applied for citizenship?

Mr. BARRY. Well, it is not clear, but either the circuit or common pleas court. As I say, there is no witness of that fact but Jenkinson (except contestee), whose memory appears to be very treacherous upon that point; also Mr. Pratt, and I think he locates it in the common pleas court.

Mr. BLAND. But the court did make a record in the first place?

Mr. BARRY. Certainly; but Jenkinson testifies as to the supposed naturalization that he did not know the day of the year or what term of the court it was, or what time of the year the court was held, showing a remarkably deficient memory of the whole affair, and indicating obviously that the time he was present was in 1858, as the handwriting of Chittenden there shows and the circumstances tend to prove.

Now, I invite your attention to another very significant fact disclosed in the testimony of White. In the redirect examination by Colerick, his attorney, this question was asked, and will be found on page 243:

123. Q. In answer to question 108, propounded to you by the contestant, you alluded to the presence of E. L. Chittenden as a clerk in the clerk's office at the time you were first naturalized. To what naturalization did and do you mean to refer?—A. I refer to the taking out of my first papers, which was July, 1858, declaring my intention to become a citizen of the United States.

Thus contradicting himself, as I have endeavored to show. He was there either one time or the other, and there is no proof that he was there both times, nor is there an effort so to prove; but the presumption from the testimony is overwhelming that he was there only in 1858.

Mr. CATCHINGS. Let me ask the gentleman this question: Is there a proper record of his declaration?

Mr. BARRY. Yes, sir.

Mr. CATCHINGS. That is all correct, then?

Mr. BARRY. Yes, sir; there is a record of his declaration of intention filed in 1858 in the circuit court of Allen County, Indiana. That is admitted and is in proof.

The only question is, was he naturalized in 1865? The committee find he was not. He asserts that he was, but the facts and the testimony do not sustain him in the assertion.

I have not time to go over the testimony fully, but will only invite your attention to an interview with White, the contestee, which took place on the Friday before election between Mr. Bell, who I understand

to be a reputable gentleman of Fort Wayne, and Mr. Moynihan, the city editor of the Fort Wayne Sentinel. These gentlemen invited an interview with contestee, and served him with notice that the question was mooted that he was not a naturalized citizen, and if it was true, they wanted to be able to publish the facts, because if the assertion was incorrect, that he was not naturalized, and such a statement were published, it would only recoil on the Democratic party and would be a great injustice to contestee; that they wanted only the truth and to do him justice; that if he were not naturalized they wanted the Democratic party to have the advantage of that fact.

He said, "I do not know where my naturalization papers are; I know I have been naturalized;" although, according to their statements, he said first he had been naturalized and voted for Frémont, and then that he took out his final naturalization papers in 1858. That is about the substance of their testimony. But neither Bell nor Moynihan heard him say he was naturalized in 1865. They swear he never even alluded to that. Mr. Colerick, his attorney, never intimates that he had said any such thing, and he tells of his consultations with contestee. Mr. Purman, another of his attorneys, does not say that Mr. White ever told him so; he never hints to Purman he was naturalized in 1865, and all through the testimony the fact is disclosed that notices and hand-bills were sent out throughout the district asserting that the contestee was not naturalized, and that the contestee, through the public prints and by placards and printed notices scattered broadcast throughout the district, said, "I am a citizen, and have been naturalized," without saying he was naturalized in 1865, or even alluding to such a time.

It is also in proof that at the Academy of Music on the Saturday night prior to the election held on Tuesday the contestee placed his hand on his pocket saying, "I have my first, second, and third papers; if you put your votes in the ballot-boxes I will produce them."

Mr. WICKHAM. On what page of the record does it appear that he said he had the first, second, and third papers?

Mr. BARRY. I may possibly be in error about the third papers. I will read that to the House.

Mr. WICKHAM. I ask the gentleman furthermore, did not Mr. White then have his third papers from Kosciusko County?

Mr. BARRY. The point is that he was not in possession of any papers at all on Saturday evening, while he told the people that he had his papers. Andrew A. Purman, a lawyer in Fort Wayne, testifies:

On the Monday evening preceding the election Captain White said, as nearly as I can recollect, "I have my papers here," striking his pocket with his right hand, "and if you will put the little papers in the boxes for me to-morrow, after the election I will show my papers, and my third papers, too, if they want them."

That is as I quoted it——

Mr. WICKHAM. He did not say anything about his first and second papers.

Mr. BARRY. I was mistaken as to that. Mr. Purman proceeds:

He made no declaration at that or any other meeting on my advice, nor by the advice of my associate counsel, so far as I am informed.

Mr. Spencer, an attorney at law at Fort Wayne, testifies:

I know nothing about when the notice of contest was served. I did have a conversation with James B. White on the evening of last Thanksgiving day, at the residence of William Martin, on South Broadway, in this city, where we were both attending the silver wedding of said Martin and wife, and while in conversation with him Mr. White said to me that he had his second papers, and they were more than seven years old, and if I wanted to see them I could do so.

The time alluded to was on the 26th of November, 1886. George K. Torrence testifies:

I am acquainted with Capt. James B. White. He did address the meeting on that evening, and during that address he stated that if his fellow-citizens would elect him on the 2d day of November he would produce all the papers that would be required. That is, as near as I recollect, the 3d day of November; he would produce the papers on the 3d day of November.

Alluding to Saturday evening before the election. He would produce the papers on the 3d day of November; but he never did, save those taken out on Monday, the day before the election.

Then Joseph J. Edgarson testifies:

The meeting was held at the time and place appointed. Mr. White was present and addressed the meeting. In the course of his remarks or address he stated that he was a citizen and eligible to a seat in Congress, and that he had the papers to prove it. He further stated that if his fellow-citizens would give him their votes on the 2d day of November, on the 3d day of November he would produce his papers.

Now, Mr. Speaker, there is something here which to my mind is passing strange, and which I can not reconcile with the fact that Mr. White was naturalized in 1865. When addressing a multitude of people when this was the sole question agitating the public mind, and he stated to those people he had those papers then, why is it he never once alluded in any of those public addresses to the fact that he was naturalized in 1865?

Now, what was to be done in that crisis? It was concluded in consultation with able counsel that he should take out papers in Warsaw; and then on the Monday prior to the election of Tuesday he went to Warsaw, Kosciusko County, and took out naturalization papers there.

A great many of his friends assumed, and the testimony discloses that fact, that he became a citizen from having been a discharged Federal soldier, under the doctrine announced in the letter called the McKeever letter, written by the Assistant Adjutant-General of the United States, in 1882, to General John A. Logan, in response to a letter written by a Mr. Harper, which General Logan had referred to the War Department, that where a soldier honorably discharged was an alien without declaration of intention, and having had only one year's residence in the United States instead of five, he could be admitted to citizenship. The testimony discloses the fact that Mr. White's friends relied upon that. One witness, an editor of a newspaper, whose name escapes me, stated that was the theory which was maintained by the public prints in behalf of the contestee, and that they were relying upon what is called the McKeever letter to claim that he was admitted to citizenship under the act passed by Congress in 1862.

That being the fact, it is marvelous to me that the contestee did not say, "The McKeever letter aside, my declaration of intention in 1858 aside, and all to the contrary notwithstanding, I was naturalized in 1865; and William Pratt and Isaac Jenkinson are my witnesses. Go and ask them." "Fleming was clerk then. Call him as a witness." Nay, more, "Go and search the records of Allen County. They will tell I was admitted to citizenship in 1865." But not a word of that kind fell from his lips.

Never an utterance of that kind, or even a hint, came from any source during that campaign, and it was not until long afterwards, when this contest arose, that the contestee said he relied upon the fact that he was naturalized in 1865, although he had lost his naturalization papers. It is furthermore in proof, Mr. Speaker, that when this trouble was at its highest, just before the election, his friends, Mr. Purman and Mr. Oppenheim, went to him and told him that this was a crisis in his affairs and said to him, "Look for your papers. A publication of a damaging character will be made denying your citizenship; look for your papers and find them. Is it a fact that you are naturalized?" Read their testimony carefully, gentlemen, and you will see that he never intimated to those gentlemen, his confidential friends and advisers, that he had been naturalized in 1865.

What he said was, "I have my papers or I did have them; they may be lost like my discharge or my marriage certificate; I may not be able to produce them now." Then, after he had made search for them and they could not be found, when he had exhausted every means of finding his alleged papers, he appears before the people of Fort Wayne and says, "I have my naturalization papers; I have them here in my pocket." Mr. Speaker, I feel an extreme delicacy in pressing my conviction upon this point, because it conflicts with the statement of the contestee himself, a gentleman for whom I have none but the kindliest feeling; I say, sir, I feel great reluctance and delicacy in pressing my conviction upon this point, but I do feel assured that, if we are to rely upon mortal testimony, he was not naturalized in 1865.

And outside of that fact I feel assured—for I have found no authority to the contrary, though I have made diligent search—I feel certain, I say, that a person can not prove his naturalization by parol proof in the absence of all record. I have not found any case, in any authority, where the oath of itself confers naturalization. On the other hand, the authorities are numerous to the effect that it is the judgment of the court that confers naturalization. I will go further, and say that if the contestee could produce a certificate of naturalization, while it is not a record and does not confer naturalization—the judgment of the court being the only thing that does that—if he could produce a certificate, I say, I would receive it as evidence of naturalization; not as conclusive, but as *prima facie* evidence.

Mr. ROWELL. Do I understand the gentleman to say that if the contestee produced a certificate of naturalization and no record, the gentleman would receive that certificate as evidence of naturalization?

Mr. BARRY. I said that if he produced the certificate I would receive it as *prima facie* evidence, and if there was a record to back it, it would be conclusive; but, in the absence of a record where none existed, I could not accept the certificate as proof.

Mr. ROWELL. Then you would reject the naturalization?

Mr. BARRY. To accept the certificate as conclusive proof of naturalization would be to reject the rulings of the Supreme Court of the United States and of every other court that has ever passed upon the question.

Mr. MILLIKEN. Would my friend advise his party to adopt his rule in the city of New York? We would be very glad to have that rule obtain there.

Mr. BARRY. I do not profess, Mr. Speaker, to be the adviser of the party in New York. I am only trying to announce the law as I have found it, divested of all political partisanship or political feeling. If I know my heart, I have no such feeling in this matter.

Mr. WARNER. I understood the gentleman to say to his colleague on the committee [Mr. ROWELL] that if the contestee had presented a certificate he would have received that as *prima facie* evidence of his right to the seat.

Mr. BARRY. I said that.

Mr. WARNER. Would not that close the matter as far as the contestee in this case is concerned?

Mr. BARRY. No, sir. I say that if the certificate were presented I would treat it as secondary proof.

Mr. WARNER. As *prima facie* evidence?

Mr. BARRY. Yes; as *prima facie* evidence. Then, if the record was exhibited and it was shown, as in the West Virginia case, that there was no judgment of naturalization or record of proceedings I would not accept the certificate as proof.

Mr. WARNER. I am not asking about a case where there is evidence to show that there was no record. I am speaking simply of the absence of a record.

Mr. BARRY. If the certificate referred to a record, and if, upon examination, it was found that there was no such record, then I think the *prima facie* case would be rebutted, and he could not claim to be a citizen upon the mere certificate.

Mr. WARNER. Will the gentleman permit another question? I do not wish to obtrude myself upon him.

Mr. BARRY. I will hear the gentleman.

Mr. WARNER. Supposing further, it should appear that the certificate was issued and the contestee presented the certificate; suppose, too, the fact appeared that no record was made at the time of the granting of the naturalization, but the contestee should bring in witnesses to show that the oath was administered to him and that all the prerequisites and conditions prescribed by the statute had been complied with and that the judge ordered the certificate to be issued, would the contestee then be entitled to his seat?

Mr. BARRY. He could go into that forum and by *nunc pro tunc* proceedings——

Mr. WARNER. That is not the question. Would he be entitled to his seat in this Congress?

Mr. BARRY. No.

Mr. WARNER. No?

Mr. BARRY. No.

Mr. WARNER. That is all.

Mr. MILLIKEN. What does my friend from Mississippi [Mr. BARRY] mean by a *prima facie* case?

Mr. BARRY. I mean this: Where the party exhibits a certificate purporting to recite a judgment of a court conferring citizenship upon him, that is a *prima facie* case of naturalization; but if, upon reference to the record which the certificate purports to recite, it appears in fact that no such record was made, then he can not claim to be a citizen simply on the certificate. In such a case there is no foundation for the certificate, and if he wants to make the record conclusive he can go into court and by *nunc pro tunc* proceedings establish the record, if it can be found.

Mr. MILLIKEN. I always supposed that a *prima facie* case was good until it was rebutted.

Mr. ROWELL. If there is no memorandum in the court of the judgment, can he have a *nunc pro tunc* order for record?

Mr. BARRY. I think not, if there is no record whatever.

Mr. MACDONALD. The gentleman [Mr. BARRY] has spoken of the record. I wish to ask him whether we are to understand the committee to report from the evidence that the books of record of the court at the time the contestee claims to have been naturalized were in such a condition that if the naturalization really took place it would almost certainly have been recorded?

Mr. BARRY. The records prove themselves. No such record was ever made. That is proved by the records and by witnesses.

Mr. STEELE. Do they not also prove that two hundred people there received certificates of naturalization of which no record was made in court?

Mr. BARRY. Well, that does not naturalize this contestee.

Mr. STEELE. As I understand, the evidence shows that there were issued over two hundred certificates of naturalization, no record of which appears in that court.

Mr. O'NEALL, of Indiana. There is record of every one of them.

Mr. MACDONALD. I would like to ask the gentleman from Mississippi [Mr. BARRY] a question.

The SPEAKER *pro tempore*. The hour of the gentleman from Mississippi has expired.

Mr. ROWELL. If any gentleman on the other side desires to go on now, I will reserve my time.

Mr. CRISP. I yielded only one hour, which the gentleman from Mississippi has exhausted. I suggest that the gentleman from Illinois [Mr. ROWELL] now use an hour.

Mr. BAYNE. I hope some one will yield to the gentleman from Mississippi [Mr. BARRY] enough time to answer the question which the gentleman from Minnesota desires to put.

Mr. CRISP. I yielded only one hour. If any further time is to be given to the gentleman from Mississippi I hope it will be done by unanimous consent, because the time on this side has been parceled out to other gentlemen.

Several MEMBERS. All right.

Mr. BARRY. What is the question?

Mr. MACDONALD. I wish to know whether the condition of the record at the time when it is alleged the contestee was naturalized is shown to be such that there is a record of naturalizations which took place immediately before and immediately after the time of the alleged naturalization of the contestee?

Mr. BARRY. Oh, yes; the record discloses entries of that kind—naturalizations about that time.

Mr. MORGAN. Is there proof of the loss or destruction of those records?

Mr. BARRY. There is no proof and no contention—even the contestee does not claim—that the records were lost. The contestee takes the ground that through neglect or omission there never was any record.

Mr. MACDONALD. Is it a fact that the condition of the record is such that there could have been several persons naturalized at that time and no record as to any of them?

Mr. BARRY. I do not suppose anybody can be naturalized without a record.

Mr. ROWELL. I yield one hour to the gentleman from Ohio [Mr. COOPER].

Mr. COOPER. Mr. Speaker, as I desire that what I have to say on this case shall be spoken connectedly, I hope that my friends here will not consider me discourteous or uncivil if I request them to abstain from propounding questions to me until I have finished, when I shall be glad to answer any inquiry that I can.

Mr. Speaker, the disputed facts in this case are very few. It is conceded that Mr. White, the contestee, was born in a foreign land; that coming here something more than thirty-three years ago he settled in the State of Indiana, and has, with slight interruptions, resided there continuously ever since; that in 1858 he appeared in the proper court and in due form declared his intention to abjure allegiance to all foreign powers and become a citizen of our country; that afterward, in the dark days of the country's supreme peril, early in 1861, in response to the call of that country, he abandoned business, home, and family, and faithfully and bravely followed the country's flag through weary marchings and bloody battle until upon the memorable field of Shiloh he received serious wounds, the honorable scars of which he bears upon his body to-day.

Involved in a controversy of a personal character with his colonel, he resigned and returned to the avocations of peace, which he has so conducted and in which he has so lived that by the common consent of the community he has been placed in the front rank of his fellow-citizens. He has held the honorable position of alderman of the city of Fort Wayne. He has been the candidate of his party for county clerk, State senator, and Congressman; and in 1886, after a most excited and thorough campaign, at an election where more than 34,000 votes were cast, at an election the fairness and honesty of which in all its details are admitted, he, a Republican, running in a district which ordinarily gives 2,500 Democratic majority, received nearly 2,500 majority over his Democratic opponent, and more than 1,200 majority over all the candidates of all the parties.

I submit it is doubtful whether there be in this honorable body a member who comes here with so magnificent an indorsement from his immediate neighbors and fellow-citizens [applause]; and this will not be forgotten, I trust, when we come to consider the weight to be attached to the testimony of this man.

But notwithstanding the conceded fairness of this election, his opponent comes here and asks this House to set aside the verdict of the people at the polls, clearly and forcibly expressed, to deprive Captain White of the seat he so gallantly won, and, in spite of the verdict of the people, put him, the contestant, in. There was but one member of the committee that could swallow this proposition. I shall not disturb him in the painful process of digestion [laughter], but will pass to consider the proposition of the majority of the committee, which is that Mr. White was not naturalized for seven years prior to March 4, 1887, and that on this ground his seat should be declared vacant and this great constituency left without a Representative on this floor. I submit that this House will not be swift to grant this request, that it will respect the voice of the majority of that district, and will retain the sitting member, unless the House, having due regard to its own honor and the law of the case, should find it impossible to do so.

Now, this proposition that Mr. White was not naturalized for seven years prior to March 4, 1887, he disputes. He alleges that he was naturalized more than twenty years prior to that time.

I will briefly glance at the testimony. I insist that Mr. White has thoroughly established the proof of his claim, and I hope the House in investigating this case will honestly and fairly endeavor to ascertain whether Mr. White was really naturalized, not whether he can prove that fact in the technical form or in accordance with the narrow rule which some other tribunal may have laid down for the introduction of testimony before it. This House is a law unto itself, it is clothed with plenary power, and not bound by the precedents of other tribunals. I think it proper to make this remark, although I believe and hope every fair-minded man will finally agree that Mr. White has been able to make, and has made, his proof in accordance with the strictest rules of law.

What are the facts? It is admitted that in 1858 Captain White appeared in the proper court of Allen County and there made solemn declaration of his intention to abjure all foreign allegiance and become a citizen of this country. Now, when that is admitted, it is only reasonable and natural to expect that after he had made that solemn dec-

laration he would follow it up and carry out that intention by becoming naturalized.

A MEMBER. That is admitted.

Mr. COOPER. That is admitted. That is the record; no one disputes that, that he took out his first papers, and especially when we find he continues to live in the country, identifies himself with the country, fights the battles of the country, makes his home here, and raises his children here. When all these facts are admitted to be true, what is more reasonable, what is more natural, than that at the proper time he did take the proper steps to become a citizen of the land which he loved and for which he had fought?

We find him, therefore, making a reasonable and natural statement when we find him swearing, as he does on page 229 of the record, to the following statement. I will read his terse, clear statement of facts as conclusive upon this matter. In answer to the question as to his admission as a citizen of the United States, and in answer to the other question to state all the attending circumstances and facts which enabled him to remember the fact of his naturalization, he states:

A. Yes, sir; I did. In the year 1865, in the latter part of February, about the 28th day of that month, I had determined to make a trip to Europe, and had talked with some of my friends in relation to it, amongst them Mr. John Brown, who advised me before doing so to take out my second papers in order to get a passport. I went with Mr. John Brown, accompanied with Mr. Alexander Muirhead, for that purpose. I told them to go to the court-house and I would get the Hon. Isaac Jenkinson as my other witness. I went there with Mr. Jenkinson, and Mr. Chittenden was there in the court-house—

Mark you, he does not say that Mr. Chittenden was clerk, as the gentleman claims who has just taken his seat. Mr. White from the first claimed that Mr. Nelson was clerk—

and Mr. David H. Colerick was there. Judge Borden was in the court, on the bench, and I told him I wanted to get my second papers. He asked who my witnesses were. I said they were here. Mr. John Brown and Mr. Jenkinson were then sworn as my witnesses. I then took the oath, so prescribed for that purpose, to become a citizen of the United States. It was in the court of common pleas. The oath of allegiance was administered to me in open court by Judge Borden, the then presiding judge of the court of common pleas. The principal fact in connection therewith was the fact that I was going to Europe.

Q. Did you get your final certificate; and, if so, what did you do with it?

(Objected to by contestant, as being irrelevant and immaterial.)

A. Yes, sir; I got my final certificate, but, like my first certificate, it has been lost or mislaid, for I have searched for it; also the first one, and have been unable up to this time to find either of them.

Q. How soon, if at all, after you obtained your final certificate did you start for Europe?

Now, sir, that statement is true, or Mr. White has come here and manufactured a willful and deliberate lie. In 1858 he needed no witnesses and it was not necessary he should have proof. In 1858 he did not intend to make a trip to Europe, and there was therefore no necessity for him in 1858 to obtain a passport. Such was the case in 1865. On application for final papers he must have two witnesses. It is not denied that in 1865 he contemplated making a trip to Europe and had gone as far as the city of New York, when he received a telegram of the serious illness of his wife, which compelled him to return.

But, I repeat, it is impossible to say that this man has honestly confused these two dates. It is either true that in contemplation of a trip to Europe he took out his second naturalization papers, the necessary papers to become a citizen, or else this man, who comes here with such a splendid indorsement from his fellow-citizens, has committed the grossest outrage by a perjured misrepresentation of the facts.

Mr. BLAND. If it will not interrupt the gentleman, I wish to ask a question.

Mr. COOPER. It will interrupt me very seriously.

Mr. BLAND. Upon this very question of the certificate.

Mr. COOPER. I will answer the gentleman when I get through, not now.

Mr. BLAND. I hope the gentleman will yield for a question before he finishes his argument, because this is the essential point.

Mr. COOPER. Now, Mr. Speaker, we have the testimony of Isaac Jenkinson, a man all concede to be one of the most honorable men in the State of Indiana, a prominent citizen; and all parties, even the majority of the committee, admit him to be of the most respectable character, and whose word would be taken anywhere upon any question. It is said that his testimony is vague and shadowy upon this proposition with reference to the naturalization of the contestee, because of an indistinctness of memory as to the occurrence. Mr. Jenkinson is the only one of the witnesses now alive. The testimony shows that there were but few men present in court at the time, for it is proven here that it was at a time when there was no trial going on, and none were present except those who were called to participate in the naturalization of the contestee. Is it strange, let me ask before I proceed, that of the number then present there should be few remaining, after the lapse of twenty-three years, who have not been garnered in by the grim reaper?

Twenty-three years from now how many of us will be alive to tell of the transactions of this day? But to Jenkinson's testimony, found on page 188 of the record; and I insist here that his testimony taken all together must satisfy the mind of any reasonable man as to the final naturalization of Captain White, or else the witness, who is of good repute, as all admit, is testifying to that which is false.

Now I admit, as a matter of course, that in the twenty-two years that have intervened between this transaction in court and the time when Mr. Jenkinson was called to testify, the details had passed out of his mind, and he admits it like the honest, honorable, and truthful man that he is, but he says:

I think Captain White was naturalized within one or two years after his return from the war, at Fort Wayne, and that I was present as a witness or a spectator. I am not sure which; I think I was a witness, however.

Then, in response to a rigid cross-examination, he is asked this question:

If the contestee was naturalized at the time you say he was, please say who were the witnesses.

Answer. My impression is that a gentleman named Brown and myself—

Thus corroborating the testimony of White himself—

My impression is that a gentleman named John Brown and myself were the witnesses. Now, that is my impression, but it is a very strong impression—

Says the witness.

He uses the word "impression," because this truthful witness, like a prudent man that he was, testifies only carefully and according to his recollection of the facts. Again he was asked this question:

Please state—

Says this pertinacious cross-examiner—

all who were present at the time you claim that the contestee was naturalized.

The witness answers:

Well, besides the judge and officers of the court, whom I am confident were present, there were present Captain White, John Brown, E. L. Chittenden, and myself.

Again the question was asked:

Were you there as a witness, or in any other capacity?
I was there—

He answers—

as a witness to testify in the case, or I was there as a friend of Captain White, to manage the proceedings for him; one or the other, or possibly both.

Then he was asked a question as to when his attention was first called to the question of the citizenship of Captain White. His answers is: On the Friday or Saturday before the election he was in his office, and while reading a newspaper he saw that the question of the naturalization of White was raised, and, upon reading it, he immediately exclaimed that could not be true, that he was certainly present when Mr. White was naturalized.

But it is said that Jenkinson must be confused about this, for he has testified that Chittenden was present; and my friend upon the other side made a very extraordinary statement, namely, that if Chittenden was present with him only at one time, and that was in 1858, that it must have been in 1858 that he was there with Chittenden! I suppose that is true. [Laughter.] He is welcome to that admission; but Chittenden was present in 1865. The testimony of this witness fixes conclusively the fact beyond all possibility of doubt that it was not in 1858, but must have been in 1865, or after 1861, because this question is propounded him after he had answered in the cross-examination that there was an incident that satisfied him it could not have been at the time of the declaration of intention. He is asked:

On your cross-examination in your answer to question 41 you speak of some incident in these words: "There is one incident connected with the occasion which satisfies me that the purpose was not a mere declaration of intention." Please state what that incident was.

I ask gentlemen now to listen to the answer in these words:

It was a remark as to the strangeness of a Union soldier having to renounce his allegiance to Queen Victoria and to swear allegiance to the United States.

Could that be in 1858? If that remark was then made, if that incident then occurred as testified by Jenkinson, it could not have taken place in 1858, for Mr. White was not then a Union soldier and there had been no military struggle between the sections of the country at that time.

Again, we have the testimony of William T. Pratt. He is certainly entitled to credit, for he seems to have been honored by our Democratic friends in Indiana, for he held successively the offices of justice of the peace, member of the city council, sheriff of Allen County, including the populous city of Fort Wayne, United States marshal, and finally director of the Indiana penitentiary. He says that he was sheriff from 1862 to 1866, and that while acting as sheriff at a time when there was no trial going on in the court, no cases proceeding requiring the attendance of witnesses, Mr. Brown, Mr. White, and Mr. Jenkinson, if I remember, appeared before the court and were sworn, and he believes that the contestee, Captain White was then duly naturalized.

Now, in the face of this testimony, standing unimpeached and uncontradicted, I inquire if there can be any doubt that Captain White did appear in 1865 in the proper court in Allen County and then and there produce the required witnesses, make the required proof, and take the required oath, receiving his certificate of naturalization, and go forth from that court invested with American citizenship?

But it is objected that this testimony is weakened, first because it is alleged that Mr. White, when challenged in regard to this fact of his naturalization, made mistaken statements as to date, claiming that it took place in 1856 or 1857; that he voted for Frémont. Now, the witnesses differ in their recollection as to what was actually said, and we will do well to follow the rule laid down by an eminent judge, that when a witness gives a conversation which he alleges occurred with

another party at a time prior, his testimony must be received with the greatest caution, because the addition or omission of a word or even a syllable might make the greatest difference in the meaning.

But let us see by what circumstances Captain White was environed when he made this alleged statement and make the allowance the circumstances require. Now these Allen County records, of which we hear so much, were, as is proven and conceded, but a wretched burlesque on the name record; they were full of faults of omission and faults of commission. In numerous cases there was no mark of pen or pencil on these so-called records of decisions and judgments which had been in fact rendered, and that in numerous instances the clerk or somebody had gone into the court-house and put into the records what purported to be decisions in cases which never had been there, never had been tried or even pending in the court, in regard to which there was no mark on any docket that they ever had been there—in other words, mere forgeries. Especially were these records defective in cases of naturalization.

The contestant knew all about this. He had been keeping track of it. It is in evidence that on another occasion when Hon. John D. Sardinghausen, a prominent Democrat and editor of a Democratic newspaper at Fort Wayne, had been elected to the State senate, having been naturalized prior to that time before the contestant himself, as he was then judge of the court, a difference arising between them as to the propriety of the contestant being elected to Congress, the contestant went to Sardinghausen and hissed in his ear, "You had better be still, for I can put you out of the senate quicker than you got in." "How so?" said Sardinghausen. "Are you an American citizen?" inquires Mr. Lowry. Sardinghausen replies, "You know you administered the oath to me yourself, and I have my certificate of naturalization at home." "That may be so, but it is not on the record, and the record has got to show it," replies Lowry.

This wretched record of Allen County seems to have been the armory of this contestant. When pressed to the wall or in dire necessity, he rushes into the court-house, seizes the so-called record, and brandishes it as his sword of offense and defense.

The contestant knew just what the condition of the records was. He ascertained at an early date that there was no record of Mr. White's naturalization, and knew quite well that there were many instances just like Mr. White's where parties were naturalized and were unable to find any record of the fact. It is in testimony and undisputed that there were 150 cases of naturalization in that court of which there was no record of naturalization.

We have here the testimony of the present clerk of that court that among other cases there were numerous instances where naturalized citizens who had gone West and were desirous to prove citizenship in order to avail themselves of the privilege of the homestead and preemption acts wrote back, and some came back, to get the record of naturalization, and not a mark of any kind could be found to show that they had been naturalized.

The contestant, knowing the state of these records and suspecting that there might be an omission in the case of Mr. White, went to them and found there was no record; but he waited artfully until the Thursday night before election, when Captain White, who had been out through the district marshaling his forces for the grand battle on the coming Tuesday, preparing to advance upon the demoralized cohorts of the enemy, receives a telegram calling him home, where a couple of sleek emissaries of the contestant sought an interview with him.

Now, sir, on that night Mr. White's whole heart and soul were absorbed absolutely and completely in the great approaching battle at the polls, and when they pressed upon him the question, "Are you naturalized?" he was bewildered and astounded, but he answered promptly, "I have been naturalized." They asked him where. He replied in Allen County. They artfully asked him if it was not in Kosciusko County, stating that it appeared there was a James B. White who had been naturalized there. Whether this was suggested for the purpose of getting the contestee into a trap I know not. But I do know that like an honest man he repudiated the invitation to make that claim and said, "I know nothing of that omission; I was naturalized here." He was asked if he could find his naturalization papers. He said he did not know, but that he would look for them. Of course this was to frighten him, to distract and divert the attention of his friends from the election and permit his defeat; and what if, with all these things resting upon him to divert his attention and the attention of his friends from preparing for the election and to set them about hunting up records and preparing affidavits of loss of papers, etc.—I say what if, with all this conspiracy and confusion pressed upon him, he did, in his bewilderment, make mistaken statements as to the date of his naturalization? I submit that no fair-minded man can draw from that any inference against his honesty or against the truth of his statement as to the fact of his naturalization.

But it is said that he did not go into an explanation afterwards; that he simply said, "I am a citizen; elect me and I will show you that I am." Well, what better thing could he say under the circumstances? It was on the very eve of the election, and I appeal to each one of the three hundred experienced campaigners in this House to say whether he would have done otherwise than Captain White did under the circumstances. It was no time then to tell his friends that he had been naturalized but could not find his papers, or that the record was lost. If he had done that he would have been at once met by his opponent going around denying the fact of his naturalization, and saying, as he did to Sardinghausen, "The record does not show it; you must prove it by the record;" and the result would have been to disorganize and dishearten his forces, and he would have been defeated at the polls and his case ruined.

But it is insisted here that the records do not show Captain White's naturalization, and that it must be proven by the record. I have already called attention to the character of those records. To hold, as seems to be implied in this West Virginia case, that the record is conclusive, or rather the absence of record conclusive—now, sir, whatever might be the justice of applying that rule to a court in which perfect and complete records were kept, a court whose records were unchallenged as to correctness and completeness, would it not be a monstrous outrage to apply such a rule against any man, divesting him of valuable rights or property, simply because of the absence of records in such as are kept in Allen County, records that are but a pretense and a fraud; records that are but a delusion and a snare; records that are simply a pitfall to the unwary suitors?

But it is said further that Captain White did take out his second or his third papers on the eve of the election, and from that the inference is drawn that he had not been naturalized before. I know he did that. It was certainly an unnecessary thing and it may have been a foolish one, but I ask this House to remember the circumstances under which it was done. He was all the time saying and repeating that he had taken out his second papers, and that he had them and hoped to find them. He said that over and over again. In explanation of his conduct I can not do better at this point than to cite the testimony of Henry Colerick as to how these last papers came to be taken out—Henry Colerick, an honored name among the Democracy of Indiana, familiar as a household word, a man honored in his ancestry and family, and who wears worthily these honors, himself one of the most brilliant, influential, potential Democrats in Northern Indiana, although in the last election he was in favor of his neighbor, Captain White.

What does he say on this subject? He says:

I was present at a conversation, a general consultation that took place between Captain White and a number of his friends, among whom were six lawyers, two of whom had been on the supreme court commission.

A multitude of counsel! verifying the saying of Sir Walter Raleigh, who when the text, "In a multitude of counselors there is safety," was quoted in his presence, said it meant safety for the counselors, because it enabled them to divide the responsibility, but ruin for the poor client. [Laughter.] Mr. Colerick proceeds:

In this conversation Captain White stated and reiterated many times that he had taken out his second papers as well as his first. It was suggested by some of the older counsel, and indorsed by all the younger counsel, that it would probably be the easiest way of settling the question by again making application for final papers, on the ground that the doctrine of relation might apply, and that if he did apply, it would be unnecessary to show the neglect of the clerk in making the entry of his second application and the issuing of his papers. Captain White stated that he would make further search for his second paper; that he knew he had taken it out in Allen County. I then advised Captain White to take out his second paper the second time, under the belief that it would relate back to either the time that he had appeared in open court or it might apply in reference to the McKeever letter. No Allen County courts were then in session, and I advised Captain White to go to Columbia City or Huntington and again apply for his second papers. He said he would take my advice.

Here was a man advising with his friends, six lawyers, two of them ex-members of the supreme court of the State, who advised him to do this thing, and I say that if he had disregarded their advice and refused to follow it he would have been showing unreasonable obstinacy.

Again, Mr. Oppenheim, a prominent Democrat, says (page 217) that he went down on the Friday night before that election and found Captain White there with great piles of papers before him, which he was sorting out. Mr. Oppenheim asked him what he was doing, and he replied that he was trying to find his second papers; that he had taken them out but could not find them; that he could not find his first papers, could not find his marriage certificate, could not find his commission in the Army, and other papers. Then, Mr. Oppenheim says, Captain White told him that he had been advised by his lawyers to go and take out his second papers again, and then, says Mr. Oppenheim, "I stated to him that I thought it could do no possible harm to again take out his second naturalization papers." White did so, calling them his third papers. I submit, therefore, that no fair-minded man can draw any inference to the injury of Captain White from the action which he then took under the circumstances of the case.

But it is claimed that, no matter what may be the facts, Captain White must prove his naturalization by the record, and that as no record can be found, he can not be permitted to prove the fact at all. Certainly this House would be loth to adopt such a rule.

Mr. LONG. Does not the gentleman desire before he sits down to touch upon the statements made by Captain White at public meetings?

Mr. COOPER. I fear that I have not time to go into that. It will be sufficiently discussed by other gentlemen. It is enough for me to say that in that respect he did just as any other gentleman here would do; he went out among the people, he went to public meetings, and

everywhere, and wherever he went he said substantially, "I have been naturalized, fully naturalized; you elect me and I will show it." That is all he said about it; that is all there is of that matter. He did not go into details; for what prudent man would? It was too late for explanations, too late to meet charges which might be made upon them. But I insist that you may take this record from beginning to end and you will find that all the statements proved by anybody at any time to have been made anywhere by Captain White are perfectly consistent with the truth of his statement here. There is not any doubt about it.

Now, as a legal proposition (and I can only give a hurried glance at the law of this case) I insist that if Captain White appeared in the court of Allen County and did there produce the required testimony, having prior to that time made the declaration of his intention, did produce the required number of witnesses and the required proof, did have administered to him the required oath, take that oath, and did procure his certificate of naturalization and citizenship, he was a citizen; and when his citizenship was challenged it would be sufficient proof for him to produce in answer that certificate, the ordinary and proper method of proving naturalization. That being true, if the certificate be now lost and no record of it can be discovered, it is competent for him to show, as he has done, its loss and the contents of the certificate. That the contents of a lost or destroyed record may be proved by parol is a proposition which I presume will not be gainsaid. It is supported by a long and unbroken line of authorities emanating from the most respectable courts, and I know of no contrary authority.

Why should not this principle and rule apply to adjudications of naturalization? I see no reason. Therefore, if the certificate, which in the first instance would be the proper proof, be lost, and no other record be discovered, the contestee has the right to prove the loss of the certificate, as he has done, and to prove its contents. On this question I will cite a passage from Morse on Citizenship, which is quoted in the minority report, and which I think directly in point. This author, on page 128, section 92, says:

In the case of an individual claiming to be a citizen by naturalization, the certificate or letter of naturalization is the usual and orderly proof which is offered, but it is not exclusive.

He does not say it is not conclusive; he says it is not exclusive. Then he adds:

If the letter or certificate is lost, and the record can not be discovered, secondary evidence to establish citizenship would be admissible.

It seems to me no doctrine could be more clearly in point than this; and therefore Captain White having proved the issue of the certificate and its loss, has a right to prove, as he has done, the contents of that certificate by parol.

But it is claimed by the majority of the committee that the record is essential to a judgment; that there can be no judgment without the record made by the clerk. I do not so understand the law. I understand that judgments are pronounced and rendered by the judges of the courts, and not by the clerks. It is not the duty of the clerk, nor is it within his power, to render a judgment; he is the mere historian of the acts of the judges or the court. It is simply his duty to put in shape and preserve evidence of the judgments that the court may have already pronounced. In other words, if Captain White made proper proof and received his certificate of naturalization, the judgment admitting him to citizenship was then complete, and the willful or careless omission of the clerk to record that judgment could not destroy that which was complete without his act. In support of this proposition I call attention to an extract from Freeman on Judgments, section 38:

Expressions occasionally find their way into reports and text-books, indicating that the entry is essential to the existence and force of the judgment.

There have been some expressions of that kind here to-day.

These expressions have escaped from their authors when writing of matters of evidence—

That is, when treating of the evidence required, when proposing to show in one court the judgment of another court—

and applying the general rule that in each case the best testimony which is capable of being produced must be received, to the exclusion of every means of proof less satisfactory and less authentic.

Now, I call attention to this language:

The rendition of a judgment is a judicial act; its entry upon the record is merely ministerial. A judgment is not what is entered, but what is ordered and considered. The entry may express more or less than was directed by the court, or it may be neglected altogether; yet in neither of these cases is the judgment of the court any less its judgment than though it was accurately entered. In the very nature of things, the act must be perfect before its history can be so; and the imperfection or neglect of its history fails to modify or obliterate the act. That which the court performs judicially, or orders to be performed, is not to be avoided by the action or want of action of the judges or other officers of the court in their ministerial capacity. In the case of judgments, they must first be entered upon the record before they are admissible as evidence in other courts. For this purpose they are not otherwise perfect. The record, if not made up, or if lost or destroyed, should be perfected or replaced by appropriate proceedings in the court where the judgment was pronounced.

I will now call attention briefly to a decision in 6 Cranch, 179, the case of Campbell *vs.* Gurden. I do not know that I shall have time even to read all the syllabus of this case. It was there held that—

If the oath be administered and nothing appears to the contrary, it must be pronounced that the court before whom the oath was taken was satisfied as to the character of the applicant.

The oath, when taken, confers upon him the rights of a citizen, and amounts to a judgment of the court of his admission to those rights.

I wish to cite also a decision in 15 Blatchford—a case which I trust our friends on the other side will appreciate and follow, for there was a time when it was regarded as most savory "sauce" for the Democratic "goose;" and I hope they will neither fail to remember or apply the proverb as to sauce for the other party.

Gentlemen on the other side could well afford to indorse this decision, for it was at one time the sole barrier between thousands and thousands of their voters in the State of New York and the open doors of the penitentiary, into which John Davenport was attempting to thrust them, and would have thrust them but for this decision. Justice Blatchford says:

The act of 1802 provides that the alien may be admitted to become a citizen "on the following conditions, and not otherwise:" 1. He must have declared his intention. 2. He must take an oath to support the Constitution, and renouncing his former allegiance. The statute then says, "which proceedings shall be recorded by the clerk of the court."

* * * It is hardly to be supposed that Congress intended to make the applicant for citizenship responsible for a non-compliance with any other conditions than such as he had the power to comply with. The applicant can declare his intention, and can take the prescribed oath and make the renunciation. But he can not see to it that the proceedings and renunciation are recorded. He can produce a witness as to his residence and character, and can appear in person in the proper court with his witness as to matters prescribed in the statute. When this is done he can do nothing more except to receive such a complete certificate from the court—a certificate which sets forth that it is given "by the court," under its seal; that Coleman appeared in the court on a day named and applied to become a citizen and produced to it such evidence and made such declaration and renunciation, and took such oaths as are required by the acts of Congress on the subject; and that thereupon the court ordered that he be admitted, and he was accordingly admitted by the court to be a citizen of the United States. When he has done what the certificate says he has done, and when he leaves with the clerk of the court such papers as he has signed, and when the court tells him, as it does by the certificate, that he having done all that the court had thereon ordered, that he be admitted to be a citizen, and when the court gives the certificate into his keeping he has done all that he can to comply with the statute.

It can not be held that the word "conditions" applies to anything further. There must undoubtedly be an act of admission, but what shall be the evidence, directed by the court, of such act of admission, is another question. The provision for recording "proceedings" at the close of the second condition, and the provision for recording the renunciation mentioned in the fourth condition, are introduced in such form that they may very well be regarded as merely directory, and as no part of the "conditions." The conditions are well satisfied by limiting them to what the applicant is required to do in the first, second, and fourth paragraphs, and to what the court is required to do in the third paragraph. The admission to citizenship is to follow the observance of those conditions. The recording—

Is what? A part of the conditions essential to citizenship? Not so—

The recording is to follow admission, and not precede it. The admission separates the conditions from the recording.

Therefore, Mr. Speaker, I insist that when Mr. White made this proof, and received this certificate of final citizenship in Allen County, he went forth an American citizen; that he went forth invested and clothed with the high rights and great honor and privilege of an American citizen, a most valuable right, of which he could not be divested by the act of any other person than himself.

Sir, two thousand years ago there was a Republic which dominated the earth, whose conquering legions had placed its eagles in triumph on the ruins of every kingdom in the then known world. All roads led to its capital, and over every road were conveyed the tributes which the earth's conquered nations paid to it. Captive kings and queens walked barefoot in chains behind the triumphal cars of its warriors. But amid all its pomp and power and glory, the value of her citizenship was her especial boast and chief glory. When one of her humblest citizens was threatened with violence, or mortified by insult, whether he stood upon the banks of the Thames, the Rhine, the Danube, or the Euphrates, he had but to repeat the talismanic words, "I am a Roman citizen," and every hand was stayed and every insult obliterated by abundant apology, for all the earth knew that the great Republic would permit neither insult nor injury to its humblest citizen to pass unpunished; a most valuable citizenship. Well might the chief captain purchase it with a great sum and the great apostle boast of it as his birthright. But this citizenship pales besides the citizenship with which Captain White was invested on that February day in 1865, for he then became joint owner of all the traditions and glories of our country, and part of the fathomless and boundless hopes of its future. He became the joint owner of this mighty and progressive, glorious and peerless Republic, the foundations of which were laid in the red blood of the Revolution and cemented by that of Gettysburg. He became the peer of the proudest sovereign of the earth. He became in a word an American citizen. [Applause.]

And can it be that this valuable, honorable, and glorious right can be forfeited and lost by him because of the neglect of some hireling clerk? I believe every impulse of manhood, every feeling of justice and right which dominates the American heart, will answer, no. I believe that even the stern, cold, and rigid law answers no. And I hope that this House, which, as I have already said, is a law unto itself, which is clothed with plenary power, which is the supreme arbiter without the right of appeal, and which will in the ascertainment of the truth, the securing of justice and the right, and enforcing the will of the people, break every odious cord of precedent and spurn every interfering obstacle, will answer no. [Applause.]

Mr. BLAND. I rise for the purpose of asking the gentleman from

Ohio a question of fact. I understand that the certificate books, out of which these naturalization certificates were issued, show the names of the parties to whom they were issued, that they appear upon the stubs which remain, with the exception of this one case of Mr. White's.

Mr. COOPER. Oh, no, sir; there are plenty of cases where there is not the scratch of a pen to show to whom they were issued.

Mr. BLAND. Do the books show to whom any of these naturalization certificates were issued from that book? Is there any record showing that fact?

Mr. COOPER. Yes; in some cases it does appear to whom the certificates were issued, but in a great many of the cases there is not a scratch of a pen to show to whom they were issued. Nor is this peculiar in that regard, for in another contested-election case it appears that ten voters in Peoria County, in the State of Illinois, produced their certificates of naturalization, which on examination of the record showed there was not the scratch of a pen to show the fact of naturalization.

Mr. BLAND. My inquiry went to this, and that is all. I understood this was the only case where the book did not show to whom the certificate of naturalization was issued.

Mr. COOPER. Oh, by no means; there are a hundred and fifty of them at least.

Mr. BLAND. I mean, is this the only case where the record does not show the issuance of the certificate?

Mr. COOPER. No, not by any means. There are a number of such cases in this county.

Mr. LONG. Is not a list given in the testimony?

Mr. COOPER. Yes, sir; the record shows it. It will not be disputed by the other side that there are abundant cases where these proceedings in naturalization cases in that county between the years 1856 and 1867 and 1868 were not on record.

Mr. ROWELL. I reserve the remainder of the time not occupied by the gentleman from Ohio.

ORDER OF BUSINESS.

Mr. CRISP. I move that the House do now adjourn.

Mr. CRAIN. I hope the gentleman will yield to me to submit a report.

Mr. CRISP. I will withdraw the motion for that purpose.

CHANGE OF TIME FOR SESSIONS OF CONGRESS.

Mr. CRAIN, from the Committee on the Election of President, Vice-President, and Representatives in Congress, reported back the joint resolution (H. Res. 33) proposing an amendment to the Constitution substituting the 31st of December for the 4th of March as the commencement and termination of the official term of members of the House of Representatives, and providing that Congress shall hold its annual meetings on the first Monday in January; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had passed a bill of the following title; in which the concurrence of the House was requested:

A bill (S. 1000) to increase the pensions of certain soldiers and sailors who are utterly helpless from injuries received or diseases contracted while in the service of the United States.

MINORITY REPORT.

Mr. JACKSON. Mr. Speaker, I ask unanimous consent to submit the views of the minority on a bill heretofore reported.

The SPEAKER *pro tempore*. The Clerk will report the title.

The Clerk read as follows:

Report from the Committee on the Public Lands—views of the minority; to accompany House bill 1235.

The SPEAKER *pro tempore*. The views of the minority will be printed and take the same course as the report of the committee.

WIDOWS' PENSIONS.

Mr. MORRILL, by unanimous consent, introduced a bill (H. R. 6553) to declare the law in regard to the date of the commencement of widows' pensions; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

RELIEF FROM CHARGES OF DESERTION.

Mr. BOUTELLE, from the Committee on Naval Affairs, reported back favorably the bill (H. R. 1508) to relieve certain appointed or enlisted men in the Navy and Marine Corps from the charge of desertion; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

INTERNATIONAL MARINE CONFERENCE.

Mr. BELMONT, by unanimous consent, introduced a bill (H. R. 6554) providing for an international marine conference to secure greater safety at sea; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

ORGANIZATION OF THE TERRITORY OF ALASKA.

Mr. FORD, by unanimous consent, introduced a bill (H. R. 6555) for the organization of the Territory of Alaska, and to provide for the establishment of a civil government therefor; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

MUSTER AND PAY OF CERTAIN VOLUNTEERS.

Mr. FELIX CAMPBELL, by unanimous consent, introduced a bill (H. R. 6556) to amend an act entitled "An act to provide for the muster and pay of certain officers and enlisted men of the volunteer forces," approved June 3, 1884, and further amended February 3, 1887; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles; when the Speaker *pro tempore* signed the same, namely:

A bill (S. 191) to make additional appropriations for the printing of the eulogies delivered in Congress on the late John A. Logan; and

A bill (S. 274) authorizing the construction of a bridge across the Missouri River at some accessible point in the county of St. Charles, in the State of Missouri, below the city of St. Charles.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BRUMM, until Wednesday, February 8, on account of sickness in his family.

And then, on motion of Mr. CRISP (at 4 o'clock and 45 minutes p. m.), the House adjourned.

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PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred, as indicated below:

By Mr. R. H. M. DAVIDSON: A bill (H. R. 6500) for the relief of Mary D. Pearson—to the Committee on War Claims.

By Mr. GEST: A bill (H. R. 6501) to grant a pension to Joseph F. Garrett—to the Committee on Pensions.

By Mr. HOVEY: A bill (H. R. 6502) for the relief of Joseph D. McClure—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6503) for the relief of Benjamin F. Small—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6504) for the relief of Oliver R. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6505) for the relief of Charlotte Fredrick—to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 6506) for the relief of George Rich—to the Committee on Military Affairs.

Also, a bill (H. R. 6507) making an appropriation of $1,958 to reimburse Messrs. Crumbo and Melcher for money lost on their contract to construct a roadway from New Albany, Ind., to the national cemetery near that place, caused by change of grade—to the Committee on Claims.

Also, a bill (H. R. 6508) for the relief of John Davis—to the Committee on Claims.

By Mr. HAYES: A bill (H. R. 6509) granting a pension to William White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6510) for the relief of Fred. Daut & Co.—to the Committee on Claims.

By Mr. STRUBLE: A bill (H. R. 6511) granting a pension to Samuel B. Miller—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 6512) granting a pension to Ellen J. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6513) for the relief of James K. Ozbun—to the Committee on Indian Affairs.

By Mr. STONE, of Kentucky: A bill (H. R. 6514) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department—to the Committee on War Claims.

Also, a bill (H. R. 6515) for the relief of Richard Porter—to the Committee on War Claims.

By Mr. G. M. THOMAS: A bill (H. R. 6516) for the relief of Thomas Formon—to the Committee on Invalid Pensions.

By Mr. TAULBEE: A bill (H. R. 6517) for the relief of Rachel Gent—to the Committee on Invalid Pensions.

By Mr. HUNTER: A bill (H. R. 6518) for the relief of Sumpter & Christian—to the Committee on Claims.

By Mr. REED: A bill (H. R. 6519) for the relief of Eliza Matthews—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6520) granting an increase of pension to Charles F. Ward—to the Committee on Invalid Pensions.

By Mr. MILLIKEN: A bill (H. R. 6521) to set aside certain lands at Sandy Hook, New York, to facilitate commerce—to the Committee on Military Affairs.

By Mr. COMPTON: A bill (H. R. 6522) for the relief of the legal representatives of John A. Augusterfer, deceased, for damages to his property—to the Committee on the District of Columbia.

By Mr. GIBSON: A bill (H. R. 6523) for the relief of the heirs of

Lieut. Commander Wilson McGunnegle, United States Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 6524) to place Elijah J. M. Button, apothecary at the Naval Academy, upon the retired-list, etc—to the Committee on Naval Affairs.

By Mr. COLLINS: A bill (H. R. 6525) to authorize the Secretary of War to contract with the South Boston Iron Works for certain guns and mortars to meet the exigencies of public defense—to the Committee on Military Affairs.

By Mr. FORD: A bill (H. R. 6526) to remove the charge of desertion against Edwin R. Wells—to the Committee on Military Affairs.

Also, a bill (H. R. 6527) to remove the charge of desertion against Timothy C. Barjerow—to the Committee on Military Affairs.

By Mr. FISHER: A bill (H. R. 6528) to remove the charge of desertion from John R. Eggeman—to the Committee on Military Affairs.

By Mr. NELSON: A bill (H. R. 6529) for the relief of Robert Brown—to the Committee on Claims.

By Mr. WARNER: A bill (H. R. 6530) for the relief of Emanuel Mason—to the Committee on Claims.

By Mr. BLAND: A bill (H. R. 6531) to pension Leah Roork—to the Committee on Invalid Pensions.

By Mr. CHIPMAN: A bill (H. R. 6532) to pension Thomas Davey—to the Committee on Invalid Pensions.

By Mr. MAHONEY: A bill (H. R. 6533) for the relief of William Hugh Pierson—to the Committee on Patents.

By Mr. S. I. HOPKINS: A bill (H. R. 6534) for the relief of Folkes & Winston and William S. Morris, and others—to the Committee on War Claims.

By Mr. S. T. HOPKINS: A bill (H. R. 6535) granting a pension to Mary Gray—to the Committee on Invalid Pensions.

By Mr. S. V. WHITE: A bill (H. R. 6536) to refund moneys collected from William S. Chuas at the port of New York on an oil painting not subject to duty—to the Committee on Claims.

By Mr. BELMONT: A bill (H. R. 6537) removing the charge of desertion from the military record of James H. Blood and paying the arrears of pay, bounty, etc., to his widow—to the Committee on Military Affairs.

By Mr. FITCH: A bill (H. R. 6538) for the restoration of Edward MacDonald Reynolds to the United States Marine Corps, and providing for his retirement—to the Committee on Naval Affairs.

By Mr. S. T. HOPKINS: A bill (H. R. 6539) granting a pension to John Gannon, a soldier of the Florida war—to the Committee on Pensions.

By Mr. PUGSLEY: A bill (H. R. 6540) granting a pension to Thomas Scarrett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6541) granting a pension to William Pfister—to the Committee on Invalid Pensions.

By Mr. SENEY: A bill (H. R. 6542) granting a pension to Eli Smith—to the Committee on Invalid Pensions.

By Mr. KENNEDY: A bill (H. R. 6543) to place the name of George M. Warfel on the pension-roll—to the Committee on Invalid Pensions.

By Mr. BRUMM: A bill (H. R. 6544) granting three months' pay proper to Henry C. Pearson—to the Committee on War Claims.

By Mr. ENLOE: A bill (H. R. 6545) to increase the pension of Henry T. Bridges—to the Committee on Pensions.

By Mr. BUTLER: A bill (H. R. 6546) for the relief of Alexander W. Harmon, of Tennessee—to the Committee on Military Affairs.

By Mr. PHELAN: A bill (H. R. 6547) for the relief of the estate of Dr. John Pitman—to the Committee on War Claims.

By Mr. HOUK: A bill (H. R. 6548) granting a pension to Oliver P. Chambers—to the Committee on Invalid Pensions.

By Mr. CRAIN: A bill (H. R. 6549) declaring September 1 a legal holiday in the District of Columbia—to the Committee on Labor.

By Mr. ABBOTT: A bill (H. R. 6550) for the relief of Ulysses Merchant—to the Committee on War Claims.

By Mr. FINLEY: A bill (H. R. 6551) for the relief of John J. Frazier—to the Committee on War Claims.

By Mr. WILLIAMS: A bill (H. R. 6552) to increase the pension of James R. Porter—to the Committee on Invalid Pensions.

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Changes in the references of bills improperly referred were made in the following cases, namely:

A bill (H. R. 4248) for the relief of certain settlers in the Wind River Valley, Wyoming Territory—from the Committee on Claims to the Committee on Indian Affairs.

A bill (H. R. 5608) amendatory of the act for the benefit of the States of Texas, Colorado, Oregon, Nebraska, California, Kansas, and Nevada, and the Territories of Washington and Idaho, and Nevada when a Territory—from the Committee on Claims to the Committee on the Judiciary.

A bill (H. R. 3117) for the relief of the heirs of Miguel Salinas—from the Committee on Claims to the Committee on War Claims.

A bill (H. R. 3011) for the relief of Nimrod McKee—from the Committee on Invalid Pensions to the Committee on Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. H. ALLEN: Petition of the United American Tobacco-Pipe Makers, for change of duty from ad valorem to specific—to the Committee on Ways and Means.

By Mr. J. M. ALLEN: Papers in the claim of J. M. Russey, of Tennessee, and of Sophia Aumoch, of Mississippi—to the Committee on War Claims.

By Mr. A. R. ANDERSON (by request): Petition of United American Clay Tobacco-Pipe Makers' Union, for relief—to the Committee on Ways and Means.

By Mr. J. A. ANDERSON: Petition of C. J. Lamb and 8 others, of Phillips County, Kansas, for a postal-telegraph system—to the Committee on the Post-Office and Post-Roads.

By Mr. BANKHEAD: Petition of W. W. Harkens and 40 others, citizens of Fayette County, Alabama, for Federal aid to education—to the Committee on Education.

By Mr. BARRY: Papers in the claim of Emily F. Randle, of Monroe County, Mississippi—to the Committee on War Claims.

By Mr. BELMONT: Memorial in favor of a national marine conference—to the Committee on Foreign Affairs.

Also, petition of Mary A. Blood, widow of James H. Blood, late private Company F, Ninety-first Regiment New York Volunteers, for removal of charge of desertion—to the Committee on Military Affairs.

By Mr. BOWEN: Resolutions of a mass meeting of citizens at Pulaski, Va., protesting against the removal of the duty on iron and coal—to the Committee on Ways and Means.

By Mr. J. R. BROWN: Resolutions of a mass meeting of citizens at Pulaski, Va., protesting against the removal of the duty on iron and coal—to the Committee on Ways and Means.

By Mr. BUTLER: Petition of John Shanks, of William McAmis, of Isaac McAmis, and of Nancy Smith, widow of Jacob Smith, for back pay and bounty—to the Committee on Invalid Pensions.

Also, petition of citizens of Johnson City, Tenn., protesting against reduction of the tariff on iron, coke, ores, etc.—to the Committee on Ways and Means.

Also, petition of S. S. McCusstion, of Aaron Smith, of James E. Holston, of T. N. Horner, and of P. M. Kirk, of Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. CATCHINGS: Petition of A. M. Craig and many others, of Greenwood, Miss., that salt may be admitted free of duty—to the Committee on Ways and Means.

Also, papers in the claims of Major C. Cheatham, of James F. Leonard, of Elijah Vandever, and of John Alverson, of Mississippi—to the Committee on War Claims.

By Mr. CLARDY: Petition of F. W. Brockey, jr., and 117 others, citizens of Jefferson County, Missouri, for the retention of the duty on plate glass—to the Committee on Ways and Means.

By Mr. COMPTON: Petition of District Assembly No. 66, Knights of Labor, for additional school accommodations in the District of Columbia—to the Committee on the District of Columbia.

By Mr. CONGER: Protest of members of the East Side Presbyterian Church of Des Moines, Iowa, against the admission of Utah as a State with polygamy—to the Committee on the Territories.

By Mr. COX: Petition of Thomas Woodward and 36 others, citizens of New York City, dealers in salted fish, praying that fish be placed on the free-list in the forthcoming tariff bill—to the Committee on Ways and Means.

Also, memorial as to amendment to the pension appropriation bill—to the Committee on Appropriations.

By Mr. DIBBLE: Memorial of M. C. Mordecai, for relief—to the Committee on Appropriations.

By Mr. ERMENTROUT: Memorial of Marine Engineers' Association of Philadelphia, to refund amount of pilots' licenses paid between May 1, 1871, and April 1, 1887—to the Committee on Commerce.

By Mr. FELTON: Memorial of citizens of San Francisco, Cal., for the restoration of the salary of the United States assistant treasurer of that city—to the Committee on Appropriations.

By Mr. FORNEY: Petition of citizens of Cullman County, Alabama, for national aid to education, and favoring the Blair bill—to the Committee on Education.

By Mr. GAY: Papers in the claim of Ozenia Bordreau, of Maria Collins, of Clariece Hewitt, widow of Joseph Hewitt, and of Martha G. Winder, of Louisiana—to the Committee on War Claims.

By Mr. GIFFORD: Petition of Philip Rudisill and 20 others, J. H. Smith and 38 others, P. King and 32 others, Samuel Olson, George F. Cromer and 20 others, G. A. Brandt and 46 others, J. E. Hollister and 20 others, William McLaren and 20 others, George W. Cralls and 15 others, G. F. Wilkinson and 10 others, S. C. Crosby and 25 others, Don C. Needham and 15 others, and C. H. Dreisback and 17 others, all of Dakota Territory, for a Government postal-telegraph system—to the Committee on the Post-Office and Post-Roads.

By Mr. GROUT: Resolutions of the Vermont Merino Sheep Breeders'

Association, against the further reduction of the tariff on wool—to the Committee on Ways and Means.

Also, petition of the Vermont Woman's Christian Temperance Union, officially signed, for a national commission of inquiry concerning the alcoholic liquor traffic—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. HEARD: Petition of Erwin McCoy, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. HEMPHILL (by request): Petitions of North Capitol and Boundary Streets Association of District of Columbia, for relief—to the Committee on the District of Columbia.

Also, petition of same, for certain street improvements—to the Committee on Appropriations.

By Mr. J. S. HENDERSON: Petition of the surviving soldiers of the Mexican war, for an amendment to the Mexican pensions law giving a pension to all such soldiers whether sixty-two years of age or not—to the Committee on Pensions.

By Mr. HITT: Memorial and resolutions of the Board of Trade of Chicago, against the exclusion of American pork from European states—to the Committee on Foreign Affairs.

By Mr. HOVEY: Petition of the Society of Friends at Richmond, Ind., for international arbitration—to the Committee on Foreign Affairs.

Also, petition of the Silent Army of Soldiers, Sailors, and Marines, by A. S. P. Brown, president, and Wallace Foster, secretary, for certain pension legislation—to the Committee on Invalid Pensions.

By Mr. HUNTER: Petition of the Silent Army of Deaf Soldiers and Marines of Indianapolis, Ind., for relief—to the Committee on Invalid Pensions.

Also, petition of Payton A. Cooke, and of Woodford Dunn, of Edmonson County; of James G. Adams, and of George Lehman, of Warren County, Kentucky, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, papers in the claim of George P. Stone, of John Burnam, and of Mary F. Grider—to the Committee on War Claims.

By Mr. JACKSON: Petition of J. M. Brown and 42 others, citizens of the Twenty-fourth district of Pennsylvania, against the admission of Utah as a State—to the Committee on the Territories.

By Mr. KETCHAM: Petition and papers in the case of John R. Bond, of Port Deposit, Md., for relief—to the Committee on Claims.

By Mr. LEE: Petition and papers in the claim of John Q. Larman—to the Committee on Claims.

Also, a bill for the improvement of Acquia Creek, Virginia—to the Committee on Rivers and Harbors.

Also, papers in the claim of John E. Fletcher, of William Fletcher, of Allen T. Callahan, of Henry C. Browner, of Duncan James, and of James H. Shumate, of Virginia—to the Committee on War Claims.

By Mr. McKENNA: Petition of citizens of California for a system of Government telegraphy—to the Committee on the Post-Office and Post-Roads.

By Mr. MAHONEY: Memorial of William Hugh Pierson, for relief—to the Committee on Patents.

By Mr. MANSUR: Petition of D. K. Stringer and 132 others, citizens of Sullivan and Linn Counties, Missouri, for the repeal of the arrearage-of-pension act—to the Committee on Invalid Pensions.

By Mr. MILLIKEN: Petition of Charles Lawrence and others, for repeal of law compelling payment of compulsory pilotage—to the Committee on Commerce.

By Mr. MORGAN: Petition of Professor John L. Johnson and others, members of the faculty of the University of Mississippi, for an international copyright law—to the Committee on Patents.

Also, petition of Mary L. Shields, of Memphis, Tenn., and of Daniel T. Sanders, of Benton County, Mississippi, for relief—to the Committee on War Claims.

By Mr. NELSON: Resolution of the Knights of Labor of St. Paul, Minn., as to coal land and railway land grants—to the Committee on the Public Lands.

Also, resolution of the same as to a postal-telegraph system—to the Committee on the Post-Office and Post-Roads.

By Mr. NUTTING: Petition of the Knights of Labor of Oswego, N. Y., for legislation authorizing and directing the appointment of inspectors whose duty it shall be to see that vessels on the Great Lakes are not loaded beyond their safe capacity—to the Committee on Merchant Marine and Fisheries.

By Mr. O'FERRALL: Letter of the Secretary of War in relation to the case of James G. Field, for relief—to the Committee on Claims.

By Mr. PARKER: Petition of Michael Quirk, of Watertown, N. Y., for more liberal pension enactments—to the Committee on Invalid Pensions.

By Mr. RICE: Papers in the claim of Joseph Anderson—to the Committee on War Claims.

By Mr. RICHARDSON: Petition of certain survivors of the Mexican war, asking for a service pension—to the Committee on Pensions.

By Mr. ROGERS: Memorial of the Chamber of Commerce of Fort Smith, Ark., for the improvement of the Arkansas River—to the Committee on Rivers and Harbors.

Also, papers in the claim of Elijah Holtzclane, of Phillips County, Arkansas—to the Committee on War Claims.

By Mr. SENEY: Memorial of R. L. McCully and others, respecting immigration—to the Committee on Labor.

By Mr. SHAW: Petition of committees representing marble sawmills of the United States, praying for the tariff on marble—to the Committee on Ways and Means.

Also, memorial of members of the Society of Friends assembled at Richmond, Ind., in favor of universal peace among nations—to the Committee on Foreign Affairs.

By Mr. SPRINGER: Petition of B. R. McCully and others, relative to undesirable immigration—to the Committee on Labor.

Also, petition of survivors of the Mexican war, relative to pensions—to the Committee on Pensions.

By Mr. STAHLNECKER: Petition of deaf soldiers and sailors for increase of pension ratings in case of total loss of hearing in both ears—to the Committee on Invalid Pensions.

Also, communication regarding the sugar tariff—to the Committee on Ways and Means.

Also, letter from Henry A. Gouge, concerning the harbor of Echo Bay, near New Rochelle, N. Y.—to the Committee on Rivers and Harbors.

Also, memorial of the Junior Order of United American Mechanics, protesting against pauper immigration with paid passage from the Government from which they hail—to the Committee on Labor.

By Mr. STRUBLE: Petition of soldiers of the war with Mexico, for amendments to the law granting pensions to soldiers in said war—to the Committee on Pensions.

Also, memorial of certain citizens of the various States, for an amendment of the naturalization laws to prohibit criminal and pauper immigration, and immigration under contract—to the Committee on Labor.

By Mr. VANDEVER: Petition of W. C. Masher, for a Revolutionary claim—to the Committee on Claims.

By Mr. WEBER: Petition of John Webster and others, of Alden, Erie County, New York, for reissue of fractional currency—to the Committee on Banking and Currency.

By Mr. WHEELER: Papers in the claim of Moses K. Wheat, of William T. Simmons, of Octavius A. Vanbrook, of John Sanford, and of Robert Pruitt, of Alabama—to the Committee on War Claims.

By Mr. WILLIAM WHITING: Petition of citizens of Leominster, Mass., for repeal of the provision of the pension laws limiting time for making application for pensions—to the Committee on Invalid Pensions.

By Mr. YARDLEY: Petition of James A. Dunboltar, for removal of charge of desertion—to the Committee on Military Affairs.

By Mr. YOST: Memorial of citizens of Pulaski County, Virginia, protesting against the removal of the duty on soft coal and iron ore—to the Committee on Ways and Means.

Also, memorial of the Legislature of Virginia, for an appropriation of $100,000 to erect works for the manufacture of sugar from sorghum, and to establish a school in Alexandria, Va., where the process of manufacture can be taught—to the Committee on Appropriations.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. BOUTELLE: Of H. P. Coggswell and others, of Maine.

By Mr. R. H. M. DAVIDSON: Of C. J. Jenkins and others, citizens of Chipola, Fla.

By Mr. HERBERT: Of R. B. Tucker and others, of Stoddard, Ala.

By Mr. HOUK: Of citizens of Capuchin, Scott County, Tennessee.

By Mr. MORGAN: Of J. S. Woods and others; of J. W. S. Tate and others, and of W. A. Roberts and others, of Mississippi.

By Mr. NEAL: Of B. B. C. Witt and others, of Brymer, Polk County, Tennessee.

By Mr. NICHOLS: Of citizens of Cedar Grove, Orange County, and of Glenaloon, Chatham County, North Carolina.

By Mr. OUTHWAITE: Of J. E. Cross and others, of Lockville, Fairfield County, Ohio.

By Mr. RICHARDSON: Of W. J. Wood and 70 others, citizens of Cannon County, Tennessee.

By Mr. ROWLAND: Of citizens of Lane's Creek, Union County, North Carolina.

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The following petitions, asking for the passage of the bill prohibiting the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia, were severally referred to the Select Committee on the Alcoholic Liquor Traffic:

By Mr. BREWER: Of Daman Stewart, George R. Hirst, and 150 others, citizens of the Sixth district of Michigan.

By Mr. CHIPMAN (by request): Of 106 citizens of the First district of Michigan.

By Mr. McCORMICK: Of 125 citizens of the Sixteenth district of Pennsylvania.

By Mr. ROWELL: Of 119 citizens of the District of Columbia.

By Mr. STONE, of Missouri: Of 91 citizens of the Twelfth district of Missouri.

## HOUSE OF REPRESENTATIVES.

FRIDAY, *February* 3, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

### CONTINGENT EXPENSES OF THE DISTRICT.

The SPEAKER *pro tempore* laid before the House a letter from the president of the Board of Commissioners of the District of Columbia, transmitting a statement of expenditures on account of the contingent expenses of the District of Columbia for the fiscal year ending June 30, 1887; which was referred to the Committee on the District of Columbia, and ordered to be printed.

### PROPERTY IN CHARGE OF DOORKEEPER.

The SPEAKER *pro tempore* also laid before the House a letter from the Doorkeeper of the House, transmitting an inventory of the furniture and other property in the rooms under his charge at the commencement of the first session of the Fiftieth Congress; which was referred to the Committee on Accounts, and ordered to be printed.

### ROBBERY, ETC., IN INDIAN TERRITORY.

The SPEAKER *pro tempore* also laid before the House the bill (H. R. 1213) to punish robbery, burglary, and larceny in the Indian Territory, with amendments by the Senate.

Mr. ROGERS. The Senate have amended this bill in two immaterial particulars, and they have also stricken out what were known as the domestic-animal clauses of the bill. In its present form, with the amendments, I am authorized to say it is entirely acceptable to the members of the Judiciary Committee, and I therefore ask unanimous consent that the amendments of the Senate be now agreed to.

The SPEAKER *pro tempore*. Is there objection to considering at this time the amendments of the Senate?

There was no objection.

The amendments of the Senate were read, as follows:

On page 1, line 3, after the word "ass," insert "or;" on page 1, line 3, strike out "or other domestic animals;" on page 1, line 20, strike out "but said act" and insert "*Provided, however*, That all such acts or parts of acts."

The amendments of the Senate were concurred in.

Mr. ROGERS moved to reconsider the vote by which the amendments of the Senate were concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

### SENATE BILL REFERRED.

The SPEAKER *pro tempore* also laid before the House the bill (S. 1000) to increase the pensions of certain soldiers and sailors who are utterly helpless from injuries received or diseases contracted while in the service of the United States; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

### REPORT ON WOOL AND WOOLEN MANUFACTURES.

The SPEAKER *pro tempore* also laid before the House the following concurrent Senate resolution; which was read, and referred to the Committee on Printing:

*Resolved, etc.*, That there be printed 17,000 copies of the recent special report of the Chief of the Bureau of Statistics, Treasury Department, upon wool and the manufactures of wool, as follows: 10,000 copies for the use of the members of the House of Representatives, 5,000 copies for the use of the members of the Senate, and 2,000 copies for the use of the Bureau of Statistics, Treasury Department.

### REPORT OF COMMISSIONER OF EDUCATION.

The SPEAKER *pro tempore* also laid before the House a concurrent resolution of the House with Senate amendments; which was read, as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That of the report of the Commissioner of Education for 1886–'87 there be printed 6,000 copies for the use of the Senate, 12,000 copies for the use of the House of Representatives, and 25,000 copies for the use of the Commissioner.

The amendments of the Senate were read, as follows:

IN THE SENATE, *February* 2, 1888.

*Resolved*, That the foregoing resolution pass with the following amendments: In line 5 strike out "6" and insert "4;" in line 6 strike out "12" and insert "8;" in line 8 strike out "25" and insert "20."

The resolution, with the amendments of the Senate, was referred to the Committee on Printing.

### HEIRS OF FIDUS LIVERMORE.

Mr. O'DONNELL. I ask unanimous consent to take from the Private Calendar for present consideration the bill (H. R. 3758) for the relief of the legal heirs of Fidus Livermore, deceased.

Mr. LANHAM. I demand the regular order.

Mr. FORD. The gentleman from Texas withdraws his objection to the consideration of the bill called up by my colleague.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sarah Livermore, widow and administratrix of the late Fidus Livermore, of Jackson, Mich., the sum of $766.50, the said amount being due to said Fidus Livermore for services performed in his lifetime as commandant of camp of the Twentieth Regiment of Michigan Infantry ($210), and services as commandant of camp of the Twenty-sixth Michigan Infantry ($515), and for money expended ($41.50) for necessary expenses while discharging the duties of commandant of camp during the organization of said Twentieth and Twenty-sixth Michigan Regiments of Infantry.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

Mr. HOLMAN. Let the report be read.

The report (by Mr. THOMAS, of Wisconsin) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 3758) for the relief of the legal heirs of Fidus Livermore, deceased, report as follows:

The facts out of which this bill for relief arises will be found stated in House report No. 4151 of the Committee on War Claims of the Forty-ninth Congress, a copy of which is hereto appended and made a part of this report.

Your committee adopt the said report as their own, and report back the bill and recommend its passage.

"[House Report No. 4151, Forty-ninth Congress, second session.]

"This is a claim for payment of services rendered by Fidus Livermore as commandant of camps of the Twentieth and Twenty-sixth Regiments of Michigan Infantry, and amounts paid out for necessary supplies. The said Livermore served as commandant of camp of the Twentieth Michigan Infantry from July 1, 1862, to September 1, 1862, forty-two days. He rendered service as commandant of the camp of the Twenty-sixth Michigan Infantry from September 1, 1862, to December 13, 1862, one hundred and three days. He was appointed to the positions by the governor of Michigan, and the record of the appointments is to be found in the War Office at Washington and in the adjutant-general's office at Lansing, Mich. Said Livermore took the oath of office and discharged the duties as commandant of camp for the regiments above named. For the service rendered he would be entitled to pay at the rate of $5 per day. While acting in the capacity above, to which he was appointed, he expended the sum of $41.50 for necessary supplies.

"After the death of said Livermore a statement of his services and expenditures in organizing the two regiments was found among his papers, the said statement being in the handwriting of the deceased, which handwriting has been proven by the person who was the governor of the State at the time said Livermore was appointed and who selected him for the positions, and also the bill is further identified to be genuine by the present circuit judge in the county where said Livermore resided. Both witnesses knew deceased intimately for over twenty-five years in his lifetime. The fact that the deceased was never paid for his services nor reimbursed for his expenditures is attested by the reports from the Treasury Department, to which Department the legal heirs of deceased presented the bill for payment. That Department was estopped from paying the claim by the statute of limitations.

"As the proof is ample that the service was rendered, and conclusive that the Government of the United States and the State of Michigan have never compensated the said Livermore or his representative, your committee are of opinion that as an act of justice the heirs of said Fidus Livermore should be reimbursed for said services and expenditures, and accordingly respectfully recommend that the bill do pass."

There being no objection, the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. O'DONNELL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

### SUPERINTENDENTS OF RAILWAY MAIL SERVICE.

Mr. DOCKERY, by unanimous consent, from the Committee on the Post-Office and Post-Roads, reported back with a favorable recommendation the bill (H. R. 6439) authorizing the appointment of eleven division superintendents of railway mail service; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

### JAMES ALBERT BONSACK.

Mr. O'FERRALL. I ask unanimous consent to take from the Private Calendar for present consideration the bill (H. R. 593) for the relief of James Albert Bonsack. I ask that the amendment reported by the Committee on Patents be adopted, and that the bill as amended be passed.

The bill was read, as follows:

*Be it enacted, etc.*, That letters patent No. 238540 and letters patent No. 247795, issued to James Albert Bonsack, of the State of Virginia, on the 8th day of March, 1881, and the 4th day of October, 1881, respectively, be, and the same are hereby, declared subsisting and continuing grants of all the rights, privileges, and franchises which were thereby conveyed to the said Bonsack, his heirs, assigns, and representatives, for the full and uninterrupted term of seventeen years from their respective dates of issue, and that the term of said grants shall not expire before the time for which said patents were issued, notwithstanding the issuing of certain letters patent for substantially the same subject-matter by the Canadian and other foreign governments to the aforesaid Bonsack prior to the issuing of his United States patents herein specifically referred to, which would be otherwise limited by operation of law to the shortest period of time for which any of his aforesaid foreign patents were granted but for and by virtue of this act.

SEC. 2. That the aforesaid United States patents herein specifically referred to by number and date shall remain in as full force and effect as if no foreign patents had been issued prior thereto, notwithstanding such foreign patents may have issued and been forfeited or may hereafter be forfeited.

The amendment reported by the Committee on Patents was read, as follows:

Strike out all after the word "that" in section 1 to the word "that" in section 2, as follows:

"The term of said grants shall not expire before the time for which said patents were issued, notwithstanding the issuing of certain letters patent for substantially the same subject-matter by the Canadian and other foreign governments to the aforesaid Bonsack prior to the issuing of his United States patents herein specifically referred to, which would be otherwise limited by operation of law to the shortest period of time for which any of his aforesaid foreign patents were granted but for and by virtue of this act.

"SEC. 2. That."

Mr. ANDERSON, of Kansas. Mr. Speaker, I understand this bill to

provide for the extension of a patent, and therefore I shall be compelled to object.

Mr. O'FERRALL. If the gentleman will allow me to make a statement, I am sure he will not object. The bill does not provide for the extension of a patent.

Mr. HOLMAN. Let us have the report read.

Mr. ANDERSON, of Kansas. If it is a bill for the extension of a patent, I shall object to unanimous consent.

Mr. O'FERRALL. But it is not. If the gentleman will permit me, I will state in a few words the whole object and effect of the bill. A few years ago, in the State of Virginia, a boy, seventeen years of age, invented a machine for which he sought the protection of a patent.

Mr. ANDERSON, of Kansas. What was the machine for?

Mr. O'FERRALL. For making cigarettes. He applied for his patent in 1880. At the same time that he made application for a patent here he applied also for patents in several foreign countries. The office here was tardy in issuing the patent, and the consequence was that the patents in the foreign countries were issued before the issue of the American patent, so that they antedated it. By reason of the provisions of our patent laws this young man is compelled to keep alive every one of his patents in these foreign countries in order to keep his American patent in force.

Mr. BUCHANAN. Wherein he occupies precisely the same position as every other patentee. Every other American patentee is under the same disability, is he not?

Mr. O'FERRALL. Well, the restriction ought to be removed. It is a great hardship.

Mr. ANDERSON, of Kansas. Mr. Speaker, I object to the consideration of this bill.

Mr. O'FERRALL. Will the gentleman allow me to go one step further?

Mr. ANDERSON, of Kansas. I do not object to your making your statement.

Mr. O'FERRALL. I say that this provision of our law operates as a very great hardship upon this patentee, because in foreign countries where he has patents very heavy levies are made upon him in order to keep alive those patents, yet if a single solitary one of them lapses or becomes void by reason of any law existing there, his American patent will cease to exist. As I said before, this is not a bill for the extension of a patent. It only provides that the American patent shall run for the regular term notwithstanding any lapse of a foreign patent which may occur. I can see no injustice in it to anybody. It is simply an act of justice to this young man. I appeal to this House to consider the bill, and I appeal to my friend on my right [Mr. ANDERSON, of Kansas] to withdraw his objection.

The SPEAKER *pro tempore*. Is there objection? [After a pause.] The Chair hears no objection.

Mr. ANDERSON, of Kansas. Wait a moment, Mr. Speaker.

The SPEAKER *pro tempore*. Does the gentleman object?

Mr. ANDERSON, of Kansas. Yes; but I want first to say a word. This case, as I understand it, is nowise different from other cases which may occur and do occur under the law, and if there is to be a remedy it ought to come in the form of a general law. For the reason that I am opposed on principle to the extension of patents I would prefer that this case, if it is to come up at all, should come up in the ordinary way, so that the question can be fully discussed. I never heard of the case before and do not know anything about it. I would like to have an opportunity to look into it, and therefore I object to unanimous consent.

Mr. O'FERRALL. But you do not object to a vote being taken on it.

Mr. ANDERSON, of Kansas. Yes; I object.

Mr. O'FERRALL. I hope the gentleman will withdraw his objection. I am sure that if he understood the hardship and injustice done to this young man he would not insist on his objection.

The SPEAKER *pro tempore*. Does the gentleman from Kansas insist on his objection?

Mr. ANDERSON, of Kansas. I am willing that the bill shall come before the House and be debated.

The SPEAKER *pro tempore*. Does the gentleman object to its present consideration?

Mr. ANDERSON, of Kansas. No.

The SPEAKER *pro tempore*. The question is on the engrossment and third reading of the bill.

Mr. ANDERSON, of Kansas. I would like to have the report read.

The report (by Mr. VANCE) was read, as follows:

This bill was fully considered by the Committee on Patents in the Forty-eighth and Forty-ninth Congresses, and your committee adopts the report made by the committee in the Forty-ninth Congress, as follows:

"James A. Bonsack, of the State of Virginia, obtained two patents from the United States on his cigarette machine, numbered 238640 and 247795, and dated on the 8th day of March, 1881, and the 4th day of October, 1881, and very soon after applying for the said patents he applied for similar patents in Canada, England, Germany, France, Belgium, Austria and Hungary, Spain, Italy, and Russia.

"It appears that although he applied for his said American patents on the 4th day of September, 1880, and on the 21st day of June, 1881, yet the said patents were not issued until the 8th day of March, 1881, and the 4th day of October, 1881. On account of these great delays all of the said foreign patents, though subsequently applied for, were issued before his American patents. The American laws provide, in substance, that when any foreign patent antedates an American patent for the same invention the American patent shall expire with any such foreign patent, and under this provision the United States courts have uniformly decided that if any such foreign patents be forfeited the United States patent shall be null and void. Mr. Bonsack, the patentee, was therefore met with the fact that to maintain his home patents the maintenance of all his foreign patents was necessary.

"It appears, also, that the maintenance of the foreign patents is very difficult and burdensome. In Canada, for example, the patentee is required to construct machines within two years from the date of his patents—and the government has extended that time to him as long as the law allows—and he has been forced to begin to build his machines in Canada, although there is not a cigarette factory in Canada that makes five thousand cigarettes per day. Three times, as stated to your committee, Mr. Bonsack sent parties to Canada to make some arrangement for the use of his machines, but no arrangement could be made. Still, he is compelled to build machines in Canada to prevent the forfeit of his United States patents; and petitioner avers that he can not construct a single machine in Canada for less than $4,000.

"In every foreign country in which he has patents, except England, the same has to be done, except that in some of them a nominal building is sufficient.

"In addition to this, in every foreign country, except Russia, taxes have to be paid on the patents, which constitute a great outlay, and the failure to build machines or pay the taxes forfeits the patents irrevocably.

"In France, Austria and Hungary, Spain, and Italy the Governments alone manufacture tobacco in all its forms, and in some of these it is found, after two years of constant effort, impossible to place the machines of the patentee on any terms; and yet by reason of the delay by the United States to issue the said patents until after the foreign patents were issued, he is subjected to the greatest trouble and immense outlays in countries where he can not reap one cent of benefit, solely for the purpose of preventing his United States patents from becoming void. The committee is of opinion that the law was intended to affect foreigners who patented their inventions in their own countries and then in America, and not to subject our own citizens to such loss and hardships.

"The patentee states that he invented his cigarette machine (which makes 220 cigarettes per minute) when he was but seventeen years old, and that he and his friends who are associated with him have up to this time expended in the perfection, construction, and introduction of his machines, including the outlays in maintaining his foreign patents, the sum of $151,000.

"The bill for the relief of your petitioner was unanimously reported by the Committee on Patents of the Forty-eighth Congress, but was not reached by the House.

"Your committee respectfully recommend that House bill 2950, for the relief of James Albert Bonsack, be passed as a just measure of relief."

Your committee respectfully recommend that House bill 593, for the relief of James Albert Bonsack, be amended by striking out all after the word "that," in line 14, down to and including the words "Sec. 2. That" of said bill, so that said bill shall consist of but one section, and, as thus amended, that the bill be passed as a just measure of relief.

Mr. ANDERSON, of Kansas. Mr. Speaker, I withdrew my objection to the consideration of this bill because of the statement of my friend from Virginia [Mr. O'FERRALL] that it did not propose to extend the patent. I wish he would state when these letters patent were taken out and when the patent will expire if this bill passes.

Mr. O'FERRALL. In reply to the question of the gentleman from Kansas, I will state that there is no extension of the patent provided for in this bill, and for the information of the House I will again state the facts in connection with this case.

Mr. WEAVER. Will you answer the question of the gentleman from Kansas and tell us when the patent will expire if this bill passes?

Mr. O'FERRALL. In 1880 this young man applied for a patent in the United States. For some reason or other, however, the matter was suspended in the Patent Office here until his patents in foreign countries were issued. He is now required to keep up all those foreign patents in order to keep alive his patent in this country. If his patent had been issued promptly by the Patent Office here there would have been no trouble in this respect, because his American patent would have antedated any foreign patent. The object of this bill is to give the patentee a term of only seventeen years from the original issue of his American patent, which I believe was in 1881.

Mr. ANDERSON, of Kansas. That is what I wanted to get at. Then this patent will run from that date?

Mr. O'FERRALL. It will run seventeen years from 1881.

Mr. ANDERSON, of Kansas. Now, the whole ground on which this bill is placed, as I gather from the remarks of the gentleman, is to relieve this patentee from the expense of maintaining his patents in foreign countries.

Mr. O'FERRALL. The object is to relieve him from an injustice which was done him by the Patent Office in this country in holding back his application for a patent and not acting upon it promptly.

Mr. ANDERSON, of Kansas. How long was it withheld?

Mr. O'FERRALL. I do not remember.

Mr. ANDERSON, of Kansas. More than the ordinary time?

Mr. WEAVER. I will answer the gentleman. The patent was first applied for in the United States——

Mr. ANDERSON, of Kansas. In what month?

Mr. WEAVER. I do not know. The patent was applied for first in the United States and afterward in foreign countries.

Mr. ANDERSON, of Kansas. How long afterward?

Mr. WEAVER. Several months; but owing to the tardiness of the Patent Office here the patents were granted in foreign countries first. This was no fault of the patentee; but in consequence he is compelled to maintain those patents in foreign countries or allow his patent in this country to lapse.

Mr. ANDERSON, of Kansas. What is the patent worth a year?

Mr. WEAVER. I do not know how much it is worth. He has expended $150,000 upon it—he and his friends.

Mr. ANDERSON, of Kansas. In foreign countries?

Mr. O'FERRALL. Altogether.

Mr. WEAVER. This bill does not propose to extend the patent, but simply to give the patentee the benefit of the full term for which the patent was granted.

Mr. ANDERSON, of Kansas. I will ask my friend from Iowa whether he thinks a gentleman who engages in or promotes the manufacture of cigarettes ought to receive any favor from this House.

Mr. WEAVER. I am not called upon to pass on that question. I do not smoke cigarettes, cigars, or anything of the kind; but at the same time I do not feel authorized to enter the arena as the antagonist of every man who manufactures or uses such articles.

Mr. ANDERSON, of Kansas. If this invention were a machine for making cigars I might feel some sympathy for the man; but when it comes to making cigarettes, that is fearful. I will content myself, however, with voting against the bill.

Mr. O'FERRALL. I call for the previous question.

The previous question was ordered; and under the operation thereof the amendment reported by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. O'FERRALL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CORPORATIONS IN DISTRICT OF COLUMBIA.

Mr. HEMPHILL (by request), by unanimous consent, introduced a bill (H. R. 6557) changing the names of certain corporations in the District of Columbia, incorporating the Washington Safe Deposit and Trust Company, the American Trust Company, the Atlantic Trust Company, and for other purposes; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

GROVENOR A. CURTICE.

Mr. GALLINGER. I ask unanimous consent to discharge the Committee of the Whole House on the Private Calendar from the further consideration of House bill No. 439, and consider it now.

The bill was read, as follows:

A bill for the relief of Grovenor A. Curtice.

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Grovenor A. Curtice, late a captain in the Seventh Regiment of New Hampshire Volunteer Infantry, out of any money in the Treasury not otherwise appropriated, the pay and allowances of a captain of infantry from the 3d day of January, 1865, the date at which he was assigned to duty under his commission as such, to the 1st day of May, 1865, the date of his muster as a captain, deducting therefrom the pay received by him as a first sergeant during said period.

SEC. 2. That the Secretary of War be, and he is hereby, authorized and directed to amend the record of the said Grovenor A. Curtice, and to muster him as a captain of infantry, to date January 3, 1865, the date at which he entered upon duty under the commission issued him by the governor of New Hampshire as of that rank, and dated December 22, 1864.

The SPEAKER *pro tempore*. Is there objection to the consideration of this bill?

Mr. SPRINGER. I would like to hear the report read.

The report (by Mr. STONE, of Kentucky) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 439) for the relief of Grovenor A. Curtice, respectfully report as follows:

This is a claim for pay for services rendered as captain prior to muster as such, though holding a commission to that grade, by Grovenor A. Curtice, late captain of Company D, Seventh New Hampshire Volunteers.

The case was considered in the War Department under the provisions of the act approved June 3, 1884, and the act amendatory thereof, approved February 3, 1887, and was rejected, though the Adjutant-General stated in a letter to the claimant (filed in the case) that "the equities in the case are all in your favor."

While the decision of the War Department may be technically in accordance with the law, the fact that Curtice commanded Company D, Seventh New Hampshire Volunteers, from January 3, 1865, to May 1, 1865, is evident, and that his services as such were not only accepted but required by the Government.

Having obtained the benefit of Curtice's services, the Government ought not to set up a technical plea in bar of its obligation to make compensation therefor; and your committee are of opinion that payment should be made Captain Curtice, and report back the bill and recommend its passage.

Mr. SPRINGER. I wish to ask the gentleman from New Hampshire [Mr. GALLINGER] what is the effect of antedating this man's commission as a captain, which is proposed to be done by the second section of the bill?

Mr. GALLINGER. It will simply give him pay from the time he was commissioned by the governor of New Hampshire until the time he was mustered in.

Mr. SPRINGER. That is the only effect?

Mr. GALLINGER. That is all.

Mr. SPRINGER. What amount is involved?

Mr. GALLINGER. Three or four hundred dollars; perhaps less. I will state, for the information of the gentleman and the House, that the technical difficulty in this case arose from the fact that the lieutenant of the company, on account of sickness, was present only one-half day in the month, and therefore was not in attendance to sign certain rolls.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. GALLINGER moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MARY EVERINGHAM BROWN.

Mr. FORD. I ask unanimous consent that the Committee of the Whole House on the Private Calendar be discharged from the further consideration of the bill (H. R. 880) granting a pension to Mary Everingham Brown, and that the bill be now put on its passage.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mary Everingham Brown, a volunteer nurse during the war of the rebellion, and pay her a pension of $30 a month.

The amendment reported by the Committee on Invalid Pensions was read, as follows:

Strike out the word "thirty," in line 7, and insert in lieu thereof the word "twelve."

There being no objection, the House proceeded to the consideration of the bill.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. FORD moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CHANGE OF TIME FOR SESSIONS OF CONGRESS.

Mr. CRAIN. Yesterday, from the Committee on the Election of President, Vice-President, and Representatives in Congress, I reported back a joint resolution (H. Res. 33) proposing an amendment to the Constitution substituting the 31st of December for the 4th of March as the commencement and termination of the official term of members of the House of Representatives, and providing that Congress shall hold its annual meetings on the first Monday in January, which was referred to the Committee of the Whole House on the state of the Union. I ask, by unanimous consent, that the Committee of the Whole House on the state of the Union be discharged from the further consideration of the joint resolution, and that it be referred to the House Calendar.

There was no objection, and it was ordered accordingly.

ORDER OF BUSINESS.

Mr. MORROW. I ask unanimous consent——

Mr. LANHAM. I insist on my demand for the regular order of business, and shall protest against any more bills being called up and passed by unanimous consent. I do not object to some gentlemen who desire to submit reports.

Mr. MORROW. I think we should have one unanimous consent on this side.

EMOLUMENT RETURNS OF CIVIL OFFICERS OF THE UNITED STATES.

Mr. ROGERS, by unanimous consent, from the Committee on the Judiciary, reported back the bill (H. R. 4921) regulating the emolument returns of civil officers of the United States; which was laid on the table.

Mr. ROGERS also, by unanimous consent, from the Committee on the Judiciary, reported a bill (H. R. 6558) regulating the emolument returns of civil officers of the United States; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

ALABAMA CLAIMS.

Mr. COLLINS, from the Committee on the Judiciary, reported back adversely the bill (H. R. 1675) to provide for the relief of claimants whose claims were rejected by the Court of Commissioners of Alabama Claims on the ground that either the petition or the proofs had been received too late; which was laid on the table, and the accompanying report ordered to be printed.

AID TO COMMON-SCHOOL SYSTEM.

Mr. COLLINS also, from the Committee on the Judiciary, reported back adversely the joint resolution (H. Res. 63) proposing an amendment to the Constitution of the United States giving Congress power to grant aid to the common-school systems of the several States; which was laid on the table, and the accompanying report ordered to be printed.

SPEEDY TRIAL OF CUSTOMS-REVENUE CASES.

Mr. COLLINS also, from the Committee on the Judiciary, reported back adversely the bill (H. R. 1531) to create a court of customs and provide for the speedy trial of customs-revenue cases; which was laid on the table, and the accompanying report ordered to be printed.

AMENDMENT OF THE REVISED STATUTES.

Mr. COLLINS also, from the Committee on the Judiciary, reported back favorably the bill (H. R. 3263) to amend section 5365 of the Revised Statutes; which was referred to the House Calendar, and the accompanying report ordered to be printed.

ORDER OF BUSINESS.

Mr. HOPKINS, of Illinois. I ask, by unanimous consent, to submit a resolution.

Mr. LANHAM. I object.

CALL OF COMMITTEES FOR REPORTS.

The SPEAKER *pro tempore*. The committees will now be called for reports of a private nature.

ANDREW J. LINDSAY.

Mr. CULBERSON, from the Committee on the Judiciary, reported back favorably the bill (S. 455) for the relief of Andrew J. Lindsay; which was referred to the House Calendar, and the accompanying report ordered to be printed.

MARY BAILEY.

Mr. WALKER, from the Committee on Invalid Pensions, reported back with an amendment the bill (H. R. 2617) granting a pension to Mary Bailey; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

WILLIAM L. VANCE & CO.

Mr. STONE, of Kentucky, from the Committee on War Claims, reported a resolution in reference to the claim of William L. Vance & Co.; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

CLAIMS FOR STORES AND SUPPLIES TAKEN BY THE ARMY.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back with an amendment the bill (H. R. 2952) for the allowance of certain claims for stores and supplies taken and used by the United States Army, as reported by the Court of Claims under the provisions of the act of March 3, 1883, known as the Bowman act; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

JAMES G. FIELDS, ADMINISTRATOR OF EDMUND BICKER.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported a bill (H. R. 6559) for the relief of James G. Fields, administrator of Edmund Bicker; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

TRUSTEES CATHOLIC CHURCH, DALTON, GA.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported a bill (H. R. 6560) for the relief of the trustees of the Catholic Church at Dalton, Ga.; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ALEXANDER SWIFT & CO.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back favorably the bill (H. R. 3956) for the relief of Alexander Swift & Co., partners, and Alexander Swift & Co. and the Niles Works; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

JOSEPH W. M'CLURG.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back with amendment the bill (H. R. 2611) for the relief of Joseph W. McClurg; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ROBERT S. M'DONALD.

Mr. CROUSE, from the Committee on War Claims, reported back, recommending reference to the Court of Claims, the bill (H. R. 827) for the relief of Robert S. McDonald; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

FREDERICK FORD.

Mr. CROUSE also, from the Committee on War Claims, reported a bill (H. R. 6561) for the relief of Frederick Ford; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

RICHARD H. PARHAM, ADMINISTRATOR.

Mr. CROUSE also, from the Committee on War Claims, reported back, recommending reference to the Court of Claims, the bill (H. R. 830) for the relief of Richard H. Parham, administrator of George Gorman, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SURVIVORS OF WRECK OF STEAMER TALLAPOOSA.

Mr. KERR, from the Committee on Claims, reported back with amendments the bill (H. R. 438) for the relief of the survivors of the wreck of the United States steamer Tallapoosa; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. FRANCES MARSHALL.

Mr. PENINGTON, from the Committee on War Claims, reported back favorably the bill (H. R. 326) for the relief of Mrs. Frances Marshall; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

REANEY, SON & ARCHBOLD.

Mr. THOMAS, of Wisconsin, from the Committee on War Claims, reported back favorably the bill (H. R. 5285) for the relief of Reaney, Son & Archbold; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent that, when the House shall resolve itself into Committee of the Whole to-day for the purpose of considering bills on the Private Calendar, we proceed to the consideration of such bills upon that Calendar as have been introduced and reported upon at this session of Congress.

There is a proposition pending before the Committee on Rules involving the reference of those bills brought over from the Forty-ninth Congress on cases reported from the Court of Claims. If we can have unanimous consent to proceed with the consideration of new business to-day, it may be done without any prejudice whatever to the position of those reports from the Court of Claims upon the Calendar one way or the other.

Mr. STONE, of Kentucky. Mr. Speaker, I will consent to the request of the gentleman from Texas, if it shall be distinctly understood that the bills now on the Calendar reported from the Court of Claims, shall not lose their places on the Calendar, and that this consent shall not extend beyond this day. I am able to show a precedent for these reports of the Court of Claims occupying the position they do on the Calendar, and in justice to the people to whom the money to be appropriated by these bills is due, I am opposed to any action that will result in such delay as will prevent their final passage.

Mr. LANHAM. It is understood that the order applies only to this day, and it will not prejudice the other bills in any way.

The SPEAKER *pro tempore*. Without objection, that order will be made.

There was no objection.

Mr. LANHAM. I now move that the House resolve itself into Committee of the Whole for the consideration of bills upon the Private Calendar.

Mr. CRISP. I want to announce to the House, with the consent of the gentleman from Texas, that we shall ask that the contested-election case of Lowry *vs.* White be proceeded with to-morrow, and shall not to-day seek to interfere with the consideration of private bills.

The SPEAKER *pro tempore*. The gentleman can call up the contested-election case at any time.

The motion of Mr. LANHAM was agreed to.

The House accordingly resolved itself into Committee of the Whole House, Mr. HATCH in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the consideration of bills on the Private Calendar under the order just made. The Clerk will report the first bill on the Calendar reported to this session of Congress.

ABRAM C. MYERS.

The first business on the Private Calendar was the joint resolution (S. R. 6) for the removal of all political disabilities imposed by the fourteenth amendment to the Constitution of the United States upon Abram C. Myers.

The joint resolution is as follows:

*Resolved, etc. (two-thirds of each House concurring therein),* That all the political disabilities imposed by the third section of the fourteenth article of the Constitution of the United States upon Abram C. Myers, be and the same are hereby removed.

Mr. CULBERSON. This is a Senate resolution passed by that body on a petition presented in proper form. I move that it be laid aside for favorable consideration.

The joint resolution was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM W. MACKALL.

The next business on the Private Calendar was the bill (H. R. 3) to remove the political disabilities of William W. Mackall, of Virginia.

The bill is as follows:

*Be it enacted, etc. (two-thirds of each House concurring therein),* That all the political disabilities imposed upon William W. Mackall, of Virginia, by the fourteenth amendment of the Constitution of the United States, by reason of his participation in the rebellion, are hereby removed.

Mr. CULBERSON. I will state that this bill is based upon a petition presented in due form, and I move that it be laid aside for favorable action.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ROBERT JOHNSTON.

The next business on the Private Calendar was the bill (H. R. 4811) for the relief of Robert Johnston, of the State of New York.

The bill is as follows:

*Be it enacted, etc. (two-thirds of each House concurring therein),* That Robert Johnston, of the State of New York, is hereby relieved of all political disabilities imposed upon him by the third section of the fourteenth amendment to the Constitution of the United States.

Mr. CULBERSON. That bill is also based upon a petition duly presented, and I move that it be laid aside for favorable action.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

L. A. MORRIS.

The next business on the Private Calendar was the bill (H. R. 76) for the relief of L. A. Morris, reported by the Committee on the Judiciary.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to remit a judgment obtained in the Federal court at Fort Smith, Ark., against L. A. Morris, upon his bond as an Indian trader, for the sum of $5,000, in favor of the United States, upon the payment of all the costs accrued in the prosecution of the cause.

Mr. ROGERS. I assume the report will present this case fairly to the House, and ask that it be read.

The report (by Mr. ROGERS) was read, as follows:

The Committee on the Judiciary, to whom was referred the bill (H. R. 76) for the relief of L. A. Morris, have considered the same, and make the following report:

On the 25th day of September, 1875, suit was instituted in the district court of the United States for the western district of Arkansas, at Fort Smith, in behalf of the United States, against T. T. Maxwell and L. A. Morris, under the name and style of Maxwell & Morris, partners in trade, John A. Fitch, and John Dorchester, to recover the penalty of a bond executed by the said Maxwell & Morris, as traders in the Choctaw Nation. The breach alleged in the complaint consisted in a violation of that provision of the bond which obligated the said Maxwell & Morris to obtain a license from the local authorities of the Choctaw Nation before offering or exposing their goods for sale.

On the 11th day of November, 1878, the suit was dismissed as to all the defendants except L. A. Morris, and judgment was recovered against him for the sum of $5,000, the penalty of the bond.

The facts in the case appear to be as follows: In 1875 Maxwell & Morris, having been appointed Indian traders, executed the bond declared upon, and the same was presented to and approved by E. P. Smith, Indian Commissioner. Upon the execution and approval of the bond, license was duly issued to said Maxwell & Morris to trade in the Choctaw Nation.

L. A. Morris applied to George W. Ingalls, agent for the five civilized tribes of Indians, to ascertain if it was necessary to obtain a permit to trade from the local authorities of the Choctaw Nation, and was informed by him that it was not necessary. He was advised by Ingalls, the Indian agent, to get up a petition signed by a number of leading or prominent men, asking for the privilege of trading with the Indians. The petition was prepared and the signatures of several persons obtained, but was never presented, as under the advice of the Indian agent a permit was not believed to be necessary. One condition of the bond recites that "the principal shall faithfully conform to and observe all the laws and regulations made, or which shall be made, for the government of trade and intercourse with the Indian tribes." By reference to the treaty existing between the United States and the Choctaw Nation it will be seen that, in addition to the license granted by the Government, permission must be obtained from the local authorities of the nation before it shall be lawful to sell or expose for sale goods in the Territory.

It was also in proof before the court that shortly after Maxwell & Morris commenced selling the goods their store was closed by order of the authorities of the nation, and considerable damage resulted to the stock of goods on account of the seizure.

Upon this statement of facts the court gave judgment against L. A. Morris for the sum of $5,000, the penalty of the bond.

In view of the facts in the case, the committee believe that Morris did not intend to violate the law, and if such violation was established before the court it was merely technical.

The committee recommend the passage of the bill.

Mr. ROGERS. Mr. Chairman, I only make this observation: that this bill has met with a favorable report from the committees of both Houses whenever presented, and has once or twice, I believe, passed the Senate. Unless there is some question asked which would require further explanation, I move that the bill be laid aside and reported favorably to the House.

The motion was agreed to.

BENJAMIN M. SIMPSON.

The next business on the Private Calendar was the bill (H. R. 48) for the relief of Benjamin M. Simpson, reported from the Committee on the Public Lands.

The bill was read, as follows:

Whereas a Revolutionary bounty-land scrip numbered 7269, for 80 acres, founded on Virginia military warrant, the property of Benjamin M. Simpson, is alleged to have been lost or mislaid by an officer of the General Land Office while said scrip was in the custody of the General Land Office: Therefore,

*Be it enacted, etc.*, That the Secretary of the Interior, on satisfactory proof of ownership and the loss of said scrip, and that said scrip was lost or mislaid by an officer of the General Land Office, or by an employé of said office, be hereby authorized and directed to reissue and deliver to Benjamin M. Simpson a Revolutionary bounty-land scrip for 80 acres of land.

Mr. WHEELER. The report in this case fully explains it. It is very brief. I ask that it may be read.

The report (by Mr. WHEELER) was read as follows;

The Committee on the Public Lands, to whom was referred the bill (H. R. 48) to authorize the Secretary of the Interior to reissue and deliver to Benjamin M. Simpson a Revolutionary bounty-land scrip for 80 acres of land, have had the same under consideration, and report that said bill ought to pass.

The committee find it is alleged that Hon. JOSEPH WHEELER deposited a Revolutionary bounty-land scrip, the property of Benjamin F. Simpson, for 80 acres of land, in the Land Office of the Department of the Interior, and that said scrip was lost or mislaid while in possession of the officers of said Land Office.

The following letter from the Commissioner of the Land Office shows that Congressional action is necessary to authorize the Department to reissue the said scrip to Benjamin F. Simpson, the owner thereof:

"DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
"*Washington, D. C., August* 22, 1885.

"SIR: I have the honor to acknowledge the receipt of an affidavit by B. M. Simpson, and a letter from this office to your address, dated the 5th of June last, in the matter of Revolutionary bounty-land scrip founded on Virginia military warrant 6542, which scrip was some months since lost or mislaid in this office. The affidavit referred to specifies the lost scrip as No. 7269, and is filed for the purpose of procuring a reissue or certified copy thereof.

"Having been identified in this manner by number, a careful search reveals the fact that said scrip when issued, July 29, 1836, was not recorded.

"At that time the practice of the office was to record the first or lowest numbered piece issued on any given warrant, and the following pages of the record-book were only given the succeeding numbers, with the money value of each, to the full satisfaction of the warrant or the full issue of scrip at the time. I know of no law authorizing a reissue of this class of Government obligations.

"Greatly regretting the accident which has caused this trouble, I am compelled to suggest Congressional action as the only relief to be found.

"Very respectfully,

"WM. A. J. SPARKS,
"*Commissioner.*

"Hon. JOSEPH WHEELER,
"*Wheeler, Ala.*"

Your committee therefore report back the bill (H. R. 48) and recommend its passage.

Mr. WHEELER. Mr. Chairman, this bill passed the House and Senate last session, but owing to an amendment being made concurrence was not obtained in the House until it was too late for final action.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

CHARLOTTE CAROLINE HACKLEMAN.

The next business on the Private Calendar was the bill (H. R. 120) for the relief of Charlotte Caroline Hackleman, reported by the Committee on Invalid Pensions.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and is hereby, authorized and directed to place upon the pension-roll the name of Charlotte Caroline Hackleman, the invalid daughter of Pleasant A. Hackleman, late a brigadier-general of United States Volunteers, and who was killed in battle at Corinth, Miss., in October, 1862, and pay said daughter a pension of $18 per month for and during her natural life.

The Clerk commenced to read the report.

Mr. LANHAM. Are not these bills reported from the Committee on Invalid Pensions to be considered on Friday nights?

The CHAIRMAN. The Chair will state there has been no order made by the House for a Friday-night session.

Mr. LANHAM. And they are here for consideration at this time?

The CHAIRMAN. They are.

The report (by Mr. MATSON) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 120) for the relief of Charlotte Caroline Hackleman, having had the same under consideration, beg leave to report as follows:

The beneficiary is the daughter of Brig. Gen. Pleasant A. Hackleman, who was killed at the battle of Corinth, Miss., in October, 1862. His widow was pensioned until about six months since, when she died. There is now no pension being paid on account of the death of General Hackleman. His daughter, Charlotte Caroline, is now, and has been nearly all her life, a helpless invalid, owing to spinal disease. This fact is established by the testimony of reputable persons who have long known the family. She is also shown to be without property or other means of support, and is a charge upon her friends.

There are several precedents for this kind of legislation in cases where no pension is being paid on account of the death of the soldier, and this committee therefore reports the bill favorably, and asks that the House pass it.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MARY C. KNIGHT.

The next business on the Private Calendar was the bill (H. R. 440) granting a pension to Mary C. Knight, reported by the Committee on Invalid Pensions.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Mary C. Knight, dependent daughter of Luther M. Knight, medical doctor, of Franklin, N. H., late surgeon of the Fifth Regiment New Hampshire Volunteers, and chief medical officer of the First Division Artillery Corps, at the rate of $30 per month.

The committee recommended the following amendments:

Strike out the words "thirty dollars" and insert instead thereof "eighteen dollars;" and also add after the word "month," in the last line, the words "payable to her legally constituted guardian."

Mr. GALLINGER. It occurs to me that a very brief statement will obviate the necessity of reading the report in this case. This is the daughter of a distinguished medical officer, now dead, who was receiving a pension of $30 a month. The daughter is destitute, blind, and incurably insane, and is now incarcerated in an asylum apparently without any possibility of an improvement in her health. The bill calls for a pension of $30 a month. The committee recommend $18, and with this amendment I think the House will be disposed to pass the bill. After the amendments of the committee are disposed of I desire to offer two verbal amendments.

The amendments of the committee were agreed to.

Mr. GALLINGER. I move to amend by striking out the words "medical doctor," and also by substituting the word "Army" for the word "Artillery."

The amendments were agreed to.

Mr. BUCKALEW. I call for the reading of the report.

The report (by Mr. GALLINGER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 440) granting a pension to Mary C. Knight, having considered the same, report as follows:

Mary C. Knight is the daughter of Dr. Luther M. Knight, deceased, late surgeon of the Fifth Regiment New Hampshire Volunteers. Dr. Knight was distinguished in his profession, at one time serving in the Army as chief medical officer of a division. He was pensioned at the rate of $30 per month, and died from diseases contracted in the service. Very little property was left by Dr. Knight, and his daughter, whom he supported, asks for special legislation continuing to her the rate of pension her father received at the time of his death, namely, $30 per month. Mary C. Knight, as appears from the appended affidavits and statements, is both blind and insane, and hence utterly incapable of doing anything for her own support. The income from the small property left by her father is only partially sufficient to maintain her, and consequently she is, to a considerable extent, cared for by the charity of others. In view of the eminent services rendered the Government by her father, and the sad physical and mental condition of the daughter, it seems but just that she should receive from the Government some degree of relief.

Your committee, however, are of opinion that the bill should be amended as follows: Strike out the words "thirty dollars," and insert instead thereof the words "eighteen dollars;" and also add, after the word "month," in the last line, the words "payable to her legally constituted guardian." With these amendments we recommend its passage.

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We, the undersigned, executors of the estate of the late Luther M. Knight, M. D., of Franklin, N. H., hereby certify that Mary C. Knight, daughter of the above-mentioned Luther M. Knight, was totally dependent upon her father for support. From infancy she has been entirely blind, and for the past fifteen years partially insane, and at different times an inmate of the New Hampshire Asylum for the Insane, at Concord, N. H. She is now at a private retreat at South Boston, Mass., and is totally dependent for support upon the income of her late father's real estate at Franklin, N. H., and which is inadequate for her maintenance. The rental of the above-mentioned real estate is her only source of income, as the property can not be disposed of in her interest except at a sacrifice.

We, the executors of the above-mentioned estate, therefore most respectfully petition Congress that the pension of the late Luther M. Knight, M. D., of the Fifth Regiment New Hampshire Volunteers and chief medical officer of the First Division, Second Army Corps (certificate No. 111488), be continued to his blind and insane daughter, Mary C. Knight.

JAMES H. TILTON,
CHARLES O. STEARNS,
*Executors of the estate of Luther M. Knight, M. D., late of Franklin, N. H., deceased.*

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NEW HAMPSHIRE ASYLUM, *Concord, N. H., November* 18, 1887.

Mary Knight was admitted to this asylum the 18th of December, 1874; she was discharged the 6th of August, 1875; readmitted the 29th of November, 1884, and discharged the 19th of May, 1886; again readmitted the 2d of February, 1887, and discharged October 15, 1887.

Miss Knight's condition when admitted to the asylum the last two times was one of subacute mania; she was quite confused and incoherent, and at times was much excited. Her physical health was at first very poor, but under treatment it gradually improved. Her mental condition did not show any corresponding improvement beyond a certain point. For the last year she has been quieter and a little more coherent, but she has always manifested a great degree of excitability, often losing self-control. The prospect at present is that she will always remain in a more or less scattered state of mind, and this fact, taken in connection with her total blindness, will render her utterly incapable of taking care of herself.

C. P. BANCROFT, M. D.,
*Superintendent.*

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*To whom it may concern:*

I hereby certify that I was well acquainted with Luther M. Knight, M. D., late surgeon Fifth Regiment New Hampshire Volunteers, for about thirteen years prior to his death; that during that time I lived within 1 mile of his residence, and saw him often, and very much of the time daily; that I knew of his suffering from chronic hepatitis and a large portion of the time diarrhea, and that I frequently advised with him on account of his diseased condition; that I was called to visit him quite often during the last year or two of his life, the dates of which for the most part I can not give; that I was called to visit him December 14, 1886, on account of chronic hepatitis; that I found him suffering intensely from pain in the epigastrium, accompanied with great soreness over the region of the liver; that he was very much jaundiced and was much debilitated; that I visited him two or three times a day for a week or ten days; that I was called to see him January 27, 1887, and found him suffering in the same way; that he continued to fail in strength and continued to suffer from great pain until his death, which took place February 3, 1887; that in my opinion the disease from which he suffered and from which he died had its origin from malarial poison and the exposure incident to camp-life while in the service; and I also state that a daughter survives him, who has for many years been totally blind, and is now insane, and is an inmate of the New Hampshire Asylum for the Insane; and I also state that I have no interest, directly or indirectly, in this claim.

Dated at Franklin, N. H., this 16th day of February, 1887.

JOHN H. SANBORN,
*Late Assistant Surgeon Twelfth Regiment New Hampshire Volunteers.*

STATE OF NEW HAMPSHIRE, *Merrimac, ss:*

Then personally appeared the above-named John H. Sanborn and made oath that the foregoing affidavit by him signed is true to the best of his knowledge and belief; that he is known to me to be a physician and surgeon of reputable standing; and I also certify that I have no interest, direct or indirect, in the prosecution of this claim.

EDWARD G. LEACH,
*Justice of the Peace.*

Certificate on file for general reference.

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PORT OF BOSTON, MASS., NAVAL OFFICE, *November* 22, 1887.

*To whom it may concern:*

I was for more than thirty years personally acquainted with the late Luther M. Knight, M. D., of Franklin, N. H. He was a physician and surgeon of eminence, and served with distinction as surgeon of the Fifth New Hampshire Infantry and chief medical officer of the First Division of the Second Army Corps.

I am also familiar with the history of his daughter, Mary C. Knight, who from childhood has been totally blind, and for many years insane, and who is now in a private retreat at South Boston, Mass., entirely incapable of taking care of herself, and partially dependent upon the bounty of relatives for maintenance.

It seems to me that a special act may fittingly be passed, continuing the pension of the deceased father, for the support of this unfortunate child.

HENRY O. KENT,
*Naval Officer.*

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FRANKLIN, N. H., *November* 22, 1887.

I hereby certify that I was well acquainted with the late Luther M. Knight, M. D., of this town, and knew that he served with distinction in the war of the rebellion as surgeon of the Fifth Regiment, New Hampshire Volunteers, and later as chief medical officer of the First Division, Second Army Corps.

I am also familiar with the history of his daughter, Mary C. Knight, who from childhood has been totally blind, and for many years insane and entirely incapable of taking care of herself. She is now in a private retreat at South Boston, Mass., and nearly dependent upon the bounty of relatives for maintenance.

A. W. SULLOWAY.

Mr. GALLINGER. I move that the bill as amended be laid aside to be reported to the House with the recommendation that it do pass.

The motion was agreed to.

MRS. P. L. WARD.

The next business on the Private Calendar was the bill (H. R. 611) for the relief of Mrs. P. L. Ward, widow and executrix of William Ward, deceased.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and hereby is, directed to pay to P. L. Ward, executrix of William Ward, deceased, of Norfolk, Va., the sum of $2,075.13, in full satisfaction of all claim for beef and vegetables furnished by the said William Ward to the United States Navy, and in full satisfaction for hay sold to the quartermaster of the United States Army.

Mr. HOLMAN. Let the report be read.

The report (by Mr. GAINES) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 611) for the relief of Mrs. P. L. Ward, widow and executrix of William Ward, deceased, have given careful consideration to the same, and ask to report:

That this claim was presented to the Forty-ninth Congress, and a report was made in regard to it by the Committee on War Claims on the 17th day of July, 1886. As the examination by your committee has led them to the same results with those arrived at by the committee of the Forty-ninth Congress, they do not think it necessary to recapitulate the facts, but refer to that report, and herewith annex a copy for information.

Your committee recommend that the bill referred to them do pass.

[House Report No. 3337, Forty-ninth Congress, first session.]

The committee find the facts to be as stated in Senate Report No. 215, first session Forty-ninth Congress, which is hereto annexed and made a part of this report and is as follows:

[Senate Report No. 215, Forty-ninth Congress, first session.]

The Committee on Claims, to whom was referred the bill (S. 1150) for the relief of P. L. Ward, widow and executrix of William Ward, deceased, beg leave to offer the following report:

Bills for the same claim as the present one passed the Senate at the Forty-sixth, Forty-seventh, and Forty-eighth Congresses, but each time failed of consideration in the House.

At the second session of the Forty-sixth Congress Senator HARRIS, for the Committee on Claims, made a report on this claim which embodied clearly and fully all the facts in the case.

The Committee on Claims of the Forty-seventh Congress, and again of the Forty-eighth Congress, adopted that report.

Your committee adopt the same report, annexing hereto a copy, and recommend the passage of the bill.

[Senate Report No. 428, Forty-eighth Congress, first session.]

The Committee on Claims, to whom was referred the bill (S. 879) for the relief of P. L. Ward, widow and executrix of William Ward, deceased, have examined the same, and report thereon as follows:

The claim was presented to the Senate during the Forty-sixth Congress by the petition of said executrix, which was referred to the Committee on Claims and assigned to Mr. HARRIS, a member of the committee, for examination and report.

On the 11th day of February, 1880, the claim was favorably reported to the Senate by Mr. HARRIS. The following is a copy of the report:

The petition states that petitioner is the widow and executrix of William Ward, deceased. That in June, 1860, William Ward entered into a written contract with the United States for supplying fresh beef and vegetables to the Navy, at the Norfolk, Va., station, and that under said contract her late husband and testator, on or about the 21st of January, 1861, supplied the United States ship Plymouth with the articles named to the amount of $275.13, for which no payment was ever made, and she refers to the records of the Navy Department for the proof. The committee sent the petition to the Navy Department with a request for such information in respect to this claim as the records of that Department could furnish, and received from the Secretary the following reply:

NAVY DEPARTMENT, *Washington, February* 5, 1880.

SIR: I have the honor to return herewith the petition of Mrs. P. L. Ward, asking for payment of $275.13, on account of fresh beef and vegetables supplied by her late husband, William Ward, of Norfolk, Va., for the use of the United States Navy, which petition was referred to this Department by the honorable Secretary of War, in compliance with your request of the 15th ultimo.

The account of the late Mr. Ward is correct, as shown by the records of the Bureau of Provisions and Clothing in this Department, with the exception that the fresh beef and vegetables referred to were delivered to the United States steamer Brooklyn, instead of the United States steamer Plymouth, as stated in the petition.

Very respectfully,

R. W. THOMPSON,
*Secretary of the Navy.*

Hon. I. G. HARRIS,
*United States Senate.*

From which the committee is satisfied that the articles were furnished under contract as stated in the petition, and have never been paid for, and that the amount, $275.13, is justly due the claimant and should be paid.

The petitioner also states that in the month of August, 1863, her testator entered into a verbal contract with Capt. Edwin Ludlow, of the Quartermaster's Department of the United States Army, in the presence of the Hon. L. H. Chandler, United States attorney for that district, and one other witness, for the purchase of 60 tons of hay at $30 per ton, which was delivered by her said testator

to the said Ludlow and used by the Army of the United States. That shortly after the delivery said Ludlow left that locality without paying for the hay, though often having promised so to do.

On the 12th December, 1866, her late husband and testator addressed a letter to the Quartermaster-General asking payment for this hay so furnished, reciting the facts of the contract and delivery of the hay, and the fact that no voucher was given, because Captain Ludlow said it was not necessary to give a voucher, as he would pay for the hay as soon as he received funds, which he was daily expecting; but he left there without paying, and without giving any voucher for the 60 tons of hay, and that upon diligent inquiry he had never been able to ascertain the residence of Captain Ludlow since that time.

This letter is indorsed on the back as follows:

"I most unhesitatingly indorse the within statement.

"L. H. CHANDLER,
"*United States District Attorney for Virginia.*
"J. T. DANIELS."

On the 16th of January, 1867, this account was made out upon the regular printed form furnished by the Department, upon which the sale, delivery, and value of the hay, amounting to $1,800, and the loyalty of the claimant are proved by the affidavits of the then claimants, William Ward, L. H. Chandler, and J. R. Hunter; and the respectability and loyalty of the said Ward, Chandler, and Hunter are respectively certified to by John E. Doyle, justice of the peace; and the respectability and loyalty of William Ward is also certified to by William W. Wing, postmaster.

The oath of allegiance to the United States of William Ward is also exhibited, and Henry M. Bowden, clerk of the corporation court, certifies to the citizenship, respectability, and loyalty of William Ward, and to the official character of John E. Doyle as a justice of the peace for said county.

The letter above referred to, addressed by William Ward to the Quartermaster-General, and the proof above referred to, were sent to the committee by the War Department in answer to a letter from the committee asking for such information as the records of that Department could furnish as to the justice of this claim. The following is the letter from the Secretary of War:

WAR DEPARTMENT, *Washington City, January 30, 1880.*

SIR: Acknowleding the receipt of your letter of the 15th instant, referring for information memorial of Mrs. P. L. Ward for pay for certain quartermaster stores and beef delivered by her deceased husband, William Ward, in 1860 and 1863 to the Quartermaster's Department of the Army and the naval station at Norfolk, Va., respectively, I have the honor in reply to inclose herewith a letter from Mr. Ward, dated December 12, 1867, submitting his claim to the Quartermaster-General, a paper which contains all the information on the subject the records of this Department afford.

No action was taken upon the claim by the Quartermaster-General for the reason that it originated in Virginia, a State declared to be in insurrection during the rebellion.

Your letter and the memorial have been referred, as desired, to the honorable Secretary of the Navy, for information from his Department.

Very respectfully, your obedient servant,

ALEX. RAMSEY, *Secretary of War.*

Hon. ISHAM G. HARRIS,
*Committee on Claims, United States Senate.*

The Quartermaster-General takes no action upon this claim upon no other than the cold, technical ground that the claimant was a resident of a State declared to be in rebellion.

The proof is clear and conclusive that Quartermaster Ludlow contracted for this hay, equally clear as to the contract price amounting to $1,800, equally clear as to the loyalty to the United States of William Ward, who furnished the hay and who was the husband and is the testator of the petitioner, and equally clear that the hay has never been paid for.

It does not clearly appear when William Ward died. It is certain that it was subsequent to 1867 and before 1878, when this petition was presented by P. L. Ward, widow and executrix. She states that neither her late husband nor herself were ever informed nor did they know of the establishment of what is called the Southern Claims Commission, nor the necessity of presenting this claim to that tribunal, until after the expiration of the time within which it could have been presented; nor did petitioner know of the status of the claim until a few months before the presentation of this petition.

The committee are satisfied that the vegetables and beef, amountiug to $275.13, were delivered under contract to the United States Navy; and that 60 tons of hay were sold and delivered to Quartermaster Ludlow, at $30, amounting to $1,800, making an aggregate of $2,075.13; that the same were never paid for, and that the claimant was loyal to the United States, and that this sum is justly due to the claimant and should be paid; and therefore the committee report the accompanying bill, and recommend that it pass.

Your committee therefore adopt said Senate report as the report of this committee, and recommend that the Senate bill do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

FOURTH IOWA INFANTRY.

The next business on the Private Calendar was the bill (H. R. 1387) for the relief of the volunteers of the Fourth Regiment of Iowa Infantry.

The bill was read, as follows:

*Be it enacted, etc.*, That every volunteer non-commissioned officer, musician, and private who enlisted into the military service of the United States prior to July 22, 1861, under the proclamation of the President of the United States of May 3, 1861, and the orders of the War Department issued in pursuance thereof, and who was actually awaiting muster under such enlistment before August 6, 1861, and was after that date actually mustered into the service under such enlistment as a member of the Fourth Iowa Infantry, and was thereafter honorably discharged, and has not heretofore received the bounty offered under said proclamation and orders, shall be entitled to and shall be paid the full bounty of $100 as provided for soldiers so enlisted and mustered in before August 6, 1861, by the act entitled "An act in relation to bounties," approved April 22, 1872.

Mr. SPRINGER. Mr. Chairman, it seems to me from the reading of the bill that it is not a private bill, but a general law.

Mr. THOMAS, of Wisconsin. Mr. Chairman, I can explain the facts in relation to this bill in a few words.

The CHAIRMAN. The gentleman from Illinois [Mr. SPRINGER] makes the point of order that the bill, not being of a private character, is improperly upon this Calendar.

Mr. THOMAS, of Wisconsin. The gentleman is mistaken. The bill relates only to the Fourth Iowa Infantry. The facts are these: On May 3, 1861, President Lincoln called for forty regiments of volunteers. The War Department by an order promised each of those volunteers $100 bounty when honorably discharged at the end of the term of enlistment. The trouble was, however, that eighty-two regiments were accepted under that call instead of forty, so that the Second Auditor could not tell whom to pay, and an act of Congress was asked giving to all the volunteers under the call $100 bounty. That act was passed in 1872, but it fixed the time of the muster prior to the 6th day of August, 1861. Now, the Fourth Iowa Regiment was in fact enlisted a long time before that, and the men were at that time at Jefferson Barracks ready to be mustered in, but, by the fault of the mustering officer of the United States, they were not mustered in until a few days after the date fixed in the law. Only a small number of the men are now living, and the committee report unanimously in favor of the passage of this bill, because those men were just as much entitled to the bounty as the others were who got it, having been included in the eighty-two regiments provided for by the law of 1872.

Mr. CONGER. There are less than one hundred of the men remaining now.

Mr. THOMAS, of Wisconsin. I understand the number of men to be benefited by this bill to be less that one hundred. It is certainly a private bill; it applies to the surviving private soldiers of the Fourth Regiment of Iowa Volunteer Infantry, and to no others. I move that the bill be laid aside to be reported to the House with the recommendation that it do pass.

Mr. SHAW. Will the gentleman from Iowa tell the House how many of the soldiers are likely to be benefited by this bill?

Mr. THOMAS, of Wisconsin. About one hundred.

Mr. HENDERSON, of Iowa. Eighty-two is the exact number.

Mr. CONGER. There is only one man that has actually applied for this relief, and the Second Auditor reports that there can not possibly be one hundred who will be entitled to it, and that there may be only ten.

The CHAIRMAN. The Chair would give the gentleman from Illinois [Mr. SPRINGER] an opportunity to be heard upon his point of order, but he seems to have temporarily left the Hall.

Mr. HOLMAN. While we are waiting for the gentleman I ask that the report upon this bill be read.

The CHAIRMAN. The Chair overrules the point of order.

The report was read.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

STEPHEN M. HONEYCUTT.

The next business upon the Private Calendar was the bill (H. R. 481) for the relief of Stephen M. Honeycutt.

The bill was read, as follows:

*Be it enacted, etc.*, That the Paymaster-General of the Army of the United States, out of any money in his hands for the payment of the Army, is hereby authorized and directed to pay to Stephen M. Honeycutt an amount equal to the pay and allowances of a private soldier from the 25th day of March, 1864, until the 8th day of August, 1865.

The report (by Mr. BROWER) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 481) for the relief of Stephen M. Honeycutt, respectfully report as follows:

The facts out of which this bill for relief arises will be found stated in House report of the Committee on Military Affairs (No. 688), first session Forty-eighth Congress, a copy of which is hereto appended.

Your committee adopt the said report as their own, and report back the bill and recommend its passage.

[House Report No. 688, Forty-eighth Congress, first session.]

The Committee on Military Affairs, to whom was referred the bill (H. R. 4200) for the relief of Stephen M. Honeycutt, submit the following report:

This claim was reported favorably to the Forty-seventh Congress, and your committee adopt that report, which is as follows, and recommend the passage of the accompanying bill (H. R. 4200):

"The Committee on Military Affairs, to whom was referred the petition of Stephen M. Honeycutt, have had the same under consideration, and submit the following, it being the same report which was adopted by the House Military Committee in the Forty-third Congress:

"It appears from the evidence submitted to the committee that petitioner enlisted in Company E, Third Regiment North Carolina Mounted Infantry, as a private, on the 25th day of March, 1864, but was not mustered into the service, owing to there being no mustering officer present, and that on the 20th of September, 1864, he was detailed on recruiting service; that he went into Western North Carolina and recruited a large number of troops for the United States Army, and that while so engaged in recruiting under the orders of a United States officer he was captured by the enemy.

"The committee, being satisfied that the petitioner rendered valuable service, and the fact of his not being mustered into the service being no fault of his, believe that he should not be refused his compensation as a private soldier. They therefore report the accompanying bill, and recommend that it do pass."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

LEVI JONES.

The next business upon the Private Calendar was the bill (H. R. 482) for the relief of Levi Jones.

The bill was read, as follows:

*Be it enacted, etc.*, That the Paymaster-General is hereby directed to pay Levi Jones, late first lieutenant of Company B, Second North Carolina Mounted Infantry, out of any money appropriated for the pay of the Army, the full pay and allowances of a first lieutenant of infantry from the 1st day of October, 1863, to the 1st day of May, 1864.

The report (by Mr. BROWER) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 482) for

the relief of Levi Jones, have given careful consideration to the same, and ask to report:

That this claim was presented to the Forty-ninth Congress, and a report was made in regard to it by the Committee on War Claims on the 16th of April, 1886. As the examination by your committee has led them to the same results with those arrived at by the committee of 1886, they do not think it necessary to recapitulate the facts, but refer to that report, and herewith annex a copy for information.

Your committee recommend that the bill referred to them do pass.

[House Report No. 1752, Forty-ninth Congress, first session.]

The Committee on War Claims, to whom was referred the bill (H. R. 4629) for the relief of Levi Jones, submit the following report:

The claimant, Levi Jones, organized Company B, Second North Carolina Mounted Infantry, and was appointed first lieutenant thereof by General Burnside on the 7th day of October, 1863, and took charge of said company at once, received and receipted for all the necessary stores and equipages for said company as its commandant. He was kept on the front, and participated in the fights at Warm Springs and at Watkins Ford in the months of October and November, 1863, in command of said company. During the siege of Knoxville he was on outpost duty all the while, and did not go into winter quarters. There was no mustering officer present on the front, and he was not mustered as first lieutenant. On the 1st of May, 1864, Company B was changed to Company H, Second North Carolina Mounted Infantry, and the said Levi Jones was appointed first lieutenant of said Company H. He presented himself to the mustering officer to be mustered, but the said officer refused to muster him, on the order of General Burnside. He did good and faithful service as an officer under proper military appointment, and received no pay for it from October 7, 1863, to May 1, 1864.

Your committee therefore recommend the passage of said bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

JOHN M. HIGGINS, SR.

The next business on the Private Calendar was the bill (H. R. 4907) for the relief of John M. Higgins, sr.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John M. Higgins, sr., of Caldwell County, State of Kentucky, out of any money in the Treasury not otherwise appropriated, the sum of $3,550, for supplies and stores taken from him by the Army of the United States during the late war.

Mr. SPRINGER. Mr. Chairman, it seems to me that this bill comes within the rule heretofore adopted by Congress marking off a class of bills which ought not to pass. This case, it appears, was rejected by the Quartermaster's Department upon the ground that the property was taken in a part of the country which had been declared by the proclamation of the President to be in rebellion. It also appears that the claimant remained inside of the Confederate lines until 1864, although he left Kentucky in 1861. It appears, therefore, that he staid within the Confederate lines during the greater portion of the war.

Furthermore, the report does not state the kind of supplies that were taken. I think the words used are "stores and supplies" of the value of $3,550. "Stores and supplies" is a very general expression, and it seems to me that this report ought to have enlightened the committee to some extent at least as to the nature of these stores and supplies. What kind of stores were they? The term is broad enough to include military stores, broad enough to include any sort of material that might have been found in anybody's possession at that time. The fact that the Quartermaster's Department decides that this case originated in a State in rebellion proves conclusively that it does not come within the class of cases to which Congress intended to afford relief. If cases of this kind are to be opened up, and payment is to be made for "stores and supplies" taken under such circumstances, I do not see where we are going to draw the line. If we grant relief in this case we go inside the Confederate lines to a place which was within the Confederacy during the war. These stores, it is said, were taken by our troops and used; how they were taken is not stated; no vouchers are produced; it is not shown whether they were taken by an unauthorized raid or taken under the forms of law by a regular requisition. So far as this report is concerned that is left a matter of doubt.

The claimant simply swears that the Army of the United States took from him stores and supplies of the value of $3,550, for which he has not been paid. According to this report the proof shows that the stores and supplies were used by the Army, and the affidavits that the charges made are both reasonable and just. That is the general averment, but there is nothing to show whether the prices charged were really reasonable and just or not. That is simply a conclusion of the committee. The articles taken should be set forth, and also the manner in which they were taken, and the prices charged for them, in order that the House might have the necessary information upon which to base a judgment; for we have laid down the rule heretofore that supplies and stores taken without authority of the commander of a post are not to be paid for by the Government, even though they may have been used by the Army. I think this case ought to be sent back to the committee, so that they may get some further information about it, and, therefore, I move that this bill be laid aside to be reported to the House with the recommendation that it be recommitted to the Committee on War Claims.

Mr. STONE, of Kentucky. Mr. Chairman, the remarks of the gentleman from Illinois [Mr. SPRINGER] seem to imply that there is an effort on the part of the Committee on War Claims, or on the part of some member of the committee, to report bills to this House that are unjust, or in violation of law. This claim comes from the district that I represent. The claimant lives there. I know him, and I know the circumstances of this case. I know, furthermore, that there is no man upon this floor who would be further from attempting to establish a precedent that would lead the Government into paying a lot of unjust claims than I would be, and when the gentleman from Illinois assumes that this man was wholly inside the Confederate lines and that the payment of this claim would lead to the payment of claims generally of people living within those lines, his assumption is altogether wrong.

Mr. JOHNSTON, of Indiana. I wish to ask the gentleman from Kentucky whether this bill was not reported unfavorably by a committee of the Forty-ninth Congress?

Mr. STONE, of Kentucky. It was; but subsequently a majority of the committee agreed that it should be reported favorably, and the bill failed in the last Congress simply by reason of the absence of a quorum. The point of no quorum was made, and I refused to demand the yeas and nays.

Mr. JOHNSTON, of Indiana. My recollection is that the majority of the committee were not in favor of the passage of the bill, but merely consented that it might be reported to the House and discussed on the floor.

Mr. STONE, of Kentucky. At the time the report was made the committee were willing that the bill should be reported to the House and should go upon the Calendar, but the majority of the committee were not in favor of its passage; but before it came up they were in favor of it. That was the situation.

Mr. LANHAM. I wish to ask the gentleman whether it appears that the stores for which this claim was made were used by the United States Army?

Mr. STONE, of Kentucky. Yes, sir. The circumstances of the case were simply these: Mr. Higgins, the claimant, lived in Kentucky many years before the war, but in 1858 or 1859 he moved to Alabama. When it became evident to him that war was going to break out, being a Union man and desirous of not being within the Confederacy or having anything to do with that side of the controversy, he started back to Kentucky and made arrangements to move back to Princeton, his original home. He went to Alabama to get his property and bring it to Kentucky, but he found the army lines interposed between him and his home, so that he was not enabled to get through. He had his property with him, which he was trying to get back into Kentucky, a State that was still in the Union, but he was stopped at Dalton, Ga., and remained until 1864. When the Army of the United States reached that point they took and used his property for army purposes. His mules, his bacon, and other articles were used by the Army, and there certainly can be no injustice to any one in paying this claim, and no opening up of the door for any improper class of claims. This bill simply proposes to pay a loyal citizen of Kentucky for his property which was taken and used for the benefit of the United States Army; and although that property happened at the time to be in the State of Georgia, I can see no reason why the House of Representatives should stickle at paying a loyal man for his property taken under such circumstances, if it is going to pay anybody. His detention within the Confederate lines was unavoidable and was against his will; his property was taken for the benefit of the Army, and my position is that he is as much entitled to be paid for it as if he had been a citizen of New York or Indiana.

Mr. BIGGS. Can the gentleman inform the House whether the estimate placed on the property here is a fair one?

Mr. STONE, of Kentucky. Yes, sir.

Mr. SPRINGER. I desire to ask the gentleman a question.

Mr. STONE, of Kentucky. I do not yield the floor further than to hear the question of the gentleman from Illinois.

Mr. SPRINGER. Does not the gentleman's report state that this gentleman remained in the State of Georgia until 1864?

Mr. STONE, of Kentucky. Yes, it does.

Mr. SPRINGER. That he remained in Georgia from 1861 until 1864?

Mr. STONE, of Kentucky. Yes, it does state that.

Mr. SPRINGER. How could he claim to be a loyal citizen of the Government and yet live so near Kentucky, and prefer to remain in that Confederate State of Georgia rather than return within the Union lines in Kentucky?

Mr. STONE, of Kentucky. Mr. Chairman, in reply to that question I wish to say to the gentleman from Illinois just one thing, and that is this: he, like a great many other gentlemen I have met at different times, has a very poor conception of what loyalty to the Government meant in the Southern States. [Laughter and applause.] I will tell you that the loyalty of the men in the Southern States is as a jewel compared to the loyalty of the man who lived in the North. And such was the case with the loyalty of Mr. Higgins. He was faithful and loyal to his Government during the entire period.

Now, Mr. Higgins was not willing to abandon his property—to leave it in the State of Georgia to be lost to him altogether. He preferred to stay with it and try to get it back into Kentucky, which was his home, but he had to remain where his property was.

Mr. SPRINGER. What kind of property was it?

Mr. STONE, of Kentucky. It consisted of mules, bacon, and corn, and things of that kind which were raised upon a farm below Dalton, in the State of Georgia.

Mr. JOHNSTON, of Indiana. Will the gentleman from Kentucky tell us what particular act Mr. Higgins ever performed to testify his loyalty to the Government?

Mr. STONE, of Kentucky. The acts he performed to testify his loyalty to the Government were like the acts of many other men who were in the South, who honored and revered the old flag; he attended quietly to his own business; he was not one of the kind who was willing to take up arms against the Government.

Mr. WILLIAMS. Did he claim to be a Union man down there in the South?

Mr. STONE, of Kentucky. Yes, he did.

Mr. WILLIAMS. That is enough.

Mr. JOHNSTON, of Indiana. As I understand it, he lived in Kentucky in 1861.

Mr. STONE, of Kentucky. He came from Alabama and arranged to move back to Kentucky, and went back again to Alabama in order to bring his property into Kentucky.

Mr. WARNER. Mr. Chairman, I think a man who lived in the South and claimed to be a Union man had a great deal more Union sentiment than the man who lived in the North and claimed to be a Union man and yet never went into the Union Army.

Mr. JOHNSTON, of Indiana. I agree with the gentleman so far as that is concerned. But I do not see, Mr. Chairman, how a Union man living in the South, and who claimed to be a Union man, could remain there from 1861 until 1864 without having made an attempt to get back into the Union lines.

Mr. STONE, of Kentucky. In reply to the statement made by the gentleman from Indiana, I wish to state that Mr. Higgins did not intend permanently to reside in the State of Georgia; that his home was in the State of Kentucky, and he was forced to remain within the Confederate lines in order to save his property. He was not, in other words, willing to abandon his property and to leave it in the State of Georgia in order to come within the Union lines in the State of Kentucky. It was not necessary that he should do this in order to evince his loyalty to the Government. His design was to bring that property back into Kentucky, and he was perfectly justified in so doing. None of us would be likely to abandon our property, under like circumstances, to get through the lines. I hope, therefore, that the motion of the gentleman from Illinois will not prevail, but that the bill will pass.

Mr. JOHNSTON, of Indiana. Now, Mr. Chairman, I have no disposition to resist the payment of any just claim. I think that the General Government should pay every dollar it honestly owes to one of her citizens. This claim was discussed in the Committee on War Claims in the Forty-ninth Congress, and my understanding was that the majority of that committee were then opposed to paying this bill. They were opposed to it for two reasons: one was that they did not believe the loyalty of the claimant was sufficiently established; and, secondly, because there was no affirmative proof he had been a loyal man, that he never did or said anything which is in proof that he was loyal to the Government.

My friend from Kentucky justly says that the loyalty of men in the North when compared with loyalty to the Union of men in the South, the loyalty of the Union man of the South was as a jewel. But according to my experience, when you found a loyal man in the South, in Alabama, Georgia, Florida, or any other of the Southern States, in 1864, you never found him owning $5,000 worth of mules and horses.

There is no reason why, in my judgment, the Government should be called upon to pay this claim. This property was taken in a State declared to be in rebellion. It was taken without any order from the War Department. So far as the evidence goes it is proved that it was not taken under the order of any one in authority. It was not taken by any officer of the United States Army. It was not by any one having authority from the General Government. And whenever you undertake to pay this class of claims you open the door to pay for every article of stores or supplies taken by marauding parties throughout the South during the war. The Committee on War Claims in the Forty-ninth Congress rejected every claim unless the claimant could prove loyalty in the first place, and in the second place show that the property was taken in accordance with some order from the War Department or under the authority of the General Government.

There is just the trouble here. I apprehend they will find no order from the commanding general to take this property. It has been taken upon the order of some man without authority; and there is no evidence that it went into the service of the Government for any purpose. I do not dispute that it may have gone there; but I do assert that it is not shown in any manner by any evidence that this was taken by any proper authority.

Mr. MILLIKEN. Is there any evidence that it was taken by an officer of the Army or by any person and converted to the use of the Government?

Mr. JOHNSTON, of Indiana. There may be evidence that it was taken by an officer of the Army, but there is no evidence that he took it by virtue of any authority whatever.

Mr. MILLIKEN. But what use was made of it?

Mr. JOHNSTON, of Indiana. That I do not know. It may have gone into the service of the Army, but the fact is not shown. There were millions of dollars' worth of property taken for the use of the Army which we have refused to pay for, simply because this man or that man took it without authority from the General Government. That rule has applied in every Northern State where property was taken. If a half-dozen soldiers went out and took a Northern man's property in a loyal State and used it for their own support, the Government could not be held responsible under the rules heretofore adopted; and if you pass this bill and adopt a different rule from the safe one we have heretofore followed, you open the door to pay millions of dollars for property taken without authority from the General Government or for its use.

Mr. WADE. Will the gentleman allow me to ask him a question?

Mr. JOHNSTON, of Indiana. Yes, sir.

Mr. WADE. Does the gentleman think that if the Government got this man's property he ought to be paid for it?

Mr. JOHNSTON, of Indiana. It may be very true, that it ought to be paid for if the Government got it. If the Government gave authority to take the property it ought to be paid for.

Mr. WADE. Ought not the Government to be willing to pay for what it got?

Mr. JOHNSTON, of Indiana. But we can not afford to pay for damages committed by every individual soldier, for if we open the door for that sort of business, we will have to pay for all that was done by the Missouri troops.

Mr. WADE. The Government is no doubt willing to pay for all it gets.

Mr. MILLIKEN. Does my friend assume that the Government should not pay for all the property it takes from its own loyal citizens and converts to its own use?

Mr. JOHNSTON, of Indiana. That question is not here. I am not going to resist the passage of this bill; but I want to say, that having been on the Committee on War Claims in the Forty-ninth Congress, I believed it due to myself and to the House to make the statement. If you want to break over the rule and pass such bills, it ought to be done with a full understanding of what you are voting for.

Mr. STONE, of Kentucky. I yield five minutes to the gentleman from Tennessee.

Mr. HOUK. Mr. Chairman, I have no desire to make a speech on this question. For twenty-odd years this House and the other House of Congress have been legislating in the direct line of this bill. If we are to wait and never pay a Union man for his losses until he reaches back and shows that the Secretary of War, or some official at Washington, gave authority to take his property, no man, or not one out of a thousand, will ever receive a cent. From the facts set forth here I have no doubt, looking at the character of the committee that considered the matter, that this was a Union man. His property was taken and used by the Government, and is the Government going to repudiate its own debts because you can not go back and find where they had authority from Abraham Lincoln, or Edwin M. Stanton, or somebody else, to take it?

Mr. BROWNE, of Indiana. It has repudiated its honest debts frequently, with much less ground for excuse than that. [Laughter.]

Mr. HOUK. That is true; and that remark leads me to say this, that I would rather have a note on any pauper in this country, forty years of age, who is honest, than a claim against the United States, unless it be in the shape of a bond. [Laughter.]

I am tired, for one, Mr. Chairman, every time a little claim comes up here from the South of hearing it said that because a proclamation was not issued by the man, and because he has not gone forth and called his neighbors together and had a grand mass meeting down South to show that he was a loyal man, therefore he is a rebel and his claim shall have no weight.

I hope the bill will pass, and that is about all I want to say. [Applause.]

Mr. WARNER. Mr. Chairman, every Congress that takes up the consideration of such claims finds that there is always a Banquo's ghost that rises up against the payment of a debt of this character by the General Government, and we are solemnly assured that the ghost is throwing down the bars leading to the public Treasury. We are told that it will bankrupt the nation if we pay any of these claims. That, sir, is to my mind neither an argument nor a reason againt their payment. I happen to live within a State which is upon the borders. I am not here as a Southern man, but I am here to advocate, and shall advocate so long as I remain a member of this Congress, the payment to every loyal man south of Mason and Dixon's line for every cent's worth of property the armies of the United States took from him during the war if the property was taken under orders and used by the United States Army. I am in favor, sir, of rewarding loyalty in the South rather than punishing it by legal enactments.

Further, sir, if we are to wait, as has been suggested, until an order from the commanding general is produced, as the gentleman from Indiana argues, those of us who went into the Army know full well that this will be impossible in a majority of cases. If we wanted a mule

while in the Army we asked but few questions as to whether the man who owned that mule was loyal or disloyal, nor did we ever run to General Grant or to any other commanding officer for an order to get such property, but we took the mule and used it for the Army; and if the owner of this mule was loyal I suggest, in all fairness, he has waited long enough upon the Government to receive just compensation for his property. For one I am for paying him just compensation.

Mr. COOPER. You took the mule without asking permission of the general?

Mr. LAIRD. It was a providential dispensation to get a mule.

Mr. WARNER. If I remember correctly the facts of history the British Government paid to its subjects in this country who were called Tories for every horse and every piece of property that our forefathers took from them during the war of the Revolution if they were loyal to the British Government. And more recently, sir, if I remember the facts of history correctly, the French Government, coming out of a struggle such as no other Government has gone through, her energies seemingly paralyzed, bankrupt as she was apparently, yet to her eternal honor be it said she paid to every one of her citizens the value of all the property taken by the French army during the Franco-Prussian war, and for every cent's worth of property taken from her loyal citizens by the invading armies of Germany.

I hope, sir, to see the day when we, the people of this country, will cement the bond of union closer, if possible, and will not always meet this class of claims by crying out that it is *prima facie* evidence because the man lived South that he was a rebel. Nay, some make the residence South conclusive evidence of disloyalty.

I trust the day is not far distant when every just claim, without discussing whether it be from the East, the West, the North, or the South, will be paid.

We should take care that the claim is just, and then see to it that the Government shall pay it. [Applause.]

Mr. STONE, of Kentucky. I yield five minutes to the gentleman from Nebraska [Mr. LAIRD].

Mr. LAIRD. I was reminded during the discussion of this question by the gentleman from Missouri [Mr. WARNER] of the fact that during the war out of which this claim arises it did not by any means take a dispensation of Providence to get a mule, and wherever there was anything of an eatable nature to be gathered we were there in the midst of it, and it was about so also if it was of a ridable nature.

We hear a great deal said about the surplus in this country; and I take it that when it comes to a question about the payment of an honest claim we are not banded together for the purpose of an increase of that surplus by any means. If the Government of the United States would pay its honest debts, such debts as it allows to remain unpaid until, if a private individual were substituted for the General Government, that private individual would be disgraced and driven from the community—if the Government of the United States would pay the millions it owes to honest claimants representing the French spoliation claims; if it would pay the millions which it owes to men on the frontiers for losses sustained at the hands of predatory Indians; if it would answer as an honest man answers promptly to the claims of the millions of individuals to whom it stands honestly indebted to-day, there would be no surplus in the Treasury. I am certainly for the payment of this claim.

Mr. KERR. Will the gentleman from Nebraska allow me a question?

Mr. LAIRD. Certainly.

Mr. KERR. Is there no other proof that this man was a loyal man than the fact that he went South when the war broke out and remained there until it closed?

Mr. LAIRD. There is this proof, which is satisfactory to me, that a committee of this House charged in the assignment of duties with the investigation of this question has reported unanimously under that assignment in favor of the payment of this claim. And I say there ought to be a time when inquiry should stop somewhere on this side of beggary and the poor-house in regard to the man who has an honest claim.

Mr. COOPER. I wish to ask the gentleman from Nebraska, is there any proof of this man's disloyalty?

Mr. LAIRD. I take it that it has been found by the committee he was all right.

Mr. WARNER. I asked the gentleman from Iowa, Judge LYMAN, who examined this case in the last Congress, and he informed me, as I remember, that he thought there was no doubt of the loyalty of this claimant.

Mr. COOPER. My friend from Nebraska [Mr. LAIRD] did not, I think, understand me. I asked if there was proof of disloyalty, assuming that the man should be considered loyal if there was no proof of disloyalty.

Mr. LAIRD. I understood the gentleman's question.

Mr. STONE, of Kentucky. I reserve the remainder of my time.

Mr. HOLMAN. The chairman of the Committee on War Claims, General STONE, has kindly sent to the committee-room for the papers connected with this claim. I desire to call attention to them for a moment. I ask the Clerk to read the paper which I send to the desk, purporting to be an affidavit made by the claimant.

The Clerk read as follows:

CLAIMANT'S APPLICATION.

STATE OF KENTUCKY, *County of Caldwell, ss:*

I, John M. Higgins, on oath state that I am a citizen of the county and State aforesaid; that I was at the date the claim hereinafter set forth originated, and have been ever since, loyal to the United States; that on or about the 18th day of May, in the year 1864, at or near the town of Dalton, in the county of Whitfield and State of Georgia, the following articles of quartermaster's stores were taken from me by Lieut. Joseph Haste, Company A, Sixth Indiana Cavalry, to wit:

| | |
|---|---|
| One black mare mule, value | $200 |
| One deep-bay mare mule | 200 |
| One iron-gray horse mule | 200 |

That no receipt or voucher was given, as the affidavit filed will show, for said stores; that said stores were actually taken by said officer for the use of and used by the Army of the United States; that no payment has been made or compensation received in any way, or from any source whatever, for the whole or any part of said claim; that it has not been transferred to any person or persons whomsoever; and that the rates or prices charged are reasonable and just, and do not exceed the market rate or price of the articles at the time and place stated. And I do hereby appoint C. D. Pennebaker, agent of the State of Kentucky, as my agent to prosecute this claim for me, and to receive and receipt for the money or certificate issued in payment thereof.

JOHN M. HIGGINS.

STATE OF KENTUCKY, *County of Caldwell, ss:*

This day personally appeared before the undersigned, presiding judge of the Caldwell county court of Caldwell County, in the State aforesaid, John M. Higgins, who subscribed and made oath to the foregoing affidavit the 12th day of August, in the year 1865.

J. N. TURNER.

Mr. WILLIAMS. I find that the claimant states in this affidavit that at the time the claim herein set forth originated he was a loyal man. I will ask the gentleman from Kentucky [Mr. STONE] if he has any proof as to this man's loyalty before the claim originated?

Mr. STONE, of Kentucky. Yes, sir; we have proof to show that he was never anything but a loyal man and was never known as anything else.

Mr. HOLMAN. Mr. Chairman, I ask to have another affidavit read. It will be observed that the affidavit which the Clerk has just read was made in 1865, and covers three items of property, three mules, valued at $200 each; in all, $600. Now, I ask to have read the affidavit I send to the desk.

Mr. COOPER. With the permission of the gentleman from Indiana [Mr. HOLMAN], I want to ask the other gentleman from Indiana [Mr. JOHNSTON] a question. It seems from this record that these mules were taken by the gentleman's regiment, and I want to ask him if he has any personal knowledge of the matter?

Mr. JOHNSTON, of Indiana. If the gentleman wants any information on that subject I will inform him that I was not a member of the regiment at that time, but I suppose my colleague, Mr. CHEADLE, can tell him what he wants to know, for the property was taken by his company. [Laughter.]

Mr. HOLMAN. I ask now for the reading of the affidavit I have sent to the desk.

The Clerk read as follows:

STATE OF KENTUCKY,
*County of Caldwell:*

We, W. G. Morse and J. M. Higgins, jr., of the county of Caldwell and State of Kentucky, being duly sworn according to law, state that on or about the 18th day of May, 1864, at or near the town of Dalton, in the county of Whitfield and State of Georgia, saw the quartermaster's stores described and charged for in the foregoing claim of John M. Higgins, consisting of the following articles, to wit, one black mare mule, value $200; one deep-bay mare mule, $200, one iron-gray horse mule, $200, actually taken by Lieutenant Haste, Sixth, Indiana Cavalry, for the use of the Army of the United States, which stores were used by the said Army; that the quantity charged is correct, and that the prices charged are reasonable and just, and do not exceed the market rate or price of the articles at the time and place stated.

W. G. MORSE,
J. M. HIGGINS.

Mr. HOLMAN. Now, Mr. Chairman, I call attention to the fact that these two affidavits which I have had read were made after the claim is said to have accrued, one of them being the affidavit of the claimant himself, and the other the affidavit of his son and a neighbor named Morse. They are the persons whose affidavits I still hold in my hand. I call attention to the fact that the first affidavit was made in 1865; the affidavit now presented, with the accompanying list of articles claimed for, was made in 1876. I ask that this account may be read.

The Clerk read as follows:

*The Government of the United States to John M. Higgins, sr., Dr.*

| 1864. | | |
|---|---|---|
| May 18. | To 4 mules taken by Lieutenant Haste, of Indiana | $800 |
| May 18. | To 1 bay mare taken by the same person | 200 |
| June 7. | To 13 head of beef cattle taken by Colonel Laibolot, Second Missouri Volunteers, and commander of post at Dalton, Ga | 650 |
| | To 100 barrels of corn, taken by last-named officer's command, at $5 per barrel | 500 |
| | To oats taken off 60 acres of land after they had been cut and shocked, taken by same command | 200 |
| | To 3 large fat hogs | 50 |
| | To 300 pounds of bacon | 50 |
| | To flour and meal taken at different times, 30 sacks of which were taken at one time | 200 |
| | To a large lot of lumber | 500 |
| | To a large number of hogs and sheep taken from farm | 300 |
| | To a lot of blacksmith's tools taken from farm | 100 |
| | Total | 3,550 |

Mr. BROWNE, of Indiana. What amount has been allowed by the committee?

Mr. SPRINGER. The whole amount of the claim, $3,550.

Mr. HOLMAN. Now, I will call the attention of my friend from Kentucky to the fact that while the claim in 1865 was a claim for $600, the value of three mules, the claim made out in 1876 is for the value of four mules, one bay mare, and other property, amounting in the aggregate to $3,550.

As I have had the first two affidavits read, it is perhaps a matter of fairness and justice that the affidavit accompanying this account, made in 1876, eleven years after the original claim, should also be read.

The Clerk read as follows:

STATE OF KENTUCKY, *County of Caldwell, set.:*

The affiant, John M. Higgins, sr., being duly sworn, on his oath says: That during the years A. D. 1859 and A. D. 1860 he did business as a merchant at Opelika, in the State of Alabama, and in the last-named year removed from there to the county of Caldwell, in the State of Kentucky, leaving a large unsettled business at the former place. That in the month of August, 1861, he returned to Opelika, Ala., for the purpose of settling up his unsettled business there, and with the expectation of coming again to Kentucky in a few months. That while he was there the armies of the two contending parties to the late war of the rebellion got between him and his home in Kentucky, and although he tried to do so, he could not return to Kentucky, but could only proceed as far homeward as the town of Dalton, in the State of Georgia, where he remained until the month of June, A. D. 1864, when he returned to Caldwell County, Kentucky, where he has continuously resided ever since. That all through the late rebellion, and from the 12th day of April, A. D. 1861, to the 20th day of April, 1865, he was loyal and bore true allegiance to the Government of the United States of America, and never aided or assisted the rebellion of the so-called Confederate States.

That during the time he so resided in and near Dalton, in the State of Georgia, he was engaged in the business of farming, and also in the business of milling with a combined saw and grist mill.

That as a farmer he raised many horses, mules, cattle, sheep, and hogs, and much corn and oats, and had large quantities of bacon; and as a miller he made and owned large amounts of flour, meal, and lumber.

That he has examined the account hereto attached in his favor and against the Government of the United States for $3,550, and knows that during the year A. D. 1864 he was the owner of such and all of the articles of property therein named, and that the said property was reasonably worth the prices in said account stated.

That as to the property named in the following items of said account, namely:

1864.

| | | | |
|---|---|---|---|
| May | 18. | To 4 mules | $800 |
| | 18. | To 1 bay mare | 200 |
| June | 7. | To 13 head of cattle | 650 |
| | | To flour and meal | 200 |
| | | To large lot of lumber | 500 |

he has personal knowledge that it was all taken and used by the Army of the United States; and as to the remaining items he is informed (as he believes truly) and he believes that the property mentioned in said remaining items was taken and used by the Army of the United States.

That so far as he has personal knowledge, information, or belief said account contains a just and true account of articles of property and their value, which belonged to him and were taken from him by and used by the Army of the United States by order of the officers named in said account, namely, Lieutenant Haste, of Indiana, and Colonel Laibolot, of the Second Regiment of Missouri Volunteers.

This affiant does not remember the regiment to which Lieutenant Haste belonged.

That all of said property was so taken and used during the year A. D. 1864, but the precise dates of all can not be given now because not remembered.

That none of the property mentioned in said account has ever been paid for in whole or in part.

JOHN M. HIGGINS.

(Sworn to before the clerk of the county court, Caldwell County, Kentucky, May 20, 1876.)

Mr. HOLMAN. Mr. Chairman, the object I have had in view in presenting these affidavits and papers, which are somewhat voluminous, has been to show that it is at least possible there may have been a mistake made as to the proper amount which should be allowed in this case. I have looked over the papers hastily. There are affidavits of several persons as to the loyalty of the claimant; I see nothing to raise a doubt as to that. That he resided in the State of Georgia from 1861 to 1864 is reasonably well established. But I see nothing to raise a question as to his loyalty, though I can very well see how a mistake may have occurred as to the amount which should be paid by the Government.

The account which was made in 1865 is, it seems to me, much more likely to be accurate than that made out eleven years later. I therefore suggest to my friend from Kentucky [Mr. STONE], at whose instance these papers are here—he sent for them himself to the clerk of the Claims Committee, for of course the gentleman desires the whole case to be presented—I suggest to him, in view of this discrepancy between the amount of the claim as originally presented and the claim as now presented, that the subject be recommitted to his committee for further investigation.

Mr. SPRINGER. That is the motion I made.

Mr. STONE, of Kentucky. I propose to yield five minutes to the gentleman from Colorado [Mr. SYMES].

Mr. HOLMAN. Before the gentleman from Colorado proceeds I wish to make a single additional statement, and to call the attention of my friend from Kentucky especially to it. This claimant, according to the facts as now presented by these papers, had access to a court provided for the adjustment of claims of this character. Whatever gentlemen here may think proper to say in derogation of the honor of their own Government, I think that in all history no government has ever been found to present such ample means for the ascertainment and adjustment of every proper claim against it as our Government has done in connection with the late war. I admit it was otherwise in regard to the war of 1812 and the war of the Revolution, as the history of the country shows. But in regard to claims against the Government growing out of the late war our Government has been beyond precedent magnanimous to its people. In 1864 a tribunal was established under what is called the "4th of July law" for the ascertainment and payment of all these irregular claims arising in the loyal States.

In 1869 a tribunal was organized, known as the "Southern Claims Commission," with ample power to send its agents in all directions to ascertain the facts in reference to the claims of loyal men in the South. It had power to go everywhere and ascertain the truth. That tribunal was in existence for ten years. It does seem to me, after the reference of all the claims under the 4th of July law, as well as the claims under the act of 1869, which came within the jurisdiction of those courts, that those claims ought to be considered as ended. All these men have had their day in court, and we should have an end of these matters.

Mr. HOUK. I wish to state in reference to the Southern Claims Commission a single fact, and that is that at the time of the expiration of the law under which that Southern Claims Commission was organized it had not entirely completed its work. There were some two thousand claims with all the facts and conclusions of the committee, which were bundled up and dumped into the Third Auditor's Office without any settlement whatever.

Mr. HOLMAN. I do not wish to say that is not a fact.

Mr. HOUK. There were two thousand cases, with all the testimony supporting the claims, which were undisposed of at the expiration of that commission.

Mr. HOLMAN. I do not wish to dispute my friend's statement. My understanding is that that commission had ample time in which to dispose of these claims. It was composed of three judges, who were constantly employed for ten years. They were armed with more ample facilities to get proof than any tribunal, almost, under the law, except, it may be, the 4th of July law.

Mr. HOUK. That is true.

Mr. HOLMAN. They sent their agents into my friend's State; I think the number was as high as twenty-one, but I may overstate the number. They were sent into that State, as they were sent into other Southern States, for the purpose of gathering proof in reference to these claims both for the claimant and the Government.

Mr. HOUK. Scarcely a case comes up in this House of the character of the pending bill that this Southern Claims Commission is not referred to. It is alleged here again as the reason why this particular claim should not be allowed. I therefore wish to get before the House a statement of the fact that when that Southern Claims Commission expired its work was not completed, but on the contrary there were several thousand claims, with all the proof, which had never been acted upon, and which were all bundled up and dumped into the Third Auditor's Office. We are constantly having these claims brought up, and it is proposed to reject them because of this Southern Claims Commission.

Mr. HOLMAN. I am confident of one thing, that if any gentleman had suggested to Congress that this Southern Claims Commission required further time Congress would have granted it. Congress has always shown the greatest interest in doing justice in these cases.

Mr. HOUK. If Congress would have granted it then, why not grant it now? If Congress would have extended the time in reference to these claimants, gentlemen, what reason is there to refuse it in reference to individual cases where it is shown that the claim is just and the claimant was loyal?

Mr. HOLMAN. Does not my friend see that a case presented by these papers is merely *ex parte* and is quite a different thing from the investigation and report upon these claims by a tribunal like the Southern Claims Commission?

Mr. HOUK. The reading of these papers has changed my mind about this particular case; but I want this House to understand that this Southern Claims Commission did not complete its work at the time the law expired, but that there were several thousand cases which had been made up which were left over and dumped into the Third Auditor's Office.

Mr. STONE, of Kentucky. I now yield to the gentleman from Colorado [Mr. SYMES].

Mr. SYMES. Mr. Chairman, I followed the report in this case, and I do not think it shows the slightest disloyalty on the part of any man who lived in Western Kentucky or Tennessee during the war. It seems the army got between him and his home; that he was not able to return for some years. Sir, I have a little practical knowledge of the state of things which existed throughout that unfortunate country during that crisis. That country was beset with armies on every hand. There were the regular Union troops, the regular Confederate troops, the cavalry raiders. There were regulators, and every other kind of troops which were known to the warfare of the Middle Ages.

I commanded for a short time a cavalry expedition through a portion of that country, and it made an impression upon me I shall never forget. Here lived a poor man on his plantation. He had a large family; he had a few horses; he had a few mules, and was trying to raise a

crop for his support and that of his family. The raiders on one side would come and carry them away, and raiders on the other side would come and take what the others had left. Will gentlemen tell me that such a man, in such a situation, should announce his loyalty and that he was a Union man on every occasion?

Any gentleman who reflects on the situation of that unfortunate individual must know the moment it got out that he was a Union man, the next Confederate raid everything would be taken away which had been left. If he said he was a Confederate and was trying to keep his family from starving, the Union cavalry would proceed to take what he had when they next succeeded in reaching his premises.

Why, sir, this poor individual, striving to keep his family from starving in the midst of such surroundings, would have been pardoned if he had stood up and told the most plausible stories that he could invent from morning until night, and fitting his stories to the troops, whether Federal or Confederate, that camped in the vicinity of his little home.

Sir, this committee have found, I believe, that this man drifted down into Alabama, and that he could not find his way back home again on account of the presence of the army for two or three years. I wish to say upon that point it is no evidence of his disloyalty. The poor fellow was driven around by these cavalry raids continually; and from my personal knowledge of that country, by practical observation, that fact is no evidence he was not the most loyal man south of the Ohio River.

Mr. Chairman, it is easy for gentlemen who live in the far distance from the scene of hostilities to say they want positive proof that a man is loyal to present such a claim; but if some of them, by the fortunes of war, had been placed in that man's situation they would have done anything at the time to save their families from starvation and their property from confiscation. Again, sir, I do think that this committee ought to know better than I do, better than the gentleman from Indiana knows, and better than any of us know, who have not taken these papers home and carefully gone over them and made notes of the testimony, whether or not a proper amount is reported here. It strikes me as farcical, and I want to say this, here and now——

Mr. JOHNSTON, of Indiana. I wish to say to the gentleman from Colorado that I was on the War Claims Committee in the last Congress when we investigated and reported against this bill, and I know as much about it as the gentleman from Colorado.

Mr. SYMES. The statement of the gentleman, that he knows as much as "the gentleman from Colorado," is entirely irrelevant. It is as irrelevant as speeches generally are to country juries in Southern Indiana. [Laughter and applause.] The "gentleman from Colorado" did not say he had investigated this claim, or that he knew whether this individual was entitled to $1,000 or to $5,000.

Mr. Chairman, I said I did not believe that the gentlemen who were not on the War Claims Committee knew as much about this report as the gentlemen who were upon it. They are honorable gentlemen; they are able gentlemen; they have investigated this claim carefully; they have reported it to the House, and I am not here to stickle on the question as to whether the committee think $2,000 or $3,500 is the right amount. I only say that if $2,000 was due to this man for property used by the Federal Army before 1866, I think he ought to have about $3,500 now, because this Government has delayed paying his claim for so long a time.

If the gentleman from Indiana was upon the committee, and understands about the claim, very well. I am not combating that. I am saying that the three hundred members in this House who don't know anything of the claim except by the report of the committee are justified in voting for it and sustaining that report.

Mr. STONE, of Kentucky. Mr. Chairman——

Mr. SPRINGER. I hope the gentleman will yield to me for a moment in order to have the report of the Committee on War Claims in the last Congress on this bill read.

Mr. STONE, of Kentucky. I am willing to have anything read, and to have the claim fought in any way that gentlemen may desire to fight it, provided I am allowed to make a statement in response to the gentleman from Indiana at the close. Gentlemen can have the whole record and the testimony and all the communications in regard to the claim read and published if they desire it.

Mr. SPRINGER. I send to the desk the report of the Committee on Claims of the last Congress, and also a minority report submitted by the gentleman from Kentucky [Mr. STONE], and ask that they may be read.

The reports were read, as follows:

The claimant in this case seeks compensation for property owned by him in the month of June, 1864, at Dalton, Ga. He says it was worth $3,550, and that the same was taken from him by the Army of the United States under the command of Lieutenant Haste, of Indiana, and Colonel Laibolot, of the Second Regiment of Missouri Volunteers. He avers that he was loyal to the Government of the United States.

Conceding this claim to be correctly stated, as matter of fact no compensation can be allowed for the loss. It was properly held and owned in an insurrectionary State, and was seized during active hostilities. All the general legislation of Congress has been against allowing this class of claims, and your committee see no good reason for a change of that policy. There is nothing so exceptional in this case as to warrant your committee in departing from the general rule, and they therefore recommend that the bill in this case do lie upon the table.

VIEWS OF THE MINORITY.

[To accompany bill H. R. 940.]

I do not concur in the report of the majority of the Committee on War Claims in the case of John M. Higgins.

W. J. STONE.

Mr. SPRINGER. I wish to add that during the entire session of the last Congress—both sessions—numerous reports came from the Committee on War Claims rejecting cases of this kind for the reason there stated; and the reasons given in the report furnished the groundwork for the legislation heretofore had by Congress upon the subject.

It has been uniform up to this time that property taken in the midst of hostilities was not to be paid for, and whether the claimant was loyal or not is not material. It is the case of property taken in the midst of war, as reported by the Committee on War Claims in the last Congress, for which compensation has not been made by general law of Congress; and I do not remember that any special acts of Congress have been passed in such cases up to this time. There may have been one slipped through without observation; but when it comes to discussion I think it will be found the records of Congress are uniform as to the fact that property taken in the midst of hostilities has not been paid for by the Government.

Mr. BROWNE, of Indiana. Will the gentleman from Kentucky [Mr. STONE] permit me to say just one word?

Mr. STONE, of Kentucky. I yield to the gentleman for one minute.

Mr. BROWNE, of Indiana. I do not attach any importance whatever to the language of the report of the last Congress so far as the matter is stated to have occurred within the insurrectionary district. It is entirely possible that loyal men entitled to the protection of the Government may have resided within what is known in war parlance as the enemy's country, or in the insurrectionary district. Nor do I regard it as a matter of importance, so far as the discussion of this question is concerned, that there should be additional proofs of the claimant's loyalty. I do not suppose it is always possible for a man who is loyal to the Government to show it by any overt act, especially when he is surrounded on all sides by enemies.

I should assume if he were in the insurrectionary district and there was no evidence to show that he took part in the insurrection, that he was influenced to do something to further the objects of those engaged in insurrection against the Government—I should think it is fair to assume that he was loyal.

But here is a question that comes to my mind. I think that in all these claims that have heretofore been allowed by an act of Congress it was first necessary to show that the property upon which the claim is based was either quartermarter or commissary stores, such as might be properly used by the Army for military purposes. I judge from the nature of the articles that were appropriated in this case that they were articles properly entering into stores of this description. But it is necessary, I think, to show in the second place that they were seized by the command of an officer having authority. Certainly it is not essential that it should be shown that the seizure was founded upon an order from the War Department or even from the commanding general; but certainly it should be shown that it was by order of the officer in immediate command.

The reason why that is necessary is, I think, obvious. The Government is not responsible for every trespass committed by a soldier in its army operating in the enemy's country, engaged in its wars. For acts of trespass unauthorized, done out of a spirit of mischief or with the mere design of committing injury to the other side, for acts of this kind certainly the Government is not and ought not to be held responsible, even if in the commission of them there was a destruction or an appropriation of such property as might properly belong to the military stores of the Government; and it seems to me, and I have listened carefully to the reports in this case, and the testimony so far as it has been read, that it is not sufficiently disclosed that this property was taken by command of an officer having authority and duly appropriated in the proper and legitimate way to the use of the Army.

Believing that the stores were military stores fit to be used by the Army in the Quartermaster and Commissary Departments, and believing there is sufficient proof of the claimant's loyalty, I still hesitate under the circumstances to vote for this claim, because I do not see it has been sufficiently shown that the property was appropriated in such a way by the officers of the Army as would make the Government legally or in equity responsible for it.

Mr. STONE, of Kentucky. I have very little time left, but, in answer to the gentleman who has just taken his seat, I want to say the testimony here shows plainly that these stores were taken by a commissioned officer of the United States Army. I have never been informed what sort of commission there must be in order to make such an act authoritative. But these stores were taken by United States officers and for the use of the United States Army.

Now I want to say one word in regard to the point raised by my friend from Indiana [Mr. HOLMAN] as to a discrepancy in these accounts. He says that in 1865 Higgins claimed an amount of $600 for

mules. That is true. He says that these papers were sent for at my instance. That is also true. I do not want to cover up anything in a claim, and am not here to advocate the payment of claims that are unjust or illegal. He filed his claim in 1865 not having an idea that the United States Government would pay for the flour and bacon and beef which were used; but afterward, in 1876, when he found this class of stores and supplies was being paid for, Higgins asked the Government to pay him for that class of supplies for which they were paying others.

Now, Mr. Chairman, a word about the cry raised here in regard to opening the flood-gates. I have heard that cry about opening the flood-gates ever since I have been in politics. Some fellow is always trying to get up a scare for the country by the cry about opening up some sort of flood-gates.

Now, Mr. Chairman, I want to say furthermore that this man's loyalty is established; the taking and using of his property is established; the taking of it by a commissioned officer is established. It is just the character of claim that has been occasionally, and very occasionally, allowed here during the last twenty years.

Mr. HOLMAN. Will the gentleman permit me to call his attention to one point?

Mr. STONE, of Kentucky. Yes, sir.

Mr. HOLMAN. In the gentleman's report, I believe, he mentions the fact that this claim was presented through Mr. Pennebaker, the State agent of Kentucky.

Mr. STONE, of Kentucky. No, sir; I do not mention that in the report.

Mr. HOLMAN. Well, it is mentioned in the papers.

Mr. STONE, of Kentucky. It is in the papers.

Mr. HOLMAN. I read from these papers:

OFFICE KENTUCKY STATE AGENCY,
*Washington, January 19, 1866.*

GENERAL: I have the honor to inclose herewith for your consideration a claim under the act of July 4, 1864, of John M. Higgins, three mules, $600, and to request payment thereof.

Very respectfully, your obedient servant,

C. D. PENNEBAKER,
*Agent State of Kentucky.*

General M. C. MEIGS,
*Quartermaster-General, United States Army.*

It appears, therefore, that in 1866 the claim was presented for three mules, amounting to $600; while now it is for four mules, and other articles which are added to the claim.

Mr. STONE, of Kentucky. Well, Mr. Chairman, that is simply a reiteration of what the gentleman from Indiana [Mr. HOLMAN] has already said. I want to call the attention of the Chair and of the committee to the fact that, so far as the gentleman from Indiana [Mr. HOLMAN] is concerned, you might as well shake a red flag in the face of a bull as to present here for payment any claim for property taken south of the Ohio River. But when there is a claim north of the Ohio, or a claim coming from his own district, he has no objection to it. Even at this Congress he presented before our committee a bill providing for the payment of a claim in his own district. I reported the bill back at his request, and he requested me as a favor not to object to his getting unanimous consent for its passage, and that bill has passed here and has gone to the other end of the Capitol; yet now he is here, interposing these technical objections to the payment of the just claim of a loyal man who happens to live south of the Ohio. [Applause on the Republican side.]

Mr. HOLMAN. But the bill to which the gentleman refers was for the payment of a good claim, was it not?

Mr. STONE, of Kentucky. Gentlemen, I was not loyal during that war; I was upon the other side, and it is the most astonishing thing in the world to me that I am made chairman of the Committee on War Claims, and am here working day and night—an average of eighteen hours a day do I give to this work—trying to get the Government of the United States to pay the just claims of men who were loyal to it during the war. [Renewed applause.] And, while I am engaged in that work, we find a man here coming from a loyal State who is unwilling to do justice to a loyal citizen of the United States whose home was in Kentucky, because he was so unfortunate, as he thought, as to be detained with his property in a State which was declared to be in rebellion. I am not here to advocate the payment of unjust claims. If this claim was good before the Southern Claims Commission, as is stated by the gentleman from Indiana [Mr. HOLMAN], I wish to ask him why it is not just before the Congress of the United States, not having been filed before the Southern Claims Commission?

Mr. MILLIKEN. Will the gentleman permit a question?

Mr. STONE, of Kentucky. Yes, sir.

Mr. MILLIKEN. I do not care anything about "opening the flood-gates;" I hold that the Government ought to pay every just claim without regard to precedents.

Mr. STONE, of Kentucky. That is my position.

Mr. MILLIKEN. But I wish to ask the gentleman from Kentucky how he explains the discrepancy between the bill presented by this man in 1865 and his present claim? I ask the question simply for information.

Mr. STONE, of Kentucky. The explanation is this: When Mr. Higgins filed his claim at that time he believed that mules and horses taken by the United States Army were the only things that would be paid for. Afterwards he found that quartermaster's stores—bacon, flour, lumber, and such things—were being paid for. Then he added those items to his bill, and he was perfectly justified in doing it.

Now, Mr. Chairman, as I stated before, I am not here advocating the payment of any unjust claims; I am not here advocating the opening of any "flood-gates;" I am only asking that the Government of the United States will do justice to worthy and honest claimants whom it has encouraged by its laws to present their claims for losses incurred during the war.

Now, this Committee of the Whole can do just what it pleases in regard to this claim. If the sense of justice among members here is not deep enough to secure the passage of this bill, proposing to do justice to this man, in whose favor every point is established, the fault is not mine. I have done my duty; I have given you the whole facts of the case; I have not tried to cover up or keep back a single circumstance. [Applause.]

Mr. HOLMAN. Mr. Chairman, I do not think the suggestion made by my friend from Kentucky [Mr. STONE] expresses exactly the line of public duty on this floor. My friend reported a claim in favor of a Union soldier who had rendered service——

Mr. STONE, of Kentucky. I want to emphasize right here the fact that I have reported scores of claims in favor of Union soldiers who had had injustice done them for twenty years by men entertaining the opinions which my friend from Indiana [Mr. HOLMAN] entertains in regard to these claims. [Applause.]

Mr. HOLMAN. Mr. Chairman, my friend speaks very well; and the only reason I have not joined in applauding him is because I had this paper in my hand. [Laughter.] But, Mr. Chairman, my friend misapprehends. I did not expect him to report a bill to pay a soldier in my district, except upon its own merits; and I am sure he did not do so. I am sure he convinced himself that the claim was a just one and ought to be paid. If he reports any bill which is subject to criticism, he certainly, with his magnanimity and sense of justice, can raise no objection to fair criticism and discussion. Why, sir, he ought to ask me, as well as other gentlemen on this floor, to criticise any measure he may present, if justice requires such criticism. This is simply a public duty. Neither the wishes of my friend from Kentucky nor myself are to be considered in a matter of this sort. The question is what is right and just to be done by this great Government of ours.

Mr. STONE, of Kentucky. Will the gentleman allow me to interrupt him a moment?

Mr. HOLMAN. Certainly.

Mr. STONE, of Kentucky. I wish merely to emphasize the last remark of the gentleman. I am only attempting to do justice to meritorious and worthy claims. My remarks with regard to the position I had occupied relative to his own bill were only brought out by his reiteration of a point which had been answered to the satisfaction of everybody else in the House.

Mr. HOLMAN. I do not think that remark was in bad taste; I think such reference was entirely proper; and I know that my friend is always careful in his remarks.

Mr. Chairman, I wish to say with emphasis that my friend from Kentucky has shown the utmost magnanimity with regard to claims on behalf of Union soldiers in the North as well as in the South. But I think the gentleman has misapprehended the point involved here; for I have said that it seems to be well established that this claimant was a loyal man. It is a question as to the justice of the claim.

I now ask the Clerk to read the paper which I send to the desk.

The Clerk read as follows:

OFFICE KENTUCKY STATE AGENCY,
*Washington, January 19, 1866.*

GENERAL: I have the honor to inclose herewith for your consideration the claim under act of July 4, 1864, of John M. Higgins, three mules, $600, and request settlement thereof.

Very respectfully, your obedient servant,

C. D. PENNEBAKER,
*Agent State of Kentucky.*

General M. C. MEIGS,
*Quartermaster-General United States Army.*

Mr. HOLMAN. It will be observed that the paper just read is dated January 19, 1866. The account presented at that time, very shortly after the close of the war, by the agent of the State of Kentucky to the Quartermaster-General of the United States Army, was for three mules valued at $600. My friend from Kentucky says that the reason the other articles were not included in the claim at that time was that this gentleman did not suppose that anything but horses and mules would be paid for. My friend, however, forgets that the original claim presented against the Government in 1866 was for three mules at $200 each, making $600, while the later claim, to pay which this bill is reported, embraces four mules and a horse and all the other articles which are named, aggregating $3,550. How does my friend explain that? I yield for an explanation.

Mr. STONE, of Kentucky. Why, Mr. Chairman, I have explained that matter twice to the gentleman; and I apprehend there is no other gentleman on this floor to whom the explanation already made has not been satisfactory. But the gentleman from Indiana, in his determi-

nation to defeat this claim—and it has been my fortune to have him oppose every claim I have advocated on this floor—proposes to quibble over this matter until the House shall become weary and adjourn without disposing of this question, thereby defeating or delaying just payment to a man who stands knocking at your doors for justice.

Mr. HOLMAN. But still my friend will allow me to ask, is it not likely that a claim presented almost immediately after the period in which the claim is said to have accrued—for this claim is alleged to have accrued between 1861 and 1864—is it not likely that a claim presented in 1866 was more accurate than one made eleven years later?

Mr. WARNER. Does not the gentleman know if this claim was presented in 1866 it was not presented by the claimant himself, but by a State agent?

Mr. HOLMAN. Certainly.

Mr. WARNER. And I understand that in this case the claimant now swears to his claim and to his loyalty at the time.

Mr. HOLMAN. I have called attention to the disparity of the claim made at different times, and I have no more to add. If the House thinks it proper to pay this claim thus enlarged, of course it will do so.

Mr. STONE, of Kentucky. I call for a vote.

The CHAIRMAN. The question is on the motion made by the gentleman from Illinois [Mr. SPRINGER] to lay the bill aside to be reported to the House with the recommendation that it be recommitted to the Committee on War Claims.

Mr. STONE, of Kentucky. I hope that will not be done.

The House divided; and there were—ayes 22, noes 126.

So the motion was disagreed to.

The bill was then laid aside to be reported to the House with the recommendation that it do pass.

### A. GATES LEE.

The next business on the Private Calendar was the bill (H. R. 4908) for the relief of A. Gates Lee, surviving partner of A. G. & B. P. Lee.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized to pay to A. Gates Lee, of McCracken County, Kentucky, surviving partner of A. G. & B. P. Lee, out of any money in the Treasury not otherwise appropriated, the sum of $675, for use and occupation of their mill property by United States troops during the late war.

Mr. STONE, of Kentucky. I move to amend by inserting before "A. Gates Lee" the words "heirs of," and by inserting after the word "Lee" the word "deceased."

Mr. SPRINGER. Let the report be read.

The report was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 297) for the relief of A. Gates Lee, have had the same under consideration, and report as follows:

The petition is presented by A. Gates Lee, as the surviving partner of A. G. & P. B. Lee, and the claim made is for damages sustained by the occupation of real estate by United States troops from October 1, 1861, until about January 1, 1864.

The testimony submitted shows that A. G. & P. B. Lee built a flour-mill and appurtenances in the city of Paducah in 1857 or 1858, the whole original cost of which is estimated at $13,400; the machinery, consisting of steam-engine, boilers, etc., being estimated at $6,000. At this mill they conducted their business until 1861, when, they allege, offers were made to them to supply the Confederate troops with flour, in violation of the President's proclamation, at very lucrative prices, which they refused.

Their loyalty is attested by numerous affidavits and statements, one of which asserts that A. G. Lee was excommunicated from his church in the early part of the year 1861 because of his ardent devotion to the Union.

This mill and premises consisted of the main building, 50 feet long by 30 feet wide, three stories high; a shed two stories high, 50 feet long by 14 feet wide; a warehouse one story high, 100 feet long by 16 feet wide; and two double stables—all frame buildings; two engines and boilers, and three pairs of burrs, eight bolting-cloths, packers, elevators, fans, smut-mills, and the usual apparatus of a merchant flouring-mill; all occupying a lot in Paducah, 98 feet by 165 feet, inclosed by a plank fence.

These were taken possession of October 1, 1861, and occupied as headquarters by General Lew. Wallace, and continued to be so occupied by the successive commanders of the United States troops stationed there until January, 1864—two years and three months. During this time it is alleged that the mill and buildings were in effect destroyed; that the weather-boarding was taken off; the plank, fences, sheds, and timbers were used by the soldiers.

In October, 1865, J. H. Wilson, captain and assistant quartermaster, under orders from Major-General Donaldson, chief quartermaster of military division of Tennessee, appointed three citizens of Paducah to investigate and report the amount of damages sustained by the property known as "Linwood Mills" during, and caused by, its occupancy by the military authorities of the United States, and also the amount of rent equitably due for possession of said property. They reported in a few days after their appointment that the monthly rent was worth $75, and by a separate report that the damages sustained were $11,875.

No further proceedings appear until January 29, 1867, when Acting Quartermaster-General D. H. Rucker addressed to the Secretary of War the following:

"QUARTERMASTER-GENERAL'S OFFICE,
"*Washington, January 29, 1867.*

"SIR: I have the honor to return herewith the inclosed papers relative to the claim of A. G. & B. P. Lee, for damage and destruction of property known as the 'Linwood Mills,' at Paducah, Ky., referred to this office by the War Department, and to report:

"That Bvt. Maj. Gen. J. L. Donaldson, chief quartermaster at Nashville, Tenn., was directed, December 29, 1865, from this office, to pay rent for this property at the rate of $25 per month from the time it was seized by the United States to the time it was vacated.

"He was also advised that claims for damages could not be paid from any appropriation under the control of the Quartermaster-General, but that the claimants in such cases must await the action of Congress.

"The Acting Quartermaster-General knows of no objection, so far as this office is concerned, to the application of Mr. Frederick Koones, 'that the claim be referred to the Claims Commission.'

"Very respectfully, your obedient servant,

"D. H. RUCKER,
"*Acting Quartermaster-General, Brevet Major-General.*

"Hon. E. M. STANTON,
"*Secretary of War, Washington, D. C.*"

"August 8, 1868, General James A. Hardie, president Commission of Claims, addressed the Secretary of War, saying, after reciting the foregoing letter of General Rucker:

"'At the instance of the claimants this case was referred to the Claims Commission, by whom no action appears to have been taken in the premises. The commission see no sufficient reason for a modification of the action already had in the claim by the Quartermaster-General.'"

This was approved by Major-General Schofield, Secretary of War, August 12, 1868.

The rent of $25 was never paid by the Government.

That he and his brother had been loyal men; that their property has been taken and used in the public service, and thereby greatly injured; and that proper compensation should be made, the committee think there can be no doubt. Notwithstanding the assessment made by the citizens appointed by the assistant quartermaster, the committee feel at a loss to arrive at a just estimate of the damages. The whole of the buildings and machinery when new are said to have cost $13,400. The machinery is estimated at $6,000.

Your committee are of opinion that the case under consideration is one of great hardship, and recommend that claimants be paid the sum of $675 for rent of said buildings for two years and three months, and report herewith a substitute for the bill and recommend its passage.

Mr. HOLMAN. I hope the gentleman from Kentucky will state the time covered in this claim for rental.

Mr. STONE, of Kentucky. The property was taken possession of October 1, 1861, and continued to be so occupied by the United States troops until January, 1864, that is for two years and three months. It appears from the report of General Rucker, Acting Quartermaster-General, that the owners of this property agreed to take $25 per month from the day it was seized by the United States to the time it was vacated; and further, that Bvt. Maj. Gen. J. L. Donaldson, chief quartermaster at Nashville, Tenn., was directed October 29, 1865, to pay rent for the property at that rate. But that rent of $25 was never paid by the Government.

In the Forty-ninth Congress I introduced a bill, which passed the House, appropriating money for the payment of this claim. It went to the Senate, and they were willing to allow for rent but not for damages. Since then A. Gates Lee, the surviving partner, has died after waiting so many years to be reimbursed for the use of his property. The heirs being in destitute circumstances are willing to accept the rate provided for in the bill, and I think the gentleman will admit there is no good reason why we should further delay doing justice to these claimants. It is only a rate of rent for this property which the Quartermaster-General directed should be allowed and which these parties are willing to accept.

Mr. HOLMAN. Why was not rental for the property fixed at the same rate in the preceding bill?

Mr. STONE, of Kentucky. It was because A. Gates Lee was not willing to accept it.

Mr. HOLMAN. Does the Committee on War Claims think it ought to pass further claims for rent for the use of buildings or grounds occupied at the seat of war?

Mr. STONE, of Kentucky. Paducah, Ky., could not have been said to be at the seat of war at any time during the war. Down to 1865 it was a depot of supplies, which were sent out in every direction. When this claim was made originally an officer was sent by the Department to investigate the facts, and the Quartermaster-General directed the payment of $25 a month during the time it was in use by the Government.

Mr. HOLMAN. I wish to call the attention of the gentleman from Kentucky to the section of the statutes which I now send to the desk, and ask if in his opinion this claim does not come within the prohibition therein contained as to the jurisdiction of the Court of Claims; that is to say, whether or not the Court of Claims is not expressly prohibited from considering claims of this class. I ask the Clerk to read the section.

The Clerk read as follows:

SEC. 3. CHAP. 116. The jurisdiction of said court shall not extend to or include any claim against the United States growing out of the destruction or damage to property by the Army or Navy during the war for the suppresion of the rebellion, or for the use or occupation of real estate by any of the military or naval forces of the United States in the operations of said forces during the said war at the seat of war; nor shall the said court have jurisdiction of any claim against the United States which is now barred by virtue of the provisions of any law of the United States.

Mr. HOLMAN. Now, I wish to ask the gentleman from Kentucky this question: Whether or not the claim now pending is not one of the class of claims prohibited by that section of the statutes?

Mr. STONE, of Kentucky. Mr. Chairman, the section which has been read, I will state in reply to the gentleman from Indiana, has nothing whatever to do with the pending case. The question as to the rights and powers of the Court of Claims is not in controversy here at all.

Mr. HOLMAN. No; but my friend will see that the question is very different. Is not this claim of that class which is there prohibited, and jurisdiction over which is not conferred upon the Court of Claims?

Mr. STONE, of Kentucky. Well, it is not of that class of claims; and even if it was, so much the more strong would be our reason for

coming to Congress. Here are the findings of an officer of the Quartermaster's Department, acting under orders of the General of the Army, and that report approved by Hon. E. M. Stanton, Secretary of War, showing that the property was worth $25 a month, and the quartermaster was instructed to pay that sum. But A. Gates Lee, as representing this firm, was not willing to take $25 a month for it. Lee has lived out his days, unwilling to take the amount of the award; but now his heirs come in and say, "Pay us that sum and let us go; we are willing to accept it in liquidation of the debt." This is simply an act of Congress to carry out the order of the War Department.

The CHAIRMAN. The question is on the amendment proposed.

The amendment of Mr. STONE, of Kentucky, was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

C. M. BRIGGS, DECEASED.

The next business on the Private Calendar was the bill (H. R. 4909) for the relief of the estate of C. M. Briggs, deceased.

The bill is as follows:

*Be it enacted, etc.*, That the Court of Claims is hereby given, subject to the proviso hereinafter mentioned, like jurisdiction to hear and determine the claim of the legal representatives of C. M. Briggs, deceased, for the proceeds of 455 bales of cotton, now in the Treasury of the United States, alleged to have been owned in whole or in part by said Briggs, as is given to said court by the acts of March 12, 1863, and July 2, 1864, upon petition to be filed in said court at any time within two years from the passage of this act, any statute of limitations to the contrary notwithstanding: *Provided, however*, That unless said court shall, on a preliminary inquiry, find that said Briggs was in fact loyal to the United States Government, and that the assignment to him hereinafter mentioned was bona fide, the court shall not have jurisdiction of the case, and the same shall, without further proceedings, be dismissed: *And provided further*, That if the court shall find that the alleged assignment from one Morehead to said Briggs, of date April 18, 1862, under which said Briggs claimed said cotton, was intended only as security to said Briggs for indebtedness, and against contingent liabilities assumed by him for said Morehead, judgment shall be rendered for such portion of the proceeds of said cotton as will satisfy the debts and claims of said Briggs, to secure which said assignment was given.

Mr. LANHAM. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker *pro tempore* having taken the chair, Mr. HATCH reported that the Committee of the Whole House, having had under consideration the Private Calendar, had instructed him to report sundry bills with various recommendations.

BILLS PASSED.

The joint resolution of the Senate of the following title, reported from the Committee of the Whole without amendment, was considered, ordered to a third reading, and being read a third time, was passed (two-thirds voting in favor thereof), namely:

Joint resolution (S. R. 6) to remove all political disabilities imposed by the fourteenth amendment to the Constitution of the United States upon Abram C. Myers.

House bills of the following titles, reported from the Committee of the Whole, were severally ordered to be engrossed for a third reading; and being engrossed, were accordingly read the third time, and passed (two-thirds voting in favor thereof), namely:

A bill (H. R. 3) to remove the political disabilities of William W. Mackall, of Virginia; and

A bill (H. R. 4811) for the relief of Robert Johnson, of New York.

House bills of the following titles, reported from the Committee of the Whole without amendment, were severally considered, ordered to be engrossed for a third reading, and being engrossed, were accordingly read the third time, and passed, namely:

A bill (H. R. 76) for the relief of L. A. Morris;

A bill (H. R. 48) for the relief of Benjamin M. Simpson;

A bill (H. R. 120) for the relief of Charlotte Caroline Hackleman;

A bill (H. R. 611) for the relief of Mrs. P. L. Ward, widow and executrix of William Ward, deceased;

A bill (H. R. 1387) for the relief of the volunteers of the Fourth Regiment of Iowa Infantry;

A bill (H. R. 481) for the relief of Stephen M. Honeycutt; and

A bill (H. R. 482) for the relief of Levi Jones.

The following House bill, reported from the Committee of the Whole with an amendment, was considered, the amendment agreed to, and the bill as amended ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed, namely:

A bill (H. R. 440) granting a pension to Mary C. Knight.

JOHN M. HIGGINS, SR.

The bill (H. R. 4907) for the relief of John M. Higgins, sr., reported from the Committee of the Whole, was considered, the question being on the engrossment and third reading.

Mr. HOLMAN. Mr. Speaker, the bill the title of which has just been read was the subject of considerable discussion in the committee, and it seems reasonably clear that the sum of $600 is due to this claimant since 1866. The bill provides a much larger sum. I hope, therefore, the gentleman from Kentucky will consent to the recommittal of the bill to his committee for a further examination of the facts in the case.

If this claimant in 1866 sent in a claim for $600 it is certainly fair to presume that there was no just foundation for the claim of $3,550, for if it existed at all it existed at that time, at the time that the original claim was presented in 1866.

Therefore it seems to me the House should not hesitate to recommit this bill and give the Committee on War Claims an opportunity to reconsider its action. I therefore move that it be recommitted to the Committee on War Claims with instructions to allow the claim as originally made for $600.

It is very obvious that my friend from Kentucky [Mr. STONE] misapprehends the excuse for not making the claim full in the first instance. For when the claim was presented in 1876 it was for four mules and one horse, and other articles, running up to $3,550. My friend can see that this gentleman can not offer as an excuse that he presumed other articles were to be allowed for. He now claims for four mules and one horse, articles which he admitted as proper for the consideration of the Quartermaster-General, when the original claim was but for three animals, at $600. Therefore I move to recommit with instructions so to amend the bill as to allow the claimant the amount originally claimed, $600.

Mr. STONE, of Kentucky. That matter has been fully explained. We have discussed it here for an hour, and the very same reasons which were given in the committee against the recommittal of this bill stand good in the House. I hope the House will not recommit the bill, but will now pass it.

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from Indiana [Mr. HOLMAN] to recommit the bill with instructions.

The House divided; and there were—ayes 34, noes 96.

So (further count not being called for) the motion to recommit the bill was not agreed to.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

The SPEAKER *pro tempore*. The question is on the passage of the bill.

Mr. HOLMAN. On that question I call for the yeas and nays.

On the question of ordering the yeas and nays there were—ayes 8; not one-fifth of the last vote.

Mr. HOLMAN. Count the other side.

The negative vote was counted, and was 136.

So (the affirmative not being one-fifth of the whole vote) the yeas and nays were not ordered.

The bill was passed.

A. GATES LEE.

The next bill reported from the Committee of the Whole was the bill (H. R. 4908) for the relief of A. Gates Lee, with an amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. STONE, of Kentucky, the title of the bill was amended so as to read: "A bill for the relief of the heirs of A. Gates Lee and B. P. Lee, deceased."

RECONSIDERATION.

Mr. STONE, of Kentucky, moved to reconsider the votes by which the several bills were passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PRINTING OF MISCELLANEOUS DOCUMENT NO. 124.

Mr. LANHAM. I move that the House do now adjourn.

Mr. BRECKINRIDGE, of Arkansas. The gentleman from Texas yields to me that I may submit for reference the resolution which I send to the desk.

The resolution was read, as follows:

*Resolved*, That there be printed for the use of the House 500 copies of the resolution designated as House Miscellaneous Document 124, as amended and passed by the House of Representatives January 26, 1888.

The resolution was referred to the Committee on Printing.

NEW MADRID LOCATION SURVEY.

Mr. DOCKERY. I ask unanimous consent to take from the Private Calendar for present consideration the bill a copy of which I send to the desk.

The bill was read, as follows:

A bill (H. R. 4556) to confirm New Madrid location, survey No. 2889, and to provide for issue of patent therefor.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the action of the recorder of land titles of Missouri, in the case of Bernard and Anthony Laffond, under the act of Congress approved the 17th day of February, 1815, in pursuance of which survey No. 2889 was made and patent certificate issued by the recorder of land titles, No. 367, as the same are now on file in the General Land Office of the United States, be, and the same is hereby, confirmed; and patent shall issue therefor, as in other cases, according to said survey, any question of the regularity of the proceedings, in view of the absence of the relinquishment of one of the original owners, to the contrary notwithstanding.

Mr. DOCKERY. This bill was unanimously reported by the Com-

mittee on Private Land Claims. I ask that the report be printed in the RECORD.

There was no objection.

The report (by Mr. LATHAM) is as follows:

The Committee on Private Land Claims, to whom was referred House bill 4556, have carefully examined the same, and respectfully submit the following report:

In consequence of injuries to certain lands in the county of New Madrid, in the then Territory of Missouri, in 1811, Congress passed the law approved February 17, 1815, and found in volume 3 of the Statutes, page 211, which is as follows:

"SECTION 1. That any person or persons owning lands in the county of New Madrid, in the Missouri Territory, with the extent the said county had on the 10th day of November, 1812, and whose lands have been materially injured by earthquakes, shall be, and they hereby are, authorized to locate the like quantity of land on any of the public lands of the said Territory the sale of which is authorized by law: *Provided*, That no person shall be permitted to locate a greater quantity of land under this act than the quantity confirmed to him, except the owners of lots of ground or tracts of land of less quantity than 160 acres, who are hereby authorized to locate and obtain any quantity of land not exceeding 160 acres, nor shall any person be entitled to locate more than 640 acres, nor shall any such location include any lead mine or salt spring: *And provided also*, That in every case where such location shall be made according to the provisions of this act, the title of the person or persons to the land injured as aforesaid shall revert to, and become absolutely vested in, the United States.

"SEC. 2. That whenever it shall appear to the recorder of land titles for the Territory of Missouri by the oath or affirmation of a competent witness or witnesses that any person or persons are entitled to a tract or tracts of land under the provisions of this act, it shall be the duty of the said recorder to issue a certificate thereof to the claimant or claimants; and upon such certificate being issued, and the location made on the application of the claimants, by the principal deputy surveyor for said Territory, or under his direction, whose duty it shall be to cause a survey thereof to be made, and to return a plat of each location made to the said recorder, together with a notice in writing, designating the tract or tracts thus located, and the name of the claimant on whose behalf the same shall be made; which notice and plat the said recorder shall cause to be recorded in his office, and shall receive from the claimant for his services on each claim the sum of $2 for receiving the proof, issuing the certificate, and recording the notice and plat as aforesaid; and the surveyor shall be entitled to the same compensation for his services from the party applying as is allowed for surveying the public lands of the United States.

"SEC. 3. *And be it further enacted*, That it shall be the duty of the recorder of land titles to transmit a report of the claims allowed and locations made under this act to the Commissioner of the General Land Office, and shall deliver to the party a certificate, stating the circumstances of the case, and that he is entitled to a patent for the tract therein designated, which certificate shall be filed with the said recorder within twelve months after date, and the recorder shall thereupon issue a certificate in favor of the party, which certificate, being transmitted to the Commissioner of the General Land Office, shall entitle the party to a patent, to be issued in like manner as is provided by law for other public lands of the United States."

It will be seen by reference to the act that any parties owning sunken or injured lands were allowed to make a new location of an equivalent number of acres on any part of the public domain subject to sale and entry. Bernard and Anthony Laffond were the owners of a tract of land in the New Madrid district, amounting to 400 arpents (about 320 acres), and it appears that the recorder of land titles issued to them a certificate for a new location on the 26th February, 1825, in pursuance of which certificate they located their claim in Clay County, Missouri.

It further appears from the record of the recorder of land titles that Bernard Laffond, on the 14th of February, 1807, parted with 100 arpents of the injured land to James Simpson; but Simpson does not appear to have relinquished his interest in said land. For this reason the Commissioner of the Land Office is unable to issue a patent to the present owners, successors to the said Bernard and Anthony Laffond, and the bill seeks simply to quiet the title by authorizing the issue of a patent to the land in question, the present owners having held undisturbed and peaceful possession for sixty-three years. The chain of title from the time of the new location is perfect and complete; and the only defect standing in the way of the issue of the patent is the failure of Simpson to relinquish his interest in the New Madrid land.

There is no evidence showing just why the recorder of land titles issued the certificate in the absence of such relinquishment; but inasmuch as the bill gave him quasi-judicial functions, it is the opinion of your committee that the recorder understood Simpson had no interest in said lands. Simpson and his heirs (if any) are unknown, and have never in any manner, so far as the records of the Land Office show, laid any claim to the 100 arpents in question. The bill does not, however, affect any right that Simpson or his heirs (if there be any) may have in the injured lands. At all events, it is manifest that Simpson or his heirs have no interest in the Clay County land located under certificate 367, survey 2889.

For the reason, therefore, that the defect is only technical, and the present owners have held peaceful and undisputed possession of the land for sixty-three years under a certificate issued by an officer of the Government, we beg to report the bill to the House with the recommendation that it do pass.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. DOCKERY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

VESSELS IN DISTRESS IN CANADIAN WATERS.

Mr. NUTTING, by unanimous consent, submitted the following resolution; which was read, and referred to the Committee on Foreign Affairs:

*Resolved*, That the Treasury Department is hereby requested, if not inconsistent with the public good, to transmit to this House, with all convenient speed, any and all correspondence, orders, and information in its custody in regard to the refusal of the Canadian authorities to allow American wrecking vessels and machinery to assist American vessels while in distress in Canadian waters, and as to whether Canadian wrecking vessels and machinery have been and are permitted to operate in American waters.

GOTTLOB GROEZINGER.

Mr. MORROW, by unanimous consent, called up the bill (H. R. 647) for the relief of Gottlob Groezinger.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is hereby authorized and directed to refund and pay back to Gottlob Groezinger the sum of $1,047.60, taxes collected upon 1,164 gallons of grape brandy which had been destroyed by fire in the distillery of said Gottlob Groezinger: *Provided*, That it shall be made to appear to the satisfaction of the Secretary that said brandy had been accidentally destroyed by fire in the distillery before the tax thereon had been paid, and without the fraud, collusion, or negligence of the owner thereof.

Mr. MORROW. Mr. Speaker, this is a bill to refund the tax on a quantity of brandy that was destroyed by fire, the case not being covered by the present statute relating to such matters.

Mr. HOLMAN. Why does not the case come under the statute?

Mr. MORROW. The statute relating to this subject is section 3221 of the Revised Statutes, which provides that the tax upon distilled spirits destroyed by fire shall be refunded by the Secretary of the Treasury; but it also provides that in such cases the spirits must be in the distillery warehouse or bonded warehouse, or in the custody of an officer, to have the benefit of refunding in case of fire.

Mr. HOLMAN. This tax has been paid.

Mr. MORROW. Oh, yes; the tax was paid, and the only difficulty about the refunding of the tax was that the brandy was in the distillery and not in the warehouse, where it was required to be by law.

A MEMBER. Was this bill reported by the Committee on Ways and Means?

Mr. MORROW. No; it was reported by the Committee on Claims. The claim is an entirely proper one. The only difficulty about the case is that the brandy was outside of the distillery warehouse at the time it was destroyed.

Mr. FORD. Were the Committee on Claims unanimous in reporting the bill?

Mr. MORROW. Yes; the committee were unanimous.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. MORROW moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

EQUALIZATION OF BOUNTIES.

Mr. PENINGTON, by unanimous consent, introduced a bill (H. R. 6605) to equalize bounties of soldiers, sailors, and marines of the late war for the Union; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

SOLDIERS' HOME, KNOXVILLE, TENN.

Mr. HOUK, by unanimous consent, introduced a bill (H. R. 6606) to established a soldiers' home at or near the city of Knoxville, Tenn.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

ROCK CREEK RAILWAY COMPANY, DISTRICT OF COLUMBIA.

Mr. ROWELL, from the Committee on the District of Columbia, by unanimous consent, reported back with amendments the bill (H. R. 2017) to incorporate the Rock Creek Railway Company of the District of Columbia; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

Mr. LANHAM. Now, Mr. Speaker, I renew the motion to adjourn.

The SPEAKER *pro tempore*. Pending the motion to adjourn, the Chair will lay before the House the following requests:

WITHDRAWAL OF PAPERS.

Mr. LAIRD, by unanimous consent, obtained leave to withdraw from the files of the House the papers in the case of Col. Augustus C. Ball, recently an applicant for restoration to the Army.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HIRES, indefinitely, on account of sickness in his family.

To Mr. NEWTON, for two days, on account of illness.

The motion of Mr. LANHAM was then agreed to; and the House accordingly (at 4 o'clock and 5 minutes p. m.) adjourned.

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PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred, as indicated below:

By Mr. HERBERT: A bill (H. R. 6562) for the relief of W. W. Screws—to the Committee on Claims.

By Mr. ROGERS: A bill (H. R. 6563) to authorize the Batesville and Brinkley Railroad to build a bridge across the Black River, in Arkansas—to the Committee on Commerce.

By Mr. S. I. HOPKINS: A bill (H. R. 6564) for the relief of William S. Morris—to the Committee on War Claims.

By Mr. HOWARD: A bill (H. R. 6565) for the relief of Josephine Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6566) authorizing and directing the Secretary of the Interior to place the name of Milo R. Bowman on the pension-roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6567) authorizing the Secretary of the Interior to

place the name of Freeland Haston on the pension-roll—to the Committee on Invalid Pensions.

By Mr. CHEADLE: A bill (H. R. 6568) granting a pension to Samuel Hawkins—to the Committee on Invalid Pensions.

By Mr. GEAR: A bill (H. R. 6569) for the relief of B. F. Moody & Co., or their legal representatives—to the Committee on War Claims.

By Mr. HAYES: A bill (H. R. 6570) to authorize the construction of a railway, wagon, and foot-passenger bridge across the Mississippi River at or near Muscatine, Iowa—to the Committee on Commerce.

By Mr. CARUTH: A bill (H. R. 6571) for the benefit of the American Mutual Benefit Association of Mexican War Veterans—to the Committee on Military Affairs.

By Mr. G. M. THOMAS: A bill (H. R. 6572) granting a pension to Franklin White—to the Committee on Invalid Pensions.

By Mr. FINLEY: A bill (H. R. 6573) granting a pension to Lucy A. Steger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6574) for the relief of William Compton—to the Committee on Pensions.

Also, a bill (H. R. 6575) for the relief of James L. Alsip—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6576) for the relief of James M. McKuhan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6577) granting a pension to Abigail Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6578) for the relief of Margaret S. Jones—to the Committee on Invalid Pensions.

By Mr. LAFFOON: A bill (H. R. 6579) for the relief of Granville S. Pierce—to the Committee on War Claims.

By Mr. WILKINSON: A bill (H. R. 6580) granting a pension to Jane M. Fillmore Farrel—to the Committee on Pensions.

By Mr. DINGLEY: A bill (H. R. 6581) granting a pension to James L. Boston—to the Committee on Invalid Pensions.

By Mr. WADE: A bill (H. R. 6582) granting a pension to Elizabeth Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6583) granting a pension to Sally B. Wilson—to the Committee on Invalid Pensions.

By Mr. MANSUR: A bill (H. R. 6584) to confirm the title to certain lands to William Morgan and Harrison Moore, and to provide for the issue of patents therefor—to the Committee on Private Land Claims.

By Mr. LAIRD: A bill (H. R. 6585) granting a pension to Augustus B. Pautzer—to the Committee on Invalid Pensions.

By Mr. GALLINGER: A bill (H. R. 6586) granting a pension to Nancy O. Gray—to the Committee on Invalid Pensions.

By Mr. PHELPS: A bill (H. R. 6587) for the relief of John Jordan—to the Committee on Naval Affairs.

Also, a bill (H. R. 6588) for the relief of Edward McDonald Reynolds—to the Committee on Naval Affairs.

By Mr. J. D. TAYLOR: A bill (H. R. 6589) for the relief of M. M. Aldredge—to the Committee on Claims.

By Mr. ROMEIS: A bill (H. R. 6590) for the relief of John Walsh—to the Committee on Military Affairs.

By Mr. McCULLOGH: A bill (H. R. 6591) for the relief of S. Dillinger & Sons—to the Committee on Claims.

By Mr. CHARLES O'NEILL: A bill (H. R. 6592) to remove the charge of desertion from the record of William Anderson—to the Committee on Naval Affairs.

By Mr. RANDALL: A bill (H. R. 6593) granting a pension to Samuel Miller—to the Committee on Invalid Pensions.

By Mr. NEAL: A bill (H. R. 6594) for the relief of Samuel H. Ingersoll—to the Committee on Invalid Pensions.

By Mr. HOUK: A bill (H. R. 6595) for the relief of T. J. Powell—to the Committee on War Claims.

Also, a bill (H. R. 6596) for the relief of Josiah Haynes—to the Committee on War Claims.

By Mr. LEE: A bill (H. R. 6597) for the relief of Frederick Foote—to the Committee on War Claims.

By Mr. STEPHENSON: A bill (H. R. 6598) granting a pension to Maria Brasted—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6599) granting a pension to John Schubert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6600) for the relief of August Geboner—to the Committee on Military Affairs.

By Mr. E. P. ALLEN: A bill (H. R. 6601) to fix the salary of the United States Indian agent at the Mackinac agency, Michigan—to the Committee on Indian Affairs.

By Mr. BUTLER: A bill (H. R. 6602) for the relief of James Obrion—to the Committee on Claims.

By Mr. RYAN: A bill (H. R. 6603) to grant a pension to the minor children of Levi M. Hunter, deceased—to the Committee on Invalid Pensions.

By Mr. FLOOD: A bill (H. R. 6604) for the relief of James S. Fausey—to the Committee on Pensions.

## PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. T. H. B. BROWNE: Petition of S. Sprigg Belt, administrator of Ellen U. Belt, of Calvert County, and of Samuel C. Ludington, of Greenbrier County, West Virginia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. BUNNELL: Petition of United American Clay Pipe Employers' Association for a revision of tariff laws on European manufactured clay pipes—to the Committee on Ways and Means.

Also, petition of the Junior Order of American Mechanics, relating to foreign immigration—to the Committee on Labor.

By Mr. BUTLER: Papers in the claim of Michael H. Stone, of Grainger County, and of John H. Caldwell, of Jefferson County, Tennessee—to the Committee on War Claims.

Also, papers in the claim of John H. Caldwell and of David P. Hume, of Jefferson County, Tennessee—to the Committee on War Claims.

By Mr. CASWELL: Petition and evidence to accompany House bill 4216—to the Committee on Indian Affairs.

By Mr. FORNEY: Petition of citizens of Steele's Station, St. Clair County, Alabama, for national aid to education and favoring the Blair bill—to the Committee on Education.

Also, petition of citizens of Marshall County, Alabama, against the forfeiture of the land grant to the Coosa and Tennessee River Railway Company—to the Committee on the Public Lands.

Also, petition of David B. Alexander, of Marshall County, Alabama, for reference of claim to the Court of Claims—to the Committee on War Claims.

By Mr. GEAR: Papers in claim of Hannah D. Hine, and of Hannah D. H. Hine, assignee, of Keokuk, Iowa—to the Committee on War Claims.

By Mr. GROUT: Petition of Rev. O. D. Clapp and others, citizens of Washington County, Vermont, for temporary aid to common schools—to the Committee on Education.

By Mr. HAYDEN: Petition of Rev. Alexander M. Higgins and others, citizens of Somerville, Mass., and vicinity, for temporary aid to common schools—to the Committee on Education.

By Mr. HOUK: Petition of David Vance, and of William P. Hoskins, administrator of George C. Hoskins, of Jefferson County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. HOVEY: Petition of Masters Post, No. 120, Grand Army of the Republic, of Indiana, to accompany House bill 6503, for relief of Benjamin F. Small—to the Committee on Invalid Pensions.

By Mr. HUNTER: Papers in the claim of Sumpter & Christian, of Todd County, Kentucky—to the Committee on Claims.

By Mr. LAIRD: Petition of citizens of Hayes County, Nebraska, for the issue of fractional currency—to the Committee on Banking and Currency.

By Mr. LAFFOON: Petition of J. B. Fulkerson and others, citizens of Mannington, and of E. E. Earle and others, citizens of St. Charles, Ky., for a postal telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. LATHAM: Papers in the claim of Elveny Russell, of Gates County, North Carolina—to the Committee on War Claims.

By Mr. LONG: Petition of Iradora F. Lincoln, widow of Benjamin C. Lincoln, major Second United States Colored Troops, for relief—to the Committee on Invalid Pensions.

By Mr. LYMAN: Petition of the Junior Order of United American Mechanics, opposing foreign immigration—to the Committee on Foreign Affairs.

By Mr. LYNCH: Letter of the letter-carriers of Wilkes Barre, Pa., for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. MILLIKEN: Petition of John W. Carvelle and others, citizens of New Portland and Skowhegan, Me.—to the Committee on Education.

By Mr. MONTGOMERY: Papers in the claim of F. K. Summers, for relief—to the Committee on Claims.

By Mr. MORGAN: Papers in the claim of Mary Butler, of William H. Rogers, of Wilson Williams, administrator of Roderick Williams, of Consider Parish, and of Columbus C. Wilburn and Miles W. Wilburn, executors of W. R. Wilbourn, of Mississippi—to the Committee on War Claims.

Also, petition of M. K. Redwine, widow of James A. Redwine, of La Fayette County, Mississippi, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. NELSON: Petition of the deaf soldiers, sailors, and marines, for increase of pensions for deaf soldiers—to the Committee on Invalid Pensions.

Also, petition of J. A. Sabin, of St. Paul, Minn., relative to public-land entries—to the Committee on the Public Lands.

By Mr. O'DONNELL: Petition of citizens of Battle Creek and Marshall, Mich., for temporary aid to common schools—to the Committee on Education.

By Mr. CHARLES O'NEILL: Memorial of the Anglers' Association for Eastern Pennsylvania, protesting against the present method of menhaden fishing and asking for legislation upon the subject—to the Committee on Merchant Marine and Fisheries.

Also, petition of William Anderson, for the removal of charge of desertion—to the Committee on Naval Affairs.

By Mr. OWEN: Petition of citizens of Indiana, for reduction of pas-

senger and freight charges on railroads—to the Committee on Commerce.

By Mr. PERRY: Petition of business men of Greenville, S. C., against the passage of a bill to prevent the adulteration of lard—to the Committee on Agriculture.

By Mr. PHELAN: Papers in the claim of Leger Restles; of Needham Branch; of W. D. McCallum, administrator of Malcolm McCallum; of Benjamin F. Rutherford; of Francis Molitor; of Mary E. O. McGregor; of Mary A. Branch; of Carsen R. Dalton; of Martha M. Parker; of James G. Phelan, of the city of Memphis; of Lewallen Rhodes, and of Mariama Stephenson, of Tennessee—to the Committee on War Claims.

Also, petition of Jane S. Underwood, widow of O. K. Underwood, of Shelby County, Tennessee, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. POST: Petition of Duncan H. McPhail and 18 others, citizens of Peoria, Ill., for a Government telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. RANDALL: Resolutions of the Anglers' Association of Eastern Pennsylvania, to limit the fishing for menhaden to a line 3 miles from the coast of the Atlantic Ocean—to the Committee on Merchant Marine and Fisheries.

By Mr. REED: Petition of Robert McArthur and others, citizens of Saco and Biddeford, Me., for improvement of Saco River—to the Committee on Rivers and Harbors.

Also, petition of the Boards of Trade of Saco and of Biddeford, Me., in favor of same—to the Committee on Rivers and Harbors.

By Mr. ROGERS: Petition of Joseph W. Leverett, of Johnson County, Arkansas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. SENEY: Joint resolution of the General Assembly of Ohio, opposing the reduction or removal of the duty on wool—to the Committee on Ways and Means.

By Mr. STEELE: Petition of John T. Suttor and 100 others, citizens of Dunkirk, Jay County, Indiana, for a pension to William P. Gordon, minor child of William H. Gordon, late of Company A, Eighty-fourth Indiana Volunteers—to the Committee on Invalid Pensions.

By Mr. STEPHENSON: Petition of August Gebaner, for removal of charge of desertion—to the Committee on Military Affairs.

Also, petition of John Schubert, for a special-act pension—to the Committee on Invalid Pensions.

Also, memorial of the Junior Order of United American Mechanics, relating to foreign immigration—to the Committee on Labor.

Also, memorial of the Lake Carriers' Association, for a naval reserve—to the Committee on Naval Affairs.

Also, memorial of ex-soldiers, sailors, and marines, for increased rating for deafness—to the Committee on Invalid Pensions.

By Mr. J. W. STEWART: Petition of the Vermont Women's Christian Temperance Union, officially signed, for a national prohibitory constitutional amendment—to the Committee on the Judiciary.

By Mr. TOOLE: Petition of citizens of Boulder, Montana Territory, for a law prohibiting the sale of intoxicating liquors in the District of Columbia and the Territories—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. WHEELER: Papers in claim of Elizabeth Booker, of Cherokee County, and of George W. Burrow, of Jackson County, Alabama—to the Committee on War Claims.

By Mr. WHITTHORNE: Petition of James T. S. Greenfield, of Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. WILKINSON: Petition for a pension to Jane M. Fillmore, widow of John M. Fawell—to the Committee on Pensions.

By Mr. YOST: Petition of Mrs. T. M. Randolph, widow of Edward Randolph, for reference of her claim to the Court of Claims—to the Committee on Claims.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. BUTLER: Of citizens of Furnace, Johnson County, and of Washington College, Tennessee.

By Mr. T. J. JOHNSTON: Of W. B. Sutton and others, of North Carolina.

By Mr. LAFFOON: Of N. B. Nixon and others, of Pen, Christian County, Kentucky.

By Mr. McCLAMMY: Of citizens of Walter, Wayne County, North Carolina.

By Mr. RICHARDSON: Of W. R. Kilpatrick and 20 others, Lincoln County, Tennessee.

By Mr. ROWLAND: Of citizens of River View, Mecklenburgh County, North Carolina.

By Mr. SCULL: Of citizens of Pugh, Somerset County, Pennsylvania.

By Mr. WHITTHORNE: Of R. A. Rountree and others, of Maury County, Tennessee.

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The following petitions, asking for the passage of the bill prohibiting the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia, were severally referred to the Select Committee on the Alcoholic Liquor Traffic:

By Mr. HEARD (by request): Of 210 citizens of the District of Columbia.

By Mr. KETCHAM: Of 77 citizens of the Sixteenth district of New York.

By Mr. VANCE: Of 212 citizens of the District of Columbia.

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## HOUSE OF REPRESENTATIVES.

### SATURDAY, *February* 4, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

VESSELS IN DISTRESS IN CANADIAN WATERS.

Mr. NUTTING. I rise to a correction of the RECORD. While the Journal says that the preamble and resolution which I introduced yesterday were read, referred to the Committee on Foreign Affairs, and ordered to be printed, I find nothing except the resolution itself printed in the RECORD. The Journal seems to be correct; and I ask that in the RECORD of to-day the whole matter be printed.

The SPEAKER *pro tempore*. If there be no objection, that order will be made.

There was no objection.

The preamble and resolution are as follows:

HOUSE OF REPRESENTATIVES, UNITED STATES,
*Washington, D. C., February* 3, 1888.

Whereas it is alleged that the Canadian authorities for years have refused and now refuse to allow American wrecking vessels and machinery to assist American vessels while in distress in Canadian canals and waters; and it is alleged further that Canadian wrecking vessels and machinery have been and now are allowed to come into American waters and assist any vessels there in distress—some of the facts in regard to these allegations will appear by the attached letters, which are made a part hereof:

"OSWEGO, N. Y., *February* 1, 1888.

"DEAR SIR: On or about the 30th day of September, 1881, I, being controlling owner of steam-barge Thompson Kingsford, was notified that she was ashore at Wellington, Ontario, and immediate assistance was needed. I informed our wrecker, Mr. Allen, who expressed himself ready to start at once provided the Canadian authorities would give him permission to work in their waters. I therefore applied by wire to the minister of marine at Ottawa, and after a long delay was informed that the assistance needed could be procured at Kingston, and the application was denied. I thought the treatment was severe, especially as my tugs were all ready to go, and we could have got the barge out of danger in twenty-four hours. As it was, during the delay, or rather by the delay in waiting for an answer, she was subjected to a severe gale, causing great damage and eventually costing us about $1,200 more than it would if we could have done the work ourselves.

"Again, on or about the 19th day of August, 1882, the same barge was sunk in the bay of Quinte by collision, and I again made application to go to her relief with my own appliances, and was again refused.

"To sum the matter up, the Canadian Government have persistently refused to allow us to use our tugs or wrecking appliances in their waters under any and all circumstances.

"JOHN K. POST.

"Hon. N. W. NUTTING,
"*Washington, D. C., House of Representatives.*"

"OSWEGO, N. Y., *February* 1, 1888.

"DEAR SIR: At the suggestion of Mr. Allen, I make the following statement: On or about the 3d day of November, 1882, the schooner Camanche, of which I was controlling owner, was sunk in the Welland Canal, near Port Colborne. Although Buffalo was but 20 miles, and assistance could have been procured in six hours, we were told that American assistance would not be permitted, although at that moment the steam-pumps were loaded and ready to come. The result was we had to wait for assistance from Amherstburg, nearly 300 miles distant, and causing a delay of three days. Owing to the delay, the vessel's cargo swelled and sprung her entire deck up, and almost ruined the vessel.

"The treatment by the Canadians in this case was very unfair, and not at all as we treat them.

"ALBERT QUONCE.

"Hon. N. W. NUTTING, *Washington, D. C.*"

Therefore,

*Resolved*, That the Treasury Department of the United States is hereby requested, if not inconsistent with the public good, to transmit to this House with all convenient speed any and all correspondence, orders, and information in its custody in regard to the refusal of the Canadian authorities to allow American wrecking vessels and machinery to assist American vessels while in distress in Canadian waters, and as to whether Canadian wrecking vessels and machinery have been and are permitted to operate in American waters.

DEFICIENCY APPROPRIATION FOR POSTAL EXPENSES.

The SPEAKER *pro tempore* laid before the House a letter from the Secretary of the Treasury, submitting a deficiency estimate from the Postmaster-General of appropriations to pay clerks in post-offices, and for rent, fuel, and light; which was referred to the Committee on Appropriations, and ordered to be printed.

LIGHT-STATION AT TWO HARBORS, MINN.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting a letter from the Light-House Board recommending legislation for the establishment of a light-house station at Two Harbors, Minn., instead of a light-house, as provided in the sundry civil appropriation act of August 4, 1886; which was referred to the Committee on Appropriations, and ordered to be printed.

CLAIM OF FREDERICK FRERICHS AND GEORGE E. HINDEE.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, transmitting urgent deficiency estimates of appropriations to pay judgments of the Court of Claims in favor of Frederick Frerichs and George E. Hindee; which was referred to the Committee on Appropriations, and ordered to be printed.

PAY OF ADDITIONAL JUDGE, SECOND JUDICIAL CIRCUIT.

The SPEAKER *pro tempore* also laid before the House a letter from the Secretary of the Treasury, submitting an urgent deficiency estimate of appropriation for salary of additional judge in the second judicial circuit; which was referred to the Committee on Appropriations, and ordered to be printed.

ROOMS FOR HOUSE COMMITTEES.

The SPEAKER *pro tempore* also laid before the House a letter from the Clerk of the House in reference to renting certain rooms for committees; which was referred to the Committee on Accounts.

Mr. WHITTHORNE. I ask that this communication of the Clerk of the House be referred with instructions to the Committee on Accounts to report at as early a day as practicable.

The SPEAKER *pro tempore*. If there be no objection, that order will be made.

There was no objection, and it was ordered accordingly.

LEAVE OF ABSENCE.

Mr. BARNES, by unanimous consent, obtained leave of absence for one week, on account of sickness and business.

JOHN C. WEAVER.

Mr. LANDES. I ask unanimous consent for the present consideration of a bill now on the Calendar of the Committee of the Whole House—the bill (H. R. 108) for the relief of John C. Weaver.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John C. Weaver, of Dennison, Clark County, Illinois, the sum of $600, out of any moneys in the Treasury not otherwise appropriated, as compensation for a substitute furnished the Union Army during the war.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

Mr. TAULBEE. I would like to hear the report read before consent is given.

The SPEAKER *pro tempore*. The report will be read, the right to object being reserved.

The report (by Mr. O'NEALL, of Indiana) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 108) for the relief of John C. Weaver, report as follows:

The facts out of which this claim for relief arises will be found stated in House report of the Committee on War Claims of the Forty-ninth Congress, a copy of which is hereto appended and made a part of this report.

Your committee adopt the said report as their own, and report back the bill and recommend its passage.

[House Report No. 3423, Forty-ninth Congress, first session.]

The Committee on War Claims, to whom was referred the bill (H. R. 5949) for the relief of John C. Weaver, having considered the same, respectfully report:

The claimant was drafted into the military service of the United States September 29, 1864—under the President's call, dated July 18, 1864, for 500,000 men for the term of one year—from Wabash Township, Clark County, Eleventh Congressional district of Illinois; examined, accepted, and held to service by the board of enrollment of said district November 12, 1864; sent to and received at draft rendezvous, Camp Butler, Springfield, Ill., November 22, 1864; assigned and forwarded to the Fiftieth Regiment Illinois Volunteers December 2, 1864; delivered at headquarters Provisional Division of the Cumberland, Nashville, Tenn., December 8, 1864. He was mustered out and honorably discharged (a private, Company F) July 18, 1865.

Immediately upon being so drafted, and as soon as the claimant reached Springfield, Ill., he procured one William Matheney to go as his substitute, and paid said Matheney for going into the military service of the Government as such substitute for said claimant the sum of $600.

It appears from the records of the War Department that William Matheney was enlisted December 6, 1864, for one year as a substitute for John C. Weaver; that he was accepted by board of enrollment of said district, sent to and received at draft rendezvous, Camp Butler, Illinois, December 6, 1864, assigned and forwarded to the Fifty-third Regiment Illinois Volunteers December 9, 1864, and delivered at headquarters Provisional Division of the Cumberland, Nashville, Tenn., December 13, 1864. He was mustered out and honorably discharged with his company (C) July 22, 1865.

The evidence clearly shows the claimant was compelled to perform this service for the Government without any fault or negligence on his part, but solely through the mistake or fraud of the agents of the Government, and that he has never been repaid from any source any part of the said sum of $600 which he was compelled to expend in order to procure said substitute.

Your committee have no hesitation, under the facts, in recommending that said claimant be allowed and paid the said sum of $600, and accordingly report in favor of the passage of the bill.

Mr. TAULBEE. I do not desire to object to this bill.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. LANDES moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

BAPTIST FEMALE COLLEGE, LEXINGTON, MO.

Mr. WARNER. I ask unanimous consent to take up from the Private Calendar and put on its passage now the bill (H. R. 2601) for the relief of the Baptist Female College, of Lexington, Mo.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Baptist Female College, of Lexington, Mo., out of any money in the Treasury not otherwise appropriated, the sum of $4,000, compensation for rent of the college building while used by the United States Army for four years from 1861.

The amendments reported by the Committee on War Claims were read, as follows:

First amendment: In line 6 strike out the word "four" and in lieu thereof insert the word "three;" and after the word "thousand," in the same line, insert the words "one hundred and sixty-seven;" and in the same line, after the word "dollars," insert the words "and sixty-seven cents."

Second amendment: Add at the end of the bill the following: "*Provided*, That the said sum be accepted in full payment of all claims against the United States down to the date of the passage of this act."

There being no objection, the House proceeded to the consideration of the bill.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

The SPEAKER *pro tempore*. The question is, Shall this bill as amended pass?

Mr. ALLEN, of Michigan. Mr. Speaker, can we not have the report read?

The SPEAKER *pro tempore*. The report will be read.

The report (by Mr. THOMAS, of Wisconsin) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 2601) for the relief of the Baptist Female College, of Lexington, Mo., respectfully report as follows:

The facts out of which this claim for relief arises will be found stated in House Report No. 3135, of the Committee on War Claims of the Forty-ninth Congress, a copy of which is hereto annexed and made a part of this report.

Your committee adopt the said report as their own, and report back the bill and recommend its passage with the following amendments:

First amendment: In line 6 strike out the word "four" and in lieu thereof insert the word "three;" and after the word "thousand," in the same line, insert the words "one hundred and sixty-seven;" and in the same line, after the word "dollars," insert the words "and sixty-seven cents."

Second amendment: Add at the end of the bill the following: "*Provided*, That the said sum be accepted in full payment of all claims against the United States down to the date of the passage of this act."

[House Report No. 3135, Forty-ninth Congress, first session.]

The Committee on War Claims, to whom was referred the bill (H. R. 7321) for the relief of the Baptist Female College, of Lexington, Mo., have had the same under consideration, and report as follows:

About July 1, 1861, the properly constituted military authorities of the United States took possession of the Baptist Female College building and grounds, at Lexington, Mo. This was a large educational institution owned and controlled by the Baptist Church organization. This property was not situated in a seceding State. It was used as barracks for the troops of the United States, to the entire exclusion of the owners, until September, 1864, a period of three years and two months, and besides being thus occupied by the United States the property was greatly damaged. Finally claim was made to the Quartermaster's Department for compensation, but payment was refused for want of proof of loyalty.

While it was pending before the Quartermaster's Department it was referred to Maj. J. M. Moore, quartermaster, for investigation. We quote as follows from his report:

"The building was taken possession of by United States troops on July 1, 1861, and not vacated until September, 1864. The damage sustained by the building by reason of its occupancy by the Government will not fall short of $10,000."

It was not the policy or practice of the Government to pay rent for public buildings used during the war, but in meritorious cases to restore them to their former condition, ordinary wear and tear excepted. But in the case of the Frederick Academy of the Visitation, Maryland, the Quartermaster-General reported to the Secretary of War, "it is difficult to draw the line between public and private in case of schools;" whereupon the Secretary approved the payment of rent, which has since been allowed by the accounting officers of the Treasury.

Your committee believe this to be a parallel case, and that the claimants herein should be allowed rent for three years and two months at the rate of $1,000 per annum, which the evidence shows to have been a reasonable rent, and reject all claims for damages.

Your committee therefore recommend that the bill do pass with the following amendments:

1. In line 6 strike out the word "four" and in lieu thereof insert the word "three," and after the word "thousand," in the same line, insert the words "one hundred and sixty-seven," and in the same line, after the word "dollars," insert the words "and sixty-seven cents."

2. Add at the end of the bill the following: "*Provided*, That the said sum be accepted in full payment of all claims against the United States down to the date of the passage of this act."

Mr. ALLEN, of Michigan. Mr. Speaker, I do not interpose any objection to this bill.

The SPEAKER *pro tempore*. The question is on the passage of the bill as amended.

Mr. SPRINGER. One word before the question is taken upon the passage of the bill.

I did not offer objection to bringing up the bill for consideration, but merely wish to state to the House that I can see no difference between the principle involved in the pending bill and the claim of William and Mary College, in Virginia, which was decided adversely by a very large majority on a yea-and-nay vote in the Forty-fifth Congress after a long and exhaustive debate.

Mr. DOCKERY. I think the gentleman objected the other day to such a bill on the ground of location?

Mr. SPRINGER. No, sir; I have made no such objection.

The SPEAKER *pro tempore*. The question is on the passage of the bill.

The bill as amended was ordered to be engrossed for a third read-

ing; and being engrossed, it was accordingly read the third time, and passed.

Mr. WARNER moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

B. M. PARISH.

Mr. CARUTH. I ask unanimous consent to take from the Private Calendar the bill (H. R. 322) for the relief of B. M. Parish, and pass the same with amendments.

The bill is as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and is hereby, authorized and directed to pay to B. M. M. Parish, of Barren County, Kentucky, out of any moneys in the Treasury not otherwise appropriated, the sum of $1,590, for property taken and used during the late war.

Mr. BURROWS. Before consent is given for the consideration of the bill let the report be read.

The report (by Mr. PENINGTON) was read, as follows:

This claim was presented to the Forty-ninth Congress, and a report was made in regard to it by the Committee on War Claims. As the examination by your committee has led them substantially to the same results with those arrived at by the committee of 1886, they do not think it necessary to recapitulate the facts, but refer to that report, and herewith annex a copy for information.

Your committee recommend that the bill referred to them do pass with the following amendment:

In lines 6 and 7 strike out the words "one thousand five hundred and ninety," and insert in lieu thereof the words "six hundred and thirty-five."

[House Report No. 1443, Forty-ninth Congress, first session.]

The Committee on War Claims, to whom was referred the bill (H. R. 4512) for the relief of B. M. M. Parish, having considered the same and accompanying papers, submit the following report:

The committee find the facts to be stated in House report No. 2360, Forty-eighth Congress, second session, which report is hereto annexed and made a part of this report, and is as follows:

"The petition filed in support of this bill alleges a claim against the Government of the United States for corn, hay, and wood taken by the Army during the late war. Claim stated at $1,596.

"Claimant is a farmer, and resides on his farm of 400 acres, in Barren County, Kentucky. In October, 1862, at the time General Bragg was retreating from Kentucky, immediately after the battle of Perryville, General Rousseau's division of the United States Army, in following the retreat of Bragg, encamped on claimant's farm and remained three days, and whilst there took from him the stores charged for, and for which no vouchers or receipts were given.

"Claimant filed his claim in the War Department for adjudication. The Quartermaster-General referred the case to a special agent of the Quartermaster's Department for investigation and report. On October 18, 1874, he submitted a report thereon. He finds the claimant to have been loyal, and he recommended settlement of the claim, as follows:

| | |
|---|---|
| For 700 bushels of corn, at 50 cents per bushel | $350 |
| For 6,000 pounds hay, at 75 cents per 100 pounds | 45 |
| For 80 cords of wood, at $3 per cord | 240 |
| Total | 635 |

"The Quartermaster-General, on January 8, 1881, considered the claim and recommended that it be disallowed, for the reason that he was not convinced of the loyalty of the claimant.

"Your committee do not concur in the recommendation of the Quartermaster-General. We are satisfied that the claimant was a loyal citizen. His loyalty is established by gentlemen well known for their unfaltering devotion to the Union during the late war.

"The committee therefore recommend that the claimant be paid $635, the amount recommended by the agent of the Quartermaster's Department, and report back the bill and recommend its passage with an amendment, as follows:

"In lines 6 and 7 strike out the words 'one thousand five hundred and ninety' and insert in lieu thereof 'six hundred and thirty-five.'"

The committee therefore adopt said House report as the report of this committee, and report the accompanying bill (H. R. 4512) with amendments, and recommend that it do pass.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

There was no objection.

The amendment recommended by the committee was agreed to.

Mr. CARUTH. I move a further amendment by striking out the initial "M." where it occurs the second time in the name. It should read "B. M. Parish," and not "B. M. M. Parish."

The SPEAKER *pro tempore*. Without objection the amendment will be agreed to.

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

The SPEAKER *pro tempore*. The title of the bill will be amended to conform to the text of the bill.

Mr. CARUTH moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PETER MARCH AND OTHERS.

Mr. BUTTERWORTH. Mr. Speaker, I ask unanimous consent to discharge the Private Calendar from the further consideration of the bill (H. R. 3957) for the relief of Peter March, Thomas J. Wright, administrator, and others, and put it upon its passage. This bill, I will state, is for the payment of wages due to certain employés of the Government for twenty-odd years as the report sets forth. It has been reported favorably a number of times and is now on file in the present Congress. It appropriates the sum of $3,050 to pay about thirteen employés of the Government. The amount is confessedly due, and has been for twenty-odd years. The report may be read.

Mr. PERKINS. I ask for the reading of the report.

The Clerk proceeded to read the report.

Mr. PERKINS. I am satisfied with the report as far as it has been read, and do not desire its further reading.

Mr. SPRINGER. I demand the further reading of the report.

The Clerk resumed and concluded the reading of the report. It is as follows:

The money appropriated by this bill has been due the claimants for more than twenty-three years. The bill providing for payment has been favorably reported to the House several times.

The Forty-eighth Congress referred the bill to the Court of Claims for a finding of facts. The finding of the court was reported to the Forty-ninth Congress, and the passage of the bill recommended by the Committee on War Claims; but it was not reached on the Calendar, and came over to this Congress and was placed on the Calendar.

Your committee have considered the findings and report of the Court of Claims, and recommend that the bill do pass.

[House Report No. 1613, Forty-ninth Congress, first session.]

That the Committee on War Claims of the Forty-eighth Congress, not being clearly and fully advised of all the facts in the case, referred it to the Court of Claims for a finding under the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883.

Said claim has been returned by said Court of Claims to the committee, with the following findings of fact filed by the court February 1, 1886:

I.

The steam-boat Prima Donna was chartered November 22, 1864, by Capt. J. V. Lewis, assistant quartermaster, United States Army at Cincinnati, to transport a cargo from Cincinnati to Nashville, and to bring back such freight and troops as the officers of the Quartermaster's Department might send. It was to be a round trip, from Cincinnati to Nashville and return.

II.

There was no written contract or charter-party between Captain Lewis and the owners for the service of the boat. The terms of the agreement were that the Government should pay $200 per day for the services of the boat and crew and management, besides furnishing coal for its running, and the owners were to furnish the boat, manned, equipped, victualed, and officered; and operate and navigate the same, the movements and cargo only being under the direction of the officers of the Quartermaster's Department, while the owners had the entire and absolute possession of the boat, one of whom was on board and navigated the same.

III.

The steam-boat while so chartered carried a cargo from Cincinnati to Nashville, arriving at Nashville November 28, 1864. In pursuance of the original orders given by Captain Lewis for the vessel to return to Cincinnati after delivering the cargo at Nashville, the captain, on December 2, 1864, was ordered by the quartermaster at that place to take on board as many unserviceable mules as she could accommodate, and proceed with the same to Louisville. The captain objected to leaving, and protested against doing so, a report having come up that the Confederate forces were on the bank below Nashville in great numbers, and fully armed and equipped, but the quartermaster reiterated the order to leave. The captain requested a military escort, but the request was refused, and the quartermaster threatened that the captain and crew should be arrested if they did not immediately comply with the order; thereupon the steam-boat yielded compulsory obedience and left Nashville under these orders. About 18 miles below Nashville, on the Cumberland River, at a place called Bell's Mills, she was captured by Confederate forces armed with field-pieces, and the captain and crew were held as prisoners of war. The vessel herself was shortly afterwards recaptured and taken back to Nashville, and on December 17, 1864, was sent to Cincinnati, where she was discharged December 31, 1864, and the owners were paid in full for her services to that date.

IV.

Joseph Scott was captain of said steam-boat, and his wages at the time of capture were $250 a month; Isaac M. Clement was chief engineer, and his wages were $150 a month; David Vaughn was carpenter, and his wages were $75 a month; Barney J. Schooley was steward, and his wages were $75 a month; Frederick Kimmerly was a watchman, and his wages were $50 a month; Peter Marck, Frederick Smith, Owen McNabb, and Thomas Miller were deck-hands, and the wages of each were $40 a month. All of these persons were captured as aforesaid on December 3, 1864, and remained in captivity till the 15th of April, 1865, when they were paroled and released, with the exception of Captain Scott, who was released on the 11th of April, 1865; Barney J. Schooley, who escaped December 25, 1864; and Peter Marck, who was paroled February 22, 1865, and reached his home at Cincinnati March 4, 1865, though not finally exchanged till April 15, 1865. They have received no wages for the time they were in captivity, nor any commutation of rations.

The claims set up in this case were allowed by the Third Auditor, but disallowed by the Second Comptroller on the ground that such payments were not warranted by law.

V.

The claimants' wages and commutation of rations for the period of their captivity would amount to the following:

| | |
|---|---|
| Joseph Scott, captain, at $250 a month, December 3, 1864, to April 11, 1865, four months and nine days | $1,075.00 |
| Commutation of rations, 25 cents a day | 32.25 |
| | 1,107.25 |
| Isaac M. Clement, chief engineer, at $150 a month, December 3, 1864, to April 15, 1865, four months and thirteen days | 665.00 |
| Commutation of rations | 33.25 |
| | 698.25 |
| David Vaughn, carpenter, at $75 a month, December 3, 1864, to April 15, 1865, four months and thirteen days | 332.50 |
| Commutation of rations | 33.50 |
| | 365.00 |
| Barney J. Schooley, steward, at $75 a month, December 3, 1864, to December 25, 1864, twenty-two days | 55.00 |
| Commutation of rations | 5.50 |
| | 60.50 |

| | |
|---|---|
| Frederick Kimmerly, watchman, at $60 a month, December 3, 1864, to April 15, 1865, four months and thirteen days | $221.58 |
| Commutation of rations | 33.25 |
| | 354.83 |
| Peter Marck, deck-hand, at $40 a month, December 3, 1864, to March 4, 1865, three months and one day | 121.33 |
| Commutation of rations | 22.75 |
| | 144.08 |
| Frederick Smith, deck-hand, at $40 a month, December 3, 1864, to April 15, 1865, four months and thirteen days | 177.33 |
| Commutation of rations | 33.25 |
| | 210.58 |
| Thomas Miller, same rate and time | 177.33 |
| Commutation of rations | 33.25 |
| | 210.58 |

By the court.
A true transcript of record.
Test:
This 18th day of February, 1886.
[SEAL.]

JOHN RANDOLPH,
*Assistant Clerk Court of Claims.*

The members of the crew of said steamer first filed their claim with the accounting officers of the Treasury Department, by whom some of their claims were settled and paid, while for some reason not known to your committee the claims comprised in this bill were not paid, and a bill for their relief was presented to the Forty-seventh Congress, and was reported on favorably by the Committee on War Claims, passed the House of Representatives, and failed to secure consideration in the Senate for want of time. A bill for their relief was presented to the Forty-eighth Congress and was disposed of by reference to the Court of Claims, as heretofore stated.

Your committee therefore report the bill (H. R. 6203) providing for the payment of the amount found due said several claimants by said Court of Claims, and recommend that it do pass.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

Mr. LANHAM. I desire to ask a question of the gentleman from Ohio. Whether this bill was referred in the present Congress, and reported by a committee of this House?

Mr. BUTTERWORTH. Yes, sir; it was introduced during this session, and was reported by the honorable gentleman from Kentucky [Mr. STONE] last week favorably from the Committee on War Claims, and is now upon the Calendar.

There being no objection, the bill was ordered to be engrossed for a third reading; and being engrossed it was accordingly read the third time, and passed.

Mr. BUTTERWORTH moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

### TERMS OF UNITED STATES COURTS, MINNESOTA.

Mr. WILSON, of Minnesota. Mr. Speaker, I ask unanimous consent to discharge the House Calendar from the further consideration of the bill (H. R. 5932) providing for the holding of the terms of the United States courts in the district of Minnesota, and put the same upon its passage.

The SPEAKER *pro tempore*. The bill will be read subject to objection.

The bill is as follows:

*Be it enacted, etc.*, That hereafter the regular terms of the circuit and district courts of the United States in the district of Minnesota shall be held at the times and places following: At Duluth, on the second Tuesday in April; at St. Paul, on the first Tuesday in June; at Winona, on the third Tuesday in November in each year.

SEC. 2. That a grand jury and a petit jury shall be summoned for each of said terms, which juries so summoned shall be competent, and are hereby authorized, to sit and act as such juries in either and both of said courts at such term.

SEC. 3. The clerk of the district court shall appoint two deputies, one of which shall reside and keep his office and the records of said courts at Duluth; and the other of which shall reside and keep his office and the records of said courts at Winona.

SEC. 4. That the clerk of said district court shall also be the clerk of said circuit court where the same is held in said district, except at St. Paul.

SEC. 5. That all acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 6. That this act shall take effect on and after —— next.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

There was no objection.

Mr. WILSON, of Minnesota. I offer the following amendments to the bill.

The Clerk read, as follows:

Strike out of lines 6 and 7 of the first section the following words, "on the first Tuesday in June," and instead thereof insert the words "on the third Monday in June and the second Monday in December."

Strike out of line 7, section 1, the word "third" and insert "second."

Strike out in line 7, section 1, the word "November" and insert "January;" so that it will read:

"At Duluth, on the second Tuesday in April; at St. Paul, on the third Monday in June and the second Monday in December; at Winona, on the second Tuesday in January in each year."

Also, strike out in section 6 the word "next" and insert the words "its passage;" so that it will read:

"SEC. 6. That this act shall take effect on and after its passage."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. WILSON, of Minnesota, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

### MEETINGS OF COMMITTEE ON RIVERS AND HARBORS.

Mr. CRISP. I demand the regular order.

I call up the contested-election case of Lowry *vs.* White, but yield to the gentleman from Louisiana, who wishes to make a request.

Mr. BLANCHARD. The gentleman from Georgia yields to me for a moment.

I am directed by the Committee on Rivers and Harbors to ask leave for that committee to sit during the sessions of the House; and I make that motion accordingly.

The SPEAKER *pro tempore*. Without objection the request will be granted.

There was no objection, and it was so ordered.

### PROHIBITORY LAWS IN THE DISTRICT.

Mr. GUENTHER. I rise to a question of privilege. I have before me a petition signed by more than six thousand male adult residents of the District of Columbia, protesting in respectful terms against the enactment of prohibitory laws in the District. Yesterday, to see what would become of this petition if I sent it in the ordinary way to the petition-box, I took one leaf containing the body of the petition and thirty-seven names attached and sent it to the petition-box. To-day I see no mention of it in the RECORD. I now claim as my right, under Rule XXII, that at least the body of the petition shall be printed in the RECORD.

The SPEAKER *pro tempore*. The gentleman from Wisconsin requests that the body of the petition, the nature of which he has stated, be printed in the RECORD. The Chair hears no objection, and that order is made.

The petition is as follows:

*To the Senate and House of Representatives in Congress assembled:*

The undersigned, citizens of the United States and citizens of the District of Columbia, have the honor herewith to protest in the most respectful manner against the enactment by law of any prohibitory liquor legislation for the District of Columbia. The reasons for our protest are as follows:

First. Prohibition does not prohibit.

Second. We have now, and have had for years, for all practical purposes, local option in the District of Columbia, as no one can secure a license without the consent of the owners of real estate or residents within the square where the saloon is situated.

Third. It is discriminating against the commercial and business interests of the District of Columbia, and in favor of neighboring States, cities, and communities.

Fourth. It will lead to indiscriminate illicit distilling and smuggling.

Fifth. It will destroy industries that have in good faith and under the sanction of law grown up in the District for more than a half century, and which have materially aided in the development and prosperity of the District.

Sixth. More than fifteen hundred buildings now owned, rented, and occupied will become vacant, destroying their value and giving no compensation in lieu thereof.

Seventh. The wholesale business, now prosperous, will be diverted to Baltimore. Trade follows liberal laws and deals where it can secure all its wants.

Eighth. The wage-workers not only in the places where liquor is sold and manufactured, but also in all branches of business dependent on the same, will be thrown out of employment by prohibitory legislation.

Ninth. It is a blow at the industrial interests of the country, as the cereals of the farmer enter largely into the products of the brewer and distiller.

Tenth. It will divert, not destroy, the liquor traffic; the drug stores will become the saloon and perjury prove to be the order of the day.

Eleventh. Prohibition has in every instance where tried increased, not lessened, drunkenness. Prohibition is in the interest of immorality, for it creates hypocrisy, perjury, and dishonesty, and makes the home a saloon. The appetite of man can not be legislated away; it must be trained, not restrained. Crime can not be prevented by law; it can only be punished. The traffic of manufacturing liquor must be regulated so as to produce purity, its selling so regulated as to make it respectable.

Twelfth. We are not the upholders of vice, crime, or drunkenness; we are peaceful, law-abiding citizens, proud of our country, and desirous of its prosperity, but not in favor of unnatural laws that will prove a dead letter on the statute-books.

### CONTESTED ELECTION—LOWRY VS. WHITE.

Mr. STEWART, of Vermont. I ask unanimous consent to take up a bill from the Private Calendar for consideration at this time.

Mr. CRISP. I call up as a question of the highest privilege the pending election case. I yield thirty minutes to my colleague on the committee, the gentleman from Texas [Mr. MOORE].

Mr. MOORE. At the close of the debate upon the report of the committee the day before yesterday most pregnant and important questions were asked, and they were answered. The distinguished gentleman from Massachusetts [Mr. LONG] I remember as one who asked such a question. The gentleman from Missouri [Mr. BLAND] was another; and yet other gentlemen made this significant and important inquiry of the gentleman from Ohio [Mr. COOPER], who was concluding his remarks: With regard to the names of those who purported to have become naturalized citizens in the county of Allen from 1860 to 1870 inclusive, did there appear on the record in fact any order of the court naturalizing these one hundred and seventy-eight people—a period of time covering ten years and including the date at which Mr. White says

he was naturalized? I say that is a most important and pregnant inquiry. And it was answered, within the hearing of every member of this House, that the records of the court of Allen County were silent as to the naturalization of these one hundred and seventy-eight people.

Am I mistaken? Was not that the question? Was not that the answer? Why was the question asked and why the answer?

Let me be fair and candid about this matter. If it is a fact that the records of the court of Allen County, in Indiana, are so utterly without verification, so utterly without judgments and decrees of court, well might Mr. White say that within that period, "on the 27th or 28th day of February, 1865, I was naturalized, and there is no record of my naturalization." In the ratio and proportion of the want of fidelity in that record is the truth of Mr. White's claim exhibited. In the exact ratio, therefore, in which the record of Allen County is correct, in that ratio Mr. White's statements are not to be credited. I now state to this House that there is a full and complete naturalization record in the case of every one of those one hundred and seventy-eight men. I will show that from the record, and more, there is not a man in Indiana or out of it who has ever produced a certificate of naturalization in that court where the record does not disclose the fact of complete naturalization, except the one unfortunate fatal mistake for Mr. White.

There is one name, I am fair in stating, that is in this condition. But I tell the House it will appear from that record before we are through with it that there will not be left a vestige of a claim for Mr. White. On page 287 appears the name of Gotlieb Laemle. So far from that being a defect in the record it comes to us with absolute force of proof of the verity of the record. Laemle in 1854 received a certificate of naturalization, and that certificate recites the reason why no record in 1854 should be made of it, and that is, it came within one year of the filing of his declaration. Therefore he should not have been upon the record, and some clerk gave him this certificate that he was not entitled to. But when it came to the records of the court Mr. Laemle's name does not appear until 1865. In that year he did have it put upon the record. I say, therefore, that the absence of the name of Laemle in 1854 is a pregnant fact testifying to the verity of the record.

Now, to this record. An examination of it by the House will disclose a most remarkable fact, the fact of a conspiracy; and I think I know what I am talking about. I know I have examined every figure and fact in that record. What does it disclose? There is no dispute about it. Maier, a clerk, testifies that at the instance of Mr. White he was engaged for two weeks making up those three sheets of paper. How did he make it? Here is the testimony. He says, "I took down every name from 1860 to a certain date in 1870, inclusive, that appeared upon the naturalization book." He then begins it; he puts down the names—and I regret that every member of the House has not a copy of this record. I will try to give some description of it. The first name is Adolphus Klein. Then running out a column, "mark," "page;" under the word "page" is "100," signifying that Klein is on the one-hundredth page of a book, a naturalization book. He then makes another column, which he heads "order-book." He follows that down with the names or marks of the order-books "T," "J," "K." Then another column of figures; opposite Klein's name "70," the page of the record of the order-book, which the clerk put in there only to represent that if Klein was naturalized on the date specified, namely, January 16, and there had been an order on the order-book, it would have been on that page. Then another column, which, from beginning to end, is marked "no record." Then another column, indicating the terms of the court by name, "common pleas" and "circuit."

Now, wherefore that arrangement? He goes on in his testimony and tells us that upon the order-book of that court there is not a naturalization of these persons, and that there is no record of it. He combines these two things cunningly to deceive. His statement did deceive part of the majority of the committee; it did deceive every member of the minority on this floor, judging from their statements, and it did deceive a large proportion of the members of this House. A cunning device! He said, "I will take so much of the record from the books of naturalization, and I will take so much from the order-book of the court, and, combining the two, I shall be able to testify that the record of the court discloses no naturalization of these persons." Kern, who was a deputy, has testified to the same fact. Maier testifies again, and I will read to you now from his testimony to show you how he stated it and how he happened to get caught. I am going to read from page 284. Mark you, Maier had testified earlier in this record, but here he is recalled; and when they get through with his direct testimony the following questions are asked him on cross-examination, and then for the first time this fraud, this trick, this deception, begins to be unfolded. The House will indulge me, I trust, if I consume a little extra time in trying to be careful about this statement. I read now from the cross-examination of Maier:

20. Q. You still adhere, then, to the view that there is some legal requirement rendering it incumbent on the judge to note the proceedings of the court on what is called the court docket?

A. I know of no such law, only the practice and custom of the judges, which I suppose is to prevent clerks from writing up proceedings that have not come before the court.

21. Q. How many of the matters contained in the list marked "Exhibit D" are there, if any, which do not appear in the record called the Record of Final Oaths?

(Objected to as immaterial and irrelevant, and for the further reason that there is no such record authorized by law.)

A. Under instructions I commenced with said record of date January 16, 1860, page 100, and took off every name up to and including August 20, 1870, page 188 of said book, during which time there was between one hundred and seventy and eighty names contained in said exhibit, each of which appears in said record.

22. Q. There are, then, none of those but what appear of record in said Record of Final Oaths?

A. The names are copied from the book called Record of Final Oaths, No. 1, Allen County.

23. Q. And that is a record book composed of entries consisting of blank forms filled up in such manner as to adapt them to the particular case, and similar to those set forth in Exhibit V, connected with the deposition of your former deputy, Mr. Jacob J. Kern, is it not?

A. Can't say that it is a record, only that it is a book containing blank forms to be filled up so as to adapt them to any particular case as set forth in Exhibit V.

Turning to Exhibit V, they copy from that book the exact requirements of the law decreeing full naturalization, and the clerk certifies that it is an exact copy from the book.

Mr. MORGAN. Are the judgments of the court ordering naturalization in that book?

Mr. MOORE. I see the point the gentleman is after, and I will answer his question before I get through. Now, gentlemen of the House of Representatives, I say there is not a man, not one—if there is, who is he and what is his name?—there is not a man, I say, who was naturalized in Allen County but that his name appears in the record and his final naturalization is declared, not in the order book, but in a book of final oaths. There is not a case except the one I have told you about, and that case is significant.

Now, how are these books made? I take it that almost every gentleman in this House has been in some State court when people were being naturalized. I happen to live in a district composed largely of foreign-born citizens. The county I live in, an agricultural county, has some 4,000 voters. Having myself presided on the bench for ten years, it is possible that I have personally witnessed the issue of as large a number of naturalization papers as any one here, possibly a larger number than any other member of this House.

The matter is done there exactly as it is done in Indiana. These records are not a part of the regular records of the court. I take it that in Mississippi—and I am somewhat of a Mississippian myself—there are certain orders of a court so formal in their character, being always in exactly the same words—for instance, forfeitures of bonds and proceedings in cases of naturalization—that it is more economical to have the books containing such matters bound as such, being made sometimes by order of the court a part of the minutes, and sometimes not; so that in this department of business those minutes pertaining to forfeitures and to naturalization are made in a moment by filling up the blanks in those books.

Now, this cunning device has been discovered; but in it is another fact overwhelming when the records of Allen County are attacked for a proper and intelligent purpose, to destroy their verity; and in proportion as their verity is destroyed so becomes important and of probable truth the statement of Mr. White. But when Mr. White is the only man in the county of Allen who says, "I obtained a certificate, but it is lost," and yet his name is not recorded among the names of those made citizens by that court, then his case is peculiar. If Mr. White had said, "I was naturalized, but they gave me no paper," his case would have been stronger. Why, sir, these blanks are filled up, and one of them is given to the citizen while the other is retained. Mr. White's position is that the officer of the court gave him one of the certificates and retained in the office the other blank. Where is that blank? Let it be produced.

Mr. White gives as the date of his naturalization the 27th or 28th day of February, 1865. If on that date there was an odd blank in that book it might correspond with the certificate alleged to have been received by Mr. White; but if there is no blank in that book it does not correspond with the assumption that one blank was filled up and another not filled up. Who will explain this?

Turning to that date you find that on the 27th day of February Mr. Wellman was naturalized; and that is all right. On the 28th of February Caspar Shoep was naturalized; and there is his testimony; he is all right in the record. But Mr. White is out of the record. There is nothing, except what he says, to show that he was ever in the court or that his name was ever upon the record.

Mark you, silence is sometimes an overwhelming answer; and the silence of a record answers any man who says there is a record when there is no record, with this limitation and exception, that if, on examining the records, you find them so defective that they can not import their own verity, then human testimony can begin. A record that does not exist is as much verified by its non-existence as a record that does exist to verify what the record says. That is law.

Now, gentlemen, I desire to look briefly (for I must be brief) at what I concede to be the law. I state to you that in the provision of our Constitution in reference to naturalization are the strangest words to be found in any ordinance or law. The provision is that Congress shall have power—

To establish—

That is the first time such language was used—

To establish an uniform rule of naturalization—

The only time that the word "rule" is expressed and emphasized in that instrument. In the same clause there follows this language:

And uniform laws on the subject of bankruptcies throughout the United States.

Why in all other ordinances but this are "laws" spoken of; and why did the framers of the Constitution in writing this ordinance use the phrase "establish an uniform rule of naturalization?"

Ah, those compatriots knew what they meant, and they verified their meaning in the cases submitted to them. Let me emphasize this by reference to a historical case.

Mr. Gallatin, than whom there was no grander man in that great era, left Geneva and came to the United States in 1780. He served as a professor in the grand corporation of the Cambridge University, the oldest, as it is to-day one of the most honorable, of such institutions of learning in this country. He goes into the province of Maine and down into Virginia purchasing great tracts of land; he goes into Pennsylvania purchasing a farm. He serves as a soldier in the American Revolution, devoting to the cause of the colonists his fortune as well as his personal military service. He sits in the grand convention that ordained and amended the constitution of Pennsylvania. Three times he was elected to the Legislature. Thirteen years he had spent in this country, his residence here antedating the adoption of the Constitution; but under a memorial presented to the Senate of the United States, those Senators, standing at the very birth of the Government its sponsors, said to Mr. Gallatin, "You have not been a citizen of this Republic for nine years."

That is about as strong a case (to claim no more for it) as Mr. White's. I allude to it for this purpose—that we may begin at the right point. Ours is the only Government that ever naturalized foreigners save by some supreme act of parliament. We proposed to make the acquirement of citizenship easy. Until recently the law provided that the alien seeking citizenship should go into a court of record and file his declaration. That had always been the law up to two years ago, when Congress amended it so that parties are now allowed to go before a clerk of the proper court and file their declaration. But Congress has never modified the other provision, requiring that there shall be a court of record with a clerk and a seal. There is your "uniform rule." Congress thought it best and most economical to the citizen to intrust the State courts as well as the Federal tribunals with jurisdiction of this matter.

When we look to the act of Congress we find they did enact an uniform rule of naturalization, and declared that no alien should be naturalized in any other mode. This mode is prescribed with great care. It expressly provides the admission shall be before a court of record of common-law jurisdiction, with a clerk and seal. Yet we find there is no record, nor paper, nor decree, in the court of Allen County, Indiana, naturalizing Mr. White, where he claims he was naturalized. Yet the same record fails to show, as before demonstrated, that the omission applied to any other naturalization in that court.

No case has yet been cited where parol evidence was admitted to supply a record or decree. The case *In re* Coleman, 15 Blatchford's Circuit Reports, 406, is cited as sustaining the position of contestee. This decision was rendered by an eminent jurist, and investigates very thoroughly the entire law and decisions upon that question. In Coleman's case there were the original oath of renunciation and the oaths of the witnesses, as required by law, and in the book of naturalization the decree of naturalization, and the eminent chief judge decided these proceedings were a substantial compliance of law.

In Spratt *vs.* Spratt, 4 Peters, 393, the court decided there was a sufficient judgment of record. In The Acorn, 2 Abbott's U. S. Reports, 434, the court again decided that there was a sufficient record of naturalization. In these cases, nor in any that I can find, no parol evidence was offered or introduced; the sole question being, was there a sufficient record?

For one, Mr. Speaker, I can never, in view of the Constitution requiring that a member of this House shall have been a citizen of the United States for a term of seven years, give my consent to the proposition that Mr. White, the sitting member, who has no record of his naturalization except which he obtained the day before his election, has the qualifications prescribed by the Constitution.

Can any man upon this floor account for the fact that Mr. White did, on the day before his election, obtain his final papers, if in fact he had been fully naturalized in 1865?

Is the question of citizenship of aliens in this country to be so dwarfed that, instead of looking to the records of the courts where the Constitution and laws wisely confide their keeping, we look only to the vague and indefinite statements of witnesses? Have our citizens of foreign birth no higher security for their rights as citizens than that which resides in the bosoms of men? No, Mr. Speaker, the solemn records and judgments of courts declare and fix those rights. Strike them down, and instead of improving the rights of citizenship of our foreign-born citizens you destroy them. Yea, you do more; you introduce confusion; you invite fraud, of which no man sees its ultimate effect.

[Here the hammer fell.]

The SPEAKER *pro tempore*. Thirty minutes of the hour have expired.

Mr. CRISP. I yield thirty minutes to the gentleman from Virginia [Mr. O'FERRALL].

Mr. O'FERRALL. Mr. Speaker, I would have been perfectly willing to have remained silent and said nothing in regard to the questions involved in this case, if I had not been a member of the Committee on Elections, whereby the duty devolved upon me of discussing the majority report, in which I united.

It is a fact, sir, familiar to many at least, that so far as my appointment on that committee was concerned, it was not desired by me. It was not the character of work I liked; it is contrary to my tastes. But as I am a member of that committee, standing here in my place, I shall endeavor to discharge my duty at all times, and hew to the line of right, let the chips fall where they may.

I may be compelled, sir, in the discussion of this case to criticise a gentleman who sits as a member upon this floor, and if so, I have only to say he has placed himself in a position which calls for criticism and I am not responsible for it.

It is admitted, sir, that James B. White, the sitting member, is a gentleman of foreign birth; that he came to this country in 1854, after having attained the age of eighteen. Then, in order to be eligible to a seat on this floor, he must have been a citizen of the United States seven years before the commencement of the present Congress on the 4th day of last March. I undertake to say that the testimony in this case, as shown by the record, does not sustain any such pretension as that. There is no record of that fact; that is admitted. There is no trace of any record of that fact; that is admitted.

The contestee seeks to prove his naturalization by parol testimony, but the record in this case shows this state of facts: Some days before the Congressional election in November, 1886, when it was ascertained there was no record evidence of his naturalization, two gentlemen of high respectability and honor in the State of Indiana, Andrew J. Moynihan and Robert C. Bell, visited him, and laid that question before him, desiring to do him no injustice, knowing that it would be to the disadvantage of the Democratic party and operate as a boomerang on that party if the charge were made and it was not true. Mr. White, on that occasion, insisted that he had been naturalized; he also insisted that he was naturalized in order to vote for John C. Frémont; that he was a young man when Frémont was a candidate and he believed that if Frémont was not elected the country would go to the dogs, using his own language.

It is a historical fact that Frémont was a candidate for President in 1856, which was only two years after Mr. White came to this country. So that would not do. Then he said he was naturalized in 1857 or 1858 in the common-pleas court of the county of Allen, in the State of Indiana. They told him that there had been a careful examination made of the record of that court, and that there was no record of that fact and no trace of any record.

Before they parted with him, Mr. Speaker, they suggested to him that possibly he might have taken out naturalization papers somewhere else. "No, I did not," he replied. "But you might have taken out naturalization papers in order to secure a passport to Europe on some trip you made abroad," these gentlemen said. Mr. White replied no, he never secured any naturalization papers except in 1857 or 1858. It will be observed that his direct attention was called to the fact, whether, in order to make his trip to Europe, he might have taken out naturalization papers to secure a passport, but he replied he could recall no occasion when he had taken out papers except in 1857 or 1858.

Now, Mr. Speaker, on finding there was no record or trace of record of any naturalization, then he decided to change his tactics, and all over that district he had placards printed, "I was a soldier and am a citizen," thereby falling back on the act of Congress, believing that as he had been a Union soldier during the late war the act of Congress constituted him a citizen without going through the forms of naturalization.

The election came on. However, sir, on the very day before the election, on the 1st day of November, he went 39 miles into an adjoining county—the county of Warsaw, I believe—and there presented himself as one who owed allegiance to a foreign country, and was then and there naturalized. The court of his own county of Allen was in session on Thursday, the day this question was raised on him. The court was in session on Friday and Saturday following. Three days did he have to go before the court of his own county and take out his naturalization papers, if he was entitled to them, yet he hied off 39 miles to another county, a county outside of his district, and took out his naturalization papers on the day before the election.

Now, Mr. Speaker, he seeks, however, to overcome all of these facts, and how? By introducing one witness, a Mr. Jenkinson, who swears:

> I think I saw Captain White naturalized one or two years after the close of the war.

And he fixes the date of the close of the war as the 9th day of April, 1865, the date of the surrender of General Lee.

Another witness is Mr. Pratt, who swears to the same point on which Mr. Jenkinson was examined, and says:

> I am of opinion that Captain White was naturalized in 1865.

It will thus be seen that neither Jenkinson nor Pratt swear absolutely to the fact, but give a mere expression of opinion with reference to it, one saying, "I think he was naturalized," the other, "I am of opinion that he was naturalized;" but there is no affirmative fact sworn to by either.

There is one answer to a question propounded to Jenkinson in re-

gard to this matter on which stress is laid by the contestee, and I propose to give him the benefit of that answer in justice to himself. Jenkinson stated that there was one circumstance which impressed him with the idea that White was naturalized, and that was a remark made in his hearing to the effect that it was a very singular thing to find a Union soldier renouncing his allegiance to the Queen of England. Now, the time he claims to have been naturalized was more than twenty-one years before, and that remark might well have been made in connection with some other Union soldier instead of Captain White.

Mr. Speaker, in view of the testimony in this case so far developed by me, I ask if there is a court in this land which would undertake to declare this man to be a naturalized citizen? The record against him, his own statement against him, every fact and circumstance against him, he standing alone in vindication of his claim, upon the depositions of two men, Jenkinson and Pratt, who, as I have shown, when they were swearing in the case, testified, one "I think" he was naturalized; the other, "I am of opinion" he was naturalized in 1865. I repeat, is there a court anywhere which would hold that he was naturalized in 1865, or seven years before the commencement of the present Congress? I can not think so.

But there is another fact to which I wish to call your attention briefly. In the conversations which the contestee had with the two witnesses, Moynihan and Bell, to whom I have already referred, he said, after reflection, that Mr. Nelson was clerk of the court, and that Chittenden was in the office with him at the time he was naturalized.

The evidence on this point shows clearly that in 1858 Nelson was clerk of the court in which White declared his intention, and that Chittenden was deputy, and his papers or declaration of intention were in Chittenden's own handwriting. But it also appears from this testimony that Nelson's term of office expired in 1862, three years before the date contestee claims now to have been naturalized, and never had any connection with the clerk's office after that time; and also that Chittenden's connection with that office ceased at the same time, and that he never had any connection with it after 1862, but that he was clerk of the city council of Fort Wayne from 1863 to 1869.

Now, the contestee himself, in the first place, fixes the time and place and court in which he was naturalized: fixing the time at 1857 or 1858; the court, the common-pleas court of Allen County, Indiana, and names the clerk as Nelson and the deputy clerk Chittenden. But all the facts go to show that his testimony in that respect was not correct, and hence that he was not naturalized at that time—he only declared his intention.

Another thing, Mr. Speaker, and I refer to it reluctantly, for I have already stated I do not like to criticise the contestee himself or his testimony; it is a most disagreeable duty to me, but he has made statements in connection with the subject of his naturalization that to my mind at least weaken his own testimony to such an extent as to render it, in my judgment, unworthy of credit. On the Saturday night preceding the election, when he knew he did not have any naturalization papers, he said on the stump to his supporters, "You put your ballots in for me on the 2d, and I will show my papers on the 3d."

Nearly four weeks after the election, and when he had time to cool and was not in the fervor of a political contest, he said to Mr. M. V. D. Spencer, "I have my naturalization papers; they are more than seven years old, and if you want to see them you can." He knew at the moment that he did not have such papers; that they were not in his possession; but yet that statement appears as a part of the testimony. According to the record in this case no human eye ever rested upon that paper, if it existed, outside of the eye of the contestee himself. Receiving that paper, as he claimed after the election, in 1865, from that time up to 1887, when his deposition was taken, quite twenty-two years, no human eye ever looked upon the paper so far as the evidence shows. There were his children and family, his clerks, his employés, his neighbors all around him, and yet not a solitary witness is brought forward to testify that he had ever seen or heard of the existence of such a paper.

It seems to me, sir, that an alien sufficiently attached to the institutions of this land to link his destinies fully with this people, ought to look with pride upon the evidence of citizenship and to treasure it with sacred care, and not place it where the rats might gnaw it, the moths destroy it, thieves steal it, or the elements rot it. It seems to me he ought to have a place for it and to be able to say, "I know I saw this paper which made me a citizen of the grandest government ever vouchsafed by God unto man at least once in twenty-one years."

But not so with the contestee. If he ever had what purported to be his full naturalization papers, according to his own evidence, he had no place for it, and paid no more attention to it than if it had been a trifling rag, instead of the evidence of high American citizenship. He knew not where it was or where it ought to be, where he had put it, or what had become of it. So far as the evidence shows his eye had never rested upon this important paper from the time he says he received it in 1865 down to the hour he was examined and his deposition taken.

If he cared so little for the muniments of citizenship, he must have cared little for citizenship itself, except so far as it enabled him to vote and hold property, and he could do both under the laws of Indiana by virtue of his declaration of intention alone.

But, Mr. Speaker, I care not if the parol testimony introduced by the contestee was as clear as the noonday sunbeams and as certain as the life we live, it could not be used for the purpose of proving naturalization. If that paper which the contestee claims to have had ever existed, it could only have existed as an exemplification of a record, for it was not a record itself. If there is no record there can be no exemplification of a record, and the evidence shows clearly that there was no record, and hence there could be no exemplification. The gentleman from Texas [Mr. MOORE] referred so fully and so well to the fact that every single witness who was introduced to prove that he had been naturalized in this county, and had his certificate in his possession, that his name appears upon the record-book of the clerk's office of the court of common pleas, Allen County, Indiana, called the "Book of Final Oaths," except James B. White, the contestee, whose name is not there. I shall not consume the time of the House in referring further to it. And now, coming back to the point that it is inadmissible to prove naturalization by parol testimony, I will show you that it is admitted, and must be admitted, that naturalization is in itself a judicial act, and must be a matter of record to give it legal force and effect.

It must take place in a court of record. What is a court of record? According to Blackstone it is "a court where the acts and proceedings are enrolled in parchment for a perpetual memorial and testimony."

According to Webster it is "a court whose acts and judicial proceedings are enrolled on parchment or in books for a perpetual memorial; and its records are the highest evidence of facts, and their truth can not be called in question."

Wharton in his Law of Evidence, section 1302, says:

A court of record is required to act exactly and minutely, and to have record proof of all its important acts. If it does not, these acts can not be put in evidence.

Under the naturalization laws of the United States, the proceedings of naturalization are required to be in a court of record and to be recorded. The statute itself has this direct requirement. It is mandatory.

In the case of Elliott *vs.* Piersel, 1 Peters, 329, the Supreme Court of the United States declared this doctrine:

What the law requires to be done and appear of record can only be done and made to appear by the record itself or an exemplification of the record.

In this case naturalization does not appear by the record, and there being no record, there could be no exemplification of a record.

In Desty's case, 8 Abbott, New York, the court held that—

When the record fails to show proceedings necessary to the issuance of a certificate, the court can not make up the record *nunc pro tunc* and issue a certificate.

So that if the contestee had appeared at any time since 1865 in the very court in which he claims to have been naturalized, and had proved by parol testimony as strong and convincing as was ever presented to a court, that court could not have entered a *nunc pro tunc* order because the record failed to show that at any time within the history of the court any proceedings of naturalization in connection with him were had.

Mr. Speaker, these authorities could be multiplied and piled one upon the other until they would present a memorial column almost towering heavenward erected to the wisdom and policy of the doctrine that you can not make a record by parol testimony.

There are cases, sir, in which the records were not full—the orders not written out in full—wherein the courts have held that there was enough on the record to satisfy the court that there had been naturalization proceedings, enough upon which to base a *nunc pro tunc* order, or that there was enough on the record to show that the last things in order, for instance, the taking of an oath, had been done, and it was to be presumed that the requirements leading up to that point had been complied with else the court would not have administered the oath—the oath being the last step in the proceedings. Such was the case of Campbell *vs.* Gordon, 6 Cranch, 176.

In the case of Coleman *vs.* Davenport, decided in 1879 by Judge Blatchford, there was a book called "Naturalization Index" upon which Coleman's naturalization appeared, and Judge Blatchford held that it was a record. So that was decided upon a record.

There is no case, Mr. Speaker, that I have been able to find that contravenes the doctrine that you can not make a record by parol testimony; or where the record declares by the absence of any entry that certain proceedings were never had, you can not show by parol that they were had.

There is one case which runs on all fours with the case under discussion. I refer to the Swinburne case, decided by the supreme court of West Virginia, the opinion being delivered by the president of that court, Judge Green, who is, in my opinion, one of the brightest ornaments of which the judiciary of this country can boast.

It was alleged that Swinburne, who was an alien, had been naturalized in the circuit court of Kanawha County, Virginia, now West Virginia, in 1856 or 1857. There was no record of it. Parol evidence was offered to prove naturalization. Judge Green, delivering the opinion of all the judges, said:

I have thus far, as did the county court of Kanawha, considered this case as if all this parol evidence introduced by the defendant as tending to prove that in 1856 or 1857 Ralph Swinburne was naturalized before the circuit court of Ka-

nawha was admissible; but it seems to me clear that none of this evidence was admissible. It had, when viewed in its legal aspect, no tendency even to prove what it was introduced to prove. The naturalization of a foreigner is, by the laws of the United States, a proceeding in a court of record in which the court, upon certain facts being satisfactorily proven and a certain oath taken by the applicant, by its judgment declares that the alien is admitted to be a citizen. (See Rev. Stats. of U. S., 2d edition, sec. 2165.)

If the records of this court at the time when it is claimed that an alien was thus admitted to citizenship is produced and shows that he was not only not so admitted but not admitted at all, how can any parol evidence on any conceivable legal principle be admitted to prove a fact which it is conclusively shown can not possibly exist? The defendant's counsel refer to the following authorities to show that in this case such parol evidence was admissible: Nalle's Representatives rs. Fenwick, 4 Rand., 585—588; Sasportas rs. De la Motta, 10 Rich. (S. C.) Eq., 38; Campbell rs. Gordon, 6 Cranch, 176; Blight's Lessee rs. Rochester, 7 Wheat., 536; and an opinion of Judge Blatchford in the United States circuit court for New York, decided June, 1879, and reported in the New York Herald, a newspaper. None of these cases seem to me to touch the subject under consideration.

Plain, direct, and emphatic language is used by this learned judge. Nothing is left to inference.

"Where the record shows that Swinburne was not only not so admitted, but not admitted at all, how can any parol evidence on any conceivable legal principle be admitted to prove a fact which is conclusively shown can not possibly exist?" says Judge Green. How precisely does this language apply to this case! Change the name of Swinburne for White and you have a decision in this case by this court.

This proceeding might be regarded as in the nature of a trial by record. Robert Lowry charges James B. White with being an alien. White pleads naturalization, which is a plea in the nature of a plea of a matter of record; Lowry rejoins, "No such record." Then, according to Blackstone, the trial is by inspection of the record itself, no other evidence being admissible, and upon inspection of the record it is found that there is no such record as that pleaded, and of course the plea fails and judgment must be entered up accordingly of "No record; still an alien."

Freeman on Judgments lays down the doctrine that the entry of a judgment *nunc pro tunc* is always proper when a judgment has been ordered by the court, but the clerk has failed or neglected to copy it into the record. But an entry must be found somewhere in some book or record required to be kept by law in that court.

I conclude, then, that there being no entry on any book or anywhere in the court of common pleas of Allen County, Indiana, there was nothing upon which a *nunc pro tunc* order could have been entered, and that this Congress will not by virtue of its plenary power, which has been invoked, declare that James B. White became a naturalized citizen of the United States seven years before the commencement of this Congress when there is not a court in the land which would so declare. I do not understand that it has ever been held that Congress in the exercise of its plenary power will disregard settled principles of law, trample under foot mandatory statutes or constitutional provisions; I do not understand that Congress has the plenary power to admit a gentleman to this floor as a member who has not the constitutional qualifications of being twenty-five years of age, seven years a citizen of the United States, and an inhabitant of the State in which he shall be chosen. Congress can not in the exercise of its plenary power put its foot upon the Constitution. In my opinion, Gladstone or Bismarck would be as eligible to a seat on this floor as the contestee.

I conclude, second, that when a foreigner is required to become a citizen of the United States through a court of record, he can not be made a citizen by the mouths of any number of witnesses, or by a mere clerical act of a clerk of a court.

If by the mouths of witnesses citizens could be made, then perjury would be at a premium and fraud upon the elective system would hold high carnival. If a clerk could by the issue of certificates make citizens, then, on the eve of elections, if he were corrupt, voters could be manufactured by the wholesale and turned in like a deluge upon the polls.

Now, Mr. Speaker, it is unnecessary for me to refer to the remark which has been made here that great hardship will result to the contestee in this case in the event the majority report is adopted. It is enough for me to know what the law and the Constitution of my country are. It is no hardship to require a man, in order to secure a high privilege, to comply with the law which confers that privilege. I yield to no man in my regard for the foreign-born citizens of this land. In my veins courses Irish blood; I am proud of it, and there is not money enough in the universe to purchase one drop of it. My grandfather was a full-blooded Irishman, and was almost present at the laying of the corner-stone of this Republic, and yet he was required to comply with the naturalization laws of the country. If one who was almost present at the birth of the Constitution was required to go into a court of record and there to renounce all allegiance to any foreign prince, potentate, state, or sovereign, and swear fidelity to that Constitution and then to exhibit record evidence of that fact in order to enjoy benefits under it, in an humble way, it is no hardship to require a man, more than a hundred years later, to go through the same proceeding in a court of record, and to submit record evidence of that fact in order to hold a high and dignified position upon the floor of the House of Representatives of the United States, and to sit in the councils of the nation and among its law-givers.

Our naturalization laws are liberal enough. They are plain and simple and easily understood. No man need err in their construction or application. To hold with the minority of the committee would be in effect to wipe from the statute-book every vestige of these laws.

Is this House prepared to do this? Is it prepared to break down all the laws of evidence and destroy all the safeguards which the naturalization laws throw around the subject? For one I am not. As high as the privilege of a member of this House to a seat on this floor may be, and as much as we may regret the necessity of unseating a gentleman chosen by the people to represent them, it is far better that he should lose his seat than that great fundamental principles should be disregarded and scattered to the wind.

Allusion has been made, sir, to the contestee as a Union soldier. I want to say for myself that that fact has weighed in his favor with me and not against him. Though for four years I stood on the opposite side in that conflict of arms which reddened our land with blood and bathed it in tears, filled it with graves and draped it in mourning, fighting for what I had been taught was right, in the discharge of what I conceived to be my duty, and though I am proud at this hour of the prowess of the Confederate soldier, yet I turn at the same time with admiration to the Union soldier who was true to the flag that floated over him, true to the cause that he espoused, true to the teachings of his fathers, and with all the earnestness of a warm nature, I grasp his hand as a brother whose courage on the field and magnanimity in victory have added renown to the name of the American soldier and extended the circlet of glory about his head.

It may be a weakness in me, sir, or it may not be, but whenever I am brought in contact with one who was a soldier on either side, my heart warms up to him; I feel that we were once fellow-sufferers, and that for four years at least the same stars shone down upon us by night in the bivouac, the same sun scorched us by day on the march, the same snow chilled the marrow in our bones, and the same dangers confronted us. But, sir, duty was ever the talismanic word of the true soldier, and duty has been and shall ever be my talismanic word as a Representative on this floor. Then, in the discharge of my duty, unpleasant as it may be, I shall vote for the report of the majority of the Committee on Elections in this case. [Applause.]

Mr. ROWELL. In the time that I had allotted to myself for the discussion of this question I had not designed to discuss the facts in the case, because the proof of the fact of the naturalization of Mr. White amounted to such a moral certainty that I did not suppose it would be necessary to dwell upon that question. I had designed to devote my time to the discussion of the law. But it does seem that the gentlemen of the majority have so far weakened in their opinion of the law that they find it convenient to discuss more elaborately the question of fact, and to insist that this contestee has not proved that he was a naturalized citizen seven years before the commencement of his term of office. Therefore I shall have to use a very few minutes on that branch of the case.

This is a somewhat remarkable contest. A gentleman, an ex-member of the House, an ex-circuit-judge, the nominee of his party in a district ordinarily with 3,000 Democratic majority, is defeated at the polls by 2,500 majority at an election where nearly 35,000 people voted; at an election where there is not a whisper against its character; where there was a full poll, a fair and free vote, an honest count, and an honest return. Yet that gentleman, disregarding the popular will, almost as if in contempt of it, asks this House to give him the privilege of representing a people who had declared that they wanted another. Be it said to the credit of the committee he found little comfort there, unless there is comfort in a report that while it fails to give him the seat deprives his more fortunate and popular competitor of that seat, and deprives the people of the Twelfth Congressional district of Indiana of the representative of their choice, unless the report shall be rejected.

Now, Mr. Speaker, we ought to give effect to the popular will if we can do it consistently with the law and without violence to the facts; and in what I say I shall attempt to elucidate the facts and the law, believing as I always shall in every recurring contested-election case that every one here is sitting as a judge to do equal and exact justice.

I do not want this contestee punished because he was popular at home. I do not want him punished because without his fault he was born in a foreign land; nor yet do I ask that he shall be seated unless he is entitled to his seat. That he is an American in all that goes to make up American manhood will be admitted everywhere. He came to this country in his youth. He has spent all the years of his mature manhood here. He married here; his children were born here. All of his financial interests are and have been in this country. He demonstrated his patriotism in the best way that men may demonstrate that feeling by periling his life and shedding his blood upon the field of battle that the national unity might be preserved. Mr. White swears distinctly and absolutely that in 1865 he appeared in the court of common pleas of Allen County, Indiana, with his witnesses; that he proved his good disposition toward the Constitution and the laws and his right to citizenship by two credible witnesses; that he took the oath of renunciation and allegiance, and that he received from the court his certificate of naturalization.

There is no uncertainty about his testimony. It is clear, distinct,

and unequivocal. The circumstances are given, the reasons for taking out the papers at the time.

This testimony must be accepted as conclusive, or it must be rejected altogether. You must either accept it or hold that Mr. White has been successfully impeached in one of the methods of impeachment recognized in the law. He either lies or he has told the truth. He either commits perjury or he was naturalized. There is no escaping that. He proves by a man of eminent character, Mr. Jenkinson, substantially the same facts, and in a way that makes Jenkinson a perjurer, unless Mr. White was naturalized. He confirms his own and Mr. Jenkinson's testimony by that of Mr. Pratt, ex-sheriff of Allen County, and sheriff at the time of naturalization.

And what is offered in opposition? Notwithstanding the fact that Mr. Lowry had known for weeks that there was no record remaining in this court of Mr. White's naturalization—notwithstanding that Bell had known that fact—it was kept back until five days before the election, after every weekly paper supporting Mr. White had gone to press and to the country. And then Mr. White is telegraphed for, is brought back from his campaign, and Bell and Moynihan confront him, spread around him the meshes of the net prepared for him, and make the charge that he is not a citizen. He says, "I am a citizen; I was duly naturalized; Jenkinson was with me when I was naturalized." That is the material fact. Bell says he fixed the time in 1857 or 1858, but Bell conveniently forgot the important part of that conversation, that Jenkinson was present. Moynihan recollects this and Bell forgets it, and both may have mistaken the reference to 1858.

There happened to be two other witnesses to that conversation, White and his son, but both give a version different from the version given of it by Bell and Moynihan, the two men who had brought him back from his campaign in the district on the eve of the election with a view to demoralizing his lines and securing to Mr. Lowry the election. These witnesses seem to have been ignored by the majority. What is the object of the testimony produced? It is simply to impeach Mr. White. That is all. There was a legitimate way to impeach him. There were thousands of people in the Twelfth district of Indiana that knew whether he had a reputation for truth and veracity or not. They are not called here—not one of them—to discredit Mr. White, or to say aught against his integrity as a man or his truthfulness as a witness. Why, sir, in view of the fact that in a district with 3,000 against him politically, 2,500 men who did not agree with him politically have testified to the good character that he had built up in more than thirty years' residence among them, that sort of criticism is the criticism made by the criminal lawyer trying to save the neck of a guilty client, and not the legitimate criticism of a lawyer intending to elucidate the truth. Nor has it any bearing on this case according to the laws and rules of evidence.

Leaving that point, I come now to the record. Here are one hundred and fifty cases in which the only record is a duplicate certificate of naturalization; but each of those one hundred and fifty copies declares that the record of that case is in a certain book; and when you turn to the book there is no record there. Therefore the recital of a record is a falsehood.

There is upon that record a case where a naturalization was made in 1851 and the record made in 1865. The record does not include any of the cases where there was no record at all. In three different cases it has been proved there was no record—not the scratch of a pen. In Sardinghausen's case Mr. Lowry himself testifies that he examined all the books in the case and there was no scratch of a pen; nothing to show that any naturalization had taken place, and when Sardinghausen's attention is called to it, and his certificate of naturalization is delivered to Bell, this same Bell in the course of two days comes back from that same court with this same clerk, bringing a certified copy of the record. This undisputed fact speaks for itself and for the unreliability of the record either in what is put in or what has been left out.

Read the memoranda in the testimony of the clerk, and you find that this record is sometimes false, more often faulty, frequently without anything upon the record to show the case; forged decrees of divorce; records made years after the action purporting to have been taken; records of naturalization made at times when no court was in session; and all by this deputy clerk, Nelson, and yet it is seriously claimed that such a record or absence of record impeaches Mr. White. I leave that part of the case because I have not time to discuss the evidence. I propose to discuss the law of the case.

Mr. Speaker, we are a part of the legislative branch of this Government. There is a judicial branch; there is an executive branch. We are passing upon a statute passed by Congress and approved by the President. I ask gentlemen whether they will accept the interpretation of that statute from the judicial branch of this Government or whether they will go down into a State court and let the decision of such a court overrule the decision of the Supreme Court of the United States?

I undertake to say that the Supreme Court of the United States has absolutely, positively, and without possible question, decided that the certificate of naturalization, whether there remain a record or not, is conclusive proof of such naturalization, not to be attacked collaterally at any time or place. That being true, it ought to be an end of the discussion so far as the law is concerned, and there is no need to invoke the plenary powers of the House on this question of eligibility to prevent this great wrong, seemingly attempted in this contest.

There is a principle of law that universal acceptance is persuasive of what the law is. From 1795, when this naturalization law first went into force, down to the present day it has been the almost universal custom of all courts to issue to the applicant for naturalization a certificate of naturalization, under the seal of the court, as his commission of citizenship, reciting the facts that proof of residence, good character and disposition was made, that the oath of renunciation and allegiance was taken. Now, I call attention to the fact that you may hunt the statutes through from beginning to end and you will find no syllable or letter authorizing the issue of that certificate, unless the certificate is a duplicate record of the proceeding. It is not a certified copy of the record. Nowhere in any court does it purport to be a certified copy. But it does purport to be an original certificate under the seal of the court, accepted everywhere as original, primary proof of naturalization, not because it certifies a copy of a record, but because the court has issued it as the record of a fact. Passports have been granted for ninety years past upon the production of such certificates. The protection of the United States has been invoked time out of mind in the protection of foreign-born citizens, on their presenting just such a certificate. The American people would spring to arms in the twinkling of an eye if a foreign Government should, willfully and intentionally, lay violent hands upon an American citizen possessing such a certificate.

But early in the present century this question came up in the Supreme Court. A court in Virginia had decided a certificate not good naturalization. The case to which I refer is in 6 Cranch. In the court of Suffolk there is a minute of the judge upon his court docket, which says that William Currie——

Mr. CRISP. A minute?

Mr. ROWELL. Yes, sir, a minute.

Mr. CRISP. There is no such minute here.

Mr. ROWELL. This minute or memorandum states that William Currie, a native of Scotland, who had emigrated to Virginia, took the oath. Do I need to say to the lawyers of this body that such a minute is not a record—that if such a minute were made in a common-law proceeding and execution issued upon it, the execution would be invalid. That has been decided so often that it would be almost an insult to quote law upon a question of that kind. But the Supreme Court disposes of that question. There was issued to Currie a certificate simply reciting that he had taken the oath of allegiance and renunciation. It did not recite that he had proved his residence, his good disposition, his correct character. It was simply recited in his certificate that he took the oath of allegiance and renunciation. In this case the court expressly say—it is the unanimous opinion of the Supreme Court—that this certificate, copied into the record in the Supreme Court—not a record in the court below—is proof that the man was naturalized. Parol proof was heard to show that this was the kind of certificate usual in that year, that the court was in the habit of taking the requisite proof in these cases; and the Supreme Court say the oath would not have been administered if the court had not been satisfied; and so the decision of the court below was reversed, the naturalization was upheld and held good, and that, too, expressly upon the certificate—so stated in the opinion.

And so they reversed the court below. It was a question of the right of property. They appealed it as to the naturalization.

Then as late as the 91st United States, that court has used this language:

A certificate—

Mind you, a certificate—

A certificate of naturalization issues from a court of record when proper proof of residence has been made of five years, and the applicant is of the age of twenty-one years, and is of good moral character; the certificate is against all the world a judgment of citizenship, from which may follow the right to vote and to hold property. It is conclusive as such.

Now, gentlemen say the question of naturalization was not involved in the Tisdall case in 91 United States. I have noticed when lawyers find a case against them they always talk of *obiter dicta*. Why everything a court says, except the mere judgment for the plaintiff, or for the defendant, may be called *obiter dicta*. But this is a case involving the admissibility and the weight of testimony; and the court in pronouncing judgment as to the admissibility and weight of testimony went on to illustrate the law and used this language. Suppose it is *obiter dicta*, it is the language of great jurists speaking about matters of law, members of a court sitting on the most exalted bench in the civilized world, language to go into the law-books and receive the criticism of judges and members of the legal profession everywhere. *Dicta*, though it may be, it is *dicta* coming with such weight to this House you dare not raise a technical objection to it.

I shall not stop to read from them, but the text-books have copied this language and laid it down as law. I say the text-book writers on this question lay down the law with reference to proof of naturalization just exactly the same as I have defined it here. All of them—my time will not permit me to read from them.

I come to another case, a case over in New York, involving the valid-

ity of five or six thousand naturalization papers issued in 1868. Was there a record? No part of one; only an index-book. John Swiss, Switzerland; John Roe, witness; a date, and nothing more—in other words, an index-book. Will anybody say that is a record or any part of a record? A United States circuit judge, now an honored member of the Supreme bench, Justice Blatchford, decided the naturalization was proved on such a certificate of naturalization as the one in this case, or substantially so. And he further declares that the act of the clerk commanded by the statute is to be not only considered ministerial but merely directory; and if directory, of course everybody will acknowledge that the failure to make a record can not invalidate any naturalization.

It is an act, says the court, the applicant has nothing to do with. It is separated from the man himself. It is directory and the clerk may neglect to write it down. It does not invalidate the naturalization if the certificate is issued. Citizenship is a personal right, which, once acquired, can only be taken away by the act of the citizen himself.

Now I come to this question of record. As I said awhile ago, this certificate really was what it purports to be, an original document, issuing out of the court as a commission of citizenship. The record usually kept in the Western and Northern States, where there are a large number of people to be naturalized, is always almost exclusively another copy of the same oath without anything else on it. As suggested by my friend from Texas [Mr. MOORE], it is a blank taken out of a book of blanks—one blank torn out of a book of blanks. Another book of similar blanks filled up makes the clerk's record. What is it, then, but a duplicate record? The record was kept in the court and a duplicate record was given under the seal of the clerk to the applicant.

Do I need to quote the law that when duplicates are issued one is of as much dignity as the other, one is as much primary proof as the other?

Mr. BAKER, of New York. Will the gentleman allow me——

Mr. ROWELL. Certainly.

Mr. BAKER, of New York. Allow me, by way of suggestion, to refer to what the gentleman from Virginia [Mr. O'FERRALL] said, that the certificate was an exemplification of the record, and inasmuch as there was no record there could be no exemplification of any record. I should like to hear the gentleman on that point.

Mr. ROWELL. A certificate does not purport to be an exemplification of the record; it purports to be an original paper. These original certificates are held by millions of naturalized citizens in this country. They do not purport to be a certified copy or exemplification of the record, but the original paper, signed by the clerk and sealed with the seal of the court, and as the commission of absolute citizenship.

Mr. CRISP. Will the gentleman yield to me for the purpose of asking him a question?

Mr. ROWELL. Certainly.

Mr. CRISP. Can you conceive of a case in which the record of the court or any part of the record of the court is turned over to an individual to be carried by him in his pocket?

Mr. ROWELL. I can conceive of a case where a decree has been prepared, approved by the court, and the approval indorsed upon the decree. Suppose, as the attorney in the case, I had prepared the decree and obtained the approval of the court? I put it in my pocket and carry it off, and it is a record just as much as if I had left it with the clerk.

Mr. CRISP. But does not the gentleman understand that in the case to which he refers the paper belongs to the court?

Mr. ROWELL. Certainly.

Mr. CRISP. And such papers are entered upon the minutes and are filed away in the court, and that no man is entitled to keep possession of those papers in his pocket, for they could be recovered by the court on a rule at any time?

Mr. ROWELL. Certainly; but that is an entirely different question. I am not saying whether a man ought to take away a record of that character or not; but I argue, in response to the gentleman's question, from universal custom, that the courts have so interpreted the rule and given out the records.

Now, there is a great mistake in the minds of men as to what constitutes a record. Some think that there is no record unless it is where the case is docketed, an order-book kept, an extension of a judgment upon a book—that it takes all these things to make a record. To record a proceeding is to take it down in writing. The proper place for a record is in the custody of the clerk, in order that it may be identified or certified.

But if it goes out of the custody of the clerk it is still a record. The court, in 6 Cranch, approved in 7 Cranch, and affirmed in 91 United States, have decided that this very certificate is conclusive evidence of naturalization, not to be attacked collaterally and without reference to any record, and Blatchford, justice, has decided, in the New York Coleman case, that that clause in the statute requiring the clerk to make a record of the proceeding is not a mandatory part of the statute. But now you quote West Virginia and Georgia, and the circuit court of the District of Columbia, six years before the decision in Cranch, to overturn in the House of Representatives the decision of the Supreme Court of the United States; and for what purpose? For the purpose of depriving the people of the Twelfth Congressional district of Indiana of their chosen Representative in Congress. For the purpose of making out the man whom they have so trusted to be a liar and unworthy of credence, you have invoked a doubtful technical rule to do injustice. Everywhere the courts will invoke a technical rule to prevent robbery and injustice. Everywhere it is the boast of modern courts that they push away the cobwebs and technicalities they may find coming between them and the doing of equal and exact justice, unless the technicalities are so thoroughly imbedded in the law as to compel obedience or legislative correction.

But this American House of Representatives, invoking a technicality upon this question of evidence, undertakes to defeat justice and seeks to deprive the Twelfth district of Indiana of its Representative and the people of their choice, and this Representative of the seat to which he was duly elected. And that technicality stands repudiated by the court created to interpret United States statutes—a court whose interpretation is authoritative—a court vested with power to review an appeal and overrule the decisions of the very courts you rely upon in this very class of cases.

He is to be punished for the negligence of a ministerial officer, a clerk of the court in Allen County, whose pigeon tracks are all over that record in forgery and fraud. I repeat it, all over it in forgery and fraud.

This is your impeaching evidence; this is the record which is to make Mr. White a liar. It is on a par with your claim that taking out the papers a second time tends to prove that they were not taken out a first time, in the face of the fact that Mr. White then and there declared that they were his third papers.

In the great city of Chicago there are 30,000 voters just in the condition of this man, with every record of every court burned, the clerks of the courts dead, their own houses burned almost before they could escape from them, the papers all burnt up, and I pledge you that not one of them ever saw a record so as to be able to testify to its existence. More than one member of this body, many hundreds of men occupying high positions in the American Government, are precisely in the condition of this contestee, and yet you say it is dangerous to invoke parol testimony. Why, Mr. Speaker, you hang a man on parol testimony.

Is it more dangerous to invoke parol testimony to establish a fact of this character to sustain and vindicate the popular will than it is to hang a man? You supply most solemn records, when they are destroyed, upon parol testimony. You prove the contents of the most important documents, when lost or destroyed, upon parol testimony. It is necessary in all human affairs so to do, to prevent injustice and wrong, and, although witnesses may sometimes speak falsehood, and writings may sometimes be forged, yet the courts will continue to adjudicate cases and ascertain facts under these rules of evidence, even if this House should determine that foreign-born citizens are not entitled to the benefit of such evidence when they happen to be popular enough to secure an election to this body.

Why it is said that Mr. Pratt, one of the witnesses in behalf of the contestee out there in Indiana, is not to be believed, because he did not work for and support Mr. Lowry at that election, but was a strong supporter of the contestee. If that be true, sir, there are more than 2,500 able-bodied Democratic liars in that district who did the same thing. [Laughter and applause.]

It is said that Mr. Jenkinson is not to be believed because he is sixty years old, and that, therefore, he can not remember the circumstances of twenty years ago. I tell you, gentlemen, there is no pretense to impeach the testimony of Mr. Jenkinson except on account of his age; and if he be impeached on that ground there are a great many men around me here who are in the same situation, and on that account are in danger of being discredited. There is no other reason for discrediting him, except they say he was in very bad company. [Laughter.]

He was with White at the time he took out his papers, and, like "poor dog Tray," is to be kicked out and punished because he was in bad company, and his testimony is to be characterized as perjury.

Now, sir, in the time that I reserved for myself I have had thus hurriedly to examine these questions. I want to say a word in answer to a statement that you have not any proof of the contents of the paper, and that the testimony given by the contestee, showing his recollection to be unreliable, is such that you can not believe him. Does anybody doubt, when we produce the kind of certificates issued in that court, and he swears he got his naturalization papers, that that is the kind of naturalization certificate he got?

Are you raising that sort of a technical objection to the proof of the contents of the certificate? What proves to the moral sense, what carries with it conviction, is conclusive evidence——

Mr. OUTHWAITE. Will the gentleman yield to me for a question?

Mr. ROWELL. Yes, sir.

Mr. OUTHWAITE. Are you not assuming that this clerk, whom you have attacked as unworthy of credence, did in this case issue the proper paper to this man?

Mr. ROWELL. I am; because it is in proof that was the only kind issued; because had he not issued the proper paper he would have been caught in the act. Nor am I assuming that this clerk intentionally left

this off the record. Here are twenty or thirty cases out of the one hundred and fifty where in the record of the oath there is a failure to fill up the blank certificate at the end of it. Making out a certificate of naturalization, or making a memorandum on a piece of paper to take with him to court, he loses it, forgets it, and it fails to go on record. And all foreign-born citizens are to be told, "If you did not see to it that the clerk put down what was exactly right you shall not occupy a seat in Congress if the partiality of your people has elected you to it."

Mr. OUTHWAITE. You said he would have been detected if he had not issued the right kind of a certificate. Will you point to the testimony of any witness who read that paper or saw it?

Mr. WILSON, of Minnesota. Would it have made the least difference if the clerk had issued the wrong papers?

Mr. ROWELL. Not one single bit. If the clerk had perpetrated a fraud—and the question of my friend from Ohio is on a par with the technicalities erected in this House for the purpose of turning a foreign-born citizen out—would he not have been detected? Would a clerk be likely to issue a false certificate into the hands of a man and take the chances of being detected? However such technicalities may appear to the mind of my friend from Ohio, whom I honor very much, I think that kind of argument does not strike the intelligent critic of evidence as being very weighty in overthrowing moral proof. It is on a par with attempting to criticise what a man says on the stump.

Mr. OUTHWAITE. If the gentleman will allow me, I will say I only suggested it to correct a presumption; I was putting one presumption against another.

Mr. ROWELL. The presumption that a clerk issued a certificate purporting to be a naturalization certificate into the hands of an intelligent man implies that he did not try to palm off a bad certificate upon him. And yet you ask me to point to the evidence that anybody read this certificate. I have heard judges remark that courts are presumed to know something when attorneys insisted upon proving things of common knowledge. I shall presume that the members of the House know something, and will take it for granted that the clerk did not palm off a fraud upon Mr. White in place of a proper naturalization certificate.

They say that Mr. White is not worthy of credence. He is impeached for something he said on the stump. Now just stop, Mr. Speaker and gentlemen, at that point. If we all have got to have the brand of liars put upon our brows because we sometimes make a mistake in what we say on the stump, how many here who talk at all would go out of this House with the brand of liar written all across their foreheads! [Laughter and applause.]

That is on a par with all the criticisms which have been made. Ah! they talk about Spencer's evidence. Spencer is called in the last ten days, when the mouth of White and the mouths of his witnesses have been sealed; when no question as to language, time, and place has been put to him; and then Spencer comes in and undertakes to recount testimony that my friend from Ohio, sitting on the bench, would not have permitted had a litigant attempted to bring it into court as impeaching testimony. And yet it seems to be the monument raised up here for men to look at. What for? To impeach Mr. White; to impeach the man that in the Twelfth district of Indiana, where he had lived for thirty long years and done business, was elected by 2,500 majority by Democrats and Republicans alike; where he took over at least 2,500 Democratic votes—the best Democrats in the district.

That is the kind of man whom you seek to impeach by saying he declared on the stump that he had his papers, when within three or four days of the election this was suddenly sprung upon him, "You are going to be charged with not being naturalized; the voters are to be prevented from voting for you; and a placard is to be posted at every poll in the district for the purpose of breaking down your lines, driving off your friends, and so securing the popular vote for the man the people do not desire to elect." He undertakes to stem the tide, to rearrange his lines; and what does he say? "I am a citizen of the United States." Oh, it is said he ought to have fallen into the pit dug for him; like the silly fly he ought to have walked into the web of the spider.

Under what obligation was he to go into details with the enemy who had concocted a plot and kept it secret until it was too late for him to answer? Mr. Speaker, I can not believe, I shall not believe unless compelled, that gentlemen who have been deemed worthy of a seat in this exalted body, worthy to represent the American people in making its laws, are so regardless of the rights of citizenship, so regardless of the voice of the people, so regardless of the protection due to the thousands upon thousands of naturalized citizens of this land, that they are going to erect this barrier against Mr. White in his claim to retain his seat. Mr. Speaker, how much time have I occupied?

The SPEAKER *pro tempore*. The gentleman has occupied forty-two minutes. He has four minutes remaining.

Mr. ROWELL. Just a word more; this is important. It is important to all of us.

Mr. BOOTHMAN. Will the gentleman permit a question?

Mr. ROWELL. Yes, sir.

Mr. BOOTHMAN. How do you account for the loss of Mr. White's second papers?

Mr. ROWELL. Oh, I can not stop now to talk about that. His store, full of oil, was burned up, and the employés had to run for their lives. Perhaps that accounts for it; I do not know. I had a commission in the Army; I can not find it; I looked for it last fall and could not find it. I guess I had a marriage certificate. Under the laws of Illinois, if I want to get married I have to go to the county clerk and prove to him that I and my intended are competent to enter into the marriage contract, and get a license. I have to present that to one qualified to perform the marriage ceremony and he must return it and the clerk must record it. Suppose that in returning it should get lost in the mails; suppose a clerk, like the one in this case, should be careless, are my children to be bastardized and is my estate to be confiscated because of the negligence of that clerk? And are the naturalized citizens of the United States, when a Chicago fire occurs, when losses happen, when clerks are careless, are they to be debarred of that right of right, the right to be citizens of this Republic? I will not believe it. It can not be done. [Applause on the Republican side.]

Mr. ROWELL. Mr. Speaker, I now yield fifteen minutes to the gentleman from New York [Mr. COCKRAN].

Mr. COCKRAN. Mr. Speaker, I have listened with great attention to the speeches which have been contributed to this discussion by both sides of this House. I have read with great interest the speeches which were delivered at the session of this House last Thursday, and I think it but fair to the side with which I am affiliated, to state at this stage of the proceedings the conclusion which I have reached.

I believe, Mr. Speaker, that in discussing a question of great public policy, one that involves the sovereignty of the people, we are not bound by the technical rules which have been prescribed for the determination of disputes between citizens when they are compelled to submit their contentions to tribunals organized for the purposes of settling them. We are here, as I take it, on a broader basis. We have to inquire, in the first instance, whether the people of this district in Indiana have lawfully expressed their choice. Now, the only question in dispute is that which goes to the qualifications of the sitting member, under the laws and Constitution of this country, to occupy the seat to which he was undoubtedly elected; and the objection which has been advanced to his claim is one which, in my judgment, turns upon a question of fact.

I do not believe that there is any fair question of law before this House. I do not regard a record as anything but the proof of a judgment. The judgment is the act of the court, which stands independent of anything that a clerk may do or fail to do. Now, there is no record of what this court has done. We are therefore driven to inquire into the facts of the transaction, and Captain White stands before this House declaring upon his oath that in 1865 he attended before a court in this county in Indiana where his naturalization is said to have taken place, accompanied by witnesses; that he complied with all the requirements of the law, and that a certificate of naturalization was issued to him by a competent authority. Holding the views that I do of the record, there is nothing left for me to decide but whether I will believe the statement which is made by Captain White under the solemnity of an oath, and which is corroborated by a character against which not one word has been uttered in the course of this debate. [Applause on the Republican side.]

Mr. Speaker, on this side of the House we claim to represent popular sovereignty in the fullest meaning of the term. To our party belongs the mission of extending to its utmost limits the power of the people at the ballot-box, and so far as the people of the Twelfth district of Indiana could speak, they have declared their wish, their will, their command that Captain White shall be their Representative throughout all the sessions of the Fiftieth Congress. [Renewed applause.]

Against this command of the people, against this decision, solemnly recorded at the ballot-box, we have a number of circumstances advanced by the Committee on Elections which it is asserted form in law a reason why the decision of the people should be reversed.

I for my part accept the statement which has been made by the gentleman from Illinois [Mr. ROWELL]. I believe that either Captain White was naturalized in Indiana or he has committed perjury. I believe that he is a duly qualified member of this House of Representatives, or else his place is at the bar of a criminal court to answer an indictment for crime.

Holding that view, Mr. Speaker, to what circumstances must the mind be directed in order to ascertain the legitimate course for a member of this body to pursue under the solemn obligations of his oath of office? He must look to the character of the person upon whose statement he proposes to base his action. This man comes here with thirty years of honorable life to give weight to his statements. He comes here with a history which is a part of the history of this country. He has held high and important offices. He has discharged all the duties of citizenship. He has shed his blood for his country. [Applause.] And now my voice will not cast a vote which will make the wounds he received in honorable service bleed afresh by reason of the ingratitude of his fellow-citizens. It will rather be my pride, as I hope it will be in my power, to cast a vote which will show that he who risks his life in defense of this land merits and receives a reward which will serve him

like an armor invulnerable to the shafts of the enemy when in any crisis of his career he has to place his character in the balance against those who would impugn his integrity. [Applause.]

Mr. Speaker, in what I say I but express my own loyalty to the laws. I do not believe that the political effect of this vote would sway a single member on this side of the House so far from his sense of obligation to his conscience as to cause him to cast a vote with a view merely to its political effect in the future. But if such a suggestion enters the mind of any Democrat here, let me say to him that the best way to avoid any possible influence which the decision of this case may have upon a Presidential election, is to so comport ourselves in the discharge of our duties that no Presidential election will ever come into this House, but that the votes of the people will decide in favor of that party which I believe is pledged to every system of good government that ought to win the confidence of the electors. [Applause.]

Believing as I do, while there floats over my head that flag which Captain White and his comrades have kept aloft in the breeze over every part of this country, extending the power of Congress to every section of the Union—while I thus feel grateful to the heroes who preserved that power intact and who cemented with their blood this Union under which we live, I shall not cast a vote which I would regard as treason to my constituency and which would pronounce a soldier of the Union guilty of perjury and unworthy of association with honorable men. [Applause.]

Mr. CRISP. What disposition does the gentleman from Illinois [Mr. ROWELL] propose to make of the remainder of the hour?

Mr. ROWELL. How much of the hour remains?

The SPEAKER *pro tempore*. Seven minutes.

Mr. ROWELL. I yield that time to the gentleman from Minnesota [Mr. WILSON].

Mr. WILSON, of Minnesota. Mr. Speaker, when I read the report and the briefs in this case, they led me to doubt the conclusion of the majority of the committee; but on account of the great respect which I have not only for the legal ability but for the honesty and impartiality of that majority, I reread and reconsidered this case to see if my first impression was not wrong. But a reconsideration has not changed my conclusion. A conclusion of this kind, Mr. Speaker, of course, ends for any member of this House all discussion. We sit here as judges, and we are not honest men if we do not vote as we believe, irrespective of any party consideration whatever. [Applause.]

Mr. Speaker, I wish to give in a very few minutes (for I have but a few) the reasons which have led me to the conclusion at which I have arrived. There are two questions here—one of fact and one of law. The question of fact is, did the contestee in this case go before a court of record and make the proofs which the statute required him to make in order to become a citizen of the United States? Secondly, the question of law is, if he did this, the record being wanting, is it competent to prove the fact by parol? As to the first, the question of fact, I have carefully considered the evidence in the case, and to me it seems to be satisfactory that the contestee went before the proper court and made the requisite proof and took the oaths required. Let me add that in reaching this conclusion I have proceeded upon the principle that when a man has received a majority of all the votes cast in his district, every presumption not absolutely unreasonable must be entertained in his favor. We have no right to unseat a man who has been sent here by the majority vote of his constituency unless some rule of law stands in the way and is conclusive against him.

I merely repeat what has been before said when I remark that either Mr. White is a perjurer and his two witnesses are perjurers, or else he went to the proper court and made the requisite proofs in order to secure the rights of citizenship. Mr. Speaker, when I turn to the testimony of those who attempt to contradict him I am but the more confirmed in the belief that he did this; for though this matter was sprung upon him but two or three days before the election and without any notice in advance, he at once said, "I have my naturalization papers; I am a citizen." There was no hesitancy—no dodging of the issue. When it is suggested to him, "You must not only have your first papers, but your second papers," he says, "I know that; and I have them." When it was stated to him, "The records of the court show the issue of no papers to you; may you not have obtained them elsewhere?" does he like a dishonest man try to catch at this straw? No; he says, "I obtained all my papers in this county," though he knew that the records could be examined at once. Those are not the words of a man who did not believe what he said. This man knows just what the facts are; he does not forget—he can not forget. The facts, therefore, I think are clearly in his favor.

Now, Mr. Speaker, we come to the legal question, and if there is anything settled by the court which has the right to settle the law absolutely and finally, it is settled that the thing which this man did constituted him a citizen. Let it be borne in mind, this man says that when he went before the court with his witnesses and made the requisite oaths, he got his certificate of naturalization. There are hundreds in this room who know the steps taken on such an occasion, and they know that the rule is uniform that the certificate of naturalization is given when the proofs are made and the oaths taken.

Some one has suggested here, as a reason why we should unseat the contestee, that there is no definite proof of the form of the certificate which he received. I see no force in this objection; I have seen hundreds, I think I might say truthfully thousands, of those certificates of naturalization issued and I have had reason to examine some of them; but if I were asked, especially if the question were sprung upon me suddenly, I could not answer specifically, nor could I, after time to reflect, give the very terms or words of them. How many here could give the precise form of their title deeds? They could readily answer that they had a deed in the usual form, just as the contestee has sworn that he received a certificate in the usual form, but beyond that they could not go. Had the contestee been more particular and positive in his statement as to the very form of his certificate he would only have cast a doubt on his veracity and have given ground to suspect that he was drawing on his imagination for his facts.

We all know that the certificates issued on such occasions are essentially alike, and no one here has doubted, nor does it admit of doubt, but that such a certificate issued to the person naturalized after he has, on his part, complied with the statute, is all that is required to confer on him and prove citizenship. The contestee has sworn positively that he did, as is the usual if not the uniform rule in such cases, receive such a certificate, and that it is lost. The case of Campbell *vs.* Gordon (6 Cranch, 176) as has been stated by the gentleman from Illinois [Mr. ROWELL] is, therefore, on all fours with this.

The facts in that case are as follows: A citizen of Virginia died intestate, without issue, leaving a landed estate in Virginia. His brother, who, like this contestee, was a native of Scotland, having removed to this country, and became, as he alleged, naturalized, died, leaving a daughter; she claimed the land by descent from her uncle.

The SPEAKER *pro tempore*. The gentleman's time has expired.

Mr. WILSON, of Minnesota. I do not wish, unnecessarily, Mr. Speaker, to trespass upon the time of the House, and I will therefore only state this single point. [Cries of "Go on!"] If her father had been naturalized she inherited the estate; if not, it had escheated, and the question involved in her case was the validity of her title, and that was conceded to be valid if her father had been legally naturalized; his naturalization was, therefore, the single question in the case.

The record in that case shows that a certificate of naturalization had been issued to her father in essentially the same form of the certificate issued to the contestee in this case, and in that case there was no other record. It is true there were certain memoranda made by the clerk, in these words: "At a district court held at Suffolk, October 14, 1795, William Currie, native of Scotland, migrated into the Commonwealth, took the oath, etc." This is not a record of naturalization; indeed, it is not a record at all, or in the nature of a record.

It is merely a memorandum made by the clerk for his own convenience. The only record there was in that case was the certificate in substantially the same form of the certificate in this case, and the court held that the evidence established the fact of naturalization. The opinion of the court was delivered by Mr. Justice Washington, Chief-Justice Marshall and the other members of the court concurring.

It is true that in the case cited the certificate issued by the clerk to the person naturalized was produced in court, whereas in this case it is not produced; but the contestee has accounted for its non-production and has proven its loss. And no lawyer or intelligent layman would doubt but that it is legally competent to show by parol the existence of a record and its loss or destruction, and when that is proven it is competent to show its contents by parol. The case cited and this case are, therefore, not distinguishable; for the existence, the loss, and the contents of the certificate being proven, as a matter of evidence the parol proof of the contents has the same probative force as the certificate would have had if presented.

Let me read briefly from their opinion:

> In support of the first objection it is contended, that although the oath prescribed by the second section of the act of Congress entitled "An act to establish a uniform rule of naturalization, and to repeal the act heretofore passed on that subject," passed the 29th of January, 1795, was administered to said William Currie by a court of competent jurisdiction, still it does not appear, by the certificate granted to him by the court, and appearing in the record, that he was, by the judgment of the court, admitted a citizen, or that the court was satisfied that, during the term of two years, mentioned in the same section, he had behaved as a man of good character, attached to the Constitution of the United States, and well disposed to the good order and happiness of the same.
>
> It is true that this requisite to his admission is not stated in the certificate; but it is the opinion of this court, that the court of Suffolk must have been satisfied as to the character of the applicant, or otherwise a certificate, that the oath prescribed by law had been taken would not have been granted.
>
> It is unnecessary to decide whether, in the order of time, this satisfaction, as to the character of the applicant, must be first given, or whether it may not be required after the oath is administered, and, if not then given, whether a certificate of naturalization may not be withheld. But if the oath be administered, and nothing appears to the contrary, it must be presumed that the court, before whom the oath was taken, was satisfied as to the character of the applicant. The oath, when taken, confers upon him the rights of a citizen, and amounts to a judgment of the court for his admission to those rights. It is, therefore, the unanimous opinion of the court that William Currie was duly naturalized.

Now, the court must have been satisfied. Why? Because by the parol evidence received it was proved that the man had been naturalized.

Mr. CRISP. Will the gentleman from Minnesota yield to me for a moment?

Mr. WILSON, of Minnesota. Yes, if my time will permit.

Mr. CRISP. Where do you get the idea that it is based on the po-

sition that the record was proved by parol evidence? There is no parol evidence in it. He infers from the fact that he did take the oath that he did everything else preliminary to the taking of the oath.

Mr. WILSON, of Minnesota. Let me answer the question of the chairman of the committee from the book itself. The report shows that parol evidence was given, that was one of the errors complained of, and every lawyer knows that when you take memoranda like these and supplement them by parol, so as to show a judgment, it is all parol. For if, as you claim, you can not show what the judgment was by parol, then it follows that you can not add one iota to it by parol.

But, Mr. Speaker, let us look for a moment at the consequences of the action here proposed. In portions of the country perhaps more than half the people are of foreign birth. Shall we say here, by our action on this case, that a mistake of a clerical officer of any one of our courts, over whose actions they have no control and for whose errors they are not responsible, may disfranchise them, may make their actions, which would otherwise be patriotic and legal, unpatriotic and criminal? Such action on our part would justly alarm hundreds of thousands of people.

I can never assent to a position which would make the rights of so many people dependent on either the intelligence, the honesty, the vigilance, or the accuracy of a mere clerical officer. It gives me pleasure to believe—I think I may safely say know—that such is not the law of our country. If I did not feel sure that it is not, I should, at the earliest possible moment, introduce a bill to change the law.

In what position would we place the contestee by such a vote?

If he was in a court of law, an error in the record could be corrected so as to prevent injustice, *nunc pro tunc;* or, if he was in a court of equity, that court would act on its maxim that that should be considered as done which ought to be done, and as such an error ought to be corrected, and the proper entry made, the court would consider it as made.

But here, in the House of Representatives of the United States, which should in such cases be guided by the broadest principles of equity, the vote we are asked to give would deprive the contestee of the rights which he would be entitled to either in law or equity.

The SPEAKER *pro tempore.* The time of the gentleman from Minnesota has expired.

Mr. CRISP. I now yield twenty minutes to the gentleman from Ohio [Mr. OUTHWAITE].

Mr. OUTHWAITE. Mr. Speaker, in the brief time allotted to me, as a member of this committee, I propose to take the position, and attempt to demonstrate it to every fair-minded man on the floor of this House, without being committed (as gentlemen in favor of the contestee seem to desire to commit all of us favoring the report of the committee) to the proposition that the contestee was guilty of perjury—I propose to maintain that the evidence upon which this claim is set up, that he was naturalized on the 28th day of February, 1865, is insufficient because it is contradictory and destructive of itself.

In considering this case I was not actuated by the question as to whether there were many foreign-born citizens in my district, nor whether there were many soldiers in my district. I esteem both of these classes of my fellow-citizens as I would be esteemed by them. I was appointed a member of this committee by the action of this House, not of my choice. I remember that upon the threshold of my membership I took the solemn oath to sustain the Constitution of the United States; and with the recollection of that oath upon my lips I came to consider this case and all of the difficult questions, either of law or of fact, involved therein in the spirit of such judicial fairness as they ought to command. But at the same time I came to consider it with the sympathy and feelings akin to those which were manifested by many members on the floor of the House but a few moments ago when the fact was alluded to that this contestee had shed his blood for the preservation of the Constitution. Of what value is that Constitution to us, of what value is it that men shall shed their blood for its preservation, unless it be preserved in the purity of its provisions without regard to conditions, or policies, or parties?

All provisions of the law favoring the naturalization of aliens who were soldiers are to be heartily approved. But those provisions do not apply to this case. The law does not go so far as to make such soldiers citizens without having complied with its plain requirements.

I do not forget, sir, that upon one occasion a battle-scarred veteran of three wars was elected to this House as a member, backed by a majority three times as large as that of this contestee, and by that party over there he was sent back and his district turned over to his opponent. I allude to the case of the gallant General Shields, when he came here as a Representative from the State of Missouri. [Applause.]

I remember, also, that upon a former occasion, at an earlier day, when he was elected to the United States Senate from the State of Illinois, he was virtually sent back to the people by the Senate; because at that time he had not yet been naturalized. I remember that the records show that Albert Gallatin, who was here at the birth of the Republic, was deprived of his seat on the same ground.

Mr. GUENTHER. Did General Shields ever claim that he was naturalized?

Mr. OUTHWAITE. He did not claim it upon the first occasion of which I speak, and upon the record was not sent back on that ground. He was sent back because your party had a majority in this House. [Applause on the Democratic side.]

Mr. CONGER. And that is the reason you are going to deprive White of his seat, is it?

Mr. OUTHWAITE. No, sir.

Mr. JACKSON. Is that the reason you propose to send this man back?

Mr. OUTHWAITE. No, sir.

I shall continue my argument now, Mr. Speaker, if gentlemen will permit.

The testimony does not show that the contestee in this case ever appeared in a court of record and was naturalized.

Mr. LONG. Is not the fact shown that he was naturalized?

Mr. OUTHWAITE. No, sir; it is not shown that he was naturalized, except as to the fact of naturalization in a county outside of his district and but the day before he was elected; and that naturalization is not according to the requirements of the Constitution, which provides that he shall have been a naturalized citizen for seven years prior to his becoming a Representative in Congress.

Mr. JOSEPH D. TAYLOR. Will the gentleman pardon me for interrupting him?

Mr. OUTHWAITE. I can yield for no more questions, as I have but twenty minutes.

Let us look at the circumstances of this case; let us look at the conduct of the contestee in this matter. Let us do it intellectually, without any criticism or insinuation against his moral character.

Three days before the election came on, two gentlemen came to him and said, "We understand you have not been naturalized." What was his answer? Gentlemen say we must believe his testimony. Now I read from his testimony as to what he said on that occasion:

I said that was all nonsense; that I had been naturalized years ago; that I took part in the Frémont campaign and was an earnest worker for Frémont, believing like other young men that the salvation of the country depended on his election, and I was very enthusiastic and voted for him.

Let us now consider carefully the testimony of these two gentlemen on this point.

MR. BELL'S TESTIMONY.

Page 155:

"You say you took them out in 1857 or 1858. May you not have taken out the other papers in Kosciusko County?" He said, "No, sir; I did not. I took them out here." Then I said, "Before you did that in 1857 or 1858, you must have declared your intention at least two years before." He said, "Yes, I did; I am not mistaken about that. I took them out in order to vote for Frémont. I was young then, just a boy. It was in the days of border ruffianism, and I supposed that unless Frémont was elected the country was gone to the dogs, and I am not mistaken about that. I took out my papers in order to vote for Frémont, and all I took out were taken out here in this county."

MR. MOYNIHAN'S TESTIMONY.

Page 157:

On the 28th I had such an interview with Captain White, in company with Mr. Bell. We related to him the information given to us, that he was not a fully naturalized citizen. We misunderstood the proposition as first given us, understanding it that he had taken his first papers in Kosciusko County, and we put it to him in that way. He replied that he had never taken any papers in Kosciusko County. We then questioned him as to his taking out papers of naturalization. He replied that along about 1856 or 1857 he had taken out papers. He said that he believed Mr. Jenkinson was clerk. Mr. Chittenden, he understood, was in the office. I wish to say, rather, that Mr Jenkinson was in the office with him or accompanied him to the office either in the capacity of a friend or attorney. We asked him if he recalled having taken out two separate papers, explaining to him the necessity of such a procedure. He said that he had not or could not recall any occasion for taking out papers other than those referred to, about 1856 or '57, urging at the same time that he took the papers out then in order to vote for Frémont, candidate for President, saying that there was considerable feeling, that he was a young man and there was some belief then that unless Frémont was elected the country, to use his own expression, would go to the dogs, and border ruffianism would be upon us. He said that he had not paid much attention to papers at that time, being, to use his own expression, a young buck, full of life, and looking only to the immediate surroundings. We asked him if at any time in going to Europe or abroad he could recall having taken naturalization papers outside of Allen County, and he said he did not; that he took no papers outside of Allen County.

6. Q. Mr. Moynihan, did you, as city editor of the Sentinel, in so far as you did publish the item referred to as Exhibit G, make a true and conscientious report of what you said to White, of what Mr. Bell said to White, and of what Captain White replied to you?

A. I took notes of the dates and main facts and drift of the conversation between us. I did not write this first article; it was written by Mr. Bell. Afterwards, in referring to his eligibility, I did make use of my information in the editorial columns, and to the best of my knowledge and belief this article marked Exhibit G is a true and fair exposition of the conversation and interview had with Captain White.

7. Q. Did you, in Exhibit G, publish any statement as having been made by Mr. Bell or yourself or by Mr. White to you or to Mr. Bell in the conversation referred to that was not made?

A. To the best of my knowledge and belief there was nothing here in the article marked Exhibit G but what is a fair and just outline of the conversation and interview had with Captain White.

Q. 8. Is it substantially what was said between you?

A. It is.

Why did this gentleman revert to the Frémont campaign, if he did not intend to be understood then that he was naturalized in 1858?

Here follows part of the article alluded to by Mr. Moynihan:

Not desiring to do Captain White an injustice, a reporter of the Sentinel sought an interview with him to-day before publishing the facts, in order to ascertain whether he had any papers in his possession to show that he had been naturalized. He promptly said that he had not. It is due to him to say that he asserted that he felt sure that he had taken out the necessary papers. That it was

done in this county and not in Kosciusko, where he had once lived, and where the records have also been carefully searched. At the time of the interview the reporter had understood that the declaration of intention was made in that county. This was an error on his part. Captain White asserted that he had taken out final papers in 1857 or 1858, and that his first papers were taken out so that he could vote for Frémont in 1856. The records show that in this he was mistaken. He did not apply for his first papers until 1858, two years after Frémont ran. So if he voted for Frémont he did so illegally. Neither could he have taken out final papers in 1857 or 1858, because that could not be done until two years had elapsed after taking first papers.

It is altogether certain that Captain White, like thousands of others, only took out his first papers, and as these allowed him to vote, paid no attention to and neglected full naturalization.

The captain doubtless remembers taking out his first papers, and that is all he did. He stated very frankly that it was a matter that he had not thought of nor given any attention.

There are suggestions of the solution of Mr. White's unexplained and unexplainable course that do not involve him in perjury or any other evil conduct.

That is his first position. That is equivalent to his saying to these men, "I had made my declaration of intention before 1856, the year of the Presidential election." That can not be questioned. Then what does he say? He goes on to say that he took out his second papers in 1857 or 1858. There is his own testimony and there is not any question about it. It is corroborated by Moynihan; it is corroborated by Bell; it is corroborated by his son. He made that statement or the equivalent of that statement that he voted for Frémont and took out his other papers in 1857 or 1858.

Mr. GALLINGER. Did the contestee admit that before the committee?

Mr. OUTHWAITE. That is his testimony, his deposition as it appears in the record. Immediately there was a consultation of his friends held. Lawyers were called in; politicians were called in. He had gone to his home and made a search for this certificate and he states that he did not find it; that he did not find his marriage certificate; that he did not find his honorable discharge. Let me say to you that no man can find in the record any statement that those papers were together with his naturalization papers. He says himself that he does not recollect whether he sent home his honorable discharge or not.

But then what occurred? When this consultation was held did he at any time say to any of his friends that he was naturalized in 1865? No; not once. Did he send any one to the court to see if the record would show that he was naturalized in 1865? No; he made publications in the paper and asserted that he was a citizen because he was a soldier. He did not at any time or place in the presence of any witness brought here say anything at all about 1865 until he did so on the stand in March of the year following.

Gentlemen on the other side say, "What about it if he did make a mistake at that time?" There was not any mistake. He said, "I voted for Frémont." He might as well have said, "I declared my intention prior to that election, or else I committed a crime against this country. I voted for Frémont; I took out all my necessary papers in 1857 or 1858."

Now with those facts staring us in the face we are led to consider the evidence which shows or tends to show his intention to create the impression that he did take out naturalization papers in 1865.

I have here the excerpts I have made from the record, which I shall not stop to read, and in printing them I shall not put in a word which does not occur in the record.

MR. WHITE AS TO DATE OF NATURALIZATION.

Page 28, question 10:

"A. Resigned that position in 1864 at Atlanta, Ga., and came home the following December of that year; remained at home until the latter part of February, 1865; I then started for Europe, and early in March, being in New York for that purpose, received a telegram to come home, that my wife was very ill; I did come home; remained with my wife."

Page 229, question 22:

"A. In the year 1865, in the latter part of February, about the 28th day of that month, I had determined to make a trip to Europe, and had talked with some of my friends in relation to it, amongst them Mr. John Brown, who advised me before doing so to take out my second papers in order to get a passport. I went with Mr. John Brown, accompanied with Mr. Alexander Muirhead, for that purpose. I told them to go to the court-house, and I would get the Hon. Isaac Jenkinson as my other witness. I went there with Mr. Jenkinson, and Mr. Chittenden was there in the court-house, and Mr. David H. Colerick was there. Judge Borden was in the court, on the bench, and I told him I wanted to get my second papers. He asked who my witnesses were. I said they were here. Mr. John Brown and Mr. Jenkinson were then sworn as my witnesses. I then took the oath so prescribed for that purpose, to become a citizen of the United States. It was in the court of common pleas. The oath of allegiance was administered to me in open court by Judge Borden, the then presiding judge of the court of common pleas. The principal fact in connection therewith was the fact that I was going to Europe."

INTERVIEW WITH MR. BELL, IN MOYNIHAN'S PRESENCE.

Page 230:

"Our people claim you are not a naturalized citizen of this country, and as such are not eligible for a seat in Congress." I said that was all nonsense; I had been naturalized years ago; that I took part in the Frémont campaign, and was an earnest worker for Frémont, believing, like other young men, that the salvation of the country depended on his election, and I was very enthusiastic and voted for him; that I remembered very well of taking out my first papers in the little brick on the corner of Main and Calhoun streets, then the clerk's office, and that Chittenden was then in office; and the next time, I said when I took out my second papers, Jenkinson was one of my witnesses. Mr. Bell then said, "That can't be so, surely, for the records have been gone over carefully, page by page, not relying on the index, and there is no record of your papers." I said, in reply, "I could not help that; that I did not keep the records, but that I had all my necessary papers."

As to the time and year in which you took out your final papers?

A. Neither the time nor year was spoken of in either case as to when I took out my first or second papers. I claimed then in that interview, as I have done ever since, that I had taken out all my necessary papers; that it was done in Allen County, and not in Kosciusko County.

29. Q. Did or did you not say in that interview to Mr. Bell and Mr. Moynihan that you had taken out all your necessary papers?

A. Yes, sir; I told them that I had taken out all my necessary papers.

Page 231:

A. No, sir; not one word was said as to the time or date in taking out either my first or second papers by me.

38. Q. Did Mr. Bell say to you that you must have taken out your first papers before that in order to vote for Frémont, and if he so stated, what reply did you make to him?

A. No, sir; Mr. Bell didn't say one word as to time in taking out my first papers or as to voting for Frémont. It was myself who said I had voted for Frémont.

MR. WHITE COUNSELING WITH FRIENDS.

Page 232:

Mr. Oppenheim spoke and advised me, as an attorney, that if I could not find them to go to Huntington County or to Kosciusko County and take out another set of papers; that he had been talking with other attorneys, and they agreed that they would do me no harm and might possibly do me good, as I might have trouble in getting the courts here to make a *nunc pro tunc* entry. In talking matters over a little while he left. They advised me and talked matters over, and said, "Nevertheless, that is true; yet you must go to some other county, as the courts are shut down here, and take other papers. They will not hurt you, and may do some good;" that they had not looked up nor had time to look up all the matters pertaining to the case; that in some of their minds they felt that if I took papers now they would relate back, in their judgment, to the time I took the oath when I enlisted. After a good long while's talk I said I did not like to do it, yet would be governed by their opinion, and as they said to go I would go and do so, but I hoped they would make no mistake in the matter. They said, "No trouble about that; they can't do you any harm, and when the campaign is ended there would likely be no more of it."

Page 237: PUBLICATIONS BY MR. WHITE.

I said nothing about first papers in 1858 or second papers in 1865, and I had several thousand extra copies of some of those papers circulated through the district to endeavor, if possible, to checkmate the falsehood.

Q. Now answer the question, please, as to whether, during such time between the appearance of the Sentinel article and the election, you published, or caused to be published, any statement in any of the newspapers, whether daily or not, to the effect that you had completed your naturalization, or, in other words, taken out your second papers, on an occasion when you were contemplating a voyage to Europe?

A. No, sir; I published no statement regarding my taking out my first or second papers, or that I had at any time been contemplating a trip to Europe, but I did publish a statement in all the daily papers of this city and assured the people that I was a full citizen of the United States, and that the assertion to the contrary was simply a campaign lie.

Page 188: MR. JENKINSON'S TESTIMONY.

A. I think Captain White was naturalized within one or two years after his return from the war, at Fort Wayne, and that I was present as a witness or a spectator. I am not sure which; I think I was a witness, though.

Q. 9. Please state before what court or judge such naturalization took place.

A. I am not sure; it was in the court-house at Fort Wayne, and I think before Judge Borden, but I am not sure that it was before him.

3. Q. If the contestee was naturalized at the time you say he was, please state who were the witnesses.

A. My impression is that a gentleman named John Brown and myself were the witnesses. Now, that is my impression, but it is a very strong impression. I wanted to say impression because I do not want to say positively. I might have been there as a friend of Mr. White's or something of that kind; my impression is that I was there as a witness, but I am not positive as to that; I might have been there as Captain White's friend.

Q. 4. At the time was the court in open session, transacting business?

A. My recollection is that the judge was on the bench and the court officers were there, but that there were not many others there.

Q. 5. Are you sure that Judge Borden was on the bench at the time?

A. No.

Q. 6. If Judge Borden was not presiding on the bench at the time, please state the name of the officer that was.

A. I am not sure who was judge at the time, but it was the judge of the court that was presiding, whoever that was; I can't remember who was judge at that time.

Q. 7. Was the clerk of the court present, recording the proceedings that was being transacted before the court?

A. I have no recollection now of who were and who were not present, except that it was in court at the time, and can not remember about the clerk any more than I can about the sheriff or any other officer; I only know it was in court and officers were there; it is a good long time ago.

Q. 8. Who was clerk of the court at that time?

A. I don't remember now.

Q. 9. Was this in the common pleas or in the circuit court?

A. I should think circuit court. I don't know anything about common pleas now.

Q. 10. Why do you say you don't know anything about the common pleas court now?

A. What I had in my mind was, I can't remember now just at what time the common pleas court existed. I know they were in existence at one time.

Q. 11. Are you in doubt now as to whether there was in existence at the time you speak of even a common pleas court for Allen County?

A. I don't know whether there was or not.

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Q. 12. State all who were present at the time you claim the contestee was naturalized. Please do not omit any one who was present at that time and give their names.

A. Well, besides the judge and officers of the court, whom I am confident were present, there were present Captain White, John Brown, E. L. Chittenden, and myself. I don't think there were any others, except those interested in the proceeding. I can not now recall who the officers of the court were—not from recollection.

Q. 13. At what term of court did this supposed naturalization of the contestee take place?

A. That I can not tell.

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Q. 16. Did it occur in the spring, the summer, the fall, or in the winter?
A. I can not remember that at all.

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Q. 40. If E. L. Chittenden, of whom you have spoken, was present on the only occasion of the kind on which you were present, in what capacity was he acting?
A. I couldn't be sure as to what purpose he was there, as I am not sure of many of the details that occurred at that time. I am impressed with the idea that he was there.
Q. 41. Was not he acting as deputy clerk, and did he not fill out a paper that was signed and sworn to by Captain White at the time; and was not that paper simply a declaration of intention to become a citizen?
A. I can't be sure as to what capacity he was there in, if he was there. I have no recollection of any papers being filled out at that time, and there is one incident connected with the occasion which satisfies me that the purpose was not a mere declaration of intention. I have no recollection of any papers being drawn up or signed or sworn to on that occasion.

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Q. 44. If there were but one occasion on which you and E. L. Chittenden were present with Captain White at the court-house when he was taking any step in regard to naturalization, and that was on the 24th July, 1858, what would you say in reference to there being still another instance of a similar character when you were present?
A. I remember no such occasion in 1858. It there were but one occasion, and if E. L. Chittenden and myself were present on that said occasion in July, 1858, I don't think I was present then on any other occasion.
Q. 63. Persons whom you speak of as being present at the time of the occurrence are all dead, are they not?
A. I don't know that they are all; I know that three of them are dead that I supposed were present; the others I can not tell about.
Q. 64. Who are the living?
A. I don't know, as I said before, who was present except the officers of the court; I don't know that any are dead but the three, and I can't name any others but Captain White and myself; I suppose all the officers of court are not dead.
Q. 65. Who were the officers of the court then present?
A. I am not sure who they were at that time.
Q. 66. What is your recollection?
A. I think Borden was judge, and I don't remember the others.
Q. 67. You don't even remember who was clerk or sheriff, or acting as such?
A. No; I do not.
Q. 68. Do you say positively that Borden was judge, and present acting as such; judge of the court of common pleas?
A. No; I do not.
Q. 69. Can you state with certainty who was the judge, or of what court he was the judge?
A. No; I can not.
Q. 70. Are Judge Borden, Mr. Chittenden, and Mr. Brown, all of whom you have spoken, deceased?
A. I believe they are all dead.
Q. 71. If it were some other judge than Borden who acted, is he still living?
A. I can't say; I don't remember who were the judges about that time.
Q. 72. How many judges at that time held court in Allen County?
A. I am not sure of any but the judge of the circuit court.

Page 196: W. T. PRATT'S TESTIMONY.

6. Q. Where has Captain White resided since you first became acquainted with him?
A. He resided here all the time, with the exception of the time he resided at Warsaw, Kosciusko County, Indiana. I do not know how long he was there; two or three years; till the war broke out.
7. Q. Where did he reside during the years 1864, 1865, and 1866?
A. I do not know whether he had got back from the war in 1864 or not, but his family resided here, in the back part of what used to be called Spencer's out lot, on Douglas avenue; his family resided there—his wife and children. He came home wounded, and I went up to see him, and that is the way I know he lived there.
8. Q. Did he return to Fort Wayne at or before the termination of the war?
A. He returned to Fort Wayne, but I do not know whether it was at or before the termination of the war.
9. Q. What official position, if any, did you hold in Allen County, Indiana, during the years 1864, 1865, and 1866?
A. I was sheriff of the county.
10. Q. Who was judge of the court of common pleas of said county during said year?
A. Judge Borden.
11. Q. State whether or not, as sheriff, you were present and usually attended the sessions of said court.
A. Yes, sir.

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12. Q. You may state what, if anything, you know in regard to the appearance of the contestee, James B. White, in the said court of common pleas for the purpose of being naturalized.
A. I am of the opinion that Captain White, Isaac Jenkinson, David H. Colerick, and I think some one else went up, and Judge Borden swore them in open court.
13. Q. Did said parties appear in said court as witnesses in a cause then on trial in said court, or in relation to an *ex parte* matter then presented to the court by said persons?
A. That I do not know. There was no case on trial at the time.
14. Q. State your best recollection and impression as to whether John Brown was present at the same time in said court.
15. Q. I mean John Brown, the miller, a brother-in-law of the contestee.
A. I do not remember.
16. Q. State whether there were others than the three you have named present at the time, and, if so, your best recollection as to who else were present.
A. There were others present, but I could not undertake to say who they were.
17. Q. What is and has been your best recollection and impression as to whether or not the contestee was then naturalized in said court?
A. Until this question came up here I had no opinion about it, and it had passed out of my mind; but remembering the circumstance and the custom of taking two witnesses, my opinion is that he was naturalized at that time.
18. Q. You may state whether or not you recollect the fact of an oath being administered to the contestee, James B. White, in the court at that time, and, if so, you may state if you recollect who administered that oath.
A. I think there was, and that Judge James W. Borden administered it.
19. Q. You may state as nearly as you can at which time and in what year the contestee, James B. White, appeared in said court, as you have heretofore stated.
A. I do not remember the season of the year. My impression is that it was the latter part of 1865 or the early part of 1866. My impression is that it was the latter part of 1865.
(Objected to by counsel as being immaterial and incompetent.)
20. Q. State when you were first elected sheriff of Allen County.
A. In 1862.
21. Q. When did your term of office commence?
A. It commenced the latter part of October or first part of November, 1862.
22. Q. How long did you continue in office?
A. Four years.
23. Q. State whether or not there was any other person than the contestee and those who attended him, who had at the time any business to be then transacted before the court.
(Objected to by contestant on the ground of being incompetent and immaterial.)
A. I do not remember.

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How many other persons appeared in said common pleas court during the years 1865 and 1866 for the purpose of being naturalized?
A. I do not remember,
30. Q. Out of that good many, please name a single other person who appeared in said court for the purpose of having naturalization in either of those years.
A. I do not remember any.

Does he give any sufficient or satisfactory reason for his opinion in this case? The answer must be, None whatever.

Who are his witnesses? Whom does he call to prove these facts? First, he calls a Mr. Jenkinson to state in his behalf what occurred. In his own testimony he says:

I started to go to the court for the purpose of being naturalized, accompanied by Mr. John Brown and Mr. Muirhead.

There are two persons, sufficient to make the proof; why need he go after Mr. Jenkinson? Nowhere in the evidence does Mr. Muirhead again appear. He says he goes for Mr. Jenkinson and brings Mr. Jenkinson there. Now, the testimony of Mr. Jenkinson shows that he did not know what year this was; that he did not know what season of the year it was; that he does not recollect, but he thinks and has impressions, etc.

And what is more, although he had been a lawyer at that bar, although he was the editor of a leading newspaper at that time, Mr. Jenkinson can not tell in what court this occurred. But stay. Oh, yes; he tells you the court; he says it was in the circuit court. Mr. White and Mr. Pratt say it was in the court of common pleas. Mr. Jenkinson says, "I do not know anything about the common pleas court, and do not even know who was the judge of the common pleas court." Yet the man before whom these papers were said to have been taken out was the judge of the common pleas court, and the contestant in this case was the judge of the circuit court at that time. Read that testimony and you will find it is exactly as I have stated. They do not agree as to the court. Then Mr. Pratt says that Colerick and Jenkinson were the witnesses; that they were sworn. Jenkinson says he thinks he and Brown were the witnesses. White says they were Brown and Jenkinson; but after having heard the testimony of Pratt four or five days afterwards for the first time, he swears that Colerick was present at that time.

Here is what Jenkinson said, in his own language:

There was present Captain White, John Brown, and E. L. Chittenden, and myself. I do not believe there were any others except those interested in the proceeding.

In another part of his testimony he says:

I do not think there were any others there than those interested in the proceedings except officers of the court.

And he makes Mr. Chittenden an officer of the court at the time that he appears, although Mr. Chittenden was not an officer of the court in 1865. If gentlemen are going to insist that this man was naturalized in some court, pray tell us which court. Was it the circuit court? I ask the gentleman from Minnesota [Mr. WILSON], who says that he has read the record.

Mr. WILSON, of Minnesota. The court of common pleas. He so swears.

Mr. OUTHWAITE. But does not Jenkinson, his other witness, upon whom he relies, swear that it was in the circuit court?

Mr. WILSON, of Minnesota. He says that he will not swear which it was, and I say that a man like Jenkinson would be quite likely to make such a mistake twenty-three years after the event. The courts are of co-ordinate jurisdiction.

Mr. OUTHWAITE. The gentleman says Jenkinson would be likely to make such a mistake; he would be just as likely to make a mistake as to his having been there at all in 1865.

There is another thing to which I wish to call the attention of the House.

Mr. BOOTHMAN. Will the gentleman permit a question?

Mr. OUTHWAITE. Not at present. When Captain White wants to impress upon this House that he recollects so distinctly that he took out his last papers, he says the fact that he was going to Europe was the chief fact in connection with the matter. In the conversation with Bell, in the presence of Mr. Moynihan, his attention had been called to the fact that he might have taken them out somewhere else when he attempted or intended to go to Europe. In his testimony he says that he went to New York in the latter part of February or the first part of March. If he went to New York the latter part of February, it was on the 28th day of February, and I challenge anybody to say that he would have forgotten that fact at the time when he was questioned

as to his naturalization, and from then on up until the time when he came upon the witness stand, and he never applied for the passport, which was his chief object in becoming naturalized.

Gentlemen say that he was advised to go and take out papers in the other county. Why? He says in his own testimony that it was with the idea that perhaps they might relate back—relate back to what date? To 1865? Oh, no. That they might relate back to the time when he took his oath as a soldier in the Army. The doctrine of relation was to be applied to some date. Now, why was it that that date was not the time at which he claimed he had taken out his other papers? Why did his mind run back to 1861 instead of 1865? Why did his recollection pass beyond the date now claimed as the one at which he took the oath of allegiance.

There is no difference, no question of difference, between him and the other witnesses as to the fact that he did claim that he was naturalized in 1857 or 1858. The testimony of all the witnesses corroborates that. He said, "I took out all the necessary papers at that time." He repeated that; he emphasized it; he dwelt upon it; and he stated, as the thing which forced it upon his recollection, the fact that he was at that time an enthusiastic supporter of John C. Frémont, and had voted for him in 1856.

[Here the hammer fell.]

Mr. GROSVENOR. Will the gentleman allow me to call his attention to what appears to be a misstatement of fact on his part, made inadvertently, no doubt?

Mr. OUTHWAITE. My time has expired, and I do not know that I have the right to yield to the gentleman.

Mr. GROSVENOR. I want to call my colleague's attention to what seems to be an erroneous statement of fact made by him in regard to the treatment of General Shields. General Shields never was a member of this House. I find a record here which shows that General Shields was expelled from the Senate of the United States upon a report made by Mr. Mason, of Virginia.

Mr. OUTHWAITE. That does not answer the fact that he was driven out of this branch of Congress by the votes of your party after he had been duly elected by the people.

Mr. GROSVENOR. General Shields was never put out of Congress by a Republican House. He never was in the House of Representatives. He filed papers and contested the seat of Mr. Van Horne of Missouri, in the Thirty-ninth Congress. His contest failed. That is all. He thought he was elected and tried to get in, but the House decided he was not elected.

Mr. GROSVENOR. But he had first been put out of the Senate by a resolution reported by Mr. James Mason, a Democrat of Virginia, and demanded upon the motion of John C. Calhoun, declaring his pretended election null and void.

Mr. OUTHWAITE. Oh, Mr. Calhoun was not living at the time I speak of. It was after the war, after General Shields, like the contestee in this case, had participated in the war for the Union.

Mr. GROSVENOR. I understand that to be your statement, but the statement I am making shows you are wholly mistaken.

Mr. OUTHWAITE. I do not yield for any more such statements. [Laughter.] Mr. Speaker, I ask leave to print in the RECORD the quotations from the testimony which I have referred to but have not read.

There was no objection.

[Cries of "Vote!" "Vote!"]

Mr. CRISP. I now yield twenty minutes to the gentleman from Pennsylvania [Mr. MAISH].

Mr. MAISH. Mr. Speaker, after listening to the speeches made here on behalf of the contestee, I almost feel as if I owed an apology to the House for having agreed to the majority report. [Laughter and applause on the Republican side.] It has been contended here that it is a reproach to occupy the position occupied by myself and the gentlemen with whom I have agreed in bringing in that report. Much has been said in this case that I think would have been more appropriately spoken in another arena. I fancy, sir, that such speeches were made in the campaign out of which this contest came. If the personal claims of the contestee were the question before this House, if its decision depended upon his personal qualifications or his military services, I would be willing to admit that his friends in this House had presented for him a very strong case.

I would say further that if I had been in the position of the contestant in this case, if I had received the disapprobation of my fellow-citizens as he did in the election, I would have bowed gracefully to the result and would not have brought the case here. [Applause on the Republican side.] But, Mr. Speaker, the case has been brought here. It is conceded that it is properly and legally before this House; and ours is the responsibility to dispose of it.

I have been taught to believe that the Constitution of my country ought to be implicitly obeyed. I have also been taught to believe that the laws of my country should be strictly followed. According to my view of this case, the act of Congress prescribing the mode by which aliens may be admitted to citizenship requires them to appear before a court of justice having a clerk and common seal, and requires that a record of the proceedings shall be made.

I hold that all the authorities adduced in this House do not show anything to the contrary. The certificate issued by the court is merely an instrument of evidence. To contend that the certificate is the record is, in my judgment, to imitate the emphatic style of the gentleman from Illinois [Mr. ROWELL], preposterous. If the position of that gentleman is correct, a court may have its records all over the United States, and, for that matter, in foreign countries, too. But the courts have held, and, as I maintain, properly held, that the certificate of naturalization, the exemplification of the record—call it by whatever name you please—is nothing more than an instrument of evidence, which shall be sufficient evidence of the fact of naturalization. Not a single authority, not a single case, whether from a United States court or a State court, has been produced here to sustain the position of the friends of the contestee. I maintain there can not be found a case involving proof of naturalization in which there was not either some record made—a small record, it may be, but at least a record—or the certificate of naturalization was produced.

Now, when the citizenship of this contestee was challenged he went to the court in which he claimed to have been naturalized and failed to find any record. The powerful presumption of fact from the absence of the record is, I think, that the naturalization did not take place. As was said by my colleague on the committee, the gentleman from Texas [Mr. MOORE], the absence of any record, the fact that no record was made, is the most powerful evidence that the party was not then and there naturalized, as he claims. Now, how do gentlemen propose to meet this absence of any record—this omission, as they claim, of the clerk to make the record of Mr. White's naturalization?

Mr. CUTCHEON. Will the gentleman yield a moment for a question?

Mr. MAISH. Yes, sir.

Mr. CUTCHEON. I would like to put this case to the gentleman: Suppose it is conceded that a person appears in the proper court and in a perfectly proper way with his witnesses; that he and his witnesses take the requisite oaths; suppose there is no question about these facts at all, and yet the proper record is not entered; the clerk neglects to make the entry in the records of the court; is the man naturalized or not?

Mr. MAISH. Mr. Speaker, if the applicant for naturalization omits to do what I conceive to be his duty, omits to see that a record of his naturalization is made, and afterward loses the certificate which he takes, he is then, though he may have been naturalized, not in a position to prove it.

Mr. CUTCHEON. That is true; he is not in a position to prove it by ordinary evidence; but that does not answer my question.

Mr. MAISH. He is not in a position to prove it at all.

Mr. CUTCHEON. My question is simply whether the man did become a naturalized citizen by virtue of the facts I have supposed to exist, without reference to the evidence.

Mr. MAISH. He became a naturalized citizen, Mr. Speaker, when he was naturalized; but how are you going to establish the fact that he was naturalized when all the instruments of evidence by which he might prove the fact are missing, as in this case?

Mr. CUTCHEON. Then that brings us to the point to which I wanted to call attention—that this is a question of fact only, not a question of law.

Mr. MAISH. Well, Mr. Speaker, I think I have answered the gentleman's question. The contestee, finding no record of his naturalization; finding, as he alleges, that he has lost his certificate of naturalization, how does he propose to supply the deficiency? Does he call the judge of the court? Of course not; the judge is dead. Does he call the witnesses who he claims took oath in support of his application for citizenship? He calls one witness, who alleges that he was either a witness or a friend. Does he produce the testimony of the clerk? He does not. Does he produce the testimony of Muirhead, who he testified was present when the transaction took place? He does not.

Now, I insist where the certificate of naturalization can not be produced, it is necessary to prove the fact of naturalization by record evidence. The act of Congress provides that the applicant for naturalization can not prove his residence himself, but it is necessary he shall have the testimony of two witnesses to that fact.

Mr. ROWELL. Is it necessary to have two witnesses, or is that only a custom?

Mr. MAISH. No, I think it is necessary.

Mr. ROWELL. My understanding is that it is only a custom.

Mr. MAISH. The act of Congress, I believe, requires the testimony of two witnesses to that fact, but my friend from Illinois may be correct in his understanding of the law. At all events, for the sake of argument, it may be admitted that the fact of naturalization may be established by parol testimony. Will it be pretended by gentlemen on the other side that proof at least as high should be produced to the court as would have been required at the time of naturalization? I say the case of the contestee has utterly failed to meet this requirement. The case rests mainly on his own testimony, which in the original proceedings would not have sufficed.

Now, Mr. Speaker, not a single case, not a single authority, has been shown to this House in which there was not some record evidence that

the party was before the court and that the court acted in the case. In this case, on the contrary, no record whatever exists. In all the other cases in the same court some record, a very meager one in most of them, may be found. If, like the case of Coleman in New York, the contestee could have produced a certificate of naturalization, and if he could have shown, as in that case, that there was some record—evidence giving the name of the applicant, his occupation, the names of his witnesses, his residence, and the certificate of naturalization supplemented by the initials of the judge—I say that if the contestee in this case had produced a case like that I would cheerfully and cordially have voted for him. But the case of the contestee, as presented by him, is utterly wanting in any of these essential requisites. It is like that of two tramps examined in New York some time ago. They were arraigned before the magistrate, who asked one of them, "Where do you live?" He answered, "Nowhere." He turned to the other and said, "Where do you live?" to which he received the reply, "Just above the other fellow." [Laughter.] There is in this case uncertainty piled upon uncertainty, and nothing upon which to found any proof.

Several cases have been produced to show that the fact of naturalization must be proved by record evidence, either by the certificate or the record itself. In addition to the case in 2 Cranch, where the question came squarely before the court and where it was held that the fact of naturalization could not be proved by parol testimony, the case in West Virginia was produced, a case on all fours with the case now before us. I now call attention to a case not yet referred to from the State of Vermont, a State where great lawyers seem to be "native and indued unto that element," the State of Edmunds and Phelps. It was a case of a contested election, and the attempt was made before the court to prove naturalization by parol testimony. The court held in that case, to quote from that opinion:

A certified copy of the record of the court in which one is naturalized is the legitimate evidence of the fact. Parol testimony to prove naturalization is inadmissible.

Mr. ROWELL. What do you read from?

Mr. MAISH. I read from the Atlantic Reporter, volume 6, page 608.

Mr. WILSON, of Minnesota. Was not that a case where there was an allegation of fraud in the records?

Mr. MAISH. It does not appear from the record what the contention was. But what difference does that make? The offer to prove naturalization by parol evidence was refused.

Mr. WILSON, of Minnesota. The gentleman will not deny if this man had a certificate it would be competent and sufficient evidence of that fact.

Mr. MAISH. I say to the gentleman from Minnesota that if the contestee had been able to present a certificate of naturalization, under the seal of the court, I would have cheerfully voted to seat him.

Mr. WILSON, of Minnesota. Now, if my friend will be courteous enough to yield for a moment.

Mr. MAISH. But if the House is ready to cast the question of naturalization upon the uncertain sea of parol evidence, covered over by the slime of perjury and tossed by the billows of partisanship, then I must be content.

Mr. WILSON, of Minnesota. Will the gentleman now yield for a question?

Mr. MAISH. But it will be found supremely impolitic to do so. I can not yield to the gentleman for another question. I do not wish to be discourteous to him, but we have high authority, the highest known to the world, that the office of asking questions is not one of very great distinction.

[Here the hammer fell.]

Mr. CRISP. I reserve the remainder of the time allotted to this side.

The SPEAKER *pro tempore*. The gentleman has one hour and twenty minutes remaining.

Mr. ROWELL. Will the gentleman from Georgia consent to an adjournment now?

Mr. CRISP. I prefer to carry out the arrangement we have heretofore made.

Mr. ROWELL. Then I yield fifteen minutes to the gentleman from New York [Mr. NUTTING].

The SPEAKER *pro tempore*. The gentleman from Illinois has two hours and five minutes remaining.

Mr. NUTTING. Mr. Speaker, I do not believe that there is anybody in this House who is a member of it, and who desires to get at the right—and I believe we all do—but who considers the action that is about to be taken in this matter as very important. I desire for a little time to address myself to the legal proposition which seems to have come up in this case.

I think the first gentleman who talked upon this subject in favor of the report of the majority of the committee took the ground that the law was that the record of a court could not be proved by parol evidence. I can well understand how the gentleman could take that position, for I can not see how it is possible for the majority report in this case, under the facts as developed, to be sustained, unless that is the law.

Now, I do not believe, and in fact I have a right to say that I know such is not the law. I say that because courts in the past have decided it over and over again. I say it because if that was the law it would subvert and undermine the status of affairs in this country in regard to civil, criminal, and political rights, and endanger the entire fabric itself. Let us see whether or not that is true.

Suppose, Mr. Speaker, that a man in a court of competent jurisdiction is placed upon trial, after due indictment, for murder. He is called into court and the indictment is read in which he is charged with killing his fellow-man, and he pleads not guilty to the indictment. Soon he is placed upon trial for his life. His reputation for all the years gone, the reputation of his family, the good name that his ancestors have borne, and that perhaps he himself had theretofore borne, all are in jeopardy, and his life is also in jeopardy. Twelve good and true men constitute the jury who are called to try him under the indictment. Such proceedings are had as that the facts are placed before the jury and the court; and, by and by, after deliberation by themselves, the jury file back into the court-room, and after being asked by the court or by the clerk of the court, "Have you agreed upon a verdict in this case?" announce through their foreman, "We have agreed upon a verdict," and that verdict is that the man is not guilty of the offense wherewith he is charged in the indictment.

Now, I will suppose for a moment that the clerk of the court, either through incompetence or carelessness, or from any other reason that you may assign, fails to put down upon the docket before him the fact that the jury has found the man not guilty on trial. I will suppose, sir, that he does not take the indictment and put upon it the fact that this man, under that indictment, had been put upon trial, and the further fact that the jury on that trial found him not guilty. Time passes. As a matter of fact, with or without an order of the court even, this man passes out of the court a free man. You and I will say he is free indeed, in fact and in law. But time passes and some vicious person or persons, desirous of putting him again in jeopardy of his life, call up the old indictment and ask to have him tried over again for the old offense. He says, "I have been tried for this once and acquitted. I have been put in jeopardy of my life, and have been declared not guilty." "Ah! but there is no record. The clerk is dead, and the books have been searched and no record appears of the fact of that trial and acquittal by a constitutional jury under the laws of the land, and hence you must be tried again."

My friends upon the other side attempt to show and say that the law is that the record of the court is that kind of substance that it must be produced in order to show a class of facts such as that I have narrated here in order to prevent this man from undergoing a new trial. Now, it must be and is the fact that a man who has been placed under these circumstances has a right to say that he has been placed in jeopardy once, and in the absence of a record under such circumstances may show the fact by parol or any other character of testimony. Why do I make this statement, Mr. Speaker? Because I assert, to start with, that the record of a court is not the judgment of a court. When a jury says that a man is not guilty, that is the judgment of the peers of the man, a constitutional jury, and that in fact and in truth is the judgment of the court.

When a judge on the bench, after having examined the evidence in a case which has been brought before him, says, "Mr. Clerk, you enter on the docket that the plaintiff shall recover of the defendant $600 and the costs of the action," the words of the judge are the judgment; and the jotting down by the clerk on his docket is the mere crystallization of that fact; it is a mere entry of the judgment; that and nothing more. And when you have once arrived at that fact that the record kept by a clerk in regard to judgments by the court in actions before the court is mere evidence, then when that evidence is swept away, from any cause, or if that evidence never existed, you can supply its place.

I recollect very well in my own State the case of a man whose title to his house and lot was in jeopardy, and the question on which it all turned was whether certain proceedings in the surrogate court for the sale of the estate to pay debts of the deceased were regular or not. Upon an examination of the record which by the law was required to be kept, it was found there was no record of the case. What did the court do? The court allowed persons who were in the court at the time to come forward and testify that papers were produced which were necessary evidence in the case on which to base the judgment and action of the surrogate. That case went up to the court of appeals, and they finally held it was perfectly proper that where the judgment of the surrogate was based on a presumed record, when that record appeared to be defective or did not exist, its place could be supplied by parol testimony. Was this wrong? Not at all.

I have a case here before me which I will read if any gentleman demands it; a criminal case where a man was acquitted. No record was made, yet afterwards he was allowed to plead the fact of a prior acquittal and prove the fact by parol, and the result was that he was honorably acquitted.

It has been stated here and assumed all the way through that there is no record in this case. I will go a step further. I say there is a record in this case. I say there is evidence of the admission of this man to citizenship in this country. Why do I say that? I say that

because it is an admitted fact and the books of record in Allen County, Indiana, show that this man filed his declaration of intention; and it is there on record; that is part of the record of this man's admission to citizenship. He could not be admitted to citizenship unless he could show that the declaration of his intention had been filed. There is no dispute on the other side and there can be none that this man went into the court in Allen County, Indiana, and that there is now to-day on file in the proper book under the proper seal of the court his declaration of intention to become a citizen. And I say that that is a part of the record. It is like the filing of a complaint in a mortgage foreclosure or equity proceeding to set aside some title to real estate. It is the basis of the whole record; and we have that to base our action upon.

But, furthermore, he has affirmed his intention since that time. He has committed such acts and done such things in his life as to show his intention there was finally carried out. He has lived for a quarter of a century in the midst of a constituency who have shown by their votes that they appreciate this man as a man and as a citizen. They by their ballots show you that they have confidence in him as a man and that they had confidence in him having filed his declaration of intention to be a citizen, that he had become a citizen.

Let me go a little further. What else has he done? Why, sir, in 1861, when it was necessary that a man should have bravery of heart and of mind and strength of muscle and of body to show himself a citizen of the United States, he did this. He went into the Army and there bared himself to the bullets and shafts of the enemy. He stood between you and me on the one hand, and anarchy and the subversion of the Government on the other. I say the best evidence that he intended to become a citizen of the United States is the fact that he fought for it and bled for it.

Now let us see what further appears. Afterward, according to the evidence of perfectly reliable witnesses, he said he desired to carry out his intention. Why? Because he desired to go abroad, where his American citizenship would protect his person and protect his property; and so he bethought himself of carrying out his first intention of becoming a citizen; and he and two men of that county, who are now living, swear that they went into a court of competent jurisdiction and that he did carry out his original design and was made a citizen of the United States of America in fact.

[Here the hammer fell.]

Mr. ROWELL. I reserve the balance of my time.

Mr. CRISP. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock p. m.) the House adjourned.

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PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred, as indicated below:

By Mr. WHEELER: A bill (H. R. 6607) for the relief of F. Varin—to the Committee on War Claims.

By Mr. POST: A bill (H. R. 6608) for the relief of Edward B. Hughes—to the Committee on Military Affairs.

By Mr. PLUMB: A bill (H. R. 6609) for the relief of Sarah E. McCaleb—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 6610) to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Mississippi River at or near Clinton, Iowa—to the Committee on Commerce.

By Mr. CUTCHEON: A bill (H. R. 6611) granting a pension to Chester Denton—to the Committee on Invalid Pensions.

By Mr. CLARDY: A bill (H. R. 6612) to grant right of way through the Indian Territory to the St. Louis and San Francisco Railway Company, and for other purposes—to the Committee on Indian Affairs.

Also, a bill (H. R. 6613) for the relief of Richard W. McMullin—to the Committee on War Claims.

By Mr. WALKER: A bill (H. R. 6614) for the relief of the heirs of James A. Harrison, deceased—to the Committee on War Claims.

By Mr. DORSEY: A bill (H. R. 6615) granting a pension to Alice Cook—to the Committee on Invalid Pensions.

By Mr. LAIRD: A bill (H. R. 6616) granting a pension to W. J. Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6617) granting a pension to Sylvester Sharp—to the Committee on Invalid Pensions.

By Mr. MERRIMAN: A bill (H. R. 6618) for the relief of Patrick McGuire—to the Committee on War Claims.

By Mr. S. I. HOPKINS: A bill (H. R. 6619) for the relief of Eliza A. Cutler Jones—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 6620) granting a pension to Nicholas Russell—to the Committee on Invalid Pensions.

By Mr. FLOOD: A bill (H. R. 6621) for the relief of Robert Ross—to the Committee on Military Affairs.

By Mr. McCLAMMY: A bill (H. R. 6622) for the relief of W. O. Hiatt, Edward Hughes, and J. W. Powell, session clerks, Forty-ninth Congress—to the Committee on Claims.

By Mr. PUGSLEY: A bill (H. R. 6623) to remove the charge of desertion from Jesse Ellis—to the Committee on Military Affairs.

Also, a bill (H. R. 6624) granting a pension to Samuel G. Trenary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6625) granting a pension to William R. Benjamin—to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 6626) granting a pension to Nanny Smith, of Tennessee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6627) granting a pension to Mary Broyles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6628) granting a pension to Elizabeth Ren, of Tennessee—to the Committee on Invalid Pensions.

By Mr. T. H. B. BROWNE: A bill (H. R. 6629) referring the claim of John A. M. Whealton against the United States to the Court of Claims—to the Committee on War Claims.

By Mr. W. C. P. BRECKINRIDGE: A bill (H. R. 6630) for the relief of certain citizens of Cynthiana, Ky., whose property was destroyed by fire on the 11th day of June, 1864—to the Committee on War Claims.

By Mr. MERRIMAN: Joint resolution (H. Res. 102) for the relief of the widow and children of John W. Judson, late agent of the United States at Oswego, N. Y., for public works on Lake Ontario—to the Committee on War Claims.

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Changes in the reference of bills improperly referred were made in the following cases, namely:

A bill (H. R. 3107) to increase the pension of James Coey, late major of the One hundred and forty-seventh Regiment New York Volunteers—from the Committee on Pensions to the Committee on Invalid Pensions.

Also, a bill (H. R. 4557) for the relief of George F. Chilton—from the Committee on the Post-Office and Post-Roads to the Committee on Claims.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. E. P. ALLEN: Petition of William A. McCorkle, D. D., and 428 others, citizens of Michigan, against the admission of Utah as a State with polygamy—to the Committee on the Territories.

By Mr. C. L. ANDERSON: Petition of James Moore, of Lauderdale County, Mississippi, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. J. A. ANDERSON: Petition of 35 citizens of Cloud County, Kansas, for protection of patentees—to the Committee on Patents.

Also, petition of 25 citizens of Marshall County, Kansas, for United States postal telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. BAYNE: Petition of citizens of Allegheny County, Pennsylvania, for a public building—to the Committee on Public Buildings and Grounds.

Also, papers in the claim of Virginia Maddox—to the Committee on War Claims.

Also, petition of Joseph H. Borland, of Allegheny County, Pennsylvania, for relief—to the Committee on War Claims.

By Mr. BLANCHARD: Petition of J. Madison Wells, of Louisiana, for payment of amounts illegally exacted from him on cotton during the late war—to the Committee on War Claims.

Also, resolution of the Produce Exchange of New Orleans, La., favoring aid to American shipping—to the Committee on Merchant Marine and Fisheries.

By Mr. BOUND: Petition of Jacob H. Urich and 42 others, citizens of Grantville, Dauphin County, Pennsylvania, for increase of salaries of certain postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. C. R. BRECKINRIDGE: Petition of Thomas Jordan, for the removal of his political disabilities—to the Committee on the Judiciary.

By Mr. T. H. B. BROWNE: Paper in the claim of John A. M. Whealton, of Accomack County, Virginia, for reference of his claim to the Court of Claims—to the Committee on Claims.

Also, papers in the case of John W. Mears—to the Committee on the Judiciary.

By Mr. BRYCE: Petition of business men of New York for amendment of the revenue laws relative to duty on goods in bond—to the Committee on Ways and Means.

By Mr. BUCHANAN: Petition of the New Jersey Enterprise Temple of Honor, officially signed, for a national prohibitory constitutional amendment—to the Committee on the Judiciary.

By Mr. BUTLER: Petition of members of the faculty of King College, of Tennessee, for the speedy enactment of an international copyright law—to the Committee on Patents.

Also, papers in the pension claim of Mary Hornhill, of Benjamin Hickey, and of A. B. Keele—to the Committee on Invalid Pensions.

Also, papers in pension claim of James Hale and others—to the Committee on Pensions.

Also, petition of estate of A. R. Burem, deceased, late of Hawkins County, and of John W. Beverly, and of T. N. Horner, of Hamblen

County, Tennessee, for reference of their claims to the Court of Claims—to the Committtee on War Claims.

By Mr. ERMENTROUT: Memorial of miners and others of Stone Cliff, of Caperton, and of Gaymont, W. Va., protesting against putting soft coal on the free-list—to the Committee on Ways and Means.

By Mr. CARUTH: Additional paper in relation to the need of an annex to the present public building at Louisville, Ky.—to the Committee on Public Buildings and Grounds.

By Mr. CHEADLE: Petition of administratrix of W. L. Poynter, of Clinton County, Indiana, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. CLARDY: Papers in the case of Richard W. McMullen, for relief—to the Committee on War Claims.

By Mr. CONGER: Papers to accompany House bill for relief of Robert McNutt—to the Committee on Military Affairs.

By Mr. CUTCHEON: Resolution of Cigar-Makers' Union, of Muskegon, Mich., in regard to internal revenue on cigars—to the Committee on Ways and Means.

Also, petition of citizens of Oceana County, Michigan, for reduction of postage on seeds, plants, bulbs, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. DAVIS: Petition for a beacon-light at Westport Harbor, Massachusetts—to the Committee on Commerce.

Also, resolutions of the New Bedford Board of Trade, in favor of the abolition of compulsory pilotage—to the Committee on Merchant Marine and Fisheries.

Also, petition of John M. Deane, in favor of the repeal of the provision of the pension law limiting time for making application for pensions—to the Committee on Invalid Pensions.

By Mr. DORSEY: Petition of business men and property owners of Fremont, Nebr., asking for the erection of a public building at that place—to the Committee on Public Buildings and Grounds.

By Mr. DUNHAM: Petition of the Woman's Christian Temperance Union of Illinois, officially signed, for the abolition of the internal-revenue tax on all alcoholic liquors—to the Committee on Ways and Means.

By Mr. GRANGER: Petition of C. J. Seymour and others, and of Civilian Jones and others, for increase of compensation of post-office clerks—to the Committee on the Post-Office and Post-Roads.

By Mr. GROUT: Protest of miners and others in meetings at Caperton, at Stone Cliff, and at Gaymont, W. Va., against removal of duty on soft coal, etc.—to the Committee on Ways and Means.

Also, resolutions of the Vermont Dairyman's Association, against the repeal of the oleomargarine law, and in favor of a law against the adulteration of food products—to the Committee on Agriculture.

By Mr. GUENTHER: Petition of 3,737 male adult residents of the District of Columbia, protesting against the enactment of prohibitory laws for the District of Columbia—to the Committee on the District of Columbia.

Also, petition of 2,442 male adult residents of the District of Columbia, protesting against the same—to the Committee on the District of Columbia.

Also, petition of 37 residents of the District of Columbia, protesting against the same—to the Committee on the District of Columbia.

Also, petition of citizens of the Second district of Wisconsin, protesting against the extension of bank charters and the time of paying the public debt—to the Committee on Banking and Currency.

By Mr. HOOKER: Petition of E. C. Foster, heir of Rebecca Foster, of Claiborne County; of Mary J. Wharton (now Middleton), of Franklin County, and of heirs of T. O. Davis, of Hinds County, Mississippi, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. S. I. HOPKINS: Petition of soldiers of the Mexican war, for amendment to law granting pensions to soldiers in said war—to the Committee on Pensions.

By Mr. HOUK: Petition of Matilda Parsley, mother of William N. Parsley, of Company C, Third Regiment Illinois Cavalry, for a pension—to the Committee on Invalid Pensions.

By Mr. HOVEY: Petition of the Women's Christian Temperance Union of Indiana, for the abolition of the internal-revenue tax on all alcoholic liquors—to the Committee on Ways and Means.

By Mr. McRAE: Petition of L. H. McSwain and others, citizens of the Third district of Arkansas, against the passage of the Blair educational bill—to the Committee on Education.

Also, petition of Henry M. Youngblood, for a pension—to the Committee on Pensions.

By Mr. MORGAN: Petition of administratrix of David H. Newell, of La Fayette County, Mississippi, for reference of his case to the Court of Claims—to the Committee on War Claims.

By Mr. MORRILL: Petition of the Women's Christian Temperance Union of Kansas, officially signed, representing 3,500 members, for the abolition of internal-revenue tax on all alcoholic liquors—to the Committee on Ways and Means.

By Mr. MORROW: Petition of clerks in the San Francisco, Cal., post-office in favor of House bills 5040, 5041, and 5664—to the Committee on the Post Office and Post-Roads.

By Mr. NEAL: Petition of Joseph B. Peters, of Rhea County, Tennessee, for reference of his case to the Court of Claims—to the Committee on War Claims.

By Mr. OSBORNE: Petition of the Women's Christian Temperance Union of Pennsylvania, officially signed, representing 15,000 members, for the abolition of the internal-revenue tax on all alcoholic liquors—to the Committee on Ways and Means.

By Mr. PEEL: Petition of Andrew Callahan, heir of Andrew Callahan, deceased, of Marion County; of Henry T. Cate, and of Abijah T. Phelan, of Washington County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. PHELPS: Petition of the New Jersey Enterprise Temple of Honor and Temperance, officially signed, for a national commission of inquiry—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. POST: Petition of Edward B. Hughes, for removal of charge of desertion—to the Committee on Military Affairs.

By Mr. RICE: Papers in the case of Nathan Butler, for relief—to the Committee on Claims.

By Mr. RICHARDSON: Petition of John R. Johnson, of administrator of Mrs. Eveline B. Weakley, of G. W. Charlton, and of William N. Marion, of Rutherford County, and of Henry Garner, of Franklin County, Tennessee, for reference of cases to the Court of Claims—to the Committee on War Claims.

By Mr. ROMEIS: Petition of 60 of the most prominent citizens of Toledo, Ohio, for a law for the better compensation of post-office clerks—to the Committee on the Post-Office and Post-Roads.

By Mr. TOOLE: Petition of the Board of Trade of Butte City, Mont., to protect the mineral lands of Montana from the grant of the Northern Pacific Railway Company—to the Committee on the Public Lands.

By Mr. WASHINGTON: Papers in the claim of the publishing house of the Methodist Episcopal Church South—to the Committee on War Claims.

Also, petition of James S. Reed, of Davidson County; of Andrew A. Traughler, of Robertson County; of John H. Wyly, of Humphrey County, and of heirs of W. G. M. Campbell, of Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WHEELER: Petition of John Smith, of Asa Mooney, of Catherine Anderson, administratrix of Horatio Anderson, and of William Allen, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, petition of Jane S. Lindsey, administratrix of Miles R. Lindsey, of Franklin County, and of Caleb Toney, of Madison County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. THOMAS WILSON: Petition of the Women's Christian Temperance Union of Minnesota, officially signed, representing 4,000 members, for the abolition of the internal-revenue tax on all alcoholic liquors—to the Committee on Ways and Means.

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The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. BLANCHARD: Of B. Metozer and 28 others, of John F. Phillips and 39 others, of James H. Sevelle and 53 others, of J. F. Sikes and 25 others, of J. T. Howell and 36 others, and of J. F. Davis and 53 others, citizens of Louisiana.

By Mr. BUTLER: Of citizens of Givens, Cocke County, Tennessee.

By Mr. COBB: Of G. W. Newman and others of Buffalo, Ala.

By Mr. DALZELL: Of certain persons at Idlewood, Allegheny County, Pennsylvania.

By Mr. JACKSON: Of W. T. Arnold and 36 others, citizens of Comettsburgh, Beaver County, Pennsylvania.

By Mr. McRAE: Of A. T. Jordan and others, and of J. B. Henley and others, of Arkansas.

By Mr. NICHOLS: Of citizens of Bradshaw, Orange County, North Carolina.

By Mr. ROBERTSON: Of A. B. Cart and 58 others, citizens of Louisiana.

By Mr. WALKER: Of citizens of Cochran, Dunklin County, Missouri.

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The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. BELDEN: Of T. B. Stowell and 464 others, citizens of Cortland County, New York.

By Mr. BUCHANAN: Of Mrs. P. Johnson and 341 others, citizens of Trenton, N. J.

By Mr. BURROWS: Of H. A. Clapp and 230 others, citizens of St. Joseph County, Michigan.

By Mr. CUTCHEON: Of A. M. Bodwell and 184 others, citizens of Manistee County, Michigan.

By Mr. DAVENPORT: Of E. Spaulding and 244 others, citizens of Steuben County, New York.

By Mr. KETCHAM: Of N. H. Aldrich and 219 others, citizens of Dutchess County, New York.

By Mr. MILLIKEN: Of A. D. Hamlin and 190 others, citizens of Winthrop, Me.

By Mr. NUTTING: Of W. H. Rogers and 107 others, citizens of Cayuga County, New York.

By Mr. SHERMAN: Of George G. Marsh and 497 others citizens of Oneida County, New York.

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The following petitions, asking for the passage of the bill prohibiting the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia, were severally referred to the Select Committee on the Alcoholic Liquor Traffic:

By Mr. ARNOLD: Of 73 citizens of Rhode Island.

By Mr. CASWELL: Of Mrs. A. H. Peck and 92 others, citizens of Wisconsin.

By Mr. HALL: Of 130 citizens of the Twenty-sixth district of Pennsylvania.

By Mr. D. B. HENDERSON: Of Rev. J. B. Albrook, D. D., and 132 others, citizens of the Third district of Iowa.

By Mr. LAIRD: Of 108 citizens of the Second district of Nebraska.

By Mr. LANE: Of 103 citizens of the Seventeenth district of Illinois.

By Mr. GALLINGER: Of 145 citizens of New Hampshire.

By Mr. GROUT: Of 145 citizens of the District of Columbia.

By Mr. VANDEVER: Of 136 citizens of the Sixth district of California.

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## SENATE.

### MONDAY, *February* 6, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of the proceedings of Thursday last was read and approved.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of January 11, 1888, certain information relating to the number of acres of public lands granted by the United States Government to the States to which grants have been made for school purposes, etc.; which, with the accompanying papers, was referred to the Committee on Public Lands, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of January 18, 1888, certain information relating to the claims of Thomas S. Brooks & Co., and of Evans, Nichols & Co., for and on account of cattle stolen by the Osage Indians in September, 1866; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

He also laid before the Senate a communication from the Commissioner of Agriculture, transmitting the report of Professor Swenson on the subject of sorghum sugar; which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

He also laid before the Senate a communication from the Commissioner of Agriculture, transmitting, in compliance with the requirements of the act of May 29, 1884, a report of the operations of the Bureau of Animal Industry for the year 1887; which, with the accompanying report, was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

ISAAC D. SMEAD & CO.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Board of Commissioners of the District of Columbia, transmitting, in response to a resolution of January 25, 1888, certain data respecting work done for the District by Isaac D. Smead & Co.; which, on motion of Mr. DAWES, was, with the accompanying papers, referred to the Committee on the District of Columbia, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of 59 citizens of Wisconsin, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a letter of Marie A. Brown, an American citizen resident in London, relating to the proposed world's exposition, with proof that America was discovered five hundred years before Columbus; which was referred to the Select Committee on the Centennial of the Constitution and the Discovery of America.

Mr. ALLISON presented a petition of 111 citizens of the Fourth, Seventh, and Eleventh Congressional districts of Iowa, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. ALLISON. I present a concurrent resolution of the General Assembly of the State of Iowa, which I ask may be read and referred to the Committee on Agriculture and Forestry.

The resolution was read, and referred to the Committee on Agriculture and Forestry, as follows:

Concurrent resolution requesting Congress to prohibit the sale of adulterated lard, and require statement of actual contents on package thereof, and to pass the bill now pending for that purpose.

*Be it resolved by the senate (the house concurring)*, That our Senators and Representatives in Congress be requested to secure legislation that will prohibit the sale of adulterated lard throughout the United States, unless on the package containing the same a true statement is given of the actual contents, and of the proportion of genuine lard therein; and that they be further requested to aid in the passage of any bill now before Congress having in view the purpose above indicated.

I hereby certify that the above resolution passed both branches of the Twenty-second General Assembly of the State of Iowa.

[SEAL.] FRANK D. JACKSON,
*Secretary of State.*

Mr. BERRY presented resolutions adopted by the Arkansas Agricultural Association, and resolutions adopted by the Board of Trade of Pine Bluff, Ark., remonstrating against the passage of Senate bill 650, known as the Dawes bill, taxing cotton-seed; which were referred to the Committee on Agriculture and Forestry.

Mr. HARRIS presented a petition of the members of the faculty of King College, at Bristol, Tenn., praying for the enactment of an international copyright law; which was referred to the Committee on Patents.

He also presented a petition of the Woman's Christian Temperance Union of Tennessee, officially signed, representing nearly 6,000 members, praying for the abolition of the internal-revenue tax on alcoholic liquors; which was referred to the Committee on Finance.

Mr. VOORHEES. I present numerous petitions from citizens of Indiana, numerously signed, praying for prohibition in this District. I move their reference to the Committee on the District of Columbia.

The motion was agreed to.

Mr. VOORHEES presented the petition of Charles McCarty, a pensioner under certificate No. 129849, praying to be allowed an increase of pension; which was referred to the Committee on Pensions.

He also presented the petition of David A. Parkhurst, late a private in Company A, First Michigan Sharpshooters, praying for the removal of the charge of desertion from his military record; which was referred to the Committee on Military Affairs.

Mr. SHERMAN. I present a joint resolution of the General Assembly of Ohio, remonstrating against any reduction of the wool tariff. I will not ask that it be read, but that it be printed in the RECORD, and referred to the Committee on Finance.

The memorial was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

[House Joint Resolution No. 4.]

Requesting our Senators and Representatives in the Congress of the United States to oppose any reduction of the wool tariff.

*Resolved by the General Assembly of the State of Ohio:* First. That we recognize in sheep husbandry one of the most important industries of our State and country, and one that almost every farmer is directly interested in, and without which our country can not be independent; and that we do therefore view with apprehension and alarm all propositions and measures to abolish or reduce the tariff duties now levied for its protection, and respectfully request our Senators and Representatives in Congress to oppose the same.

Second. That the governor be requested to transmit a copy of these resolutions to each of our Senators and to each of the members of the House of Representatives in the Congress of the United States from Ohio.

ELBERT L. LAMPSON,
*Speaker of the House of Representatives.*
WM. C. LYON,
*President of the Senate.*

Adopted January 26, 1888.

UNITED STATES OF AMERICA, OHIO,
*Office of the Secretary of State:*

I, James S. Robinson, secretary of state of the State of Ohio, do hereby certify that the foregoing is a true copy of a joint resolution adopted by the General Assembly of the State of Ohio on the 26th day of January, A. D. 1888, taken from the original rolls filed in this office.

In testimony whereof I have hereunto subscribed my name and affixed my official seal, at Columbus, the 27th day of January, A. D. 1888.

JAMES S. ROBINSON,
*Secretary of State.*

EXECUTIVE CHAMBER, *Columbus, Ohio, January 27, 1888.*

In compliance with the request contained in the resolution above set forth, I have the honor to transmit a certified copy of the same herewith.

J. B. FORAKER, *Governor.*

Mr. SHERMAN. I present a joint resolution of the General Assembly of Ohio, opposing certain measures suggested in the President's message, which I ask be printed in the RECORD and referred to the Committee on Finance.

The memorial was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

[House Joint Resolution No. 5.]

Requesting our Senators and Representatives in the Congress of the United States to oppose certain measures which were suggested in the President's recent message.

*Resolved by the General Assembly of the State of Ohio:* First. That we believe in a protective tariff for the sake of protection, to the end that we may have a diversity of employment, domestic commerce, home markets for our farmers, good wages for our laborers, and such development of all our material resources as will make it possible for us to supply all our wants in both peace and war, and thus be independent as a nation among the nations of the earth.

Second. Under this wise and patriotic policy, inaugurated and steadily upheld and enforced by the Republican party since its advent to power in 1861, we have prospered as no other nation ever did.

Third. We regard the views expressed by His Excellency the President of the United States, in his recent message to Congress, in opposition to this policy, as

unwise, unjust, and unpatriotic, and as calculated, if formulated into law and given effect, to not only dissipate our surplus revenue, but also paralyze our industries, stop the development of our resources, degrade labor, stagnate and demoralize business, and reduce us to that weak and dependent condition to which the country had been brought by a Democratic free-trade policy when the Republican party was placed in power in 1861.

Fourth. That our Senators in Congress be instructed, and our Representatives be requested, to oppose all measures that may be offered for the purpose of giving effect to these views and recommendations of the President.

Fifth. That the governor be requested to forward a copy of these resolutions to each of our Senators and Representatives from Ohio in the Congress of the United States.

Adopted January 26, 1888.

ELBERT L. LAMPSON,
*Speaker of the House of Representatives.*
WM. C. LYON,
*President of the Senate.*

UNITED STATES OF AMERICA, OHIO,
*Office of the Secretary of State:*

I, James S. Robinson, secretary of state of the State of Ohio, do hereby certify that the foregoing is a true copy of a joint resolution adopted by the General Assembly of the State of Ohio on the 26th day of January, A. D. 1888, taken from the original rolls filed in this office.

In testimony whereof I have hereunto subscribed my name and affixed my official seal, at Columbus, the 27th day of January, A. D. 1888.

JAMES S. ROBINSON,
*Secretary of State.*

EXECUTIVE CHAMBER, *Columbus, Ohio, January 27, 1888.*

In compliance with the request contained in the resolutions above set forth, I have the honor to transmit a certified copy of the same herewith.

J. B. FORAKER, *Governor.*

Mr. SHERMAN presented a petition of the Grand Lodge of Good Templars of Ohio, officially signed, praying for a national commission of inquiry concerning the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of Ohio, officially signed, representing 5,000 members, praying for the repeal of the internal-revenue tax on all alcoholic liquors; which was referred to the Committee on Finance.

He also presented a petition of 208 citizens of the Fourteenth, Seventeenth, and Nineteenth Congressional districts of Ohio, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. CULLOM presented a petition of the Marine Association of Cincinnati, Ohio, praying for the passage of Senate bill 616, extending the right of pensions to steam-boat men and others acting under orders from United States officers; which was referred to the Committee on Pensions.

He also presented a petition of citizens of Macomb, McDonough County, Illinois, praying for the enactment of a law for the reissue of fractional currency, not as a substitute for silver, but to supplement it, and especially for use in the mails; which was referred to the Committee on Finance.

He also presented the petition of N. K. Fairbank, Jesse Spalding, and other citizens of Chicago, praying for an increase of the salaries of the judges of the circuit and district courts of the United States in that district; which was referred to the Committee on the Judiciary.

He also presented a petition of 150 citizens of Illinois, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. STOCKBRIDGE presented a petition of the Woman's Christian Temperance Union of Michigan, officially signed, praying for the abolition of the internal-revenue tax on all alcoholic liquors; which was referred to the Committee on Finance.

Mr. PADDOCK presented a petition of the Woman's Christian Temperance Union of the Territory of New Mexico, officially signed, representing 200 members, and a petition of the Woman's Christian Temperance Union of Wyoming Territory, officially signed, praying for the repeal of the internal-revenue tax on all alcoholic liquors; which were referred to the Committee on Finance.

Mr. McPHERSON. I present a petition of numerous citizens of New Jersey, praying Congress by a joint resolution to adopt and propose to the several States an amendment to the Constitution to prohibit the manufacture, importation, exportation, and transportation of alcoholic liquors. I move that the petition be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. PASCO presented the petition of G. F. Syfrett and 25 other citizens of Vernon, Fla., and the petition of W. F. Russ and 53 other citizens of Miller's Ferry, Fla., praying that increased compensation be allowed fourth-class postmasters; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. TURPIE presented a petition of the Business Men's Association of Evansville, Ind., praying for the enlargement of the marine hospital at that place; which was referred to the Committee on Naval Affairs.

Mr. BLAIR. I present a petition of citizens of Claremont, Surry County, Virginia, in which they set forth that the undersigned citizens of Claremont, Surry County, Virginia, respectfully represent that they believe that unless something is done to establish schools and pay teachers the South will always be as it is at present, one hundred years behind the North. They say that the school-houses are from 5 to 8 miles apart, and are poor structures at that; that they have but five months' school out of a year, and pay their teachers $25 to $30 a month, and they pray for the passage of the school bill. This petition is signed by a number of citizens of that place. I move that it lie on the table.

The motion was agreed to.

Mr. BLAIR. I present the memorial of Rev. S. P. Leeds and a large number of citizens of the town of Hanover, N. H., remonstrating against the admission of Utah as a State. I move the reference of the memorial to the Committee on Territories.

The motion was agreed to.

Mr. BLAIR. I present the petition of District Assembly No. 66, Knights of Labor of this District, in which they set forth that 300 more rooms for school purposes of the best modern kind, free books and material for the children, teachers in sufficient numbers to give each child ample personal attention, and salaries on a scale to secure the best educational talent should be provided immediately for the sufficient accommodation of the school population of this District.

The petition is quite well written, strongly setting forth the necessities of the case and the occasion for further legislation in order to supply sufficient schooling facilities for the children of this District. I would ask that it be printed, but as the request is likely to be objected to, I will simply move that it be referred to the Committee on Appropriations with the request that they give it attention.

The motion was agreed to.

Mr. BLAIR presented petitions of citizens of the First and Second Congressional districts of the State of New Hampshire, praying for the passage of the bill to prevent the importation, exportation, manufacture, and sale of alcoholic beverages in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. DAWES presented a petition of Omaha Indians, praying for the payment of $70,060 due them under the treaty of 1855, in two installments; which was referred to the Committee on Indian Affairs.

Mr. HALE. I present a communication from Vickery & Hill, publishers, of Augusta, Me., in the nature of a memorial to Congress, protesting against any legislation that will exclude from second-class postage rates publications in the nature of books, complete or in parts or in series, whether sold by subscription or otherwise, thereby preventing the diffusion of standard literature among the people. The Committee on Post-Offices and Post-Roads, I am informed, are considering this subject, which is a very important one, and I hope they will give attention to the interesting statements contained in this memorial. I move its reference to that committee.

The motion was agreed to.

Mr. DOLPH presented a petition of 182 citizens of the First Congressional district of the State of Oregon, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. PLATT presented a petition of 42 citizens of the Second Congressional district of Connecticut, and a petition of 57 citizens of Montana and Washington Territories, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. RIDDLEBERGER presented a petition of 130 citizens of the District of Columbia, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. EVARTS presented a petition of the Woman's Christian Temperance Union of the State of New York, officially signed, representing 16,000 members, praying for the repeal of the internal-revenue tax on all alcoholic liquors; which was referred to the Committee on Finance.

He also presented a petition of 202 citizens of the Sixth, Eighteenth, Twenty-fourth, and Thirty-third Congressional districts of New York, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. WILSON, of Iowa, presented three petitions of the surviving members of the Thirty-seventh Regiment of Iowa Volunteer Infantry, and of widows of deceased members of that regiment, praying for the enactment of a law granting pensions to them; which were referred to the Committee on Pensions.

Mr. TELLER presented the petition of Anne Lucas, praying to be allowed pay as a laundress during the late war; which was referred to the Committee on Claims.

He also presented a petition of the Board of Trade of the city of Greeley, Colo., praying that a suitable appropriation be made for the construction of water reservoirs in the State of Colorado; which was referred to the Committee on Agriculture and Forestry.

Mr. CAMERON presented a resolution adopted by Granville Centre Grange No. 309, of Granville Centre, Bradford County, Pennsylvania, remonstrating against the repeal of the oleomargarine law; which was referred to the Committee on Agriculture and Forestry.

Mr. HAWLEY presented a petition of the Woman's Christian Temperance Union of Connecticut, officially signed, representing 3,000 members, praying for the abolition of the internal-revenue tax on all alcoholic liquors; which was referred to the Committee on Finance.

He also presented the petition of William B. Covie and 120 other citizens of Connecticut, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. COCKRELL presented a petition of the Woman's Christian Temperance Union of Missouri, officially signed, representing 4,000 members, praying for the repeal of the internal-revenue tax on all alcoholic liquors; which was referred to the Committee on Finance.

Mr. GORMAN presented a petition of 130 citizens of the First and Second Congressional districts of Maryland, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Maryland State Temperance Alliance, officially signed, praying for the passage of a national prohibitory constitutional amendment; which was referred to the Committee on Education and Labor.

Mr. JONES, of Arkansas, presented a petition of 104 citizens of the State of Arkansas, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. CHANDLER. I present a petition of the Board of Trade of Portsmouth, N. H., signed by William H. Sise, the president, and Charles W. Gray, the acting secretary, of the International Marine Conference, praying that an international marine conference be held in the United States.

The PRESIDENT *pro tempore*. The petition will be referred to the Committee on Naval Affairs, if there be no objection.

Mr. FRYE. That matter is pending before the Committee on Foreign Relations, and it should be referred to that committee.

The PRESIDENT *pro tempore*. That reference will be made, if there be no objection.

Mr. RIDDLEBERGER. I ask the Senator from Maine if he can give any reason why the petition should go to the Committee on Foreign Relations.

Mr. FRYE. Only because it looks to an invitation to be extended by the President of the United States to the various nations of the earth calling a convention of the various maritime nations to meet here; and there are more than twenty petitions and memorials and bills relating to the subject, which have been already referred to the Committee on Foreign Relations.

Mr. RIDDLEBERGER. I did not want to encumber the committee. That was my object in making the inquiry.

The PRESIDENT *pro tempore*. The petition is referred to the Committee on Foreign Relations.

Mr. CHANDLER presented a petition of William F. C. Nindemann, formerly a seaman on the exploring steamer Jeannette, praying that he may be allowed the difference between the pay of a seaman and that of a carpenter; which was referred to the Committee on Naval Affairs.

Mr. MORRILL presented a petition of 103 citizens of the Second Vermont Congressional district, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. FARWELL presented the petition of Mrs. Josephine Rozell, widow of Robert W. Rozell, late of Company C, One hundred and thirty-fifth Illinois Volunteers, praying to be allowed a pension; which was referred to the Committee on Pensions.

### CHANGE OF REFERENCE.

Mr. FARWELL. On Wednesday last I presented a petition of importers at the port of Chicago, Ill., praying for the passage, with an amendment, of Senate bill 532, which proposes to amend what is known as the immediate-transportation act. That bill is now before the Committee on Commerce, while the petition, upon my request, was referred to the Committee on Finance. I desire to recall the petition from the Finance Committee and have it referred to the Committee on Commerce, where the bill is under consideration.

The PRESIDENT *pro tempore*. That order will be made, if there be no objection.

### REPORTS OF COMMITTEES.

Mr. DOLPH, from the Committee on Public Lands, to whom was referred the bill (S. 1235) to modify and amend the provisions of the dedication to the public use of the tract of land known as "Dearborn Park," in the city of Chicago, State of Illinois, reported adversely thereon, and moved its indefinite postponement; which was agreed to.

He also, from the same committee, to whom the subject was referred, reported a bill (S. 1852) to modify and amend the provisions of the dedication to public use of the tract of land known as "Dearborn Park," in the city of Chicago, State of Illinois; which was read twice by its title.

He also, from the same committee, to whom was referred the bill (S. 16) to set apart from the public domain in the State of Oregon, as a public park for the benefit of the people of the United States, townships 27, 28, 29, 30, and 31, in ranges 5 and 6 east of the Willamette meridian, in the State of Oregon, reported adversely thereon, and moved its indefinite postponement; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 1817) to grant to the State of Oregon townships 27, 28, 29, 30, and 31 south, in ranges 5 and 6 east of the Willamette meridian, in the State of Oregon, for a public park, reported it with amendments.

Mr. DOLPH. I should like to say in regard to the bill just reported that the Legislature of Oregon has memorialized for the creation of a public park including the lands mentioned in the bill, and Crater Lake, situated within it, and I have received numerous petitions of citizens of Oregon to the same effect; but the Committee on Public Lands was not disposed to create a national park, and we have reported a substitute proposing to donate the land for the purpose of a park to the State of Oregon, on condition that it shall be forever used for that purpose.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. STANFORD, from the Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 1611) for the erection of a public building at Springfield, Mo., reported it without amendment, and submitted a report thereon.

Mr. WILSON, of Iowa, from the Committee on the Judiciary, to whom was referred the bill (S. 539) amending section 3749 of the Revised Statutes of the United States, relating to the disposition of property of the United States, reported it with amendments.

Mr. TELLER, from the Committee on Public Lands, to whom was referred the bill (S. 850) granting certain lands in the Territory of Wyoming for public purposes, reported it with amendments.

Mr. COKE, from the Committee on the Judiciary, to whom was referred the bill (S. 832) to provide an additional mode of taking depositions of witnesses in causes pending in the courts of the United States, reported it without amendment.

Mr. HARRIS, from the Committee on the District of Columbia, to whom was referred the bill (S. 1060) to incorporate the Eckington and Soldiers' Home Railway Company of the District of Columbia, reported it with amendments.

Mr. RIDDLEBERGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 931) to incorporate the Washington Cable Electric Railway of the District of Columbia, reported it with amendments.

Mr. HARRIS. If the Senator from Virginia prefers it, the bill just reported by him may stand on the Calendar ahead of the one I have just reported.

Mr. RIDDLEBERGER. I thought that was the understanding.

Mr. HARRIS. I did not remember it at the moment I made the report, or I should have deferred it.

The PRESIDENT *pro tempore*. The bill reported by the Senator from Virginia will take precedence on the Calendar of the bill reported by the Senator from Tennessee, if there be no objection. The Chair hears none, and that order will be made.

Mr. HOAR, from the Committee on the Judiciary, to whom was referred the bill (S. 1516) to provide for inquests under national authority, reported it without amendment.

Mr. COKE. I desire to say, on behalf of the minority of the Committee on the Judiciary, that they will present their views on that bill hereafter.

Mr. HOAR, from the Committee on the Judiciary, to whom was referred the bill (S. 64) to authorize the juries of the United States circuit and district courts to be used interchangeably, and to provide for drawing talesmen, reported it without amendment.

Mr. PUGH, from the Committee on the Judiciary, to whom was referred the bill (S. 226) securing the right of a party complainant in the United States courts to file a supplemental bill in equity causes, reported adversely thereon.

Mr. CALL. Let that bill be placed on the Calendar.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. PUGH, from the Committee on the Judiciary, to whom was referred the bill (S. 230) for the retirement of judges of the district or circuit courts of the United States on account of disability, reported adversely thereon.

Mr. CALL. Let that bill be placed on the Calendar.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. PASCO, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1723) providing for the completion of the public building in the city of Pensacola, Fla., as originally designed, reported it with an amendment.

Mr. McPHERSON, from the Committee on Naval Affairs, to whom was referred the bill (S. 607) for the relief of Juliet C. Palmer, widow and administratrix of James C. Palmer, late Surgeon-General United States Navy, reported it without amendment, and submitted a report thereon.

Mr. HAMPTON, from the Committee on Military Affairs, to whom was referred the bill (S. 250) for the repair of Fort Marion, at St. Augustine, Fla., and the inclosure of the ground attached to said fort, reported it with an amendment, and submitted a report thereon.

Mr. PLUMB, from the Committee on Public Lands, to whom was referred the bill (S. 1681) to amend section 461 of the Revised Statutes of the United States, regulating fees for exemplification of land patents, and for other purposes, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1046) providing for the resurvey of township No. 18 south, of range No. 9 west of the sixth principal meridian, in the State of Kansas, reported adversely thereon, and the bill was postponed indefinitely.

Mr. STOCKBRIDGE, from the Committee on Fisheries, to whom was referred the bill (S. 1378) directing the prosecution of inquiries by the Commissioner of Fish and Fisheries, in respect to the destruction of oysters in the natural oyster-beds lying within the waters and jurisdiction of the United States by star-fish, etc., and making an appropriation for such purpose, reported it without amendment, and submitted a report thereon.

Mr. DOLPH, from the Committee on Public Lands, submitted a report to accompany the bill (S. 1709) to provide for the issue of patents to certain persons for donation claims under the act approved September 27, 1850, commonly known as the Oregon donation law, heretofore reported by him.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the amendments of the Senate to the bill (H. R. 1213) to punish robbery, burglary, and larceny in the Indian Territory.

The message also announced that the House had passed the joint resolution (S. R. 6) for removal of all disabilities imposed by the fourteenth amendment to the Constitution of the United States upon Abram C. Myers.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 3) to remove the political disabilities of William W. Mackall, of Virginia;

A bill (H. R. 48) for the relief of Benjamin M. Simpson;

A bill (H. R. 76) for the relief of L. A. Morris;

A bill (H. R. 108) for the relief of John C. Weaver;

A bill (H. R. 120) for the relief of Charlotte Caroline Hackleman;

A bill (H. R. 322) for the relief of B. M. Parish;

A bill (H. R. 439) for the relief of Grovenor A. Curtice;

A bill (H. R. 440) granting a pension to Mary C. Knight;

A bill (H. R. 481) for the relief of Stephen M. Honeycutt;

A bill (H. R. 482) for the relief of Levi Jones;

A bill (H. R. 593) for the relief of James Albert Bonsack;

A bill (H. R. 611) for the relief of Mrs. P. L. Ward, widow and executrix of William Ward, deceased;

A (bill H. R. 647) for the relief of Gottlob Groezinger;

A (bill H. R. 880) granting a pension to Mary Everingham Brown;

A bill (H. R. 1367) for the relief of the volunteers of the Fourth Regiment of Iowa Infantry;

A bill (H. R. 2601) for the relief of the Baptist Female College of Lexington, Mo.;

A bill (H. R. 2993) to authorize the Secretary of War to convey to the city of Austin, Tex., a tract of land in said city for educational purposes;

A bill (H. R. 3758) for the relief of the legal heirs of Fidus Livermore, deceased;

A bill (H. R. 3957) for the relief of Peter March, Thomas J. Wright, administrator, and others;

A bill (H. R. 4327) regulating the construction of bridges over the Muskingum River, in Ohio;

A bill (H. R. 4556) to confirm New Madrid location, survey No. 2889, and to provide for issue of patent therefor;

A bill (H. R. 4811) for the relief of Robert Johnston, of New York;

A bill (H. R. 4907) for the relief of John M. Higgins, sr.;

A bill (H. R. 4908) for the relief of the heirs of A. Gates Lee and heirs of B. P. Lee, deceased;

A bill (H. R. 4910) to amend section 14 of the act approved March 3, 1879, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes," and relating to second-class mail matter; and

A bill (H. R. 5932) providing for the holding of the terms of the United States courts in the district of Minnesota.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker *pro tempore* had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore:*

A bill (S. 191) to make additional appropriations for the printing of the eulogies delivered in Congress on the late John A. Logan;

A bill (S. 274) authorizing the construction of a bridge across the Missouri River at some accessible point in the county of St. Charles, in the State of Missouri, below the city of St. Charles; and

A bill (H. R. 1213) to punish robbery, burglary, and larceny in the Indian Territory.

SUPPLEMENT TO WHARTON'S DIGEST.

Mr. GORMAN. I am instructed by the Committee on Printing, to whom was referred the joint resolution (S. R. 27) providing for the printing of the supplement to Wharton's Digest of International Law, to report it favorably without amendment, and I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution; which was read, as follows:

*Resolved, etc.*, That there be printed, under the editorial charge of Francis Wharton, the usual number of copies of a supplement to the Digest of International Law, printed under joint resolution of July 28, 1886, and under the same conditions and limitations as are imposed in said resolution, such supplement containing the diplomatic correspondence of the American Revolution, with historical and legal notes; and that there be printed, in addition to said usual number, 1,000 copies for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 1,000 copies for the use of the Department of State.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CENTENNIAL CELEBRATION OF THE CONSTITUTION.

Mr. HOAR. I am directed by the Select Committee on the Centennial of the Constitution and the Discovery of America, to which was referred the joint resolution (S. R. 19) relating to the celebration of the centennial of the inauguration of the Constitution of the United States, to report it favorably with an amendment. A similar joint resolution has been passed by the Senate heretofore. It does not relate to any of the matters about which there has been any difference of opinion. It has received the unanimous support of the committee as formerly it received the unanimous support of the Senate, and I ask that it may be considered at this time.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the joint resolution?

Mr. HOAR. Let it be read for information.

The PRESIDENT *pro tempore*. The joint resolution will be read at length for information.

The Chief Clerk read the joint resolution, as follows:

That, in addition to such other celebration as may hereafter be provided for, the centennial of the inauguration of the Constitution of the United States be observed by the two Houses of Congress, who shall meet in the Hall of the House of Representatives, and that the Chief-Justice of the United States be invited to deliver an oration on the occasion, and that the President of the United States and the executives of the several States and Territories, and such other persons as may hereafter be determined, be invited to attend.

Mr. HOAR. Let the amendment at the end of the resolution be read.

The PRESIDENT *pro tempore*. The amendment reported by the committee will be read for information.

The CHIEF CLERK. In line 9, after the words "United States," it is proposed to strike out the word "and" and insert the words "the justices of the Supreme Court of the United States, the members of the Cabinet," so as to read:

And that the President of the United States, the justices of the Supreme Court of the United States, the members of the Cabinet, the executives of the several States and Territories, and such other persons as may hereafter be determined, be invited to attend.

Mr. HALE. The Senator from Massachusetts desires that the amendment be adopted. I do not object to the amendment.

The PRESIDENT *pro tempore*. The Chair has asked whether there is objection to the present consideration of the joint resolution. The Chair hears none, and it is before the Senate as in Committee of the Whole.

Mr. HALE. I do not object to the joint resolution, but I ask that the two first lines of it be read again.

The PRESIDENT *pro tempore*. The two first lines of the joint resolution will be again read.

The Chief Clerk read as follows

That, in addition to such other celebration as may hereafter be provided for—

Mr. HALE. That is sufficient. I wish to ask the Senator from Massachusetts who has reported the joint resolution whether by the words which have just been read either the committee or Congress is to be considered as committing itself in any form to a Government industrial exposition in the city of Washington? I should be glad if the Senator would state the attitude of the committee upon that point.

Mr. HOAR. The committee have not, so far as I am aware, come to any conclusion upon that subject, or even considered it. They have heard some persons in regard to various plans for a large celebration, but have not taken up the subject for action. I am not, therefore, authorized to speak either for the committee or any member of the committee as to the opinion upon any proposed scheme. The members will speak for themselves whenever they choose. But the object of the committee in reporting the joint resolution was carefully to refrain from everything which should commit either the committee or the Senate, or any member of either, to any such plan or to any plan beyond this.

I thought that if those lines were not in the joint resolution it might be taken as a commitment to the contrary, that is a commitment against any further extension of this celebration, and those lines were intended to absolutely guard against any commitment either way. They were put in with that design.

I may, perhaps, say that there are several plans which have been mentioned in the newspapers and which have found advocates before the committee. One is the plan to which the Senator from Maine [Mr. HALE] and, if I am not mistaken, the Senator from Ohio [Mr. SHERMAN] publicly expressed strong objections at the last Congress. The Senator from Ohio is a member of the present committee and favors this joint resolution. That plan is to have an exposition extending over the period between 1889 and 1892. That plan is a very large one and will require careful investigation, I suppose, before any member of the

committee would be able to bring his mind to its favor, and some Senators have expressed very strongly their objection to it.

Then there is another proposition, which does not in the least involve what I have stated, that to the centennial celebration of our Constitution the Presidents and chief justices of the different American countries shall be invited. Of course if they were invited, that would involve a slight expense, necessarily, for receiving them as guests when they arrive in Washington and during their stay in Washington. That expense would be a very small sum, a few thousand dollars, I suppose; but that proposition is entirely disconnected from this joint resolution.

I have stated the object of the joint resolution; and it is entirely unimportant whether the words which have been read are out or not. My reason was to avoid any commitment either way, and that was the general design.

Mr. VOORHEES. Mr. President——

The PRESIDENT *pro tempore*. The Senator from Maine [Mr. HALE] is entitled to the floor.

Mr. HALE. I yield to the Senator from Indiana.

Mr. VOORHEES. As I understand this proposition, it is merely an announcement that we will celebrate the centennial of the adoption of our Constitution, outlining somewhat the manner in which it will be done, giving notice to the Chief-Justice of the Supreme Court to have a speech to deliver, etc. I had supposed, however, as a member of the committee (and, in fact, I regret very much that I was not able to attend the last meeting), that some step would be taken in regard to our relations with the South American republics or countries generally, and towards extending to them an invitation for the occasion. I did not know but that the Senator from Massachusetts was going to offer an amendment, and an amendment was spoken of to that effect. Do I understand from the Senator from Massachusetts that nothing more is contemplated at this time?

Mr. HOAR. If the Senator will pardon me, if I may interrupt him at this time, as he was not present at the meeting of the committee, the committee found when they met that that matter was pending before the Committee on Foreign Relations; and I suppose there is no breach of delicacy in saying that it is before a subcommittee of that committee, of which subcommittee the honorable Senator from Maine [Mr. FRYE] is chairman, and as it is well known that the Senator has in mind a desire to have a commercial consultation of the different American countries promoted by this country and held here, we did not want to take any step which would embarrass or interfere with that. Therefore the committee were not prepared even to approach the consideration of that subject without first having some conference with the Committee on Foreign Relations, which I suppose will be had.

Mr. VOORHEES. It is a matter of no concern to me how the object is accomplished, and in view of the explanation given by the Senator from Massachusetts it is entirely satisfactory.

I desire simply to say further to Senators who may have some views in regard to establishing a prolonged exposition here, that there is nothing in this measure, as I understand it, committing anybody to that enterprise. Whatever we may do hereafter, this joint resolution does not commit us to any line of action in that regard.

Mr. HALE. I think perhaps Senators would feel easier upon the subject if the initial words were left out of the joint resolution; all the more so, because upon the explanation of the Senator from Massachusetts it is clear that the proposition for the meeting of South American representatives, in the form of a celebration and not of an exposition, is in charge of another committee. The select committee, as I understand, does not propose to deal with the subject of any other celebration. Therefore the words had better be omitted.

Mr. HOAR. No, I did not say that.

Mr. HALE. I understood the Senator to say that that matter was with the Committee on Foreign Relations.

Mr. HOAR. I said that the Select Committee on the Centennial could not deal with that subject without a conference with the Committee on Foreign Relations, who had the matter in charge. Of course the principal and important matter is the question of commercial relation.

Mr. HALE. I do not object to the joint resolution unless there lurks in it something more than is seen. Neither do I object to the other celebration which has been referred to; but the greater question of a long-continued national or international exposition to be held here or elsewhere involves more serious considerations, and it should be approached very carefully. The time should be selected with care, and the place should be selected with care.

However much pride we may have in this city and be glad to see it built up, and dignified, and adorned in ways we are all glad to help in, it is a grave question whether it is the seat of art, or science, or labor, or manufactures of any form sufficient to justify the selection of this city as a place for a great exposition, and for one I do not wish to be committed to anything which looks in that direction. I do not think the committee has any such purpose. It is plain, from the explanation offered by the Senator from Massachusetts, that it has no such purpose. If there is any danger that lurks in the phraseology here, it is one that will appear afterwards and is not carried in the intention of the committee. I am free to avow my belief in that, but I think it would rest better if the initial words were stricken out and let the provision be simply for the celebration that is covered by the phrases of the measure.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment reported by the committee.

Mr. RIDDLEBERGER. Mr. President, I believe the joint resolution involves some matter that is a little bit foreign to this country, and in view of the fact that it seems to be impossible to get a resolution considered by the Senate looking to the ratification or rejection of the British treaty, I may be allowed to discuss it just now, because, as I understood the Senator from Maine to say, this is a matter which ought to be considered by a committee which is looking forward to a great international something. I think that puts me in order, sir.

I have asked the Senate to consider a resolution to change Rule XXXVII of the Senate, which would allow us to consider in open session the proposed treaty with Great Britain. I have had a motive beyond that, which has not appeared up to this time, and that motive is to draw from the Committee on Foreign Relations the amendment which they have proposed to the treaty. If we have here a message from the President transmitting a treaty or a stipulation, and it is proposed to be amended by any member of the Committee on Foreign Relations, it is proper that it should be known which of those committeemen favor the amendment.

I can not state what the amendment is, because I have not the terms of it at my command now, but I do say this: I do not believe there is one single member of the Committee on Foreign Relations who will rise to-day in open session and advocate the amendment which comes from that committee.

I have here the treaty, but I can not discuss it—I can only discuss the joint resolution; but I ask in the light of what has been suggested here, whether I can not have that amendment read to the Senate and to the people of the United States. I ask the chairman of the Committee on Foreign Relations, who I know upon every occasion has endeavored to bring this treaty before us in executive session, whether he can not rise and tell the people what the amendment is.

Mr. SHERMAN. Being personally appealed to, I feel it my duty to make a point of order against the Senator from Virginia, which I do with great reluctance. He asks me that I, in violation of the rules of the Senate, shall do what I regard to be improper and ungentlemanly in disclosing the secrets of the Senate against its will. When he asks me to answer that question, it is as much as if he should ask me to steal, or rob, or do anything else wrong or forbidden by law. As a matter of course, I can not state what the rules of the Senate prohibit me from saying, and I make the point of order that the Senator from Virginia is himself violating the rules. Whether it should be enforced against him or not, it is for the Senate to say. I simply make the point of order because I can not answer the question of the Senator from Virginia without violating the rules.

Mr. RIDDLEBERGER. Mr. President, that would come with better grace——

The PRESIDENT *pro tempore*. One moment. The Senator from Ohio raises a point of order which the Chair feels called upon to decide.

The Senate in its legislative capacity and the Senate in its executive capacity, are the same body, but their functions are essentially separate and distinct. The proceedings in each capacity are separately journalized; the records are separately kept. The transactions and proceedings in legislative session can not be reached by the Senate in executive session. The proceedings and transactions in executive session being separately recorded and journalized are not the subject of discussion in legislative session. It is a violation of the rules of the Senate to refer in legislative session to any matter upon the Executive Calendar until the injunction of secrecy is removed.

The Chair therefore holds that the Senator from Virginia, in referring to any matters pending in executive session while the Senate is sitting with open doors, is clearly in violation of the rules of the Senate, and he can only be permitted to proceed in order.

Mr. RIDDLEBERGER. Mr. President——

The PRESIDENT *pro tempore*. The Senator from Virginia will suspend one moment. The enforcement of the rules is intrusted to the Chair, and the Chair will endeavor, if supported by the Senate, to see that order is not violated and that the rules are strictly obeyed. The Senator from Virginia will proceed in order.

Mr. RIDDLEBERGER. Yes, sir, if I can. I do not think that anything I have said or done in this Senate has justified the observations of the Chair, but still in order to be in order I must accept them.

I did not ask the Senator from Ohio to answer the question that I propounded to him with any hope that he would do it. I was discussing the proposition propounded by the Senator from Massachusetts and trying to keep myself in order considering it, as I understood, within the proper rules of order. I think that I may be in order when I undertake, in reply to the Senator from Ohio's remark that he does not propose to deal with executive matters in legislative hours, to draw his attention back to the point. Whenever I shall violate a rule it will be in the Senate and not outside of it. This is a question that disturbs the people of this country beyond that which was involved in the letter that dismissed some officials sent to the Senate by the Senator from Ohio when he was acting in another capacity.

I will not deal further with the word "gentlemanly," sir. Every man knows for himself what is gentlemanly. If he does not, those who are associated with him can judge.

Now, Mr. President, if it is the ruling of the Chair and the sense of the Senate that I can not, or any other Senator here can not, discuss that resolution in the broad sense that it involves this British treaty, then I must take my seat, as I understand; but from that ruling of the Chair I shall reserve my right to make an appeal whenever the Chair himself shall say that I am out of order.

I have a right to discuss resolutions that are offered. On last Thursday, on this floor, and against an objection that carried a resolution over under the rules, as I understand them, we could not consider the proposition to change Rule XXXVII. I can re-enforce my position on that question by drawing from this desk-drawer a note that was written to me by the then Presiding Officer himself, telling me that I could not accomplish the purpose of considering an extradition treaty unless I employed the language which he gave me then, proposing to change Rule XXXVII.

In all these international matters—for I know I must conform myself to the narrow-gauge rule—I have before me something that is headed "confidential," and it purports to be something that is international, coming entirely within the purview of the resolution that I offered the other day. I might be prepared to treat this before the people of this country who have a right to know what it is; but I do think that we should know in the Senate now before we go into executive session what is meant by the Committee on Foreign Relations——

The PRESIDENT *pro tempore*. The Senator from Virginia will not be permitted to proceed to discuss any matters pending in executive session. The Senator from Virginia will proceed in order.

Mr. RIDDLEBERGER. Mr. President, I am somewhat accustomed to rebuke, but I suppose I can still have it understood that I have a right to proceed in order. Perhaps that is the only right I have. This matter that the President undertakes to rule me down on is not in executive session and will not go there as long as there is a man on this floor to object to it. I say it is before the Committee on Foreign Relations, and it is in the office of the Secretary or the executive clerk of the Senate, and it has not yet been before the Senate in executive session, except in so far as the Senator from Ohio has been pleased to discuss it himself without getting it before the Senate. I appeal to the sense of justice of the Senate if that is not correct. It should be before us in legislative session.

I was not sent here as a Senator to legislate in executive session. I was sent here to legislate in open session, and I am here now asking to be heard in open session on that which more vitally concerns the people I represent to-day than all that has emanated from the Committee on Foreign Relations during this session, and I am rebuked every time that I refer to this. I understand the rebuke, and I intend to reiterate every time that this is the treaty that the American people will want considered and discussed in open session.

The PRESIDENT *pro tempore*. The Senator will suspend. The question recurs, Will the Senate, as in Committee of the Whole, agree to the amendment reported by the select committee to the joint resolution which has been read?

The amendment was agreed to.

The PRESIDENT *pro tempore*. The Chair understood the Senator from Maine [Mr. HALE] to suggest a further amendment.

Mr. HALE. After the word "that," at the beginning of line 3, I move to strike out "in addition to such other celebration as may hereafter be provided for;" so as to read:

That the centennial of the inauguration of the Constitution of the United States be observed by the two Houses of Congress, etc.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

### COURTS AT MISSISSIPPI CITY.

Mr. PUGH. I am instructed by the Committee on the Judiciary, to whom was referred the bill (S. 788) to provide for holding terms of the United States courts at Mississippi City, to report it favorably without amendment. I am requested to ask the unanimous consent of the Senate to have that bill considered at this time. It passed both Houses at the last session, and failed to become a law on account of its not reaching the President in time. It is a local bill which will not consume time.

Mr. HARRIS. Let the bill be read for information.

The Chief Clerk read the bill.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. DOLPH. I desire to offer an amendment to the bill which I shall be ready to do in a moment. I object for that reason. I inquire of the Senator having the bill in charge if this is not the bill to which the Senate attached last year an amendment fixing the salaries of district judges?

Mr. HOAR. One of the same character.

Mr. PUGH. There is a separate bill now before the Committee on the Judiciary, on which the committee will soon act, providing for the salaries of district judges. I hope the Senator will not incumber this local bill with a general provision raising the salaries of the judges. The committee has the matter before it and will dispose of it, I have no doubt, at the next meeting.

Mr. DOLPH. Mr. President——

The PRESIDENT *pro tempore*. The bill is not the subject of discussion until unanimous consent is given for its consideration. Is there objection?

Mr. DOLPH. I hope it will go over, then, for this morning.

Mr. PLUMB. I object.

Mr. PUGH. I do not ask for its consideration if there is any objection.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

### HENRY H. MARMADUKE.

Mr. VEST. I am instructed by the Committee on the Judiciary, to whom was referred the bill (S. 1754) for the relief of Henry H. Marmaduke, of Missouri, to report it favorably without amendment. I ask for its present consideration. It is simply to remove political disabilities.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed (two-thirds of the Senators present voting in the affirmative).

### CATTLE AND DAIRY FARMING.

Mr. MANDERSON, from the Committee on Printing, to whom was referred the joint resolution (S. R. 22) providing for the printing of additional copies of Executive Document No. 51, first session Forty-ninth Congress, on the subject of cattle and dairy farming, submitted an adverse report thereon; which was agreed to, and the joint resolution was postponed indefinitely.

Mr. MANDERSON. In lieu of that joint resolution, and to comply with the law, I am instructed by the Committee on Printing to report a concurrent resolution and ask for its consideration.

The resolution was read, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed 7,000 additional copies of Executive Document No. 51, first session Forty-ninth Congress, on the subject of cattle and dairy farming, 2,000 copies for the use of the Senate, 4,000 copies for the use of the House of Representatives, and 1,000 copies for the Department of State.

Mr. SAULSBURY. I do not understand exactly what the resolution is.

The PRESIDENT *pro tempore*. The resolution will be again read.

The resolution was read.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent, and agreed to.

### BILLS INTRODUCED.

Mr. STEWART. I move that the Senate proceed to the consideration of Order of Business 120.

Mr. DAWES. Is morning business through?

The PRESIDENT *pro tempore*. The Chair understands that after the hour of 1 o'clock any Senator has a right to move to proceed to the consideration of any bill, resolution, or other matter on the Calendar, but it has been customary to receive morning business so long as it is offered.

Mr. STEWART. I withdraw the motion until the morning business is completed.

Mr. DAWES. I desire to introduce a bill when that order is reached.

The PRESIDENT *pro tempore*. Are there further reports of committees? If none, that order is closed.

Mr. DAWES introduced a bill (S. 1853) providing for the adjustment of the accounts of laborers and mechanics arising under the eight-hour law; which was read twice by its title.

Mr. DAWES. Before the bill is referred I desire to call the attention of the Committee on Education and Labor to some facts in connection with the case which it is desirable should be known.

Ever since the passage of the law making eight hours a day's labor for employés of the Government there has been a very strange persistence in disregard and in evasion of that law. For some time after its passage in some Departments of the Government employés of the Government were compelled to labor for a day's work ten hours without the slightest regard to the enactment of that law, until the President of the United States, President Grant, issued a proclamation forbidding in all the various employments of the Government a further disregard of that law.

Subsequently Congress passed an act making appropriation for the payment of such employés of the Government as had been required to work ten hours for eight hours' pay. A microscopic examination of that law revealed the fact that there were gate-keepers and watchmen and a few others of that kind of employés who were not covered by it, and that therefore the Government could still exact two hours' labor each day out of that class of its employés without paying for it, and

that class of employés has been to this time without any compensation under that law.

Subsequently there was invented a form of an agreement, which I have here, which was held up as an alternative to no employment to any one who, under the demand of the Government, required employment, by which he should contract with the Government that that law should be disregarded, and that he would work ten hours a day, if he worked at all, for eight hours' pay. That has continued in some quarters until the present time.

I call the attention of the Committee on Education and Labor to this fact, in the belief that if this bill which I have introduced shall become a law this sort of disregard and evasion of a positive enactment of Congress will cease. It may be said that any one, Government official or private individual, has the right to his private opinion as to the wisdom of such a law, but no Government official, in my judgment, has the right to defy it.

Mr. TELLER. Mr. President, I did not hear the bill read and I do not know its terms, but I know there is no necessity for any further legislation on the subject. The statute now is plain and explicit, and it is a direction to executive officers which they can not escape.

I do not know whether the Senator has correctly stated the practice of the Departments during the time this has been the law. I only rose to say, for myself and those with whom I was connected in the late Administration, that he has not stated it as it then existed. When called upon to pass on that question, as I was, I readily ruled, and there could have been no ruling in any other way consistent with common sense and law, that the Departments had no discretion, and, so far as the Department over which I presided was concerned, the law was faithfully executed, and no man worked more than eight hours.

Mr. DAWES. I desire to be permitted to say that the practice to which I have alluded was not universal and is only in certain quarters, and I have never heard that the Department over which the Senator presided was ever open to that criticism. I do know, however, that at this very hour there are employés of this Government working ten hours for eight hours' pay under the agreement to which I have alluded. The bill which I have introduced proposes to have their accounts adjusted according to law. That is all it requires.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Education and Labor.

Mr. CULLOM introduced a bill (S. 1854) to increase the pensions of certain persons who have received more than one wound or injury in the military or naval service of the United States; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1855) granting a pension to Anna M. Allen; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SAULSBURY introduced a bill (S. 1856) to establish a life-saving station on the Atlantic coast between Indian River Inlet, Delaware, and Ocean City, Maryland; which was read twice by its title, and referred to the Committee on Commerce.

Mr. BECK introduced a bill (S. 1857) for the payment of the claim of Harry I. Todd, late keeper of the Kentucky penitentiary; which was read twice by its title, and referred to the Committee on Finance.

Mr. BECK. I offer a resolution to accompany the bill, for reference to the same committee:

*Resolved*, That the bill providing for the payment of the claim against the United States of Harry I. Todd, of Frankfort, Ky., late keeper of the penitentiary of said State, now pending in the Senate, for a refund of internal-revenue taxes collected from him for slaughtering animals to feed the convicts, and taxes collected from him as a manufacturer, and upon articles manufactured in said prison while he was the keeper thereof, be, and the same is hereby, referred to the Court of Claims, under and by virtue of the provisions of the act approved March 3, 1887, to take such action upon the same as is therein authorized by section 14 upon reference by the Senate.

Mr. BECK. I ask that the resolution be referred to the Committee on Finance with the bill.

The PRESIDENT *pro tempore*. That order will be made.

Mr. TELLER introduced a bill (S. 1858) for the relief of Anne Lucas; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1859) for the relief of Felicitas Salinas and others, heirs of Miguel Salinas; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1860) to grant the Boisé Basin Bed Rock Flume Company the right of way to construct a bed-rock flume in Idaho; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. BLAIR introduced a bill (S. 1861) authorizing the Secretary of the Interior to issue certificates to certain persons who owned buildings on Hot Springs reservation, for the value thereof, which buildings had been condemned and afterward burned; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PADDOCK introduced a bill (S. 1862) granting a pension to Butler Presson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1863) granting a pension to John A. Beltzer; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STANFORD introduced a bill (S. 1864) to provide for the erection of a public building at San Diego, Cal.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. WILSON, of Iowa, introduced a bill (S. 1865) granting pensions to the surviving members of the Thirty-seventh Regiment of Iowa Volunteer Infantry, and to the widows of deceased members of said regiment; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1866) for the relief of Enoch Davis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1867) granting a pension to Mrs. Mary L. Ristine; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1868) to prohibit the mailing of newspapers and other publications containing lottery advertisements, and prescribing a penalty for the violation of the same; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. STOCKBRIDGE introduced a bill (S. 1869) to provide for the establishment and maintenance of an Indian industrial school in the State of Michigan; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. DOLPH introduced a bill (S. 1870) granting certain lands in Pierce County, Washington Territory, to the city of Tacoma for the purposes of a public park; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Lands.

Mr. FARWELL introduced a bill (S. 1871) to perfect the military record of Warren C. Alden; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. SHERMAN introduced a bill (S. 1872) for the relief of E. W. Ridgway; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1873) increasing the rate of pension of W. A. Shappee; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HARRIS (by request) introduced a bill (S. 1874) granting a pension to Mrs. E. G. C. Abbott; which was read twice by its title, and referred to the Committee on Pensions.

Mr. JONES, of Arkansas, introduced a bill (S. 1875) for the relief of L. A. Morris; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MORRILL introduced a bill (S. 1876) for the purchase of a site and erection of a custom-house and post-office at St. Albans, Vt.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. ALDRICH introduced a bill (S. 1877) granting a pension to Harriet L. Vaughan; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 1878) for the relief of Catharine Sullivan; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1879) for the relief of Joseph Clancey; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1880) declaring that certain water-reserve lands in the State of Wisconsin are and have been subject to the provisions of the act of Congress entitled "An act granting to railroads the right of way through the public lands of the United States," approved March 3, 1875; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1881) to amend an act entitled "An act for the relief of the Stockbridge and Munsee tribes of Indians, in the State of Wisconsin," approved February 6, 1871; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. ALLISON introduced a bill (S. 1882) to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Mississippi River at or near Clinton, Iowa; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1883) to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Mississippi River at or near Muscatine, Iowa; which was read twice by its title, and referred to the Committee on Commerce.

Mr. McPHERSON introduced a joint resolution (S. R. 46) authorizing and directing the Secretary of War to lease to the United States Hotel Company, of New Jersey, certain land in Monmouth County, New Jersey; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALDRICH introduced a joint resolution (S. R. 47) for the relief of the widow and children of John W. Judson, late agent of the United States at Oswego, N. Y., for public works on Lake Ontario; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. DOLPH introduced a joint resolution (S. R. 48) authorizing acceptance by Dr. W. J. Hoffman of certain decorations from foreign powers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Foreign Relations.

EASTERN FRONT OF THE CAPITOL.

Mr. MORRILL submitted the following resolution; which was referred to the Committee on Public Buildings and Grounds:

*Resolved*, That the Committee on Public Buildings and Grounds be directed to examine into and report upon the necessity of extending the eastern front of the Capitol, the same to be constructed of marble.

CHANNEL AT ENTRANCE OF DETROIT RIVER.

Mr. SHERMAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of War be directed to furnish, at the earliest time practicable, for the information of the Senate, an estimate of the expense necessary to make the present channel from Grosse Point, in Lake St. Clair, to the entrance of Detroit River, in the State of Michigan, navigable for a width of 800 feet, and with an average depth of water of 20 feet.

RENTED DISTRICT SCHOOL BUILDINGS.

Mr. DAWES submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the commissioners of the District of Columbia be, and they are hereby, directed to furnish the Senate with a list of all the buildings rented by the District of Columbia for public-school purposes, giving the following information concerning each: Location, name of owner, number and size of schoolrooms it contains, amount of rent paid per annum, valuation of building as assessed by the District, per cent. on valuation paid for rent; also the number of pupils in each of the rented buildings at the present time.

MISSOURI RIVER NAVIGATION AT SIOUX CITY.

Mr. ALLISON submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of War be, and he is hereby, directed to furnish the Senate full information, or such information as may be attainable, respecting the present condition of the Missouri River at and in the neighborhood of Sioux City, Iowa, as will show what improvements are needed in aid of the navigation of said river at Sioux City, or in its vicinity.

INTERNATIONAL COINAGE.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a resolution offered on a previous day by the Senator from Kansas [Mr. PLUMB].

Mr. SAULSBURY. I move to take up Senate joint resolution No. 30. I gave notice on Thursday last that I should ask its consideration this morning for the purpose of submitting some remarks.

The PRESIDENT *pro tempore*. The Senator from Delaware moves that the Senate proceed to the consideration of the joint resolution (S. R. 30) relating to international coinage.

The motion was agreed to.

Mr. SAULSBURY. On the 20th of December the President of the United States sent to us the following message:

*To the Senate and House of Representatives:*

I transmit herewith a communication from the Secretary of State, accompanied by the report of Mr. Edward Atkinson, of Massachusetts, who was specially designated by me, under the provisions of successive acts of Congress in that behalf, to visit the financial centers of Europe in order to ascertain the feasibility of establishing, by international arrangement, a fixity of ratio between the two precious metals in free coinage of both.

GROVER CLEVELAND.

EXECUTIVE MANSION,
*Washington, December* 20, 1887.

He also sent to us the report on that subject. In that report Mr. Atkinson says:

Under instructions from the Department of State, I have visited London and Manchester, Paris, Berlin, Brussels, and Amsterdam, together with other places as circumstances or the necessity for interviews with persons of importance in this discussion have made it expedient.

I have met and consulted many of the financial ministers, the chief officers of all the national banks in the countries named, except one, namely, that of Holland; many officers of private banks and many bankers of distinction, most of the members of the Royal Gold and Silver Commission of Great Britain, which is now engaged in the examination of the same question, and lastly, many leading economists, statisticians, and legislators.

* * * * * * *

After stating the manner in which he proceeded in discharge of the duties assigned him, he submitted, among others, the following conclusions:

1. There is no prospect of any change in the present monetary system of European states which can modify or influence the financial policy of the United States at the present time.

2. There are no indications of any change in the policy of the financial authorities of the several states visited by me which warrant any expectation that the subject of a bimetallic treaty for a common legal tender, coupled with the free coinage of silver, will be seriously considered at the present time by them.

3. There is no indication that the subject of bimetallism has received any intelligent or serious consideration outside of a small circle in each country named, as a probable or possible remedy for the existing causes of alleged depression in trade.

On receiving the report of Mr. Atkinson I drew up the resolution on which I propose to submit a few remarks this morning. I ask that the joint resolution may be read.

The Chief Clerk read the joint resolution, as follows:

Joint resolution relating to international coinage.

Whereas unsuccessful efforts have, on several occasions, been made by the United States to secure the co-operation of European governments in establishing such a fixed ratio of value between the precious metals as would permit their free coinage and circulation in the commercial countries of the world; and

Whereas the President of the United States, under authority conferred upon him by acts of Congress, recently designated Mr. Edward Atkinson, a citizen of the United States, to visit commercial centers of Europe in order to ascertain the feasibility of establishing by international arrangements a common ratio of value between gold and silver, who, after making the investigation required by his appointment, reported among other conclusions the following:

"First. There is no prospect of any change in the present monetary system of European states which can modify or influence the financial policy of the United States at the present time.

"Second. There are no indications of any change in the policy of the financial authorities of the several states visited by me which warrant any expectation that the subject of a bimetallic treaty for a common legal tender coupled with the free coinage of silver will be seriously considered at the present time by them:" Therefore,

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That no further effort can properly be made by the United States to obtain the co-operation of European governments in establishing a common ratio of value between silver and gold as money, and the policy of the United States in the coinage of the precious metals should not be influenced by the action, present or prospective, of any foreign government or governments in reference to the relative values of gold and silver as money.

Mr. SAULSBURY. The object proposed by the introduction of this resolution is to elicit some expression on the part of Congress in reference to further effort on the part of the United States to effect an arrangement with European powers on the subject of a common ratio of value between gold and silver and their coinage for international circulation.

Many persons in this country whose opinions are entitled to consideration believe that the proper utilization of silver as one of our coins depends upon the consent of leading European governments to its use as money, and are therefore opposed to the present policy of our Government in its coinage as a legal tender in monetary affairs among our own citizens. They insist that an international arrangement with the principal governments of Europe, especially with England, France, and Germany, for the coinage of silver upon a basis agreed upon, is a condition precedent to the proper use of that metal in this country as money, except as subsidiary coin, and demand that efforts should be made and continued to bring about such an agreement as they conceive to be necessary.

There are other persons, equally numerous and respectable, who do not believe that such an arrangement as has been suggested is either possible or essential, and have no idea that any good can result from any effort in that direction. They have not, however, interposed objections to any attempt heretofore made on the part of the United States to secure the co-operation of foreign governments in an international agreement on the subject, and have been content to leave to those who favor such an undertaking the adoption of such means as they desired to test its feasibility.

Several attempts have been made within the last few years to bring about such an arrangement with European powers without any other result than to demonstrate its impracticability and the futility of further attempts in the same direction. The mission of Mr. Atkinson, brought to our attention by the letter he addressed to the President and sent to Congress for its information, seems to have been as fruitless and barren of promise for the future as those which had preceded it, and if the conclusions at which he arrived and announced to the President are correct, it would be folly to attempt further effort to form an alliance with European governments on the subject.

The known character and reputation of Mr. Atkinson compel the acceptance of his conclusions as the honest judgment he had formed of European thought on the subject of his inquiry, but it will do him no injustice to suggest that our preconceived opinions sometimes shape, imperceptibly to ourselves, the judgments we form on any question we may be called upon to investigate. A doubt might therefore be pardoned of the correctness of the judgment formed by Mr. Atkinson upon the views entertained abroad on the subject of silver coinage without reflecting upon his motives or impeaching the honesty of his opinion.

Nor can I suppose, for an instant, that the persons who have urged the appointment of the men selected to visit the commercial centers of Europe in order to ascertain the views there entertained upon the subject were actuated by a desire to secure unfavorable reports, in the hope thereby of obtaining a suspension of silver coinage in this country. I prefer to credit all concerned with a sincere purpose to secure an agreement with foreign powers for the coinage of the precious metal upon a basis which they supposed to be indispensably necessary.

The failure of every attempt which has been made by this country to obtain co-operative action on the part of European powers, and especially the failure of the late mission of Mr. Atkinson, whose conclusions have been laid before us, justifies me in saying that no further effort in that direction can be made by the United States with any hope of success, or with a proper regard to the respect we owe to ourselves.

For one, sir, I do not believe, and never have believed, that any international arrangement which would include some of the European powers, especially England, and perhaps Germany, has ever been or will be possible, at least for many years to come.

No solicitation on our part will influence their monetary policy, and if ever they return to an unrestricted use of both the precious metals as money, it will not be the result of agreement with us, but the outcome

of an urgent necessity enforced by the conditions and demands of their own people.

The connection of France with the Latin Union justifies the belief that if free to act upon her own judgment she would at least be willing to confer with the United States upon the subject of a common ratio of value between gold and silver for coin and to provide for their international circulation upon a recognized basis, if it could be done. But her proximity to Germany and England, both standing aloof and hostile to such an arrangement, deprives her of freedom of volition in the matter, and compels her to accept a condition of things which she may not desire but can not prevent.

Germany demonetized her silver at a time when she was receiving from France the gold she demanded from that country as indemnity for the expenses of the war in which the two governments had been engaged, and was for the time freed from the necessity which had before compelled her to use, without discrimination, both gold and silver as money. The present policy of Germany in limiting the use of silver money in the empire furnishes no proof that the German people are opposed to silver coin, but only that Bismarck, whose will is controlling, has decreed a single standard for that country.

England, as the leading commercial power of Europe, drawing her supplies of gold, as well as other things, from the uttermost parts of the earth, has been enabled for more than seventy years to restrict the use of silver coin in that country, and doubtless the men that control her affairs will continue her policy in that regard for some years to come. Great Britain is not a silver-producing country, but a large purchaser of silver bullion, not only for the purposes of the arts but to meet the demands for coinage for her East India and other colonial possessions, and has no desire to aid any scheme that would be likely to advance its price in the markets of the world. It may therefore be readily supposed that she will not willingly abandon her single standard of values so long as she is able to maintain it without serious prejudice to her own interests. There are doubtless many persons in both England and Germany who would be glad to see a return to bimetallism, but in neither country has public opinion the same influence upon the action of government as in this. Even here, where public opinion is far more potential and commands much greater respect, it is sometimes disregarded, at least for a time, in the interests of monopoly, corporate and associated wealth.

It was believed to be the influence of capitalists and associations of men of wealth that led to the demonetization of silver and dropping it from the coins of the country in 1873 and 1874, and we know that with some exceptions that class of men generally opposed its restoration to use in 1878. The same class of persons in England and Germany would doubtless, from the same interested motives, oppose a return to an unrestricted use of silver as money in those countries, and thwart, as far as they could do so, any international arrangement looking to that result.

It is idle, not to say foolish, for us longer to delude ourselves with the expectation that European governments will seriously consider such a proposition.

If, however, it were possible to obtain the consent of the commercial powers of Europe to such an arrangement as has been suggested, difficulties would be presented that it would be hard, if not impossible, to overcome. If the unification of the coins of the countries agreeing to the arrangement was deemed necessary, it would present at once a bar to further negotiations on the subject. Unification could only take place by a surrender on the part of each country of its present coins and the acceptance of such as should be adopted for universal circulation. We would not be willing to give up our dollar, and France would be as unwilling to part with her franc, and the same reluctance would be manifested by other countries to a surrender of their coins. Impossible as an agreement on a common coin might be found, it is equally as feasible as an adjustment of other questions which would arise, and which it is unnecessary now to suggest, because, as I before remarked, I do not believe an international arrangement on the subject now or hereafter a possibility.

Nor do I believe such an arrangement desirable, and I should regret to see the United States enter into such alliance with any European power, if there were no difficulties in the way. Whatever temporary advantage might accrue to this country therefrom would be more than offset by embarrassments arising from the partnership into which we had entered. The coinage of both gold and silver would be subject to restriction or suspension by the determination of the countries with which we had entered into league. We could not determine our own action in reference to the amount of either of the precious metals which should be struck at our mints, but, like the states of the Latin Union, would be controlled by the determination of the governments with which we had entered into an agreement. The coinage of money is not a subject for international arrangement, but the proper concern of each government for itself, and no free people can afford to surrender this right to the control of others.

The resolution now before the Senate expresses no opinion upon the present policy of this country in the coinage of either gold or silver, and is neither calculated nor designed to elicit debate upon that subject. Its only purpose, in view of the repeated rejection by European powers of overtures on our part to confer with them on the feasibility of an international arrangement for fixing a common ratio of values between silver and gold, is to elicit some expression on the part of Congress in reference to the propriety of further attempts to obtain the co-operation of foreign governments in an extended utilization of silver as money.

The PRESIDENT *pro tempore*. The hour of 2 o'clock having arrived, the Senate resumes the consideration of the unfinished business.

Mr. SAULSBURY. I ask the Senator from New Hampshire to allow that to be laid aside temporarily.

Mr. BLAIR. I make no objection.

The PRESIDENT *pro tempore*. The Senator from Delaware will proceed on the joint resolution introduced by him.

Mr. SAULSBURY. The failures experienced in the efforts heretofore made to secure such co-operation should satisfy us that future attempts would prove useless, even if an international arrangement was desirable or possible. The policy of this country in the coinage of the precious metals must be in the future as in the past determined by ourselves, and should not be influenced by the present or prospective action of foreign governments.

We stand in a different relation to the question of silver coinage from that occupied by any European government. Our mines produce more silver than those of all Europe combined, and nearly one-half of all that is produced in the world; and we have a greater interest in its utilization than any other country. Our separation from the Old World renders us free from many of the embarrassments experienced by European governments, not only in regard to their political policies, but also in the adjustment of many of their domestic affairs.

The only interest we have, as I conceive, in European opinion on the subject of silver coinage is the effect which that opinion may have upon the action of the governments of Europe upon their own coinage. If those countries should be induced by the force of opinion among themselves to return to the free coinage of silver it would increase the demand for the products of our mines and enhance the price of bullion in the market; but it would not add one farthing to the value of our standard silver dollar as money in transactions among ourselves. Our coins of both gold and silver as money have in our own country no greater or less value than that which is imparted to them by law. We are therefore not dependent, as some have seemed to suppose, upon the action of foreign governments either to the extent to which silver shall be used in this country as money or the ratio of value it shall bear to gold for that purpose.

I do not know to what extent the conclusions of Mr. Atkinson reflect the sentiments of the people of any European country which he visited on the question he was charged to investigate. They doubtless embody the views of those with whom he conferred upon the subject, and I will not even suggest that his estimate of public opinion on the subject of his inquiry was influenced by his own private opinion on the propriety of silver coinage in this country; but I may be allowed to say that statements have from time to time been made by others that there was a conviction in the minds of many intelligent financiers in England that that country would at no very distant day be compelled to return to the unrestricted use of both the precious metals in monetary affairs, without limitation as to the amount that should be coined of either or discrimination in their use in monetary affairs. Perhaps if some intelligent advocate of a double standard had been designated to make the inquiry with which Mr. Atkinson was charged, he might have discovered a current of thought different from that with which Mr. Atkinson was brought in contact, and submitted conclusions varying essentially from those sent to us by the President.

Whatever may be the condition of public sentiment in England or elsewhere in Europe in reference to the use of silver as money, it is high time that we had ceased all effort to obtain the assent of foreign powers to its coinage or to the functions it shall perform. Such efforts have secured no good results in the past, and it is pretty certain that they would accomplish nothing if continued.

I am not prepared to say that the anxiety heretofore manifested to secure the assent of foreign governments to an international arrangement in the matter has had the effect to retard a return to silver coinage in those countries or to lessen the value of bullion in the market; but the repeated rejection of solicitations on our part for co-operation is calculated to make the impression here and elsewhere that the continuance of our own policy in the coinage of silver depends upon the action of other powers, and as a consequence may lessen the appreciation of silver coins by our own citizens and discourage the use of silver as money in other countries.

I have called the attention of the Senate to this matter in the hope that some action may be taken by Congress that will prevent hereafter any attempt to secure an arrangement such as has been sought, and prevent the injury which may result from further unsuccessful efforts in that direction.

Mr. BECK. Mr. President, I rise now not to debate this proposition, because I know the Senator from New Hampshire desires to go on with his bill, but to ask the Senator from Delaware not to seek to refer this resolution to the Committee on Finance at present. I desire also to ask him whether there is any objection to allowing it to lie on the

table for a few days until some of us who desire to be heard may present our views on the subject to which it relates.

Mr. SAULSBURY. I am willing to agree to that.

Mr. BECK. As the Senator from Delaware agrees to allow the resolution to lie on the table for the present until I and others can be heard, I only propose now to ask the consent of the Senate to have printed, so that they may accompany the report of Mr. Atkinson to the Finance Committee, the answers given to certain questions proposed by the committee of the English Parliament of which Lord Iddesleigh was president. These responses were made by twenty-seven of the most intelligent financiers, chambers of commerce, and bank officials in that country, and were furnished to me by the American minister to England. They almost unanimously attribute the depression of trade and prices to the demonetization of silver by Germany and the United States in 1873. I desire to append the facts they state to the report of Mr. Atkinson, as he has not seen fit to notice them.

Mr. CHACE. May I interrupt the Senator a moment? I did not understand what report this is to go with.

Mr. BECK. With the report of Mr. Edward Atkinson in regard to silver.

Mr. CHACE. That report has been printed, has it not?

Mr. BECK. That report has been printed, and I desire, as he has seen fit to leave out the statements made before the committee of the English Parliament, and to confine himself to opinions and lectures of his own, to show that he had or could have had before him, and that we ought to have before us, the testimony taken before the parliamentary committee of twenty-one, which was the basis of the present royal commission of eleven, which committee, I believe, will report against the restoration of silver coinage as an equal legal tender with gold. I have no doubt that Mr. Atkinson has contributed somewhat, as Mr. Manton Marble did before, to bring about that result. Be that as it may, I want the testimony that was taken before the Iddesleigh commission printed to go along with Mr. Atkinson's report, so that the Finance Committee and the Senate can have the real views of those people as given before their own commission. If it is printed in that form it will save me from reading it at length on this floor, because it shall be placed before the Senate in some way or other, and I do not want to take the time of the Senate to read it.

Mr. CHACE. I do not rise to make any objection whatever to the proposition of the Senator from Kentucky. While I, as the Senator well knows, do not agree with the judgment of Mr. Atkinson in regard to this and many other matters, I suppose that the Senator does not intend to cast any reflection of unfairness upon that gentleman in regard to his report.

Mr. BECK. Any reflection upon Mr. Atkinson? Of course not, any more than I would cast a reflection upon the Senator from Rhode Island, because of his what I call very peculiar views on taxation and protection to American industry. Mr. Atkinson was a curious man to select and send abroad as a friend of silver coinage in the face of his well-known record, I must say.

Mr. CHACE. The Senator from Kentucky will remember that he is as much in accord with the gentleman as I am.

Mr. BECK. I would regard the Senator from Rhode Island, for example, no matter how able and honest he may be, as a very unfit man to select to determine or advise how far taxes should be reduced on cotton goods. I make no reflection upon either him or Mr. Atkinson by these statements.

Mr. CHACE. In that case I suppose the Senator would select Edward Atkinson.

Mr. ALLISON. I should like to ask the Senator from Kentucky how he proposes to have the document which he holds in his hand printed?

Mr. BECK. I only ask to have it printed as a supplement to the report of Mr. Atkinson, so that we can have it before the Committee on Finance.

Mr. ALLISON. Of course the Senator is aware that Mr. Atkinson's report is already printed.

Mr. BECK. It has been printed.

Mr. ALLISON. Would it not be wise to have this matter so printed that it can be appended in some way to that particular document?

Mr. BECK. I should like very much to have in that form if I could.

Mr. ALLISON. I should like very much to see it attached to the document of Mr. Atkinson.

Mr. STEWART. I think that would be very improper. We should have a little glimpse of both sides.

Mr. BECK. I will not ask any action upon it now. I will consult with the members of the Committee on Finance to-morrow when it meets as to the best way to get it before the Senate. The Senator from Iowa will be there. I do not want to consume time now.

## HOUSE BILLS REFERRED.

The following bills from the House of Representatives were severally read twice by their titles, and referred to the Committee on the Judiciary:

A bill (H. R. 3) to remove the political disabilities of William W. Mackall, of Virginia;

A bill (H. R. 4811) for the relief of Robert Johnston, of New York; and

A bill (H. R. 5932) providing for the holding of the terms of the United States courts in the district of Minnesota.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. 108) for the relief of John C. Weaver;

A bill (H. R. 439) for the relief of Grovenor A. Curtice;

A bill (H. R. 481) for the relief of Stephen M. Honeycutt;

A bill (H. R. 482) for the relief of Levi Jones;

A bill (H. R. 1387) for the relief of the volunteers of the Fourth Regiment of Iowa Infantry;

A bill (H. R. 2993) to authorize the Secretary of War to convey to the city of Austin, Tex., a tract of land in said city for educational purposes;

A bill (H. R. 3758) for the relief of the legal heirs of Fidus Livermore, deceased; and

A bill (H. R. 3957) for the relief of Peter March, Thomas J. Wright, administrator, and others.

The following bills were severally read twice by their titles, and referred to the Committee on Claims:

A bill (H. R. 322) for the relief of B. M. Parish;

A bill (H. R. 611) for the relief of Mrs. P. L. Ward, widow and executrix of William Ward, deceased;

A bill (H. R. 2601) for the relief of the Baptist Female College of Lexington, Mo.;

A bill (H. R. 4907) for the relief of John M. Higgins, sr.; and

A bill (H. R. 4908) for the relief of the heirs of A. Gates Lee and heirs of B. P. Lee, deceased.

The following bills were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 120) for the relief of Charlotte Caroline Hackleman;

A bill (H. R. 440) granting a pension to Mary C. Knight; and

A bill (H. R. 880) granting a pension to Mary Everingham Brown.

The following bills were severally read twice by their titles, and referred as indicated below:

The bill (H. R. 48) for the relief of Benjamin M. Simpson—to the Committee on Revolutionary Claims.

The bill (H. R. 76) for the relief of L. A. Morris—to the Committee on Indian Affairs.

The bill (H. R. 593) for the relief of James Albert Bonsack—to the Committee on Patents.

The bill (H. R. 4327) regulating the construction of bridges over the Muskingum River, in Ohio—to the Committee on Commerce.

The bill (H. R. 4556) to confirm New Madrid location, survey No. 2889, and to provide for issue of patent therefor—to the Committee on Public Lands.

The bill (H. R. 4910) to amend section 14 of the act approved March 3, 1879, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes," and relating to second-class mail matter—to the Committee on Post-Offices and Post-Roads.

The bill (H. R. 647) for the relief of Gottlob Groezinger—to the Committee on Finance.

## ORDER OF BUSINESS.

Mr. PLATT. I gave notice on Thursday last that I should ask the indulgence of the Senate to-day to make some remarks upon the motion to refer the President's message. That is a matter which ordinarily ought to have come up in the morning hour. The Senator from Florida [Mr. CALL] has the floor to-day on the educational bill, and I am about to ask that Senator and also the Senator from New Hampshire [Mr. BLAIR] to favor me by allowing me to go on at this time, if it does not occasion too much inconvenience. I suppose the Senate will have to endure it sooner or later, and perhaps it might as well do so to-day as at any other time.

The PRESIDENT *pro tempore*. The Senator from Connecticut asks that the pending business, being the bill (S. 371) to aid in the establishment and temporary support of common schools, be informally laid aside to enable him to call up for consideration the motion to refer the President's message.

Mr. BLAIR. This bill has been laid aside so much for the accommodation of individual members of the Senate that I have been subjected to a great deal of unpleasant criticism, and if it would answer the Senator's purpose as well to ask that the Senate postpone this bill until the completion of his remarks, the Senate taking the responsibility of doing it, it would gratify me. I have no objection personally to the request of the Senator from Connecticut. Perhaps it is not necessary to make the formal motion I suggest, and I shall make no objection to the request if no other Senator does.

Mr. PLATT. The Senator knows that I could under the rules of the Senate make my remarks on his bill.

The PRESIDENT *pro tempore*. The resolution will be stated.

The Chief Clerk read as follows:

*Resolved*, That the President's annual message be referred to the Committee on Finance.

MAILING OF PUBLICATIONS.

Mr. SAWYER. I ask the Senator from Connecticut to give way for me to secure the passage of a little bill that will take but a very few moments. It is Order of Business 162.

Mr. PLATT. I have no objection to yielding for the passage of any measure which will not occasion debate, but of course I do not wish to yield for anything which will occasion debate.

Mr. SAWYER. This can not occasion any debate. The substance of the whole bill I will state. The law now is that all residents of a county may receive one copy of a newspaper published in the county through the mail free of charge. This is to allow men to get their paper mail free within the county though they may live a little outside the county line. That is all there is in the bill; I ask for its consideration.

Mr. PLATT. Reserving my right to object if it occasions debate, I give way.

The PRESIDENT *pro tempore*. The Senator from Wisconsin asks unanimous consent that the Senate proceed to the consideration of Order of Business 162, being Senate bill 1627.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1627) to amend section 25 of the act of March 3, 1879, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes."

The bill proposes to amend section 25 of the act of March 3, 1879, so as to read as follows:

SEC. 25. That publications of the second class, one copy to each actual subscriber residing in the county where the same are printed, in whole or in part, and published, or to each such subscriber who, though residing in another county, may receive one copy of such publication at a post-office within the county of publication, shall go free through the mails; but the same shall not be delivered at letter-carrier offices, or distributed by carriers, unless postage is paid thereon at the rate prescribed in section 13 of this act: *Provided*, That the rate of postage on newspapers, excepting weeklies and periodicals not exceeding 2 ounces in weight, when the same are deposited in a letter-carrier office for delivery by its carriers, shall be uniform at 1 cent each; periodicals weighing more than 2 ounces shall be subject, when delivered by such carriers, to a postage of 2 cents each, and these rates shall be prepaid by stamps affixed.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXTRADITION TREATY.

Mr. PLATT. Mr. President——

Mr. RIDDLEBERGER. I ask the Senator to allow me to make a brief statement.

Mr. PLATT. Does the Senator propose to take up some time?

Mr. RIDDLEBERGER. Not a minute. I have here a copy of an agreement between Prussia and Russia "concerning the reciprocal extradition of malefactors" that I have no idea the chairman of Foreign Relations will allow me to put on the record, but I think it would come in very well in connection with the printing of the document which the Senator from Kentucky [Mr. BECK] proposed awhile ago, and in presenting it I ask that it be understood that the remarks in the document are not mine.

The PRESIDENT *pro tempore*. The Chair does not understand what disposition the Senator from Virginia desires made of the document which he has sent to the desk.

Mr. RIDDLEBERGER. I am not particular about it. It comes to me in that form. I want it to go in the RECORD and go before the people. They will get it.

The PRESIDENT *pro tempore*. The Chair did not understand what disposition the Senator desired to have made of it.

Mr. RIDDLEBERGER. The disposition I propose to make of it is to get it before the Senate, and then I know where it will go.

The PRESIDENT *pro tempore*. The paper will lie on the table.

PRESIDENT'S ANNUAL MESSAGE.

The Senate proceeded to consider the resolution submitted by Mr. SHERMAN December 19, 1887, to refer the annual message of the President of the United States to the Committee on Finance.

Mr. PLATT. Mr. President, is the President of the United States a free-trader? That is the pertinent question; a question which interests not only the Nation, but every individual citizen of the Nation; a question which touches the future welfare and prosperity not only of our Nation, but of all its citizens; and I do not propose to be deterred from asking and, if I can, from answering this question, because the President suggests that "to dwell upon the theories of protection and free trade savors too much of bandying epithets." I am a protectionist, and I consider it no epithet when I am called so. If the President of the United States is a free-trader, he ought to be willing to be called so, and not consider it an epithet if that word is used to define his position.

He sent to Congress at its opening the most remarkable paper ever submitted to Congress by the chief executive officer of the Nation. He did it, I suppose, in what he thought was the discharge of his constitutional duty to communicate to Congress from time to time "information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient." But no President preceding him ever omitted to give Congress full information as to the state of the Union. No other President has ignored all questions but one. In our darkest days, in all our wars, in the war of 1812, and in our recent war of the rebellion, a President of the United States never hesitated and never failed to communicate to Congress full information relating to all the departments of government such as he thought Congress needed to receive.

We call this paper by courtesy "the President's annual message;" and I shall call it the President's annual message. In that we were told that there was an accumulation of money in the Treasury, that the laws raised more money annually than the Treasury under law could expend annually, and that this condition of things must be remedied in one way, and one way only—that was the practical, substantial recommendation of the message—and that method was by reducing the duties upon manufactured goods, passing by every other method. Some of the other methods he directly intimated were improper methods of reduction, and others he indirectly intimated were improper methods of reduction. Passing by all other methods, he insists that the reduction shall be made by reducing our tariff duties upon manufactured goods; in other words, that there is no reduction of this surplus in the Treasury and no reduction of the yearly annual surplus under our taxation which meets his approval, and I think I may say which will meet his approval, unless that method strikes down the protective system of the United States. That is the President's message.

It was hailed with acclamations of joy by every free-trader in whatever land he resided; and I want to say right here that free-traders know each other. They never make any mistake; there is some bond of union and sympathy between them so that they know each other on sight, and know each other when they speak, either to one another or to the people. They require no freemason's grip and sign in order to recognize each other. They never make a mistake in that respect. Wherever there was a free-trader upon the broad globe this message was hailed with acclamations of joy. The Senator from Maine [Mr. FRYE] a few days ago quoted from the English free-trade journals the most fulsome commendations of President Cleveland and his utterance. It was accepted at first by the whole Democratic party of the land, and its papers in this country rang with commendations of the President because he had forced this issue of free trade to the front and made it the issue of the next Presidential campaign.

I think no man will dispute me when I say that perhaps there is no more distinguished representative of free trade in this country than Mr. Frank Hurd, of Ohio. Let us see how he regarded the message, for as I do not wish to duplicate the extracts from English journals I will confine myself to some extracts from the utterances of leading free-traders in America. Mr. Hurd, in an interview, which was first published, I believe, in the Chicago Tribune, in relation to an appeal that had been made to him by the Cobden Club for a contribution, to which he responded by giving $50, had his attention called to the message, and he was asked whether the Cobden Club would take any part in the coming campaign, and he said:

We have no need of allies since the President sent his message to Congress. I shall never be able to describe the joy with which I read that message. I was in New York. I was standing at the corner of Wall street and Broadway. I took the paper mechanically from a newsboy, expecting nothing but a repetition of former messages. When my eyes fell on the pages I grew suddenly intent. The great crowd swept by me, but I did not see it. People jostled me, but I did not feel them. All I felt was that the issue of free trade was now decisively brought before the American people, and that its cause was more than half won.

The interviewer then said, "How do you suppose the President arrived at his present views?" and Mr. Hurd replied:

He came to Washington predisposed to free trade. There he met CARLISLE; he met Morrison; he was in daily intercourse with the opponents of protection. He saw his duty clearly ahead of him, and when duty beckons to President Cleveland no power on earth can turn him aside from it.

He was then asked:

Do you feel certain that he has raised the issue of the coming campaign? Absolutely certain. Congress will do nothing about the matter.

And eight weeks having passed since that message was sent to us and not a whisper having been heard from any friend of the President in Congress looking to doing anything, I assume that Mr. Hurd was right.

Congress will do nothing about the matter. We shall enter into the Presidential contest with the issue precisely as it stands to-day. And when the Presidential contest is ended the issue will be definitely ended.

Perhaps the next most conspicuous representative of free-trade sentiment in the country outside of Congress may be said to be Mr. Henry Watterson. He spoke only so lately as January 21, in New York, and the toast to which he spoke was, "The platform and the outlook." He said:

The platform is the message—the President's message.

The outlook is most encouraging. Considering how the painted harlot of protection is whistling to keep her courage up as she stalks across the graveyard of false vows and broken promises she has made mainly to the work-people, I should call it assured.

For more than a year my fear has been that we might not be able in advance of our national convention to close ranks and move in a solid column against the enemy on distinct lines of our own deliberate choosing—

And anybody knows what the lines of Mr. Watterson's choosing are—and as I believe that nothing clears the political atmosphere like plain speaking right out in meeting, I have given the Administration and the country the best the shop has afforded in the way of a disagreeable persistency and the sincerest candor. It was obvious to my mind that unless we could agree in Congress we should not agree in convention. The tariff plank in the last national Demo-

cratic platform was not intended to be a straddle, because although the platform committee had been adroitly packed in the interest of protection, the revenue reformers were still strong enough to hold their ground and to carry all their points. But it was made to seem a straddle. Hence nothing short of a declaration which might not bear two constructions would satisfy the demands of reform in the next national platform, and any one could see that this could not be obtained without a fight and possibly a split. Just in nick of time the President came to the rescue with the wisdom of an impetuous courage and the craft of a common sense deriving its strength from its integrity. This brave and honest man, this puzzle to the politicians and contradiction of all experience, with a single stroke of his pen, did what might for years have baffled the efforts of the greatest statesmen and philosophers. By that act he has reversed the situation from one of cowardly indecision to one of enthusiasm and confidence. He has forced the enemy back behind his earthworks and warned stragglers to come into camp. Upon the lines of that message I would rather be beaten than win upon those of a lying substitute.

I think I make no mistake when I call our late minister to London a free-trader. In the days of the holiday season, when everybody was full of peace and good-will, the tariff reformers, as they call themselves, the tariff anarchists, as I call them, because they have no conception of reform except through the methods of destruction—the tariff anarchists held a banquet in Boston at which Mr. James Russell Lowell presided, and after the cloth had been removed, at that period of the banquet when people are very apt to express their real and true sentiments, he made use of this language:

Personally I confess that I feel myself strongly attached to Mr. Cleveland as the best representative of the higher type of Americanism that we have seen since Lincoln was snatched from us.

I do not know whether Mr. Lowell intended to include in his comparison all representative Americans, all the men of America outside of the Presidential office. If he did, there are names which rise at once to the lips, which might be spoken, which all the people would hail as great, noble representatives of true Americanism.

But I will assume that he intended to confine his comparisons to the ranks of Presidents. He has held office under three of them, and it seems to me that fidelity and loyalty to his chiefs at least ought to have prompted the remembrance of them. There were two of those Presidents whom it seems to me no man whose ears have not been stopped and whose eyes have not been blinded by free trade could have overlooked.

One there was who led the embattled hosts of the Union to victory over rebellion, a rebellion the most causeless and the most detestable which this world has ever seen. He laid down his sword with the simple words, now immortal, "Let us have peace," and twice the people, the plain people of this land, who have not been dazzled by the splendors of foreign courts and whose heads have not been turned by the flattery of foreign aristocracy, raised him to the highest place in the gift of the people. At the end of the discharge of that trust he laid down his Presidential honors as simply as he laid down his sword, and then the whole world rose and competed to do him honor. Later, when he was struck by the dart of the Destroyer, how an anxious, waiting people stood with bated breath that they might hear the tidings from Mount McGregor; and at last, when he who on earth knew no surrender was forced to unconditional surrender, and that mournful, mighty funeral procession moved up Broadway to Riverside, every American citizen stood with uncovered head, feeling that we had lost the greatest and noblest type of true Americanism that there was in the land.

Another there was, Mr. President, born in humblest life, battling with and conquering adverse fortune at every turn, lifted by these same plain people to the highest office in his district, his State, and in the Nation. He was recognized as a true, noble type of the highest Americanism, with a heart full of sympathy for the common people, one that beat responsive and quick to the popular will. He stood forth by general consent the man who well represented the people. Stricken down by an assassin; how we all mourned! And as at Elberon the sad sea waves moaned his requiem, every American citizen felt that we must lay again in the "soil" of which Mr. Lowell speaks one of the noblest types of true Americanism.

But Grant and Garfield are dead. In the temple of fame which America raises to her best beloved and her greatest, they are to have no position; or if any position at all is to be accorded to them by this English-loving free-trader, it is to be subordinate to Cleveland. Grant and Garfield are dead, but they were not free-traders, and in the opinion of the ex-minister to the English court their luster is eclipsed by the sudden brilliancy of Grover Cleveland.

Mr. President, I think there will be no question made but that Henry George is a free-trader, the only person in the land, so far as I know, who uses the term "free trade" in its most radical and absolute sense. He not only believes that all custom-houses should be abolished, of course including the abolition of all taxes upon imports, but that all taxes should be abolished except those which he calls taxes upon ostentation and upon land values, and he says that that is the only logical tendency and consequence of free trade. He thinks the President's message was a free-trade message. Only so short a time ago as Saturday evening, in an interview, published in this city, he is represented as writing a telegram when he was found by the interviewer, and he said:

"I think Mr. Cleveland's last message strengthened him," he said to a Star reporter. Then he handed his dispatch to the operator and resumed: "If the Democrats fight on the plain issue of free trade, and make it strong, I think they will win. But they must go into it boldly. It won't do to be 'man 'fraid of his horse.' If Mr. Cleveland sticks to his message he will be elected."

He turned to translate his dispatch to the operator, and then added:

"They must make the issue free trade."

"You look upon the President's message as a free-trade document?" suggested the Star.

"Certainly," was the reply. "Don't you? If they stand by that it will be all right."

Not only Democrats but Republicans took it in that sense. They accepted it; they welcomed the contest; they have been looking for it—a contest which was to come, as the Senator from West Virginia [Mr. KENNA] said, with "closed ranks," in which the Republicans should represent the system and principle of protection, and in which the Democrats should boldly avow the sentiment which nine-tenths of them profess—free trade. We thought that for once we were going to have a fair fight, in which there was to be no evasion; which was not to be made to serve two purposes; which was in no sense to resemble that god of ancient mythology, Janus; that we were not to have a Janus-faced party to contend with any longer; that we were not to have a campaign in which the Democratic party looking south was to wear a free-trade face, and looking north to New York and New Jersey and Connecticut was to wear a protection face; and we welcomed that contest, and whenever we can have it I welcome it as a member of the Republican party, and if we fail in it we will go down, and I know that when we fail on that issue we shall go down in the common disaster and disgrace of our country.

Democrats and Republicans looked upon this message as they thought they had a right to look upon it—as the ante-convention acceptance of a nomination for a second term "wrung" from a reluctant party; at least that appeared then to be as good as wrung from a reluctant party.

But eight weeks have passed, and this universal exultation seems to be somewhat tempered by sadness. The few protection Democrats, after the first gush of admiration for the President, began to realize that something had hit them. They did not know exactly what it was. They were in the condition of the man who is hit by some unseen blow—a sort of dazed condition for a while, and then it occurred to them suddenly that there was a Presidential election approaching in New York, and in New Jersey, and in Connecticut, and it would never do to have it understood in those States that the President was a free-trader. And so the old game was set on foot again.

Free-traders know each other, as I have remarked. There was no doubt as to how this message would be understood and what the President would be understood to be in the Southern and Western States; but it was seen to be necessary again to convince the Democratic protectionists of New York, New Jersey, and Connecticut that, after all, the President's message was not a free-trade message, but a pretty good protection document. So up went the waterpots onto each shoulder, and the Democratic party evidently is to essay again the feat of carrying water upon both shoulders without spilling a drop. The message is to be made a "straddle" notwithstanding Mr. Henry Watterson.

The present incumbent of the Presidential chair could never have been elected if he had written that message previous to the last Presidential election. He can not be elected now, unless it can be explained away to the Democrats in Connecticut and New York and New Jersey, who believe and know that the best interests of this country are to be subserved by a continuance of its protective policy. The past and present attitude of the Democratic party upon this subject reminds me of nothing so much in the world as the relatives and acquaintances of a person in Bunyan's Pilgrim's Progress, Mr. By-ends, of the town of Fair-speech. When Christian and Hopeful had escaped the persecutions of the town of Vanity Fair, where Faithful lost his life, they met on the way this Mr. By-ends, and Christian soon discovered who he was, and proceeded to interrogate him. He asked him who his kindred were. Mr. By-ends replied:

Almost the whole town, and in particular my Lord Turn-about, my Lord Time-server, my Lord Fair-speech, from whose ancestors that town first took its name; also Mr. Smoothman, Mr. Facing-both-ways, Mr. Anything, and the parson of our parish, Mr. Two-tongues, was my mother's own brother by my father's side; and to tell you the truth I am become a gentleman of good quality. Yet my grandfather was but a waterman, looking one way and rowing another, and I got most of my estate by the same occupation.

Then, after a little, he said, referring to his wife:

My wife is a very virtuous woman—the daughter of a very virtuous woman. She was my Lady Feigning's daughter; therefore, she came of a very honorable family, and is arrived to such a pitch of breeding that she knows how to carry it to all—even to prince and peasant.

Nothing could more accurately describe the Democratic party in past campaigns and the Democratic party as I am convinced it is to be in the coming campaign, than this extract from Pilgrim's Progress. Tammany Hall, indeed, was so disturbed lest somebody should suspect that the President was a free-trader, that its cohorts gravely resolved in convention that—

We believe that free trade is a myth as long as the Government expenditures require the raising of a revenue, and we believe that such revenue should be raised by such a tariff as will protect American industry and insure the highest wages and make the necessaries of life as cheap as possible for the workingman.

The Senator from Indiana [Mr. VOORHEES] waxes indignant. He says that the President's message "is falsely and foolishly stigmatized as a free-trade document," and the Senator from West Virginia [Mr. KENNA]

quotes the sop which the President flung to the laboring man, and says:

So we see that the cry of the demagogue the country over that the President and his policy are aiming at the lessening of a just reward of the labor of the country is as indecent as it is false.

These Senators are moved to the use of pretty expressive language, to say the least. It strikes me that there may be a shiver of apprehension in the minds of both of them, which accounts for this strong language; but the Senator from North Carolina [Mr. VANCE], shivering lest the internal-revenue taxes should not be abolished, comes to the relief of the President, and he suggests a plan, novel upon that side, yet full of truth and significance. He would repeal the internal-revenue taxes that he might reach free trade through the reduction of revenue duties, knowing that any lowering of tariff duties must inevitably raise the revenue—at least any lowering of such duties to the extent of destroying their protective character. He would reduce taxation by the repeal of internal-revenue taxes below the actual needs of Government, and then to meet the deficiency would increase our income by the reduction of tariff duties.

We have seen what free-traders thought of the message, what protectionists thought of the message. Now let us judge it by the record.

What is free trade? There is but one answer. Nowhere where the English language is spoken has the term "free trade," as used in reference to the operations of government, as used in reference to taxation, any other significance than that of anti-protection. These two great systems stand with their policies clearly defined and marked out. On the one side is protection, on the other side is free trade. Has it any other meaning in that land from which so many of the arguments come for free trade? Has it any other meaning in the land of the Cobden Club? Not at all. Everybody knows that the English system is the free-trade system and that the American system is the protective system. These words are simply the opposites of each other, and that system which does not recognize protection is universally called and rightly called the free-trade system.

Let us look at the English system for a minute. But before I come to that, perhaps I should quote the definition of a distinguished free-trader as to what free trade is. I quote from Professor Sumner in his recent work on Protectionism, and I will ask the Secretary to read what I have marked.

The Secretary read as follows:

What, then, is a protective tax? In order to join issue as directly as possible I will quote the definition given by a leading protectionist journal of both free trade and protection:

"The term 'free trade,' although much discussed, is seldom rightly defined. It does not mean the abolition of custom-houses, nor does it mean the substitution of direct for indirect taxation, as a few American disciples of the school have supposed. It means such an adjustment of taxes on imports as will cause no diversion of capital, from any channel into which it would otherwise flow, into any channel opened or favored by the legislation which enacts the customs. A country may collect its entire revenue by duties on imports, and yet be an entirely free-trade country, so long as it does not lay those duties in such a way as to lead any one to undertake any employment or make any investment he would avoid in the absence of such duties. Thus, the customs duties levied by England, with a very few exceptions, are not inconsistent with her profession of being a country which believes in free trade. They either are duties on articles not produced in England or they are exactly equivalent to the excise duties levied on the same articles if made at home. They do not lead any one to put his money into the home prodution of an article, because they do not discriminate in favor of the home producer.

"A protective duty, on the other hand, has for its object to effect the diversion of a part of the capital and labor of the people out of the channels in which it would run otherwise into channels favored or created by law."

I know of no definitions of these two things which have ever been made by anybody which are more correct than these. I accept them and join issue on them.

Mr. PLATT. What is the English free-trade system? Let me quote from Consul Dockery in his report from Leeds, September 1, 1881. He says:

Comparatively to population more revenue is annually collected at English custom-houses than at those of any other country in the world, excepting the United States, the total amount during the past year having reached $96,000,000, while the United States, with nearly twice as large a population, collected $186,000,000 in the same period. Germany, with a much larger population than England, collected from customs $78,000,000.

The chief items of receipt under the head of customs duties during the past year were from—

| | |
|---|---|
| Chicory | $360,000 |
| Cocoa | 230,000 |
| Coffee | 1,025,000 |
| Currants | 1,380,000 |
| Figs | 130,000 |
| Raisins | 775,000 |
| Rum | 11,510,000 |
| Brandy | 7,935,000 |
| Tea | 18,500,000 |
| Tobacco and snuff | 43,000,000 |
| Wine | 7,000,000 |

The following is a list of dutiable articles, namely: Alcohol, ale, beer, brandy, playing-cards, chicory, chloroform, chloral hydrate, cigars and cigarettes, cocoa, coffee, collodion, cologne-water, cordials, currants, essence of spruce, ether, iodide of ethyl, figs, fig-cake, preserved fruit (in spirits), naphtha, pickles, gold and silver plate, plums and prunes, raisins, soap, tea, gin, rum, whisky, all other spirits, wine, and varnish; and besides these there are about ninety or one hundred articles, chiefly from America, and principally patent medicines, which are held to be liable to a duty of $3.36 per gallon.

There are in Great Britain and Ireland no less than thirty-three customs districts, each with a collector or superintendent and subordinates. In London alone the number of customs officers exceeds 1,550, while in Liverpool about 650 are employed, aggregating for the two ports 2,220 officials. These facts and figures do not look well as regards the much vaunted idea of a free and untrammeled trade.

Again he says:

They—

Meaning Englishmen—

affect great repugnance to any country that has a tariff of 50 or 100 per cent. ad valorem on any article. In their own country on one article a duty of nearly 2,000 per cent. is charged and collected; this article yields them their largest item of customs revenue, and it comes chiefly from the United States. Tobacco is the article. It is classed in their own tariff list as an article subject to "ordinary import duty," in contradistinction to a "countervailing duty," such, for instance, as the customs duty on spirits and everything else subject to internal-revenue duty. On tobacco (which is in very general use by the laboring classes in England, and which is consequently of the cheapest kind) the duty ranges, according to moisture, from 84 to 92 cents per pound for the raw or unmanufactured article, and if manufactured it pays a duty of from $1.01 to $1.16 per pound. This is called (in England) a revenue duty. I can not see it in that light, as the manipulated article is distinctly charged, say, 20 cents per pound more than the raw article. As a matter of fact, it is so strongly protective that it prevents Americans from successfully competing with the English manufacturers in England, owing to their being handicapped with an additional 20 cents per pound on the manufactured article.

This is an enormous protection. A great part of the tobacco consumed in England is of an inferior quality, its original cost at the American shipping port having been not more than 6 cents per pound. It pays, if not manipulated, say a 92-cent revenue duty on entering England, and if made into smoking or plug tobacco it pays $1.16, or an additional 24 cents per pound duty. Here we have a revenue duty of, say, 1,530 per cent., and a further strictly protective duty of 400 per cent., making in all a duty of 1,930 per cent.

Cigars pay a duty of $1.32 per pound. I do not give undue prominence to this one article, since it is one from which the large amount of $43,000,000 of duty was collected last year.

I will refer to one portion of the English tariff in detail, and that is the tariff upon tobacco, on which they lay a duty of about 1,500 per cent. as a revenue duty and about 400 per cent. as a protective duty, making about 1,900 per cent. in all. I take this from the English tariff, as reported by Consul-General Waller very recently:

| Tobacco: | |
|---|---|
| Unmanufactured, per pound | $0.85 |
| Containing less than 10 per cent. of moisture, per pound | .93 |
| Cigars, per pound | 1.34 |
| "Cavendish" or "Negro-head," per pound | 1.17 |
| Same, manufactured in bond, per pound | 1.65 |
| Snuff, per pound | .99 |
| Snuff, not more than 13 pounds (in 100 pounds) moisture, per pound | 1.17 |
| Other, manufactured, per pound | 1.65 |

So it will be seen that England, with all its free-trade pretensions, does not hesitate to lay a protective tax, a duty to protect its manufactures, upon some of its imports. With these exceptions, however, the English system consists of the imposition of purely revenue duties, and nobody will deny that the system in England, which is called free trade there, is what the Democratic party of this country means to adopt. England, with its thirty-three customs districts, is still acknowledged to be a free-trade country.

Do not juggle with words any longer. Do not go to the people of the United States and say to them the Democratic party is not a free-trade party because it does not intend to abolish the custom-houses, because it intends to keep up a revenue tax, but just let us have this issue boldly made, Does or does not the Democratic party propose to take off the protective feature from our import duties? If so, I contend, and the whole world bears me out in the definition, that it is for free trade.

So, then, I come to this question, Does the President of the United States, as judged by his message, intend the destruction of the protective system? The honest and bold and avowed free-traders, who are not ashamed to be called free-traders, as I have shown, think that he does. He certainly argues their case for them. I call Senators to witness that no free-trader in this country or England would more boldly argue in book or pamphlet or in newspaper, or on platform would more boldly speak than the President has in his message. Listen to these words:

But our present tariff laws, the vicious, inequitable, and illogical source of unnecessary taxation, ought to be at once revised and amended.

Is that aimed at irregularities in the system, or is it aimed at the system itself? Does that mean that if there are inequalities in the system, if one article has too high a rate of duty and another too low, if the different interests of the country are not fairly treated, revision and amendment should be made, or does it mean that the whole system which he denounces as vicious, illogical, and unjust shall be done away with? Let me read the rest of that paragraph:

These laws, as their primary and plain effect, raise the price to consumers of all articles imported and subject to duty by precisely the sum paid for such duties. Thus the amount of the duty measures the tax paid by those who purchase for use these imported articles. Many of these things, however, are raised or manufactured in our own country, and the duties now levied upon foreign goods and products are called protection to these home manufactures, because they render it possible for those of our people who are manufacturers to make these taxed articles and sell them for a price equal to that demanded for the imported goods that have paid customs duty. So it happens that while comparatively a few use the imported articles, millions of our people who never use and never saw any of the foreign products purchase and use things of the same kind made in this country, and pay therefor nearly or quite the same enhanced price which the duty adds to the imported articles. Those who buy imports pay the duty charged thereon into the public Treasury, but the great majority of our citizens, who buy domestic articles of the same class, pay a sum at least approximately equal to this duty to the home manufacturer. This reference to the operation of our tariff laws is not made by way of instruction—

I should think not—

but in order that we may be constantly reminded of the manner in which they impose a burden upon those who consume domestic products as well as those who consume imported articles, and thus create a tax upon all our people.

Mr. President, is that the language of a protectionist or of a free-trader? There is not a free-trade club in the United States or in England where that would not be adopted and accepted as the language of a free-trader. As I said, it is not aimed at irregularities, it is not aimed at inequalities, but it is aimed at what the President assumes to be the protective tax, and it is that which is to be stricken down.

Will some Democrat who insists that the President is a protectionist rise to explain this language? Nay, more; there are 37 Democrats sitting on that side of the Chamber. Will any one of them rise in his place and say the President of the United States is in his judgment a protectionist? They dare not go to the country on any such issue. They are like the animal that is between the two bundles of hay.

I wish to look a little more particularly and carefully at what the fundamental propositions of the free-traders are, and see whether the President stands with them or whether he stands with the protectionists. The first fundamental proposition of the free-trader may be stated thus: "The price of the home-made article is enhanced approximately by the amount of the duty on the foreign-made article, and such enhancement is a tax which the consumer pays to the home manufacturer." I have stated that proposition in almost identically the language which I have read from the President's message, and it will be recognized as the fundamental proposition of even *doctrinaire* free-traders, professors of free trade and of political economy in our colleges. Perhaps it was stated a little more strongly by the Senator from Maryland [Mr. WILSON] the other day in some remarks upon the educational bill.

The Senator from Maryland said:

> The best-informed statisticians declare, and I fully believe, that, so far as it is raised from duties on imports, for every dollar that goes into the Treasury at least three will go into the pockets of the manufacturers; so that if $200,000,000 are collected upon importations under the tariff, some $600,000,000 at least will annually go into the hands of this favored class. This becomes apparent when you remember that our last census reports, with a moderate allowance for the increment since 1880, show the annual value of our home manufactures to be $6,000,000,000, and that if we put at only 10 per cent. the average increase of the cost of these home products caused by our war tariff it will make the people of this country pay to the producers of these manufactures at least $600,000,000 per annum, which is just three times as much as goes into the people's Treasury.

Mr. FRYE. Who said that?

Mr. PLATT. That was said by the Senator from Maryland [Mr. WILSON] in his speech upon the educational bill the other day. I speak of it merely for the purpose of showing what the free-traders' proposition is, and although it is not stated perhaps so boldly in the President's message, that is the tone of the extract which I have read from his message.

If the manufacturers of this country could be assured that they were making 10 per cent. profit upon the value of their goods manufactured, I do not think they would care very much what Congress did about the tariff or anything else. It is not true, Mr. President. The truth is that 5 per cent., or 3 per cent., or 2½ per cent., or 2 per cent. average profit upon the goods produced in this country by manufacturers would be a satisfactory profit to the manufacturers, if they could be assured of it.

Upon this proposition of the free-trader where does the President stand? Let me repeat, at the risk of wearying the Senate, what the President says:

> So it happens that while comparatively a few use the imported articles, millions of our people, who never use and never saw any of the foreign products, purchase and use things of the same kind made in this country, and pay therefor nearly or quite the same enhanced price which the duty adds to the imported articles.

I wish the rules permitted me to italicise those words in the RECORD, but they do not:

> Those who buy imports pay the duty charged thereon into the public treasury—

Just what the Senator from Maryland [Mr. WILSON] said—

> but the great majority of our citizens, who buy domestic articles of the same class, pay a sum at least approximately equal to this duty to the home manufacturer.

Then on page 8 he speaks of our system as "a scheme which permits a tax to be laid upon every consumer in the land for the benefit of our manufacturers."

Mr. President, the protectionist denies this doctrine of the free-trader and the President alike. The protectionist insists that whenever a duty is laid which protects the American manufacturer, competition among home producers always has and always will bring down the price of the domestic article "approximately, at least," to use the President's language, to the price of the foreign article on which duty is laid, less the duty. The President ought to have known this, as it seems to me. Did he or his "better-half" ever buy calico? If he did he must know that while the tax, as he calls it, the duty, as the protectionist calls it, is 6 cents per square yard upon calico, he can buy the American article for less than that at retail stores here in the city of Washington.

Has he ever heard of the manufacture of steel rails in this country and the price of steel rails here and abroad? Does he know that the tariff upon steel rails is $17 a ton, and that they have been sold in this country as low as $28.50, and that if you deduct the tariff duty of $17 from $28.50 the price would be $11.50 a ton, when steel rails can not be bought abroad for less than double that money? The statement is not true with regard to any single home-made article which has been so protected by tariff duties that has been manufactured here to any considerable extent, unless it be the single article of sugar as was suggested by the Senator from Maine [Mr. FRYE] the other day. Woolen clothing which seems so much to trouble the Senator from North Carolina [Mr. VANCE], he repeats over and over again to the Senate, bears a tax of about 80 per cent. Notwithstanding that duty, woolen clothing can be bought in this country, style, quality, and durability considered, as cheaply as it can be bought in London. Even in the case of blankets—which seem to be the bugbear and nightmare of the free-trader—all medium-quality blankets can be bought in this country, notwithstanding the onerous duty which it is said we lay upon the foreign article, as cheaply as anywhere in the world. So with regard to cotton clothing.

I like to have a free-trade witness once in awhile. Here is Consul Schoenhof, consul at Tunstall, who was sent abroad with a roving commission to see if he could not undo what some of our consuls had been doing to enlighten the people of this country as to the cheapness of the necessaries of life here as compared to their cheapness abroad, and as to the wages paid in this country as compared to the wages paid abroad. This in one of his recent reports. I quote it from a newspaper article, but I have verified it so that I know the quotation is correct. Writing from Tunstall, he says:

> So far as clothing and dry goods in general are concerned, I find cotton goods fully as cheap in the United States as here.

If you will not take the testimony of protectionists, if you will not take the testimony of the Senator from Maine, who speaks of what he has seen, and speaks from personal observation, I beg you to take the testimony of this free-trade consul:

> I find cotton goods fully as cheap in the United States as here. Shirtings and sheetings, if anything, are superior in quality for the same price. Articles of underwear for women are superior in workmanship and cheaper in price in the United States. Nor are men's shirts, when chiefly of cotton, any cheaper here. Of boots and shoes, factory-made, the same may be said. Articles made to order are cheaper in England, owing to the lower prices of hand labor, but the difference in prices of ready-made things is not so marked. In workmanship and finish I find the corresponding articles of wholesale manufacture superior in the United States. This is true of clothing, as well as collars, cuffs, and like articles.

There is a standing challenge in the office of a protection newspaper in the city of New York (with the samples ready to be shown to any free-trader) to show that clothing in this country is not as cheap as it is in England. The truth is that everybody, except the dude and millionaire, can be clothed cheaper in this country than in England, and in woolen clothing, too; and I apprehend that we are not very anxious to reduce the tariff duties for the purpose of benefiting the dude and the millionaire.

Take another article which has just occurred to me. Before the tariff of 1861 there was no duty on saws by name, and all the saws used in this country were imported. To-day under a duty of 8 cents per linear foot upon crosscut-saws and 45 per cent. ad valorem upon hand-saws, buck-saws, etc.—the saw-makers of the United States hold all the saw market of the United States and export towards a million dollars' worth of saws at the same time. They must be as cheap here as in the foreign free-trade country or they could not be exported.

Now, take the second proposition of the free-trader. The next most favorite proposition of the free-trader is this: He asserts, and it is mere assertion, that the workingman is compelled under the protective system to pay so much more than he otherwise would for the necessaries of life that the higher wages he obtains under the protective system are thus offset, and so free trade would be equally good for the workingman. American wages are the free-traders' stumbling-block. The demand of labor in this country compels his attention, if it does not his respect; and therefore it is industriously sought to be indoctrinated into the mind of the laboring man that although wages are higher in this country than they are in any of the countries of Europe, or anywhere else in the civilized world, yet really things cost so much more here that it is not of much advantage to the laboring man to have the higher wages in this country. I have partially alluded to this in what I have been saying upon the first proposition, but I want to see where the President stands on this. I take an extract from his recent message, on page 9:

> Nor can the worker in manufactures fail to understand that while a high tariff is claimed to be necessary to allow the payment of remunerative wages, it certainly results in a very large increase in the price of nearly all sorts of manufactures, which, in almost countless forms, he needs for the use of himself and his family. He receives—

Now listen to this remarkable passage—

> He receives at the desk of his employer his wages, and perhaps before he reaches his home is obliged, in a purchase for family use of an article which embraces his own labor, to return in the payment of the increase in price which the tariff permits the hard-earned compensation of many days of toil.

I wish the President had told us what that article was, of family use, and the worker's own manufacture, which, as he went from his shop, where he had received his wages, compelled him to pay, in addition to what he would pay under free trade, "many days' wages." Mr. President, if anybody but the President of the United States had made a statement of that sort, I should apply a word and a term characteristic of it which it is not proper for me to do in regard to him.

He makes the same argument with regard to the wool grower or the wool producer.

Above all, when it must be conceded that the increase of the cost of living caused by such tariff, becomes a burden upon those with moderate means and the poor, the employed and unemployed, the sick and well, and the young and old, and that it constitutes a tax which, with relentless grasp, is fastened upon the clothing of every man, woman, and child in the land, reasons are suggested why the removal or reduction of this duty should be included in a revision of our tariff laws.

The only trouble about this reasoning is that it is not founded on fact. I assert once more in my place in the Senate that there is no one article of domestic production which is manufactured to any considerable extent in this country in which the price is approximately the same as the foreign article with the duty added.

But I am reading these passages from the President's message to show that he stands with the free-traders. These arguments of the President come down at last to the proposition that the laborer here is no better off than elsewhere. It is the favorite argument of the free-trader, and although you may six days in the week refute that argument in the newspapers, upon the platform, wherever you meet laboring men, it will be reiterated again and again by the free-trader.

Mr. President, the laborer of this country is better off than he ever was before. With wages higher on the average, with the price of living lower on the average, he is in this respect immensely better off than anywhere else in the whole world. The wage-earners in this country own more property than all the other wage-earners of the world put together. Nay, more, I think I would not overstate the matter if I made it stronger. I see my friend, the Senator from Rhode Island [Mr. ALDRICH], sitting by me. The wage-earners in Connecticut and Rhode Island own more property than the wage-earners of the whole world outside of the United States. This effort to make the laboring man believe that he could live as well and as cheaply here under a system of free trade as he lives now under a system of protection is not worthy of even a free-trader, in view of all the statistics and the refutations which have been made.

I wish to read a word from the last Consular Report. I should like to incorporate in my remarks all that the Senator from Maine [Mr. FRYE] said the other day from personal observation, but that is protection authority, and this is the way the free-trader, in appealing to the laboring man, answers it. "Oh," he says, "the Senator from Maine is a protectionist; you can not believe what he says." Now I want to see what free-traders say. I take this same Consul Schoenhof, because he is an avowed free-trader. Writing from Ireland, in the very last number of the Consular Reports, No. 86, November, 1887, on page 307, he says:

It is useless for me to dwell much on the linen industry of Ulster. It is well known that in Ulster they are foremost in this branch in the whole world. Still I find that the earnings of the people employed in the linen mills in Ulster are far below those of any class employed in the textile branches in England. Mill regulations and working of time of course are the same for the whole Kingdom. Flax-breakers, men who have to do very exhausting work, earn from 15s. to 20s. per week; hacklers, from 18s. to 23s.; spinners and girls, from 8s. to 10s.; half-timers, boys 5s. and girls 4s.; and weavers, mostly women tending 2 looms, from 12s. to 15s. By others I was told that the earnings were only, for weavers, 8s. to 10s., and up to 15s. only for the finer goods.

A shilling is 25 cents. At 10 shillings they have $2.50 a week, or practically that. Then he comes to the woolen mills of Ireland, and says:

The wages I have noted down are: For men, from 12s. to 14s., 14s. being about the limit of the best men.

Three dollars and a half per week for the best men in the woolen mills of Ireland!

Spinner girls, 8s. to 10s.; children, 5s. to 6s.; and weavers earn from 10s. to 12s. The mill—

And I commend this to free-traders—

The mill, employing about 750 hands, pays out about £400 per week in wages. This includes overseers, etc., which is a trifle over 10s. per head.

There might be some occasion to attack the manufacturers of the country if they were paying these wages in the United States. But I go along a little further. I want to come to their method of living. He found a man who was a hand-loom weaver, and he says:

He was a cheery old fellow; in fact, like most of the poor people of Ireland whom I met. In his younger years he was a bricklayer in England; now he has returned to Ireland, and is well satisfied if he can ply his old trade and earn enough to keep him in bodily repair. Work, however, only lasts for him from summer until after Christmas, and very little work can be found for the first six months of the year, which is the case with all hand-loom weavers. Most of them, however, as said above, have a little land to keep them supplied with the merest necessities for these dull months in the weaving trade, and don't entirely depend on their looms for a living, as this old man does. I asked about his diet, and he gave me a piece of bread made of yellow meal, which I have been shown by nearly all the poor people and small farmers whom I visited.

Then he quotes from him:

"As to tea, coffee, or beer, and meat [he said], we know nothing at all of that. Cold water is what we drink and yellow meal we eat. If I have 2 ounces of tobacco a week I am very happy."

He pays no rent, as his neighbors, also very poor people, gave him the little shed which he occupies free of charge.

I must not detain the Senate to read longer these interesting extracts, but I wish especially to call attention to the report of Consul Neuer, at Gera, in Germany.

Mr. FRYE. Is that a Democratic appointee?

Mr. PLATT. There are no consular agents I know of now who are not Democrats, so I assume that he is a Democratic appointee. Gera is a very large manufacturing center in Germany. Consul Neuer says:

Though the city of Gera has only 35,000 inhabitants, it is one of the most prominent manufacturing places in Germany. Of its industries, the manufacture of worsted goods stands in the front rank, embracing about thirty factories, some employing as many as 1,000 steam looms.

There is where our worsted goods come from.

Besides, it contains 5 dyeing and finishing establishments, 3 worsted-yarn spinning mills, 7 carpet factories, 4 tobacco mills, 7 accordion factories, 5 iron foundries and engine works, 3 horse-hair-spinning mills, 4 piano factories, 31 tanneries, aside from a considerable number of manufacturing establishments of smaller importance.

It may fairly be taken, then, to be a representative manufacturing center. Then he says:

Under these circumstances it is extremely difficult for the workingman to make both ends meet, and there is no question that the position of the American workman is eminently superior in all that pertains to the happiness and well-being of himself and family and in his ability to save for the future.

I like to get this kind of testimony once in a while from Democratic sources, which as I understand the term is synonymous with free-trade sources.

The fare of the factory hands in this region is of a simple kind. Their principal food consists of bread and potatoes. On rising in the morning they will have a cup of common coffee and some white or black bread and butter or cheese; their dinner will consist of some cheap vegetables, mostly potatoes, and a small piece of meat, but very often without the latter; at 4 o'clock they have one or two cups of poor coffee again, with some black bread and butter, and in the evening a supper of cheese or sausage with black bread and a glass of beer. There may be a change to this diet in some cases, but they are to be considered as exceptional.

The married workman takes his meals partly in the factory and partly at home; the single one either with the family of a fellow-laborer or in a cheap restaurant. For the support of a family the wages of the husband are generally inadequate, and therefore the wife and elder children have to contribute a share to their sustenance.

The lodgings of the laboring classes are of a very poor kind. In most cases they are two or three comfortless rooms. Owing to the large and constant increase of the population rents are steadily rising, and range from 150 marks ($35.70) to 180 marks ($42.84) per year, according to location and condition of the premises.

I will put into the RECORD a table which Consul Neuer furnishes, giving the amount of the weekly factory wages and the corresponding hours of labor at Gera. It embraces the employment in weaving mills, dye-houses, finishing works, accordion factories, iron foundries and engine works, tanneries, tobacco mills, flour mills, carpet factories, chinaware, horse-hair-spinning mills, and worsted-yarn-spinning mills.

*Rate of the weekly wages and the corresponding hours of labor at Gera.*

| Description of employment. | Lowest. | Highest. | Average. | Hours of labor per day. |
|---|---|---|---|---|
| Weaving mills: | | | | |
| Overseers | $4.32 | $7.20 | $5.76 | 11 |
| Shearers | 2.88 | 6.00 | 4.44 | 11 |
| Weavers, men | 3.60 | 7.20 | 5.40 | 11 |
| Weavers, women | 1.44 | 3.60 | 2.52 | 11 |
| Gluers | 2.88 | 5.28 | 4.08 | 11 |
| Fasteners | 2.88 | 4.80 | 3.84 | 11 |
| Pickers, women | 1.44 | 2.40 | 1.92 | 11 |
| Winders, women | 1.92 | 2.48 | 2.20 | 11 |
| Dye-houses: | | | | |
| Dyers | 2.40 | 3.60 | 3.00 | 11 |
| Washers | 2.40 | 3.36 | 2.88 | 11 |
| Female hands | 1.68 | 1.92 | 1.80 | 11 |
| Apprentices | 1.56 | 1.80 | 1.68 | 10 |
| Finishing works: | | | | |
| Shearers | 2.40 | 3.60 | 3.00 | 11 |
| Fullers | 2.40 | 3.60 | 3.00 | 11 |
| Finishers | 4.80 | 7.20 | 6.00 | 11 |
| Assistants | 3.36 | 4.08 | 3.60 | 11 |
| Apprentices | 1.56 | 1.80 | 1.68 | 10 |
| Accordion factories: | | | | |
| Joiners | 3.36 | 4.32 | 3.60 | 11 |
| Tuners | 4.80 | 7.20 | 6.00 | 11 |
| Journeymen | 2.40 | 2.88 | 2.64 | 11 |
| Apprentices | .96 | 2.16 | 1.44 | 11 |
| Children | .36 | .60 | .48 | 6 |
| Iron foundries and engine-works: | | | | |
| Turners | 3.60 | 4.32 | 3.84 | 10 |
| Founders | 3.60 | 4.32 | 3.84 | 10 |
| Journeymen | | | 1.68 | 10 |
| Tanneries: | | | | |
| Tanners | 3.60 | 4.32 | 3.84 | 11 |
| Journeymen | | | 3.36 | 11 |
| Tobacco mills: | | | | |
| Twisters | 3.84 | 4.80 | 4.32 | 11 |
| Journeymen | | | 2.88 | 11 |
| Female hands | 1.56 | 1.80 | 1.68 | 11 |
| Children | | | .42 | 6 |
| Apprentices | .72 | 1.08 | .96 | 11 |
| Flour mills: | | | | |
| Millers | 3.60 | 4.32 | 3.84 | 11 |
| Journeymen | 2.76 | 3.00 | 2.88 | 11 |
| Carpet factories: | | | | |
| Weavers | 3.60 | 7.20 | 5.40 | 11 |
| Shearers | 4.32 | 4.80 | 4.56 | 11 |
| Journeymen | 2.88 | 6.60 | 3.24 | 11 |
| Female hands | 1.44 | 2.88 | 2.16 | 11 |
| Apprentices | 1.44 | 2.16 | 1.80 | 11 |

*Rate of the factory wages and the corresponding hours of labor at Gera*—Continued.

| Description of employment. | Lowest. | Highest. | Average. | Hours of labor per day. |
|---|---|---|---|---|
| China-ware: | | | | |
| Apprentices | $1.44 | $2.16 | $1.80 | 11 |
| Painters | 2.40 | 5.76 | 4.08 | 11 |
| Turners | 2.40 | 6.00 | 4.20 | 11 |
| Finishers | 3.60 | 6.00 | 4.80 | 11 |
| Journeymen | 2.16 | 3.60 | 2.88 | 11 |
| Female hands | 1.44 | 1.92 | 1.68 | 11 |
| Horse-hair-spinning mills: | | | | |
| Spinners | 3.60 | 4.32 | 3.96 | 11 |
| Journeymen | 2.52 | 3.24 | 2.88 | 11 |
| Female hands | 1.68 | 2.16 | 1.92 | 11 |
| Worsted-yarn-spinning mills: | | | | |
| Spinners | 3.60 | 4.80 | 4.20 | 11 |
| Carders, overseers | 3.60 | 4.00 | 3.80 | 11 |
| Carders, common hands | 1.92 | 2.40 | 2.16 | 11 |
| Washers | 2.88 | 3.60 | 3.24 | 11 |
| Sorters | 3.60 | 4.80 | 4.20 | 11 |
| Winders | 1.92 | 2.16 | 2.04 | 11 |
| Engineers | | | 4.32 | 11 |

It will be seen that the hours of labor are generally eleven hours per day, and the highest average weekly wage is $5.76.

Mr. FRYE. For a man?

Mr. PLATT. For a man, and from that down for other men and for women and children. As to the cost of living Consul Neuer says:

As to the cost of living, I can give no better statement than to quote the retail prices of the principal articles usually classed among the necessaries of life:

*Retail prices of necessaries of life.*

| | | | | |
|---|---|---|---|---|
| Bread: | | | | |
| White | per pound | | | $0.03 |
| Black | do | | | .02½ |
| Beef: | | | | |
| Steaks | do | $0.20 | to | .24 |
| Roast | do | .17 | to | .20 |
| Common | do | | | .14½ |
| Chickens | each | .36 | to | .60 |
| Mutton | per pound | | | .14½ |
| Pork | do | | | .15½ |
| Veal | do | | | .13 |
| Eggs | per dozen | .14½ | to | .20 |
| Butter | per pound | .24 | to | .36 |
| Cheese, Swiss | do | .24 | to | .28 |
| Coffee | do | .30 | to | .48 |
| Tea | do | .96 | to | 1.20 |
| Sugar | do | .07 | to | .10 |
| Potatoes | per 100 pounds | | | .72 |
| Cabbages | apiece | .02½ | to | .05 |
| Flour | per pound | .04½ | to | .05½ |
| Kerosene oil | per liter | | | .06 |
| Milk | do | | | .05 |

Can anybody find that the necessaries of life where the highest average weekly wage is $5.76 are not fully up to the net price of the necessaries of life in America? I have quoted this somewhat, I fear, to the weariness of the Senate, because I wanted to put on record this Democratic free-trade testimony upon this question.

Oh, but the free-trader says protection does not make higher wages. The Senator from Delaware [Mr. GRAY] the other day, when the Senator from Maine was making his speech, interrupted him to ask the Senator from Maine if he claimed that protection made higher wages. No, sir; no protectionist claims that protection of itself makes higher wages; but it does this: it makes it possible for the manufacturer to pay higher wages than can be paid under a system of free trade. Strike down these protective duties and it would become impossible for the manufacturer to pay the rate of American wages now paid. If he is to have no protection he must stop or meet foreign competition by paying foreign wages. That is so plain that "he who runs may read."

The question of wage between the laboring man and the employer is one which must be settled between them. If the wage-earner does not get all that he ought as his share of production, then I hail every honorable, wise, honest effort for him to get a greater share of production; but he is not to be helped by striking down the ability of the manufacturer to pay him the American rate of wages, and that is just what the removal of the protective duties does.

Protection does another thing—it saves us our own market. It makes a demand for labor in this country, and that is, after all, the real thing which results in high wages. Strike down the protective duty, open our ports to foreign manufacturers upon the ground that we should buy where we can buy the cheapest, and by so much you have destroyed the home market and lessened the demand for labor, and made it impossible for high wages to prevail in this country.

Let me group two favorite claims of the free-trader. One is that the manufacturer of protected articles is a robber on general principles; that he robs everybody, and has grown immensely rich by robbery. The other is that he is growing rich by the robbery of a particular class, namely, the agriculturist. It is the favorite theme of the free-trader to hold out this idea, that the protective tariff is all for the benefit of the manufacturer and to the disadvantage of everybody else, and especially of the agriculturist.

Professor Sumner, who does not hesitate, as he says, to take blows when they are given, called a protected factory a nuisance. Somebody took him to task for it, and he replied. Now I want to read a word and see what such a free-trader as he thinks of a protected factory. He says:

I have called such a factory a "nuisance." The word has been objected to. The word is of no consequence. He who, when he goes into a debate, begins to whine and cry as soon as the blows get sharp, should learn to keep out. What I meant was this: A "nuisance" is something which, by its existence and presence in society, works "loss and" damage to the society—works against the general interest, not for it. A factory which gets in the way and hinders us from attaining the comforts which we are all trying to get, which makes harder the terms of acquisition when we are all the time struggling by our arts and sciences to make those terms easier, is a harmful thing, and noxious to the common interest.

Now, what says the President along this line? If I may use the expression, he fairly rolls as a sweet morsel under his tongue what he says about the "immense profits" of the manufacturer:

Relief from the hardships and dangers of our present tariff laws should be devised with especial precaution against imperiling the existence of our manufacturing interests.

I will see by and by whether the relief proposed by him imperils the existence of our manufacturing interests:

But this existence should not mean a condition which, without regard to the public welfare or a national exigency, must always insure the realization of immense profits instead of moderately profitable returns.

Then he goes on to talk about the manufacturer. He says:

So stubbornly have all efforts to reform the present condition been resisted by those of our fellow-citizens thus engaged, that they can hardly complain of the suspicion, entertained to a certain extent, that there exists an organized combination all along the line to maintain their advantage.

* * * * * * *

Yet when an attempt is made to justify a scheme which permits a tax to be laid upon every consumer in the land for the benefit of our manufacturers, quite beyond a reasonable demand for governmental regard, etc.

I will read what he says in speaking of competition. He is talking about the manufacturers who are robbing the people, as the free-traders say:

But it is notorious that this competition is too often strangled by combinations quite prevalent at this time, and frequently called trusts, which have for their object the regulation of the supply and price of commodities made and sold by members of the combination. The people can hardly hope for any consideration in the operation of these selfish schemes.

Then, on page 12, he sounds a note of warning, in which he says:

Opportunity for safe, careful, and deliberate reform is now offered; and none of us should be unmindful of a time when an abused and irritated people, heedless of those who have resisted timely and reasonable relief, may insist upon a radical and sweeping rectification of their wrongs.

Did I use the right word when I said "warning," or ought I to have used the word "inciting," or "threatening"? What free-trader could have written this portion of the President's message better? This attack upon the manufacturers of the country is too open, too plain, too direct, and too severe to be allowed to pass without a word or two.

Are the manufacturers of this country realizing "immense profits"? Are they the millionaires of the land? You can count upon your fingers and thumbs, and without counting them many times over, all the manufacturers of this country who in manufacturing have accumulated a fortune equal to a million dollars, and in nine cases out of ten either those men or their fathers have struggled from the bottom, where poverty pinched the hardest and where privation was the greatest, up to their success. They have been workmen at the bench, at the loom, in the factory, in the shop, in the mill, and what they have got they have obtained in a manner which the common judgment of mankind says is honest and fair. There is not a laboring man in this country who when he comes to think of it levels his claim that men are obtaining the rewards of investment without the rendition of a fair equivalent therefor against the manufacturer. No, they are not the millionaires. Who ever heard a manufacturer called a "king"? We hear of "cattle kings," and "wheat kings," and "iron kings," and "cotton kings," and "railroad kings," but you never hear that word applied to a manufacturer.

We hear of trusts, as the President reminds us. Are they manufacturing trusts? There is the Standard Oil trust, and the great Gogebic iron trust, and the coal trust. There is not a dollar of protection on anthracite coal, or oil, and no protection on iron ore which leads to the formation of any trust. We hear of a foreign syndicate purchasing all the copper interests of the world. We hear, indeed, of a sugar trust, and if that be a manufacturers' trust, it is the only one in the United States.

That there have been combinations sometimes among manufacturers to maintain prices at a point which would keep them from absolute destruction is indeed true, but whenever they have gone above a fair price some competitor has come in and broken it up. The great trusts about which the country is now not unduly exercised are not to be found in the ranks of the manufacturers. Go to New York. Try to raise money in the city of New York for a manufacturing enterprise, and how many of the money kings do you think you will find to invest their money in that way? That is not the way manufactories are developed. They are developed from the humblest beginnings by hard, persistent labor, and by enterprise such as the world has never seen in any other occupation of life.

Our manufacturers make no more money than English manufacturers. They make less than any other class of business men. I speak for the manufacturers of Connecticut, about whom I know. Their enterprises have been wrecked over and over again. Most of those who are making any money at all are making it in enterprises where capital has been sunk time after time, and now they are making less than would be considered a fair profit in any other business or occupation of life. They make less than the merchants of this country. The profit to the manufacturer upon manufactured goods has been less than the profits of the middlemen or merchants of the country.

There is another thing which they have done. Not they alone, for when I speak of the manufacturer, I want to speak of that great body of men who have been the right hand of manufacturers in this country, and those are the skilled mechanics, the honest, intelligent artisans who have stood by the manufacturers. They have made other business profitable. They more than any other men support other business in this country. I do not know how the Senators from those States will vote, but there are States to-day that would not be represented by a star on the flag if it had not been for the manufacturers of the country. Here is Dakota, with its 600,000 people knocking at the doors of Congress for admission, that would be a barren waste, and, as General Hazen reported only a few years ago, an uninhabitable desert if it had not been for the protected manufactures of this country.

Let us see about these "immense profits." I quote from Bradstreet's of Saturday, January 14, the dividends for fifteen years of the cotton mills in Maine, Massachusetts, and New Hampshire, possibly in Rhode Island, I am not sure:

*Dividends for fifteen years.*

| Mills. | 1873-'84. | 1885. | 1886. | 1887. | 1885-'87. |
|---|---|---|---|---|---|
| | *Average.* | | | | *Average.* |
| Augusta: Edwards | | 4½ | 4 | 6 | 4.83 |
| Biddeford: | | | | | |
| Laconia | 6.33 | 6 | 5½ | 6 | 5.83 |
| Pepperell | 12.00 | 12 | 12 | 12 | 12.00 |
| Brunswick: Cabot | 7.66 | 3 | | 6 | 3.00 |
| Chicopee: | | | | | |
| Chicopee | 10.50 | | | 6 | 2.00 |
| Dwight | 5.25 | 6 | 7 | 9 | 7.33 |
| Dover: Cocheco | 9.50 | 6 | 6 | | 4.00 |
| Great Falls: Great Falls | 3.08 | | | 5 | 1.67 |
| Holyoke: Lyman | 5.50 | | 2 | 4 | 2.00 |
| Lawrence: | | | | | |
| Atlantic | 5.00 | | | 3 | 1.00 |
| Everett | 3.58 | | | 2 | .67 |
| Pacific | 14.58 | 10 | 10 | 10 | 10.00 |
| Lewiston: | | | | | |
| Androscoggin | 7.91 | 7 | 6 | 7 | 6.67 |
| Bates | 7.66 | 6 | 6 | 7 | 6.33 |
| Franklin | 4.75 | 6 | 6 | 6 | 6.00 |
| Hill | 5.50 | | 2 | 5 | 2.33 |
| Lowell: | | | | | |
| Appleton | 3.00 | | | | |
| Boott | 9.79 | 6 | 5 | 7 | 6.00 |
| Hamilton | 5.50 | | | | |
| Lawrence | 8.16 | 6 | 6 | 10 | 7.33 |
| Massachusetts | 6.58 | 2 | 2 | 6 | 3.33 |
| Merrimac | 7.66 | 6 | 6 | 6 | 6.00 |
| Tremont and Suffolk | 7.87 | 2½ | 3 | 6 | 3.83 |
| Manchester: | | | | | |
| Amory | 3.75 | | 6 | 6 | 4.00 |
| Amoskeag | 11.08 | 10 | 10 | 10 | 10.00 |
| Langdon | 8.00 | | 3 | 10 | 4.33 |
| Manchester | 8.50 | 8 | 8 | 10 | 8.67 |
| Stark | 7.16 | 5 | 7½ | 8 | 6.83 |
| Nashua: | | | | | |
| Jackson | 8.00 | 6 | 6 | 7 | 6.33 |
| Nashua | 7.33 | | | 8 | 2.67 |
| New Bedford: Wamsutta | 6.66 | 4 | 6 | 6 | 5.33 |
| Saco: York | 8.91 | 6 | 7 | 8 | 7.00 |
| Salem: Naumkeag | 5.91 | | 2 | 6 | 2.67 |
| Salmon Falls: Salmon Falls | 4.66 | | 4 | 5 | 3.00 |

*Fall River dividends.*

| Mills. | 1879-'84. | 1885. | 1886. | 1887. | 1885-'87. |
|---|---|---|---|---|---|
| | *Average.* | | | | *Average.* |
| American Linen | *6.00 | | 12½ | 13¾ | 8.75 |
| Barnard | 7.83 | | 5½ | 6 | 3.83 |
| Bourne | | 2 | 5 | 14 | 7.00 |
| Border City | *6.00 | 4 | 8½ | 12 | 8.17 |
| Barnaby | | 6 | 6 | 8½ | 6.83 |
| Chace | †6.40 | | 6 | 6 | 4.00 |
| Crescent | *3.25 | | 6½ | 6 | 4.17 |
| Davol | *3.75 | | | 1½ | .50 |
| Fall River | | | 3 | 3 | 2.00 |
| Flint | †4.40 | | 6 | 6 | 4.00 |
| Globe | | 9 | 6 | 8 | 7.67 |
| Granite | 21.66 | 7 | 12 | 17 | 12.00 |
| King Philip | 5.16 | | 6 | 6 | 4.00 |
| Laurel Lake | | 1 | 4½ | 6 | 3.83 |
| Mechanics' | 8.00 | | 6½ | 6 | 4.17 |
| Merchants' | 9.66 | 1 | 8 | 7 | 5.33 |
| Metacomet | | | | 3 | 1.00 |

*Average for four years. †Average for five years.

*Fall River dividends*—Continued.

| Mills. | 1873-'84. | 1885. | 1886. | 1887. | 1885-'87. |
|---|---|---|---|---|---|
| | *Average.* | | | | *Average.* |
| Narragansett | 6.50 | 1 | 6 | 6 | 4.33 |
| Osborn | 2.91 | | 8 | 6 | 4.67 |
| Pocasset | | | | 6 | 2.00 |
| Richard Borden | *5.50 | | 3 | 6 | 3.00 |
| Robeson | | | 4½ | 6 | 3.50 |
| Sagamore | *9.50 | 1 | 8 | 11 | 6.67 |
| Shore | 7.00 | | 4½ | 6 | 3.50 |
| Slade | 5.66 | | 1½ | 3½ | 1.67 |
| Stafford | 10.83 | 3 | 7 | 12 | 7.33 |
| Seaconnet | | | | 5 | 1.67 |
| Tecumseh | 9.33 | 1 | 7 | 8 | 5.33 |
| Troy | *8.20 | | 11 | 17 | 9.33 |
| Union | *18.20 | 12 | 16 | 21 | 16.33 |
| Wampanoag | 9.16 | | 9½ | 13 | 7.50 |
| Weetamoe | 5.50 | | 4 | 4 | 2.67 |

*Average for five years.

For the last three years the average is 5½ per cent. upon the nominal capital, and that is not a fair way to estimate it.

I asked a question of a gentleman in New York as to what the profits of our cotton and woolen manufacturers were, and he sent me a letter from Henry F. Coe, of Boston, dated January 16, 1888, than whom no man in my judgment is better able to speak. He says:

BOSTON, *January* 16, 1888.

DEAR SIR: Yours of the 14th instant received. I know no better test of the general result of cotton manufacture than amount of dividend paid. While it may be true that the mills have earned more than dividends paid, yet it is true that they divide the greater part of their earnings. Martin's tables are authority upon this subject, and I find upon making a careful computation that he reports the names of seventy corporations working cotton, upon his list, located in Maine, New Hampshire, and Massachusetts. The companies represent a capital stock of $61,158,000. The amount of dividends paid by them for three years past amounts to $9,786,740. This is 15½ per cent. on the capital stock, or at the rate of 5.17 per cent. per annum. This hardly tells the story, however. It would be fair to say that the average indebtedness of these corporations is 40 per cent. of their capital stock, at least. So that they employ their own capital plus borrowed capital:

| | |
|---|---|
| Capital owned | $63,158,000 |
| Capital borrowed | 25,263,200 |
| Total capital used | 88,421,200 |
| Dividends | 9,786,740 |

This would only be at the rate of 3.69 per cent.

He might have said that if they have accumulated a surplus they pay no interest upon that, although it is really capital invested.

However considered, the results do not indicate that manufacturers of cotton are coining money. I have excluded from above figures all corporations which work any wool. The average of woolen mills are doing very much poorer than cotton mills. The tariff of 1883 was a bad one for manufacturers of wool. I have spent the evening in arriving at above results, and they may be depended upon as a true statement of facts. Rhode Island, Connecticut, and New York are not probably doing any better than corporations named above.

Yours, very truly,

HENRY F. COE.

A. M. GARLAND,
*Secretary, New York.*

And right here, Mr. President, that I may get a little more Democratic testimony, I want to refer to what the Secretary of the Treasury says about the woolen and worsted manufacturing business in this country in his annual report submitted to the present Congress:

I am, however, so convinced of the imminent danger to large industries engaged in the manufacture of worsted and woolen goods, unless a change is soon made in the duties on wool and manufactures thereof, that I deem it proper to depart from my general practice in thus calling your attention to this particular provision of the tariff.

Notwithstanding his free-trade sentiment and argument he does think that the tariff on worsted and woolen goods ought to be raised to save them from immediate destruction; yet the President is talking about the immense profits of the manufacturers!

But especially I want to speak of New England manufacturers, and I do not want anybody to fall into the error of supposing that this protective system is especially or mainly for the benefit of New England manufacturers. There was a time, indeed, when New England, perhaps, might have been said to monopolize the manufacturing industries of the country. It was a monopoly born of the genius and skill of its sons. That day has passed. Manufactures have extended all over the country, and if this system of protection was such a benefit to manufacturers as the President and the free-traders would have us believe, it would not be New England particularly that was interested in its preservation. Manufactures have passed the barrier of the Alleghanies away out to the Pacific coast, in the prairie towns of the West, far down in the South, in North Carolina and West Virginia and Georgia and Alabama—diffused all over the country.

By the census returns of 1880 less than 20 per cent. of the manufactured products of the United States were produced in New England. More were manufactured west of the State of New York, as the Senator from Ohio [Mr. SHERMAN] well suggests to me, than in 1860 were manufactured in all the United States. Let us look at these facts a little because it is such a familiar thing to hear that tariff protection

is for the benefit of New England manufacturers. You may create a prejudice, if you please, against New England, a prejudice against its manufactures and its manufacturers, but if you are going to tear down the protective system, I want it understood that we are not by any means the principal sufferers.

California, Illinois, New Jersey, and Ohio manufactured in 1880 more goods than all New England. Indiana, Maryland, Michigan, Missouri, Wisconsin, Minnesota, and Iowa manufactured nearly as much as New England. New York and Pennsylvania manufactured nearly half more than New England. This has increased. If manufactures are not increasing in New England, they are rushing forward with phenomenal rapidity in other sections of the country, and when the census of 1890 comes to be taken not more than 15 per cent. of the manufacturing in this country will be done in New England. Let me give the exact figures.

The total annual product of manufactures in the United States was, by the census of 1880, $5,369,579,191.

In the New England States it was as follows:

| | |
|---|---|
| Connecticut | $185,697,211 |
| Maine | 79,829,793 |
| Massachusetts | 631,135,284 |
| New Hampshire | 73,978,028 |
| Rhode Island | 104,163,621 |
| Vermont | 31,354,366 |
| Total | 1,076,158,303 |

In the following States it was:

| | |
|---|---|
| California | $116,218,792 |
| Illinois | 414,864,673 |
| New Jersey | 254,380,236 |
| Ohio | 348,298,390 |
| Total | 1,133,762,091 |

In these States as follows:

| | |
|---|---|
| Indiana | $148,096,411 |
| Maryland | 106,780,563 |
| Michigan | 150,715,025 |
| Missouri | 165,386,265 |
| Wisconsin | 128,255,480 |
| Minnesota | 76,065,198 |
| Iowa | 71,045,926 |
| Total | 846,304,808 |

In New York and Pennsylvania:

| | |
|---|---|
| New York | $1,080,696,595 |
| Pennsylvania | 744,818,445 |
| Total | 1,825,515,040 |

No, I tell the men who are seeking to destroy the protective tariff that they must not delude themselves with the idea that they are aiming their blows against New England. The New England manufacturer is the man who has least interest of all other classes of men in the preservation of the protective system. He is interested in it, indeed, but others, and all others, are interested more. If I were to name the order in which the different classes are interested in the maintenance of a protective tariff, I would say, first, the laborers everywhere, in whatever field they wipe the sweat from their brow; more than any manufacturers are the wage-receiving men of this country interested in its preservation. The blow hits them first, and it may as well be understood, and they are coming to understand it all over the land. First, the men who work in manufactories, the artisans, are hit; next, agriculturists and the men who work on farms; next, manufacturers in other sections of the country where they are not as well established and where the industries may indeed be said even now to be infant industries; next, those engaged in transportation; next, those engaged in merchandise; and last, and least, if you please, the manufacturers of New England.

If the policy of free trade is to prevail, if our progress is to be arrested and our development hindered, and if the inevitable results of it are to follow, and we are to have disaster and ruin, the first men who will emerge from the ruin will be the manufacturers of New England, the first who will adjust themselves to the new order of things and go on once more as they have in the past, endeavoring to build up and develop and make a strong, powerful, glorious Nation. The interest of the New England manufacturer is more that he may have a market in which he can sell his goods than anything else. That is what he wants. That is where free trade hits him hardest—the surrender of our market to the foreigner.

But perhaps as favorite a method of attack upon the tariff by the free-trader as any is the claim that raw materials should be free, and why? Because the free-trader knows that the protection of raw materials is the keystone of the protective arch; that when you have once ceased to protect the production of what are called raw materials in the country, there is no logical ground upon which any article can be protected here. If that kind of production which employs the greatest percentage of labor in this country can not receive protection, then nothing should receive protection; and it is, therefore, that the assault upon protection is made upon what are called raw materials.

It is more than that; it is an appeal to the supposed selfishness of manufacturers. The manufacturers are told—told by the President in his message—that they can cheapen the cost of production if they can have free raw materials. Sir, the manufacturer that seeks to obtain raw materials free and demands a tariff upon his product is a selfish man, and selfish almost to the point of criminality; and the manufacturers of New England, as a class, spurn that bribe. When in the preparation of the bill advised by the leading free-traders out of Congress in this country, the proposition is made to purchase the support of New England manufacturers by free wool, by free iron, by free coal, I tell you that they mistake the manufacturers of Connecticut and the rest of New England. They know that this is a system or it is nothing. They know that every industry must be protected to thrive, and they know that protection alone can make us generally prosperous as a nation. They are not to be diverted from this issue.

What are raw materials? I have not time to speak on this subject as I would wish, but the only raw materials there are are those which grow out of the earth or those which repose beneath its surface. The moment you dig out the iron, and the coal, and the copper, and the marble, and the salt, and the clay, that moment human labor is added to the natural product, and from that moment it is no longer raw material. When you cut down the tree and begin to saw it into timber or into boards it is no longer raw material.

When the farmer raises or buys his flock of sheep and produces his wool by means of his labor, that is no longer raw material. Human labor, the great energizing, civilizing force of the world and of humanity, has entered into that product. I would not put it too strongly if I were to say the soul of man has entered into and transformed that natural product. It is no longer raw material. Go into any one of the manufacturing establishments of this country; look at one that I have in my mind in my own State. In that factory they take copper in the ingot as it comes from the mine into the front door. When it goes out again it goes out in the shape of copper wire of $\frac{1}{400}$ of an inch in diameter. Into that crude copper ingot has passed the highest thought of man; his brain is in the wire, his soul is there.

Oh, I dislike, Mr. President, to hear work-people talk about the sale of their wages. Labor has that in it that can not be bought and sold. The labor of man is civilization; it is advancement; it is the upward trend of humanity. No matter whether man with hand and brain transforms the natural product into the finished product, or whether by pure brain labor he teaches in college or school, preaches in pulpit or speaks in the Senate, he works, he labors, he molds, he creates, he develops. In whatever field labor may be exercised it is and must be the grandest material human force.

There is no raw material which should be made free if labor is to be protected.

But here the President leaves the field of argument and fallacy and comes to the field of practical recommendation. There is no mistaking his recommendation on this subject; there is no mistaking his position side by side with the practical free-trader and *doctrinaire* free-trader on this subject. Let me read a little:

> The radical reduction of the duties imposed upon raw material used in manufactures, or its free importation, is of course an important factor in any effort to reduce the price of these necessaries.
>
> * * * * * * *
>
> It is not apparent how such a change can have any injurious effect upon our manufacturers. On the contrary, it would appear to give them a better chance in foreign markets with the manufacturers of other countries, who cheapen their wares by free material.

I will not go on to read his long argument to show that wool ought to be put on the free-list, and subject to no duty. There is no mistaking his recommendation in that respect. He particularly specifies wool as one of the materials that should go upon the free-list.

Let us look at this matter a little. I said that protection is a system. Every industry which can be successfully carried on within our boundaries must feel the benefit of this protection, or the system is destroyed. The protectionist says that whenever and wherever an industry can be profitably carried on in this country it should feel the benefit of the protecting power and force of the Government, and the labor which carries it on should be held above and aloof from the cheap labor by which the manufacture is carried on in foreign lands.

When he comes to consider raw material the President has no reference to any inequalities in the tariff; in this respect he does not propose to correct, he proposes to destroy. His only conception of tariff reform, so far as raw materials are concerned, is by tariff destruction.

Wool, the President says, is raw material; but raw material just as truly includes iron ore, and copper ore, and bituminous coal, and lead, and zinc, and lumber, and a number of other things, as it does wool. Take all these things that are classed as raw materials and put them on the free-list, and what have you done? You have reduced governmental income by the beggarly sum of $12,000,000—beggarly in comparison with the amount which we are recommended to reduce. What else have you done? You have wiped out as with a brush at least $300,000,000 of capital in the United States. Will you purchase the free-list for raw materials at any such expense as that? Have you contemplated what it is, for the purpose of reducing our taxation $12,000,000, that nobody feels, to destroy at one fell swoop at least $300,000,000 of capital?

The time was when Chicago was said to be in flames. The whole

country felt it an impending and existing calamity. That fire did not destroy $300,000,000 of capital. It would take two Chicago fires to be as great a calamity to the country as putting raw materials on the free-list would be.

More than that, the only mitigation of the great Chicago fire was that it opened a new field for labor; but this destruction of capital by putting raw materials on the free-list destroys also the opportunities for labor. It throws laborers out of employment. I have made the calculation pretty carefully, having corresponded with people who are producing what are called raw materials, and I do not overstate it when I say that to put raw materials on the free-list will throw out of employment permanently not less than 200,000 and probably 350,000 laborers, and all because by striking down protection on what are called raw materials taxation can be reduced $12,000,000, and the internal-revenue tax must not be touched.

The situation changes when compared with that of a great devastating fire. That makes a demand for labor; but the wiping out of capital by inviting raw materials free to our shores from the pauper-stricken countries of Europe makes it impossible for this labor to continue or to find any opportunity for just and adequate reward.

I have said that into the production of these materials which are called raw materials the greatest percentage of labor enters; more than into any other production. Why is it, I ask, if the President of the United States is not a free-trader, that he selects for the free-list those particular productions into which the greatest percentage of labor enters? It is a question that may not be answered here, but it will be asked in the coming months, and it must find an answer.

If the manufacturer were the selfish being that he is supposed to be, enlightened selfishness would insist on protection. He knows that to put raw materials on the free-list at the price of destroying $300,000,000 of productive capital, and throwing out of employment from 200,000 to 350,000 laborers, immediately makes such a condition of things in this country that he can not sell his wares. That means disaster. Free trade in raw materials means no trade for the manufacturer, and if he were the selfish being that the President of the United States and the free-traders generally suppose him to be, he would still be in favor of a system which insures him the best market in the world, the best market that mankind has ever known.

I want to call attention to the utterance of one of our manufacturers. When the President's message first went out to the public and was hailed, as I have said, with acclamations of joy, and the whole Democratic party seemed to unite in one choral song to the praise of the President, they sent around a man who, I am informed, and I believe correctly, was in Government employ, holding a clerical position under the Government, to interview New England manufacturers to see if he could not obtain indorsements from them of the President's message. Among others he called on a manufacturer in New Haven, a manufacturer who makes steam-boilers, and who exports them, and he thought he had found a man to give in his adhesion to this scheme of free raw materials. The interviewer did the talking and then published an interview in a metropolitan journal, in which he said that the firm of which Mr. Bigelow, recently Governor of the State of Connecticut, was a leading member, was in favor of free raw materials. It did not take long for Mr. Bigelow to write a letter disavowing any such statement. I want to read what a manufacturer thinks about raw materials.

It is perfectly true that free raw materials would tend to increase our export trade. But the increase would be, as Mr. Barnum—

That was the man with whom the reporter talked—

told the reporter (though the latter omitted to mention it), at the expense of our home trade. Why? Because free trade would kill off many of our manufacturers here, who could not compete with foreign manufacturers in their line, and thus the demand for engines and boilers for use in this country would be greatly decreased. We might sell a few more boilers abroad; we should sell a great many less at home.

In order to successfully compete with foreign countries in this matter we must have not only free raw materials, such as they have, but cheap labor, such as they also have. Give us free raw materials and cheap labor and we can meet the world in the manufacture of engines and boilers. But I for one do not want to compete with the world on any such terms. I began life at the bench, working at my trade for $1.50 a day. I know this question from the side of the wage-worker as well as from the side of the employer. And I never want to see the day when the workmen in my mills or in any other mills in America shall be compelled to work for the same wages and live in the same manner as the workmen of Europe.

I am a firm protectionist in everything relating to my own business, to the interests of my employés, and to the prosperity of the country. I want to be counted, every time, on the side of American industries, American wages, and American homes.

A good deal of misrepresentation about the manufacturers of New England being in favor of free raw material is manufactured just as was the report that ex-Governor Bigelow was in favor of it.

I have gone over—and at more length than I intended, and yet I do not know that I ought to apologize for it, because this is the most important topic which we shall discuss here this winter—I have gone over the facts showing that the free-traders claim the President. I have shown that every principal argument, theoretical or practical, used by the avowed free-traders is sustained by the President, by the language and the tone of his message.

But we come now to another thing, and I say with an understanding of what I utter that either the President intended free trade, or he was not dealing fairly with the American people, for the method of reduction proposed by the President means the absolute and final destruction of the protective system. It means absolute free trade and nothing less than that; so the spirit of the message and the inevitable result of its recommendations lead us to the same conclusion.

Mr. MANDERSON. I will make a motion for an executive session if it meets the approval of the Senator from Connecticut. I notice that his voice is getting husky, and he has not completed his remarks.

The PRESIDENT *pro tempore*. Does the Senator from Connecticut yield for that purpose?

Mr. PLATT. I have come now to where I must spend some time upon the question of the reduction of the surplus, and, of course, I can not conclude to-night. I regret it very much; but if I can have the floor to go on and conclude to-morrow I am perfectly willing to yield. I can conclude to-night if the Senate will stay and hear me.

Mr. MANDERSON. It is so evident that the voice of the Senator from Connecticut is becoming quite husky that I think the Senate had better relieve him.

Mr. BLAIR. Will it be agreeable to the Senator to take the floor during the morning business to-morrow? He must be aware that there are other interests which are being delayed.

Mr. PLATT. I will endeavor to seek the floor at the conclusion of the transaction of the routine business to-morrow morning.

The PRESIDENT *pro tempore*. Before submitting the motion of the Senator from Nebraska [Mr. MANDERSON], the Chair lays before the Senate the unfinished business, being the bill (S. 371) to aid in the establishment and temporary support of common schools. The Senator from Nebraska moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and four minutes spent in executive session the doors were reopened, and (at 5 o'clock and 32 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 7, 1888, at 12 o'clock m.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate February* 6, 1888.

UNITED STATES ATTORNEY.

A. H. Longino, of Mississippi, to be attorney of the United States for the southern district of Mississippi.

POSTMASTER.

Calvin M. Wherry, to be postmaster at North Platte, in the county of Lincoln and State of Nebraska.

## HOUSE OF REPRESENTATIVES.

### MONDAY, *February* 6, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Saturday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. LEHLBACH, for three days, on account of illness.

To Mr. COTHRAN, for one week, on account of important business.

To Mr. BLOUNT, for one week, on account of sickness.

QUESTION OF PRIVILEGE.

Mr. WHITE, of New York. I rise to a question of privilege.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. WHITE, of New York. I ask the Clerk to read what I send to the desk.

The Clerk read as follows:

[From the Washington News of Friday, February 3, 1888.]

The New York Tribune's Washington correspondent thus writes of "Deacon" White: "In the deep recess of one of the windows in the corridor of the House of Representatives is a telegraph instrument fenced off from the thoroughfare by an iron railing. A rather stout woman sits there constantly, from about 11 o'clock in the morning until 3 o'clock in the afternoon, with her hand on the key. Occasionally she gets a message, which she writes out and tucks in a little drawer in the table. Every few moments a short, chunky man, with spectacles on his nose, and a brown beard sprinkled with gray, comes out from the center door of the House, and goes to the iron railing with a spry step. The operator takes the messages from the drawer, hands them to him, and he writes the answers on the reverse side of the same sheet of paper. Then he goes back into the House again, and takes his seat in the front row of desks, immediately under the Speaker's eye. The short, chunky man is 'Deacon' White, the famous broker, and the other end of that wire is in his office in Wall street, New York. He leases the wire from the Western Union and knows what is going on in his office in New York just as well as if he sat at his desk there, instead of being in the House. It costs him a good many thousand dollars a year for his wire alone, and no one knows how much more for the privilege of sitting in the House of Representatives."

[Laughter.]

Mr. WHITE, of New York. Mr. Speaker, as there is in that publication something which, to a hyperæsthetic mind, might be construed as a reflection upon my character as a member of this House, I now

read a special dispatch which I have sent to the Brooklyn papers, circulating among my constituents, as my answer to this publication:

*To the Editors of the Brooklyn Times, Eagle, Citizen, and Standard-Union:*

On Sunday, January 29, a highly entertaining lie appeared in the New York Tribune, to the effect that I had a private telegraph wire with one end in the vestibule of the House and the other end in my New York office; that it cost me a good many thousand dollars a year for my wire alone, and no one knows how much more for the privilege of sitting in the House of Representatives. From this last clause I suppose that it is a legitimate deduction that the sittings of other members of Congress are at a fixed rental, while mine is presumably of a speculative character, and possibly carried on a margin.

[Laughter.]

It was to be expected that a festive lie of this character would reproduce itself many times, but neither the New York nor Brooklyn papers seemed willing to copy it from their esteemed contemporary, the Tribune. In the fullness of time, however, the Louisville Courier-Journal printed the same romance as original matter, and as it seemed like a free-trade indorsement of a highly protected lie—

[Laughter]—

the Sun and World, of New York, and the Eagle, of Brooklyn, copied it. When the Tribune falsehood stood alone, it seemed like a waste of ammunition to contradict it, as there was a moral certainty that a brood of such lies would be hatched and full fledged in a week. Hence I have waited for the flock, and now make the following shot at the entire covey: It is not true that I have an operator at the Capitol, or any wire to Washington, or to New York, or any correspondent or customer in Washington, or that I ever had any of these things, or that there was ever the slightest foundation for one word contained in the romance outside of the imaginings of a sensational paragraphist. Is not this a case where, if the revered founder of the Tribune were alive, he would interview that paragraphist, and say to him, in the classic United States tongue of which he was the great master, "You lie, villain! you lie!"

And now, will the original Jacob Townsend of this story, and the copyists who have copied, and the moralists who have moralized, will they each and all be as prompt to contradict as they were to cull this efflorescence of mendacity? We can tell by waiting.

S. V. WHITE.

P. S.—Since writing the foregoing, my attention has been called to the fact that the Tribune of yesterday made a prompt contradiction of the canard of its paragraphist. Many thanks for this act of justice. Now, will the free-trade wing be as just, and see if the whole party combined can overtake this lie which they have given one week's start?

S. V. WHITE.

FEES IN PENSION CLAIMS.

Mr. WALKER, from the Committee on Invalid Pensions, by unanimous consent, reported back with an amendment the bill (H. R. 4982) prohibiting the allowance of fee in any claim for increase of pension on account of the increase of disability for which the pension was allowed; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

ADDITIONAL MESSENGER AND PAGE FOR THE HOUSE.

Mr. O'DONNELL, from the Committee on Accounts, reported back adversely the following resolutions, with the recommendation that they be laid on the table:

IN THE HOUSE OF REPRESENTATIVES, *January* 16, 1888.

*Resolved*, That Matt Stratton, jr., of Tennessee, be, and is hereby, appointed a messenger during the present Congress, at the same rate of compensation received by him during the Forty-ninth Congress, said compensation to be paid out of the contingent fund of the House.

IN THE HOUSE OF REPRESENTATIVES, *January* 16, 1888.

*Resolved*, That E. T. Benton, jr., be, and is hereby, appointed an additional page on the floor of the House of Representatives, and to receive the same rate of compensation as those now acting in that capacity, to be paid out of the contingent fund of the House of Representatives.

The report accompanying the resolutions was read, as follows:

The Committee on Accounts, having had under consideration the resolution submitted by Mr. WASHINGTON, January 16, 1888, providing for the appointment of Matt Stratton, jr., of Tennessee, as a messenger during the present Congress, report the same adversely, and recommend that it lie on the table.

The Committee on Accounts also, having had under consideration the resolution offered by Mr. TARSNEY, submitted January 30, 1888, providing for the appointment of E. T. Benton, jr., as an additional page on the floor of the House of Representatives, they report the same adversely, and recommend that it lie on the table.

The committee make this recommendation in each of the above resolutions for the reason that the two additional employés therein provided for are not needed, and their appointment would only create two unnecessary officers. The House is now abundantly supplied with appointees.

In this connection the Committee on Accounts deem it proper to call the attention of the House of Representatives to the fact that at the opening of the present session there were 308 clerks, messengers, and employés on the rolls of this body. To pay the salaries of the above enumeration there was appropriated at the last session the sum of $396,468.30, which amount will be nearly exhausted at the close of the fiscal year, June 30, 1888.

Since the assembling of Congress, by direction of the House of Representatives, the number on the rolls has been increased 12. At the present time the list of persons in the employ of this branch of the Government aggregates 320, while the membership comprises 325, with 8 delegates in addition.

The contingent-fund appropriation at the opening of the session was $30,000. The expenditures from that fund in two months has amounted to $7,116.23, while the salaries of the 12 additional employés will aggregate $9,230 by the end of the fiscal year. The contingent fund has been drawn upon by the above to the extent of $16,346.23; leaving a balance of $13,653.77, which sum must suffice for the remaining five months of the session. The four investigations ordered by direction of the House will undoubtedly greatly deplete the balance now remaining. In this calculation the current expenses for the remainder of the fiscal year are not included, and your committee are fearful that a deficiency will exist in the contingent fund. There will be no surplus there.

Your committee think it proper to submit these facts for the consideration of the House, and, while reporting adversely upon the House resolutions 18 and 25, respectively, on the ground that additional messengers and pages are not needed, as this body is amply furnished with assistants in that line, ask to be discharged from the further consideration of the subject-matter of the two resolutions aforesaid.

The report was agreed to, and the resolutions were laid on the table.

POSTAL TELEGRAPH.

Mr. CHIPMAN. I desire to present resolutions of the Detroit Board of Trade in favor of the postal-telegraph system. I ask unanimous consent that these resolutions be read and be printed in the RECORD.

Mr. CRISP. I call for the regular order.

The SPEAKER *pro tempore*. Does the gentleman call up the election case?

Mr. CRISP. No, sir.

The SPEAKER *pro tempore*. The regular order is the call of States for the introduction of bills and resolutions.

ADMISSION TO THE FLOOR.

Mr. OATES introduced the following resolution; which was referred to the Committee on Rules:

*Resolved*, That Rule XXXIV of the House of Representatives be so amended as to admit to the privileges of the floor the Interstate Commerce Commissioners and the Commissioners of Agriculture, Pensions, Indian Affairs, Patents, Railroads, Education, Printing and Engraving, and the Public Printer.

EXCHANGE OF MUTILATED SILVER COIN.

Mr. MORROW introduced a bill (H. R. 6631) providing for the exchange of the worn, defaced, clipped, punched, or otherwise mutilated silver coins of the United States, of smaller denominations than $1, for new or unworn subsidiary silver coins, at designated places and under certain conditions; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

DESTRUCTION OF OYSTERS BY STAR-FISH, ETC.

Mr. GRANGER introduced a bill (H. R. 6632) directing the prosecution of inquiries by the Commissioner of Fish and Fisheries in respect to the destruction of oysters in the natural oyster-beds lying within the waters and jurisdiction of the United States by star-fish, etc., and making an appropriation for such purpose; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

ASSAY OFFICE, GAINESVILLE, GA.

Mr. CANDLER introduced a bill (H. R. 6633) to establish an assay office at Gainesville, in the State of Georgia; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

REFUND OF 4 PER CENT. UNITED STATES BONDS.

Mr. CANDLER also introduced a bill (H. R. 6634) to refund all outstanding 4 per cent. bonds of the United States at 2½ per cent.; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PUBLIC BUILDING, OLNEY, ILL.

Mr. LANDES introduced a bill (H. R. 6635) for the erection of a public building at the city of Olney, Ill.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

FUND FOR REDEMPTION OF UNITED STATES NOTES.

Mr. LANDES (by request) also introduced a bill (H. R. 6636) providing that the fund held for the redemption of United States notes shall be composed of gold and silver, half in gold coin and gold bullion, and half in silver bullion, equal in value to the gold half; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

ADMINISTRATION OF THE GOVERNMENT PRINTING OFFICE.

Mr. HOPKINS, of Illinois, submitted a resolution; which was read, as follows:

*Resolved*, That the special Committee on Printing appointed by the Speaker under a resolution adopted by the House January 30 to make a thorough investigation of the administration of the Government Printing Office during the incumbency of the present occupant and that of his predecessor be, and are hereby, authorized and empowered, in conducting said investigation, to employ a stenographer, send for persons and papers, administer oaths, examine witnesses, and to call for and examine all books, papers, records, and documents bearing upon the subject of said investigation; and that any expense incurred in conducting the same be paid out of the contingent fund of the House.

Mr. HOPKINS, of Illinois. I ask the present consideration of this resolution.

The SPEAKER *pro tempore*. It is not in order during this hour.

Mr. HOPKINS, of Illinois. I ask unanimous consent for that purpose.

The SPEAKER *pro tempore*. It is not in order to entertain the request for unanimous consent during this hour.

Mr. HOPKINS, of Illinois. Then I will withdraw the resolution for the present.

BUTTER.

Mr. LAWLER introduced a bill (H. R. 6637) to protect the consumers of butter; which was read a first and second time (the second reading being in full, upon the request of Mr. LAWLER), referred to the Committee on Agriculture, and ordered to be printed.

REDUCTION OF REVENUE.

Mr. LAWLER also introduced a bill (H. R. 6638) to reduce revenue; which was read a first and second time (the second reading being in full, upon the request of Mr. LAWLER).

Mr. LAWLER. I ask the reference of this bill to the Committee on Ways and Means.

Mr. ANDERSON, of Kansas. I rise to a parliamentary inquiry. As under this bill the only article left upon which there would be an internal-revenue tax would be, as I understand, oleomargarine, I ask whether the bill should not be referred to the Committee on Agriculture instead of the Committee on Ways and Means?

The SPEAKER *pro tempore*. Does the gentleman from Kansas make that motion?

Mr. ANDERSON, of Kansas. I do.

Mr. HERBERT. I ask that the bill be again read.

The bill was read, as follows:

*Be it enacted, etc.*, That all internal-revenue or domestic taxes, with the exception of those taxes levied upon spirits, fermented liquors, tobacco, and licenses, wholesale and retail, be, and the same are hereby, abrogated and repealed, to take effect upon the passage of this act.

Mr. HERBERT. I think this bill ought to go to the Committee on Ways and Means.

The SPEAKER *pro tempore*. The gentleman from Kansas moves to refer it to the Committee on Agriculture.

Mr. ANDERSON, of Kansas. The only article which would be left subject to internal taxation by this bill is oleomargarine, a matter of which the Committee on Agriculture has always had charge.

The SPEAKER *pro tempore*. Debate is not in order.

Mr. LAWLER. As this bill provides for a reduction of taxes, I ask its reference to the Committee on Ways and Means.

The question being taken on the motion to refer to the Committee on Ways and Means,

The SPEAKER *pro tempore* said, The "noes" appear to have it.

Mr. McMILLIN. I rise to a parliamentary inquiry. I wish to know whether under the rules the bill just introduced would not go to the Committee on Ways and Means.

The SPEAKER *pro tempore*. That is the motion pending, and therefore the Chair does not wish to decide the question.

Mr. McMILLIN. In the absence of a motion, would not that order be made?

The SPEAKER *pro tempore*. There are two motions pending——

Mr. McMILLIN. I understand; but in the absence of any motion would not the rules carry the bill to the Committee on Ways and Means?

The SPEAKER *pro tempore*. In the absence of any motion the Chair would so refer it.

Mr. PHELAN. I rise to a point of order.

Mr. BURROWS. Read the bill again, so we may know just exactly what it is.

Mr. HATCH. It merely excepts oleomargarine.

Mr. PHELAN. I rise to a question of order.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. PHELAN. Mr. Speaker, I make the point of order that under the rules of this House this bill goes, as a matter of course, to the Committee on Ways and Means. By Rule XXVIII it is provided:

No standing rule or order of the House shall be rescinded or changed without one day's notice of the motion therefor, and no rule shall be suspended except by a vote of two-thirds of the members present.

Now, Rule XI, in reference to the powers and duties of committees, provides as follows:

All proposed legislation shall be referred to the committees named in the preceding rule, as follows, viz: Subjects relating,

* * * * * * *

2. to the revenue and the bonded debt of the United States: to the Committee on Ways and Means.

I hold, therefore, Mr. Speaker, that under the rules of the House this bill should be referred to the Committee on Ways and Means; and that to refer it to the Committee on Agriculture, as is proposed, is a change of the rules, for which one day's notice must be given.

Mr. ANDERSON, of Kansas. That point has already been decided.

Mr. LAWLER. I call for a division.

The SPEAKER *pro tempore*. The question is on the motion to refer to the Committee on Ways and Means.

Mr. ANDERSON, of Kansas. But that was already taken.

Mr. LAWLER. I ask for a division, and I insist on a division.

Mr. MILLS. Let the bill be again read.

The bill was again read.

Mr. ANDERSON, of Kansas. My friend can have the yeas and nays on the next vote.

Mr. WILKINS. Let me ask the gentleman from Illinois, does this except bank taxes?

Mr. LAWLER. It does except bank taxes. I so understand it.

The SPEAKER *pro tempore*. The question recurs on the motion to refer to the Committee on Ways and Means.

The House divided; and there were—ayes 46, noes 143.

So the motion was disagreed to.

The question then recurred on the motion to refer it to the Committee on Agriculture.

Mr. BRECKINRIDGE, of Kentucky. It should go to the Committee on Agriculture or to the Committee on Banking, because the bank tax is excepted. [Cries of "Regular order!"]

The SPEAKER *pro tempore*. Does the gentleman make any motion? The bill was referred to the Committee on Agriculture.

PENSIONS.

Mr. PLUMB introduced a bill (H. R. 6639) to regulate the granting of pensions to soldiers for wounds received in the military service of the United States; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

LEAVE OF ABSENCE EMPLOYÉS BUREAU ENGRAVING AND PRINTING.

Mr. TAULBEE introduced a bill (H. R. 6640) to extend the annual leave of absence of the employés of the Bureau of Engraving and Printing to thirty days per annum; which was read a first and second time, referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

SALARIES OF EMPLOYÉS OF THE NEW ORLEANS CUSTOM-HOUSE.

Mr. WILKINSON introduced a bill (H. R. 6641) to increase the salaries of certain employés of the New Orleans custom-house, so as to make the said salaries equivalent to those paid in similar departments in the different cities of this country; which was read a first and second time, referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

WASHINGTON CITY POST-OFFICE.

Mr. MILLIKEN introduced a bill (H. R. 6642) to authorize the acquisition of certain parcels of real estate embraced in square No. 380, of the city of Washington, to provide an eligible site for a city post-office; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SUGAR TRUSTS.

Mr. MILLIKEN also submitted the following resolution; which was referred to the Committee on Manufactures:

*Resolved*, That the Secretary of the Treasury be, and he hereby is, authorized and directed to make a thorough investigation of the so-called sugar trusts in the city of New York, and that he direct the collector of the port of New York and Mr. Joseph Treloar, in charge of the correspondence bureau in the New York customs district under the said collector, to formulate the information in his or their possession relating thereto to this House.

LICENSE TAX PAID BY NON-RESIDENTS.

Mr. RAYNER introduced a bill (H. R. 6643) for the relief of non-residents who have paid license taxes to the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

PUBLIC BUILDING, ANNAPOLIS, MD.

Mr. COMPTON introduced a bill (H. R. 6644) to provide for the erection of a public building in the city of Annapolis, Md.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SEIZURE OF FORFEITABLE IMPORTED BOOKS.

Mr. LONG introduced a bill (H. R. 6645) for the seizure and destruction of forfeitable imported books; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

TARIFF LAWS AND DECISIONS FOR CUSTOMS OFFICERS.

Mr. COLLINS introduced a bill (H. R. 6646) to furnish officers of the customs with the tariff laws of the United States, and the rulings and decisions thereon; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

AMENDMENT OF PENSION LAWS.

Mr. COLLINS also (by request) introduced a bill (H. R. 6647) to amend the pension laws by increasing the pensions of soldiers and sailors who have lost the use of an arm or leg; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

INDIAN INDUSTRIAL SCHOOL, MICHIGAN.

Mr. ALLEN, of Michigan, introduced a bill (H. R. 6648) for the establishment and maintenance of an Indian industrial school in the State of Michigan; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

AMENDMENT TO THE RULES.

Mr. CUTCHEON submitted the following proposed amendment to the rules; which was read, and referred to the Committee on Rules:

*Resolved*, That Rule XXVIII, clause 1, be amended by adding thereto the following:

"Whenever application in writing, signed by a majority of all the members of the House, shall be presented to the Speaker requesting him to recognize any member therein named to move a suspension of the rules and pass a bill, to be named by him, upon the first Monday of the next ensuing month, it shall be the duty of the Speaker to recognize the member so named in such written request upon the said first Monday of the next ensuing month; and when more than one such written request is presented in any one month, the members therein named shall be recognized in the order in which they are presented to the Speaker."

REGISTER OF CERTAIN FOREIGN-BUILT VESSELS.

Mr. CHIPMAN introduced a bill (H. R. 6649) directing the Commissioner of Navigation to register certain foreign-built vessels as Amer-

ican vessels; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

LIQUOR TRAFFIC, DISTRICT OF COLUMBIA.

Mr. CHIPMAN also introduced a concurrent resolution relative to the liquor traffic in the District of Columbia; which was referred to the Select Committee on the Alcoholic Liquor Traffic.

MOORHEAD, LEECH LAKE, DULUTH AND NORTHERN RAILROAD.

Mr. NELSON introduced a bill (H. R. 6650) granting the right of way to the Moorhead, Leech Lake, Duluth and Northern Railroad Company through certain Indian lands in the State of Minnesota; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

ADDITIONAL ACCOMMODATIONS, HOUSE DOCUMENT-ROOM.

Mr. BARRY submitted the following resolution; which was read, and referred to the Committee on Accounts:

*Resolved*, That the Committee on Accounts be directed to inquire into the propriety of providing additional accommodations for the House document-room.

FEES, ETC., EXAMINING SURGEONS.

Mr. WALKER introduced a bill (H. R. 6651) establishing the fees and expenses of examining surgeons; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MAPS OF UNITED STATES.

Mr. WARNER introduced a bill (H. R. 6652) to authorize the Secretary of the Interior to cause to be printed maps of the United States in book form; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

FEES OF UNITED STATES COURT OFFICERS.

Mr. TIMOTHY J. CAMPBELL introduced a bill (H. R. 6653) to amend the first section of an act entitled "An act to regulate the fees and costs to be allowed clerks, marshals, and attorneys of the circuit and district courts, and for other purposes," approved February 26, 1853; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

TRANSFER OF UNOCCUPIED ROOMS, UNITED STATES COURTS.

Mr. SHERMAN introduced a joint resolution (H. Res. 103) authorizing and directing the Department of Justice to transfer certain rooms which have been occupied by the United States courts and officials to the city of Utica, N. Y.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

INCREASE OF PENSIONS.

Mr. HOPKINS, of New York, introduced a bill (H. R. 6654) to increase the pensions of soldiers and sailors; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PUBLIC BUILDING, SCHENECTADY, N. Y.

Mr. WEST introduced a bill (H. R. 6655) to provide for a public building at Schenectady, N. Y.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PURCHASE OF FAIRBANKS COIN SCALES.

Mr. MAHONEY introduced a bill (H. R. 6656) making an appropriation for the purchase of the scale known as "Fairbanks' infallible American gold and silver coin scale and counterfeit-coin detector" for use in the post-offices throughout the United States; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

RESTRICTION OF OWNERSHIP OF REAL ESTATE IN THE TERRITORIES.

Mr. FITCH introduced a bill (H. R. 6657) to amend an act entitled "An act to restrict the ownership of real estate in the Territories to American citizens, etc.," approved March 3, 1887; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

EASTERN AND WESTERN BANDS, CHEROKEE INDIANS.

Mr. JOHNSTON, of North Carolina, (by request) introduced a bill (H. R. 6658) to refer the claims of the Eastern and Western bands of Cherokee Indians to the Court of Claims for investigation and final judgment; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

SURPLUS MONEY FOR COMMON-SCHOOL PURPOSES.

Mr. HENDERSON, of North Carolina, introduced a bill (H. R. 6659) to divide the surplus money in the Treasury of the United States on the 1st day of July, 1888, among the several States and Territories, to be used for purposes of common-school education; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

TAX ON STATE BANK CIRCULATION.

Mr. HENDERSON, of North Carolina, also introduced a bill (H. R. 6660) to repeal the tax of 10 per cent. on notes of State banks used as circulation; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

SECTION 1225, REVISED STATUTES.

Mr. CROUSE introduced a bill (H. R. 6661) to amend section 1225 of the Revised Statutes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SALARY OF LETTER-CARRIERS.

Mr. WILLIAMS introduced a bill (H. R. 6662) to amend section 3866 of the Revised Statutes in regard to the salary of letter-carriers; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

REDUCTION OF REVENUE.

Mr. OUTHWAITE (by request) introduced a bill (H. R. 6663) to reduce revenue; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

TRACT OF LAND IN CLEVELAND, OHIO.

Mr. FORAN introduced a bill (H. R. 6664) donating to the city of Cleveland, Ohio, a certain tract of land for street and park purposes; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SECTION 566, REVISED STATUTES.

Mr. FORAN also introduced a bill (H. R. 6665) to amend section 566 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

WATCHMEN IN EXECUTIVE DEPARTMENTS.

Mr. FORAN also introduced a bill (H. R. 6666) to regulate the compensation of watchmen in the Executive Departments of the Government; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

BOARD OF EDUCATION FOR THE DISTRICT.

Mr. BUTTERWORTH (by request) introduced a bill (H. R. 6667) to create a board of education for the District of Columbia, and to prescribe its powers and duties; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

RECIPROCITY BETWEEN THE UNITED STATES AND CANADA.

Mr. BUTTERWORTH also introduced a bill (H. R. 6668) to extend the trade and commerce of the United States, and to provide for full reciprocity between the United States and the Dominion of Canada; which was read a first and second time.

Mr. BUTTERWORTH. I do not know to which committee this bill should properly be referred, whether to the Committee on Ways and Means or to the Committee on Foreign Affairs.

Mr. ADAMS. I ask that the bill be read.

Mr. BRECKINRIDGE, of Kentucky. I think it should go to the Committee on Ways and Means.

The SPEAKER *pro tempore*. The gentleman from Illinois [Mr. ADAMS] asks for the reading of the bill.

The bill was read.

Mr. BRECKINRIDGE, of Kentucky. I raise the point of order that under the rules this bill ought to go to the Committee on Ways and Means, as it is a bill that relates entirely to revenue.

The SPEAKER *pro tempore*. Does the gentleman from Kentucky make a motion to refer the bill to the Committee on Ways and Means?

Mr. BRECKINRIDGE, of Kentucky. I make the point of order.

Mr. BUTTERWORTH. I have no objection to the bill going there.

The bill was referred to the Committee on Ways and Means, and ordered to be printed.

SERVICE PENSIONS.

Mr. JOSEPH D. TAYLOR introduced a bill (H. R. 6669) granting pensions for service in the Army and Navy or Marine Corps of the United States; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

FIRE-ESCAPES IN THE DISTRICT.

Mr. ROMEIS submitted a resolution requesting the Committee on the District of Columbia to ascertain whether the law providing for fire-escapes in the District of Columbia is complied with; which was referred to the Committee on the District of Columbia.

WATERS OF ALASKA AND BERING SEA.

Mr. HERMANN submitted the following resolution; which was read:

*Resolved*, That the Secretary of State be, and he is hereby, requested to inform this House, if not incompatible with the public interest, what has been done by the Department of State in asserting the authority and dominion of this Government over the waters of Alaska and Bering Sea embraced in the treaty of 1867 between the United States and Russia; and whether any legislation is necessary on behalf of the United States to assert and maintain such authority and dominion, or for the protection of our fur-seal and other fisheries in said waters, and whether vessels, both foreign and domestic, adjudged by the courts of the United States to be confiscated, as well as their cargoes, for fishing unlawfully in said waters, have been released, and, if so, by what authority.

Mr. HERMANN. I ask that the resolution be referred to the Committee on Foreign Affairs.

Mr. DINGLEY. The resolution refers to fisheries of the United States. Should it not go to the Committee on Merchant Marine and Fisheries?

The SPEAKER *pro tempore*. Does the gentleman from Maine make that motion?

Mr. DINGLEY. I do.

The motion was agreed to; and the resolution was referred to the Committee on Merchant Marine and Fisheries.

MINERAL LANDS ON INDIAN RESERVATIONS.

Mr. HERMANN also introduced a bill (H. R. 6670) authorizing the Secretary of the Interior to permit miners and companies and corporations organized for mining purposes to prospect, develop, lease, and own the mineral portion of any Indian reservation, upon such terms and conditions as may be agreed upon by the Secretary of the Interior and the Indians on any such reservation; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

LOT OF LAND IN PHILADELPHIA.

Mr. HARMER introduced a bill (H. R. 6671) to authorize the sale to the Schuylkill River East Side Railroad Company of a lot of ground belonging to the United States Naval Asylum in the city of Philadelphia, and providing that the amount of moneys received shall be expended in the improvement of the Naval Asylum at Philadelphia; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

EXPENSES OF CONGRESSIONAL ELECTIONS.

Mr. OSBORNE introduced a bill (H. R. 6672) to define the necessary and proper expenses incident to the nomination and election or appointment of Senators and Representatives in the Congress of the United States, and to authorize the payment thereof; which was read a first and second time, referred to the Committee on the Election of President, Vice-President, and Representatives in Congress, and ordered to be printed.

BOUNTIES.

Mr. BAYNE introduced a bill (H. R. 6673) providing bounties for soldiers and sailors of the late war; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

SALARIES OF JUDGES UNITED STATES COURTS.

Mr. BAYNE also introduced a bill (H. R. 6674) to increase the salaries of the judges of the United States district and circuit courts; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ANACOSTIA AND POTOMAC RIVER RAILROAD.

Mr. HEMPHILL (by request) introduced a bill (H. R. 6675) to amend the act giving the approval and sanction of Congress to the route and termini of the Anacostia and Potomac River Railroad, in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

CLAIMS FOR DAMAGES IN DISTRICT OF COLUMBIA.

Mr. HEMPHILL (by request) also introduced a bill (H. R. 6676) to create a board of audit to adjust claims for special damages to real estate by reason of public improvements in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

POLICE FORCE IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL (by request) also introduced a bill (H. R. 6677) to amend an act entitled "An act to increase the police force of the District of Columbia, and for other purposes," approved January 31, 1883, and for other purposes; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

LAWS IN FORCE IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL (by request) also introduced a bill (H. R. 6678) to secure to the District of Columbia a compilation of the laws in force therein on the 4th day of March, 1888; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

JUSTICES OF THE PEACE, ETC., IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL (by request) also introduced a bill (H. R. 6679) to amend an act entitled "An act regulating the appointment of justices of the peace, commissioners of deeds, and constables within and for the District of Columbia, and for other purposes;" which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

ADDITIONAL TERM OF COURT IN DISTRICT OF COLUMBIA.

Mr. HEMPHILL (by request) also introduced a bill (H. R. 6680) to provide an additional term of the circuit court of the supreme court of the District of Columbia, and for the appointment of one additional associate justice thereof; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

LAWS IN RELATION TO IMMIGRATION.

Mr. STAHLNECKER presented a concurrent resolution of the New York State Legislature, requesting Congress to favor the passage of laws relating to immigration of foreigners; which was referred to the Committee on Foreign Affairs.

JURISDICTION OVER THE WATERS OF THE HUDSON.

Mr. MAHONEY introduced a joint resolution (H. Res. 104) declaring the waters of the Hudson River, for the protection of foreign and interstate commerce, from the sea as far northwardly as the tide ebbs and flows, to be in the exclusive jurisdiction of the United States of America; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PUBLIC BUILDING, NEWPORT, VT.

Mr. GROUT introduced a bill (H. R. 6681) for the erection of a public building at Newport, Vt.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

CARPENTERS IN THE NAVY.

Mr. WISE introduced a bill (H. R. 6682) to fix the status of carpenters in the United States Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

SUGAR FROM SORGHUM.

Mr. LEE presented a memorial of the joint Assembly of Virginia, asking an appropriation of $100,000 to erect the necessary works for the manufacture of sugar from sorghum, and to establish a school in Alexandria where the processes of the manufacture can be taught; which was referred to the Committee on Agriculture.

PUBLIC BUILDING, ROANOKE, VA.

Mr. HOPKINS, of Virginia, introduced a bill (H. R. 6683) to provide for the erection of a public building in the city of Roanoke, Roanoke County, Virginia; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ADDITIONAL LIFE-SAVING STATIONS, ATLANTIC COAST.

Mr. THOMAS H. B. BROWNE introduced a bill (H. R. 6684) to establish additional life-saving stations on the Atlantic coast of the United States; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

BUOY AT CHINCOTEAGUE INLET, VIRGINIA.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 6685) to establish a fog-signal buoy at Chincoteague Inlet, Virginia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

DESTRUCTION OF OYSTERS.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 6686) directing the prosecution of inquiries by the Commissioner of Fish and Fisheries in respect to the destruction of oysters in the natural oyster-beds lying within the waters and jurisdiction of the United States by starfish, etc., and making an appropriation for such purpose; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

DETAILS OF SURFMEN.

Mr. THOMAS H. B. BROWNE also introduced a bill (H. R. 6687) authorizing the detail of surfmen for duty at isolated life-saving stations during the summer months; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

TAX ON MANUFACTURERS OF STILLS.

Mr. YOST introduced a bill (H. R. 6688) to repeal the special tax on the manufacturers of stills; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

TAXES ON TOBACCO AND FRUIT BRANDY.

Mr. GAINES introduced a bill (H. R. 6689) for the repeal of internal-revenue taxes as applied to tobacco and fruit brandy; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PRIVATE CLAIMS.

Mr. HOGG introduced a bill (H. R. 6690) to relieve Congress of the power of legislating on bills of a private nature, to enlarge the jurisdiction of the Court of Claims, to create a court of pensions, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC BUILDING AT HUNTINGTON, W. VA.

Mr. HOGG also introduced a bill (H. R. 6691) for the erection of a public building at Huntington, W. Va.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SALE OF FISH IN DISTRICT OF COLUMBIA.

Mr. SNYDER introduced a bill (H. R. 6692) to regulate the sale of certain fish in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

APPOINTMENTS IN MARINE-HOSPITAL SERVICE.

Mr. GUENTHER introduced a bill (H. R. 6693) to regulate appointments in the Marine-Hospital Service of the United States; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

STREETS IN WASHINGTON, D. C.

Mr. GUENTHER also submitted the following resolution; which was read, and referred to the Committee on the District of Columbia:

Whereas it is a matter of general comment that the streets of the city of Washington are in an unusually bad and dirty condition: Therefore,

*Be it resolved by the House of Representatives*, That the Committee on the District of Columbia be, and is hereby, instructed to investigate the causes of such condition and report to this House on whom the responsibility rests.

PUBLIC BUILDING AT RACINE, WIS.

Mr. CASWELL introduced a bill (H. R. 6694) for a public building at Racine, Wis.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ONEIDA INDIAN RESERVATION, WISCONSIN.

Mr. HUDD introduced a bill (H. R. 6695) to provide for the allotment of lands in severalty to the Indians upon the Oneida reservation, in Wisconsin, and granting patents therefor, and for other purposes; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

EDUCATION IN ARIZONA.

Mr. SMITH, of Arizona, introduced a bill (H. R. 6696) to promote education in the Territory of Arizona, and to provide for the creation of a present fund for such purpose; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

ASSAY OFFICE, DEADWOOD, DAK.

Mr. GIFFORD introduced a bill (H. R. 6697) to establish an assay office at Deadwood, in the Territory of Dakota; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

BISMARCK LAND DISTRICT, DAKOTA.

Mr. GIFFORD also introduced a bill (H. R. 6698) to divide the Bismarck land district, in Dakota, and create an additional land district therein; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

BRIDGE ACROSS MISSOURI RIVER, FOREST CITY, DAK.

Mr. GIFFORD (by request) also introduced a bill (H. R. 6699) to authorize the construction of a bridge across the Missouri River at Forest City, Dak., by the Forest City and Watertown Railway Company; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

RIGHT OF WAY, GREAT SIOUX INDIAN RESERVATION.

Mr. GIFFORD (by request) also introduced a bill (H. R. 6700) granting the right of way across the Great Sioux Indian reservation in Dakota to the Forest City and Watertown Railway Company; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

LAND GRANT TO NORTHERN PACIFIC RAILROAD.

Mr. TOOLE introduced a bill (H. R. 6701) to authorize and direct the Secretary of the Interior to cause to be re-examined certain lands in the Territory of Montana falling within the grant of the Northern Pacific Railroad Company; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The call of States and Territories has been concluded; but if there be no objection, the Chair will now recognize for the introduction of bills and resolutions gentlemen who were not in their seats when their names were called.

There was no objection.

BOND PURCHASES FOR SINKING FUND.

Mr. WEAVER submitted the following resolution; which was read and referred to the Committee on Appropriations:

Whereas it appears from a letter of the honorable Secretary of the Treasury, dated January 13, 1888, addressed to the Speaker of the House of Representatives, and printed in Executive Document No. 78, first session Fiftieth Congress, that an additional appropriation of $2,000 is made necessary to meet an anticipated deficiency in telegraphic expenses of the Treasury Department, caused by the regulations recently adopted relating to deposits of Government funds in national-bank depositories; and

Whereas the Secretary of the Treasury in his annual report to Congress says, "The Government has purchased some bonds during the present fiscal year for the sinking fund, and has been obliged to pay such a price for them that the annual saving in interest upon the purchases is only about 2½ per cent.; that the price of the same class of bonds has materially advanced since these purchases, and that the premium paid on said purchases amounted to $2,852,015.88;" and

Whereas the policy of purchasing bonds with surplus money in the Treasury, as aforesaid, has ceased, and the policy of depositing the public funds in a large number of national banks has been substituted in lieu thereof; and

Whereas the statute authorizing the Secretary of the Treasury to designate national banks as United States depositories provides that the Secretary shall prescribe the regulations by which said depositories of public funds shall be governed: Therefore,

*Be it resolved*, That the Secretary of the Treasury be, and is hereby, directed to report to this House at the earliest possible moment all the facts bearing upon the following inquiries:

First. At what dates were the propositions made by the Treasury Department to buy said bonds; and if any person or association was employed to purchase said bonds, give name of said person, persons, or association. Give dates of purchase, name of seller, kinds of bonds purchased, amounts paid, and current rates at which said bonds were quoted at the time the proposition to purchase was made by the Department.

Second. State when the policy relating to deposits in national-bank depositories was adopted which created the deficiency spoken of in the letter aforesaid of the Secretary of the Treasury, and whether after the purchase spoken of on the eleventh page of the annual report of the Secretary of the Treasury for the year 1887; give also reasons for changing policy first adopted, to wit, the purchase of bonds.

Third. State if the deficiency spoken of in the aforesaid letter of the Secretary was caused by the large increase in the number of national-bank depositories. Append to your answer a statement showing the per cent. of deposits on bonds deposited to secure the same under present regulations of the Treasury Department; also append copy of said regulations. State what per cent. of deposits has been allowed by the Department on United States bonds deposited for this purpose for the past twelve years, and whether the rate has been uniform, and whether below or above the par value of the bonds previous to the adoption of the present policy, and what was the rate percentage at the date of change of policy.

Fourth. Has said new policy of the Department concerning United States depositories, the number thereof, and the increased percentage of deposits allowed had any effect to either increase or diminish the circulation of national-bank notes, and to what extent, and whether said policy has resulted in the increase or diminution of the money supply of the country?

Fifth. State the number of national banks which have been designated as depositories of public funds since the adoption of the present policy, the number formerly designated that have availed themselves of the increased rate, and where said banks have been designated since the adoption of the present policy and rates of deposits, state when the bonds deposited in the Treasury by said designated depositories were transferred to said associations, and by whom.

BILLS FROM THE COMMITTEE ON NAVAL AFFAIRS.

Mr. HERBERT submitted the following resolution, and moved its reference to the Committee on Naval Affairs:

*Resolved*, That Tuesday and Wednesday, the 28th and 29th of February, immediately after the reading of the Journal, be set apart for the consideration of bills reported from the Committee on Naval Affairs, not to interfere with general appropriation bills, bills from the Committee on Ways and Means or Elections, or with prior orders; this to be a standing order and continuing from day to day until two whole days shall have been devoted to the consideration of said bills.

Mr. ANDERSON, of Kansas. Should not that resolution go to the Committee on Rules?

Mr. BURROWS. I insist on its reference to the Committee on Rules.

Mr. HERBERT. Let it go to that committee.

The resolution was referred to the Committee on Rules.

PUBLIC BUILDING AT EUREKA, CAL.

Mr. THOMPSON, of California, introduced a bill (H. R. 6702) for a public building at Eureka, Cal.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

FACILITATING IMPROVEMENT OF RIVERS AND HARBORS.

Mr. JONES introduced a bill (H. R. 6703) to facilitate the prosecution of works projected for the improvement of rivers and harbors; which was read a first and second time, referred to the Committee on Rivers and Harbors, and ordered to be printed.

REPORT ON WHITE SCALE-INSECTS.

Mr. FELTON submitted the following resolution; which was referred to the Committee on Agriculture:

*Resolved by the House of Representatives (the Senate concurring)*, That a special report on the white scale and other scale-insects affecting the orange and other fruit trees in California be printed, and that 50,000 additional copies be printed, of which 25,000 copies shall be for the use of members of the House in whose districts the orange is grown, 12,500 for the use of Senators in whose district the orange is grown, and 12,500 for the use of the Department of Agriculture.

SPECIAL REPORT ON INSECTS AFFECTING THE ORANGE.

Mr. FELTON also submitted the following resolution; which was referred to the Committee on Agriculture:

*Resolved by the House of Representatives (the Senate concurring)*, That a second edition of the special report of the Department of Agriculture on insects affecting the orange be printed, and that 20,000 additional copies be printed, of which 10,000 copies shall be for the use of members of the House in whose districts the orange is grown, 5,000 for the use of Senators in whose districts the orange is grown, and 5,000 for the use of the Department of Agriculture.

FRENCH SPOLIATION CLAIMS.

Mr. ROGERS introduced a bill (H. R. 6704) to amend the act of the 20th of January, 1885, entitled "An act to provide for the ascertainment of claims of American citizens for spoliations committed by the French prior to the 31st July, 1801," so as to provide for the rendition of judgments by the Court of Claims and for appeals to the Supreme Court; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

RESOLUTION OF INQUIRY.

Mr. LANDES submitted the following resolution; which was referred to the Committee on Rivers and Harbors:

*Resolved*, That the Secretary of War be, and he is hereby, requested to furnish the House with information touching an alleged obstruction of the Wabash River at a point opposite to the city of Mt. Carmel, Ill., by the construction and maintenance, without authority of law, by the Louisville, Evansville and St. Louis Railroad Company, of a railroad bridge.

LARD ADULTERATION.

Mr. HENDERSON, of Iowa, submitted the following concurrent resolution of the Legislature of the State of Iowa, requesting Congress to prohibit the sale of adulterated lard and require statement of actual contents on package thereof, and to pass the bill now pending for that purpose; which was referred to the Committee on Agriculture, and ordered to be printed in the RECORD.

It is as follows:

*Be it resolved by the senate (the house concurring)*, That our Senators and Representatives in Congress be requested to secure legislation that will prohibit the sale of adulterated lard throughout the United States, unless on the package containing the same a true statement is given of the actual contents and of the proportion of genuine lard therein; and that they be further requested to aid in the passage of any bill now before Congress having in view the purpose above indicated.

I hereby certify that the above resolution passed both branches of the Twenty-second General Assembly of the State of Iowa.

FRANK D. JACKSON,
*Secretary of State.*

COST OF PRODUCING LEADING ARTICLES OF CONSUMPTION.

Mr. O'NEILL, of Missouri, submitted a joint resolution (H. Res. 105) authorizing and directing the Commissioner of Labor to make an investigation as to the cost of producing articles of consumption in the United States and competing countries, and for other purposes; which was referred to the Committee on Labor, and ordered to be printed.

INCREASE OF PENSIONS.

Mr. MORRILL, introduced a bill (H. R. 6705) to increase the pensions of those now on the rolls who are incapacitated from performing any manual labor whatever, from $30 to $45 per month; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

POTTAWATOMIE INDIANS.

Mr. MORRILL also submitted the following resolution; which was referred to the Committee on Indian Affairs:

Whereas one E. John Ellis, an attorney, of the city of Washington, D. C., has pending in the House a claim for services rendered professionally for the Pottawatomie Indians; and

Whereas many of these Indians are citizens of the United States, and claim that they are not indebted to the said E. John Ellis in any sum: Therefore,

*Be it resolved*, That the Secretary of the Interior be requested to furnish this House all the information possessed by his Department concerning said claim, for whom rendered, and circumstances under which rendered, and any other information he may possess concerning the propriety of the said proposed legislation; and, also, if any moneys have been paid to any other persons for services rendered in procuring appropriation from Congress in favor of said Indians in act of August 3, 1886, and, if so, to whom and by what authority said moneys were paid.

OLD FORT CHARTRES.

Mr. BAKER, of Illinois, submitted the following resolution; which was referred to the Committee on Military Affairs:

*Resolved*, That the Committee on Military Affairs be instructed to inquire into the expediency of the United States Government purchasing the celebrated historical site of Old Fort Chartres, in Illinois (a site which stands so prominently connected with the early history of the Mississippi Valley), with a view to its preservation in as near its original form as possible; and that said committee be instructed to report on the subject by bill or otherwise.

ADJUSTMENT OF LAND GRANTS, ETC.

Mr. SYMES introduced a bill (H. R. 6706) to amend an act for the adjustment of land grants by Congress, etc.; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

RIO GRANDE PACIFIC RAILROAD COMPANY.

Mr. SYMES also introduced a bill (H. R. 6707) to grant the Rio Grande Pacific Railroad Company the right of way through the Uncompahgre and Uintah reservations, in the Territory of Utah, and for other purposes; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

ALLOWANCES FOR EXPENSES AT PRESIDENTIAL POST-OFFICES.

Mr. SYMES also introduced a bill (H. R. 6708) to equalize the allowances for office expenses at Presidential post-offices; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

REMOVAL OF TIMBER ON THE PUBLIC DOMAIN.

Mr. SYMES also introduced a bill (H. R. 6709) to amend an act entitled "An act authorizing the citizens of Colorado, Nevada, and the Territories to fell and remove timber on the public domain for mining and domestic purposes," approved June 3, 1878; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

PROPERTY NEAR GOSPORT NAVY-YARD.

Mr. BOWDEN introduced a bill (H. R. 6710) authorizing and directing the Secretary of the Navy to purchase certain property opposite the Gosport navy-yard, near Norfolk, Va.; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

PUBLIC BUILDING, HUTCHINSON, KANS.

Mr. PETERS introduced a bill (H. R. 6711) for the erection of a public building at Hutchinson, Kans.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

LAND CONTEST CASES, INTERIOR DEPARTMENT.

Mr. PETERS also submitted the following resolution of inquiry; which was read and referred to the Committee on the Public Lands:

*Resolved*, That the Secretary of the Interior be requested to inform the House of Representatives:

First. How soon after the filing of an appeal in a land-contest case in the office of the Commissioner of the General Land Office is such case reached for hearing and consideration.

Second. If such cases are considered in the order of their filing.

Third. The cause of delay in the consideration of such cases, if there is any such delay.

Fourth. After an appeal is taken to the Secretary of the Interior in such cases, how soon is it reached for hearing and consideration.

Fifth. The cause of such delay, if any.

Sixth. How soon after final decision in such cases does patent issue.

Seventh. The cause of such delay, if any.

RIGHT OF WAY THROUGH FORT HAYS MILITARY RESERVATION.

Mr. TURNER, of Kansas, introduced a bill (H. R. 6712) to authorize the Omaha, Hays City and Southwestern Railway Company to build its road across the Fort Hays military reservation; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PUBLIC BUILDING, ELMIRA, N. Y.

Mr. FLOOD introduced a bill (H. R. 6713) for the erection of a public building in the city of Elmira, N. Y.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

EFFECTS OF OFFICERS ON LOST VESSELS.

Mr. HOLMES introduced a bill (H. R. 6714) making allowance for effects of officers of lost vessels; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

PUBLIC BUILDING, VINCENNES, IND.

Mr. O'NEALL, of Indiana, introduced a bill (H. R. 6715) for the erection of a public building at the city of Vincennes, Ind.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PROTECTION OF SHEEP HUSBANDRY, OHIO.

Mr. GROSVENOR presented resolutions of the General Assembly of the State of Ohio in regard to sheep husbandry; which were read, and referred to the Committee on Ways and Means.

PROTECTIVE TARIFF.

Mr. GROSVENOR also presented resolutions of the General Assembly of the State of Ohio in reference to a protective tariff; which were read, and referred to the Committee on Ways and Means.

Mr. GROSVENOR. I ask that these resolutions be printed in the RECORD.

There was no objection.

They are as follows:

[House Joint Resolution No. 4.]

Requesting our Senators and Representatives in the Congress of the United States to oppose any reduction of the wool tariff.

*Resolved by the General Assembly of the State of Ohio*, First. That we recognize in sheep husbandry one of the most important industries of our State and country, and one that almost every farmer is directly interested in, and without which our country can not be independent; and that we do therefore view with apprehension and alarm all propositions and measures to abolish or reduce the tariff duties now levied for its protection, and respectfully request our Senators and Representatives in Congress to oppose the same.

Second. That the governor be requested to transmit a copy of these resolutions to each of our Senators and to each of the members of the House of Representatives in the Congress of the United States from Ohio.

ELBERT L. LAMPSON,
*Speaker of the House of Representatives.*
WM. C. LYON,
*President of the Senate.*

Adopted January 25, 1888.

UNITED STATES OF AMERICA, OHIO,
*Office of the Secretary of State:*

I, James S. Robinson, secretary of state of the State of Ohio, do hereby certify that the foregoing is a true copy of a joint resolution adopted by the General Assembly of the State of Ohio on the 25th day of January, A. D. 1888, taken from the original rolls filed in this office.

In testimony whereof I have hereunto subscribed my name and affixed my official seal, at Columbus, the 27th day of January, A. D. 1888.

JAMES S. ROBINSON,
*Secretary of State.*

EXECUTIVE CHAMBER, *Columbus, Ohio, January 27, 1888.*

In compliance with the request contained in the resolution above set forth, I have the honor to transmit a certified copy of the same herewith.

J. B. FORAKER, *Governor.*

[House Joint Resolution No. 5.]

Requesting our Senators and Representatives in the Congress of the United States to oppose certain measures which were suggested in the President's recent message.

*Resolved by the General Assembly of the State of Ohio*, First. That we believe in a protective tariff for the sake of protection, to the end that we may have a diversity of employment, domestic commerce, home markets for our farmers, good wages for our laborers, and such development of all our material resources as will make it possible for us to supply all our wants in both peace and war, and thus be independent as a nation among the nations of the earth.

Second. Under this wise and patriotic policy, inaugurated and steadily upheld and enforced by the Republican party since its advent to power in 1861, we have prospered as no other nation ever did.

Third. We regard the views expressed by His Excellency the President of the United States, in his recent message to Congress, in opposition to this policy, as unwise, unjust, and unpatriotic, and as calculated, if formulated into law and given effect, to not only dissipate our surplus revenue, but also paralyze our industries, stop the development of our resources, degrade labor, stagnate and demoralize business, and reduce us to that weak and dependent condition to which the country had been brought by a Democratic free-trade policy when the Republican party was placed in power in 1861.

Fourth. That our Senators in Congress be instructed, and our Representatives be requested, to oppose all measures that may be offered for the purpose of giving effect to these views and recommendations of the President.

Fifth. That the governor be requested to forward a copy of these resolutions to each of our Senators and Representatives from Ohio in the Congress of the United States.

ELBERT L. LAMPSON,
*Speaker of the House of Representatives.*
WM. C. LYON,
*President of the Senate.*

Adopted January 26, 1888.

UNITED STATES OF AMERICA, OHIO,
*Office of the Secretary of State:*

I, James S. Robinson, secretary of state of the State of Ohio, do hereby certify that the foregoing is a true copy of a joint resolution adopted by the General Assembly of the State of Ohio on the 26th day of January, A. D. 1888, taken from the original rolls filed in this office.

In testimony whereof I have hereunto subscribed my name and affixed my official seal, at Columbus, the 27th day of January, A. D. 1888.

JAMES S. ROBINSON,
*Secretary of State.*

EXECUTIVE CHAMBER, *Columbus, Ohio, January 27, 1888.*

In accordance with the request contained in the resolutions above set forth, I have the honor to transmit a certified copy of the same herewith.

J. B. FORAKER, *Governor.*

ADDITIONAL JUSTICE FOR SUPREME COURT OF UTAH.

Mr. CAINE introduced a bill (H. R. 6716) providing for the appointment of an additional justice for the supreme court of the Territory of Utah, and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

ALIEN LAND ACT.

Mr. CAINE also submitted a memorial of the governor and Legislative Assembly of the Territory of Utah, asking for an amendment of the alien land act so as to exclude from its operations mineral lands in the Territories; which was referred to the Committee on the Public Lands.

ADDITIONAL JUSTICE, UTAH.

Mr. CAINE also submitted a memorial of the governor and Legislative Assembly of the Territory of Utah, asking for the appointment of an additional associate justice for that Territory; which was referred to the Committee on the Territories.

PUBLIC BUILDING, JUDICIARY SQUARE, WASHINGTON.

Mr. DIBBLE introduced a bill (H. R. 6717) to provide for the erection of a public building on Judiciary Square in the city of Washington; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. This completes the call of the States and Territories for the introduction and reference of bills.

[Speaker CARLISLE here resumed the chair, his appearance being greeted with loud and prolonged applause.]

THANKS TO SPEAKER PRO TEMPORE COX.

Mr. PERKINS. Mr. Speaker, I offer the following resolution for present consideration, and I know that after it is read every gentleman in this House will take pleasure in voting for it.

The Clerk read as follows:

*Resolved*, That the thanks of this House be granted to Hon. SAMUEL S. COX for the courteous, just, and impartial manner in which he presided over its deliberations as Speaker *pro tempore* during the absence of the Speaker, and for his expeditious and satisfactory dispatch of public business.

The resolution was unanimously agreed to.

Mr. COX. Mr. Speaker, during your regrettable absence it pleased the gentlemen on both sides of the Chamber to make me for a time your *locum tenens*. I thank gentlemen on both sides for their uniform good temper and for their forbearance towards one who was called fresh from the floor for the exacting and perplexing duties of the Chair. I had not the opportunity to thank gentlemen at the time I was elected to that place; but I do so now, and I tender my heartiest acknowledgments. [Applause.]

CONTESTED ELECTION—LOWRY VS. WHITE.

Mr. CRISP. I call up for consideration, as a question of privilege, the contested-election case of Lowry vs. White, Twelfth district, Indiana.

The SPEAKER. The Clerk will report the resolutions of the committee.

The Clerk read as follows:

*Resolved*, First. That James B. White, not having been a citizen of the United States for seven years previous to the 4th of March, 1887, is not entitled to retain his seat in the Fiftieth Congress of the United States from the Twelfth Congressional district of Indiana.

*Resolved*, Second. That Robert Lowry, not having received a majority of the votes cast for Representative in the Fiftieth Congress from the Twelfth Congressional district of Indiana, is not entitled to a seat therein as such Representative.

Mr. CRISP. There is also pending a substitute offered by the minority. Under the arrangement gentlemen on the other side will now use the time which remains to them.

Mr. ROWELL. I yield forty-five minutes to my colleague on the committee, the gentleman from Indiana [Mr. JOHNSTON].

Mr. JOHNSTON, of Indiana. In some respects this is a very remarkable contested-election case. In the fall of 1886 there was an election held in the Twelfth Congressional district of Indiana at which there were 34,589 votes cast. Of that number James B. White, the sitting member, got 17,900, and Robert Lowry 15,416 votes; making a plurality for Mr. White of 2,484, and a majority of 1,214 votes. Upon this record Mr. White's election is contested by his competitor, Robert Lowry.

The majority of the committee—in fact, I might say all of the committee but one—decided that Robert Lowry, the contestee, has no rights in court. The minority of your committee concede that Mr. Lowry, as a citizen of the Twelfth Congressional district, has a right to petition and raise the question of the eligibility of his competitor, James B. White. Then, as this record appears before this House to-day, Mr. Lowry stands here simply as an elector of the Twelfth Congressional district, saying that because James B. White is not a citizen of the United States he is not eligible to hold the seat to which the people have elected him. Out of nearly 35,000 voters, Mr. Speaker, he is the only elector in that district who is here contesting the right of James B. White. Out of 34,500 voters, 34,499 of them concede the right of this man to his seat upon this floor.

Then we are brought face to face with the proposition whether or not he is entitled to hold the seat that he has been elected to by 2,500 majority over his competitor.

The majority of the committee say that, as he is unable to show by the records of the court in which he was naturalized that he is a naturalized citizen, he is therefore barred of the right of proving it. The minority of your committee say that if he is a naturalized citizen it is a fact, and he has the right to prove that fact.

The majority of the committee quote authorities on their side to show that certain courts have held that naturalization can only be proved by the record of it. The minority of the committee quote authorities equally strong to show that where the record fails to exhibit the fact it may be proved by parol evidence. Then we are brought here with one side contending that these authorities show one thing; the other side contending that they show another; and we come back then to the great fundamental principles that govern this body.

It is an old and well-settled principle in law that no court can construe an act of the legislative branch of the Government as well as the power that makes it. In nearly every State of this Union at every session of the Legislature it is called upon to pass acts to construe this or that act of the Legislature. We are then called upon in this case—not conceding the position taken by the majority—we are called upon in this case to decide what the act of Congress providing for naturalization means.

I for one would rather hold with the judge that decided the Coleman case, that whenever the man who seeks his naturalization has done all the law compels him to do he becomes a citizen of the United States; that the mere act of omission of the clerk shall not deprive him of his naturalization. And that is in accordance with our ideas of republican institutions; it is in accordance with our ideas of the right of men to be naturalized. I would rather hold with the supreme court of California, where they passed upon the question of the right of a citizen to vote; they say that wherever the act says the voter shall do certain things it is mandatory, but where it says the clerk shall do certain things it is directory; and if the clerk fails to perform his duty that failure of his shall not deprive the man of his right to vote and his right to citizenship.

The honorable gentleman from Virginia [Mr. O'FERRALL] the other day said that he honored Captain White for his military record.

Mr. O'FERRALL. If the gentleman will allow me to interrupt him a moment, I do not think that I said that I honored Captain White for his military record. I said that I honored any brave and gallant Union soldier for his military record. I did not apply that to Captain White.

Mr. JOHNSTON, of Indiana. I will take the gentleman's statement as he makes it, that he honors any brave Union soldier for his mil-

itary record. Coupled with that he said the other day that he himself had served four years on the other side, and I can readily conceive how he can honor a brave man against whom he fought; but did it ever occur to the honorable gentleman that while he was engaged in that conflict on the one side and Captain White on the other, they were really appealing from the courts to settle a disputed question as to the construction of the organic act of the Government—the construction of the Constitution of the United States? That question was appealed from the courts to a higher tribunal, and when we find the courts differing in their decisions we stand here to settle the rights of an American citizen under the acts of Congress authorizing him to be naturalized, and we are a court unto ourselves, because the Constitution says that this House is the sole judge of the elections, returns and qualifications of its own members.

We could make no rule here that would bind a future Congress, and as this question is is to be settled by Congress, I believe, with the minority of this committee, that it is right to let Captain White come in and prove his citizenship in any way he can that is known to the law of evidence. This brings us to the simple isolated question of fact, Was Captain White ever naturalized? Did he become a naturalized citizen of the United States seven years before he took his seat in this Congress as a member from the Twelfth district of Indiana? Captain White came to this country in 1854, a beardless boy, before he had reached the years of manhood. They say Captain White has admitted that in 1856 he voted for John C. Frémont. I am not here to dispute that proposition, and I think that if every man upon the opposite side of this Chamber would go to Captain White and ask him if he voted for John C. Frémont in 1856, he would tell them very frankly that he thinks he did; that he came here a minor and believed then, and until 1858, that having come here as a minor, he had a right to vote when he attained his majority without being naturalized.

In 1858 he took out his first papers in Allen County, Indiana. In 1861 Captain White enlisted in defense of a country of which he was not yet a citizen. He had left the home of his fathers and come to cast his fortunes with this growing nation of ours, and when its perpetuity was threatened, he, like a man who loved liberty and loved our free institutions, enlisted in their defense. He came out of the service in 1863 or 1864. In 1865 he thought he would go and visit the land of his nativity, that he would go back and see his father and mother. Then it was that he was told by relatives and by citizens of his town that he had better take out his second papers. Captain White swears that in February, 1865, he went into the clerk's office of Allen County and took out his second papers, and started on his contemplated visit, but when he got to the city of New York he received information by telegraph that his wife was lying dangerously ill, whereupon he abandoned the trip, came home to Indiana, and has ever since been a citizen of Fort Wayne. He has been elected to office after office; he has been honored by the people of his own city; he has been voted for time and again; and this question of his naturalization was never raised until 1886.

Now, then, as to the facts and the proof whether or not Captain White was ever a naturalized citizen. A few days before the election he was confronted by Mr. Bell, of Fort Wayne, and Mr. Moynihan, agents of the contestant, Mr. Lowry. Then, for the first time in his life, he was charged with not being a naturalized citizen. What did White say upon that occasion? He said, "I am a citizen; I was naturalized in this Allen County, and Isaac Jenkinson was with me when I was naturalized. I was naturalized in the court-house." "Well, but Captain White, have you got your papers?" "I do not know whether I have got my papers or not. I do not know whether I can find my commission in the Army or not. I do not know whether I can find my marriage certificate; but still I know I was married." What was the object of Mr. Bell's interview with Captain White? To prepare a publication that was to drive consternation into the ranks of Captain White's followers.

Now, let us go one step farther and see whether or not Captain White is corroborated by the circumstances surrounding this case. Upon Thursday, the 28th day of October, there came out a publication in the papers of Fort Wayne charging that Captain White was not a naturalized citizen, and Isaac Jenkinson, living a hundred miles away, sitting in his office the next day reads that statement, and what does he say? Why, he says, "That is impossible! I certainly was with Captain White and saw him naturalized." No man can contend, no man who reads the evidence can contend that there was any understanding or communication between Captain White and Mr. Jenkinson.

Can there be any doubt that Mr. Jenkinson is to be believed? If any man on the other side of the Chamber doubts it for one moment, let him take up the report of the committee, written by the honorable gentleman from Mississippi [Mr. BARRY], and he will find it conceded that Isaac Jenkinson is a man worthy of belief, having long been a citizen of high standing in his own State, and having for six years represented our nation in a foreign land. He stands before you, then, unimpeached. And what does he say on this question? He says, "I was with Captain White just after the war closed, and I think he was naturalized in Allen County, in the city of Fort Wayne."

I admit that, as gentlemen on the other side have pointed out, the evidence of Mr. Jenkinson in his examination-in-chief was not so strong and pointed as it might have been. But there sat Mr. Lowry, the contestant, a sharp, shrewd practitioner, who commenced upon cross-examination to press the witness with questions. "Where was this man naturalized? Was it in the clerk's office or in the court-house?" "It was in the court-house," says Mr. Jenkinson. "Who were present?" "There were myself, Mr. White, Mr. Brown, I think, and perhaps others, and possibly Mr. Chittenden." Then Mr. Lowry puts the question, "Did you sit down or were you standing up?" "Captain White and I were standing up in front of the court, a little to the right and in front of the court." "But," asks the contestant, "was not the clerk's desk there?" "The clerk's desk was there; but we stood to the right and in front of the court." He was driven on still further by this kind of cross-examination until he said, "There is one fact which convinces me that I was there and that it was after the war." "What is that, Mr. Jenkinson?" "Why," says he, "it was remarked there that it was a strange thing that a Union soldier should have to swear allegiance to the United States Government."

Mr. BARRY. Let me interrupt the gentleman a moment. He says, "It was remarked." Who "remarked" it?

Mr. JOHNSTON, of Indiana. Mr. Jenkinson says it was remarked at that time.

Mr. BARRY. Where does Mr. Jenkinson say that?

Mr. JOHNSTON, of Indiana. If you will turn to the record——

Mr. BARRY. Read it and see.

Mr. JOHNSTON, of Indiana. If the gentleman will turn to the re-examination of Mr. Jenkinson, question 4, he will find that is what he says—that it was remarked as strange that a Union soldier must swear allegiance to the United States Government and renounce allegiance to Queen Victoria.

What happened next? He is asked, "To whom did you first make that remark?" He answers, "The first man I talked about it was Colonel Robinson, of Fort Wayne, a few days after the election. I said to him, 'I see that they are raising the question that Captain White has not been naturalized; that can not be possible; I was present when he was naturalized;' and Colonel Robinson spoke up and said, 'That is just what Jim White says about it.'"

Here are these two persons, a hundred miles apart, who, without opportunity to consult with each other, agree thus in their statements.

Now, I want to put it to the majority of the committee, Do you believe that if Captain White were trying to show a naturalization which did not take place, he would, when confronted with the question, have referred to a high-toned, honorable gentleman like Mr. Jenkinson, and said that that gentleman was present at the time of the naturalization? Would he have selected a man a hundred miles away and said he was there, basing his whole case upon this statement without knowing how that other man would testify? This fact alone does away with the idea that James B. White was stating anything but what he really and absolutely believed. If he had been undertaking to prove that he was naturalized when he knew that he was not, he would have selected two of his followers in the city of Fort Wayne and said that they were present as his witnesses. But instead of this he names a man whom he has not seen for years, a man 100 miles away, and a man who, as all agree, is an honorable, high-toned gentleman.

Now, I wish to call attention to one very astounding fact; and I want gentlemen representing the majority of the committee, when they come to make their closing argument, to state the reason for what I am about to bring to the attention of members. We find that in the report of the majority, where the interview between Mr. White, Mr. Bell, and Mr. Moynihan is referred to, the evidence of Mr. Bell and Mr. Moynihan is set out nearly in full; and the majority of the committee, making a great show of fairness, then say, "It is but fair to set out the evidence of Mr. White," attempting to leave the impression upon this House that the evidence of Mr. White and the evidence of Mr. Bell and Mr. Moynihan constitute the whole evidence of what transpired at that interview. Why, gentlemen of the majority of the committee, if you wanted to treat Mr. White fairly in this report, why did you not set out also the evidence of John W. White as to that interview, thus giving the evidence of the four witnesses to the transaction? But instead of that, you rely upon the evidence of two witnesses on your side and one upon ours. How does that record stand? Mr. Moynihan and Mr. Bell swear to one version of that interview; James B. White and his son, John W. White, swear to another and entirely different version. Captain White swears that he never gave any date as to when these papers were taken out. His son, John W. White, comes in and corroborates him. Therefore, as to what took place at that interview this record stands with Mr. Bell and Mr. Moynihan on one side, and Mr. James B. White and Mr. John W. White on the other.

Now, then, if it was the mere preponderance of evidence on that point your case would have to fall.

But let us look for a few moments as to how the witnesses stand before this House; how the witnesses stand in this evidence. Who is Robert C. Bell, of Fort Wayne? A politician, as shown by this record, who has been the worker of the contestant in this case; who, as the

record shows, was in the convention that nominated him, and the chairman of the committee on credentials, with power to throw out delegates for one man and to seat delegates for another.

He goes down on the 28th of October to Captain White with a falsehood in his mouth. Turn to the record, page 155. He had Captain White telegraphed for on the 27th. He leaves the heat and turmoil of a political campaign. He goes to Fort Wayne to answer the telegram sent to him at the instance of Robert C. Bell, who was acting as the agent of Robert Lowry; when Mr. Bell meets him, he says, "Captain White, I have always been a friend of yours; they are going to spring something on you in the contest, and that is you are not a naturalized citizen of the United States. I heard it but yesterday."

Turn to the record and you will find he admits that he told Captain White that fact. But when did he learn it? By his own evidence he had known it fourteen days before. But he tells Captain White, to mislead him and throw him off his guard, that he had merely learned it the day before.

One step further. I ask the majority of this committee if they are here to defend the record of Robert C. Bell in this evidence. If it shows anything, it shows that on a certain Saturday John D. Sardinghausen, a naturalized German, a member of the Indiana State senate, was met by Mr. Lowry, and told by him that he could put him out of the State senate sooner than he got in, because he was not a naturalized citizen. But, said Mr. Sardinghausen, "I am a naturalized citizen, and was naturalized before you, Judge Lowry."

Let us go one step farther in this investigation. John D. Sardinghausen the next day, on Sunday, showed his naturalization papers to Robert C. Bell. On Monday Robert C. Bell went to the clerk's office to investigate the fact, whether there was a record there or not, and on the next day he brought back the record showing that he had been naturalized. That puts Judge Lowry, the contestant in this case, in the position of charging, as in this case, that the record in the case of J. D. Sardinghausen was a forgery.

Then what have you got? You have got the fact that Robert C. Bell went to the court-house in the city of Fort Wayne, as the attorney of John D. Sardinghausen, and forged a record of naturalization, or Mr. Lowry has testified falsely in this case. They ask you to believe, in the trial of this cause, a man who, as shown by Lowry's own evidence, has tampered with and forged the records of Allen County; upon such evidence as that you are asked to say that James B. White has perjured himself! That is just where this case lies. You bring a man as witness who, according to your evidence, tampered with the records—made records which never existed—and then ask us to turn this man out on such evidence as that.

Still one step further. The majority of this committee seek to make some capital out of the fact that James B. White took out his third papers in Kosciusko County. Does not the evidence show that he had taken out his second papers in Allen County? Does not the evidence of Mr. Colerick and Mr. Purman show that they advised him, as lawyers, to go and take them out? They testify, sir, the court was not in session in Allen County, and they told him it would do no harm, and it might do him some good; and on their advice he went and took out his papers. Is that to be used against him in weighing his right to a seat on this floor?

I want to call your attention to some other evidence—the evidence of William T. Pratt, a man who was sheriff of Allen County for four years, who has been justice of the peace, and honored by his State on the board of supervisors and the board of trustees of the northern penitentiary. Mr. Pratt swears that he was in court, that he saw Mr. Jenkinson and Mr. White in court holding up their hands and testifying, and that he thinks they were going through the operation of naturalization.

Now, I want to call the attention of my colleague on the committee from Ohio [Mr. OUTHWAITE], as he is the only man in this discussion who has sought to drag politics into it in any way, to some of the testimony given here, and I am certain that my friend could never have read this evidence on the part of Mr. Pratt, or he would not have been willing to sit here in his place and deny his Democracy. I ask my friend to turn to page 207 of the record, at the bottom of the page, and read these words:

142. Q. You have been asked and answered concerning your past political affiliations. Is it not a fact that for some years past, in consequence of the disappointments you have unfortunately met with politically, been generally about election time considerably given to grumbling and enrolled usually in the ranks of those known as political kickers?—A. No, sir; I vote the Democratic ticket straight and take my whisky straight and don't belong to kickers.

Is he a Democrat after that? Can you doubt his Democracy on reading such testimony? [Laughter.]

Mr. OUTHWAITE. Not from your point of view.

Mr. JOHNSTON, of Indiana. I simply quote that for the benefit of my honored friend from Ohio, who seeks to cast a doubt upon Mr. Pratt's testimony on political grounds.

Mr. OUTHWAITE. Will the gentleman yield to me for a question?

Mr. JOHNSTON, of Indiana. I will yield for a question. How long a time do you want?

Mr. OUTHWAITE. Only for a moment.

Mr. JOHNSTON, of Indiana. All right.

Mr. OUTHWAITE. I ask the gentleman if it is not true that Mr. Pratt testified that he was bitterly hostile to Mr. Lowry during the whole of that contest?

Mr. JOHNSTON, of Indiana. That may be true, I will answer the gentleman; but that is no reason for discrediting his testimony, for there are 2,500 or 3,000 of the best Democrats in the world that were hostile to him at the same time. If you are going to brand this man as a liar and a perjurer because he did not stand under the party lash of Mr. Lowry, why then you will necessarily discredit 3,000 of the best Democrats in Indiana. [Applause.] If they are perjurers simply because they did not bow the knee and bend their backs to the crack of Judge Lowry's party whip, why of course in view of the fact that they did not bow the knee they come under the ban of your denunciation.

Now, then, another point. I want to appeal to this House for fair play and fair dealing. I also appeal to the majority of this committee. You quote here the evidence of a Mr. Spencer, who swears that he was at a party and had a conversation after the election with contestee. If you had been judges upon the bench during the trial of this case you would have stricken out that testimony upon the motion of James B. White. But what do you do? You produce it here to impeach him, when he never had a chance to deny the conversation, for when he offered, after the evidence in the case was closed, to prove to the contrary, you denied him the right.

Now, Mr. Speaker, if James B. White is not a citizen of the United States, to what country on earth does he belong? He has renounced his allegiance to Queen Victoria. You say he is not a citizen of this country; then it follows that he is a man without a country. If, after taking out his papers here, he had gone to Scotland, and when he got there the Queen had called him as her own, James B. White could have stood up in the face of the British Government and said, "I am an American citizen; here is my certificate of naturalization." "Oh!" but the gentleman from Mississippi and the gentleman from Virginia say, "unless you can show the record of the court in which you were naturalized you are not entitled to the protection of the flag you fought to perpetuate."

Then James B. White would open his coat and exhibit the scar upon his manly bosom and say, "Gentlemen, here is my certificate; here are the wounds I received fighting for the perpetuity of a republican form of government in the United States." "Oh!" but say the majority of the committee again, "that all goes for naught; that amounts to nothing; you must show the record." But I ask you, sir, what would the American Congress have said in the face of these facts? It would have declared war if necessary against Great Britain and demanded the release of this man as an American citizen.

If we are to establish this rule, that every foreigner who lands upon our shores is compelled to stand over the county clerk and see that he makes a proper record of his naturalization, and does his duty before he can safely claim that he has been naturalized, I would not give much for the rights you confer upon him as an American citizen. Is the life of a man to go for naught on this kind of evidence and on such a ruling? Why, since 1854, for over thirty years, this man has been an honored citizen of the United States, an honored citizen of the State of Indiana. He has shown his devotion to his country by defending her flag and her Constitution upon many a well-fought field; cemented it with his blood, and is here now to ask you to give him the right of an American citizen, because he has performed every single act and deed that he has been called upon to perform.

Mr. Speaker, I should hate to go back to my constituency and face any honest foreigner, and take him by the hand and say I have voted that he, as an adopted American citizen, must carry a copy of the court record with him to prove his citizenship; and if he loses the paper, and the clerk of the court failed to do his duty, that he must be deprived of the right of American citizenship. I do not believe it is the law; I do not believe it is in accordance with right; I do not believe it is in accordance with the principles of common justice, and hence I shall vote to retain Mr. White in his seat. [Applause.]

Mr. ROWELL. I reserve the remainder of my time.

Mr. CRISP. I yield forty minutes to the gentleman from Indiana [Mr. O'NEALL].

Mr. O'NEALL, of Indiana. Mr. Speaker, I was taught when I was a boy to do what I believed to be my duty, and then not to apologize on account of having so done. I took more interest in the case which is now pending before the House for the reason probably that it comes from the State which I have the honor in part to represent on this floor.

I heard the able arguments of counsel on both sides, and I may say that they were made by able and fair men. I read the briefs in the case and I looked through all this evidence and tried to eliminate all that part of the evidence which I regarded as unquestionably irrelevant. I undertook to reconcile the relevant testimony in order to determine, if I could, where the truth lay. I did that with some degree of care and painstaking, and I came to the conclusion at which a majority of the committee arrived so far as the eligibility of James B. White to a seat on this floor is concerned; and for having arrived at that conclusion I have no apology to make.

But why should we discuss matters not connected with this case?

Why should we bring into the record in this case things that belong not to it? The fact that Mr. White was a soldier is paraded here with some pomp and circumstance. If we were called upon to vote a pension to the contestee; if we were voting a resolution of thanks to the contestee; if we were voting to give him a medal for gallant and meritorious conduct on the field of battle, then such arguments as that might be brought into this case. But why should that be brought into this case when it has nothing to do with the question at issue at all?

What is the question at issue? The question in this case is whether James B. White is and was prior to the 4th day of March, 1887, for a period of seven years a citizen of this country? That is the question and that is the sole question. If we were to sit upon the question as to whether Mr. White received enough votes to give him the privileges of this floor, we should look to the popular voice of the district from whence he came. But that is not the question. The question in this case is this, is the contestee eligible to sit in his place on this floor? And that is the sole question.

I hope I have as much respect and as high a regard for the expression of public opinion as any man upon this floor. And when gentlemen who have never been engaged in the study of the law books of the country rise in their places here and undertake to discuss questions of that kind I am not at all surprised that they are disposed to be influenced by the *vox populi*. But when gentlemen who have grown gray in the practice of the legal profession; when lawyers who have sat upon the bench, lawyers who have drank at the fountains of Blackstone, of Kent, and of Story, judges who have adorned the bench and by their wisdom enriched the literature of our jurisprudence—it does surprise me when such men come here and discuss the questions as to whether James B. White was a soldier in the Army, or whether he had 2,500 majority, and parade that fact as testimonial to his popularity.

If that is the argument, might it not be answered that the expression of the popular will is simply an evidence of the want of popularity in the other man. The voice of the people is sometimes wavering, often uncertain, and not unfrequently a fickle guide; but that voice should be heeded when expressed in a legitimate way.

If the fact that Mr. White was a soldier is to be considered, why not inquire what manner of service he performed to the country. Did he enlist as a private, or did he take the place of a commissioned officer, a place which he could easily resign, and a place which he did resign. Why not inquire if he did not make himself so unpleasant to his superior officers as to demand that his resignation be given for the good of the service. Why not inquire if he did not thus make himself unpleasant and insubordinate in order to get a pretext to resign; all to the end that he obtain a sutler's position in another quarter, where he could sell to the boys sardines, bologna, skimmed milk, watered whisky, and Kentucky lug at a dollar a plug. Upon full inquiry all of these facts would be found to be true, and would be equally pertinent.

All such facts and arguments are the most arrant demagogy and the thinnest and cheapest kind of political clap-trap, and lugged into the case to distract the attention of the House from the real controversy. The conduct of contestee and his friends in keeping such rubbish prominent in the case reminds one of the mother bird that when incubating her eggs, or caring for her young brood, at the approach of an enemy or antagonist leaves her nest or her young ones, and starts off, making the most pitiful cries, until she has lured the supposed enemy from her nest and her young offspring. So in the matter before the House.

Let us get down to this case as we find it. Let us strip it of all that verbiage and irrelevant matter which belongs not to it. When we have done that, when we have cleaned away the rubbish, when we have cleared away the mist thrown about it for the purpose of preventing us from seeing the points involved—when that is done let us examine those points, because those are the points upon which this House wants to be enlightened.

What is the issue? A question of fact? Yes, a question of fact. What fact? Is contestee eligible to a seat on this floor? To be eligible he must be a citizen for the full term of seven years before March 4, 1887. He was born in a foreign land; this being admitted, the burthen is upon him to show his naturalization. Has he done that? If so, by what evidence? I maintain he has not proven that fact by any sort of evidence. His friends claim he has proven it by parol. If he has, is that testimony admissible and competent? These are the important inquiries. They ought to be determined from a legal standpoint. The law and the Constitution is our safety. The police-court lawyer may pettifog his case and be excused.

Such practice on the part of the matured, trained, and respectable lawyer would be intolerable. While those upon this floor may resort to such methods and be excusable, I trust that all who have respect for the law will not allow themselves to be swerved from the line of duty by such cheap talk. Such arguments should influence the votes of no one. The law, with its safeguards, has come down to us tested in the crucible of years. I think I have as high respect and as much consideration for public opinion as any other gentleman. While such is the case, I want to say that I venerate the Constitution and the law. It is to the broad ægis of that Constitution and those laws that we must look for our safety. That Constitution and those laws, like a flaming sword, is our protection by day and by night, the protection of the dear ones at home.

Shall we be governed by considerations of law, or go off at a tangent and lose sight of these safeguards? If we are to lose sight of these safeguards, then why inquire into the question of eligibility? Because it is the merest folly to have constitutional provisions prescribing qualifications if the fact that an individual has been a soldier or that he comes here indorsed by a popular majority is to control our conduct in passing upon the question of eligibility.

If the fact that contestee was a soldier, that he did good service or disgraced himself, is to and can cut no figure in determining the question of eligibility, if the fact that contestee had 2,500 majority has nothing to do with the question of qualification, then we come to inquire of the facts.

Admitting that parol testimony under the circumstances in this case is admissible to prove the fact of naturalization, does that proof establish the fact? If the parol evidence in this case does not establish that fact, then all will admit that contestee can not retain his seat. What does the parol testimony prove? We are told that contestee has testified, and that his testimony is indisputed, that he was naturalized. We are told that contestee stands unimpeached. And we were asked, why were not witnesses produced to impeach him, to call in question his general reputation for truth? The failure to do this is paraded with some degree of pomp and circumstance. Sirs, there are other ways known to the law by which witnesses may be impeached. Impeachment by proving general bad character is one of the poorest ways of impeachment.

A witness's testimony can be impeached by showing that at different times and places he made statements which are contradictory of those to which he testifies. When he testifies, you take the circumstances surrounding the case and the circumstance to which he testifies, and when you sift out the facts which from his testimony and the testimony of others appear to be clearly proven, then if the point for which he contends is found to be inconsistent with those facts which are clearly and indisputably proven, you have a right to reject that part of his testimony which you thus find to be untrue. Is that the law?

I need not read to lawyers upon this floor or to gentlemen who have sat upon the bench authorities to show that such is the law, but from some of the speeches made upon the other side of this Chamber, and some made even upon this, it would appear that there are members upon this floor who are not lawyers, and for their benefit I desire to read from a recent decision which shows that a man's testimony must be consistent with the established facts in the transaction that he claims he is testifying about. This is a decision rendered by the United States Supreme Court on the 5th day of December last. On the very day upon which this House was organized the Supreme Court promulgated this decision. The opinion was delivered by Mr. Justice Blatchford, the same man who delivered the opinion in the Coleman case, so frequently referred to in this argument. I hope that the decision from which I am about to read will lose none of its force with the House when I state that one of the parties to the case decided was James B. White. The title of the case is James B. White against George M. Barber. What James B. White it may be asked? I answer, the same James B. White, the identical man who is the contestee upon this floor. He was the plaintiff in the case in the court below, and that court decided against him. He was the appellant; he took the case to the Supreme Court of the United States, and the court above affirmed the decision of the lower court.

Now, what are the facts of this case, and what principle of law does the Supreme Court there lay down? Let us see. James B. White sued this man, Barber, for $15,000 upon the face of his complaint. He filed therewith a bill of particulars, and that bill of particulars set forth items which when summed up made eleven thousand and some odd dollars. The court referred to the testimony of White in the case. Here is what he testified to in the court below:

James B. White, the plaintiff, testified that now and during the time in question he resided at Fort Wayne, Ind., engaged in the business of dealing in general merchandise; that in 1879 and prior thereto, one A. S. Maltman, of Chicago, acted as his agent in purchasing and forwarding merchandise of various kinds; that about September, 1879, "desiring to do some trading on the Board of Trade of Chicago, I got Maltman to recommend some good, responsible broker on the Board of Trade through whom I could do business; that Maltman recommended the defendant, who then and during the time in question was a broker residing in Chicago and doing business on the Board of Trade; that thereupon I commenced trading on the Board of Trade, sending my orders at first to Maltman, who communicated them to the defendant; that about December, 1879, I came to Chicago and made the acquaintance of the defendant, and thereafter did business directly with him; that I continued to do business with the defendant during the years 1879, 1880, 1881, and 1882, buying and selling on the board, through the defendant as a broker, corn, wheat, oats, pork, and other commodities, and that about April 19, 1882, I had a settlement with the defendant in which all previous dealings were adjusted; that up to this time the transactions which I had made through defendant on the board amounted to $105,000 in 1879, $1,718,000 in 1880, $540,000 in the year 1881, and $672,000 in 1882; that in November or December, 1879, and at other times prior to the settlement in April, 1882, I had conversations with the defendant in which I told the defendant that I was a merchant in Fort Wayne, Ind., and did not want it known that I was engaged in speculating on the Board of Trade in Chicago, as it might affect my credit, and that the account could be kept in the name of A. S. Maltman; that I considered it a hazardous business, but was willing to gamble provided that I could have a fair show; that I wanted my deals placed with responsible

parties, so that I could get my money when I made it; that I did not want any of the property, but meant simply to do a gambling business," etc.

Now, the testimony goes on in that way. The opinion of the Supreme Court upon this case was delivered by Mr. Justice Blatchford, who gave the celebrated opinion in the Coleman case, to which so much reference has been made here. Justice Blatchford, referring to the testimony of the appellant in that case, the contestee on this floor in the present case, says:

White testifies that such was his understanding, communicated to Barber before Barber made the contracts of sale. Barber testifies that he has no recollection of anything of the kind. The evidence as to what White did in connection with the transactions is inconsistent with White's version, and it clearly appears that Barber had no such understanding.

Now, why should we be required to bring witnesses to impeach a man here because of want of reputation among his neighbors? The shrewdest men who undertake to deceive when they go upon the stand you can never reach in that way. But sometimes even a shrewd man leaves his tracks, and when you undertake to go and find where he has been along the highways and byways you find a track here and a track there which fail not to impress themselves upon your mind. And then the tracks of other individuals that have gone with him are sometimes found pointing in the same direction; and when the man sets up a story inconsistent with the existence of those facts you determine at once that his testimony is not reliable. Let us take Mr. White's testimony in this case and weigh it in that scale. Let us see where he stands. What are the facts in this case?

Mr. NUTTING. Will the gentleman allow me ask him a question?

Mr. O'NEALL, of Indiana. Not at all. I would take great pleasure in answering any question, but I have not time to do so; and I do not intend to be annoyed or diverted from the line of my argument by questions which I have not time to answer.

I say, let us examine the testimony of James B. White. As I said awhile ago, we may be able to show that he made contradictory statements on other occasions. We may be able to show facts the existence of which is inconsistent with Mr. White's claim in this case. We have the right to take what we find and what is asserted but not found. Let us test the testimony of White in this case by that rule of reason and of law.

What is Mr. White's claim? He admits that he has no certificate; and that circumstance, so far as it goes, tends to sustain the claim that he never had one. Mr. White admits that there is no record, no trace of a record, no scratch of a pen, showing that he ever had any naturalization papers. These are two very strong circumstances. But they are not the only ones to be considered. What are the other circumstances? The next circumstance is this: On the 28th of October, 1886, he was for the first time confronted with the question whether he was a naturalized citizen, and we have his statements made upon that occasion to the men who confronted him, Mr. Bell and Mr. Moynihan.

To be sure, the record in this case shows that Mr. White himself undertook to contradict to some extent the testimony of those two witnesses. But it must be remembered that in this case he is the contestee, as in the case to which I have just referred he was the plaintiff, having in each case some interest in the result. A few years ago, in all the States of this Union, such an interest would have made a man incompetent to testify before a court of justice. It is only within the last few years that the law has broken down the barrier and allowed a man to testify in his own behalf. Mr. Bell and Mr. Moynihan, in their testimony, state what Mr. White said—that he voted for Frémont, that he took out his papers to vote for Frémont. Mr. White himself does not deny that part of his conversation in any of the printed testimony in this case. He said, "I know I am all right;" he did not say, "I am a naturalized citizen." The record does not show anything of that kind. He did say, "I am all right; I took out my second papers in 1857 or 1858, and Isaac Jenkinson was with me." Never, at no time, did he, until served with notice of contest, claim that he took them out in 1865.

Now let us digress for a few minutes and examine the testimony of Mr. Jenkinson to see how it dovetails in and corresponds with other facts proven along the line of this testimony and about which there is no controversy. Mr. Jenkinson testifies that in 1851 he was admitted to the bar; that he was a practitioner from that time until 1863; that in 1863 he retired from practice—possibly the practice may have retired from him; but after that time there is no pretense here that he was a lawyer or attorney in any court of the State. During the time that J. D. G. Nelson was clerk of the circuit court of Allen County Mr. Chittenden was deputy clerk. Mr. Nelson's term of office expired in 1862; Mr. Chittenden went out of that office in 1862, and in 1863 Mr. Jenkinson retired from the practice of the law. Now, the evidence in this case does show that Mr. White took out his first papers in 1858. That is when he said to Bell and Moynihan that he had made the thing all right. It was in 1858. At that time Jenkinson was about the court-house. At that time Chittenden was about the court-house. Sir, day after day and week after week these men were about the court-house until they retired. It was natural to find these men there. What is the conclusion? The conclusion which I have reached is this: Mr. White wanted his first papers and he needed a little assistance, which he secured in the person of Jenkinson, who at that time—but not in 1865—was an attorney and willing to render him that assistance. They went to Chittenden, and the evidence is that the first papers are in the handwriting of Mr. Chittenden.

In his conversation with Bell and Moynihan he made no claim of taking out papers at any other time. In his own testimony he claims that in said conversation he referred to no time. Bell and Moynihan testify that he did, that he was all right, that he took out his papers—the papers that made him all right—in 1858. The statement here made is contradictory of his claim afterward made that he took out his papers in 1865. It is easy to reconcile Jenkinson's testimony upon the theory that it was 1858 that he assisted White.

At that time, 1858, Jenkinson was a practicing lawyer. In 1865 he was not; he had quit in 1863. Jenkinson's testimony is very muddy, and this is not surprising after the lapse of nearly a quarter of a century. Jenkinson in his testimony-in-chief says he does not know whether he was at the court-house as a spectator, a witness, or a lawyer. Singular that the court should be in session in 1865, after Chittenden had been out of the court-house nearly three years; after Jenkinson had been away about two years; and that these individuals should be there keeping the judge company and no other lawyer there, no court officer there except Pratt, and no other individual there except those taken there by White. In 1858, when the first papers were taken out, which could be effected in vacation, the parties named would much more likely have been there than in 1865.

White's first effort to make himself eligible by reason of his service as a soldier is inconsistent with the fact of naturalization in 1865. His conversations with his lawyers, in consultation with them, and his failure to claim naturalization in 1865, which failure to so claim, when Bell and Moynihan asked him, October 28, if it were not possible that he took out his second papers to enable him to obtain a passport, and his denial thereof, tend to contradict his after claim. Long after these conversations, in which nothing is said about a passport by him, in face of the fact that his attention was called thereto, he begins placing the procurement of his second papers upon the ground that he needed them to secure a passport.

Accordingly, February 28, 1865, he secures his second papers and a few days thereafter boards a train for New York, passes by the city of Washington, gets to New York, is ready to sail for the haunts of his boyhood, and yet he procures no passport, which a thorough examination of the passport records develops. No certificate of second papers, no record of second papers, no passport. What manner of man is this? Can any reasonable man persuade himself that all these things could take place and not a trace of evidence remain of record anywhere of any of them?

White's testimony and Jenkinson's testimony can be reconciled on the theory that what they testify about is connected with the taking out of first papers in 1858, but not with the taking out of second papers. Much has been said about the records of Allen County—that they are pigeon-tracked all over with forgery and fraud. No evidence can be found anywhere in the record to substantiate any such assertion.

The clerk of Allen County, whose testimony is in the record and from which we learn that he became clerk in 1878 and that his term expired in 1882, when he came into office found that all naturalizations were recorded on the order-book of the court as required by the laws of the State of Indiana, and who for that reason seems to have thought, if we are to believe his testimony, that unless placed on the order-book that all naturalizations were illegal and of no avail, and so testifies. He forgets that in the naturalization of foreigners the courts of Indiana derive jurisdiction from the Federal law and not from the State law, and that such records need not go on the order-book prescribed by the laws of Indiana for the recording of all court proceedings.

An examination of his evidence, if the cross-examination is left out, would lead one to believe that from January 16, 1860, to August 20, 1870, when a reform was instituted, no record whatever was made of naturalization cases. And he gives one hundred and seventy-eight cases about which he swears there is no record. But on cross-examination he tells us, and so the record shows, that every one of these one hundred and seventy-eight cases is recorded at full length on the record of final oaths.

One case, to be sure, jumped on in 1865, which is *coram non judice*, and had it not been it would have been placed there in 1854. That is the case of Gotlieb Laemle, whose case shows that he took out his first papers November 19, 1853, and his second December 9, 1854, a lapse of only one year and twenty days intervening. But who put that case on record in 1865? J. D. G. Nelson, an ex-clerk, whose term expired in 1862. From 1862 to 1870 William Fleming was the clerk. This covered the period—1865—when contestee claims he got his second papers.

During this period, from 1862 to 1870, not a fault can be pointed out in the records of Allen County. To be sure gentlemen refer to forged decrees of divorce. But what are the facts about these divorce decrees? Nothing is more common. Simply this, and nothing more; they appear properly entered on the order-book, where all such decrees, by provision of statute, which is mandatory, require that they should go. But no minute of the cases appears on the issue docket, sometimes called the judge's.

There is not a county in the State where just such omissions do not occur. Because while the statute provides that an issue docket should be kept, still it is directory. And the judge, instead of making a minute on the issue docket, from which minute the clerk writes up, elaborates, and enters upon the order-book the proper decree, often says to counsel interested, "Prepare the order and give it to the clerk." This the lawyer does. The decree or order goes on the order-book. And yet gentlemen say these decrees of divorce are forged, and in this way the endeavor is made to bring these records of Allen County into disrepute.

If, as is insisted upon this floor, the uniform custom is to issue the papers of naturalization in duplicate, leave one of record and give the other to the person naturalized, that the judge need not sign them, is the naturalization of individuals in Allen County in the usual form except the one isolated case of James B. White? Even the case of John D. Sardinghausen par excellence a good record. His naturalization appears on the order-book in 1868, but the order is not signed by the judge, and for this reason, although Sardinghausen had been given a certificate, he, Sardinghausen, went again in 1885, and took out papers again.

Can parol testimony be introduced to prove naturalization? My idea of a record is that it speaks for itself and can not be proven by parol until lost or destroyed. An exemplified copy, though not the best evidence, is admissible to prove the record. But when this copy is lost, the best evidence of its contents is the original; and you can not prove its contents by parol, because that is not the best evidence, but you must prove its contents by the original or by another copy. If the original is destroyed, you may prove by parol its contents; but you must first show that it once existed and has been destroyed.

Gentlemen, however, tell us that the certificate given is an original record of itself, and for that reason you may prove its contents by parol when once destroyed. They cite no law and give no reason to show that it is original evidence, but say because of universal custom these naturalization papers issue in duplicates, and because of that custom each is original. It is admitted, however, that a duplicate exists, that the custom does not extend further than to authorize their issuance in duplicate. Then, if one is lost, the best evidence thereof would be the other; but if the other never existed, then there were no duplicates. It takes two to make duplicates. And in that case your right to resort to parol is gone.

Mr. COLLINS. Mr. Speaker, like the gentleman from Indiana who has last spoken, I too in my early days was taught to do right without fear or favor, and instead of making an apology for so doing, I was taught to do right fearlessly and regardless of consequences. I propose to do that now according to the best of my lights in this case.

I know, sir, that it is regarded very often as somewhat ungracious to cross the purpose or the judgment of a committee who have carefully considered a subject referred to them and reported their conclusions to the House; and I do it here with all the more reluctance because the contestant is a personal, political, and professional friend of mine, and, in addition to that, he and I were born in the same distant land; while on the other hand the sitting member is a perfect stranger to me, and in all probability, in the ages gone by, his people and mine were continually at war. [Laughter and applause.]

But, Mr. Speaker, this question is to be decided not on the grounds of personal friendship or party ties, nor on any other consideration than the honor and the dignity of this House and the law that should fit the case in hand. I have the highest possible respect for the honor, the integrity, and the intelligence of the committee and belief in their endeavor to reach a just conclusion. But I am constrained to believe that in their consideration of this case the law applicable to it has been misunderstood. The committee seem to have confounded the judgment itself with the record of the judgment, and have confounded the certificate which indicated that a judicial act had been done with the judicial act itself.

The law of Congress passed in 1802, to be found in Title XXX, Revised Statutes, section 2165, in its third paragraph prescribes the terms on which an alien shall be naturalized finally as a citizen of the United States:

> 3. It shall be made to appear to the satisfaction of the court admitting such alien that he has resided within the United States five years at least, and within the State or Territory where such court is at the time held one year at least; and that during that time he has behaved as a man of a good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same. * * *

That is all the statute requires the postulant for citizenship to make to appear to the satisfaction of the court; and when he has done that and satisfies the court, he has done all that the law requires and all that he can possibly do to become a citizen.

The law further requires that when the court is satisfied (not the clerk, but the presiding judge) that the man is a fit and proper person to become a citizen of the United States, the judge shall administer the oath in the prescribed form. What is the effect? Judge Washington, in the case of Campbell *vs.* Gordon, 6 Cranch, 171, says:

> The oath, when taken, confers upon him the rights of a citizen, and amounts to a judgment of the court for his admission to these rights.

The man—the applicant for citizenship—performs his duty, all the law requires—all he can do—and when the court is satisfied, the man becomes a citizen of the United States, whether anybody else does his duty or fails to do his duty. The clerk of the court may or may not record the fact. The duty of the clerk is a ministerial duty, not a judicial act. He may or he may not grant the certificate of the fact; but that does not alter the fact. It exists in spite of his negligence or his contumacy. The certificate or the record is merely evidence which is to be used here and there of the fact when called in question.

Suppose, as in my own State, in the old dark days when Knownothingism was a dominant craze, an alien, having the requisite qualifications, went before a just magistrate who sat in the serene atmosphere of the law and made his application for citizenship, and a declaration was made by the judge that the alien should become a citizen of the United States; but the clerk of the court, crazed with the prevalent Knownothing mania, declined to record the judgment and declined to grant the certificate. I ask, would the man not still be a citizen of the United States by a judgment of the court? [Applause.] The majority of the committee say not, and I challenge their conclusions, and say it is not the law now nor has it ever been the law in this country. [Renewed applause.]

Mr. Speaker, in 1871 the homes of eighty thousand citizens and all the records of the courts in the great city of Chicago were burnt in a dreadful night. Did the fact that they were destroyed and the certificates showing their citizenship burnt in their homes deprive these men of their citizenship? Does it make any difference whether the record was destroyed or that it never existed? The judgment of the court can be proved in another way. It is indeed the law that you must prove a judicial act or fact by the highest attainable evidence; but if the highest attainable evidence be lost, or if it never existed, the next available evidence can be used and in any court in the country to sustain any proposition which may be made or which may be necessary in the absence of the record.

Another example: Suppose in the city of Washington, or elsewhere, a man or woman who has a perfect legal right to have the bonds of matrimony dissolved, comes before a court of competent jurisdiction, and by its judgment and decree the divorce is granted, but by some mischance there is no record of that judgment, or it has been destroyed and no certificate issues, and the man or woman marries again. Does that state of facts constitute him or her a bigamist, and subject him or her to the penalties of the law? If you take the reasoning of the majority it leads straight to that.

I say that parol evidence is perfectly competent to prove a judgment in the absence or loss of a record, and if not competent a statute should be passed for the protection of every honest man in the community who does all he can, and for the protection of a court who do all they can. There are careless clerks, and there will be careless clerks in this country to the end of time. Records in some instances do not exist and in others may be destroyed. But the judicial act stands, and stands forever. If the record evidence of it does not exist, the best available evidence is competent to prove it.

Now, sir, the effect of carrying into a decision of this House the conclusions of the majority of the committee would be that if James B. White, according to the law of the land, were a citizen of the United States to-day, provided there was a record, and is not a citizen if there is not a record, all he has done is vain; that deprives him of citizenship. You can not deprive him of his citizenship in that way, if he ever had it.

This being the law the only thing that remains in this case for the House to consider, not as a judicial question but as a question of fact, is whether Mr. White, the sitting member, has told the truth. I am loath to believe that a gentleman with his honorable record in this country is here under false pretenses; that having declared his intention to become a citizen in 1858—a matter of record—he did not perfect his naturalization as he says he did He has sworn to his naturalization, and if there were any doubt of it in my mind I would give him and his constituents the benefit of that doubt. [Applause.]

[Here the hammer fell.]

Mr. COLLINS. I should like a few moments more.

Mr. ROWELL. I yield the gentleman from Massachusetts five minutes more.

Mr. COLLINS. The statement of Mr. White is re-enforced substantially by the testimony of the two witnesses whose names are mentioned in the report. If these witnesses had testified with too much particularity; if they were altogether too exact in their recitals of time, place, and circumstances, I should begin to distrust their veracity. But they testify so naturally as to this transaction, in which they were not immediately concerned, that I am bound to believe them honest witnesses and satisfactory in corroboration of the testimony of the sitting member. It will not do to say that gentlemen on the other side of the House have disgraced the records of previous Congresses by doing injustice in election cases. The Democratic party can afford to set bad men a good example. [Laughter and applause.] We have set them more than one good example here and elsewhere, and if they have not conscience enough to do right, the conscience of the Democratic party will set them right.

Now, we make a record to-day which will not be lost or destroyed by time, it will stand forever; whether it be a record of wisdom or of folly; whether it be a record of justice or of wrong—it stands for or against us. I do not believe that we set a decent or an honorable precedent in refusing the sitting member his seat. The law is plain to those who read it intelligently and who apply it to the facts in the case and the circumstances surrounding it without prejudice and without favor; and I, for one, believe that if the report of the committee should be adopted it would be an error; if the report of the minority be adopted it will be a sound precedent for future Congresses to follow. [Applause.]

Mr. LONG. Before the gentleman resumes his seat, will he allow me a question?

Mr. COLLINS. Certainly.

Mr. LONG. You have read the testimony. There is evidence which goes to show that Mr. White was naturalized. Is there the slightest evidence that goes to show he was not naturalized except the lack of a record?

Mr. COLLINS. I thank the Lord I did not read the testimony. [Laughter.] But I have read the reports of both the majority and minority of the committee upon the testimony. There is not of course the slightest evidence in the world that he was not naturalized; that would be an impossible negative to prove. But all the positive evidence in the case goes to show he was naturalized. He may have acted very foolishly and talked with little discretion throughout the contest, and I think he did, but it must be remembered that they do not always elect a Solomon from the Twelfth district of Indiana. [Laughter.]

Mr. ROWELL. I yield five minutes to the gentleman from New Jersey [Mr. MCADOO].

Mr. MCADOO. Mr. Speaker, it is with some reluctance, respecting them as I do, that I rise to speak against the majority report of this committee. I am asked by the majority of the committee to annul the will of the majority of the people of this district in Indiana by unseating the sitting member, who received 2,500 plurality of its votes. I am asked, as I consider the case, to imperil and cast a shadow over the rights of hundreds of thousands of the naturalized citizens of the United States by my vote in this case.

It is therefore, Mr. Speaker, a vote to me of the very highest and gravest importance, and one which demands the exercise of my best reason and careful consideration and in which I am to be swayed alone by my conscience and my sense of honor as a man and a Representative.

If I had any doubt as to the legal status of this case, it was removed on Saturday last when the keen, analytical mind of my friend, the distinguished jurist of Minnesota [Mr. WILSON], expounded what to me seemed a correct view of the law in this case. Coming to this House from the most elevated judicial position of that State, breathing its impartial atmosphere, with a mind unbiased by prejudice and unswayed by partisanship, and giving to this case the consideration which he was accustomed to give to cases while on the supreme bench of his State, his judgment of the law of the case has with me great weight. It is no fault of mine, or of his, that in that fierce crucible of conscience and judgment the case of the majority of the committee is turned to dross and ashes. The case in 6 Cranch, United States Reports, and the decision of Justice Blatchford need not be gone over again. Who would be safe as a naturalized citizen if the neglected record of a stupid or forgetful clerk determined his holiest of rights?

I agree entirely with what the eloquent gentleman from New York [Mr. COCKRAN] said on Saturday, and with what the distinguished gentleman from Massachusetts [Mr. COLLINS] has reiterated here to-day—that this is simply a question of fact. Now, as to that fact we have the positive, sworn testimony of Captain White and his witnesses, and his credibility has not been attacked nor his statements denied except by insinuation and innuendo. If his character for veracity is bad, it should be shown positively and affirmatively on the record of this case. It has been attempted here to-day to show that he was mixed up with the Chicago trade speculators. The fact that he was taken in by that incorporation of swindlers is to me very good evidence of his excellent character. [Laughter.]

We have been told that in the past the party on the other side of this House has set us a very bad example. I am willing to admit it. I thank Heaven that my conscience is not in the keeping of the other side of this Chamber; I will take care of that myself. But it is no argument to say that we are bound to follow a line of prejudiced and partisan decisions. When the question is narrowed down, as it is in this case, to a matter of conscience and reason, I for one wish to state that there is no power in this land, whether it be of party or of press, that can swerve me for one instant from doing my duty as I conceive it. [Applause on the Republican side.] I believe what the gentleman from New York [Mr. COCKRAN] so eloquently asserted on Saturday, that the highest partisan advantage that can be reaped will be gained by the Democrats of this House doing justice according to the evidence and the law. I believe that we will avert the danger of any possible partisan disadvantage by an honorable, open, frank course of conduct in this case, even to our seeming injury for the present, and that at the polls the honest yeomanry of this land, and more especially the hundreds and thousands of our naturalized citizens, will appreciate the votes of the Democratic party which are cast to give sanctity to the naturalization papers of James B. White.

Mr. Speaker, one word more and I close. Living just across the river from the great metropolis of New York, I remember very well when a small partisan United States marshal, seeking to wrest a party advantage, put into a cage in the New York post-office, like so many wild animals, hundreds of naturalized citizens, simply because they were voting the Democratic ticket, and I remember how the heart of that great metropolitan community went out to that distinguished jurist, Judge Blatchford, now on the United States bench, when by his decision this petty act, instigated by the rat intellect of the Federal satrap, was done away with, and those citizens whose cases were no stronger than that of Capt. James B. White were liberated and allowed to exercise their right of suffrage in voting the Democratic ticket. [Applause.]

Mr. ROWELL. I now yield ten minutes to the gentleman from Tennessee [Mr. HOUK].

Mr. HOUK. Mr. Speaker, while this debate has been very interesting and able, I must think that a very large part of the discussion has been wholly irrelevant. We have heard decisions cited from West Virginia, from other States, and from the Federal courts, and those decisions appear to be relied on as governing this case, as though this was some sort of inferior tribunal trying a case under the common law and bound by the precedents of the courts and the rigid rules of testimony. Mr. Speaker, the power we are acting under—the only power under which we can act in a contested-election case—grows out of one of the fundamental principles of the Constitution.

Section 5 of Article I declares that "each House shall be the judge of the elections, returns and qualifications of its own members." In that provision of the Constitution is found the entire power which we are to exercise here, and I care not what any court may have decided, I care not what any inferior or superior tribunal may have decided, the entire and supreme power over this question is vested in us by the Constitution, and we can accept what we please as testimony. This House is bound by no technical rules of the common law, nor by judicial construction. Why, sir, if any one should have made a pilgrimage to Washington for the purpose of seeing the American Congress, and should have come into our gallery and looked down upon us during the time we have been debating this case, and heard gentlemen discussing critical points of the law of evidence, he would naturally suppose that he had made a mistake, and that, instead of being in the House of Representatives of the great American Congress, he had wandered into some inferior court, where the judge was required to pass upon some ordinary question of evidence. I hold, Mr. Speaker, that under the provision of the Constitution we are not required to ask or to consider what any court has decided.

Why, Mr. Speaker, if Congress itself were to attempt to pass a law governing the proceedings of this body in a contested-election case, it would be absolutely null and void, and how much less the decision of a court over in Virginia. The Constitution provides that we, this House of Representatives, shall be the exclusive judge of the elections, returns and qualifications of our members. Whatever testimony satisfies us, whether it comes under the rigid rules of evidence or not, whether it is handed down by some distinguished jurist, or whether we adopt some other mode of ascertaining the facts here—whatever evidence satisfies the consciences of the members of this House is legal testimony under that provision of the Constitution.

If I had the time this proposition could be elaborated, illustrated, and exemplified in many forms, and to the satisfaction of every legal mind at least.

Were we so disposed, Mr. Speaker, we might decide this case on a telephonic message. Why? Because it is to be decided according to the conscience, the judgment, and the conviction of members of this House; we, the Representatives of the people, are the exclusive judges in this matter.

But, Mr. Speaker, I have not made these remarks in order to avoid anything that has been said in favor of these legal technicalities. Apply the most rigid principles of the rules of evidence, and still Captain White is entitled to his seat, unless he is a perjured man, and that I do not believe, nor does any one else believe it.

Now, taking the view that I have stated of the Constitution—that no law book, no report, no outside authority of any character is entitled to influence our judgment here unless we see cause to yield and listen to it—taking this view, or any view in which it has been presented, let us see whether Captain White has been naturalized or not. Upon his examination this question is put to him: "You may state whether or not you at any subsequent time procured a final certificate of admission to citizenship." His answer to that question is, "Yes, sir; I did;" and he proceeds to give detailed circumstances of time and place, as follows:

In the year 1865, in the latter part of February, about the 28th of that month, I had determined to make a trip to Europe, and had talked with some of my friends in relation to it, amongst them Mr. John Brown, who advised me before doing so to take out my second papers in order to get a passport. I went with Mr. John Brown, accompanied with Mr. Alexander Muirhead, for that purpose. I told them to go to the court-house, and I would get the Hon. Isaac Jenkinson

as my other witness. I went there with Mr. Jenkinson, and Mr. Chittenden was there in the court-house, and Mr. David H. Colerick was there. Judge Borden was in the court, on the bench, and I told him I wanted to get my second papers. He asked me who my witnesses were. I said they were here. Mr. John Brown and Mr. Jenkinson were then sworn as my witnesses. I then took the oath, so prescribed for that purpose, to become a citizen of the United States. It was in the court of common pleas. The oath of allegiance was administered to me in open court by Judge Borden, the then presiding judge of the court of common pleas. The principal fact in connection therewith was the fact th t I was going to Europe.

I therefore insist that if we believe Captain White has told the truth—and we may follow if we please the ordinary rules of law, but there is no obligation upon the House to observe any of these technical principles of legal practice—when we are satisfied that Captain White has told the truth, whether we reach that decision according to the principles laid down in Greenleaf and by regular judicial decisions, or whether we reach the conclusion in any other way, if we believe Captain White, we are bound to believe he was a naturalized citizen at the time he states, and is eligible to a seat here, and we are bound to vote to give him that seat.

There is an attempt made to show that Mr. Jenkinson, one of the witnesses who, Captain White says, was present at the time of his naturalization, does not corroborate Captain White as to that fact occurring in 1865. Yet Mr. Jenkinson does recall one all-important and forcible circumstance that occurred that day. When the naturalization was taking place it was remarked, as Mr. Jenkinson swears, that it seemed strange that a Federal soldier who had fought during the war should, after the close of that struggle, be obliged to go into court and renounce his allegiance to Queen Victoria. The following questions and answers occurring in Mr. Jenkinson's testimony overwhelmingly corroborate Captain White. Responding to a question he says:

From the time he was first naturalized the matter had passed out of my mind for years until the Friday or Saturday evening before the last November election. I noticed the fact that it was questioned in the Fort Wayne Gazette, which I was reading in my office that evening. Reading that statement revived in my mind instantly that I had been present at the time he was naturalized.

Q. 4. To whom, if any one, did you communicate your knowledge of said naturalization? State when and precisely what was said on the subject as near as you can recollect.

A. The first person I spoke to on the subject was Colonel Robertson; that was on the Thursday after the last November election. I was on my way to Bloomington that day and met Colonel Robertson at Greencastle Junction; in the conversation I had with him there I referred to the statement that Captain White had not been naturalized, and said, "It must be a mistake, because I felt sure I was present when he was naturalized." Robertson immediately replied, "That is just what Jim White says."

Q. 5. On your cross-examination, in your answer to question 41, you speak of some incident in these words: "There is one incident connected with the occasion which satisfies me that the purpose was not a mere declaration of intention." Please state what that incident was.

A. It was a remark as to the strangeness of a Union soldier having to renounce his allegiance to Queen Victoria and swearing allegiance to the United States.

Now, I believe this testimony, and if the House believes it, then it should vote unanimously to give him a clear title to his seat, in defiance of that little court over in West Virginia.

[Here the hammer fell.]

Mr. HOUK. I hope I may be allowed a minute or a minute and a half more.

Mr. ROWELL. All right.

Mr. HOUK. Mr. Speaker, the position I take on this case is no new position with me. Ever since I have been a member of this House I have in every contested-election case stood on this clause of the Constitution which I have quoted, and voted according to my judgment and conscience. When it was attempted, and gentlemen on the other side will remember the case, to repel Mr. Cook, of Iowa, from this House under a cold-blooded statutory provision of that State, when that effort was led by the distinguished Mr. Ranney, of Massachusetts, then a member of this body, for the purpose of keeping Mr. Cutts in and keeping Mr. Cook out, I took then the same position that I take to-day, holding that no statutes of Iowa or any other State and no technical law of any description should prevent me from standing on this clause of the Constitution; and I, with sixteen other Southern Republicans, joined with the Democrats on that occasion and seated Mr. Cook in opposition to the vote of the Republican majority in this House in the Forty-seventh Congress. I vote upon the same principle to-day, and I appeal to my friends on the other side to imitate my good example and the good example of the Southern Republicans set on that occasion and pursue a similar course in the present case by voting to do equal and exact justice to a Republican according to the law and the testimony and in obedience to the fundamental provisions of the Constitution.

[Here the hammer fell.]

Mr. CRISP. I yield twenty minutes to the gentleman from Alabama [Mr. OATES].

Mr. OATES. Mr. Speaker, at the last Congressional election in the Twelfth district of Indiana Mr. Lowry was the Democratic candidate and Captain White was the Republican candidate, and was elected over Lowry. The latter contested White's election. The majority, including every Democratic member, of the Committee on Elections have made a report against White's eligibility. He is a native of Scotland, and began his residence in Indiana many years ago. He legally declared his intention to be naturalized and to become a citizen of the United States in 1858.

The majority of the committee report that he never did complete that intention and never was naturalized until a few days prior to his election; and that under the Constitution of the United States he, not having been a citizen for seven years, was ineligible to the office of Representative in Congress. The minority of the committee, composed entirely of Republicans, report that he was naturalized in 1865 and received a certificate thereof, which has since been lost or destroyed; that, although no judgment can be found upon the records of the court, nevertheless his naturalization can legally be and has been proven by parol evidence.

This statement sets forth the legal phase of the controversy in this case, to which alone I shall speak. I do not care whether the determination of this case will have any effect upon the voters of foreign birth in favor of the one party or the other. It is our duty to put on our manhood, leave demagogy and policy in the rear, and assert here what the law, the Constitution, and our oaths of office require of us.

Mr. Speaker, the limited time which I have had for the investigation of this case has been devoted to its legal aspects. I congratulate the minority of the Committee on Elections upon their well-conducted battle on this floor. I confess that there is some demoralization on this side of the Chamber, produced by the well-directed fire of gentlemen on the other side in favor of the contestee. I felt this on Saturday, because I had not then had time to investigate this case as I desired. But I have since considered the question in its legal aspect—which is the important one—and not with any partisan bias whatever, because I believe that partisan considerations should have no place in determining a question of this kind.

This case is important, sir, as a precedent. It must be conceded that the sitting member was overwhelmingly elected; and the only question is as to his eligibility under the Constitution to a seat on this floor. If he is eligible, no one would vote more unhesitatingly in favor of his retention of the seat than I would, without regard to his political opinions.

But, sir, upon such investigation as I have had the opportunity to make, I totally dissent from the views which some gentlemen have so freely expressed on this floor, and which have been greeted by the applause of gentlemen in sympathy with them—gentlemen whose judgments were, perhaps, warped by that sympathy, and who, not having thoroughly examined the real question at issue, were influenced by a very natural inclination in favor of a member who is acknowledged to have been elected by a large majority.

Now, the first fact in this case which is misleading is that under the constitution and laws of the State of Indiana, as in my own State, an alien who has legally declared his intention to become a citizen can vote and hold office. This circumstance presents an anomaly when you come to test the qualification of a person for a seat as a member of Congress, for under the law and constitution of my own State—and I presume it is so in the State of Indiana—a man may be eligible in one sense, as a member of Congress, and yet not in another. By section 2, of Article I, of the Constitution, it is provided:

The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

But the Constitution further provides:

No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

An alien may, by declaring his intention to become a citizen, under the constitution of many of the States, my own included, be a voter and eligible as a member to the most numerous branch of the Legislature, and yet not eligible to the office of Representative in Congress. I regard such a provision in a State constitution as unfortunate and mischievous. No doubt the sitting member's constituents, not aware of the requirements of the Constitution of the United States, believed Captain White to be eligible when they voted for him.

The question of fact which presents any difficulty is as to the sufficiency of the evidence, if competent to show that the sitting member completed his naturalization more than seven years before his election. Admitting, for the sake of the argument, its sufficiency, the question arises, is it presented here in legal and admissible form?

Just at this point there is a wide divergence of opinion among members. I, sir, agree with the majority of the committee. If Captain White, the sitting member, has failed to show by legal evidence that he was naturalized by a court of competent jurisdiction at least seven years before his election, he is not entitled to a seat in this House, I care not by what majority he was elected. Let us examine the question.

It is, I believe, conceded by all that naturalization requires judicial action—a proceeding, proof, the oath, the order of court, and the judgment. What, then, is a judgment? A judgment is—

The final determination of the rights of the parties in the action. (New York Code of Procedure.)

Judgment:

The decision or sentence of a court on the main question in a proceeding, or on one of the questions, if there are several. (Rapalje and Lawrence's Law Dictionary.)

Judgment:

The authenticated decision of the court, obtained in a suit, upon the relative claims of the parties therein submitted; the sentence of the law pronounced by the court upon the matters presented by the record of proceedings in a suit. (Abbott's Law Dictionary.)

Whenever the proofs are submitted, the oath taken, and the judicial mind passes upon it, and thus gives voice to the law declaring in favor of the applicant's right to become a citizen of the United States, this is the judgment. It is perfect up to this point, but stopping here it can neither be proven nor enforced. It must be enrolled or recorded, or some record made thereof.

Judgments do not and can not rest in parol. Where the judicial mind has passed upon a question within its jurisdiction and an imperfect record has been made thereof, it may be amended subsequently *nunc pro tunc;* or if a judgment be perfectly enrolled or entered of record and the record is destroyed, it may be re-established in the court where rendered, and in some cases, where it comes in collaterally, it may be proved by parol. But in no case can it be thus proven where the beneficiary founds a right upon it or where the right he claims depends upon its existence.

The judgment itself, or a certified copy thereof, is the highest, best, and only competent evidence to prove its existence and contents. The judgment of the court admitting the contestee to citizenship is one thing, the proof of it is quite another. The friends of the contestee confound the two, which produces all the fog and misunderstanding in this case. I say it is not a judgment complete until a record is made of it; and the friends of contestee do not claim that any record ever was made of the proceedings of the court by which he claims to have been naturalized, except a certificate which he says that he had, but can not produce it.

Now, the gentleman from Massachusetts [Mr. COLLINS] and others rely on the case in 6 Cranch, which is about the strongest on their side of the question; therefore I will invite the attention of the House to it, as an examination of it fails to bear out their assertions. The certificate in that case is as follows:

At a district court held at Suffolk, October the 14th, 1795, William Currie, late of Scotland, merchant, who hath migrated into this Commonwealth, this day in open court, in order to entitle himself to the rights and privileges of a citizen, made oath that for two years last past he hath resided in and under the jurisdiction of the United States, and for one year within this Commonwealth, and also that he will support the Constitution of the United States, and absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, or other state whatsoever, particularly to the King of Great Britain.

A copy.
Teste: JOHN C. LITTLEPAGE.

The original memorandum made upon the minutes of the court was as follows:

At a district court held at Suffolk, October the 14th, 1795, William Currie, native of Scotland, migrated into the Commonwealth, took the oath, etc.

Now, sir, while that was defective in not containing all the recitals which the law required, yet it contained enough, with that which was stated and entered upon the record, that when it came to be dealt with collaterally the court held it to be sufficient.

The daughter of Currie after his death brought a suit for the land of which he died seized, and the plea was that she was an alien and could not recover it. She replied that she was the daughter of an alien who had been naturalized. After this proof was brought in there was no response from any one—no contradictory evidence offered—and the court held that this, while a defective record, was sufficient. Under the law which permits certain defective records to be explained by parol, that evidence was competent and sufficient, no contrary testimony appearing. Now, sir, that decision does not sustain gentlemen in this case at all.

What is the case here? It is not that a record was made. It is not that there is a certificate and defective record, but of no record at all.

I do not profess to be familiar with the evidence in the record of this case; but whether the sitting member has produced here evidence sufficient to have entitled him to a record of naturalization and certificate in the court where he says he obtained it, is unimportant, because wholly inadmissible in the form it is here presented.

Mr. Speaker, if there ever was a certificate, and I may concede for the purpose of my argument that there was, the sitting member has not done that which it was his duty to do to entitle him to the benefit of it and the judgment, which he does not even allege was ever entered of record. I dissent from the proposition that a man in whose favor a judgment of a competent court has been rendered and never entered can go on in a case like this, take the oath, and become entitled to all the privileges and rights of a citizen without doing something more.

Why, sir, the judgment in such a case confers no higher right or privilege, that makes a different case from judgments rendered in other proceedings, than those, for instance, where a citizen sues and obtains a judgment for property or money, which judgment has never been entered. Can any one maintain an action upon a judgment which is never entered or enrolled?

I appeal to every lawyer in this House to answer this point. If A sues, and the judicial mind passes upon the question and awards him $50,000, yet the clerk has never entered it, A does not look into the fact and ascertain whether there has been a compliance on the part of the clerk, or does not compel the performance of this ministerial duty.

The clerk of course fails to issue an execution upon the judgment because it was never entered of record, and when A sues upon that judgment or pursues the defendant into another jurisdiction and sues upon it to obtain his money, as he would or might have to do, and the defendant pleads *nul tiel record*, can the plaintiff sustain his claim by setting up the fact that the judicial mind has passed upon his claim and adjudged him to be entitled to the award of $50,000 without showing that judgment? Would the court receive any other evidence of that judgment than the record itself or a certified copy thereof?

I apprehend that there is no lawyer here who will risk his reputation by asserting the contrary. In the present case the contestee asserts his right to retain his seat upon the floor of the House by virtue of a judgment which rests alone in the judicial mind—an intangible thing, like an immaterial substance, and with no legal or competent proof to establish it He asks this House to trust to the slippery memory of man rather than to the solemn record of a court, which imports absolute verity.

If the contestee had a judgment against me for money or property, and there was no record evidence of it, as in this case, and he were to sue me upon his judgment, and I should reply *nul tiel record*, no court would receive parol evidence of his judgment to overturn my plea. He who founds a right upon a judgment must produce that judgment or show that it once existed of record in due form and has been destroyed. The contestee's proof utterly fails to come up to either of these requirements.

Now, Mr. Speaker, as to the necessity of entering of record judgments, I will claim the attention of gentlemen for a few moments while I read an extract from Freeman on Judgments:

The promptings of the most ordinary prudence suggest that whatever, in the affairs of men, has been so involved in doubt and controversy as to require judicial investigation, ought, when made certain by a final determination, to be preserved so by some permanent and easily understood memorial. Hence all courts, and all tribunals possessing judicial functions, are required by the written or unwritten law, and often by both, to reduce their decisions to writing in some book or record required to be kept for that purpose. The requirement is believed to be of universal application.

Several decisions covering the point are referred to, and the text proceeds:

So that if any judgment or decree of any court, whether of record or not of record, whether subordinate or appellate, fails to be entered upon its record, the failure is attributable to the negligence or inadvertence of its officers and not to the countenance and support of the law.

Then again:

That which the court performs judicially, or orders to be performed, is not to be avoided by the action or want of action of the judges or other officers of the court in their ministerial capacity. In the case of judgments they must first be entered upon the record before they are admissible as evidence in other courts.

Mark the language—

Must first be entered upon the record before they are admissible in evidence in other courts. For this purpose they are not otherwise perfect. The record, if not made up, or if lost or destroyed, should be perfected or replaced by appropriate proceedings in the court where the judgment was pronounced.

Mr. Speaker, if there was a judgment which was never entered, or if there was a judgment which was evidenced only by the certificate issued to Captain White, and that certificate, as he says, is lost or destroyed, it was incumbent upon him to avail himself of the unrecorded judgment, and to have taken affirmative action in the court where it was obtained, to first establish it, and then he could have brought a certified transcript of it and his certificate here, and have met the plea or objection that he is not a naturalized citizen of the United States and the proof would not have been questionable. But as it is, he is here asserting his naturalization without any legal proof to establish it. It is no hardship to require this. Our too liberal naturalization laws are easily complied with. What hardship is there in requiring him to produce legal evidence that he is entitled under the Constitution of the United States to be a member of this Congress? I can see none, and I fear none of the dire consequences predicted by some gentlemen on the Democratic side of the Chamber in the event of the contestee being unseated for the want of such proof.

Why, sir, the wisdom of ages has decreed against tracing the judicial determinations of the courts of the country through the slippery memory of men, which is full of uncertainty, and fades with time. The position of gentlemen upon the other side of this question, when stripped of its fustian, gaudy rhetoric, and misleading eloquence, which pronounces any man who ever served in the Union Army incapable of telling a lie, exhibits the nude deformity of an assertion that the solemn judgment of a court can rest in parol, which is an absolute absurdity in the estimation of every gentleman who has ever become familiar with the mere horn-books of the law.

Mr. MILLIKEN. Will the gentleman allow me a question?

Mr. OATES. I am unable to do so, I regret to say, as my time is limited.

Mr. Speaker, the position I have assumed here has not been taken recklessly, for I have the authorities to sustain me.

In a recent case in North Carolina, sixty-fourth volume Supreme Court Reports, that court held that parol evidence was in no case admissible to prove a judgment; that it must be first re-established under the law for that purpose in the court that rendered it.

Why, sir, if it were permissible to come here into this forum and

prove by parol what the judicial authority in Indiana passed upon, how uncertain would be the proceeding. It would utterly destroy the safeguards of the law, which require these proceedings before a court to naturalize an alien and entitle him to the rights of citizenship. Let him go to the court where the proceedings are had, and if there is any fault in that court, any defect in the judgment there, any failure to enter it there, he may institute the proper proceedings, which the law provides for, re-establish his judgment, and bring here a certified record of it, which would be conclusive.

Then, again, in the State of Vermont, in a case involving the very question of naturalization, the supreme court of that State held this language:

The only other legal question which it is necessary for us to pass upon is whether parol evidence was admissible to prove the naturalization of a foreigner. A certified copy of the record of the court in which one is naturalized is the legitimate evidence of the fact. Parol evidence to prove naturalization is inadmissible.

What is plainer than that? I will next invite the attention of gentlemen to an adjudication by the supreme court of my own State, Hall *vs.* Hudson, twentieth volume Alabama Reports. It is there held—

that a paper purporting to be a decree on the final settlement of an estate by the judge of the orphans' court and filed among the papers of the case with the indorsement thereon: "Decree in the estate of James Hudson, deceased, filed second Monday April, 1847;" also signed by the judge, is not the judgment of the court until entered on the record.

[Here the hammer fell.]

Mr. OATES. I should like two minutes more.

Mr. CRISP. I yield the gentleman two minutes more.

Mr. OATES. In the case of Hinson against Wall the same court—I have but time to read the syllabus—held—

that a mere memorandum of the clerk stating the amount of damages assessed by the jury with the words "this judgment for the sum so found added" does not constitute a judgment on which an action of debt can be maintained, although the clerk certifies in proper form that it is "a true and perfect transcript and exemplification of the record." And the proceedings of the courts of the several States composing the Union will be presumed to be governed by the common law until the contrary is shown.

Just one authority more, and that is a very ancient but a good one. I refer to Blackstone's Commentaries, which, like the Constitution of the United States in the estimation of some gentlemen, is well-nigh obsolete.

Blackstone says:

A court of record is that where the acts and judicial proceedings are enrolled on parchment for a perpetual memorial and testimony, which rolls are called the records of the court, and are of such high and supereminent authority that their truth is not called in question. For it is a settled rule and maxim that nothing shall be avered against a record. Nor shall any plea or even proof be admitted to the contrary. If the existence of a record be denied it shall be tried by nothing but itself; that is, upon bare inspection whether there be any such record or no, else there would be no end of disputes.

And yet gentlemen assert that where no judgment was ever entered it is competent for them to come here and prove by parol that such judgment was rendered. I utterly deny the proposition, and to my mind if this House allows this gentleman to retain his seat in direct violation of the well-established rules of evidence, they will violate that clause of the Constitution which declares an alien ineligible until he is naturalized. [Applause.]

Mr. ROWELL. I yield five minutes to the gentleman from Massachusetts [Mr. DAVIS], and the remainder of my time to the gentleman from Massachusetts, my colleague on the committee [Mr. LODGE].

Mr. DAVIS. Mr. Speaker, as a layman I have listened during two Congresses to the consideration of election questions—always, I hope, with a due feeling of responsibility, but often with impatience, and often with a feeling of utter helplessness in view of the strictly technical character of the arguments advanced on each side—arguments of such a character that the members of this body who are not lawyers can not be expected to apprehend their full force or precise bearing upon the facts in issue. Precedents are cited and judicial opinions and dicta are accumulated on each side which usually to the unprofessional mind appear to balance each other, and consequently confuse the judgment and prove nothing. Now I submit that there has been something too much of this, when it must be admitted that Congress is not a body which can safely or intelligently decide such questions in this manner.

This is not a judicial body, and there is no member who can speak with authority upon the questions of law which are involved. We have counsel learned in the law, and who expound it abundantly, but we have no judge to determine the law in its relation to the given case. This is not a judicial proceeding under the law requiring close and technical construction of statutes, and in which judicial opinions previously rendered in similar cases have more or less force, and often commanding authority.

No, sir; this is a strictly parliamentary procedure, in which a body of men, many of whom are not learned in the law, are called upon to determine, in the exercise of their best judgment, and acting under a very solemn obligation, a fact, to wit, whether the sitting member is entitled to his seat, or if not, whether the contestant is so entitled. And when that fact is determined no court, no process, no authority can contravene or challenge it. The decision is unassailable and final. I of course admit that in many cases the laws relating to the conduct of elections must control the decision of this body, and that the legal rules of evidence must be our guide—our guide, I say, but not our master.

Our purpose is, above all things, to ascertain the truth, and if by blindly obeying a given rule with regard to parol testimony, or written testimony, we are compelled to do violence to our convictions regarding any essential fact, we are bound in the discharge of our parliamentary duty to disregard that rule, no matter how ancient or honored. It is the letter that killeth, it is the spirit that maketh alive. In the case before us there is but one fact to be ascertained: Was this man naturalized at a certain time and place, as he alleges? If so, he is entitled to his seat. There is no question as to any legal defect in the process, any error in the judgment of the court—if naturalized at all, he was duly and properly naturalized.

The sitting member presents to me satisfactory and ample evidence of this fact—his own sworn testimony, fortified and made impregnable by other testimony. There is no attempt made to impeach his character—that is unimpeachable. Indeed, the gentlemen who defend the majority report express their respect and sympathy for him. But there is a defective record, and they claim that it is a rule of law that parol testimony can not cure that defect. Suppose this to be so in an ordinary judicial proceeding, does that control this parliamentary proceeding? Should it control me if the evidence presented has convinced me that the sitting member was duly naturalized? I say no, because I am bound by the obligation I have taken to decide this question in accordance with my judgment whether that does or does not coincide with the rules adopted or the opinions expressed in other cases by another tribunal.

The application of an arbitrary rite of law upon a question of mere fact in an issue so important as this is simply absurd. A case might easily be supposed where the record would be defective and the certificate lost, and where sworn testimony could be produced to prove the naturalization beyond the shadow of a doubt. Would the chairman of this committee vote to unseat this member in obedience to this arbitrary rule, although he knew that he was eligible and admits that he was elected? Sir, the majority report of your committee strikes at every naturalized citizen. It makes that precious right which the policy of a beneficent Government has conferred upon him dependent upon the existence of a record which may never have been made, or which may be lost or destroyed. And if he have acquired the confidence and respect of his fellow-citizens sufficiently to be placed by their suffrages in a position of honor and responsibility, it places it in the power of a mean and mousing opponent, whom he had defeated, to drive him with disgrace from his seat.

This is a simple question of fact to be determined upon our confidence in the veracity, under oath, of the sitting member. He is a Scotch emigrant who came to this country in boyhood, and for more than thirty years has gone in and out among the citizens of the Twelfth district of Indiana. He has acquired their respect, their affection, and their boundless confidence, and finally the party with which he had always been associated determined to testify their regard for this adopted citizen by selecting him as their candidate for Congress; and then a strange thing happened.

He not only received the unanimous vote of his own party, but 3,000 men stepped from the ranks of his opponents and declared by their votes that although they did not believe in his political views they did believe in him. [Applause.]

Added to this, Mr. Speaker, there is a crowning fact in his personal history. When in the flush of his early manhood the country which he loved and to which he came across the seas, was in mortal peril, he volunteered in her defense, he shouldered his musket, and with uncounted thousands of brave men marched to the battle-field to prove his devotion to her interests and institutions, if need be, by the severest of all tests—the offering of his life.

Mr. Speaker, my eyes are not as clear as they once were, but I can see on that modest brow the laurel wreath which the genius of his country placed there as he lay bleeding and unconscious upon the immortal field of Shiloh. [Applause.]

Shall we drive this true, this honest and brave man, bearing honorable and glorious scars, from this Hall with the brand of falsehood and perjury upon his brow? God forbid! [Applause.]

Mr. LODGE. Mr. Speaker, it is not my intention at this hour of the debate to enter into any protracted argument. I merely wish, in closing, to restate as simply as possible those points on which the minority have relied in the position which they have taken.

It must have been observed in this case, as the testimony has proceeded, that we have drifted far from that simple legal question on which it appeared at the outset the statement of the case was to turn. But the arguments on the legal point which seemed pretty solid and effective in the committee-room have become somewhat attenuated when they have been brought into this Hall and into the presence of the larger audience beyond these walls. Therefore to sustain the legal question the question of fact has been brought in and forced to great prominence. From this, sir, there was no escape, and it appears as it did in the beginning to me, that it is on that question of fact that the decision in this case must finally turn. The legal argument was weak; it was sought to prop it with the argument on fact. The argument on

fact is weak on the side of the majority. The two broken reeds can not sustain each other.

If you accept the doctrine of the majority, we have got to assume that a man's citizenship, which is to him of priceless value, depends not upon his own act, done in good faith, but upon the act and upon the performances of some one else. Into the legal discussion of the question, which has been so ably presented by my colleague [Mr. COLLINS] this afternoon, I do not propose to enter; but I wish to call the attention of the House for just one moment to the result of intrusting a man's citizenship to the ministerial act of anybody else. Carelessness may intervene in an act of a clerk. There may be destruction of the records by fire, by accident, by a thousand causes.

If gentlemen will turn to a single piece of testimony, on page 223 of the record, they will find that one Templar testifies that he appeared before the clerk to procure a copy of the record of his naturalization, he having taken the oath of citizenship, and that after hunting for the record the clerk failed to find it, and "told me that he would give the matter a more careful and thorough search, and that I should call again in a few days, or at my convenience, and that he would then have it ready for me. I have repeatedly, during the last ten years, called at the clerk's office for a certified copy, and have never been able to procure it."

That is the court on the performances of which it is proposed to take away the citizenship of Captain White, a court in which a man who had taken the oath of citizenship applied vainly for ten years for the certificate to which he was entitled. In another case, that of a German-born citizen, the judge of the court, the ingenious jurist who is before this House now as the contestant, had had a slight difference with this gentleman, Mr. Sardinghausen. The contestant was a candidate for Congress; Mr. Sardinghausen thought he ought not to be; the contestant naturally did not agree with Mr. Sardinghausen's views of the case. They differed as good men will differ, and the contestant said to Sardinghausen, who was then and had been for a long time a State senator in Indiana and a member of the Democratic party, "You had better look to your own citizenship." Sardinghausen's reply was, as it appears in his sworn testimony, that he had gone into that court and been naturalized before the contestant himself, to which the contestant replied, 'There is no record of it." We see, therefore, that it is no new thing for the records of this particular court to be brought into politics to affect the citizenship of candidates for office. That record is defective throughout. There are one hundred and fifty names of naturalized citizens with nothing but bare memoranda of them.

There are others without one line of memorandum in that court. Citizens applied for certificates in order that they might go out and take up land in the Territories, but no record of their naturalization could be found. There are cases where men had certificates and where there was not even a scratch of a pen to show it. There are the cases of two men whose names had afterwards been entered in that record, forgeries, as appears by the testimony in this case; and it is on that disfigured, imperfect record, tainted with forgery, that it is proposed to deprive the contestee of his seat in this House. So much for the record, as to which it is argued by the other side that we can not bring any parol testimony to cure its defects.

The other single point in this case is the fact of naturalization. To that fact we have the testimony of Mr. Jenkinson, which is entirely unimpeached. He swears to two conclusive facts—that he was present when Captain White was naturalized, and that it was after the war, and after he (Jenkinson) had given up the practice of the law. That testimony has not been impugned in the slightest degree. We then have the testimony of Pratt, the sheriff, who was in court at the time of the naturalization, and the only attempt to impugn his testimony is by saying that he was hostile to the contestant. If the veracity of men in that Indiana district is to be impugned on that ground—I say it with entire respect—there will be a very large number of persons, reaching into many thousands, who can not be received as credible witnesses. That testimony stands to the fact of naturalization and to the fact that the naturalization occurred subsequent to the war, defeating the attempt made by the other side to show that the declaration of intention was in 1858.

Last of all, we have Captain White's own testimony. It is admitted that in the confusion and excitement of the election he made contradictory statements, but from the beginning he said, "I have been naturalized." From that he never swerved. His testimony on that point is direct, and until this afternoon, in the speech of the gentleman from Indiana [Mr. O'NEALL], there has not been a single attempt to impeach his character for veracity.

I wish to say a word, sir, as to the general policy of proving lost records. We know that provisions are made by the States for the proof of lost records. We know that that is the policy of the States. In the case of a great destruction of records like that of Chicago, provision is made for the proof of those records. It is a matter of general policy. Now, here is a case in which the record was practically destroyed, and it is proposed to say to this man, "You can not prove your citizenship, the dearest thing you have, though we make provision in every State to allow proof of lost records."

The doctrine of citizenship has always in this country received a liberal interpretation; and I wish to call attention to a case which happened some years ago involving the protection of a citizen in a foreign country—a case showing how far the Government of the United States has been willing to carry this doctrine. It is the case of Martin Koszta, who was one of Kossuth's staff. He was seized in Smyrna by the Austrians with the intention of carrying him to Austria and consigning him to an Austrian prison. Captain Ingraham, in command of an American man-of-war, lay alongside the Austrian brig and threatened to fire upon her if Koszta was not given up. He was given up to the French consul, and was finally returned to the United States. Our Government took that extreme ground—on what? On a mere declaration of intention—on absolutely nothing else.

Mr. Marcy, then Secretary of State, said that though Martin Koszta was not vested with all the rights and privileges of a citizen of the United States, he was, at the time the outrage was committed upon him, entitled to the protection extended to him by the American functionaries at Smyrna. A declaration of intention was thought sufficient then to entitle a man to the protection of the American flag. Yet it is argued to-day that a man who has not only declared his intention, but has served in the armies of the United States, is not a citizen of the country.

One word, in closing, as to the personal aspect of this question. I am aware that ordinarily no argument based upon any personal consideration should find place here. But this, I submit, is a peculiar case. In most election cases the unsuccessful party, whether unseated justly or unjustly, can go back to the final tribunal, the constituency of his district, and appeal to them against the verdict which has been rendered here. But if you unseat Captain White, you leave him no such appeal. You will have declared that he is not a citizen of the United States, and can not be eligible to a seat in this body for seven years. The verdict which we shall give here to-day on this case is, so far as Captain White is concerned, final and irreversible.

Captain White came to this country in 1853. In 1858 he declared his intention to become a citizen. A few years later he entered the armies of the United States. He was badly wounded at Shiloh. Coming back to Fort Wayne, he has built up there a prosperous business. He enjoys the respect of the people among whom he has lived. He has reared his family there. He has accumulated property. And now you are asked to say that he has come into this House by means of perjury. I am aware that members of the majority disclaim, as they naturally would, any intention to fix such a brand as that upon Captain White, yet the attempt is useless. There can be no escape from this result—that if Captain White is now turned out, you send him back to the community in which he has lived, to the people whose respect he has enjoyed, voters of both parties who have given him their personal confidence—you send him back with the declaration that, in the opinion of the American Congress, he is a perjurer. Beside the honorable scars that he bears on his front like a brave man, you propose to fix the burning stigma of "liar and perjurer!" There is the personal aspect of this case that cannot be escaped. Such a judgment as that would be a cruel injustice; and I do not believe that on the frail legal argument, or the still frailer argument upon the facts, this House will be guilty of such an injustice to any man who has been admitted as a member. [Applause.]

Mr. CRISP. Mr. Speaker, I know the House is somewhat fatigued and is anxious to dispose of this case. I have reserved for myself only a few moments in which to express, in conclusion, the views entertained by the majority of the committee on the merits of the contest.

During the progress of this debate we have had from gentlemen on this side of the Chamber—the distinguished gentleman from New York [Mr. COCKRAN], the distinguished gentleman from Massachusetts [Mr. COLLINS], the distinguished gentleman from New Jersey [Mr. MCADOO], and the distinguished ex-judge from Minnesota [Mr. WILSON]—some of the most marvelous expositions of law, I venture to say, that ever were heard in a legislative body. We are told by these gentlemen that the judgments of a court of record can exist in the air, can be hawked about in the pockets of individuals. We are told by these gentlemen that the certificate given to a naturalized citizen by the clerk of the court is a part of the record of the court, and that when it is proven that a man has once had such a certificate and has lost it, he can prove its contents by parol testimony. These propositions, Mr. Speaker, are absolutely startling to any one who is at all familiar with the elementary principles of the law. Blackstone's Commentaries, an inexhaustible source of information upon legal questions, tells us that a court of record is a court wherein the judgment is enrolled upon parchment as a perpetual memorial of the act of the court.

Neither of the distinguished gentlemen to whom I refer has produced, and I venture the assertion that neither of them can produce, the judgment of any respectable court sustaining the position which they urge upon the House. The leading case relied upon is the case from New York, decided by Justice Blatchford. In that case—and I ask the House to bear it in mind—there was in the office of the clerk of the court a statement of the oath taken before the court and of all the proceedings requisite for the naturalization of the citizen; and this was identified by the initials of the judge. The judge who sat in the case put on the papers his initials, and Judge Blatchford held this to be compe-

tent evidence of the judgment of the court. In the case from Virginia there was found upon the minutes of the court an entry stating that the applicant for citizenship appeared and was naturalized. Sir, there can not be produced a single case—I appeal to any man on this floor who has made an investigation of the question to produce a case—in which any respectable court has held that naturalization, the whole of it, can be proved by parol.

Why, Mr. Speaker, a citizen must be naturalized in a court of record having a clerk and having a seal. Why this requirement of the law, but that such judgment may be entered of record by the clerk and thus become a memorial for all time? If naturalization may be proven by parol, why does not the statute authorize courts not of record to hear such cases and give judgment? The conclusion is irresistible that jurisdiction was limited by Congress to such courts as had a clerk and seal in order that the judgment admitting a person of foreign birth to citizenship here might be enrolled for a perpetual memorial and testimony. The proceedings in cases of naturalization are strictly judicial; there must be, as in other judicial matters, that judgment which is the "end of the law." A court of record can speak only by its dockets, minutes, or records, and in the absence of any docket, minute, or record, its voice can not be heard.

Mr. Speaker, the proposition here is to prove by parol every single fact necessary to establish the naturalization of contestee.

Mr. MACDONALD. Will the gentleman permit me to ask him a question?

Mr. CRISP. I have but twenty minutes, and I must therefore respectfully decline to yield.

Mr. MACDONALD rose.

Mr. CRISP. Others who are not so familiar with the records in this case as the members of the committee, who have labored over them for weeks, can not inform me of anything in the record which I do not already know.

Mr. MACDONALD again rose.

Mr. CRISP. I decline to be interrupted, and I give as a reason for so doing the shortness of the time I have allowed myself.

Now the proposition is, Mr. Speaker, in the face of the Constitution of the United States, in the face of the decision of the courts, in the face of the decisions of the executive department of the Government, to establish in the legislative department a rule which will open wide the door for fraud and make uncertain and unsatisfactory that which under the established rules of evidence can now, without hardship to any one, be made perfectly clear and plain. If I am right that the judicial department of the Government have a uniform rule on this subject, let us look for a moment to the executive department of the Government and see what their rule is.

If Mr. White should go to the State Department and say, "Mr. Secretary, I desire a passport to go to Europe; I am a foreign citizen," the Secretary would say to him, "Let me see your papers of naturalization." If Mr. White replied, "I have not got them; I have lost them," the Secretary would say, "Go back to the court of record where you got your naturalization papers and obtain a copy of them." Mr. White replies again that there is no copy of them there. "I propose to bring Mr. Jenkinson, Mr. Pratt, and others to prove that I am naturalized and am a citizen. They will prove that I did apply for naturalization, and that the paper was issued to me, but I have lost it." Does any gentleman here suppose for a moment the State Department, on such a showing as that, would grant to that individual the protection of that flag we all reverence and respect? Is that the practice of the executive department, to give to a citizen who proposes to prove by parol testimony only the fact of his naturalization the protection and safe conduct of that flag? No, the executive department would say to him, "We can not safely give you a passport under those circumstances."

Mr. Speaker, the executive department would refuse him. He now comes to this legislative department of the Government and asks this House to seat him on evidence on which no court would decide he was naturalized and on which the executive department would not decide that he was a citizen entitled to a passport. In the determination of this case, we are gravely asked to violate every principle of the law of evidence. The gentleman from Tennessee says we are bound by no rule of evidence or law. The gentleman from New York [Mr. COCKRAN] says this case should be decided on a different basis from ordinary contests between individuals; and the gentleman from Massachusetts [Mr. DAVIS] says in its determination we can be governed by such rules as we please. Are not these propositions astounding, when the House of Representatives is called upon by the Constitution, that we have all sworn to support, to judge of the qualifications of one of its returned members? If we do not judge and determine according to the established rules of evidence, how are we to judge and determine?

By looking to the effect the unseating of the contestee might have in some particular district, as some gentleman has suggested here—by looking to the fact there are a great many foreigners in your district, and they might be displeased. Is that the rule asked for? Is that the rule acted on by any member of the House? Is that what is meant by judging? I protest, Mr. Speaker, we will judge it by the rules of evidence established in all the courts of every civilized country in the world, the faithful observance of which is absolutely essential to the ascertainment of the truth.

Judging by that rule, Mr. Speaker, I say in this case there is no competent testimony to establish naturalization.

Now, I can not dwell upon this legal view, but want to say something upon the facts as presented. If there are those who really believe that naturalization can be proven by parol, I desire to demonstrate to them that there is no satisfactory evidence to justify a finding which would retain the contestee in his seat.

Satisfactory evidence, Mr. Speaker, is that character of evidence which satisfies the mind of the correctness of a proposition which has been asserted.

The gentleman from Indiana, the contestee, asserts that he became a naturalized citizen of the United States in 1865. Having admitted that he was foreign born the *onus* is upon him to establish his claim to citizenship. The presumption is not, as some gentleman has suggested in this debate, that he is a citizen, but the presumption is that he is not a citizen, that his original status remains until he shows the contrary. Accept that issue and view the case in that light for a moment.

Here is a foreign-born gentleman who says he is naturalized. Let us see his proof. It is admitted that in 1858 Mr. White filed his declaration of intention to become a citizen.

I ought to say just here, Mr. Speaker, that under the laws of Indiana the filing of such a declaration gives to the person filing it the right to vote, the right to hold property, the right to do everything in that State that a full citizen may do except the right to hold office. This gentleman tells us here that he filed the declaration and complied with every requirement in order to vote for Frémont. There is some confusion about the statement there, and I do not care to dwell upon that part of the testimony.

The declaration was filed in 1858. Now, then, let us come down to the year when Mr. White was a candidate for Congress and see what was done by him, and what was done by others, that may throw light upon his claim of citizenship.

It is true that the contestee did hold some little office in the State of Indiana; but he held no great number of distinguished offices. I think he was alderman of some little city, or something of that sort. Finally, he became a candidate for Congress. Just before the election the charge was made that he was not a naturalized citizen.

Two gentlemen, Mr. Bell and Mr. Moynihan, as the testimony shows, went to him and said, "The statement is made that you are not a naturalized citizen." His reply was, "I have got my papers." Did he stop there? No. He says, "I got my papers in 1857 or 1858." Upon the first blush of the moment, when distinctly charged with a want of naturalization, what does he say, and I call your attention to it again?

I got my papers in 1857 or 1858.

Did you get then all the papers that you got?

Answer. I did.

That night you find the contestee in consultation with certain friends of his in a printing-office in the town, the office being that of the paper that advocated his election. What do you find the next morning? There is a publication in that paper of a letter from the Adjutant-General of the Army—a mutilated letter. It seems that an inquiry was made of the Adjutant-General as to whether the honorable discharge of a soldier from the Army entitled him to the rights and privileges of citizenship. The Adjutant-General replied that it did not. That letter, on that night, in that town, in the printing-office was talked about, the contestee was that night in the office, and the letter was mutilated and appeared in a mutilated form in the newspaper on the next day, stating that the honorable discharge of a soldier from the Army does entitle him to citizenship. In the very same newspaper that contained the mutilated letter appeared this statement:

I was a soldier; I am a citizen.

J. B. WHITE.

On that day, Mr. Speaker, I ask the House, was the contestee standing upon any supposed naturalization in 1865? I deny it. The thought had never entered his mind, and he resorted to that kind of subterfuge because he had no real naturalization.

Mind you, that notice was kept standing in the paper, and on the next day you find him in consultation with his lawyers. He has gone and looked for his paper, the declaration of intention, the only paper he ever had, and the paper on which he voted and held property for thirty years. He was looking for that and fails to find it; and there is a meeting of his lawyers for consultation as to what is to be done in the emergency. Some of these attorneys have been sworn, and there is not one who tells you that White then claimed he had been naturalized in 1865. The first intimation that we receive of his having made that claim was after the service of notice of contest in this case. If he was naturalized in 1865, why did not he tell them so? But what did they do? They advised him to take out naturalization papers at once, that possibly it might relate back to something and help him. He went into another county and became naturalized. To do that he had to swear that he was a subject of Queen Victoria and renounced his allegiance to her; this was the day before the election in 1886, and yet contestee asks you now to determine that what he then stated was not true.

After getting his papers he hastens back to his home, and says, in response to questions by his constituents, "I have got my papers, my first papers, my second papers, and I have got my third papers; and if you vote for me I will show them to you."

Is that, I ask you, gentlemen, the conduct of an honest man, who is conscious he is a citizen and became so in 1865?

Gentlemen say Mr. White said he was a citizen. I say to the gentlemen, in reply, that Mr. White said he took out his papers in 1858. I say, in reply, that the actions of Mr. White were absolutely inconsistent with the statements he has since made. A man's actions sometimes speak louder than his words. You find the contestee shifting from pillar to post to establish his citizenship. First he says, "I became a citizen in 1857 or 1858." Then he says, "I am an honorably discharged soldier, and hence I am a citizen;" and then he says, in 1886, "I owe allegiance to Queen Victoria, but I now swear I will bear true faith and allegiance to the Constitution of the United States."

I ask you is such conduct consistent with the idea that he all the time knew he became a naturalized citizen in 1865?

It is impossible, Mr. Speaker, that I should go over this case in the time allotted. I am admonished that but three minutes of my time remain. I desire to call the attention of the House to the inconsistencies in the statements of the witnesses presented by Mr. White to prove his naturalization. One says it was in the common pleas court; the other says it was in the circuit court. One says a certain person was present; another says it was another person who was present. Mr. White says it was Mr. Chittenden; Mr. Jenkinson says it was Mr. Chittenden. The original declaration of intention was in Mr. Chittenden's handwriting and he went out of office in 1862 and went into another office.

All these things indicate to my mind conclusively that the only time contestee applied to the court was when he filed his declaration of intention, and that was when Mr. Jenkinson appeared and the other witnesses with him.

I might point to inconsistencies in other parts of the testimony. I might state to you that so far from his being the gallant and distinguished soldier his friends would have you believe, he resigned under fire, and that when he resigned from the service his superior officers stated that they fully agreed with him that the acceptance of his resignation would be for the benefit of the service.

I might state that he continued with the Army, not fighting for the Government, but in the capacity of a sutler, a man who for large profit furnishes supplies to the troops; that that was the position in which he rendered such distinguished service from the latter part of 1862 until he abandoned the business. All this would only be justifiable in rebuttal of the extraordinary claim made on behalf of the contestee. In this country no man can occupy a position so high that his claims are not to be tried by the common and established rules of evidence. I do not care how distinguished a man may be or what his character has been. It is the proud boast of this democracy that when it comes to a question before the courts all men stand alike; that nothing in the past history of a man raises him above the law, and that nothing in his past history shall deny him the right to justice.

It is claimed that because contestee was a soldier, therefore he shall be believed. I think if you will look to the evidence—my distinguished friend from Massachusetts [Mr. COLLINS] says he has not read it; my distinguished friend from New York [Mr. COCKRAN] does not say whether he has read it or not—but if you will look at the evidence you will find that Mr. White absolutely fails to satisfy you that he ever became naturalized until 1886, on the day before the election.

Mr. Speaker, the Committee on Elections have tried this case, as they believe, according to the law and according to the evidence. They have not made inquiry as to how the finding might affect votes in their own or anybody else's district. That is perfectly immaterial to them. So far as I am concerned I shall decide each case according to my view of the law and the evidence. While I am a party man, I trust I am not so much a partisan as to violate the law and the evidence in any case, and I am very sure that I shall cast no vote contrary to my conviction of duty in order to pander to some element in my district or State.

[Here the hammer fell.]

Mr. CRISP. I demand the previous question on the resolutions and the substitute.

Mr. ROWELL. I now offer the substitute, and move the previous question on it.

The SPEAKER. The gentleman from Georgia has demanded the previous question on the resolutions and the substitute which the Chair understands is admitted as pending.

Mr. RANDALL. I desire to ask a parliamentary question.

The SPEAKER. The gentleman will state it.

Mr. RANDALL. I understood the Chair to state, in reply to the gentleman from Illinois, that his substitute was pending. Did I correctly hear the statement of the Chair?

The SPEAKER. The gentleman from Georgia demanded the previous question on the report; and thereupon the gentleman from Illinois moved the substitute reported by the minority of the committee, and the Chair understood the gentleman from Georgia to yield for that purpose.

Mr. CRISP. I did.

Mr. RANDALL. I desire to know whether a negative vote on the first proposition of the Committee on Elections does not in effect seat the sitting member, and after that no other vote is essential?

The SPEAKER. The first resolution reported from the committee declares that the sitting member is not entitled to his seat. If the House refuses to pass that resolution he retains his seat under his certificate and the oath of office he has taken.

Mr. RANDALL. So we need but one vote?

Mr. REED. The motion is made by the gentleman from Illinois [Mr. ROWELL] to substitute his resolution for another.

The SPEAKER. The Chair so understood; but the inquiry of the gentleman from Pennsylvania is, whether in a parliamentary sense more than one vote is necessary to retain the gentleman in his seat? The Chair merely answered the question of the gentleman from Pennsylvania. The Chair does not decide that the substitute is not pending.

Mr. REED. The substitute is pending, and the vote will have to be on the substitute first.

The SPEAKER. As a matter of course.

Mr. TAULBEE. Let us have the substitute read, Mr. Speaker.

The SPEAKER. It will be read. The Chair desires to understand whether the substitute proposed by the gentleman from Indiana [Mr. O'NEALL] for the substitute proposed by the minority of the committee is pending.

Mr. CRISP. The majority of the committee have submitted two resolutions. The resolution of the gentleman from Illinois [Mr. ROWELL] is a substitute for the first resolution, and the resolution of the gentleman from Indiana [Mr. O'NEALL] is a substitute for the second resolution reported by the committee.

The SPEAKER. The Clerk will report the resolutions proposed by the majority and the substitute proposed by the gentleman from Illinois [Mr. ROWELL].

The Clerk read as follows:

*Resolved*, First. That James B. White not having been a citizen of the United States for seven years previous to the 4th of March, 1887, is not entitled to retain a seat in the Fiftieth Congress of the United States from the Twelfth Congressional district of Indiana.

*Resolved*, Second. That Robert Lowry not having received a majority of the votes cast for a Representative in the Fiftieth Congress for the Twelfth Congressional district of Indiana is not entitled to a seat therein as such Representative.

The Clerk read the substitute proposed by Mr. ROWELL, as follows:

*Resolved*, That James B. White was duly elected a Representative to the Fiftieth Congress from the Twelfth Congressional district of Indiana, and is entitled to retain his seat.

The SPEAKER. As the Chair understands, this resolution is offered as a substitute of the first resolution reported by the committee.

Mr. ROWELL. Yes.

The SPEAKER. And upon this report and substitute the gentleman from Georgia [Mr. CRISP] demands the previous question.

Mr. REED. The gentleman from Illinos [Mr. ROWELL] demands the previous question upon the substitute.

The SPEAKER. But the gentleman from Georgia had the floor and yielded only for the amendment, as the Chair understood.

Several MEMBERS. That is correct.

The SPEAKER. The effect is precisely the same.

Mr. O'NEALL, of Indiana. Mr. Speaker, I ask the privilege of withdrawing the resolution which I reported.

Mr. RANDALL. The proposition of the gentleman from Indiana [Mr. O'NEALL] was that Mr. Lowry was entitled to the seat.

The SPEAKER. The gentleman has a right to withdraw the resolution, no vote having been taken upon it.

The previous question was ordered.

The SPEAKER. The question now is upon agreeing to the substitute proposed by the gentleman from Illinois [Mr. ROWELL] for the first resolution reported by the Committee on Elections.

Mr. CRISP. And on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 186, nays 105, not voting 32; as follows:

YEAS—186.

| | | | |
|---|---|---|---|
| Adams, | Browne, T. H. B. | Conger, | Gaines, |
| Allen, C. H. | Browne, T. M. | Cooper, | Gallinger, |
| Allen, E. P. | Brown, C. E. | Crouse, | Gear, |
| Anderson, A. R. | Brown, J. R. | Culberson, | Gest, |
| Anderson, G. A. | Bryce, | Cutcheon, | Glass, |
| Anderson, J. A. | Buchanan, | Dalzell, | Goff, |
| Arnold, | Bunnell, | Davenport, | Grosvenor, |
| Atkinson, | Burnes, | Davis, | Grout, |
| Baker, C. S. | Burnett, | De Lano, | Guenther, |
| Baker, Jehu | Burrows, | Dingley, | Hare, |
| Bayne, | Butterworth, | Dockery, | Harmer, |
| Belden, | Bynum, | Dorsey, | Haugen, |
| Biggs, | Campbell, T. J. | Dunham, | Hayden, |
| Bingham, | Cannon, | Enloe, | Henderson, D. B. |
| Bliss, | Caswell, | Farquhar, | Henderson, T. J. |
| Boothman, | Cheadle, | Finley, | Hermann, |
| Bound, | Chipman, | Fisher, | Hiestand, |
| Boutelle, | Clark, | Flood, | Hitt, |
| Bowden, | Cockran, | Ford, | Holmes, |
| Bowen, | Cogswell, | Forney, | Hopkins, A. J. |
| Brewer, | Collins, | Fuller, | Hopkins, S. T. |
| Brower, | Compton, | Funston, | Houk, |

| | | | |
|---|---|---|---|
| Hovey, | McKinney, | Pugsley, | Struble, |
| Hunter, | McShane, | Randall, | Symes, |
| Jackson, | Merriman, | Rayner, | Tarsney, |
| Johnston, J. T. | Milliken, | Reed, | Taylor, E. B. |
| Kean, | Mofflit, | Rockwell, | Taylor, J. D. |
| Kelley, | Morrill, | Romeis, | Thomas, G. M. |
| Kennedy, | Morrow, | Rowell, | Thomas, O. B. |
| Kerr, | Neal, | Rowland, | Thompson, A. C. |
| Ketcham, | Nelson, | Russell, C. A. | Tillman, |
| Laffoon, | Nichols, | Rusk, | Turner, E. J. |
| La Follette, | Nutting, | Ryan, | Vandever, |
| Laidlaw, | O'Donnell, | Sawyer, | Wade, |
| Laird, | O'Neill, Charles | Sayers, | Warner, |
| Lanham, | O'Neill, J. J. | Seull, | Weaver, |
| Lind, | Osborne, | Sherman, | Weber, |
| Lodge, | Owen, | Shively, | West, |
| Long, | Parker, | Smith, | White, S. V. |
| Lyman, | Patton, | Sowden, | Whiting, J. R. |
| Macdonald, | Payson, | Spooner, | Wickham, |
| Mahoney, | Perkins, | Springer, | Williams, |
| Mason, | Peters, | Steele, | Wilson, Thomas |
| McAdoo, | Phelan, | Stephenson, | Yardley, |
| McCullogh, | Phelps, | Stewart, Charles | Yost. |
| McKenna, | Plumb, | Stewart, J. W. | |
| McKinley, | Post, | Stone of Mo. | |

NAYS—105.

| | | | |
|---|---|---|---|
| Abbott, | Dougherty, | Lane, | Robertson, |
| Allen, J. M. | Dunn, | Latham, | Rogers, |
| Anderson, C. L. | Elliott, | Lawler, | Russell, J. E. |
| Bacon, | Ermentrout, | Lee, | Seney, |
| Bankhead, | French, | Lynch, | Shaw, |
| Barry, | Gibson, | Maish, | Simmons, |
| Blanchard, | Granger, | Mansur, | Snyder, |
| Bland, | Greenman, | Martin, | Stahlnecker, |
| Breckinridge, C. R. | Grimes, | Matson, | Stewart, J. D. |
| Breckinridge, WC P | Hall, | McClammy, | Stockdale, |
| Buckalew, | Hatch, | McCreary, | Stone of Ky. |
| Campbell, J. E. | Hayes, | McMillin, | Taulbee, |
| Candler, | Heard, | McRae, | Tracey, |
| Carlton, | Hemphill, | Mills, | Turner, H. G. |
| Caruth, | Henderson, J. S. | Montgomery, | Vance, |
| Catchings, | Herbert, | Morgan, | Walker, |
| Clardy, | Hogg, | Newton, | Washington, |
| Clements, | Holman, | Norwood, | Wheeler, |
| Cobb, | Hooker, | Oates, | Whitthorne, |
| Cowles, | Hopkins, S. I. | O'Ferrall, | Wilkins, |
| Cox, | Howard, | O'Neall, J. H. | Wilkinson, |
| Crain, | Hudd, | Outhwaite, | Wilson, W. L. |
| Crisp, | Hutton, | Peel, | Wise, |
| Cummings, | Johnston, T. D. | Penington, | Yoder. |
| Dargan, | Jones, | Perry, | |
| Davidson, R. H. M. | Kilgore, | Rice, | |
| Dibble, | Landes, | Richardson, | |

NOT VOTING—32.

| | | | |
|---|---|---|---|
| Barnes, | Davidson, A. C. | Lehlbach, | Spinola, |
| Belmont, | Felton, | Maffett, | Thomas, J. R. |
| Blount, | Fitch, | McComas, | Thompson, T. L. |
| Brumm, | Foran, | McCormick, | Townshend, |
| Butler, | Gay, | Moore, | White, J. B. |
| Campbell, Felix | Glover, | Morse, | Whiting, William |
| Cothran, | Hires, | Pidcock, | Wilber, |
| Darlington, | Lagan, | Scott, | Woodburn. |

So the substitute of Mr. ROWELL was agreed to.

Before the result of the vote was announced,

Mr. MOORE said: On this question I am paired with the gentleman from Pennsylvania [Mr. DARLINGTON], who, if present, would vote in the affirmative, while I should vote in the negative.

The SPEAKER. The rules require that pairs shall be announced in writing from the Clerk's desk. The Clerk will read the pairs.

The following-named members were announced as paired on all political questions, until further notice:

Mr. SPINOLA with Mr. THOMAS, of Illinois.

Mr. TOWNSHEND with Mr. MCCOMAS.

Mr. GLOVER with Mr. WILBER.

Mr. BLOUNT with Mr. WHITING, of Massachusetts.

The following pairs were also announced:

Mr. BARNES with Mr. MCCORMICK, on all questions, until Saturday, February 11.

Mr. PIDCOCK with Mr. BUTLER, on all political questions, for this day.

Mr. THOMPSON, of California, with Mr. FELTON, on all political questions for this day.

Mr. FORAN with Mr. BRUMM, on all political questions, for this day; and on the Indiana election case; if present, Mr. FORAN would vote for the majority report, and Mr. BRUMM against it.

Mr. COTHRAN with Mr. FITCH, on all political questions, for this day; also on the Indiana election contest; if present, Mr. COTHRAN would vote for the majority report, and Mr. FITCH against it.

Mr. MOORE with Mr. DARLINGTON, on the Indiana election contest. Mr. MOORE would vote for the majority report, and Mr. DARLINGTON, if present, would vote against it.

Mr. DAVIDSON, of Alabama, with Mr. HIRES, on the Indiana election contest. If present, Mr. DAVIDSON would vote for the majority report.

Mr. BUCHANAN. I desire to state that my colleague, Mr. HIRES, has been called home by serious illness in his family, and my colleague, Mr. LEHLBACH, is confined to his bed by sickness.

The SPEAKER. On this question the yeas are 186, the nays 105. The substitute is agreed to. [Applause.]

The question then recurring upon agreeing to the report of the Committee on Elections, as amended by the adoption of the substitute of Mr. ROWELL, it was agreed to.

Mr. ROWELL moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

### LEAVE OF ABSENCE.

Mr. GAY, by unanimous consent, obtained indefinite leave of absence, on account of sickness.

### ENROLLED JOINT RESOLUTION.

Mr. FISHER, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled the joint resolution (S. R. 6) for the removal of all political disabilities imposed by the fourteenth amendment to the Constitution of the United States upon Abram C. Myers; when the Speaker signed the same.

### ADDITIONAL TERRITORIAL JUDGE.

Mr. CAREY, by unanimous consent, introduced a bill (H. R. 6828) to provide additional justices of the supreme courts of Dakota, Washington, Wyoming, Utah, Idaho, and Arizona Territories, and for other purposes; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

### PENSIONS.

Mr. BINGHAM, by unanimous consent, introduced a bill (H. R. 6829) to increase the pensions of those who have lost a limb, two limbs, or both eyes, and for other purposes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

### TESTING OF CHAINS AND ANCHORS, ETC.

Mr. TARSNEY, by unanimous consent, reported back favorably from the Committee on Commerce the bill (H. R. 1241) to require the testing of chains and anchors and for the better security of life and property on shipboard; which was referred to the House Calendar, and the accompanying report ordered to be printed.

### MESSAGE FROM THE SENATE.

A message from the Senate by Mr. MCCOOK, its Secretary, announced that the Senate had passed bills and resolutions of the following titles; in which the concurrence of the House of Representatives was requested, namely:

A bill (S. 1627) to amend section 25 of the act of March 3, 1879, making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes;

A bill (S. 1754) for the relief of Henry H. Marmaduke, of Missouri;

Joint resolution (S. R. 19) relating to the celebration of the centennial of the inauguration of the Constitution of the United States;

Joint resolution (S. R. 27) providing for the printing of a supplement to Wharton's Digest of International Law; and

Concurrent resolution providing for the printing of 7,000 additional copies of Executive Document 51, first session of the Forty-ninth Congress, on the subject of cattle and dairy farming.

### GRAY'S BATTALION, MEXICAN WAR.

Mr. BRECKINRIDGE, of Arkansas, by unanimous consent, introduced a bill (H. R. 6830) to place upon the pension-roll members of Gray's Battalion of United States Volunteers, Mexican war; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

### THOMAS H. NORTON AND JAMES M'LEAN.

Mr. MCCULLOGH, by unanimous consent, reported back favorably from the Committee on Claims the bill (H. R. 4706) for the relief of Thomas H. Norton and James McLean; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

And then, on motion of Mr. MCMILLIN (at 5 o'clock and 20 minutes p. m.), the House adjourned.

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### PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills and joint resolutions of the following titles were introduced and referred, as indicated below:

By Mr. MORROW: A bill (H. R. 6718) to remove the charge of desertion against Isaac Trimble—to the Committee on Military Affairs.

Also, a bill (H. R. 6719) for the relief of Charles B. Wagner—to the Committee on War Claims.

By Mr. ROWELL: A bill (H. R. 6720) for the relief of Kate Tarlton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6721) for the relief of John A. Erwin—to the Committee on Claims.

By Mr. LAWLER: A bill (H. R. 6722) for the relief of Sarah Jane Owen—to the Committee on Invalid Pensions.

By Mr. MASON: A bill (H. R. 6723) for the relief of Mrs. D. H. Sheldon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6724) to increase the pension of Charles A. D. Rogers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6725) granting a pension to Ernest Hodder—to the Committee on Invalid Pensions.

By Mr. LANDES: A bill (H. R. 6726) granting a pension to Palmer Crutchfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6727) granting a pension to Mrs. Mary C. Holmes—to the Committee on Pensions.

By Mr. BYNUM: A bill (H. R. 6728) for the relief of Louis Myers—to the Committee on Military Affairs.

By Mr. MATSON: A bill (H. R. 6729) for the relief of Charles B. Garrett—to the Committee on Military Affairs.

By Mr. OWEN: A bill (H. R. 6730) granting a pension to Manerva Luce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6731) increasing the pension of Thomas Ward—to the Committee on Invalid Pensions.

By Mr. CONGER: A bill (H. R. 6732) granting a pension to Mrs. Leora Gear—to the Committee on Invalid Pensions.

By Mr. GEAR: A bill (H. R. 6733) granting a pension to Emerson Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6734) granting a pension to Margaret P. Minteer—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 6735) granting arrears of pension to Henry Schafer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6736) to enable the city of Aberdeen to acquire certain real estate within its limits, and for other purposes—to the Committee on the Territories.

By Mr. RYAN: A bill (H. R. 6737) granting the right of way through the Fort Riley military reservation, Kansas, to the Chicago, Kansas and Western Railway Company—to the Committee on Military Affairs.

By Mr. E. J. TURNER: A bill (H. R. 6738) authorizing the Secretary of War to deliver to the Plainville Post, No. 298, Grand Army of the Republic, at Plainville, Kans., six condemned brass cannon for monumental purposes—to the Committee on Military Affairs.

Also, a bill (H. R. 6739) making a donation to the Kansas Veteran Association of two condemned brass cannon and two hundred stand of small-arms and equipments—to the Committee on Military Affairs.

By Mr. McCREARY: A bill (H. R. 6740) granting a pension to Lemuel Main—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6741) granting a pension to Joseph Bastian, of Lincoln County, Kentucky—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6742) granting a pension to Emily Dunbar, widow of Reuben B. Dunbar, deceased—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6743) for the relief of Colyer & Brown—to the Committee on Claims.

Also, a bill (H. R. 6744) for the relief of the soldiers of the Three Forks Battalion, of Kentucky—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6745) for the relief of Mrs. Lucy Steenberger—to the Committee on War Claims.

Also, a bill (H. R. 6746) for the relief of T. H. Bohanon, administrator of John Slaughter—to the Committee on War Claims.

By Mr. W. C. P. BRECKINRIDGE: A bill (H. R. 6747) for the relief of the sufferers by the wreck of the United States steamer Saginaw—to the Committee on Claims.

By Mr. LAFFOON: A bill (H. R. 6748) for the relief of James S. Stull—to the Committee on War Claims.

By Mr. STONE, of Kentucky: A bill (H. R. 6749) for the relief of John W. Rice—to the Committee on War Claims.

By Mr. G. M. THOMAS: A bill (H. R. 6750) for the relief of John Green Haemon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6751) for the relief of W. H. C. McKinster—to the Committee on Invalid Pensions.

By Mr. SHAW: A bill (H. R. 6752) for the relief of Luke Goodyear—to the Committee on Military Affairs.

By Mr. COMPTON: A bill (H. R. 6753) for the relief of P. Gough Edelin—to the Committee on Claims.

By Mr. DINGLEY: A bill (H. R. 6754) granting a pension to John B. Frisbee—to the Committee on Invalid Pensions.

By Mr. COGSWELL: A bill (H. R. 6755) granting a pension to Mary Jane Harris—to the Committee on Invalid Pensions.

By Mr. C. H. ALLEN: A bill (H. R. 6756) granting a pension to Joseph D. Lane—to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 6757) to refer the claim of the owners of the brig Tally Ho to the Court of Claims—to the Committee on Claims.

By Mr. E. P. ALLEN: A bill (H. R. 6758) granting a pension to Ellen J. Springer—to the Committee on Invalid Pensions.

By Mr. O'DONNELL: A bill (H. R. 6759) granting a pension to Mary Robinson—to the Committee on Invalid Pensions.

By Mr. RICE: A bill (H. R. 6760) for the relief of the estate of John Cook—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 6761) for the relief of James H. Orr—to the Committee on Invalid Pensions.

By Mr. MACDONALD: A bill (H. R. 6762) for the relief of Perry Childs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6763) granting a pension to John Mann—to the Committee on Pensions.

Also, a bill (H. R. 6764) to grant a pension to Muck-a-pec-wak-keu-zah, or John, an Indian, who aided in saving the lives of many white people in the Indian outbreak in Minnesota in the year 1862—to the Committee on Pensions.

By Mr. BURNES: A bill (H. R. 6765) for the relief of William S. Thatcher—to the Committee on War Claims.

By Mr. DORSEY: A bill (H. R. 6766) for the relief of Samuel C. Coonsy—to the Committee on War Claims.

By Mr. McSHANE: A bill (H. R. 6767) to restore J. Rock Williamson to the pension-roll—to the Committee on Invalid Pensions.

By Mr. LAIRD: A bill (H. R. 6768) granting a pension to Mary A. Canfield, widow of Job A. Canfield—to the Committee on Invalid Pensions.

By Mr. GALLINGER: A bill (H. R. 6769) for the relief of John G. Crawford—to the Committee on Claims.

By Mr. McKINLEY: A bill (H. R. 6770) granting a pension to Miss Carrie A. Luey—to the Committee on Invalid Pensions.

By Mr. BUCHANAN: A bill (H. R. 6771) granting a pension to William H. Peters—to the Committee on Invalid Pensions.

By Mr. FLOOD: A bill (H. R. 6772) granting a pension to Frank B. Coffey—to the Committee on Invalid Pensions.

By Mr. T. J. CAMPBELL: A bill (H. R. 6773) granting a pension to Caroline Miller—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 6774) granting a pension to Catharine Callaghan—to the Committee on Pensions.

By Mr. COCKRAN: A bill (H. R. 6775) granting a pension to August F. Bronner—to the Committee on Invalid Pensions.

By Mr. TRACEY: A bill (H. R. 6776) granting a pension to Jacob F. Bradt—to the Committee on Invalid Pensions.

By Mr. SAWYER: A bill (H. R. 6777) for the relief of Charles H. Wisner—to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 6778) for the relief of Caroline T. Bancroft, executrix and trustee—to the Committee on the District of Columbia.

By Mr. BACON: A bill (H. R. 6779) for the relief of H. D. Batchelder—to the Committee on Claims.

By Mr. NICHOLS: A bill (H. R. 6780) for the relief of the heirs of J. W. Brower, deceased—to the Committee on War Claims.

By Mr. BROWER: A bill (H. R. 6781) for the relief of Henry Bass—to the Committee on War Claims.

By Mr. T. D. JOHNSTON: A bill (H. R. 6782) for the relief of James Ballard—to the Committee on Claims.

Also, a bill (H. R. 6783) to place the name of John A. Griffey on the pension-roll—to the Committee on Invalid Pensions.

By Mr. COWLES: A bill (H. R. 6784) granting a pension to Rhoda Dowell, widow of Emerald Dowell—to the Committee on Invalid Pensions.

By Mr. WILKINS: A bill (H. R. 6785) for the relief of F. W. McCauley—to the Committee on Military Affairs.

By Mr. McKINLEY: A bill (H. R. 6786) granting an increase of pension to Henry Hench—to the Committee on Invalid Pensions.

By Mr. ROMEIS: A bill (H. R. 6787) granting a pension to Frank Felder—to the Committee on Invalid Pensions.

By Mr. BUTTERWORTH: A bill (H. R. 6788) to provide for the payment of certain claims heretofore allowed, etc.—to the Committee on the Judiciary.

By Mr. BINGHAM: A bill (H. R. 6789) granting a pension to Mary S. Wells—to the Committee on Pensions.

By Mr. BOUND: A bill (H. R. 6790) to remove the charge of desertion from the military record of Isaac W. Rhawn—to the Committee on Military Affairs.

By Mr. HARMER: A bill (H. R. 6791) granting a pension to Samuel J. Perry—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 6792) for the relief of W. L. Adams, of Oregon—to the Committee on Claims.

By Mr. RANDALL: A bill (H. R. 6793) for the relief of Timothy A. Sloan—to the Committee on Military Affairs.

By Mr. YARDLEY: A bill (H. R. 6794) for the relief of Howard Barnis—to the Committee on Invalid Pensions.

By Mr. WASHINGTON: A bill (H. R. 6795) for the relief of the county of Davidson—to the Committee on War Claims.

Also, a bill (H. R. 6796) for the relief of the city of Nashville, Tenn.—to the Committee on War Claims.

By Mr. CRAIN: A bill (H. R. 6797) for the relief of Wilbur F. Cogswell—to the Committee on Military Affairs.

By Mr. T. H. B. BROWNE: A bill (H. R. 6798) for the relief of Raymond Somers and John P. Hurst—to the Committee on War Claims.

Also, a bill (H. R. 6799) to reimburse the county of Essex, in Virginia, for loss of its jail, destroyed while occupied by United States troops in 1865—to the Committee on War Claims.

By Mr. A. J. HOPKINS: A bill (H. R. 6800) for the relief of John Powers—to the Committee on Military Affairs.

By Mr. YOST: A bill (H. R. 6801) granting a pension to William M. Mayhew—to the Committee on Invalid Pensions.

By Mr. WISE: A bill (H. R. 6802) for the relief of Henrietta M. Sands, widow of the late Rear-Admiral Benjamin F. Sands, United States Navy—to the Committee on Naval Affairs.

By Mr. HENRY SMITH: A bill (H. R. 6803) for the relief of Augusta Heiss and Theodore Heiss—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 6804) granting an increase of pension to Lafayette Brockway—to the Committee on Invalid Pensions.

By Mr. M. A. SMITH: A bill (H. R. 6805) to authorize the Denver Coal and Railway Company to construct and operate a railway through the Indian Territory, and for other purposes—to the Committee on Indian Affairs.

By Mr. GIFFORD: A bill (H. R. 6806) for the relief of Benjamin F. Slaughter—to the Committee on War Claims.

By Mr. DUBOIS: A bill (H. R. 6807) granting a pension to Nathan G. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6808) granting a pension to James Larson—to the Committee on Invalid Pensions.

By Mr. MERRIMAN: A bill (H. R. 6809) granting a pension to P. J. Reuss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6810) authorizing the purchase of condensed statements, with covers, of the Compendium of the Tenth Census—to the Committee on the Library.

By Mr. MILLIKEN: A bill (H. R. 6811) granting an increase of pension to John F. Chase—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6812) granting an increase of pension to Stephen Thurston—to the Committee on Invalid Pensions.

By Mr. G. M. THOMAS: A bill (H. R. 6813) for the relief of John P. Fraley—to the Committee on Invalid Pensions.

By Mr. STONE, of Kentucky (for Mr. CARLISLE): A bill (H. R. 6814) for the relief of Moses Swango—to the Committee on War Claims.

Also, a bill (H. R. 6815) for the relief of Martin Edwards—to the Committee on War Claims.

Also, a bill (H. R. 6816) for the relief of Ransom Plunkitt—to the Committee on War Claims.

Also, a bill (H. R. 6817) for the relief of John C. Hamilton—to the Committee on War Claims.

Also, a bill (H. R. 6818) for the relief of David Story—to the Committee on War Claims.

Also, a bill (H. R. 6819) for the relief of Robert Pain—to the Committee on War Claims.

Also, a bill (H. R. 6820) for the relief of J. G. Robinson—to the Committee on War Claims.

Also, a bill (H. R. 6821) for the relief of A. P. Roswell—to the Committee on War Claims.

Also, a bill (H. R. 6822) for the relief of the heirs of B. J. Grubbs, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6823) for the relief of W. W. Goodwin—to the Committee on War Claims.

Also, a bill (H. R. 6824) for the relief of F. M. Glenn—to the Committee on War Claims.

Also, a bill (H. R. 6825) for the relief of T. M. Butler—to the Committee on War Claims.

Also, a bill (H. R. 6826) for the relief of the heirs of D. A. Butler, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6827) for the relief of James E. Kevil—to the Committee on War Claims.

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Changes in the references of bills improperly referred were made in the following cases, namely:

A bill (H. R. 4666) for the relief of John W. Rowlitt—from the Committee on Claims to the Committee on War Claims.

A bill (H. R. 4665) for the relief of Anthony L. Woodson—from the Committee on Claims to the Committee on War Claims.

A bill (H. R. 3712) increasing the pension of Milton Judd—from the Committee on Pensions to the Committee on Invalid Pensions.

A bill (H. R. 3202) granting a pension to Electa A. McColly—from the Committee on Invalid Pensions to the Committee on Pensions.

A bill (H. R. 2116) granting a pension to Johanna Eckhardt—from the Committee on Invalid Pensions to the Committee on Pensions.

A bill (H. R. 4518) for the relief of William P. Madden—from the Committee on Invalid Pensions to the Committee on Pensions.

A bill (H. R. 5148) for the relief of the mail contractor on route 30100, New Orleans to Port Eads—from the Committee on Claims to the Committee on the Post-Office and Post-Roads.

A bill (H. R. 2227) for the relief of Josiah Elkins—from the Committee on Invalid Pensions to the Committee on Pensions.

A bill (H. R. 2196) for the relief of S. T. Marshall—from the Committee on War Claims to the Committee on Claims.

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PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. H. ALLEN: Petition of Joseph D. Lane, for a father's pension—to the Committee on Invalid Pensions.

By Mr. J. A. ANDERSON: Petition of 562 citizens of Davis and Riley Counties, Kansas, for a Government postal telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. ARNOLD: Petition of Cyrus M. Perry and others, citizens of the Second district of Rhode Island, against the admission of Utah as a State with polygamy—to the Committee on the Territories.

By Mr. BOOTHMAN: Petition of George W. Deitrick and 190 others, citizens of Defiance, Ohio, that a post-office site be purchased and a post-office building be erected thereon in said city—to the Committee on Public Buildings and Grounds.

By Mr. W. C. P. BRECKINRIDGE: Petition of 19 professors of United States colleges to place books printed in other languages than English on the free-list; also of 19 professors and instructors in colleges of the United States, and of Professor E. D. Cope, of the National Academy of Sciences, and 36 professors of universities of the United States—to the Committee on Ways and Means.

By Mr. BROWER: Petition of citizens of Ceffo, Person County, North Carolina.

By Mr. BUCHANAN: Petition of the Anglers' Association of Eastern Pennsylvania, relative to fishing on the Atlantic coast with purse-nets—to the Committee on Merchant Marine and Fisheries.

Also, petition of William H. Peters for original pension—to the Committee on Invalid Pensions.

By Mr. BUTTERWORTH: Petition of Rosina Maus, widow of Joseph Maus, late of Company B, Forty-seventh Regiment Ohio Volunteer Infantry, for relief—to the Committee on Invalid Pensions.

Also, petition of the commanders of Grand Army of the Republic posts, representing 3,000 soldiers, praying for an appropriation to enable the Secretary of War to purchase the ground of the Spring Grove Cemetery Association, of Cincinnati, for the burial place of their dead—to the Committee on Appropriations.

By Mr. T. J. CAMPBELL: Petition of Caroline Miller, widow of Frederick Miller, Company A, Fifth New York Heavy Artillery, for a special-act pension—to the Committee on Invalid Pensions.

By Mr. CAREY: Petition of the Women's Christian Temperance Union, of Wyoming Territory, for the abolition of the internal-revenue tax on all acoholic liquors—to the Committee on Ways and Means.

By Mr. CHIPMAN: Petition of the Detroit (Mich.) Board of Trade, in favor of a postal telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. CLARDY: Two petitions of citizens of the Indian Territory, for a court to be established in the Territory, at Muscogee—to the Committee on the Judiciary.

Also, petition of John Williams and 7 others, citizens of Missouri, against the reduction of duty on plate-glass—to the Committee on Ways and Means.

Also, petition of M. F. Byrne and 16 others, and of S. W. Bowers and 44 others, for the retention of duty on plate-glass—to the Committee on Ways and Means.

By Mr. COBB: Petition of James M. Alexander, of Macon County, Alabama, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Samuel W. Duncan, of Chambers County, and of Emeline Dexter, of Bibb County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. COCKRAN: Petition of the United American Clay Tobacco-Pipe Employers and Employés' Association, for a revision of the tariff laws on manufactured clay pipes brought into this country from the factories of Europe—to the Committee on Ways and Means.

By Mr. COWLES: Petition of Rhoda Dowell, widow of Emerald Dowell, private Company G, Thirteenth Tennessee Cavalry Volunteers—to the Committee on Invalid Pensions.

By Mr. CRAIN: Petition of Richard Galway, for a pension—to the Committee on Invalid Pensions.

By Mr. CUTCHEON: Petition of citizens of Manistee County, Michigan, for the completion of the harbor of refuge at Portage Lake, Manistee County, Michigan—to the Committee on Rivers and Harbors.

By Mr. DARGAN: A bill for the improvement of the navigation of Clark's Creek, South Carolina—to the Committee on Rivers and Harbors.

Also, a bill for the improvement of the navigation of Mingo Creek, South Carolina—to the Committee on Rivers and Harbors.

By Mr. DUBOIS: Petition of the anti-Mormon central committee, of Bingham County, Idaho, against the dismemberment of Idaho—to the Committee on the Territories.

Also, resolutions of the Democratic Territorial central committee, and protest of the county commissioners of Ada County, Idaho, against any division of Idaho Territory—to the Committee on the Territories.

Also, protest of the board of commissioners of Idaho County, Idaho Territory, against annexation—to the Committee on the Territories.

By Mr. DUNHAM: Petition of the National Board of Trade for an act authorizing the calling of an international conference, to be held in the United States, to consider and report rules and regulations that may lessen the dangers of navigation and to the safety of life and property on the high seas—to the Committee on Commerce.

By Mr. DUNN: Petition of D. C. Ashley, administrator of William York, of Woodruff County; of David Alexander, heir of David Alexander, deceased, of Desha County, and of the widow of John Williams,

deceased, of Phillips County, Arkansas, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. FORNEY: Petition of citizens of Etowah and Marshall Counties, Alabama, residing on or near the Tennessee and Coosa River Railroad, praying for the non-forfeiture of the lands granted to said company by act of June 3, 1856—to the Committee on the Public Lands.

By Mr. GEST: Petition of citizens of Macomb, Mo., for the reissue of fractional currency—to the Committee on Banking and Currency.

By Mr. GIFFORD Petition of F. A. Abercrombie Post, No. 79, Grand Army of the Republic, of Lisbon, Dak., that all arrearage of pensions shall commence with date of disability—to the Committee on Invalid Pensions.

Also, petition of the Bismarck (Dak.) Gun Club, for the establishment of a reserve in the Yellowstone Park for the preservation of large game—to the Committee on the Public Lands.

Also, petition of S. A. Street and 41 others, of Ravillo, Dak., for the establishment of a postal telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. GLASS: Petition of R. H. Jackson, of Gibson County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. GREENMAN: Petition of citizens of Fort Edward, N. Y., to repeal the provision of the pension law which limits the time for making applications for pensions—to the Committee on Invalid Pensions.

By Mr. GROUT: Petition of Junior Order of United American Mechanics, for more stringent immigration laws—to the Committee on Foreign Affairs.

Also, proofs in support of House bill granting a pension to Olive Wallace—to the Committee on Invalid Pensions.

Also, testimony in support of House bill granting a pension to Edna M. Hildreth, and affidavit of Dr. M. E. Smith in support of same—to the Committee on Invalid Pensions.

By Mr. HAYDEN: Petition of Edwin Pape and others, for an act referring their claim to the Court of Claims—to the Committee on Claims.

By Mr. HAYES: Petition of Henry Schaper, of Jackson County, Iowa, to accompany bill—to the Committee on Invalid Pensions.

By Mr. D. B. HENDERSON: Resolutions of the Dubuque (Iowa) Typographical Union, in relation to the pay of employés in the Government Printing Office—to the Committee on Printing.

By Mr. J. S. HENDERSON: Petition of the president and faculty of Trinity College, North Carolina, for an international copyright law—to the Committee on Patents.

By Mr. T. J. HENDERSON: Petition of Charles Richter, late of Company D, Seventeenth Regiment Indiana Volunteer Infantry, for removal of charge of desertion—to the Committee on Military Affairs.

Also, resolutions of the Whitesides County (Illinois) Medical Association, favoring the removal of import duties on all medicines, medical and surgical apparatus, etc.—to the Committee on Ways and Means.

Also, petition of the Farmers' Alliance of Sheffield, Bureau County, Illinois, for reduction of taxation on the necessaries of life and against reduction on spirits and tobacco—to the Committee on Ways and Means.

By Mr. HERMANN: Papers in the claim of Robert Smith, of Curry County, Oregon—to the Select Committee on Indian Depredation Claims.

By Mr. HOLMES: Petition of David J. Haire and 147 others, citizens of Webster County, Iowa, for a pension to John Kennedy—to the Committee on Invalid Pensions.

By Mr. HOOKER: Petition of Catherine Sulm, widow of George Sulm, of Madison County, Mississippi, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. JACKSON: Petition of Rev. R. M. Davis and 106 others, citizens of Lawrence County, Pennsylvania, against the admission of Utah as a State—to the Committee on the Territories.

By Mr. JOSEPH: Petition of the Women's Christian Temperance Union of New Mexico, for the abolition of the internal-revenue tax on all alcoholic liquors—to the Committee on Ways and Means.

By Mr. KETCHAM: Petition of Caroline T. Bancroft, executrix and trustee—to the Committee on the District of Columbia.

By Mr. LAFFOON: Petition of Richard Vaughan, of Christian County, Kentucky, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. LAGAN: Petition for the relief of employés of the United States mint at New Orleans—to the Committee on Claims.

By Mr. LANDES: Petition of E. V. Phillips and 135 others, citizens of Richland County, Illinois, for equalization of soldiers' pay on gold basis—to the Committee on War Claims.

By Mr. LEE: Petition of Robert L. Martin, of Spottsylvania County, Virginia, for reference of his case to the Court of Claims—to the Committee on War Claims.

By Mr. MCCREARY: Petition of William Barnes, of George Lackey, of Eugene Sullivan, and in behalf of Rachael Robbins, for relief—to the Committee on Invalid Pensions.

Also, petition of James Crawford, for relief—to the Committee on War Claims.

By Mr. MCKINLEY: Petition of the Cleveland Vessel-Owners' Association, in relation to legislation to secure greater safety to life and property—to the Committee on Commerce.

Also, resolutions of miners and others of Caperton, of Sunnyside, and of Elmo, W. Va., against the removal or disturbance of the duty on soft coal or coke—to the Committee on Ways and Means.

By Mr. MACDONALD: Petition of citizens of Meeker County, Minnesota, for the establishment of a Government system of telegraph—to the Committee on the Post-Office and Post-Roads.

Also, joint resolution of the Legislature of Minnesota, for an appropriation of $10,000 for the improvement of the Minnesota River at Belle Plaine—to the Committee on Rivers and Harbors.

Also, petitions of the faculty of Carleton College, Northfield, Minn., for removal of duty on imported books, especially those printed in a foreign language—to the Committee on Ways and Means.

By Mr. MILLIKEN: Petition of J. H. Sherman and others, for increase of pension to Stephen Thurston—to the Committee on Invalid Pensions.

By Mr. MORGAN: Petition of M. G. Tally and others, of Marshall County, Mississippi, against laws discriminating against cotton-seed oil—to the Committee on Agriculture.

By Mr. MORROW: Petition of citizens of California and Iowa, for legislation promoting international peace arbitration—to the Committee on Foreign Affairs.

Also, papers relating to the claim of Charles B. Wagner, for relief—to the Committee on War Claims.

Also, papers relating to the case of Isaac Trenible, for relief—to the Committee on Military Affairs.

Also, resolutions of the Wool-Growers' Association of California, against the removal or reduction of tariff on wool—to the Committee on Ways and Means.

By Mr. MORSE: Petition of citizens of Boston, Mass., against the admission of Utah as a State while the local power remains in the hands of the Mormons—to the Committee on the Territories.

By Mr. NELSON: Resolution of the Grant County (Minn.) Farmers' Alliance on the subject of the tariff, and especially asking that lumber, coal, sugar, and binding-twine material be put upon the free-list—to the Committee on Ways and Means.

By Mr. NEWTON: A bill for cleaning out, removing obstructions from, and improvement of the navigation of Bayou Bonne Idée, in North Louisiana—to the Committee on Rivers and Harbors.

Also, a bill appropriating $10,000 for the cleaning out, removing obstructions from, and improving Bayous Roundeway and Vidal, in North Louisiana—to the Committee on Rivers and Harbors.

By Mr. O'DONNELL: Petition of Mrs. Ann Coffield, widow of Patrick Coffield, Company F, Eighth Regiment Michigan Volunteers, for a pension—to the Committee on Invalid Pensions.

By Mr. OSBORNE: Resolutions of miners and others at Caperton and Stone Cliff, W. Va., protesting against removal of duties on soft coal, coke, etc.—to the Committee on Ways and Means.

By Mr. PARKER: A bill for the improvement of the harbor at Ogdensburgh, N. Y.—to the Committee on Rivers and Harbors.

Also, a bill for the improvement of the channel of the St. Lawrence River at Waddington, N. Y.—to the Committee on Rivers and Harbors.

Also, a bill for improving Grass River at Massena, N. Y.—to the Committee on Rivers and Harbors.

Also, a bill to provide for the improvement of the breakwater at Cape Vincent, New York—to the Committee on Rivers and Harbors.

Also, a bill to provide for the improvement of Black River, New York, between Brownville and Lake Ontario—to the Committee on Rivers and Harbors.

By Mr. RANDALL: Resolutions of the Engineers' Club, Philadelphia, Pa., that provision be made by Congress for automatic rain-gauges at all signal-service stations—to the Committee on Appropriations.

By Mr. RAYNER (by request): Petition of Virginia Taylor Lewis as to sword of General George Washington—to the Committee on the Library.

By Mr. RICE: Preamble and resolutions of the Board of Trade of Winona, Minn., indorsing and forwarding resolutions of Upper Mississippi River Convention for the improvement of said river—to the Committee on Rivers and Harbors.

By Mr. ROBERTSON: Petition of Mrs. L. L. Gilmer, administratrix of Thomas M. Gilmer, of St. Landry Parish, Louisiana, for reference of her claim to the Court of Claims—to the Committee on War Claims.

Mr. ROGERS: Petition of Cornelius Cain, of Montgomery County, Arkansas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. SAWYER: Petition for the relief of Charles H. Wisner, late lieutenant Company F, One hundred and thirty-sixth New York State Volunteers—to the Committee on Invalid Pensions.

By Mr. SHAW: Petition of Amanda G. Walter, executrix of Thomas U. Walter, deceased, for relief—to the Committee on Claims.

Also, petition of Luke Goodyear, for removal of charge of desertion—to the Committee on Military Affairs.

Also (by request), petition of survivors of the Mexican war, for amendment to law granting pensions to certain survivors of that war—to the Committee on Pensions.

By Mr. SHIVELY: Petition of the deaf soldiers, sailors, and marines, for increase of pension to deaf soldiers—to the Committee on Invalid Pensions.

By Mr. HENRY SMITH: Petition of 26 citizens of Saltville, Va., in favor of House bill 4412, relating to per diem wages of Government employés—to the Committee on Labor.

By Mr. STOCKDALE: Petition of A. H. Spicer, of Pike County, Mississippi, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. STONE, of Missouri: Paper to accompany House bill 5211, for relief of Francis M. Lawrence—to the Committee on War Claims.

By Mr. SYMES: Petition for the establishment of a United States land office at Boston, Colo.—to the Committee on the Public Lands.

Also, for a land office at Boston, Colo.—to the Committee on the Public Lands.

By Mr. E. B. TAYLOR: Petition of Joseph Mathews, for a special-act pension—to the Committee on Invalid Pensions.

By Mr. G. M. THOMAS: Petition of Joshua T. Harvey, for removal of charge of desertion—to the Committee on Military Affairs.

Also, petition of John M. Parker, for an original pension—to the Committee on Invalid Pensions.

By Mr. WEST: Petition of citizens of Saratoga County, New York, for the repeal of the law limiting the time for filing claims for arrears of pensions—to the Committee on Invalid Pensions.

By Mr. WHEELER: Petition of Louisa Ladd, of Jackson County; of James D. Jones, of Limestone County, and of L. C. Coulson, heir of Jacob Coulson, of Jackson County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WISE: Petition of members of the faculty of Richmond College, Richmond, Va., for an international copyright law—to the Committee on Patents.

Also, petition of John A. Palmer, late index clerk of the House of Representatives, for reimbursement of certain moneys expended by him in the prosecution of his duties as such clerk—to the Committee on Claims.

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The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. FLOOD: Of D. J. Allen and others, citizens of Chemung County, New York.

By Mr. A. J. HOPKINS: Of C. L. Dickson and others, citizens of Kane County, Illinois.

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The following petitions, asking for the passage of the bill prohibiting the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia, were severally referred to the Select Committee on the Alcoholic Liquor Traffic:

By Mr. HERMANN: Of 182 citizens of the First district of Oregon.

By Mr. LYNCH (by request): Of citizens of the Twelfth district of Pennsylvania.

By Mr. McKINNEY: Of 106 citizens of the First district of New Hampshire.

By Mr. O'DONNELL: Of 115 citizens of Napoleon, Mich.

By Mr. RAYNER (by request): Of the Maryland State Temperance Alliance.

By Mr. SHIVELY: Of Mrs. M. E. Goodman and 51 others, citizens of Kendallville, Ind.

By Mr. SYMES (by request): Of H. S. Beavis and others, and of P. K. Linton and others, citizens of Colorado.

By Mr. C. L. ANDERSON: Of J. W. Leggett, of Leake County, and of Frank Bell and others, of Attala County, Mississippi.

By Mr. T. H. B. BROWNE: Of James O. Harding and others, of Rehoboth Church, Va.

By Mr. ENLOE: Of George D. Smith and 15 others, of Live Oak, Henry County; of R. W. Kittrell and 59 others, of Sego, Perry County, and of W. L. Moore and 64 others, of Sardis, Henderson County, Tenn.

By Mr. HARE: Of citizens of Lock, Clay County, Texas.

By Mr. HOUK: Of citizens of Bearden, Tenn.

By Mr. McCLAMMY: Of citizens of Keith, Pender County, North Carolina.

By Mr. McKINLEY: Of citizens of Homerville, Ohio.

By Mr. PEEL: Of citizens of the Fifth district of Arkansas.

By Mr. SENEY: Of William Price and 50 others, citizens of North Robinson, Crawford County, Ohio.

By Mr. SHIVELY: Of J. L. Shoemaker and 52 others, citizens of Kosciusko County, Indiana.

By Mr. WASHINGTON: Of J. H. Grant and 50 others, of Omar, Montgomery County, Tennessee.

By Mr. WHITTHORNE: Of J. H. McCorkle and others, of Wayne County, Tennessee.

## SENATE.

TUESDAY, *February* 7, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

### EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of January 25, 1888, a report of Special Agents Gordon and Martin on the investigation of the north boundary line of the Warm Springs Indian reservation, in the State of Oregon; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

### PROPERTY STATEMENT OF SERGEANT-AT-ARMS.

The PRESIDENT *pro tempore* laid before the Senate a letter from the Sergeant-at-Arms of the Senate, transmitting a complete statement of all property belonging to the United States in his possession on the 6th day of December, 1887; which, with the accompanying paper, was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, and ordered to be printed.

### PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of 145 citizens of the District of Columbia, and a petition of 282 citizens of the District of Columbia, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented a memorial of citizens of the United States, resident in Connecticut, remonstrating against the admission of Utah until polygamy is abolished; which was referred to the Committee on Territories.

He also presented a petition of citizens of New York, praying for the appointment of a commission to examine into the charges alleged against the priesthood of the Roman Catholic Church on account of the practice of auricular confession; which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of Kansas, officially signed, representing 3,500 members, praying for the abolition of the internal-revenue tax on all alcoholic liquors; which was referred to the Committee on Finance.

He also presented the petition of the First Baptist Church, of Salem, N. J., signed by the pastor and clerk, representing 400 members, also of the Memorial Baptist Church, signed by its officers, representing 250 members, praying for the better protection of young girls in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. FRYE presented the petition of Abigail R. Paul, Henry Bassett, and other citizens of Salem, N. J., praying for the better protection of young girls in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented the petition of the Woman's Christian Temperance Union, signed by Mrs. S. D. La Fetra and other officers of that organization, praying for the appointment of a commission of inquiry concerning the alcoholic liquor traffic; which was referred to the Committee on Education and Labor.

Mr. FARWELL presented a petition of 199 citizens of the First, Eighth, Fifteenth, and Seventeenth Congressional districts of Illinois, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented the petition of the Woman's Christian Temperance Union of Illinois, officially signed, representing 12,026 members, praying for the abolition of the internal-revenue tax on all alcoholic liquors; which was referred to the Committee on Finance.

He also presented the petition of the faculty of the Northwestern University, and the faculty of the Garrett Biblical Institute, at Evansville, Ill., praying for the enactment of an international copyright law; which was referred to the Committee on Patents.

He also presented the petition of the faculty of the Northwestern University and the faculty of the Garrett Biblical Institute, at Evansville, Ill., praying for the removal of all duties and restrictions on the importation of foreign books; which was referred to the Committee on Finance.

He also presented the petition of N. K. Fairbank and other residents of the State of Illinois, praying that increased salaries be allowed to judges of the circuit and district courts of the United States; which was referred to the Committee on the Judiciary.

He also presented a petition of citizens of Chicago, Ill., and members of the Grand Army of the Republic, praying for legislation for relief of Warren A. Alden, of Chicago, Ill.; which was referred to the Committee on Military Affairs.

Mr. WALTHALL. I present six memorials, numerously signed by citizens of Mississippi, remonstrating against the proposed legislation to tax and make subject to inspection compounds of lard with cotton-seed.

I move the reference of the memorials to the Committee on Agriculture and Forestry.

The motion was agreed to.

Mr. STOCKBRIDGE presented a petition of 111 citizens of the Third Congressional district of Michigan, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. FAULKNER presented a petition of 165 citizens of the District of Columbia, and a petition of 127 citizens of the First Congressional district of West Virginia, praying for the passage of the bill prohibiting the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. MANDERSON. I present a petition, numerously signed by citizens of Nebraska, praying for the opening of Oklahoma and of the Cherokee Strip of land to homestead entry and settlement, and for the establishment of a Territorial organization of the same. I move its reference to the Committee on Indian Affairs.

The motion was agreed to.

Mr. MANDERSON presented a petition of piece-work employés in the Government Printing Office, praying to be allowed increased pay; which was referred to the Committee on Printing.

He also presented the petition of the Woman's Christian Temperance Union of Nebraska, officially signed, representing 2,500 members, praying for the abolition of the internal-revenue tax on all alcoholic liquors; which was referred to the Committee on Finance.

Mr. TELLER presented a petition of 113 citizens of Longmont and Loveland, Colo., and a petition of H. S. Beavis and 44 citizens of Colorado, praying for the passage of a bill prohibiting the manufacture, sale, and importation of all alcoholic beverages in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. SAWYER presented a petition of 104 citizens of the Third and Seventh Congressional districts of Wisconsin, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. BECK. I present a petition which was sent to me by an association in Washington with the request that I should present it. It is a petition from citizens of the First and Eighth Congressional districts of Kentucky, praying for prohibition in the District of Columbia. I move that the petition be referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. CULLOM presented resolutions adopted by Martin Baker Post, No. 245, Grand Army of the Republic, at Jeffersonville, Ill., remonstrating against the passage of the pension bill proposing to allow soldiers 1 cent a day for their term of service; which were referred to the Committee on Pensions.

Mr. SHERMAN. I present a memorial signed by A. L. Blackman as president of the American, Atlantic and Pacific Ship-Canal Company, being a protest of the American, Atlantic and Pacific Ship-Canal Company against the construction of the Nicaragua canal, and as there is a bill now pending in the Committee on Foreign Relations to authorize the construction of such a canal, and as this paper contains many allegations, I think it of sufficient importance to have it printed for the use of the Committee on Foreign Relations, to which I move that it be referred.

The PRESIDENT *pro tempore*. The memorial will be referred to the Committee on Foreign Relations, and it will be printed for the use of the committee, if there be no objection.

Mr. HALE. I present a communication from John W. Lovell & Co., well-known American publishers, remonstrating against the enactment of House bill No. 4910, in relation to postage rates. I move that the communication be referred to the Committee on Post-Offices and Post-Roads, where other papers which have been presented of like kind have gone.

The motion was agreed to.

Mr. MITCHELL presented a petition of citizens of Oregon, praying that an appropriation be made for the establishment of a first-class lighthouse at the mouth of Siuslaw River, in that State; which was referred to the Committee on Commerce.

He also presented a petition of citizens of Oregon, praying that increased compensation be allowed to fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of Tully C. Baish and other citizens of Oregon, praying that he be allowed a pension on account of services in the Seminole war; which was referred to the Committee on Pensions.

Mr. WILSON, of Iowa, presented the petition of Edmund P. Hickey, attorney for the heirs, praying for the purchase by the Government of the copyright and stereotype plates of Hickey's Constitution of the United States; which was referred to the Committee on the Library.

Mr. QUAY presented a petition of the Board of Trade and citizens' committee of Altoona, Pa., urging the erection of a public building at that place; which was referred to the Committee on Public Buildings and Grounds.

Mr. HOAR presented the petition of Peter L. Monroe, Rozel Jacobs, A. C. Klotz, and 22 other citizens, members of the Grand Army of the Republic, of Claremont, Surry County, Virginia, praying for the enactment of the service-pension bill now pending before the Senate; which was referred to the Committee on Pensions.

Mr. PAYNE presented a petition of 138 citizens of the Second, Sixth, Eleventh, and Sixteenth Congressional districts of Ohio, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. PLATT presented a petition of 115 citizens of Dakota, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. BLAIR presented the petition of the Woman's Christian Temperance Union of Washington Territory, representing 75 members of the local union, and the petition of Eliza Branstine and 99 other citizens of Magnet, Mo., praying for the adoption of a prohibitory amendment to the Constitution; which were referred to the Committee on Education and Labor.

He also presented a petition of citizens of Cedarville, Greene County, Ohio, praying for the passage of the Blair school bill; which was ordered to lie on the table.

Mr. DOLPH. I present a petition of the Board of Trade of Portland, Oregon, praying that an appropriation be made for a public building at that place. As a bill for the construction of a public building at Portland has been reported from the Committee on Public Buildings and Grounds and is on the Calendar, I move that the petition lie on the table.

The motion was agreed to.

Mr. HAMPTON presented a memorial of the Columbia (S. C.) Board of Trade, remonstrating against the passage of the so-called lard bill; which was referred to the Committee on Agriculture and Forestry.

Mr. HISCOCK presented the petition of A. H. Dennison and other citizens of Copenhagen, N. Y., praying for the passage of the bill for the reduction of postage on seeds, plants, bulbs, scions, etc.; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented resolutions adopted by the senate and assembly of the State of New York in favor of the passage of laws regulating the immigration of foreigners; which were referred to the Committee on Foreign Relations.

He also presented a petition of 159 citizens of the Thirty-first Congressional district of New York, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. HARRIS. I present the protest of the American, Atlantic and Pacific Ship Canal Company against the passage of the bill proposing to incorporate the Maritime Canal Company of Nicaragua; and I ask its reference to the Committee on Foreign Relations.

Mr. HOAR. Copies of that memorial have been sent to every Senator, I believe, and it has been presented in the Senate before.

Mr. HARRIS. Then there is no necessity for presenting the copy which I have received. I withdraw the memorial, if a similar one has already gone to the proper committee.

The PRESIDENT *pro tempore*. The memorial will be withdrawn, if there be no objection.

Mr. MORGAN. I present a memorial of 200 merchants and planters of Montgomery County, Alabama, in opposition to measures now pending in the Senate to regulate the sale and use of cotton-seed oil, and setting forth their reasons why Congress should not interfere with the production, sale, or use of this wholesome and valuable product. I move that the memorial be referred to the Committee on Agriculture and Forestry.

The motion was agreed to.

## REPORTS OF COMMITTEES.

Mr. SAWYER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 817) granting a pension to Peter Stusse;
A bill (S. 809) granting a pension to Betsey Mannsfield;
A bill (S. 816) granting a pension to Amastasia Walter;
A bill (S. 803) granting a pension to Delia U. Peck;
A bill (S. 805) granting a pension to Melvina Greenwood; and
A bill (H. R. 363) granting a pension to Mrs. Eliza L. Mace.

Mr. TURPIE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 860) granting a pension to Stephen Singleton;
A bill (S. 472) granting a pension to Eliza Summers; and
A bill (S. 842) granting a pension to Julia A. Rhoads.

Mr. TURPIE, from the Committee on Pensions, to whom was referred the bill (S. 699) granting an increase of pension to Herman Baumhager, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. HARRIS, from the Committee on the District of Columbia, to whom was referred the bill (S. 1053) to authorize the construction of a bridge across Rock Creek, on the Woodley Lane road, in the District of Columbia, reported it with amendments.

Mr. FAULKNER, from the Committee on Pensions, to whom was

referred the bill (S. 739) granting a pension to Johnanna Loewinger, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the bill (S. 862) granting a pension to David Peterson, and the bill (S. 1418) granting a pension to David Peterson, submitted an adverse report thereon, which was agreed to; and the bills were postponed indefinitely.

Mr. BECK, from the Committee on Finance, to whom was referred the bill (S. 1198) for the relief of William H. Robinson and Edward L. Hedden, late collectors of customs for the district of the city of New York, reported it without amendment, and submitted a report thereon.

Mr. QUAY, from the Committee on Pensions, to whom was referred the bill (S. 807) granting a pension to Julia Nolan, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. BLAIR, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 373) for the relief of women enrolled as army nurses, etc.;
A bill (S. 413) granting an increase of pension to Oscar S. Collins;
A bill (H. R. 365) granting a pension to John Humes;
A bill (H. R. 1317) for the relief of Frances McNeil Potter;
A bill (S. 998) to restore pensions in certain cases; and
A bill (S. 451) granting a pension to Hannah C. De Witt.

Mr. BLAIR, from the Committee on Pensions, to whom was referred the petition of Louisa Provost, praying to be allowed a pension, submitted a report thereon, accompanied by a bill (S. 1884) granting a pension to Louisa Provost; which was read twice by its title.

Mr. MORRILL, from the Committee on Finance, to whom was referred the bill (S. 1564) for the relief of importers of animals for breeding purposes in certain cases, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1236) to amend Title XXXIII, Revised Statutes (admitting "duty free" animals for breeding purposes), reported it adversely; and the bill was postponed indefinitely.

Mr. SPOONER, from the Committee on Claims, to whom was referred the bill (S. 879) for the relief of the administratrix of the estate of George W. Lawrence, reported it without amendment, and submitted a report thereon.

Mr. WILSON, of Maryland, from the Committee on Pensions, to whom was referred the petition of Sarah R. Blucher, widow of John Van B. Blucher, late of the United States Navy, praying to be allowed an increase of pension, submitted an adverse report thereon, which was agreed to; and the committee were discharged from the further consideration of the petition.

Mr. HAWLEY. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 1499) for the relief of Mary A. Lewis, widow of Joseph N. Lewis, to ask to be discharged from its further consideration. The bill has been properly considered by the Committee on Commerce and a report made, and the bill reported by that committee is upon the Calendar.

The PRESIDENT *pro tempore*. The bill will be indefinitely postponed.

Mr. PLUMB, from the Committee on Public Lands, to whom was referred the bill (S. 1225) to abrogate the powers of the executive officers of the United States in allowing indemnity locations or scrip for confirmed unsatisfied private land claims, under section 3 of the act of Congress approved June 2, 1858 (U. S. Statutes at Large, volume 11, pages 294 and 295, chapter 81), and to vest that power in the courts of the United States, asked to be discharged from its further consideration, and that it be referred to the Committee on Private Land Claims; which was agreed to.

Mr. BOWEN, on behalf of the majority of the Committee on Indian Affairs, submitted a report on the bill (S. 428) to authorize the Court of Claims to hear, determine, and render judgment upon the claim of the Old Settler or Western Indians, heretofore reported by that committee.

Mr. JONES, of Arkansas. I submit the views of the minority on Senate bill 428, to accompany the report just presented.

The PRESIDENT *pro tempore*. The views of the minority will be printed with the report of the majority, if there be no objection.

UNITED STATES MAP.

Mr. MANDERSON. I am directed by the Committee on Printing, to which was referred the joint resolution (S. R. 17) to print additional copies of the United States map of the edition of 1886, prepared by the Commissioner of Public Lands, to report it favorably, without amendment. I ask for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It proposes to cause to be printed 7,500 copies of the United States map prepared by the General Land Office, of the edition of 1886, at a rate not exceeding $1.35 each; 2,000 copies of which shall be for the use of the Senate, 4,000 copies for the use of the House of Representatives, and 500 copies for the use of the Commissioner of the General Land Office; and that 1,000 copies be printed and mounted, to be sold under the direction of the Secretary of the Interior at $1.50 each.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REPORT OF ACADEMY OF SCIENCES.

Mr. HAWLEY. I am instructed by the Committee on Printing to report a concurrent resolution to print the annual report of the Academy of Sciences. I ask that it may be now considered.

The concurrent resolution was considered by unanimous consent, and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That the report of the National Academy of Sciences for the year 1887, with its appendices, be printed in the usual octavo form, but that the accompanying memoirs be printed in the usual quarto form; and that 1,000 copies of the report and memoirs be printed for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 1,500 copies for the Academy of Sciences; and to complete the quota of volumes hitherto annually assigned to the Academy, 1,500 copies of the memoirs of 1886.

BILLS INTRODUCED.

Mr. HOAR introduced a bill (S. 1885) granting a pension to Margaret Tonkin; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PLATT (by request) introduced a bill (S. 1886) for the relief of Frederick S. Jennings; which was read twice by its title, and referred to the Committee on Patents.

Mr. HALE introduced a bill (S. 1887) granting a pension to Frances A. Andrews; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STEWART introduced a bill (S. 1888) to amend chapter 6 of Title XXXII, of the Revised Statutes, relating to mineral lands and mining resources; which was read twice by its title, and referred to the Committee on Mines and Mining.

Mr. HARRIS introduced a bill (S. 1889) to authorize the Tennessee Midland Railway Company to construct a bridge across the Tennessee River; which was read twice by its title, and referred to the Committee on Commerce.

Mr. SAWYER introduced a bill (S. 1890) to remove the charge of desertion from the military record of James Barry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1891) to remove the charge of desertion from the military record of Joseph R. Rhines; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 1892) for the relief of soldiers who have been honorably discharged or mustered out of the service on surgeon's certificate; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. BECK (by request) introduced a bill (S. 1893) for the relief of the estate of Mrs. J. M. Messick; which was read twice by its title, and referred to the Committee on Claims.

Mr. MITCHELL introduced a bill (S. 1894) granting bounty to certain seamen who enlisted in the United States Navy during the war of the rebellion; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. HISCOCK introduced a bill (S. 1895) granting increase of pension to Mrs. Caroline M. Norton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1896) for the relief of Mrs. Eliza A. Cutler Jones; which was read twice by its title, and, with the accompanying papers and the papers on file relating to the case, referred to the Committee on Pensions.

Mr. STOCKBRIDGE introduced a bill (S. 1897) for the relief of captains, pilots, engineers, and mates of steam-vessels; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1898) to amend section 4463, chapter 2, Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Commerce.

Mr. EVARTS introduced a bill (S. 1899) for the relief of Miss Eliza A. White; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. DOLPH introduced a bill (S. 1900) to carry into effect the international convention of the 14th of March, 1884, for the protection of submarine cables; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. CULLOM introduced a bill (S. 1901) granting a pension to Levi B. Smith; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. VOORHEES introduced a bill (S. 1902) for the relief of David Armstrong; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. PLUMB introduced a bill (S. 1903) granting the right of way through the Fort Riley military reservation, Kansas, to the Chicago, Kansas and Western Railway Company; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BLAIR introduced a joint resolution (S. R. 49) in reference to

the employment of the Army and Navy bands; which was read twice by its title, and referred to the Committee on Education and Labor.

BRIDGES OVER STREAMS WITHIN STATE LIMITS.

Mr. FRYE. I offer a resolution and ask for its immediate consideration.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read as follows:

*Resolved*, That the Committee on Commerce be instructed to inquire into the right and expediency of Congress assuming control of the erection of bridges over navigable waters or streams within State limits, and to report by bill or otherwise.

The PRESIDENT *pro tempore*. The resolution will be regarded as agreed to, if there be no objection.

Mr. DOLPH. Is that referred to the Committee on Commerce?

Mr. FRYE. It is.

The PRESIDENT *pro tempore*. The Chair understood the Senator from Maine to ask that the resolution might be agreed to.

Mr. FRYE. I asked that it might be agreed to, but it simply refers the subject then to the Committee on Commerce.

The PRESIDENT *pro tempore*. So the Chair understood. The resolution will be considered as agreed to, if there be no objection. The Chair hears no objection.

ORDER OF BUSINESS.

Mr. STEWART. I move that the Senate proceed to the consideration of Order of Business 120.

The PRESIDENT *pro tempore*. If there are no further resolutions, concurrent or other, under the rule, until 1 o'clock, the resolutions on the Calendar coming over from a former day must be considered, unless by unanimous consent the Senate should otherwise order.

Mr. STEWART. I withdraw my motion if there are resolutions to come up.

Mr. PLATT. I should like to ask the Senate now to consider the resolution to refer the President's message to the Committee on Finance, that I may conclude the remarks which were interrupted yesterday by a motion to proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. The Senator from Connecticut asks unanimous consent that the Senate proceed to the consideration of the resolution to refer the annual message of the President of the United States to the Committee on Finance.

Mr. DOLPH. I should like simply to state that, inasmuch as I had given notice that I should call up a bill to-day for the purpose of submitting some remarks, at the conclusion of the remarks of the Senator from Connecticut I should like to detain the Senate a few minutes while I present the matter referred to.

The PRESIDENT *pro tempore*. The Chair hears no objection to the request made by the Senator from Connecticut.

THE PRESIDENT'S ANNUAL MESSAGE.

The Senate resumed the consideration of the resolution submitted by Mr. SHERMAN, December 19, 1887, to refer the annual message of the President of the United States to the Committee on Finance.

Mr. PLATT. Mr. President, when I gave way yesterday to a motion to proceed to the consideration of executive business, I was speaking to the following proposition, namely, that the method of reducing the income of the Government proposed by the President of the United States means the absolute and final destruction of the protective system; that it means practical and absolute free trade. I had shown that all free-traders claim the President as one of them; I had shown, as I think, that the tone, and spirit, and argument of the message were for free trade; and I wish to supplement those proofs of his opinion by showing that his recommendations for the reduction of income can result in nothing else but the entire downfall of the protective system of the country.

I can not but assume, Mr. President, that the Democratic party intends to follow the recommendations of its commander-in-chief. There have been, indeed, some straws which look as if there might be some question about it, as if there might be an attempt at some compromise, as if there might be a studied effort on the part of the Democratic party to do nothing in the line which the President has recommended at this session, and then go once more to the country upon this free-trade message as its platform; but I can not assume that the Democratic party and the Democratic leaders in Congress really intend that course of action.

I admit the necessity of some reduction in the income of the Government, but I am not to be frightened into an abandonment of the protective system in this country by the President's "rawhead and bloody-bones" figures. I deny the necessity for this accumulation in the Treasury.

Right here I wish to correct, if possible, what I believe to be a misunderstanding in the country with regard to this surplus. The country does not distinguish between accumulations in the Treasury and the surplus income—the money which the Government annually collects by law more than it can pay out by law; and the President in his message does not help us very much to make this distinction. If the free-trader juggles with words, the President, unintentionally of course, juggles with figures.

There has been some accumulation in the Treasury. There is now an accumulation of money in the Treasury. It is not the result of surplus taxation for the current year. It is an accumulation which has been growing for years. When the Republicans were in power they did not allow it to assume the proportions which it has been allowed to assume under Democratic administration. I will not refer to the changed system of book-keeping, which makes the surplus, according to Democratic calculations, about $30,000,000 less than the Republicans under their system of book-keeping were wont to acknowledge it. But when there was, under Republican administration, an accumulation of money in the Treasury, the Republicans always found some way to pay it out for the benefit of the people.

On the other hand, this Administration seems to insist in keeping it in the Treasury, and not paying it out for the benefit of the people; and no reduction in taxation, as the President and Secretary of the Treasury are pleased to call it, no reduction of the amount of our annual income will relieve the Treasury from this accumulation. You may reduce taxes, as the Secretary of the Treasury proposes, below the current needs of Government, so that our annual income will not be by some millions of dollars as much as we must annually pay out, and yet it will take a long time to empty the Treasury of its accumulation. So the question of reduction of taxation has very little to do with relieving the Treasury of what the President tells us is a "congested" condition. Some other means must be devised for that.

So the question of reducing income, whether it be by repeal of internal-revenue taxation or by the destruction of the protective system, so far as that is concerned it has nothing whatever to do with disposing of the money now in the Treasury.

We had in the Treasury, the President tells us, on the 1st day of December, $55,258,701.19. I will read what he says about it, because upon this single sentence of the message a false impression has gone forth to the country, and business men and statesmen alike suppose that the President recommends an annual reduction in income of $113,000,000, or at least of $100,000,000. The impression may well have gone forth from the President's language. It is this:

> While the expedients thus employed, to release to the people the money lying idle in the Treasury, served to avert immediate danger, our surplus revenues have continued to accumulate, the excess for the present year amounting on the 1st day of December to $55,258,701.19, and estimated to reach the sum of $113,000,000 on the 30th of June next, at which date it is expected that this sum, added to prior accumulations, will swell the surplus in the Treasury to $140,000,000.

I defy any member of the Finance Committee on either side of the Chamber to tell us what the President means by that passage in his message. He seems to mean that there was an accumulation in the Treasury over and above the $55,258,701.19 of about $27,000,000 of prior accumulations, when in fact the $55,258,701.19 was the entire accumulation in the Treasury.

There was in the Treasury on the 1st day of December, as I have stated and the President says, $55,258,701.19. On the 1st day of January it was $69,842,879.11. On the 1st day of February it was $85,230,746.09—a pretty rapid accumulation.

But, Mr. President, even that is misleading. That money is not all of it in the Treasury. That actual accumulation of money in the Treasury might afford some reason to suppose that the dangerous condition of things which the President says exists does indeed exist; but something over $50,000,000 is in the National Banks of the country, and not actually in the Treasury, only constructively in the Treasury, and it is being loaned out by the banks to the people. I think the amount is about $55,000,000, but I will call it $50,000,000—I had the figures—so that the actual accumulation of money in the Treasury on the 1st day of February was only $35,000,000, or thereabouts.

The President did not tell us in the message how much of this money had been deposited in National Banks. He told us how much was deposited in National Banks at one time, I think; I do not find it, however; but this is what he says about it:

> In addition to this the interest accruing during the current year upon the outstanding bonded indebtedness of the Government was to some extent anticipated, and banks selected as depositories of public money were permitted to somewhat increase their deposits.

I should think so. When this new policy of making unusual deposits in the banks was first adopted by this Administration the deposits amounted to between $17,000,000 and $18,000,000, speaking from recollection—I am not far from right—and when they have run up to $50,000,000 or $55,000,000 I should think they had been "somewhat" increased, as the President says. I allude to this fact because I propose to maintain pretty soon that this great talk about the surplus, it seems to me, could have been for no other purpose than as holding out an inducement by way of fear to the country and to Congress to break down the protective system of the country.

Why has this accumulation been permitted? Why has taxation not been reduced—the taxation which created from year to year this accumulation? Why has the Democratic party in power in that section of Congress which originates measures of this character not sent to this body some bill looking to the reduction of taxation? It stood pledged by its platform, by the professions of its leaders on every stump and at every hustings in the United States, immediately upon its accession to